

" Toronto, January 14th, 1840.

" In answer to the Address from the House of Assembly, of the 8th instant, the Governor-General desires to inform them, that after a full consideration of the subject, *Her Majesty's Government* have come to the conclusion that *THEY could not advise Her Majesty to confirm the Bill passed by the Provincial Legislature* during the last Session, but reserved for Her Majesty's confirmation, *to enable Her Majesty to make a Grant of Land to James Fitz Gibbon, Esquire.*

" *Her Majesty's Government, sensible of the long and valuable services of Mr. Fitz Gibbon, came to this decision with much reluctance,* but they felt that the confirmation of such an Act *would be inconsistent* with the principles laid down for the Disposal of the Waste Lands of the Crown in the British Colonies, and confirmed in that Province by an Act of the Legislature, and that it would establish a very inconvenient precedent.

" If, however, the Legislature of Upper Canada should desire to mark their sense of Mr. Fitz Gibbon's services by a Pecuniary Grant, the Governor-General would have much satisfaction in recommending such a Grant for Her Majesty's approval."

By the preceding communication it is curious to learn the impolitic pertinacity with which the original objection to the Grant of Land was persisted, notwithstanding the whole of the Provincial Legislature, by their Bill to enable Her Majesty to confirm their Grant, had distinctly proved, that their judgment and wishes remained unchanged in favor of that mode of public remuneration.

The language of the then Government in regard to this business, in plain English, was " We acknowledge the *long and valuable* services of Colonel Fitz Gibbon, but, it appearing that the Provincial Act, the 7th of William the IVth, chapter 118, may be construed as opposed to the Grant of Land, we will maintain the objection, and, notwithstanding our acknowledging the *length and value* of his services, we will bestow *no* honorary nor substantial acknowledgment upon the man; nor will we allow the Provincial Legislature to testify its gratitude and its gene-