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C A N A D A.

FURTHER PAPERS

RELATIVE TO

THE AFFAIRS OF CANADA.

(In continuation of the Papers presented May 1849.)

Presented to both Houses of Parliament by Command of Her Majesty,
25TH MAY, 1849.

LONDON:
PRINTED BY W. CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1849.

SCHEDULE.

DESPATCHES FROM GOVERNOR-GENERAL THE RIGHT HON. THE EARL OF ELGIN AND KINCARDINE.

Number in Series.	Date and Number.	SUBJECT.	Page.
1	5 May, 1849 . . .	REBELLION LOSSES BILL. Report on the measure, and statement of the circumstances which led to its introduction	3
		Copy of Commission of Inquiry appointed in 1845, and Instructions	7
		First Report of the Commissioners	9
2	30 April, 1849 . (38)	Transmits PETITION to the Queen from the ROMAN CATHOLIC CLERGY of the City of QUEBEC	10
		Copy of the Petition	10
3	3 May, 1849 . (41)	Enclosing Canada Gazette, containing ADDRESSES to the Governor-General from the LEGISLATIVE ASSEMBLY and City of QUEBEC, &c.	11
		Copy of Address from Assembly, and Governor's Answer	11
		from City of Quebec, and Answer	13
4	4 May, 1849 . (42)	from Officers of 4th Battalion of Regiment of Nicolet, and Answer	13
		Transmits ADDRESS to the Governor from the Towns of LONDON and PRESCOTT	14
		Copy of the Address from London, and Answer	14
5	5 May, 1849 . (43)	from Prescott, and Answer	14
		Transmits PETITION to the Queen from the Inhabitants of KINGSTON against the Rebellion Losses Bill	15
		Copy of the Petition	15

DESPATCH FROM THE RIGHT HON. EARL GREY, SECRETARY OF STATE.

1	18 May, 1849 . (365)	DISTURBANCES IN MONTREAL. Unimpaired Confidence of Her Majesty in the Administration of Affairs in Canada. Judgment respecting the Rebellion Losses Bill reserved until full information as to its character and objects received. Retirement of Governor-General deprecated	16
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FURTHER PAPERS

RELATIVE TO

THE AFFAIRS OF CANADA.

From Governor-General the Right Hon. the Earl of Elgin
and Kincardine to Earl Grey.

No. 1.

CANADA.

No. 1.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of
ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal,

May 5, 1849.

(Received May 22, 1849.)

MY LORD,

IN consequence of the excitement which the passage of the measure for the indemnification of parties in Lower Canada, whose property was destroyed during the rebellion of 1837 and 1838, has occasioned, and of the desire expressed in certain quarters that Her Majesty's power of disallowance should be exercised in this instance, I think it my duty to furnish your Lordship with a report upon it in anticipation of the usual period for the transmission of the Bills of the Session. It will be necessary, however, before I proceed to explain its provisions, to submit a statement of the circumstances which led to its introduction.

2. In the last session of the Parliament of Upper Canada, an Act was passed, entitled "An Act to ascertain and provide for the payment of all just claims arising from the late rebellion and invasion of the province." The intention of this Act would seem to have been to provide indemnity only for owners of property which had been destroyed by rebels and sympathisers from the States. But in the first session of the united Parliament, an amended Act was passed, (4 and 5 Vic., c. 39) which contains the following clause, "and be it enacted, that the powers vested in, and the duties required of, the said Commissioners under the said Act, shall extend and be construed to extend to inquire into all losses sustained by Her Majesty's subjects and other residents within that part of this province to which the said Act extends, from the first breaking out of the said rebellion to the passing of the said Act, and the several claims and demands which have accrued to any such persons by such losses, in respect of any loss, destruction, or damage of property occasioned by violence on the part of persons in Her Majesty's service, or by violence on the part of persons acting or assuming to act on behalf of Her Majesty, in the suppression of the said rebellion, or for the prevention of further disturbances, and all claims arising under, or in respect of the occupation of any houses or premises by Her Majesty's naval or military forces, either Imperial or provincial."

I do not find that any objection was taken by the Home Government to the principle or details of either of these Acts, except on the ground that the preamble of the first as it was originally introduced, contained a pledge, which was afterwards, on Lord John Russell's remonstrance, expunged, that the indemnity in question should form a charge on the Imperial Treasury.

3. On the question of providing funds for the payment of the indemnity thus voted, considerable difference of opinion appears, however, to have prevailed in the local Parliament. The leaders of the Liberal party generally contended that it would be unjust to make it a charge on the resources of the united province, without extending a similar boon to Lower Canada, and that it would be inexpedient to saddle on the general revenue so considerable an additional

CANADA.

burden as the joint indemnities would probably amount to. No steps were accordingly taken during the subsistence of the first Baldwin and Lafontaine Administration. In 1845, however, Lord Metcalfe's Conservative Council proposed that a special fund derived from Tavern and Marriage Licenses, which formed part of the revenue of the Consolidated Fund, and was more productive in Upper Canada than Lower Canada, should be surrendered to the municipalities, and that in Upper Canada it should in the first place be charged with the payment of the indemnity. This proposal was carried through Parliament. On the same day, however, and at an earlier hour, the following resolution was adopted by the House of Assembly unanimously.

Resolved,—That an humble address be presented to his Excellency the Governor-General, praying that his Excellency will be pleased to cause proper measures to be adopted, in order to ensure to the inhabitants of that portion of this province formerly Lower Canada, indemnity for just losses by them sustained during the rebellion of 1837 and 1838."

4. In order that the scope and purpose of the Address thus unanimously voted, and of the measures taken by the Government upon it may be properly understood, it is necessary that attention should be directed to the following circumstance. Ordinances were passed by the Special Council in the years 1838 and 1839, under which the losses of those loyal inhabitants of the province whose property had been destroyed while they were supporting the Government had been ascertained and reported upon. It was therefore clearly the intention of the Government and Parliament, in the proceedings adopted at this period, to extend the indemnity beyond that limit.

