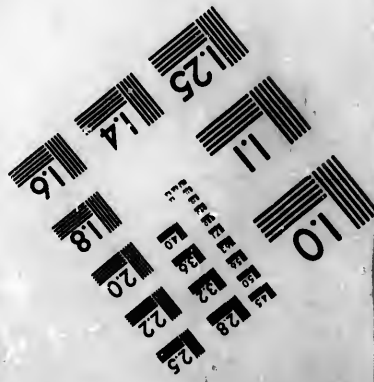
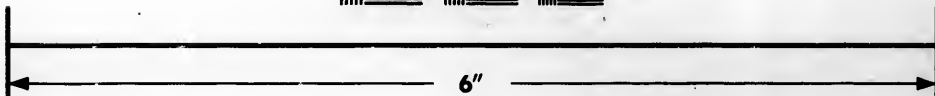
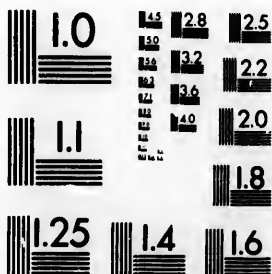


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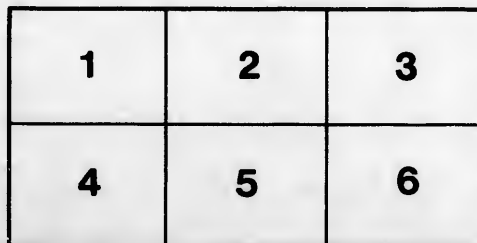
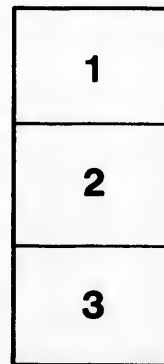
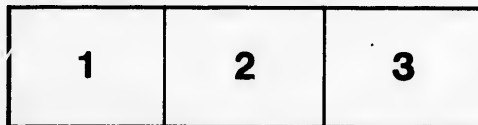
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O B S E R V A T I O N S

O N A

P A M P H L E T,

E N T I T L E D

A STATE of the PRESENT FORM of GOVERN-  
MENT of the PROVINCE of QUEBEC;

CIRCULATED IN LONDON, DURING THE LAST SUMMER.

W I T H A N

A P P E N D I X,

CONTAINING INFORMATION ON THE SUBJECT.

BY A CITIZEN OF QUEBEC.

---

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## INTRODUCTION.

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**I**N publishing the following observations, *by a Canadian*, on the statements that have been circulated in England, regarding the Province of Quebec, it is thought necessary to prepare the mind of the reader, by the exposition of a few facts, which may lead to form a proper judgment upon the subject; and for the truth of which, it is sufficient to refer and appeal to the documents now made public, and to those which must appear, whenever that province shall become the object of national investigation and enquiry.



The numbers of people in Canada, at this time, consist of about

- 120,000 native Canadians, settled chiefly near Quebec and Montreal, along the banks of the St. Lawrence, on a tract extending in distance about 300 miles.
- 7,000 disbanded troops and refugee loyalists, including their families, settled on the west bank of the St. Lawrence, above Montreal, and on the west side of the lands which divide the lakes Ontario and Erie; the extreme distance of these two settlements being about 400 miles; comprehending also some few persons of this description, settled on the bays of Chaleurs and Gaspé, in the Gulf of St. Lawrence.
- 3,000 British, Irish, Americans, Germans, and other non-natives of Canada, including their families, resident chiefly in the towns of Quebec and Montreal.

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130,000 Total of souls.

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Together

Together with an accession lately of Americans, (the numbers whereof cannot at present be well ascertained, but which cannot possibly exceed 3,000,) who, after some years experience of the government of the United States, have given a preference to that of Canada.

The number of Canadians in 1766, was 65,000; the increase, therefore, of 55,000 in 23 years, is undoubtedly great, and does by no means tend to prove, that the present system of government is either oppressive, or unfavorable to population.

The following comparative state of the Trade betwixt England and Canada, at different periods, taken from authentic documents, furnishes the strongest proof that the commerce of the country has encreased, under the operation of the Quebec Act, in an astonishing degree; and consequently that there can be no just grounds for seeking to alter the constitution thereby established, as unfavourable to Trade.

TRADE OF CANADA.

Years.	Exports to Canada.	Imports from Canada.
1771 —	170,962 3 11	— 37,286 12 8
2 —	203,779 5 6	— 47,995 4 4
3 —	316,867 19 6	— 42,394 11 2
	<u>691,609 13 11</u>	<u>127,676 8 2</u>
Average of 3 Years before the Act—Exports	<u>230,536 11 3</u>	Imports <u>42,558 16 0</u>
1786 —	301,990 12 0	— 90,776 4 11
7 —	335,832 0 5	— 97,890 15 3
8 —	371,803 3 1	— 107,505 2 10
	<u>1,009,625 15 6</u>	<u>296,172 3 0</u>
Average of the 3 last Year's Exports.	<u>336,541 18 6</u>	Imports <u>98,724 1 0</u>

It is evident that the Canadians in general are averse to a change in the present form of the constitution or laws of the province.—To introduce, therefore, in opposition to their wishes, a new and different system, with the nature and qualities whereof they are unacquainted, unless by the effects that have been experienced in their neighbourhood, would be to sacrifice the interests and wishes of the many, and probably the tranquillity of the whole, to the designs and views of a few only of the smaller part; for it appears, that even those people who have become settlers in Canada, since the year 1760, making in all about one-twelfth

of the inhabitants of the province, are far from unanimous in desiring to change the present constitution of the colony.

In forming plans for the government and regulation of different parts of the empire, the means of carrying those plans into effect require the first attention; little consideration will be sufficient to shew, that the means of carrying any popular form of government into effects, productive of general benefit, are not to be found in Canada.

The Canadians are neither inclined, nor are they qualified to take part in a popular government; indeed the advocates for a House of Assembly seem to think (however unjustly) that their religion should exclude them from any participation therein.

The disbanded troops and loyalists are settled at a distance from the rest of the inhabitants of the province, and widely separated from each other: they consist of an assemblage of people, from different colonies and parts of the empire, accustomed to different modes of government and laws, in the various countries from which  
they

they came : their circumstances in general are far from being easy ; and there are amongst them very few who can be supposed qualified to take any part in the legislature of a colony.

It is difficult to attempt a description of the other settlers in the Province ; but it is well known, that few amongst them are landholders, or possessed of much fixed and real property in the country.

The interests of the British merchants, who, by their capitals and exertions so highly contribute to the advantage of both the mother country and her colony, are certainly worthy of the greatest attention ;—but it is also deserving of serious consideration to judge, whether *these interests* are likely to be best sought after, and promoted by a House of Assembly, composed, as it must be in Canada, or by a Legislative Council ; or whether it would not be more prudent in *them* to apply for the introduction of such regulations only, as (after obtaining more full information on the subject than they appear now possessed of) might be deemed best calculated for the advancement of their commercial concerns ; rather than to seek to subvert the present system of government  
and

and laws, in opposition to the wishes of more than eleven parts out of twelve of the inhabitants, at the risk of the general tranquillity, and evident danger of the ultimate separation of the Colony from Great-Britain.



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## OBSERVATIONS, &c.

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**A** Pamphlet, entitled, "A State of the present Form of Government of the Province of Quebec," published in London, and distributed among the Members of the House of Commons, at a time when it was thought the affairs of Canada would be agitated in Parliament, having found its way to this country, it seems incumbent upon the Canadians to publish some Observations on the subject, in order to remove the impressions, which the misrepresentations, contained in that pamphlet, may have made upon the minds of men, who are unacquainted with the Colony. A citizen of Quebec, whose situation has enabled him to procure some knowledge of the affairs of Canada, though sensible of his incapacity in other respects, undertakes the task, especially as he knows that his countrymen, reposing an entire confidence in his Majesty and his Ministers, and to whom their sentiments are well known, will never collectively enter into the lists with an anonymous author. The Canadians know



and feel sensibly the disadvantages they must labour under in any appeal to the public, from the peculiarity of their situation—Unconnected by ties of personal interest with any class of individuals in the mother country—unversed in its language and customs—unacquainted with the arts which are there made use of, to turn the tide of popular opinion in political subjects, they are unequal to a contest where all these circumstances are favourable to their opponents: their only and certain reliance is in the experienced impartial and enlightened wisdom of the Government and Legislature of Great Britain, at this time so justly distinguished, by rising superior to all misrepresentations and prejudices, when the welfare and happiness of the subjects of any part of her dominions are at stake.

Though men in general will acquiesce with the author of the pamphlet, in the eulogium with which he commences, of the British constitution of government, as it is established in King, Lords and Commons, yet many, especially since the troubles arose on the continent of North America, have doubted how far the mother country acted with prudence and policy, in introducing a similar form of government into her colonies; and few persons acquainted

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with

with the state of this province, or who are attached to the interest of the mother country, do think such form of government fit to be introduced into it. The act of the 14th of the King, which regulates the government, was the result of the information which his Majesty's Ministers had received from the Governors, and other principal officers, during the ten years which had succeeded the introduction of civil government into the province. The justice and policy of that act, and the motives which induced the legislature to enact it, are well delineated in a pamphlet published at the time, and to which reference may be had\*. It is true, some Canada merchants in the city of London remonstrated upon the occasion, and presented a petition to his Majesty, requesting him to withhold his assent from it; but experience hath evinced how groundless their fears were, "from the persecuting spirit of the " Romish Religion, &c." The natives of the country (as in justice they ought) though Catholics, have been admitted into offices of trust and profit, and, in their different stations, have testified as much zeal and attachment to

\* Entitled, "The Justice and Policy of the Act of Parliament for making more effectual Provision for the Government of the Province of Quebec, asserted and proved."

the British government as any of their fellow subjects.

It is an undoubted principle, that government was instituted for the good of the people. It was that principle which induced the legislature of Great Britain, to grant to a conquered people a law so equitable and salutary; and to that principle they look forward for the conservation of that law, as the certain means of enjoying, under the protection of Great Britain, their religion, liberties and laws. That the statute of the 14th of the King, was disagreeable to the majority of the new settlers, who had resorted to the province since the year 1763, is admitted.—That the emissaries of the neighbouring colonies (which, at the time of its passing were ripe for revolt) availed themselves of this circumstance, to indispose them, and the lower class of Canadians, against their government, is equally certain; but the gratitude with which that liberal statute inspired the noblesse, the clergy, and the proprietors of lands, operated greatly to preserve the Canadians in their fidelity and allegiance to his Majesty, though the province was, for seven months, (from causes not necessary to be now enquired into) in the possession of the rebels, Fortunately for Canada no House of Assembly had  
had

had ever been introduced, otherwise, perhaps, had the people been accustomed to such meetings, Mr. Franklyn, and the other Member of Congress, who were sent to Montreal in the spring, 1776, would have succeeded in organizing the country (as the phrase is) to a state of liberty, or union with the American States.—It will scarcely be controverted, that the natives of Canada are a most decided majority of the inhabitants residing in it, and that the respectable name of **THE PEOPLE**, can only be applied to them, and not to the British, Irish, Americans or Germans, who have resorted to the province since the year 1763, who (were they all of the same sentiments, which is by no means the case) do not compose *the 12th part* of the inhabitants of the province of Quebec. It is evident, from the petitions, memorials, &c. published last year in the Gazette, by order of his Excellency Lord Dorchester, and by him transmitted to the Secretary of State, that **THE PEOPLE**, far from being desirous of a change of their government and laws, are anxious for the preservation of both. It is said, by the author of the pamphlet, that there is a petition, in 1784, lying before the House of Commons, for the repeal of the Quebec Act, and the establishment of a House of Assembly, signed by  
 upward

upward of 2,300 inhabitants of the province, in which number are all the old, and the most respectable of the new subjects: the signatures to this petition have never been published, and, therefore, *their respectability* cannot be traced. It is to be observed, that, in another part of the pamphlet, the author states the number of the old subjects to be 28,000: They must then have increased miraculously since the year 1784, if it be true that the above petition, which had only 2,300 signatures, comprehends "all the old, and the most respectable of the new, subjects." In the same year, 1784, a petition, in opposition to the above, was sent to the Secretary of State, to be laid before his Majesty, signed by near  
 \* 4000 Canadians; and whenever that petition shall be laid, by his Majesty's Ministers, before the public, it will be found to be signed by the *most respectable* among the Canadians.

It would appear the author of the pamphlet expected, that the end for which his publication was hazarded, would have been obtained before the pamphlet could reach Canada; otherwise he never would have mentioned the respectability of the Canadians, who had been misled by some of the new settlers to sign petitions, for the repeal of the statute of the 14th of the King, and for the establishment of  
 a House

a House of Assembly. Though it cannot be doubted that his Excellency Lord Dorchester, in transmitting the petitions, memorials, reports, and other papers, which have been presented to him, has informed his Majesty's Ministers where the respectability of character amongst the Canadians resides; yet it may be permitted to a Canadian, to insert, for the information of people in England, a list of his countrymen at Quebec, who, without the least authority, arrogate to themselves the title of a Committee for the Canadians, who signed the petition in 1784, with their stations in life annexed to it:

A. Panet, *Advocate.*

L. Deschêneaux, *Notary.*

L. Anglois, fils, *Shopkeeper.*

L. Duniere, *Merchant.*

E. Pinguet, *Shopkeeper.*

J. Baillargé, *Carpenter.*

A. —, *Shopkeeper.*

Jacques Lamoine, *Traiteur, A person who furnishes dinners or entertainments.*

P. Emond, *Carpenter.*

P. Dufau, *Shopkeeper.*

J. Perrault, *Merchant.*

S. Turgeon, pere, *Shopkeeper.*

They

They may be very good men in their respective Stations, but certainly they cannot come under the denomination of the most respectable of the Canadians; and yet, such as they are, they may be the most respectable amongst those, who, in 1784, signed the petition for an House of Assembly.

