

middle age, of genteel address, but wanting an arm. He at once volunteered his services; and there was something in his manner which made them not reject his offer. They found his information both more general and more correct than they could have anticipated; and, while he was less forward in his inquiries at them than any other Highlander of the same rank with whom they had met, his replies to their questions were more pertinent. As they ascended the hill, the Doctor made some observation to his companion in the French language: upon which the guide replied in the same, that, if they had any thing to say which they might not wish him to hear, he would step on a little before. The fluency with which he spoke French astonished them not a little; and they naturally inquired how, in the remotest wilds of Scotland, he had acquired that language. He answered, that he had acquired it chiefly while in France; and that, though himself was a native of Kintail, his wife was a Frenchwoman. This made them anxious to know something of his history; and he readily promised to gratify their curiosity, after their return from the hill.

To be Continued.

## ENGLAND.

### IMPERIAL PARLIAMENT.

HOUSE OF COMMONS.—July 22.

Mr. Frankland Lewis reported from the Select Committee appointed to enquire into the state of the Civil Government of Canada, as established by the Act of 31, Geo. III., and to report their observations thereupon to the House, and to whom the several petitions for an alteration in the present Government were referred—have, pursuant to the order of the House, examined the matters to them referred, and agreed to the following Report:

Your Committee began their investigation in the state of the Civil Government of Canada, by examining the several petitions from the inhabitants of the two Provinces which had been referred to them by the House. The petition from the townships of the lower province, signed by about 10,000 persons, complain of the want of Courts within their own limits, and of the administration of French law in the French language. That they are without representation in the House of Assembly in Lower Canada; and that Emigrants of British origin have been deterred from settling in the Province. And finally, they pray that a Legislative union may take place between Upper and Lower Canada.

Your Committee then proceeded to examine the petition signed by about 87,000 inhabitants of Lower Canada, resident within the Seigniories, who complain of arbitrary conduct on the part of the Governor of the Province—of his having applied public money without legal appropriation—of violent prorogation and dissolution of the Provincial Parliament—and of his having prevented the passing of many useful Acts, which they enumerate.

They complain also that a Receiver-General had been maintained in the exercise of his functions for some years after his insolvency was known to the Government. That similar abuses had prevailed with respect to the office of Sheriff. And it is further stated, that the rights of the petitioners had been injured by acts of the Imperial Parliament, particularly by the Canada Trade Act and the act passed in the sixth year of His Majesty's reign, c. 19, affecting the Tenures of Land.

For a further knowledge of the grievances complained of, your Committee beg leave to refer to the petitions, which will be found in the appendix.

Before your Committee proceed to explain or to discuss these important subjects, they think it their duty to state, that petitions from the Province of Upper Canada were also referred to their consideration. The prayer of which petitions is, that the proceeds arising from the sale of certain lands set apart for a Protestant Clergy may be applied to the use of the Clergy of the Church of England, (the adherents to which throughout the Province they state, in contradiction to the representations of Archdeacon Strachan, to be comparatively few in number) but that they may be applied to the maintenance of Protestant Clergymen of other denominations, and to the purposes of general education.

As these petitions appear to comprehend the most material subjects that have of late agitated the provinces of Upper and Lower Canada, your committee thought it the best course they could pursue, was to examine witnesses as to each petition, in succession, and in communicating to the House, the information they have received, and the opinions they have been induced to form as to the Civil Government of Canada. They will treat of the different subjects as much as possible in the order in which they were investigated.

Your Committee proceeded to examine into the peculiar system of law established in Lower Canada, to which their attention was particularly drawn by the petition from the townships. Your Committee have examined in great detail on this subject, from which they collect that uncertainty has long existed on points of law relating to the tenure of real property in that portion of the province. It appears that shortly after the Cession of the province, the King of England, in a Proclamation dated the 7th October, 1763, (which will be found in the appendix) declared amongst other things, "That all the inhabitants of the province, and all others resorting to it, might confide in his Royal Protection for enjoying the benefit of the laws of England," and he announced that he had given commands for the erection of Courts of Justice, with an appeal to his Majesty in Council.