5. The mode of getting over the pecuniary difficulty in the case of the indemnity for Upper Canada which the Parliament thus sanctioned, was unquestionably a costly one, and it has always been contended by those who opposed the plan that, as in the financial arrangements consequent on the union between the provinces, Lower Canada had by no means the best of the bargain, it was not fair to give up a portion of the common fund, to which the Upper happened to contribute more largely than the Lower province, without granting an equivalent to the latter.

6. The Commissioners appointed to apportion the indemnity in Upper Canada appear to have been unfettered by any special instructions, and to have acted under the provisions of the Acts to which I have referred, which gave large discretionary powers. At the close of their labours they delivered to the Government lists of the claims rejected or allowed by them, without, however, any statement of the grounds of their decision. There is no reason to doubt they discharged their trust with fidelity. During the course of the recent debates in Parliament, quotations were, however, made from these lists, with the view of showing that in some instances the names of persons who had been actually convicted of treason appeared upon them as recipients of indemnity. Much irritating discussion took place on this point; for, while on the one hand the Conservative opposition affirmed that such cases were both few in number, and defensible on special grounds, Mr. Papineau and his adherents contended that the insertion of a clause in the Lower Canada Act excluding persons so situated from participating in the indemnity fund on any pretext whatsoever, was only a fresh proof of the invidious distinction between the provinces, constantly made to the disadvantage of Lower Canada.

7. In pursuance of the Address of the Assembly above quoted, Commissioners were appointed to inquire into the claims of persons in Lower Canada whose property was destroyed during the rebellion in 1837 and 1838. I enclose herewith copies of the document under which they were appointed, and of the instructions by which it was accompanied and followed. Your Lordship will observe that the Commissioners were directed to classify the cases of those who may have joined in the said rebellion, or may have been aiding and abetting therein, from the case of those who did not; and when they inquired, through their secretary, how they were to establish such a classification, they were answered by Mr. Secretary Daly, under the authority of the Governor in Council, in the following terms: "In making out the classification called for by your instructions of the 12th December last, it is not his Excellency's intention that you should be guided by any other description of evidence than that furnished by the sentences of the courts of law."

8. The Commissioners furnished their report (a copy of which I enclose) in

Pages 7 and 8.

Page 8.

Page 9.

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

CANADA.

wantonly destroyed in this section of the province during the rebellion. That it was false to affirm that the measure was intended for the benefit of rebels; that, on the contrary, all convicted rebels, as well as those who having confessed their guilt were sent to Bermuda, were expressly excluded; and that for the rest the Commissioners appointed under the Act would be bound, under the sanction of an oath, precisely in the same way as the Commissioners for Upper Canada had been before them, to examine minutely into the justice of all claims preferred before them, and to apportion the indemnity according to the true intent and meaning of the Act.

12. The opposition raised to the Bill in Parliament was echoed out of doors. A considerable number of petitions against it were sent up from different parts of the province. It is remarkable, that although these petitions were prepared while the measure was still in progress through Parliament, and, in many instances, as appears from incorrect statements contained in them, before its provisions were accurately known, the great majority were addressed to me, but few comparatively being presented to either branch of the Legislature. Whether from the belief that it was hopeless to attempt to cause their views to prevail with the Representatives of the people, or from some other motive which may not be so easily intelligible at a distance, it seems to have been from the first the determination of the Opposition to force me to join issue with the Local Parliament upon this most delicate and exciting question.

13. The petitions addressed to me on this subject generally concluded with the prayer that I should either dissolve Parliament, or reserve the Bill, when it reached me, for the signification of Her Majesty's pleasure. The former of these courses was obviously full of hazard, and could only have been justified by the pressure of an overbearing necessity, and the clearest prospect of success. The Parliament had been but recently elected under the auspices not of the Ministry, but of the Opposition. To have recourse to a general election, in order to test the feelings of the people on this exciting topic, was to provoke in many parts of the country scenes of violence, perhaps of bloodshed. Moreover a dissolution implied a change of Administration, and if it failed of its object, its only effect would be to implant suspicion and mutual distrust between the Representatives of the Crown and the Local Parliament. I was bound, therefore, as it appeared to me, to weigh all probabilities carefully before resorting to so desperate an expedient. The best consideration which I was able to bestow upon the subject led me to the conclusion that a dissolution of Parliament, under the circumstances in which the province was placed, would not have been justifiable, either in principle or policy.

14. The other course suggested by the petitioners, viz., that of reserving the Bill, was undoubtedly more safe and practicable. Perhaps if I had consulted in this matter only my own case I might have been induced to follow it. But I felt that after what had occurred, with respect to indemnity in Upper Canada, I could hardly fail to cause just umbrage to Parliament, if I declined to sanction the Bill which it had passed for the benefit of sufferers in Lower Canada. I analyzed with care the votes of the Assembly, and I found that on the passing of the Bill, 47 voted for and 18 against the measure; that of 31 members from Upper Canada who voted on the occasion, 17 supported and 14 opposed it; and that of 10 members for Lower Canada of British descent, 6 supported and 4 opposed it. These facts seemed altogether irreconcilable with the allegation that the question was one on which the two races were arrayed against each other throughout the province generally. I considered, therefore, that by reserving the Bill, I should only cast on Her Majesty and Her Majesty's advisers a responsibility which ought, in the first instance at least, to rest on my own shoulders, and that I should awaken in the minds of the people at large, even of those who were indifferent or hostile to the Bill, doubts as to the sincerity with which it was intended that constitutional Government should be carried on in Canada; doubts which it is my firm conviction, if they were to obtain generally, would be fatal to the connexion.

15. At any rate, however, this is a point which can be determined only by the Government of the Queen. If I have erred the error is not irreparable. Should your Lordship be of opinion that there is in the character of this measure some specialty which ought to have removed it from the category of local questions on which the Local Parliament is entitled to pronounce, I shall at once bow to your decision, confident that you will still give me credit for

having, under circumstances of no ordinary difficulty, acted with a sincere desire to perform my duty to Her Majesty, and to promote the best interests of the colony.