The people of Canada are in fact well satisfied with the present form of government; their personal liberty is secured to them by an Ordinance, recommended by his Excellency, Governor Haldimand, and passed the 29th April, 1784, which gives them the benefit of the Writ of Habeas Corpus, in as ample a manner as their fellow subjects, in England, enjoy it; their property is protected by the laws, usages, and customs of Canada, to which, by long experience of their fitness for their country, they are strongly attached. Their laws are by no means unfavourable to commerce; they are peculiarly adapted to prevent insolvent debtors from giving undue preference to favoured creditors; and, as such, if the London merchants knew *their own real interests*, ought to be prayed to be continued, instead of being desired to be abrogated by them. The Edict of 1673, or *Code Marchand*, as it is generally called, is far from being anti-commercial. It was not the

the work of the King of France, or his Ministers alone; it was the result of consultations, with the most distinguished merchants in that kingdom; and has, with very few alterations, been continued for more than a century, to be the law of a country, where commerce, and the benefits of it, are certainly not unknown. All the penal parts of that Edict are abrogated, by the Statute of the 14th of the King; and the Ordinance of the Governor and Legislative Council of the year 1777, which enacts, That in all judgments, in suits between merchant and merchant, and for goods and wares sold and delivered, execution shall go (provided after discussion of the moveable and immoveable estates of the defendant, the amount of the judgment shall not have been levied) against the body of the defendant, has abrogated, in compliance with the policy of Great-Britain, in not extending the Bankrupt Laws to her colonies, that part of the Code Marchand, which, upon a *cessio bonorum*, discharged the debtor from any pursuit of an individual creditor. The judgment of the Provincial Court of Appeals, which declares *the Code Marchand in toto*, not to be in force, under pretence that it was not enregistered, and which is cited in the Appendix to the Pamphlet, is now in appeal

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before



before the King in Council; when that judgment was given in the Provincial Court of Appeals, the Court was composed of William Smith, Esq; Chief Justice; Messrs. Finlay, Harrison, Delery, Henry Caldwell, William Grant, and Compte Dupre: that the majority of these Judges coincided with the Chief Justice in the judgment aforesaid, cannot be matter of surprize to any person who reads the declarations of Hugh Finlay, George Pownall, and William Grant, inserted in the Appendix to the Pamphlet; whereby, in contradiction to the Statute of the 14th of the King, and their evident duty as Judges, they do not hesitate to say, that they decided causes in the Court of Appeals by the English Law. It is to be hoped, for the credit of these gentlemen, that the Author of the Pamphlet has given an untrue, as it is a mutilated extract of their depositions, in the course of the investigation in question. That judgment of the Provincial Court of Appeals is by no means approved or considered as legal in the province; where it is well known that the Code Marchand, and other Edicts, though not registered in the province, were uniformly recognized by the inferior Courts, the Council Superior, and by the Intendants in their judgments. Is it to be  
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imagined that these Courts, in which there were lawyers from France, and at the deliberation of which the Procureur General assisted, or that the *Intendants*, who were frequently selected from the Parliaments of France, and several of them lawyers of great eminence and reputation, could, for the space of ninety years, remain in so great an error, as to found their judgments upon a law that was not in force in the country? The truth is, that the Provincial Court of Appeals was (joined to a love of innovation) misled, from the circumstance of the Code Civil of 1667, or such parts of it as were found adequate to Canada, being ordered to be registered, without adverting to the cause, viz. “ The Superior Council had represented to the Court of France, that the Code Civil, in all its parts, was not fit for the country, and had proposed a reform in it;” the reform was approved; and “ therefore, as a deviation from the Edicts of the kingdom of France, there was a necessity for its being registered, for the information and guidance of the people.” *The Code Criminel*, though assuredly of the utmost importance, was never registered; the Superior Council had never proposed or obtained any innovation from it: but would it

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not be absurd, in the highest degree, to infer from thence, that the Judges were in an error, when they tried persons and gave judgments against them by that *Code*, from the year of the erection of the Superior Council, to the conquest of Canada, by the British Arms, in 1760. The judgment is *Sub Judice*, and it would have been better, or at least more candid in the Author of the Pamphlet, either not to have made mention of it, or to have published at the same time the judgment of the Court of Common-Pleas that was reversed thereby.— The intention of publishing it could only be one of those pious frauds or misrepresentations which abound in the Pamphlet, to shew the necessity of the interference of Parliament, in settling the affairs of the province. What greater misrepresentation can there be than the argument which is adduced from the complaints which the Canadians, in several of their Petitions and Addresses, make against the precipitation with which the Legislative Council has made alterations in the form as well as substance of their Municipal Laws, viz. that the Commercial Laws of England should, in the *gross*, be introduced into the province.— The very opposite conclusion is to be drawn from these complaints, viz. that the number  
of

of natives in the Legislative Council should be increased, and that the Governor of the province, to whom the recommendation properly belongs, should be careful in the choice of fit persons; and if, after that measure should be carried into execution, experience should point out any part of the laws, usages, and customs of Canada, that are anti-commercial, the Canadians will, with cheerfulness, assist in repealing them, or adopting such customs from the laws of England, or of any other country, which may better promote the interests of trade and commerce, to the benefit of the Mother Country.

The petition of some of the London merchants, trading to the province, for the abrogation of the Commercial Laws of Canada, and substituting those of England in lieu of them, is evidently founded upon prejudice, want of proper information, and upon the misrepresentations of the persons to whom they have liberally, but imprudently, given large and extensive credits, made with a view to justify or palliate their own bad fortune or misconduct.

It is to be hoped, that a British House of Commons will have better information, before they deprive a whole people of their municipal laws, and of the benefit of an act of Parliament,  
under

under which, after fourteen years experience, they declare they can, in the most ample manner, enjoy their religion, laws, and liberties.

Nothing has yet been observed with regard to the security which the statute of the 14th of the King gives to the Canadians, of the free exercise of their religion;—the clause which enacts that no Ordinance, passed by the Governor and Legislative Council, which touches religion, shall be put in force till after it shall have received his Majesty's approbation, must alone render it dear to the Canadians, and stamp it with the character of being conferred upon an adopted people, by a liberal and enlightened nation. The same statute limits the power of the Governor and Legislative Council in many other respects advantageous to the people of the province: and to suppose that the Canadians, as long as they remain Catholics, could wish for a repeal of that law is almost synonymous to supposing it possible for the inhabitants of a whole country to wish their own destruction, or, in the law term, to be *Felo. de se.* The Canadians have many and strong objections to a House of Assembly; but the principal is, that they wish (and they know it is their interest) to remain under the British Government: they have not been so inattentive

to what has passed on the continent of North America, during those sixteen years, not to be perfectly sensible of the facility with which Houses of Assembly have been made, or become the instruments, in the hands of designing men, of sedition and revolt.

The inconsistencies with which the Pamphlet is replete, can hardly escape the most inattentive reader. If the author is to be credited, the province of Quebec labours under the greatest oppression; the present system of government is inimical to commerce, population, agriculture, &c. The accounts given of the exports from the province, in 1788, compared with those of any former period, will best evince how ill-grounded is his assertion, in this respect:—he avers, that in 1766, when a *recensement* was made by order of General Murray, the numbers of men, women, and children, amounted to no more than 69,000; and that, in the year 1784, when another *recensement* was made by Governor Haldimand, the numbers amounted to 150,000, of whom 28,000 were antient subjects and their descendants, who had resorted to the country. The increase is exaggerated, being only to 130,000, but still it is sufficient to show, that under the present system of government, population en-

creased

creased in as great a proportion as under any other. I am afraid the great number to be deducted from the author's calculation, must be principally from the 28,000 antient subjects and their descendants, for as late as 1786, the number of loyalists, men, women and children, victualled by government, did not exceed 6,600; and it will not be presumed, that the persons who were entrusted with the care of victualling them, would diminish their numbers: a pretty just estimate of the numbers of the other antient subjects in the province, may be formed from the militia rolls thereof, of the towns of Quebec and Montreal, which, including Germans, and other non-natives, may, together, amount to about 1000 men; so that the whole number of souls may be calculated at about 3000. The number of emigrants from the United States of America since the above period of 1786, is not, nor can be ascertained with equal accuracy.

The author of the Pamphlet is certainly misinformed, with regard to the district of Hesse, formerly Detroit, being chiefly inhabited by British and American settlers: the truth is, that the Canadians are a most decided majority of the inhabitants in that district. I shall only observe, with regard to these new districts, that



that the establishment of them was thought by many to be very precipitate; and the production of that spirit of innovation, which has taken place within these few years; and if inconveniences shall result from these districts, they can only be attributed to that spirit. The legislatures of every kingdom have long wished, and endeavoured to put an end to the diversity of laws, which, from various causes, may have been established in different parts of the same, necessarily and nearly connected together; and, therefore, it may be a matter of doubt, how far the legislature of the province of Quebec, in which there is one known and written law, established by Act of Parliament, did right to create a diversity of law in the separate districts: the ordinance, relative to these districts, can only be considered as a law of experiment, and momentary convenience, and expires in the year 1791, when, it is to be hoped, the rage of innovation being past, the Legislative Council will proceed with deliberation to make permanent regulations for the proceedings in the Courts of Justice.

I cannot conclude without observing on the want of candour in the author of the Pamphlet, publishing mutilated extracts from the investigation into the past administration of justice:

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but



but let the Judges, or their friends, undertake the task of their justification: it has been matter of astonishment that they have been so long passive; however, they may have their reasons: I shall only say, that the propriety, or justice, of the manner in which that investigation was conducted, has not been recognized in the province of Quebec, nor has it contributed any thing to encrease in the people a sense of the dignity or honour of the government.

In opposition to some of the papers printed in the Appendix to the pamphlet, a few extracts from the Council office, and other papers, are subjoined, which will shew the sense of the legislative council, and of the people, at different times.

It is hoped that these documents, with the preceding simple and obvious observations, will be sufficient to inspire the Public, and others whom it may more nearly concern, with caution, in receiving impressions from the assertions of visionary enthusiasts, or designing men, to the prejudice of a happy and grateful people.

A CITIZEN OF QUEBEC.

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C O N T E N T S

OF THE

A P P E N D I X.

N° I.

Extract from an Address of the Legislative Council  
to his Excellency Governor Haldimand, 2d March,  
1780.

N° II.

Governor Haldimand's Speech to the Legislative  
Council, 22d March, 1784.

N° III.

Address of the Legislative Council to his Excellency  
Governor Haldimand, and his Excellency's Answer,  
29th April, 1784.

N° IV.

Ordinance of the Governor and Legislative Council  
of 1784, introducing the Writ of Habeas Corpus.

N° V.

Extract of the Opinion given by Messrs. Mabane and De St. Ours, in a Report of the Committee of Council, relative the Courts of Justice.

N° VI.

Address of the Canadians to His Majesty, 13th October, 1788.

N° VII.

Address of the Canadians to his Excellency Governor Lord Dorchester, 13th October, 1788.

N° VIII.

Petition of the Canadians of the Province to his Excellency Lord Dorchester, 24th December, 1788.

N° IX.

Representation of the Canadian Citizens of the District of Quebec to his Excellency Lord Dorchester, 31st December, 1788.

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## A P P E N D I X.

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### N° I.

Extract from the Address of the Legislative Council of the  
2d of March, 1780, to his Excellency Governor Hal-  
dimand.

“ We have further to add, that the plan by which we  
“ have regulated our conduct, as the Legislative Council,  
“ has been to pursue those measures which appeared to us  
“ the best calculated to secure the province to his Majesty,  
“ and to keep it dependent on Great Britain : We are sen-  
“ sible, that some alterations may, and ought to be made,  
“ in the laws and customs of Canada ; but we apprehend  
“ that those should be made with moderation, and be more  
“ the effects of experience, than of any pre-conceived  
“ theory or opinion ; and in the present critical state of  
“ the British empire, it is with regret that we find our-  
“ selves obliged, by our duty to the King, to mention to  
“ your Excellency, the bad effects which the reports circu-  
“ lated every summer, of changes to be made in the mode  
“ of administering the affairs of the province, have upon  
“ his service. They disquiet the minds of the people, and  
“ furnish

“ furnish plausible pretences to the emissaries of the revolt-  
 “ ed colonies, and the other enemies of the state, to insi-  
 “ nuate that nothing is permanent under a British govern-  
 “ ment. And the Quebec Act, the result of the generous  
 “ and tolerating spirit which distinguishes an enlightened  
 “ age and nation, was the effect of a narrow and interested  
 “ policy, and would be repealed as soon as the ends, for  
 “ which it was made, were effected.”

HECTOR THEOPHILUS CRAMAHE, President.

