

CHAPTER XIII.

Chief Justice and Attorney-General replaced, 1766—Report of King's Attorney Yorke upon the administration of the colony—Petition of the Quebec traders—Murray succeeded by Carleton—Report of Mascres—Attitude of the Council towards Carleton—Bishop Briand—Petitions of the seigneurs of Montreal and Quebec districts on the situation of the Canadians, 1766.

By a notification of the Secretary of State dated February 5th, 1766, and a further communication of March 6th following, Chief Justice Gregory was replaced by William Hey, and George Suckling, Attorney-General, by Francis Mascres. Governor Murray reported concerning Gregory and Suckling: "Our chief judge and the Attorney-General are both entirely ignorant of the language of the natives, are needy in their circumstances, and though perhaps good lawyers and men of integrity, are ignorant of the world, consequently readier to puzzle and create difficulties than remove them."

In a report dated April 14th, 1766, signed by Yorke, Attorney and Solicitor-General, relative to the civil government of Quebec, and addressed to the Lords of the Committee of Council for Plantation Affairs, we read: "It is evident that two very principal sources of the disorders in the province have been: First, the attempt to carry on the administration of justice without the aid of the natives, not merely in new forms, but totally in an unknown tongue, by which means the parties understood nothing of what was pleaded or determined, having neither Canadian advocates or solicitors to conduct their causes, nor Canadian jurors to give verdicts, even in causes between Canadians only, nor judges conversant in the French language to declare the law and to pronounce judgment. This must cause the real mischiefs of ignorance, oppression and corruption, or else what is almost equal in government to the mischiefs themselves, the suspicion and impu-

tation of them. Second. The second and great source of disorder was the alarm taken at the construction put upon His Majesty's proclamation of October 7th, 1763, as if it were his royal intention by his judges and officers in that country, at once to abolish all the usages and customs of Canada, with the rough hand of a conqueror rather than with the true spirit of a lawful sovereign, and not so much to extend the protection and benefit of his English laws to his new subjects, by securing their lives, liberties and properties with more certainty than in former times, as to impose new, unnecessary and arbitrary rules, especially in the titles to land, and in the mode of descent, alienation and settlement, which tend to confound and subvert rights, instead of supporting them." Then follows several propositions intended to set matters on a better footing, and he adds: "This certainty and this lenity are the benefits intended by His Majesty's royal proclamation, so far as concern judicature. These are irrevocably granted and ought to be secured to his Canadian subjects, according to his royal word. For this purpose, it may not be improper, upon the appointment of a new governor, with a new commission revised and considered by Your Lordships, to direct that governor to publish an explanatory proclamation in the province, to quiet the minds of the people as to the true meaning of the royal proclamation of October, 1763, in respect to their local customs and usages, more especially in titles of land and cases of real property." In this document the solicitor-general manages to show how to correct the bad feeling created by the actions of the sovereign and the governor, but the withdrawal of the latter becomes a necessity in order to appoint some one with "a new commission revised by the Lords of the Plantation Committee." Another passage is also remarkable: "There is not a maxim of the common law more certain than that a conquered people retain their ancient customs till the conqueror shall declare new laws. To change at once the laws and manners of a settled country must be attended with hardship and violence; and, therefore, wise conquerors having provided for the security of their dominion, proceed gently and indulge their conquered subjects in all local customs which are in their own nature indifferent, and which have been received as rules of property or have obtained the force of laws. It is the more material that this policy be pursued in Canada,

because it is a great and ancient colony long settled and much cultivated by French subjects, who now inhabit it to the number of eighty or one hundred thousand. Therefore, we are humbly of opinion that the judges to be employed by His Majesty in this province will answer all the ends of their trust, both as to the King and to the people."

The petition of the Quebec traders against General Murray contains the following complaints: "The Governor instead of acting agreeably to that confidence reposed in him by Your Majesty in giving a favourable reception to those of Your Majesty's subjects who petition and apply to him on such important occasions as require it, doth frequently treat them with anger and a rudeness of language and demeanour as dishonourable to the trust he holds from Your Majesty as it is painful to those who suffer from it.

"His further adding to this by most flagrant partialities, by fomenting party quarrels and taking measures to keep Your Majesty's old and new subjects divided from one another by encouraging the latter to apply for judges of their own national language.