In the year 1774, the first Act of Parliament was passed making provision for the better government of this part of the British dominions. By this Act, the English Criminal law was preserved. But it was enacted that in all matters of controversy relative to property and Civil Rights, resort should be had to the laws of Canada, as the rule and decision of the same, and all cases that should thereafter be established in every Court of Justice, to be appointed within the province, should, with respect to such Property and Rights, be determined agreeably to the said laws and customs of Canada. There is however,

one marked exception to this concession of the French law, namely, that it should not apply to lands which had been, or should be granted in Free and Common Socage.

After an interval of seven years this Act was followed by the Constitutional Act of 1791. The provisions of this important Act having no bearing upon the subject under our consideration, excepting that it provides with respect to Lower Canada, that lands shall be granted in free and common socage if so desired. And further, that such grants are to be subject to such alteration, as to the nature and consequences of Socage Tenure, as may be made by the provincial Legislature and with his Majesty's approbation and assent, but no such alteration has been made.

On examining into the application of those provisions in the province, it appears not only that doubts have existed as to the true interpretation of them—but that the general practice of the Colony has been to convey real property within the townships according to the Canadian forms. And that it has descended and been subject to the incidents of that law. In the year 1826, the British Parliament passed an Act which put its own interpretation of these statutes beyond the reach of further dispute. This Act commonly called the Canadian Tenure Act, declared that the law of England was the rule by which real property within the Townships was to be hereafter regulated and administered. In offering any recommendations on points of so much difficulty and importance, your Committee are fully aware of the disadvantages under which they labour and of their inability from their want of sufficient technical and local information to enter for any useful purpose into minute and intricate details. They do not, however, decline to offer as their opinion, that it would be advantageous that the declaratory enactment in the Tenures act respecting Lands held in free or common socage should be retained.—That mortgages should be special, and that in proceedings for the conveyance of Land, the simplest and least expensive forms of conveyance should be adopted upon the principle of the Law of England, that form which prevails in Upper Canada, being probably under all circumstances, the best which could be selected. That a registration of deeds relating to Socage Lands should be established as in Upper Canada.

Your Committee are further of opinion that means should be found of bringing into effective operation the clause in the Tenures Act, which provides for the mutation of tenure; and they entertain no doubt of the inexpediency of retaining the seigniorial rights of the crown, in the hope of deriving a profit from them. The sacrifice on the part of the crown would be trifling, and would bear no proportion to the benefit that would result to the colony from such a concession.

In addition to these recommendations, it appears to be desirable that some competent jurisdiction should be established to try and decide causes arising out of this description of property, and that circuit courts should be instituted within the Townships for the same purposes.

The Committee cannot too strongly express their opinion that, the Canadians of French extraction should, in no degree, be disturbed in the peaceful enjoyment of their religion, laws and privileges, as secured to them by the British Acts of Parliament; and so far from requiring them to hold lands on the British tenure, they think that when the lands in the Seigniories are fully occupied, if the descendants of the original settlers still retain their preference to the tenure of Fief et Seigniorie, they see no objections to other portions of unoccupied lands in that Province being granted to them on that tenure, provided that such lands are set apart from and not intermixed with the Townships.

Your Committee are now desirous of adverting to the representative system of Lower Canada, with respect to which all parties seem to agree that some change should take place in this branch of their enquiry. They are desirous of recalling to the recollection of the House, that under the provisions of the Act of 1791, the division of the Province for the purpose of exercising the elective franchise, was entrusted to the Governor; and it appears that Sir Alured Clarke, apportioned the Representation according to the numerical amount of the population, as the sole basis on which his calculations were formed, and divided into Counties as much land as was found to contain a given number of inhabitants. On the thickly peopled banks of the St. Lawrence, a small District was found to suffice, while in the more distant parts, vast territories were comprehended in one County, in order to obtain the requisite amount of population. Thus it happens that the Counties of Kent, Surrey, Montreal, Leinster and Warwick, do not, altogether, equal, in extent, the single County of Buckinghamshire. The small Counties too are composed wholly of lands held as Seigniories.

