

## CHAPTER XIV.

The Walker outrage, 1764—Political situation, 1767—Carleton governor-in-chief, 1768—Members of the council, 1764-1768—The Swiss in Canada—Political situation, 1768-1769—Carleton goes to England, 1770.

Up to 1763 there was practically no English-speaking population in the province, the small military force excepted. With the peace, many soldiers in Canada had been discharged from service, and there was also a certain influx of traders from the neighbouring colony of New York and from New England. To these must be added the officials who were sent out from England. All told the English-speaking residents of the province amounted to about two hundred in 1764. The officials are described by Murray as men of doubtful character, and quite unqualified to fill important offices. We need hardly wonder after reading what Murray and Carleton said of "contemptible settlers and traders" that these two governors declined to call an assembly of such men. As it was, this minority necessarily monopolized all public offices; from them alone could magistrates and bailiffs be appointed, the religion of the Canadians debarring them from all share in the administration of law, etc. The officials engaged in the department of justice were paid by fees, and magistrates and bailiffs were in league, not only to stir up law suits, but also to make them as expensive and tedious as possible. When Carleton succeeded in 1770 in getting an ordinance passed curtailing some of their privileged abuses, the cry for an assembly to curb the governor was vehement and bitter.

Doubtless there were some good citizens among the newcomers. To them at all events the province was indebted for the first printing press set up in Canada. From it issued the *Quebec Gazette*, a semi-official organ which strongly supported the claim of the English-speaking minority to rule the province by means of a Protestant assembly. The "old subjects" from New York and New England soon regained by their energy the control of

provincial commerce. They opened up again the fur trade of the west, which had died out during the war. They began, also, a commercial intercourse with England, securing in this way, through London merchants, an influence in the British Parliament. Montreal was the chief business centre, and here lived most of the traders who had come from the neighbouring provinces.

Thomas Walker was an Englishman, who had resided for many years in Boston, but came to Montreal some time after the close of the war in 1760, where he engaged in the trade with the upper country. He appears from the first to have opposed every action of the governor, called himself the agent of the people, and convinced them that it was by his influence that Murray was to be recalled, making use of Lord Dartmouth's name as his authority.

An annexation party existed in those days among some of the resident traders of Quebec and Montreal. The agitation caused by the Stamp Act was only latent for a while. Those who were animated by a spirit of resistance against the authorities found support in the house of Walker and his friends. Some hot-tempered individuals, on the other side, came to the conclusion that they could frighten this man and punish him for his conduct, and on the evening of the 6th December, 1764, they entered his lodging in disguise, struck him, cut one of his ears and managed to escape without being recognized by any one. Every indication pointed towards the garri-son troops—officers or soldiers, but there was no direct evidence against them. The outrage itself was evidence of the bad state of feeling between the military and some of the civil population, and it seems by no means improbable that the account given by Murray of the class from which the latter was drawn may to some extent have been influenced by the feelings of contempt entertained by the military towards the first British settlers, a feeling which was reciprocated, and found vent in the petitions for Murray's recall. This feeling, however, appears to have materially changed after Carleton's arrival, who, writing to Lord Shelburne in September, 1767, says that their animosities were abating and he adds: "Indeed, it seems to be brought to a fair trial whether the course of justice should pre-



vail, or all matters be determined by association and party spirit. I flatter myself I shall see no more attempts of that sort in this province.”

Walker was dismissed from the Commission of the Peace by General Murray on the ground that by his seditious insinuations he had induced the Montreal jurors to refuse to do their duty, that there were repeated complaints of his insolent and overbearing temper, and the consequent impossibility of getting any other justice to act with him. These charges were considered by the council sufficient to warrant his dismissal, a resolution to which Murray agreed with reluctance, on account of the ill-treatment Walker had received and the triumph it would give his enemies.

On the 27th March, 1766, His Majesty ordered that Walker be immediately restored to the magistracy, and on the same day an order was issued from the Privy Council, addressed to the Governor of Michillimackinac and Detroit, in which it was enjoined that Walker should receive the most effectual assistance in the pursuit of his trade and business. In short, every reparation possible was made to him by the Imperial authority, and the most stringent orders were given that no exertions should be spared to secure the arrest of the perpetrators of the outrage, but these were unsuccessful. On the 1st of April, 1766, Murray was ordered to London to give an account of the state of his government, to which he did not return—but his departure is not merely connected with the case of Walker, as will be explained elsewhere.

