

EXPOSITION

OF THE CASE OF

LIEUT.-COL. BOUCHETTE,

SURVEYOR-GENERAL,

BEFORE THE HOUSE OF ASSEMBLY,

OF

LOWER-CANADA.

QUEBEC :

Printed by T. CARY & Co. Free-Masons' Hall, Buade Street.

1826.

EXPOSITION

DE L'AFFAIRE DU

LIEUT. COL. BOUCHETTE,

ARPENTEUR-GÉNÉRAL,

DEVANT LA

CHAMBRE D'ASSEMBLÉE,

DU

BAS-CANADA.

QUEBEC :

Imprimée par T. CARY & Co. Halle des Franc-Maçons, Rue Buade.

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PENDENT OPERA INTERRUPTA.—*VIRG.*

UPWARDS of twelve years have now elapsed since Colonel Bouchette's Maps and Topography of the Canadas first became the topic of conversation and discussion, and to this day, his claims on the Province, arising from the publication of his work, occupy the attention of the public, and remain undetermined, though recognized by the Colonial Legislature, or rather, I should say, by the House of Assembly. That a measure of such palpable and undeniable justice to the individual should have been suffered to linger in the Honorable House and its Committees for so long a series of years, is a natural cause of surprise, and awakens curiosity. I have, therefore, taken some trouble in referring to the Journals as far back as 1814, and have collected the material Legislative proceedings connected with this matter, to which I am induced to give publicity, in the full conviction that many of the Honorable Members, and the inhabitants of the Province generally, are not aware of the successive measures of the House of Assembly, from their origin, on Colonel Bouchette's application; the former having no doubt a variety of other objects to attend to, which they conceived of more general interest and im-

PPLUS de douze ans se sont écoulés depuis que les Cartes et la Topographie des Canadas par le Colonel Bouchette devinrent pour la première fois un sujet de conversation et de discussion—Et jusqu'à ce jour, ses réclamations sur la Province, occupent l'attention publique, et demeurent indéterminées bien que reconnues par la Législature Coloniale, ou pour mieux dire, la Chambre d'Assemblée. Qu'une mesure dont la justice envers l'individu est aussi évidente et irréfragable ait été soufferte à languir dans l'Honorable Chambre et ses Comités pendant une telle succession d'années, est une juste cause de surprise, et réveille une curiosité judiciaire. Je me suis donc occupé avec assez de soin de cette matière, et ai référé aux Journaux d'une date aussi reculée que 1814, afin de recueillir les principales procédures Législatives qui ont eu cette matière pour objet, que je suis porté à rendre publiques dans la pleine persuasion que plusieurs des Honorables Membres, et les Habitans de la Province généralement ignorent les démarches successives depuis leur origine, de la Chambre d'Assemblée, touchant l'application du Colonel Bouchette. Les premiers par ce qu'ils se trouvoient sans doute accablés d'une multitude

port ; the latter from not having free access to the Journals of the Honorable House. The motive, therefore—and I am sure it will be deemed a laudable one—is merely to exhibit, collectively, the petitions submitted and the resolves, &c. of the House, at its several sessions since 1814, on the subject of the publication of Bouchette's work ; convinced, at the same time, that from the evidence of these documents, the House will act up to the spirit of its judicious resolutions with despatch and unanimity, and not allow so much of their precious deliberative time to be engrossed, without any result, by a measure which all the friends and well-wishers of arts, science, and literature would rejoice to see liberally disposed of.

Previous to undertaking the publication of the Maps of Canada, the author petitioned the Legislature for aid and encouragement in the performance of the onerous task of publishing ; and, thereupon, in February, 1814, the Special Committee, to which the petition was referred, reported, recommending a grant of £1500, and subsequently the whole House resolved as follows :—(a)

(a) The extracts are given in one language only, reference to the Journals (where the proceedings are entered in French and English) being facilitated by the statement of dates.

d'affaires, qui leurs *parroisoient* peut être d'une importance et d'un intérêt plus général ; les derniers par ce qu'il n'ont pas un accès très libre ou facile aux Journaux de la Chambre. Le motif donc qui m'anime, et j'espère que l'on m'en saura bon gré, est de faire voir collectivement les Pétitions soumises, les Résolutions, &c. de la Chambre à ses diverses Sessions depuis 1814, au sujet de la publication de l'ouvrage Topographique de Mr. Bouchette, convaincu, que d'après le témoignage de ces documents la Chambre s'éveillera de sa léthargie et se portera promptement et unanimement à la confirmation de leurs sages Résolutions, et ne permettra point que le temps précieux qu'ils ont pour la délibération soit occupé sans résultat, par une mesure que tous les Amis des arts, de la science et de la littérature, se réjouiroient de voir généreusement déterminée.