A Bill actually passed the Assembly, the object of which, was to increase the number of the Representative Assembly. This Bill did not become a Law, and it appears to have been founded upon the same principle, and to have involved the same error as the original arrangement by Sir Alured Clarke. It has been stated by one of the witnesses, that under the proposed division, a disproportionate increase would have been given to the Representatives from the Seigniories.

In providing a representative system for the inhabitants of a country which is gradually comprehending in its limits newly peopled and extensive districts, great imperfections must necessarily arise from proceeding, in the first instance, on the basis of population only. In Upper Canada, a representative system has been founded on the compound basis of Territory and Population—this principle, we think, might be advantageously adopted in Lower Canada.

One of the obstacles which is said greatly to impede the improvement of the Country is, the practice which has prevailed in making grants of lands in large masses to individuals who had held official situations in the Colony, and who have evaded the conditions in the grant, by which they were bound to provide for its cultivation, and now wholly neglect it, although powers have been latterly acquired by the Govern-

ment to estreat these lands; and although we think that under certain modifications this power may be advantageously used, we are nevertheless of opinion that a system should be adopted similar to that in Upper Canada, by the levy of a small annual duty on lands unimproved and unoccupied, contrary to the conditions of the grant.

It now becomes the duty of your Committee to advert to the petitions signed by the Inhabitants of the Seigniories, on the important subjects contained in them. They thought it right to call for explanation from Mr. Neilson, Mr. Viger and Mr. Cuvillier, members of the Assembly of Lower Canada, who had been deputed to this Country for the purpose of seeking redress for the injuries complained of by the Petitioners.

From the testimony of these Gentlemen, we have learned, with the deepest regret, that the disputes which have arisen between the Government and the House of Assembly, originating (as they appear to have done) in doubts as to the right of appropriating, and accounting for a considerable portion of the public accounts, have led to a state of confusion and difficulty in the administration of public affairs in that Colony which calls for a decisive and early remedy.

With a view to understand accurately, the grounds of this dispute, the Committee have carefully examined into the different sources of revenue arising in Lower Canada, and they have examined also the public documents which have enabled them to trace the successive steps which had been taken by the contending parties in these disputes. Your Committee beg leave to refer to the evidence of Mr. Neilson and Mr. Wilmot Horton, for a detailed account of the origin and progress of these differences.

Upon this important subject, your Committee have felt that they should not do wisely in confining their views to a critical examination of the precise meaning of the words of the different statutes—they look rather to the circumstances of Lower Canada—to the spirit of the Constitution—to the position and character of the local Government—and the powers, privileges and duties of the two branches of the Legislature.

Although from the opinion given by the law officers of the Crown, your Committee must conclude that the legal right of appropriating the revenues arising from the Act of 1774, is vested in the Crown, they are prepared to say that the real interests of the provinces would be best promoted by placing the receipt and expenditure of the whole public revenue under the superintendance and controul of the House of Assembly.

On the other hand, your Committee, while recommending such a concession on the part of the Crown, are strongly impressed with the advantage of rendering the Governor, the Members of the Executive Council, and the Judges, independent of the annual votes of the House of Assembly for their respective salaries.

Your Committee are fully aware of the objections in principle, which may be fairly raised against the practice of voting permanent salaries to Judges who are removable, at the pleasure of the Crown; but being convinced that it would be inexpedient that the Crown should be deprived of that power of removal, and having well considered the public inconvenience which might result from their being left in dependence upon an annual vote of the Assembly, they have decided to make the recommendation, in their instance, of a permanent vote of Salary.

