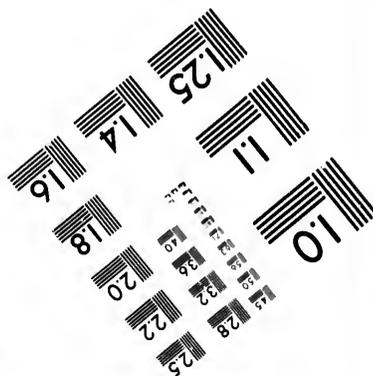
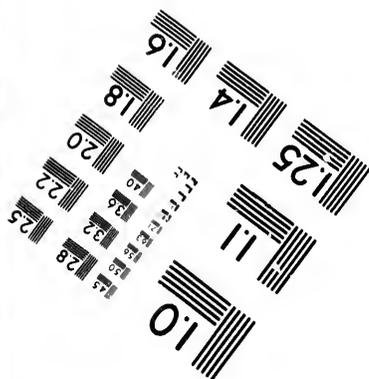
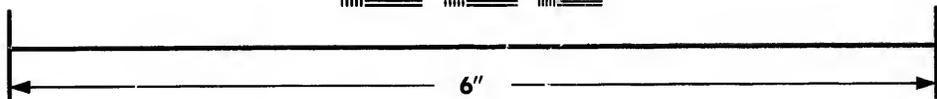
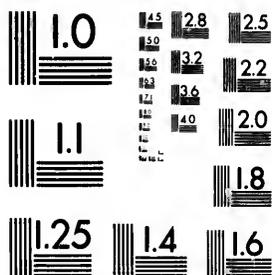


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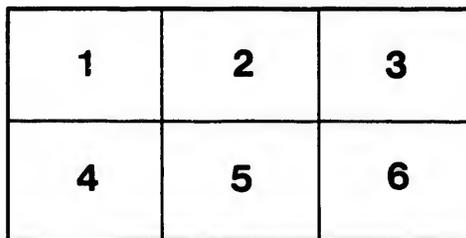
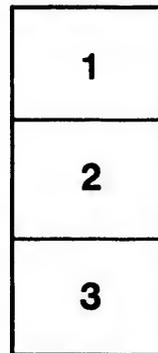
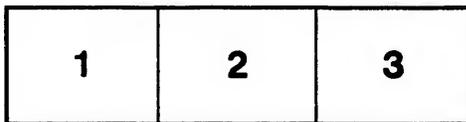
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STRICTURES

UPON

A RECENT REPORT

OF THE

QUEBEC COMMITTEE OF RELIEF:

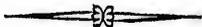
WITH AN APPENDIX.

BY HAMPDEN.



“ They had a Vision of their own,
— Ah! why did they undo it?”

“ Committees cannot be believed :
‘ Disclosures awful’ caused much cavilling :
Before the winding-up’s achieved,
Strange mysteries will need unravelling !”



Quebec :

PRINTED BY GILBERT STANLEY, 4, ST. ANNE STREET.

1846

Classé - Religion et charité

ERRATA.

Page 35, line 7. after "as" insert 'in a great measure.'
" " 13. after "is" insert 'in a great measure.'

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STRICTURES

Upon a recent Report of the Quebec Committee of Relief upon the State of the Funds, presented by a Sub-Committee appointed to report upon false and injurious statements.

ON the 18th May, 1846, J. C. Fisher, Esqr. LL. D., the Acting Chairman being in the Chair, Mr. D. Ross, in his place, read an Editorial article in the Montreal Morning Courier of the 6th, in which (among other things) it was alleged that the Committee had "determined to appropriate a part of the funds to defray the expense of widening the streets," and that this transaction was "nothing else than a species of fraud," and "a scandalous misappropriation." And he thereupon moved, seconded by Mr. Lemesurier, the appointment of a Sub-Committee of five members "to consider and report upon certain statements which had, on various occasions, been inserted in the public newspapers, reflecting falsely and injuriously upon the acts and proceedings of this Committee."

The Rev. Dr. Cook, seconded by the Honble. Mr. Cochran, moved in amendment—"That this Committee, having made it their constant endeavour to administer the funds placed at their disposal for the relief of the sufferers, in such a way as they conscientiously judged would most effectually relieve the general distress, and believing that this object, which alone the Contributors could have in view, will be satisfactorily attained, *decline noticing* newspaper attacks on their conduct, but are ready to afford any explanation to parties entitled to demand it, and who demand it in a regular way."

The Committee divided on the amendment, with ten on each side, when the Chairman gave his casting vote against it (stating his objection to be to the word "satisfactorily") and it was lost.

The Committee then divided on the original motion, with eleven yeas, and ten nays; so that the Committee decided to take the course indicated by Mr. Ross' motion, by a majority of *one*; and after much difficulty in obtaining the consent of five members to act, the Sub-Committee were at length named, consisting of Messrs. Ross, Lemesurier, Baillargé, the Rev. Mr. Parant, and the Honble. Mr. Cochran, *one*, if not two, of whom had voted against the motion.

On the 25th May, the Rev. Dr. Cook, who also had voted against the resolution, and had even made the counter motion, was added to the Sub-Committee, and *became their Chairman*.

On the 1st June, a Report, since designated "Dr. Cook's Report from the Sub-Committee," was presented, received, and ordered to be printed for the use of the members; and on the 8th, on the motion of the Honble. Mr. Cochran, who had seconded the counter motion, it was adopted by a majority of about twelve to eight, with spaces in it still vacant for figures, and with instructions to the Sub-Committee to fill up the blanks.

Before these blanks were filled up, the Acting Secretary furnished the "Quebec Mercury" (of which Paper he is Editor) with the Report as part of the Minutes, and it was published on the 9th, in a Supplement of that Journal, without signature, and incomplete, *two days before the departure of the English Mail.*

It will be observed that the informal vagueness in the terms of their appointment, invested the Sub-Committee with a sort of *cart-blanche* to select articles according to their fancy, to construe as false and injurious even those which were *injuriously true*, and, without disclosing their selections, to comment upon them in the exercise of a secret censorship, if only an over-bearing majority would ratify their interpretations, and adopt their defence without either information or enquiry. No specific statements in the newspapers were referred to them, neither have they referred to any as false and injurious, nor even intimated whether and where they found a single one of that description. Nothing of the kind is in the possession of, nor recognized by, the Committee of Relief; and yet when the Sub-Committee upon false and injurious statements bring in their Report, designated "*Dr. Cook's Report from the Sub-Committee,*" every effort to procure the information requisite to the formation of an opinion is repressed,—every attempt on the part of the minority, to obtain proper access to the specific statements reported upon, and in regard of which a vote is to be given, is opposed.

It was severally moved by Mr. Hale, seconded by Mr. Sheriff Sewell,—“That the statements reported upon as false and injurious by the Sub-Committee appointed on the 18th ultimo, be now read:” and again, “That the Sub-Committee appointed on the 18th ultimo be instructed to communicate to this Committee the particular statements reported upon by them as false and injurious, to enable this Committee to form an opinion.”*

But both of these were negatived, and the Committee were forced to “open their mouth and shut their eyes” and swallow the Report *in globo!* †

* “Where papers are laid before the house, or referred to a Committee for their consideration, every member has a *right* to have these papers read through once at the Table, before he can be compelled to form an opinion.”

“When papers were referred to a Committee they were used formerly to be first read, but of late only the titles; unless a member insisted that they should be read, and then *nobody could oppose it.*”

Hatsell, vol. ii., p. 157.

† “Mr. Onslow used frequently to assign another reason for adhering strictly to the rules and orders of the House. He said it was a maxim he had often heard, when he was a young man, from old and experienced members—‘That nothing tended more to throw power into the hands of the Administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, these rules—That the forms of proceeding as instituted by our ancestors, operated as a check and control on the actions of ministers; and that

Even the published Protest alluded to, which is the only specific document to which reference is made, is undescribed by the date or the signatures affixed to it; and although it is privately known to be a certain Paper marked Z (see minutes 6th April) which the Committee refused to receive or register two months before,—even this is not pretended to be false and injurious,—even this was not suffered to be read,—even this is not in the possession of the Committee, neither had the Sub-Committee any authentic copy of it; and yet three-fourths of the Report then about to be adopted, and which was adopted, consisted of animadversions on that single Document.

The foregoing history of the Report upon which it is proposed to make a few remarks, will be found to be in harmony with the character of the Report itself, and with the arbitrary determination of the majority that no information should be obtained to enable the Committee themselves, and still less the Public, to form an intelligent opinion upon the subject.

But there are further particulars which are not less curious in the history of this Report. It came from a Sub-Committee instructed to report upon *false and injurious statements*, &c.; but it is entitled an “ad interim Report of the *state of the funds*,” as if it had been *felt* (and as will be *shown*) that there being nothing injuriously false to report upon, it would do as well to report upon something else. This anomaly discovered, a motion was made by Mr. Hale, seconded by Mr. Sheriff Sewell,—

“That whereas the Report now on the table from the Sub-Committee appointed on the 18th ultimo, purports to be a Report of the state of the funds at the disposal of the Committee, and not on false and injurious statements in the public prints, which formed the subject referred to them, the said Report be sent back to the said Sub-Committee in order to be made conformable to the order of reference:” and another by Mr. Sheriff Sewell, seconded by Mr. Stewart Scott,—

“That the heading of the Report be altered as follows:—‘The Sub-Committee to whom was referred certain false and injurious statements in the newspapers, report,’” &c.

But both of these shared the fate of their associates, together with one by Mr. Holt, seconded by Mr. Gingras, to have the blanks first filled up; and another by Rev. Mr. Mackie, seconded by Mr. Hall, to consider the Report paragraph by paragraph; and the Report, with its unknown sums, and embryo figures, was adopted as it stood, to be *completed afterwards* by the Sub-Committee!

they were, in many instances, a shelter and protection to the minority against the attempts of power.’ So far this maxim is certainly true, and is founded in good sense—that, as it is always in the power of the majority, by ‘their numbers,’ to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power, are the forms and rules of proceeding; which have been adopted as they were found necessary, from time to time, and are becoming the standing orders of the House; by a strict adherence to which the weaker party can alone be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities.”

Hatsell, vol. ii., p. 224.

The contents of the Report, which divide themselves into three parts, are in keeping with its history.

The 1st part, or Report *proper* as regards the title, but *improper* as regards the reference, is on "the state of the funds," and occupies about one-eighth of the whole space: the 2nd part which occupies another eighth relates to the widening of the streets; and the remaining six-eighths are devoted to the published Protest.

With respect to the 1st part, upon "the state of the funds," it is difficult to say whether its harmlessness or uselessness preponderates, or whether its incorrectness does not exceed them both. It is harmless because useless, and useless because incorrect. No man of business will mistake it for what it purports to be. A Balance of £25,000 is fixed and determined upon beforehand, while blanks are left to be filled up with the yet unknown items which are to produce that Balance. These items, moreover, the Sub-Committee have since declared themselves unable to fill up with the necessary accuracy for want of the requisite information.* But there stands the Balance, in the face of this admitted inability to state the amount of the items which are to produce it,—there it stands—fixed, reported, confirmed, and published, just as if it had no necessary dependence on these unascertained and confessedly variable items of the account, and notwithstanding that the Committee of Distribution have been authorized to take £3000 out of the Balance or reserve funds, in case of need, to make up the Dividends! For, that Committee, when recommending a second Dividend, stated, on the 4th May, 1846, that some of their calculations on which they grounded their opinion (*viz.* that they could pay 15 per cent) "cannot be absolutely depended upon, being *contingent* upon certain proceedings to be hereafter taken," and they accordingly suggested that authority should be given "to deduct to the extent of £3000, if required, from the reserve funds:—and this authority was granted. How, then, can a Balance be *fixed* when the items of expenditure, and the calculations, on which it depends, are avowedly *contingent*? Yet the Sub-Committee have actually fixed one; the General Committee have deliberately confirmed it, and the Secretary has published it for the information of the Contributors! It has been stated, in explanation, that the £3000 will not be required, since the second Dividend will be less instead of more than its estimated amount. But this is at once to admit that the Balance which has been fixed, reported, adopted, and published, is erroneous, since it is *already known* that the items producing it will be different from what was supposed. Or, if the Balance be *correct*, then the other items cannot be contingent. They *must fit the Balance*: and the Balance being a fixed and determinate amount, so must the other items be which produce it. But these are confessedly contingent. Either, therefore, these items are contingent and definite at the same time, which is absurd, or else the Report bears its own refutation on the face of it.

Again, the blank left for the ten shilling "head-money" distributed immedi-

* See their 2d Report, 15th June, also recommending that the *official* publication of the Report should be delayed on this account, although it had been already published as part of the minutes, which were certified by the Secretary. Up to this moment, these blanks have not been filled up.

ately after the fires, cannot be filled up so as to furnish accurate and complete information: for, if only a *part* of the amount so distributed be inserted, the information will be defective; and if the *whole*, then it will be contradictory to the statement that it was "not taken into account in any subsequent distribution," since every recipient of a Dividend had his "head-money" deducted from it. But the difficulty of this alternative is enhanced when it is known as a *fact*, that neither the whole, nor the part alluded to, can be verified at all; and further, that, while the whole exact amount of the "head-money" has never yet been found out—such is the state of the lists; and that, while, as a necessary consequence, neither can the amount not afterwards deducted from Dividends be ascertained; a sum of £8555 is nevertheless filled in *with ink* in the original manuscript Report; and yet in the *printed* Report there is a blank! Nor is this the only discrepancy between the printed paper adopted and published, and the original Report; for by referring to it, it will be seen, that, in passing through the Press, some unknown hand made other alterations in it, so that the Report presented by the Sub-Committee, designated "Dr. Cook's Report," was not the same as the printed one put into the hands of the members, and which, having been adopted *en-bloc*, has since been published by the Secretary as part of the Minutes. But all this is quite consistent with other disorderly features in the history of the Report.

The Report, moreover, although leaving blanks for the Totals of each Dividend, leaves no room for distinguishing the amounts respectively paid to Proprietors and Tenants. The inequality and injustice of the relief awarded to these two *classes*, formed a prominent point in the statements which repeatedly appeared in the Newspapers: but the Committee *discreetly* omit to leave blanks for any information upon these heads, and content themselves with summary amends for all omissions and mistakes, by the consolatory intimation that their uncalled for "Report of the state of the funds," is not to supercede "a detailed and *accurate* account to be afterwards presented."

So much for the 1st part of the Report. It is harmless because useless; useless because incorrect; and no man of business among the Contributors to whom it was submitted, will mistake it for what it purports to be—a financial Document. Its best apology as a monetary statement, is that it emanated from a Sub-Committee, consisting of three Lawyers, two Clergymen, and *one* man of figures, who—did *not* compose it. But that the General Committee should have adopted it headlong as they did, and then published it, incomplete and incorrect, as a Report to their Contributors, is (considering its history) susceptible of no extenuation but that which substitutes voluntary ignorance for carelessness, and thus only aggravates the delinquency which it might be employed to screen.

The 2d part of the Report relates to the widening of the Streets. "It has been generany reported," say the Committee, "that large sums of money have been paid for widening the streets." It had also been commonly stated that this had been done "for the future safety of the city,"—and "to procure increased security against a recurrence of the like calamities."

If this matter really constituted one of the false and injurious statements to be reported upon, it were to be expected that it would be noticed only to

be disproved. But instead of this, the Committee coolly set themselves to "explain in few words"—what? *not* that the thing was not done, but merely how *judiciously* it was *accomplished*! This tacit admission of the fact is *prima-facie* evidence that it is not considered "false," while the attempt to justify it is a confession that it is not felt to be "injurious." The fact is, it is *injuriously true* (and is now corroborated by their own admission) that the Committee *have* resolved to spend a portion of the charitable funds to pay for ground ceded to the Corporation for the widening of the streets, thereby saving the Committee themselves and the other inhabitants of the *unburnt* parts of the city, a corresponding amount in taxes,—and this in the face of the re-iterated declaration of the Subscribers, that "the money was given for no such purpose." And of course another effect of this resolution is to diminish the fund applicable to the relief of the distress of the sufferers generally, by just so much as is taken out of it to pay for ground for the widening of the streets.

The measure under review will be better understood from the following Extracts of the Report of a Sub-Committee on the subject, adopted on the 30th April last.

"Your Committee, therefore, recommend that on the production by the Petitioners, to the Committee of Distribution, of their deeds of gift in favour of the Corporation, the Petitioners be severally allowed, from the sources hereinafter mentioned, and so far as the same will suffice, as 'an assistance proportionate to their sacrifices for the *common interest*,' in ceding the ground in question, viz: To proprietors in St. Joseph Street at the rate of one shilling and six pence per foot, and to proprietors in Craig Street at the rate of two shillings and six pence per foot."

"The sources hereinafter mentioned," are indicated in the next amended clause, which is abridged as follows:—

'That a due consideration be given to the sacrifices made for the *public good*, and that an increased allowance be made to the Petitioners, according to the discretion of the Committee of Distribution, when called upon to establish and pay the Dividends, and to apportion the premium of £15,000, the amount to be allowed at the rates mentioned, to be rateably deducted from the amounts to be received by the inhabitants of the streets in question."

