

6-7 EDWARD VII., A. 1907

found an opportunity, but they are not the growth of this Province & your Lordship knows we have no communication with any other. I am told Lord Gage has trees of them of all sorts sent many years ago by his Brother the General from New York.

Sept<sup>r</sup> 11<sup>th</sup>

I am sorry to be obliged to inform your Lordship that matters are much worse since I began this letter which I have not yet found an opportunity of sending No ship having sailed from hence to England during the Interval.

The Rebels are returned into this Province in great Numbers well provided with every thing & seemingly resolved to make themselves masters of this Province. Hardly a Canadian will take arms to oppose **them** & I doubt all we have to trust to is about 500 men & 2 small forts **at** St. Johns. Everything seems to be desperate & I cannot but fear that before this reaches your Lordship Canada will be as fully in the Possession of the Rebels as any other Province upon the Continent, I shall stay 'till every hope is gone which will I fear be but a short time.

Sep<sup>r</sup> 17<sup>th</sup>. The Rebels have succeeded in making Peace with the Savages who have all left the Camp at St. John's many of the Canadians in that Neighbourhood are in arms against the King's Troops & not one hundred except in the Towns of Montreal & Quebec are with us. St. John's & Montreal must soon fall into their hands—& I doubt Quebec will follow too soon. In this situation I hold myself in readiness to embark for England where I possibly may be of some use your Lordship will I hope agree with me that I can be of none here.

Endorsed :—Original Letter from Mr. Hay chief Justice of Quebec to the Lord Chancellor dated Augt. 20<sup>th</sup> Sep<sup>r</sup> 11 & 17<sup>th</sup> communicated by his Lordship 12<sup>th</sup> Novemb<sup>r</sup> 1775.

### COMMISSION FOR A COURT OF APPEALS<sup>1</sup>

Quebec, 1<sup>st</sup> August, 1776.

George the Third by the Grace of God of Great Britain France and Ireland King Defender of the Faith, and so forth.

To our Governor, our Lieutenant Governor, and our chief Justice of our Province of Quebec for the time being.

Know ye that we have though fit to constitute and appoint and by these presents, which are to continue and be in force only during our royal will and pleasure, we do constitute and appoint you, or either of you, together with the other Members of our Council of our said Province, for the time being, or any five of them /provided no Member thereof shall sit or vote in any Cause which he shall have already heard or given judgment in/ to be a Court of Appeals within our said Province, with Power to receive appeals from any Court of Civil Jurisdiction within the same in all cases where the matter in dispute shall exceed the Value of Ten pounds lawful

<sup>1</sup> Canadian Archives, Q. 12, p. 131.