Although your Committee are aware that the grant of permanent salaries has been recommended to a much greater number of persons connected with the Executive Government, than they have included in their recommendation, they have no hesitation in expressing their opinion that it is unnecessary to include so large a number, and if the officers above enumerated, are placed on the footing recommended, they are of opinion that all the revenues of the province (except territorial and hereditary revenues) should be placed under the controul and direction of the Legislative Assembly.

Your Committee cannot close their observations on this branch of their enquiry without calling the attention of the House to the important circumstance, that in the progress of these disputes the local Government has thought it necessary through a long series of years, to have recourse to a measure, (which nothing but the most extreme necessity could justify) of annually appropriating by its own authority, large sums of the money of the Province, amounting to no less a sum than £140,000 without the consent of the representatives of the people, under whose controul the appropriation of these monies is placed by the Constitution.

Your Committee cannot but express their deep regret that such a state of things should have been allowed to exist for so many years in a British Colony, without any communication or reference having been made to Parliament on the subject.

Upon the several points referred to your Committee connected with the Office of Receiver-General, of the Sheriffs, and of the Jesuit's Estates, your Committee proceeded to examine evidence upon each.—The facts of the case as regards the Receiver General, Mr. Caldwell, are detailed in Mr. Nelson's evidence.—Mr. Caldwell was a defaulter in 1823 for £96,000 of the public money of the Province.—Upon our examination of the accounts by the House of Assembly—no acquittal could be traced from the Treasury of a later date than 1814—though some balances were stated up to 1819, and it appeared by documents then produced that the fact of his deficiency was known for a considerable time before he was suspended.

Your Committee recommend for the future that steps should be taken by efficient securities and by a regular audit of the accounts to prevent the recurrence of similar losses and inconveniences to the Provinces.

As connected with this branch of the enquiry, your Committee recommend that precautions of the same nature should be adopted with regard to the Sheriffs, as it appears that within a few years two instances of the insolvency of these officers have occurred while possessed in virtue of their

office of large sums of money deposited in their hands.

With respect to the Estates, which formerly belonged to the Jesuits, your Committee lament that they have not more full information, but it appears to them to be desirable that the proceeds should be applied to the purposes of general education.

One of the most important subjects to which their enquiries have been directed, has been the state of the legislative councils in both the Canadas, and the manner in which these assemblies have answered the purposes for which they were instituted. Your Committee strongly recommend that a more independent character should be given to these bodies, that the majority of their members should not consist of persons holding offices at the pleasure of the Crown, and they are of opinion, that any other measures that may tend to connect more intimately, this branch of the Constitution with the interest of the colonies would be attended with the greatest advantage—with respect to the Judges, with the exception only of the Chief Justice, whose presence, on particular occasions, might be necessary. Your Committee entertain no doubt that they had better not be involved in the political business of the House. Upon similar points it appears to your Committee that it is not desirable that Judges should hold seats in the Executive Council.

Your Committee are desirous of recording the principle, which, in their judgment, should be applied to any alterations in the constitution of the Canadas, which was imparted to them under the formal Act of the British Legislature of 1791.—That principle is to limit the alterations which it may be desirable to make by any future British Act, as far as possible, to such points as from the relation between the Mother Country, and the Canadas, can only be disposed of by the paramount authority of the British Legislature, and they are of opinion, that all other changes should, if possible, be carried into effect by the local legislatures themselves in amicable communication with the local Government.

Upon the great question of the union of the two Canadas your committee have received much evidence, to which they desire to call the attention of the House.—With reference to the state of public feeling that appears to prevail in these Colonies on this momentous subject, your Committee are not prepared under present circumstances to recommend that measure.

Your Committee, nevertheless, think it highly desirable that some satisfactory arrangement (and, if possible, one of a permanent nature) should be effected between the two Canadas with regard to the imposition and distribution of the customs collected in the St. Lawrence. They trust, however, when the heats which so unfortunately exist shall have subsided, that such an arrangement may be amicably effected.

