

SESSIONAL PAPER No. 18

same; Our Will and Pleasure is, that when it shall happen that you are absent from Our said Province, One full Moiety of the Salary, and all Perquisites and Emoluments whatsoever, which would otherwise become due unto You, shall, during the time of your Absence, be paid and satisfied unto Our Commander in Chief, who shall be resident within Our said Province for the Time being; which We do hereby order and allot unto him for his Maintenance, and for the better Support of the Dignity of that Our Government.

82. And You are upon all Occasions to send unto Our Commissioners for Trade and Plantations only, a particular Account of all your Proceedings, and of the Condition of Affairs within your Government, in order to be laid before Us: provided nevertheless, whenever any Occurrences shall happen within your Government of such a Nature and Importance as may require Our more immediate Directions by One of Our Principal Secretaries of State and also upon all Occasions and in all Affairs wherein you may receive Our Orders by One of Our Principal Secretaries of State, you shall in all such Cases transmit to Our Secretary of State only an Account of all such Occurrences, and of your Proceedings relative to such Orders:—

G. R.

ORDINANCE ESTABLISHING CIVIL COURTS.¹

An ORDINANCE, for regulating and establishing the Courts of Judicature, Justices of the Peace, Quarter-Sessions, Bailiffs, and other Matters relative to the Distribution of Justice in this Province.²

Whereas it is highly expedient and necessary, for the well governing of His Majesty's good Subjects of the Province of *Quebec*, and for the speedy and impartial Distribution of Justice among the same, that proper Courts of Judicature, with proper Powers and Authorities, and under proper Regulations, should be established and appointed:

His Excellency the Governor, by and with the Advice, Consent and Assistance of His Majesty's Council, and by Virtue of the Power and Authority to him given by His Majesty's Letters Patent, under the Great Seal of *Great-Britain*, hath thought fit to Ordain and Declare; and his said Excellency, by and with the Advice, Consent and Assistance aforesaid, *Doth hereby Ordain and Declare,*

That a Superior Court of Judicature, or Court of King's Bench, be established in this Province, to sit and hold Terms in the Town of *Quebec*,

¹ The text of this ordinance is taken from, "Ordinances, Made for the Province of Quebec, by the Governor and Council of the said Province, since the Establishment of the Civil Government. Quebec, 1767." This has been compared with the copy in the Canadian Archives, vol. Q 62 A, pt. 2, p. 500.

² This and the other ordinances of the period were passed under the authority of the Proclamation of Oct. 8th, 1763, together with the Commission and Instructions given to Governor Murray. Civil Government was not formally established in Canada until Aug. 10th, 1764. This was due to the terms of the Treaty of Paris, of 10th Feb., 1763, which specified that eighteen months were to be allowed for those French-Canadians who cared to leave the country to do so.