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occasionally voted for this purpose are, under the present system, disposed of by a House of Assembly which represents principally the interests of the more settled districts, and which, it is alleged, has been chiefly intent in making their disposal a means of strengthening the influence of its members in the constituencies which they represent. These funds have consequently almost always been applied in that part of the country where they were least needed; and they have been too frequently expended so as to produce scarcely any perceptible advantages. Of the lands which were originally appropriated for the support of schools throughout the country, by far the most valuable portion has been diverted to the endowment of the university, from which those only derive any benefit who reside in Toronto, or those who, having a large assured income, are enabled to maintain their children in that town at an expense which has been estimated at £30 per annum for each child. Even in the most thickly peopled districts there are but few schools, and those of a very inferior character; while the more remote settlements are almost entirely without any.

Under such circumstances there is little stimulus to industry or enterprise, and their effect is aggravated by the striking contrast presented by such of the United States as border upon this province, and where all is activity and progress. I shall hereafter, in connexion with the disposal of the public lands, advert to circumstances affecting not Upper Canada merely, but the whole of our North American colonies in an almost equal degree, which will illustrate in detail the causes and results of the more important of these evils. I have referred to the topic in this place, in order to notice the inevitable tendency of these inconveniences to aggravate whatever discontent may be produced by purely political causes, and to draw attention to the fact, that those who are most satisfied with the present political state of the province, and least disposed to attribute economical injuries or social derangement to the form or the working of the government, feel and admit that there must have been something wrong to have caused so striking a difference in progress and wealth between Upper Canada and the neighbouring states of the union. I may also observe, that these evils affect chiefly that portion of the people which is composed of British immigrants, and who have no part in the causes to which they are attributable. The native born Canadians, as they generally inhabit the more settled districts of the province, are the owners of nearly all the waste lands, and have almost exclusively had the application of the public funds, might be expected to have escaped from the evils alluded to, and even to be profited by the causes out of which they have sprung. The number of those who have thus profited is, however, comparatively small; the majority of this class, in common with the immigrant population, have suffered from the general depression, and share in the discontent and restlessness which this depression has produced.

The trade of the country is, however, a matter which appears to demand a notice here, because so long as any such marked and striking advantages in this respect are enjoyed by Americans, as at present arise from causes which Government has the power to remove, it is impossible but that many will look forward with desire to political changes. There are laws which regulate, or rather prohibit, the importation of particular articles, except from England, especially of tea, which were framed originally to protect the privileges of monopolies here, but which have been continued in the province after the English monopoly has been removed. It is not that these laws have any appreciable effect in raising the price of the commodities in question—almost all used in the province is smuggled across the frontier—but their operation is at once injurious to the fair dealer, who is undersold by persons who have obtained their articles in the cheaper market of the United States, and to the province, which can neither regulate the traffic, nor make it a source of revenue. It is probable, indeed, that the present law has been allowed to continue through inadvertence; but if so it is no very satisfactory evidence of the care or information of the Imperial Government that it knows or feels so little the oppressive influence of the laws to which it subjects its dependencies.

Another and more difficult topic connected with this subject is the wish of this province that it should be allowed to make use of New York as a port of entry. At present the rate of duty upon all goods coming from the United States whatever may be their nature, or the port in Europe from which they have been shipped, is such as to compel all importers to receive the articles of their trade through the St. Lawrence, the navigation of which river opens generally several weeks later than the time at which goods may be obtained in all the parts of Upper Canada bordering upon Lake Ontario, by way of Oswego. The dealer, therefore, must submit to an injurious delay in his business, or must obtain his goods in the autumn, and have his capital lying dead for six months. Either of these courses must lessen the amount of traffic, by diminishing the quantity, or increasing the price, of all commodities; and the mischief is seriously enhanced by the monopoly which the present system places in the hands of what are called the 'forwarders' on the St. Lawrence and the Rideau Canal. If goods might be shipped from England to be landed at New York in bond, and to be admitted into Upper Canada free of duty upon the production of a certificate from the officer of customs at the English port from which they are shipped, this inconvenience would be removed, and the province would in reality benefit by their connexion with England in the superior cheapness of their articles, without paying for it as highly as they do at present in the limitation of their commerce.