Avant que d'entreprendre la publication des Cartes du Canada, l'Auteur sollicita l'aide et l'encouragement de la Législature dans l'accomplissement d'une tâche aussi onéreuse qu'est celle de publier, et là-dessus, en Février 1814, le Comité Spécial auquel avoit été référée la Pétition, fit rapport, recommandant un octroi de £1500, et subséquemment la Chambre en Comité Général, résolu comme suit :—(a)

(a) Les extraits ne sont donnés que dans une langue, en autant que la connoissance des dates facilite la référence aux Journaux où les procédures se trouvent en François et en Anglois.

“ HOUSE OF ASSEMBLY,
“ WEDNESDAY, 23d February, 1814.

“ In Committee of the whole House, on the report of the Special
“ Committee, to which was referred the petition of Joseph Bou-
“ chette, Esquire, Surveyor-General ;

“ Mr. DENECHAU called to the Chair,

“ 1st.—On motion of Mr. Taschereau, seconded by Mr. Lee,

“ **RESOLVED**—That it is the opinion of this Committee, that a sum
 “ of *Fifteen hundred pounds*, currency, be employed, under
 “ the direction of Commissioners, to encourage and aid
 “ Joseph Bouchette, Esquire, to publish the Topographical
 “ and Geographical Maps of the Province.”

We have here a beacon held out to the petitioner, who, satisfied with this pledge of the whole House to receive its support to the extent of £1500, crosses the Atlantic, proud of the patronage of his country's Legislature, and commences the publication of his work.

In March, 1815, whilst Colonel Bouchette was laboriously engaged in England, superintending the engraving of his Maps, the Provincial Legislature grant him an aid of £500 currency.

Upon his return to Canada, having wholly completed his publication, and that in a manner highly honorable to his country and creditable to himself, and for which he received the commendation of the British Society of Arts, and had the honor of being introduced as one of its Members, Colonel Bouchette finds himself exceedingly embarrassed, owing to the original intentions of the House of Assembly not having been carried into effect; and he naturally looks up to the Legislature for relief. He petitions the House circumstantially, and after stating that the work, as produced, exceeded the plan of the Prospectus, (which every one must admit,) he

L'on donne ici, un espoir flatteur au suppliant, qui satisfait de cette assurance de toute la Chambre, de recevoir son appui au montant de £1500, traverse l'Atlantique, fier du patronage distingué de la Législature de son pays, et se met en œuvre de publier son ouvrage.

En Mars, 1815, tandis que le Colonel Bouchette étoit laborieusement employé en Angleterre, surveillant la gravure de ses Cartes, la Législature Provinciale lui accorde une aide de £500 courant.

A son retour au Canada, ayant entièrement achevé sa publication, et d'une manière propre à ajouter à la gloire de son pays, et à former la réputation de l'Auteur qui en reçut les louanges et l'approbation de la Société Britannique des Arts ausinde laquelle il eut l'honneur d'être introduit comme Membre, le Colonel Bouchette, à son retour dis-je, se trouve extrêmement embarrassé de ce que les vues et intentions primitives de la Chambre, n'avoient pas été mises à effet, puis il s'adresse, comme il avoit toute raison de le faire à la Législature pour le retirer des difficultés où l'avoient plongées les procédés de la Chambre. Il lui soumet une Requête circonstanciée par laquelle après avoir observé, ce que personne ne sauroit contredire, que son ouvrage tel que produit au monde excédoit le plan de son Prospectus, il soumet respectueusement, &c.

“ respectfully submits to their consideration the extent and im-
 “ portance of the work, which is the fruit of many years labour
 “ and application, and which, from the very great expense attend-
 “ ing it, instead of yielding him profit, has involved him very con-
 “ siderably, and from which he sees no means of extricating him-
 “ self but through the liberality of Parliament.”

He then prays for the difference between the original vote of £1500 and the grant of £500, “ to enable him to surmount those difficulties in which the publication of his work had involved him.”

On the 4th of March, 1817, the Committee to which this petition was referred, reported as follows :—

Ensuite il demande la différence entre le premier vote de £1500, et l’octroi de £500, “ afin de le mettre “ à même de surmonter les difficul- “ tés dans lesquelles il se trouve “ engagé par la publication de ses “ Cartes et Topographie.”

