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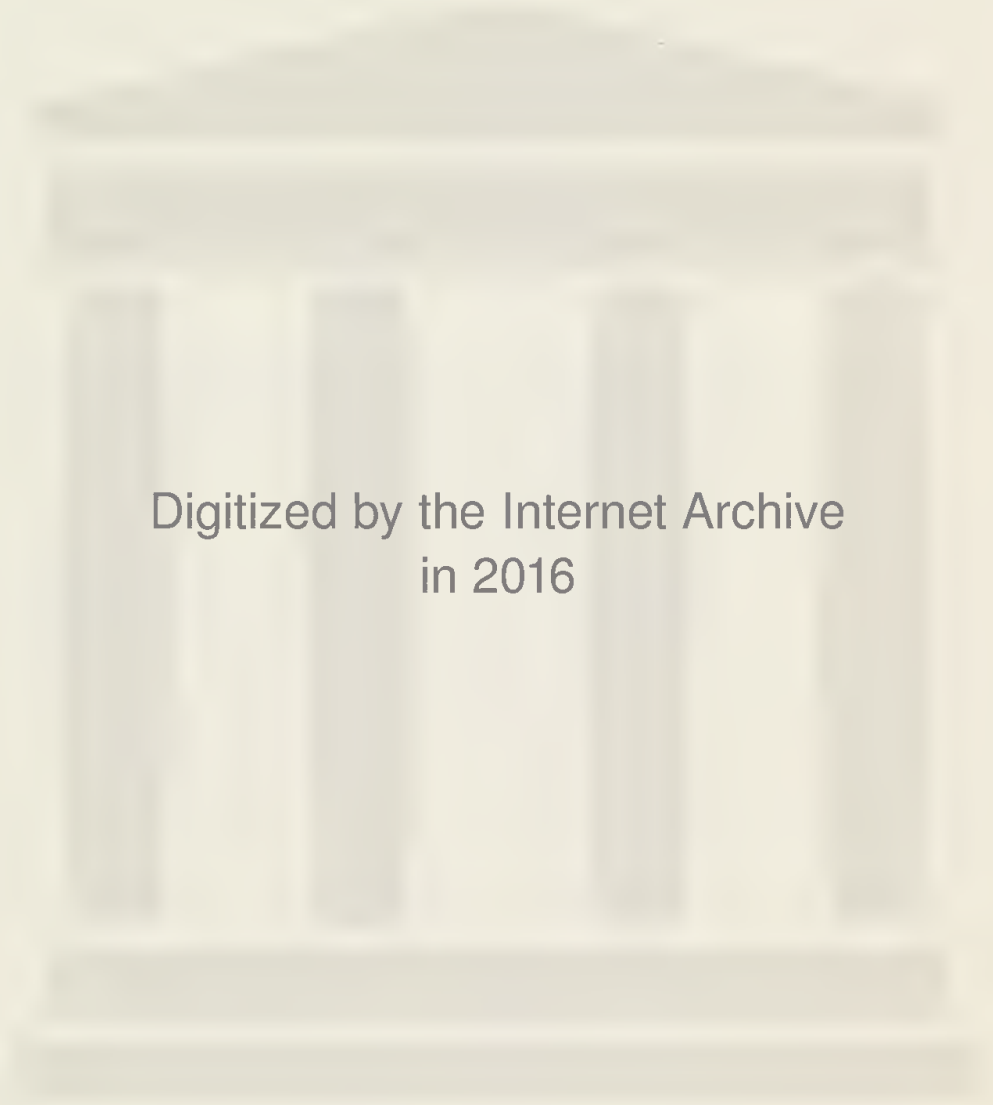
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CHRONICLES OF CANADA

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In thirty-two volumes

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THE SEIGNEURS OF OLD CANADA

BY

WILLIAM BENNETT MUNRO

Part II

The Rise of New France

LE CANADIEN .

After a painting by Krieghoff

THE SEIGNEURS OF OLD CANADA

A Chronicle of New-World Feudalism

BY

WILLIAM BENNETT MUNRO

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CHAPTER I

AN OUTPOST OF EMPIRE

WHAT would history be without the picturesque nnals of the Gallic race? This is a question hich the serious student may well ask him-elf as he works his way through the chronicles f a dozen centuries. From the age of Charle-nagne to the last of the Bonapartes is a long tride down the ages; but there was never time in all these years when men might nake reckonings in the arithmetic of Euro-ean politics without taking into account the restige, the power, and even the primacy of rance. There were times without number hen France among her neighbours made erself hated with an undying hate; there ere times, again, when she rallied them to er side in friendship and admiration. There ere epochs in which her hegemony passed nquestioned among men of other lands, and here were times when a sudden shift in fortune eemed to lay the nation prostrate, with none o poor to do her reverence.

It was France that first brought an orderly nationalism out of feudal chaos; it was her royal house of Capet that rallied Europe to the rescue of the Holy Sepulchre and led the greatest of the crusades to Palestine. Yet the France of the last crusades was within a century the France of Creçy, just as the France of Austerlitz was more speedily the France of Waterloo; and men who followed the tricolour at Solferino lived to see it furled in humiliation at Sedan. No other country has had a history as prolific in triumph and reverse, in epochs of peaceful progress and periods of civil commotion, in pageant and tragedy, in a that gives fascination to historical narrative. Happy the land whose annals are tiresome. Not such has been the fortune of poor old France.

The sage Tocqueville has somewhere remarked that whether France was loved or hated by the outside world she could not be ignored. That is very true. The Gaul has at all stages of his national history defied an attitude of indifference in others. His country has been at many times the head and at all times the heart of Europe. His hysteria has made Europe hysterical, while his sober national sense at critical moments has held the whole

ontinent to good behaviour. For a half-lozen centuries there was never a squabble t any remote part of Europe in which France lid not stand ready and willing to take a hand n the slightest opportunity. That policy, as ursued particularly by Louis XIV and the Bonapartes, made a heavy drain in brawn and rain on the vitality of the race; but despite t all, the peaceful achievements of France within her own borders continued to astonish nankind. It is this astounding vigour, this nexhaustible stamina, this unexampled re-uperative power that has at all times made France a nation which, whether men admire r condemn her policy, can never be treated with indifference. It was these qualities which enabled her, throughout exhausting foreign roubles, to retain her leadership in European cholarship, in philosophy, art, and architecture; his is what has enabled France to be the grim warrior of Europe without ceasing ever to be he idealist of the nations.

It was during one of her proud and prosper-ous eras that France began her task of creating an empire beyond the Atlantic. At no time, ndeed, was she better equipped for the work. No power of Western Europe since the days of Roman glory had possessed such facilities for

conquering and governing new lands. If ever there was a land able and ready to take up the white man's burden it was the France of the seventeenth century. The nation had become the first military power of Europe. Spain and Italy had ceased to be serious rivals. Even England, under the Stuart dynasty, tacitly admitted the military primacy of France. Nor was this superiority of the French confined to the science of war. It passed unquestioned in the arts of peace. Even Rome at the height of her power could not dominate every field of human activity. She could rule the people with authority and overcome the proud; but even her own poets rendered homage to Greece in the realms of art, sculpture, and eloquence. But France was the æsthetic as well as the military dictator of seventeenth-century Europe. Her authority was supreme, as Macaulay says, on all matters from orthodoxy in architecture to the proper cut of a courtier's clothes. Her monarchs were the first gentlemen of Europe. Her nobility set the social standards of the day. The rank and file of her people—and there were at least twenty million of them in the days of Louis Quatorze—were making a fertile land yield its full increase. The country was powerful, rich,

prosperous, and, for the time being, outwardly contented.

So far as her form and spirit of government went, France by the middle of the seventeenth century was a despotism both in theory and in fact. Men were still living who could recall the day when France had a real parliament, the Estates-General as it was called. This body had at one time all the essentials of a representative assembly. It might have become, as the English House of Commons became, the grand inquest of the nation. But it did not do so. The waxing personal strength of the monarchy curbed its influence, its authority weakened, and throughout the great century of French colonial expansion from 1650 to 1750 the Estates-General was never convoked. The centralization of political power was complete. 'The State! I am the State.' These famous words imputed to Louis XIV expressed no vain boast of royal power. Speaking politically, France was a pyramid. At the apex was the Bourbon sovereign. In him all lines of authority converged. Subordinate to him in authority, and dominated by him when he willed it, were various appointive councils, among them the Council of State and the so-called Parliament of Paris, which was not a

parliament at all, but a semi-judicial body entrusted with the function of registering the royal decrees. Below these in the hierarchy of officialdom came the intendants of the various provinces—forty or more of them. Loyal agents of the crown were these intendants. They saw to it that no royal mandate ever went unheeded in any part of the king's domain. These forty intendants were the men who really bridged the great administrative gulf which lay between the royal court and the people. They were the most conspicuous, the most important, and the most characteristic officials of the old régime. Without them the royal authority would have tumbled over by its own sheer top-heaviness. They were the eyes and ears of the monarchy; they provided the monarch with fourscore eager hands to work his sovereign will. The intendants, in turn, had their underlings, known as the sub-delegates, who held the peasantry in leash. Thus it was that the administration, like a pyramid, broadened towards its base, and the whole structure rested upon the third estate, or rank and file of the people.

Such was the position, the power, and administrative framework of France when her kings and people turned their eyes westward

across the seas. From the rugged old Norman and Breton seaports courageous mariners had been for a long time lengthening their voyages to new coasts. As early as 1534 Jacques Cartier of St Malo had made the first of his pilgrimages to the St Lawrence, and in 1542 his associate Roberval had attempted to plant a colony there. They had found the shores of the great river to be inhospitable; the winters were rigorous; no stores of mineral wealth had appeared; nor did the land seem to possess great agricultural possibilities. From Mexico the Spanish galleons were bearing home their rich cargoes of silver bullion. In Virginia the English navigators had found a land of fair skies and fertile soil. But the hills and valleys of the northland had shouted no such greeting to the voyageurs of Brittany. Cartier had failed to make his landfall at Utopia, and the balance-sheet of his achievements, when cast up in 1544, had offered a princely dividend of disappointment.

For a half-century following the abortive efforts of Cartier and Roberval, the French authorities had made no serious or successful attempt to plant a colony in the New World. That is not surprising, for there were troubles in plenty at home. Huguenots and Catholics

were at each other's throats; the wars of the Fronde convulsed the land; and it was not till the very end of the sixteenth century that the country settled down to peace within its own borders. Some facetious chronicler has remarked that the three chief causes of early warfare were Christianity, herrings, and cloves. There is much golden truth in that nugget. For if one could take from human history all the strife that has been due either to bigotry or to commercial avarice, a fair portion of the bloodstreaks would be washed from its pages. For the time being, at any rate, France had so much fighting at home that she was unable, like her Spanish, Portuguese, Dutch, and English neighbours, to gain strategic points for future fighting abroad. Those were days when, if a people would possess the gates of their enemies, it behoved them to begin early. France made a late start, and she was forced to take, in consequence, what other nations had shown no eagerness to seize.

It was Samuel Champlain, a seaman of Brouage, who first secured for France and for Frenchmen a sure foothold in North America, and thus became the herald of Bourbon imperialism. After a youth spent at sea, Champlain engaged for some years in the armed

conflicts with the Huguenots; then he returned to his old marine life once more. He sailed to the Spanish main and elsewhere, thereby gaining skill as a navigator and ambition to be an explorer of new coasts. In 1603 came an opportunity to join an expedition to the St Lawrence, and from this time to the end of his days the Brouage mariner gave his whole interest and energies to the work of planting an outpost of empire in the New World. Champlain was scarcely thirty-six when he made his first voyage to Canada; he died at Quebec on Christmas Day, 1635. His service to the king and nation extended over three decades.

With the crew of his little vessel, the *Don de Dieu*, Champlain cast anchor on July 3, 1608, beneath the frowning natural ramparts of Cape Diamond, and became the founder of a city built upon a rock. The felling of trees and the hewing of wood began. Within a few weeks Champlain raised his rude fort, brought his provisions ashore, established relations with the Indians, and made ready with his twenty-eight followers to spend the winter in the new settlement. It was a painful experience. The winter was long and bitter; scurvy raided the Frenchmen's cramped

quarters, and in the spring only eight followers were alive to greet the ship which came with new colonists and supplies. It took a soul of iron to continue the project of nation-planting after such a tragic beginning; but Champlain was not the man to recoil from the task. More settlers were landed; women and children were brought along; land was broken for cultivation; and in due course a little village grew up about the fort. This was Quebec, the centre and soul of French hopes beyond the Atlantic.

For the first twenty years of its existence the little colony had a stormy time. Some of the settlers were unruly, and gave Champlain, who was both maker and enforcer of the laws, a hard task to hold them in control. During these years the king took little interest in his new domains; settlers came slowly, and those who came seemed to be far more interested in trading with the Indians than in carving out permanent homes for themselves. Few there were among them who thought of anything but a quick competence from the profits of the fur trade, and a return to France at the earliest opportunity thereafter.

Now it was the royal idea, in so far as the busy monarch of France had any fixed purpose

n the matter, that the colony should be placed upon a feudal basis—that lands should be granted and sub-granted on feudal terms. In other words, the king or his representative stood ready to give large tracts or fiefs in New France to all immigrants whose station in life warranted the belief that they would maintain the dignity of seigneurs. These, in turn, were to sub-grant the land to ordinary settlers, who came without financial resources, sent across usually at the expense of His Majesty. In this way the French authorities hoped to create a powerful military colony with a feudal hierarchy as its outstanding feature.

Feudalism is a much-abused term. To the minds of most laymen it has a rather hazy association with things despotic, oppressive, and mediaeval. The mere mention of the term conjures up those days of the Dark Ages when armour-clad knights found their chief recreation in running lances through one another; when the overworked, underfed labourers of the field cringed and cowered before every lordly whim. Most readers seem to get their notions of chivalry from Scott's *Talisman*, and their ideas on feudalism from the same author's immortal *Ivanhoe*. While scholars keep up a merry disputation as to the historical origin

of the feudal system, the public imagination goes steadily on with its own curious picture of how that system lived and moved and had its being. A prolix tale of origins would be out of place in this chronicle; but even the mind of the man in the street ought to be set right as regards what feudalism was designed to do and what in fact it did, for mankind, while civilization battled its way down the ages.

Feudalism was a system of social relations based upon land. It grew out of the chaos which came upon Europe in the centuries following the collapse of the Roman Empire. The fall of Roman power flattened the whole political structure of Western Europe, and nothing arose to take its place. Every lord or princeling was left to depend for defence upon the strength of his own arm; so he gathered around him as many vassals as he could. He gave them land; they gave him what he most wanted,—a promise to serve and aid in time of war. The lord gave and promised to guard; the vassal took and promised to serve. Thus there was created a personal relation, a bond of mutual loyalty, wardship and service, which bound liegeman to lord with hoops of steel. No one can read Carlyle's trenchant *Past and Present* without bear-

ng away some vivid and altogether wholesome mpressions concerning the essential humanity f this great mediaeval institution. It shares ith the Christian Church the honour of having nade life worth living in days when all else ombined to make it intolerable. It brought t least a semblance of social, economic, and olitical order out of helpless and hopeless isorganization. It helped Europe slowly to ecover from the greatest catastrophe in all her istory.

But our little systems have their day, as the oet assures us. They have their day and ease to be. Feudalism had its day, from dawn o twilight a day of picturesque memory. But t did not cease to exist when its day of service vas done. Long after the necessity for mutual ervice and protection had passed away; long fter the growth of firm monarchies with power- ul standing armies had established the reign f law, the feudal system kept its hold upon he social order in France and elsewhere. he obligation of military service, when no onger needed, was replaced by dues and pay- nents. The modern cash nexus replaced the ld personal bond between vassal and lord. he feudal system became the seigneurial ystem. The lord became the seigneur; the

vassal became the censitaire or peasant cultivator whose chief function was to yield revenue for his seigneur's purse. These were great changes which sapped the spirit of the ancient institution. No longer bound to their dependants by any personal tie, the seigneurs usually turned affairs over to their bailiffs, men with hearts of adamant, who squeezed from the seigneuries every sou the hapless peasantry could yield. These publicans of the old régime have much to answer for. They and their work were not least among the causes which brought upon the crown and upon the privileged orders that terrible retribution of the Red Terror. Not with the mediaeval institution of feudalism, but with its emaciated descendant the seigneurial system of the seventeenth and eighteenth centuries, ought men to associate, if they must, their notions of grinding oppression and class hatred.

Out to his new colony on the St Lawrence the king sent this seigneurial system. A gross and gratuitous outrage, a characteristic manifestation of Bourbon stupidity—that is a common verdict upon the royal action. But it may well be asked: What else was there to do? The seigneurial system was still the basis of land tenure in France. The nobility and

ven the throne rested upon it. The Church anctioned and supported it. The people in eneral, whatever their attitude towards eigneurialism, were familiar with no other ystem of landholding. It was not, like the ncomienda system which Spain planted in Mexico, an arrangement cut out of new cloth or the more ruthless exploitation of a fruitful omain. The Puritan who went to Massahusetts Bay took his system of socage tenure long with him. The common law went with he flag of England. It was quite as natural hat the Custom of Paris should follow the leurs-de-lis.

There was every reason to expect, moreover, hat in the New World the seigneurial system would soon free itself from those barnacles of rivilege and oppression which were encrusted n its sides at home. Here was a small settlement of pioneers surrounded by hostile aboigines. The royal arm, strong as it was at ome, could not well afford protection a housand leagues away. The colony must rganize and learn to protect itself. In other words, the colonial environment was very much like that in which the yeomen of the Dark Ages had found themselves. And might not its dangers be faced in the old feudal way?

They were faced in this way. In the history of French Canada we find the seigneurial system forced back towards its old feudal plane. We see it gain in vitality; we see the old personal bond between lord and vassal restored to some of its pristine strength; we see the military aspects of the system revived and its more sordid phases thrust aside. It turned New France into a huge armed camp; it gave the colony a closely knit military organization; and, in a day when Canada needed every ounce of her strength to ward off encircling enemies both white and red, it did for her what no other system could be expected to do.