I have already stated, in my account of Lower Canada, the difficulties and disputes which are occasioned by the financial relations of the two provinces. The state of affairs, however, which causes these disputes is of far greater practical mischief to Upper Canada. That province some years ago conceived the very noble project of removing or obviating all the natural impediments to the navigation of the St. Lawrence; and the design was to make those works on a scale so commensurate with the capabilities of that broad and deep river, as to enable sea going vessels to navigate its whole course to the head of Lake Huron. The design was, perhaps, too vast, at least for the first effort of a state at that time comparatively so small and poor; but the boldness with which the people undertook it, and the immense sacrifices which they made in order to achieve it, are gratifying indications of a spirit which bids fair hereafter to render Upper Canada as thriving a country as any state of the American Union. The house of Assembly, with this object in view, took a large portion of the shares of the Welland Canal, which had been previously commenced by a few enterprising individuals. It then commenced the great ship canal, called the Cornwall Canal, with a view of enabling ships of considerable draught to avoid the Long Sault Rapids; and this work was, at an immense outlay, brought very far towards completion. It is said that there was great mismanagement, and perhaps no little jobbing, in the application of the funds and the execution of the work. But the greatest error committed was the undertaking the works in Upper, without insuring their continuation in Lower Canada; for the whole of the works in the Upper Province, when completed, would be comparatively, if not utterly, useless, without the execution of similar works on that part of the St. Lawrence which lies between the province line and Montreal. But this co-operation the Lower Canadian Assembly refused or neglected to give; and the works of the Cornwall Canal are now almost suspended, from the apparent inutility of completing them.

The necessary expense of these great undertakings are very large; and the prodigality superadded thereto has increased it to such an extent, that this province is burdened with a debt of more than £1,000,000; the whole revenue, which is about £60,000, being hardly adequate to pay the interest.

The province has already been fortunately obliged to throw the whole support of the few and imperfect local works which are carried on in different parts of the province on local assessments; but it is obvious that it will soon be obliged to have recourse to direct taxation to meet its ordinary civil expenditure; for the custom duties cannot be increased without the consent of Lower Canada; and that consent it is useless to expect from any House of Assembly chosen under the suspended constitution. The canals, of which the tolls would, if the whole series of necessary works were completed, in all probability render the past outlay a source of profit, instead of loss, remain in a state of almost hopeless suspension; the Cornwall Canal being unfinished, and the works already completed daily falling into decay, and the Welland Canal, which has been a source of great commercial benefit, being now in danger of becoming useless, from want of money to make the necessary repairs. After all its great hopes and all the great sacrifices which it has made to realize them, Upper Canada now finds itself loaded with an enormous debt, which it is denied the means of raising its indirect taxation to meet, and mocked by the aspect of those unfinished works, which some small combined efforts might render a source of vast wealth and prosperity, but which now are a source of useless expense and bitter disappointment.

It may well be believed that such a state of things is not borne without repining by some of the most enterprising and loyal people of the province. It is well known that the desire of getting over these difficulties has led many persons in this province to urge the singular claim to have a convenient portion of Lower Canada taken from that province and annexed to Upper Canada; and that it induces many to desire an union of the provinces as the only efficient means of settling all these disputes on a just and permanent footing. But it cannot be matter of surprise, that in despair of any sufficient remedies being provided by the Imperial Government, many of the most enterprising colonists of Upper Canada look to that bordering country, in which no great industrial enterprise ever feels neglect or experiences a check, and that men the most attached to the existing form of government would find some compensation in a change, whereby experience might bid them hope that every existing obstacle would be speedily removed, and each man's fortune share in the progressive prosperity of a flourishing state.

A dissatisfaction with the existing order of things, produced by causes such as I have described, necessarily extends to many who desire no change in the political institutions of the country. Those who most admire the form of the existing system wish to see it administered in a very different mode. Men of all parties feel that the actual circumstances of the colony are such as to demand the adoption of widely different measures from any that have yet been pursued in reference to them. They ask for greater firmness of purpose in their rulers, and a more defined and consistent policy on the part of the Government—something, in short, that will make all parties feel that an order of things has been established to which it is necessary that they should conform themselves, and which is not to be subject to any unlooked for and sudden interruption consequent upon some unforeseen move in the game of politics in England. Hitherto the course of policy adopted by the English Government towards this colony has had reference to the state of parties in England, instead of the wants and circumstances of the province; neither party could calculate upon a successful result to their struggles for any particular object; because, though they might be able to estimate accurately enough their strength in the colony, they could not tell how soon some sudden spring might be put in motion in the Colonial Office in England which would defeat their best laid plans, and render utterly unavailing whole years of patient effort.

