

April, 1846, Mr. Daly having, on the 2nd of that month, intimated to them, in a letter marked "immediate," that his Excellency was desirous to be enabled to come to an early decision as to the course to be taken by the Executive during the session of Parliament in regard to the same. It does not, however, appear that any further steps were taken in this matter by the Administration to which he belonged up to March, 1848, when they retired from office. As it cannot be supposed that the proceedings which I have detailed were intended to be barren of all result, this circumstance only goes to prove the great difficulty of dealing with the question satisfactorily.

9. Such was the state, however, in which this question stood when the present Government came into office. That they should propose to found a measure on what their predecessors had done in the matter was to be expected, and I did not think that I should be justified in risking a ministerial crisis at a time when my Council was supported by the large majority of a recently elected Assembly, by refusing to permit the introduction of a Bill which was similar to one that had already been passed for the benefit of Upper Canada, and which seemed moreover to be nothing more than the strict logical consequence of preliminary measures adopted by the Local Government and Parliament under former Governors.

10. The preamble of the Bill, of which a copy is herewith enclosed, declares that in order to redeem the pledge given to parties in Lower Canada, who sustained losses during the rebellion in 1837-1838, or to their *bonâ fide* creditors, assigns, or ayant droit by the Address of the Assembly, the appointment of a Commission, and the correspondence of the Government above referred to, "it is necessary and just that the particulars of such losses not yet satisfied should form the subject of more minute inquiry under legislative authority, and that the same, so far only as they may have arisen from the total or partial, unjust or wanton destruction of the dwellings, buildings, property and effects of the said inhabitants, and from the seizure, taking, or carrying away of their property and effects, should be paid and satisfied, provided that none of the persons who have been convicted of high treason, alleged to have been committed in that part of this province formerly the province of Lower Canada, since the 1st day of November, 1837; or who having been charged with high treason, or other offences of a treasonable nature, and having been committed to the custody of the sheriff in the gaol of Montreal, submitted themselves to the will and pleasure of Her Majesty, and were thereupon transported to Her Majesty's island of Bermuda, shall be entitled to any indemnity for losses sustained during or after the said rebellion, or in consequence thereof."

For Bill, *vide* Papers relative to Affairs of Canada, presented to Parliament by Her Majesty's Command, May, 1849, page 7.

It authorizes the appointment of Commissioners for the purpose of the Act, and the issue of debentures to the amount of 100,000*l.*, 10,000*l.* of which, however, are set apart to make good claims allowed by the Commissioners appointed under the Ordinance of the Special Council, 90,000*l.* remain for the special purposes of the Act. In these particulars the Act merely adopts the recommendation of the Commissioners of Inquiry, named by Lord Metcalfe, who state in their Report, that the claims which they recognized represent a sum total of 241,965*l.* 10*s.* 5*d.*; but that, in their opinion, the sum of 100,000*l.* would be nearly equivalent to the losses suffered, and sufficient to meet the amount of such claims as shall have been the object of a close examination.

11. Notwithstanding, however, the extent to which the preceding Government and Parliament itself appeared to be committed to the principle and even to the details of this measure of indemnity for Lower Canada, the most vehement and unrelenting opposition was raised to it both within the walls of the Legislature and beyond them. It was contended that whereas the destruction of property which took place in Lower Canada was generally the work of the military or volunteers employed in suppressing a rebellion, it was in Upper Canada as generally the work of traitors or sympathisers who were engaged in raising one, that the two cases required therefore a different treatment, and that a more stringent rule ought to have been applied to test the validity of claims to indemnity in the Lower than in the Upper Province. To this it was answered that the principle on which the Bill was framed had already been acted upon in Upper Canada, and that Parliament, by its unanimous vote, had given a pledge that it should likewise be applied to Lower Canada; that it was notorious that much property belonging to unoffending persons had been