

without legal sanction. The clause expressly provides that this relief, as well as that for medical attendance and conveyance, should be administered "under such rules and regulations, as the Governor for the time being shall appoint;" and the reasoning of the Commissioners is therefore, besides the question, unless it be assumed that an officer who is capable of administering the government of so extensive a Province as Canada, is yet not fit to be trusted with the administration of a fund of this description.

It is possible that an extraordinary abuse of the power vested in him the Governor might produce some of the evils anticipated by the Commissioners; but certainly not to the extent which they describe,—supposing him even to afford indiscriminate relief to all who applied—yet the smallness of the fund at its disposal, the impossibility of obtaining more when this should be exhausted, and the obligation under the Act to account for the money to the Local Legislature would almost immediately correct the evil. But there is in reality no ground for fear. The Government of the Province has obtained from the experience of many years, a knowledge of the manners in which Emigrants can most properly be assisted and there is no disposition either in the Government or in the people to sanction the relief of those who will not exert themselves. But as it is impossible to lay down any inflexible rules for the administration of relief, and as there is no other authority by whom it could be administered, this discretionary power is necessarily, and I think very properly confided to the Government.

The course which has hitherto been adopted, and which has been found to work well, is as follows:—The Emigrant Agents are instructed to ascertain what demand there may be for labour in their own neighbourhood, and in other parts of the Province. If there be employment in their own neighbourhood, it is offered to any individual applying for assistance on the plea of being destitute. If there be none, and the Agent be satisfied of the truth of the plea, the applicant is forwarded to the place where it can be found. In either case whether the Emigrants accept or refuse the work his claim on the Government is considered as cancelled; if he accept it he is bound after that to find employment for himself, if he refuse it, it is a sufficient proof that he is not destitute. The only instances in which aid is given towards subsistence are first, when the Emigrant vessels arrive at such an hour as to make it impossible immediately to employ the Emigrant; or secondly, when there are women and children whose late relations have died on the voyage, or are incapacitated by sickness; or thirdly, when from accidental circumstances a considerable body is collected in one place without an immediate demand for their labour there or elsewhere. But in this latter case assistance is given only in the shape of wages below the usual rate, for breaking stone, &c. for the Roads, which stone is afterwards sold as occasion may offer. When I state that during the last year the amount expended on the latter class in the whole Province was only £360, and in the present year only £500, a large portion of which has since been recovered by the sale of the stone, it is evident that the discretion of the Government in this respect has not been abused. Having reference to the public works which will be in progress during the present year, I do not expect that any portion of the fund destined for emigration purposes, will require to be appropriated towards the subsistence of Emigrants.

Under these circumstances your Lordship will, I trust, feel satisfied that the fears of the Commissioners in regard to the effect of the 7th clause are unfounded; and I beg you to believe that I shall be no less careful than my Predecessors so to use the power vested in my hands, as to fulfil the object contemplated by the Legislature in the manner most conducive to the interest of the Emigrant and the general well being of the Province.

I have, &c.  
(Signed) CHAS. BAGOT.

AT THE COURT AT BUCKINGHAM PALACE,  
The 11th day of August, 1842.

PRESENT:

The QUEEN'S Most Excellent Majesty in Council.

**W**HEREAS there was this day read at the Board a Representation from the Judicial Committee of the Privy Council, dated the tenth August instant, and in the words following, viz:—

"The Lords of the Judicial Committee having taken into consideration the scale on which the costs of Appeals, and other matters referred by your Majesty to this Committee, are usually taxed by the Masters of the Court of Queen's Bench, or other persons to whom their Lordships have, from time to time, referred the same; Their Lordships agree humbly to represent to your Majesty, that it is expedient that the scale of costs hitherto allowed in the said proceedings before this Committee, should be reduced; and their Lordships recommend that, provisionally, and until further consideration, such costs in all Appeals or matters not being Appeals, from the Courts of Ecclesiastical or Admiralty Jurisdiction, should be taxed and allowed by all such taxing officers as shall hereafter be directed to ascertain and report the same to the Board, according to the Schedule hereto annexed; and that this rate of charges should be observed by Solicitors conducting business before this Committee."