THE EASTERN PROVINCES AND NEWFOUNDLAND.

Though I have stated my opinion that my enquiries would be incomplete had they been confined to the two Canadas, the information which I am enabled to communicate with respect to the other North American Colonies is necessarily very limited. As, however, in these Provinces, with the exception of Newfoundland, there are no such discontents as threaten the disturbance of the public tranquillity, I did not think it necessary to institute any minute enquiries into the details of the various departments of Government. It is only necessary that I should state my impression of the general working of the Government in these Colonies, in order that if institutions similar to those of the disturbed Provinces should here appear to be tending to similar results, a common remedy may be devised for impending as well as for existing disorders. On this head I have obtained much useful information from the communications which I had with the Lieutenant Governors of those Colonies, as well as with individuals connected with them; but, above all, from the frequent and lengthened discussions which passed between me and the gentlemen who composed the deputations sent to me last autumn from each of the three eastern Provinces, for the purpose of discussing the principles as well as the details of a plan of general Government for the whole of the British North American Colonies. It was most unfortunate that the events of temporary but pressing importance which compelled my return to England, interrupted those discussions; but the delegates with whom I had the good fortune to carry them on, were gentlemen of so much ability, so high in station, and so patriotic in their views, that their information could not fail to give me a very fair view of the working of the colonial constitution under somewhat different circumstances in each. I insert in the appendix a communication which I received from one of those gentlemen, Mr. Young, a leading and very active member of the House of Assembly of Nova Scotia, respecting that province.

It is not necessary, however, that I should enter into any lengthened account of the nature and working of the form of government established in these provinces, because in my account of Lower Canada I have described the general characteristics of the system common to all, and adduced the example of those provinces in illustration of the defects of their common system. In all the provinces we find representative government coupled with an irresponsible executive; we find the same constant collision between the branches of the Government; the same abuse of the powers of the representative bodies, owing to the anomaly of their position, aided by the want of good municipal institutions, and the same constant interference of the Imperial Administration in matters which should be left wholly to the provincial Governments. And if in these provinces there is less formidable discontent and less obstruction to the regular course of government, it is because in them there has been recently a considerable departure from the ordinary course of colonial system, and a nearer approach to sound constitutional practice.

This is remarkably the case in New Brunswick, a province which was till a short time ago one of the most constantly harrased by collisions between the executive and legislative powers; the collision has now been in part terminated by the concession of all the revenues to the Assembly. The policy of this concession, with reference to the extent and mode in which it was made, will be discussed in the separate report on the disposal and management of public lands; but the policy of the Government in this matter has at any rate put an end to disputes about the revenue, which were on the point of producing a constant Parliamentary conflict between the Crown and the Assembly in many respects like that which had subsisted in Lower Canada; but a more important advance has been made towards the practice of the British constitution in a recent change which has been made in the Executive and Legislative Councils of the colony, whereby, as I found from the representatives of the present official body of the delegation from New Brunswick, the administrative power of the province had been taken out of the hands of the old official party, and placed in those of members of the former liberal opposition. The constitutional practice had been, in fact, fully carried into effect in this Province; the Government had been taken out of the hands of those who could not obtain the assent of the majority of the Assembly, and placed in the hands of those who possessed its confidence: the result is, that the Government of New Brunswick, till lately one of the most difficult in the North American Colonies, is now the most harmonious and easy.

In Nova Scotia some, but not a complete, approximation has been made to the same judicious course. The Government is in a minority in the House of Assembly, and the Assembly and the Legislative Council do not perfectly harmonize. But the questions which divide parties at present, happen really to be of no very great magnitude, and all are united and zealous in the great point of maintaining the connexion with Great Britain. It will be seen from Mr. Young's paper, that the questions at issue, though doubtless of very considerable importance, involve no serious discussion between the Government and the people. The majority of the opposition is stated by the official party to be very uncertain, and is admitted by themselves to be very narrow. Both parties look with confidence to the coming general election; and all feel the greatest reliance on the good sense and good intentions of the present Lieutenant Governor, Sir Colin Campbell.

