

whole body of their political opponents, cannot be asserted with any degree of truth—neither do your Committee believe that any person of intelligence and character among the reformers, will be found to say so.

Referring to the administration of Justice in this Province, Lord Durham remarks that, “it is true, it appears much better in Upper than in Lower Canada; Courts of Justice, at least, are brought into every man’s neighbourhood, by a system of circuits, *and there is still some integrity in Juries.*” Why his Lordship should have permitted this paragraph to appear in his report, is altogether incomprehensible. Your Committee do not believe that any man who had a regard for truth, was to be found in the Province, so reckless as to attempt to throw discredit on the integrity of the learned Judges of Her Majesty’s Courts in Upper Canada; and the equivocal terms used in referring to the juries, are as offensive as they are unjust. Those who are concerned in the administration of justice, desire no praise for doing their duty honestly and conscientiously; and your Committee believe your honourable House might safely defy the High Commissioner to point out any portion of Her Majesty’s dominions, where these duties are performed with greater uprightness, than in this distant colony of the Empire.

Your Committee will next advert, as briefly as possible, to that part of Lord Durham’s report, in which he endeavours to disparage, and bring discredit upon your honourable House, and directly to impeach the integrity of those loyal and independent men, by whom the majority of the Assembly were chosen. His Lordship states, that “the circumstances under which they were elected, were such as to render them peculiarly objects of suspicion and reproach, to a number of their countrymen.”

As in the instance of the charges insinuated in that part of the High Commissioner’s report which relates to the insurrection, his Lordship adduces no fact in support of allegations, which your Committee are bound to declare have been unjustly made;—while, on the other hand, evidence which did not depend upon the mere assertion of your honourable House, but which was established and confirmed by documents and facts that defied contradiction, were within his Lordship’s reach, and would have prevented him, had he been disposed to consult them, from making the unfounded charges which he has rather chosen to give currency to, that, “in a number of instances, the elections were carried by the unscrupulous exercise of the influence of the government, and by a display of violence on the part of the tories, who were emboldened by the countenance afforded to them by the authorities”—and that “the tories succeeded in carrying more than one seat by means of the violence of the organized mob (referring to orangemen) placed at their disposal.” It will not be expected that your Committee should go over the evidence which has already been laid before the people of this province and the British nation, repudiating these statements:—there is no necessity for doing so, as regards the electors of Upper Canada, and Her Majesty will receive every necessary information from the report adopted by your honourable House, at its first session, on the petition of *Charles Duncombe*, addressed to the House of Commons. It would seem, indeed, from a perusal of his Lordship’s report, that he had received and adopted, as true, the statements made by this, now, fugitive traitor, wholly disregarding the ample refutation they received in the report referred to. With respect to the degree of confidence that may be reposed in your honourable House by your constituents, it becomes not your Committee to speak—but they feel a great satisfaction in knowing, that in whatever light their conduct may be viewed by those to whom they are responsible, and before whom they must soon and are ready to appear, they have endeavoured faithfully to do their duty to their Sovereign and their country, and they are well satisfied that the great bulk of the inhabitants of Upper Canada, of all parties and creeds, will be ready and willing to shield them from unmerited calumny and reproach.

Your Committee have not overlooked the apparent injustice done, in permitting the statements made by the High Commissioner, so injurious to your honourable House, to be made public, when their refutation was in the hands of Her Majesty’s ministers, but your Committee feel it right to explain that the whole report of his Lordship appears to have obtained currency in a most irregular manner, and without the concurrence or sanction of the government.

Your Committee will here close their remarks on the various allegations in the report of the High Commissioner, that appeared to them to require particular animadversion. If in the course of their remarks, they have been betrayed into too strong an expression of reproach or