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Missionary of Colonization

COLONIZATION

IN THE

PROVINCE OF QUEBEC

UNDER ENGLISH DOMINATION

1760-1791



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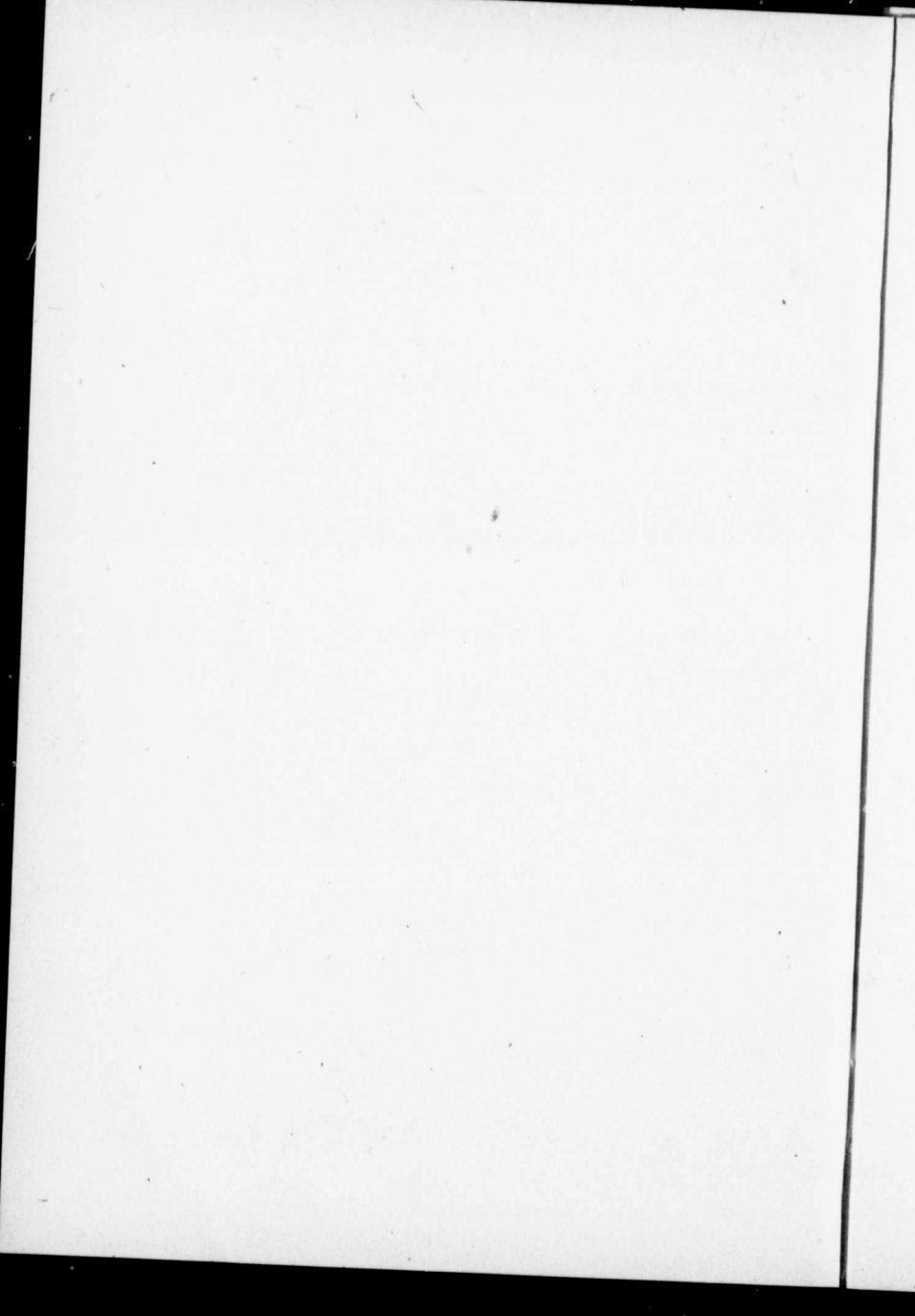