I must, however, direct particular attention to the following temperate remarks of Mr. Young on the constitution of the Executive and Legislative Councils:—

The majority of the House of Assembly is dissatisfied with the composition of the Executive and Legislative Councils, and the preponderance in both of interests which they conceive to be unfavourable to reform: this is the true ground, as I take it, of the discontent that is felt. The respectability and private virtues of the gentlemen who sit at the two Council Boards are admitted by all; it is of their political and personal predilections that the people complain; they desire reforming and liberal principles to be more fully represented and advocated there, as they are in the Assembly.

The majority of the house, while they appreciate and have acknowledged the anxiety of his Excellency the Lieutenant Governor to gratify their just expectations, have also expressed their dissatisfaction that the church of England should have been suffered to retain a majority in both Councils, notwithstanding the remonstrances of the House and the precise and explicit directions of the Colonial Secretary. Religious dissensions are happily unknown among us, and the true way to prevent their growth and increase is to avoid conferring an inordinate power on any one sect, however worthy it may be of respect or favour.

The political history of Prince Edward's Island is contained in the system pursued with regard to its settlement, and the appropriation of its lands, which is fully detailed in the subsequent view of that department of government in the North American Colonies; and its past and present disorders are but the sad result of that fatal error which stifled its prosperity in the very cradle of its existence, by giving up the whole island to a handful of distant proprietors. Against this system this small and powerless community has in vain been struggling for some years, a few active and influential proprietors in London have been able to drown the remonstances and defeat the efforts of a distant and petty province; for the ordinary evils of distance are, in the instance of Prince Edward's Island, aggravated by the scantiness of its population, and the confined extent of its territory. This island, most advantageously situated for the supply of the surrounding colonies, and of all the fisheries, possesses a soil peculiarly adapted to the production of grain, and, from its insular position, is blessed with a climate far more genial than a great part of the continent which lies to the southward. Had its natural advantages been turned to proper account, it might have been the granary of the British Colonies, and instead of barely supporting a poor and unenterprising population of 40,000, its mere agricultural resources would, according to Major Head, have maintained in abundance, a population of at least ten times that number. Of nearly 1,400,000 acres contained in this island, only 10,000 are said to be unfit for the plough. Only 100,000 are now under cultivation. No one can mistake the cause of this lamentable waste of the means of national wealth. It is the possession of almost the whole soil of the island by absentee proprietors, who would neither promote nor permit its cultivation, combined with the defective government which first caused and has since perpetuated the evil. The simple legislative remedy for all this mischief having been suggested by three successive Secretaries of State, has been embodied in an act of the local Legislature, which was reserved for the Royal assent; and the influence of the proprietors in London was such, that that assent was for a long time withheld. The question was referred to me during my stay in Canada; and I believe I may have the satisfaction of attributing to the recommendation which I gave, in accordance with the earnest representations of the Lieutenant Governor, Sir Charles Fitzroy, the adoption at last of a measure intended to remove the abuse that has so long retarded the prosperity of this colony.

The present condition of these colonies presents none of those alarming features which mark the state of the Canadas. The loyalty and attachment to the mother country which animate their inhabitants are warm and general. But their varied and ample resources are turned to little account. Their scanty population exhibits, in most portions of them, an aspect of poverty, backwardness, and stagnation; and whatever better state of things is visible, the improvement is generally to be ascribed to the influx of American settlers or capitalists. Major Head describes his journey through a great part of Nova Scotia as exhibiting the melancholy spectacle of 'halt the tenements abandoned, and land everywhere falling into decay;' 'and the lands,' he tells us, 'that were purchased 20 or 40 years ago, at 5s. an acre, are now offred for sale at 3s.' 'The people of Prince Edward's Island are,' he says, 'permitting Americans to take out of their hands all their valuable fisheries, from sheer want of capital to employ their own population in them.' The country on the noble river St. John's he states, 'possesses all that is requisite, except that animation of business which constitutes the value of a new settlement.' But the most striking indication of the backward state of these provinces is afforded by the amount of the population. These provinces, among the longest settled on the North American continent, contain nearly 30,000,000 of acres, and a population, estimated at the highest, at no more than 365,000 souls, giving only one inhabitant for every 80 acres. In New Brunswick, out of 16,500,000 acres, it is estimated that at least 15,000,000 are fit for cultivation; and the population being estimated at no more than 140,000, there is not one inhabitant for 100 acres of cultivable land.

