

"protection of the English laws, in so far as related to personal property ;  
 "and that their liberty may be ascertained according to their ancient  
 "constitutional rights and privileges heretofore granted to all his majesty's  
 "dutiful subjects throughout the British empire.

"And your petitioners, as in duty bound, will ever pray.

"Quebeck, 12th Nov. 1774."

### INSTRUCTIONS TO GOVERNOR CARLETON, 1775.<sup>1</sup>

George R.

[L.S.]

Instructions to Our Trusty and Welbeloved Guy Carleton Esquire, Our Captain General and Governor in Chief in, and over Our Province of Quebec in America and of all Our Territories dependent thereupon. Given at Our Court at St James's the Third Day of January 1775. In the Fifteenth year of Our Reign.

First, With these Our Instructions you will receive Our Commission under Our Great Seal of Great Britain, constituting you Our Captain General

<sup>1</sup> Canadian Archives, M 230, p. 116. There are several memoranda among the Dartmouth Papers, giving suggestions or draughts of various parts of the new Instructions for the Governor of Quebec. Most of these are without name or date. Some of them are referred to in connection with the articles of the instructions to which they relate. Among them is one endorsed, "Minutes of Quebec Instructions," which indicates some of the chief points to be considered in framing the Instructions. It is as follows:—(the numbers of the articles in the Instructions which embody the features indicated are given within brackets after each head):

"Quebec—Habeas Corpus writ (13).

"Supreme Court of criminal Jurisdiction called K<sup>s</sup> Bench. 2 Districts, Quebec & Montreal C. of Com. Pleas in each for civil suits 3 Judges in each. 2 Nat. Born & 1 Canadian. 1 C. of K's B. in each of the 5 out Posts. 1 Judge, & 1 Canad. Assessor in Treason murder or Cap. Felony only to have power to commit Council to be Court of appeal where above £10 final to £500, above appeal to K. in Council, all Commissions, during pleasure. (15).

"Gov<sup>r</sup> not to displace officers without representation. (17).

"No ecclesiast. Jurisd. to be exercised without Licence. No person to be ordained without Licence. (21, sec. 2).

"Prot. Tythes to be paid to Rec<sup>r</sup> Gen<sup>l</sup> for support of Protestant Clergy. (21. sec. 5).

"Seminaries of Qu. & Montr. to remain.—(21, sec. 11).

"All other Communities (except Jesuits) to remain as at present—not to fill up except Nuns." (21, sec. 12). M. 385, p. 372.

On Dec. 5, 1774, the Board of Trade submitted to the King the draught of a new Commission for Governor Carleton with such formal changes only, as compared with the last, as were required by the terms of the Quebec Act. On Dec. 22nd the Board of Trade laid before the King the draught of the General Instructions for Governor Carleton. "This draught," they say, "contains not only such Instructions as are usually given to other governors, so far as the same are applicable to this Province under its New Constitution of Government; but also such other directions for the establishment of Judicature; the reform and regulation of Ecclesiastical matters; and the arrangements proper to be made in respect to the Coast of Labrador, and the interior Country, as appear to us to be necessary in consequence of the Act passed in the last Session of the late Parliament; it also contains an appointment of the Council conformable to that Act, and directs the provisions to be made for the support of the Civil Establishment of Government.

"We also humbly beg leave to lay before your Majesty a draught of such Instructions to your Majesty's Governor of Quebec as are usually given to the governors of your Majesty's other Colonies respecting the observance and the execution of the Laws for regulating the Plantation Trade.

"All which is most humbly submitted, Whitshed Keene, C. F. Greville, Soame Jenyns, W. Joliffe." Q 18 B., p. 108.

On Jan. 7th, 1775, Dartmouth sent a despatch to Carleton enclosing his Commission and Instructions. After repeating the statements of the Board of Trade, given above, he adds, "These documents contain such arrangements, in consequence of the Act of the 14th of his present Majesty, for providing for the more effectual Government of the Province of Quebec, as were necessary to accompany the new Commission, & also the outlines of that System of Judicature, & general Regulation of Ecclesiastical Affairs, which the King thinks fit should be provided for by Ordinances of the Legislative Council. Q 11, p. 59.