But to return to the little cradle of empire at the foot of Cape Diamond. Champlain for a score of years worked himself to premature old age in overcoming those many obstacles which always meet the pioneer. More settlers were brought; a few seigneuries were granted priests were summoned from France; a new fort was built; and by sheer perseverance a settlement of about three hundred souls had been established by 1627. But no single individual, however untiring in his efforts could do all that needed to be done. It was consequently arranged, with the entire

pproval of Champlain, that the task of build-
g up the colony should be entrusted to a
eat colonizing company formed for the pur-
se under royal auspices. In this project the
oving spirit was no less a personage than
ardinal Richelieu, the great minister of
uis XIII. Official France was now really
terested. Hitherto its interest, while pro-
sely enough expressed, had been little more
an perfunctory. With Richelieu as its
onsor a company was easily organized.
hough by royal decree it was chartered as the
mpany of New France, it became more
mmonly known as the Company of One
undred Associates; for it was a co-operative
ganization with one hundred members, some
them traders and merchants, but more of
em courtiers. Colonizing companies were
e fashion of Richelieu's day. Holland and
ngland were exploiting new lands by the use
companies; there was no good reason why
rance should not do likewise.

This system of company exploitation was
articularly popular with the monarchs of
l these European countries. It made no
emands on the royal purse. If failure
ttended the company's ventures the king bore
o financial loss. But if the company suc-

ceeded, if its profits were large and its achieve
ments great, the king might easily step in an
claim his share of it all as the price of roya
protection and patronage. In both Englan
and Holland the scheme worked out in tha
way. An English stock company began an
developed the work which finally placed India i
the possession of the British crown; a simila
Dutch organization in due course hande
over Java as a rich patrimony to the king
the Netherlands. France, however, was n
so fortunate. True enough, the Compan
of One Hundred Associates made a brav
start; its charter gave great privileges, an
placed on the company large obligations;
seemed as though a new era in French coloniza
tion had begun. 'Having in view the estab
lishment of a powerful military colony,' as th
charter recites, the king gave to the associat
the entire territory claimed by France in th
western hemisphere, with power to gover
create trade, grant lands, and bestow titl
of nobility. For its part the company was
send out settlers, at least two hundred of the
a year; it was to provide them with fr
transportation, give them free lands an
initial subsistence; it was to support priests an
teachers—in fact, to do all things necessary f

CARDINAL RICHELIEU

From a painting in the Louvre, Paris

e creation of that 'powerful military colony' hich His Majesty had in expectation.

It happened, however, that the first fleet e company dispatched in 1628 did not reach nada. The ships were attacked and cap- red, and in the following year Quebec itself ll into English hands. After its restoration 1632 the company, greatly crippled, resumed erations, but did very little for the upbuilding the colony. Few settlers were sent out at l, and of these still fewer went at the com- ny's expense. In only two ways did the mpany, after the first few years of its ex- ence, show any interest in its new territories. the first place, its officers readily grasped the portunity to make some profits out of the r trade. Each year ships were sent to uebec; merchandise was there landed, and a rgo of furs taken in exchange. If the vessel er reached home, despite the risks of wreck d capture, a handsome dividend for those terested was the outcome. But the risks ere great, and, after a time, when the profits clined, the company showed scant interest even the trading part of its business. The her matter in which the directors of the com- ny showed some interest was in the giving seigneuries—chiefly to themselves. About

sixty of these seigneuries were granted, large tracts all of them. One director of the company secured the whole island of Orleans as his seigneurial estate; others took generous slices on both shores of the St Lawrence. But no one of these men lifted a finger in the way of redeeming his huge fief from the wilderness. Every one seems to have had great zeal in getting hold of these vast tracts with the hope that they would some day rise in value. As for the development of the lands, however, neither the company nor its officers showed any such fervour in serving the royal cause. Thirty years after the company had taken its charter there were only about two thousand inhabitants in the colony; not more than four thousand arpents of land were under cultivation; trade had failed to increase; and the colonists were openly demanding a change of policy.

When Louis XIV came to the throne and chose Colbert as his chief minister it was deemed wise to look into the colonial situation.[1] Both were surprised and angered by the showing. It appeared that not only had the company neglected its obligations, but that its officers had shrewdly concealed their shortcomings from the royal notice. The great

[1] See in this Series *The Great Intendant,* chap. i.

ourbon therefore acted promptly and with rmness. In a couple of notable royal decrees e read the directors a severe lecture upon their varice and inaction, took away all the com- any's powers, confiscated to the crown all the eigneuries which the directors had granted to hemselves, and ordered that the colony should henceforth be administered as a royal province. y his later actions the king showed that he eant what his edicts implied. The colony assed under direct royal government in 1663, nd virtually remained there until its surrender to English hands an even century later.

Louis XIV was greatly interested in Canada. rom beginning to end of his long administra- on he showed this interest at every turn. His fficials sent from Quebec their long dispatches; he patient monarch read them all, and sent y the next ship his budget of orders, advice, eprimand, and praise. As a royal province, ew France had for its chief official a governor ho represented the royal dignity and power. he governor was the chief military officer, and was to him that the king looked for the proper are of all matters relating to the defence and eace of New France. Then there was the overeign Council, a body made up of the bishop, he intendant, and certain prominent citizens

of the colony named by the king on the advice of his colonial representatives. This council was both a law-making and a judicial body. It registered and published the royal decrees, made local regulations, and acted as the supreme court of the colony. But the official who loomed largest in the purely civil affairs of New France was the intendant. He was the overseas apostle of Bourbon paternalism, and as his commission authorized him to 'order all things as he may think just and proper,' the intendant never found much opportunity for idleness.

Tocqueville, shrewdest among historians of pre-revolutionary France, has somewhere pointed out that under the old régime the administration took the place of Providence. It sought to be as omniscient and as omnipotent; its ways were quite as inscrutable. In this policy the intendant was the royal man-of-all-work. The king spoke and the intendant transformed his words into action. As the sovereign's great interest in the colony moved him to speak often, the intendant's activity was prodigious. Ordinances, edicts, judgments and decrees fairly flew from his pen like sparks from an anvil. Nothing that needed setting aright was too inconsequential

or a paternal order. An ordinance establishing a system of weights and measures for the colony rubs shoulders with another inhibiting the youngsters of Quebec from sleigh-riding down its hilly thoroughfares in icy weather. Printed in small type these decrees of the intendant's make up a bulky volume, the present-day interest of which is only to show how often the hand of authority thrust itself into the daily walk and conversation of Old Canada.

From first to last there were a dozen intendants of New France. Jean Talon, whose prudence and energy did much to set the colony on its feet, was the first; François Bigot, the arch-plunderer of public funds, who did so much to bring the land to disaster, was the last. Between them came a line of sensible, hard-working, and loyal men who gave the best that was in them to the uphill task of making the colony what their royal master wanted it to be. Unfortunate it is that Bigot's astounding depravity has led too many readers and writers of Canadian history to look upon the intendancy of New France as a post held chiefly by rascals. As a class no men served the French crown more steadfastly or to better purpose.

Now it was to the intendant, in Talon's time,

that the king committed the duty of granting seigneuries and of supervising the seigneurial system in operation. But, later, when Count Frontenac, the iron governor of the colony, came into conflict with the intendant on various other matters, he made complaint to the court at Versailles that the intendant was assuming too much authority. A royal decree therefore ordered that for the future these grants should be made by the governor and intendant jointly. Thenceforth they were usually so made, although in some cases the intendant disregarded the royal instructions and signed the title-deeds alone; and it appears that in all cases he was the main factor in determining who should get seigneuries and who should not. The intendant, moreover, made himself the chief guardian of the relations between the seigneurs and their seigneurial tenants. When the seigneurs tried to exact in the way of honours, dues, and services any more than the laws and customs of the land allowed, the watchful intendant promptly checkmated them with a restrictive decree. Or when some seigneurial claim, even though warranted by law or custom, seemed to be detrimental to the general wellbeing of the people, he regularly brought the matter to the attention

the home government and invoked its intervention. In all such matters he was praetor and tribune combined. Without the intendancy the seigneurial system would soon have become an agent of oppression, for some Canadian seigneurs were quite as avaricious as their friends at home.

The heyday of Canadian feudalism was the period from 1663 to about 1750. During this interval nearly three hundred fiefs were granted. Most of them went to officials of the civil administration, many to retired military officers, many others to the Church and its affiliated institutions, and some to merchants and other lay inhabitants of the colony. Certain seigneurs set to work with real zeal, bringing out settlers from France and steadily getting larger portions of their fiefs under cultivation. Others showed far less enterprise, and some no enterprise at all. From time to time the king and his ministers would make inquiry as to the progress being made. The intendant would reply with a *mémoire*, often of pitiless length, setting forth the facts and figures. Then His Majesty would respond with an edict ordering that all seigneurs who did not forthwith help the colony by putting settlers on their lands should have

their grants revoked. But the seigneurs who were most at fault in this regard were usually the ones who had most influence in the little administrative circle at Quebec. Hence the king's orders were never enforced to the letter, and sometimes not enforced at all. Unlike the Parliament of Paris, the Sovereign Council at Quebec never refused to register a royal edict. What would have happened in the event of its doing so is a query that legal antiquarians might find difficult to answer. Even a sovereign decree bearing the Bourbon sign-manual could not gain the force of law in Canada except by being spread upon the council's records. In France the king could come clattering with his escort to the council hall and there, by his so-termed 'bed of justice,' compel the registration of his decrees. But the Château of St Louis at Quebec was too far away for any such violent procedure.

The colonial council never sought to find out what would follow an open defiance of the royal wishes. It had a safer plan. Decrees were always promptly registered; but when they did not suit the councillors they were just as promptly pigeon-holed, and the people of the colony were thus left in complete ignorance of the new regulations. On one occasion the

ntendant Raudot, in looking over the council ecords for legal light on a case before him, ound a royal decree which had been registered y the council some twenty years before, but ot an inkling of which had ever reached the eople to whom it had conveyed new rights gainst their seigneurs. 'It was the interest f the attorney-general as a seigneur, as it was lso the interest of other councillors who are eigneurs, that the provisions of this decree hould never be made public,' is the frank way n which the intendant explained the matter n one of his dispatches to the king. "The fact is that the royal arm, supremely powerful at ome, lost a good deal of its strength when tretched across a thousand leagues of ocean. f anything happened amiss after the ships eft Quebec in the late summer, there was no egular means of making report to the king for full twelvemonth. The royal reply could not e had at the earliest until the ensuing spring; if he king's advisers desired to look into matters ully it sometimes happened that another ear passed before the royal decision reached Quebec. By that time matters had often righted hemselves, or the issue had been forgotten. At any rate the direct influence of the crown vas much less effective than it would have

been had the colony been within easy reach. The governor and intendant were accordingly endowed by the force of circumstances with large discretionary powers. When they agreed it was possible to order things about as they chose. When they disagreed on any project the matter went off to the king for decision, which often meant that it was shelved indefinitely.

The administration of New France was not efficient. There were too many officials for the size and needs of the colony. Their respective spheres of authority were too loosely defined. Nor did the crown desire to have every one working in harmony. A moderate amount of friction—provided it did not wholly clog the wheels of administration—was not deemed an unmixed evil. It served to make each official a tale-bearer against his colleague so that the home authorities might count on getting all sides to every story. The financial situation, moreover, was always precarious. At no time could New France pay its own way. Every second dispatch from the governor and intendant asked the king for money or for things that cost money. Louis XIV was astonishingly generous in the face of so many of these demands upon his exchequer, but the

more he gave the more he was asked to give. When the stress of European wars curtailed the king's bounty the colonial authorities began to issue paper money; the issues were gradually increased; the paper soon depreciated, and in its closing years the colony fairly wallowed in the slough of almost worthless fiat currency. In addition to meeting the annual deficit of the colony the royal authorities encouraged and assisted emigration to New France. Whole shiploads of settlers were at times gathered and sent to Quebec. The seigneurs, by the terms of their grants, should have been active in this work; but very few of them took any share in it. Nearly the entire task of applying the stimulus to emigration was thrust on the king and his officials at home. Year after year the governor and intendant grew increasingly urgent in repeated requests for more settlers, until a rebuke arrived in a suggestion that the king was not minded to depopulate France in order to people his colonies. The influx of settlers was relatively large during the years 1663-72. Then it dwindled perceptibly, although immigrants kept coming year by year so long as war did not completely cut off communication with France. The colony gained bravely, moreover, through its

own natural increase, for the colonial birth-rate was high, large families being everywhere the rule. In 1673 the population of New France was figured at about seven thousand; in 1760 it had reached nearly fifty thousand.

The development of agriculture on the seigneurial lands did not, however, keep pace with growth in population. It was hard to keep settlers to the prosaic task of tilling the soil. There were too many distractions, chief among them the lure of the Indian trade. The traffic in furs offered large profits and equally large risks; but it always yielded a full dividend of adventure and hair-raising experience. The fascination of the forest life gripped the young men of the colony, and they left for the wilderness by the hundred. There is a roving strain in Norman blood. It brought the Norseman to France and Sicily; it took his descendants from the plough and sent them over the waters of the New World, from the St Lawrence to the Lakes and from the Lakes to the Gulf of Mexico. Church and state joined hands in attempt to keep them at home. Royal decrees of outlawry and ecclesiastical edicts of excommunication were issued against them. Seigneurs stipulated that their lands would be forfeited unless so many arpents were

ut under crop each year. But all to little vail. So far as developing the permanent esources of the colony were concerned these oureurs de bois might just as well have re-ained in France. Once in a while a horde of em descended to Quebec or Montreal, dis-osed of their furs to merchants, filled them-lves with brandy and turned bedlam loose the town. Then before the authorities ould unwind the red tape of legal procedure ey were off again to the wilds.

This Indian trade, despite the large and aluable cargoes of beaver pelts which it en-oled New France to send home, was a curse the colony. It drew from husbandry the est blood of the land, the young men of rength, initiative, and perseverance. It recked the health and character of thousands. drew the Church and the civil government to profitless quarrels. The bishop flayed the overnor for letting this trade go on. The overnor could not, dared not, and sometimes id not want to stop it. At any rate it was a reat obstacle to agricultural progress. With and other distractions in existence the clear-g of the seigneuries proceeded very slowly. t the close of French dominion in 1760 the mount of cultivated land was only about

three hundred thousand arpents, or about fiv acres for every head of population—not a ver satisfactory showing for a century of Bourbo imperialism in the St Lawrence valley.

Yet the colony, when the English conqueror came upon it in 1759, was far from being o its last legs. It had overcome the worst of it obstacles and had created a foundation upo which solid building might be done. Its peopl had reached the stage of rude but tolerabl comfort. Its highways of trade and inter course had been freed from the danger of India raids. It had some small industries and wa able to raise almost the whole of its own food supply. The traveller who passed along th great river from Quebec to Montreal in th early autumn might see, as Peter Kalm in hi *Travels* tells us he saw, field upon field o waving grain extending from the shores in ward as far as the eye could reach, broken onl here and there by tracts of meadow and wood land. The outposts of an empire at least ha been established.

CHAPTER II

GENTLEMEN OF THE WILDERNESS

A GOOD many people, as Robert Louis Stevenson once assured us, have a taste for 'heroic forms of excitement.' And it is well for the element of interest in history that this has been so at all ages and among all races of men. The most picturesque and fascinating figures in the recorded annals of nations have been the pioneers,—the men who have not been content to do what other men of their day were doing. Without them and their achievements history might still be read for information, but not for pleasure; it might still instruct, but it would hardly inspire.

In the narratives of colonization there is ample evidence that Frenchmen of the seventeenth century were not lacking in their thirst for excitement, whether heroic or otherwise. Their race furnished the New World with explorers and forest merchants by the hundred. The most venturesome voyageurs, the most

intrepid traders, and the most untiring missionaries were Frenchmen. No European stock showed such versatility in its relations with the aborigines; none proved so ready to bear all manner of hardship and discomfort for the sake of the thrills which came from setting foot where no white man had ever trod. The Frenchman of those days was no weakling either in body or in spirit; he did not shrink from privation or danger; in tasks requiring courage and fortitude he was ready to lead the way. When he came to the New World he wanted the sort of life that would keep him always on his mettle, and that could not be found within the cultivated borders of seigneury and parish. Hence it was that Canada in her earliest years found plenty of pioneers, but not always of the right type. The colony needed yeomen who would put their hands to the plough, who would become pioneers of agriculture. Such, however, were altogether too few, and the yearly harvest of grain made a poor showing when compared with the colony's annual crop of beaver skins. Yet the yeoman did more for the permanent upbuilding of the land than the trader, and his efforts ought to have their recognition in any chronicle of colonial achievement.

was in the mind of the king that 'persons quality' as well as peasants should be in-ed to make their homes in New France. re were enough landless gentlemen in nce; why should they not be used as the s of a seigneurial nobility in the colony? as with this idea in view that the Company ne Hundred Associates was empowered not to grant large tracts of land in the wilder-, but to give the rank of *gentilhomme* to e who received such fiefs. Frenchmen of d birth, however, showed no disposition to ome resident seigneurs of New France dur-the first half-century of its history. The of a 'gentleman of the wilderness' did not eal very strongly even to those who had angible asset but the family name. Hence as that not a half-dozen seigneurs were actual occupancy of their lands on the Lawrence when the king took the colony of the company's hands in 1663.

ut when Talon came to the colony as ndant in 1665 this situation was quickly nged. Uncleared seigneuries were declared eited. Actual occupancy was made a con-on of all future grants. The colony must built up, if at all, by its own people. The g was urged to send out settlers, and

he responded handsomely. They came hundreds. The colony's entire populati including officials, priests, traders, seigneu and habitants, together with women a children, was about three thousand, accordi to a census taken a year after Talon arriv Two years later, owing largely to the tendant's unceasing efforts, it had practica doubled. Nothing was left undone to co emigrants from France. Money grants a free transportation were given with unwont generosity, although even in the early years his reign the coffers of Louis Quatorze w leaking with extravagance at every point. least a million livres[1] in these five years is sober estimate of what the royal treasury m have spent in the work of colonizing Canada.

