

CANADA.

Enclosure 3 in No. 1.

Encl. 3 in No. 1.

Secretary's Office, Montreal,
December 12, 1845.

GENTLEMEN,

HIS EXCELLENCY the Administrator of the Government having been pleased to appoint you to be Commissioners for inquiring into the losses sustained by the inhabitants of that portion of this province formerly Lower Canada, during the late unhappy rebellion therein, as also into the losses sustained by those inhabitants arising out of that rebellion, I have the honour, by command of his Excellency, to transmit the following instructions for your guidance in conducting your inquiry.

1st. You will, in the performance of the duties devolving upon you under the present Commission, carefully classify the cases of those who may have joined in the said rebellion, or may have been aiding and abetting therein, from the cases of those who did not, stating particularly, but succinctly, the nature of the loss sustained in each case, its amount and character, and as far as possible, its cause.

2nd. You will abstain from entering into the consideration of any cases which may have been reported upon by the Commissioners formerly appointed to examine into the rebellion losses.

To enable you to do this, the reports made by them will be furnished to your secretary, on his making application on your behalf for the same.

3rd. You will accompany your report on the claims investigated by you with such remarks as may be necessary to a perfect understanding of the matters entrusted to your investigation, in order that the same may be submitted to the provincial Legislature at its approaching session.

The Commissioners of Inquiry.

I have, &c.,
(Signed) D. DALY, Secretary.

Encl. 4 in No. 1.

Enclosure 4 in No. 1.

Office of Losses, 1837-8, Wardrobe of the Legislative Assembly,
Montreal, February 11, 1846.

SIR,

I HAVE the honour to transmit to you, by order of the Commissioners to Inquire into the Losses sustained by Her Majesty's Subjects during the Troubles of 1837-8, to be submitted to his Excellency the Administrator of the Province, the following questions, the answer to which will serve as their guidance in the execution of the duties imposed upon them.

The instructions of the 12th December last, transmitted to the Commissioners, differing essentially from the tenor of the Commission by which they have been appointed, as to the persons who have a right to indemnification, what are the powers conferred on the Commission to establish the classifications required by the instructions?

What are the powers conferred on the Commissioners to call before them the necessary witnesses, and to procure the necessary evidence in order to obtain an exact valuation of the losses?

Are the Commissioners to travel to the different parts of the district, in order to accomplish the object of the Commission?

Is the remuneration of the Secretary left to the discretion of the Commissioners, or reserved for the decision of his Excellency?

Hon. D. Daly, Provincial Secretary,
&c. &c. &c.I have, &c.,
(Signed) J. G. BARTHE,
Secretary to the Commissioners of Inquiry, &c.

Encl. 5 in No. 1.

Enclosure 5 in No. 1.

Secretary's Office, Montreal,
February 27, 1846.

GENTLEMEN,

THE Administrator of the Government having had under consideration in Council the queries addressed in your behalf by your secretary, in his letter of the 11th instant, I have received his Excellency's commands to communicate to you the following replies for your instruction and guidance.

1. In making out the classification called for by your instructions of the 12th of December last, it is not his Excellency's intention that you should be guided by any other description of evidence than that furnished by the sentences of the courts of law.

2. His Excellency considers that you have no power as Commissioners to call either for persons or papers; and that you must therefore be satisfied with such general evidence as the claimants may produce, or as may enable you to form a general estimate of the losses they have suffered.

3. The object of the Executive Government in appointing your Commission, being merely to obtain a general estimate of the Rebellion losses, the particulars of which must form the subject of more minute inquiry hereafter under legislative authority, his Excellency cannot regard it as necessary that you should travel to the country parts of the district to obtain such particulars.

4. His Excellency has been pleased to fix the rate of your Secretary's remuneration at 11. currency per diem.

The Commissioners of Inquiry relative
to Losses in 1837-8.I have, &c.
(Signed) D. DALY, Secretary.