

HOUSE OF ASSEMBLY.

TUESDAY, Feb. 23.
The house met at 3 o'clock.

On motion of the hon ATTORNEY GENERAL, the house resolved itself into committee of the whole on the further consideration of the Confederation of the British North American Colonies, Mr Knight in the chair.

Dr. WINTER.—That was a subject of the deepest importance to the country, and to which every hon. member should devote his greatest attention, and consider in all its bearings. He fully concurred in the testimony borne by the hon Attorney General to the manner in which the Delegates had discharged their duty at the Conference at Quebec. They did credit to themselves and the colony they represented, as well as to the government by whom they were appointed; and the part they took in the deliberations of the conference secured them the respect of the delegates from the other provinces. With regard to the Report of the conference, there was much difference of opinion respecting its details. He (Dr Winter) would not enter into a review of the arguments of hon members who had spoken in opposition to the report, many of whom were entitled to consideration. The hon member for Placentia, Mr Shea, assured the House that steam communication would be provided for us; but he (Dr Winter) would like to have a guarantee for it before entering into the confederation; both for a second postal steamer, as for steamers to Canada, and steam communication with Great Britain. That was a matter which was too important to be left for future arrangement. With respect to our representation in the Federal House of Commons, he must say that he did not see that our interests were sufficiently protected. We were to have only 8 members in the House of 189, Prince Edward Island, seeming to be decidedly hostile to Confederation, might be left out. The representation was to be adjusted every ten years, according to the census, population being taken as the basis. The other Provinces, especially Upper Canada, increased much more rapidly in population than we did, so that we would lose members, while Upper Canada got an increase every ten years. Taking Lower Canada, under Confederation, as one of the maritime provinces, as that province is interested in the fisheries, he still found that, according to the ratio of increase between 1851 and 1861, Upper Canada would, at no very distant period, have a larger population, and consequently a larger number of members than all the maritime colonies reckoned together. He looked upon Lower Canada as being a maritime Province; but still that was not sufficient to maintain the balance of power against the increasing numbers of Upper Canada. That province increased every ten years at the rate of 40 per cent., while the ratio for Lower Canada was under 26 per cent, for the same period. Now Lower Canada was always to have 65 members, and as the Upper Province progressed at the rate of 15 per cent for every ten years, over the Lower, it would receive an accession of members every ten years. When he came down to Newfoundland, he found that by reference to the increase of our population between the census of 1845 and that of 1857, the increase, reduced to a period of ten years, was slightly under 20 per cent. Taking the relative population of the several colonies as at the census of 1861, and looking at Lower Canada as having fisheries and other interests identical with Newfoundland and the other maritime colonies, he at first considered that the combined influence of these colonies would be sufficient to protect them in the Federal Parliament; but looking to the future, he apprehended that would not be the case. The arrangement, so far as related to the representation given to Upper and Lower Canada, appeared just, but its application to the maritime colonies would have the effect of lessening their numerical as well as their relative representation, to such an extent, that in a short period, the majority of 25 over Upper Canada, given to Lower Canada and the Maritime Provinces, exclusive of Prince Edward Island, on entering the union, will soon become, "small and beautifully less," and in 36 years hence, Upper Canada will have a majority of 20 over all the other Provinces of the Confederation combined. This would be seen on reference to the tabular statement which he held in his hand, and which he would read to the house. (Here the hon member read the subjoined tabular statement.) That statement was based upon the census returns of the several Provinces, for 1851 and 1861, the latter of which was taken by the Conference as the basis on which they apportioned the representation of the several Provinces, the average population for each representative being about 17,000. In 1871, the average for all the Provinces, taking Lower Canada, with 65 members, as the basis, will be 21,495 for each member. In 1871, the total number of members will be 196, Upper Canada gaining 9 members and Nova Scotia and Newfoundland losing 1 member each; the total population being 4,226,949, five per cent, on which is 211,347, which divided by 196, the number of members, will give 1078 as the five per cent, to each member. Newfoundland, to hold her 8 members, will require 8 times 21,495, the basis of increase with 65 members for Lower Canada, or a population of 171,960; but as the population of Newfoundland will be only 154,227, which divided by 8, gives only 19,278, or a decrease of 2,217 for each member—whole decrease 17,733,—which being more than 10 per cent., or over double 1,078, "relatively to the population of the whole union;" consequently, by the operation of the 21st Resolution of the Conference, Newfoundland will lose one member, and Nova Scotia one, without taking into account the gradual loss of influence, arising from the rapid increase of the Upper Canadian section of the union. He (Dr Winter) was induced to go so much into detail, as there existed a difference of opinion as to the construction of the 21st resolution, more from a desire to elicit the logical opinions of hon members, than with the wish or intention of pronouncing dogmatically on the point. However, in the multitude of counsel which surrounded him, it was not too much to expect that he would be more correctly advised, and that if his views were not tacitly assented to, they would be "let down" gently by those hon gentlemen who differed from him. By referring to the tabular statement, it would be seen that Upper Canada enters the confederation with 82 members, Lower Canada and the Maritime Provinces (not including Prince Edward Island) with a representation of 107, being a majority of 25 members over Upper Canada—total 189 members. In 36 years from this time the additional increase of population in Upper Canada will be 3,921,477, which will give her 42 additional members, in all 124; being a majority of 20 over Lower Canada and the other maritime provinces whose increased population of 2,635,362 will have 3 members fewer than the number allowed to them (107) when they enter the Confederation, or, in other words, 4,567,644 in 36 years hence, will have 104 members, whilst in 1861 when their whole population amounted to only 1,822,384 they were a little over, on entering the Confederation, 107 members, thereby giving Upper Canada a majority of 23 over Lower Canada and the other Maritime Provinces. Surely if Upper Canada's increase of 3,921,477 gives her 42 additional members, or 1 to 93,361 the increase of Lower Canada and the other maritime provinces, (not including Prince Edward

