

6-7 EDWARD VII., A. 1907

effects and the produce of the sale of their estates, within the eighteen months allowed by your Majesty for that purpose.

Some of the ancient laws and usages are still observed by the Canadians.

These are the public instruments by which it is generally supposed, by those who have perused them, that the laws of England have been introduced into this province. But as your Majesty's royal proclamation above-mentioned, and your commission to General Murray to be governour in chief of this province, have never been published here in the French language, and as the provincial ordinances above-mentioned of the 17th of September and the 6th of November 1764, which have been published here in the French language, have mentioned this change in the laws in very concise and general terms, without specifying or describing any of the laws of England that were thereby introduced, the greatest part of your Majesty's new subjects remain ignorant of *the extent* of the change to this hour, and imagine that their ancient laws and usages are *in many points* still in force. They still divide their lands upon an inheritance in the same manner as before the conquest; their widows are admitted to the same shares of them as before, without any regard to the English rule of dower, which differs widely from that of the French law; and the personal estates of persons who die intestate are distributed at their decease according to the rules of the French law, which are somewhat different (though not very greatly, as we are informed) from those of the English statute of distributions; and the distributions of their personal estates have likewise been made for the most part by persons authorized thereunto in the manner that was usual under the French government, and not by receiving letters of administration from your Majesty's governour of the province in the manner directed by your Majesty's instructions. Fortunately for the peace of the province no litigations have yet arisen in any of your Majesty's courts of justice to give occasion to decisions that would make them acquainted with the change of the laws in these particulars, which would probably create a great deal of uneasiness.

A diversity in the practice of the English and Canadian inhabitants of the province, with respect to letters of administration and the distribution of the effects of persons who die intestate.

Yet upon the decease of your Majesty's British subjects in this province, their relations have taken out letters of administration from the governour of the province, agreeably to your Majesty's instruction for that purpose, and, as we believe, have followed the English rule of distribution; and some few, but very few, of your Majesty's new subjects have likewise taken out letters of administration in the same manner, but have followed, as we believe, the rules of the French law, with respect to the distribution of the effects. We humbly apprehend that this diversity in the practice of your Majesty's subjects