It now remains for us to lay before the House the result of our enquiries into the Clergy Reserves, which appear, by the statements of the petitioners from Upper Canada, to be the cause of much anxiety and dissatisfaction in that Province.

By the act of 1791, the Governor is directed to make, from and out of the lands of the Crown within such provinces, such allotment and appropriation of lands for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such lands within the same, as have at any time been granted by or under any authority of his Majesty. And it is further provided, that such lands so allotted and appropriated shall be, as nearly as the circumstance and nature of the case will admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and shall be as nearly as the same may be estimated at the time of making such grant equal in value to the seventh part of the lands so granted.

The instructions thus given have been strictly carried into effect, and the result is, that the separate portions of land which have been thus reserved are scattered over the whole of the districts already granted.

It was no doubt expected by the framers of this act that, as the other six parts of the land granted were improved and cultivated, the reserved part would produce a rent, and that out of the profits thus realized an ample fund might be established for the maintenance of a Protestant Clergy. These anticipations, however, have not as yet been realized; indeed, by all the information the Committee could obtain on this subject, they entertain no doubt that these reserved lands, as they are at present distributed over the country, retard more than any other circumstance the improvement of the Colony, lying as they do in detached proportions in each township, and intervening between the occupancies of actual settlers who have no means of cutting roads through the woods and morasses, which thus separate them from their neighbours; the allotment of those portions of reserved wilderness has, in fact, done much more to diminish the value of the six parts granted to those settlers than the improvement of their allotments has done to increase the value of the reserve; this we think must be apparent from the results of the attempts which have been made to dispose of these lands. A corporation has been formed within the province, consisting of the Clergy of the Church of England, who have been empowered to grant leases of those lands for a term not exceeding 21 years. It appears that, in the lower province only, the total quantity of Clergy Reserves is 488,594 acres, of which 75,639 acres are granted on leases, the terms of which are, that for every lot of 200 acres, 8 bushels of wheat or 25s. per annum shall be paid for the first 7 years, 16 bushels, or 50s. per annum, shall be paid for the next 7 years, and 24 bushels, or 75s. per annum, for the last 7 years. Under these circumstances, the nominal rent of the Clergy Reserves is £930 per annum; the actual receipt for the last three years has been only £50 per annum. The great difference between the nominal and the net receipt is to be accounted for by the great difficulty of collecting rents, and by tenants absconding. We are informed also, that the resident Clergy act as local agents, in collecting the rents; that a sum of £17, had been deducted for the expenses of management; and that, at the date of the last

communication on this subject, £250 remained in the hands of the Receiver-General—being the gross produce of the whole revenue of an estate of 488,594 acres.

An attempt has been made to dispose of this Estate by sale. The Canada Company established by the 6, Geo. IV. chap. 75, agreed to purchase a large portion of these reserves at a price to be fixed by Commissioners. 3s. 6d. per acre was the price estimated, and at the sum an unwillingness was expressed on the part of the Church to dispose of the Lands.

The Government therefore have made arrangements with the Company, and an Act has since been passed authorising the sale of these lands to any person desiring to purchase them, provided the quantity sold, does not exceed 100,000 acres each year.

As your Committee entertain no doubt that the reservation of these Lands in Mortmain is a serious obstacle to the improvement of the Colony they think every proper exertion should be made to place them in the hands of persons who will perform upon them the duties of settlement, and bring them generally into cultivation.

That their value, whatever it may be, must be applied to the maintenance of a Protestant Clergy, there can be no doubt.—And your Committee regret that there is no prospect as far as present & succeeding generations is concerned, of their produce being sufficient for that object in a country where wholly unimproved land is granted in fee for almost nothing to persons willing to settle on it—it is hardly to be expected, that with the exception of some favoured allotments responsible tenants will be found who will hold on lease, or that purchasers of such Land will be found at more than a nominal price.

