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RECAPITULATION

OF

A STATEMENT

SUBMITTED BY

LIEUTENANT COLONEL DESBARRES.

FOR

CONSIDERATION.

Respecting his Services, from the Year 1755, to the present Time in the Capacity of an *Officer and Engineer* during the War of 1756.—The Utility of his Surveys and Publications of the Coasts and Harbours of North America, intituled, *The Atlantic Neptune*,—and his Proceedings and Conduct as *Lieutenant Governor of His Majesty's Colony of Cape Breton*.

RECAPITULATION

OF

A STATEMENT, &c.

P. denotes Page . . . *N.* the Number in Margin.

SERVICES during the War of 1756—DesBarres particularly honoured with the Approbation of his Sovereign, as well as of Lord Amherst, General Wolfe, Marquis Townshend, &c: [P. 1. N 1 to 13]

ATLANTIC NEPTUNE.

ENGAGED in 1763, under the Direction of the Board of Admiralty, to make a Survey and take the Soundings of the then unexplored Coasts and Harbours of Nova Scotia. Encouragements held out: “to be rewarded in a manner adequate to his Diligence, Ability, and the Value of his Performance, and promoted in his Military Profession.”

Having exerted himself in this arduous Service until the End of 1773, he returned to England and laid his Performance before the King. His Majesty was pleased to order the same to be engraved.

Nautical Charts of several other Parts of the American Coasts being much wanted for the Operations of War, he was, in pursuance of the Royal Commands, farther engaged in the Construction and Completion thereof until the Year 1784.

Instances of the Utility of his Labours in the Period of the Prosecution of the Work—It has been productive of

Advantages in the Amount of Millions, and will be useful, so long as Navigation shall continue to be an Object of National pursuit. [P 2 N 14 to 18, 20, 21]

Preferred a Memorial to His Majesty for *Reimbursement, Compensation, and Reward*—having all along, in the Prosecution of his Duty, applied his Resources to the Support of the Service entrusted to his Care—his Property lying on the Enemy's Frontiers in America having been *sacked* and plundered in the mean Time—and, instead of obtaining the promised Advancement; feeling himself under a Preclusion even of that Promotion which otherwise he could not have failed to obtain. He humbly submitted therewith a Statement of his Services, to which General Prevost was pleased to add the following Declaration, viz. “ Having read the “ foregoing Statement, with the Papers accompanying it, “ and, upon the Requisition of Major DesBarres of my “ Opinion, I readily declare that his Assertions therein “ respecting his Services, which might with propriety “ have been enlarged on much to his Advantage, appear “ to me to be justly founded, and that, instead of his being “ employed on extraordinary Services, if he had continued “ to do Duty with his Corps, which I commanded from “ the Beginning to the End of the War of 1756, or if he “ had remained attached to that particular Army of which “ his Corps composed a Part, there is no Doubt, but *he* “ *must have been a Lieutenant Colonel in the Year 1775,* “ when the late Lieutenant Colonel Fuzer obtained that “ Appointment, who was his Junior in the Regiment, and “ who, without the smallest Wish or Intention to disparage “ the One or flatter the Other, was not more the Inferior “ in Rank of Mr. DesBarres than he was in Talents and “ Science, both natural and acquired,
 “ *Barnet, 1st May, 1784.*” “ A. PREVOST, M.G.”

The Advances incurred in carrying on the Survey of the Coasts and Harbours of Nova Scotia, for defraying, the Expence of surveying and astronomical Instruments and

of Millions, and will be useful, all continue to be an Object of 14 to 18, 20, 21]

to His Majesty for Reimbursement, having all along, in the Prosecution of Resources to the Support of the —his Property lying on the Enemy —having been sacked and plundered —instead of obtaining the promised —self under a Preclusion even of otherwise he could not have failed submitted therewith a Statement General Prevost was pleased to tion, viz. " Having read the h the Papers accompanying it, on of Major DesBarres of my ure that his Assertions therein which might with propriety such to his Advantage, appear, and that, instead of his being y Services, if he had continued rps, which I commanded from of the War of 1756, or if he that particular Army of which art, there is no Doubt, but he vant Colonel in the Year 1775, t Colonel Fuzer obtained that is Junior in the Regiment, and With or Intention to disparage er, was not more the Inferior s than he was in Talents and acquired,

" A. PREVOST, M.G."

carrying on the Survey of the va Scotia, for defraying, the astronomical Instruments and

Implements, Assistants, Pilots, Guides, replacing Provisions and Necessaries lost in Shipwrecks and the overfitting of Boats in the Operations of taking the Surveys and Soundings, &c: had amounted to the End of 1773, to £4382 3 2

and for the like Contingencies, for Assistants, Draftsmen, Stationary Ware and Implements, &c: employed in the Course of constructing Nautical Charts, &c. under the Orders of the Treasury until the Year 1784, to 5475 0 0

The Expence for engraving 257 Plates (as appears from Inspection of the *Atlantic Neptune*) at the Price stipulated by Government of 35 Guineas for each Plate, amounted to 9444 15 0

and for the printing of Impressions for the Supply of the Public Service 1771 0 0

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Received [in Part] for Contingencies incurred in the Prosecution of the Survey of the Coasts and Harbours, &c: . £166 5 6

and of the Expence for engraving the Plates of the Work [by Grants of Parliament in 1775, 1777, 1778, 1779, 1780] the net Sum of 8188 18 8

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His Majesty having been pleased to refer the said Memorial to a Committee of the Lords of Privy Council, and their Lordships having requested the Opinion of the Lords Commissioners of the Admiralty thereupon, the said Lords Commissioners advised the Sum of £3915 17s. 8d. to be paid for Contingencies, incurred in the Prosecution of the Survey of the Coasts and Harbours of Nova Scotia [which had been carried on, from 1763 to the End of 1773, under

their own immediate Direction] but, with respect to the subsequent Expence incurred in the Course of constructing Nautical Charts of other Parts of the American Coasts and Harbours [until the Year 1784] as the same had been undertaken in pursuance of His Majesty's Royal Order to the Treasury, their Lordships were of Opinion that the Consideration thereof did not belong to their Department. Whereupon, the Lords of the Committee, after stating in their Report to His Majesty the Sum proposed to be paid for Contingencies during the Period of the Survey of the Coasts and Harbours of Nova Scotia, were pleased to express themselves as follows: viz.—“ It only remains for this Committee to state to your Majesty, and humbly to submit to your Majesty's Gracious Consideration the Recommendation in Favour of the Memorialist, contained in the Report of the Lords Commissioners of the Admiralty upon that Part of the Memorialist's Case, which relates to Compensation for his Losses and Reward for his Services, viz.

“ With respect to the Losses which the Memorialist may have sustained in Rank and Emolument in his Profession of a Soldier, and his Private Fortune, by devoting so many Years of his Life to the Execution of an arduous and difficult Work which must be productive of great Benefit and Utility, not only to Your Majesty's Service, but to the Public in general, We are not competent to form a Judgment of the Nature of these Losses sufficient for us to estimate the Amount thereof, or to propose (did it belong to us so to do) an equivalent Compensation; But we are nevertheless of Opinion, that the Memorialist may be deserving of some Mark of Your Majesty's Favour, as a farther Reward for his Zeal, Activity, and Ability, in prosecuting and completing the abovementioned useful Work, &c.”