"His discountenancing the Protestant religion by almost total neglect of attendance upon the services of the Church, leaving the Protestants to this day destitute of a place of worship appropriated to themselves.

"The burden of these grievances from government is so much the more severely felt because of the natural poverty of the country, the products of it being altogether unequal to support its consumption of imports.

"Hence our trade is miserably confined and distressed so that we lie under the utmost necessity of the aids and succours of government, as well from our mother country as that of the province, in the place of having to contend against oppression and restraint.

"We could enumerate many more sufferings which render the lives of Your Majesty's subjects in the province so very unhappy that we must be under the necessity of removing from it unless timely prevented by a removal of the present governor.

"We beg leave also most humbly to petition that it may please Your Majesty to order a House of Representatives to be chosen in this as in other of Your Majesty's provinces, there being a number more than sufficient of

loyal and well affected Protestants, exclusive of military officers to form a competent and respectable House of Assembly; and Your Majesty's new subjects, if Your Majesty shall think fit, may be allowed to elect Protestants without burthening them with such oaths as in their present mode of thinking they cannot conscientiously take." (Signed) Samuel Sills, Edward Harrison, Eleazer Levy, James Shepherd, John Watmough, John Ord, George Allsopp, William McKenzie, B. Comte, Peter Fanieul, George Fulton, John Dancer, James Jeffrey, James Johnston, Thomas Story, Daniel Bayne, John Pures, Alexander McKenzie, George Measam, John A. Gustineau, Philip Payn.

This document was supported by "the merchants and others now residing in London, interested in and trading unto the Province of Quebec, on behalf of themselves and others trading to and interested in the said colony." (Signed) Capel & Osgood Hanbury, Mildred & Roberts, John Leotard & Giles Godin, Wallace Jenkins & Co., James Bond, John Buchanan, Barnard & Harrison, Gregory Olive, Poley & Fletcher, Neale & Pigon, David Barclay & Sons, Nash Eddowes & Petrie, Bessons & Metcalfes, Wakefield Willett & Pratt, Richard Neave & Son, Anthony Merry, Webb & Sampson, James Masfeu, John Cartwright, John Souillet, Lane & Boothe, Brindleys Wright & Co., Crafton & Colson, Maudius Wright & Co., Isidore Lynch & Co.

The petition reminds us of the particular style used by Ducalvet in his famous book: it states nothing with precision and only expresses vague complaints. How are we to know the nature of the points submitted by the merchants to the consideration of the governor? These were rejected, we are told. On what ground were they based? On what ground were they ruled out? Not a word of explanation on that point. The merchants show disappointment which is conceivable since they did not obtain what they applied for, but are we to adopt their views without knowing them and decide that the governor and his advisors were in the wrong? Apart from that, can any one say that the petition brought a change in the conduct of the administration under a new governor? No, certainly not. It was probably wise to recall Murray after eight years of steady and valuable services, but it was wise also to select a

successor who would not be led by any party or combine, and this was done in the appointment of Carleton. Neither Murray nor Carleton wished to be hostile to the traders; they felt that these people would soon initiate a state of self-government if not checked in due time, and create trouble with the population.

It is evident also that the petitioners imagined they struck a great blow at Murray when they blamed him for his tolerance of the French language, showing thereby that they were ignorant of the intentions of the Imperial authorities in that respect.

No doubt if Murray had allowed the merchants to do as they liked there would have been no petition against him from that quarter, but the mass of the population was then sure to come forward with a protest against the renewal of the French régime.

Governor Murray was recalled to England in April, 1766, and Guy Carleton appointed lieutenant-governor during his absence, acting under the instructions given to Murray until his own appointment as governor-general in 1768. Murray left Quebec in June; Carleton arrived 23rd September.

The chief cause of complaint by the English-speaking residents was that Murray had failed to call an assembly, and that as a rule he gave too much support to the Canadians. Still, warm as he was in protecting them against oppression, he was at the same time anxious to cut them off from all connection with France. The navigation laws, which restricted all colonial commerce to British ships, were strictly enforced, and a smuggling trade, which the fishermen of St. Pierre and Miquelon tried to carry on with the Canadians was rigorously put down.

