

Upper Canada has been spared that additional disgrace, and saved from the calamities of a second insurrection; whether this cause for satisfaction is to be attributed to that firm determination to vindicate the laws of the country, which your honourable House, without a dissenting voice, has thanked his Excellency the Lieutenant-governor for exercising, no one can confidently affirm; but it is known to members of your honourable House, that the painful duty of disposing of the numerous prisoners who had subjected themselves to the severest penalties known to our laws, was entered upon with the most earnest and anxious desire to extend mercy to the utmost limits compatible with the safety of the country, and that this desire was firmly adhered to, notwithstanding the strong feeling of an outraged and deeply-injured community loudly and unequivocally demanding examples of the utmost severity, far more numerous than were inflicted.

In disposing of the prisoners, the utmost mercy extended compatible with safety.

His Lordship states that petitions were presented on behalf of Lount and Matthews, signed by 30,000;

though there were not, in fact, 5,000.

The outraged feelings of the loyalists appear to have been overlooked.

The High Commissioner has given credit to most ungenerous charges against the government and the loyalists.

Extract from report relative thereto.

A private individual promulgating the above opinion would be personally liable therefor.

From what source did his Lordship derive his information?

He should have guarded most cautiously against falling into any errors of facts.

No party in the province responsible for the consequences of his Lordship's acts.

Without the slightest mention of the grounds on which the two persons alluded to by his Lordship, as having suffered the extreme penalty of the law, but apparently purposely omitting any notice of them, his Lordship has stated that they unfortunately engaged a great share of public sympathy, and that their pardon had been solicited in petitions signed, it is generally asserted, by "30,000 of their countrymen"! The making this statement, if strictly accurate, could answer no useful purpose, but quite the contrary; but to mark how incautious his Lordship is in referring to facts, it is proper to state, that instead of 30,000 signatures, there were not 5,000 appended to the petitions presented.

In connexion with this subject, it cannot fail to attract the notice of every one, that Lord Durham appears to have altogether overlooked the outraged feelings and deep injuries done to the loyal people of this province by the convicted traitors. In no part of his Lordship's report does he exhibit sympathy for them; they are the objects of reproach; the guilty are the only parties for whom his Lordship expresses sympathy or compassion.

Your committee have, with regret, further to observe, that the High Commissioner, not content to limit himself to ungracious notice of particular acts of the government with respect to the public prosecutions, has, in addition, given credit and currency to charges the most ungenerous, not only against the officers of the local government and the legislature, but also against a large portion of the loyal people of the country generally. His Lordship has represented to Her Majesty, that "it certainly appeared too much as if the rebellion had been purposely invited by the government, and the unfortunate men who took part in it deliberately drawn into a trap by those who subsequently inflicted so severe a punishment on them for their error. It seemed, too, as if the dominant party made use of the occasion afforded it by the real guilt of a few desperate and imprudent men, in order to persecute or disable the whole body of their political opponents. A great number of perfectly innocent individuals were thrown into prison, and suffered in person, property and character. The whole body of reformers was subjected to suspicion, and to harassing proceedings instituted by magistrates whose political leanings were notoriously averse to them. Severe laws were passed under colour of which individuals very generally esteemed were punished without any form of trial."

If one who was not clothed with the official character of Lord Durham had promulgated the paragraph here quoted, he might justly be rendered personally liable for its publication; but although his Lordship is not responsible for his official acts, as Her Majesty's High Commissioner, to the provincial government and the people, his observations so deeply and injuriously affect, yet a moral obligation rests upon him, as an honourable man, to declare to the world upon what grounds he has asserted that "it appeared too much as if the rebellion had been purposely invited by the government, and the unfortunate men who took part in it deliberately drawn into a trap by those who subsequently inflicted so severe a punishment on them for their error"! By what authority has his Lordship stated that "it seemed, too, as if the dominant party made use of the occasion afforded it by the real guilt of a few desperate and imprudent men in order to persecute or disable the whole body of their political opponents"? From whom did his Lordship learn, and who are the injured parties referred to in his statement, that "a great number of perfectly innocent individuals were thrown into prison, and suffered in person, property and character"? Who were the magistrates "whose political leanings subjected the whole body of reformers to harassing proceedings"? And lastly, what "severe laws were passed, under colour of which individuals very generally esteemed were punished without any form of trial"? The enormities here enumerated could not have been perpetrated without the grossest fraud and tyranny on the part of the government, the corrupt and guilty co-operation of the legislature, and the most malignant and wicked participation of the great body of the people. And surely, however great may have been the objections of his Lordship to those different parties, and however strong the sympathy with their political opponents, yet, charged as he was with the deeply-responsible and delicate office of Her Majesty's High Commissioner, the most important object of which was, if possible, to reconcile conflicting parties, and to restore peace and harmony to the country, remembering also his first promise to the people of these provinces that he would discharge his duty "without distinction of party, races or politics," he surely ought most cautiously to have guarded against falling into any errors of fact, and carefully abstained from uttering sentiments calculated to inflame the public mind, and to raise up new causes for dissension instead of allaying those that already existed.

But Lord Durham has, unfortunately, proved himself insensible to the propriety of this prudent and politic course. For the consequence of his Lordship's acts, no party in this province is responsible, and it will be the duty (and your committee trust that the patriotism of the people will lead them to perform it) of all parties to unite in averting the new dangers and difficulties they are likely to produce.

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