

But the reports of the Immigration Agent at Quebec, have shewn that even when the right of the Emigrants was more limited, the difficulty of ascertaining the objects really deserving of assistance was almost insuperable. Nor if the expedient were to be adopted of offering public employment at a lower rate of wages, would the evil be entirely met, especially if uncombined with a limitation of the period during which the right will last, for many individuals will prefer the certainty and comparative lightness of Government employment at wages which would at least afford them the means of support, to being thrown upon their own resources, and having to use exertions to procure employment which might only be temporary from private parties. But not only is the period to which the right to support extends not limited, but the Act is not explicit as to the place where this support can be claimed.

It may occur, that after a number of destitute Emigrants have been forwarded to Montreal or other places in the interior, there may not exist at the moment a sufficient demand for their labor. If there were no funds created by Law for their support, the employers of labour in the neighbourhood might make an effort to retain them, and at some sacrifice perhaps to themselves find employment for them; but when they see that there is a fund upon which unemployed Emigrants will have a legal claim for support, they will naturally allow them to live upon that resource until the time comes when they more decidedly require their labour. If relief moreover would thus have to be dispensed in different parts of the Province, there would probably not be the machinery necessary for the due administration of it, nor will the means exist either for ascertaining the fact of destitution, or for providing public employment for the unemployed; and if on the other hand the relief contemplated by the Act is only to be given at Quebec, it is to be apprehended that it may lead to a very serious and inconvenient congestion of labour on that particular spot.

The question also necessarily arises, whether the funds to be supplied from a tax of only five shillings on each adult Emigrant, will prove sufficient to meet all the purposes to which it is rendered applicable by the present Act; the amount raised in former years, the rate per head on the Emigrant being the same, was understood to be only sufficient for the more limited objects then contemplated, although therefore experience alone can prove what will be the effect of the new provision introduced into the present Act, it seems probable that however carefully the fund may be administered, it may not be equal to the increased demands which may be made upon it. In that case, the intention of the Legislature would be frustrated and just disappointment occasioned to the Emigrants.

There are other objects also which might be urged to the measure; and amongst them may be mentioned that it will naturally put a stop to the practice adopted by Parishes, and in some cases, individuals in this country sending out Emigrants at their own expense of furnishing them with "landing money" to prevent immediate destitution on their arrival. It is reasonable to expect, that in future all Emigrants who would have thus been provided for will be thrown upon any public fund which may be created for the express purpose of supporting Emigrants until they obtain employment. Again, if the Emigrants who are supported under this clause are employed upon the Public Works at a low rate of wages which will be paid to them out of this particular fund, it will be in fact the Colony which will profit by the tax being levied more than the Emigrants by whom, and for whose benefit it is paid. Another objection to the plan, of a very serious nature, is, that its tendency is to convert the Emigrants into paupers, and to expose them upon their arrival in a new country, where good conduct and industry might ensure them competence, to the demoralizing effects of a dependence upon public support.

It is not competent for us to decide whether the objections which have been urged to this provision are of sufficient weight to render it desirable that the attention of the Legislature of Canada should be directed to a reconsideration of the enactment. And it has been with reluctance that we have pointed out exceptions to any part of a very useful Act, which moreover, has been clearly passed in entire conformity with the wishes of the Executive Government. It was, however, our duty to direct attention to the subject; and if it shall be finally determined that an alteration in the provision in question is not necessary, perhaps the observations which have been made in this letter upon it may still be serviceable to the Governor, in framing the regulations necessary for carrying it into effect.

We have, &c.

(Signed,)

T. FRED. ELLIOT,
EDWARD E. VILLIERS.

No. 19.

[No. 85.]

Copy of a Despatch from Lord Stanley to the Right Honorable Sir Charles Bagot, G. C. B.

Downing Street, 2d March, 1842.

SIR,—I have had under my consideration an Act passed by the Legislature of the Province of Canada in their late Session, intitled, "An Act to create a Fund for defraying the expense of enabling indigent Emigrants to proceed to the place of their destination, and of supporting them until they can procure employment." I have also had before me a Report of the Commissioners of Colonial Lands and Emigration upon this Act.