Le 4 Mars 1817, le Comité auquel fut référé cette Requête, fit rapport à la Chambre, comme suit ;

“ Mr. Bouchette was examined, and informed your Committee
 “ that he caused to be engraved one thousand copies of the Maps
 “ of the Province ; that these Maps cost him, according to the
 “ Account hereunto annexed, marked A, which he produces,

£4290 15 11 (a)

“ That he has raised upon the sale of these Maps.....	£1388	17	9			
“ The £500 granted by the Provincial Parliament.....	500	0	0			
“ That admitting he may sell, (which remains yet to be done), for a further sum of	700	0	0	—	£2588	17 9
					<hr/>	<hr/>
					£1701	18 2

(a) Desirous of rendering his work as generally useful to his countrymen as possible, Col. B. published his Topography in both languages, and thereby considerably increased the expense of his publication. Zeal is seldom adequately rewarded.

(a) Désirant rendre son ouvrage aussi généralement utile à ses compatriotes que possible, le Col. B. publia sa Topographie dans les deux langues, et par ce moyen augmenta considérablement les frais de sa publication—mais le zèle se trouve rarement récompensé selon ses mérites.

“ The petitioner does not expect to raise more by the sale of his
 “ Maps : that assuming that he may sell for £700 more, he will
 “ remain in arrear £1701 18 2, whereby his credit would sus-
 “ tain great injury, and he would also be disabled from improving
 “ the Maps of the Province.

“ Your Committee observes that Mr. Bouchette executed these
 “ Maps under the patronage of the Provincial Legislature, and that
 “ he has thereupon sustained a loss of £1701 18 2, and is there-

“ fore of opinion *that it is just to reimburse him a part of his loss, and that it is even expedient so to do for the encouragement of the Arts and of the persons who may apply themselves thereto in this Province.*”

The measure recommended by this Report, which is obviously dictated by a generous public spirit and feeling honorable to the Members of the Committee, was not proceeded upon by reason of the prorogation that ensued shortly after.

At the ensuing Session, the author of the Maps of Canada appears again before the Provincial Parliament as an humble petitioner. He alleges that the sequestration of his work, after its publication for the security of the debts contracted in its production, had checked its sale, and that he had in consequence suffered a loss exceeding £2000 instead of £1701 18 2. He goes on to state that he is encouraged to bring forth his claims again,

La démarche recommandée par ce Rapport, qui paroît évidemment dictée par un généreux esprit public et des sentimens fort honorables aux Membres du Comité, ne subit aucune procédure ultérieure, en conséquence de la prorogation qui suivit peu après.

Pendant la Session suivante, l'Auteur des Cartes du Canada paroît de nouveau devant le Parlement Provincial comme un très-humble suppliant. Il allègue que la séquestration de son ouvrage après sa publication, comme nantissement pour les dettes contractées en la produisant, en avoit interrompu le débit, et qu'il avoit par ce fâcheux événement, souffert une perte excédant £2000, au lieu de £1701 18 2. Il continue en assurant la Chambre qu'il est encouragé à renouveler ses instances et réclamations,

“ under the sanction of the favorable testimonials contained in the proceedings of the Honorable House in this behalf, and he ventures to add, by the patriotism by which he has been guided, and the disinterestedness with which he has undertaken and completed a work that can but lead to give to his Sovereign, his fellow citizens and to the whole world, some more accurate information on, and of course enable them to appreciate more adequately the physical and moral resources of this part of the British Dominions, as well as the loyal and patriotic devotion of its inhabitants. Such was the principal end of 14 years incessant labours, happy if he has attained the whole or even a part of that end; but his happiness would have reached its height if it had only cost his labour and time, and if his fortune had allowed him to attain it without his being reduced to the necessity of soliciting public assistance; it is therefore the most imperious necessity that alone can induce him to come again forward before the House as a petitioner.”

This petition, which must be al-

Cette Pétition qui contient sans

B

lowed to contain strong and equitable claims on the House of Assembly, was referred to a Special Committee, which, on the 16th January, 1818, reported to the House, substantially to the same effect as the Committee to which the same matter had been referred during the preceding Session, with this additional clause :—

“ That these Maps have been seized by the persons who assisted him in the publication : the pecuniary means of the petitioner being inadequate to the advances necessary to the undertaking, he relied much on the liberality of the Legislature, the House having in a Committee of the whole, so early as the 24th February, 1814, resolved that he should be aided with the sum of £1500, to encourage the publication ; ”

And after reporting their examination of John McNider, Esq. whose evidence was strongly corroborative of the facts uttered in the petition, the Committee concluded by stating it to be their opinion, that it were just to reimburse the losses suffered by Mr. Bouchette, to the amount of one thousand pounds.