CANADA.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure 1 in No. 1.

Encl. 1 in No. 1.

COMMISSION appointing Commissioners to inquire into the Losses sustained by Loyal Inhabitants of Lower Canada during the late Rebellion.

Recorded in the Registrar's Office of the Records at Montreal the 26th day of November, 1845, in the Register A of Privy Seal Commissions, folio 332.

R. A. TUCKER, Registrar.

(Metcalfc.)

PROVINCE OF CANADA.

His Excellency the Right Honourable Charles Theophilus Baron Metcalfe of Fernhill, in the county of Berks, G.C.B., one of Her Majesty's Most Honourable Privy Council, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

To all to whom these presents shall come, or whom the same may concern, greeting:—

Know Ye, that reposing trust and confidence in the loyalty, integrity, prudence, and ability of the Honourable Joseph Dionne, and the Honourable Philip H. Moore, Esquires; and Jacques Viger, John Simpson, and Joseph U. Beaudry, Esquires, I have nominated, constituted, and appointed, and by this Instrument, under my hand and seal, do nominate, constitute, and appoint the said Joseph Dionne, Philip H. Moore, Jacques Viger, John Simpson, and Joseph U. Beaudry to be Commissioners for Inquiry into the losses sustained by Her Majesty's loyal subjects in that part of the province of Canada, which formerly constituted the late province of Lower Canada, during the late unnatural rebellion which unhappily existed in that part of the said province, and arising from, and growing out of the said rebellion, to have and to hold the said office of Commissioners as aforesaid, unto them the said Joseph Dionne, Philip H. Moore, Jacques Viger, John Simpson, and Joseph U. Beaudry, for and during pleasure, together with all and every the rights, authorities, and emoluments thereunto belonging or appertaining.

Given under my hand and seal at arms at Montreal, in the said province of Canada, this twenty-fourth day of November, in the year of our Lord one thousand eight hundred and forty-five, and in the ninth year of Her Majesty's reign.

By his Excellency's command,
(Signed) D. DALY, Secretary.

Provisional Registrar's Office, Montreal,
Montreal, May 5, 1849.

I hereby certify the foregoing to be a true and faithful copy of the record of the original Commission, with which it has been carefully examined by me.

(Signed) R. A. TUCKER, Registrar.

Enclosure 2 in No. 1.

Encl. 2 in No. 1.

SIR,

Secretary's Office, Montreal, Dec. 12, 1845.

I HAVE the honour, by command of the Administrator of the Government, to transmit to you the accompanying Commission appointing yourself, the Honourable P. H. Moore, and Jacques Viger, John Simpson, and Joseph U. Beaudry, Esquires, to be Commissioners for Inquiry into the losses sustained by Her Majesty's subjects during the unhappy troubles in Lower Canada, of the years 1837-8, and also arising from and growing out of the same. And I am to inform you that his Excellency has been pleased to appoint Mr. J. G. Barthe to be Secretary to the Commission.

The necessary instructions for the guidance of the Commissioners are transmitted to you herewith.

I am accordingly to express to you his Excellency's wish that you should lose no time in communicating on the subject with your fellow Commissioners, and making the necessary arrangements for entering with them on the active prosecution of the labours of the Board.

The remuneration of each Commissioner will be at the rate of 1*l.* per diem, while actually engaged in the inquiry, or in travelling in pursuance of it.

I have, &c.,
(Signed) D. DALY, Secretary,

Hon. Joseph Dionne,
&c. &c. &c.

St. Pierre les Becquets, District Three Rivers.

CANADA.

Enclosure 3 in No. 1.

Encl. 3 in No. 1.

Secretary's Office, Montreal,
December 12, 1845.

GENTLEMEN,

HIS EXCELLENCY the Administrator of the Government having been pleased to appoint you to be Commissioners for inquiring into the losses sustained by the inhabitants of that portion of this province formerly Lower Canada, during the late unhappy rebellion therein, as also into the losses sustained by those inhabitants arising out of that rebellion, I have the honour, by command of his Excellency, to transmit the following instructions for your guidance in conducting your inquiry.

1st. You will, in the performance of the duties devolving upon you under the present Commission, carefully classify the cases of those who may have joined in the said rebellion, or may have been aiding and abetting therein, from the cases of those who did not, stating particularly, but succinctly, the nature of the loss sustained in each case, its amount and character, and as far as possible, its cause.

2nd. You will abstain from entering into the consideration of any cases which may have been reported upon by the Commissioners formerly appointed to examine into the rebellion losses.

To enable you to do this, the reports made by them will be furnished to your secretary, on his making application on your behalf for the same.

3rd. You will accompany your report on the claims investigated by you with such remarks as may be necessary to a perfect understanding of the matters entrusted to your investigation, in order that the same may be submitted to the provincial Legislature at its approaching session.

The Commissioners of Inquiry.

I have, &c.,
(Signed) D. DALY, Secretary.

Encl. 4 in No. 1.

Enclosure 4 in No. 1.

Office of Losses, 1837-8, Wardrobe of the Legislative Assembly,
Montreal, February 11, 1846.

SIR,

I HAVE the honour to transmit to you, by order of the Commissioners to Inquire into the Losses sustained by Her Majesty's Subjects during the Troubles of 1837-8, to be submitted to his Excellency the Administrator of the Province, the following questions, the answer to which will serve as their guidance in the execution of the duties imposed upon them.

The instructions of the 12th December last, transmitted to the Commissioners, differing essentially from the tenor of the Commission by which they have been appointed, as to the persons who have a right to indemnification, what are the powers conferred on the Commission to establish the classifications required by the instructions?

What are the powers conferred on the Commissioners to call before them the necessary witnesses, and to procure the necessary evidence in order to obtain an exact valuation of the losses?

Are the Commissioners to travel to the different parts of the district, in order to accomplish the object of the Commission?

Is the remuneration of the Secretary left to the discretion of the Commissioners, or reserved for the decision of his Excellency?