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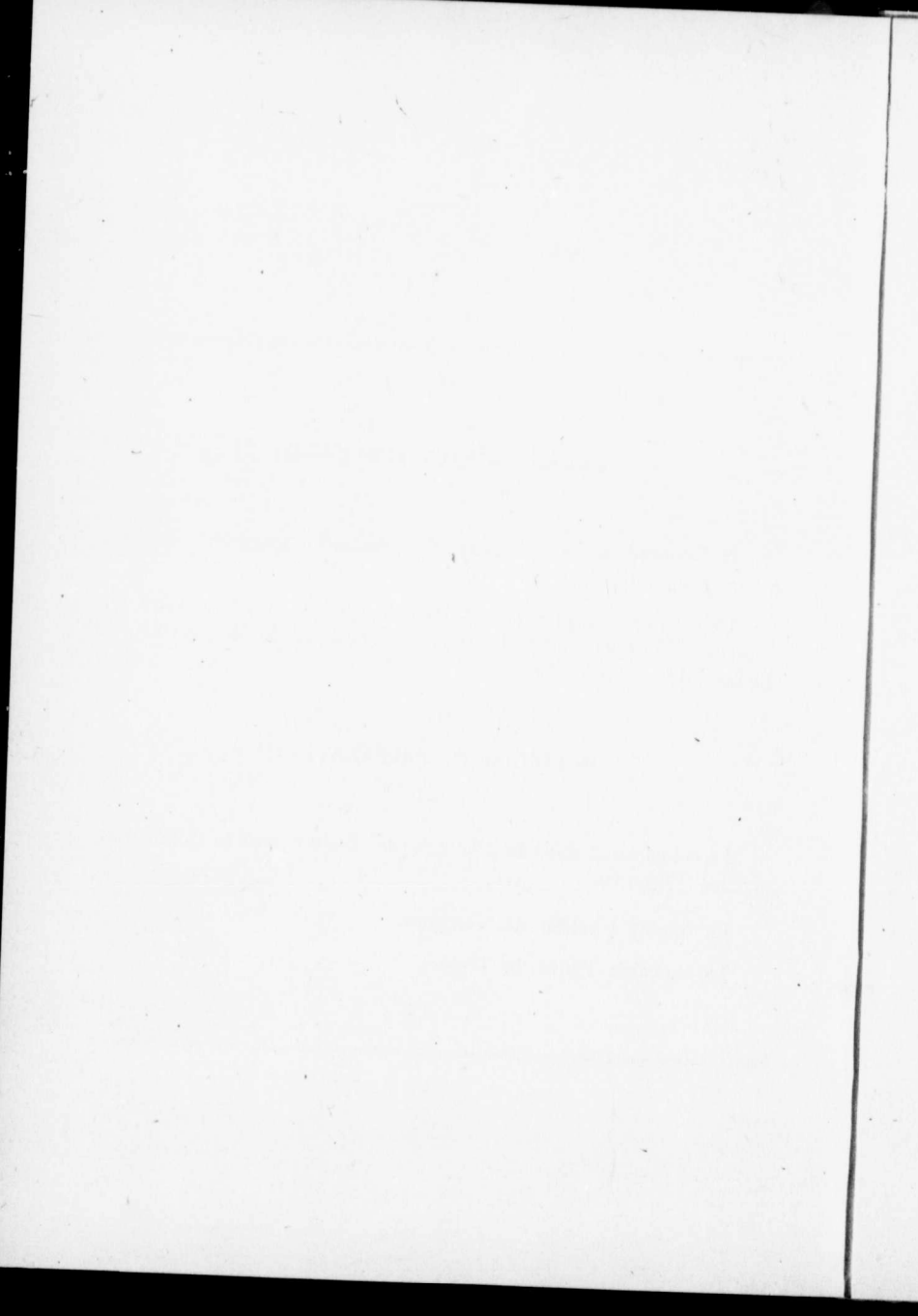
La colonisation dans la province de Québec sous la domination anglaise (1760-1791)—Dans l'Annuaire statistique de la province de Québec. 3ème année, 1916.

