

6-7 EDWARD VII, A. 1907

without remanding the Record upon any Occasion or sending it back to the Court below even in Cases where the Judgment of the Court below shall be confirmed.

And whereas Doubts may arise whether the Revival & Restoration of the Canadian Laws with Respect to real Property may not have restored the Seigniorial and other Courts established for the Regulation and Government of that Property as incident thereto.

It is further Enacted and Ordained that from the Publication of this Ordinance No Seigneur or Lord of any Seigneurie or fief shall either by himself or any Judge appointed by him hold any Court within or for any fief or Seigneurie whatsoever belonging to him or exercise either by himself or any other Person any Judicial Power or Authority whatsoever within his Seigneurie but all such Powers And Authorities are hereby declared void any Grant Usage or Custom heretofore prevailing to the Contrary hereof in any wise Notwithstanding.

Endorsed:

Dra^t of Ordinance for establishing Courts of Justice in the Province of Quebec.

CARLETON TO GAGE.¹

(Secret) (Copy)

QUEBEC 4th Feby. 1775.

SIR

As this goes by Lt. Cleveland of the 7th, I will venture to be more explicit about what you mention of the Canadians and Indians in your Letter² of the 25th Dec^r last, than I thought it prudent to do by Post, as one may naturally suppose, those, who seem resolved to force their Country into Rebellion, Jealous of the Correspondence, may intercept our Letters, to make themselves Masters of the Correspondence, and should those Disorders continue, as there is too much Reason to apprehend, I submit it to your Consideration, whether it may not be proper to send me a Cypher, for the greater Security of our Correspondence on Matters of a secret nature.

The Canadians in General have been made very happy by the Act passed in their Favor, all that have spoke, or wrote to me upon the subject, express the most grateful Sense of what has been done for them ; I must not however conceal from Your Excellency, that the Gentry, well disposed, and heartily desirous as they are, to serve the Crown, and to serve it with

¹ Canadian Archives, Q 11, p. 290. Gen. Gage had arrived in Boston on May 13th, 1774, in the double capacity of Governor of Massachusetts and Commander in Chief of the British forces in North America. Upon him, therefore, rested the duty of carrying out the repressive measures enacted by the Home Government, such as the "Port Act," the "Regulating Act," the "Quartering Act," &c. The troubles which culminated in a rising of the people in Sept. induced Gage to call for more troops. He therefore, as we have seen (p. 582), not only summoned two regiments from Quebec, but enquired as to Carleton's ability to send him a body of Canadians and Indians to assist in suppressing the colonists.

² This letter has not yet been found among the State Papers.