The first of the above Extracts exhibits a regular scale of payment for ground ceded by certain parties to the Corporation "for the common interest": and the second prescribes the particular mode in which that payment shall be made. The purchase-money is to be deducted from the amount voted to relieve the distress of Peter, and added to that voted for the distress of Paul. Now, to say nothing of the injustice of making Peter pay Paul whether he be richer or poorer,* insured or not insured, young without a family, or aged with a large one,—a perfect contrast in short to him in every thing except the simple accident of living in the same street,—to say nothing of such points, which are nevertheless important in the administration of charitable funds; the plain questions may be asked— Where does the money *really*

* See Appendix A.

come from which pays for the ground? and has not the Corporation, i. e., the Public, obtained ground *gratis* for the widening of the streets, which is now paid for *out of the Relief-fund*? Peter was paid for his ground by the Corporation, and Paul is now paid for *his* by the Relief-Committee, only *through Peter*, whose convenient intervention is thus borrowed, like the cat's paw by the monkey, to save the Committee (but in vain) from the burning reproaches of their indignant Contributors, who repeatedly declared that "their money was given for no such purpose." The Corporation, then, have obtained the ground; and the money that pays for it, instead of coming from the taxes, comes out of the relief-fund. To say that this is not spending money for widening streets, which was subscribed to relieve distress, would have been too gross an effort of financial jugglery to deceive; so the Committee, without attempting to deny that the thing *was done*, or to prove that the newspaper statements concerning it were "false," shrewdly confine themselves to the simpler task of explaining *how* it was accomplished, and candidly confess that it was "for the common interest," or, as it is elsewhere described, "for the benefit and common safety of all;" in other words, they admit that large sums have been appropriated by them to the alleged objectionable purpose, and therefore that the general report referred to by them is *true*.

The sum thus appropriated is one of the unascertained items for which blanks are left in the nevertheless adopted Report. Its amount appears to be not yet known; but the Editor of the "Mercury," when defending the measure in his paper of the 9th May, stated it at about £2,400 for *half* the value of the ground given up: so that, at this rate, the Corporation have obtained about £4,800 worth of ground for nothing! There is certainly a deal of truth in the frank avowal of the Committee, that all this was for "the public good."

It is however pleaded by the Committee, that, on the 17th June, 1845, they gave "a distinct unconditional promise and pledge" to Proprietors to the effect in question, and thus invested them with claims which they "could not reasonably be expected to forego." This has been stoutly urged as rendering it *imperative* on the Committee to keep faith with these Proprietors at all costs,—as stringently binding the Committee to the provisions of a covenant, from which the punctual fulfilment of it afforded the only honorable escape. But without adverting to the Committee's own remark—"neither can it be seriously alleged that the resolutions of this Committee are ordinarily to be regarded in the light of promises to the sufferers, and that they cannot be altered if there appear just grounds," &c., and without noticing just now the unceremonious way in which other promises and pledges, as well as the repeated stipulations of Contributors, have been set aside, which were not less distinct and unequivocal than this one; it is readily admitted that contradictory pledges have been given by the Committee, and that their proceedings have, in other respects, not been marked by that concern for their own consistency, which ought to regulate the conduct of deliberative bodies. But even admitting this, there was one sound principle (often enounced by the minority) on which a safe judgment might have been rendered upon these conflicting claims on the good faith of the Committee,—and it was this—that the pledges which *obtained the money* should be

PARAMOUNT, and that *no* pledge could be legitimate which was at variance with these. No promise contravening the terms of the prior engagements on which the Contributors *relied* when they gave their money, could fairly pledge funds which were thus otherwise appropriated by the previous covenant. It could only do so on the unjust and exploded principle of an *ex-post-facto* law; and the real good faith of the Committee would have been better kept by the breach than by the observance of the posterior contract, which they had no right to make. The only other alternative was that of paying the money out of their own pockets. If the moneys were *solicited* for one purpose, and *after* having been paid, or *while* in course of collection, were *promised* for another, it were a transaction recognized by the statute-book, and which the hypothesis itself sufficiently describes. Every such promise would be, *ipse facto*, null and void, unless subsequently ratified by the Contributors; but doubly null if, on the contrary, they raised their voice against it. Now let this sound principle be applied to the case in question: On the 29th May, 1845, the *Quebec* subscriptions were ordered to be collected "for the relief of destitute sufferers": On the 6th June, a celebrated Appeal was made to Great Britain and Ireland," &c., "for aid to rescue the "multitude now sunk into poverty, from the horrors of present destitution, "and probable disease;" and it concluded with the words—"it is FOR THIS that our present Appeal is made:" Then, on the 17th June, *after* the *Quebec* money had been nearly all subscribed, and *while* the Appeal was on its way to England to solicit more, the Committee, we are told, promised to appropriate a portion of it—for what? why "to indemnify" those who should, "for the common interest," and "the public good," make a "sacrifice" which would "enhance the value and security" of their remaining property! This promise was, *ipse facto*, null and void, as transcending the powers of the Committee, and as conflicting with the paramount terms of the trust on which they held, and were *at the moment soliciting*, the property of others. But it was rendered doubly null by the London Central Committee's remonstrance—(re-iterated recently when transmitting the last £5,000)—against any such expenditure of moneys, which were subscribed, as they declare, "for no such purpose."

The Committee further attempt to justify the measure under consideration by connecting it with "a principle which," they say, "they have always avowed"—that of "inducing, and, as far as they could, constraining Proprietors, in rebuilding their houses, to consult the future safety of the city, and to take such prudent precautions against the recurrence of fire as the general experience had suggested." It is presumed that they mean by this, the employment of incombustible materials in the re-construction of their houses. It was not, however, until after the second fire on the 28th June, 1845, that "general experience" had convinced even the Committee of the imperative necessity "of stone and brick buildings to be covered with incombustible materials," and of requiring the enactment of a Bye-Law by the Corporation forbidding the erection of permanent wooden dwellings. On the 4th July this change took place in the opinion of the Committee; but before this date they had actually negatived a motion of the same tendency by a majority of at least two to one, and had resolved instead, "that in the opinion of this Committee, it is *impracticable* at present to compel

the Proprietors to rebuild their houses with brick or stone, but that all those who build with wood on the street ought to lath and plaster the outsides of their buildings" &c. This Resolution formed the 6th of a series of which the one in question for widening the streets was the 3rd. Both were passed on the 17th June, before the second fire, and they are consistent with each other as parts of a plan which contemplated the reconstruction of a wooden suburb. The Committee were at that period consentingly anticipating the re-erection of wooden houses, and providing for their safety by offers of assistance towards widening the streets. "The majority of the citizens and the municipal authorities were then opposed to the passing of a law forbidding the re-erection of wooden houses;" so the Committee "contemplated the prevention of similar calamities in almost the only way which the general feeling of the population then permitted."* *Wood*, in short, was in the ascendant at the time: the widening of the streets was then emphatically a *wooden measure*; and the Committee, therefore, when promising funds towards that object, were *not* acting, as they affirm in the Report, on the principle of constraining Proprietors to rebuild with *incombustible* materials,—for this simple reason,—that that principle (having been previously rejected) was not adopted until *afterwards*! It appears, then, that the Committee now attempt to justify a measure of the 17th June, under shelter of a principle which was not adopted by them till the 4th JULY! *Ex post facto* reasoning indeed! the chronology of which, however, has yet to receive its climax from the fact of the Committee's having now extended the benefits of the street-widening measure to the St. John's Suburbs, which were burnt *eleven days after* the resolution had been (as is acknowledged) "passed unadvisedly perhaps,"—which second fire alone produced the Bye-law for brick and stone, and caused the abandonment of the wooden plan altogether! Nay, money is granted for widening streets in favor of wood to-day; and £15,000 are awarded for premiums on brick and stone to-morrow; and yet, the Committee have *all the while* been acting on the principle of constraining Proprietors to rebuild with incombustible materials!

But there is yet another point of view in which this subject deserves to be regarded. The property is confessedly enhanced both in value and security by the improvement of the street. And the rate of payment for the ground—viz. 1s. 6d. and 2s. 6d. per foot, according to situation, is understood to be half, or fifty per cent. of its present value. Now, with respect to all property consumed, the Committee have determined that "*Loss*" should be the basis and the *measure* of all relief, and they have established 25 per cent. on their losses as the total dividend to sufferers. Here, however, is a new basis. The ground certainly was not *consumed*, neither was it *lost*, but *given*: yet if it had been all *burnt*, the amount awarded to the owner would only have been 25 per cent.; but now that it has been given, and that the remaining property is, by the "*sacrifice*," rendered more *secure* and more *valuable* than before, his *indemnity* for these *advantages* is to be *doubled*, and 50 per cent. is to be granted to him instead of 25!

* See the Committee's own Report upon "Communications of the London Committee," presented 12th January.

The Committee, in short, transcended the powers of their trust when recently "interfering," (as they themselves properly call it) with the widening of the streets *at all*: but having involved themselves in that false position, every effort to extricate themselves only renders it the more palpable that the unlawfulness of the measure itself is paralleled by nothing but the injustice and absurdity of its concomitants. The money was subscribed "for no such purpose" as the improvement of the city, or the future safety of its inhabitants, or for the common interest, or to indemnify for sacrifices which increase the value of property, or to prevent future conflagrations,—but to relieve the present distress which the *past* conflagrations produced. And as for the argument that the widening of the streets merited consideration and pecuniary encouragement, "as a means of preventing the recurrence of a calamity similar to those which we now deplore," (see Report 30th April), why the Relief-fund might have been expended just as lawfully in constructing water-works, and purchasing fire-screens and fire-engines, because these happen to be most excellent "means of preventing similar calamities!"

The remaining three-fourths of the Report under examination are devoted to "the published Protest," which is undescribed either by its dates or signatures, but which is nevertheless privately understood to be a well known Paper marked "Z," alike distinguished for its manly tone and dignified temper, as for the terseness of its style, the soundness of its principles, and the respectability of the signatures it bears. Ranging as it does over a wide field of observation, the proceedings of the Committee on different questions, and of various dates, are naturally brought under notice in any adequate consideration of such a document; and particularly in so far as these may be found comprised in the scope of the Report. The first Appeal of the Committee; the classification of sufferers; the measures adopted for the 1st Distribution; those promised for the 2nd; *the change*; the Imperial grant; the Church moneys; Lord Metcalfe's conditions; the stipulations of other contributors; the favor shown to Proprietors; the injury inflicted upon Tenants; members voting money to themselves; and the voting of money at all for one purpose, which was solicited, given, and accepted, for another;—these and such like topics of discussion are revived by this attempt of the Committee to justify their proceedings; and a brief review of these will, accordingly, be necessary, in order to understand the fair and full bearings of the case. But why all these should be dragged into an "ad interim Report upon the state of the *funds*;" or what new light they may throw on the obscurities—or what reconciliation effect between the contradictions—or what correct items furnish to fill up the blanks, and to fit the fixed Balance of the Report?—are questions not less difficult of solution than—why the Committee should have insisted upon adopting at all a Report upon the *state of the funds*, from a Sub-Committee instructed to report upon *false and injurious statements* in the newspapers? and the difficulty is only increased when it is observed that three-fourths of the whole Report are taken up with this important Protest, which is perfectly irrelevant to the subject as indicated in the title of the Report, and equally foreign to the order of reference as indicated by its contents. For it is not pretended that this able Protest is false and injurious in *itself*; but only that it

“has tended to give currency to many false and injurious *rumours*,” and that, by some at a distance, it “has been *construed* as a serious reflection upon the character of the Committee:” so that, however the rumours and misconstructions complained of, but not described, *might* have been legitimate grounds for explanation and defence, the *Protest* was in no way answerable for the mis-statements and mis-apprehensions of others. Indeed the Committee themselves wish to have it believed that they have heretofore despised it; and they give as their reason for hitherto “treating it with silent disregard, that its influence has not *in any measure* shaken the confidence of the respectable inhabitants of the city, in their integrity;” and then, reasoning in a little vicious circle of their *own* false constructions, they work out the wrong conclusion, that, after all, the charges it contains dwindle into a mere “imputation of an error of judgment”! If so, however, why make three-fourths of a long Report upon so contemptible a document, and so slight a fault? why dedicate only one-eighth of it to the funds, another eighth of it to the streets, but *six-eighths* of it to a Paper which but few believe? All this affectation of *sang-froid* about the Protest, but ill comports with the length and keenness of their comments on it, or with the pains evinced to elaborate a defence against charges alleged to be so insignificant in character, and so limited in their local influence, as to have rendered it quite superfluous, during two whole months, to take any other notice of it than that of “silent disregard!” The fact is, the Protest has all the while been, and still is, *felt* to be a clear enunciation of principles which are incontrovertible, and of facts which cannot be denied. It is borne out by the letter, the spirit, and the arithmetic, of every thing connected with the proceedings of the Committee. The wound inflicted by it on their reputation among the great majority of intelligent contributors *on the spot*, has been smarting and rankling ever since; and at length this Report of the Committee is seized upon as a convenient opportunity to give, under cover of another subject, publicity to feelings—some of which are believed to have been committed to writing before the Sub-Committee was appointed, and which, impatient of longer restraint themselves, hurried the Committee also into the impetuosities and irregularities which have been described. The result has been a total failure. Contributors at a distance “remain unconvinced,” and retain the intelligent opinion which had been previously expressed, that the conduct of the Relief-Committee in “appropriating funds subscribed for the destitute and suffering, to the improvement of their city, and the bettering the condition of the rich,” has “brought discredit upon the Province generally, and upon the city of Quebec in particular,” and that they have “altogether exceeded their powers, and lost sight of the wishes, intentions, and *stipulations* of the Subscribers.” “We however, see no reason to change our opinion of their conduct, and we doubt whether our readers will come to a different conclusion, and consider that the Committee have cleared themselves from the imputation of having abused the confidence reposed in them. It is quite clear that the Subscribers to the relief-fund intended their donations to be confined to the relief of the really poor and distressed

sufferers, and not appropriated to the rebuilding of houses belonging to parties who were able to suffer the loss."* And, "As to paying for the widening of streets, and improving property,—such an idea could never have entered the heads of the numerous and liberal Contributors on either side of the Atlantic."*

The Report and Protest will now be set aside for a few minutes, to be resumed after a brief historical sketch shall have been taken of past proceedings, already intimated as necessary to understand the fair and full bearings of the case. It became the early task of the statistical Sub-Committee, to collect statistical information upon oral testimony from the sufferers themselves, as to the nature and amount of their losses, the value of their ground, the amount of their insurance, and such other particulars illustrative of their circumstances and remaining means of maintenance, as might assist the Committee in their subsequent adjudications. This task accomplished, it next devolved upon the Sub-Committee of Distribution,—a body which gradually grew into the possession and exercise of the chief executive power of the Committee of Relief; theoretically subject to their supreme authority, but commonly acting upon their own; receiving instructions from the superior body, but frequently disregarding them, and reporting their proceedings only when it suited their convenience,—to revise the information collected by the statistical Sub-Committee; and, aided by Assessors qualified by personal and local knowledge, to examine and modify the representations of the sufferers, and to adjudicate accordingly upon the amount of Loss at which they should respectively stand rated in the Books of the Committee. Previously, however, to the commencement of this work, a comparison of the total nett loss caused by the fires (i. e. the gross value of property consumed, less the insurance) as reported by the statistical Committee, with the then estimated amount of subscriptions, had satisfied the Committee of Relief that the latter would reach about 3s. or 4s. in the £ on the former. They thereupon adopted a "Principle and mode of Distribution;" recorded and published their views and intentions clearly expressed in a series of resolutions on the 15th September; and declared a Dividend of 2s. in the £, or 10 per cent. It now became the duty of the Committee of Distribution to take these resolutions for their guidance, and 1st to determine who among the applicants *were*, as "distressed sufferers," and who were *not*, properly admissible to the class of "sufferers to be relieved;" and 2d to adjudicate (as stated above) upon the amount of loss at which those so admitted should stand rated for a Dividend in the first Distribution. But the "silent disregard" with which these resolutions were treated by the Committee of Distribution, although they were frequently invoked; the neglect of the Chairman (the Rev. *Curé* of Quebec) to refer to them, or to have them laid on the table as a guide; the omission to ascertain the distress of the parties, before admitting them to the class of "sufferers to be relieved;" the sweeping assumption of the Chairman that "*all* were in distress;" the passing of parties for Dividends, accordingly, notwithstanding the amount of their insurance, or of their known incomes, or the value of their remaining property; these and other similar abuses, soon

* Montreal Morning Courier, 11th June.

gave rise to frequent and loud complaints, which, being at length echoed from London, prompted the interference of the General Committee, and caused the appointment of a special Committee to investigate the matter. A Pay-list Committee was also appointed—not however till 1500 cases had been paid, who suspended for re-consideration every unpaid one in which the record showed Insurance, or other remaining means, equal to £125. Certified lists of startling cases* which had been passed for Dividends were laid before the special Committee, who called before them, besides the members who made the complaints, the chairman (Rev. Mr. Baillargeon), and the Treasurer (Mr. Chabot) of the Committee of Distribution; but, both of these gentlemen *declining to answer* the questions put to them (conduct, of itself sufficient to stimulate investigation and not to stop it) the special Committee reported that they were unable to effect the object for which they were appointed, requested to be discharged, and were discharged accordingly!—the uninvestigated complaints, however, remaining as loud as before. The Sub-Committee of Distribution now, at a late hour, suddenly conceived the happy thought of taking the subject of reform into their own hands, and passed, by a small majority, a string of resolutions on the 18th Nov., which declared, that, as the adjudications had been *irregular*, and as parties had been included in the Pay-lists who were not properly admissible to the class of “sufferers to be relieved,” such lists should be set aside, and new ones made up in conformity with the instructions of the 15th September. A scale was framed (which however doubled the former limit of £125 and raised it to £250) for the admission, or the exclusion, of parties, according to the amount of their remaining means; the Pay-list Committee was instructed to apply it; and a dawn of promise seemed to brighten up the aspect of affairs into a state of hope that some substantial reformation was at hand. It proved but a momentary gleam! The intent was good: the conception of reform was commendable: but apathy and lassitude quickly supervened upon the fitful throe which gave tardy birth to it; the Committee of Distribution rapidly declined into their former acknowledged laxity, and soon induced a gradual and worse relapse of the old complaints. The scale, first distended a little to accommodate one member’s protégé, and then a little more to admit another’s, at length resembled in its action the vermiculations of some gigantic Boa-Constrictor, whose deglutitions were facilitated by the lubrication of favouritism, until more monstrous cases than many that were first complained of, were smoothly swallowed without difficulty, and digested without remorse. The scale, in short, became so practised in elasticity, as well to merit the cognomen given to it of the “India-rubber scale;” and members, with but few exceptions, acquiesced in a latitude of interpretation with regard to one sufferer, which widened the passage for others, whose cases, they, in their turn, were prepared to plead. Thus reduced to the very mockery of a limitation, the scale became quite a by-word in the Committee of Distribution: to quote it merely caused a smile: but if any member still attempted to enforce it, he was only supposed to be

* Several of them, being among the richest men in town, neither asked nor expected relief, and *laughed* when they were informed that a Dividend had been actually awarded to them.

in joke. Farewell was taken of reformation and restrictions,—of promises and stipulations,—and even of their own still unrescinded resolutions! Consistency itself was pleaded for the passing of cases of the most glaring kind; and the Committee of Distribution seemed to revel recklessly in the spirit of Monsieur Montcalm's aphorism—as fatal to *their* reputation as it was to his,—" *Le bouchon est tiré, il faut boire le vin.*" They became intoxicated with the wealth of others; insensible to responsibility; impatient of control; regardless of remonstrances; and unmindful of the spirit and the letter of their promises, and the tenor of their trust;—and in this reeling habit of mind—unfavourable to sober retrospect or calm consideration; accustomed, also, to vacillation and the breach of rules; they proceeded, having completed the 1st Distribution, to legislate for the distribution of the Balance.