It is a singular and melancholy feature in the condition of these provinces, that the resources rendered of so little avail to the population of Great Britain are turned to better account by the enterprising inhabitants of the United States. While the emigration from the province is large and constant, the adventurous farmers of New England cross the frontier and occupy the best farming lands. Their fishermen enter our bays and rivers, & in some cases monopolize the occupations of our own unemployed countrymen, and a great portion of the trade of the St. John's in their hands. Not only do the citizens of a foreign nation do this, but they do it with British capital. Major Head states, 'that an American merchant acknowledged to him that the capital with which his countrymen carried on their enterprises in the neighbourhood of St. John's was chiefly supplied by great Britain; and,' he adds, as a fact within his own knowledge, 'that wealthy capitalists at Halifax, desirous of an investment for their money, preferred lending it to the United States to applying it to speculation in New Brunswick, or to lending it to their own countrymen in that Province.'

I regret to say that Major Head also gives the same account respecting the difference between the aspect of things in these provinces and the bordering state of Maine. On the other side of the line, good roads, good schools, and thriving farms afford a mortifying contrast to the condition in which a British subject finds the neighboring possessions of the British Crown.

With respect to the colony of Newfoundland I have been able to obtain no information whatever, except from sources open to the public at large. That Assembly for that island signified their intention of making an appeal to me respecting some differences with the governor, which had their immediate origin in a dispute with a judge. Owing probably, to the uncertain and tardy means of communication between Quebec and the island, I received no further communication on this or any other subject until after my arrival in England, when I received an address expressive of regret at my departure.

I know nothing, therefore of the state of things in Newfoundland, except that there is and long has been the ordinary colonial collision between the representative body on one side and the executive on the other; that the representatives have no influence on the composition or the proceedings of the executive government; and that the dispute is now carried on, as in Canada, by impeachments of various public officers on one hand and prorogations on the other. I am inclined to think that the cause of these disorders is to be found in the same constitutional defects as those which I have signalized in the rest of the North American colonies.

If it be true that there exists in this island a state of society which renders it unadvisable that the whole of the local government should be entirely left to the inhabitants, I believe that it would be much better to incorporate this colony with a larger community, than to attempt to continue the present experiment of governing it by a constant collision of constitutional powers.

DISPOSAL OF PUBLIC LANDS.—EMIGRATION.