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<i>Balance</i> [exclusive of Loss by Interests paid on the Advance of Money]	£8801 16 4

It will appear [P 5. N 26.] upon Comparison of the *Reimbursement* claimed by DesBarres for Advances incurred in the Prosecution of the abovementioned Surveys and in preparing Charts for the Public Exigency, with the *Sums actually paid* by the Public in the same Period of Time for Services of a similar Nature [the Land Surveys in America of Messrs. Holland and Debrahm, and for the Purpose of their preparing the same for Publication] that, the Public had regularly paid *in advance every Year* the average Sum of £1089 11s. 2d. for defraying the Contingencies of the Service carried on by the latter; whereas DesBarres, who had engaged in the Prosecution of a similar Service, far more difficult, laborious, extensive, and beneficial, implicitly trusting to be honourably recompensed in the End as well as reimbursed, claimed no more than his absolute and evident Disbursements—the average annual Amount of which was £469 7s. 9d. [P 3. N 19, 22 to 26.]

NAVIGATION AND COMMERCE, &c:

EARL HOWE had in Contemplation to institute an Office, [and to honour DesBarres with the Direction thereof] for the Benefit of Navigation and Commerce, productive also in Times of War of peculiar Advantages in facilitating the Execution of Designs of Enterprise, estimating and regulating the Forces and Expenditures requisite, obviating Difficulties, ascertaining the Permanency of acquired Success, &c: [P 6. N 27. P 84. N 350, 353.]

CAPE BRETON.

REASONS which induced the Measure of colonising Cape Breton—to extend the Field of Accommodation to the Loyalists and disbanded Troops, and Others in destitute Circumstances at the close of the American War, [particularly the Whalers and Fishermen of Nantucket, &c, who proposed continuing in Allegiance to His Majesty] as well as in the view of securing to Great Britain the Benefits which France formerly enjoyed from that Island—in the Employment of above Three hundred Vessels, Fifteen hundred Shalloops, and Fourteen thousand Men, in it's Fisheries, producing nearly Half a Million Sterling per Annum—capable of being greatly enhanced in the more energetic Hands of Britons.

Situation and peculiar Advantages of Cape Breton—the natural Place of Arms for the Protection of His Majesty's transatlantic Dominions, the fittest Emporium for Commerce in North America between Great Britain, the West Indies, the Gulph and River of St. Lawrence and the immense Countries in the Rear of the American States. [P 6, N 28, 30.]

DesBarres appointed Lieutenant Governor and Commander in Chief of Cape Breton and it's Dependencies. Sailed from England in October and arrived at the Infant Colony, in December 1784. Exerted every means in his Power to forward the Objects of his Mission. Faithfully reported the State and Circumstances of Affairs. Submitted a Rule of proceeding to be observed until he should receive farther Directions. Transmitted Accounts of the Expenditures incurred, with an Estimate of what appeared necessary to be incurred. The Bills drawn by him, on Account thereof, accordingly paid at the Treasury. The transmitted Accounts, received by the Public Offices and no Objections whatever signified thereto. The Agent, upon official Communications, advised to pursue the Method DesBarres had adopted, as being regular and proper. [P 6. N 29, 31, P 8. N 37 to 46, 48 to 51.]

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Advice of the Colonial Council “ to procure Provisions
“ for the existing Exigency, and to draw Bills for the
“ Amount on the Treasury.” [P 9, N 47.]

A considerable Body of Whalers and Fishermen propose
to emigrate from Nantucket, Martha's Vine Yard, Rhode
Island, &c: with their Families and Property to Cape
Breton. Proceedings thereon. Causes of Perplexity. [P 10
N 52, 54, 55.]

Progress—between Three and Four thousand People had
been settled in the Infant Colony—its Exports, for 1785,
through the Customhouse, of the Proceeds of Industry, in
cured Fish, &c, exceed £.40,000 in Value [P 10, N 53,
56.]

OCCURRENCES.

Sources of Perplexity.—Whatever might have induced the Governor of
Nova Scotia, to resign any Part of his Duty to the Commanding Offices
of the Troops at Halifax, the peculiar Circumstances of the Infant Colony
did not allow the Imitation of such an Example, if even DesBarres had
been so inclined. [P 11, N 57.] While Provisions to above 30,000 Peo-
ple were issued in the District of Halifax alone, Cape Breton not only
laboured under a singular Preclusion of a similar Aid; but also the
Exertions used for the Preservation of the Lives of its Colonists were by
clandestine Means endeavoured to be frustrated. [P 11, N 58, 59.] Per-
plexities. Proceedings thereupon. Result. [P 12, N. 60, 61, 63, 66,
68, 69.] The Provost Marshal is accused, and Colonel Yorke's Ac-
cusation proved to be unfounded. [P 12, N 62, 64, 65, 67.] Pro-
ceedings, by the Chief Justice, against Persons concerned in Acts of
violent Opposition to the Legal Authority. [P. 14, N. 70, 71.] Advice of
the Colonial Council. Colonel Yorke engages to issue 40,000 Rations of
Provisions for the Support of the Inhabitants—about 5000 were received
in Part—the Residue was to be called for as wanted. [P 15, N 72,
to 74, 78.]

In the mean Time, the Brigantine Amelia, having Provisions on Board,
arrived at Sydney in December 1785.—Her Master John (Drummond)
and the Supercargo (James Angel), being called before the Council, de-
clared on Oath the Circumstances of the Vessel and Cargo. Resolution.

Clandestine Proceedings of Daummond and Angel. They falsify their Declarations on Oath, &c. Farther Resolutions. [P 16. N 74 to 77, 79, to 94.]

The Provisions in the Amelia subsisted the Colony until the middle of February 1786. Application being made for the Residue of the 40,000 Rations, Colonel Yorke refused to comply with his Engagement. His Pretexs. Precautions used. [P 18, N 98 to 105.]

The Colonial Council advise a Chancery Writ to be issued for entering the Store to obtain the Balance of the 40,000 Rations. The Execution of the Writ delayed in order to exasperate with Colonel Yorke, who appears determined to oppose the Legal Authority by Force. [P 19, N 106 to 113.] Precaution. [P 21. N 114.] The Riot Act is proclaimed, and (in the Execution of the Writ, on the 2d March 1786) the Person, directing on the Spot an armed Opposition to the Civil Authority, is taken Prisoner by the Provost Marshal; but immediately rescued. [P 21. N 115, 118.]

Colonel Yorke having formed a Disposition with the Troops, sent a Letter saying that, "He was unassisted with Legal Aid by Council and therefore wished to keep clear of any Infringement on the Constitution till he could procure proper Advice and Assistance." [P 21. N 116.] The Chief Justice and the Attorney General are directed to give their Opinions on the Affair, in order that the same be furnished to Colonel Yorke. Law Opinions accordingly delivered to Colonel Yorke. [P 21. N 117, 119, 120, 221.]