Hon. D. Daly, Provincial Secretary,
&c. &c. &c.I have, &c.,
(Signed) J. G. BARTHE,
Secretary to the Commissioners of Inquiry, &c.

Encl. 5 in No. 1.

Enclosure 5 in No. 1.

Secretary's Office, Montreal,
February 27, 1846.

GENTLEMEN,

THE Administrator of the Government having had under consideration in Council the queries addressed in your behalf by your secretary, in his letter of the 11th instant, I have received his Excellency's commands to communicate to you the following replies for your instruction and guidance.

1. In making out the classification called for by your instructions of the 12th of December last, it is not his Excellency's intention that you should be guided by any other description of evidence than that furnished by the sentences of the courts of law.

2. His Excellency considers that you have no power as Commissioners to call either for persons or papers; and that you must therefore be satisfied with such general evidence as the claimants may produce, or as may enable you to form a general estimate of the losses they have suffered.

3. The object of the Executive Government in appointing your Commission, being merely to obtain a general estimate of the Rebellion losses, the particulars of which must form the subject of more minute inquiry hereafter under legislative authority, his Excellency cannot regard it as necessary that you should travel to the country parts of the district to obtain such particulars.

4. His Excellency has been pleased to fix the rate of your Secretary's remuneration at 11. currency per diem.

The Commissioners of Inquiry relative
to Losses in 1837-8.I have, &c.
(Signed) D. DALY, Secretary.

Enclosure 6 in No. 1.

CANADA.

FIRST REPORT of the COMMISSIONERS appointed to inquire into the LOSSES occasioned by the TROUBLES during the years 1837 and 1838, and into the DAMAGES arising therefrom. Encl. 6 in No. 1.

To his Excellency the Right Honourable Charles Murray, Earl Cathcart of Cathcart, in the county of Rensfrew, K.C.B., Lieut.-General, Administrator of the Government of the Province of Canada, and Commander of the Forces in British North America.

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned have the honour to submit to your Excellency, the Report of their proceedings under the Commission issued on the 24th day of November last, under the seal of his Excellency Lord Metcalfe, the then Governor of this Province, appointing them Commissioners to inquire into the losses sustained during the troubles of 1837 and 1838, and into the damages arising therefrom.

The want of power to proceed to a strict and regular investigation of the losses in question, left the Commissioners no other resource than to trust to the allegations of the claimants, as to the amount and nature of their losses. It is from these data alone, and the general inferences which would be drawn therefrom, that the Commissioners can form an approximate estimate of the sums requisite to cover the amount of damages sustained.

In order to throw more light upon this investigation, the Commissioners have drawn up, as showing the result of their labours, a table exhibiting at one glance the nature and particular circumstances of each claim, making a distinction between losses sustained on property, and those of another description. One column is reserved for the latter, and in it the Commissioners have put down the sums claimed for damages arising from the loss of property destroyed, or carried off, claims for interest, claims for damages sustained from interruption of business or trade, and from the quartering of troops; claims of sums extorted by threats of accusation, or prosecutions on accusation of high treason; damages arising from imprisonment for political misdemeanors, without having been brought to trial; in fine, every claim not relating to the value of property destroyed or carried off, has been placed under that head.

The claims for immovable property are mostly founded on the destruction of buildings by fire, by order of the military authorities or by the volunteers or the insurgents, according to the allegations of the claimants. There are also several claims, to the amount of 2,605*l.* 6*s.* 8*d.* for property destroyed since the troubles, and during the years 1839, 1840, 1841, and 1843, and which is supposed to have been destroyed by the insurgents who took refuge on the frontier, and who are said to have been actuated by political animosity.

The claims on losses of moveable property are alleged in great part to have arisen from the pillaging of the insurgents, or of Her Majesty's troops, or the volunteers. Under this head are a great many claims resulting from the disarming of the population during the troubles which occurred in those years.

There are many particular cases which the Commissioners cannot pass over in silence. Two claims were made in consequence of sickness and infirmities contracted by the claimants while serving as volunteers, without, however, specifying any particular sum. Two other individuals claim for wounds received from one of the insurgents. A third for the loss of a leg in trying to escape from them. Another individual claims a pension of 12*l.* or a capital of 200*l.* for the loss of his mental faculties from bad treatment and illegal imprisonment. A case still more painful is the claims of a mother for the murder of her son, her sole support, by a soldier while escorting property belonging to Her Majesty's Government.

A great number of applications made to the first Commission of Inquiry appointed under the authority of the Ordinance of the Special Council of Lower Canada, chapter 7, in the first year of Her Majesty's reign, have been renewed before the undersigned Commissioners. Some of these have been objects of the investigation of the first Commissioners, and by them approved in whole or part, those interested not being able to receive the amount of their respective allowances for want of disposable funds. Others again were returned as not falling under the above cited Ordinance, which had a less general and more restricted character than the instructions given to the undersigned Commissioners; and finally, others could not be examined on account of the suspension of the first Commission.

These different proceedings appear under their respective headings in the Table, to which we take the liberty to refer your Excellency. The total amount claimed before the old Commission, and renewed before the undersigned Commissioners, is 70,551*l.* 3*s.* 9*d.*, of which 10,292*l.* 4*s.* 1*d.* have been allowed by the first Commission, and have not yet been paid. The amount which they have not recognized, is 59,403*l.* 16*s.* 10*d.*

All the claims which the undersigned Commissioners have recognised, amount to 2176, and represent a sum total of 241,965*l.* 10*s.* 5*d.* divided as follows:—

	£.	s.	d.
Personal property	111,127	4	9
Real property	68,961	7	11
Damages not comprised in the two foregoing heads	61,876	17	9

This latter sum includes about 9000*l.* for interest; 2000*l.* for quartering of troops, 30,000*l.* indemnity for imprisonment, interruption of business or trade, privation of goods destroyed or carried off, and banishment; and the remainder represents various losses, such as account books, trade effects, and many others which it is needless to detail.