On the 25th March, the House went into a Committee, to consider this report ; but several Members having retired, the House was adjourned for want of a Quorum.

On the 27th the House again resolved itself into a Committee, but Mr. Viger having shortly after put in a motion for adjournment, the measure was lost for that Session.

Two successive failures, from such causes, to bring the subject under the consideration of the House, might give rise to animadversion ; but let us proceed to facts.

The following Session, Colonel Bouchette once more petitioned the House, to the same purport and with the same views he had previously

contredit, d'équitables et fortes réclamations sur la Chambre d'Assemblée, fut référée à un Comité Spécial, qui fit rapport à la Chambre le 16 Janvier 1818, substantiellement au même effet que le Comité auquel la même matière avoit été soumise l'année précédente, avec cette clause en outre :—

Et après avoir rapporté l'examen de John Macnider, Ecu. dont le témoignage se trouve fortement corroboratif des faits articulés par la Requête, le Comité conclut en arrêtant comme son opinion, qu'il seroit juste de rembourser les pertes souffertes par Mr. Bouchette, au montant de £1000.

Le 25 Mars, la Chambre se résolut en Comité, pour considérer ce Rapport, mais plusieurs Membres s'étant retirés, la Chambre fut ajournée faute d'un Quorum.

Le 27 Mars, la Chambre de nouveau, se résolut en Comité, mais Mr. Viger, peu après, ayant posé une motion d'ajournement, la mesure faillit pour cette Session.

Deux événemens successifs de cette nature qui empêchèrent la considération du sujet par la Chambre, pourroient bien être exposés à quelque animadversion. Mais procédons aux faits.

La Session suivante, le Colonel Bouchette présente nouvelle Pétition à la Chambre, au même effet, et dans les mêmes vues qu'il avoit précédem-

done, with the addition of a tender to the Province, of the copper Plates of his Maps. ment fait, avec ce surcroît qu'il fait une offre à la Province, des Planches de ses Cartes.

The Special Committee to which the latter petition was referred, on the 15th March, 1819, reported as follows : Le Comité Spécial auquel cette dernière Pétition fut référée, fit son rapport le 15 Mars 1819, en les termes suivant :

“ Your Committee have attentively examined the allegations of the said petition and find them generally supported by the evidence on the Journals of the House, and the examination of witnesses, reported by Special Committees on the 4th March, 1817 and 16th January, 1818.

“ Your Committee is of opinion that *although the resolution of the Committee of the whole House of the 23d February, 1814, was not acted upon during that Session, which terminated on the 17th March following ; yet the said resolution may have induced Mr. Bouchette to expect assistance from the Legislature to that amount, for the publication of his Maps, and contributed to his proceeding personally to England in the ensuing summer, for the purpose of superintending a work honored with such distinguished patronage.*

“ Notwithstanding the grant of £500, which was made to Mr. Bouchette, during the ensuing Session of the Assembly—Your Committee finds, by the aforementioned evidence, *that he has actually been a loser* by the publication of his Maps and Topographical account of Canada.—Your Committee, however, will not take upon itself to pronounce that any further pecuniary compensation ought to be made to Mr. Bouchette, out of the public money ; it is however of opinion, that it would be an act of justice to that gentleman, now that a work which the Legislature has unequivocally patronized, is completed, should that work be found worthy of such patronage, to afford the author some public mark of approbation.

“ Mr. Bouchette has submitted to your Committee, original documents of which the papers annexed, letter A, 1 to 6 inclusive, are true copies. These documents, in the opinion of your Committee, shew, that his Maps and Topographical account of Canada have been judged favorably of, by some of the most distinguished and most competent authorities in Great Britain, and in this point of view, they must have contributed *to establish abroad a favorable opinion of the talents of the natives of Canada*, while they also disseminated in the mother country, additional information on the *resources and importance* of the Colony.

“ Your Committee is of opinion, considering the premises, the
 “ situation of Mr. Bouchette as Surveyor General, and the pro-
 “ hable advantages which must result to the Crown as well as to
 “ this Province, from the attention which Mr. Bouchette’s work
 “ will naturally draw to the vast extent of waste lands therein,
 “ that it would be expedient to address His Grace the Govern-
 “ in-Chief, praying that he would be pleased to recommend Mr.
 “ Bouchette for a grant of the Waste Lands of the Crown.”