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N° II.

The Governor's Speech to the Legislative Council, at the  
 opening of the Session, Monday 22d March, 1784.

Gentlemen,

I have delayed calling you together, till this day, in ex-  
 pectation of dispatches from home, in consequence of the  
 definitive treaty of peace, which is said to have been signed  
 and ratified last September, but of which I have not received  
 official information.

It has been always a matter of regret with me, that the  
 situation of public affairs did not permit me, to recommend  
 to your consideration, an Ordinance, for the better security  
 of the liberty of the subject; I now recommend to you  
 that object, of which I have never lost sight, and which is  
 essential to a free government.

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An Ordinance, for the registry of deeds and titles, which convey or carry mortgage upon houses, lands, and hereditaments, appears to be very much wanted, and to merit the attention of the legislature.

The ordinances, for the regulation and establishment of fees, and for regulating the *Maitres de Post*, if not renewed, expire with the present session. With regard to the first, it is my duty to observe to you, that nothing can be more acceptable to his Majesty, than an attention, on the part of the legislature of the province, that the fees should be as moderate as possible.

In consequence of your address to me last sessions, concerning the disease which originated at St. Paul's Bay, the Vicar-General was required to write circular letters to the curates. I was happy to find, by their answers, that the number of persons infected, was by no means so great as had been represented. The poor in the parishes adjacent to Quebec, have been attended and cured by my orders, and care will be taken that the same attention shall be continued.

Council-Chamber, Chateau St. Louis,  
the 22d March, 1784.

The

N<sup>o</sup> III.

The Address of the Legislative Council, to Governor Haldimand, at the End of the Sessions, Thursday, 29th April, 1784.

To his Excellency Frederick Haldimand, Captain General and Governor in Chief of the Province of Quebec, General and Commander in Chief of his Majesty's Forces in the said Province, and the Frontiers thereof, &c. &c. &c.

May it please your Excellency,

We, the Members of the Legislative Council, take the liberty to represent to your Excellency, our gratitude for his Majesty's paternal goodness, in the gracious protection he has granted to the people of this province, during the troubles which have distracted the greatest part of the continent of North America. At the same time, we take the opportunity of renewing our solicitations to your Excellency, that you will be pleased to convey to his Majesty, the sense we have of the great advantage which has accrued to the people of this province, and to the tranquility and safety of it, from the Act of Parliament which was passed in their favour, the 14th year of his Majesty's reign; the continuation of which law, the result of that generous and tolerating spirit which distinguishes the British nation, will be the means of rendering the people of this province indissolubly attached to the mother country, and happy in the enjoyment of their religion, laws, and liberties.

Council-Chamber,  
29th April, 1784.

HENRY HAMILTON, *President*,

The

## The Governor's Answer to the foregoing.

Gentlemen,

I will transmit your address to the Secretary of State, to be laid before his Majesty. The Ordinance passed this session, for securing the personal liberty of the subject, will contribute to remove the prejudices of the misguided against the act of Parliament which regulates the province, and at the same time, will be the means to frustrate the attempts of the malicious and designing, to create confusion and dissension within it.

Castle of St. Lewis, at Quebec,  
the 29th April, 1784.

## N° IV.

An Act of the Legislative Council of Quebec, introducing  
the *Writ of Habeas Corpus* there, 29th April, 1784.

Anno Vicefimo quarto GEORGI III. Regis. CHAP. III.

## A N O R D I N A N C E

*For securing the Liberty of the Subject, and for prevention of  
Imprisonments out of this Province.*

WHEREAS it hath graciously pleased the King's  
Most Excellent Majesty, in his instructions to his Excel-  
lency the Captain-General and Governor in Chief of this

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province, to commit to the Legislature thereof, the consideration of making due provision for the security of the personal liberty of his subjects therein, and to suggest that, for that purpose, the Legislature could not follow a better example, than that which the common law of England hath set, in the provision made for a writ of *Habeas Corpus*, which is the right of every British subject in that kingdom : Be it declared and enacted by his Excellency the Captain-General and Governor in Chief of this Province, by and with the advice and consent of the Legislative Council thereof, and by the authority of the same it is hereby declared and enacted,

ARTICLE I.

THAT from and after the day of the publication of this Ordinance, all persons who shall be or stand committed or detained in any prison within this province, for any criminal or supposed criminal offence, shall of right be entitled to demand, have and obtain from the Court of King's-Bench in this province, or from the Chief Justice thereof, or from the Commissioners for executing the office of Chief Justice, respectively, or from any Judge or Judges of the said Court of King's-Bench, the writ of *Habeas Corpus*, together with all the benefit and relief resulting therefrom, at all such times, and in as full, ample, perfect, and beneficial a manner, and to all intents, uses, ends, and purposes, as his Majesty's subjects within the realm of England, who may be or stand committed or detained in any prison within that realm, are there entitled to that writ, and the benefit arising therefrom, by the common and statute laws thereof.

ARTICLE II.

AND for the prevention of delays which may be used by Sheriffs, Gaolers, and other officers and persons, to whose custody

custody any of the King's subjects may be committed or detained, for criminal or supposed criminal matters, in making returns of writs of *Habeas Corpus* to them directed; it is hereby further declared, ordained, and enacted, by the authority aforesaid, That whensoever any person or persons shall bring any writ of *Habeas Corpus*, directed unto any Sheriff, Gaoler, Minister, or other person whatsoever, for any person in his or their custody, and the said writ shall be served upon the said officer, or left at the gaol or prison with any of the under-officers, under-keepers, or deputy of the said officers or keepers, that the said officer or officers, his or their under-officers, under-keepers, deputies, or other persons, shall, within three days after the service thereof as aforesaid [unless the commitment aforesaid were for treason or felony plainly and specially expressed in the warrant of commitment] upon payment or tender of the charges of bringing the said prisoner, to be ascertained by the Chief Justice, Commissioner or Commissioners for executing the office of Chief Justice, or Judge or Judges of the Court that awarded the same, and endorsed upon the said writ, not exceeding three shillings per league; and upon security given, by his own bond, to pay the charges of bringing back the prisoner, if he shall be remanded by the Court, Chief Justice, Commissioner, or Commissioners, Judge or Judges, to which or whom he shall be brought, according to the true intent of this present Ordinance, and that he will not make any escape by the way, make return of such writ, and bring, or cause to be brought the body of the party so committed or restrained unto or before the Chief Justice, or Commissioners for executing the office of Chief Justice, or Judges of the said Court of King's-Bench, from whence the said writ shall issue, or unto or before such other person or persons before whom the said writ is made returnable, according to the command thereof; and shall then likewise certify the

true causes of his detainer or imprisonment, unless the commitment of the said party be in any place beyond the distance of ten leagues, from the place or places where such court or person is or shall be residing; and if beyond the distance of ten leagues, and not above thirty leagues, then within the space of ten days; and if beyond the distance of thirty leagues, and not above sixty leagues, then within the space of twenty days; and if beyond the distance of sixty leagues, and not above one hundred leagues, then within the space of forty days; and if beyond the distance of one hundred leagues, then within the space of three months, if from the first day of March to the twentieth of September, otherwise in the space of eight months, after such delivery and service of the writ as aforesaid, and not longer. But if such payment or tender shall not be made by the person bringing the writ to the Sheriff, Gaoler, Minister, or other person, as aforesaid, such Sheriff, Gaoler, Minister, or other person, shall return the writ with the true causes of the imprisonment or detainer, without bringing, or causing to be brought, the body of the person committed or restrained, as it may be thereby commanded; and shall certify on the back thereof, that a default of such payment or tender, is the reason and cause that the body of the person is not brought therewith; which shall be deemed a sufficient return.

### A R T I C L E III.

And to the intent that no sheriff, gaoler, or other officer, may pretend ignorance of the import of any such writ; Be it enacted, declared and ordained, by the authority aforesaid, That all such writs shall be marked in this manner "*By virtue of an Ordinance passed in the twenty-fourth year of the reign of his majesty king GEORGE the Third*" and shall be signed by the person that awards the same: and if any person or persons shall be or stand committed or detained, as aforesaid,

aforesaid, for any crime (unless for felony or treason, plainly expressed in the warrant of commitment) in the vacation time, and out of term or sessions, it shall and may be lawful to and for the person or persons so committed or detained (other than persons convict, or in execution by legal process) or any one on his or their behalf, to appeal or complain to the Chief Justice, or any one of the Commissioners for executing the office of Chief Justice, or any Judge or Judges of the Court of King's Bench; and they, or any one of them, upon view of the copy or copies, of the warrant or warrants of commitment and detainer, or otherwise upon oath made, that such copy, or copies, were denied to be given by such person, or persons, in whose custody the prisoner, or prisoners, is or are detained, are hereby authorised and required, upon request made in writing, by such person, or persons, or any on his, her, or their behalf, attested and subscribed, by two witnesses, who were present at the delivery of the same, to award and grant an *Habeas Corpus*, under the Seal of the Court of King's Bench, to be directed to the officer or officers, person or persons, in whose custody the party, so committed or detained, shall be returnable *immediate* before the said Chief Justice, or such Commissioner for executing the office of Chief Justice, or Judge of the said Court of King's Bench; and upon service thereof, as aforesaid, the officer or officers, his or their under-officer or under-officers, under-keeper or under-keepers, or their deputy, in whose custody the party is so committed or detained, shall, within the times respectively before limited, bring such prisoner or prisoners before the said Chief Justice, or such Commissioners, or Judges, or any one of them, before whom the said writ is made returnable; and in case of his absence, before any other of them, with the return of such writ, and the true causes of the commitment and detainer; and thereupon, within two days after the party shall be brought before them, the said Chief Justice, or such Commissioner or  
 Judge

Judge of the Court of King's Bench, before whom the prisoner shall be brought as aforesaid, shall discharge the said prisoner from his imprisonment, taking his or their recognizance, with one or more surety or sureties, in any sum which shall not be excessive, according to his or their discretion, having regard to the quality of the prisoner, and nature of the offence, for his or their appearance in the Court of King's Bench, at the next sessions or term, or general gaol delivery of and for the district where the commitment was, or where the offence was committed, or in such other court where the offence is properly cognizable, as the case shall require, and then shall certify the said writ with the return thereof, and the said recognizance or recognizances into the said court where such appearance is to be made; unless it shall appear unto the said Chief Justice, or Commissioner or Commissioners for executing the office of Chief Justice, or Judge or Judges of the said Court of King's Bench, that the party so committed, is detained upon a legal process, order or warrant, out of some court that hath jurisdiction of criminal matters, or by some warrant signed and sealed, with the hand and seal, either of the Chief Justice or of one of the Commissioners for executing the office of Chief Justice, or of one of the Judges of the said Court of King's Bench, or of some Justice or Justices, Commissioner or Commissioners of the Peace, for such matters or offences, for which by the law the prisoner is not bailable.

#### ARTICLE IV.

Provided always and be it enacted, That if any person shall have wilfully neglected, by the space of two whole sessions or terms of the King's Bench, established by law, for the district where such detention or imprisonment may be, after his imprisonment, to pray a writ of *Habeas Corpus* for his enlargement; such person so wilfully neglecting, shall not have a writ of *Habeas Corpus* to be granted in vacation time, in pursuance of this Ordinance.

ARTICLE

## ARTICLE V.

And it is further enacted, That if any officer or officers, his or their under-officer or under-officers, under-keeper or under-keepers or deputy, or other person, shall neglect or refuse to make the return aforesaid, or to bring the body or bodies of the prisoner or prisoners according to the command of the said writ, within the respective times aforesaid, or upon demand made by the prisoner, or person in his behalf, shall refuse to deliver, or within the space of six hours after demand, shall not deliver to the person so demanding, a true copy of the warrant or warrants of commitment and detainer of such prisoner (which he and they are hereby required to deliver accordingly) all and every the head goalers and keepers of such prisons and such other person or persons in whose custody the prisoner shall be detained, shall, for the first offence, forfeit to the prisoner or party grieved, the sum of one hundred pounds, lawful money of Great-Britain, and for the second offence, the sum of two hundred pounds like lawful money of Great-Britain, and shall and is hereby made incapable to hold or execute his said office. The said penalties to be recovered by the prisoner or party grieved, his executors or administrators, against such offender, his executors or administrators, by any action of debt, suit, bill, plaint, or information, in the courts of Common-pleas, or any other court of record, having original jurisdiction within this province, wherein no privilege, protection injunction or stay of prosecution by *non vult ulterius prosequi*, or otherwise, shall be admitted or allowed, or any imparlance or continuances for a longer period than three months; and any recovery or judgement, at the suit of any party grieved, shall be a sufficient conviction for the first offence; and any after recovery or judgment at the suit of a party grieved for any offence, after the first judgment, shall be a sufficient conviction to bring the officers or person within the said penalty for the second offence.