Murray's policy was continued by Carleton, who found the province much divided upon the question of calling an assembly, and as to what law should govern the judges in their decisions. He soon ranged himself on the side of the Canadians. He saw that their exclusion from all employment under the British government tended to perpetuate a feeling of alienation, and that the administration of justice was being made an instrument of oppression by fee-paid officials. He saw, too, that the small English population was asking for an assembly in order to prevent his interference

with their exclusive privileges, rather than to improve the constitution. He experienced the same difficulty as had Murray before him in inducing the council to do justice to the Canadians. Maseres wrote as follows at that date:—

“The French insist, not only upon a toleration of their public worship, but on a share in the administration of justice, as jurymen and justices of the peace, and the like, and on a right, in common with the English, of being appointed to all the offices of the government. The English, on the contrary, affirm that the laws of England made against the papists ought to be in force there, and consequently that the native Canadians, unless they think proper to turn Protestants, ought to be excluded from all those offices and various branches of power, and in some degree they seem to be supported in this opinion by a part of the governor’s commission, I mean that part which enables him to call and constitute a general assembly of the freeholders and planters of the province, for it is there expressly provided that no person elected to serve in such an assembly shall sit and vote there till he has subscribed the declaration against popery prescribed by the statute 25 Car. II., which would effectually exclude all the Canadians. The grounds upon which the French demand a toleration of the Catholic religion, are partly the reasonableness of the thing itself, they being almost universally of that religion, and partly the stipulation made on that behalf in the fourth article of the definitive treaty of peace and which it expressed in these words: “His Britannic Majesty on his side agrees to grant the liberty of the Catholic religion to the inhabitants of Canada; he will consequently give the most effectual orders that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Romish Church, as far as the laws of Great Britain permit.” These last words, “as far as the laws of Great Britain permit,” render the whole stipulation in favour of this toleration very doubtful, for it may reasonably be contended that the laws of England do not at all permit the exercise of the Catholic religion. . . . No degree of toleration is even now actually allowed by the laws of Great Britain in any part of the British dominions. For these reasons we may conclude that the exercise of the Catholic religion cannot, consistently with the laws of Great Britain, be tolerated in the Pro-

vince of Quebec. Yet that it should be tolerated is surely very reasonable, and to be wished by all lovers of peace and justice and liberty of conscience. By what authority then shall it be tolerated? This is the only question that remains. Shall the King alone undertake to tolerate it? . . . The authority of Parliament seems to be a much safer foundation to establish the measure upon, in a manner which neither the new English inhabitants of the province can contest, nor the French Catholics suspect to be inadequate.

“The next great difficulty that occurs is the settlement of the laws. . . . It is to be wished that an Act of Parliament might be obtained that at once declared what laws should take effect in the Province of Quebec, whether the laws of the conquered or the laws of Great Britain, or some of the laws of the conquered, and some of the laws of Great Britain; or whether any other laws should be introduced there, more particularly fitted to the circumstances of the province; and if any, then what laws should be so introduced; or if this detail be thought too troublesome for the Parliament to enter upon, and their information concerning the state of the province should be deemed to be as yet too imperfect to enable them to go through such a business with propriety, then it is to be wished that an Act of Parliament may be obtained by which such a legislative power of making laws and ordinances for the good government of the province might be delegated to the governor and council, as has been already exercised by them by virtue of an instruction from the King alone. . . . There might be a clause directing them to transmit these several laws and ordinances to the King and Privy Council in England to be by His Majesty in Council allowed or disallowed. . . . Laws and ordinances founded on such a parliamentary authority will easily find obedience from the people, which it is to be feared no others will; and the judges of the province will carry them into execution with ten times as much spirit and confidence as if they were doubtful of their legal validity. . . . Some persons are of opinion that the laws of Great Britain do at once take place in a conquered province without any authoritative introduction of them, either by the King or Parliament, but this opinion seems destitute of foundation and is sufficiently refuted by the advice of the learned Mr. Yorke, His Majesty’s attorney-general, who has

advised that the Canadians should be permitted to retain their own laws, relating to inheritances and the alienation of their real estates, which would be impossible without an Act of Parliament for that purpose, if the whole system of the laws of England did *ipso facto* become the law of the province upon its being conquered, or ceded to the Crown. Indeed, the whole system of the laws of England, taken in the gross, and without a selection, would be by no means a blessing to the Canadians. . . . This doctrine, therefore, of the instant validity of the whole mass of the laws of England throughout the conquered province cannot be maintained. And if the whole system of those laws is not valid there, then certainly no part of them can be so. For, if they are, then who shall distinguish which of them are valid there and which are not? It may, therefore, be concluded that none of the laws of England are valid in the conquered province, *ipso facto*, by virtue of the conquest or cession, without a positive introduction there by a sufficient authority; and this sufficient authority seems to be only the Parliament of Great Britain.