IN COURSE OF PREPARATION

La colonisation dans la province de Québec sous la domination anglaise (1791-1840).

La famille Gaultier de Varennes.

Le chevalier Pierre de Troyes.



INTRODUCTION.

This is but the first chapter of a work which will embrace a complete history of colonization in the Province of Quebec, since the cession of the country to England. The period of the English regime, from 1760 to 1791, although not characterised by remarkable events, is nevertheless very interesting to study, because, in it, we see the French-Canadians coming into contact with their new masters and gradually accustoming themselves to a new form of Government in nowise resembling the previous regime. In the following pages, we pay but little heed to the constitutional history of the country, and, if we point out the political changes that took place during that first period, it is chiefly for the purpose of making the various opinions they might give rise to among the French-Canadians, properly understood.

We may add without hesitation that these various fluctuations of Canadian politics had no great influence with the people in general.

On the morrow of the conquest, the inhabitants went back to their homes and to work in their fields, paying little attention to what was going on in the higher circles of the country. Counsell'd by their parish priests, they understood that they owed obedience to their new masters. The articles of the capitulation of Quebec and Montreal guaranteed them the free exercise of the Catholic religion; they did not dream for an instant that it was possible to strip them of their sacred patrimony, that there could be any idea of depriving them of freedom in speaking the language of their fore-fathers. Confiding in the generosity of their conquerors, they were happy to see peace reign at last on the banks of the St. Lawrence, and asked nothing better than to live in harmony with their new fellow-subjects. All the more so that the generous conduct of Governors Murray and Carleton largely contributed to dispel the fear that must naturally have filled their minds on finding themselves under a foreign domination.

If certain subordinate leaders, blinded by a spirit of fanaticism, sought at times to lay a criminal hand on the liberties granted them by treaties, they never believed that the British Government would consent to such an outrage, and they were not mistaken. Eminent statesmen such as: Fox, Burke, Lord Chatham and Lord Thurlow, were their strongest defenders before the British throne.

Those broadminded and highly intelligent men understood that, in order to govern with equity a people made subject by force of arms, it is necessary to leave it, within a certain measure, its customs, laws and original language.

Thus, at the outset, the new subjects of the British Crown showed themselves thoroughly loyal. There was some hesitation perhaps among the country people at the time of the American invasion, but if we look back to that period; if we consider what strong influences were brought to bear by the revolted American colonies to induce the Canadians to rebel; if we remember that they who headed the revolutionary movement in certain parts of the province were British subjects themselves, we cannot be astonished that a few peasants, whose good faith was imposed upon by the rebels' declarations, should for an instant have felt inclined towards rebellion. With few exceptions, the people hearkened to the voice of their bishops, priests and seigniors, calling upon them to remember their oath of allegiance to the British Crown, and preaching to them on the obligation binding them to take arms in defence of its threatened territory. And when Montgomery made his final assault on Quebec, during the night of the 31st December, 1775, the Canadians enrolled in the Militia fought side by side with the British soldiers, playing an important part in winning the victory which thwarted the Americans' plans.

"Whether Canada would have become independent, or a state of the Union if the French had listened favorably to these suggestions, will never be known", says Mr. W. Moore, in the *Canadian Courier*; "for relying on the inviolability of a British pledge of the right to self-expression, they remained true to Great Britain in the years when her Empire appeared to be crumbling to pieces. When peace was declared, the Union Jack waved over no other part of the North American Continent than that dominated by the French Canadians. Out of the mass of intricate forces which governed conditions during the War of the Revolution, the salient fact stands forth that the English-speaking Americans threw off British Sovereignty and the French-speaking Americans retained it."

We need not add that what happened then, repeats itself today. The voice of the bishops reminding our people of their duty to the British Crown in the present war has been heard, although the French Canadians' position in this country is quite different from that of the British-born subject. The former, in fact, does not understand devotedness to the mother country in the same manner as the Englishman. As Sir Lomer Gouin recently said in Toronto: "The Englishman, the Scotchman, the Irishman re-crosses the ocean from time to time to visit his native land or the country of his ancestors, and calls it "a going home". The French Canadian, unlike his fellow citizens of other origins, has no other home than Canada".

To his mind, he owes himself to his country, to that fine country in which seven or eight generations of his people have sacrificed themselves, which the strong arms of his fore-fathers have cleared of its vast forests and opened to settlement, which his missionaries have watered with their blood. Today, in the terrible conflict which has

armed the nations of Europe against one another, it is not patriotism, as much as the feeling of duty, that impels him to take up Britain's cause. Nevertheless, whatever may be said, thousands of French Canadians have enlisted and many of them have mingled their blood with that of the British soldiers on the battlefields.