I have mentioned the peculiar importance which, in newly settled societies, is attached to works for creating and improving the means of communication. But in such communities, and especially when only a small proportion of the land has been occupied by settlers, there is a still more momentous subject of public concern. I allude to an operation of government which has a paramount influence over the happiness of individuals, and the progress of society towards wealth and greatness. I am speaking of the disposal by the government, of the lands of the new country. In old countries no sum matter ever occupies public attention; in new colonies, planted on fertile and extensive territory this is the object of the deepest moment to all, and the first business of the government. Upon the manner in which this business is conducted it may almost be said that every thing else depends. If lands are not bestowed on the inhabitants and new comers with a generous hand, the society endures the evils of an old and over peopled state, with the superadded inconveniences that belong to a wild country. They are pinched for room even in the wilderness, are prevented from choosing the most fertile soils and favourable situations, and are debarred from cultivating that large extent of soil, in proportion to the hands at work, which can alone compensate, in quantity of produce, for the rude nature of husbandry in the wilderness. If, on the other hand, the land is bestowed with careless profusion, great evils of another kind are produced. Large tracts become the property of individuals, who leave their lands unsettled and untouched. Deserts are thus interposed between the industrious settlers; the natural difficulties of communication are greatly enhanced; the inhabitants are not merely scattered over a wide space of country, but are separated from each other by impassable waters; the cultivator is cut off or far removed from a market in which to dispose of his surplus produce and procure other commodities; and the greatest obstacles exist to co-operation in labour, to exchange, to the division of employments, to combination for municipal or other purposes, to the growth of towns, to public worship, to regular education, to the spread of news, to the acquisition of common knowledge, and even to the civilizing influences of mere intercourse for amusement. Monotonous and stagnant indeed must ever be the state of a people who are permanently condemned to such separation from each other. If, moreover, the land of a new country is so carelessly surveyed that the boundaries of property are incorrectly or inadequately defined, the government lays up a store of mischievous litigation for the people. Whatever delay takes place in perfecting the titles of individuals to lands alienated by the government, occasions equal uncertainty and insecurity of property. If the acquisition of land, in whatever quantities, is made difficult or troublesome, or is subjected to any needless uncertainty or delay, applicants are irritated, settlement is hindered, and immigration to the colony is discouraged, as emigration from it is promoted. If very different methods of proceeding have effect in the same colony, or in different parts of the same group of colonies, the operation of some can scarcely fail to interfere with or counteract the operations of others; so that the object of government must somewhere, or at sometime, be defeated. And frequent changes of system are sure to be very injurious, not only by probably displeasing those who either obtain land just before, or desire to obtain some just after, each change, but also by giving a character of irregularity, uncertainty, and even mystery, to the most important proceeding of government. In this way settlement and immigration are discouraged, inasmuch as the people, both of the colony and of the mother country, are deprived of all confidence in the permanency of any system, and of any familiar acquaintance with any of the temporary methods.—It would be easy to cite many other examples of the influence of government in this matter. I will mention but one more here. If the disposal of public lands be administered partially—with favour to particular persons or classes—a sure result is, the anger of all who do not benefit by such favouritism (the far greater number of course) and consequently, the general unpopularity of the government.

Under suppositions the reverse of these, the best, instead of the worst, effects would be produced; a constant and regular supply of new land in due proportion to the wants of a population increasing by births and immigration; all the advantages to which facilities of transport and communication are essential; certainty of limits and security of title to property in land; the greatest facilities in acquiring the due quantity; the greatest encouragements to immigration and settlement; the most rapid progress of the people in material comfort and social improvement, and a general sense of obligation to the government. What a contrast do the two pictures present! Neither of them is over coloured; and a mere glance at both suffices to show that in the North American Colonies of England, as in the United States, the function of authority most full of good or evil consequences has been the disposal of public land.

Impressed, before my departure from England, with a sense of the great importance of this subject, and indulging a hope, founded on the very remarkable success of a new method of disposing of public lands in your Majesty's Australian colonies, that I might be able to recommend beneficial reforms in the North American provinces, I took precautions for instituting a thoroughly efficient inquiry into the whole subject generally, and in detail. And I was the more disposed to do this, because while an inquiry by a select committee of the House of Commons in 1836 furnished abundant information on the subject, as respects most parts of your Majesty's colonial empire, the North American provinces had been specifically excluded from that enquiry, and I could not obtain in England any authentic, or at least sufficient, information as to the disposal of public lands in them.—Within a very short time after my arrival in Canada the expediency of a searching inquiry into the subject became more than ever apparent to me. A common belief in the great extent of my powers revived innumerable complaints of abuse; and applications for justice or favour, which had slumbered during previous years. During my residence in the Canadas, scarcely a day passed without my receiving some petition or representation relating to the crown lands department; and matters belonging to this branch of government necessarily occupied a far larger proportion than any other of my correspondence with the Secretary of State. The information which I now possess was chiefly obtained by means of a commission of inquiry, which, having regard to the probable advantages of an uniform system for the whole of British North America, and to the deep and universal interest taken in this subject by the colonists, I issued in your Majesty's name, and made applicable to all the provinces. Minutes of the evidence given before the commissioners are appended to the present report, together with a separate report, containing the outline of a plan for the future administration of this all-influential department of government. If that plan, or any other founded on similar principles, should be adopted by your Majesty and the imperial legislature, I do firmly believe that an impulse will be given to the prosperity of your Majesty's North American possessions surpassing what their most sanguine well wisher, if unacquainted with the facts, would be capable of imagining; and more calculated than any other reform whatever to attach the people of British North America to your Majesty's throne, and to cement and perpetuate an intimate connexion between the colonies and the mother country. I shall have to return to this point hereafter. I have mentioned it here for the purpose of inviting your Majesty's attention, and awakening that of your ministers and of Parliament to a theme which, however little it has hitherto interested the imperial government, is the object of constant and earnest discussion in the colonies.

