

the warmest addresses, their entire concurrence in my measures; all the schemes of the disaffected here, and of their co-adjutors in the United States, have been signally defeated; some advance has been made towards the restoration of public confidence in the province; and certainly there are at length some indications of those better feelings towards us on the frontier, which I have been unceasing in my efforts to produce among the more respectable class of citizens; while, on the other hand, that "wild any daring border population," to which the Earl of Durham alludes, has been thoroughly intimidated, at all events, for the present.

To the best of my judgment and ability, I have endeavoured under a most fearful responsibility, and under the most trying circumstances, to carry out the views of Her Majesty's Ministers, as I have understood them.

At the same time, I freely admit, that if the extreme sentence of the law has been unnecessarily carried into effect, in one single instance, my conduct merits condemnation; but, if the fact be otherwise, I am sure Her Majesty's Ministers will not suffer me to remain, without vindication, under the odious imputation of having needlessly allowed, and even in violation of public feeling, capital punishment to be inflicted.

It is possible, my Lord, that I may be too sensitive on this point; but could your Lordship be fully acquainted with the manner in which I have been exposed, through the violence of party prejudice, to the opposite charges of undue rigour and ill-timed clemency, you would cease to wonder at the soreness of my feelings at the Earl of Durham's comment on the case of Lount and Matthews.

Moreover, the proceedings of this government towards the brigands have attracted great attention in the United States; and it is of the utmost importance to myself, and I may truly add to the public interests of the country, that the opinion which has been formed and expressed by the respectable part of the American citizens, that justice has been administered with a great regard to mercy, should not be impaired.

Of the Earl of Durham's Report, in other respects, I will only state, that on many important points his Lordship has been much misinformed.

I have, &c.
(signed) *Geo. Arthur.*

Enclosure 1, in No. 7.

Encl. 1, in No. 7. MEMORANDUM of the Numbers of the PETITIONERS in favour of *Lount* and *Matthews*.

Isaac Webb, and 3,289 others, that a pardon may be extended to Samuel Lount	-	3,290
Ann Henderson, and 787 others	- - - - -	788
Jacob Gill, and 74 others	- - - - -	75
James M'Kay, and 66 others	- - - - -	67
Samuel Bentley, and 196 others, that a pardon may be extended to Peter Matthews	- - - - -	197
John B. Warren, and 156 others	- - - - -	157
TOTAL - - -		4,574

Wm. H. Lee,
Senior and Confidential Clerk,
Executive Council.

By His Excellency Sir *George Arthur*, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-governor of the Province of Upper Canada, Major-general commanding Her Majesty's Forces therein, &c. &c. &c.

To all to whom these presents shall come, greeting.

THESE are to certify, That William Henry Lee, esquire, whose name is subscribed to the foregoing Memorandum, is senior and confidential clerk, duly appointed in the Executive Council Office of Upper Canada, and that full faith and credence are due and ought to be given to his signature and acts, in that capacity, in all places.

Given under my hand and office seal, at Toronto, in Upper Canada, this eleventh day of April, in the year of our Lord one thousand eight hundred and thirty-nine, and of Her Majesty's reign the second.

By his Excellency's command,
John Macaulay.

Geo. Arthur.