It is foreign to the object of this paper, to comment at length any of the proceedings of the House of Assembly, upon the matter in question; but I cannot refrain noticing *in transitu*, this first effort to transfer, from the House of Assembly to the Crown, the *onus* of remunerating and indemnifying the Author of the Maps of Canada for his losses. I feel intimately convinced, however, that the friends of that Gentleman on the Committee resorted to this measure, of commuting the proposed indemnity from £ s. d. to acres, from a conviction that it would, as it really was readily acceded to by the House;—for, on the 17th April, 1819, in a Committee of the whole House, it was

Il est étranger au but de ce papier, de commenter au long aucuns des procédés de la Chambre d’Assemblée sur la matière en question, mais je ne puis m’empêcher de remarquer *in transitu* ce premier effort, pour transférer de la Chambre à la Couronne l’*onus* de rémunérer et indemnifier l’Auteur des Cartes du Canada pour ses pertes. Je suis néanmoins intimement convaincu, que les amis de ce Monsieur qui ce trouvoient du Comité, eurent recours à cette démarche de changer l’indemnité proposée du poids de l’or, à la mesure superficielle d’après une conviction, qu’elle seroit, comme elle le fut en vérité aisément accueillie par la Chambre, car le 17 Avril 1819, en Comité de toute la Chambre, il fut résolu ;

“ Resolved, That an humble Address be presented to His Grace
 “ the Governor-in-Chief, representing the *importance* of the Geo-
 “ graphical and Topographical Maps of Joseph Bouchette, Es-
 “ quire, Surveyor General, and the *losses* he has sustained in
 “ publishing them, representing also the *importance of those Maps*,
 “ *both to His Majesty’s Government and to the Province at large*,
 “ and praying His Grace would be pleased to take the whole into
 “ consideration, and would also be pleased to *indemnify* him for
 “ his *services and losses*, by such grant of the Lands of the Crown,
 “ as His Grace in his wisdom may think fit ;”

in which resolution the House *unanimously concurred*, but owing to the unfortunate and lamented death of the Duke of Richmond, the Address was not acted upon.

Two years after, His Excellency the Earl of Dalhousie sent down to the House the following Message :—

en laquelle Résolution la Chambre concourut unanimement; mais la mort pénible et inattendue de sa Grâce le Duc de Richmond fit laisser l’Adresse long-tems sur le carreau.

Deux ans après, Son Excellence le Comte Dalhousie, soumit à la Chambre le Message suivant.

“ Dalhousie, Governor,
 “ The Governor-in-Chief calls the attention of the House of
 “ Assembly to the importance of the Geographical and Topogra-
 “ phical Maps, made by Joseph Bouchette, Esq. Surveyor General,
 “ who states to have sustained a considerable loss in publishing
 “ them.
 “ The Governor-in-Chief is of opinion, Mr. Bouchette’s claim
 “ to remuneration is *just* and *reasonable*, but does not approve of
 “ the mode of remunerating him by a grant of land as was pro-
 “ posed by the Address of the Assembly of the 17th April, 1819.
 “ The Governor-in-Chief therefore trusts the *House of Assembly*
 “ *will enable him to meet that claim.*”
 “ Castle of St. Lewis,” }
 “ Quebec, 28th Feb. 1821. } D.
 G.

On the 7th March, the Special
 Committee, to which was referred
 the foregoing Message, reported as
 follows :—

“ Your Committee, after full consideration of the matters re-
 “ ferred, are of opinion on the former, that Joseph Bouchette,
 “ Esq. Surveyor General, hath made and published Geographi-
 “ cal Maps of the Province, which are of *important utility* to His
 “ Majesty’s Government and to the Province, and that in the
 “ publication of those Maps, he hath *incurred and sustained con-*
 “ *siderable losses*, and taking into consideration the recommenda-
 “ tion made by the House of Assembly of this Province, to His
 “ Grace the Duke of Richmond, Governor-in-Chief, in 1819, and
 “ the sentiments expressed at the time by the House, relative to
 “ the services and losses of the said Joseph Bouchette. Your
 “ Committee are of opinion, that *there ought to be granted unto*
 “ *him a sum of £1000*, as well to indemnify him for the losses
 “ he hath sustained by the publication of his Maps, as to encou-
 “ rage talent and useful undertaking in this Province.”

It does not appear by the Journals
 that the House ever took this Re-
 port into consideration during that
 Session.