It was at this period of the history that the events and proceedings arose which gave occasion to the Protest and the late Report. And it will only require an attentive perusal of the following extracts and copies of Official Papers, to understand how far the signers of the Protest were justified in making the grave statements which are contained in that able document.

On the 29th May, 1845, the General Meeting of the Citizens of Quebec, held at the Court House, at which the General Committee was appointed, Resolved "That Committees, residents in each of the wards of the city, be appointed to make collections *for the relief of the destitute sufferers.*"

On the 6th June, an Appeal was addressed to the inhabitants of Great Britain and Ireland, and elsewhere, which concluded with the following words:—"To rebuild the ruined portion of our city, to restore the ruined fortunes or former comforts of its inhabitants, must be the work of time and of individual exertions, enterprise, and industry; but to rescue the multitude now sunk into poverty by this visitation of Providence, from the horrors of present destitution, and probable disease, rendered more severe by the inevitable rigour of our climate, requires an aid larger than we can supply, and as prompt as large, and it is FOR THIS that our present Appeal is made."

On the 8th Sept. the Committee resolved "That in the distribution of relief, an *equal rate* shall be given to those who have lost *immoveable* property, and to those who have lost *moveable* property,—subject always to "the spirit of the resolutions adopted by this Committee."

On the 15th September, on motion of Mr. Bonner, the Committee adopted the following (Paper A.) as

THE PRINCIPLE AND MODE OF DISTRIBUTION.

LOSS AND DISTRESS COMBINED TO FORM THE PRINCIPLE.

1. That the basis on which relief is to be granted shall be the loss parties have sustained, combined with the amount of distress occasioned by that loss; and that the intentions of the contributors to the funds be considered to be that *distressed* sufferers alone are '*sufferers to be relieved.*'

LOSS DEFINED.

2. That the loss sustained shall be understood to mean the value of the property destroyed, after deducting the amount of Insurance, if any.

DISTRESS DEFINED.

3. That the amount of distress be determinable on the age, state of health, sex of the family, remaining means of maintenance, &c. &c.

MODE OF ASCERTAINING BOTH.

4. That the amount of loss and distress of each case, and the consequent admissibility of parties into the class of "*sufferers to be relieved*," shall be the subject of immediate consideration and decision by the Committee of Distribution.

DISTRIBUTION—PER-CENTAGE ON LOSS.

5. That (assuming that the funds will ultimately afford a dividend on the losses of "*sufferers to be relieved*" of between 3s. and 4s. in the pound) a dividend of 2s. in the pound be now declared and paid to the proprietors of moveables, and a like dividend to the proprietors of immoveables, deducting the amount they have already received.

RESERVE FUND, TO EQUALIZE DISTRESS.

6. That the *remaining funds* be reserved for further relief, in such varying amounts as shall be adjusted ACCORDING TO THE VARIOUS DEGREES OF DISTRESS, and that the *work of ascertaining the amount of distress* in each case be the leisure task of the Committee of Distribution.

The above concise and intelligible Paper bears upon the face of it its own testimony to the benevolence of heart by which it was conceived, and to the perspicuity of thought which dictated its method and its phraseology. When published, it received the universal commendation which it merited, as the condensed result of much thought and of mature experience; and the General Committee felt so justly proud of it, that they more than once employed it to attract to themselves, or to preserve, the approbation and the confidence, of which their recent abandonment of its wise provisions and promises, has now deservedly deprived them. For, when the London Central Committee expressed their fears that misappropriations of the funds were taking place, and that persons having property remaining would be favoured, while parties who had lost their all would be comparatively overlooked, this very "Paper A" was triumphantly transmitted to them, to allay and refute their apprehensions, and to assure them that the intentions of the Committee were in accordance with their own. And again, when His Excellency Lord Metcalfe, who was far from ignorant of what had been going on, was applied to for the Imperial Grant (amounting to some £24,000 Cy.), he requested, before entrusting the Committee with that sum, or with the still larger amount of the Subscriptions in the Churches—(about £51,000 more), to be informed of their plans and purposes with respect to the expenditure of the moneys; whereupon they again availed themselves of the excellencies of this admirable Paper, and enclosed a copy of it as the expression of

their views and intentions, in their answer to His Lordship,—who was *then* pleased to place the above munificent tokens of British sympathy in the hands of the Committee, to be distributed “IN ACCORDANCE THEREWITH.” The agreement, without any concert, between Lord Metcalfe’s views, and those of other contributors, is in striking harmony with the terms of the original resolutions and Appeal for aid, and strongly corroborative of the principles maintained by the minority of the Committee, as expressed by the signers of the Protest. This will be clearly seen from the following:—

Wishes, Intentions, and Stipulations of Subscribers, communicated to the Committee of Relief.

From the Governor General—£2,000. “For the purpose of relieving the pressing and immediate wants of those who have been thus unexpectedly afflicted.”

From the same—£5,000. “To aid in the erection of temporary buildings (having in view the impossibility of a sufficient number of permanent buildings being prepared before next winter) and also the affording of necessary relief to persons otherwise destitute.”

From London—£20,000. “The Collections have been made by them, and contributed by the Public, with the intention and upon the express condition that every shilling should be applied to the relief of poor people who have been reduced to a state of destitution by the two fires on the 28th May, and 28th June last.

From the same— “The Appeal made by this Committee to the British Public was distinctly for relief to the ‘mass of destitution,’ and for the purpose of saving the poor sufferers by those calamities from perishing from cold and hunger: and this appeal was founded upon the one issued by the Committee at Quebec, by which it is considered that they have bound themselves to appropriate the funds entrusted to them to such purposes alone, and it was in reliance upon their good faith that this Committee have made remittances to them without previous stipulation as to their appropriation.”

From the same.—“To reiterate that the sole object and intention of the Contributors in England was to relieve those who had lost their all by the two conflagrations, and this Committee would consider as a misappropriation of the Funds which have passed through their hands, any grants for the above (‘rebuilding the premises of persons otherwise possessed of property’) or any other purpose, to parties, who, although sufferers, have still property remaining.”

From Manchester—£10,000.—“Requested distinctly to intimate that the subscription has been raised to relieve persons, and not to restore property.”

From the same.—“The Committee request me to renew the observation, that the contributions from this place are intended for the relief of persons, and not to restore property.

From the Governor General—£24,000. “His Excellency approves of the principles and views adopted by the Committee, as explained in your letter and the Resolutions of the Committee of the 15th

September (Paper A) which accompanied it, and will have pleasure in confiding to the Committee the distribution, IN ACCORDANCE THEREWITH, of the £20,000 Sterling, voted by the Imperial Parliament."

From the same—£51,000. Queen's Letter. (Church Monies.) "His Excellency is pleased to confide the distribution of this amount, upon the principles already sanctioned by Him, to the General Committee."

From Liverpool—£2,000. "For the relief of destitute sufferers by the late fire at Quebec."

From Belfast— "The money subscribed here was intended solely for the relief of the poor and destitute, and the Committee would consider it a misapplication of the money to give any part of it to the owners of property, or to any other except the really destitute." (*Money still withheld till assured as to the application.*)

It is impossible to avoid being struck with the uniformity of sentiment which pervades the foregoing extracts, or with the close accordance subsisting between *them* and the "principle and mode of distribution" which had been adopted on the 15th September; to the terms of which, unless released by the Contributors, the Committee stood irrevocably pledged. The very appointment of the Investigation Committee was an admission of them. The Committee had *professed* to adhere to these terms throughout the first Distribution. The convulsive but transient fit of reform which had seized the Committee of Distribution, was likewise induced by a conviction that none but "*distressed* sufferers" ought to be relieved; and although, as the Committee *say*, "no man received a farthing except as *understood* to be in distress," still *that* distress became necessarily *misunderstood* which was measured by a sliding "scale," or weighed in a balance with a shifting fulchrum. Distress, however, *was pretended* to exist in every case as the ground of admission for relief; so that, notwithstanding the abuses that have been described, there had been an ostensible recognition of the sacredness of the established principles throughout the first Distribution, and it was to be expected that at least an equal *semblance* of adherence to them would be observed in the second. In the former, Distress was required to admit a man *for* relief; but when admitted, the extent of his Loss alone regulated the *amount* of that relief, which was a per centage on it. Distress and Loss were thus to co-exist in order to get relief *at all*, but Loss alone determined its *amount* in the first Distribution. But in the second, Loss was to be set aside as the measure of relief, which was to depend *solely* on the ascertained degree of Distress occasioned by that Loss. In technical brevity—"Loss was the basis," because the measure, of relief in the first Distribution; but "Distress was to be the basis" or measure of it in the second. And whether the Committee adhered to this, or abandoned it,—kept their promises, or violated them, when the period for the second Distribution came, will be readily discovered by the attentive reader who compares the first of the two following series of resolutions proposed by the minority and *negatived*, with the second or counter series which was *adopted* in its stead:

Resolutions proposed, but negatived by the General Committee, on the 13th and 16th March, 1846.

I. That whereas the General Committee have adopted, promulgated, and pledged themselves to the following general principles in regard to the distribution of the monies entrusted to them, viz:

(1) That *distressed sufferers alone* were sufferers to be relieved:

(2) That *Proprietors and Tenants* were to be on the *same footing*:

(3) That whilst *Distress* was to admit a sufferer for relief, the extent of *Loss alone* was to determine its amount in the *first Distribution*:

(4) That the degree of *Distress alone* was to determine its amount in the Distribution of the *balance*:

Therefore, any plan of future Distribution at variance with the spirit of the above principles, would be a violation of promises held out to all classes of sufferers alike, and of solemn pledges given to the generous Contributors, on the faith of which the monies were subscribed.

II. That *Distress* having been declared to be the basis of future relief, whether found amongst Tenants or Proprietors, such *Distress* amongst the sufferers shall be held to mean inability, without aid, to resume their former pursuits for the maintenance of their families.

III. That the amount of relief shall be proportionate to the ascertained degree of *Distress* in each case, regard being had to age, health, number and sex in family, remaining means, &c.

Resolutions adopted instead, by the General Committee on the 13th and 16th March, and 2d April, 1846.

I. That it is expedient to grant a *premium* or special encouragement to those owners of *immoveable* property in the burnt districts, who shall rebuild houses in brick or stone; roofed according to the now existing By-law.

II. That *Loss* be the basis of *ALL relief* from the General Committee, subject to a *maximum* of relief to be fixed upon, and subject also to an additional grant in cases of peculiar distress, out of a fund to be appropriated for that purpose, and to the principle laid down by the resolution passed by the Committee on the 13th Inst. (i. e. No. 1.)

III. That a fund or sum of £10,000 should be reserved for special cases of persons who have suffered by the fires, and who in consequence thereof remain in distress, and are unable to earn their livelihood.

IV. That the *balance* be distributed to the sufferers, whether proprietors or tenants, by a per-centage on their ascertained *Loss*, in the spirit of the resolutions already adopted, on condition that they submit themselves to the rules of the Corporation, provided always, that the *maximum* allotted to any individual shall not exceed £250, on the whole, with a reserve fund of £15,000 to be awarded as a *premium* to *Proprietors* at the discretion of the Committee.

It was not surprising that after so flagrant a departure from established rules,—so palpable a subversion of the entire system of principles which

were binding on the Committee, there should be found eleven of their members, out of a minority of double that number, anxious to relieve themselves from the responsibility attaching to such a course of conduct, if they conceived it to be no other than a breach of trust; and possessing nerve enough to do so by publishing the grounds of their dissent, for the information of Contributors, in the terms of the following celebrated

PROTEST.

The undersigned, Members of the General Committee of Relief, for the following reasons hereby solemnly protest against the Plan and Resolutions recently adopted by this Committee for the distribution of the moneys remaining in the hands of the Treasurer:—

1—Because the Appeal from this Committee of the 6th June last, to the inhabitants of Great Britain and Ireland and elsewhere, calling for aid to relieve the sufferers by the Fires, declared that such aid was solicited to relieve distress, and concluded with the words—“it is *for this* our present appeal is made.”

2—Because this Committee, by certain resolutions of the 15th September, declared that *Loss* should determine the *amount* of relief to be granted to *distressed* sufferers in the *first* distribution, and that the degree of ascertained *Distress alone* should determine it in the distribution of the *balance*.

3—Because the late Governor General, when applied to by this Committee for the Imperial Grant, required information, before parting with it, as to the intended mode of relieving the sufferers, and was furnished in reply with a copy of said Resolutions of the 15th September, whereupon His Excellency entrusted to this Committee, not only the Imperial Grant, but also the “Church moneys,” amounting together to £70,000, intimating at the same time that they should be “distributed *in accordance therewith*,” and this Committee *accepted the money under that condition*.

4—Because, when certain complaints of misapplication of the Funds were made in September last, by the London Central Committee of Relief, the Chairman of this Committee, in defence of its conduct, transmitted to the London Committee a copy of said Resolutions of 15th September: and certain Contributors to the Funds, in transmitting their money to this Committee, have stipulated that it should be expended “to relieve distress and not to restore property,” and their money was *accepted under that stipulation*.

5—Because the Resolutions now passed favour the class of Proprietors with a special premium of £15,000 in addition to their common dividend on *Loss*; whereas, by a deliberate resolution of this Committee, of 8th September, Tenants and Proprietors are to be put on the same footing as to relief.

6—Because to abandon Distress now, and to revert to *Loss*, as the basis of relief in the *second* distribution, will be to perpetuate the admitted abuses of the *first*.

7—Because the Resolutions hereby protested against are a departure from the principles which have been adopted and promulgated and which are binding on this Committee, and therefore that this Committee in passing the said Resolutions, have violated solemn promises deliberately given to Her Majesty’s Government—to the London Central Committee—to other

generous Contributors elsewhere, and to the majority of the sufferers themselves, *on the faith of which pledges the money were subscribed.*

3—Because certain members of this Committee, sufferers by the fires, who are Proprietors, have already received large sums of money in the first distribution, and those members have voted on several other occasions as well as on the question of the second distribution, they being personally interested in the same, and have therefore voted money to themselves.

9—Because it is morally wrong to solicit and accept money for one purpose, and apply it to another, without first obtaining the consent of the Donors.

JOHN BONNER,
JEFFERY HALE,
EDWARD BOXER,
ED. H. BOWEN,
J. CHARLTON FISHER,
WM. S. SEWELL,

A. GILLESPIE,
ROBERT CASSELLS,
W. STEVENSON,
G. H. PARKE,
GEORGE HALL.

Quebec, 6th April, 1846.