ARTICLE

## ARTICLE VI.

PROVIDED always and be it ordained by the authority aforesaid, That if any person or persons, subjects of his Majesty, shall be committed to any prison, or in custody of any officer or officers whomsoever, for any criminal, or supposed criminal matter, that the said person shall not be removed from the said prison and custody into the custody of any other officer or officers, unless it be by *Habeas Corpus*, or some other legal writ; or where the prisoner is delivered to the constable, bailiff, or other inferior officer, to carry such prisoner to some common gaol; or where any person is sent by order of any Judge of a court of criminal jurisdiction, Commissioner, or Justice of the Peace, to any common work-house, or house of correction; or where the prisoner is removed from some one prison or place to another within the same district, in order to his or her trial or discharge in due course of law; or in case of sudden fire, or infection, or other necessity: And if any person or persons shall, after such commitment aforesaid, make out and sign, or countersign any warrant or warrants for such removal aforesaid contrary to this Ordinance, as well he that makes or signs or countersigns such warrant or warrants, as the officer or officers that obey or execute the same, shall suffer and incur the pains and forfeitures in this Ordinance before-mentioned, both for the first and second offence respectively, to be recovered by the party grieved, in manner aforesaid.

## ARTICLE VII.

AND for the preventing unjust vexation by reiterated commitments for the same offence, it is further enacted, That no person or persons, who shall be delivered, or set at large upon any *Habeas Corpus*, shall at any time hereafter, be again imprisoned or committed for the same offence, by any person or persons whatsoever, other than by the legal process.

process and order of such court, wherein he or they shall be bound by recognizance to appear, or other court having jurisdiction of the cause. And if any person or persons shall, knowingly, contrary to this Ordinance, re-commit or imprison, or knowingly procure or cause to be re-committed or imprisoned, for the same offence, or pretended offence, any person or persons delivered or set at large as aforesaid, or be knowingly aiding or assisting therein, then he or they shall forfeit to the prisoner or party grieved, the sum of five hundred pounds lawful money of Great-Britain, to be recovered as aforesaid, any colourable pretence or variation in the warrant or warrants of commitment notwithstanding.

#### A R T I C L E VIII.

It is hereby further enacted, That if any person or persons shall be committed for high treason or felony, plainly and specially expressed in the warrant of commitment, upon his prayer or petition in open court the first week of the sessions or term of the Court of King's-Bench, and of Oyer and Terminer or general gaol delivery for the district, to be brought to his trial, shall not be indicted some time in the next sessions or term of the Court of King's-Bench, Oyer and Terminer, or general gaol delivery, after such commitment, it shall and may be lawful to and for the Chief Justice, or Commissioners for executing the office of Chief Justice, or Judges of the said Court of King's-Bench, and they are hereby required, upon motion made to them in open court, the last day of the sessions or term of the Court of King's-Bench, and of Oyer and Terminer or general gaol delivery, either by the prisoner or any one in his behalf, to set at liberty the prisoner upon bail; unless it appears to the Chief Justice, or Commissioners for executing the office of Chief Justice, or Judges of the said Court of King's-Bench, upon oath made, that the witnesses



for the King could not be produced the same sessions or term or general gaol delivery. And if any person or persons committed as aforesaid, upon his or their prayer or petition in open court, the first week of the sessions or term of the Court of King's-Bench and of Oyer and Terminer and general gaol delivery, held in and for the district where such prisoner or prisoners may be committed, to be brought to his or their trial, shall not be indicted and tried the second sessions or term of the Court of King's-Bench and Oyer and Terminer and general gaol delivery after his commitment, or upon his trial shall be acquitted, he shall be discharged from his imprisonment.

#### A R T I C L E IX.

PROVIDED always that nothing in this Ordinance shall extend to discharge out of prison, any person charged in debt or other action, or with process in any civil cause, but that after he shall be discharged from his imprisonment for such his criminal offence, he shall be kept in custody according to the law, for such other suit.

#### A R T I C L E X.

PROVIDED also and it is hereby further enacted, That it shall and may be lawful to and for any prisoner or prisoners as aforesaid, to move and obtain his or their *Habeas Corpus* out of the Court of King's-Bench. And if the Chief Justice or Commissioners for executing the office of Chief Justice or Judges of the said Court of King's-Bench in the vacation time, upon view of the copy or copies of the warrant or warrants of commitment or detainer, or upon oath made that such copy or copies were denied as aforesaid, shall deny any *Habeas Corpus* by this Ordinance required to be granted (being moved for as aforesaid) they shall severally forfeit to the prisoner or party grieved the sum of five hundred pounds lawful money of Great-Britain, to be recovered in manner aforesaid.

ARTICLE

## ARTICLE XI.

AND for preventing illegal imprisonments in prisons without this province, or beyond the seas, Be it further enacted and declared by the authority aforesaid, That no subject of his Majesty, his heirs or successors, that now is or hereafter shall be an inhabitant or resident of this province of Quebec, shall or may be sent prisoner into any province or into any state or place without this province, or into any parts, garrisons, islands, or places beyond the seas, which are, or at any time hereafter shall be within or without the dominions of his Majesty, his heirs or successors; and that every such imprisonment or transportation is hereby enacted and declared to be illegal. And if any of the said subjects shall hereafter be so imprisoned, every such person and persons so imprisoned, shall and may for every such imprisonment maintain by virtue of this Ordinance an action or actions of false imprisonment against the person or persons by whom he or she shall be so committed, detained, imprisoned, sent prisoner or transported, contrary to the true meaning of this Ordinance, and against all or any person or persons that shall frame, contrive, write, seal, or countersign any warrant or writing for such commitment, detainer, imprisonment, or transportation, or shall be advising, aiding, or assisting in the same, or any of them; and the plaintiff in every such action shall have judgment to recover his treble costs, besides damages, which damages so to be given shall not be less than five hundred pounds lawful money of Great-Britain; in which action no delay, stay, or stop of proceeding by rule, order, or command, or any injunction, protection, or privilege whatsoever, nor any more than one imparlance or continuance (according to the practice of the court) shall be allowed, excepting such rule of the court wherein the action shall depend, made in open court, as shall be thought in justice necessary, for special cause to be expressed in the said rule.

## ARTICLE XII.

PROVIDED always that nothing in this Ordinance shall extend to give benefit to any person who shall, by contract in writing, agree with any merchant or owner of any plantation, or other person whatsoever, to be carried to any province, or to parts beyond the seas; and receive earnest upon such agreement, although that afterwards such person shall renounce such contract.

## ARTICLE XIII.

AND provided always and be it enacted, That if any person or persons, lawfully convicted of any felony, shall, in open court, pray to be transported beyond the seas, or out of the province, and the court shall think fit to leave him or them in prison for that purpose, such person or persons may be transported into any parts beyond the seas this Ordinance or any thing herein contained to the contrary notwithstanding.

## ARTICLE XIV.

PROVIDED also, That if any person or persons at any time resident within this province, shall have committed any capital offence in Great-Britain, Ireland, or any province, island, or plantation, of the King, his heirs or successors, where he or she ought to be tried for such offence, such person or persons may be sent to such place, there to receive such trial in such manner as the same might have been used by the common laws of England, before the making of this Ordinance; any thing herein contained to the contrary notwithstanding.

## ARTICLE XV.

AND to the intent that no person may avoid his trial at the sessions or term of the Court of King's Bench, oyer and terminer, or general goal delivery, by procuring his removal  
before

before the sessions or term of the Court of King's Bench, oyer and terminer, or general goal delivery, held in and for the district where he may be committed, at such time as he cannot be brought back to receive his trial there, it is further enacted, That after the sessions or term of the Court of King's Bench, oyer and terminer, or general goal delivery, proclaimed or advertised for the district where the prisoner is detained, no person shall be removed from the common goal of the district upon any *Habeas Corpus* granted in pursuance of this Ordinance; but upon any such *Habeas Corpus*, shall be brought before the Chief Justice, or Commissioners for executing the office of Chief Justice, or Judges of the said Court of King's Bench, in open court, who is or are thereupon to do what to justice shall appertain.

#### A R T I C L E X V I.

PROVIDED nevertheless, That after the sessions are ended any person or persons detained in any common goal, may have his, her, or their *Habeas Corpus* according to the direction and intention of this Ordinance.

#### A R T I C L E X V I I.

“ AND because many times persons charged with petit-treason or felony, or as accessories thereunto, are committed upon suspicion only, whereupon they are bailable or not according as the circumstances making out that suspicion are more or less weighty, which are best known to the Justices of the Peace who may have committed such persons, and have the examinations before them, or to other Justices of the Peace in the district where such prisoner may be committed :”

BE it therefore ordained and enacted, That where any person shall appear to be committed by any Judge, Commissioner, or Justice of the Peace, and charged as accessory before the fact to any petit-treason or felony, or upon suspicion

picion thereof, or with suspicion of petit-treason or felony, which petit-treason or felony shall be plainly and specially expressed in the warrant of commitment, that such person shall not be removed or bailed by virtue of this Ordinance in any other manner than by the common law of England they may be.

A R T I C L E XVIII.

PROVIDED also and it is enacted, That no person or persons shall be sued, impleaded, molested or troubled for any offence against this Ordinance, unless the party offending be sued or impleaded for the same within two years, at the most, after such time wherein the offence shall be committed, in case the party grieved shall not be then in prison, and if he shall be in prison, then within the space of two years after the decease of the person imprisoned, or his or their delivery out of prison which shall first happen.

A R T I C L E XIX.

AND be it also ordained by the authority aforesaid, That if any information, suit or action, shall be brought or exhibited against any person or persons, for any offence committed, or to be committed, against the form of this law, it shall be lawful for such defendants to plead the general issue that they are not guilty, or that they owe nothing, or to plead specially, according as may be the course and practice of the court where such suit may be, and in case it be upon the said plea of not-guilty, or that he owes nothing, then to give such special matter in evidence, which if it had been pleaded more specially, had been good and sufficient matter of law to have discharged the said defendant or defendants against the said information, suit, or action; and the said matter so given in evidence under either of the said general-pleas, shall be then and there as available to him or them, to  
all

all intents and purposes as if he or they had sufficiently pleaded, set forth or alledged the same matters in bar or discharge of such information, suit, or action.

FRED. HALDIMAND.

Ordained and enacted by the authority aforesaid, and passed in Council, under the public seal of the province, at the council-chamber in the castle of St. Lewis, in the city of Quebec, the twenty-ninth day of April, in the twenty-fourth year of the reign of our Sovereign Lord GEORGE the Third, by the grace of GOD of GREAT-BRITAIN, France and Ireland, King, Defender of the Faith, and so forth, and in the year of our Lord one thousand seven hundred and eighty-four.

By His EXCELLENCY's Command,

J. WILLIAMS, C. L. C.

N<sup>o</sup> V.

Extract of the Opinion given by Messrs. Mabane and De St. Ours, in a Report of a Committee of the Council, relating to the Courts of Justice of the 11th Jan. 1787.

Though we are sensible that every attention, compatible with law and the good government of the province, should be given to the Loyalists, we beg leave to observe to your Lordship, that by far the greatest part of the Loyalists, who took up arms in defence of his government, during  
the

the course of the Rebellion, are already settled in this colony, or those of Nova-Scotia, New Brunswick, and their dependencies.

To this class of men, government is bound by justice and gratitude to give every protection and assistance. There may be of these meritorious people in the province (their wives and children comprehended) about six thousand; of them a great number are emigrants from North-Britain, who served in the 84th regiment, the provincial corps of Sir John Johnson, and others, who assuredly cannot be supposed to have any predilection for laws of which they totally ignorant. Every precaution was taken to make the Loyalists and others, before they were disbanded, acquainted with the conditions upon which the King's lands were to be granted, and none of them could be ignorant, that by fixing their residence in this province, they became subject to the laws of it.

In framing laws for the province, consideration should certainly be had to the opinions and customs of 113,000 natives, rather than to those of 6000 strangers.

The number of Loyalists settled above Montreal, does not appear at present to require a separate district to be erected, though that measure may become necessary in a few years; but by that time, the state of the upper countries, after the evacuation of the posts without, the limits of the province being known, the Legislative Council will be better able to deliberate upon the measure with precision and certainty.

“ With regard to the great number of emigrants from  
 “ the United States of America, who, we are told, may  
 “ be expected to resort to this province, provided the laws  
 “ were made agreeable to them, we think it our duty to  
 “ observe to your Lordship, that as these men did not  
 “ stand forth in defence of his Majesty's government, they  
 “ can in general have no claim to its justice or gratitude;  
 “ they

“ they are discontented with the taxes and other grievances  
 “ which abound in the American States, and are there-  
 “ fore willing to seek an asylum in the British Colonies.  
 “ It may be policy to admit them ; but, for many reasons,  
 “ they should be encouraged to settle in the colonies where  
 “ the laws and form of government are agreeable to their  
 “ ideas ; such as New Brunswick, Nova-Scotia, the islands  
 “ Cape Breton and St. John’s ; the climate in the latter  
 “ is temperate, and the lands fertile ; the insular situation  
 “ makes it easy for Great-Britain to protect and keep it as  
 “ a colony. The province of Quebec may be considered,  
 “ in many respects, as a frontier to the remaining British  
 “ Colonies. Its inhabitants are numerous, and by reli-  
 “ gion, language, laws, and customs, are the class of men  
 “ the least likely to coalesce or unite with the neighbouring  
 “ States of America.—

“ It is most humbly submitted to your Lordship, whether  
 “ sound policy does not require that they should continue  
 “ as they are ?”

In 1766, when Governor Murray caused a *recensément*  
 to be made, the Canadian men, women, and children,  
 amounted to 65,000. In 1784, when Governor Haldimand  
 caused another *recensément* to be made, their numbers  
 amounted to 113,000.