On the 7th Feb. 1822, the con-
 sideration of the Report on the Go-
 vernor-in-Chief’s Message was mov-
 ed, and the House accordingly re-
 solved itself into a Committee,—but
 “ *several members having retired*,
 the names of those present were

Le 7 Mars, le Comité Spécial au-
 quel avoit été référé le susdit Mes-
 sage, fit rapport comme suit .

Il ne paroît pas par les Journaux,
 que la Chambre se soit occupée de
 la considération de ce rapport pen-
 dant cette Session.

Le 7 Février 1822, la considéra-
 tion du Rapport sur le Message du
 Gouverneur en Chef, fut agitée, et
 la Chambre, à cet effet, se résolut en
 Comité, mais, *plusieurs Membres*
s’étant retirés, l’on prit les noms de
 ceux présents, “ *et à 8 heures et $\frac{1}{2}$*

taken down,"—"and at half-past 8 o'clock at night Mr. Speaker adjourned the House *for want of a quorum.*"

On the 9th Feb., two days afterwards, the order of the day for the General Committee of the House being read, "On motion of Mr. Ls. Lagueux, the order of the day was postponed," and the House, at 7 o'clock at night, was again "adjourned *for want of a quorum.*"

In the ensuing Session, on the 28th Feb., the consideration of the Governor-in-Chief's Message was revived, and the Report thereon referred to a Committee of the whole House on the following Monday. The order of the day was suffered to lapse, and, in consequence, on the 18th March, Mr. Stuart, seconded by Mr. Oldham, moved its revival—but—" *A member having retired,*" "at 8 o'clock at night Mr. Speaker adjourned the House *for want of a quorum!*"

Session after Session the consideration of Colonel Bouchette's well-grounded claims on the House having been in this manner shuffled off, his credit suffered, his difficulties daily increased, and he found himself urged to tender his plates more formally to the Province, and would, I believe, have been satisfied with a moderate compensation for them, owing to the awkward dilemma in which he was placed by this aggravating disappointment.

On the 24th Feb. 1824, His Excellency the Governor-in-Chief, who certainly seems to have been prompted to this step and the former by a

du soir, Mr. l'Orateur ajourna la Chambre faute d'un Quorum."

Le 9 Février, deux jours après l'ordre du jour pour le comité général ayant été lu, "sur motion de Mr. Lagueux, l'ordre du jour fut remis," et la Chambre à 7 heures du soir, fut encore ajournée, "*faute d'un Quorum.*"

Dans la Session prochaine le 28 Février, la considération du Message du Gouverneur en Chef fut renouvelée, et le Rapport sur le Message, référé à un Comité de toute la Chambre le lundi suivant; l'on souffrit que l'ordre du jour se passa, et en conséquence le 18 Mars, Mr. Stuart, secondé par Mr. Oldham, fit une motion pour le rétablir; mais, "*un Membre s'étant retiré*" "à 8 heures du soir, Mr. l'Orateur ajourna la Chambre *faute d'un Quorum.*"!

Les délibérations touchant les justes droits et prétentions du Colonel Bouchette sur la Chambre, ayant été ainsi continuellement remises et éloignées de Session en Session, son crédit souffroit dans l'interval, et ses difficultés croissoient journellement; enfin il se trouva pressé par les évènements, à proposer au Gouvernement, plus formellement, qu'il ne l'avoit fait, l'achat de ses Planches Géographiques et Topographiques, pour lesquelles j'ai toute raison de croire, il se seroit satisfait d'une assez modique compensation, vu le facheux dilemme où il se trouvoit placé par un contretemps aussi aggravant et inattendu.

Le 24 Février 1824, Son Excellence le Gouverneur en Chef, qui par ces démarches me paroît avoir été animé d'un louable désir de reconnoître et

generous desire of acknowledging and rewarding the merits of that Gentleman, sent down to the House the following Message and Letter :—

“ The Gouvernor-in-Chief lays before the Assembly, an offer from the Surveyor General of the Province, to the Government, of the Plates of his Maps of Canada : and he recommends the same to the favorable consideration of the Assembly.”

The Letter mentioned in the above Message is as followeth :—

“ Quebec, 5th Feb. 1824.

“ Sir—The peculiar circumstances in which I am at present placed, with respect to my publication of the Maps of Canada, published under the immediate patronage of His Majesty’s Government, and the Legislature of this Province, have urged me to a determination of disposing of the Plates thereof.

“ At the same time I conceive it my duty to make a tender of them to the Government of this Province.