My Despatch of the 3d ultimo, will have apprized you of the intention of Her Majesty's Government to redeem the pledge made to the Legislature of Canada under the authority of Her Majesty's late Ministers, by proposing to the House of Commons a vote of money for the service of Emigration in Canada. Upon this occasion therefore it is only necessary that I should advert to the Act which is before me.

In the report from the Commissioners of which I transmit to you a copy, it is remarked that it shall have been decided to abandon the arrangement of paying the tax on Emigrants by drafts on the Commissary General after those persons had obtained a certificate of approval from an Agent of Emigration in this Country, the provision of the Act prescribing the adoption of such a course will have been rendered ungatory. Having as you are now aware determined on placing at your disposal the sum of money that may be voted by the Parliament instead of expending it in the precise manner in which it was originally proposed, it may perhaps be desirable that the Law should be amended in this respect. The Commissioners appear to consider that it is not absolutely necessary that this provision should be altered; but I think it preferable that you should bring the question before the Legislature, and invite them to deliberate on the propriety of the omission of the clause referred to. For this purpose you will lay before the Legislature the appropriate extract from the Commissioners report, and you will also communicate to them the closing observations on the provision relating to the application of the money which will be raised by the tax, in order that the Legislature may consider how far the objections stated are likely with a view to Canadian objects, to thwart the designs of the Bill for the regulation of the Passenger Trade which has been introduced into the House of Commons.

With respect to the clause for the computation of children which is apparently founded on the corresponding provision in the Imperial Passenger Act, I have to state that it will be expedient that you should lay before the Legislature, an extract of this portion of the Commissioners report, as it is not improbable that this clause of the Passenger Act may be amended, and it would be undesirable to have two rules in force on the same object.

In conclusion, I have to acquaint you, that notwithstanding that it is desirable to bring under the consideration of the Legislature the points which I have thus noticed, it is my intention to advise the Queen to leave this Act to its operation.

I have, &c.

(Signed,)

STANLEY.

No. 20.

Copy of a Despatch from the Right Honorable Sir Charles Bagot, G. C. B. to Lord Stanley.

Government House, Kingston, 13th 1842.

MY LORD,—I have the honor to acknowledge the receipt of your Lordships Despatch of the 2d ultimo, No. 45, on the subject of the Act passed during the last Session of the Legislature, for imposing a tax on Emigrants arriving in the Province by the Saint Lawrence, and enclosing a report from the Land and Emigration Commissioners on some of the provisions of that Act.

In obedience to your Lordships directions, I shall bring under the notice of the Legislature at their next meeting such of the provisions of the Act as appear to require alteration. In the mean time, as I have already had the honor to state, I do not perceive that any inconvenience will arise from the changes in the arrangements of Her Majesty's Government in respect to the payment of the tax in certain cases, from the Military Chest, I now proceed to notice the report of the Land and Emigration Commissioners, which is enclosed in your Despatch.

Those gentlemen express considerable apprehension that the terms in which the Seventh Clause of the Act has been drawn up may lead to serious inconvenience. They observe, that although in former years relief has been extended to destitute Emigrants for whom employment could not be found, "the comprehensive words of the present Act apparently give to all unemployed Emigrants for an indefinite time, a legal right to support which has never been conferred on them;" that when the right of the Emigrants was more limited it was impossible to guard against imposition but there is no specification either of the period within which, nor of the place at which such assistance should be afforded; and the existence of a fund, applicable in such a manner, would take away from the employers of labour all inducement to find work for Emigrants during the dull season, and would induce Parishes and individuals to withhold the "landing money" which they have hitherto given; that under such circumstances, it is doubtful whether the fund would be adequate to the expenses thus thrown on it, and that by its operation it would expose the Emigrant to the demoralizing effects of a state of pauperism.

Such are the principal inconveniences apprehended by the Commissioners; I confess that I cannot share in their apprehensions. They appear to reason throughout on the assumption that the terms which they quote from the Seventh Clause, are compulsory on the Government, instead of permissive. This is evidently an error. The object of that clause is not as the Commissioners suppose to create a "legal right" in the Emigrant to support, but to legalize that assistance, which, as they admit, the Government has been compelled heretofore to grant, but which has been granted