The Affair was now out of DesBarres' Department. The Inhabitants and Magistrates carried the matters before the Supreme Court: where Presentments were made, and the Chief Justice issued Warrants for apprehending the Persons guilty of Resistance and Opposition to Legal Authority. Colonel Yorke, convicted before the Justices of Quarter Sessions, according to the Form, Force, and Effect, of the 15 Article of the Act of Parliament for punishing Mutiny and Desertion and for the better Payment of the Army in their Quarters. The Colonists are alarmed by Gangs with Bludgeons and Fire Arms strolling at late Hours in the Night. Outrages towards the Officers of His Majesty's Revenue in the Execution of their Duty. [P 22. N 121, 123 to 125, 127.]

The Brigantine Rachael, laden with Flour, bound from Quebec to Halifax, had, in the Beginning of the Winter, been driven, by Strefs of Weather into Arishat Harbour, and was there detained in the Ice—The Council advised that the Provisions in her be obtained, by Purchase, Imprest or any possible Means, and accordingly the said Provisions were purchased. The Difficulty, now, was how to bring them to Sydney, Arishat Harbour ly-

ing about 100 Miles distant a then covered with Seven Feet Shores, &c: were dispatched as they could carry for im to frustrate those Exertions Instances of the Attorney C 145; 146.]

Orders issued and Proce ably prejudicial to the Int monstrance to remove in General had seemed to lab transmit to Government th Prayers of the People to solemnly declared in the Effect and Safety to him the Administration of Just that he should proceed to E Transactions which had tak

In June 1786, the D by another Detachment of Colonel Charles Graham, Conduct as Colonel Yor had given him Secret Orde Detachment, Lieutenant on the 1st March prece Illegality of opposing the fore a General Court Mar of the Court Martial. His [P 30. N 165, 168 to 1 Jury. [P 34. N 172.]

RESIGN.

Critical Situation of in consequence of the (their Seats at the Council and Cuyler, suspended, duct, from acting in the of Lands, Collector of His Majesty's Pleasure plexion of the Attorney [P 37. N. 176, 182.]

ing about 100 Miles distant and the intermediate Country being a thick Forest then covered with Seven Feet of Snow. One hundred Men, fitted with Snow Shoes, &c: were dispatched to bring, on Sledges, as much of the Provisions as they could carry for immediate Relief. Perfidious Designs, meditated to frustrate those Exertions. Resolutions and Proceedings in consequence. Instances of the Attorney General's Conduct. [P 24. N 126, 128 to 143, 145, 146.]

Orders issued and Proceedings directed by General Campbell, lamentably prejudicial to the Infant Settlement. Unable by any Means of Remonstrance to remove in any Degree the fatal Illusion under which the General had seemed to labour, DesBarres conceived it to be his Duty to transmit to Government the whole of the Proceedings, together with the Prayers of the People to His Majesty, and, the *Chief Justice* having solemnly declared in the Supreme Court that *he could no longer*, with Effect and Safety to himself and to the Jurors and Witnesses, carry on the Administration of Justice in the Colony, the Colonial Council advised that he should proceed to England, with the Documents and Proof of the Transactions which had taken place. [P 26. N 144 147 to 164, 166, 167.]

In June 1786, the Detachment of the 33d Regiment was relieved, by another Detachment of the 42d under the Command of Lieutenant Colonel Charles Graham, who (as he said) was to pursue the same Line of Conduct as Colonel Yorke had done, and for which General Campbell had given him *Secret Orders*. Upon the Arrival at Halifax of the former Detachment, Lieutenant William Norford, in consequence of having, on the 1st March preceeding, expostulated with Colonel Yorke on the Illegality of opposing the Civil Authority of Government, was tried before a General Court Martial, and sentenced to be cashiered. Proceedings of the *Court Martial*. His Majesty thought fit not to confirm the Sentence. [P 30. N 165, 168 to 171.] The Chief Justice's Charge to the Grand Jury. [P 34. N 172.]

RESIGNATIONS AND SUSPENSIONS.

Critical Situation of the Officers of the Military Staff of Cape Breton, in consequence of the Orders issued by General Campbell. They resign their Seats at the Council Board. [P 37. N 173.] Messrs. Hurd, Uncle and Cuyler, suspended, by Advice of the Colonial Council, for Misconduct, from acting in their respective Official Capacities (of Chief Surveyor of Lands, Collector of the Customs, and Clerk of the Council) until His Majesty's Pleasure should be known. [P 37. N 174 to 186.] Complexion of the Attorney General's Conduct. Reprobated by the Council. [P 37. N. 176, 182.]

VARIOUS Objects essentially, affecting the Prosperity of the Infant Colony which, it was conceived, merited and required on the Part of Government, an early Consideration, had been submitted, and the Results thereupon had for a long Time been anxiously expected, when on the 6th of June 1786, a Dispatch from Lord Sydney dated the 19th April preceeding was at length received.

From the glaring Misconceptions and Mistatements contained in this Dispatch, it was now evident, that the same selfish Source of Hostility to the Ministerial Measure of colonising Cape Breton, under the baneful Influence of which General Campbell and Colonel Yorke, had unhappily lent themselves and created on the Spot the Perplexities above alluded to, was operating also on his Lordship and in the Public Offices at Home. [P 42. N 187 to 202.]

Captain Venture [the fittest Person in the Colony] had, in Autumn 1785, been sent, in the Government Brig St. Peter, to Rhode Island, in consequence of Proposals from a considerable Number of Loyalists respecting their Removal to the Infant Colony. At the Period of his Departure, the Provisions which remained in Store were insufficient to support the Colony even a single Month, and, having repeatedly been disappointed in the Expectations held out of a Supply from England or Halifax, the Prospect from these Sources had become very dubious. DesBarres had therefore given to Mr. Venture a Credit for drawing Bills on his Agent in England to the Amount of £800, to be laid out in the Purchase of Provisions. Captain Venture, by subsequent Informations finding that, no Provisions were intended to be sent for the Relief of Cape Breton, exerted himself in the Exigency to procure as large a Supply as he could. He engaged and loaded, besides the St. Peter, three Vessels with full Cargoes of Provisions for the Colony, and, upon Account thereof, drew Bills on the Agent to the Amount of £1605.

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The Agent paid £800 [the Amount of the Order of Cre-
 dit, debiting DesBarres' private Account with the same].

And, addressed to the Under Secretary of State a
 Letter, viz. " London, 16th January 1786, " Lieutenant
 " Governor DesBarres of the Island of CapeBreton appre-
 " hending in September last, that, numerous Loyalists and
 " Others employed by him in forming a Settlement on that
 " Island would be reduced to the greatest Distress for want
 " of Provisions. Conceiving it his Duty to prevent as much
 " as possible the then impending Calamity of Famine,
 " which approached very fast, directed Captain Thomas
 " Venture to repair to the Continent of America in quest
 " of Provisions, and, Mr. Venture, finding that no Supply
 " was likely to be sent from Nova Scotia, proceeded to
 " Rhode Island and there purchased such Provisions as he
 " could procure, and put them on Board Four Vessels, as
 " will appear by the Four Bills of Lading I have the
 " Honour to enclose, and I beg the Favour of your laying
 " them before Lord Sydney together with a List of Bills of
 " Exchange drawn by Mr. Venture upon me for the Pay-
 " ment of those Provisions; but, as I am not possessed of
 " any Fund to enable my discharging those Bills, I have to
 " request the additional Favour of your moving Lord
 " Sydney to honour me with such Directions, as his Lord-
 " ship may think necessary on this Occasion.