From this state of the population, during the period of  
 18 years, your Lordship may form an idea how much the  
 Canadians will increase in 30 years ; and that there will  
 not be wanting men to cultivate the lands which remain  
 to be conceded, or to carry on the trade of the colony in  
 all its different branches.



## N° VI.

Adress of the *Canadian Inhabitants* of the Province of Quebec to his MAJESTY, praying a Continuance of their Ancient Laws, as established by the 14th of the King, dated 13th Oct. 1788.

## LA TRES HUMBLE ADRESSE

Des Citoyens et Habitants Sujets Canadiens de différens États dans la Province de Québec en Canada,

## A U R O I.

SIRE,

Vos Fidels et Loyaux Sujets Canadiens osent approcher le Trône de Vôtre Très Gracieuse Majeste' pour lui exprimer la Surprise que leur occasionne une Démarche hazardée des Anciens Sujets de Vôtre Majeste' auprès de Son Auguste Parlement, qui a pour But l'Etablissement d'une Chambre d'Assemblée, l'Introduction des Loix Britanniques dans Nôtre Province, et l'Abolition de Nos Loix Municipales. Que ces Anciens Sujets, Très Gracieux Souverain, dont les Inquiétudes se renouvellent si souvent, demandent en leur Nom ce qu'ils croient leur convenir davantage, Vos Nouveaux Sujets n'y feroient qu'une foible Attention; mais qu'ils se prévalent sans aucun Fondement, du Concours unanime de Nôtre Nation pour donner plus de Poids à leurs Démarches, et qu'ils se prétendent autorisés à cet Effet de Vos Loyaux Sujets Canadiens en général, cela leur paroît une Témérité à laquelle ils ne peuvent se dispenser d'objecter, et contre laquelle ils implorent Vôtre Protection Royale et celle de Vôtre Auguste Parlement.

Non

Non, Très Gracieux Souverain, Vos Nouveaux Sujets n'ont jamais accédé, et sont bien éloignés d'adhérer aux Demandes de Vos Anciens, dont les Vues ne peuvent tendre à autre Chose qu'à Nous priver de Nos Droits, en Nous rendant inconnus et impraticables les Moyens de les conserver. Qu'un petit Nombre de Canadiens se soit laissé entraîner, cela peut être; mais Nous ne craignons pas de dire que la plupart ne possède que peu de Biens-fonds dans Nôtre Province.

Contre tout Principe de Justice et d'Equité et contre Nos Droits et Nos Privilèges les plus sacrés, jamais, Très Gracieux Souverain, les grandes Propriétaires de Nôtre Nation, et les différens Etats qui la composent en général, n'ont été consultés pour faire des Innovations aussi importantes à leur Bonheur, et à leurs Intérêts communs.

Les Humbles Adresses présentées de Notre Part à Votre Très Gracieuse Majesté, sont une Preuve authentique de Notre Opposition constante. Nous remettons au Très Honorable Lord Dorchester les plus récentes que Nous le prions de transmettre au Pied du Throne de Votre Majesté ainsi que celles qui lui ont été présentées dans l'Année 1787, par les Citoyens des Villes de Québec et de Montréal. Ce digne Représentant du meilleur des Rois est en Etat par ses Connoissances acquises sur les Lieux, d'attester la Vérité de Nos Avancés.

Nos Demandes, Auguste Monarque, se réduisent à conserver Nos Loix Municipales: Mais qu'elles soient strictement observées: Qu'il y ait dans le Conseil Législatif de Nôtre Province, un Nombre proportionné de Vos Loyaux Sujets Canadiens. Nous priver de ces Loix et de cette Faveur seroit à l'Univers entier un Sujet de croire que par Nôtre Déloyauté Nous Nous serions attiré l'Animadversion de Votre Majesté: Ces Loix sur lesquelles sont appuyées l'Existence de Nos Droits, et la Conservation de toutes Nos Propriétés, Nous sont également précieuses et nécessaires;

et loin de Nous détacher, comme on a injustement voulu l'informer, de la Fidélité que Nous avons solemnellement jurée, et inviolablement gardée à Votre Très Gracieuse Majesté, elles Nous feront au contraire un Motif de redoubler de plus en plus Nôtre Attachement à Vôtre Personne Sacrée, ainsi que Nos Vœux pour la Prosperité de Son Règne Glorieux, sa Conservation et celle de Son Auguste Famille.

Montreal, le 13me Octobre, 1788.

Jh. Delongueil, Conseiller, Seigneur de Soulange, Nouvel Longueil, Pointe à Rigault, &c.

Neveu Sevestre, Colonel des Milices, Juge à Paix, Coseigneur de Drutraye et Lanoraye,

J. B. M. Hortel de Rouville, Juge à Paix de sa Majesté, Seigneur de la Pointe Oliviers.

Debonne, Juge à Paix, Seigneur du Sault Ste. Marie, et de Choisy.

Hertel de Rouville, Seigneur de Rouville, Juge de la Cour des Plaidoyers-communs.

De Boucherville, Conseiller, Seigneur de Boucherville,

P. P. Marganne de Lavaltrie, Seigneur de Lavaltrie et de St. Paul, Juge à Paix.

Chartier de Lotbiniere, Juge à Paix, Seigneur de Lotbiniere, de Vaudreuil et de Rigaut.

Thomas Coffin, Seigneur de la Pointe du Lac, de Gatineau, &c. en partie de Roctoillade.

Sanguinet, Juge à Paix, Seigneur de la Salle.

Guinon de St. Ours, Juge à Paix, Coseigneur de St. Ours, l'Assomption et l'Echaillon.

Paul Lacroix, Juge à Paix, Seigneur de Villeray.

Chartier St. Ours, Seigneur en Partie de l'Assomption, St. Ours, et St. Jean.

Charles Sanguinet, Juge à Paix, Seigneur de Varennes et Coseigneur de Belœil.

Lapérière,

- Lapériere, Seigneur de Contre-cœur et de St. Antoine.  
 Labroquerie, Cofeigneur de Boucherville, de Varennes et  
 Tremblay.  
 Renè de Labruyere, Seigneur de Montarville, &c.  
 Labruyerè de Montarville, J. P. Seigneur de St. Dennis,  
 Cofeigneur de Contre-cœur et Boucherville.  
 Charles Grosbois, Cofeigneur de Boucherville,  
 François Labruyere, Cofeigneur de Boucherville.  
 J. Chaumont, Cofeigneur de Boucherville.  
 Clement Sabrevoie de Bjeuri, Seigneur.  
 Pierre Dénoyer de Florimond, Seigneur dans Boucherville.  
 Bellaire, Cofeigneur de Masquinongé.  
 Dupéré, Seigneur de Champlain,  
 Niverville, Seigneur de Chambly.  
 Hertel, Cofeigneur de St. François.  
 Louis Angi Moger, Cofeigneur de St. Michael.  
 J. M. Tonancourt, Colonel des Milices des Trois Rivieres,  
 J. P. Seigneur de Yamaska et de Godefroi.  
 J. Crevier de St. François, Seigneur de St. François.  
 Jh. Chauffe-gros De Lery, Chevalier de St. Louis, Con-  
 seiller, Seigneur de Vaudreuil, de Ste. Barbe, de Gen-  
 tilly, de Legardeur Belle-plaine, de Beauvois et  
 Perthuys.  
 De Beaujeu, Chevalier de l'Ordre St. Louis, Seigneur de  
 l'Isle au Gruës et de l'Isle aux Oyes.  
 Tascheraux, Seigneur de Ste. Marie, Liniere, Joliet et St.  
 Joseph, Juge à Paix.  
 De Lagorgendiere, Seigneur de Fleuri, et de Dechambault.  
 Couterau, Seigneur en Partie de la Nouvelle Beauce,  
 Aubert de Gaspé, Seigneur du Port Joli, Juge à Paix.  
 Le Cte. Dupré, Conseiller, Colonel des Milices, Seigneur  
 de St. François, d'Argentenay en l'Isle d'Orleans et  
 autres Lieux.  
 P. L. Panet, Ecuyer, Seigneur d'Argenteuille,

X. Lanaudière, Seigneur en Partie de St. Pierre Les Bequets  
et St. Valier.

J. F. Cugnet, Ecuyer, Seigneur de St. Etienne.

L. De Sallabery, Seigneur du Sault Mont-morency, Beau-  
port et du Fief Dumenil, Juge à Paix.

Lachevrotière, Ecuyer, Seigneur de Lachevretière.

J. B. Couillard, J. P. Seigneur de la Rivière du Sud, de la  
Seigneurie de Lepinay et de St. Pierre.

Vincelot, Ecuyer, Seigneur du Cap St. Ignace.

Charles Couillard, Ecuyer, Seigneur de Beaumont.

J. Couture, Coseigneur de la Rivière du Sud.

Herbert Couillard, Coseigneur dans la Rivière du Sud.

J. B. Dupuis, Ecuyer, Coseigneur dans la Rivière du Sud.

J. Nicôle, Lieutenant des Milices et Coseigneur dans la  
Rivière du Sud.

Charles Damdemuy, Ecuyer, Seigneur de Boucherville.

Picôté De Belestre, Conseiller, Chevalier de l'Ordre St.  
Louis.

John Campbell, Lieutenant-colonel, Juge à Paix.

Chevalier de Beaujeu.

P. Panet, Juge de la Cour des Plaidoyers-communs, et  
Juge à Paix.

Le Pailleur, Greff. des Cours Civ. et Crim. Deposit. des  
Archives.

L. Porlier, Major, Juge à Paix.

Gabriel Franchère, Juge à Paix.

Baron de Schafalitzky, Lieutenant.

Berthelot Dartigny, Avocat.

Charles Voyer, Notaire Public.

Joseph Turgeon, Notaire.

J. Dechamplain, Ecuyer.

Montigny Louvigny, Ecuyer.

René Labruière, Fils, Ecuyer.

Nicholas Daillebout, Sieur de Manthet, Ecuyer.

Chevalier

Chevalier de Niverville, de l'Ordre de St. Louis, Juge à Paix.

St. George Dupré, Lieutenant-colonel des Milices, Juge à Paix.

Théodore Lamirande, Ecuyer.

Maillet, Juge des Prérogatives.

Badeaux, Notaire et Greffier.

P. Meziere, Juge à Paix.

Le Proust, Major des Milices.

Louis Foucher, Ancien Praticien et Notaire.

Louis Foucher, Fils, Avocat.

François Racicot, Notaire.

Chatelier, Notaire.

Daillebout, Ecuyer.

François Benoist, Ecuyer.

Montifanbert, Ecuyer.

P. Labroquerie, Ecuyer.

Together with upwards of 660 other signatures.

Address

## N° VII.

Adress of the *Canadian Inhabitants* of the Province of Quebec, to his Excellency Governor Lord Dorchester, 13th October, 1788, requesting his Intercession on their Behalf, towards his Majesty, in respect to the Objects of their Address to the *Throne* of this date, as well as to those of their Address, transmitted in 1784.

A SON EXCELLENCE LE TRES HONORABLE

GUY LORD DORCHESTER,

Capitaine Général et Gouverneur en Chef des Colonies de Québec, Nouvelle-Ecosse et Nouveau-Brunswick et leurs Dépendances, Vice Amiral d'icelles; Général et Commandant en Chef de toutes les Troupes de sa Majesté dans les dites Colonies, et dans l'Isle de Terre-neuve, &c. &c. &c.

Qu'il plaie à votre Excellence,

Les Canadiens Soumis au Gouvernement de Vôtre Seigneurie; ont vû avec un Déplaisir inexprimable dans les Papiers Publics de Londres, qu'un des Anciens Sujets dans une Adresse à la Chambre des Communes de la Grande Bretagne, se seroit qualifié de Député des Anciens et Nouveaux Sujets de Sa Majesté dans la Province de Québec. Cette Adresse, Mylord, qui a pour Objet une Chambre d'Assemblée, et l'Abolition des Loix et Coutumes de cette Province, loin d'être apuïée des Sujets Canadiens, est également contraire à leurs Intérêts, et opposée à leurs Désirs, quelques-uns de Nos Compatriotes peuvent à la vérité s'être joints avec les Anciens Sujets, mais, Vôtre Excellence sçait de quelle importance est cette Union; elle connoit

noit aussi que plusieurs des Possesseurs de Fonds, Anglois d'origine, ne font point du sentiment d'établir une Chambre d'Assemblée en cette Province, ni d'en abroger les Loix Anciennes. Que les Anciens Sujets eussent fait cette Démarche pour parvenir à leur fin, qu'ils eussent cherché en s'adressant à la Chambre Bassé du Parlement, à dérouter les Canadiens, en les éloignant du Trône auprès du quel ils appréhendoient peut être qu'ils trouvaissent de l'apuis, sans parler en leur Nom, et sans vouloir persuader à cette Auguste Assemblée, que les Canadiens en Général desiroient le changement par eux proposé et qu'ils tenoient à Cruauté qu'un tel bienfait leur fut dénié, les Canadiens, sans doute se seroient peu inquiétés d'une pareille Démarche, sachant bien que chacun a Droit de représenter pour soi même, mais, Mylord, obligés de rompre le silence, ils ne peuvent s'empêcher de dire que le Député s'est mal à-propos, et témérairement servi de leur Nom, qui peut mieux que Vôtre Excellence attester la sincérité de l'opposition qu'ils croient devoir former à cette Nouvelle et trop souvent réitérée tentative? Vous connoisséz, Mylord, Nôtre Loyauté, Nos Intérêts réels et Nos Propriétés; Vous sçavez que loin de désirer le changement proposé, nous y avons constamment formé des oppositions: Ces mêmes opposans désireroient que Vôtre Excellence fit un raport à Sa Très Gracieuse Majeste', qui, à ses yeux et à ceux de Son Auguste Parlement, pût les caractériser, et donner une idée juste de comparaison de l'importance des Propriétés des uns et des autres. Qu'il Nous soit donc permis, Mylord, de réclamer ici la Protection dont Vous Nous avez tant de fois favorisé, et à laquelle Nous Nous reconnoissons redevables des Bien-faits de Notre Auguste Souverain, dont le plus signalé est de vous avoir rendu à Nos Vœux. Nous prenons la liberté de transmettre à Vôtre Excellence Notre Très Humble Adresse à Sa Très Gracieuse Majeste', que Nous Vous Supplions de faire parvenir au pied du Trône, et de l'apuié de Vôtre



Puissante recommandation. Nous y joignons celle de l'Année 1784; et espérons que V<sup>ô</sup>tre Seigneurie Voudra bien y comprendre celles que les Citoyens des Villes de Québec et de Montréal se firent l'Honneur de présenter à V<sup>ô</sup>tre Excellence dans les mois de Janvier et Fevrier de l'Année 1787, ce Bienfait, Mylord, ajoutera à la reconnoissance que Nous conserverons à jamais de tous ceux dont Notre Nation est redevable à V<sup>ô</sup>tre Seigneurie, et Nous redoublerons Nos Vœux pour V<sup>ô</sup>tre Conservation, et celle de V<sup>ô</sup>tre Illustre Famille.