Island,) of 2,635,362, ought to receive 28 members at the same rate of 1 member to 93,361, making a total of 124 for Upper Canada, and 135 for Lower Canada and the maritime provinces being 259 in all, 36 years hence. Even this would reduce the majority of Lower Canada and the maritime provinces from 25 to 11, and be a gain to Upper Canada of 14. With regard to the observations of some hon members, that Canada had to apprehend the hostility of the United States, and that thus we would be involved in a large expenditure, which we might avoid by keeping out of the Confederation, and that our young men would be drafted to defend the frontier of Canada, he did not attach any importance to that matter. If there should be a war with the United States, of which he (Dr Winter) was not apprehensive, it would be a war between England and the United States, in which we, as a Colony of England would, in any case, be involved. Confederation or no Confederation, it was our duty, as well as our interest, to aid in protecting ourselves. He (Dr Winter) felt convinced that the House would not adopt the Quebec resolutions in their present shape; but he had no doubt they would be so modified as to meet the views of the Provinces generally. He had, therefore, much pleasure in supporting the resolution before the chair, that the matter be referred to the constituencies before any decision shall be had in the matter.

Tabular Statement of the population of British North America, (P. E. Island not included) with the rule of increase, and apportionment of members by the Quebec Conference, with the future re-adjustment of the representation, on the basis of 65 members for Lower Canada.

Ratio of increase in ten years, according to the last and preceding census.

Upper Canada.....	39	7-10 per cent.
Lower Canada.....	25	8-10 "
New Brunswick.....	30	"
Nova Scotia.....	20	"
Newfoundland.....	19	8-10 "

Population.	To each member.	No. of members.
Lower Canada, 1,119,644.....	17,086.....	65
Upper Canada, 1,396,091.....	17,025.....	82
Nova Scotia, 330,837.....	17,413.....	19
New Brunswick, 322,047.....	16,669.....	15
Newfoundland, 128,736.....	16,092.....	8
3,218,375		189

Population.	To each member.	No. of members.
Lower Canada, 1,397,139.....	21,495.....	65
Upper Canada, 1,930,399.....	" gain 9-91	"
New Brunswick, 324,165.....	" loss 1-18	"
Nova Scotia, 397,021.....	" " 1-7	"
Newfoundland, 194,227.....	" " 1-7	"
4,226,949		196

Population.	To each member.	No. of members.
Lower Canada, 1,757,664.....	27,041.....	69
Upper Canada, 2,724,798.....	" gain 10-101	"
New Brunswick, 427,271.....	" loss 1-16	"
Nova Scotia, 476,433.....	" loss 1-17	"
Newfoundland, 184,764.....	" " 1-7	"
5,370,811		208

