

ment they realized that for even a temporary system of administration to succeed it must possess the sympathy of the governed and not conflict with their national customs. The French Canadians had become accustomed to exactly the form of government the officers of the British army could understand and appreciate—a military system—and they did not take long to decide to try and perpetuate it and secure the co-operation of the old colonial officials in carrying on the government of the country. Under the old French regime, the administration of municipal affairs, and the interpretation of the local laws were in the hands of the militia officers. They were the mayors, councillors, district judges, tax collectors, road inspectors and surveyors; their sergeants acted as foremen of the public works, constables, bailiffs, criers and general court officers.

It was in the execution of these important civil functions that the services of the first militia in this province under British rule were called into requisition. In each of the three districts of Montreal, Three Rivers and Quebec, into which the province was divided by the first military government, several courts of justice were established, composed of militia officers of the country, who decided cases brought before them in a summary way, with an appeal to a court composed of officers of His Majesty's army. Thus the administration of the French laws, the continuance of which, pending the negotiations of a treaty, had been promised to the conquered people at the capitulation of Montreal, was placed in the hands of those considered to be the best versed in their intricacies.

In a letter written upon his retirement from the governorship of the district of Montreal, October 1763, General Thomas Gage, addressed a letter to "Messrs, les Capitaines de la Chambre de Milice de Montreal" in which he expressed the satisfaction that he had always derived from their conduct during the time he had held office.

Shortly after the date upon which this letter was written, the treaty of Paris, finally ceding Canada to Britain having been in the meantime negotiated, and some of the western Indian tribes threatening to cause trouble, an effort was made to raise a force of militia for military purposes. The first attempt was not promising, for on March 25th, 1764, Colonel Haldimand, then military governor of Montreal, wrote to his predecessor, General Gage, then Commander-in-Chief in America, stating that he had experienced great difficulties in recruiting the militia force considered necessary for the defence of the newly acquired colony. He reported, however, that he had succeeded in enrolling a few militiamen and had given the command to M. de Montzambert, with M. de Richeville and a Mr. Smith as lieutenants.

Shortly before this date, to be exact, on October 7, 1763, British civil government had been proclaimed in Canada, and notice was given of the cancellation of the existing French laws. For the time being, failing the

proclamation of new laws, many of the old ones were continued in force in accordance with the maxim that a conquered people retain their ancient customs till the conqueror shall declare new laws.

So practically the military administration continued for some time subsequently to the proclamation of civil government. New laws to meet all the existing local conditions could hardly be expected to be produced at once. The old population of the colony rather favored a continuation of the military rule. Being a brave and military people, immured to war and military discipline, they had taken kindly to military rule, but the gradually growing British civilian population did not like it, and one of the objects of the proclamation of 1763 was to encourage a larger British immigration into the province. The proclamation established the English criminal law, but recognized the ancient customs and civil laws of New France. For the interpretation of these the administration continued to avail themselves of the services of some of the tribunals composed of militia officers. At this time there was considerable uncertainty as to the limitations of the two systems of judicature and there was much overlapping of systems and many disputes as to procedure, etc. Friction arose, and more or less local ill-feeling was gradually consolidated into a wave of national discontent. The authorities found themselves too much occupied otherwise to find time to draft a new militia law. But the critical state of affairs due to Pontiac's conspiracy developing ominously in the far west, steps were taken for the raising of a special service corps of Canadian militia to consist of five companies of sixty men each, to be raised, two companies in the government of Montreal, two in that of Quebec and one in that of Three Rivers. The order authorizing the raising of these companies stated that they would be under the command of Canadian officers, and it was considered necessary to add—"Only those who, of their own free will, are determined to become subjects of His Majesty will be enrolled in these companies."

After detailing the conditions of service, the order continued:—"Such a step (the enrollment of the companies) indicates in the government confidence in the subjects of His Majesty. We are in the right in expecting that they will not only enroll readily, but will show great faithfulness to fulfill their engagements wherever they may be placed by circumstances and for the good of the service. They should act as much through honor and duty as through gratitude and through zeal in their own interest." Each volunteer was to receive a bounty of twelve dollars, and pay at the rate of six English pence a day, of course with rations and supplies. Volunteers were required to enlist for the campaign, and on enlistment they were entitled to an issue of one coat, two pairs of Indian moccasins and a pair of mitts.

The part taken by these Canadian companies in the suppression of the Indian uprising is a matter of general history.