Montreal, le 13me. Octobre, 1788.

P. de Belestre,  
 H. de Rouville, J. C. P.  
 John Campbell, Lieutenant Colonel,  
 Ch. St. Ours,  
 J. M. Tonnancour,  
 Godfrey Tonnancour,  
 Godfrey de Normanville,  
 C. De Niverville,  
 J. J. Cugnet,  
 Jh. De Longueuil,  
 Ch. De Lotbiniere,  
 J. B. M. Hertel de Rouville,  
 Thomas Coffin,  
 St. George Dupré,  
 Delavaltrie,  
 N. Sevestre, Colonel of Militia,  
 P. Meziere,  
 Ch. Sanguinet,  
 Boucherville,  
 J. F. Cugnet,  
 St. George Dupré, Junior,  
 J. G. C. De Lery,

Le Conte Dupré, Colonel,  
 Pierre Panel, Judge C. C. P.  
 L. De Sallaberry,  
 P. Gamlin,  
 J. B. Couillard,  
 — De Bonu,  
 Chavelier de Beaujeau,  
 — Sanguinet,  
 Desfrivieres Beabien,  
 Together with 130 more signatures.

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N° VIII.

Memorial and Petition in Support of the Address of the Canadian Inhabitants of the Province of Quebec, to his Majesty, dated 13th October, 1788; and in Refutation of the Memorial of the Merchants and others of Quebec and Montreal, dated from 1st to 5th December, 1788.

A SON EXCELLENCE LE TRES HONORABLE

GUY LORD DORCHESTER,

Capitaine Général et Gouverneur en Chef des Colonies de Québec, Nouvelle-Ecosse et Nouveau-Brunswick, et de leurs dépendances; Vice Admiral d'icelles, Général et Commandant en Chef de toutes les Troupes de Sa Majesté dans les dites Colonies, et dans l'Isle de Terre-neuve, &c. &c. &c.

I :

MEMOIRE

## MEMOIRE ET PETITION,

Au Soutien de la très Humble Adresse des Citoyens et Habitants Sujets Canadiens de différents états dans la Province de Québec en Canada à Sa MAJESTE' en date du 13 Octobre dernier ; et pour servir de réponse et réfutation au Mémoire et Requête des Marchands et autres des Villes de Québec et de Montréal, tant pour eux que pour leurs Constituans, en date des 1er et 5me Décembre suivans.

Qu'il plaise à Votre Excellence,

Les Nouveaux sujets Canadiens de Sa Majeste', en faisant connoître à Votre Seigneurie leurs vrais sentimens, ne peuvent s'empêcher de lui exprimer le déplaisir que leur causent les démarches si souvent réitérées des Anciens sujets conjointement avec quelques Nouveaux : Et combien plus désagréable leur devient la nécessité où ils se trouvent d'approfondir une matière aussi délicate, pour ne point troubler l'harmonie qui a régné si avantageusement sous le Gouvernement de Votre Seigneurie. Quoique peut-être le nombre des signatures que nous avons déjà produit devoit paroître suffisant pour prouver le point essentiel de notre opposition, qui dit : Que les Grands Propriétaires de notre Nation et les différents états qui la composent n'ont point été consultés ; cependant, pour ne laisser aucun doute sur les observations légèrement avancées par les soi-disant comités qui ont signé les Mémoires du 1er et du 5me du présent mois, nous croyons de notre devoir et de l'intérêt de nos compatriotes de représenter humblement à Votre Seigneurie.

Que cette Assemblée tenuë dans l'automne de 1784 n'est ni légale, ni régulière, ni générale. Elle fut convoquée de 10 heures du matin à 3 heures après midi du même jour ; aucune personne n'étoit dénommée dans la convocation, une  
grande

grand partie des Citoyens ne fut point avertie : Les propriétaires de la Banlieue n'en eurent aucune connoissance ; et les Seigneurs et tenanciers des campagnes, dans toute l'étendue de la Province, n'en furent point instruits. Un Ancien sujet seul fit l'élection qu'ils n'ont pas même suivie, comme Votre Seigneurie peut s'en convaincre par une lettre publique, en forme de protêt, cy-jointe sous la lettre A.

Que les Adresses du 13 Octobre dernier ne sont, il est vrai, signées que par 744 personnes ; mais ne sont pas moins une suite d'une pareille opposition formée en Décembre de l'année 1784, soutenue par les signatures de trois mille et quelques cens Seigneurs, Citoyens, et tenanciers. Cette Adresse de 1784, quoique les Pétitionnaires des 1er et 5me de Décembre affectent de la passer sous silence, est particulièrement mentionné dans celle du 13 Octobre dernier, et fut rédigée au désir d'une Assemblée respectable et nombreuse tenue volontairement, paisiblement, et avec l'union la plus parfaite, peu de jours après la leur.

Que ces anciennes Loix et Usages de notre Province, dont ils s'efforcent en vain de paroître les zélés conservateurs, seroient bientôt dénués de Protecteurs, si, réussissant dans leurs demandes, ils en devenoient Arbitres. A quelles Vicissitudes inséparables d'une telle Constitution, ces Loix ne seroient-elles pas sujettes, leur plus grand soin ayant été de se réserver le droit de les altérer à volonté ? Ces beaux noms de candeur et d'impartialité, dont le mérite réel est de notre côté, cesseront de leur être attribués, lorsqu'il sera prouvé à Votre Seigneurie que l'impression et publication de leur Adresse de 1784 n'ont vû le jour que dans le mois de Fevrier de l'année suivante ; et dont Votre Seigneurie trouvera copie ci-annexée sous la lettre B. par cette date, on peut juger si c'étoit bien le tems de prétendre instruire un peuple entier ; lorsque toutes demandes, Adresses et Mémoires étoient déjà envoyés. Ce qui est plus frappant, nous prouvons que leur Adresse, au lieu de rester sans  
réponse

réponse, fut au contraire réponduë par des observations et objections à leurs demandes, imprimées dans le mois de Décembre 1784, et renduës publiques par plus de cent exemplaires, dont un sous la lettre C. est aussi cy-annexé. Il faut avoüer que le hazard seul nous avoit favorisé d'une copie de leur Adresse, malheureusement pour eux, confiée à des personnes bien éloignées de leur système.

Que la Pétition du 13 Octobre dernier, étant au soutien de l'Opposition de Décembre 1784, c'est au nombre de trois mille et quelques cens signatures qui y étoient apposées, que l'on doit avoir recours. Ce nombre est dans un état beaucoup plus intacte que celui de 1518 qu'ils s'approprient. La publication de ces Adresses du 13 Octobre dernier devoit les en convaincre, s'ils avoient voulu faire tant soit peu d'attention aux noms de plusieurs Citoyens respectables, que leur honneur a engagé à reconnoître l'erreur dans laquelle ils étoient tombés; néanmoins, ils se servent encore de leurs noms, et de bien d'autres auprès desquels ils n'ont pas osé renouveler leurs instances actuelles: Delà, il est aisé de juger s'il y a témérité de la part de cet Agent de s'être servi de ces noms, et du pouvoir de la Nation Canadienne.

Que notre conduite à toujours été uniforme et conséquente. Si en 1783 quelques uns de nous ont souferit une pétition aux fins de jouir des droits et Priviléges des sujets Britanniques, sans distinctions; le but de cette pétition étoit l'introduction de cette Loi inestimable de l'*Habeas Corpus* dans notre Province, et l'admission de Nouveaux sujets de Sa MAJESTE' dans toutes les places et emplois du Gouvernement, proportionnément à leur nombre. Toujours constants dans ces demandes, nos Adresses de 1784 et 1788 en font foi. Quant à cette Chambre d'Assemblée, ce projet n'étant connu de personne et n'ayant jamais été agité, nous ne pouvions nous y opposer. Ne seroit-ce pas plutôt jetter un doute plus sensible sur une loyauté qui ne fut jamais

jamais équivoque, que d'accorder, sans avoir égard à l'importance de nos Oppositions, des demandes qui nous sont si contraires, et qui ne sont appuyées que d'un si petit nombre de notre nation ?

Que les Pétitionnaires des 1er et 5 du présent mois, au lieu d'user d'une réticence affectée et peu libérale, sans céder à leur devoir, auroient mieux fait de donner une libre carrière à leurs opinions sur les Juges, Conseillers et autres qui se sont joints à nous dans toutes nos oppositions. Ces qualités, bien loin de nous rendre suspects les caractères respectables qui en sont décorés, sont au contraire que notre Nation les regardera toujours comme des Protecteurs qui, n'ayant point oublié le titre de Citoyen, se sont un devoir de soutenir ses priviléges. Les représentans du 13 Octobre dernier, en se qualifiant Seigneurs, y avoient tous un droit incontestable, et ne peuvent conséquemment perdre le poids qu'ils doivent avoir. Avec plus de raison, nous pourrions faire de pareilles observations, mais nous laissons aux connaissances supérieures de Votre Seigneurie cette distinction : — Que les Adresses du 13 Octobre dernier sont certainement signées par les Grands Propriétaires, et tenanciers de notre Nation, lesquels n'ont jamais été consultés. Quelqu'un moins instruit que Votre Excellence des sentimens des Seigneurs qui composent cette Province, auroit pû se laisser surprendre à ces diverses listes de Seigneurs Anciens et Nouveaux sujets qu'ils ont donné sous un jour à faire croire que ceux qui y sont compris, n'ayant point signé les Adresses du 13 Octobre dernier, sont indubitablement de leurs opinions ; tandis qu'il est notoire que plusieurs leur sont opposés, et un grand nombre ignorent leurs démarches. Nous croyons, à plus juste titre, pouvoir dire, que ceux de ces Seigneurs et autres Propriétaires, qui sont dans une entière ignorance de tout ce qui se passe, et dans une sécurité parfaite, doivent être par leur silence, regardés comme satisfaits du système actuel de notre constitution ; et avec bien  
moins

moins de raison, doit-on dire qu'ils s'en plaignent, et parler en leur nom à cet effet.

Que l'estimation des revenus des Seigneuries, devenant nulle par l'erreur où ils ont tombé, en mettant de leur parti tous propriétaires qui n'ont pas signé avec nous ; et d'ailleurs ne démontrant pas surquoi ils l'ont appuyé, il est inutile d'y répondre. On ne doit pas considérer seulement le revenu du Seigneur, on doit beaucoup à la propriété des tenanciers, qui, si nous en calculons le nombre qui compose notre Province, fera voir une quantité considérable de suffrages qui leur manquent ; et cependant ils y ont un droit incontestable. Plut à Dieu que ce million, deux cens quarante six mille vingt trois livres, six schellings, huit deniers du commerce, se réalisât ! la droiture de nos intentions ne laisse aucun doute sur les vœux sincères que nous formons à son égard. Si ce calcul est vrai, notre système actuel ne leur est donc pas défavorable. En admettant qu'il le soit, ces sortes de richesses ne fixent point l'individu dans un pays ; les Propriétaires seuls ont droit à la conservation ou altération de leurs Loix et Constitutions. On sçait les précautions qu'on doit apporter pour l'établissement d'une Loi ; et combien plus grandes doivent être ces mêmes précautions pour la changer : C'est sur ce principe, que dans les mois de Janvier et Fevrier de l'année 1787, les Citoyens Canadiens des Villes de Québec et de Montréal formèrent des Pétitions à Votre Excellence ; il est étonnant que plusieurs de ceux qui les ont signé dans le tems, agissent maintenant d'une manière si contraire à des points, par eux si clairement et si justement démontrés.