“The next great difficulty that calls loudly for the interposition of Parliament, is the low state of the revenue of the Province of Quebec. Under the French government this revenue amounted to about thirteen thousand pounds per annum, but has now sunk to less than three thousand. The cause of this is the change in the course of trade, by which means it falls out, that those taxes which produced the principal part of the revenue, though still in force now, produce nothing at all. The principal of those taxes (8,000 pounds a year) was a duty upon French wines, which were imported there from old France in great quantities. Nor would it be replaced by an increase in the consumption of Spanish or Portuguese wines, supposing the tax might be construed to extend to those wines, for the Canadians do not like them and will not drink them. From a like cause, other duties which formerly made a considerable part of the public revenue, derived from French brandies imported from old France, and French rums imported from the French West India Islands, now produce nothing at all. From these causes the revenue is sunk so low that it is insufficient to defray the expenses of the civil government, though its establishment is so very moderate. It is, therefore, necessary either for the treasury of

England to issue a sufficient annual sum to make good the salaries of the several officers of the government, or that some new tax should be imposed upon the inhabitants, to supplement those which by reason of these accidents have failed. If this latter method should be adopted, it is presumed that the authority of Parliament will be the proper power to have recourse to. . . . Information has been received from persons well acquainted with the state and trade of the province, that British spirits would be the commodity that could best bear a duty and would produce the best revenue; that there are annually imported into the province about 250,000 gallons of these spirits and that they might bear a duty of not more than three pence a gallon, without hurting the trade; and this would produce 3,000 pounds a year.

“The malicious and desperate enemies of an upright and popular administration may perhaps traduce such a measure as inconsistent with their late indulgent conduct with respect to the other American colonies in the late repeal of the Stamp Act, but the difference in the two cases is too striking to make a calumny in the least degree formidable. The other American colonies have internal legislatures of their own, who have been permitted, ever since their first establishment, to be the assessors of all their internal taxes; and, as they had not abused this privilege with which they had been so long indulged, and further, as their exercise of this privilege seemed to be in no way prejudicial to the mother country, it seemed to have been a harsh and ungracious measure on the part of Parliament, by the advice of the late ministry, to revive and exact a dormant and inherent right of taxing them; which, however, the whole Parliament, excepting a very few members of both houses, have arrogantly declared themselves to be possessed of. But the Canadians have no such internal legislature, no such means of taxing themselves by representatives of their own choosing. Unless, therefore, they have the singular privilege of not being liable to be taxed at all, they must be liable to be taxed either by the King alone, or by the King and Parliament; and the more reasonable of these two opinions is, that they are taxable by the King and Parliament. Those, therefore, who would promote taxation by authority of Parliament, would act like the truest friends to civil liberty,

and with the same spirit of mildness and moderation that inspired them in the repeal of the Stamp Act.

“If it should be said that the Province of Quebec ought to have an assembly in the same manner as the other American colonies, and that the taxes ought to be imposed by the consent of such an assembly, it will be sufficient for the present purpose, and to support the measure here suggested of taxing them by authority of Parliament, to answer, that as yet no such assembly has been constituted; and till an assembly is established, whether that time be short or long, the safest and mildest method of imposing taxes is to do it by authority of Parliament.

“As to establishing an assembly in that province, it is a measure which probably will not for some years to come be found expedient. If an assembly were now to be constituted, and the directions in the governor’s commission, above alluded to, were to be observed by which none of the members elected there are to be permitted to sit and vote in the assembly till they have subscribed the declaration against popery, it would amount to an exclusion of all the Canadians, that is, of the bulk of the settled inhabitants of the province. An assembly so constituted might pretend to be representative of the people, but in truth it would be representative of only the 600 new English settlers, and an instrument in their hands of domineering over the 90,000 French. Can such an assembly be thought just or expedient, or likely to produce harmony and friendship between the two nations? Surely it must have a contrary effect.

