

than three months, they were unrestrained in the power of fining delinquents.

Thus did the Ministry take advantage of the absence of the greater number of the most independent Members of the British Legislature, in order to pass an Act, which has done more harm to Canada, than any provisional Government, in the spirit of His Majesty's Proclamation, could have caused, up to the present time. Something to counteract the bad effects of the French Government in Canada was wanting; the opinions and prejudices of the French Clergy and Noblesse ought not to have swayed so entirely the framers of this Act; who should never have lost sight of the future condition of a Country, destined to receive a British population. But the only appearance of regard, which we find for their Countrymen on this occasion was the insertion of a Proviso, that the Civil Law of England should prevail in all those parts of the Province, in which the lands had been or should be granted in free and common soccage, after the conquest.

It appeared proper to be thus diffuse in giving an account of the above fatal Act; because to its influence should be ascribed the subsequent measure of dividing the Province, upon granting the present Constitution. Government seem to have thought that they had conceded too much to Popery, prejudice and feudal pride, to be able now to stop with a good grace; and they finally abandoned the Lower Province to divisions, parties and rivalships, the end of which it is hard to conjecture.

After Canada had been long fettered by such impolitic measures, the increasing importunity of the English part of the community, at length prevailed upon the British Legislature to think seriously of forming a free Constitution for that extensive colony. † On this occasion, the division of the Province was decided upon, and defended by Mr. Pitt and the majority, against the well founded objections to such

† See Append. No. 4.