" The most extraordinary *Opposition*, of the People and
 " Government of Nova Scotia, to His Majesty's Intention
 " in forming a Settlement at Cape Breton is made a Subject
 " of great Complaint in various Letters from that Island,
 " which, I am informed, made it absolutely necessary for
 " Mr. DesBarres to take the Steps he has done to prevent
 " the unfortunate Inhabitants of the Town of Sydney from
 " starving, &c.

" W. ROBERTS."

Upon which he received the following Answer, viz:
 " Treasury Chambers 30th. January, 1786.—Having laid

“ before the Lords Commissioners of His Majesty’s Treasury,
 “ a Letter from Mr. Nepean of the 18th Inst. transmitting
 “ by Direction of Lord Sydney a Letter from you, as Agent
 “ to Lieut. Governor DesBarres of the Island of Cape Bre-
 “ ton, enclosing a List of Bills drawn on you by Mr. Ven-
 “ ture, for Provisions purchased by Order of the Lieutenant
 “ Governor for the Use of the Loyalists and Others em-
 “ ployed in forming a Settlement on that Island, I am com-
 “ manded by their Lordships to acquaint you, that, *they*
 “ *cannot give Directions for the Acceptance of the said Bills,*
 “ *as the same should have been drawn by the Governor, who is*
 “ *alone responsible for the proper Expenditure of the Money,*
 “ and best able to explain to their Lordships the Necessity
 “ of the Service, &c. THO. STEELE.”

Mr. Venture, [who on his Return in December to the Co-
 lony, had been by a violent Snow Storm driven off the Coast
 of Cape Breton, and in the utmost Danger of foundering
 under the Pressure of the Ice] having shaped his Course for
 England, had arrived at Cowes in the Isle of Wight. In
 the Account of his Expedition, given by him into the Se-
 cretary of State’s Office, he says, “ the Day before our
 “ Disaster we passed through the Road of Mainadieu, and
 “ we were informed that Governor DesBarres and the
 “ Inhabitants were in the greatest Distress for want of Pro-
 “ visions, none having arrived from the Time of our De-
 “ parture. Should the other Three Vessels miscarry, I
 “ am afraid the Consequences will not only be distressing;
 “ but fatal.” And, on the Subject of the Loyalists, pro-
 posing to resort to the Infant Colony, he stated “ I estimate
 “ between Six and Seven hundred Families, the most of
 “ them, very respectable in Character and of considerable
 “ Property in that Country, who only wait for my Report
 “ from hence to dispose of their Estates in that Country
 “ and repair to Cape Breton this Spring, exclusive of
 “ nearly the total of those following the Whaling Business

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Majesty's Treasury, and transmitting to you, as Agent and of Cape Breton by Mr. Venture the Lieutenant and Others employed, I am commending you, that, *they* the said Bills, Governor, who is of the Money, is the Necessity HO. STEELE."

ember to the Coast of foundering his Course for of Wight. In him into the Sea Day before our Mainadieu, and Barres and the or want of Promise of our Decks miscarry, I y be distressing; Loyalists, promised "I estimate s, the most of of considerable for my Report that Country, exclusive of haling Business

"from Nantucket; nor can I entertain a doubt but that those will be followed by thousands."

In this Conjunction, an Order was directed to Mr. Venture, viz. "Treasury Chambers, 24th January 1786, "I am commanded, by the Lords Commissioners of His Majesty's Treasury, to desire you will lose no Time to bring the brig St. Peter and her Cargo, now off Cowes, into the River Thames, and that, on your Arrival there, you will deliver the said Brig and Cargo to Messrs. Rashleigh and Co. of Garlick Hill, Merchants, who have their Lordship's Direction to receive the same, &c. GEORGE ROSE."

Mr. Venture obeyed the Order. At the same Time he humbly requested their Lordships would be pleased to consider that the said specific *Cargo of the St. Peter* had been purchased for the Relief of the distressed Colonists in Cape Breton, and was actually paid for by DesBarres, through his Agent, in Virtue of the abovementioned Credit of £800.

Result: The Bills, which Mr. Venture had drawn in excess of the Credit of £800, returned under Protest. Upon Intelligence thereof in America, and of the Measures which had taken place, the greatest Consternation prevailed among the Loyalists—some of whom had already disposed of their landed Property and made the requisite Preparations for their Removal to the Infant Colony—Others were on the Point of embarking—Seven Vessels were actually loaded with Families waiting only for Wind to set sail. This, together with the Non-payment of the Advances incurred by DesBarres for supporting the Colony, produced to the Opponents of the Prosperity of Cape Breton an Ascendancy, as astonishing as it was unmerited and prejudicial. DesBarres had no Resource left, either for allaying the Clamour of Creditors who had supplied the Public Service, or for procuring farther Means of Existence to the People, but by proceeding to sell away a Part, and execute Mortgages

for the Residue of his Property. [P 43. N 193 to 201. P 47. N 205, 209.]

THE Colonial Chief Justice and the Examiner of the Public Accounts, dispatched, with Documents of the Transactions which had taken Place, for the purpose of minutely explaining to His Majesty's Ministers the actual State and Circumstances of the Colony and of the Expenditures, and in View of obtaining requisite Support, arrived in London in July 1786. They returned to Cape Breton in September 1787, without having effected any of the Objects.

The Chief Justice wrote that "having remonstrated on "*DesBarres'* impending Ruin by delaying the Settlement "of the Accounts, and on the *Salvation of the Colony* by "Provisions being sent thither in Time, as the Two most "pressing Objects;" he was answered, by the Under Secretary of State, that "the Papers were passing among "the Ministry for perusal and Consideration, and that he "would have an Hearing."

Upon farther Communications he informed, that "no "Consideration of the Distress of the People, or to en- "courage their staying in, or Others to come to, the Co- "lony, would be sufficient to procure them Provisions from "the Crown—that it seemed determined to leave the "Island to its own natural Advantages, to become popu- "lous, or not, in the ordinary Course of Events."

If really it had been the Intention to have established a Colony at Cape Breton without Expence to Government, it were much to be regretted that the Proposal submitted by DesBarres to Lord North in 1783, had not been adopted—pledging himself therein to advance all the requisite Expence therefor, and requiring only the merited Protection of Government and to be allowed Repayment from the future Revenue which must have accrued. Cape Breton, by such Measure, might at this Day have been a conspicu-

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ous Object of National Utility.—But Matters had been
arranged otherwise.

Ample Support was promised, and full Reliance was
placed thereon, particularly in the Article of Provisions to
Loyalists, &c, who might emigrate to the Infant Colony.

In the neighbouring Province of Nova Scotia, Provisions
were issuing to above *Thirty thousand People*, while not a
single Ration was received from Government for a similar
Supply of the like Description of Individuals in Cape Bre-
ton—a Country in a State of Nature and without Re-
source from previous Cultivation. [P 47. N 203, 204,
206 to 208, 212.]

