

disregard of your recorded opinions, these two measures should be proposed to and receive the concurrence of Her Majesty and the Imperial Parliament, it would be of little consequence to attempt to resist or even to discuss the other suggestions, which, whether they be objectionable or not, are comparatively of minor importance.

Your committee, however, are not willing to believe that the great nation to which these provinces belong, and which has hitherto extended to them its powerful, its parental protection, will hastily, and without the most full and ample information, adopt the opinions and act upon the recommendations of any individual, however high his rank, or great his talents, that involve the future destinies of Her Majesty's faithful subjects in these provinces.

Your committee, however, are well convinced that some great change is about to take place in the system of government in Upper and Lower Canada, but they do not believe that it will involve any departure from the principles of the British Constitution, so far as they can be made applicable to a colony.

Your committee submit with their report the draft of an Address to Her Majesty, which they beg to recommend to the adoption of your honourable House.

All which is respectfully submitted.

Committee have confidence that England will not hastily adopt the opinions of Lord Durham.

Address to Her Majesty recommended.

C. A. Hagerman.  
John Prince.  
Henry Sherwood.  
John A. H. Powell.  
W. B. Robinson.  
W. Chisholm.  
R. Rollo Hunter.

Committee Room, Commons House of Assembly,  
the 30th day of April 1839.

(No. 107.)

— No. 7. —

EXTRACT of a DESPATCH from Major-general Sir George Arthur, K.C.H., to the Marquis of Normanby, dated Upper Canada, Toronto, 13 May 1839.

No. 7.

IN the last paragraph of my despatch, No. 91, of the 17th ultimo, I did myself the honour to inform your Lordship that it was my intention to submit to you some observations upon the Earl of Durham's Report.

Sir G. Arthur to the Marquis of Normanby, 13 May 1839.

I have deferred, however, this unpleasant duty from an extreme reluctance to touch the subject at all if I could avoid it; but I am compelled to do so, because in the Report the execution of the two persons convicted of treason is adverted to in terms highly distressing to my feelings; and whilst the course of policy strictly prescribed by the instructions of Her Majesty's Government has been openly impugned by direct implication, this government is reflected on for its adherence to it.

Before I left England, Lord Glenelg personally impressed very strongly upon me that the general tenor of Sir Francis Head's administration was entirely approved by her Majesty's Government. I was to make this known on my arrival in Upper Canada, and to explain that no change of measures was intended by the change of Governors. I was to pursue the same general line of policy as my predecessor, and to give my countenance to that constitutional party which had supported him, and by which the majority of the present House of Assembly had been returned. A strict adherence to the same system was also distinctly and emphatically prescribed to me, in the Secretary of State's despatch, No. 9, of the 29th of December 1837, to which I beg to call your Lordship's particular attention.

Accordingly, on my first assuming this government, I made it the rule of my duty to follow, with some modifications, the course of policy which my immediate predecessor had pursued, to the avowed entire satisfaction of Her Majesty's Ministers.

I lauded the conduct of the loyal constitutional party which had just triumphed over those who had endeavoured to subvert the institutions of the country; more especially on those occasions when I was required to express Her Majesty's gracious approval of the behaviour of the militia; while, on the other hand, I allowed no seasonable opportunity to escape me of reasoning with their opponents, and endeavouring to convince them, that the prosecution of their measures had been alike injurious to themselves and to the community at large.

Two only of the leaders in the insurrection, whose conduct had been marked by circumstances of peculiar atrocity, suffered the extreme penalty of the law. A limited number of culprits was selected for transportation; and the utmost plentitude of mercy that the executive government could yield, without exciting the dangerous resentment of the loyalists, was progressively extended to the rest of the offenders.