Her Majesty, having taken this representation into consideration, was pleased, by and with the advice of Her Privy Council,

to approve thereof, and of what is therein recommended, and to order, and it is hereby ordered, that the same be duly and punctually observed, complied with, and carried into execution. Whereof all persons whom it may concern are to take notice, and govern themselves accordingly.

C. C. GREVILLE.

*The Schedule of Fees above referred to.*

	£.	s.	d.
Retaining fee,	0	13	4
Perusing official copy of proceedings, (This fee to be raised at the discretion of the Clerk of Appeals.)	2	2	0
Attendances at the Council office, or elsewhere, on ordinary business, such as to enter an appeal or an appearance, to make a search, to lodge a petition or affidavit, or to retain Counsel,	0	10	0
Instructions for petition of appeal,	0	10	0
Drawing petition or case, per folio,	0	2	0
Drawing appendix, per folio,	0	1	0
Copying, per folio,	0	0	6
Attendance on order of reference,			<i>Nil.</i>
Drawing small petitions for orders, &c.	0	10	0
Instructions for case,	1	0	0
Attending consultation,	1	0	0
Correcting proof sheets, per printed sheet,	0	10	6
Correcting Foreign or Indian proof sheets, per printed sheet,	1	1	0
Attending on setting down for hearing,			<i>Nil.</i>
Attending Clerk of Council for Order,			<i>Nil.</i>
Attending at Council chamber on a petition,	1	6	8
Attending Council chamber all day on an appeal not called on,	2	6	8
Attending a hearing,	3	6	8
Attending a judgment,	1	6	8
Sessions fee (for the legal year) equal to four term fees,	3	3	0

AT THE COUNCIL CHAMBER, WHITEHALL

August 10th, 1842.

By the Judicial Committee of the Privy Council.

The Lords of the Judicial Committee having taken into consideration the practice of referring the taxation of costs in Appeals and other matters heard at their Lordships bar to the Masters of Her Majesty's Courts at Westminster, and being of opinion that such practice ought to be discontinued; their Lordships are thereupon pleased to order, as it is hereby ordered, that it be referred to the Clerk of Appeals of the Privy Council Office, acting as the Registrar of this Committee, to tax all bills of costs, under their Lordships' orders, on appeals or upon the petition of the parties; and their Lordships do further direct that all such taxation shall be regulated by the Schedule of Fees annexed to their Lordships' Representation to Her Majesty in Council of this day's date; and their Lordships do further direct that a separate account be kept of all the Fees received by the said Clerk of Appeals on account of such taxation, such Fees to be the same as have been usually charged by the Masters or other persons to whom the taxation of such bills of costs has heretofore been referred.

C. C. GREVILLE.

A meeting was held at Government House on Wednesday last, consisting of the Ladies who held Stalls at the Bazaar and the Gentlemen who formed the Committee of Management, at which the proceeds of the Sale were handed over to Lady Colebrooke, the half being devoted to the Hospital, and the remainder to the Infant School. After a few introductory remarks by the Lieutenant Governor, a Report by Dr. Toldevy was read on the state of the Hospital, and another by Miss Fayerweather on the condition of the Infant School. At the conclusion of which His Excellency took occasion to express his thanks to Dr. Toldevy which were so justly due for his unwearied exertions in behalf of the former Institution to which he considered it owed its success. The two Reports will be found below, and we feel great pleasure in calling attention to these documents.

The statistics of these Reports will prove more convincing than any Eulogy we could pronounce on the value and importance of these two Institutions to the community of Fredericton.

Fredericton, October 18, 1842.

MAY IT PLEASE YOUR EXCELLENCY,

SIR,—In compliance with Your Excellency's desire, I beg to inclose, for your perusal, a short Report of the state of the Hospital, which has been under my Medical charge since its establishment in December last; and in so doing I am anxious to offer a few remarks explanatory of its object.

It may perhaps seem unnecessary for me to dilate upon the advantages that must accrue from such an Institution as this, in a country where, from the utter impracticability of bringing efficient Medical aid within the reach of every individual of a thinly scattered population, the expediency of removing patients in extreme cases to a place where such aid may be constantly available is self-evident,