

FIRST REPORT

OF THE

COMMISSIONERS appointed to enquire into the Losses occasioned by the Troubles during the years 1837 and 1838, and into the Damages arising therefrom.

To His Excellency, The Right Honorable Charles Murray, Earl Cathcart, of Cathcart, in the County of Renfrew, K. C. B., Lieutenant General, Administrator of the Government of the Province of Canada, and Commander of the Forces in British North America.

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned have the honor to submit to Your Excellency, the Report of their proceedings under the Commission issued on the twenty-fourth day of November last, under the Seal of His Excellency Lord Metcalfe, the then Governor of this Province, appointing them Commissioners to enquire into the losses sustained during the troubles of 1837 and 1838, and into the damages arising therefrom.

The want of power to proceed to a strict and regular investigation of the losses in question, left the Commissioners no other resource than to trust to the allegations of the claimants, as to the amount and nature of their losses. It is from these *data* alone, and the general inferences which could be drawn therefrom, that the Commissioners can form an approximate estimate of the sums requisite to cover the amount of damages sustained.

In order to throw more light upon this investigation, the Commissioners have drawn up, as shewing the result of their labors, a Table exhibiting at one glance the nature and particular circumstances of each claim, making a distinction between losses sustained on property, and those of another description. One column is reserved for the latter, and in it the Commissioners have put down the sums claimed for damages arising from the loss of property destroyed or carried off,—claims for interest,—claims for damages sustained from interruption of business or trade, and from the quartering of troops,—claims for sums extorted by threats of accusation, or prosecutions on accusation of High Treason,—damages arising from imprisonment for political misdemeanors, without having been brought to trial;—in fine, every claim not relating to the value of property destroyed or carried off, has been placed under that head.

The claims for immoveable property are mostly founded on the destruction of buildings by fire, by order of the Military Authorities, or by the Volunteers, or the Insurgents, according to the allegations of the claimants. There are also several claims, to the amount of £2,605 6s. 8d., for property destroyed since the troubles, and during the years 1839, 1840, 1841 and 1843, and which is supposed to have been destroyed by the Insurgents who took refuge on the Frontier, and who are said to have been actuated by political animosity.

The claims on losses of moveable property are alleged in great part to have arisen from the pillaging of the Insurgents, or of Her Majesty's Troops, or the Volunteers. Under this head are a great many claims resulting from the disarming of the population during the troubles which occurred in those years.

There are many particular cases which the Commissioners cannot pass over in silence. Two claims were made in consequence of sickness and infirmities contracted by the claimants while serving as Volunteers, without however specifying any particular sum. Two other individuals claim for wounds received from one of the insurgents. A third for the loss of a leg in trying to escape from them. Another individual claims a pension of £12, or a capital of £200, for the loss of his mental faculties from bad treatment and illegal imprisonment. A case still more painful is the claim of a mother for the murder of her son, her sole support, by a soldier while escorting property belonging to Her Majesty's Government.

A great number of applications made to the first Commission of Inquiry appointed under the authority of the Ordinance of the Special Council of Lower Canada, chapter VII., in the first year of Her Majesty's Reign, have been renewed before the undersigned Commissioners. Some of these have been objects of the investigation of the first Commissioners, and by them approved in whole or in part, those interested not being able to receive the amount of their respective allowances for want of disposable funds. Others again were returned as not falling under the above cited Ordinance, which had a less general and more restricted character than the instructions given to the undersigned Commissioners; and finally, others could not be examined on account of the suspension of the first Commission.

These different proceedings appear under their respective headings in the Table, to which we take the liberty to refer Your Excellency. The total amount claimed before the old Commission, and renewed before the undersigned Commissioners, is £70,551 3s. 9d., of which £10,292 4s. 1d. have been allowed by the first Commission, and have not yet been paid. The amount which they have not recognized, is £59,403 16s. 10d.