

SESSIONAL PAPER No. 18

and Dangerous to the Province to frame or reform Laws in the Dark, and upon speculation only, and for the purpose of obtaining such necessary Information on so serious and important a subject—Their Lordships humbly submit to your Majesty, to order your now Gov^r of the said Province, or his locum tenens, with the advice and assistance of the Council, the Chief Justice and Attorney Genl. of your Majesty's Province, and taking such other assistance as shall be thought necessary to report to your Ma'ty.

1st "Whether any and what defects are now subsisting in the present state of Judicature."

2^d "Whether the Canadians in particular are, or think themselves aggrieved according to the present administration of Justice. Wherein and in what respects together with their Opinions of any alterations, additions or amendments that they can propose for the Général Benefit of the said Province, and that such Alterations or Amendments for the clearer apprehension thereof be transmitted in form of Ordinance, but not passed as such, and that such Report be returned signed by your Majesty's Gov^r or locum tenens the said Chief Justice & Attorney Genl. But if they should not concur, the Person or Persons differing in opinion be required to report the difference of his opinion, together with his reasons for such difference of Opinion fully and at large. And that a fit and proper Person be sent with such Instructions and to bring back such Report for the most convenient dispatch, and who being properly recommended to the said Officers may be enabled to explain any difficulties, if any such should arise from the said Report." 5/

His Majesty this day took the said Report into Consideration and was pleased with the advice of His privy Council to approve thereof and to order, that the Right hoñble. the Earl of Shelburne, one of His Majesty's principal Secretaries of State do give the necessary directions for carrying into execution what is proposed therein to be done.

SHELBURNE TO CARLETON¹

WHITEHALL Dec. 17. 1767.

GOVERNOR OF QUEBEC.

Sir,

His Majesty having been pleased to order that I should give the necessary directions for carrying into execution the intentions of an order of His Majesty's Council (which I have already transmitted to you) dated the 28th day of August, 1767,² relative to certain supposed defects in the present state of Judicature of the province of Quebec; I am therefore to signify to you His Majesty's pleasure, that you, taking to your Assistance the Chief

¹ Canadian Archives, Q 4, p. 325.

² See p. 285.