This Protest was evidently *the* mark at which the Report was aimed. True, it had only "*tended* to give currency" to certain rumours which remain to this day undefined; and had merely been "*construed* by many Contributors" in a certain way. But then it had told so many truths; convicted of so many inconsistencies; exposed so many improprieties; and awakened such strong expressions of concurrence in its statements, at a distance, and on the spot; that the smouldering embers of "*silent disregard*" were fanned into a flame, which at length sought unexpected vent in the columns of a Report upon another subject, and well nigh engrossed them! The state of the funds disposed of in a way; and the widening of the streets got rid of in no better; both seem to have merely served the subsidiary purpose of the preliminary dainties which only whet the appetite for the full repast, in which it was evidently the main design of the Caterer for the Sub-Committee, that at least an effort should be made to dress up the subject by a little *sophistical cuisinerie*, so as to tempt the General Committee, if not to be captivated by its pungency, at least into admiration of its disguise. With the General Committee this was easily effected, as has been described, because "*the mouth was open, and the eyes were shut.*" But not so with the Contributors and the Public, with whom the Committee have succeeded no better in shielding themselves from the declarations of the Protest, than they have in explaining the state of the funds, or in justifying the measure for the widening of the streets. And when, in addition to the perusal and comparison of the extracts from official papers which have been already furnished, the financial operations of the Committee are brought to the test of arithmetical demonstration, the soundness of the views entertained by the minority will be seen to lie beyond the limits of doubt or controversy.

The Committee, in their comments on the Protest, divide its "*charges*" (as they are pleased to style them) substantially into three—modified as follows:

1st. The having solicited and accepted money for one purpose, and applied it to another.

2d. The having abandoned a plan to which they were pledged for the second, or final, Distribution.

3d. The having adopted in its stead another which is in itself objectionable.

Without admitting this to be a complete summary of the contents of the Protest, or being strictly bound by it, there is no objection to give the Committee the general benefit of their own synopsis, and to examine the subject in the aspect in which they themselves have placed it.

But before proceeding to do this, there is one singular oversight in this classification, which must at once be noticed. It is the omission to advert to the 8th article of the Protest, or to enumerate *it* as one of the *false* as well as injurious statements. Injurious, no doubt it is; but if it be indeed *true* that "members of the Committee, who are Proprietors, and who had already received large sums of money in the first Distribution, voted to change the pledged basis of Distress for the second Distribution, into the basis of Loss which is more favourable to Proprietors, and voted further for a premium of £15,000 besides, to the class to which they themselves belonged:—if this, or *any thing like it*, be really true, the Committee must have had better reasons than they have yet disclosed for treating the said Protest, and now this particular part of it, with "silent disregard." One of their reasons for now noticing the Protest is because it has been "construed as a serious reflection upon their character;" and on this account they think "it may be proper to say a *little* in regard of the charges" which it contains. Truly they *have* said "*little*" to any purpose about *any* of them; but why, when it was thought *proper* to say a *little* about "the charges," they should think it *better* to say *nothing* about this one, could hardly have been because *it*, of all others, reflected in no degree upon their conduct. Their own *discreet* silence on this particular statement in the Protest, will surely as much "tend to give currency" to rumours, and be "construed" into as serious a reflection upon their character, and upon the honesty and candour of their Report, as any thing which has been said by the Protesters. But perhaps it will be said that they *have* alluded to this grave indictment; and that, when they affirm that the Protest is "directed against individuals, who, it is assuming nothing to say are as deeply and honestly *interested* in the right administration of this charity" "as any of the Protesters,"—they mean the eulogy for the individuals to whom that 8th article refers. If so, then it must, with all deference, be plainly stated, in reply, that it *is* assuming a *great deal*, and that neither will precedent nor public opinion support them in combating this particular "*because*" of the Protesters, unless they are prepared to disprove the *fact*. Otherwise, the "*deep interest*" of such members, in the administration of this charity, will render them any thing but inaccessible to the imputation of questionable influences, when voting for an altered basis of distribution immensely more favourable to themselves, with a Premium of £15,000 to their own class of Proprietors besides! But if they mean the Committee generally, though including these, and choose to implicate the whole majority in the same measure of *disinterestedness* as those who voted money to themselves, really this will not be the fault of the Protesters. Either, then, the allusion in the Report is to these particular members, and then it is exceedingly "assuming;" or it is to the

Committee generally, including these, which implicates the whole majority ; or else, as is believed to have been intended, the Committee have very prudently treated with "silent disregard" an article of the Protest reflecting seriously upon their character, because they could say nothing in regard of it but that every word of it is true. But to proceed :

That the monies were *solicited* to relieve distress : that *that* distress was represented and contemplated as of an aggravated kind,—“the horrors of present destitution and probable disease:” and that, rebuilding, and restoration of property, were expressly excepted from the Committee’s own Appeal for aid ; are facts which cannot be questioned. Neither can it be doubted that the subscriptions were *given*, accompanied, or followed, by stipulations founded on that Appeal, and strictly harmonizing with it—excluding from the purposes to which they might be lawfully appropriated, the “rebuilding of the premises of persons otherwise possessed of property”, and the voting of grants to “parties, who, although sufferers, still had property remaining.” Nor, further, can it be disputed that the moneys were *accepted* under the conditions by which they were accompanied. So far, then, it is clear what were, and what were *not* the objects and intentions of the Contributors *and of the Committee*. It is also clear that the same spirit pervaded the “principle and mode of distribution” adopted on the 15th September, according to which,—not sufferers who had lost, but sufferers in distress by reason of their loss, were alone “sufferers to be relieved.” And it had been plainly declared that any other appropriation of the funds would be “considered as a *mis*-appropriation.” That the moneys, in short, were solicited, contributed, and accepted to relieve “distress,” as explained in the expressed wishes, intentions, and stipulations, of the Subscribers, cannot be controverted or denied. To be sure, an evasive attempt to throw doubt over it is made, when the Committee state in their Report,—“it will not be seriously alleged that it was on the faith of these resolutions, or any other of the same *date*, that the moneys were subscribed in England;”—no, but on the faith of the Appeal which is *earlier* and of the same *kind*; and the Contributors have said so: and, “in *England* ;”—no, but by Lord Metcalfe in *Canada*: and again, “although the Protesters speak of solemn promises deliberately given to the majority of the *sufferers* having been violated” * &c ;

* Inconsistency is insinuated against the Protesters, in the Report, as if, while maintaining the duty of keeping all lawful promises, they had been caught in a violation of one themselves. The Report, *like itself*, does not venture to particularize: but the facts were these:—The new plan for the second Distribution having been hurried through, as already described, without due examination, it was afterwards discovered that Proprietors would get their large dividends merely on condition of building “according to Law”; but, the money once paid, there would have remained no means of enforcing the condition. It was therefore moved that the condition be *performed first*,—the Dividend on moveables being paid in cash, but on fixed property in promissory notes. It was but a proposal to act on the principle which the Committee *say* they “always avowed,” viz., that of “constraining Proprietors in rebuilding their houses to consult the future safety of the city” &c. The majority, however, differed greatly among themselves: the minority, objecting as they did to the whole plan for “restoring property,” might have thrown their weight into the scale to keep

—but what of those deliberately given to the *Contributors*, and of *these very ones*, which obtained £75,000 from honest and confiding Lord Metcalfe? Why dodge thus adroitly amongst dates, and places, and persons, making others “go seek” when truth is put to “hide?” No, no, notwithstanding all such elusive reasoning, it is beyond a doubt that the moneys were asked, given, and received, for the *one sole* purpose of relieving distress. How far the Committee discharged their trust in this respect, in the *first* Distribution, has been already sufficiently exposed. And whether in the *second*, having “got the money” for that one purpose, they considered that “pledges were all stuff,” and applied it to another, will be seen on comparing the plan which they abandoned, and to which they were pledged to conform in the second Distribution, with the new plan which they have recently substituted for it. And if it should appear that the latter differs in its essential principles from the former, and has produced practical results to the sufferers both unequal and unjust, rendering it also objectionable in itself, then will the Committee stand convicted of the double delinquency of abandoning a good plan to which their faith was pledged, and of adopting without “consent of parties” a bad one in its stead.

That the established “principle and mode of Distribution,” has been abandoned, needs only the proof that another one has been adopted. As the period approached, the Committee were inundated with *projets* for the second Distribution. The Hon. Mr. Cochran proposed one (if not two;) Mr. Chabot another; Mr. Chauveau a third; the Revd. Dr. Cook a fourth; Mr. Glackemeyer a fifth; the Revd. Mr. Baillargeon a sixth; the Bishop of Sidyme a seventh; and Mr. Tessier an eighth; until the old adage about “the broth” was completely verified: but one and all of these proceeded upon the wrong assumption that the Committee had an option in the matter. The variety of the fare, however, tempted the palate and revived the old appetite for change, until, as with the pampered taste of a spoilt child, the craving after novelty prevailed, and persuaded the Committee that, amongst so many new dishes, they surely were at liberty to choose. The Minority, on the contrary, maintained that the Resolutions of the 15th September (Paper A), contained the “principle and mode of distribution,” to which, both towards sufferers and Contributors, the faith of the Committee had been pledged. They pleaded for the basis of “Distress,” and the duty of adhering to the promise to equalize it by making it the *measure* for relief now, as it had been only the *door* to it before. They argued the inconsistency of holding, when paying *ten* per cent, that “Loss” was so *imperfect* an index of suffering, that all “the remaining funds” would be

this part of it *defective*; but that would have been factious opposition: they therefore voted for a proposal which was,—*no*, as in the case of “Paper A,” to *subvert* the measure, but to *diminish* its defects. Defective as it was still left, and defective as is this particular amelioration of it, it was not intended to expose it here; but since it has been alluded to, it may be as well to let the reader see some specimens of its eccentricities as a *measure of constraint* upon Proprietors. It will be seen that in many cases the larger portion of their Dividend was paid in cash, and the smaller in the promissory note, while in several the *whole* was paid in cash! See Appendix B.

required to equalize "Distress;" and of now retaining this same "Loss" as "the *best* and safest measure of distress" for a further payment of *fifteen* per cent! They represented the impropriety of deceiving those sufferers, who, having lost *little*, had in consequence received but *little*, although their distress was *great*, because they had lost their *all*, and whose chief consolation in their *total* destitution had been the expectation held out to them that their "*distress*" would be measured, and *not* their "*loss*," in the final Distribution. They urged the cruelty of holding up this equalizing cup of hope to mitigate the disappointment of this description of sufferers during the privations of a protracted winter, and of now dashing it from their parched lips by a stroke of legislation, just at the eleventh hour of their dependency,—of admitting the *imperfection* of the Loss-basis of the first Distribution, promising to adjust it on a Distress-basis in the second: and of now adhering to the old one, calling it "the *best*," when the period for the promised rectifying process had arrived,—yea, adding to it the aggravation of a premium to the richer class! They reminded the Committee of the wishes, intentions, and stipulations, of the Contributors; and of their *own* plans and pledges communicated to them, both in self-defence, and to *obtain the money*. They pressed the necessity of considering the means of carrying these plans into effect; and intimated their readiness, on the recognition of "Distress" as the basis, to show that it was a practicable basis:—All, however, was of no avail. Suggestions were supererogatory when the very basis of them was repudiated. 'There was no occasion for examination. "Loss" was a good basis: it was quite consistent with 'the spirit of "Distress," which was an utterly impracticable basis: and 'besides, Proprietors were a class whom "*Nature*" had made superior to 'Tenants; and as their Ground and Insurance, of large amounts, had 'come to the aid of "*Nature*," the Committee ought to come to the relief 'of both, by giving a disproportionate share of the Relief-fund to those, 'who, although sufferers, had the most property remaining!' The omnipotence of a majority had no difficulty in metamorphosing all these sophistries into sound philosophy, and then in deciding to be captivated by its force. Whereupon, they resolved that "Loss" should be the basis of ALL relief; excepting that £15,000 should be reserved as a premium to Proprietors; and £10,000 to be distributed,—only think! on the *impracticable* basis of "Distress"! The resolutions of the 15th September—the justly celebrated Paper A—were thus repudiated, and a new plan, differing in its essential principles, was adopted in their stead. To be convinced of this, it has been already stated that it is only necessary to compare the two series of resolutions copied at page 20, and which were respectively negatived and adopted by the Committee. But an examination of the real working of the new plan will confirm and deepen the conviction that its unequal and unjust results are not, and never could have been, such as were contemplated by the Contributors.

The nature of the basis on which the new plan rests invites examination first. And although the fallacy which is fatal to its equity was over and over again explained, it is believed, that, as the sole basis, the *necessary* injustice of it (constituting one of the imperfections which "Distress" for a basis in the second Distribution was intended to correct)—is understood by but very

few members of the Committee. Yet it is of the utmost moment to this, as to every, financial operation, that its fundamental principles be correct. Now, "Loss," in the vocabulary of the Relief-Committee, means "the value of the property destroyed, after deducting the amount of the Insurance, if any." "Loss," as thus defined, is now assumed to be "the best index" of the circumstances and necessities of the sufferers. And upon "Loss," as thus estimated, is calculated at 25 per cent. the Dividend which every sufferer receives. But the features of cases may differ in various ways, so as to **make** "Loss," so interpreted, a vastly different thing relatively to one case, from what it is to another:—for instance, a man may have ground and no insurance; or insurance and no ground; or both ground and insurance; or neither of them; or he may have investments, or salaries, or property elsewhere. But when it is considered that the item of Ground does not enter at all into the calculations of the Committee, but is unnoticed, and is so much remaining means "to the good;" and that investments, or salaries, or property elsewhere than in the burnt district, in like manner do not affect the calculations; and that Insurance, if any, being deducted from the gross loss and then also set aside, is so much of the gross loss recovered at 100 per cent; so that only *what is left* is "Loss" in the sense of the Committee, on which the 25 per cent. Dividend is calculated;—whilst, if a sufferer have no ground, nor other property, no salary, and no Insurance, there is nothing, "to the good" for *him*; nor does he effect any recovery of a part of his loss at 100 per cent; but instead of 100 per cent. on part, and 25 on the rest, he gets only 25 upon the whole:—when this practical working of the plan is considered, it will be seen how thoroughly fallacious an index "Loss" necessarily is of the real effect of the fires upon the circumstances and present relative conditions of the sufferers,—particularly when it is further understood that age, health, number and sex of family, &c., are even more completely lost sight of than the remaining means. A few specimens will make this still more clear. Round sums are taken, since illustration is the object: but scores of similar cases are in the Books.

	Remaining means.		Gross Loss.	Nett Loss.	Dividend.	
	Ground.	Insurance.				
George....	—	—	1000	1000	250	
Jean.....	500	—	1000	1000	250	
Thomas...	500	500	1500	1000	250	
Olivier....	1000	1000	2000	1000	250	Saved £900. goods.
François...	1000	2000	3000	1000	250	Salary £400 p. ann.
Henri.....	—	1000	1000	—	—	

Now, without enquiring whether the Subscribers, particularly the poor Contributors in the Churches, ever dreamt of giving so much as £250 to a single sufferer,—is there any equity or common sense in giving exactly the same amount of relief to persons differing so widely in the complexion of their circumstances, and in the amount of their remaining means, as George, who has nothing left, differs from François, who has £3,000 left

besides other sources of emolument, and merely because, upon the fallacious interpretation of "Loss," the accidental peculiarities of their cases *happen* to work out the same figure in the one column of "Nett Loss?" George lost his all, and receives £250, whilst François, who has £3,000 remaining to him, besides his salary, receives a like sum, although George, for aught the Committee know, may have a dozen children—all girls, and be aged and infirm besides! Henri lost £1,000, and very properly got nothing, because he was insured for £1,000; but was it ever intended, when *he* very properly got nothing, that his richer neighbour with twice his insurance, and £1,000 in ground besides, independently of a lucrative place, should receive £250, and diminish to that extent funds expressly forbidden to those who, "although sufferers, still had property remaining?" Yet, so capricious is the rule, that if even Henri's remaining £1,000 had chanced to be in *ground*, instead of Insurance, it would have been unnoticed, and not reckoned, and he would have received £250, like the rest! Again

	Remaining means.		Gross Loss	Nett Loss	Dividend.	
	Ground.	Insurance.				
B	—	—	100	100	25	
C	500	—	100	100	25	
D	500	500	600	100	25	
F	500	1000	1100	100	25	Shop in L. Town. Salary £100 p. ann.