What is the explanation of this? It is that the French Canadian remains attached to his religion, his customs and his language. Religion has, at all periods of his history, pointed out the part of duty as well as attachment to his customs and his language, has always kept him aloof from reactionary which might have imperilled those institutions to which he clings in his inmost heart.

What we now ask from our English-speaking fellow-countrymen is to remember that, if Canada has remained to England, the Catholic religion and the French language have greatly contributed to it, and also to not willingly shut their eyes to a historical fact fully proven.

Why then should it be sought, in certain quarters, to deprive the French-Canadians of the rights they have won by three hundred years of arduous toil in this land of America, by loyalty to the British Crown for one hundred and fifty years? Why should we not unite in a common effort to make our country great and powerful?

May I be permitted to repeat here the noble words addressed by Mayor Lavigne, to the distinguished delegates of the "Bonne Entente", from Ontario when he welcomed them on behalf of the French-speaking population of the old city of Quebec. They admirably sum up the feelings that should live in the hearts of all the inhabitants of the great Canadian Confederation:

"When cathedrals were built in France, in England and elsewhere, an entire population, united in Christian intention, would labour with religious enthusiasm to build their indestructible walls. Then high towers would be erected on either side of the monumental portico. But that was not all. It was desired to put bells in those towers which, from their dizzy height, would fill the surroundings with their melodious peals.

All the people would gather together while the bells were being cast, and follow the difficult operation with anxious interest.

Into the molten metal, every one would throw a jewel, a bronze or valuable vase, pieces of gold and silver, even the widow's mite and the offerings of the poorest and of children, so that every one could say that he had contributed something to the casting of the bells, and that his humble voice would mingle with the multitude of powerful and harmonious sounds proclaiming the glory of God and expressing the joys, sorrows and hopes of all.

Gentlemen, why should it not be the same with us who are called upon to solidly build up the great edifice of the Canadian nation? Why should we not devote all our energies to combining the qualities and virtues of the races from which we descend?

From a religious standpoint, we are of different beliefs and each of us is strongly attached to that which he learned at his mother's knee. But, at bottom, we are all agreed to accept the principles of the Gospel and the fundamental laws of civilization as the basis of our social organization.

Why then should we heed radical differences in mentality, diversity of language, the boundaries of various provinces, if we agree that each shall retain for himself and respect in others the characteristic features of the grand races from which we have sprung; if we succeed in combining, for common effort: the business sense, the indomitable coolheadedness and perseverance of the English and Scotch; the impetuous character and irresistible humour of the Irish; the sparkling wit and vivacity of the French, with their passion for sacrifice in their pursuit of the ideal and in the defence of noble causes, and lastly, the virtues and qualities of the other races which come to join us in fulfilling Canada's destinies?

What a bright dream! and what a great people we should be if we could make it come true!"

COLONIZATION IN THE PROVINCE OF QUEBEC UNDER ENGLISH DOMINATION

The capitulation of Montreal, on the 8th September, 1760, put an end to French rule in Canada. The articles of capitulation, signed by Amherst and Vaudreuil, guaranteed to the Canadians the free exercise of Catholic religion. The lord of manors or seigniors, the military and civil officers, the Canadians, both in the town and country, the French settled or carrying on trade all over Canada retained the full and peaceful ownership and possession of their seigniorial and other properties, their merchandise, furs and other effects, even to their sea-going ships (art. 37). (1)

A provisional government was established by Amherst. The old divisions of the province were maintained. General Murray was appointed Lieutenant-Governor at Quebec, General Burton at Three Rivers and General Gage at Montreal, Amherst keeping the supreme command.

The Military Regime.

The Military regime, which lasted from 8th September, 1760, to 10th August, 1764, then began.

The inhabitants, who had fought so bravely with the soldiery under Montcalm and de Lévis, returned to their farms which in some instances were found completely wrecked, but, trusting in Providence, they repaired the ruins and resumed cultivation with fresh energy.

The military governors authorized the captains and officers of militia, themselves Canadians, to administer justice in the rural districts according to the old French customs. In the towns, military courts were established over which the governors presided and there was no question of introducing the English laws.

The parish priests became the natural advisers of the people, taking charge of their spiritual and temporal direction and rallying them around the steeple of the village church. Apart from the officials and a few nobles, no one dreamed of leaving the country.