To attain the ends which your Excellency appears to have in view in your last instructions, and in particular to submit to your Excellency an approximate estimate of the sum required to

CANADA.

indemnify those who have sustained losses, the Commissioners have thought it their duty to take into consideration :—1st. Certain parts of the claims which from their nature appear inadmissible, such as the claim for interest. 2nd. The claims themselves, which in many cases are evidently exorbitant; and 3rd, the proportion of the allowances of the first Commissioners, which is 61½ per centum.

Actuated by these considerations, the Commissioners are of opinion that 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 closer examination.

The Commissioners, in the above enumeration, have omitted to mention that different sums, to the amount of 25,903*l.* 15*s.* 7*d.*, are claimed by persons who appear to have been condemned by the court-martial established under the authority of the Ordinance of the Special Council of the province of Lower Canada, passed in the second year of Her Majesty's reign, cap. 3, and copy whereof is submitted along with the present Report.—(*The copy of the sentences is preserved among the files of the Session.*)

The Commissioners have reason to believe that all the claims have not been presented, although notice was given on the 23rd of December last, the day on which the Commissioners commenced their labours; those, however, which may be received hereafter will form the subject of a supplementary Report.

The whole respectfully submitted by the Commissioners.

(Signed)

JOS. DIONNE.
P. H. MOORE.
J. VIGER.
JNO. SIMPSON.
J. U. BEAUDRY.

Montreal, April 18, 1846.

No. 2.

(No. 38.)

No. 2.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

MY LORD,

Government House, Montreal,
April 30, 1849.

(Received May 22, 1849.)

I HAVE the honour to transmit herewith a petition to Her Majesty the Queen from the members of the Roman Catholic clergy of the city of Quebec.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Encl. 1 in No. 2.

Enclosure 1 in No. 2.

Province du Canada, District de Québec.

À LA TRÈS GRACIEUSE MAJESTÉ DE LA REINE.

QU'IL PLAISE À VOTRE MAJESTÉ,

Nous les membres du Clergé Catholique de la Cité de Québec, tant en notre nom, qu'en celui de tout le clergé de l'archdiocèse de Québec, dont nous n'hésitons pas à nous rendre les interprètes, demandons humblement la permission d'approcher du trône de Votre Majesté pour lui exprimer l'indignation et la douleur que nous éprouvons au sujet des insultes inouïes en ce pays, auxquelles a été exposé le Représentant de Votre Majesté en cette province, et de l'acte de Vandalisme sans exemple dans aucun pays civilisé commis contre le lieu partout sacré, des Séances Législatives, où se trouvaient déposées sous la garde de l'honneur public, les archives de la Législature, et une des plus belles collections littéraires et scientifiques que possédât l'Amérique, et qui déjà faisoit à juste titre l'orgueil du Canada.

Nous saisissons cette occasion de témoigner à Votre Majesté les sentiments de notre vive confiance dans la justice et l'impartialité qui caractérisent l'administration du Représentant de Votre Majesté en cette province, le Très Honourable Comte d'Elgin et Kincardine; et nous osons exprimer l'espoir que son administration recevra la gracieuse approbation de Votre Majesté.

Nous prions en même temps Votre Majesté de nous permettre de lui exposer que, dans les circonstances où se trouve actuellement cette colonie, nous considérerions le rappel du Représentant actuel de Votre Majesté, comme un événement dangereux et propre à conduire à l'anarchie, et à une séparation violente de cette colonie d'avec la mère patrie, événement que nous déplorerions du plus profond de notre cœur, et auquel, nous l'espérons, le tout puissant daignera nous soustraire.

Nous prions de plus Votre Majesté de compter sur la loyauté, la fidélité, et l'attachement de ses sujets Catholiques de cette partie de la province du Canada, ci-devant appelée le Bas Canada;

et nous osons assurer Votre Majesté qu'ils regardent comme un bienfait de la Divine Providence, de vivre sous le Gouvernement de Votre Majesté dans un temps où presque toutes les nations civilisées sont en proie aux révolutions et à tous les malheurs qui en sont la suite inévitable.

Pourquoi nous supplions humblement Votre Gracieuse Majesté, de vouloir bien jeter un regard favorable sur notre présente requête, et décider sur icelle, ce que Votre Majesté, en sa sagesse, croira juste et convenable.

Et vos humbles Petitionnaires par devoir et par reconnaissance ne cesseront de prier.

Quebec, 2 Mai, 1849.

[Here follow 47 signatures.]

CANADA.

(No. 41.)

No. 3.

No. 3.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal,

May 3, 1849.

MY LORD,

(Received May 22, 1849.)

I HAVE the honour to enclose herewith an extra Canada Gazette, containing an address presented to me by the Legislative Assembly of this province, together with my answer thereto.

I have, &c.,

(Signed)

ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure in No. 3.

Encl. in No 3.

EXTRACT from the "Canada Gazette," dated May 2, 1849.

PROVINCE OF CANADA.

Legislative Assembly, Montreal, April 28, 1849.

ADDRESS

To his Excellency the Right Honourable JAMES, Earl of ELGIN and KINCARDINE, Knight of the Most Ancient and Most Noble Order of the Thistle, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

WE, Her Majesty's dutiful and loyal subjects, the Commons of Canada in Parliament assembled, have witnessed, with feelings of deep sorrow and indignation, the proceedings of a mob of riotous and disorderly inhabitants of this city, who, in a time of profound peace and tranquillity, have committed several wanton and disgraceful outrages, as well upon persons as property, the most prominent of which is the destruction of the building occupied by the two Houses of Parliament. At such a moment of excitement, we feel it to be due to ourselves and our constituents to assure your Excellency of the devoted loyalty and attachment of the people of Canada to the person and Government of our beloved Sovereign, and of their earnest desire to preserve the connection with the parent state.

We further beg leave to express to your Excellency our deep sense of the justice and impartiality which has uniformly characterized the constitutional Government of your Excellency, while assisted by the counsels of your former, as well as your present advisers, without reference to the policy of either.