Here, likewise, in another class with smaller loss, the fallacy of "Loss," as defined, as a measure of distress, is equally apparent. What reason is there in giving £25 to one man who has £1500 left, and only the same sum to another who lost his all, and has nothing left? It is sometimes stated, in reply, that there were mortgages on the houses, and debts owing on the merchandize, and that Insurances were often honestly applied to pay off these charges, leaving the parties as destitute as if they had had no Insurance. But this is only to confess that the parties did not lose the property on which they received the Dividend. The money-lender, or the wholesale merchant, gave credit: *his* property is burnt: the debtor transfers to him his insurance; or perhaps transferred the policy before the fire; and then steps in and gets a Dividend on the loss of his Creditor's property, which *he* therefore did not lose! And even if the "restoration of property," which the Committee endeavour to justify, were the object in view, the plan of the Committee is but clumsily adapted to secure it. "Loss," as *defined*, is no better calculated to attain this object on any equitable principle, than it is to reach and to relieve "Distress." Any man of figures looking at the matter, will see directly, that, to work upon "Loss," in the Committee's sense of it, nothing short of a Dividend of 100 per cent can effect an equitable restoration of the property. The only *equitable* restoration, would be reparation proportioned to the relative damage occasioned by the fire. The damage is relatively as the amount *lost* is to the amount *left*: but if the latter important element be almost entirely left *out*, as has been shown to be the case, how measure the damage? Strict equity, in mere restoration, would seek

to restore parties to the same position relatively to each other after the fire, as existed between them before it; and would calculate the amounts awarded for that purpose, upon a comparison of the amount *consumed* with the amount *remaining*. But by putting out of sight the greatest part of the property remaining, and calculating the awards upon "Loss," as defined by the Committee, the restoration is, by an *arithmetical necessity*, removed from equity, just in proportion as the per-centage awarded is removed from "par." In the present instance, therefore, the restoration which the Committee are effecting, is removed from equity, as 25 per cent is removed from 100! "Loss," in the Committee's sense of it, then, is, as a basis, necessarily fallacious and unjust, as a means of "restoring property," no less than as a means of "equalizing distress." A direct per-centage upon age; or multiplying by a given figure the number in the family; or an *inverse per-centage on remaining means*—i. e. diminishing as they increased; or any like random *guess* at a basis for relief, would have been quite as good, and the last of these three decidedly better, than "Loss," according to the Committee's definition of it, whether for the purpose of measuring distress, or of restoring property. But even admitting that the plan is neither deceptive nor unjust, but well adapted to "restore property" on an equitable principle, even this is only to *condemn* it, when the Contributors repeatedly declared that their money was given "to relieve persons and *not* to restore property:"—to relieve distress caused, it is true, by the loss of property, but *to relieve distress*; distress, *not* restoration, was their object. Mere loss of property would have obtained no subscriptions, if it had occasioned no distress. The restoration of whatever was necessary to relieve distress was doubtless comprised in their intentions: but the "rebuilding of the ruined portions of the City" having been expressly excepted by the Committee themselves in their own Appeal; and the "restoration of property" having been in so many words repeatedly forbidden by the Subscribers; the Committee were not at liberty to aim at accomplishing, with *their* money, *any* object, however laudable, upon *any* principle however admirable, which they had positively proscribed. *If*, in consequence of the destitution pictured by the Committee, the princely liberality of the Subscribers, and their unbounded reliance on the integrity of the Committee, induced subscriptions far surpassing the most sanguine expectations, and beyond what was required for the specified objects of the Contributors, it were a poor return for their confiding generosity, to plead the very exuberance of their bounty for appropriating the overplus of their munificence to foreign purposes, and *that*, not merely without asking their consent,* but in the face of their remonstrances. The Committee, in such a case, should have gone back to them with a state-

* A motion was made to submit the new plan to Lord Cathcart, and to the several Committees, with a view to their approval, but it was negatived; and a resolution was passed simply to communicate the plan to His Excellency,—to which this amendment was first offered—"and to ask his concurrence,"—but even this was *negatived*, although four days might have brought his reply! His Lordship was asked nothing: he saw by the published minutes that the Committee had refused to solicit his concurrence, and had adopted their plan without waiting for it: so he gave no answer, nor even *acknowledged the communication!*

ment of the fact; offered, if they pleased, new suggestions; and awaited their instructions. But in *no case* were they free to devise new objects of their own; still less to select those which were to save City taxes, and promote "the common interest!" but less still to adopt those which the Subscribers had pointedly prohibited.* It was "morally wrong to solicit and accept money for one purpose and apply it to another, without first obtaining the consent of the Donors."

Enough has been said to expose the fallacy of the principle upon which is based the new plan of the Committee, and the utter incongruity of "Loss," as they define it, to the attainment of any one object whatever, according to any discoverable rule either of arithmetic or equity. The further the enquiry concerning it is pursued; and the more closely the plan is followed out in all its consequences; the clearer does the evidence become that it is not adapted fairly to mitigate the damage of the fires, nor efficiently to relieve the distress occasioned by that damage,—although the Committee pretend that it is adapted to accomplish both. The few cases already given, in round numbers for the sake of illustration, have thrown some light upon the subject; and the following specimens of *real* ones,† taken out of large numbers of similar ones (and in which the Ground and Insurance are thrown into one column of remaining means) will serve to confirm the view taken by the minority, of the impossibility of discovering any intelligible relation between the actual circumstances of the parties, or their past and present relative positions, and the amount of relief which the Committee have awarded to them.

* "It is manifest they had no right to act thus. They should have communicated with the London and other Subscribers' Committees, and have taken from them their instructions as to how the surplus was to be expended. From Montreal, we have no doubt, a portion would have been reclaimed for the use of our own General Hospital, and other local Charitable Institutions; and from England, most probably, they would have been directed to invest the money in founding some great and Charitable Institution in their own city; but from no place, we will be bound, would they have been sanctioned in doing what they have done." —"*Montreal Herald*, 12th June."

"The course of the Committee, if they had acted on principles of common honesty, is plain. When immediate personal necessities were relieved, they should have applied to the Committees of Donors for instructions as to the disposal of the surplus. The Montreal Committee would, probably, have directed their share of the Surplus * * * to be applied to the General Hospital, or * * * . The English and Scotch Committees would most likely have desired the Endowment of a Sailor's Home, or * * * . Anything whatever, we are confident, but dividing it as lawful plunder among the owners of property. The conduct of the Quebec Committee is, we say it solemnly and sincerely, irreconcilable with our notions of common honesty." "Look at the case of Madame V——, for instance. It is a notorious one. The Times called public attention to it some days ago. With an Insurance of £1200 on her houses, she receives £105. 10s. as a charity, and it is notorious that (*part of*) the site of the insured property is worth some £6000! We quite agree with the Herald that the appropriations are such as, in England, would be immediately stopped by the Court of Equity, which possesses general jurisdiction over all Charities.—*Montreal Gazette*, 15th July.

† See Appendix C.

They will also bear somewhat pointedly on the more general question whether relief should have been granted—not merely in such proportions, but at all, to parties possessing such large amounts of remaining means. The reader is requested to *try* to discover any uniform rule of equity or proportion between the figures in the respective columns, particularly between the column of *remaining means*, and that of *Dividends awarded*.

If a plan, producing such incongruities as are exhibited by these specimens, be really “the best” that the wisdom of the Committee was able to devise, truly it reflects but little credit on their competency; for the dice could not have divided the moneys more *unequally* or less rationally; and they certainly would have done so more expeditiously and economically. But if such be the vagaries of its injustice to sufferers considered *individually*, the aggregate of its inequalities is cumulative in a high degree, when viewed in relation to the sufferers as *classified* into Proprietors and Tenants. By the resolution of the 8th September last, these two classes were to be on the same footing as to relief. “Loss” was to be the common footing in the first Distribution, and “Distress” in the second, and Proprietors and Tenants were to receive “an equal rate”,—measured, therefore, by their “Loss” at first, and by their “Distress” afterwards. The subsequent establishment of “Loss” alone, as *defined*, as the footing of “all relief,” was at once to confer an immense advantage on Proprietors, and to strike a serious blow at the interests of Tenants. Proprietors had the most to lose: upon the footing of “Loss,” therefore, they got the more. But they had the most *remaining*: and therefore should, in justice, have got, in some relative proportion, so much the less. Instead of this, however, the new plan gives the more to that class which has the most remaining, and the less to that which has the least. Each Proprietor, on an average, owned £451 before the fires, and after them he *still owned* £193; so that there remained to him *three-sevenths*, or nearly *one half* of what he had before: while each Tenant, on an average, owned £50 before, and £3. 17. after the fires; so that there remained to him only *one-thirteenth* of what he had before. The Proprietor, then, owned before the fires 9 times as much as the Tenant. But more than one-fourth of his property was *incombustible*—consisting of Ground; and in consequence of this, and of his having *seventeen times* as much Insurance as the Tenant, he owned after the fires 50 times as much as the Tenant. Now, it has been already shown that “the damage is as the amount *lost*, is to the amount *left*,” and that equity in this case requires a “comparison of the amount *consumed*, with the amount *remaining*.” If this principle be correct, then the alteration in the relative positions of the two parties, was in favour of Proprietors, and against Tenants, as 50 is to 9. And yet,—will it be believed?—the relief awarded to the former, is to that granted to the latter, as 81 is to 12! Counting the Ground and Insurance of the Proprietor, he saved 43 per cent of what he had before; while the Tenant saved only $7\frac{1}{2}$ per cent;—yet the plan gives nearly *seven times* as much money to the former as to the latter! That is, the Proprietor, who owned only 9 times as much as the Tenant before, but 50 times as much afterwards, and saved £43 out of every £100 of his property, is nevertheless to receive a sum of £81 out of the Relief-fund,—while the poor Tenant who saved but £7. 15. out of every £100 of *his*, is only to get £12!—Or again, the Proprietor, who

saved £193, is to have a sum of £81 added to it from the Relief-fund,—while the Tenant who saved only £3. 17. is to get but £12! This is “equalizing Distress” with a vengeance! What a clever idea to “assume,” what could not be *proved*,—that “Loss was the best index” to it! And all the while that they were thus knowingly favouring Proprietors, the majority who did it were aware that the Provincial Legislature, at the recommendation of Lord Cathcart (who thus *respected the pledge*, even of a predecessor), was passing an Act to lend £100,000, at half the legal rate of interest, to *that class alone*, and *that* on the security of the very ground, valued by themselves at £152,000, which was left *out of sight* in the calculations of the Committee! Meanwhile the poor Tenant (some respectable shopkeeper, for instance), because *enterprising* but unfortunate enough to have invested his property in *trade* and in combustible *merchandise* instead of ground, lost *all*, gets *least* from the Committee, and (having no incombustible ground to offer as security) is *not allowed to borrow* from the Government to start him in the world again;—and all because “Nature” and the Relief Committee, having coalesced with Ground and Insurance, to make the Proprietor a superior being, Legislation now joins the confederacy to render that superiority superlative, and to “equalize distress”—if not according to justice, at least “according to Law”!

The Proprietor, it is true, is now “constrained” to build his house according to the good honest principle of not endangering his neighbour; and as this is also for his *own safety*, the compulsion is at the same time a “public good,” and a private kindness. But if he is therefore entitled to extra help, because compelled to build a safer house; the Tenant is equally so, since *he* is by the same law compelled to rent a more expensive one. The same “constraint” which renders it obligatory on the one to erect a more costly dwelling, prevents the other from renting a cheaper one. If, then, the Proprietor must be indulged with a “Loss-basis” for his Dividend, and with a building-premium besides, in order to restore his house in stone instead of wood; the Tenant should be indulged with a “Distress-basis” for *his* Dividend, and with a *rental*-premium besides, to enable him to live in it. The Tenant suffers a present inequality, with permanent higher rents; but the Proprietor enjoys present superiority, with permanent increased revenue, and is to have his share of the Government £100,000 into the bargain! But even admitting, for the sake of argument, that this reasoning is bad,—which, however, is by no means granted,—the minority adhere to first principles, and, holding that there is a “*precious question*,” maintain that it is altogether impertinent to argue upon either side, so long as it remains a fact that the “rebuilding of the ruined portions of the city,” was excluded from the objects of the Committee’s own Appeal, and so long as the “restoration of property” remains proscribed by those who gave the money “to relieve distress.” But to return to the Statistics:—

If the above figures have no better foundation in fact than those which adorn the “Report of the state of the funds,” they will be open to correction in the next Report from the Sub-Committee on “false and injurious statements.” But if, in the mean time, any attentive reader, amiably reluctant to believe the possibility of such statistical marvels having actually resulted from the deliberations of a sage Committee, in which the concentrated

experience and ability of Law, Physic, Commerce, and Divinity, were brought to bear on the *abstruse problem*, whether "Loss," *imperfectly defined*, were the best and fairest "index" of something else called "Distress," with which it might possibly have no connection!—whether the amount of "Loss," *fallaciously estimated*, were the truest measure of the degree of "Distress," when there might be great "Loss" without any "Distress" at all!—if any such amiable skeptic be desirous of ascertaining for himself, whether these marvels, or anything approaching to them, are melancholy verities or not, he will make the painful discovery that they are essentially true, by examining the "Arithmetical Illustrations" of the subject, *founded on authentic data*, which are to be found in the Appendix.* And if, after a patient perusal of these, he remain *unwilling* to believe any thing half so bad of the Relief-Committee, it at least will not be for want of evidence that that Body—not only abandoned a good plan to which their faith was pledged, but that they adopted a very bad one in its stead. £87 out of every £100 of the Subscriptions to the class of Proprietors, and only £13 to that of Tenants,—forming a SUM TOTAL OF INEQUALITY amounting to £63,940!—is it possible that equity can reign in a system which is producing such disparity as this? Nor was there any omission to give timely warning of its tendencies, or to bring the different *projets* which were from time to time submitted for consideration, especially *the one* which was at length adopted, to the test of arithmetical calculation, and to place the respective results before the eyes of the Committee. As plan after plan, in all the fecundity of illegitimate invention, was brought forth to struggle for that ascendancy which was the lawful heritage of "Paper A," the theory of each was worked out upon premises which were not disputed, and the unjust practical results of each successive theory were exposed, and again and again urged upon the notice of the Committee,—with the success of proving that Arithmetic was a truer index of injustice, than "Loss" was of "Distress," but with failure to convince them that the common basis of all the new plans was wrong. One was to give eleven parts out of thirteen to Proprietors, another seventeen out of twenty, another thirteen out of fifteen, another seven out of eight, another fifteen out of seventeen, another eight out of nine, another fourteen out of fifteen, and so on, until the certainty of exposure when dealing with matters susceptible of scrutiny by the accurate criterion of arithmetic, was at length supposed to be ingeniously got rid of altogether by the actual proposal of a plan—the boast of which was that it "contained *no figures!*" as if even abstract principles for the distribution of pounds, shillings, and pence, could be in any such way expressed as to be practical *without* involving figures. The Committee, pressed hard with the figures of the case, were amazed at them,—perplexed by them,—scarcely believed them,—could not disprove them,—did not understand them,—would not examine them,—yet acted in the face of them! It was lazily surmised in reply, that there must be some concealed arithmetical fallacy about them; but the delay and exertion of attempting to detect it, were too much for the impatient indolence of the Committee; the *vulgar* fractions of the question were consigned to the obloquy of "si-

* See Appendix D.

lent disregard ;” and the plan, the whole plan, and nothing but the plan, with all its deformities and eccentricities—the spurious offspring of illicit legislation—was fondled into favor by the laudits of a revolutionizing majority ; sup- planted the primal one to which their faith was pledged ; and called forth the Protest, against which it is now ruinously defended by a lame Report.

‘Ah ! but the Committee have “set apart a reserve fund of £10,000 for cases of special distress”’!—Prodigious !—“Knowing”—these are their words—“know- ing that it was not a perfect measure (viz. “Loss” as a basis), they made pro- vision for this by setting apart a reserve fund of £10,000 for cases of special distress, in addition to the sums already voted for such cases.” The amount “already voted for such cases,” is, unfortunately, one of those “already voted” to be *left blank* in the Report ; so that it can only be stated at £2,130, as marked with *pencil* in the Original Manuscript Report. It is not, however, imagined that the Committee mean to boast of this matter, which stands confessed by its author to have been a complete failure ; and it is therefore the less necessary to say much about it : but since it has been men- tioned, the following curiosities, among others connected with it, may be enumerated *en passant*, lest it should be erroneously supposed that great things have been done “already” for “Distress.” The cases in question were designated “Visitors’ cases” ; and the object was to set people “in a way of doing again” for themselves. Some of the parties got the sum they stated would place them “in a way of doing again” : some got half : some a fourth : others twice as much as they asked. Some had the whole of their loss made up to them : some more than they had lost : and some, who had already received more, got an additional surplus. One was voted £50 because he expected credit in the spring. Another £25 since he had obtained credit already. And the man who got the £50, as a case of *special* distress, because he had good expectations, had been previously awarded £62. 10. for his first Dividend : his son, who was entitled to no Dividend, drew by *mistake* £22. 10s. which ought to have gone to his father, and which was—not refunded, but voted over again to the father, by the Commit- tee of Distribution, that *he* might not suffer ; and yet this same *special* dis- tressed sufferer declared, a few weeks after, that he was worth £500, to qualify him as a City Councillor !—he has since been awarded his second Di- vidend of £127. 10s., making a total of £262. 10., and he was all the while punctually attending and voting at the meetings of the General Committee, being “as honestly *interested* in the right administration of this charity as any of the Protesters” ! But let that pass : £10,000 *have been* “set apart” as a reserve fund ; and the Committee state in the Report that their reason for doing so, was, that, with regard to “Loss” as a basis, they “knew it was not a perfect measure.” Now, it was precisely for this very reason—viz. because “Loss” was known to be an imperfect measure of “Distress” in the first Distribution, that *all* “the remaining funds were reserved” to be distributed, in the second, according to the ascertained degree of distress. But now, by way of mending the previously admitted imperfections of “Loss” as a basis for even 10 per cent, the Committee determine to increase them by paying away 15 per cent. more upon the same defective basis, and reserve only a small portion of the re- maining funds to rectify the thus aggravated imperfections ! They, as it were, commit an error for the sake of rectifying it ; and create inequali-

ties amounting to £63,940, to play at equalizing them with £10,000! and then, with a coolness which consummates the *Quixotism* of the enterprise, "fully anticipate that this will prove sufficient to the purpose!"* But they give further reasons for not "attempting that minute and complete examination of special cases which was at first contemplated;" and what does the reader suppose these reasons are? 1st, "that it could not at any time be attempted with success:" 2nd, that "to reach even an approximation to the real facts of every case, and apportion relief accordingly, would have required so much time as to destroy the benefit:" 3rd, "that it would have opened a door to favouritism and injustice:" and 4th, that "only abuse and dissatisfaction could be expected if £90,000 were distributed on the basis of "Distress." Mark, now, what the Committee do, in conformity with these reasons: 1st, they resolve at some *future* time to do what cannot at *any* time be attempted with success:—2nd, they have *not yet* attempted it, although delay is confessedly *destructive of the benefit*:—3rd, they open a *much wider* door to favouritism and injustice by favouring the whole class of Proprietors, and wronging the whole class of Tenants:—and 4th, notwithstanding that *only* abuse and dissatisfaction can be expected from "Distress" as a basis, they choose that identical *bad and impracticable basis*, for the £10,000,—thus exactly following (in regard of that amount) the provisions of "Paper A," while declaring, in the same sentence, that those provisions *cannot* be "carried into execution," because of the difficulty of determining "whether a claimant is in distress *at all!*" But what is to make "the examination of these cases possible," as the original manuscript Report asserts (although this is *left out of the printed one*)? Why (as the printed Report has it) that "they will, after a Dividend of 25 per cent (on "Loss") be comparatively few." But can this be proved? It has been shown that "Loss" is *no* measure of "Distress:" and that, on the whole, those who lost most, and got most, had generally most remaining: it is, therefore, not very clearly seen how the payment of 25 per cent to the comparatively rich, is at all certain of making the cases of special distress comparatively few. It is as though the Committee, scattering their largess promiscuously among a mixed populace composed of vigorous and of feeble suppliants, had left the latter to their hapless chance, in the uneven field of "Loss," of getting

* So out of all proportion did this sum appear, that many conceived that it could not be gravely meant for a general measure of equalization at all, and several motions were made to reduce the amount as low even as £1,000, as a mere pauper fund for the Clergy, in order that "Distress" on a large scale might not be *made game of* by a semblance of consideration from the Committee, whose next step was to vote away all the remaining funds in a per-centage upon "Loss,"—on "Loss," however, defined in a manner already shown to be favourable to those who, comparatively, had the most remaining.