1) Articles of the capitulation of Montreal.—Const. Docu. (1759-1791), p. 26.

The English occupation was immediately followed by the establishment of sympathetic relations between the people and their new masters. In the month of October the Vicar-General, Mr. Briand addressed a letter to all the parish priests, requesting them to send in lists of the poor families in their several parishes. "His heart naturally full of humanity and pity for the unfortunate", said he, in speaking of Murray, "has suggested to him a means of securing help, which has succeeded beyond all expectation". (1) In fact, the governor had requested the officers of the English army to raise a subscription among the troops and to distribute the proceeds among the most indigent, each man further giving a days' ration to meet the most urgent wants.

The Secretary of State, Lord Egremont, wrote to Sir Jeffery Amherst, on the 18th December, 1761, asking him to notify the governors to issue precise and very express orders to prevent soldiers from insulting the French inhabitants, who were now the subjects of the same king, forbidding any to offend them by churlishly recalling the inferiority to which they had been reduced by the fate of arms or by making insulting remarks upon their language, their dress, their manners, their customs or their country or by uncharitable and unchristian reflections upon the religion which they professed. (2).

The English officers, who had experienced the worth of the Canadians on the battlefield, could not do otherwise than respect and treat them with mildness and humanity. This they gladly acknowledged in the petition they addressed to the king in 1774. (3).

The military regime was therefore not the period of absolutism which these two words would seem to denote, but rather one of peace and tranquillity which contrasted remarkably with the closing years of French domination. Canada's new masters desired to conciliate the former subjects of the King of France.

Nevertheless, the Canadians did not yet believe that France would definitely abandon them. But their illusions were dispelled when they learned that, by the treaty of peace concluded between the Kings of France, England and Spain and signed at Paris, on 10th February, 1763, New France had been ceded to England and their lot irrevocably settled.

That event precipitated a fresh exodus among the nobles, the officials and the merchants. (4) This emigration, however, did not extend to the rural parts; the farmers had grown attached to the soil; Canada had become their country; they were the real Canadians and bound to remain such.

(1) Pastoral letters of the bishops of Quebec, Vol. II, p. 140.

(2) Cited by Mr. Sulte. *The Military Regime*, M. S. E. C., 1905, p. LVI.

(3) Petition of the French subjects to the King—1774—Const. Doc. (1760-1791), p. 354.

(4) Murray says that the number who departed in consequence of the Treaty of Paris amounted at the most to 250 persons.

Unfortunately, the work of stripping them of their most sacred rights was to soon begin.

Civil Government.

On 7th October, 1763, George III issued a proclamation establishing civil government in the English possessions in North America.

Canada was divided up. Labrador from the St. John river to Hudson's Bay, the Island of Anticosti, and the Magdalen Islands were annexed to the Government of Newfoundland; the regions of the great lakes to the neighboring colonies, and New Brunswick, forming later a separate province. "The boundaries of Canada had to be restricted", said the Lords of Trade to Lord Egremont, (1) "in order to prevent the old French inhabitants and others from going away or settling in remote localities".

The proclamation next determined the form of government to be adopted in the colonies. It was obvious that the Province of Quebec was to be governed in the same way as the other English colonies inasmuch as no exception seemed to be made as regarded it in the proclamation (2). For the time being, the articles of the capitulation of Quebec and Montreal and of the Treaty of Paris, which guaranteed to the inhabitants the free exercise of the Catholic religion had to be respected, but, in the thoughts of the new masters of the country, this was only regarded as a transitory privilege; the Catholic religion would be replaced by Protestantism; (3) the French Canadians would eventually adopt the manners and customs of the English colonies; the introduction of the English laws would compel them to use the English tongue and initiate them into the secrets of the British constitution and, little by little, they would be transformed into English and Protestant subjects. This was a vain hope. The conflict between the two races was about to begin over again, no longer on the battlefield, but in the more peaceful meetings of the nation on the floor of Parliament, in the Cabinets of Ministers, and after one hundred and fifty years of disputes, it was to be as keen and as acrimonious as on the first day.

(1) Const. Doc. (1759-1791), p. 79.

(2) Here is what Attorney General Masères said in September, 1769, in criticising a report of Governor Carleton in favor of the re-establishment of the French laws in civil matters.