The said Chief Justice, subsequently declared, that
"some Time after the Arrival in London of Colonel Yorke
"and of Mr. Hurd, being informed that Complaints against
"Governor DesBarres were exhibited at the Secretary of
"State's Office, he, without loss of Time, had applied to
"know, if the Information was founded, and Mr. Nepean
"having acknowledged that there were such Complaints
"in the Office, he, then had *requested a Communication of*
"*them*, as it was probable, when he should know what the
"Complaints were, he might be able to *give upon the Spot*
"*satisfactory Answers thereto*. Whereupon he was replied,
"that *the Complaints would not be communicated to him;*
"but *they should be sent to the Governor* in order for himself
"to answer them." They were not sent—It is however
the invariable Practice of Office so to do.—Justice also
required it, in the View of enabling immediate Refutation,
or of collecting justificative Proofs, on the Spot, in the
Event of a future Trial. [P 48. N 210, 213 to 214, 221.]

Extract of a Letter from said Chief Justice, dated Lon-
don 21 November, 1786. viz: "Repeated Reports having
"been spread that you were, or would be, superseded, and
"Governor Hamilton appointed in your Place, I pur-
"posely waited on Mr. Nepean and requested to know the

" Truth of the Reports. He told me that Governor He-
 " milton was to have the first vacancy that fell; but was not
 " appointed in your Place—that Captain Gravois was to
 " go out in the Brig Relief to bring you to England, so
 " soon as he should be ready for sailing. Mr. Nepean far-
 " ther informed me, that you were *not to be superseded on*
 " your coming from the Government; but there were
 " Difficulties in pointing out who should command in
 " your Absence—that your Friends thought it for your
 " own Honour to come Home, as well to support the Re-
 " presentations made on your Side, as to obviate those
 " against you, *the Tenour and Substance of which latter I*
 " *cannot get a Knowledge of.*" [P. 49. N 222, 223.]

Extract from Chief Justice Gibbon's Narrative. " The
 " Chief Justice had often solicited an Audience of Lord
 " Sydney; but did not obtain that Honour until after Co-
 " lonel Yorke had arrived in England and had been at the
 " Public Offices, when he was admitted to about *an Hours'*
 " *Audience* of his Lordship, who put many Questions to
 " him, seemingly pointed to prove a Misconduct in Lieu-
 " tenant Governor DesBarres and the Civil Department
 " of the Government in Cape Breton, to which he gave
 " Answers and such Explanations as might prevent a Mis-
 " conception of Facts; but *his Lordship appeared astonished*
 " *at the Relation of the Transactions and to conceive them to*
 " *be incredible: after which, he could never obtain the Ho-*
 " *nour of being admitted to his Lordship while he stayed in*
 " *England.*" [P. 48 N. 216, 217.]

Circumstances of peculiar Hardship represented to, and
 acknowledged in, the Public Offices; but suffered to operate
 —a Balance, of the Sum of £7364 7s. 2d. had been officially
 reported, by the Secretary of State to the Treasury, to be
 due to DesBarres on Disbursements incurred by him, pre-
 vious to the 25th March 1786, for the Support of
 the Infant Colony, which, besides what had been

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t Governor Ha- incurred since that Period, *remained unpaid*—his Agent had, ell; but was not in February 1787, represented that the *Charges, Damages* Gravois was to *and Interests on Bills* unliquidated, drawn by him for the to England, so Public Service, were then accumulating a ruinous Expence Mr. Nepean far- *at the Rate of £840 per Annum*—and it was known that the *be superseded on* Holders of these Bills intended to arrest him on his Arrival in but there were England. [P 49. N 220, 225, 226.]

d command in Under these Circumstances, DesBarres received, on the ight it for your 19th of July, 1787, Sundry Dispatches, transmitted by Lord support the Re- Sydney in the preceding Month of April, signifying, viz.— obviare those “ His Majesty, constantly inclined to view the Conduct of which latter I “ His Servants in the most favourable Light, always feels 2, 223.] “ great Concern, when their Proceedings do not appear to rative. “ The “ him to merit Commendation.”—“ From Measures which dience of Lord “ have been pursued for depriving nearly the whole of the until after Co- “ Civil Officers of the Island of their Employments and the had been at the “ constant Disputes and Disagreements which have taken about an Hours’ “ place between you and the Military, and the Complaints y Questions to “ which have in consequence been exhibited against you, nduct in Lieu- “ many Doubts have been entertained of the Rectitude of vil Department “ your Conduct, or, at least, of your Prudence and Dis- which he gave “ cretion, which neither the Reasoning contained in your prevent a Mis- “ Dispatches, or the Information given by the Chief Jus- eared astonished “ tice, are sufficient to remove: Upon these Accounts, His onceive them to “ Majesty has thought it fit, that I should signify to you obtain the Ho- “ His Royal Commands for your Return to England as le he stayed in “ soon as possible, to give an Account of your Proceedings, sented to, and “ which you will do upon Receipt of this Dispatch, ered to operate “ leaving the Island in the Charge of the Senior Councillor, been officially “ until such Time as you may return thither, or that His Ma- reasury, to be “ jesty may determine upon naming a Successor to you.”

l by him, pre- If Lord Sydney had been pleased to advert to the Do- Support of cuments of the Transactions in the Colony, transmitted for it had been his Information, his Lordship must have felt that the Im- putations contained in his Dispatch against DesBarres were

unfounded—and, as a Communication of the Complaints, alleged to have been exhibited, (of the Extravagancy of which it were impossible to have formed an Idea) had been refused to the Chief Justice and never imparted to Des Barres, it were not natural to have expected, that, “the Reasoning contained in his Dispatches, or the Information given by the Chief Justice,” (which is appears had unfortunately not been honoured with desirable Attention) “would be sufficient to remove Doubts *arbitrarily entertained* of the Rectitude of his Conduct in consequence thereof.”

And, in an other Dispatch transmitted by the same Conveyance, viz. “Whitehall, 5th April, 1787,—I have received the King’s Commands to acquaint you that His Majesty has been pleased to appoint Lieutenant Colonel Macarmick *to act* as Lieutenant Governor of Cape Breton *during your Absence*: That Officer will very shortly proceed thither in order to relieve the *Person*, into whose Hands the Charge of the Island may fall upon your Departure from thence, &c.

“Lieutenant Governor DesBarres

“SYDNEY.”

Lieutenant Colonel Macarmick, arriving at Cape Breton, in October 1787, stated the Conditions of his *temporary* Appointment and Mission. Observations. [P 50. N 224, 227 to 234.]

DesBarres on the 13th of October 1787, embarked for Europe. Having, on the 7th of December following, put into the Isle of Jersey, and considering the Predicament of the Bills drawn for the Public Service, and the Caution he had received in that respect, he felt the Necessity of taking Precautions for his personal Security. The Secretary of State having refused to grant his Requisition for that purpose, he concerted Means to land in secrecy on the Coast of England, and, after many Difficulties, reached Whitehall, in April 1788. [P 52. N 235, 237 to 241.]

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787, embarked for ecember following, ng the Predicament ce, and the Caution elt the Necessity of curity. The Secre- his Requisition for id in secrecy on the Difficulties, reached 5, 237 to 241.]

