

6-7 EDWARD VII., A. 1907

Justice & Attorney Genl. of Quebec, together with Maurice Morgan¹ Esq^r the Bearer of this Letter, & advising with such other intelligent & well-instructed persons as you shall judge proper, do make full & accurate enquiry into this matter, so that having obtained complete & authentic information of the present State of Judicature in the Province of Quebec, you may be enabled to give your opinion of any Reform or Amendment that may be thought necessary in the Form of Ordinances to be transmitted here, for the consideration of His Majesty's Privy Council, from which Ordinances, when completed, you are, with the advice and assistance of the Council of Quebec, to form a report² for His Majesty's Consideration; and whereas I am directed to nominate a fit & proper person to carry out the necessary Orders for this purpose, who may confer with you and the other persons named, with full confidence upon the general subject of these orders, to the end that, acquainting himself with the reasons & motives upon which any reform shall be proposed, he may upon his return explain to His Majesty's Ministers & Council any difficulties which may arise thereupon; I have accordingly recommended to His Majesty Maurice Morgan Esq^r as a person every way qualified for this business; and I request you will favour him with your good Offices, Protection, & Assistance in the execution of his Trust, that being furnished with every light that your experience may have acquired, he may, upon his return with your Report, be able to fulfill, as completely as possible, the intention of his appointment.

I am &c
SHELBURNE.

CARLETON TO SHELBURNE³

QUEBEC 24th Dec^r 1767.

MY LORD!

To conceive the true State of the People of this Province, so far as the Laws and Administration of Justice are concerned, and the Sensations, they must feel, in their present Situation, 'tis necessary to recollect, they are not a Migration of Britons, who brought with them the Laws of England, but a Populous and long established Colony, reduced by the King's Arms, to submit to His Dominion, on *certain Conditions*: That their Laws and Customs were widely Different from those of England, but founded on natural

¹ The nature of Morgan's mission may be gathered from the paper which precedes. On the date of this letter Shelburne wrote to Morgan, acquainting him with the nature of the steps taken to obtain an adequate report on the administration of law in the Province of Quebec. He refers to the necessity "to send over to Quebec for more convenient dispatch a fit & proper person to carry our instructions for this purpose, and to bring back such Report, and who being properly recommended to the Officers may be enabled to explain such difficulties if such should arise from the said report;" He is informed that he has been selected for this mission and that he is to set out immediately for Quebec, and while there, "to acquaint yourself in the fullest manner possible, of everything relative to the general State and condition of Canada." Morgan arrived in Canada Aug. 22nd, 1767; was courteously received, and reported to Shelburne from time to time.

² For the draught of this report prepared by the Attorney General, see p. 327.

³ Canadian Archives, Q 5-1, p. 316.