

Hepburne did not resign his office for the reason mentioned, but retained it until within a few months of Sir Francis Head's departure from the country, and then voluntarily relinquished it for appointments far more desirable than the one he gave up.

As Lord Durham has fallen into error upon mere questions of fact of recent occurrence, it will probably not be considered surprising that he should mistake those of more remote date; but his Lordship has misapprehended one subject to which he has adverted in a manner somewhat remarkable, and which ought not to pass without notice. His Lordship states, that a law was passed immediately after the last war with the states, forbidding American citizens to hold land in the province. In the first place, no such law was ever passed, and in the second, it was wholly unnecessary. Any one of the legal advisers of his Lordship could have told him, that an American citizen, unless naturalized, cannot by the laws of England hold lands within the British dominions. It is probable that in alluding to this subject, his Lordship has been misled by an inaccurate reference to an Act of a directly contrary tendency, which was adopted in 1828. This Act was passed, and has the effect of confirming the titles of American citizens who had previously settled in the province, under the impression that they might legally hold lands. With respect to future settlers of this class, the law remains as it always has been, neither facilities nor obstructions being placed in their way. Of the policy of their admission, however, it would surprise no one, if his Lordship, after his experience in the government of this country, should have entertained great doubts; the reverse, however, appears to be his opinion, he seems to think the indiscriminate admission of the citizens of the neighbouring Republic would be of advantage both to the province and the mother country.

His Lordship's mistake respecting a supposed law that passed, forbidding Americans to hold land in Upper Canada.

Your committee will pass over particular notice of the opinions advanced by his Lordship, on the subject of the clergy reserve question, "of the policy towards the Catholics," and the "complaints of Orangeism;" not that abundant room does not exist for the expression of regret, that on subjects sufficiently calculated in themselves to produce excitement, his Lordship should have felt it right to appear as the partisan or advocate of either party, and to express favourable views as to one, and adverse opinions as respected the other. If mischief do not arise from so indiscreet a course, the province will be indebted to the magnanimity of its inhabitants, rather than to the observations and advice of Her Majesty's High Commissioner.

Clergy Reserves.

His Lordship does not appear to have considered it necessary to recommend forbearance among parties whose differences involve no great principles of government, but are confined to subjects of a social rather than political character; but he prefers the attempt to cast aside and disregard the wishes and pretensions of any portion of the community that happen not to be in accordance with those theories, for which he most plainly evinces a preference.

His Lordship evinces no disposition to recommend forbearance among parties.

The settlement of the question, which has undoubtedly strongly agitated the public mind with respect to the clergy reserves, has been an object of the most anxious solicitude among all parties in the province; and nothing can more clearly prove that want of success in attaining this desirable end is not to be attributed to illiberal or unchristian feelings, than that the various measures which have been introduced have met with conscientious objections among all classes of politicians.

Conscientious objections have stayed the settlement of the clergy reserve question.

Your committee, however, earnestly hope that the forbearance and mutual concessions which have lately marked the proceedings of your honourable House will result in some measure that will prove acceptable to the great body of their fellow-subjects, and put an end to further discussion upon a subject that involves the only point of serious dispute among them.

Hopes may be entertained that the question will be settled.

With respect to what his Lordship is pleased to designate the "policy towards the Catholic," your committee are well convinced that no portion of the inhabitants of the province are more fully aware than the Catholics themselves, that no invidious policy has ever been designed or acted upon towards them—and ungrateful would such conduct be if ever attempted. No portion of the people of this province have been more ready to fulfil the duties of faithful subjects, and none are more deserving of the protection and patronage of the Crown.

"Policy towards the Catholics."

As regards the statement respecting the existence of "Orangeism," as your committee do not feel themselves at liberty to comment on particular associations in the province, they will confine themselves to the expression of their conviction, that an universal desire exists amongst all classes of the community to live in peace with each other, and that this desire will gradually but certainly put an end to distinctions that may be found to create dissensions; and, in their opinion, nothing would be so certain to defeat this great object as the application of violent or coercive measures, or the indiscreet interference of authority. The distinctions referred to by Lord Durham were not found to damp the universal loyalty and good feeling of the people of this province during the last 18 months of peril and invasion; all parties laid aside their disagreements, and none more readily and willingly than Catholics and Orangemen, who were found fighting in the same ranks, side by side, in defence of their laws, their liberties and their Sovereign. Such men, actuated by such principles, cannot be estranged from each other; they must and will be friends as well as neighbours.

"Orangeism."

Desire in the community to live in peace.

The distinctions noticed by Lord Durham have no ill effect upon the loyalty of the people.

Lord Durham, in his remarks on the physical condition of the province, has considered it necessary to contrast the improvements that are going on in Canada with those in progress in the neighbouring states, and to draw a comparison very disadvantageous to this province. Your committee would extend this report to an unreasonable and unprofitable length were they to enter into the discussion of the various

Lord Durham contrasts the physical condition of Canada with the United States.