No campaign for immigrants in modern da has been more assiduously carried on. Offici from Paris searched the provinces, gather together all who could be induced to go. T intendant particularly asked that women sent to the colony, strong and vigorous peasa girls who would make suitable wives for habitants. The king gratified him by sendi whole shiploads of them in charge of nuns. to who they were, and where they came fro

[1] The livre was practically the modern franc, about twenty ce

cannot be altogether sure. The English
nt at Paris wrote that they were 'lewd
mpets gathered up by the officers of the
,' and even the saintly Mère Marie de
carnation confessed that there was *beau-
p de canaille* among them. La Hontan has
us a racy picture of their arrival and their
ribution among the rustic swains of the
ny, who scrimmaged for points of vantage
n boatloads of women came ashore from
ships.[1]

he male settlers, on the other hand, came
n all classes and from all parts of France.
Normandy, Brittany, Picardy, and Perche
rded the best recruiting grounds; from all
hem came artisans and sturdy peasants.
mandy furnished more than all the others
together, so much so that Canada in the
nteenth century was more properly a
man than a French colony. The colonial
rch registers, which have been kept with
pulous care, show that more than half the
lers who came to Canada during the decade
r 1664 were of Norman origin; while in
o it was estimated that at least four-fifths
he entire population of New France had

[1] Another view will be found in *The Great Intendant* in this
s, chap. iv.

some Norman blood in their veins. Offici and merchants came chiefly from Pa and they coloured the life of the little set ment at Quebec with a Parisian gaiety; the Norman dominated the fields—his r formed the backbone of the rural populati

Arriving at Quebec the incoming settlers w met by officials and friends. Proper arran ments for quartering them until they could settled were always made beforehand. If new-comer were a man of quality, that is to s if he had been anything better than a peasan home, and especially if he brought any fu with him, he applied to the intendant fo seigneury. Talon was liberal in such matt He stood ready to give a seigneurial gran any one who would promise to spend mo in clearing his land. This liberality, howe was often ill-requited. Immigrants came him and gave great assurances, took t title-deeds as seigneurs, and never upturne single foot of sod. In other cases the seigneurs set zealously to work and soon good results to show.

In size these seigneuries varied grea The social rank and the reputed ability of seigneur were the determining factors. who had been members of the *nobless*

rance received tracts as large as a Teutonic rincipality, comprising a hundred square miles r more. Those of less pretentious birth and mited means had to be content with a few housand arpents. In general, however, a eigneury comprised at least a dozen square iles, almost always with a frontage on the reat river and rear limits extending up into he foothills behind. The metes and bounds of he granted lands were always set forth in the tters-patent or title-deeds; but almost in-ariably with utter vagueness and ambiguity. he territory was not surveyed; each applicant, filing his petition for a seigneury, was asked describe the tract he desired. This descrip-on, usually inadequate and inaccurate, was opied in the deed, and in due course hopeless onfusion resulted. It was well that most eigneurs had more land than they could use; ad it not been for this their lawsuits over dis-uted boundaries would have been unending.

Liberal in the area of land granted to the ew seigneurs, the crown was also liberal in the onditions exacted. The seigneur was asked or no initial money payment and no annual and dues. When his seigneury changed wners by sale or by inheritance other than direct descent, a mutation fine known as

the *quint* was payable to the public treasury. This, as its name implies, amounted to one-fifth of the seigneury's value; but it rarely accrued, and even when it did the generous monarch usually rebated a part or all of it. Not a single sou was ever exacted by the crown from the great majority of the seigneurs. If agriculture made slow headway in New France it was not because officialdom exploited the land to its own profit. Never were the landowners of a new country treated more generously or given greater incentive to diligence.

But if the king did not ask the seigneurs for money he asked for other things. He required, in the first place, that each should render fealty and homage with due feudal ceremony to his official representative at Quebec. Accordingly, the first duty of the seigneur, after taking possession of his new domain, was to repair without sword or spur to the Château of St Louis at Quebec, a gloomy stone structure that frowned on the settlement from the heights behind. Here, on bended knee before the governor, the new liegeman swore fealty to his lord the king and promised to render due obedience in all lawful matters. This was one of the things which gave a tinge of chivalry to Canadian feudalism, and helped to make

e social life of a distant colony echo faintly
e pomp and ceremony of Versailles. The
gneur, whether at home or beyond the seas,
s never allowed to forget the obligation of
rsonal fidelity imposed upon him by his king.
A more arduous undertaking next con-
nted the new seigneur. It was not the
yal intention that he should fold his talent
a napkin. On the contrary, the seigneur
s endowed with his rank and estate to the
e end that he should become an active agent
making the colony grow. He was expected to
e on his land, to level the forest, to clear fields,
d to make two blades of grass grow where
e grew before. He was expected to have his
igneury surveyed into farms, or *en censive*
ldings, and to procure, as quickly as might be,
ttlers for these farms. It was highly desir-
le, of course, that the seigneurs should lend
hand in encouraging the immigration of
ople from their old homes in France. Some
them did this. Robert Giffard, who held
e seigneury of Beauport just below Quebec,
as a notable example. The great majority
the seigneurs, however, made only half-
arted attempts in this direction, and their
forts went for little or nothing. What they
d was to meet, on arrival at Quebec, the ship-

loads of settlers sent out by the royal officer
There they gathered about the incoming vesse
like so many land agents, each explaining wh
advantages in the way of a good location a
fertile soil he had to offer. Those seigneu
who had obtained tracts near the settlement
Quebec had, of course, a great advantage in
this, for the new-comers naturally preferred
set up their homes where a church would
near at hand, and where they could be in tou
with other families during the long winte
Consequently the best locations in all t
seigneuries near Quebec were soon take
and then settlers had to take lands more remo
from the little metropolis of the colony. Th
went to the seigneuries near Montreal a
Three Rivers; when the best lands in the
areas were taken up, they dispersed themselv
along the whole north shore of the St Lawre
from below the Montmorency to its junct
with the Ottawa. The north shore havi
been well dotted with the whitewashed hom
the south shore came in for its due sha
of attention, and in the last half-century
the French régime a good many settlers we
provided for in that region.

For a time the immigrants found little or
difficulty in obtaining farms on easy ter

Seigneurs were glad to give them land without any initial payment and frequently promised exemption from the usual seigneurial dues for the first few years. In any case these dues and services, which will be explained more fully later on, were not burdensome. Any settler of reasonable industry and intelligence could satisfy these ordinary demands without difficulty. Translated into an annual money rental they would have amounted to but a few sous per acre. But this happy situation did not long endure. As the settlers continued to come, and as children born in the colony grew to manhood, the demand for well-situated farms grew more brisk, and some of the seigneurs found that they need no longer seek tenants for their lands. On the contrary, they found that men desiring land would come to them and offer to pay not only the regular seigneurial dues, but an entry fee or bonus in addition. The best situated lands, in other words, had acquired a margin of value over lands not so well situated, and the favoured seigneurs turned this to their own profit. During the early years of the eighteenth century, therefore, the practice of exacting a *prix d'entrée* became common; indeed it was difficult for a settler to get the lands he most desired except by

making such payment. As most of the newcomers could not afford to do this they were often forced to make their homes in unfavourable, out-of-the-way places, while better situations remained untouched by axe or plough.

The watchful attention of the intendant Raudot, however, was in due course drawn to this difficulty. It was a development not at all to his liking. He thought it would be frowned upon by the king and his ministers if properly brought to their notice, and in 1707 he wrote frankly to his superiors concerning it. First of all he complained that 'a spirit of business speculation, which has always more of cunning and chicane than of truth and righteousness in it,' was finding its way into the hearts of the people. The seigneurs in particular, he alleged, were becoming mercenary; they were taking advantage of technicalities to make the habitants pay more than their just dues. In many cases settlers had taken up lands on the merely oral assurances of the seigneurs; then when they got their deeds in writing these deeds contained various provisions which they had not counted upon and which were not fair. 'Hence,' declared the intendant, 'a great abuse has arisen, which is that the habitants who have worked their

arms without written titles have been subjected to heavy rents and dues, the seigneurs refusing to grant them regular deeds except on onerous conditions; and these conditions they find themselves obliged to accept, because otherwise they will have their labour for nothing.'

The royal authorities paid due heed to these complaints, and, although they did not accept all Raudot's suggestions, they proceeded to provide corrective measures in the usual way. This way, of course, was by the issue of royal edicts. Two of these decrees reached the colony in the due course of events. They are commonly known as the Arrêts of Marly, and bear date July 11, 1711. Both were carefully prepared and their provisions show that the royal authorities understood just where the entire trouble lay.

The first arrêt went direct to the point. 'The King has been informed,' it recites, 'that there are some seigneurs who refuse under various pretexts to grant lands to settlers who apply for them, preferring rather the hope that they may later sell these lands.' Such attitude, the decree went on to declare, was absolutely repugnant to His Majesty's intentions, and especially 'unfair to incoming settlers who

thus find land less open to free settlement in situations best adapted for agriculture.' It was, therefore, ordered that if any applicant for lands should be by any seigneur denied a reasonable grant on the customary terms, the intendant should forthwith step in and issue a deed on his own authority. In this case the annual payments were to go to the colonial treasury, and not to the seigneur. This decree simplified matters considerably. After it became the law of the colony no one desiring land from a seigneur's ungranted domain was expected to offer anything above the customary annual dues and services. The seigneur had no legal right to demand more. By one stroke of the royal pen the Canadian seigneur had lost all right of ownership in his seigneury; he became from this time on a trustee holding lands in trust for the future immigrant and for the sons of the people. However his lands might grow in value, the seigneur, according to the letter of the law, could exact no more from new tenants than from those who had first settled upon his estate. This was a revolutionary change; it put the seigneurial system in Canada on a basis wholly different from that in France; it proved that the king regarded the system as

seful only in so far as it actively contributed
the progress of the colony. Where it stood
the way of progress he was prepared to apply
ne knife even at its very vitals.

Unfortunately for those most concerned,
owever, the royal orders were not allowed to
ecome common knowledge in the colony.
he decree was registered and duly promul-
ated; then quickly forgotten. Few of the
abitants seem to have ever heard of it; new-
omers, of course, knew nothing of their rights
nder its provisions. Seigneurs continued to
et special terms for advantageous locations,
ne applicants for lands being usually quite
illing to pay a bonus whenever they could
fford to do so. Now and then some one,
aving heard of the royal arrêt, would appeal
the intendant, whereupon the seigneur made
aste to straighten out things satisfactorily.
hen, as now, the presumption was that the
eople knew the law, and were in a position to
ake advantage of its protecting features; but
ne agencies of information were so few that
ne provisions of a new decree rarely became
ommon property.

The second of the two arrêts of Marly was
esigned to uphold the hands of those seigneurs
ho were trying to do right. The king and

his ministers were convinced, from the information which had come to them, that not all the 'cunning and chicane' in land dealings came from the seigneurs. The habitants were themselves in part to blame. In many cases settlers had taken good lands, had cut down a few trees, thinking thereby to make a technical compliance with requirements, and were spending their energies in the fur trade. It was the royal opinion that real homesteading should be insisted upon, and he decreed, accordingly, that wherever a habitant did not make a substantial start in clearing his farm, the land should be forfeited in a year to the seigneur. This arrêt unlike its companion decree, was rigidly enforced. The council at Quebec was made up of seigneurs, and to the seigneurs as a whole its provisions were soon made known. During the twenty years following the issue of the decree of 1711 the intendant was called upon to declare the forfeiture of over two hundred farms, the owners of which had not fulfilled the obligation to establish a hearth and home (*tenir feu et lieu*) upon the lands. As a spur to the slothful this decree appears to have had a wholesome effect; although, in spite of all that could be done, the agricultural development of the colony proceeded with exasperating

owness. Each year the governor and in-ndant tried in their dispatches to put the lony's best foot forward; every autumn the ips took home expressions of achievement d hope; but between the lines the patient ng must have read much that was dis-uraging.

It may be well at this point to take a general rvey of the colonial seigneuries, noting hat progress had been made. The seigneurial stem had been a half-century in full flourish -what had it accomplished? That is evi-ently just what the home authorities wanted know when they arranged for a topo-aphical and general report on the seigneuries 1712. This investigation, on the intendant's vice, was entrusted to an engineer, Gédéon Catalogne. Catalogne, who was a native of éarn, born in 1662, came to Canada about e year 1685. He was engaged on the im-ovement of the colonial fortifications until e intendant set him to work on a survey of e seigneuries. The work occupied two or ree years, in the course of which he prepared ree excellent maps showing the situation and tent of all the seigneuries in the districts Quebec, Three Rivers, and Montreal. The rst two maps have been preserved; that of

the district of Montreal was probably lost at sea on its way to France. With the two maps Catalogne presented a long report on the ownership, resources, and general progress of the seigneuries. Ninety-three of them are dealt with in all, the report giving in each case the situation and extent of the tract, the nature of the soil and its adaptability to different products, the mineral deposits and timber, the opportunities for industry and trade, the name and rank of the seigneur, the way in which he had come into possession of the seigneury, the provisions made for religious worship, and various other matters.

Catalogne's report shows that in 171 practically all the lands bordering on both sides of the St Lawrence from Montreal to some distance below Quebec had been made into seigneuries. Likewise the islands in the river and the lands on both sides of the Richelieu had been apportioned either to the Church orders or to lay seigneurs. All these tracts were, for administrative purposes, grouped into the three districts of Montreal, Three Rivers, and Quebec; the intendant himself took direct charge of affairs at Quebec, but in the other two settlements he was represented by a subordinate. Each district, likewise, had its own royal court

d from the decisions of these tribunals peals might be carried before the Superior uncil, which held its weekly sessions at the onial capital.

On the island of Montreal was the most im- rtant of the seigneuries in the district bear- its name. It was held by the Seminary of Sulpice, and its six parishes contained in 12 a population of over two thousand. The l of the island was fertile and the situation s excellent for trading purposes, for it com- nded the routes usually taken by the fur tillas both from the Great Lakes and from regions of Georgian Bay. The lands were adily rising in value, and this seigneury on became one of the most prosperous areas the colony. The seminary also owned the gneury of St Sulpice on the north shore of river, some little distance below the island. Stretching farther along this northern shore re various large seigneuries given chiefly to icers or former officers of the civil govern- nt, and now held by their heirs. La Val- ie, Lanoraie, and Berthier-en-Haut, were e most conspicuous among these riparian fs. Across the stream lay Chateauguay and ngueuil, the patrimony of the Le Moynes; ewise the seigneuries of Varennes, Verchères,

Contrecœur, St Ours, and Sorel. All of thes were among the so-termed military seigneurie having been originally given to retired office of the Carignan regiment. A dozen oth seigneurial properties, bearing names of le conspicuous interest, scattered themselves alo both sides of the great waterway. Along t Richelieu from its junction with the St Law rence to the outer limits of safe settlement the direction of Lake Champlain, a numb of seigneurial grants had been effected. T historic fief of Sorel commanded the confluen of the rivers; behind it lay Chambly and t other properties of the adventurous Herte These were settled chiefly by the disband Carignan soldiers, and it was their task to gua the southern gateway.

The coming of this regiment, its work in t colony, and its ultimate settlement, is an i teresting story, illustrating as it does the de personal interest which the *Grand Monarq* displayed in the development of his n dominions. For a long time prior to 1665 t land had been scourged at frequent interv by Iroquois raids. Bands of marauding re skins would creep stealthily upon some ou lying seigneury, butcher its people, burn ever thing in sight, and then decamp swiftly to th

rest lairs. The colonial authorities, helpss to guard their entire frontiers and unable foretell where the next blow would fall, ndured the terrors of this situation for many ears. In utter desperation they at length lled on the king for a regiment of trained oops as the nucleus of a punitive expedition. he Iroquois would be tracked to their own llages and there given a memorable lesson in tters of blood and iron. The king, as usual, mplied, and on a bright June day in 1665 a ittering cavalcade disembarked at Quebec. he Marquis de Tracy with two hundred gaily parisoned officers and men of the regiment Carignan-Salières formed this first detachent; the other companies followed a little ter. Quebec was like a city relieved from a ng siege. Its people were in a frenzy of y.

The work which the regiment had been sent t to do was soon begun. The undertaking as more difficult than had been anticipated, nd two expeditions were needed to accomlish it; but the Iroquois were thoroughly hastened, and by the close of 1666 the colony nce more breathed easily. How long, howver, would it be permitted to do so? Would ot the departure of the regiment be a signal

to the Mohawks that they might once again raid the colony's borders with impunity? Talon thought that it would, hence he hastened to devise a plan whereby the Carignans might be kept permanently in Canada. To hold them there as a regular garrison was out of the question; it would cost too much to maintain six hundred men in idleness. So the intendant proposed to the king that the regiment should be disbanded at Quebec, and that all its members should be given inducements to make their homes in the colony.

Once more the king assented. He agreed that the officers of the regiment should be offered seigneuries, and provided with funds to make a start in improving them. For the rank and file who should prove willing to take lands within the seigneuries of the officers the king consented to provide a year's subsistence and a liberal grant in money. The terms proved attractive to some of the officers and to most of the men. Accordingly, arrangements were at once made for getting them established on their new estates. Just how many permanent settlers were added to the colonial population in this way is not easy to ascertain; but about twenty-five officers (chiefly captains and lieutenants) together with

early four hundred men volunteered to stay. ost of the non-commissioned officers and en showed themselves to be made of good uff; their days were long in the land, and eir descendants by the thousand still possess e valley of the Richelieu. But the officers, od soldiers though they were, proved to rather faint-hearted pioneers. The task beating swords into ploughshares was not together to their tastes. Hence it was that any of them got into debt, mortgaged their igneuries to Quebec or Montreal merchants, on lost their lands, and finally drifted back France.

When Talon arranged to have the Carignans sbanded in Canada he decided that they ould be given lands in that section of the lony where they would be most useful in uarding New France at its most vulnerable int. This weakest point was the region ong the Richelieu between Lake Champlain nd the St Lawrence. By way of this route ould surely come any English expedition nt against New France, and this likewise was e portal through which the Mohawks had ready come on their errands of massacre. If anada was to be safe, this region must become e colony's mailed fist, ready to strike in

repulse at an instant's notice. All this the intendant saw very plainly, and he was wise in his generation. Later events amply proved his foresight. The Richelieu highway was actually used by the men of New England on various subsequent expeditions against Canada, and it was the line of Mohawk incursion so long as the power of this proud redskin clan remained unbroken. At no time during the French period was this region made entirely secure; but Talon's plan made the Richelieu route much more difficult for the colony's foes, both white and red, than it otherwise would have been.

