

the *habeas corpus* from them. Thus, in giving a government to the Canadians, you deprive many British-born subjects, residing in countries where they never dreamed of such innovations, you deprive them of the dearest birth-rights of Britons. And as by this Act all commissions to the legal magistrates are revoked, I suppose, the province is to change her present excellent Chief Justice for a new one to be appointed. It is for these reasons, Sir, and for others, which I am clear will suggest themselves to all the Members of the House, that I shall give my hearty negative to the Bill.

*Lord North*—I wish to give the Right Honorable Member all the satisfaction in my power upon this measure. Respecting the government given to the province, the Honorable Gentlemen objects, I suppose, to an Assembly not being appointed. The reason why a Council alone, appointed by the Governor, was preferred, was the small number of English settlers who must chose that Assembly, in order for their Acts to govern and bind all the French and Roman Catholic Subjects. This, Sir, was thought to be very unequal, and even cruel, to have an Assembly, chosen by so small a body, govern so large a one; and if the business is considered maturely; it will, I believe, be found much the most conducive to the happiness of the people. Next, Sir as to the extent given to this colony; it takes in no countries regularly planted by British settlers, but merely distant military posts, at present, without any government but that of the respective Commanding Officers. Now, the question here is merely this, Will you annex them under the present government? Will you leave them without any government? or will you form separate governments and colonies of them.

It was thought by the Lords, that the plan in which were fewest incon-

veniences, was to throw the scattered posts to the Government of Quebec. As to the civil-law of France being left to the Canadians, it was thought more humane to them than to change it for a new law, of which they must be entirely ignorant, as the trial by jury, in criminal matters, is given them. The present officers in the province were not meant to be changed, most certainly.

*Mr. Dunning*—I cannot omit this opportunity of giving my hearty protest against a Bill, which, in my conscience, I think destructive of every principle of freedom, and abounding with mischief of a most serious tendency. Sir, I shall beg leave to follow the noble Lord in the reply he has given to the Honorable Member who stated his objections to the Bill; a reply which by no means answers those objections, on the contrary, they appear to me to remain in full force; and in endeavouring to do this, I shall divide what I have to observe into two considerations: first, the consequences which will attend this Bill if it passes, in case Canada should ever be restored to France an idea which by no means hurts me; for if it should pass, I must own I should as soon see the one sovereign reigning there as the other; I mean, it will be of little consequence to the people, and they will be as free in one case as in the other. My second consideration will be if the province should remain to England.

Consider what it was for which you engaged in the last war, encroachments of the French upon our Colonies; they passed down their rivers, they seized upon large tracts, and built forts about this very country: to the southward of Canada, claiming it as a part of Canada. You repelled force by force; they offered to you to withdraw from the South of the Ohio, and retire to the North, making that river the boundary of the two colonies. No, you replied; the river of St. Laurence