

"Her Majesty's Government, sensible of the long and valuable services of Mr. FitzGibbon, 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. FitzGibbon's service by a pecuniary grant, the Governor-General would have much satisfaction in recommending such a grant for Her Majesty's approval."

APPENDIX X.

EXTRACT.—"The Committee have taken the Memorial of Colonel FitzGibbon into their anxious consideration. They feel sensibly the difficulties and embarrassments under which Colonel FitzGibbon has labored in consequence of the delays which have arisen in satisfying his acknowledged claims on the public; and have carefully examined into the history of his case, in order to place their view of it fully before your Excellency.

"There can be no doubt that had the intention of the Legislature of Upper Canada been carried into effect at the time it was first expressed, Colonel FitzGibbon would, while obtaining no more than what the gratitude of that province felt due to him, have also gained the means of preventing those embarrassments which have since so cruelly pressed upon him. Her Majesty's Government, however, felt objections which the provincial authorities were unable to remove, to the remuneration of Colonel FitzGibbon by a grant of land, though they expressed their readiness to concur in a pecuniary grant for the same purpose.

"This, however, the then state of the finances of Upper Canada does not appear to have permitted; and the consequence was a part of that delay by which Colonel FitzGibbon appears to have so deeply suffered.

"The claims of the Memorialist have not, however, in the opinion