Here was an interesting experiment in Roman imperial colonization repeated in the New World. When the empire of the Cæsars was beginning to give way before the oncoming barbarians of Northern Europe, the practice of disbanding legions on the frontier and having them settle on the lands was adopted as a means of securing defence, without the necessity of spending large sums on permanent outpost garrisons. The retired soldier was a soldier still, but practically self-supporting in time of peace. These *praedia militaria* of the Romans gave Talon his idea of a military cantonment along the Richelieu, and in broaching

his plans to the king he suggested that the practice of the politic and warlike Romans might be advantageously used in a land which, being so far away from its monarch, must trust for existence to the strength of its own arms.'

All who took lands in this region, whether seigneurs or habitants, were bound to serve in arms at the call of the king, although this obligation was not expressly provided in the deeds of land. Never was a call to arms without response. These military settlers and their sons after them were only too ready to gird on the sword at every opportunity. It was from this region that expeditions quietly set forth from time to time towards the borders of New England, and leaped like a lynx from the forest upon some isolated hamlet of Massachusetts or New York. The annals of Deerfield, Haverhill, and Schenectady bear to this day their tales of the Frenchman's ferocity, and all New England hated him with an unyielding hate. In guarding the southern portal he did his work with too much zeal, and his stinging blows finally goaded the English colonies to a policy of retaliation which cost the French very dearly.

But to return to the seigneuries along the river. The district of Three Rivers, extending on the north shore of the St Lawrence

from Berthier-en-Haut to Grondines, and on the south from St Jean-Deschaillons east to Yamaska, was but sparsely populated when Catalogne prepared to report in 1712. Prominent seigneuries in this region were Pointe du Lac or Tonnancour, the estate of the Godefroys de Tonnancour; Cap de la Magdelaine and Batiscan, the patrimony of the Jesuits; the fief of Champlain, owned by Desjordy de Cabanac; Ste Anne de la Pérade, Nicolet, and Bécancour. Nicolet had passed into the hands of the Courvals, a trading family of Three Rivers, and Bécancour was held by Pierre Robineau, the son of his famous father, Réné Robineau de Bécancour. On all of these seigneuries some progress had been made, but often it amounted to very little. Better results had been obtained both eastward and westward of the region.

The district of Quebec was the first to be allotted in seigneuries, and here of course agriculture had made better headway. Grondines, La Chevrotière, Portneuf, Pointe aux Trembles, Sillery, and Notre-Dame des Anges were all thriving properties ranging along the river bank eastward to the settlement at Quebec. Just beyond the town lay the flourishing fief of Beauport, originally owned

y Robert Giffard, but now held by his heirs, ne family of Juchereau Duchesnay. This eigneury was destined to loom up prominently n later days when Montcalm held Wolfe at ay for weeks along the Beauport shore. ronting Beauport was the spacious island of rleans with its several thriving parishes, all ncluded within the seigneury of François erthelot, on whom the king for his zeal and nterprise had conferred the title of Comte e St Laurent. A score of other seigneurial acts, including Lotbinière, Lauzon, La Durntaye, Bellechasse, Rivière Ouelle, and others ell known to every student of Canadian geneogy, were included within the huge district ound the ancient capital.

The king's representatives had been much oo freehanded in granting land. No seigneur ad a tenth of his tract under cultivation, yet all ne best-located and most fertile soil of the olony had been given out. Those who came ter had to take lands in out-of-the-way laces, unless by good fortune they could secure ne re-grant of something that had been bandoned. The royal generosity did not in the ng run conduce to the upbuilding of the olony, and the home authorities in time reognized the imprudence of their policy. Hence

it was that edict after edict sought to make these gentlemen of the wilderness give up whatever land they could not handle properly, and if these decrees of retrenchment had been strictly enforced most of the seigneurial estates would have been mercilessly reduced in area. But the seigneurs who were the most remiss happened to be the ones who sat at the council board in Quebec, and what they had they usually managed to hold, despite the king's command.

CHAPTER III

THREE SEIGNEURS OF OLD CANADA—HÉBERT, LA DURANTAYE, LE MOYNE

IT was to the seigneurs that the king looked for active aid in promoting the agricultural interests of New France. Many of them disappointed him, but not all. There were seigneurs who, in their own way, gave the king's interests a great deal of loyal service, and showed what the colony was capable of doing if all its people worked with sufficient diligence and zeal. Three of these pioneers of the seigneuries have been singled out for special attention in this chapter, because each prefigures a type of seigneur who did what was expected of him, although not always in the prescribed way. Their work was far from being showy, and offers a writer no opportunity to make his pages glow. The priest and the trader afford better themes. But even the short and simple annals of the poor, if fruitful in achievement, are worth the recounting.

The honour of being the colony's first seigneur belongs to Louis Hébert, and it was a curious chain of events that brought him to the rôle of a yeoman in the St Lawrence valley. Like most of these pilgrim fathers of Canada, Hébert has left to posterity little or no information concerning his early life and his experience as tiller of virgin soil. That is a pity; for he had an interesting and varied career from first to last. What he did and what he saw others do during these troublous years would make a readable chronicle of adventure, perseverance, and ultimate achievement. As it is, we must merely glean what we can from stray allusions to him in the general narrative of early colonial life. These tell us not a tithe of what we should like to know; but even such shreds of information are precious, for Hébert was Canada's first patron of husbandry. He connected his name with no brilliant exploit either of war or of peace; he had his share of adventure, but no more than a hundred others in his day; the greater portion of his adult years were passed with a spade in his hands. But he embodies a type, and a worthy type it is.

Most of Canada's early settlers came from Normandy, but Louis Hébert was a native

aris, born in about 1575. He had an apothe-
ry's shop there, but apparently was not mak-
g a very marked success of his business when
1604 he fell in with Biencourt de Poutrin-
urt, and was enlisted as a member of that
oyageur's first expedition to Acadia. It was
these days the custom of ships to carry an
othecary or dispenser of health-giving herbs.
is functions ran the whole gamut of medical
actice from copious blood-letting to the
sing of sailors with concoctions of mysterious
ake. Not improbably Hébert set out with no
tention to remain in America; but he found
ort Royal to his liking, and there the historian
escarbot soon found him not only 'sowing
rn and planting vines,' but apparently 'tak-
g great pleasure in the cultivation of the soil.'
ll this in a colony which comprised five
rsons, namely, two Jesuit fathers and their
rvant, Hébert, and one other.

With serious dangers all about, and lack of
pport at home, Port Royal could make no
adway, and in 1613 Hébert made his way
ck to France. The apothecary's shop was
-opened, and the daily customers were no
ubt regaled with stories of life among the
ild aborigines of the west. But not for long.
here was a trait of restlessness that would not

down, and in 1616 the little shop again pu up its shutters. Hébert had joined Champlai in the Brouage navigator's first voyage to th St Lawrence. This time the apothecary burne his bridges behind him, for he took his famil along, and with them all his worldly effect The family consisted of his wife, two daughter and a young son. The trading compan which was backing Champlain's enterpris promised that Hébert and his family shoul be paid a cash bonus and should receiv in addition to a tract of land, provisions an stores sufficient for their first two years in th colony. For his part, Hébert agreed to serv without pay as general medical officer of th settlement, to give his other services to th company when needed, and to keep his hand out of the fur trade. Nothing was said abou his serving as legal officer of the colony a well; but that task became part of his varie experience. Not long after his arrival a Quebec, Hébert's name appears, with the tit of *procureur du Roi*, at the foot of a petitio sent home by the colonists to the king.

All this looked fair enough on its face, b as matters turned out, Hébert made a po bargain. The company gave him only ha the promised bonus, granted him no title to an

nd, and for three years insisted upon having his time for its own service. A man of dinary tenacity would have made his way ck to France at the earliest opportunity. ıt Hébert was loyal to Champlain, whom in no way blamed for his bad treatment. Champlain's suggestion he simply took piece of land above the settlement at ıebec, and without waiting for any formal le-deed began devoting all his spare hours to e task of getting it cleared and cultivated. s small tract comprised only about a dozen pents on the heights above the village; and he had no one to help him the work of clear- g it moved slowly. Trees had to be felled ıd cut up, the stumps burned and removed, ones gathered into piles, and every foot of soil turned with a spade. There were no ploughs the colony at this time. To have brought oughs from France or to have made them in e colony would have availed nothing, for ere were no horses at Quebec. It was not ıtil after the sturdy pioneer had finished his ework that ploughs and horses came to lessen e labour of breaking new land.

Nevertheless, Hébert was able by unremitting dustry to get the entire twelve arpents into ıltivable shape within four or five years.

With his labours he mingled intelligence
Part of the land was sown with maize, par
sown with peas, beans, and other vegetables,
part set off as an orchard, and part reserve
as pasture. The land was fertile and pro
duced abundantly. A few head of cattle wer
easily provided for in all seasons by the wil
hay which grew in plenty on the flats by th
river. Here was an indication of what th
colony could hope to do if all its settlers wer
men of Hébert's persistence and stability. Bu
the other prominent men of the little settle
ment, although they may have turned the
hands to gardening in a desultory way, let hi
remain, for the time being, the only real coloni
in the land. On his farm, moreover, a hou
had been built during these same years wi
the aid of two artisans, but chiefly by the labo
of the owner himself. It was a stone hous
about twenty feet by forty in size, a one-sto
affair, unpretentious and unadorned, but r
garded as one of the most comfortable abod
in the colony. The attractions of this hom
and especially the hospitality of Madam
Hébert and her daughters, are more than on
alluded to in the meagre annals of the settl
ment. It was the first dwelling to be erect
on the plateau above the village; it pass

Hébert's daughter, and was long known in cal history as the house of the widow uillard. Its exact situation was near the te of the garden which now encircles the minary, and the remains of its foundation alls were found there in 1866 by some work-en in the course of their excavations.

That strivings so worthy should have in the d won due recognition from official circles not surprising. The only wonder is that is recognition was so long delayed. An ex-anation can be found, however, in the fact at the trading company which controlled e destinies of the colony during its precarious fancy was not a bit interested in the agri-ltural progress of New France. It had but vo aims—in the first place to get profits from e fur trade, and in the second place to make ire that no interlopers got any share in this crative business. Its officers placed little alue upon such work as Hébert was doing. ut in 1623 the authorities were moved to ccord him the honour of rank as a seigneur, nd the first title-deed conveying a grant f land *en seigneurie* was issued to him on ebruary 4 of that year. The deed bore the ignature of the Duc de Montmorenci, titular iceroy of New France. Three years later a

further deed, confirming Hébert's rights an title, and conveying to him an additional trac of land on the St Charles river, was issued t him by the succeeding viceroy, Henri de Levy Duc de Ventadour.

The preamble of this document recount the services of the new seigneur. 'Having le his relatives and friends to help establish colony of Christian people in lands which ar deprived of the knowledge of God, not bein enlightened by His holy light,' the documer proceeds, 'he has by his painful labours an industry cleared lands, fenced them, an erected buildings for himself, his family and h cattle.' In order, accordingly, 'to encourag those who may hereafter desire to inhabit an develop the said country of Canada,' the lan held by Hébert, together with an additiona square league on the shore of the St Charle is given to him 'to have and to hold in fief nob for ever,' subject to such charges and condition as might be later imposed by official decree.

By this indenture feudalism cast its firs anchor in the New World. Some historian have attributed to the influence of Richelie this policy of creating a seigneurial class i the transmarine dominions of France. Th cardinal-minister, it is said, had an idea tha

e landless aristocrats of France might be rsuaded to emigrate to the colonies by omises of lavish seigneurial estates wrested om the wilderness. It will be noted, how-er, that Hébert received his title-deed before ichelieu assumed the reins of power, so that, hatever influence the latter may have had on e extension of the seigneurial system in the lonies, he could not have prompted its first pearance there.

Hébert died in 1627. Little as we know out his life, the clerical chroniclers tell us good deal about his death, which proves at he must have had all the externals of ety. He was extolled as the Abraham of a w Israel. His immediate descendants were merous, and it was predicted that his seed uld replenish the earth. Assuredly, this rtion of the earth needed replenishing, for the time of Hébert's death Quebec was still struggling hamlet of sixty-five souls, two-irds of whom were women and children able to till the fields. Hébert certainly did s share. His daughters married in the colony d had large families. By these marriages a ose alliance was formed with the Couillards d other prominent families of the colony's rliest days. From these and later alliances

some of the best-known families in the history of French Canada have come down,—the Jolliets, De Lérys, De Ramesays, Fourniers and Taschereaus,—and the entire category o Hébert's descendants must run well into th thousands. All but unknown by a busy worl outside, the memory of this Paris apothecar has none the less been cherished for nearl three hundred years in many a Canadian hom Had all the seigneurs of the old régime serve their king with half his zeal the colony woul not have been left in later days so naked to i enemies.

But not all the seigneurs of Old Canada we of Hébert's type. Too many of them, wheth owing to inherited Norman traits, to the previous environment in France, or to t opportunities which they found in the colon developed an incurable love of the forest li On the slightest pretext they were off on military or trading expedition, leaving th lands, tenants, and often their own famil to shift as best they might. Fields grew w while the seigneurs, and often their habitan with them, spent the entire spring, summer, a autumn in any enterprise that promised to more exciting than sowing and reaping gra Among the military seigneurs of the up

St Lawrence and Richelieu regions not a few were of this type. They were good soldiers and quickly adapted themselves to the circumstances of combat in the New World, meeting the Iroquois with his own arts and often combining a good deal of the red man's craftiness with a white man's superior intelligence. Insatiable in their thirst for adventure, they were willing to assume all manner of risks or privations. Spring might find them at Lake Champlain, autumn at the head-waters of the Mississippi, a trusty birch-bark having carried them the thousand miles between. Their work did not figure very heavily in the colony's annual balance-sheet of progress with its statistics of acreage newly cleared, homes built and harvests stowed safely away. But according to their own ideals of service they valiantly served the king, and they furnish the historian of the old régime with an interesting and unusual group of men. Neither New England nor the New Netherlands possessed this type within their borders, and this is one reason why the pages of their history lack the contrast of light and shade which marks from start to finish the annals of New France.

When the Carignans stepped ashore at Quebec in 1665 one of their officers was Olivier

Morel de la Durantaye, a captain in the regiment of Campellé, but attached to the Carignan-Salières for its Canadian expedition. In the first expedition against the Mohawks he commanded the advance guard, and he was one of the small band who spent the terrible winter of 1666-67 at Fort Ste Anne near the head of Lake Champlain, subsisting on salt pork and a scant supply of mouldy flour. Several casks of reputedly good brandy, as Dollier de Casson records, had been sent to the fort, but to the chagrin of the diminutive garrison they turned out to contain salt water, the sailors having drunk the contents and refilled the casks on their way out from France. Warlike operations continued to engross Durantaye's attentions for a year or two longer, but when this work was finished he returned with some of his brother officers to France, while others remained in the colony, having taken up lands in accordance with Talon's plans. In 1670, however, he was back at Quebec again, and having married a daughter of the colony, applied at once for the grant of a seigneury. This was given to him in the form of a large tract, two leagues square, on the south shore of the lower St Lawrence, between the seigneury of Beaumont des Islets

nd the Bellechasse channel. To this fief of
a Durantaye adjoining lands were subse-
ently added by new grants, and in 1674 the
igneur also obtained the fief of Kamouraska.
is entire estate comprised about seventy
ousand arpents, making him one of the
rgest landowners in the colony.

Durantaye began his work in a leisurely
ay, and the census of 1681 gives us the out-
me of his ten years of effort. He himself had
t taken up his abode on the land nor, so far
can be ascertained, had he spent any time or
oney in clearing its acreage. With his wife
d four children he resided at Quebec, but from
ne to time he made visits to his holding and
ought new settlers with him. Twelve
milies had built their homes within the
acious borders of his seigneury. Their
hitewashed cottages were strung along a short
etch of the river bank side by side, separ-
ed by a few arpents. Men, women, and
ildren, the population of La Durantaye
mbered only fifty-eight; sixty-four arpents
d been cleared; and twenty-eight horned
ttle were reported among the possessions
the habitants. Rather significantly this
onial Domesday of 1681 mentions that the
teen able-bodied men of the seigneury

possessed 'seven muskets' among them. From its situation, however, the settlement was not badly exposed to Indian assault.

In the way of cleared lands and population the fief of La Durantaye had made very modest progress. Its nearest neighbour, Bellechasse, contained two hundred and twenty-seven persons, living upon three hundred and twenty arpents of cultivable land. With an arsenal of sixty-two muskets it was better equipped for self-defence. The census everywhere took more careful count of muskets than of ploughs, and this is not surprising, for it was the design of the authorities to build up a 'powerful military colony' which would stand on its own feet without support from home. They did not seem to realize that in the long run even military prowess must rest with that land which most assiduously devotes itself to the arts of peace.

Ten years later the fief of Durantaye made a somewhat better showing. The census of 1667 gave it a marked increase in population, in lands made arable, and in herds of domestic cattle. A house had been built for the seigneur, whose family occupied it at times but showed a preference for the more attractive life at Quebec. Durantaye was not one of the

most prosperous seigneuries, neither was it among those making the slowest progress. As Catalogne phrased the situation in 1712, its lands were 'yielding moderate harvests of grain and vegetables.' Fruit-trees had been brought to maturity in various parts of the seigneury and were bearing well. Much of the land was well wooded with oak and pine, a good deal of which had been already, in 1712, cut down and marketed at Quebec.

Morel de la Durantaye could not resign himself to the prosaic life of a cultivator. He did not become a coureur de bois like many of his friends and associates, but like them he had a taste for the wild woods, and he pursued a career not far removed from theirs. In 1684 he was in command of the fortified trading-post at Michilimackinac, and he had a share in Denonville's expedition against the Onondagas three years later. On that occasion he mustered a band of traders who, with a contingent of friendly Indians, followed him down to the lakes to join the punitive force. In 1690 he was at Montreal, lending his aid in the defence of that part of the colony against raiding bands of Iroquois which were once again proving a menace. At Boucherville, in 1694,

one historian tells us with characteristic hyperbole, Durantaye killed ten Iroquois with his own hand. Mohawks were not, as a rule, so easy to catch or kill. Two years later he commanded a detachment of troops and militiamen in operations against his old-time foes, and in 1698 he was given a royal pension of six hundred livres per year in recognition of his services. Having been so largely engaged in these military affrays, little time had been available for the development of his seigneury. His income from the annual dues of its habitants was accordingly small, and the royal gratuity was no doubt a welcome addition. The royal bounty never went begging in New France. No one was too proud to dip his hand into the king's purse when the chance presented itself.