But the Committee now seem to think that even this amount is unnecessarily large; for, when voting (on the 16th July) £1,600 to the Newfoundland sufferers,† they resolved to deduct that amount—not from the £15,000 reserved as a premium to the petted class of Proprietors, but expressly from the £10,000 appropriated for special cases of distress; so that they now intend to rectify the £63,940 of inequality, with only £8,400!

† See Appendix E.

their fair share in an unequal scramble. Large loss gave a vigorous percentage to large losers, who, generally, had the most remaining; but a feeble one to the class of sufferers which had the least remaining, and the most distress. If, therefore, special distress is to be materially diminished by this method of proportioning relief, it can only be by a hap-hazard contingency of "the rule of contrary," in which no reasonable being would confide. Neither sound judgment, nor discreet charity, would thus trust to good luck, to make injustice just by any such fortuities as those from which many argued for aiding the poor Tenant by letting relief filter into his pocket through the fingers of the rich Proprietor. True, Experience may confirm the remark of the Committee, "that the way in which charity is oftenest abused, is the way of giving money directly to distressed parties:" but who, except the Quebec Committee of Relief, would, to avoid *this* abuse, commit the *greater* one of giving the money—*directly too*, and often in sums of £250 each, to parties who are in *no distress at all*?—and then argue that the doing of it will reduce the cases of special distress to comparatively few! so that "means may perhaps be taken to ascertain and examine them." "Means may *perhaps* be taken!" the chance then, that "special distress" has, of being ascertained and relieved, according to its degree, at some *future* time, although declared to be impracticable at *any* time, is after all hung upon a *peradventure*!

This reserve fund of £10,000, now reduced to £8,400,—to be perhaps still further tampered with before "special distress" shall get any of it, rather than touch the sacred premium fund of £15,000 for the richer class of Proprietors,—constitutes one of the leading palliatives by which the Committee have in vain attempted to coax their Contributors into an easy belief that their stipulations have been attended to, and that their money has really been expended to relieve distress. Another of these palliatives is *that* by which they endeavour to meet the objection of the Protesters—that it is of the very essence of the new plan "to perpetuate in the second Distribution, the admitted abuses of the first." The Committee profess not to know what is meant by "the admitted abuses of the first Distribution." The Protesters doubtless mean precisely what the Committee suppose them to mean, viz: "that certain parties were admitted on the roll of 'distressed sufferers,' who, it has been generally thought, were not justly entitled, by reason of their remaining means." As this *is* their meaning; and as what is now allowed to have been generally thought, is in fact almost universally admitted, and is pointedly corroborated by the resolutions of the Sub-Committee of Distribution, of the 18th November,* in which it was declared, after 1500 cases had been paid, that "parties had been included in the Pay-lists who were not properly admissible to the class of 'sufferers to be relieved,'"—it is of no small importance to the character of the General Committee, that they should be able to offer, in self defence, some adequate assurance to their Contributors, that the utmost possible fidelity and watchfulness have been, and still are, exercised, to prevent any repetition,

* See page 15. The Report makes the following remark upon this subject:—
"It may indeed be said that grants have been made to individuals, who, because

and therefore augmentation, in the second Distribution, of the admitted abuses of the first. The guarantee, then, for this, which is given in the Report, is contained in the following statement:—"the Committee have to state that the Sub-Committee of Distribution are actually scrutinizing each Pay-list and setting aside all doubtful cases for re-examination. So that there really exists no reason for perpetuating any abuse that has been or that can be proved." Doubtless there can be no *reason* for perpetuating abuses: but what if it prove true that no measures have been taken to *prevent* them? And what if it be found, that, at the very time when this deliberate assertion was made to, and then adopted and published by, the General Committee, in order to allay the well-founded apprehensions of their Contributors,—no such scrutiny had been either ordered by the General Committee, or resolved upon in the said Sub-Committee of Distribution; that when, eighteen days after the Report was presented, eleven after it was adopted, and *seven weeks after the payments of the second Dividend had commenced*, a step of the kind was at length taken, it was, *as a scrutiny*, perfectly ludicrous in its sole provision; and that *even this* was totally abandoned eleven days after its adoption, without having been put into execution at all!—what if all this should happen to be true? why, then, it will follow that the General Committee have endeavoured to lull the fears of their Contributors, by endorsing a statement which is at variance with fact; and that, instead of "no reason for perpetuating," there is no provision for averting, in the second Distribution, an aggravated repetition of the admitted abuses of the first. The history of the scrutiny is this. An individual member of the Sub-Committee of Distribution, knowing that a reconsideration of many cases had been always *talked of* as necessary before the payment of further sums to parties—some of whom

of their remaining means, were not in distress. To this it may be answered, that, *in each case, the Committee of Distribution thought otherwise.*" Yet this same Committee of Distribution did, on the 18th November, after 1500 cases had been paid, *think and resolve as follows*,—"that as it appears that the Lists of parties whose losses have been adjudicated upon, *from which Pay-lists have hitherto been made*, and which the Committee has now adopted, were made up erroneously in some respects, inasmuch as *persons are therein included for Dividends who would not properly come within the principle of the resolutions of the General Committee of the 15th September*, such Lists be no longer used in forming Pay-lists, and that this Committee do now proceed to make up Lists in conformity with those instructions." The General Committee, therefore, say that the Sub-Committee of Distribution thought a certain thing, viz. that improper grants had *not* been made; while that Sub-Committee themselves declare they thought just the opposite thing, viz. that improper grants *had* been made! The General Committee will settle this contradiction with their own Sub-Committee, as best they may. In the mean time, this apology may be offered for it,—that the recent statement emanated from a Sub-Committee upon "false and injurious statements," who, having lost their way so far as to report upon "the state of the funds," only lost it a little further by trying to report the *thoughts* of another Sub-Committee, over whom they had no control, and with whom they held no conference! But if the General Committee chose to be themselves misled into a belief and confirmation of contradictions, it is hoped that they will not be offended if their Contributors decline to follow them.

ought never to have received *any*, and others of whom ought not to receive *any more*, took it upon himself, in the exercise of a commendable zeal, to "cross" for revision sundry cases which *he* conceived required it. It is not easy to discover that he was guided by any precise and uniform rule or scale in these "crossings," since the cases which were "crossed," ranged, in regard of remaining means, from large amounts, down to as low as £100; while those *not* "crossed" for re-consideration, ranged from the lowest amounts up to as high as beyond £2,200. His intentions, however, were excellent, though without authority. But although the statement respecting the actual scrutiny alleged to be at that time going on, was made on the 1st June, and was confirmed by the General Committee on the 8th, the Sub-Committee of Distribution took no action whatever on the subject until the 19th (the payments requiring scrutiny, however, having commenced on the 2nd *May*!)—and even then—what is it supposed was the stringent security provided against the repetition of improper payments?—why, that, whereas, in the first Distribution, an amount of remaining means of every description equal to £250, at least *nominally* closed the door against a claimant; the scale was now raised to £500, and confined only to Insurance,—no notice being taken of Ground, Salaries, or other property. So that, when it had been a question whether a sufferer should get even a first Dividend of only *ten* per cent, the possession of £250 in the *whole*, formed at least a *nominal* barrier to his admission: but when the question became whether he should get a second Dividend of *fifteen* per cent *more*, *double* the above sum, might be only *part* of his remaining means, without his being debarred or scrutinized at all! Nor was this all;—the Sub-Committee resolved on the same day (19th June,) that persons excluded by the £500 Insurance-limit, should furnish written reasons for considering themselves entitled to a second Dividend, and that these should be presented on or before the 10th July: but, on the 30th June, without waiting for the appointed day, the burlesque of a guarantee against abuse was consummated—by authority, too, of the very General Committee who now shield themselves under this figment of security, by the said Sub-Committee's passing a resolution to this effect,—“that *all* the cases in which a *first* Dividend was granted by this Committee, be *paid a second*, in accordance with the resolution of the General Committee *making* “*Loss*” *the basis of all relief!*” Nay, further, “*Loss*” having been made the *sole* basis of relief, and “*Distress*” no longer a co-ordinate element in a title to a Dividend, the Sub-Committee of Distribution passed a whole set of long “*rejected cases*,” for both Dividends together; and even after ten of these had been specifically ordered by the General Committee to be suspended, till the reasons for having *now* passed them should be reported, the Sub-Committee, having, on the 26th June, resolved to request the revocation of that order, did on the 30th, without having made that request, without having reported reasons, as directed, and with the order for suspension still in force, again pass these identical ten cases for both Dividends, like the rest! One of these is a case, which has been noticed in the *Newspapers*, of a sufferer who is reported to have asked the Government £6,000 for only a *part* of her remaining ground, and who had £1,200, of Canada Insurance. But “*Loss*,” was the basis of relief; and as she was a *loser*, it did not signify now much she had *left*; the inconsistency would have been

—not in paying, but in withholding, her Dividend on what she had *lost*,—no matter how much she had *remaini* ! Here, therefore, “Loss,” as the basis, shines forth conspicuously—not only as perpetuating, nor merely as aggravating, the *old* admitted abuses of the first Distribution, but as creating *new ones* of a worse description ;—and thus this confessedly defective basis of “Loss,” transcends in its effects even the forebodings of the Protest !

This affair of the passing of these ten cases was afterwards admitted to have been irregular ; and an enquiry was ordered ; when it was ascertained that three of them (including the above case) had been paid £304, “with undue precipitation,”* before the minority had detected it ; and the General Committee then completed the thing—can the reader guess how ?—why by recalling their demand for reasons, and by giving the Committee of Distribution leave to do with the remaining seven—*as they pleased* ! And this is “actually scrutinizing each Pay-list, and setting aside all doubtful cases !” —Thus vanishes this baseless fabric of a vision about re-examination,—this groundless fiction of security against abuse, in which, with so much complacency, the Contributors are invited to confide.—Thus disappears, by consequence, the last forlorn hope of escape or shelter for the General Committee, from that declaration in the Protest, against which this their phantom of a scrutiny has failed to shield them,—that “to revert to ‘Loss,’ as the basis of relief in the second Distribution, will be to perpetuate the admitted abuses of the first.”—Here, also, seems to terminate all need of further criticism upon the general administration of the Committee, or upon their recent “ad interim Report.” Both stand out in prominent relief beyond the level of all ordinary precedent,—unsurpassed in the annals of similar proceedings for almost every feature which can deface the character, and implicate the competency, of a deliberative Body. It has been no pleasing task to trace the lineaments of these deformities. To expose them has been a painful one. But, invited to the undertaking by the erroneous and deceptive statements of the Report ; and impelled to it by a sense of duty to the Minority, to the Contributors, to the Public, and above all, to Truth,—the author has been also actuated by the simultaneous influence of a desire to have the community at large exonerated (at least in part) from blame ; to have a line of just distinction drawn between the locality itself in which the occurrences alluded to took place, and the Committee of Relief by whom they were perpetrated. The majority of that Body either intended to do precisely what it has been shown they did, and which has been proved to be unjust ; or else they acted differently from what they intended, and did not know what they were doing. If the latter, they were incompetent : if the former, they intended to be unjust. The alternative is indeed perplexing : but, whatever their intentions may have been, the majority of that Body,† who bore defiance to all rule ; tampered with their own engagements ; contemned the remonstrances of their Contributors ; and, having “got the money,” forsok the avowed objects for which it was subscribed, and repudiated the

* See Special Committee’s Report, presented 20th July.

† See Appendix EE.

plan upon which it was pledged to be distributed ; that majority (although abetted, it is true, by out-of-door accomplices) are to be held responsible for the misconduct which has earned for them dissatisfaction in the Colony, and opprobrium from the charitable World. Disregard of their own terms of their trust, as well as of the explicit and reiterated stipulations of their Subscribers, seduced them at an early period into a deviation from the path of rectitude : every successive step but widened their departure from first principles ; and, numbers lending force where argument and reason failed, consistency with themselves at length involved them in the abandonment of almost every thing that was sound in principle, and in practice just. The City, however, and still more the Province, should be separated in the mind from the Relief Committee,—that particular majority of which, who carried the measures objected to in the Protest, have won an *exclusive title* to the complaints of the poorer class of Sufferers by the late calamities, to the reasonable reproaches of the generous Contributors, and to the censure of an impartial Press. It were unfair to divide the fame of their misdoings, with the guiltless. The unenviable éclat is exclusively their own :—a very monopoly of reprobation :—a finished victory over their own trustworthiness. And as they stand alone, in solitary celebrity, defeated victors, to engross the lustre of a graceless triumph over their own expired reputation, they alone should bear the faded chaplet of their own delinquencies, and reap the withered laurels which they alone have won. It is but just that only *they* be made to wear the palm, who have alone deserved it.

To conclude : It lies within the limits of possibility that the foregoing observations may excite remark,—perhaps, indeed, be honoured with a notice from the Sub-Committee upon “false and injurious statements.” Should they be deemed deserving of any such distinction, it is but right to state at once, that as these Strictures have been prompted by no mere love of controversy, so no notice will be taken of any efforts at reply, which are only disputatious in their character, or limited and partial in their scope. No bandying of words can settle the important points which have been at issue in the contest. These consist of plain, intelligible, and reiterated plans, promises, and stipulations ; of numerous, palpable, and stubborn, facts ; which it will not do merely to evade, discolour, or deny ;—they must be DISPROVED : and this, not simply in, here and there, a comparatively subordinate detail ; but in the main features, and general and fundamental bearings, of the evidence and reasoning by which they have been substantiated. Until that be done, the statements and arguments contained in the foregoing pages, will remain a melancholy but instructive memorial of the force of error to mislead great and impetuous majorities, but of the power of truth to enable honest although weak minorities to expose it.

APPENDIX.



A. Page 8.

SELECTED CASES ;—1st, of richer parties who gave their ground to the Corporation for the widening of the Streets ; and 2nd, of poorer parties who sold it. Both, however, were paid for walls, &c. standing on their ground.

1. Richer Parties who gave their ground, and are to be paid for it out of poorer parties' relief-money.			2. Poorer Parties whose relief-money is to be reduced, to pay richer parties for their ground.		
Parties.	Remaining means : <i>i. e.</i> Ground, Insu- rance, and Corpora- tion-money for walls, &c.	Divi- dends award- ed.	Parties.	Remaining means : <i>i. e.</i> Ground, Insu- rance, and Corpora- tion-money for Ground and walls &c.	Divi- dends. award- ed.
E. R.	£710.	225	M. R.	£ 68.	23
P. H.	1034.	250	J. D.	85.	26
R. P.	896.	250	M. R.	126.	10
L. M.	1192.	72	F. J.	178.	18
J. H. O.	4200.	124	J. D.	180.	31
L. C.	1150.	250	Widow B	225.	25

*. The premiums, from which, as well as from the Dividends, the deductions were ordered to be made from No. 2 class, in favor of No. 1 class, have not yet been established.

