

## SESSIONAL PAPER No. 18

Zeal, when formed into regular Corps, do not relish commanding a bare Militia, they never were used to that Service under the French Government, (and perhaps for good Reasons) besides the sudden Dismission of the Canadian Regiment raised in 1764, without Gratuity or Recompence to Officers, who engaged in our Service almost immediately after the Cession of the Country, or taking any Notice of them since, tho' they all expected half pay, is still uppermost in their Thoughts, and not likely to encourage their engaging a second Time in the same Way ; As to the Habitants or Peasantry, ever since the Civil Authority has been introduced into the Province, the Government of it has hung so loose, and retained so little Power, they have in a Manner emancipated themselves, and it will require Time, and discreet Management likewise, to recall them to their ancient Habits of Obedience and Discipline ; considering all the new Ideas they have been acquiring for these ten years past, can it be thought they will be pleased at being suddenly, and without Preparation embodied into a Militia, and marched from their Families, Lands, and Habitations to remote Provinces, and all the Horrors of War, which they have already experienced ; It would give an appearance of Truth to the Language of our Sons of Sedition, at this very Moment busily employed instilling into their Minds, that the Act was passed merely to serve the present Purposes of Government, and in the full Intention of ruling over them with all the Despotism of their ancient Masters.—

It may be further observed, that the Act is no more than the Foundation of future Establishments ; that the new Commissions and Instructions, expected out, are not yet arrived, and that the Dissolution of the present Constitution, if it deserves the Name, and Establishment of the new one, are still at some Distance ; at that Period, upon the first of May, every Civil Regulation, at present existing, is annihilated, and the whole to be cast into a new Form, a Work that must necessarily be attended with some Difficulty, and will require Time, Consideration, and great Prudence, for which it is not in our Power to prepare, untill the final Determination of the Ministry upon all these Matters is known: had the present Settlement taken Place, when first recommended, it would not have aroused the Jealousy of the other Colonies, and had the appearance of more disinterested

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<sup>1</sup> The Quebec Act was to come into force on May 1st, 1775. As indicated above, there was not time before that date, to prepare the necessary legal machinery of courts, etc., for the radical reversion from the English to the French system of law. Accordingly, on the 26th April, 1775, Carleton issued a proclamation stating that under existing conditions, and with the authority of his commission as Governor, "I have constituted and appointed Adam Mabane, Thomas Dunn, John Fraser and John Marteilhe, Esquires, as His Majesty's Justices of the Courts of Common Pleas for the Districts of Quebec and Montreal in this Province; and Hertel Rouville of Montreal, and John Claude Panet of Quebec, Esquires, or any two or more of them, to be from and after the said first Day in May next ensuing, during Pleasure, or until proper Courts of Judicature can be established in the said Districts, Conservators of the Peace throughout the same, with all necessary Powers and Authorities for that and other the purposes aforesaid, to be done and executed According to Law; and further, from and during all the time aforesaid, to the Commissioners for suing Civil Process, and causing the same to be executed in the said Districts, in such Manner as the Law directs and by their Commission is appointed." By the same commission he also continued in office the former bailiffs of the Districts of Quebec and Montreal. The proclamation was published in the *Quebec Gazette* of April 27th, 1775.