

might be a Means to recall out of the French Service, such as have yet Possessions in this Country, or at least oblige them to dispose of their Effects here, and although it may not be possible, at least for a Time, entirely to prevent that Intercourse, every Measure, that can tend towards putting an End to it, must be Useful.

The Canadian Tenures differ, it is true, from those in the other Parts of His Majesty's American Dominions, but if confirmed, and I cannot see how it well can be avoided, without entirely oversetting the Properties of the People, will ever secure a proper Subordination from this Province to Great Britain; if it's detached Situation be Constantly Remembered, and that on the Canadian Stock we can only depend for an Increase of Population therein, the Policy of Continuing to them their Customs and Usages will be sufficiently Evinced.

For the foregoing Reasons it has occurred to His Majesty's Servants here, that it might prove of Advantage, if, whatever Lands remain Vacant in the Interior Parts of the Province, bordering upon those, where the old Customs prevail, were henceforth granted on the like Conditions, taking care that those at Gaspey and Chaleur Bay, where the King's old Subjects ought chiefly to be encouraged to settle, were granted on such Conditions only, as are required by His Royal Instructions; And, upon this Consideration, have some Grants, in the interior Parts, been deferred Carrying into Execution, until I could receive the sense of Government thereupon.

Your Lordship may have perceived by some of my former Letters, that long before His Majesty's Order in Council of the 28th August¹ came to my Hands, the Matter therein Recommended had been the Object of my most serious Consideration; the Receipt of that Order has induced me to alter some Part of the Plan I at first Proposed to myself, and have accordingly directed the Abridgement mentioned to Your Lordship in my Letter of 24th December (No. 23)² and undertaken by some of the ablest Men in the Province to be further extended, and rendered more full and Copious, and to Comprise all the Laws in Force at the Conquest; in the mean Time, to give Your Lordship, and His Majesty's other Servants, some Idea of the Nature of them, I herewith transmit to Your Lordship a short Sketch, exhibiting only the Heads of those Laws³; the several

¹ See p. 285.

² See p. 288.

³ The summary of French laws, here mentioned, follows this despatch under the title, "Coutumes et usages anciens De La Province de Québec." and will be found in Q 5-2 pp. 482-559. The more complete compilation of the French law and constitution, represented as in force in Canada before the Conquest, was prepared, chiefly under the supervision of F. J. Cugnet, and sent to Britain in Sept. 1769. In 1772 several compilations of the French Canadian laws &c. were published; the most important being:—"An Abstract of those parts of the Custom of the Viscountry and Provostship of Paris which were Received and Practised in the Province of Quebec in the time of the French Government. Drawn up by a select Committee of Canadian Gentlemen well skilled in the laws of France and of that Province by the desire of the Hon. Guy Carleton Esq. Governor in Chief of the said Province, London 1772."

"An Abstract of the Several Royal Edicts & Declarations and Provincial regulations and ordinances, that were in force in the Province of Quebec in the time of the French Government; and of the Commissions of the several Governors General and Intendants of the same Province during the same period. By Francis Joseph Cugnet Esq. Secretary to the Governor and Council of the said Province for the French Language. By direction of Guy Carleton 1772."