therefore not yet retire from the combat,—let us be on the alert, and keep awake, and vigilant, and *firm*, that spirit of freedom, energy, and *English feeling*, which the late eventful period has aroused and invigorated amongst the inhabitants of both the Canadas.

Under this view, although the subject may have lost some of its interest, I will continue my "Extracts from the debates in *Upper-Canada* upon the union."

Mr. Charles Jones endeavoured to combat the assertion that "the French Canadians were secured, *by the capitulation at the conquest*, in the right of being governed by French laws, and the use of their language." I have not got the capitulation at hand, but I take it for granted he quotes it correctly. The 37th article, he says, secures to them the free exercise of their religion, the possession of their property, noble and ignoble, moveable, and immoveable, and by the 42d article they desired to secure the right of being governed by the French laws; to which the answer was given "they become subjects to his Britannic Majesty;" Hence, Mr. Jones attempts to argue that, because in the capitulation, the word "granted," does not follow the 42d article, the English and not the French laws were of right to be the code to be followed after they became "subjects to His Britannic Majesty," a consequence that by no means follows: whilst on the other hand, since it is an undeniable maxim that *whoever has a right to the end, has equally a right to the means*, the free possession of their "property, noble and ignoble, moveable, and immoveable," being secured to them, it follows that the laws, necessary to that possession, which are alone to be found in French jurisprudence, and not in English, were equally secured to them by that article. This view is the same taken by that sound lawyer, Baron Maseres, whose opinions on the subject I had occasion to quote in No 4. and I think demonstrates that the French Canadians are entitled to the enjoyment of their own laws, not only by their constitutional act, but also by the original compact by which they became "subjects to his Britannic Majesty. It is evident that general Amherst being a soldier, and not a lawyer, chose to leave that question to the decision of civilians. As to the language, no one at that time entertained the childish and preposterous idea of changing it, and consequently no mention could be expected to have been made of the subject. That ridiculous notion owes its birth to the Scotch ignorants, who are too lazy, too proud, and perhaps too stupid, to acquire any other language than their own barbarous dialect of English, or their antiquated and guttural Gaelic. It is laughable too to hear Mr. Jones maintain so absurd a proposition as that the Imperial parliament have an undoubted right to "change the language;" he might as well say they had a right to pass an act for regulating the tides and currents of the ocean: but the subject is too