Que, sur la publication dans la Gazette de Québec, le 18 du présent mois, de deux Mémoires et Requêtes, l'une datée de Montréal le 4 Décembre, signée de huit personnes, et l'autre de Québec du 5 du même mois signée par 12, nous ne pouvons nous empêcher d'observer à Votre Excellence, que ces deux Requêtes faites séparément, nous ont

paru plus susceptibles d'affectation de leur part, que de principes solides qui dûssent mériter notre attention. Elles sont une répétition pas mieux fondée que la Pétition des Anciens sujets, que nous croyons avoir amplement réfutée. Nous nous contenterons de dire qu'il nous paroît plus étrange de leur part, d'avoir voulu tirer leur importance des sujets Loyalistes nouvellement établis dans cette Province ; tandis que par devoir, et par cette justice qu'ils doivent à leurs compatriotes, ils auroient dû soutenir avec nous qu'aucune raison de nombre ou d'intérêt particulier, ne doit nous priver d'une Constitution dont nous sommes redevables aux faveurs Royales de Sa MAJESTÉ, et des Loix si solennellement promises, et garanties, dont la conservation est un de nos droits les plus sacrés.

Vos représentans osent se flatter d'avoir répondu d'une manière satisfaisante et positive à des faits dénués de toutes preuves, d'avoir démontré l'erreur des estimations et des calculs imaginaires, et la futilité des assertions des Pétitionnaires des 4<sup>me</sup> et 5<sup>me</sup> du présent mois. La répugnance que nous avons pour ces débats littéraires qui sont la source de bien des conséquences dangereuses, nous fait omettre des détails que les connoissances de Votre Seigneurie sur l'état actuel de la Province et ses individus, nous font espérer qu'elle voudra bien suppléer au tableau qu'il nous seroit si avantageux de lui présenter. Si Votre Excellence entretient le moindre doute sur la vérité de nos allégués, et sur les sentimens généraux de notre Nation, nous la supplions de faire intervenir son autorité pour connoître par les voies que sa sagesse ordinaire pourra lui suggérer, l'opinion et le vœu général des Loyaux sujets Canadiens de Sa MAJESTÉ. Si vos représentans vouloient remonter à une époque plus reculée, il leur seroit facile de convaincre Votre Seigneurie que c'est à une carrière trop libre et ouvertement soutenue par certaines personnes, que ce nouveau système de nos Opposans a dû son existence ; et que nous pouvons avancer



que l'influence de ces personnes en a entraîné un nombre d'autres, sans en connoître les conséquences. Nous ne pouvons non plus citer nos vrais motifs de patriotisme et de Loyauté en formant nos Oppositions. Nos peuples trop pauvres et trop endettés sont incapables de supporter les taxes qui doivent nécessairement résulter du système proposé par les Pétitionnaires. L'exemple malheureux de cette insurrection récentes des Colonies voisines, qui a pris sa source dans un pareil système, nous représente continuellement sous les yeux, le déplorable sort de notre nation, si elle en devenoit la victime, en perdant de vue les intérêts qui doivent l'attacher si étroitement à ceux de notre Monarque Bienfaisant, nous n'avons pas à craindre, avec de semblables vuës, les reproches de nos compatriotes, ni le rapport et le caractère que Votre Seigneurie daignera donner de nous à Sa Très Gracieuse MAJESTÉ. C'est pourquoi, nous la supplions encore plus fortement, d'y donner toute son attention ; de considérer nos démarches comme conformes à celles que nous avons toujours suivies, et dont Votre Excellence a pu se convaincre par les pièces dont elle est munie. Vos représentants ne doutant pas que les Pétitionnaires des premiers 4<sup>me</sup> et 5<sup>me</sup> du présent mois ont transmis copies de leurs Pétitions en Angleterre ; prennent la liberté de supplier Votre Seigneurie de faire parvenir au pied du Trône de leur Auguste Souverain, une copie de la présente, qu'ils ont l'honneur de vous adresser, et, pour ce nouveau bienfait, ils ne cesseront de prier pour la prospérité de Votre Excellence, et la conservation de son illustre Famille.

Montreal, le 24 Decembre, 1788.

Picotté de Belestre, Conseiller, Chevalier de l'Ordre et Militaire de St. Louis.

Jh. de Longueüil, Conseiller, Seigneur de Soulange, Pointe à Loeignac, Nouvel Longueüil, Co-seigneur de la Baronie de Longueüil et Moulin.

Hertel

- Hertel de Rouville, J. C. P. Seigneur de Rouville et  
Moulins.  
Neveu Sevestre, Colonel Comdr. les Milices, J. P. Co-  
seigneur de Dautray et Lanoray.  
St. George Dupré, Lt. Col. J. P.  
Antoine de Lanaudiere, Co-sgr. de S. Vallier et S. Pre.  
Lébequêt.  
Quinson de St. Ours, J. P. Co-seigneur de l'Assomption,  
St. Ours et L'Echaillon.  
Ls. Porlier, Major de Milice, J. P.  
A. De Bonne, Seigneur du Sault St. Marie et Choisy, (ces  
2 Fiefs contiennent 257,796 arpents en superficie)  
J. P. &c.  
J. B. M. Hertel de Rouville, J. P. Seigneur de la Pointe  
Olivier et Moulin.  
A. Désaunier Beaubien, Capt.  
Cap. Jos. Lamothe, dept. Sauv.  
Montigny Louvigny.  
Chevalier de Beaujeu.  
Hipolyte de Hertel, Co-seigneur de St. François.  
Pre. Meziere, Juge à Paix.  
Bazile Campau, Officr. de Milice.  
Sanguinet, Seigneur de la Salle et Moulins, Juge à Paix et  
Juge des Plaidoyers Communs.  
P. Dupéré, Seigneur de Champlain et Moulin.  
François Benoit, Ecuyer.  
Pierre Duchaine le Sieur, Seigneur de Machiche.  
Chas. le Sieur, Co-sgr. Machiche.  
J. Bte. le Sieur, Co-sgr. Machiche.  
Augustin le Sieur, Co-seigneur de Machiche.  
Pierre de Champlain, Ecuyer, Co-seigneur de Hertel.  
Dancour de Louvieux, Ecuyer.  
Joseph Couinaud, Co-sgr. Lieut.  
St. George Dupré, fils, Capt. M.  
Joseph Marie de Tonnancour, Seigneur d'Yamaska, de God-  
froy, Colonel des Milices, Juge à Paix, Moulins.

François Despins, Sgr. de Labaie.  
 Joseph Crevier de St. François, Seigneur de St. François.  
 René Gay, Seigneur de la Baie St. Antoine.  
 Chartier de Lotbinière, J. P. Seigneur de Lotbinière, Vaudreuil et Rigaud, et Moulins.  
 Paul Lacroix, J. P. Seigneur de Villeraie.  
 Christ. Sanguinet, Seigneur de Varennes et Moulin, J. à P.  
 Droit de Richerville, Seigneur en Partie de Roctoiade et  
 Godfroy Dutor.  
 René A. de Boucherville, Conseiller, Seigneur de Boucherville et Moulins ;  
 Laperrière, Seigneur de Contre-cœur et St. Antoine, et Moulins.  
 Labroquerie, Co-sgr. Boucherville, de Varenne et Tremblay.  
 René De La Bruyère, Seigneur Montarville, &c.  
 Labruaire de Montarville, J. P. Seigneur de St. Denis, Co-seigneur de Contre-cœur, de Boucherville, et Moulins.  
 Charles Grosbois, Co-seigneur de Boucherville.  
 François Labruyère, Co-seigneur de Boucherville.  
 Clément Sabrevoy de Bleuri, Ecr. Co-sgr. de Boucherville.  
 Pierre Denoyelle Fleurimont, Ecr. Co-sgr. de Boucherville.  
 Joseph Lacroix, Capt. Milice.  
 Charles Labruaire.  
 Pierre Wilbrener, Capt. Milice.  
 Pierre Favreau.  
 Labruaire, fils.  
 François Racicot, Ntre. Public.  
 Antoinette Gauthier, Enseigne de Milice.  
 Together with about 3,000 more Signatures.

Representation

## N° IX.

Representation of the Canadian Citizens of the Town and District of Quebec to Lord Dorchester; containing Strictures on the Three Memorials, dated 1st, 4th, and 5th, December, 1788, from the Merchants and others; tending to shew the futility of their Arguments, for a Change of the Laws, and the Establishment of a House of Assembly, and the Inaccuracy of their Statements of the Property possessed by them and the Canadian Inhabitants respectively.

A SON EXCELLENCE LE TRES HONORABLE

GUY LORD DORCHESTER,

Capitaine Général et Gouverneur en Chef des Colonies de Québec, Nouvelle-Ecosse et Nouveau Brunswick et Dépendances; Vice Amiral d'icelles; Général et Commandant en Chef des Troupes de Sa Majesté dans les dites Provinces et dans l'Isle de Terre-Neuve, &c. &c. &c.

Si Votre Excellence veut bien le permettre,

Nous, les Nouveaux sujets citoyens de la Ville et district de Québec, qui ont signé la très humble requête à Sa Très Excellente Majesté le 13 Octobre de cette année, en Opposition à celle de quelques Anciens et Nouveaux sujets demandans une Chambre de Représentans en cette Province, et le rapel de l'Acte de Québec, croirions nous manquer à nous mêmes, à ceux qui ont signés avec nous, et à l'intention du plus grand nombre des Canadiens, si nous ne faisons quelques observations sur des mémoires présentés à Votre Excellence les 1er. 4. et 5. de ce mois, publiés dans la Gazette de Québec. Plus modestes que les rédacteurs des trois mémoires, qui se prétendent Comité, contre la Loi, nous n'oserons

n'oserons point, My Lord, prendre un titre auquel nous n'avons aucun droit. La saison, l'éloignement des paroisses, et le peu de tems que nous aurions eu jusqu'au départ de la Malle, ne nous ont point permis de rassembler les suffrages. Ce sera donc seulement comm'individus et comme Membres de la Nation Canadienne que nous prenons humblement la liberté d'offrir à Votre Excellence nos présentes observations, et nous nous flatons que nous réussirons mieux à faire connaître à Votre Excellence les intentions du plus grand nombre des Habitans naturels de ce País, que ceux qui s'en disent très illégalement les Représentans. Les assertions hasardées, les calculs erronés que contiennent ces mémoires pourraient trouver de l'appuy, loin du lieu où la trame est ourdie, si nous négligions de donner les moyens à détruire les impressions qu'ils laisseraient sans doute dans l'esprit de ceux qui connaissent imparfaitement le País et les individus dont il est composé. Les Habitans nombreux de cette Province, heureux sous un Gouvernement modéré, presque tous cultivateurs paisibles, étrangers à l'intrigue et à l'esprit de parti, sans taxes directes sur leurs propriétés, doutent qu'il puisse exister pour eux un état plus fortuné. Si quelqu'un a prêté l'oreille aux projets d'innovations c'est parcequ'ils ont cru que ces innovations étaient les seuls remèdes à leurs plaintes et les seuls moyens à conserver leur Loix de propriété, leur Religion et même le bonheur de la Province qui étaient en danger. De cet exposé à Votre Excellence qui connaît parfaitement les Habitans de ce País, il en résultera que le projet d'innover dans le système de notre Législation, ne vient que du plus petit nombre à qui nos Loix répugnent et qui désirent d'en introduire d'étrangères, et ce petit nombre a entraîné ceux qui paraissent dans les listes qui ont été présentées à Votre Excellence, lesquels ignorent absolument les vrais motifs et les mauvaises suites de telles innovations.

Notre

Notre Religion, nos Loix de propriété, notre sûreté personnelle, voila ce qui nous interesse, et ce dont nous pouvons jouir le plus amplement par le Bill de Québec, une Chambre d'Assemblée nous répugne par les conséquences fatales qui en résulteront. Pourrions nous nous flatter de conserver longtems, comme Catholiques Romains, les mêmes prérogatives que les Sujets Protestans, dans une Assemblée de Représentans ? Ne viendrait-il point un tems, où la prépondérance de ces derniers influerait contre notre postérité ? Dans ces cas jouirions nous et notre postérité des avantages que l'institution actuelle nous assure ? Ne craindrons nous point encore de voir asseoir les impots sur les propriétés, tandis qu'ils ne portent actuellement que sur des objets de Commerce que l'habitant paie, il est vrai, mais indirectement, et à proportion de ce qu'il consomme ? Ne devons nous point craindre de voir la Chambre des Représentans créer le germe de la dissention et nourrir les haines intestines que des intérêts opposés entre des Anciens et des Nouveaux Sujets feraient éclore, et susciter ?

Nous allons nous servir des propres armes de ces zélés Partisans d'une Chambre de Représentans, et employer leurs Calculs pour démontrer les erreurs des Tableaux dont ils apuient leurs Adresses.

Il est à remarquer que le mémoire des Anciens Sujets, en présentant la liste enflée des revenus des trente six Seigneurs Anciens Sujets montant à 10,346 l. semblerait insinuer que ces trente six Seigneurs auraient donné leur sanction à l'Adresse de 1784 ; pour une Chambre d'Assemblée, tandis que réellement il ne s'en trouve que quatorze, dont les plus aparens n'ont même point signé, et auxquels ils veulent cependant prêter du penchant pour les mesures qu'ils ont adopté.