The mystery covering the attack in question has never been solved, although an attempt was made in November, 1766, to clear up that point. One George Magovock, late soldier in the 28th regiment of foot, then in gaol for a rape and who had been besides detected in robbing Mr. McKenzie's cellar in whose house he was living in Quebec, with Thomas Walker, made a declaration under oath that John Fraser and five other persons were the authors of the assault committed upon Thomas Walker on the 6th December, 1764. Six persons were arrested and sent to Quebec, where they remained in gaol more than three months without being admitted to bail. Their names were: John Fraser, captain 78th regiment, deputy paymaster-general, one of the judges of the Court of Common Pleas; St. Luc de la Corne, captain in the former French service, Knight of St. Louis; John

Campbell, 27th regiment; Daniel Disney, captain, 44th regiment; Simon Evans, lieutenant, 28th regiment, and Joseph Howard, merchant. From Quebec they were removed back to Montreal, where the trial took place, in April, 1767. No evidence having been produced against them, the grand jury pronounced their acquittal. Here are the name of these jurors: Samuel McKay, foreman, St. Ours, chevalier de St. Louis, Isaac Todd, François de Bellestre, chevalier de St. Louis, Louis Mattorell, M. de Contre-cœur, chevalier de St. Louis, M. de Niverville, chevalier de St. Louis, Thomas Lynch, Boucher de la Bruyère, John Livingston, Jacob Jordon, Boucher de Niverville (Trois-Rivières), Godefroy de Normanville, Moses Hazen, Dailleboust de Cuisy, James Porteous, John Dumas, William Grant, Samuel Mather, Augustus Bailie, John Jennison. As for Walker, he remained in Canada and reappeared to create trouble later on.

Shelburne writing to Carleton, 20th June, 1767, states: "I have the pleasure of confirming to you His Majesty's gracious approbation of your conduct. . . . As the right administration of the government of Quebec is a matter of the greatest importance to that province, the improvement of its civil constitution is under the most serious and deliberate consideration of His Majesty's servants and principally of His Majesty's Privy Council. Every light which can be procured on this subject will be material as well as every information which can tend to elucidate how far it is practicable and expedient to blend the English with the French laws in order to form such a system as shall at once be equitable and convenient, both for His Majesty's old and new subjects, in order to the whole being confirmed and finally established by authority of Parliament."

Carleton to Shelburne, 24th September: "Should His Majesty be graciously pleased to grant the petition of Mr. Chaussegros de Léry for employment, it will serve as a proof to gentlemen of Canada that they are not forever to be excluded from the service of their present sovereign. This opinion I have endeavoured to remove, as I am thoroughly convinced, it is for the British interests upon this continent, they should be employed; from a despair of this sort, I imagine, it must have proceeded that several young gentlemen, whose parents remain in this country, and whose fortunes they must inherit, have entered into the French service, as Your Lordship may



see by the enclosed return; the three first are heirs of three of the best and richest families in the province. Should His Majesty think proper to raise a Canadian regiment, no doubt but these gentlemen would prepare to serve, where both duty and interest require them. Until that scheme shall be adopted, the placing a few of the young gentlemen in the American battalions would make them turn their eyes from France, which undoubtedly will endeavour to preserve an interest here for future events."

Carleton to Shelburne, 25th November: "As the common people are greatly to be influenced by their seigniors, I annex a return of the noblesse of Canada, showing with tolerable exactness, their age, rank, and present place of abode, together with such natives of France, as served in the colonial troops so early in life as to give them a knowledge of the country, an acquaintance and influence over the people, equal to natives of the same rank; from whence it appears that there are in France, and in the French service, about one hundred officers, all ready to be sent back, in case of a war, to a country they are intimately acquainted with, and with the assistance of some troops, to stir up a people accustomed to pay them implicit obedience. It further shows, there remain in Canada not many more than seventy of those, who ever had been in the French service, not one of them in the King's service nor one who, from any motive whatever, is induced to support his government and dominion, gentlemen, who have lost their employments, at least by becoming his subjects, and as they are not bound by any offices of trust or profit, we should only deceive ourselves by supposing they would be active in the defence of a people that has deprived them of their honours, privileges, profits and laws, and in their stead have introduced much expense, chicanery, and confusion, with a deluge of new laws unknown and unpublished. Therefore, all circumstances considered, while matters continue in their present state, the most we may hope for from the gentlemen who remain in the province, is a passive neutrality on all occasions, with a respectful submission to government, and deference for the King's commission in whatever hands it may be lodged. This they almost to a man have persevered in, since my arrival, notwithstanding much pains have been taken to engage them in party intrigues, by a few, whose duty, and whose office, should have taught them better. . . . Having

