

6-7 EDWARD VII., A. 1907

QUERIES RE GOVERNMENT OF QUEBEC.¹

QUERIES relative to the Government of Quebec for Consideration in case the Bill passes in its present shape.

Limits

The Line between Quebec and New York has not been continued further to the South West than Windmill Point, on Lake Champlain in Latitude 45.

Q. How is it to be settled with regard to these two Provinces between that station Point and the Boundary Line of Pennsylvania?

General Government & Courts of Justice.

Q. What is to be the number of the Council? In what Proportion are the Canadians to be admitted into that and other Offices, and under what Test?

Q. What Courts of Criminal and Civil Justice are to be established either generally for the Province at large, or separately for its subordinate Dependencies. Whether by Ordinances of the Legislative Council, by Commissions from the King, or by Commissions from the Governor?

Who are to be the Puisne Judges in such Courts? Are any, or if any, what number of Canadians to be appointed Judges? and under what Qualifications.

Of what other Offices is the Civil Establishment for the Province of Quebec and for its Dependencies to consist, and how are they to be appointed and paid?

Is the office of Provost Marshal to be revived, or are Sheriffs to be substituted in the place of it?

If the latter is to take place, what compensation is to be made to the present Provost Marshal, or to any other Patent Officer, whose Office shall happen to be discontinued?

In what manner is a Revenue to be established, and how appropriated & applied.

¹ Canadian Archives, M 385, p. 332. These "Queries" were evidently framed before the Bill had assumed its final form. The section with reference to "Limits" was provided for by the preamble in the Commons. The number of Councillors was fixed at not less than 17 nor more than 23. The number of Canadians to be admitted to the Council was not dealt with, but the oath to be taken by the Roman Catholic members was prescribed. The question of the revenue was dealt with in the Quebec Revenue Act which follows the Quebec Act; see p. 576. Most of the other matters under the head of "Religion, Government, and Courts of Justice," are left for future consideration, some of them being covered in the Instructions to the Governor. John Pownall, one of the Under Secretaries of State for the Colonies, in a note to Lord Dartmouth of July 17th, 1774, has the following paragraph. "Gen^l Carleton is gone; he recommends himself to your Lordships protection & requests your attention to the few memorandums & to the list of Persons recommended for Councillors which I have the honour to enclose." M. 385, p. 425. In quite another place we come upon a few notes endorsed "Gen^l Carleton's Memoranda;" the chief item in which has reference to the subject of religion as indicated in these "Queries." "Gen^l Carleton wishes that on the head of ecclesiastical arrangements, he may be left as much to himself as possible—he has no objection to having every idea and proposition of Government in regard thereto suggested in his Instructions; but he disapproves the suppression of any religious Communities except the Jesuits, and begs he may be left at liberty to use his own discretion in this very delicate business." M 384, p. 329.