“On the other hand it might be dangerous in these early days of their submission, to admit the Canadians themselves to so great a degree of power. Bigoted as they are to the popish religion, unacquainted with, and hitherto prejudiced against the laws and customs of England, they would be very unlikely for some years to come, to promote such measures as would gradually introduce the Protestant religion, the use of the English language, and the spirit of the British laws. It is more probable they would check all such endeavours, and quarrel with the governor and council, or with the English members of the assembly, for promoting them. Add to this that they are almost universally ignorant of the English language, so as to be absolutely incapable of debating in it, and consequently must, if

such an assembly were created, carry on the business of it in the French language, which would tend to perpetuate that language, and with it their prejudices and affections for their former masters, and postpone to a very distant time, perhaps for ever, that coalition of the two nations, or the melting down of the French nation with the English in point of language, affections, religion and laws, which is so much to be wished for, and which otherwise a generation or two may perhaps effect, if proper measures are taken for that purpose. And further it may be observed that the Canadians themselves do not desire an assembly, but are contented to be protected in the enjoyment of their religion, liberties and properties under the administration of His Majesty's governor and council. If, to give a proper stability to this mode of government, it is carried on by authority of Parliament, and is properly superintended, as no doubt it will be, by the wisdom of His Majesty's Privy Council, they will think themselves extremely happy under it. The persons who most desire the immediate constitution of an assembly are some of the six hundred English adventurers, who probably are ambitious of displaying their parts and eloquence in the characters of leading legislators. . . . Could the King, if he thought proper, and a particular county of England was to desire it of him, sever that county from the rest of England, and no longer summon any of its members to Parliament, but instead thereof constitute a little Parliament in that county itself, that should make laws and levy taxes for the inhabitants of that single county? It is presumed that he could not; and establishing an assembly in a conquered province is an act of much the same nature. It is true, indeed, that some of the American charters and assemblies owe their rise to this authority; but this was in the reign of the Stuarts, who were fond of exceeding their prerogative; and, on account of the inconsiderableness of the colonies at that time, these things were then unnoticed, so that they do not prove the strict legality of the practice. Since that time, these charters have been put in practice by the colonies and acquiesced in by the mother country, and in some measure recognized in Parliament; and this usage, acquiescence and recognition, are in truth their best support. But if an assembly is to be constituted, in which the Catholics or Canadians are to be admitted (as in justice and reason they ought to be, if any assembly at all is to be

established) the authority of Parliament seems to be still more necessary to give validity to such a measure.”

A remonstrance signed by P. Æmilius Irving, W. Murray, Adam Mabane, François Mounier and James Cuthbert, members of the council, and addressed to Governor Carleton under date of the 13th October, 1766, complains of the method lately adopted by calling together only a part of the councillors. On another point a question is raised whether the number of councillors is limited, and if so, why the additional appointment of Mr. Stewart is not considered as supernumerary. The reply of Carleton says: “I both have and will, on all matters which do not require the consent of council, call together such councillors as I shall think best qualified to give me information; and, further, I will ask the advice and opinions of such persons, though not of council, as I shall know as men of good sense, truth, candour and impartial justice; persons who prefer their duty to the King and the tranquillity of his subjects to unjustifiable attachments, party, zeal and to all selfish mercenary views. After I have obtained such advice, I will still direct as to me shall seem best for His Majesty’s service and the good of his province committed to my care. . . . For the present the council consists of twelve members. Those named and appointed immediately by the King have the preference, next follow those appointed by Governor Murray till the seats are all full. You will be pleased to recollect, gentlemen, that Mr. Stewart, though sworn into council after Mr. Mounier, has by virtue of the King’s immediate appointment constantly taken place and precedence of you all. I must also remind you that His Majesty’s service requires tranquillity and peace in his Province of Quebec and that it is the indispensable duty of every good subject, and of every honest man, to promote such a desirable end.”