arranged the strength of His Majesty's old and new subjects, and shown the great superiority of the latter, it may not be amiss to observe that there is not the least probability this present superiority should ever diminish, on the contrary it is more than probable it will increase and strengthen daily. The Europeans who emigrate never will prefer the long inhospitable winters of Canada to the more cheerful climates and more fruitful soils of His Majesty's southern provinces. The few old subjects at present in this province have been mostly left here by accident, and are either disbanded officers, soldiers, or followers of the army, who, not knowing how to dispose of themselves elsewhere, settled where they were left at the reduction of the troops; or else they are adventurers in trade, or such as could not remain at home, who set out to mend their fortunes, at the opening of this new channel for commerce, but experience has taught almost all of them that this trade requires a strict frugality they are altogether strangers to, or to which they will not submit; so that some, from more advantageous prospects elsewhere, others from necessity, have already left this province, and I greatly fear that many more, for the same reasons, will follow their example in a few years. But, while this severe climate and the poverty of the country discourages all but the natives, its healthfulness is such that these multiply daily, so that, barring a catastrophe shocking to think of, this country must to the end of time be peopled by the Canadian race, who already have taken such firm root and got to so great a height, that any new stock transplanted will be totally hidden and imperceptible amongst them, except in the towns of Quebec and Montreal.

“The King's forces in this province, supposing them complete to the allowance and all in perfect health, rank and file, would amount to sixteen hundred and twenty-seven men. The King's old subjects in this province, supposing them all willing, might furnish about five hundred men able to carry arms, exclusive of the troops. . . . The new subjects could send into the field about eighteen thousand men well able to carry arms, of which number above one-half have already served with as much valour and with more zeal and military knowledge for America, than the regular troops of France that were joined with them.”

Carleton to Shelburne, 24th December, 1767: “To conceive the true



state of the people of this province, so far as the laws and administration of justice are concerned, and the sensations they must feel in their present situation, it is necessary to recollect they are not a migration of Britons, who brought with them the laws of England, but a populous and long-established colony, reduced by the King's arms to submit to his dominion, on *certain conditions*; that their laws and customs were widely different from those of England, but as well founded on natural justice and equity; that their honours, property and profits, as well as the King's dues, in a great measure depended upon them; that on the mutation of lands by sale, some special cases excepted, they establish fines to the King, in lieu of quit rents, and to the seigneur, fines and dues, as his chief profits, obliging him to grant his lands at very low rents. . . . How far the change of laws, which deprives such numbers of their honours, privileges, profits and property, is conformable to the capitulation of Montreal and Treaty of Paris; how far the ordinance of the 17th September, 1764, which affects the life, limb, liberty and property of the subject, is within the limits of the power His Majesty has been pleased to grant to the governor and council; how far this ordinance, which, in a summary way, declares the Supreme Court of Judicature shall judge all cases, civil and criminal, by laws unknown and unpublished to the people, is agreeable to the natural rights of mankind, I humbly submit. This much is certain, that it cannot long remain in force without a general confusion and discontent. . . . A few disputes have already appeared where the English law gives to one, what by the Canadian law should belong to another. . . . The present great and universal complaint arises from the delay and heavy expense of justice. . . . The most advisable method, in my opinion, for removing the present, as well as preventing future evils, is to repeal the ordinance of the 17th September, 1764, as null and void in its own nature, and for the present leave the Canadian laws almost entire. Such alterations might be afterwards made in them, as time and circumstances rendered the same advisable, so as to reduce them to that system His Majesty should think fit, without risking the dangers of too much precipitation; or else, such alterations might be made in the old and such new laws as are judged necessary be immediately

introduced, and published as a Canadian code, as was practised by Edward the First after the conquest of Wales."

In 1767, Carleton pointed out to the minister that, notwithstanding the action of the home government in introducing English civil law into the colony, the people continued to regulate all their transactions by their ancient laws, though unknown and unauthorized in the courts, where most of these transactions would be declared invalid. He attributed the absence of much more violent manifestations of discontent among the people to the fact that the enormity of the change was not fully recognized by them, but declared that the recognition of it will in time cause consternation and ill-feeling. The new courts, said he, "introduced all the chicanery of Westminster Hall into this impoverished province, where few fortunes can bear the expense and delay of a law suit."