Population.	To each member.	No. of members.
Lower Canada, 2,211,141.....	42,793.....	65
Upper Canada, 3,836,419.....	" gain 11-112	"
New Brunswick, 536,303.....	" " 1-16	"
Nova Scotia, 581,720.....	" " 1-17	"
Newfoundland, 221,351.....	" " 1-7	"
7,366,964		271

Population.	To each member.	No. of members.
Lower Canada, 2,781,615.....	42,791.....	65
Upper Canada, 5,317,508.....	" gain 12-124	"
New Brunswick, 724,309.....	" " 1-17	"
Nova Scotia, 683,655.....	" loss 1-16	"
Newfoundland, 265,657.....	" " 1-16	"
9,775,214		223

Increase for Upper Canada, 8,921,449, average 93,361—42 members.	
Increase for Lower Canada and Maritime Provinces, 2,635,362, average 93,361—no members.	
The above ratio of increase would give 28 members.	
Loss of Representation by the Maritime Provinces, at the same average increase by which Upper Canada would gain 42 members.	
Due Lower Canada and Maritime Provinces.....	28
No. given by Conference.....	107
	135
Representation - Upper Canada.....	124
Total.....	259
Difference.....	11

The Newfoundlander.

ST. JOHN'S:

MONDAY, APRIL 10, 1865.

The Legislative Session was closed by prorogation on Friday last, when His Excellency the Governor, accompanied by his suite, came down to the Council Chamber, and having given his assent to the Bills passed during the session, addressed the members of both branches in the following Speech:—

Mr. President and Honorable Gentlemen of the Council:

Mr. Speaker and Gentlemen of the Honorable House of Assembly:

The period has arrived at which I may with propriety relieve you from further Legislative occupation, and enable you to return to your personal duties and business, which in their diligent fulfillment are not less important than your Sessional labors to the general welfare of the community of which you are members.

I have been acquainted with the Resolution passed by the Honorable House of Assembly on the subject of the proposed Confederation of the British North American Colonies, to the effect that for the reasons set forth the House deems it desirable to submit the question to the consideration of the people before the decision of the Legislature is taken upon it; and that for this purpose final determination upon this important subject should be deferred until the next meeting of the Legislative bodies.

Under other circumstances I might perhaps have viewed with regret any delay in dealing with a subject on which Her Majesty's Imperial Government have exhibited so warm and generous an interest. But, as it is almost certain that some of the other Colonies concerned in the proposed arrangement will not during the Session of the present year declare any definite judgment on that arrangement, and its im-

mediate success when put into operation will much depend upon the true spirit and intention of the suggested Confederation being comprehended and appreciated by the people whom it is designed to serve, I am not now disposed to dissent from the view which you have taken of the matter, or the course you have adopted. Her Majesty's Government would not desire to force any important modification of the local constitution upon the acceptance of the people of the Colony, against temperate and deliberate declaration of unwillingness to receive it; and it is desirable that the community should fully understand the advantages of that to which their assent is sought. But the Nation has a right to expect the Colonies to accept, and does look to them to assume, their legitimate portion of those charges and responsibilities which are the inevitable concomitants of self-government and free political institutions; and Her Majesty's Ministers justly regard with favor a project of Union which will mutually and materially strengthen each for sustaining the burden which must be borne by all.

I observe with much satisfaction the several important and valuable measures which you have adopted during the present Session. In some of them you have built solid foundations for future improvement in different departments of public affairs; and in others you have provided for immediate local requirements, such as the proposed Light-House at Burgeo and the Bridges over the Rocky River in Placentia Bay, which are in themselves elements of progress. By the Act for the Registration of Births and Deaths you will have, I hope, established the means of procuring statistical data of which the Colony has hitherto, been utterly destitute, respecting the population and their sanitary and social condition, and of which the value will not perhaps be appreciated fully until the knowledge is acquired which can only be obtained from them.

I trust at no distant period the wisdom will be obvious of the amendments which you have made in the previous system with regard to the repair and maintenance of highways, by transferring to the Board of Works the superintendence and control of expenditure on the main postal route. And by making permanent the legal provisions which are necessary for this branch of the public service, you have left only to be furnished annually the grant of money necessary to carry them out, which may simply form an item in the Bill of Supply.

The amendments and continuance of the Volunteer organization Act, and the encouragement which you have bestowed upon the establishment of local Protective Forces by the grant on account of Clothing to the existing Corps, will I have no doubt effect much towards the development of that patriotic spirit and self-reliant tone of feeling which commands respect for communities. You may depend upon my cordial solicitude in my office as Commander in Chief to use the powers and the means which you have placed at my disposal for the credit of the Colony, and in the manner best calculated to effect the improvement of the Corps.