While we sincerely hope that the tranquillity of the city is now substantially restored, we feel it our duty to assure your Excellency of our cordial support of any measure which your Excellency may find it necessary to take for the preservation of the public peace; and we pledge ourselves to make good any expense that your Excellency may have found it necessary, or may yet find it necessary, to incur for the accomplishment of that object.

ANSWER of his Excellency the GOVERNOR-GENERAL to the Address of the Legislative Assembly, of Saturday, the 28th April, 1849, on the subject of the burning of the building occupied by the two Houses of the Legislature, and the Outrages committed subsequent thereto.

GENTLEMEN:

I RECEIVE with gratitude your loyal and dutiful Address. I lament the outrages of which this city has been the theatre during the few past days, and more especially the destruction of the building occupied by the Houses of Parliament, with the valuable libraries, of which the province had so good reason to be proud.

CANADA.

My confidence in the good sense, moderation, and loyalty of the body of the people is, however in no degree shaken by what has occurred.

It is satisfactory to me to receive the assurance that the course of justice and impartiality which I have followed in the discharge of the functions of my high office meets your approval. That course is prescribed to me by my duty to my Sovereign and to the inhabitants of the province. A free people can hardly fail to discover, in the faithful observance of all constitutional guarantees the best security for the preservation of their rights and liberties.

No efforts will be wanting on my part to secure the preservation of the peace of the city, and I sincerely trust that, by the exertions of the Legislative and Executive authorities, and the co-operation of all the friends of order, this object may be accomplished.

Province of Canada.

DISTRICT OF QUEBEC.

At a public meeting of the citizens of Quebec, duly called by public notices, and held on the St. Paul-street Market, at Quebec, on the 29th day of April, 1849, to consider on the means of maintaining the freedom of the deliberations of the Legislature, Edward Glackemeyer, Esq., in the Chair; N. Aubin, Esq., Secretary,—the following Resolutions were unanimously agreed to:—

1. *Resolved*,—That the citizens of Quebec, duly convened by public notices, here present, have learned, not only with indignation, but with the greatest grief, the excesses which have taken place in the new capital of Canada, by which an attempt has been made to deprive the Representatives of the country of that freedom which is indispensable to the working of all constitutional and good government, by attacking the Members of the Legislature, and destroying, together with the edifice where the Legislative Assembly held their sittings, archives of greatest importance and a most valuable library, the loss of which is irreparable.

2. *Resolved*,—That this meeting expresses the warmest sympathy and its deepest gratitude for his Excellency the Earl of Elgin, Governor-General, who, notwithstanding threatening demonstrations, made use, without fear, of the power confided to him by the constitution, by giving force of law to a decision of the two other branches of the Government, an act of firmness and justice which has exposed him to outrages unworthy of a civilized people; and lastly, that the citizens of Quebec think it right on this occasion to offer his Excellency their support for the maintenance of public order, of the rights of the Legislature, and for the protection of his person.

3. *Resolved*,—That a Committee be appointed to prepare and sign, in the name of the citizens of Quebec, an address to his Excellency the Governor-General, founded on the two resolutions, and that the following gentlemen do compose the said Committee:—

E. Glackemeyer, L. Prevost, J. P. Rhéaume, N. Aubin, J. Chouinard, M. Robitaille, J. B. Bureau, J. B. Hardy, E. Chinic, Geo. Audet, T. Fournier, W. Venner, D. Rousseau, H. Gauvreau, Jos. Larose, Frs. Nadeau, J. B. Pruneau, Ab. Hamel, Dr. Blanchet, O. Valières, Luke Brothers, — McKay, H. O'Donnell, P. M. Partridge, John Connors, P. Huot fils, Chs. Chamberland, J. McGuire, P. Allard, P. Fréchette, A. Plamondon, N. Rinfret, Dr. Robitaille, G. H. Simard, P. V. Bouchard, B. McKue, F. Bruu.

4. *Resolved*,—That the said address be carried to Montreal, and presented to his Excellency the Governor-General by a deputation composed of the following gentlemen:—

The President and Secretary of the meeting, J. Chouinard, Wm. Venner, Dr. Rousseau, A. Vocelle, J. B. Hardy, J. P. Rhéaume, Jos. Légaré, G. H. Simard, Jos. Larose, John McGuire, Bernard McKue, Dr. Bardy, Hugh O'Donnell, Frs. Defoy, John McGuire, John Connors, Esquires.

After which a vote of thanks to the President and Secretary was adopted by acclamation, and the meeting dispersed.

Certified, N. AUBIN, Secretary.

Quebec, April 29, 1849.

ADDRESS

To his Excellency the Right Honourable JAMES, Earl of ELGIN AND KINCARDINE, Knight of the Most Ancient and Most Noble Order of the Thistle, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, Her Majesty's dutiful and faithful subjects, the citizens of Quebec, beg respectfully to express to your Excellency that we have learned, not only with indignation but with the greatest grief, the excesses which have taken place in the new capital of Canada, by which an attempt has been made to deprive the representatives of the country of that freedom which is indispensable to the working of all constitutional and good Government, by attacking the Members of the Legislature, and destroying, together with the edifice where the Legislative Assemblies held their sittings, archives of the greatest importance, and a most valuable library, the loss of which is irreparable.

That we further express the warmest sympathy and our deepest gratitude for your Excellency for having, notwithstanding threatening demonstrations, made use, without fear, of the power confided to you by the constitution, by giving force of law to a decision of the two other branches of the Government, an act of firmness and justice which exposed your Excellency to

outrages unworthy of civilized people; and; lastly, that the citizens of Quebec think it right, on this occasion, to offer your Excellency their support for the maintenance of public order, of the rights of the Legislature, and for the protection of your person.

(Here follow 36 signatures.)

Quebec, April 29, 1849.