As Carleton desired to get the fullest possible information regarding the legal conditions and necessities of the colony, he asked Maseres, among others, for a report elaborating his views and opinions. Maseres was of French descent, his ancestors having gone over to England with many other Huguenots when (1685) the Edict of Nantes was revoked. His schooling in English law had given him a veritable Blackstonian love of his profession. The report he made in 1769 ran, in some parts, directly counter to the personal views of the governor; for in general he insisted that the restoration of the entire fabric of French civil law would be a misfortune both for the colony and for Great Britain. The retention of that portion of the old jurisprudence which dealt with real property seemed to Maseres justifiable enough, but further than this he was not prepared to go. Carleton wrote to the home authorities deploring the "narrow prejudices" of their attorney-general, which he attributed to his "having conversed more with books than with men."

The people were following the English system of conveyancing as simpler and less expensive than the French, even though it did not lend itself to the existing form of tenure. The seigneurs, taking advantage of the doubtful situation of the time, were generally disregarding the provision of the Arrêt de Marly (1711), that no entry fee should be exacted from habitants for grants of land, but that holdings *en censive* should be freely



conceded at the rates customary in the neighbourhood. Many of the habitants were refusing to pay their quint, some on the ground that the governor in council had no right to revive the Custom of Paris in part, and some under the pretence that the seigneurs had not been called upon to render fealty and homage, a duty which was, by custom, a prerequisite of the exaction. Many seigneurs were imposing dues and services to which they were not entitled, and many habitants were refusing to render even their proper obligations. All this disorder served to produce a torrent of litigation which the inefficient judicial organization was utterly unable to stem with any approach to satisfaction.

Though the Canadians were satisfied with the English laws against crime, they did not like the civil laws, as those were called which had to do with property, marriages, wills, and such matters. They objected also to the plan of having a jury of twelve men, who had not been specially trained in law, to decide cases about land and money, and preferred to trust to the wisdom and honesty of the judge alone. Then the plan was tried of following the English laws in some things and the French in others; and at last the judges decided by whichever laws happened to suit their fancy. This uncertainty was very bad for the people in general, and very pleasing to cheats and rogues—but it was allowed to go on for years.

Carleton to Shelburne, 20th January, 1768: “As long as the Canadians are deprived of all places of trust and profit, they never can forget they no longer are under the dominion of their natural sovereign; though this immediately concerns but few, yet it affects the mind of all, from a national spirit which ever interests itself at the general exclusion of their countrymen. Three or four of their principal gentlemen, with the rank of councilors, were it little more than honorary, though on many occasions they might prove useful; a few companies of Canadian foot judiciously officered, with three or four trifling employments in the civil department, would make very considerable alterations in the minds of the people. It would divide the Canadians at least and secure a part, in case of a French war, that would emulate the zeal of the King’s national troops. It would hold out hopes to the gentlemen that their children, without being bred up in France, or the French service, might support their families in the service of the King, their

master, and by their employments preserve them from sinking into the lower class of people, by the division and sub-division of lands every generation.

“I have found in Canada what I believe may be found everywhere, the people fond of the laws and form of government they have been educated under, though scarcely a man that knows one sound principle of government, or law. Three or four of the old subjects, about a year ago, brought me the rough draft of a petition for a general assembly, and hoped I had no objection to their having it signed by all the British who wished to have one called. I told them I had many objections to great numbers signing a request of any kind, that it seldom conveyed the sincere desire of the subscribers; that it had an appearance of an intention to take away the freedom of granting or refusing the request. I had no objection to assemblies in general, yet such was the particular situation in Canada, that though I had turned over that matter often in my thoughts, I could hit off no plan that was not liable to many inconveniences and some danger; that perhaps they might be more fortunate, and I should consider myself obliged to them, if they would show me one that could be of advantage to the province and to the King’s service, assuring them such a plan wanted no petitions to recommend it to me. About a month after they asked me if I had considered their request, and I repeated my former answer, since which I have often urged them, of my own accord, to let me have their scheme for an assembly, and to inform me who they thought should be the electors, and who the representatives, but to no purpose. So that I imagined they had laid aside all thoughts of the kind, till lately one John McCord, who wants neither sense nor honesty, and formerly kept a small ale house in the poor suburbs of a little country town in the north of Ireland, appearing zealous for the Presbyterian faith, and having made a little money, has gained some credit among people of his sort. This person purchased some spots of ground and procured grants of more, close to the barracks, where he ran up sheds and placed poor people to sell his spirits to the soldiers. Finding his lucrative trade has lately been checked by inclosing the barracks to prevent the soldiers getting drunk all hours of the day and night, he has started to be a patriot, and with the assistance of the late attorney-



general (Suckling), and three or four more, egged on by letters from home, is at work again for an assembly, and purposes having it signed by all he can influence.