Les Partisans de cette Assemblée des Représentans feignent aussi d'ignorer que, dans l'année 1784, il a été transmis aux pieds du Trône une Adresse entièrement opposée à une  
Chambre

Chambre d'Assemblée, et que cet Adresse etait signée de près de quatre mille perſones, et que ſi dans dotre ſeconde Adresse du 13 Octobre, les ſignatures de ces mêmes perſones n'ont point été réceuillies, c'eſt qu'on ne l'a point crû néceſſaire, et qu'il ſuffiſait de prendre celles des plus notables, et à la convenance, attendu l'éloignement et la faiſon. Or il ne s'agit plus de ſept cens quarante-quatre Opoſans à la Chambre d'Assemblée; mais d'environ quatre mille qui ont ſigné poſitivement contre cette Chambre, et dont les ſignatures ſont dan les mains des Miniſtres de ſa Majeſté, ce qui va former une diſérence frapante dans le réſultat de leurs Calcults imaginaires.

Nous ne placerons point non plus dans la Claſſe des Par-tiſans de la Chambre des Représentans les Anciens et Nouveaux ſujets qui ne l'ont point demandé, or ſi ſuivant leur ſuputation, on compte vingt mille huit cens peres de familles propriétaires de biens-fonds, ſujets Canadiens; ſi dans la même proportion, on ſupoſé deux mille Anciens ſujets; ſi ſur ce total réuni de vingt deux mille huit cens, on déduit les deux mille trois cens ſoixante treize Souſcripteurs pour une Chambre d'Assemblée, au moins il reſtera vingt mille quatre cens quatre vingt ſept ſujets, dont quatre mille et plus ſe ſont formellement Oppoſés au projet de réforme, en aiant eû connoiſſance, les autres ou l'ent ignoré et ne demandent aucun changement, parcequ'ils ſont contens de la forme de Gouvernement, ou ont refusé de ſigner ſur l'Adresse pour une Chambre d'Assemblée lorſqu'elle leur a été préſentée, parcequ'ils en défaprouvaient le but.

L'article d'un million deux cens quarante ſix mille, vingt trois livres ſix Shellings huit pennies ſterling la propriété du Commerce, preſque toute, eſt-il dit, entre les mains des Souſcripteurs pour la Chambre, ne ſervira qu'à faire voir que les aſſertions hazardées coutent peu, à qui veut préſenter les objets dans un jour diſérent, qu'ils ne le ſont réellement. Un petit nombre de particuliers dont les trois quarts ne ſont

que des laboureurs ou des citoiens dont les revenus n'excèdent certainement point les quarante Livres qu'on veut gratuitement leur donner, et dont parmi les autres ils ne se rencontrent que peu de Marchands, de qui le crédit soit établi sur des fondemens solides, réunirait-il une masse immense et exagérée qui, en lui suposant l'existence qu'elle n'a point, ne peut être que divisée et subdivisée entre tous les Marchands de la Province, dont la plupart n'ont jamais Souferits pour la Chambre d'Assemblée. La part des Négocians de la Grande Bretagne pourrait être plus considérable, si ces Messieurs qui n'habitent point le Païs, avaient quelques droits au changement du sistême actuel de cette Province. Ce million et quelques cens Livres sterling ne formera donc aucune balance en faveur de la demande de la Chambre, et ne pourra tourner que contr'elle, puisqu'il est vrai que cette somme se trouve répandue, tant chés les Marchands de cette Province qui ont souferits pour la Chambre, que chés les Marchands de Londres, aussi chés les Oposans à cette Chambre, et encore chés un nombre de ceux qui ne veulent point entendre parler ni s'ingérer en aucunes façons dans les affaires politiques.

## Partisans de la Réforme.

## RECAPITULATION.

14	Seigneurs Anciens sujets valant en rentes Seigneuriales et autres revenus,	£ 8,770 0 0
13	Seigneurs Nouveau sujets vaient,	5,385 0 0
2,346	Anciens et Nouveau sujets de tous états, à £ 40.	93,840 0 0
<hr/>		
2,373	A déduire les Pensions et Salaires,	£ 107,995 0 0 - 440 0 0
<hr/>		
	Reste,	£ 107,555 0 0

On pourra donc tout au plus dire que, deux mille trois cens soixante treize personnes valent la somme de cent sept mille cinq cens cinquante cinq livres de revenus, ont demandé et Souferit pour une Chambre d'Assemblée par leur



Adresse de 1784 : et pour les objets y contenus : mais il faut cependant observer que plusieurs des Seigneurs Anciens sujets au nombre de ceux portés ci-dessus n'ont point signé; que c'est mal-à-propos qu'on avance qu'ils sont partisans de l'Adresse, et que si on déduisait leurs revenus de la liste, qui concerne les Seigneurs Anciens sujets, elle se trouverait réduite à peu de chose. Que deux des principaux Seigneurs, en revenus, Nouveaux sujets, qui étaient Membres et à la tête du Comité de 1784 pour la Chambre, paraissent s'en être retirés depuis, sans raison de *Mort* ni de *Vacances*. Il faut aussi observer que des deux mille trois cents quarante six sujets de toutes dénominations, évalués à 40 l. de revenus, un huitième de ce total n'a réellement point de revenu, et que les sept autres huitièmes font bien loin d'avoir les 40 l. qu'on leur donne aussi gratuitement.

Oposans à la Chambre d'Assemblée.	
51 Sgrs. valant en rentes Seigneuriales et autres revenus,	£ 10,836 0 0
3,949 Sujets de toutes dénominations sur la contr'adresse de 1784 et sur celle du 13 Octobre dernier à 40 l.	157,960 0 0
<hr/>	<hr/>
4,000	£ 168,796 0 0
A déduire les Pensions et Salaires,	2,745 0 0
	<hr/>
Reste,	£ 166,051 0 0

Il résulte que 4,000 personnes valant 166,051 l. sont formellement Oposées à la Chambre d'Assemblée. Qu'elles surpassent en nombre les partisans de la dite Chambre, comme Seigneurs, de vingt-quatre individus, et comme sujets de toutes conditions, de 1,603 individus, et que leurs revenus excèdent ceux des réformateurs de 58,496 l. en observant que les 51 Seigneurs Oposans ne sont que ceux qui ont signé sur l'Adresse du 13 Octobre dernier, et que beaucoup d'autres qui n'ont point signé sur cette Adresse, l'ont fait sur celle de 1784 comm'Oposans à la Chambre d'Assemblée.

Vos Suplians représentent encor à Votre Excellence, le tableau du nombre, et des Revenus de ceux qui n'ont point porté de plaintes aux pieds du Trône et Soufc its à la demande d'un nouveau sistême, que tous les Canadiens, attachés aux vrais intérêts de la Province, redoutent par les conséquences malheureuses qu'il entrainera.

Nombre de ceux qui n'ont point entendu parler du projet d'une Chambre d'Assemblée, ou qui n'ont point voulu signer pour cette Chambre,

36 Seigneurs Anciens sujets valans pen- sions et Salaires déduits, -	£.13,754 0 0
75 Seigneurs Nouveaux sujets valans Pensions et Salaires déduits, -	12,069 0 0
16,316 Sujets de toutes dénominations à 40l.	652,640 0 0
<hr/>	<hr/>
16,427	£.678,463 0 0

Adjoutons à ce Calcul le nombre des Oposans à la Chambre et leurs Revenus, il en résultera que 20,427 peres de familles, valant 844,514 l. de Revenus, n'ont point demandé et sont Oposans à une Chambre de Représentans, et qu'on ne peut leur oposer que 2,373 personnes qui ne valent que 107,555. Souscripteurs pour la dite Chambre. Nous ne comprenons point les Comunautés et les Séminaires de Québec et de Montréal, dont les soins et la plus grande partie des Revenus sont employés à l'éducation d'un nombre d'enfans et au soutien et soulagement des malades et des pauvres familles, qui sans leurs secours tomberaient, les premiers dans l'ignorance, et les derniers dans la plus afreuse indigence. Le nombre de 4,000 que nous avons adopté, n'est peut-être point exactement celui de tous les Oposans à la Chambre, puisque nous n'avons point devant les yeux la liste des Souscripteurs de la contr'adresse de 1784. Nous croions cependant, pouvoir assurer Votre Excellence, qu'ils ne sont point au dessous de 3,500. Et en y ajoutant les signatures de l'Adresse du 13 Octobre dernier, on jugera si

nous avons hazardé en calculant sur 4,000 Oposans avec d'autant plus de raison, que les signatures de Québec sur la dernière Adresse ne paraissent point dans celle de 1784.

C'est ainsi, My Lord, que pour anéantir les assertions des Partisans de la Réforme, nous avons employé leurs propres Calculs, dont nous sommes bien éloignés d'approuver la justice, et dont l'exagération est évidente par l'état actuel de cette Province.

Il ne nous reste plus qu'à développer à Votre Excellence, les sentimens de nos cœurs, qui sont ceux de tous les Canadiens attachés à la Patrie et au Gouvernement Britannique ; des sujets qui se sont montrés fidels dans des circonstances non équivoques ne craindront point de dire la vérité dans ce moment critique, qui peut-être décidera le sort de cette Province. Une Assemblée Provinciale en Canada ne convient point, par les conséquences dangereuses qui en résulteront.

Nous dirons, My Lord, avec confiance à Votre Excellence, que l'abrogation de plusieurs de nos Loix, et l'altération, quant aux formes qui, souvent, et trop souvent, en ont détruit les fonds, trop précipitamment faites depuis le Bill de Québec, nous ont allarmé ; que c'est un des motifs qui ont engagé les Canadiens à représenter aux pieds du Trône, dans l'intention seulement de remédier à ces inconvéniens. Vou-  
lant éviter de tomber dans le plus grand malheur, nous osons nous reposer sur la bienfaisance de Votre Excellence, qui nous a si longtems protégé, et espérer que vous voudrés bien vous intéresser auprès de Sa Très Excellente Majesté et Son Auguste Parlement, pour obtenir la permission de rétablir toutes abrogations précipitées de nos Loix, et arrêter toutes altérations ultérieures et futures. Nous espérons que le Conseil Législatif se renfermera à l'avenir dans des limites stricts, ne publiera, en conséquence du onzième paragraphe de l'Acte de Québec, que des ordonnances pour la police, le bonheur et le bon Gouvernement de cette Province, et ne  
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fera des changemens, quant aux Anciennes Loix, Coutumes et Usages, qui pourraient être nécessaires suivant les circonstances, qu'avec les plus grands ménagemens, et les considérations les plus réfléchies.

En demandant une distinction dans la dispensation des emplois, nous n'avons point seulement entendu parler en faveur des Oposans à la Chambre d'Assemblée : mais en faveur de tous les sujets Canadiens en général, qui étant le plus grand nombre, doivent y être admis proportionnellement avec les Anciens sujets, particulièrement dans les tribunaux de Justice et la Chambre du Conseil, où leurs intérêts sont journellement discutés.

Vos Suplians ne feraient aucune attention au paragraphe répété dans les trois Adresses des demandans d'une Chambre d'Assemblée, multiplié à dessein, de la remarque qu'ils y font sur les signatures des Conseillers et Juges, si par leur réflexion retenuë, ils ne paraissaient point déjà persuadés qu'ils se saisiraient, en vertu du pouvoir d'une Chambre d'Assemblée, de la précieuse prérogative de la Couronne, de nommer et constituer, Son Conseil et ses Juges. Ce n'est point, My Lord, la crainte, ni l'idée d'être destitués qui les ont engagé à signer l'Adresse du 13 Octobre dernier : Plus ils sont liés à la Province par leur état, plus ils ont crû, être de leur devoir de s'opposer à des projets contraires au bonheur du País. Si ces signatures les ont si fort affectés, pourquoi cherchent-ils à donner à penser, par leur Tableau comparatif, que les trois Conseillers Canadiens qui n'ont point signé contre la Chambre d'Assemblée, sont corps avec eux : Nous osons assurer Votre Excellence que malgré le refus, que quelques considérations particulières leur a fait faire, ces trois Messieurs n'y sont pas moins Oposés.

Nous nous recomandons, My Lord, à la Justice, à l'équité et à la profonde Sagefle de Votre Excellencé, et nous vous prions humblement, à ce qu'il vous plaise faire tel rapport à sa Majesté, qui puisse lui faire voir l'importance de

nos

nos observations pour le bonheur et la tranquillité de la Province.

Et vos Supplians reconaiffans des bienfaits que vous avez répandu sur le Peuple Canadien, ne cesseront, qu'avec la vie, de prier pour la conservation de Votre Excellence et de Votre respectable Famille.

Quebec, 31 Decembre, 1788.

J. G. C. de Lery,

Le Cte. Dupré,

J. Pinguet,

X. Lanaudiere,

L. De Salaberry,

J. B. Couillard,

N. Couillard,

Pre. Panet,

F. J. Cugnet,

J. P. Le Compte,

Lachevotiere,

Jg. A. De Gaspé,

A. Rousseau,

J. Thibaut,

G. Taschereau,

P. L. Panet,

Ch. Voyer,

A. Duchesnau,

J. F. Cugnet,

J. B. Rochefort,

J. B. Levesque,

Berthelet Dartigny.

Together with 200 more signatures.

F I N I S.

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