Mr. Speaker and Gentlemen of the Honorable House of Assembly:

I readily acknowledge the enlightened liberality with which you have granted not only the usual amounts for the ordinary public service, but in accordance with the suggestions contained in my Speech when opening the present Session, have placed grants at the disposal of the Executive authority for the encouragement of the Bank fisheries,—the introduction of the culture of Flax, and for the compilation of the local Laws. Guided by the counsel of my Constitutional advisers, you may rely upon my sedulous care being bestowed to ensure the judicious application of the funds so entrusted to the local Government.

Mr. President and Honorable Gentlemen of the Council:

Mr. Speaker and Gentlemen of the Honorable House of Assembly:

In compliance with an Address which I have received on the subject of the Salmon Fisheries, attention shall be given to enquiry respecting the best mode of proceeding for their protection, with the view of submitting a measure at the next Session of the Legislature embodying the provisions which may appear necessary.

Although the result of the Seal Fishery is not yet fully known, the success enjoyed by some vessels which have already returned justifies the belief that the community may be congratulated upon at least a fairly profitable season in this branch of our local industry.

The mildness of the Winter and the apparent promise of a fine and early Spring would seem to encourage hope for an equally successful Cod Fishery, and on separating now I trust that I may be permitted to cherish the cheerful anticipation that when I again have the pleasure of meeting the Council and Assembly in Session, it will be under circumstances more propitious than those which ushered in the present year.

The following is a list of the Bills:—

1—An Act to indemnify His Excellency the Governor of Newfoundland for certain Sums of Money advanced by him from the Colonial Treasury for the Service of the Colony.

2—An Act to make provision for Wives and Children deserted by their Husbands and Parents, and for aged persons deserted by their Children.

3—An Act to provide for the retirement of the present Chief Justice of the Supreme Court of Newfoundland.

4—An Act for granting to Her Majesty a Sum of Money for defraying the expenses of the Civil Government of this Colony for the year ending the 31st day of December, 1865, and for other purposes.

5—An Act to regulate the Inland Posts of this Colony.

6—An Act to regulate the office and duties of Coroners.

7—An Act to make provision for the recovery of Penalties becoming due upon the forfeiture of certain Recognizances.

8—An Act to continue an Act passed in the 27th year of the Reign of Her present Majesty entitled "An Act for establishing the Standard weight of Grain and Pulse, and to regulate the Sale of Bread, Coals, and other Articles."

9—An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandise imported into this Colony and its Dependencies.

10—An Act to enable Courts of Law to give relief against adverse Claims made upon persons having no interest in the subject of such Claims.

11—An Act to continue an Act passed in the 24th and 25th years of the Reign of Her present Majesty entitled "An Act to provide for the Organization of a Volunteer Force for the protection of Newfoundland."

12—An Act to provide for the erection of Bridges across Colinet River and Rocky River, on the main line of Road from St. John's to Placentia.

13—An Act to provide for the Registration of Births, Marriages, and Deaths in this Colony and its Dependencies.

14—An Act for the erection of a Lighthouse in the District of Burgeo and La Poile, on the coast of this Island.

15—An Act to continue the Punishment of Banishment in certain cases.

16—An Act to regulate the making and repairing of Roads, Streets, and Bridges within this Colony.

17—An Act to make further provision against the destruction of Sheep and Cattle, and injuries to the person by Dogs.

18—An Act to amend an Act passed in the 27th year of the Reign of Her present Majesty entitled "An Act to improve and simplify the Practice on the Common Law Side of the Supreme and C. C. Courts, and to consolidate the Laws respecting the same."

19—An Act to Consolidate part of the Floating Debt of the Colony.

20—An Act to provide for the Contingent Expenses of the Legislature.

21—An Act for Granting to Her Majesty a Sum of Money for the making and repairing of Roads, Streets and Bridges in this Colony.