“On the other hand, the better sort of Canadians fear nothing more than popular assemblies, which they conceive tend only to render the people refractory and insolent. Enquiring what they thought of them, they said they understood some of our colonies had fallen under the King’s displeasure owing to the misconduct of their assemblies and that they should think themselves unhappy if a like misfortune befel them.”

After acting as Lieutenant-Governor of Quebec from April, 1766, till the beginning of 1768, Carleton was appointed (January 22nd, 1768) to the full position of Captain-General and Governor-in-Chief of Quebec.

The following is a list of the members of the council at the end of 1766 with the date of their admission: 1764, 13th August; Paul Æmilius Irving, Hector Theophilus Cramahé, Samuel Holland, Walter Murray, Adam Mabane, Thomas Dunn, François Mounier; October 10th, James Goldfrap; October 31st, Benjamin Price. 1765, 20th June: Charles Stewart. 1766, 14th June: James Cuthbert; June 30th, Thomas Mills; September 25th, William Hey, in the place of William Gregory.

The instructions given to Carleton in 1768 state that the King has appointed the following persons “to be of our council for our Province of Quebec”: William Hey, chief justice, Hector Theophilus Cramahé, James Goldfrap, Hugh Finlay, Thomas Mills, Thomas Dunn, Walter Murray, Samuel Holland, Francis Mounier, Benjamin Price, Colin Drumond. In case of vacancy by death or otherwise, the appointment of a new councillor was reserved for the King. In case of the number ready for business being less than seven, the governor had power to choose as many persons as will make the quorum, to act until confirmed by His Majesty.

The necessity of employing officials thoroughly conversant with the French language had brought several Swiss of the Protestant faith into the service of Canada. The best known amongst them were: General Haldimand, Conrad Gugy, Joseph Bruyères, Hector Cramahé, François, Mounier, Francis Masères, Jean-François-Louis Genevay, Sir Austin Prevost, Pierre-Antoine Roubaud, all occupying high functions in the administra-

tion. Pierre Ducalvet, a merchant, was also a Swiss and a Protestant. The Reverend Messrs. de Montmollin, Veyssières and Delisle were of the same nationality and faith.

Hillsborough to Carleton, March 6th, 1768: "It is most unfortunate for the colony of Quebec that weak, ignorant and interested men were sent over to carry the proclamation into execution, who expounded it in the most absurd manner, oppressive and cruel to the last degree to the subjects, and entirely contrary to the royal intention. The distance of the colony, the difficulties arising from many circumstances, and the difference of opinion occasioned by various causes, have prevented, as yet the necessary measures from being taken, to correct this original and fatal mistake, but I trust I shall soon be empowered to signify His Majesty's pleasure to you, to carry into execution such measures as will not only relieve His Majesty's new subjects from the uncertain and consequently unhappy situation they are now in; but give them entire satisfaction for the future, by securing them their property upon a stable foundation, and rendering the colony more flourishing and happy than it has ever been."

Carleton to Shelburne, April 12th, 1768: "The Canadian tenures of lands differ from those in the other parts of His Majesty's American dominions, but if confirmed, and I cannot see how it well can be avoided without entirely oversetting the properties of the people, will ever secure a proper subordination from this province to Great Britain; if its detached situation is constantly remembered, and that on the Canadian stock only we can depend for an increase of population therein, the policy of continuing to them their customs and usages will be sufficiently evinced.

Carleton to Hillsborough, November 20th, 1768: "When I reflect that France, naturally, has the affection of all the people of this province; that, to make no mention of fees of office and the vexations of the laws, we have done nothing to gain one man in the province, by making it his private interest to remain the King's subject; and that the interest of many would be greatly promoted by a revolution, I own my not having discovered a treasonable correspondence, never was proof sufficient to convince me that it did not exist in some degree, but I am inclined to think, if such a message had been sent, very few were entrusted with the secret; perhaps the court



of France, informed a year past by Mr. de Chatelet, that the King purposed raising a regiment of his new subjects, caused this piece of intelligence (a letter alluding to a supposed meeting of military men in Canada) to be communicated, to create a jealousy of the Canadians, and prevent a measure that might fix their attachments to the British government, and probably, of those savages who had always acted with them. However that may be, on receiving this news from France last spring, most of the gentlemen in the province applied to me and begged to be admitted into the King's service, assuring me that they would take every opportunity to testify their zeal and gratitude for so great a mark of favour and tenderness, extended not only to them, but to their posterity.