“ Permit me therefore to request of you, to submit for His Excellency the Governor-in-Chief’s most gracious consideration, this my respectful tender of the Plates of the Maps of Canada, upon such estimation as may be deemed reasonable.

“ I have the honor to be,

“ Sir,

“ Your most obedient

“ Humble servant,

(Signed) “ JOSEPH BOUCHETTE, S. G.”

On the 5th March, 1824, the Committee on the Settlement of the Crown Lands, to which this Message and Tender were referred, as in some measure connected with the subject already before it, caused to be laid before them the Map as improved by Lieut.-Col. Bouchette, and the original documents referred to in his examination, and then proceeded to report as follows :—

“ Your Committee satisfied, that the improvements already made, and those contemplated by Lt. Col. Bouchette, would be of great utility, deliberated upon his proposal to assign over to the Province the original Plates, as well of his large Map of Lower-Canada, as of his general Maps of Lower and Upper-Canada, and the neighbouring Countries, for the price which the same cost him, and to complete in the course of the next

Le 5 Mars 1824, le Comité nommé pour s’enquérir de l’établissement des terres de la Couronne, et auquel avoit été référés le Message et l’offre susdits, comme ayant quelque relation au sujet dont il s’occupoit déjà, se fit soumettre la Carte améliorée par le Colonel Bouchette, ainsi que les documens originaux dont fait mention son examen, puis il poursuivit le Rapport en ces termes :

“ six months, his improved large Map of Lower-Canada, receiving
 “ as a remuneration for his labour and trouble, a sum, making
 “ with the before mentioned cost of the said Plates, the sum of
 “ £1500—or that he would be willing to assign over to the Pro-
 “ vince, the said improved Map, engaging to complete the same
 “ as before, upon receiving the said cost of the Plates, and as a
 “ remuneration for his said trouble, one half of the impression
 “ free from the expense of the Engraving, Printing and Stationery.”

The Committee recommended the adoption of neither of these alternatives, as attended with inconvenience in the execution, and by their desire, another project was submitted, by which Col. Bouchette undertook to republish his Topographical Map, and furnish each branch of the Legislature with two copies thereof, upon his receiving £450 Sterling, as a remuneration for his labour and research in the improvement of this part of his work, and an equal sum to meet the expenses of publishing the same.

Upon this latter proposition the Committee is silent, and proceeds to report on the chief object of its nomination, and—with the lecture of the Report this branch of its subject-matter dropped for that Session.

This long-winded procrastination strengthened Col. Bouchette's claims in the same ratio that it diminished his prospects of an eventual success. He took, I believe, occasional opportunities of intimating his fears to several of the Members of the House, one of whom, apparently roused to a proper sense of the irresistible force and justice of his claims upon the Assembly, on the 10th March, 1825, *suo motu*, moved the lecture of entries on the Journals of the House of the 15th March, 1819, and 24th Feb. 1824, and on this occasion some de-

Le Comité ne recommande aucune des alternatives proposées, comme étant toutes deux sujettes à plusieurs inconvénients dans leur exécution, et à sa réquisition, un autre projet lui fut soumis, par lequel le Colonel Bouchette entreprenoit de perfectionner, et publier de nouveau, sa Carte Topographique, donnant à chacune des Branches de la Législature, deux copies de la Carte, le tout moyennant la recette de £450 Sterling, comme une rémunération pour ses travaux et recherches dans l'amélioration de son ouvrage, et une semblable somme pour défrayer les dépenses d'une telle publication.

Le Comité passe cette dernière proposition sous silence, et continue de faire rapport sur l'objet principal de sa nomination, puis avec la lecture de cette Branche du Rapport, la question incidente disparut pour cette Session.

Ces délais interminables affermissent les droits du Colonel Bouchette, dans le même degré qu'ils affoiblissoient ses espérances d'un succès éventuel. Je crois, qu'il eut plusieurs fois occasion de communiquer ses craintes à quelques uns des Membres de la Chambre, un desquels frappé de la force irrésistible, et de la justice de ses prétentions, le 10 Mars 1825, *suo motu*, soumit à la Chambre une motion proposant la lecture des entrées sur les Journaux du 15 Mars 1819, et 24 Février 1824, qui donna lieu à quelques dé-

bate took place, which it is painful to recollect and unnecessary to recall. After obtaining a reference of the Message and Report, read from the Journals to a Committee of the whole House, this evanescent measure was again made mysteriously to elude a final investigation and decision.