It will be observed that the leading feature of the state-manlike address of His Excellency is the subject of Colonial Union; and we are glad to see the view which His Excellency propounds on this great question as well as the fitting position accorded to it in his closing Speech. There cannot, we think, be a doubt of the wisdom of the course adopted by the Legislature in postponing its decision upon so momentous a change; until the opinion of the constituencies shall have been maturely formed; and it is satisfactory to see that His Excellency considers this proceeding justified by those circumstances under which the proposition came before the local public. Nothing can be more obvious than that an endeavour to precipitate such a measure upon a people who had never before given it a serious thought, and amongst whom fears and prejudice were arrayed against it to a large extent, would have been in any case a very hazardous experiment. The very idea of haste would have prompted to their minds conclusions the least favourable to the new order of things, and the designs of dishonest opponents would have found large and rapid promotion in the *furor* thus created. It was quite possible, we know, that the course of events should have so placed us as to have forced the choice of braving the danger to which we refer—of accepting Confederation in the face of it, or of excluding ourselves indefinitely from a place in the Union. Had the other colonies been prompt to form the league, the alternative of keeping Newfoundland outside it "in the cold" would have involved a responsibility which few of us perhaps would have had the hardihood to assume. The probability is that in that event the Legislature at all events would have adjudged it the lesser evil to accept the proposed conditions, and to trust to time and to the practical working of Confederation to vindicate their conduct to those whose true interests they felt they were conserving. Happily we have been spared this trying ordeal. The delay which has arisen in the sister provinces in connexion with this matter has made our course an easy one; and the consequent postponement of a final judgment here insures that object which His Excellency justly holds to be so desirable,—that the community should fully understand the advantages of that to which their assent is sought.

And while agreeing fully in this opinion, we cannot but approve of the candour with which His Excellency has indicated the expectation of the Imperial Government as to the part these colonies should assume. It has been clear enough to most readers of the views of British statesmen and the British press that Confederation was not only an anxious desire of our Imperial rulers, but that it could hardly be regarded as less than their foregone conclusion. Its opponents have laboured hard to shut their own and other men's eyes to the many plain evidences of this state of feeling which have come under view; and the dreamiest delusions have been wrought up to make-believe that the mother country desired nothing more than that the colonies should please themselves in the affair, and least of all would she for a moment think of crossing any predilection of her old and loyal Newfoundland! However egregious these absurdities, there are those amongst us who cherish them, as people so commonly do cherish favourite conceits notwithstanding all that light can do to dispel them. We therefore think it well and judicious that the recognised representative and exponent of Imperial policy has so explicitly declared the judgment of the Imperial authorities on this question, and we do trust that His Excellency's emphatic pronouncement will work with salutary effect in the correction of misapprehensions and in preparing the mind of the country for that change whose forebodings are certainly neither few nor indistinct.

The Rev. Dr. HOWLEY lectured on Friday evening at the Catholic Institute on the subject of the Pontificate of Pius the Ninth. It was no easy task to impart new interest to a historical and personal narrative with which most Catholic readers are already so familiar; yet it is most justly due to the Reverend lecturer to say that he reached this high pitch of excellence without the least apparent effort and as if by some special aptitude for the theme of his selection. We feel sure that not one of his audience, however conversant with the subject, could say at the close of the lecture that he had not gathered from it some new matter or had not had old incidents and characteristics presented in clearer and more attractive light than he had known before. The lecture was evidently the product of a thorough, exact knowledge of the events of this most eventful Pontificate and of the various causes and springs in which they had their origin. Its allusions to the character and virtues of the Holy Father, and the profound admiration with which they had inspired the lecturer, possessed that peculiar freshness and glow which personal acquaintance with His Holiness could alone have given. The Reverend lecturer's own views, and his deductions from the events he grouped together, evinced acute judgment as well as deep learning; and in whatever respect we consider this production, we feel how favoured is the Institute in being presided over by one whom those members who would excel as lecturers may so fitly select as their model.

On yesterday arrived passengers and goods for passage from London ceased to Halifax immediately on the 27th ulto.

The following telegram charge d'affaires at Washington in the House of Commons amidst loud cheering:—Seward informs me that he withdraws his notice for 1817 (concerning gunboat passport system will cease).

In the Commons, Mr. Fortescue in Canada, said it was not proposed to frontier, but merely to the circumstances of the Army, namely, to place a garrison of 35,000 men and a further force to act against the volunteers. He moved buildings, and repairs a £50,000 for the fortification of £200,000 to be applied to the colonies. Mr. Seward proposed to place a garrison of 35,000 men and a further force to act against the volunteers. He moved buildings, and repairs a £50,000 for the fortification of £200,000 to be applied to the colonies.

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