Here, it was proposed that "*a Settlement, and Payment of the Balance, of the Account should immediately take place*" in the Object of his personal Security, and of enabling him to recover what Portion he might of his Property, sequestered in the Hands of the Public Creditors—that *Official Copies of the Complaints would be forthwith furnished to him, and an Inquiry instituted into his Proceedings, which would be decided upon without Delay.* It was solemnly declared that *he had not been superseded*, having received the Appointment of Lieutenant Governor of Cape Breton in Remuneration for specific Services of National Utility, and that *he was then the actual Lieutenant Governor of that Island:* That "an Agreement had been made with Lieutenant Colonel Macarmick to that Effect, and he was referred to Lord Sydney's Dispatches, as clearly expressing Mr. Macarmick's *temporary Mission.* [P 52. N 236, 242, 243.]

The Under Secretary of State having observed that *several of the Vouchers* (belonging to the Setts transmitted and received in Duplicates) *were missing and might have been mislaid or lost in their Progress through the Offices*, requested DesBarres, in the view of accelerating the Settlement of the Accounts, to complete one of the Setts, from the Triplicates in his Possession. The Preadoption of Misinformation and unfounded Matter, which had perverted the natural Course of Official Proceedings rendered the Examination of the Accounts, extremely perplexed and painfully tedious. [P 53. N 244 to 249.]

DesBarres was suffering in the mean Time—secluded in a Sanctuary, under incessant Perturbation from the Impatience of the clamorous Creditors—refraining from the Intercourse of his Friends, until the promised Inquiry should remove the Stigma of the vague Imputations and Calumny. It was in this gloomy Retirement that he first discovered the clandestine Proceedings carrying on against him—a *Fabrication and Forgery*, formally addressed to, received and

acted upon by, Lord Sydney—a Communication of which had been *refused* to the Colonial Chief Justice—a Copy whereof had been promised, but had not been transmitted to him, was put into his Hands by a Gentleman, whom Mr. Hurd had requested to use it for a calumnious Purpose. Thereupon, having urged with redoubled Ardour in the Secretary of State's Office for the promised Copies of the alleged Complaints—*They were not to be found!* The Under Secretary, pointing at a Desk in the Office, said “if he could tell what Clerk or Messenger had taken them from thence, he should immediately be dismissed.” DesBarres observed that, the same had been put into Circulation by Mr. Hurd for the past Two Years, and perhaps were at that very Instant circulating. The Under Secretary of State pretended that “it might only be a Copy which Mr. Hurd had received from Colonel Yorke.” Some time after (in August 1788) being informed that the said Mr. Hurd was about to leave the Kingdom, DesBarres, having formally moved for his Detention in order to be confronted, was verbally answered, “You must ruin Mr. Hurd, or Mr. Hurd must ruin you.” [P 54. N 250 to 257].

Mortified at the Treatment and insuperable Delays in Lord Sydney's Office, DesBarres, [in December 1788] requested of his Lordship the Honour of a private Conference. Upon Expostulation, Lord Sydney was pleased to express an Intention, after the Settlement of the Accounts at the Treasury, of recommending him for “some *Mark of the Royal Favour*”—and his Lordship, desiring to know what were his Expectations, having appointed a certain Day for investigating and giving an Opinion on the Case, he accordingly submitted his Claim to *Reparation of Injuries, Payment, and Compensation*. No Investigation, nor Decision, took place. [P 54. N 253, 258, 260 to 262].

A Report on the Account rendered (amounting to £19,579 18s. 6d.) was sent to the Treasury, in February 1789, [P. 55, N. 259].

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Mr. Hurd (on the 22d March 1789) on being questioned in respect to the *Complaints*, which he had in 1786, *formally delivered* into the Secretary of State's Office under *his own* and ten other Subscriptions, having *confessed*, in the presence of Lord Sydney, of his Lordship's Two Under Secretaries, and of DesBarres, that “ *he could not support the Charges therein.*” DesBarres pointed out, among the *forged Subscriptions*, the Name of a Person, who then happened to be in London and had declared, “ he would suffer his Hand to be cut off, rather than put it to such an abominable Piece of Paper,” and proposed to bring him before Lord Sydney. His Lordship declined to see him. [P 56 N 263 to 266, 269, 270.]

DesBarres assiduous Solicitations at the Treasury had been answered with general Expressions of regret at the Delays. It was alleged that “ Lord Sydney's Reports were so vague and indecisive that the Office could not possibly proceed in the Business, and that it were absolutely necessary it should undergo Mr. Pitt's own thorough Examination.” DesBarres humbly requested a Communication of these Reports, or to be furnished with Extracts of the Objections alleged therein against his Claim, in order to refute the same. The Request was refused. [P 56. N 267].

At an Interview appointed by Lord Sydney on the 1st of June 1789, DesBarres, having adverted to the Perplexities ascribed at the Treasury to the Reports on the Accounts, lamenting the Effects of Insertions therein, undeservingly sanctioned by his Lordship's Official Authority, humbly and earnestly moved to his Lordship's Feelings the Necessity of no longer delaying seriously to inquire into the Affairs respecting His Majesty's Colony of Cape Breton—the Administration of which had unhappily been entrusted into the Hands of the Authors of the Fabrication and Forgery imposed on Government, whose Proceedings, since his Absence, had been represented to his Lordship.

Lord Sydney, in Conclusion, was pleased to say, that; on that very Day he would make Inquiries at his Office and sent to the Treasury about the Business." On Des Barres requesting to be informed when he should attend for a Result, his Lordship replied, that "he would send to him within Four Days." In this Interval, Lord Sydney quitted the Office of Secretary of State; and did not send. [P 56. N 268, 271 to 281, 283, 284.]

The Secretary of the Treasury, in September 1789, demanded "a List of the Holders of Bills drawn by Des Barres in the Course of carrying on the Public Service, together with a Description of the several Buildings erected in Cape Breton by his Orders, in order that he might write to Governor Macarmick agreeably to the Instructions he had received from Mr. Pitt." Among the Proceedings which had taken place since Des Barres' Departure from the Colony, it had been represented in the Beginning of the Month of March preceeding to His Majesty's Minister, that, Mr. Macarmick in Conjunction with his Councillors {chiefly composed of the Authors of the abovementioned Fabrication and Forgery} had seized on and plundered DesBarres' Property in Cape Breton. [P 56. N 271 to 284]. The Report, which they may have returned for Mr. Pitt's Use to form an Opinion of, and decide on, DesBarres' Claim, has not been communicated to him--But from a general View of the unrepresed Proceedings on the Spot, which have nearly accomplished the Ruin of His Majesty's Colony, as well as of DesBarres' oppressive Treatment at Home, the most indelible Proofs of the undiminished Operation of a similar Influence to this Day are evident.

Having complied with the above Requisition, Des Barres was, shortly thereafter, directed to attend at the Treasury, where, Mr. Steele, having, in the Course of several Days' Examination and Investigation, gone through

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a Scrutiny of the Accounts and minutely compared the Vouchers with the respective Articles of Charge, expressed his Satisfaction thereof, and declared, that, "he would report to Mr. Pitt accordingly, and propose a Sum of Money to be issued, in the mean time, to allay the Impatience of the most clamorous Creditors, until the Accounts might be finally liquidated." [P 61. N 282, 285 to 288.]

Accordingly, the Lords of His Majesty's Treasury were pleased, in December 1789, to place the Sum of £10,000 in the Hands of Bankers, and to issue Instructions to them "to discharge sundry Bills, drawn by Lieutenant Governor DesBarres in the Course of his carrying on the Public Service in Cape Breton—directing an Allowance to be made to the Holders of the Bills for *Noting, Protests, and Interests*, at the Rate of Five per Centum per Annum, from the Time the Bills were due to the Date of Payment thereof."