To which his Excellency was pleased to give the following answer:—

GENTLEMEN,

I ACCEPT with very sincere gratitude your loyal address. I deplore with you the excesses which have occurred in the city of Montreal; and I grieve to see that any section of persons in this free and intelligent community should act as though they deemed it justifiable to make their views, however unexceptionable they may believe them to be, prevail by violence. I trust that the great body of the inhabitants of the province will discountenance all such attempts, and lend their support, as the citizens of Quebec have done, to the cause of peace and order.

(Signed) ELGIN AND KINCARDINE.

Government House, Montreal, May 1, 1840.

Province of Canada.

DISTRICT OF THREE-RIVERS.

To his Excellency the Right Honourable JAMES, Earl of ELGIN AND KINCARDINE, Knight of the Most Ancient and Most Noble Order of the Thistle, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c. &c. &c.

WE, the undersigned Officers of the 4th Battalion of the Regiment of Nicolet, both on our behalf and as representing all the militia of the said battalion, residing in the parish of St. Grégoire le Grand, beg leave respectfully to approach your Excellency—

To express to your Excellency the full and entire satisfaction which has been created amongst the loyal subjects of Her Majesty in this parish and in the province generally, by the wise and impartial administration of the Government during the last two years;

To manifest the sympathy which we feel towards the person of your Excellency and this Government.

We have learnt with feelings of indignation the disgusting insult committed on the person of your Excellency, on the afternoon of the 25th instant, by an ungrateful and insolent rabble.

It is, moreover, with the greatest pain we have learnt the deplorable event of the burning of the Parliament buildings, and the irreparable loss of all their contents.

In conclusion, we take this opportunity of publicly declaring our attachment to Her Majesty's Government, as well as to the person of Her Representative, and of expressing our determination to lend our assistance either for re-establishing or maintaining order, or for protecting your Excellency's person and Government.

(Here follow 31 signatures.)

St. Grégoire, April 28, 1849.

ANSWER to the Officers of the 4th Battalion of the Regiment of Nicolet.

GENTLEMEN,

Secretary's Office, Montreal, May 1, 1849.

I HAVE the honour to acknowledge the receipt of the address you have issued to the Governor-General on the occasion of the recent events, and to testify the lively satisfaction with which his Excellency has received that expression of your feelings of loyalty towards Her Majesty's Government, of attachment to the person of Her Representative, of your approbation of his conduct in the Government of this province, and of your loyal determination to lend your assistance either for re-establishing and maintaining order, or for protecting his Excellency's person and Government.

I am commanded by his Excellency to assure you that, after the satisfaction he feels of having performed his duty, there can be no more pleasing reward for him than the approval and affection of the good people he is called upon to govern.

By Command,

JAMES LESLIE, Secretary.

CANADA.

(No. 12.)

No. 4.

No. 4.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of
ELGIN and KINCARDINE to Earl GREY.

MY LORD,

Government House, Montreal,
May 4, 1849.

(Received May 22, 1849.)

I HAVE the honour to transmit herewith copies of such addresses as
have been received since those forwarded to your Lordship on the 3rd instant,
No. 41.

Page 11.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Encl. in No. 4.

Enclosure in No. 4.

To His Excellency the Right Hon. JAMES, Earl of ELGIN and KINCARDINE, K.T.,
Governor-General of British North America, &c. &c.

WE, the undersigned inhabitants of the town of London, beg to approach your Excel-
lency with unfeigned expression of our respect for your Excellency as a statesman of distin-
guished ability, and as Her most Gracious Majesty's representative in this province.

We cannot refrain from giving utterance to our entire abhorrence and disgust at the dis-
graceful and lawless proceedings of a mob, which have recently taken place at the seat
of Government, and more especially of the outrageous assault upon your Excellency, whose
constitutional administration of the Government of the province, commands our warmest
admiration, and merits the approval of every lover of order and good government.

We beg further to assure your Excellency, that the inhabitants of this section of the province,
will, at all hazards, unanimously support the Government in any effort that may be necessary
to maintain peace and order in the country, although we do not anticipate that any unusual
measures will be required.

ANSWER.

GENTLEMEN,

YOUR loyal and cordial Address affords me the most sincere gratification. I can truly
say that it has been my constant study since I assumed the high office which our Gracious
Queen has conferred on me, to promote, by all means in my power, the welfare of Canada
and the happiness of its people. It is my profound conviction that these important objects
will best be attained by a faithful adherence to the principles of constitutional Government,
and I rejoice to learn that the enlightened inhabitants of the town of London share that con-
viction with me.

I thank you for the assurance that the inhabitants of your section of the province will
unanimously support the Government in any effort that may be necessary to maintain peace
and order, although I concur with you in thinking that no unusual measures will be re-
quired.

To his Excellency JAMES, Earl of ELGIN AND KINCARDINE, Knight of the Most
Ancient and Most Noble Order of the Thistle, Governor-General of British North
America, and Captain-General and Governor-in-Chief in and over the Provinces of
Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-
Admiral of the same, &c. &c. &c.

WE, the undersigned inhabitants of the town of Prescott and its vicinity, beg to assure
your Excellency, that it has been with feelings of indignation as well as sorrow, that we have
heard of the insults offered to your Excellency when returning from the Legislative Council
Chamber on the 25th instant, after having signified the Royal Assent to "An Act to provide
for the Indemnification of Parties in Lower Canada, whose Property was destroyed during
the Rebellion in the years 1837 and 1838," and of the destruction of much property, both
public and private, at the city of Montreal, by a large body of persons, in the evening of the
same day.

Whatever difference of opinion there may exist amongst us respecting that "Act," we are
unanimously of opinion that it offers no justification for such proceedings as we now deplore.
We condemn them as alike outrageous and disgraceful, and sincerely hope the principal
actors therein, and instigators thereto, may be discovered and punished.

We further beg to assure your Excellency to believe in our unabated attachment to Her
Majesty the Queen, and to the constitution which has been conceded to this province, to the
principles of which we bear witness your Lordship has strictly adhered during your Govern-

ment; as, likewise, in our determination to give our hearty support to law and order under all circumstances, and especially in opposition to all attempts at intimidation, by force and violence, proceed from what quarter they may.

