

That the *Charrivarri* is an ancient and immemorial usage, practiced in many parts of old France, and introduced and observed in most of the French colonies, particularly in New-France, extending, even to this day from Quebec to New-Orleans, every where where there are any congregated numbers of the descendants of the old French settlers.

That it is in itself, when not accompanied by any riot or acts of violence, not only a harmless, and innocent, but a laudable, proper, and moral custom; and a political benefit, inasmuch as it visits with an adequate punishment, (that of temporary ridicule,) the political crime, which is arraignable at no other tribunal, of unequal matches.

That the common law of England, which in this case must be the paramount decider of the legal question, is specially built upon ancient and immemorial usage, and under it whatever is proved to be a custom for a time "whereof the memory of man runneth not to the contrary," becomes a law. a law permissive, in contradistinction to a law obligatory; that is no man is bound to take part in a *Charrivarri*, but no man can legally prevent it.

That therefore unless it be shewn that there is some written statute to restrain or prevent such practices, they are strictly legal, and no one can or ought to be molested in them, provided, as before said, no acts of violence are committed.

That, the attempt to make the act, commonly called the Black act, to bear upon the *Charrivarri*, is as idiotic as it is audacious, rendering those who haul it in on the occasion, as contemptible for their shallowness of intellect, as they are execrable for their tyrannous endeavour to twist the law, to serve a particular purpose: that act having been made to restrain and prevent deer-stealing in the enclosed chases in England, and particularly in Waltham chase, and Epping forest near London, and being both *de facto* and *de jure*, utterly inapplicable, and of no force whatever in Canada.

That the police-regulations in Montreal, under which there appears to be the shadow of a right to restrain and prevent *Charrivarri* meetings, are in themselves illegal, void, and a non-entity, there being a radical defect in the framing of them, that when it is pointed out, will shew they are *in toto* invalid, and to be considered as *non avenu*; and independent of this, that, even if they were legally binding in other points, there is no authority in the assenting body whence they emanate, to enact any regulations that are contrary to the liberties of the subject, the common law of England, or established usage. Besides it will be recollected that it was proved in the House of Assembly that Mr. Thomas M'Cord took the house by surprise, and cheated them into an acquiescence, with the bill under which these regulations derive their sole legal authority.

That it is a part both of the duty and policy of strangers who come to settle in a country, to follow, and submit to the estab-