

Township of ——— Ottawa River, Oct. 1822.

MY DEAR SIR,

Your letter of the 17th ultimo, explained a difficulty which had embarrassed me. I did not know how to account for the silence of the Scribbler in my woods for three weeks, but as I had some suspicion as to the cause, which indeed proved correct, I sent a letter by a private hand, and I have now to congratulate you, that the means have been formed for the distribution of your miscellany, even in these remote parts, without you or your subscribers being under obligation to any jack-in-office of them all.

We must for ever remember that, in Lower Canada by the capitulation made at the conquest between general Amherst, and the marquis de Vaudreuil, the English government did covenant, to preserve to the inhabitants the French laws. that is, —to defend despotism—His Excellency, My Lord Dalhousie, accordingly, listening only to his duty, forbids the freedom of the press where he pleases.

But I can not forget the memorable year 1791, when the present constitution was given to Canada. It is forever recorded by the separation of the celebrated Edmund Burke, from the honest Charles Fox. Yes, Mr. Fox did, amongst many observations, remark the inconsistency of depriving the Canadians of their criminal law, and, in the same act, confirming the ordinances of their despotic monarchs. Mr. Pitt explained that the English criminal law, was more tender, more humane, * than the French criminal law, for which it was therefore substituted — But it appears, we in Lower Canada, are to suffer all the rigour of the despotism of French civil law † I was in the house of Commons on the debate; —and here I stop, to create, in imagination, a question that will probably occur to your readers—Pray, were you a member of the house? My reply is, what is

hard, as I conceive the translation, from which this passage is taken, is very far from doing justice to the energetic, and eloquent language of the original.

L. L. M.

* It is more humane in the mode of trial, more indulgent to the prisoner whilst under accusation, more conducive, in its system, to do justice between man and man, and to elicit the truth, and to protect the innocent; but its sanguinary and relentless spirit in the penal part, it is well known, is a beastly blot upon the character of British criminal jurisprudence. L. L. M.

† My friend seems here to mean to complain of the necessity the English inhabitants of Canada are under, of submitting to the decision of the French Law in civil cases, as a hardship — With respect to the Scotch, it can be none, for their civil code,