We have, &c.,

[Here follow 213 Signatures.]

Prescott, April 30, 1849.

ANSWER.

GENTLEMEN,

I RECEIVE with very sincere gratification your loyal and patriotic Address. I lament with you the excesses which have occurred in the city of Montreal, and their still more disastrous consequence the interruption of trade and the shock given to credit. Let all good men, whatever be their minor differences, unite as you have done to support the cause of order and constitutional government, and these evils will speedily be repaired. Let peace and prosperity be established in Canada, and the indignities which I have personally undergone will at once be effaced from my recollection.

(No. 43.)

No. 5.

No. 5.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal,

May 5, 1849.

(Received May 22, 1849.)

MY LORD,

I HAVE the honour to transmit herewith, a Petition to the Queen, from certain inhabitants of the city of Kingston, against the Bill for the indemnification of persons in Lower Canada, whose property was destroyed during the rebellion. Your Lordship will observe that the description given of the measure by the petitioners, is in many important particulars inaccurate.

I have, &c.,

(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure in No. 5.

Encl. in No. 5.

To Her Most Gracious Majesty VICTORIA, by the Grace of God, Queen of Great Britain and Ireland, Defender of the Faith, &c., &c., &c.

The Petition of the Undersigned Inhabitants of the City of Kingston, in Canada West,

HUMBLY SHEWETH,

THAT your petitioners have learnt with astonishment, that it is proposed by your Majesty's present Canadian Government to appropriate 180,000*l.* of the funds of the province, to the indemnification of those parties in Lower Canada, who have sustained losses during the rebellions of the years 1837 and 1838.

That your petitioners are given to understand that most of the persons whom it is now proposed to indemnify, were actively and openly engaged in the rebellions of those years; their losses occasioned by their own acts, and suffered whilst in arms against your Majesty's Government.

Your petitioners humbly represent to Your Majesty, that it would be an outrage to the feelings of the loyal inhabitants of the province, and would be affording a premium to high treason, to grant any indemnity to such persons, for losses sustained under such circumstances.

Your petitioners further humbly represent to Your Majesty, that they are sensible that the loyal inhabitants of Lower Canada who sustained losses during the rebellions there, ought to be indemnified. But that the similar losses of Upper Canada having been charged upon a local fund raised in Upper Canada,

Your petitioners deem it an act of injustice to this part of the province to charge upon the consolidated revenue so large a sum as 180,000*l.* for losses sustained in Lower Canada.

Your petitioners humbly pray that Your Majesty will take the matters alleged in this petition, into Your Majesty's gracious consideration, and take such steps thereupon as may seem to Your Majesty most conducive to the dignity of the Crown, and the safety and weal of Your Majesty's loyal Canadian subjects.

And petitioners, as in duty bound, will ever pray.

[Here follow 326 Signatures.]

CANADA.

**Despatch from the Right Hon. Earl Grey,
Secretary of State.**

No. 1.

(No. 365.)

No. 1.

COPY of a DESPATCH from Earl GREY to Governor-General the Right Hon.
the Earl of ELGIN AND KINCARDINE.

MY LORD,

Downing-street, May 18, 1849.

For Lord Elgin's
Despatch April 30,
1849, *vide* Papers
relative to the Affairs
of Canada, presented
to Parliament by Her
Majesty's Command,
May, 1849, page 3.

I HAVE received and laid before the Queen, your Lordship's Despatch of the 30th of April, giving an account of the scenes by which the city of Montreal has been disgraced, and in the course of which the building occupied by the Provincial Parliament has been destroyed by fire.

I am commanded by Her Majesty, to inform your Lordship that while she has received with very great concern, the intelligence of these deplorable events, they have not impaired the confidence which Her Majesty has hitherto felt in your ability and judgment, and that she continues to regard your administration of the affairs of the province, as meriting her entire approbation.

Upon the Act of the Provincial Parliament, which has afforded a pretext for the outrages which have been committed, it is the duty of Her Majesty's servants to reserve their judgment until we shall be in possession of the full information which you lead me to expect as to its character and objects; but whatever may be the view which may be taken of the merits of that measure, there can be but one opinion as to the guilt of those who in resistance to a law constitutionally passed by the Provincial Legislature, have had recourse to violence of so disgraceful a character, or as to the very serious responsibility incurred by all who have, even by the imprudence of their language, assisted in producing the excitement which has led to such lamentable results. Her Majesty's servants entirely concur with your Lordship, as to the consequences which must follow from submitting to the kind of dictation by which it has been attempted on this occasion to overrule the decision of the legally constituted authorities of the province, and they confidently rely upon your firmness, supported, as I trust you will be, by the Parliament, and the great majority of the people of Canada, to enforce for the future obedience to the law, and to compel those who may disapprove of the measures either of the Legislative or of the Executive Government of the province, to confine their opposition within legal and constitutional limits.

I appreciate the motives which have induced your Lordship to offer the suggestion with which your Despatch concludes, but I should most earnestly deprecate the change it contemplates in the government of Canada. Your Lordship's relinquishment of that office, which under any circumstances, would be a most serious loss to Her Majesty's service, and to the province, could not fail, in the present state of affairs, to be most injurious to the public welfare, from the encouragement which it would give to those who have been concerned in the violent and illegal opposition which has been offered to your government. I also feel no doubt that when the present excitement shall have subsided, you will succeed in regaining that position of "dignified neutrality," becoming your office, which, as you justly observe, it has hitherto been your study to maintain, and from which even those who are at present most opposed to you, will, on reflection, perceive that you have been driven, by no fault on your part, but by their own unreasoning violence.

Relying, therefore, upon your devotion to the interests of Canada, I feel assured that you will not be induced by the unfortunate occurrences which have taken place, to retire from the high office which the Queen has been pleased to entrust to you, and which, from the value she puts upon your past services, it is Her Majesty's anxious wish that you should retain.

The Earl of Elgin and Kincardine,
&c.

&c.

&c.

I have, &c.,
(Signed) GREY.