In June 1703 Durantaye received the signal honour of an appointment to the Superior Council at Quebec, and this post gave him additional remuneration. For the remaining twenty-four years of his life the soldier-seigneur lived partly at Quebec and partly at the manor-house of his seigneurial estate. At the time of his death, in 1727, these landed holdings had greatly increased in population, in cleared acreage, and in value, although it

cannot be said that this progress had been in any direct way due to the seigneur's active interest or efforts. He had a family of six sons and three daughters, quite enough to provide for with his limited income, but not a large family as households went in those days. Durantaye was not among the most effective of the seigneurs; but little is to be gained by placing the various leaders among the landed men of New France in sharp contrast, comparing their respective contributions one with another. The colony had work for all to do, each in his own way.

Among those who came to Montreal in 1641, when the foundations of the city were being laid, was the son of a Dieppe innkeeper, Charles Le Moyne by name. Born in 1624, he was only seventeen when he set out to seek his fortune in the New World. The lure of the fur trade promptly overcame him, as it did so many others, and the first few years of his life in Canada were spent among the Hurons in the regions round Georgian Bay. On becoming of age, however, he obtained a grant of lands on the south shore of the St Lawrence, opposite Montreal, and at once began the work of clearing it. This area, of fifty lineal arpents in frontage by one hundred in depth, was granted

to Le Moyne by M. de Lauzon [1] as a seigneury on September 24, 1647.

Despite the fact that his holding was directly in the path of Indian attacks, Le Moyne made steady progress in clearing it; he built himself a house, and in 1654, at the age of twenty-eight, married Mademoiselle Catherine Primot, formerly of Rouen. The governor of Montreal, M. de Maisonneuve, showed his good will by a wedding gift of ninety additional arpents. But Le Moyne's ambition to provide for a rapidly growing family led him to petition the intendant for an enlargement of his holdings, and in 1672 the intendant Talon gave him the land which lay between the seigneuries of Varennes and La Prairie de la Magdelaine. This with his other tract was united to form the seigneury of Longueuil. Already the king had recognized Le Moyne's progressive spirit by giving him rank in the *noblesse*, the letters patent having been issued in 1668. On this seigneury the first of the Le Moynes de Longueuil lived and worked until his death in 1685.

[1] Jean de Lauzon, at this time president of the Company of One Hundred Associates, which, as we have seen, had the feudal suzerainty of Canada. Lauzon was afterwards governor of New France, 1651-56.

Charles Le Moyne had a family of eleven ons, of whom ten grew to manhood and ecame figures of prominence in the later istory of New France. From Hudson Bay o the Gulf of Mexico their exploits covered very field of activity on land and sea.[1] What cions of a stout race they were! The strain f the old Norse rover was in them all. Each ne a soldier, they built forts, founded cities, overned colonies, and gave their king full easure of valiant service.

The eldest, who bore his father's name and

[1] These sons were: (1) Charles Le Moyne de Longueuil, orn 1656, who succeeded his father as seigneur and became the rst Baron de Longueuil, later served as lieutenant-governor f Montreal, and was killed in action at Saratoga on June 8, 29; (2) Jacques Le Moyne de Ste Hélène, born 1659, who ll at the siege of Quebec in 1690; (3) Pierre Le Moyne Iberville, born in 1661, voyageur to Hudson Bay and the panish Main, died at Havana in 1706; (4) Paul Le Moyne de Maricourt, born 1663, captain in the marine, died in 1704 from ardships during an expedition against the Iroquois; (5) François e Moyne de Bienville, born 1666, intrepid young border-warrior, illed by the Iroquois in 1691; Joseph Le Moyne de Sérigny, orn 1668, served as a youth in the expeditions of his brother to udson Bay, died in 1687; (7) Louis Le Moyne de Chateauguay, orn 1676, his young life ended in action at Fort Bourbon Nelson or York Factory) on Hudson Bay in 1694; (8) Jean-aptiste Le Moyne de Bienville, born 1680, founder of New rleans, governor of Louisiana, died in Paris, 1767; (9) Gabriel e Moyne d'Assigny, orn 1681, died of yellow fever at San omingo in 1701: (10) Antoine Le Moyne de Chateauguay, orn 1683, governor of French Guiana.

possessed many of his traits, inherited the seigneury. Soon he made it one of the most valuable properties in the whole colony. The old manor-house gave way to a pretentious château flanked by four imposing towers of solid masonry. Its dimensions were, as such things went in the colony, stupendously large, the structure being about two hundred feet in length by one hundred and seventy in breadth. The great towers or bastions were loopholed in such way as to permit a flanking fire in the event of an armed assault; and the whole building, when viewed from the river, presented an impressive façade. The grim Frontenac, who was not over-given to eulogy, praised it in one of his dispatches and said that it reminded him of the embattled châteaux of old Normandy. Speaking from the point of view of the other seigneurs, the cost of this manorial abode of the Longueuils must have represented a fortune. The structure was so well built that it remained fit for occupancy during nearly a full century, or until 1782, when it was badly damaged by fire. A century later still, in 1882, the walls remained; but a few years afterwards they were removed to make room for the new parish church of Longueuil.

Le Moyne did more than build an imposing

house. He had the stones gathered from the lands and used in building houses for his people. The seigneur's mill was one of the best. A fine church raised its cross-crowned spire near by. A brewery, built of stone, was in full operation. The land was fertile and produced abundant harvests. When Catalogne visited Longueuil in 1712 he noted that the habitants were living in comfortable circumstances, by reason of the large expenditures which the seigneur had made to improve the land and the means of communication. Whatever Charles Le Moyne could gather together was not spent in riotous living, as was the case with so many of his contemporaries, but was invested in productive improvements. That is the way in which he became the owner of a model seigneury.

A seigneur so progressive and successful could not escape the attention of the king. In 1698 the governor and the intendant joined in bringing Le Moyne's services to the favourable notice of the minister, with the suggestion that it should receive suitable acknowledgment. Two years later this recognition came in the form of a royal decree which elevated the seigneury of Longueuil to the dignity of a barony, and made its owner the Baron

de Longueuil. In recounting the service rendered to the colony by the new baron th patent mentioned that 'he has already erecte at his own cost a fort supported by four stron towers of stone and masonry, with a guard house, several large dwellings, a fine churc bearing all the insignia of nobility, a spaciou farmyard in which there is a barn, a stable, sheep-pen, a dovecote, and other buildings, a of which are within the area of the said fort next to which stands a banal mill, a fin brewery of masonry, together with a larg retinue of servants, horses, and equipages, th cost of which buildings amount to six thousand livres; so much so that th seigneury is one of the most valuable in th whole country.' The population of Longueu in the census returns of 1698, is placed at tw hundred and twenty-three.

The new honour spurred its recipient to eve greater efforts; he became one of the fir gentlemen of the colony, served a term lieutenant-governor at Montreal, and, goi into battle once more, was killed in action ne Saratoga in the expedition of 1729. T barony thereupon passed to his son, the thi Charles Le Moyne, born in 1687, who liv until 1755, and was for a time administrat

of the colony. His son, the third baron, was killed during the Seven Years' War in the operations round Lake George, and the title passed, in the absence of direct male heirs, to his only daughter, Marie Le Moyne de Longueuil who, in 1781, married Captain David Alexander Grant of the 94th British Regiment. Thus the old dispensation linked itself with the new. The eldest son of this marriage became fifth Baron de Longueuil in 1841. Since that date the title has been borne by successive generations in the same family.

Of all the titles of honour, great and small, which the French crown granted to the Seigneurs of Old Canada, that of the Baron de Longueuil is the only one now legally recognized in the Dominion. After the conquest the descendants of Charles Le Moyne maintained that, having promised to respect the ancient land tenures, the new British suzerains were under obligation to recognize Longueuil as a barony. It was not, however, until 1880 that a formal request for recognition was made to Her Majesty Queen Victoria. The matter was, of course, submitted to the law officers of the crown, and their decision ruled the claim to be well grounded. By royal proclamation, accordingly, the rank and title of

Charles Colmore Grant, seventh Baron de Longueuil, were formally recognized.[1]

The barony of Longueuil at one time included an area of about one hundred and fifty square miles, much of it heavily timbered and almost all fit for cultivation. The thriving towns of Longueuil and St Johns grew up within its limits in the century following the conquest. As population increased, much of the land was sold into freehold; and when the seigneurial system was abolished in 1854 what had not been sold was entailed. An entailed estate, though not now of exceeding great value it still remains.

No family of New France maintained more steadily its favourable place in the public view than the house of Longueuil. The sons, grandsons, and great-grandsons of the Dieppe innkeeper's boy were leaders of action in their respective generations. Soldiers, administrators and captains of industry, they contributed their full share to the sum of French achievement

[1] The royal recognition was officially promulgated as follows: 'The Queen has been graciously pleased to recognize the right of Charles Colmore Grant, Esquire, to the title of Baron de Longueuil, of Longueuil, in the province of Quebec, Canada. This title was conferred on his ancestor, Charles Le Moyne, by letters-patent of nobility signed by King Louis XIV in the year 1700.'—(*London Gazette,* December 7, 1880.)

ike in war and peace. By intermarriage also e Le Moynes of Longueuil connected themlves with other prominent families of French nada, notably those of Beaujeu, Lanaudière, d Gaspé. Unlike most of the colonial *blesse*, they were well-to-do from the start, d the barony of Longueuil may be rightly garded as a good illustration of what the igneurial system could accomplish at its best. These three seigneurs, Hébert, La Durantaye, d Le Moyne, represent three different, yet t so very dissimilar types of landed pioneer. ébert, the man of humble birth and limited tainments, made his way to success by unmitting personal labour under great disuragements. He lived and died a plain izen. He had less to show for his lifeork than the others, perhaps; but in those addling days of the colony's history his task as greater. Morel de la Durantaye, the an-at-arms, well born and bred, took his igneurial rank as a matter of course, and s duties without much seriousness. His igneury had his attention only when opporities for some more exciting field of action led to present themselves. Interesting figure ough he was—an excellent type of a hundred hers—it was well for the colony that not all

its seigneurs were like him in temperament and ways. Le Moyne, the nearest Canadian approach to the seigneur of Old France in the days before the Revolution, combined the best qualities of the other two. There was plenty of red blood in his veins, and to some of his progeny went more of it than was good for them. He was ready with his sword when the occasion called. An arm shot off by an Iroquois flintlock in 1687 gave him through life a grim reminder of his combative habits in early days. But warfare was only an avocation; the first fruits of the land absorbed his main interest throughout the larger part of his days. Each of these men had others like him and the peculiar circumstances of the colony found places for them all. The seigneurs of Old Canada did not form a homogeneous class men of widely differing tastes and attainments were included among them. There were workers and drones; there were men who made a signal success as seigneurs, and others who made an utter failure. But taken as a group there was nothing very commonplace about them, and it is to her two hundred seigneurs or thereabouts that New France owes much of the glamour that marks her tragic history.

CHAPTER IV

SEIGNEUR AND HABITANT

N its attitude toward the seigneurs the crown as always generous. The seigneuries were arge, and from the seigneurs the king asked o more than that they should help to colonize heir grants with settlers. It was expected, n turn, that the seigneurs would show a like pirit in all dealings with their dependants. Many of them did; but some did not. On the hole, however, the habitants who took farms ithin the seigneuries fared pretty well in he matter of the feudal dues and services emanded from them. Compared with the eigneurial tenantry of Old France their obligaons were few in number, and imposed almost o burden at all.

This is a matter upon which a great deal of onsense has been written by English writers n the early history of Canada, most of whom ave been able to see nothing but the spectre of aternalism in every domain of colonial life.

It is quite true, as Tocqueville tells us, that the physiognomy of a government can be best judged in its colonies, for there its merits and faults appear as through a microscope. But in Canada it was the merits rather than the faults of French feudalism which came to the front in bold relief. There it was that seigneurial polity put its best foot forward. It showed that so long as defence was of more importance than opulence the institution could fully justify its existence. Against the seigneurial system as such no element in the population of New France ever raised, so far as the records attest, one word of protest during the entire period of French dominion. The habitants, as every shred of reliable contemporary evidence goes to prove, were altogether contented with the terms upon which they held their lands, and thought only of the great measure of freedom from burdens which they enjoyed as compared with their friends at home. To speak of them as 'slaves to the corvées and unpaid military service, debarred from education and crammed with gross fictions as an aid to their docility and their value as food for powder,' [1] is to display a rare combination of hopeless

[1] A. G. Bradley, *The Fight with France for North America* (London, 1905, p. 388).

bigotry and crass ignorance. The habitant of the old régime in Canada was neither a slave nor a serf; neither down-trodden nor maltreated; neither was he docile and spineless when his own rights were at issue. So often has all this been shown that it is high time an end were made of these fictions concerning the woes of Canadian folk-life in the days before the conquest.

We have ample testimony concerning the relations of seigneur and habitant in early Canada, and it comes from many quarters. First of all there are the title-deeds of lands, thousands of which have been preserved in the various notarial archives. It ought to be explained, in passing, that when a seigneur wished to make a grant of land the services of a notary were enlisted. Notaries were plentiful; the census of 1681 enumerated twenty-four of them in a population of less than ten thousand. The notary made his documents in the presence of the parties, had them signed, witnessed, and sealed with due formality. The seigneur kept one copy, the habitant another, and the notary kept the original. In the course of time, therefore, each notary accumulated quite a collection or *cadastre* of legal records which he kept carefully. At his death they were passed over

to the general registry, or office of the *greffier*, at Quebec. In general the notaries were men of rather meagre education; their work on deeds and marriage settlements was too often very poorly done, and lawsuits were all the more common in consequence. But the colony managed to get along with this system of conveyancing, crude and undependable as it was.

In the title-deeds of lands granted by the seigneurs to the habitants the situation and area are first set forth. The grants were of all shapes and sizes. As a rule, however, they were in the form of a parallelogram, with the shorter end fronting the river and the longer side extending inland. The usual river frontage was from five to ten lineal arpents, and the depth ranged from ten to eighty arpents. It should be explained that the *arpen de Paris*, in terms of which colonial land measurements were invariably expressed, served both as a unit of length and as a unit of area. The lineal arpent was the equivalent of one hundred and ninety-two English feet. The superficial arpent, or arpent of area, contained about five-sixths of an acre. The habitant's customary frontage on the river was, accordingly, from about a thousand to two thousand feet, while

his farm extended rearwards a distance of anywhere from under a half-mile to three miles.

This rather peculiar configuration of the farms arose wholly from the way in which the colony was first settled. For over a century after the French came to the St Lawrence all the seigneuries were situated directly on the shores of the river. This was only natural, for the great waterway formed the colony's carotid artery, supplying the life-blood of all New France so far as communications were concerned. From seigneury to seigneury men traversed it in canoes or bateaux in summer, and over its frozen surface they drove by carriole during the long winters. Every one wanted to be in contact with this main highway, so that the demand for farms which should have some river frontage, however small, was brisk from the outset. Near the river the habitant began his clearing and built his house. Farther inland, as the lands rose from the shore, was the pasture; and behind this again lay the still uncleared woodland. When the colony built its first road, this thoroughfare skirted the north shore of the St Lawrence, and so placed an even greater premium on farms contiguous to the river. It was only after all the best lands with river frontage had been

taken up that settlers resorted to what was called ' the second range ' farther inland.

Now it happened that in thus adapting the shape of grants to the immediate convenience and caprice of the habitants a curious handicap was in the long run placed upon agricultural progress. By the terms of the Custom of Paris, which was the common law of the colony, all the children of a habitant's family, male and female, inherited equal shares of his lands. When, therefore, a farm was to be divided at its owner's decease each participant in the division wanted a share in the river frontage. With large families the rule, it can easily be seen that this demand could only be met by shredding the farm into mere ribbons of land with a frontage of only fifty or a hundred feet and a depth of a mile or more. That was the usual course pursued; each child had his strip, and either undertook to get a living out of it or sold his land to an adjoining heir. In any case, the houses and barns of the one who came into ownership of these thin oblongs were always situated at or near the water-front, so that the work of farming the land necessitated a great deal of travelling back and forth. Too many of the habitants, accordingly, got into the habit of spending all their time on the fields

nearest the house and letting the rear grow wild. The situation militated against proper rotation of crops, and in many ways proved an obstacle to progress. The trouble was not that the farms were too small to afford the family a living. In point of area they were large enough; but their abnormal shape rendered it difficult for the habitant to get from them their full productive power with the rather short season of cultivation that the climate allowed.

So important a handicap did this situation place upon the progress of agriculture that in 1744 the governor and the intendant drew the attention of the home authorities to it, and urged that some remedy be provided. With simple faith in the healing power of a royal edict, the king promptly responded with a decree which ordered that no habitant should henceforth build his house and barn on any lot of land which did not have at least one and one-half lineal arpents of frontage (about three hundred feet). Any buildings so erected were to be demolished. What a crude method of dealing with a problem which had its roots deep down in the very law and geography of the colony! But this royal remedy for the ills of New France went the way of many

others. The authorities saw that it would work no cure, and only one attempt was ever made to punish those habitants who showed defiance. The intendant Bigot, in 1748, ordered that some houses which various habitants had erected at L'Ange-Gardien should be pulled down, but there was a great hue and cry from the owners, and the order remained unenforced. The practice of parcelling lands in the old way continued, and in time these *côtes*, as the habitants termed each line of houses along the river, stretched all the way from Quebec to Montreal. From the St Lawrence the whole colony looked like one unending, straggling village-street.