In the United States, ever since the year 1796 the disposal of public land not already appropriated to particular states, has been strictly regulated by a law of Congress; not by different laws for the various parts of the country, but by one law for the whole of the public lands, and a law which we may judge to have been conducive to the prosperity of the people, both from its obvious good effects and from its almost unquestioned continuance for so many years, in the British North American colonies, with one partial exception, there never has been, until quite recently, any law upon the subject. The whole of the public lands have been deemed the property of the Crown, and the whole of the administration for disposing of them to individuals, with a view, to settlement, has been conducted by officers of the Crown, under instructions from the Treasury or the Colonial Department in England. The provincial assemblies, except quite recently in New Brunswick and Upper Canada, have never had any voice in this matter; nor is the popular control in those two cases much more than nominal. The imperial parliament has never interfered but once, when, leaving all other things untouched it enacted the unhappy system of "Clergy reserves." With these very slight exceptions, the Lords of the Treasury and Colonial Secretary of State for the time being have been the only legislators; and the provincial agents of the Colonial Secretary, responsible to him alone have been the sole executors.

The system of the United States appears to combine all the chief requisites of the greatest efficiency. It is uniform throughout the vast federation; it is unchangeable save by Congress, and has never been materially altered; it renders the acquisition of new land easy, and yet, by means of a price restricts appropriation to the actual wants of the settler; it is so simple as to be readily understood, it provides for accurate surveys and against needless delay; it gives an instant and secure title; and it admits of no favouritism, but distributes the public property among all classes and persons upon precisely equal terms. That system has promoted an amount of immigration and settlement of which the history of the world affords no other examples; and it has produced to the United States a revenue which has averaged about half a million sterling per annum, and has amounted in one twelvemonth to about four millions sterling, or more than the whole expenditure of the federal government.

In the North American colonies there never has been any system. Many different methods have been practised, and this not only in the different colonies, but in every colony at different times, and within the same colony at the same time. The greatest diversity and most frequent alteration would almost seem to have been the objects in view. In only one respect has there been uniformity. Every where the greatest profusion has taken place, so that in all the colonies, and nearly in every part of each colony, more, and very much more land, has been alienated by the government than the grantees had at the time, or now have the means of reclaiming from a state of wilderness; and yet in all the colonies until lately and in some of them still, it is either very difficult or next to impossible for a person of no influence to obtain any of the public land. More or less in all the colonies, and in some of them to an extent which would not be credited if the fact were not established by unquestionable testimony, the surveys have been inaccurate, and the boundaries, or even the situation of estates, are proportionably uncertain. Every where needless delays have harrassed & exasperated applicants; and everywhere, more or less, I am sorry but compelled to add, gross favouritism has prevailed in the disposal of public lands. I have mentioned but a part of the evils, grievances, and abuses of which your Majesty's subjects in the colonies justly complain, as having arisen from mal-administration in this department. Those evils remain wholly unremedied, most of those grievances are unredressed, and not a few of those abuses are unreformed at this hour. Their present existence has been forced on my conviction by indisputable evidence. If they had passed away, I should scarcely have alluded to them. If I had any hope of seeing them removed, otherwise than by means of giving them authentic publicity, I should have hesitated to speak of them as I have done. As it is, I should ill perform the duty which your Majesty was pleased to confide to me, if I failed to describe them in the plainest terms.

The results of long misgovernment in this department are such as might have been anticipated by any person understanding the subject. The administration of the public lands, instead of always yielding a revenue, cost for a long while more than it produced. But this is, I venture to think, a trifling consideration when compared with others.—There is one in particular which has occurred to every observant traveller in these regions, which is a constant theme of boast in the states bordering upon our colonies, and a subject of loud complaint within the colonies—I allude to the striking contrast which is presented between the American and the British sides of the frontier line, in respect to every sign of productive industry, increasing wealth, and progressive civilization.

