

were punished by a severe imprisonment, which, in the French law, they would have escaped. This made a great impression upon them, and prejudiced them very much against even our criminal law.

Mr. Maseres called in.

Solicitor General. What form of government have the Canadians expressed themselves most desirous of?

Mr. Maseres. They have no clear notions of government, having never been used to any such speculations. They will be content with any you give them, provided it be well administered.

Mr. Mackworth. Have they expressed any dissatisfaction at the trial by jury in criminal matters?

Mr. Maseres. They like it very well.

Mr. T. Townshend. Do you know that they have any objection to the same trial in civil cases?

Mr. Maseres. Certainly they have; but they principally consist in the expense and trouble of that attendance. Were they allowed a compensation, I should apprehend they would be well satisfied in all cases; and I think so small a sum as five shilling a man would do for that purpose.

Solicitor General. Does Mr. Maseres think that they would be pleased with the abolition of their old customs by the introduction of our civil law?

Mr. Maseres. A total abolition of their customs relative to descents, dower, and the transfer of land, would be highly offensive to them. In other matters I believe they would be very well satisfied with the English laws.

Mr. Mackworth. Would they have any objection to the law of *habes corpus*?

Mr. Maseres. It is impossible that any people should object to that law.

Mr. T. Townshend. Did not the Canadians think themselves promised, by the proclamation, the benefit of an Assembly, and do they not now desire to have it?

Mr. Maseres. As to an Assembly they have a very confused idea of what it is; the generality of the people have no desire to have it, for they know not what it is; but there are a few among them who have considered the matter, and they would prefer an Assembly.

Mr. Mackworth. Does Mr. Maseres think that the provisions of this Bill for the government of Canada are the freest that could with propriety be granted?

Mr. Maseres. Certainly not; I have sufficiently explained to the world how I think there might have been a judicious mixture of law for the free government of that province.

Mr. Dunning. Is Mr. Maseres acquainted with the laws of Canada?

Mr. Maseres. I have some slight knowledge of them.

Mr. Dunning. As by this Bill resort is to be had to the laws of Canada, and not to the laws of England, in all matters of property and civil rights, I would ask Mr. Maseres, whether the Governor of the province will not have a right by the laws of Canada, if this Bill should pass, to issue a *lettre de cachet* to imprison any of the King's subjects in the province?

Mr. Maseres. I believe he would not have a right to imprison persons by *lettres de cachet* signed by himself; because I have always heard that no *lettres de cachet* are ever used for that purpose in France, or the French dominions, but such as are signed by the French King himself. But I have