B. Page 25.

SPECIMENS of the incongruous working of the measure for *constraining* Proprietors to rebuild with incombustible materials, by suspending, in a promissory note, their Dividends on fixed property, and paying them in cash *only on their moveables!*

PARTIES.	SECOND DIVIDEND.	
	On moveables paid in Cash.	On fixed property in a Promissory Note.
H. & T. L..	£135 9 0	£11 5 0
C. H..	7 6	21 11 8
G. St. P..	3 0	- - -
A. J..	124 1 0	22 10 0
A. F..	45 0 0	0 18 4
W. P..	71 8 0	- - -
Mad. G..	85 0 0	- - -
A. S..	100 0 0	33 15 0
A. M..	101 17 6	27 13 4
J. L..	127 10 0	2 10 0
P. M..	95 2 6	12 15 0
P. G..	106 6 6	1 2 8

*. The Dividend on fixed property, when under £7 10 0, was subsequently ordered to be paid at once in Cash, and not in a Promissory Note.

NOTE.—The *consistency* of the Committee in acting on the “principle which (they say) they have always avowed”—viz: of *constraining* Proprietors” &c., received a striking illustration on the 27th July, when they cancelled the promissory-notes system altogether; ordered all the notes to be forthwith paid; and left Proprietors—after having “got the money,” at liberty to decide that “pledges were all stuff,” and to spend it under the *constraint* of their own *inclinations!*

See Appendix F for further notice of the subject.

C. Page 30.

SPECIMENS of Cases showing the absence of any uniform or proper correspondence between the former and present relative circumstances of parties, and the Dividends awarded to them. The object aimed at in selecting these, has been—not so much to produce large totals, as to exhibit awards incongruous to the relative circumstances of the parties. If the former had been the chief object in view, nine cases with remaining means under £1,000 each, and some with Dividends, &c. under £50, would not have been chosen. The totals, particularly of the second and third columns, would, in consequence, have been larger: but they are, even now, large enough, in all conscience, for “distressed sufferers!”

PARTIES.	Owned before the Fires.	Had remain- ing afterwards	Dividends &c. awarded.
J. R.	£2,275	£500	£250
Widow M.	425	400	6
Mad. G.	1,922	1,700	217
J. B.	3,666	2,000	250
M. P.	2,250	575	250
J. C.	2,700	1,500	250
L. C.	2,105	500	250
Widow T.	800	500	34
Widow V.	1,000	800	82
C. H.	3,932	1,910	208
F. D.	1,204	1,100	37
W. V.	2,375	1,650	158
Heirs L.	3,315	2,210	250
M. G.	680	425	26
G. R.	2,150	1,550	161
F. J. P.	2,645	1,630	235
A. G.	1,000	600	62
P. M.	1,490	600	242
A. F.	2,330	1,575	131
J. H. O.	5,530	4,150	212
	£43,794	£25,875	£3,311

* * “The reader is requested to *try* to discover any uniform rule of equity or proportion between the figures in the respective columns, particularly between the column of *remaining means*, and that of *Dividends awarded*.”

D. Page 34.

ARITHMETICAL ILLUSTRATIONS of the practical working of the Plan recently adopted by the Committee of Relief, and contained in the Resolutions of the 13th and 16th March and 2nd April—founded on authentic data.

Premise. The entire property in the burnt Districts before the Fires, is assumed to have belonged to the entire population of those Districts; to have been all consumed; and to have been all that they possessed. Private debts and credits of all descriptions are supposed, on the whole, to balance each other, and the apparent property to be, on the whole, equal to the real property of all or of each class of the inhabitants.

Classifying the sufferers as *Proprietors* and *Tenants*, the following figures exhibit their relative positions as to property,—before the Fires; as altered by the Fires; and as they will be after the *Distribution*.

DATA.

1312 *Proprietors* owned, viz:

in Ground, . . .	£152,113
Buildings, . . .	301,248
Furniture, &c. . .	58,885
Stock in trade, . .	67,367
<i>Augmentations.</i>	13,366

Proprietors' Total BEFORE the Fires, £592,979 averaging £451 19 4 each.

2685 *Tenants* owned, viz: -

in Furniture, &c. . .	£88,176
Stock in trade, . .	44,127
<i>Augmentations,</i>	2,902

Tenants' Total BEFORE the Fires, £135,205 do. £50 7 1 each.

The Fires reduced the amount owned by the

1312 *Proprietors* to, viz:

in Ground, . . .	£152,113
Insurance, . . .	85,747
Walls, &c. remaining	15,581

Proprietors' Total AFTER the Fires £253,441 do. £193 3 5 each.

and that owned by the

2685 *Tenants* to, viz:

Insurance, . . .	£10,347
------------------	---------

Tenants' Total AFTER the Fires, £10,347 do. £3 17 1 each.

Query—Under these circumstances, in what proportions ought—say £140,000* to be divided between both classes, so as to make the relative positions of the two afterwards, the same as they were before the Fires?

Answer—1312 *Proprietors* ought to get. £75,374

2685 *Tenants* ought to get. 64,626

£140,000

* The exact amount which the Funds may reach is not known; but as it was necessary to have some amount to work upon, the above sum has been assumed for the Dividends and Premium. It is the *only* assumed item in the calculations. All the others are taken from authentic sources; and any possible inaccuracy in this one cannot materially affect the *proportions* which obtain in the following results.

THAT IS			
1312 Proprietors who have still remaining	£253,441	or	£193 3 5 each.
ought to get.....	75,374	or	57 9 0 "
<hr/>			
which would make up their property to	£328,815	or	£250 12 5 "
<hr/>			
2685 Tenants who have still remaining	£10,347	or	£3 17 1 "
ought to get.....	64,626	or	24 1 4 "
<hr/>			
which would make up their property to	£74,973	or	£27 18 5 "
<hr/>			

AND THEN

Taking the Classes,—As £592,979 are to £135,205, (owned respectively before,) so are £328,815 to 74,973, (which they would own afterwards,)

Or, the Persons—As £451 19 4 are to £50 7 1 so are £250 12 5 to £27 18 5.

Or,

Considering Proprietors' amount of £592,979 before as ... 100.
Tenants' amount before, of £135,205 would be as 22.8

And Considering Proprietors' amount of £328,815 afterwards as 100.
Tenants' amount of £74,973 would again be as 22.8

THEREFORE,

The same relative positions would be preserved
by giving to 1312 Proprietors, as above, £75,374.
and to 2635 Tenants, as above, 64,626.

