

contrary to the previous engagements of the British Parliament, and of a nature unjustly to create apprehensions as to the views of the people and Government of the Mother Country, and to endanger the confidence and content of the Inhabitants of this Country, which ought to be ensured by equal laws and the observance of equal justice, as the rule of conduct in all the departments of the Government. We are of opinion that no violation of the rights of the people could, so long as it should exist, be attended by a willing and affectionate obedience on their part, but merely by an obedience founded on fear and constraint. We think it our duty to express the same opinion with regard to any administrative measure of the same tendency.

Although the circumstance, which did not depend upon choice of the majority of the people of the Province,—their French origin and their use of the French language,—has been made by the Colonial authorities a pretext for abuse, for exclusion, for political inferiority, for a separation of rights and interests, (with regard to which this House now appeals to the justice of His Majesty's Government and of Parliament, and to the honor of the people of England,) the majority of the inhabitants of this Country are in no wise disposed to repudiate any one of the advantages they derive from their origin and from their descent from the French nation, which, with regard to the progress of which it has been the cause in civilization, in the sciences, in letters, and in the arts, has never been behind the British nation, and is now the worthy rival of the latter in the advancement of the cause of liberty and of the science of government; from which this Country derives the greater portion of its civil and ecclesiastical law, and of its scholastic and charitable institutions, and of the religion, language, habits, manners and customs of the great majority of its Inhabitants. His Majesty's subjects in this Province who are of British origin, came to settle themselves in a Country "the inhabitants whereof professing the religion of the Church of Rome, enjoyed an established form of Constitution and system of Laws, by which their persons and their property had been protected, governed and ordered during a long series of years, from the first establishment of the Province of Canada." Prompted by these considerations, and guided by the rules of justice and of the law of nations, the British Parliament enacted, that "in all matters of controversy, relative to property and civil rights, resort should be had to the Laws of Canada." When Parliament afterwards departed from the principle thus recognized, firstly, by the introduction of the English Criminal Law, and afterwards by that of the Representative system, with so much of the Constitutional and Parliamentary Law as was necessary to its perfect action, it did so in conformity to the sufficiently expressed wish of the Canadian People; and every attempt on the part of the Public Functionaries, or of other persons, (who on coming to settle in the Province, made their condition their own voluntary act,) against the existence of any portion of the Laws and Institutions peculiar to the Country, and any preponderance given to such persons in the Legislative and Executive Councils, in the Courts of Law, or in other departments, are contrary to the engagements of the British Parliament, and to the rights guaranteed to His Majesty's Canadian subjects, on the faith of the national honor of England and on that of capitulations and treaties.

The provision of the Tenures Act beforementioned, which has excited the greatest alarm, because it appears to be most at variance with the rights of the Inhabitants of this Country, and those of the Provincial Parliament, and with the facts and principles to which we have just appealed, is that which enacts that lands previously held *en fief* or *en censive* shall, after a change of tenure shall have been effected with regard to them, be held in free and common socage, and thereby become subject to the laws of Great Britain, under the several circumstances therein mentioned and enumerated. Besides being insufficient in itself, this provision is of a nature to bring into collision in the old settlements, at multiplied points of contiguity, two opposite systems of laws, one of which is entirely unknown to this Country, in which it is impossible to carry it into effect. From the feeling manifested by the Colonial Authorities and their partisans towards the Inhabitants of the country, the latter have just reason to fear that the enactment in question is only the prelude to the final subversion, by acts of Parliament of Great Britain, fraudulently obtained, of the system of Laws by which the persons and property of the people of this Province were so long happily governed. The Inhabitants of this country, have also just reason to fear that the claims made to the property of the Seminary of St. Sulpice at Montreal are attributable to the desire of the Colonial Administration, and its agents, and tools to hasten the deplorable state of things herein before alluded. His Majesty's Government in England would, by re-assuring his faithful subjects on this point, dissipate the alarm felt by the Catholic Clergy, and by the whole people without distinction, and merit their sincere gratitude.

Independently