Carleton writing on the subject of council, 25th October, 1766, says: “Nothing has been done that required a council, my calling a few councillors was merely from prudential reasons and for private information. . . . I understand these gentlemen are seeking an excuse to resign their seats and make trouble. I shall give them time to cool and reflect, till matters occur that may require a council. The great leader of the intended opposition is Mr. Mabane, who followed the army as surgeon’s mate into this country,

and hoping and believing that this government is unsettled, is endeavouring to stir up considerable agitation; I trust he will not succeed. Captain Cuthbert threatens me with much opposition from his friends, says he was forced into the council by Governor Murray on his departure, much against his will, but now he is in he will show the world who has friends, and who shall be turned out. I laughed and made no answer. Mr. Walter Murray, who has acted as a strolling player in other colonies, but here as a councillor, and Mr. Mounier (a Swiss), an honest, quiet trader, who knows very little of our language and manners, like most of the Canadians, will sign, without examination, whatever their acquaintances urge them to, and Lieutenant-Colonel Irving professes he signed this and the order of council mentioned above, because his friends desired him. All these little workings I look on as the natural consequences of the late tempest, which after a few months settled calm must insensibly subside and die away. In general His Majesty's subjects here seem rather to want instruction than reproof. To know clearly the King's will, and to see it steadily pursued here, will, or I am much mistaken, soon occasion a quiet and dutiful obedience, in spite of the opposition of a few self-interested individuals."

The articles of capitulation and the Treaty of Paris, granting freedom to the Catholic religion, and putting the Canadians on the same footing as British subjects, could not be carried out practically, because of the restriction contained in these words, "so far as the laws of Great Britain permit." As it was perfectly well known that the laws in question did not admit anything from the Roman Church, the clause was null and void, and, as a consequence, the Canadians were not on the footing of British subjects, being unable to take the oaths prescribed for certain occasions. The ministry felt the awkwardness of the situation, but found no remedy for it, except as in the case of the nomination of a Bishop, to wink at it. Negotiations had been opened in 1763 by the clergy of Canada for the recognizance of Grand Vicar Jean Olivier Briand, selected by the Canons of Quebec, to succeed Mgr. Pontbriand, dead since 1760. Mr. Briand went to London in 1764, was accepted by the King, but without the title of Bishop of Quebec; then he received his nomination from Pope Clement XIII., and was consecrated on the 16th of March, 1766, at Paris, after which he went back to London, and arrived at Quebec 28th of June following. The King had clearly told

him that no appointment as curé could be made without the consent of the governor. Other matters, such as tithes, etc., were left in the position made by the Treaty of Paris.

The seigneurs of the land and proprietors of the fiefs of the district of Montreal signed a petition during the autumn of 1766, in which they express their gratitude "for the signal favour of possessing a Bishop," and for the revocation of the Stamp Act. They beg to thank His Majesty for having given them as governor in the past the Honourable James Murray and dare to hope His Majesty will continue to them this worthy officer "whose clear-sightedness, equity and wisdom continually afford him efficacious means for maintaining the people in tranquillity and obedience." Then follows a double request: First, for the suppression of the Register, "the expense of which exhausts the colony, without its receiving from it the least advantage," and second, that all the subjects in the province, without any distinction of religion, may be admitted to any office, the only basis of selection being that of capacity and personal merit. "To be excluded by the State from participating in it is not to be a member of the State."

To the King.—"The seigniors in the district of Quebec, as well in their own names as in those of all the inhabitants, their tenants, pierced with grief at the departure of His Excellency the Honourable James Murray, whom they have since the conquest of this province loved and respected even more on account of his personal qualities, than as their governor, believe they would be unworthy to live if they did not strive to make known to Your Majesty their Sovereign, and to the whole of England, the obligations they owe him, which they will never forget, and the sincere regret they feel at his departure. . . . The cabal formed by a certain number of the old subjects has triumphed. . . .

"The Honourable James Murray, in 1759, surrounded by Canadians, whom he might have regarded as his enemies, has had only indulgence for them. From that time he gained our hearts; his generosity and that of his officers, animated by his example, who by the charity they distributed, delivered the population from the misery into which the misfortune of war had plunged it, forced us to admire and respect him.

