

measure of indemnity was never meant to apply to Rebels, the assertion that the claims therein provided for had been recognized by "preceding Parliaments and Governments," is a fair and correct one. Preceding Parliaments and preceding Governments have shewn every anxiety to compensate the *loyal* inhabitants of this Province for the injuries sustained at the hands of Rebels, or for the losses suffered in maintaining the authority of the Sovereign; and a measure to provide for such losses as these, strictly excluding all who could be proved to have committed any overt act of rebellion, would have received the unanimous support of the British population. But if it be established that the Act lately passed involves the payment of Rebels, Your Lordship will admit that the statement alluded to is no longer correct; the premises are changed, and the conclusion cannot remain unaltered.

But, my Lord, the false logic, which must be obvious to Your Lordship, seems to have escaped the notice of your Ministry and their supporters. There is an old story of an advocate, whose client was defendant in an action of damages for the cracking of a kettle while on loan, and who thus stated to the Court his intended line of defence:—"We are prepared to prove, my Lord—firstly, that the kettle in question was cracked when we received it; secondly, that it was whole when we returned it; and thirdly, that we never had it all!" In like manner, the Ministry, by endeavouring to prove too much, fall into inevitable contradictions. Their line of argument may be fairly stated thus:—"We have not now, nor ever had, the slightest intention of paying Rebels; but—the last Conservative Government had fully determined to indemnify Rebels—and we are only following their example!"

"The contemplated Act for Lower Canada," says Mr. Hincks, in the appendix to his circular before alluded to, "is to be framed precisely in the same terms as that

for Upper Canada, and, of course, to embrace the same description of claims." Let us examine whether the promise thus given has been fulfilled.

The evidence above adduced on the subject has, I think, clearly enough shewn that under the lately passed Act, every one—rebel or loyalist—is entitled to claim compensation, with the exception of the few excluded by Mr. Boulton's amendment. From the Preamble to the Act, 3 *Vic. c. 76*, passed by the Parliament of Upper Canada, previous to the Union, it will be seen what classes of persons were intended to be paid under it:—

"Whereas during the late unnatural Rebellion, and on the several hostile invasions of, and lawless aggressions upon this Province, at various points, by Foreigners and others from the United States of America, divers inhabitants of this Province sustained much loss and damage by the destruction of their dwellings, and other buildings and property, and by the seizure and carrying away of their property by the rebels and invaders, and otherwise; And whereas other of the said inhabitants essentially contributed to the effectual defence of the Province, by capturing many of the rebels and invaders, by advancing money and supplying meat, drink, lodging, clothing, arms and accoutrements, and also conveyances for the Militia Forces and otherwise, and by performing many important services in various ways, for which they have not hitherto been paid or satisfied, and their claims and demands are still outstanding: And whereas it is just and expedient that all such claims and demands should be paid and satisfied, after the same have been ascertained in the manner hereinafter mentioned: We, Your Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, therefore humbly beseech Your Majesty that it may be enacted: And be it enacted, &c."

Does this look like an Act for the benefit of Rebels?—Most assuredly not.

The second section of the Act authorizes the appointment of Commissioners—

"Whose duty it shall be to enquire into the losses sustained by Her Majesty's subjects, and other residents within this Province, during and in consequence of the late rebellion and invasions, and also into the said several claims and demands which have accrued in respect of any loss, destruction, or damage of property occasioned by violence on the part of brigands or pirates on the waters of the lakes or rivers dividing this Province from the United States; and they, or a majority of them, shall ascertain and determine and allow the amount thereof respectively."

A comparison of this section with the eleventh section of the late Act, as given in

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