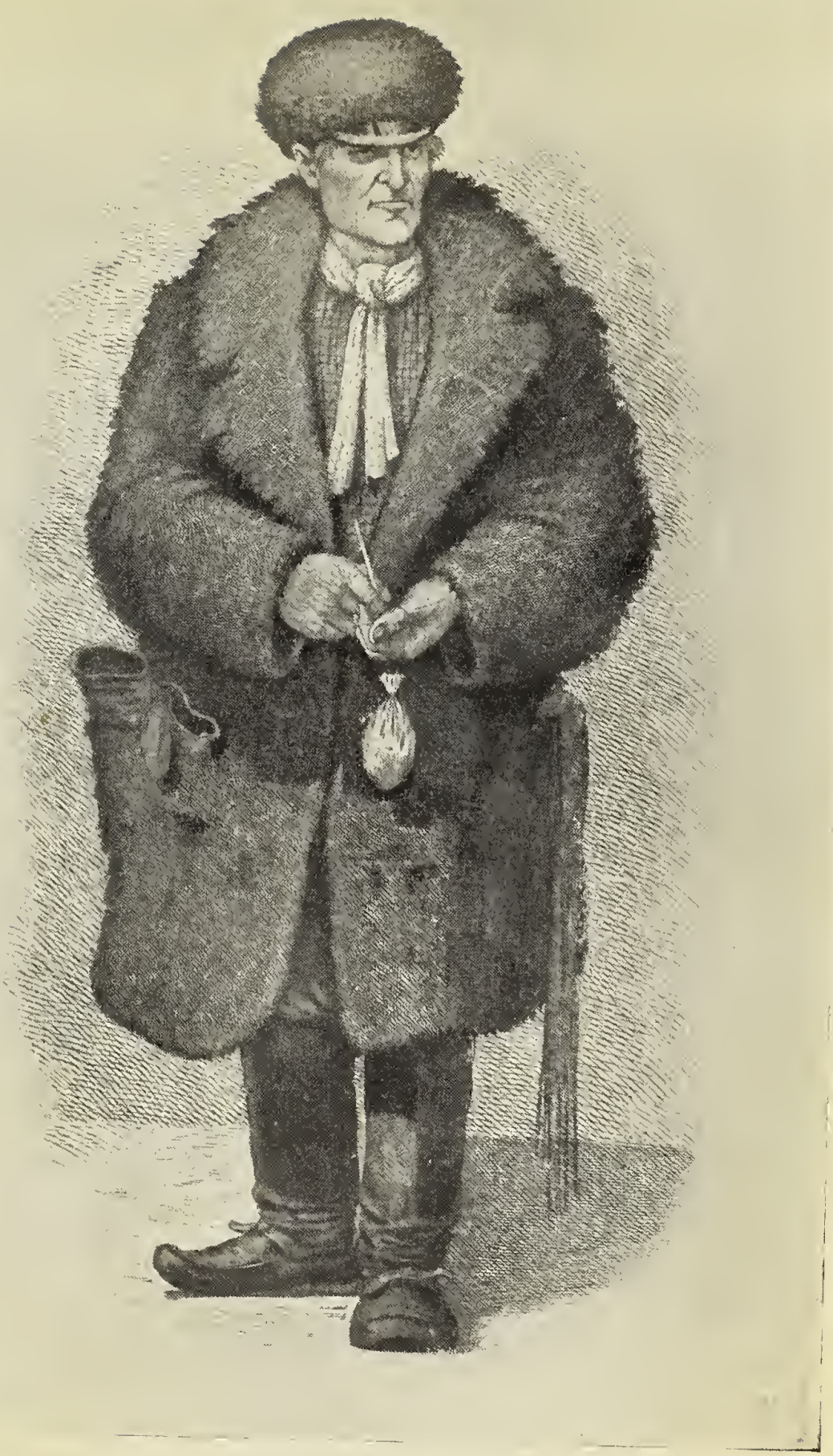
But let us outline the dues and services which the habitant, by the terms of his title-deed, must render to his seigneur. First among these were the annual payments commonly known as the *cens et rentes*. To the habitant this was a sort of annual rental, although it was really made up of two separate dues, each of which had a different origin and nature. The *cens* was a money payment and merely nominal in amount. Back in the early days of feudalism it was very probably a greater burden; in Canada it never exceeded a few sous for a whole farm. The rate of *cens* was

ot uniform: each seigneur was entitled to hat he and the habitant might agree upon, ut it never amounted to more than the erest pittance, nor could it ever by any retch of the imagination be deemed a burden. With the *cens* went the *rentes*, the latter being xed in terms of money, poultry, or produce, r all three combined. 'One fat fowl of the rood of the month of May or twenty sols ous) for each lineal arpent of frontage'; or one minot of sound wheat or twenty sols for ach arpent of frontage' is the way in which e obligation finds record in some title-deeds hich are typical of all the rest. The seigneur ad the right to say whether he wanted his *ntes* in money or in kind, and he naturally ose the former when prices were low and e latter when prices were high.

It is a little difficult to estimate just what e ordinary habitant paid each year by way *cens et rentes* to his seigneur, but under dinary conditions the rental would amount about ten or twelve sous and a half-dozen ickens or a bushel of grain for the average rm. Not a very onerous annual payment for ty or sixty acres of land! Yet this was the ly annual emolument which the seigneur of ld Canada drew each year from his tenantry.

With twenty-five allotments in his seigneury the yearly income would be perhaps thirty or forty livres if translated into money, that is to say, six or eight dollars in our currency. Allowing for changes in the purchasing power of money during the last two hundred years, a fair idea of the burden placed on the habitant by his payment of the *cens et rentes* may be given by estimating it, in terms of present-day agricultural rentals, at, say, fifty cents yearly per acre. This is, of course, a rough estimate but it conveys an idea that is approximately correct and, indeed, about as near the mark as one can come after a study of the seigneurial system in all its phases. The payment constituted a burden, and the habitants doubtless would have welcomed its abolition; but it was not a heavy tax upon their energies; it was less than the Church demanded from them and they made no serious complaints regarding its imposition.

The *cens et rentes* were paid each year on St Martin's Day, early in November. By that time the harvest had been flailed and safely stowed away; the poultry had fattened among the fields of stubble. One and all, the habitants came to the manor-house to give the seigneur his annual tribute. Carrioles and celêche



THE HABITANT

From a painting by Macnaughton

led his yard. Women and children were ought along, and the occasion became a ighbourhood holiday. The manor-house s a lively place throughout the day, the gneur busily checking off his lists as the bitants, one after another, drove in with ir grain, their poultry, and their wallets of per coins. The men smoked assiduously; did the women sometimes. Not infrequently, the November air was damp and chill, the gneur passed his flagon of brandy among thirsty brotherhood, and few there were o allowed this token of hospitality to pass m by. With their tongues thus loosened, n and women glibly retailed the neighbourd gossip and the latest tidings which had ered through from Quebec or Montreal. re was an incessant clatter all day long, to ich the captive fowls, with their feet bundled ether but with throats at full liberty, conuted their noisy share. As dusk drew near re was a general handshaking, and the rioles scurried off along the highway. ry one called his neighbour a friend, and people of each seigneury were as one great ily.

he *cens et rentes* made up the only payt which the seigneur received each year,

but there was another which became due at intervals. This was the payment known as the *lods et ventes*, a mutation fine which the seigneur had the right to demand whenever a farm changed hands by sale or by descent except to direct heirs. One-twelfth of the value was the seigneur's share, but it was his custom to rebate one-third of this amount. Land changed hands rather infrequently, and in any case the seigneur's fine was very small. From this source he received but little revenue and it came irregularly. Only in the days after the conquest, when land rose in value and transfers became more frequent, could the *lods et ventes* be counted among real sources of seigneurial income.

Then there were the so-termed *banalités*. In France their name was legion; no one but a seigneur could own a grist-mill, wine-press, slaughter-house, or even a dovecot. The peasant, when he wanted his grain made into flour or his grapes made into wine, was required to use his seigneur's mill, or press, and to pay the toll demanded. This toll was often exorbitant and the service poor. In Canada, however, there was only one *droit de banalité* —the grist-mill right. The Canadian seigneur had the exclusive milling privilege; his ha

tants were bound by their title-deed to bring their grist to his mill, and his legal toll was one-fourteenth of their grain. This obligation did not bear heavily on the people of the seigneuries; most of the complaints concerning it came rather from the seigneurs, who claimed that the toll was too small and did not suffice, in the average seigneury, to pay the wages of the miller. Many seigneurs declined to build mills until the royal authorities stepped in with a decree commanding that those who did not do so should lose their banal right for all time. Then they bestirred themselves.

The seigneurial mills were not very efficient, from all accounts. Crude, clumsy, poorly built affairs, they sometimes did little more than crack the wheat into coarse meal—it could hardly be called flour. The bakers of Quebec complained that the product was often unfit to use. The mills were commonly built in tower-like fashion, and were at times loopholed in order that they might be used if necessary in the defence of seigneuries against Indian attack. The mill of the Seminary of St Sulpice at Montreal, for example, was a veritable stronghold, rightly counted upon as a place of sure refuge for the settlers in time of need. Racked and decayed by the ravages of

time, some of those old walls still stand in their loneliness, bearing to an age of smoke-belching industry their message of more modest achievement in earlier days. Most of these banal mills were fitted with clumsy wind-wheels, somewhat after the Dutch fashion. But nature would not always hearken to the miller's command, and often for days the habitants stood around with their grist waiting in patience for the wind to come up and be harnessed.

Some Canadian seigneurs laid claim to the oven right (*droit de four banal*) as well. But the intendant, ever the tribune of his people, sternly set his foot on this pretension. In France the seigneur insisted that the peasantry should bake their bread in the great oven of the seigneury, paying the customary toll for its use. But in Canada, as the intendant explained, this arrangement was utterly impracticable. Through the long months of winter some of the habitants would have to bring their dough a half-dozen miles, and it would be frozen on the way. Each was therefore permitted to have a bake-oven of his own, and there was, of course, plenty of wood near by to keep it blazing.

Many allusions have been made, in writings

on the old régime, to the habitant's corvée or obligation to give his seigneur so many days of free labour in each year. In France this incident of seigneurial tenure cloaked some dire abuses. Peasants were harried from their farms and forced to spend weeks on the lord's domain, while their own grain rotted in the fields. But there was nothing of this sort in Canada. Six days of corvée per year was all that the seigneur could demand; and he usually asked for only three, that is to say, one day each in the seasons of ploughing, seedtime, and harvest. And when the habitant worked for his seigneur in this way the latter had to furnish him with both food and tools, a requirement which greatly impaired the value of corvée labour from the seigneur's point of view. So far as a painstaking study of the records can disclose, the corvée obligation was never looked upon as an imposition of any moment. It was apparently no more generally resented than is the so-termed statute-labour obligation which exists among the farming communities of some Canadian provinces at the present day.

As for the other services which the habitant had to render his seigneur, they were of little importance. When he caught fish, one fish in

every eleven belonged to his chief. But the seigneur seldom claimed this share, and received it even less often. The seigneur was entitled to take stone, sand, and firewood from the land of any one within his estate; but when he did this it was customary to give the habitant something of equal value in return. Few seigneurs of New France ever insisted on their full pound of flesh in these matters; a generous spirit of give and take marked most of their dealings with the men who worked the land.

Then there was the maypole obligation, quaintest among seigneurial claims. By the terms of their tenure the habitants of the seigneury were required to appear each May Day before the main door of the manor-house, and there to plant a pole in the seigneur's honour.

Le premier jour de mai,
Labourez,
J'm'en fus planter un mai,
Labourez,
À la porte à ma mie.

Bright and early in the morning, as Gaspé tells us, the whole neighbourhood appeared, decked out fantastically, and greeted the manor-house with a salvo of blank musketry. With them they bore a tall fir-tree, its branches cut and its bark peeled to within a few feet of the

top. There the tuft of greenery remained. The pole, having been gaudily embellished, was majestically reared aloft and planted firmly in the ground. Round it the men and maidens danced, while the seigneur and his family, enthroned in chairs brought from the manor-house, looked on with approval. Then came a rattling *feu de joie* with shouts of 'Long live the King!' and 'Long live our seigneur!' This over, the seigneur invited the whole gathering to refreshments indoors. Brandy and cakes disappeared with great celerity before appetites whetted by an hour's exercise in the clear spring air. They drank to the seigneur's health, and to the health of all his kin. At intervals some guest would rush out and fire his musket once again at the maypole, returning for more hospitality with a sense of duty well performed. Before noon the merry company, with the usual round of handshaking, went away again, leaving the blackened pole behind. The echoes of more musket-shots came back through the valleys as they passed out of sight and hearing. The seigneur was more than a mere landlord, as the occasion testified.

CHAPTER V

HOW THE HABITANT LIVED

THE seigneurs of New France were not a privileged order. Between them and the habitants there was no great gulf fixed, no social impasse such as existed between the two classes in France. The seigneur often lived and worked like a habitant; his home was not a great deal better than theirs; his daily fare was much the same. The habitant, on the other hand, might himself become a seigneur by saving a little money, and this is what frequently happened. By becoming a seigneur, however, he did not change his mode of life, but continued to work as he had done before. There were some, of course, who took their social rank with great seriousness, and proved ready to pay out good money for letters-patent giving them minor titles of nobility. Thus Jacques Le Ber, a bourgeois of Montreal who made a comfortable fortune out of the fur trade bought a seigneury and then acquired the rank

of *gentilhomme* by paying six thousand livres for it. But the possession of an empty title, acquired by purchase or through the influence of official friends at Quebec, did not make much impression on the masses of the people. The first citizens in the hearts of the community were the men of personal courage, talent, and worldly virtues.

> Sur cette terre encor sauvage
> Les vieux titres sont inconnus;
> La noblesse est dans le courage,
> Dans les talents, dans les vertus.

Nevertheless, to be a seigneur was always in honour, for the manor-house was the recognized social centre of every neighbourhood.

The manor-house was not a mansion. Built sometimes of rough-hewn timber, but more commonly of stone, it was roomy and comfortable, although not much more pretentious than the homes of well-to-do habitants. Three or four rooms on the ground floor with a spacious attic made up the living quarters. The furniture often came from France, and its quality gave the whole interior an air of distinction. As for the habitants, their homes were also of stone or timber—long and rather narrow structures, heavily built, and low.

They were whitewashed on the outside with religious punctuality each spring. The eaves projected over the walls, and high-peaked little dormer windows thrust themselves from the roof here and there. The houses stood very near the roadway, with scarcely ever a grass plot or single shade tree before them. In midsummer the sun beat furiously upon them; in winter they stood in all their bleakness full-square to the blasts that drove across the river.

Behind the house was a storeroom built in 'lean-to' fashion, and not far away stood the barn and stable, made usually of timbers laid one upon the other with chinks securely mortared. Somewhat aloof was the root-house, half dug in the ground, banked generously with earth round about and overhead. Within convenient distance of the house, likewise, was the bake-oven, built of boulders, mortar, and earth, with the wood-pile near by. Here with roaring fires once or twice each week the family baking was done. Round the various buildings ran some sort of fence, whether of piled stones or rails, and in a corner of the enclosed plot was the habitant's garden. Viewed by the traveller who passed along the river this straggling line of whitewashed structures stood out in bold relief against the

INTERIOR OF A FRENCH-CANADIAN FARMHOUSE

After a painting by Krieghoff

towering background of green hills beyond. The whole colony formed one long rambling village, each habitant touching elbows with his neighbour on either side.

Within the habitant's abode there were usually not more than three regular rooms. The front door opened into a capacious living room with its great open fireplace and hearth. This served as dining-room as well. A gaily coloured woollen carpet or rug, made in the colony, usually decked the floor. There was a table and a couch; there were chairs made of pine with seats of woven underbark, all more or less comfortable. Often a huge side-board rose from the floor to the low, open-beamed ceiling. Pictures of saints adorned the walls. A spinning-wheel stood in the corner, sharing place perhaps with a musket set in the floor stock downward, but primed for ready use. Adjoining this room was the kitchen with its fireplace for cooking, its array of pots and dishes, its cupboards, shelves, and other furnishings. All of these latter the habitant and his sons made for themselves. The economic isolation of the parish made its people versatile after their own crude fashion. The habitant was a handy man, getting pretty good results from the use of rough material

and tools. Even at the present day his descendants retain much of this facility. At the opposite end of the house was a bedroom. Upstairs was the attic, so low that one could scarcely stand upright in any part of it, but running the full length and breadth of the house. Here the children, often a round dozen of them, were stowed at night. A shallow iron bowl of tallow with a wick protruding gave its dingy light. Candles were not unknown, but they were a luxury. Every one went to bed when darkness came on, for there was nothing else to do. Windows were few and to keep out the cold they were tightly battened down. The air within must have been stifling; but, as one writer has suggested, the habitant and his family got along without fresh air in his dwelling just as his descendant of to-day manages to get along without bath.

For the most part the people of Old Canada were comfortably clothed and well fed. Warm cloth of drugget—*étoffe du pays* as it was called—came from the hand-looms in every parish. It was all wool and stood up ending wear. It was cheap, and the women of the household fashioned it into clothes. Men, women, and children alike wore it in everyday use; but on occasions of festivity they like

appear in their brighter plumage of garments
rought from France. In the summer the
ildren went nearly unclothed and bare-
oted always. A single garment without
eeves and reaching to the knees was all that
vered their nakedness. In winter every one
ore furs outdoors. Beaver skins were nearly
cheap as cloth, and the wife of the poorest
bitant could have a winter wardrobe that
would nowadays cost a small fortune to
ovide. Heavy clogs made of hide—the
tes sauvages as they were called—or
occasins of tanned and oiled skins, im-
rvious to the wet, were the popular footwear
winter and to some extent in summer as
ll. They were laced high up above the
kles, and with a liberal supply of coarse-
itted woollen socks the people managed to
dge anywhere without discomfort even in very
d weather. Plaited straw hats were made
the women for ordinary summer use, but
s of beaver, made in the fashion of the day,
e always worn on dress occasions. Every
n wore one to Mass each Sunday morning.
winter the knitted cap or toque was the
ourite. Made in double folds of woollen
n with all the colours of the rainbow, it
ld be drawn down over the ears as a pro-

tection from the cold; with its tassel swinging to and fro this toque was worn by everybody, men, women, and children alike. Attached to the coat was often a hood, known as a *capuchin*, which might be pulled over the toque as an additional head-covering on a journey through the storm. Knitted woollen gloves were also made at home, likewise mitts of sheepskin with the wool left inside. The apparel of the people was thus adapted to their environment, and besides being somewhat picturesque it was thoroughly comfortable.

