

171

C A N A D A.

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RETURN to an ADDRESS of the Honourable The House of Commons,  
dated 10 March 1841;—for,

COPY of a DESPATCH from Lord *Goderich* to Lord *Aylmer*, dated  
13 September 1831.

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Colonial Office, }  
11 March 1841. }

R. VERNON SMITH.

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*Ordered, by The House of Commons, to be Printed, 11 March 1841.*

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COPY of a DESPATCH from Lord *Goderich* to Lord *Aylmer*.

(No. 63.)

My Lord,

Downing-street, 13 Sept. 1831.

I HAVE received your Lordship's despatch, dated the 15th July 1831, No. 62, recommending the introduction of certain ecclesiastics into the Seminary of St. Sulpice at Montreal, with the view of maintaining and perpetuating that institution. A similar application has been made to me on behalf of certain priests, who are strongly recommended by the community of St. Sulpice at Paris. In order to determine the proper course to be taken with reference to these applications, I have thought it necessary to review all the correspondence between Lord Bathurst and Mr. Huskisson, and your Lordship's predecessors in the government of Lower Canada, on this subject. It appears to me impossible to detach the particular question which you have brought under my notice from the more general topics embraced in that correspondence. I think, also, that it is highly inexpedient any longer to postpone the final arrangement of a subject affecting so many and such important interests; I proceed, therefore, to convey to your Lordship such instructions, as, upon a very deliberate review of the whole case, seems to me indispensable.

I find that, in the year 1827, a negotiation took place between the Rev. Mr. Roux, acting in the capacity of Superior of the Seminary of Montreal, and the late Mr. Huskisson.

That discussion terminated in an arrangement, the terms of which were communicated by Mr. Huskisson to Lord Dalhousie, with instructions to carry it into effect. Your Lordship is aware of the circumstances which defeated the execution of that design. It could answer no useful purpose to recount them on the present occasion. The legal incapacity of Mr. Roux and his associates to perform their part of the contract seems at length to have been generally admitted, and the measure would appear to have been abandoned by the unanimous consent of all the parties more immediately concerned.

I notice this ineffectual endeavour at the outset, because it is essential to show that the discretion of his Majesty's Government is unfettered by what has passed, and that it is open to them to act with the same freedom, as though the arrangement with Mr. Roux had never been made, or had been abandoned in the most express and formal manner. There can be no doubt that at this distance of time, and after all that has occurred, neither party could insist on recurring to it.

Though such is my view of the actual state of the question, I am not to be understood as desirous to escape from any of the pledges which were advisedly given by my predecessors in office on this subject, or as impeaching the accuracy of the judgment which they exercised; on the contrary, all that has subsequently