Your Committee, however, are happy to find that the principle of the progressive sale of these Lands has already been sanctioned by an Act of the Imperial Parliament. They cannot avoid recommending in the strongest manner the propriety of securing for the future any provision which may be deemed necessary for the religious wants of the community in those Provinces, by other means than by a reservation of one-seventh of the Land, according to the enactment of the Act of 1791. They would also observe that equal objections exist to the reservation of that seventh which in practice appears to be reserved for the benefit of the Crown, & doubtless the time must arrive when these reserved lands will have acquired a considerable value from the circumstance of their being surrounded by settled districts, but that value will have been acquired at the expense of the real interests of the Province, and will operate to retard the course of general improvement which is the true source of national wealth. Your Committee are of opinion therefore, that it may be well for the Government to consider whether these Lands cannot be permanently alienated, subject to some fixed moderate reserved payment (either in money or grain as may be demanded) to arise after the first 10 or 15 years of occupation. They are not prepared to do more than offer this suggestion, which appears to them to be worthy of more careful investigation than it is in their power to give to it; but in this or in some such mode, they are fully persuaded, the Lands thus reserved, ought, without delay, to be permanently disposed of.

To a property at once so large and so unproductive, it appears that there are numerous claimants.

The Act of 1791, directs that the profits arising from this source, shall be applied to a Protestant Clergy, doubts have arisen whether the Act requires the Government to confine them to the use of the Church of England only, or to allow the Church of Scotland to participate in them. The Law Officers of the Crown have given an opinion in favour of the Rights of the Church of Scotland to such participation, in which your Committee entirely concur; but the question has also been raised whether the Clergy of every denomination of Christians, except Roman Catholics, may not be included. It is not for your Committee to express an opinion on the accuracy which the words of the Act legally convey. They entertain, no doubt, however, that the intention of those persons who brought forward the measure in Parliament, was to endow with Parsonage Houses and Glebe Lands, the Clergy of the Church of England, at the discretion of the local Government. But with respect to the distribution of the proceeds of the reserved Lands generally, they are of opinion that they ought to reserve to the Government, the right to apply the money, if they so thought fit, to any Protestant Clergy.

The Committee see little reason to hope that the annual income to be derived from this source, is likely, within any time to which they can look forward to amount to a sufficient sum to provide for the Protestant Clergy of these Provinces. But they venture to press the early consideration of this subject on His Majesty's Government, with a view to an adjustment that may be satisfactory to the Province of the principle on which the proceeds from which the Lands are hereafter to be applied, & intending these funds, the Government will necessarily be influenced by the state of the population, as to religious opinions at the period when the decision is to be taken. At present, it is certain that the adherents of the Church of England constitute but a small minority in the Province of Upper Canada—on the part of the Scotch Church claims have been strongly urged on account of its establishment in the Empire, and from the numbers of its adherents in the Province.—With regard to the other religious sects the Committee have found much difficulty in ascertaining the exact numerical proportions which they bear one to another; but the evidence has led them to believe that neither the adherents of the Church of England, nor those of the Church of Scotland, from the most numerous religious body within the Province of Upper Canada.

The attention of the Committee having been drawn to the establishment of the university of King's College at York, in Upper Canada, they thought it their duty to examine the Charter granted to that College. That Charter was granted under the great Seal, and it is to be observed,

that it does not impose on the Students an obligation to subscribe to the 39 Articles, which was done in the case of the other North American Colleges. Your Committee find it provided, amongst other arrangements for the conduct and government of this institution, that the Archdeacon of York, for the time being, shall, by virtue of his Office, at all times be president of the said College.