"After the complete conquest of this province, he, by his affability,

compelled us to love him; he established in his government a military council, composed of upright officers, who without prejudice and without emoluments have decided between, or rather have reconciled, litigants; there has been no instance of an appeal from their decision. How many families has he not helped and supported! We enjoyed till the date of civil government a tranquillity which almost made us forget our mother country of old. Subject to his wise decisions and ordinances we were happy. The old subjects did not then think of complaining. We shall long remember the mildness of that government. Our hopes have been destroyed by the establishment of the civil government that had been so highly extolled; we saw rise with it cabal, trouble and confusion, and we are astonished to see in infamous libels, whose authors went unpunished, the basest and most flagrant calumny. We, accustomed to respect our superiors and to obey the orders issued by our Sovereign, in which we were led by our education as much as by our religion, respected the new civil officers, we were bound by their decisions, we executed their orders. The high salaries of these officers indeed surprised, but did not shock us. Struck with their irregularities on several occasions we lamented without complaining; we would still keep silence, had we not been struck by the most grievous misfortune we have ever felt. Our protector, our father, is taken from us. . . . The old subjects, at least the greatest number of them, since the date of civil government have only sought to oppress us, to render us their slaves and perhaps to seize our property. The emigration of many of our best fellow-citizens, which we regret, has been the fatal consequence of their evil proceedings, and the alarming rumours they continue to spread remain to us as authentic monuments of them.

“The protection with which Mr. Murray has honoured us retained several of us who had determined to leave the province. The politeness and deference of this governor for persons of good birth, the assistance he has not ceased to obtain for them, have drawn on him the hatred of the greater part of the old subjects. A cabal of people who have come in the train of the army, as well as clerks and agents of the London merchants deserve no preference, not only from their conduct but from their want of education, and, contemptible in themselves, piqued by the treatment rendered to them,

on this account, they have gained over a few of our fellow countrymen, several of whom were of the same contemptible character; others, acting without reflection, have supported them and signed the blackest calumnies in a language which they did not understand; there were even some among the latter who acknowledged that they had been taken unawares, and men of honour have not ceased to disclaim such detestable proceedings.

“But who are mostly those among the new subjects who have strengthened the cabal which takes advantage of their signatures? People without birth, without education, without scruple, disbanded soldiers from the French army, barbers, servants, even children; several of them in order to become shopkeepers have made themselves the slaves of their creditors, even Jews, who, accustomed to respect the citizens in those parts of the world where they are tolerated, have not hesitated in this province to exalt themselves above the King’s new subjects, to whom this kind of men was previously unknown and who, as well as their adherents, have ruined and reduced to the last state of wretchedness those who made common cause with them, a fit reward for their arrogance and weakness.

“We did not know the subject of the complaints the cabal made use of against Mr. Murray. Those of the new subjects who had the folly to subscribe them could not inform us, and how could they do so? They signed without knowing what they were doing; they had no motive for doing so; they were slaves to their creditors. It would be easy for us to discuss the items of these complaints and to show their falsehood. . . . If it please Your Majesty to give orders to have the heads of the accusations communicated to us, we will answer them as faithful subjects. It belongs to our honour to maintain truth and to unmask imposture. . . . We wish to be fully persuaded of the good intentions of the State respecting us, and that Mr. Carleton, who is selected to take the place of Mr. Murray, is endowed with excellent qualities, that he will follow the example of his predecessor and will have the same regard for us; but we do not know him, whilst on the contrary we are perfectly acquainted with him whom we are losing. We respect Mr. Carleton without knowing him, and we will obey him since he is chosen by Your Majesty, but if he protects us, if he renders us justice and maintains us in our rights, soon those who are jealous of us will cabal

against him and complain again, and to satisfy the caprice of a handful of people who find persons in London to support them, knowing nothing respecting the subject of their discontent, except what they are told, it will be necessary to appoint a new governor every year, and we, poor Canadians, will be sacrificed without being able to represent our case. What idea could we have of the laws of your government? We believe them to be wise; we receive them, but what would this serve if British liberty were granted only to the old subjects? They would complain without reason to satisfy their fickleness and caprice, and would employ calumnies which hell alone can invent, and they would be favourably listened to. Would it not be allowed to your new subjects to speak, and would a governor be condemned without a hearing, who was making them happy to their satisfaction? Our language is not that of a people groaning under oppression, we dare to tell Your Majesty that a man entrusted by your orders to ascertain here the truth, will find in all the towns and parishes the reverse of what the malice of our enemies and of those of Mr. Murray has invented to blacken him and to grieve us. . . . (Signed) Tarieu de la Naudière, J. Duchesnay, F. J. Cugnet, Rigauville, D. Vincelotte, J. Couillard, Louis Dupuis, Saint-Lue de la Corne, Michel Blois, Couillard, Couillard, J. Roy, Gaspé, J. Couillard, Lachevrotière, Aubert, Augustin Chavigny, A. Hamelin, Gastineau, D. M. Deplaing.