

the company to their corporate character, and to their lands, is invalid. No considerations, however urgent, of temporary or apparent expediency, not even the desire to conciliate the goodwill of the Assembly of Lower Canada, than which no motive can be of greater weight, could reconcile His Majesty to a measure the principle of which would endanger the foundation of all proprietary titles and all social rights.

The remaining topics embraced in the address require, on the present occasion, no very lengthened notice, because, when attentively considered, that document does not appear to advance any principle respecting them essentially different from those which are admitted or maintained in my despatch of the 17th of July.

Respecting judicial independence, the Assembly frankly admit the entire coincidence between the opinions of His Majesty's Ministers and their own.

With regard to the settlement and management of the uncleared lands, and to all questions of finance, I trust that I am not mistaken in supposing that no essential difference in principle exists between the sentiments contained in the address and those expressed in my despatch of the 17th July.

And now, referring to the preceding remarks, I conceive myself entitled to state, that there did not exist during the last session any real or substantial difference of opinion between the Ministers of the Crown and the House of Assembly on any question regarding which His Majesty's Government felt at liberty to take any immediate proceeding. No single complaint had been alleged which had not been either promptly removed or made the subject of impartial inquiry. No maladministration of the affairs of the province was imputed to your Lordship. Without any actual controversy with the Executive Government, the House however declined a compliance with the proposition to provide for the arrears and for the supplies pending the inquiry. His Majesty does not deny that this is a power which the law has entrusted to the representatives of the people; but he cannot admit that on the present occasion the recourse to the exercise of that power can be attributed to any indisposition on the part of His Majesty to accord the fullest measure of justice to His Canadian subjects. On a review of all the circumstances of the case, His Majesty's Government are led to the conclusion that the course pursued by the House is to be ascribed to the misapprehension of the tenor of your Lordship's Instructions, induced by the publication of a few detached passages from them. Your Lordship will therefore communicate to the House a complete copy of those Instructions, and will renew your application for the arrears now due to the public officers, and for the funds necessary to carry on His Majesty's service.

I have, &c.  
(signed) *Glenelg.*

— No. 5. —

EXTRACT of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated  
Downing-street, 8th June 1836.

My Lord,

I HAVE to acknowledge the receipt of your Lordship's despatches of the 10th and 12th March.

No. 5.

It can scarcely be necessary for me to assure you that none but motives of the most urgent nature would have induced me to postpone, till the present time, the answer to those communications. I abstain from entering into an explanation of the causes of that delay, except to observe that the consideration of the posture of affairs in Upper Canada has not failed to enter largely into the deliberations of His Majesty's Government on this occasion.

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In my despatches of July last, the general principles by which you are to be guided have been fully laid down, and the communications which I have since received from your Lordship, prove that you have clearly understood those principles, and are prepared to act firmly and consistently upon them. The confidence which His Majesty's Government have placed in your zeal and sound judgment has been confirmed by every report which they have received of your proceedings. They feel therefore that in referring to your discretion the measures now to be taken, they not only secure the great object of consistency in the proceedings of the