Here the matter rests, no steps having been subsequently taken to bring it again under the consideration of the Assembly.

The facts to be collected and inference to be drawn from the resolve of the whole House on the 23d Feb. 1814; the Reports of the Special Committee, in constant unison with the spirit thereof; the Address of the House to the late Duke of Richmond; the Governor in Chief's Message; and the ulterior proceedings adopted thereon, must be obvious to every person who will take the trouble to peruse them; and it would, indeed, be an offensive reproach to the justice and liberality of such of the Representatives of the people of this Province, as have hitherto treated this subject with neglect & indifference, or something worse, to suppose, for one instant, that had they been fully conversant with the steps successively taken by the Honourable House relative to this matter, they would not zealously and promptly have come forward to support the spotless honour and dignity of the House, by seeing that its engagements be sacredly and scrupulously kept.

Since the period of passing the first resolution three or four different Parliaments have been called together, and although each succeeded to the obligations of the other, yet

bats dont il est pénible de se resouvenir, et qu'il est nullement nécessaire de rappeler. Ayant obtenu une référence des Message et Rapport lus des Journaux, à un Comité de toute la Chambre, cette mesure *magique* éluda mystérieusement de nouveau une investigation et décision finales.

En cet état reste cette matière, n'y ayant été prise aucune démarche subséquente pour la soumettre de nouveau à la Chambre d'Assemblée.

Les faits à recueillir, et les conséquences qui peuvent être déduites de la Résolution de toute la Chambre le 23 Février 1814, les Rapports des Comités Spéciaux, constamment d'accord avec son esprit, l'Adresse de la Chambre au feu Duc de Richmond, les messages du Gouverneur en Chef, et les procédures ultérieures adoptées à leur égard, doivent être évidents à tous ceux qui voudront bien prendre le trouble de les parcourir; et ce seroit en vérité, un reproche injurieux à la Justice, et la libéralité des sentimens de ceux des Représentants du peuple de la Province, qui jusqu'à présent, ont envisagé cet objet avec mépris, indifférence, ou quelque chose de pis, que de croire pour un instant, que s'ils eussent possédé une entière connaissance des procédés successivement adoptés par la Chambre relatifs à cette matière, ils ne se seraient pas prêtés avec zèle et promptitude, à supporter l'honneur intact et la dignité de l'Assemblée en veillant à ce que ses engagements solennels soient observés d'une manière scrupuleuse et sacrée.

Depuis l'époque de la passation de la première Résolution, 3 ou 4 différens Parlemens ont été convoqués, et quoique l'un succéda aux obligations de l'autre, néanmoins des

private questions, *however intimately connected with public justice*, must necessarily have suffered from the changes; and by such reasons, might probably be explained the peculiar situation of this case. I have, therefore, in order to obviate the difficulties presenting themselves from such a cause, thus thrown the proceedings *en masse*, more than ever convinced, from the evidence of the whole, that the Assembly will, upon further consideration, make ample amends for long delays, and not give genius in its birth "a knock on the head," and banish it from the Colony to climes where it is *fostered* and *encouraged*; but that on the contrary the Assembly of Lower-Canada, will stamp with their *effectual* countenance and support, and in conjunction with the world at large their approbation, a work of acknowledged elegance, utility and importance, and which every Canadian must feel proud of, as springing from his native soil.

EQUITAS.

QUEBEC, 1st Dec. 1826.

questions d'intérêt particulier, *quoiqu'intimement liées à la Justice publique*, doivent nécessairement avoir souffert par de si fréquens changemens, et l'on pourroit peut-être d'après de telles raisons, expliquer l'état singulier où se trouve placée cette affaire. J'ai donc, afin de remédier aux difficultés qu'offrent de tels événemens, amassé en cette forme les procédures, plus que jamais convaincu de l'évidence du tout ensemble, qu'après une considération ultérieure, l'Assemblée fera d'amples dédommagemens, pour ses facheuses longueurs, et ne frappera pas le génie et les talens dès leur naissance d'un coup funeste qui pourroit bien les bannir de la Colonie, et les contraindre à rechercher un Ciel qui leur seroit plus prospère, mais que tout au contraire la Chambre représentative du Bas-Canada, confirmera par un *appui efficace*, l'approbation qu'elle a témoigné conjointement avec le monde entier d'un ouvrage, d'une élégance, d'une utilité et d'une importance reconnues, et dont tout Canadien doit être orgueilleux comme originant de son sol.

EQUITAS.

QUEBEC, 1er Décembre, 1826;