The daily fare of New France was not of limitless variety, but it was nourishing and adequate. Bread made from wheat flour and cakes made from ground maize were plentiful. Meat and fish were within the reach of all. Both were cured by smoke after the Indian fashion and could be kept through the winter without difficulty. Vegetables of various kinds were grown, but peas were the great staple. Peas were to the French what maize was to the redskin. In every rural home *soupe aux pois* came daily to the table. Whole families were reared to vigorous manhood on it. Even to-day the French Canadian has not by any means lost his liking for this nourishing and palatable food. Beans, too, were

favourite vegetable in the old days; not the tender *haricots* of the modern menu, but the *fêves* or large, tough-fibred beans that grew in Normandy and were brought by its people to the New World. There were potatoes, of course, and they were *patates*, not *pommes de terre*. Cucumbers were plentiful, indeed they were being grown by the Indians when the French first came to the St Lawrence. As they were not indigenous to that region it is for others than the student of history to explain how they first came there. Fruits there were also, such as apples, plums, cherries, and French gooseberries, but not in abundance. Few habitants had orchards, but most of them had one or two fruit-trees grown from seedlings which came from France. Wild fruits, especially raspberries, cranberries, and grapes, were to be had for the picking, and the younger members of each family gathered them all in season. Even in the humbler homes of the land there was no need for any one to go hungry. More than one visitor to the colony, indeed, was impressed by the rude comfort in which the habitants lived. 'The boors of these manours,' wrote the voluble La Hontan,[1] 'live with

[1] Louis Armand, Baron La Hontan, came to Canada in 1683, and lived for some time among the habitants of Beaupré, below

greater comfort than an infinity of the gentry in France.' And for once he was probably right.

As for drink, there were both tea and coffee to be had from the traders; but they were costly and not in very general use. Milk was cheap and plentiful. Brandy and wine came from France in shiploads, but brandy was largely used in the Indian trade, and wine appeared only on the tables of the well-to-do; the ordinary habitant could not afford it save on state occasions. Cheap beer, brewed in the colony, was within easier range of his purse. There were several breweries in the colony, although they do not appear to have been very profitable to their owners. Home-brewed ale was much in use. When duly aged it made a fine beverage, although insidious in its effects sometimes. But no guest ever came to any colonial home without a proffer of something to drink. Hospitality demanded it. The habitant, as a rule, was very fond of the flagon. Very often, as the records of the day lead us to believe, he drank not wisely but too well. Idleness had a hand in the development of this

Quebec, and afterwards in the neighbourhood of Montreal. He also journeyed in the Far West and wrote a fantastic account of his travels, of which an English edition was published in 1703.

LA CANADIENNE

After a painting by Krieghoff

it, for in the long winters the habitant had le to do but visit his neighbours.

The men of New France smoked a great deal, and the women sometimes followed their example. Children learned to smoke before they learned to read or write. Tobacco was grown in the colony, and every habitant had a patch of it in his garden; and then as now this *tabac canadien* was fierce stuff with an odour that scented the whole seigneury. The art of smoking a pipe was one of the first lessons which the Frenchman acquired from his Indian friends, and this became the national solace through the long spells of idleness. Such as it was, the tobacco of the colony was no luxury, for every one could grow enough and to spare to serve his wants. The leaves were set in the sun to cure, and were then put away till needed.

As to the methods of farming, neither the contemporary records nor the narratives of travel tell us much. But it is beyond doubt that the habitant was not a very scientific cultivator. Catalogne remarks in his valuable report that if the fields of France were cultivated like the farms of Canada three-fourths of the people would starve. Fertilization of the land was rare. All that was usually done in this

direction was to burn the stubble in the spring before the land went under the plough. Rotation of crops was practically unknown. A portion of each farm was allowed to lie fallow once in a while, but as these fallow fields were rarely ploughed and weeds might grow without restraint, the rest from cultivation was of little value. Even the cultivated fields were ploughed but once a year and rather poorly at that, for the land was ploughed in ridges and there was a good deal of waste between the furrows. When Peter Kalm, the famous Scandinavian naturalist and traveller, paid his visit to the colony in 1748 he found 'white wheat most commonly in the fields.' But oats, rye, and barley were also grown. Some of the habitants grew maize in great quantities, while nearly all raised vegetables of various sorts, chiefly cabbages, pumpkins, and coarse melons. Some gave special attention to the cultivation of flax and hemp. The meadows of the St Lawrence valley were very fertile, and far superior, in Kalm's opinion, to those of the New England colonies; they furnished fodder in abundance. Wild hay could be had for the cutting, and every habitant had his conical stack of it on the river marshes. Hence the raising of cattle and horses became an im-

portant branch of colonial husbandry. The cattle and sheep were of inferior breed, undersized, and not very well cared for. The horses were much better. The habitant had a particular fondness for horses; even the poorest tried to keep two or three. This, as Catalogne pointed out, was a gross extravagance, for there was no work for the horses to do during nearly half the year.

The implements of agriculture were as crude as the methods. Most of them were made in the colony out of inferior materials and with poor workmanship. Kalm saw no drains in any part of the colony, although, as he lively remarked, 'they seemed to be much needed in places.' The fields were seldom fenced, and the cattle often made their way among the growing grain. The women usually worked with the men, especially at harvest time, for extra labour was scarce. Even the wife and daughters of the seigneur might be seen in the fields during the busy season. Each habitant had a clumsy, wooden-wheeled cart or wagon for workaday use. In this he handled his produce to town once or twice a year. For pleasure there was the celêche and the carriole. The celêche was a quaint two-wheeled vehicle with its seat set high in the air

on springs of generous girth; the carriole, a low-set sleigh on solid wooden runners, with a high back to give protection from the cold. Both are still used in various parts of Quebec to-day. The habitant made his own harness, often decorating it gaily and taking great pride in his workmanship.

The feudal folk of New France did not spend all their time or energies in toil. They had numerous holidays and times of recreation. Loyal to his Church, the habitant kept every *jour de fête* with religious precision. These days came frequently, so much so, according to Catalogne's report, that during the whole agricultural season from May to October, only ninety clear days were left for labour. On these numerous holidays were held the various festivals, religious or secular. Sunday, also was a day of general rendezvous. Every one came to Mass, whatever the weather. After the service various announcements were made at the church door by the local *capitaine de la milice*, who represented the civil government in the parish. Then the rest of the day was given over to visiting and recreation. There was plenty of time, moreover, for hunting and fishing; and the average habitant did both to his heart's content. In the winter there

was a great deal of visiting back and forth among neighbours, even on week-days. Dancing was a favourite diversion and card-playing also. Gambling at cards was more common among the people than suited either the priests or the civil authorities, as the records often attest. Less objectionable amusements were afforded by the *corvées récréatives* or gatherings at a habitant's home for some combination of work and play. The corn-husking corvée, for reasons which do not need elucidation, was of course the most popular of these. Of study or reading there was very little, for only a very small percentage of the people could read. Save for a few manuals of devotion there were no books in the home, and very few anywhere in the colony.

Two or three chroniclers of the day have left us pen-pictures of the French Canadians as they were before the English came. As a race, Giles Hocquart says, they were physically strong, well set-up, with plenty of stamina. They impressed La Hontan also as vigorous and untiring at anything that happened to gain their interest. They were fond of honours and sensitive to the slightest affront. This in part accounts for their tendency to litigiousness, which various intendants mentioned with

regret. The habitant went to law with his neighbour at every opportunity. His attitude toward questions of public policy was one of rare self-control; but when anything touched his own personal interests he always waxed warm immediately. Pretexts for squabbling there were in plenty. With lands unfenced and cattle wandering about, with most deeds and other legal documents loosely drawn, with too much time on their hands during the winter, it is not surprising that the people were continually falling out and rushing to the nearest royal court. The intendant Raudot suggested that this propensity should be curbed, otherwise there would soon be more lawsuits than settlers in the colony.

On the whole, however, the habitant was well behaved and gave the authorities very little trouble. To the Church of his fathers he gave ungrudging devotion, attending its services and paying its tithes with exemplary care. The Church was a great deal to the habitant; it was his school, his hospital, his newspaper, his philosopher telling of things present and things to come. From a religious point of view the whole colony was a unit. 'Thank God,' wrote one governor, 'there are no heretics here.' The Church, needing to spend

HABITANT PLOUGHING

From the painting by Huot

no time or thought in crushing its enemies, could give all its attention to its friends. As for offences against the laws of the land these were conspicuously few. The banks of the St Lawrence, when once the redskin danger was put out of the way, were quite safe for men to live upon. The hand of justice was swift and sure, but its intervention was not very often needed. New France was as law-abiding as New England; her people were quite as submissive to their leaders in both Church and State.

The people were fond of music, and seem to have obtained great enjoyment from their rasping, home-made violins. Every parish had its fiddler. But the popular repertoire was not very extensive. The Norman airs and folk-songs of the day were easy to learn, simple and melodious. They have remained in the hearts and on the lips of all French Canada for over two centuries. The shantyman of Three Rivers still goes off to the woods chanting the *Malbrouck s'en va-t-en guerre* which his ancestors sang in the days of Blenheim and Oudenarde. Many other traits of the race have been borne to the present time with little change. Then as now the habitant was a voluble talker, a teller of great stories about his own feats and experiences. Hocquart was impressed with

the scant popular regard for the truth in such things, and well he may have been. Even to-day this trait has not wholly disappeared.

Unlike his prototype, the censitaire of Old France, the habitant never became dispirited; even when things went wrong he retained his *bonhomie*. Taking too little thought for the morrow, he liked, as Charlevoix remarks, 'to get the fun out of his money, and scarcely anybody amused himself by hoarding it.' He was light-hearted even to frivolousness, and this gave the austere Church fathers many serious misgivings. He was courteous always, but boastful, and regarded his race as the salt of the earth. A Norman in every bone of his body, he used, as his descendants still do, quaint Norman idioms and forms of speech. He was proud of his ancestry. Stories that went back to the days when 'twenty thousand thieves landed at Hastings' were passed along from father to son, gaining in terms of prodigious valour as they went. His versatility gained him the friendship and confidence of the Indian, an advantage which his English brother to the south was rarely able to secure.

Much of the success which marked French diplomacy with the tribes was due to this versatility. Beneath an ungainly exterior the

habitant often concealed a surprising ability in certain lines of action. He was a master of blandishment when he had an end thereby to gain. Dealings which required duplicity, provided the outcome appeared to be desirable, did not rudely shock his conscience. He had no Puritan scruples in his dealings with men of another race and religion. But in many things he had a high sense of honour, and nothing roused his ire so readily as to question it. Unstable as water, however, he did not excel in tasks that took patience. He wanted to plough one day and hunt the next, so that in the long run he rarely did anything well. This spirit of independence was very pronounced. The habitant felt himself to be a free man. This is why he spurned the name 'censitaire.' As Charlevoix puts it, 'he breathed from his birth the air of liberty,' and showed it in the way he carried his head. A singular type, when all is said, and worthy of more study than it has received.

CHAPTER VI

'AD MAJOREM DEI GLORIAM'

CHURCH and State had a common aim in early Canada. Both sought success, not for themselves, but for 'the greater glory of God.' From beginning to end, therefore, the Catholic Church was a staunch ally of the civil authorities in all things which made for real and permanent colonial progress. There were many occasions, of course, when these two powers came almost to blows, for each had its own interpretation of what constituted the colony's best interests. But historians have given too much prominence to these rather brief intervals of antagonism, and have thereby created a misleading impression. The civil and religious authorities of New France were not normally at variance. They clashed fiercely now and then, it is quite true; but during the far greater portion of two centuries they supported each other firmly and worked hand in hand.

Now the root of all trouble, when these two interests came into ill-tempered controversy, was the conduct of the coureurs de bois. These roving traders taught the savages all the vices of French civilization in its most degenerate days. They debauched the Indian with brandy, swindled him out of his furs, and entered into illicit relations with the women of the tribes. They managed in general to convince the aborigines that all Frenchmen were dishonest and licentious. That the representatives of the Most Christian King should tolerate such conduct could not be regarded by the Church as anything other than plain malfeasance in office.

The Church in New France was militant, and in its vanguard of warriors was the Jesuit missionary. Members of the Society of Jesus first came to Quebec in 1625; others followed year by year and were sent off to establish their outposts of religion in the wilderness. They were men of great physical endurance and unconquerable will. The Jesuit went where no others dared to go; he often went alone, and always without armed protection.

> Behold him on his way; his breviary
> Which from his girdle hangs, his only shield.
> That well-known habit is his panoply,
> That Cross the only weapon he will wield;

By day he bears it for his staff afield,
By night it is the pillow of his bed.
No other lodging these wild woods can yield
Than Earth's hard lap, and rustling overhead
A canopy of deep and tangled boughs far spread.

It is not strange that the Jesuit father should have disliked the traders. A single visit from these rough and lawless men would undo the spiritual labour of years. How could the missionary enforce his lessons of righteousness when men of his own race so readily gave the lie to all his teachings? The missionaries accordingly complained to their superiors in poignant terms, and these in turn hurled their thunderbolts of excommunication against all who offended. But the trade was profitable, and Mammon continued, as in all ages, to retain his corps of ardent disciples. Religion and trade never became friendly in New France, nor could they ever become friendly so long as the Church stood firmly by its ancient traditions as a friend of law and order.

With agriculture, however, religion was on better terms. Men who stayed on their farms and tilled the soil might be grouped into parishes, their lands could be made to yield the tithe, their spiritual needs might readily be ministered unto. Hence it became the policy of the Church to support the civil

authorities in getting lands cleared for settlement, in improving the methods of cultivation, and in strengthening the seigneurial system at every point. This support the hierarchy gave in various ways, by providing curés for outlying seigneuries, by helping to bring peasant farmers from France, by using its influence to promote early marriages, and above all by setting an example before the people in having progressive agriculture on Church lands.

Both directly and through its dependent organizations the Catholic Church became the largest single landholder of New France. As early as 1626 the Jesuits received their first grant of land, the concession of Notre-Dame des Anges, near Quebec; and from that date forward the order received at intervals large tracts in various parts of the colony. Before the close of French dominion in Canada it had acquired a dozen estates, comprising almost a million arpents of land. This was about one-eighth of the entire area given out in seigneuries. Its two largest seigneurial estates were Batiscan and Cap de la Magdelaine; but Notre-Dame des Anges and Sillery, though smaller in area, were from their closeness to Quebec of much greater value. The king appreciated the work of the

Jesuits in Canada, and would gladly have contributed from the royal funds to its furtherance. But as the civil projects of the colony took a great deal of money, he was constrained, for the most part, to show his appreciation of religious enterprise by grants of land. As land was plentiful his bounty was lavish—sometimes a hundred thousand arpents at a time.

Next to the Jesuits as sharers of the royal generosity came the bishop and the Quebec seminary, with a patrimony of nearly seven hundred thousand arpents, an accumulation which was largely the work of François de Laval, first bishop of Quebec and founder of the seminary. The Sulpicians had, at the time the colony passed into English hands, an estate of about a quarter of a million arpents, including the most valuable seigneury of New France, on the island of Montreal. The Ursulines of Quebec and of Three Rivers possessed about seventy-five thousand arpents, while other orders and institutions, a half-dozen in all, had estates of varying acreage. Directly under its control the Church had thus acquired in mortmain over two million arpents, while the lay landowners of the colony had secured only about three times as much. It held about one-quarter

of all the granted lands, so that its position in Canada was relatively much stronger than in France.

These lands came from the king or his colonial representatives by royal patent. They were given sometimes in frankalmoigne or sometimes as ordinary seigneuries. The distinction was of little account however, for when land once went into the 'dead hand' it was likely to stay there for all time. The Church and its institutions, as seigneurs of the land, granted farms to habitants on the usual terms, gave them their deeds duly executed by a notary, received their annual dues, and assumed all the responsibilities of a lay seigneur. And as a rule the Church made a good seigneur. Settlers were brought out from France, and a great deal of care was taken in selecting them. They were aided, encouraged, and supported through the trying years of pioneering. As early as 1667 Laval was able to point with pride to the fact that his seigneuries of Beaupré and Isle d'Orleans contained over eleven hundred persons—more than one-quarter of the colony's entire population. These ecclesiastical seigneuries, moreover, were among the best in point of intelligent cultivation. With funds and know-

ledge at its disposal, the Church was better able than the ordinary lay seigneur to provide banal mills and means of communication. These seigneuries were therefore kept in the front rank of agricultural progress, and the example which they set before the eyes of the people must have been of great value.

The seigneurial system was also strengthened by the fact that the boundaries of seigneuries and parishes were usually the same. The chief reason for this is that the parish system was not created until most of the seigneuries had been settled. There were parishes, so-termed, in the colony from the very first; but not until 1722 was the entire colony set off into parish divisions. Forty-one parishes were created in the Quebec district; thirteen in the district of Three Rivers; and twenty-eight in the region round Montreal. These eighty-two parishes were roughly coterminous with the existing seigneuries, but not always so. Some few seigneuries had six or eight parishes within their bounds. In other cases, two or three seigneuries were merged into a single great parish. In the main, however, the two units of civil and spiritual power were alike.

From this identification of the parish and seigneury came some interesting results. The

seigneurial church became the parish church; where no church had been provided the manor-house was commonly used as a place of worship. Not infrequently the parish curé took up his abode in the seigneur's home and the two grew to be firm friends, each aiding the other with the weight of his own special authority and influence. The whole system of neighbourhood government, as the late Abbé Casgrain once pointed out, was based upon the authority of two men, the curé and the seigneur, 'who walked side by side and extended mutual help to each other. The censitaire, who was at the same time parishioner, had his two rallying-points—the church and the manor-house. The interests of the two were identical.' From this close alliance with the parish the seigneurial system naturally derived a great deal of its strong hold upon the people, for their fidelity to the priest was reflected in loyalty to the seigneur who ranked as his chief local patron and protector.