Some of the Bill Holders, who had early taken Advantage of DesBarres' oppressed Situation, and made Seizures, far beyond the Amount of their Claims, of his Property in Nova Scotia, were now extremely unwilling to yield up, on reasonable Terms, the Possession thereof: Hence, vexatious Law Alterations ensued, and an Arbitration took place, which lasted nearly Two Years. At the Conclusion of it, the Arbitrators [Sir William Dolben, Sir Herbert Mackworth, &c:] thought it incumbent upon them, to state to the Lords of His Majesty Treasury, that, "through a long Investigation, the general Conduct of Lieutenant Governor DesBarres, during his Administration of Cape Breton, had come before them, and, that it appeared to them that he had exerted himself to establish and support the Government committed to his Charge in a Manner deserving Commendation, &c."

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The Bankers, by means of the said Sum of £10,000, liquidated Bills and Demands to the Amount of £7171 16 18 having paid for Expences, noting, Protests, Interests, accrued 2828 3 1 and they presented to the Lords of His Majesty's Treasury, together with their Account, a List of residue Bills and Demands, the Payment of which had been claimed of them, and remained to be liquidated, amounting, exclusive of Expences, &c: to £6120 9s. 5d. But no farther Sum was issued to them for that Purpose. [P 63. N. 289 to 300.]

DesBarres, having in vain supplicated for a Trial on the Accusations alleged to have been exhibited against him, and suffering inexpressible Oppression from their unmerited Operation, addressed, in September 1791, a Requisition to the then Secretary of State, demanding, his Right as a British Subject and a British accused Officer—to know his Accusations, his Accusers, and to have a Trial. Mr. Dundas, in Answer, was pleased to signify, that “ when he was appointed “ to his Situation, Lord Grenville had put into his Hands a “ Letter which his Lordship had received from him [Des “ Barres] on that Subject, and another, transmitted to his “ Lordship by the Duke of Richmond—that, upon in- “ quiring into the State of the Business, he found that, as “ far back as the 16th of September 1786, and the 21st of “ February 1789, Official Letters had been written to the “ Lords of His Majesty's Treasury respecting the Ac- “ counts—that while the Business was in that State, it was “ impossible for him to resume the Consideration of any “ Part of it, and that he would transmit the Letter he had “ just received to the Treasury, in order to warrant on his “ [DesBarres] Part a Procrastination for a speedy Decision.” [P 66. N 301 to 304. 307, 308].

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" had been examined by Mr. Steele, would be sent
" to the Commissioners for auditing the Public Accounts
" with Directions for proceeding to settle the same without
" Delay." A Month had elapsed when DesBarres received
an Order forthwith to lay before the said Commissioners
his Account and Vouchers, which implied, that, the same,
instead of being in the Hands of the Treasury, were in his
own Hands. Remonstrances thereupon. At last, a Part
of the Vouchers, being found in the Treasury, were trans-
mitted to the Auditor's Office.

Upon Inspection thereof, the Commissioners directed a
Number of Queries to him—demanding the Production of
such of the Vouchers as were missing, which, he answered
accordingly. Thereupon, he received, from the Inspector
General of the Public Accounts, the following Letter, viz:
" To Lieutenant Governor DesBarres, Somerset Place, 2d
" February 1782. I am directed, by the Commissioners for
" auditing the Public Accounts, to inform you, that, they
" cannot make allowance in your Account for any Sum,
" the Vouchers for which are lost, without an Order from
" the Court of Exchequer, and, that therefore you may
" proceed when and in such Manner as you may be
" advised, to obtain such an Order by Application to
" the Court of Exchequer, it being your Duty, either to
" furnish to this Board Vouchers for each Article of your
" Account, or to enable the Commissioners by the Autho-
" rity of the Court of Exchequer to make the allowance
" which you claim, in Case of your Vouchers being lost or
" destroyed, &c."

" J. WIGGLESWORTH."

Motion in the Court of Exchequer being accordingly made,
a Rule was obtained (upon the declaration of the Keeper of
the Official Treasury Papers) in Hiliary Term 1792, and the
same was immediately intimated to the said Commissioners.
Whereupon they directed farther Queries, respecting the

Authority and Official Formality of the Expenditure, Account, and Vouchers. [P 68, N 305, 306, 309, 310, 312, to 314].

Hopes had now been given of a speedy Determination, and DesBarres flattered himself with the Prospect of being at Liberty to repair to America in the Spring; as well, with the View of restoring the Colony, which by sinister Proceedings had fallen into Decline; as of recovering what he might of his Property, seized and laid waste by the Public Creditors.

However the Auditors were pleased again to issue a great Number of Queries—several, of which, were evidently the mere Offspring of Calumny, and others totally irrelevant. Perplexity, and vexatious Delays, created thereby. [P 71. N 311, 315 to 325].

The Secretary of State had declared that no Complaint whatever existed in his Office against DesBarres—The Auditors, after the most minute and strict Scrutiny, had also emphatically assured him, that, they entertained no sort of Doubt of the Rectitude of the Account, or of his Conduct; yet, the Proceedings did not seem calculated to accelerate the Period of Justice. Result of Remonstrances thereupon. [P 74. N 326 to 328, 330 to 332].

Upon Receipt of the following Letter, from the Inspector General of the Public Accounts, viz: "To Lieutenant Governor DesBarres. Somerset Place 1st Feb. 1793. The Commissioners for auditing the Public Accounts, having this Day signed a State of your Account as Lieutenant Governor of Cape Breton, from the 19th November 1784, to the 13th of October 1787, with a Balance of the Sum of £2213 18s. 4½d, including certain Disallowances by way of Surcharges, particularly mentioned in the annexed List. I am directed to give you Notice, that, the said State will be forthwith laid before the Lords Commissioners of His Majesty's Treasury, to the End, that, if you should see good cause to submit, to their Lordship's

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"Consideration, any Observations relative to the said Ac-
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"J. WIGGLESWORTH."

he accordingly submitted his Observations, and, having
constantly attended, he was, in August 1793, interrogated
at the Treasury respecting some of the surcharged Articles,
the Propriety of which was, upon Reconsideration, acknow-
ledged. The proportional Justice, which must have ensued,
if the Treasury Board had condescended to extend it's Re-
view and weigh the farther Observations in the like man-
ner submitted with respect to the residue Articles similiarly
reported by the Auditors, remains at this Day to be accom-
plished. Reiterated Remonstrances. A State of residue Ar-
ticles of Claim—Pretexts of Surcharge alledged—and Ob-
servations which have not been considered. [P 74. N 326,
329, 333 to 339].

Instead of the expected Result, the following Letter
from the Inspector General of the Public Accounts. was
received viz: "*Somerset Place 16th. January 1794.* I am
"directed by the Commissioners for auditing the Public
"Accounts to acquaint you that your Account as Lieute-
"nant Governor of Cape Breton from the 19th. November 1784
"to the 13th. October 1787, was this Day declared by the
"Chancellor of His Majesty's Exchequer, with a Balance
"due to you from the Public, of the Sum of £.3758 15 6 $\frac{1}{2}$.
"It may be proper to apprize you that the said Account
"cannot be finally settled until it is lodged in the Pipe
"Office, where the Quietus must be made out, it will
"therefore be necessary for you to lose no Time in apply-
"ing at the Treasury and at the Exchequer Offices to dis-
"charge the Fees, which have been allowed in your Ac-
"count for passing it through those Offices, for, 'till that
"is done, you may still remain subject to the Exchequer
"Process, &c:

"J. WIGGLESWORTH."

