

York or Halifax; and, as it is situate in a small domain of the Crown, there would be facilities for constituting it at once a distinct and peculiar jurisdiction. I will not go further into the details of a measure which I scarcely should have thought myself at liberty to suggest, if the opinions which I have felt compelled to state as to the unsuitness of the existing Legislature for the great and various and important functions assigned to it, did it not appear to me to require that I should point out some other course by which the inhabitants of Lower Canada may have a Legislature capable of acting for their benefit. I have pointed out two plans; one, that of an economical, cautious, restricted government, contenting itself with maintaining the laws and public tranquillity, not expecting any assistance from the Legislature, but relying on the limited resources of the hereditary revenue; the other that of proceeding to reconstruct the Canadian Legislature, with somewhat different arrangements, but according to the leading principle of the Act of 1791, and with a view to the introduction of improvements which were then recommended, but not attained; but, above all other considerations, with a design to strengthen the connection with the United Kingdom, at the same time that securities are given to the French Canadians for the preservation of all their ancient institutions that are dear to them. By either of these plans it seems to me that the Province may be governed; that by the latter its prosperity may be incalculably augmented. But that if there were to be an attempt to rule it by the means of two majorities of French Canadians in the Houses of Legislature, it would not be long before it would be manifested that such an administration of affairs is incompatible with the interests of British America.

* The very short time which circumstances permit me to dedicate to this Minute must be my apo-

* To complete the explanation of the points on which my opinion is different from that which has been expressed in our Reports by the other Commissioners, the Minute was intended to have comprised the subjects of,—

1. British American Land Company.
2. The Law of Real Property; including,
 - (a) The possessions of the Roman-catholic religious communities;
 - (b) The incidents of the tenure in free and common socage;
 - (c) The rights of commuting the tenures *en fief* and *en roture* into free and common socage;
 - (d) Dime or tithe;
 - (e) Inconveniences of the seigneurial tenure;
 - (f) The proposals for the establishment of Registry Offices, and the inconveniences of the French law of hypothec.
 - (g) The law respecting aliens.
3. Institutions for religion and education.
4. The apportionment between Upper and Lower Canada of proceeds of duties of import, and the question of an union of the two Provinces.

My notes on these points are prepared, and require only to be copied; but it has been impossible that this should be done in the interval which has elapsed between the completion of the Report and the hour at which it is necessary that it should be despatched, in order to go to England by the New York packet of the 24th instant.

I propose, therefore, to put into the hands of the Commissioners, before I sail for England, some additional notes on the subjects above mentioned.

(Signed) Chas. Edw. Grey.
17th November, 1836.

logy for many defects of arrangement and expression; but the main propositions which it is intended to set forth, are the fruits of reflection, and the deliberate conclusions to which my mind has come.

(Signed) Chs. Edw. Gray.
17th November, 1836.

* STATEMENT delivered by Sir George Gipps to the Secretary, 15th December, 1836, to be placed upon the Minutes of the Commission and transmitted to the Secretary of State.

I am desirous of entering, as shortly as I can, on our Minutes, a few observations on the paper that was delivered by Sir Charles Grey to the secretary, on the day on which the last Report of the Commissioners was forwarded to England.

The fact of Sir Charles Grey's not having signed any of our Reports without an expression of dissent, is, I think, calculated to produce an impression that a wider difference of opinion between Sir Charles and the other Commissioners has existed, than in reality is the case: my object, therefore, in the present entry, will rather be to point out the cases in which the Commissioners are agreed, than those in which they disagree. I shall enter into no detail on any subject, not only because a difference of opinion on minor points is of but little importance, but in order that, by confining my remarks to the leading features of each case, I may run the less risk of misrepresenting the opinions which I suppose to be held by Sir Charles.

FINANCE.

On the subject of Finance, Sir Charles, I believe, agrees with the other Commissioners, that the first thing to be done is to pay the public officers, as we all think, that until they are paid, the King's authority cannot be respected in the province. He agrees, also, that if their arrears are to be paid out of Canadian funds, there is no better way of doing it than by resuming, under authority of a British Act of Parliament, the funds which, up to 1831, were at the disposal of the Crown, and which were only then relinquished in the confident expectation, I may almost say under an implied promise, that a competent civil list would be provided by the local legislature.

Sir Charles thinks, and so do his colleagues, that money sufficient to pay the public servants might be obtained on the credit of the Crown Lands; but his colleagues do not particularly recommend this plan, because they think, if borrowed without a guarantee from the British Treasury, it would not be obtained on advantageous terms, and if done under the guarantee of the British Government or Imperial Parliament, it would seem to them nearly the same thing as if Parliament were to authorize the payment in any other way, or out of funds of its own.

Sir Charles further agrees with the other Commissioners in thinking, that if these arrears of salaries were once got rid of, the government of the province might by possibility be carried on, even though the Imperial Parliament should be indis-

* This Statement was written after the departure of Sir Charles Grey for England, who cannot therefore be assumed to acquiesce in the view therein given of his opinions.