

of the district, the avowed object of which was the capture of Sorel, Chambly and St. John's. The Commissioners accordingly obtained the evidence of well-informed persons resident at St. Charles and St. Denis, and the result of their inquiries is satisfactory, inasmuch as it establishes the correctness of their award, by showing, firstly, that no person to whom they had previously awarded pecuniary compensation has had any participation in the insurrection of 1838; and secondly, that almost all the parties by whom indemnification was claimed, but refused by the Commissioners on the ground of disloyalty, in 1837, have again been concerned in traitorous attempts to subvert Her Majesty's authority in this province.

In order that every precaution may be taken against error or deception on the point of loyalty, a certified list of all claimants before the Commissioners has been forwarded to Her Majesty's Attorney-general for the province, to the end that the proposed compensation may be arrested in any case in which that officer has in his possession, or within his reach, any document, testimony or proof, implicating the party in the present or the late rebellion.

Amongst the claims preferred before the Commissioners are several from persons to whom the firm of Wolfred Nelson & Co. was indebted in 1837. These claimants allege, that in consequence of the destruction of the distillery and other property belonging to that firm at St. Denis by Her Majesty's forces, it became insolvent; and as creditors, they call upon Government to indemnify them for their alleged losses, and to place them in the position in which they would now be were the affairs of that firm in prosperous condition. A claim was also preferred, on the part of the firm, for the alleged amount of the property destroyed by order of Government; but that claim, amounting to about 14,000*l.*, was at once rejected, the claimant not coming within the terms of the Ordinance. Neither could the Commissioners entertain the claim of the creditors of that firm, and they were uniformly referred to their legal recourse against the estate. It does not appear reasonable that Government should assume debts accumulated after extensive business transactions; but lest the Government, acting on the supposition that the estate was solvent in November 1837, should think proper to assume those debts, the Commissioners felt it their duty to make inquiries, the result of which convinced them, that it was very doubtful indeed whether the firm would have been able to meet its engagements had not its head become a traitor to his Sovereign, and consequently brought on himself the destruction of his property. Those who maintain that the estate was solvent go upon a very exaggerated estimate of the profits of the business, and of the value of the distillery and other buildings destroyed by order of Government.

The depositions, certificates and other documents appertaining to each case respectively remain in the possession of the undersigned Commissioners for reference. The decision and award have been made after careful consideration of every claim; and the Commissioners have the satisfaction of stating, that in all the cases now reported to your Excellency, the members of the Commission are unanimous.

In concluding their First Report, the undersigned Commissioners beg leave to express a hope that their proceedings as Commissioners, under the Ordinance, 1 Vict. c. 7, some of which were of a difficult and embarrassing nature, will meet with your Excellency's approbation.

All which is respectfully submitted.

Montreal, }
14 December 1838.

(signed)

P. E. Leclerc.
E. A. Clark.
C. Tait.