[P 81 N 340, 343].

As the Rectitude of the Accounts periodically transmitted, had been disputed and hasty Measures had been founded thereon and pursued; Under these Circumstances, DesBarres resolved to postpone adducing his farther Claims, until a previous Decision on these and all Matters, involving the superior Consideration of his injured Honour, should take place. After a tedious Course of Scrutiny and the *Disavowal* of the injurious Pretexts, he submitted to the Lords of His Majesty's Treasury a general Statement of Arrears of Disbursements, incurred in the Prosecution of his Duty, from 1763 to 1784, and, since that Period, in carrying on the Settlement of His Majesty's Colony of Cape Breton, together with particular Accounts [accompanied with elucidatory Details, Plans and Descriptions of Settlements established, and, necessary Public Buildings erected by his Direction, in the said Colony] specifying the Articles of the Expenditure and the relative Objects of the Public Service in the Execution of which the same had been incurred, and he subjoined thereto an Estimate of Losses sustained, by Law Charges, Seizures and Devastations of Property, Interests, &c: [P 81. N 341, 342, 344 to 353.]

DesBarres' Case was now confessed to be extremely hard, and, that, "its peculiar Nature and Circumstances" required a Liberality of Investigation and Consideration, but it was at the same Time, "acknowledged that the Board of Treasury had in itself no discretionary Powers for redressing it,"—and that "it was the exclusive Privilege of His Majesty's Secretary of State, in all extraordinary Cases to which the Official Rules and Forms were found to be inapplicable, to recommend the Interposition of Equity." The Difficulty now was, how to bring the Secretary of State to revise a Mass of Matter of such long standing, and to report thereon, so as to authorize the Treasury to follow, in it's Proceedings, the Decree of Equity according to the Merits of the Case, Here,

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DesBarres was advised to move for the Secretary of State's Official Letter, in order that in the mean time the Arrears of his Salary might be paid to him. Accordingly, he addressed (in January 1795) a Memorial to the Duke of Portland for that Purpose—and, subsequently, repeated his Application in another Memorial, explaining therein the Grounds of his Claim thereto, and praying to be permitted to apply his Abilities to the Service of His King and Country. Not receiving any Answer for a long Time, he submitted for the Consideration of His Gracious Sovereign a brief Statement of his Case, and entreated that His Majesty's Secretary of State might be pleased to lay the same before His Majesty. Thereupon he was honoured with the following Letter, viz. "*To Colonel DesBarres.*"—"Whitehall 4th June 1795. In Answer to your Memorial praying that the Arrears of Salary, which you state to be due to you, as Lieutenant Governor of Cape Breton, may be paid to you. I am to acquaint you, that His Majesty having been pleased by a Commission bearing Date the 26th Day of February 1787, to appoint William Macarmick, Esquire, to be Lieutenant Governor of that Island, the Salary of Lieutenant Governor thereof has, in the usual Manner, of Course been paid to him from that Period. I should have been glad, if your Memorial had been on a Subject, admitting a more satisfactory Answer, &c:

[P 85. N 354 to 358, 360.] "PORTLAND."

Upon Receipt of this Intelligence, inconsistent with the Tenour of all preceding Official Informations, Declarations, and Facts, he again remonstrated and repeated to the Duke of Portland his Instances for officially laying his Memorial before the King and for receiving His Majesty's Royal Pleasure thereon. The Proofs which, in a Case in Point, himself had witnessed of His Majesty's gracious disposition to revise and generously to rectify Official

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Proceedings however formal and solemn, and even to recall Appointments passed under His Royal Seal and Sign Manual, upon discovering their Inconsistency with His Royal Justice or Humanity, left no Doubt, that, when His Majesty's Attention should be moved, the injurious Points of his unexampled Case would of course be rectified. [P 89 N 359, 361, 363 to 366],

An Umbrage in the mean time arose from a Circumstance which took place—Sir William Dolben, who, on Information of Matters, had, from humane and generous Motives and from a Regard to the Honour of Government and of the National Interests, frequently urged, to the Ministry, the Necessity of taking up the Consideration of the deplorable State of His Majesty's Colony of Cape Breton, and of investigating the Causes of the extreme Oppression under which DesBarres laboured—finding his Applications unavailing, at last, had pledged himself in Parliament to move for a general Inquiry therein. The Motion, being brought on, was opposed by the Chancellor of His Majesty's Exchequer—he said that, “all the just Claims of DesBarres were nearly satisfied,” and, in support of his Assertion, read a Report from the Commissioners for auditing the Public Accounts, which stated, that “Des Barres Accounts were unvouched and unattested: so much so, as to warrant a Suspicion that a greater Demand was made by him, than he was intitled to: and, particularly so, as he had brought forward his Account for Four Years during his Government, all which had been regularly settled, &c:” that “he thought it necessary to State these Facts to the House,”—“he was willing to lay before it the Papers relative to the Accounts; but, objected to going into any farther Inquiry.” DesBarres had declared on Oath in the Court of Exchequer the Truth of the Claims contained in his Accounts and the substance

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ated Declaration had been given by him into the Treasury. He recurred to that Office and requested a Communication of, in order to refute, that injurious Report and the Assertions founded thereon. The Communication of it was refused to him.

After more than Forty Years arduous Service, with the Approbation of the highest Characters Naval and Military of the Age, confirmed by the Sanction of his Sovereign, if DesBarres has not been able to avert the Malignity of Slander, he was at least intitled to the Justice of an Hearing, previously to being sacrificed to the Conspiracy of weak and deluded Men. He has incessantly demanded in vain a Trial to vindicate his Honour to the World. Thus precluded from public Investigation, and unable longer to sustain the Anguish of an Idea of Delinquency in the Service of a Country he had preferred in the earliest Period of Life, and which had adopted him with characteristic Generosity, he has no Resource but to state his Case, and respectfully to submit it, for being judged upon and dealt with according to its Merits.

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PRÉCIS of DESBARRES' CLAIM.

Arrears of Disbursements incurred in carrying on the Surveys of the Coasts and Harbours of Nova Scotia, and in preparing and supplying Charts for the Public Service, from 1763 to 1784, [P 3 to 5.] amounting to - - - - - £.8801 16 4

Arrears of Allowances incurred in the Prosecution of his Duty as Lieutenant Governor of Cape Breton, since the Year 1784, [P 77 to 83] amounting to - - - 5516 18 10½

Arrears of Salary, or equivalent Allowance, amounting to - - - - -

The Expences accrued, by Law Charges, Seizures and Devastation of Property, Damages, Interests, &c, and the Sufferings, to which, in the long Course of arduous and unremitting Exertions he has unhappily been subjected—together with the Disappointment of Military Promotion and the acknowledged Utility of his Services, are most humbly submitted, for equitable *Consideration, Compensation, and Remuneration.*

FINIS.