The people of the seigneuries paid a tithe or ecclesiastical tax for the support of their parish church. In origin, as its name implies, this payment amounted to one-tenth of the land's annual produce; but in New France the tithe was first fixed in 1663 at one-thirteenth,

but in 1679 this was reduced to one twenty-sixth. At this figure it has remained to the present day. Tithes were at the outset levied on every product of the soil or of the handiwork of man; but in practice they were collected on grain crops only. When the habitants of New France began to raise flax, hemp, and tobacco some of the priests insisted that these products should yield tithes also; but the Superior Council at Quebec ruled against this claim, and the king, on appeal, confirmed the council's decision. The Church collected its dues with strictness; the curés frequently went into the fields and estimated the total crop of each farm, so that they might later judge whether any habitant had held back the Church's due portion. Tithes were usually paid at Michaelmas, everything being delivered to the curé at his own place of abode. When he lived with the seigneur the tithes and seigneurial dues were paid together. But the total of the tithes collected during any year of the old régime was not large. In 1700 they amounted in value to about five thousand livres, a sum which did not support one-tenth of the colony's body of priests. By far the larger part of the necessary funds had to be provided by generous friends of the Church in France.

Churches were erected in the different seigneuries by funds and labour secured in various ways. Sometimes the bishop obtained money from France, sometimes the seigneur provided it, sometimes the habitants collected it among themselves. More often a part of what was necessary came from each of these three sources. Except in the towns, however, the churches were not pretentious in their architecture, and rarely cost much money. Stone, timber, and other building materials were taken freely from the lands of the seigneury, and the work of construction was usually performed by the parishioners themselves. As a result the edifices were rather ungainly as a rule, being built of rough-hewn timber. In 1681 there were only seven stone churches in all the seigneuries, and the royal officers deplored the fact that the people did not display greater pride or taste in the architecture of their sanctuaries. Bishop Laval felt strongly that this was discreditable, and steadfastly refused to perform the ceremony of consecration in any church which had not been substantially built of stone.

Where a seigneur erected a church at his own expense it was customary to let him have the patronage, or right of naming the priest.

This was an honour which the seigneurs seem to have valued highly. 'Every one here is puffed up with the greatest vanity,' wrote the intendant Duchesneau in 1681; 'there is not one but pretends to be a patron and wants the privilege of naming a curé for his lands, yet they are heavily in debt and in extreme poverty.' None of the great bishops of New France—Laval, St Vallier, or Pontbriand—had much sympathy with this seigneurial right of patronage or advowson, and each did what he could to break down the custom. In the end they succeeded; the bishop named the priest of every parish, although in many cases he sought the seigneur's counsel on such matters.

In the church of his seigneury the lord of the manor continued, however, to have various other prerogatives. For his use a special pew was always provided, and an elaborate decree, issued in 1709, set forth precisely where this pew should be. In religious processions the seigneur was entitled to precedence over all other laymen of the parish, taking his place directly behind the curé. He was the first to receive the tokens of the day on occasions of religious festival, as for example the palms on Palm Sunday. And when he died, the

seigneur was entitled to interment beneath the floor of the church, a privilege accorded only to men of worldly distinction and unblemished lives. All this recognition impressed the habitants, and they in turn gave their seigneur polite deference. Along the line of travel his carriage or carriole had the right of way, and the habitant doffed his cap in salute as the seigneur drove by. Catalogne mentioned that, despite all this, the Canadian seigneurs were not as ostentatiously given tokens of the habitants' respect as were the seigneurs in France. But this did not mean that the relations between the two classes were any less cordial. It meant only that the clear social atmosphere of the colony had not yet become dimmed by the mists of court duplicity. The habitants of New France respected the horny-handed man in homespun whom they called their seigneur: the depth of this loyalty and respect could not fairly be measured by old-world standards.

As a seigneur of lands the Church had the right to hold courts and administer justice within the bounds of its great estates. Like most lay seigneurs it received its lands with full rights of high, middle, and low jurisdiction (*haute, moyenne, et basse justice*). In its

seigneurial courts fines might be imposed or terms of imprisonment meted out. Even the death penalty might be exacted. Here was a great opportunity for abuse. A very inquisition would have been possible under the broad terms in which the king gave his grant of jurisdiction. Yet the Church in New France never to the slightest degree used its powers of civil jurisdiction to work oppression. As a matter of fact it rarely, if ever, made use of these powers at all. Troubles which arose among the habitants in the Church seigneuries were settled amicably, if possible, by the parish priest. Where the good offices of the priest did not suffice, the disputants were sent off to the nearest royal court. All this is worth comment, for in the earlier days of European feudalism the bishops and abbots held regular courts within the fiefs of the Church. And students of jurisprudence will recall that they succeeded in tincturing the old feudal customs with those principles of the canon law which all churchmen had learned and knew. While ostensibly applying crude mediaeval customs, many of these courts of the Church fiefs were virtually administering a highly developed system of jurisprudence based on the Roman law. Laval might have made history repeat

itself in Canada; but he had too many other things engaging his attention.

Lay seigneurs, on the other hand, held their courts regularly. And the fact that they did so is of great historical significance, for the right of court-holding rather than the obligation of military service is the earmark which distinguishes feudalism from all other systems of land tenure. Practically every Canadian seigneur had the judicial prerogative; he could establish a court in his seigneury, appoint its judge or judges, impose penalties upon the habitants, and put the fees or costs in his own pocket. In France this was a great source of emolument, and too many seigneurs used their courts to yield income rather than to dispense even-handed justice. But in Canada, owing to the relatively small number of suitors in the seigneuries, the system could not be made to pay its way. Some seigneurs appointed judges who held court once or twice a week. Others tried to save this expense by doing the work themselves. Behind the big table in the main room of his manor-house the seigneur sat in state and meted out justice in rough-and-ready fashion. He was supposed to administer it in true accord with the Custom of Paris; he might as well have been asked to

apply the Code of Hammurabi or the Capitularies of Charlemagne. But if the seigneur did not know the law, he at least knew the disputants, and his decisions were not often wide of the eternal equities. At any rate, if a suitor was not satisfied he could appeal to the royal courts. Only minor cases were dealt with in the seigneurial courts, and the appeals were not numerous.

On the whole, despite its crudeness, the administration of seigneurial justice in New France was satisfactory enough. The habitants, as far as the records show, made no complaint. Justice was prompt and inexpensive. It discouraged chicane and common barratry. Even the sarcastic La Hontan, who had little to say in general praise of the colony and its institutions, accords the judicial system a modest tribute. 'I will not say,' he writes, 'that the Goddess of Justice is more chaste here than in France, but at any rate, if she is sold, she is sold more cheaply. In Canada we do not pass through the clutches of advocates, the talons of attorneys, and the claws of clerks. These vermin do not as yet infest the land. Every one here pleads his own cause. Our Themis is prompt, and she does not bristle with fees, costs, and charges.' The testimony of others,

though not so rhetorically expressed, is enough to prove that both royal and seigneurial courts did their work in fairly acceptable fashion.

The Norman habitant, as has already been pointed out, was by nature restive, impulsive, and quarrelsome. That he did not make every seigneury a hotbed of petty strife was due largely to the stern hand held over him by priest and seigneur alike, but by his priest particularly. The Church in the colony never lost, as in France, the full confidence of the masses; the higher dignitaries never lost touch with the priest, nor the latter with the people. The clergy of New France did not form a privileged order, living on the fruits of other men's labour. On the contrary, they gave the colony far more than they took from it. Although paid a mere pittance, they never complained of the great physical drudgery that their work too often required. Indeed, if labourers were ever worthy of their hire, such toilers were the spiritual pioneers of France beyond the seas. No one who does not approach their aims and achievements with sympathy can ever fully understand the history of these earlier days. No one who does not appreciate the dominating place which the Church occupied in every walk of colonial life can fully

realize the great help which it gave, both by its active interest and by its example, to the agricultural policy of the civil power. The Church owed much to the seigneurial system, but not more than the system owed to it.

CHAPTER VII

THE TWILIGHT OF FEUDALISM

When the fleurs-de-lis of the Bourbons fluttered down from the ramparts of Quebec on September 18, 1759, a new era in the history of Canadian feudalism began. The new British government promptly allayed the fears of the conquered people by promising that all vested rights should be respected and that 'the lords of manors' should continue in possession of all their ancient privileges. This meant that they intended to recognize and retain the entire fabric of seigneurial tenure.

Now this step has been commonly regarded as a cardinal error on the part of the new suzerains, and on the whole the critics of British policy have had the testimony of succeeding events on their side. By 1760 the seigneurial system had fully performed for the colony all the good service it was ever likely to perform. It could easily have been abolished then and there. Had that action

been taken, a great many subsequent troubles would have been avoided. But in their desire to be generous the English authorities failed to do what was prudent, and the seigneurial system remained.

Many of the seigneurs, when Canada passed under British control, sold their seigneuries and went home to France. How great this hegira was can scarcely be estimated with exactness, but it is certain that the *émigrés* included all the military and most of the civil officials, together with a great many merchants, traders, and landowners. The colony lost those who could best afford to go; in other words, those whom it could least afford to let go. The priests, true to their traditions, stood by the colony in its hours of trial. But whatever the extent and character of the out-going, it is true that many seigneuries changed hands during the years 1763-64. Englishmen bought these lands at very low figures. Between them and the habitants there were no bonds of race, religion, language, or social sympathy. The new English seigneur looked upon his estate as an investment, and proceeded to deal with the habitants as though they were his tenantry. All this gave the seigneurial system a rude shock.

There was still another feature which caused the system to work much less smoothly after 1760 than before. The English did not retain the office of intendant. Their frame of government had no place for such an official. Yet the intendant had been the balance-wheel of the whole feudal machine in the days before the conquest. He it was who kept the seigneurial system from developing abuses; it was his praetorian power 'to order all things as may seem just and proper' that kept the seigneur's exactions within rigid bounds. The administration of New France was a government of men; that of the new régime was a government of laws. Hence it was that the British officials, although altogether well-intentioned, allowed grave wrongs to arise.

The new English judges, not unnaturally, misunderstood the seigneurial system. They stumbled readily into the error that tenure *en censive* was simply the old English tenure in *copyhold* under another name. Now the English copyholder held his land subject to the customs of the manor; his dues and services were fixed by local custom both as regards their nature and amount. What more easy, then, than to seek the local custom in Canada, and apply its rules to the decision

of all controversies respecting seigneurial claims?

Unfortunately for this simple solution, there was a great and fundamental difference between these two tenures. The Canadian censitaire had a written title-deed which stated explicitly the dues and services he was bound to give his seigneur; the copyholder had nothing of the kind. The habitant, moreover, had various rights guaranteed to him by royal decrees. No custom of the manor or seigneury could prevail against written contracts and statute-law. But the judges do not seem to have grasped this distinction; when cases involving disputed obligations came before them they called in notaries to establish what the local customs were, and rendered judgment accordingly. This gave the seigneur a great advantage, for the notaries usually took their side. Moreover, the new judicial system was more expensive than the old, so that when a seigneur chose to take his claims into court the habitants often let him have judgment by default rather than incur heavy costs.

During the twenty years following the conquest the externals of the seigneurial system remained unaltered; but its spirit underwent a great change. This was amply shown

during the American War of Independence, when the province was invaded by the Arnold-Montgomery expeditions. In all the years that the colony had been under French dominion a single word from any seigneur was enough to summon every one of his able-bodied habitants to arms. But now, only a dozen years after the English had assumed control, the answer made by the habitant to such appeals was of a very different nature. The authorities at Quebec, having only a small body of regular troops available for the defence of Canada against the invaders, called on the seigneurs to rally the old feudal array. The proclamation was issued on June 9, 1775. Most seigneurs responded promptly and called their habitants to armed service. But the latter, for the most part, refused to come. The seigneurs threatened that their lands would be confiscated; but even this did not move the habitants to comply. A writer of the time narrates what happened in one of the seigneuries, and it is doubtless typical of what took place in others. 'M. Deschambaud went over to his seigneury on the Richelieu,' he tells us, 'and summoned his tenants to arms; they listened patiently to what he had to say, and then peremptorily refused to accede to his

demands. At this the seigneur was foolish enough to draw his sword; whereupon the habitants gave both him and a few friends who accompanied him a severe thrashing, and sent them off vowing vengeance. Fearing retaliation, the habitants armed themselves, and to the number of several hundred prepared to attack any regular forces which might be sent against them. Through the discretion of Governor Carleton, however, who hastened to send one of his officers to disavow the action of the seigneur, and to promise the habitants that if they returned quietly to their homes they would not be molested, they were persuaded to disperse.' [1]

As the eighteenth century drew to a close it became evident that the people were getting restive under the restraints which the seigneurial system imposed. Lands had risen in value so that the *lods et ventes* now amounted to a considerable payment when lands changed owners. With the growth of population the banal right became very valuable to the seigneurs and an equally great inconvenience to the habitants. Many seigneurs made no attempt to provide adequate milling facilities.

[1] Masères, *Additional Papers concerning the Province of Quebec* (1776), pp. 71 *et seq.*

They gave the habitants a choice between bringing their grain to the half-broken-down windmill of the seigneury or paying the seigneur a money fine for his permission to take their grist elsewhere. New seigneurial demands, unheard of in earlier days, were often put forth and enforced.

The grievances of the habitants were not mitigated, moreover, by the way in which the authorities of the province gave lands to the United Empire Loyalists. These exiles from the revolted seaboard colonies came by thousands during the years following the war, and they were given generous grants of land. And these lands were not made subject to any seigneurial dues. They were given in freehold, in free and common socage. The new owners of these lands paid no annual dues and rendered no regular services to any superior authority. Their tenure seemed to the habitants to be very attractive. Hence the influx of the Loyalists gave strength to a movement for the abolition of seigneurial tenure—a movement which may be said to have had its first real beginning about 1790.

It was in that year that the solicitor-general of the province, in response to a request of the legislative council, presented a long report on

the land-tenure situation. The council, after due consideration of this report and other data submitted to it, passed a series of resolutions declaring that the seigneurial system was retarding the agricultural progress of the province and that, while its immediate abolition was not practicable, steps should be taken to get rid of it gradually. But nothing came of these resolutions. The Constitutional Act of 1791 greatly complicated the situation by its provisions relating to the so-termed 'clergy reserves,' or reservations of lands for Church endowment, and it was not until 1825 that the Canada Trade and Tenures Act opened the way for a commutation of tenures whenever the seigneur and his habitants could agree. This act was permissive only. It did not apply any compulsion to the seigneurs. Very few, accordingly, took advantage of its provisions.

This was the situation when the uprising of 1837-38 took place. The seigneurial system was not a leading cause of the rebellion, but it was one of the grievances included by the habitants in their general bill of complaint. Hence, when Lord Durham came to Quebec to investigate the causes of colonial discontent the system came in for its share of study. In his masterly *Report on the Affairs of British North*

THE SEIGNEURIAL COURT, 1855

From a drawing by W. W. Smith

America he recognized that the old system had outlived its day of usefulness, and that its continuance was unwise. But Durham outlined no plan for its abolition. He believed that if the province were given a government responsible to the masses of its own people, the problem of abolition would soon be solved. One of Durham's secretaries, Charles Buller, drafted a scheme for commuting the tenures into freehold, but his plan did not find acceptance.

For nearly twenty years after Durham's investigation the question of abolishing the seigneurial tenures remained a football of Canadian politics. Legislative commissions were appointed; they made investigations; they presented reports; but none succeeded in getting any comprehensive plan of abolition on the statute-books. In 1854, however, the question was made a leading issue at the general election. A definite mandate from the people was the result, and 'An Act for the Abolition of Feudal Rights and Duties in Lower Canada' received its enactment during the same year.

The provisions of this act for changing all seigneurial tenures into freehold are long and somewhat technical. They would not interest

the reader. In brief, it was arranged that the valid rights of each seigneur should be translated by special commissioners into an annual money rental, and that the habitants should pay this annual sum. The seigneur was required to pay no quit-rent to the public treasury. What he would have paid, by reason of getting his own lands into freehold, was applied *pro rata* to the reduction of the annual rentals payable by the habitants. It was arranged, furthermore, that any habitant might commute this yearly rental by paying his seigneur a lump sum such as would represent his rent capitalized at the rate of six per cent.

The whole undertaking was difficult and complicated. A great many perplexing questions arose, and a special court had to be created to deal with them.[1] On the whole, however, the commissioners performed their tasks carefully and without causing undue friction. Class prejudice was strong, and by most of the seigneurs the whole scheme was

[1] This court was constituted of four judges of the Court of the Queen's Bench and nine judges of the Superior Court of Lower Canada, as follows: Sir Louis H. La Fontaine, Chief Justice; Justices Duval, Aylwin, and Caron of the Court of the Queen's Bench; the Hon. Edward Bowen, Chief Justice; Justices Morin, Mondelet, Vanfelson, Day, Smith, Meredith, Short, and Badgley of the Superior Court.

regarded as a high-handed piece of legislative confiscation. They opposed it bitterly from first to last. Among the habitants, however, the abolition of the old tenure was popular, for it meant, in their opinion, that every one would henceforth be a real landowner. But in the long run it signified nothing of the sort. Very few of the habitants took advantage of the provision which enabled them to pay a lump sum in lieu of an annual rental. Down to the present day the great majority of them continue to pay their *rente constituée* as did their fathers before them. With due adherence to ancient custom they pay it each St Martin's Day, and to the man whom they still call 'the seigneur.' Seigneur he is no longer; for the act of 1854 abolished not only the emoluments, but the honours attaching to this rank. But traditions live long in isolated communities, and the habitants of the St Lawrence valley still give, along with their annual rent, a great deal of old-time deference to the man who holds the lands upon which they live.

The twilight of European feudalism was more prolonged in French Canada than in any other land. Its prolongation was unfortunate. For several decades preceding 1854 it had failed to adjust itself to the new environment, and its

continuance was an obstacle to the economic progress of Canada. Its abolition was wise—a generation or two earlier it would have been even wiser. All this is not to say, however, that the seigneurial system did not serve a highly useful purpose in its day. So long as it fitted into the needs of the colony, so long as the intendancy remained to guard the people against seigneurial avarice, the system had a great deal to be said in its behalf. It helped to make New France stronger in arms than she could have become under any other plan of land tenure; and with states as with men self-preservation is the first law of nature.

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