

UPPER
CANADA.

Instructions to the
Lieut. Governor of
Upper Canada.

Encl. in No. 1.

any considerable delay, but unless under circumstances of peculiar and pressing urgency, I am strongly of opinion that sound policy as well as humanity dictates an abstinence on the part of the Executive from having recourse to this extreme penalty.

I fear that the execution of such of the popular leaders as may be apprehended and convicted, especially by sentence of courts martial, would have a strong tendency to embitter the spirit and animate the revenge of the great body of their followers, and thus to oppose a formidable obstacle to that pacification of the province which it is the anxious desire of Her Majesty's Government to effect, at the earliest period at which it can be accomplished, without a compromise of the honour of the Crown or of the public interests.

A severe punishment ought undoubtedly to be inflicted on those who have been the authors of the recent insurrection, and who have abused their influence with the peasantry to excite them to rebellion; but the degree of guilt in which the parties may have involved themselves, and the extent of the punishment to which it may be necessary to subject them, will be more safely estimated at a distance from the scene of the existing disturbances, and of the excitement consequent on them; at all events, the punishment will in that case not be liable to be attributed to any hasty or inconsiderate feeling of the moment, but will be known to be adjudged after mature consideration, and on a careful review of all the circumstances which ought to affect the decision of so important a question; I trust, therefore, that in no case will any capital sentence be allowed to take effect without your own express authority having been previously obtained; and I should be glad to find that you were enabled to suspend any such execution until after you shall have communicated to Her Majesty's Government a report of the trial which led to the capital sentence.

In the meantime, I hope that you will experience no difficulty in providing for the safe custody of any parties who may be so convicted. You will consider this despatch as intended only to convey the opinion of the advisers of the Crown, and not to embarrass your judgment in circumstances of peril to the safety of the province.

I have, &c.

Lieutenant-General Sir John Colborne, G. C. B.
&c. &c. &c.

(signed) *Glenelg.*

— No. 2. —

COPY of a DESPATCH from Lord *Glenelg* to Major-General Sir *George Arthur*.

Lord *Glenelg* to
Major-General
Sir *G. Arthur*,
14 March 1838.

Sir,

Downing-street, 14 March 1838.

REPRESENTATIONS have reached this department from various quarters that during the present Session of the Legislature of Upper Canada, measures of unusual severity and of extensive application have been proposed against those who may have been in any way implicated in the late insurrection in the province. As these representations have not reached me in any official form, I am inclined to hope that they may prove exaggerated; but I shall await with anxiety your report of the proceedings of the Legislature during their present session.

Her Majesty's Government are fully alive to the difficult position in which, at such a period of alarm and confusion, the Legislature and the Government of Upper Canada are placed. But as I trust that the causes of apprehension so lately existing are now, through the loyalty of the great body of the population, almost entirely at an end, I earnestly hope that they will be as distinguished by moderation after success, as they have been by gallantry in the time of danger. Nothing, I fear, would be more likely to impair the moral effects of the late events than unnecessary severity; I trust, therefore, that while every measure will be adopted essential to the security of the province, your influence will be successfully exerted in moderating the zeal of those, if such there be, who might be disposed to proceed to extreme measures, and in allaying that irritation which, however natural, cannot but be attended with danger to the public peace.

I have, &c.

(signed) *Glenelg.*