By describing one side, and reversing the picture, the other would be also described. On the American side, all is activity and bustle. The forest has been widely cleared; every year numerous settlements are formed, and thousands of farms are created out of the waste; the country is intersected by common roads; canals and railroads are finished, or in the course of formation; the ways of communication and transport are crowded with people, and enlivened by numerous carriages & large steamboats. The observer is surprised at the number of harbours on the lakes, and the number of vessels they contain; while bridges, artificial landing places, and commodious wharves are formed in all directions as soon as required. Good houses, warehouses, mills, inns, villages, towns, and even great cities, are almost seen to spring up out of the desert. Every village has its school house and place of public worship. Every town has many of both with its township buildings, its book stores, and probably one or two banks and newspapers; and the cities, with their fine churches, their great hotels, their exchanges, court-houses, and municipal halls, of stone or marble, so new and fresh as to mark the recent existence of the forest where they now stand, would be admired in any part of the old world. On the British side of the line, with the exception of a few favoured spots, where some approach to American prosperity is apparent, all seems waste and desolate. There is but one railroad in all British America, and that running between the St. Lawrence and Lake Champlain, is only fifteen miles long. The ancient city of Montreal, which is naturally the commercial capital of the Canadas, will not bear the least comparison, in any respect, with Buffalo, which is a creation of yesterday. But it is not in the difference between the larger towns on the two sides that we shall find the best evidence of our own inferiority. That painful but undeniable truth is most manifest in the country districts through which the line of national separation passes for 1000 miles. There, on the side of both the Canadas, and also of New Brunswick and Nova Scotia, a widely scattered population, poor, and apparently unenterprising, though hardy and industrious, separated from each other by tracts of intervening forests, without towns and markets, almost without roads, living in mean houses, drawing little more than a rude subsistence from uncultivated land, and seemingly incapable of improving their condition, present the most instructive contrast to their enterprising and thriving neighbours on the American side.—I was assured that in the eastern townships of Lower Canada, bordering upon the line, it is a common practice for settlers when they wish to meet, to enter the state of Vermont, and make use of the roads there for the purpose of reaching their destination in the British province. Major Head, the assistant commissioner of Crown Lands' Inquiry, whom I sent to New Brunswick, states, that when travelling near the frontier line of that province and the state of Maine, now on one side and then on the other, he could tell on which side he was by the obvious superiority of the American settlements in every respect. Where the two countries are separated by the St. Lawrence and the lakes, this difference is less perceptible; but not less in fact, if I may believe the concurrent statements of numerous eye-witnesses, who had no motive for deceiving me. For further corroboration, I might refer, indeed, to numerous and uncontradicted publications; and there is one proof of this sort so remarkable, that I am induced to note it specially. A highly popular work, which is known to be from the pen of one of your Majesty's chief functionaries in Nova Scotia, abounds in assertions and illustrations of the backward and stagnant condition of that province, and the great superiority of neighbouring American settlements. Although the author, with a natural disinclination to question the excellence of government, attributes this mortifying circumstance entirely to the folly of the people, in neglecting their farms to occupy themselves with complaining of grievances and abuses, he leaves no doubt of the fact.

This view is confirmed by another fact equally indisputable. Throughout the frontier, from Amherstburgh to the ocean, the market value of land is much greater on the American than on the British side. In not a few parts of the frontier this difference amounts to as much as a thousand per cent, and in some cases even more. The average difference as between Upper Canada and the States of New York and Michigan, is notoriously several hundred per cent. Mr. Hastings Kerr, of Quebec, whose knowledge of the value of land in Lower Canada, is generally supposed to be more extensive and accurate than that of any other person, states that the price of wild land in Vermont and New Hampshire, close to the line, is five dollars per acre, and in the adjoining British townships only one dollar. On this side the line a very large extent of land is wholly unsaleable, even at such low prices; while on the other side property is continually changing hands. The price of two or three shillings per acre would purchase immense tracts in Lower Canada and New Brunswick. In the adjoining states it would be difficult to obtain a single lot for less than as many dollars. In and near Stanstead, a border township of Lower Canada, and one of the most improved, forty-eight thousand acres of land, of which Governor Sir R. S. Milnes made a grant to himself in 1810, was recently sold at the rate of two shillings

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