

which these prisoners were shown to have aided, abetted and countenanced the committal of, in addition to the crime of high treason, point them out as particularly fit to be selected for capital punishment.

"They are not the deluded followers of the instigators of treason, but, on the contrary, the leaders and instigators of others. Murders have been committed by the men under their immediate command, and houses have been burned by those amongst whom they held command; they appear to have been aiding in robbery of the public mail, and their conduct seems to have but too well justified the apprehensions entertained of the horrible consequences which would have attended a successful revolt.

"The Council believing that the execution of the sentence of the law with promptitude will do much towards its beneficial operation, feel that they cannot consistently with their duty recommend the delay which must take place on a reference to Her Majesty.

"The Council, conceive that a reference to the Home Government, accompanied as it must necessarily be with a strong recommendation that sentence should be executed, while it might raise false hopes of mercy in the minds of the unhappy convicts, could scarcely be said to add to the probability of an extension of mercy.

"The Council, therefore, without entering into the consideration of the course to be pursued towards the prisoners generally, feeling no doubt or hesitation regarding the cases of the prisoners Samuel Lount and Peter Matthews, respectfully advise his Excellency to let the law take its course upon them."

In this advice I most entirely concurred; and the two unhappy, but I rejoice to hope penitent, convicts, were executed on the 12th instant.

Petitions signed by not less than 8,000 persons have been presented in their favor within the last three or four days. They were, of course, laid before the Council, but the members adhered to the advice and opinion they had given, and I think they did so wisely. There were no circumstances in favour of the culprits, and they were the most active leaders and partizans in rebellion, next to Mackenzie, Rolph, Duncombe, and others, who had made their escape to the United States.

The rebels, amongst whom they thus took a very active and prominent part, proved not only that they were determined with their own hands to execute the foulest deeds in furtherance of their project of subverting the Government, but that they had encouraged a class of dissolute and vagrant foreigners to join in their enterprize, who, they well knew, would not hesitate to inflict upon the inhabitants of this province, if they could have subjugated them, the most barbarous atrocities. Moreover, some valuable lives have been sacrificed; a great number of industrious poor persons have, to the great distress of their families, been called from their homes for many weeks, first, to suppress the rebellion, and then to guard the frontier from the incursions of a lawless banditti; and an enormous expense has been incurred.

8. These aggravating circumstances, strong as they be, are no justification for revengeful feelings; but they go to establish that the very severest examples are necessary to demonstrate that those who enter upon a treasonable course must be prepared to answer for a failure with their lives.

9. With these remarks, I transmit to your Lordship copies of the whole of the Minutes of the Executive Council bearing upon the case, as I am anxious Her Majesty's Government should be at once in full possession of all that has transpired regarding the execution of Lount and Matthews; and when your Lordship shall have read the proceedings of the Council, I trust you will be convinced that I ought not, from any apprehension of responsibility, to have respited these convicts for the purpose of sending their cases to England, as no recommendation for mercy could possibly accompany them.

10. Your Lordship is no doubt anxious that the whole proceedings against the parties who have been implicated in this unhappy rebellion should be brought to a speedy close, and Her Majesty's Government made acquainted with the results. Certainly, in some respects, despatch is very desirable; but, in others, the most beneficial results are the consequences of delay.

11. When I arrived here, only three weeks ago, the prevailing sentiment amongst very excellent persons was, that many of the most guilty traitors ought to suffer the extreme penalty of the law; and that those who were known to

UPPER
CANADA.

Sir George Arthur
to Lord Glenelg,
14 April 1838.