“When I consider, further, that the King's dominion here is maintained but by a few troops, necessarily dispersed, without a place of security for their magazines, for their arms, or for themselves, amidst a numerous military people, the gentlemen all officers of experience, poor, without hope that they or their descendants will be admitted into the service of their present sovereign, I can have no doubt that France, as soon as determined to begin a war, will attempt to regain Canada, should it be intended only to make a diversion, while it may reasonably be undertaken with little hazard, should it fail, and where so much may be gained, should it succeed. But should France begin a war in hopes that British colonies will push matters to extremities, and she adopts the project of supporting them in their independent notions, Canada probably will then become the principal scene where the fate of America may be determined. Affairs in this situation, Canada in the hands of France would no longer present itself as an enemy to the British colonies, but as an ally, a friend, and a protector of their independency. Your Lordship must immediately perceive the many disadvantages Great Britain would labour under in a war of this nature. And on the other hand, how greatly Canada might for ever support the British interests on this continent, for it is not united in any common principle, interest, or wish with the other provinces, in opposition to the supreme seat of government.”

In answer to this letter Lord Hillsborough wrote to Carleton: “The remarks you make upon the state and temper of His Majesty's new subjects

will be of great utility in the consideration of the measures now under consideration, and do evince both the propriety and necessity of extending to that brave and faithful people a reasonable participation in those establishments, which are to form the basis of the future government of the colony of Quebec; but I fear that the spirit of the laws of this kingdom, as well as the general prejudices of mankind, and the dispositions that appear in all parties and factions to make every measure, however well considered and intended, the foundation of clamour and opposition, it will hardly be practicable to extend such participation to the military line, although, for my own part, I clearly see and agree in opinion with you that great advantages be deducted both to the colony and to the mother country for an establishment of that sort, under proper regulations." In brief the suggestion ought to be carried out, but we shall take no steps of the kind for fear of the opposition in the House of Commons.

In a report written at that time, Carleton gives a statement of the industrial condition of the province. Much flax was grown and worked into coarse linen for home wear; mixed with wool it produced the rough cloth known as linsey-woolsey. One-third of the population was clothed with goods of home manufacture. Caps, it seems, were imported. Everything else could be obtained in the province, though leather was badly tanned and the better kinds of boots and shoes were brought from the neighbouring colonies. At the St. Maurice forges edged tools were made and many other utensils. Pearl ashes and potash were obtained in the course of clearing away the forest, though the amount produced was as yet small. With the coming of peace the *habitants* had been left free to devote their time more closely to the soil, and the clearing and cultivation of land was rapidly extended. There was apparently a fair amount of farm stock, horses, cattle, sheep and swine, in the province, and, though ready money was scarce, the people were "at their ease and comfortable."

Before his appointment in 1766 as temporary governor-in-chief, Carleton had spent some time in the colony as an officer of the regular forces, having come with the army of Wolfe, and he was, therefore, fully conversant with the unsatisfactory condition of things. His personal inclination was towards the restoration of French law for the decision of all civil cases.



One difficulty, however, lay in the fact that the so-called civil law was not accessible in written form; it consisted not only in the Custom of Paris, but of the whole mass of edicts, ordinances, declarations, and decrees which had been issued either to supplement or to modify the Custom. As a first step, the governor requested a number of "Canadian gentlemen well skilled in the laws of France" to make a compilation of the civil laws of the French period, in order that at least the most important of them might be rendered accessible. This work was done during the next half-dozen years. It was issued in four parts. The last one and the most difficult to prepare was by François Joseph Cugnet, secretary to the governor and council for the French language. All four parts were published in London in 1772-1773, and after the re-establishment of French civil law in 1774, this compilation became a standard for the courts.

The governor had now come to the conclusion that the concurrence of the home authorities in his own plans could be secured only by a personal visit to England, and he obtained a short leave for that purpose. He left Quebec in August, 1770, with the intention of being absent about six months, but various circumstances combined to keep him there for four full years—the affairs of the colony being administrated meantime by a lieutenant-governor, the Honourable Hector Theophilus Cramahé.