It is further ordained, that there shall be within the said College or Corporation, a Council, to be called and known by the name of the College Council, which shall consist of the Chancellor, the President, and of seven Professors in Arts and Faculties, of the said College, and that such said Professors shall be members of the Established Church of England & Ireland, and shall, previously to their admission, sign and subscribe the 39 Articles of Religion. To this Council, the whole government of the College is confided. Of the great advantage which the establishment of a College for the purposes of general education in Upper Canada is likely to confer upon the Province, your committee entertain the strongest conviction; they lament only that the Institution should be so constituted as materially to diminish the extent to which it might be useful.

It cannot, they think, be doubted, as the guidance and government of the College is to be vested in the hands of the members of the Church of England, that in the election of Professors, a preference would inevitably be shewn to persons of that persuasion; and in a Country where only a small proportion of the inhabitants adhere to that Church, a suspicion and jealousy of religious interference would necessarily be created.

For these and other reasons, the Committee are desirous of stating their opinion that great benefit would accrue to the Province by changing the constitution of this body.

They think that two Theological Professors should be established, one of the Church of England and another of the Church of Scotland—(whose lectures, the respective candidates for holy orders, should be required to attend) but that with respect to the President, Professors, and all others connected with the College, no religious test whatever should be required.

That in the selection of Professors no rule should be followed, and no other object sought than the nomination of the most learned and discreet persons, and that (with respect to religion) they should be required to sign a declaration that as far as it was necessary for them to advert in their lectures to religious subjects, they would distinctly recognize the truth of the Christian revelation, but would abstain altogether from inculcating particular doctrines.

Though your Committee have now disposed of the most important subjects of their enquiry, they are aware that on an examination of the petitions and of the evidence, many other matters will appear entitled to consideration.

The Committee think it necessary also to observe, that the evidence from Upper Canada has not been equally ample and satisfactory with that which they have had the advantage of receiving from the Lower Province. Your Committee, however, are desirous of directing the attention of Government to the Sedition Act, (should it not be found to have expired,) the repeal of which appears to have been long the object of the efforts of the House of Assembly of Upper Canada.

Your Committee also beg leave to call the particular attention of the Government to the mode in which Juries are composed in the Canadas, with a view to remedy any defects that may be found to exist in the present system.

Your Committee lament that the late period of the Session in which they were appointed, has rendered a minute investigation into all parts of the subject submitted to them impossible. They believe too that if the legislative assemblies and the executive government of Canada can be put on a right footing that means will be found within the Province of remedying all minor grievances. They are disposed nevertheless to recommend, that the prayer of the Lower Canadians for permission to appoint an Agent in the same manner as Agents are appointed by other Colonies which possess local legislatures, should be granted; and that a similar privilege should be extended to Upper Canada, if the Colony should desire it.

At an early period of their investigation, your committee perceived that their attention must be directed to two distinct branches enquiry—1st. To what degree the embarrassments and discontents which have long prevailed in the Canadas, had arisen from defects in the system of Laws & the Constitutions established in these Colonies. 2d. How far these evils were to be attributed to the manner in which the existing system has been administered.

Your Committee have clearly expressed their opinion that serious defects were to be found in that system, and have ventured to suggest several alterations that have appeared to them to be necessary or convenient. They also fully admit, that from these as well as from other circumstances, the task of Government in these Colonies (and especially in the Lower Province) has not been an easy one; but they feel it their duty to express their opinion that it is to the second of the causes alluded to that these embarrassments and discontents are in a great measure to be traced. They are most anxious to record their complete conviction that neither the suggestions they have presumed to make, nor any other improvements, in the Laws and Constitutions of the Canadas will be attended with the desired effect, unless an impartial, conciliatory, and constitutional system of government be observed in those loyal and important Colonies.

Your Committee had closed their enquiry, and were proceeding to consider their Report, when it became their duty to enter into further evidence upon a Petition referred to them by the House, and signed by the Agents who had brought to this country the Petition of 87,000 inhabitants of Lower Canada, of which mention has been made in a former part of their report.

This petition, and the evidence by which it is supported, contains the most grave allegations against the administration of Lord Dalhousie since the period at which those Gentlemen left the Colony.