Amount to be divided, as above, £140,000

~~~~~

COMPARISON of the above calculations with the plan recently adopted:

Out of the £140,000, the sum of £47,675 has been expended in the 1st Distribution, leaving £92,325 to be divided as follows:—

|                                                       |         |
|-------------------------------------------------------|---------|
| To Proprietors, extra grant as Premium.....           | £15,000 |
| To Proprietors and Tenants in a per centage on "Loss" | 77,325  |
|                                                       | <hr/>   |
|                                                       | £92,325 |

Thus 1312 Proprietors, having already received  
in the 1st Distribution £35,220 or £26 16 10 each,  
will receive further, viz:—

|                                                  |          |        |              |
|--------------------------------------------------|----------|--------|--------------|
| as Premium.....                                  | £15,000  |        |              |
| as per centage on "Loss".....                    | 57,124   |        |              |
|                                                  | <hr/>    | 72,124 | or 54 19 5 " |
| <hr/>                                            |          |        |              |
| making altogether.....                           | £107,344 | or     | 81 16 3 "    |
| instead of their fair relative sum, as above, of | 75,374   | or     | 57 9 0 "     |
| <hr/>                                            |          |        |              |

So that they will get MORE than their fair share by £31,970 or 24 7 3 "

While 2685 Tenants, having already received  
in the 1st Distribution..... £12,455 or £4 12 9 "  
will receive further as per centage on "Loss" 20,201 or 7 10 5 "

|                                                  |         |    |          |
|--------------------------------------------------|---------|----|----------|
| making altogether only.....                      | £32,656 | or | 12 3 2 " |
| instead of their fair relative sum, as above, of | 64,626  | or | 24 1 4 " |
| <hr/>                                            |         |    |          |

so that they will get LESS than their fair share by £31,970 or 11 18 2 "

THAT IS

Proprietors getting MORE than their fair share by £31,970.  
 And Tenants LESS than their fair share by . . . . . 31,970.

The SUM TOTAL OF INEQUALITY will be £63,940.

The Inequality measured by *per centage*.

For Proprietors,  
 £31,970 surplus, on their fair share of £75,374, gives £42 8 4 per ct. TOO MUCH!

For Tenants,  
 £31,970 minus, on their receipts of only £32,656, gives £97 18 0 " TOO LITTLE!

The Inequality shown otherwise.

|                            |          |        |          |          |
|----------------------------|----------|--------|----------|----------|
| 1312 Proprietors receiving | £107,344 | or     | £81 16 3 | each     |
| 2685 Tenants               | " only   | 32,656 | or       | 12 3 2 " |

makes £87 OUT OF EVERY £100 of the Subscriptions, TO PROPRIETORS,  
 and only £13 " " " " TO TENANTS!

Notwithstanding that the *latter*, 2685 in number, have but £10,347 of Insurance, averaging only £3 17 1 to each Tenant, while the *former*, not half their number, have £85,747 of Insurance, besides £152,113 worth of Ground, and £15,581 worth of Walls, &c. remainining, averaging £193 3 5 to each Proprietor!

NOTE.—An unknown sum, perhaps about £6,000 will be curtailed from the 2nd Distribution, and chiefly from Proprietors, by the limit of £250 as the *maximum* amount to be paid to any one person: it is mostly among Proprietors, that the payments (*being based on Loss*) will reach the *maximum*.

From the tenor of the foregoing calculations (even leaving Distress as a basis *out of sight*) it will appear that *any* method of distribution proceeding upon *even an equal* per centage on loss, and much more any plan comprising an actual *premium to Proprietors*, cannot but be unfair in its practical consequences, and must *necessarily* tend to favor one class of the sufferers at the expense of the other.

But if *Distress* be the object in view, it is *arithmetically impossible* to reach it, if the amount of relief be measured by the *foreign element* of the amount of loss, since great distress cannot obtain great relief unless great loss be shown, while great loss will be entitled to great relief although there may be no distress. The plan now adopted is based on the *direct* proportion of property *lost*, instead of the *inverse* proportion of property *remaining*: in other words, (keeping relative positions in view) the less the *property remaining* to a distressed sufferer, the greater should have been the proportion of relief, and the greater the *property remaining*, the less should have been the proportion of relief; but as it is, the greater the loss the greater is the proportion of relief, although distress may *not exist at all*; and the smaller the smaller is that proportion, although the distress may be *overwhelming!* Distress, therefore, can never be equitably relieved by *any* distribution based upon the amount of *Loss*; and particularly upon "*Loss*" as the Committee have fallaciously defined it.

☞ The Committee's meaning for "*Loss*" may be here repeated. The Ground is first put out of sight: Insurance is next deducted from the whole loss and also put aside; and "*Loss*" is what *then remains*. This determines the amount of relief, without regard to how much ground, insurance, or other property or revenues, the party may be known to have; and the same "*Loss*" only procures the same relief, though there be no ground, no insurance, and no other property or revenues at all! See pages 27, 28.

## E E. Page 39.

The debates upon the two series of resolutions (which are given at page 20) were continued during several days. On the day when No. I. of the second series was adopted, *forty one* members attended: when No. II., *forty-five*: when Nos. III. and IV., *fifty*. A division took place upon each resolution; but the names were not taken down until No. IV. came under discussion. It will be seen that that resolution contains three propositions:—1st. The distribution of the balance by a per centage on "Loss;" 2nd. The maximum of £250 to any one sufferer: 3rd. The Premium of £15,000 to Proprietors. On a motion to that effect, the 3rd. was considered first; and, on a Division, the names were called for by one of the minority, seconded by one of the majority; so that both sides appeared anxious to have a record of this Division kept. The 1st proposition was adopted next, with (it is believed) the same Division; and the 2nd last: but the names were not again taken down. The majority and minority on the above occasion, stand recorded as follows:

J. C. Fisher, Esq., LL.D. in the Chair.

*Majority—37.*

|                          |                              |
|--------------------------|------------------------------|
| Baillargeon, Revd. C. F. | Gingras, Jr., P.             |
| Beaubien, Revd. N.       | Jessopp, H.                  |
| Belleisle, Revd. F. H.   | Kimlin, M. D., W.            |
| Charest, Revd. Z.        | Legaré, Jos.                 |
| Clugston, Revd. J.       | Le Mesurier, H.              |
| Cook, DD., Revd. J.      | <i>Malouin, R.</i>           |
| Horan, Revd. J. G.       | Methot, F. X.                |
| Langevin, Revd. J.       | Paradis, F. X.               |
| Mackie, Revd. G.         | Phillips, W.                 |
| Parant, Revd. A.         | <i>Plamondon, L.</i>         |
| Roy, Revd. L.            | <i>Robitaille, M. D., O.</i> |
| Cochran, Honble. A. W.   | Ross, D.                     |
| Atkinson, H. Messrs.     | Scott, S.                    |
| Baillargé, L. T.         | Sirois, A. B.                |
| Campbell, A.             | Tessier, U. J.               |
| Chouinard, J.            | Têtu, V.                     |
| <i>Durand, A.</i>        | Thompson, J.                 |
| Fréchette, Jr., J. B.    | Tourangeau, Jos.             |
| Freer, N.                |                              |

*Minority—8.*

|                            |               |
|----------------------------|---------------|
| Drummond, Revd. J.         | Cassells, R.  |
| Bonner, J. Messrs.         | Hale, J.      |
| Bowen, E. H.               | Sewell, W. S. |
| Boxer, C. B., R. N., Capt. | Scott, H. S.  |

*Did not remain for the Division—4.*

|              |                      |
|--------------|----------------------|
| Burstall, H. | Sewell, M. D., J. A. |
| Hoffman, C.  | Stevenson, W.        |

N. B. The italics denote sufferers whose united Dividends, &c. from the Committee amount to upwards of £500.

## E. Page 35.

The news of the fire at St. John's, Newfoundland, and the proceedings consequent upon it, furnished new materials for division. These are noticed here to illustrate the reference, and for the reader's information; but the subject is distinct from those which had previously agitated the Committee of Relief, and ought not, either in *itself*, or in the *change of parties* it occasioned, to be confounded with the more important matters which are exposed in the foregoing Structures.

On the 29th June, 1846, Dr. Fisher gave the following notice of motion:—

“That in the event of the fire at St. John's, Newfoundland, being confirmed in its calamitous extent as reported at present, he will move that a sum equal to that subscribed by the inhabitants of that City in aid of the sufferers by fire at Quebec, last summer, be remitted to the Mayor, with an expression of condolence and sympathy on the part of this Committee.

On the 6th July, the Chairman read a letter from Jos. Bourret, Esqr. Chairman of a public meeting held at Montreal, on the 4th inst., “For the relief of the sufferers by the late fire at St. John's, Newfoundland,” enclosing a copy of a resolution adopted at that meeting; as follows:—

Proposed by the Hon. F. Hincks, and seconded by J. M. Tobin, Esqr.,

Resolved,—“That in the opinion of this meeting, the subscriptions raised in this city for the relief of the sufferers by the fires at Quebec last year, were intended to be appropriated to aid persons in actual distress, and that object having been long since fulfilled, and a large balance still remaining in the hands of the Relief-Committee, this meeting feel warranted in suggesting to the Committee at Quebec, on behalf of the Montreal subscribers to the relief-fund, that the application of the whole or any portion of the balance on hand, to the relief of the sufferers at St. John's, Newfoundland, would give general satisfaction to the community.”

On the same day, it was moved by Dr. Fisher, seconded by Mr. Bonner,

“That the Chairman of this Committee be requested to address, without delay, to the Mayor of St. John's, Newfoundland, a letter of sympathy and condolence with the great loss and distress sustained by the Inhabitants of that City, in consequence of the disastrous fire which occurred on the 9th June last; and that the Chairman be authorized to remit, at the same time, to the Mayor of St. John's, the sum of £600, being an amount equal to that so promptly subscribed by the Inhabitants in aid of the sufferers by fire at Quebec in May and June 1845.”

“That whereas this Committee, in the exercise of its discretion, has reserved the sum of £15,000, to be distributed as a premium to certain Proprietors who have rebuilt their houses in brick and stone, and also the sum of £10,000 for cases of special distress to be hereafter determined—and whereas the reservation of these sums out of the moneys subscribed and voted in aid of the sufferers by the fires at Quebec in May and June 1845, was predicated on the fact that all urgent cases of distress amongst the last mentioned sufferers have been relieved or greatly mitigated—and whereas news has been received of a most disastrous fire which occurred at St. John's, Newfoundland, on the 9th instant,

Resolved,—That the Chairman of the Committee be requested to communicate with His Excellency the Governor General, by the next mail with the London Committee, and any other Committee with which this Committee has been in correspondence, requesting their consent\* that a portion of the Quebec Relief

\* It will be seen that the good principle contended for by the *old* minority and the signers of the Protest (see the 9th article of that document, page 22), with regard to the consent of the Donors, is here adhered to and supported by many

Fund, not exceeding £5,000, may be remitted to the Mayor or authorities of St. John's, Newfoundland, in aid of the distress and destitution of the sufferers by the fire in that city—and that the Chairman do request an immediate answer to the application above.

Moved, in amendment, by Mr. Jessopp, seconded by Mr. Cassells,

“That the sum of £600, so liberally granted by the Inhabitants of St. John's, N. F. for the relief of the sufferers by the fires in May and June last\*—be inserted in provisions, and be sent forthwith to St. John's.”

The amendment having been put from the Chair, was passed in the negative.

Mr. Ross then moved, in amendment, seconded by Mr. Chauveau, and it was

Resolved,—“That the members of the General Committee for the Relief of the Sufferers by the two Fires at Quebec in the months of May and June last, strongly sympathise with the Inhabitants of the City of St. John, Newfoundland, upon the recent calamitous destruction of their city by fire; and that, moreover, the inhabitants of Quebec owe a deep debt of gratitude to the citizens of St. John, for their prompt and munificent contribution in aid of the sufferers at Quebec in the time of their need. But that inasmuch as the moneys entrusted to this Committee for distribution, including those from the now unfortunate inhabitants of St. John, have been placed in our hands for a specific purpose, and have become the property of the sufferers, this Committee regrets that it is not in their power to divert them from that purpose. But that the Committee strongly recommend that a public meeting be called without delay, in order to adopt measures for raising an immediate contribution for the relief of the Citizens of St. John.”

Ordered that the names of the division upon this amendment be taken down.

DIVISION.—*Ayes* 13.

|                                     |                  |
|-------------------------------------|------------------|
| The Rt. Revd. the Bishop of Sidyme, | Gethings, C.,    |
| Belleisle, Revd. F. H.              | Gingras, Jr., P. |
| Langevin, Revd. J.                  | Glackemeyer, E.  |
| Parant, Revd. A.                    | Legaré, J.       |
| Baillargé, L. T., Messrs.           | Ross, D.         |
| Chauveau, M. P. P., P. J. O.        | Tourangeau, J.   |
| Fréchette, J. B.                    |                  |

*Nays* 12.

|                       |                |
|-----------------------|----------------|
| Bonner, J. Messrs.    | Holt, C. A.,   |
| Cassells, R.          | Jessopp, H.    |
| Fisher, LL. D., J. C. | LeMesurier, H. |
| Freer, N.             | Scott, H. S.   |
| Hale, J.              | Sewell, W. S.  |
| Hall, G.              | Stevenson, W.  |

The adoption of this amendment involved the rejection of Dr. Fisher's motion.

of the old *majority* who lost sight of it during the former more important disputes. With respect to the £600 received from St. John, the offering them their own again was the best way of asking *their* consent: if “content,” they would keep it: if “non-content,” they would send it back. And with respect to an additional £5,000, the Governor General, and the several Committees, were to be requested to concur. However small the consolation after the mischief is done, it is nevertheless pleasing to see sound principle acknowledged in the end.

\* 1845 must have been intended.

The foregoing decision of the 6th July, was, on the 13th, determined to be reconsidered on the 20th, when

Doctor Fisher moved to resolve, seconded by Mr. Bonner,—

“ That whereas this Committee, in the exercise of its discretion, has reserved the sum of £15,000 to be distributed in premiums to proprietors who have rebuilt their houses in brick and stone—and also another sum of £10,000 for cases of special distress to be hereafter determined, both which sums form *part of the moneys received under Her Majesty's Royal Letter* in aid of the distressed sufferers by the fires at Quebec in 1815;—and whereas the reservation of the sums of £15,000, and £10,000, was predicated on the belief that all urgent cases of distress amongst the last mentioned sufferers have been relieved or greatly mitigated;—and whereas information has reached this Committee of a most disastrous fire which occurred at St. John's, Newfoundland, on the 9th June last,—therefore,

Resolved,—That the Chairman be requested and authorized to communicate to His Excellency the Governor General, the desire of this Committee, that His Excellency will be pleased to allow\* and confirm the appropriation by this Committee of the sum of £5,000, currency, in aid of the distressed sufferers by the fire at St. John's, Newfoundland.

Mr. Chauveau moved, in amendment, seconded by Mr. Ross, and it was

Resolved, That all the words after the word “that” be struck out, and the following inserted:—

“ That in consequence of the suggestion made to this committee by a meeting of the inhabitants of St. Roch's suburbs, and by a meeting of the sufferers in St. John's suburbs, the sum of £600 transmitted to their care, by the citizens of St. John, Newfoundland, be immediately remitted to the Mayor of St. John, for the relief of the unfortunate inhabitants of that city, together with the further sum of £1,000, currency, as a gift from the sufferers of the city of Quebec, and as a mark of gratitude for the generous sympathy of the inhabitants of St. John, and that the two sums amounting together to £1,600, be taken FROM THE FUND OF £10,000 SET APART FOR CASES OF PECULIAR DISTRESS.”

Ordered, That the names of the division upon this amendment be taken down—

DIVISION UPON THE AMENDMENT.

Honble. R. E. Caron in the Chair.

AYES 44.

|                                     |                              |
|-------------------------------------|------------------------------|
| The Rt. Revd. the Bishop of Sidyme, | Chabot, M.P.P., J.           |
| Aubry, Revd. R. J.                  | Chauveau, M.P.P., P. J. O.   |
| Auclair, Revd. J.                   | Chouillard, J.               |
| Baillargeon, Revd. C. F.            | Defoy, C. M.                 |
| Beaubien, Revd. N.                  | <i>Durand, A.</i>            |
| Belleisle, Revd. F. H.              | Fréchette, Jr., J. B.        |
| Cazeau, Revd. C. F.                 | Gingras, Jr., P.             |
| Cazeau, Revd. L.                    | Glackemeyer, E.              |
| Charest, Revd. Z.                   | Lee, T. C.                   |
| Gingras, Revd. L.                   | Legaré, J.                   |
| Grenier, Revd. H.                   | <i>Malouin, R.</i>           |
| Horan, Revd. E. J.                  | Methot, F. X.                |
| Langevin, Revd. J.                  | Nault, Dr.                   |
| Martineau, Revd. D.                 | Paradis, F. X.               |
| Parant, Revd. A.                    | Parent, A.                   |
| Taschereau, Revd. J.                | <i>Plamondon, L.</i>         |
| Tassé, Revd. T.                     | <i>Robitaille, M. D., O.</i> |
| Truelle, Revd. C.                   | Ross, D.                     |
| Cochran, Honble. A. W.              | Sirdis, A. B.                |
| Massue, Honble. L.                  | Symes, R.                    |
| Neilson, Honble. J.                 | Tourangeau, J.               |
| Baillargé, L. T. Messrs.            | Turgeon, C.                  |

\* See the note at page 48.

## Nays 23.

Mackie, Revd. G.  
 Bonner, J. Mr.  
 Boxer, C. B., R. N., Captain,  
 Burstall, E. Messrs.  
 Burstall, H.  
 Campbell, A.  
 Cassells, R.  
 Connolly, M.  
 Fisher, L.L. D., J. C.  
 Freer, N.  
 Gillespie, A.  
 Hale, J.

Hall, G.  
 Holt, C. A.  
 Jessopp, H.  
 LeMesurier, H.  
 Levy, C. E.  
 O'Meara, J. P.  
 Phillips, W.  
 Sewell, W. S.  
 Sewell, M. D., J. A.  
 Sharples, C.  
 Stevenson, W.

N. B.—The italics denote sufferers by the Quebec fires, who received Dividends, &c. See page 47.

The original motion *as amended* was put and passed in the affirmative, upon the same division.

Dr. Fisher moved, seconded by Mr. Sheriff Sewell, to resolve,—

“That the Resolution just passed be communicated to the Governor General, the London Central Committee, and the Montreal Committee, to ask their concurrence.”\*

Passed in the negative, on the following division;—the names having been called for and ordered to be taken down:—

## DIVISION.

The same as the preceding, except that Messrs. LeMesurier and O'Meara joined the majority.

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**F. Page 42.**

Fresh occasion for division was furnished on the 27th July by a motion made by Mr. Chauveau, seconded by Mr. Gingras, to rescind the Resolution *constraining* Proprietors to rebuild, and to abolish the promissory-note system altogether, thus cancelling one of the measures exhibited defensively in the recent Report adopted by the old majority, in answer to the Protest. The subject is introduced here because connected with the previous reference to the promissory notes, and for the reader's further information; but it is only collaterally connected with the old disputes respecting a new plan of distribution, and should be kept distinct, not only from the former question of a new plan, but also from the old division of the Committee into a majority and minority about that plan.

The grand argument employed by the old majority to justify the favor shown by them to the richer class of Proprietors, and to palliate the injustice inflicted upon the poorer class of Tenants, was the hardship to the former of being *constrained* to rebuild with incombustible materials. The immense advantages proved in the foregoing strictures to have accrued to that class from the adoption of “Loss,” particularly as defined, as the basis of all relief, with a premium of £15,000 besides (whereby the Proprietor, although with fifty times as much remaining as the Tenant, receives seven times as much relief!) were defended on the ground of the *restrictions* imposed upon that class of sufferers:

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\* See the note at page 48.

and the particular restriction here especially referred to, is thus put forth in the Report, to justify the undue preference of that richer class, complained of by the old minority :—" It is, moreover, a rule of this Committee, that no Dividend be paid on loss in fixed property, unless a brick or stone house be in progress of erection on such property, and so proprietors, *as far as it is in the power of the Committee to compel it, are compelled to build*, and to build when both labour and materials for building are unusually high, and high by reason of the very activity which it is the object of the Committee to produce and stimulate." On the 8<sup>th</sup> June, the General Committee adopted the Report containing the foregoing paragraph, and sought shelter from the "charge" of partiality made in the Protest, under the plea that the advantages awarded to the class which had the most remaining, were neutralized by the boasted rule which was to *compel* the Proprietor to build. But on the 27<sup>th</sup> July, as if by the force of habit, they abolished their own rule, and thus broke their own shield, by passing the following Resolution ;—" That the Dividend of 15 per cent. be immediately paid in cash to all who may be entitled thereto, and that all the *promissory-notes* conditionally issued, in virtue of the resolutions of the 16<sup>th</sup> of April, be at once redeemed in cash, *as if no conditions had been thereunto attached* : provided always that the said notes be not paid to others than those in whose favor they were made out." The names being called for, the following Division was recorded :—

J. C. Fisher, Esq., LL.D. in the Chair.

*Majority—30.*

Aubry, Revd. R. J.  
 Auclair, Revd. J.  
 Beaubien, Revd. N.  
 Belleisle, Revd. F. H.  
 Cazeau, Revd. L. J.  
 Gingras, Revd. L.  
 Grenier, Revd. H.  
 Martineau, Revd. D.  
 Roy, Revd.  
 Taschereau, Revd. J.  
 Tassé, Revd. P.  
 Trudelle, Revd. C.  
 Massue, Honble. L.  
 Chabot, J., M.P.P., Messrs.  
 Chauveau, P. J. O., M.P.P.

Defoy, C. M.  
*Durand, A.*  
 Gingras, Jr., P.  
 Glackemeyer, E.  
 Lee, T. C.  
 Legaré, J.  
*Malouin, R.*  
 Paradis, F. X.  
*Plamondon, L.*  
*Robitaille, M. D., O.*  
 Sirois, A. B.  
 Tessier, U. J.  
 Têtu, V.  
 Tourangeau, J.  
 Turgeon, C.

*Minority—10.*

Cook, D. D., Revd. J.  
 Cochran, A. W. Honble.  
 Bonner, J. Messrs.  
 Freer, N.  
 Gethings, C.

Hale, J.  
 LeMesurier, H.  
 Ross, D.  
 Sewell, W. S.  
 Sewell, M. D., J. A.

The italics denote sufferers who received Dividends, &c. (See page 47) ; one of whom had the payment of *his own* promissory-note depending upon this day's vote ! See article No. 8 of the Protest at page 22, and the remarks upon it at page 23.

It should now be understood that on two former occasions ;—one, when the Newfoundland question was re-considered ; and another, when it was highly desirable to suppress disclosures touching “ a dark transaction,” detected by the minority, in which improper payments had been imperatively ordered, in spite of the objections of the Accountant, by a member of the Committee, who, having availed himself of *that* capacity to order the payment, then assumed his *other* capacity of Attorney to receive it :—on these two previous occasions, a muster of 18 French Canadian Clergymen and 1 Bishop, besides 4 sufferers—recipients and *expectants* of money and “ honestly interested in the right administration of this charity,”—had supplied an overbearing majority, and evinced an *animus*, which disgusted the British members, and must have opened the eyes of many of them to the true spirit of their former allies. Partly on this account, and partly because the 27th July was English Post-day, the attendance of English members on that day was but small ; but the proceedings on the above *three* occasions led to the step which, to the great body of the British members, appeared the only means of preserving their own self-respect, and of avoiding *powerless responsibility* to their Contributors :—They withdrew from the Committee, and communicated the fact of their retirement to that Body, and to all else whom it might concern, in the following terms :—

“ We the undersigned Members of the General Committee of Relief, in consequence of measures recently adopted in that Body, and actuated by considerations of respect for ourselves, deeply regret that we cannot any longer seem to sanction its proceedings by a useless attendance, and we therefore hereby signify our retirement from the said Committee of Relief.

Quebec, 29th July, 1846.

J. Charlton Fisher,  
Jeffery Hale,  
Jno. Bonner,  
Wm. S. Sewell,  
H. Jessopp,  
Noah Freer,  
W. Stevenson,  
C. Gethings,  
A. Gillespie,  
G. H. Parke,  
H. Gowen,  
Charles Sharples,  
Edward Boxer,  
Henry Burstall,  
Archd. Campbell,  
J. Drummond,

H. Atkinson,  
John Munn,  
Wm. Walker,  
Jas. Gibb,  
George Hall,  
Edward Burstall,  
J. P. O'Meara,  
M. Connolly,  
Jas. A. Sewell,  
Thos. W. Lloyd,  
Henry S. Scott,  
J. Douglas,  
J. Grainger,  
H. LeMesurier,  
John Sewell,  
R. Cassels.

This last rescinding act of the Committee brings conviction to a crisis as to the consistency of that Body. The measure now rescinded, was, pursuant to notice given on the 13th April, first proposed on the 20th, with 37 members present, and was then, after some debate, adjourned. On the 22d the discussion was resumed with 49 members present, and adopted. On the 4th May, pursuant to notice given on the 30th April, one attempt to modify it was rejected by a majority of 36 to 24, and another to evade it was defeated by 35 to 22. Again, on the 11th May, a special Committee on a petition from certain inhabitants, presented a Report containing the following allusion to the measure which has now been rescinded :—“ That the Committee adopted the Resolution in question under a deep conviction that the same was calculated to promote the

\* Absent from Quebec, but since signed.

general good of all the sufferers without distinction: that the subject has twice undergone discussion in the General Committee; and that the Sub-Committee are of opinion that the same cannot now be rescinded, notwithstanding their regret that the decision in question, has met the "solemn disapproval of the Petitioners, &c." The General Committee, with 25 members present, adopted this Report *unanimously*; and yet, on the 27th July, they rescind the measure in question by a majority of 30 to 10, which had been originally adopted in a meeting of 49, and subsequently confirmed in a meeting of 60, by a majority of 36 to 24. Nay, they rescind a measure which they had *unanimously* declared they were *deeply convinced* was for the *good of all*, and which *could not be rescinded!* What becomes now of the consistency of that Body in declaring, "that as far as it is in the power of the Committee to compel it, Proprietors are compelled to *rebr'ld*," &c. What becomes of the paraded restrictions which justified the enormous advantages awarded to the richer class of Proprietors, but which are abolished now that those advantages are secured?—leaving that *petted class*, "as far as it is in the power of the Committee," in the enjoyment of the favors heaped upon *them*, to the detriment of poorer sufferers, fettered by no other restrictions than those of their own inclinations! What becomes, also, of the principle "always avowed" (it is presumed no longer so) of "constraining Proprietors," &c.? What, of the benefit deceptively held out to poor Tenants in the shape of reduced rents, from the numerous houses which Proprietors were to be *compelled* to build? What, of "the distress of the time"—"the very kind of distress which chiefly exits," the "houses that are wanted"? What of the object, "second only in importance and pressing obligation to the relief of the destitute—the prevention of similar calamities"? What, likewise, of the "prudent precautions against the recurrence of fire, which the general experience had suggested"? What, even, of "the future safety of the City"? Surely the old majority will themselves be at length "constrained" to confess, that, whatever may be thought of the aggravated abuses of the Second Distribution, its *inconsistencies* can be neither palliated nor denied.

P. S.—The General Committee consists of about 120 members.

The celebrated blank (see page 6.) are still in *statu-quo*, after a lapse of nine weeks, and the official publication of the Report, already published by the Secretary, is still delayed.

With reference to the seven cases left to be disposed of by the Committee of Distribution "as they pleased" (see page 39); it has *pleased* that Committee to pass them all, not only for their Dividends, but, six of the set they belonged to, for their "Canada-Insurance compensation" also. The reader uninitiated in the "mysteries" will ask what that is. The Committee decreed that the Canada Company's policies were worth only 12s. 6d. in the £., and then (with a few modifications) ordered 25 per cent on 7s. 6d. in the £., to compensate sufferers insured at that office. Compensation has thus been made upon about £35,000. of Canada Insurance; and, among the parties compensated, the £6,000 case mentioned at page 38 as one of the above set, received £112. 10s. to *make amends* for the bad fortune of having £1,200. of Canada Insurance! Query:—If the Canada Company should pay 20s. in the £., as some shrewd persons suspect they will, will there be any refunding?