"In the first place, (the Attorney-General) thinks it will be a deviation from that plan of conduct which your Majesty has hitherto thought fit to pursue with respect to this province ever since the conquest of it by your Majesty's arms in 1760, which he conceives to have been, to endeavour to introduce the English laws and the English manner of government into it, and thereby to assimilate and associate this province to your Majesty's other colonies in North America, and not to keep it distinct and separate from them in religion, laws, and manners, to all future generations. Const. Doc. (1759-1791), p. 258.

(3) "And to the End that the Church of England may be established both in Principles and Practice, and that the said Inhabitants may by Degrees be induced to embrace the Protestant Religion, and their Children be brought up in the Principles of it; We do hereby declare it to be Our Intention, when the said Province shall have been accurately surveyed, and divided into Townships, Districts, Precincts or Parishes, in such manner as shall be hereinafter directed, all possible Encouragement shall be given to erecting Protestant Schools in the said Districts, Townships and Precincts, by setting, appointing and allotting proper Quantities of Land for that Purpose, and also for a Glebe and Maintenance for a Protestant Minister and Protestant School-Masters; and you are to consider and report to Us, by Our Commissioners for Trade and Plantations, by what other Means the Protestant Religion may be promoted, established and encouraged in Our Province under your Government. Instructions from the King to Governor Murray, 7th December, 1763. Const. Doc. (1759-1791), p. 139.

By a commission dated the 7th December, 1763, Murray was appointed Captain General and Governor in Chief of the Province of Quebec. (1)

According to the instructions transmitted to him, Murray was to be assisted in the government of the colony by a council composed of the Lieutenant-Governors of Montreal and Three Rivers, the Chief Justice of the province, the inspector of customs in America and eight other persons whom he was to choose among the most prominent subjects of the country. The members of this Council were to take the oath of supremacy and abjuration of the authority of the Pope. In consequence of this oath, Catholics were excluded from the Council.

Murray was soon to find himself confronted with insurmountable difficulties. Noble and generous in character, he loved the Canadians whom he had known as brave soldiers in the hour of battle and whom he now regarded as mild mannered and simple peasants. An aristocrat himself, he had gradually drawn closer to the nobles of the old regime and had found among them sincere friends and valuable aids. In the same way, the military officers, who had shared the fortunes of Wolfe, had formed intimate social relations with the seigniors and the former Canadian functionaries, and marriages contracted between these two elements had attached them more strongly to each other.

It is not surprising therefore that Murray and the British army officers should have shown themselves sympathetic towards the Canadian aristocracy and kindly towards the country folk; nor is it surprising that, for this very reason, the Governor should have alienated the English merchants who, on the morrow of the conquest, had invaded the country. Among these merchants were some from the New England States, and others from London, Scotland and Ireland following in the wake of the army. (2).

The narrowmindedness of these traders contrasted strikingly with the rather kindly tone of the military.

Murray treated them as adventurers, as people of little education, (3) He characterized them as: "licentious fanatics whom nothing would satisfy but the expulsion of the Canadians, who are perhaps the bravest and the best race upon the globe, a race who, could they be indulged with a few privileges which the Laws of England deny to Roman Catholics at home, would soon get the better of every national antipathy to their conquerors and become the most faithful and most useful set of men in the American empire." (4)

Of course, among those merchants there were persons who did not deserve the epithets applied to them by Murray; it is certain, however,

(1) Const. Doc. (1759-1791), p. 126

(2) Carleton to Shelburne, 25th November, 1767. Const. Doc. (1759-1791), p. 198. Also Considerations by Baron Masdrée, London, 1765. Const. Doc. (1759-1791), p. 179. Also report of Advocate-General Marriott, on a Code of Laws for the Province of Quebec, London, 1774. Const. Doc. (1759-1791), p. 310.

(3) Letter from Murray written on his return to England in 1766.

(4) Governor Murray to Lords of Trade 29th October, 1764. Const. Doc. (1759-1791), p. 167.

that they were all united in oppressing the Canadians and belittling Murray with the British authorities. (1)

The new Government came into power on the 10th August 1764. The council appointed by Murray consisted solely of English-speaking Protestants. The only one who spoke French was François Monnier, a Huguenot Jerseyman, a man of no position or influence.

By an ordinance of the 17th September, 1764, the Governor and Council established a Court of King's Bench and a Court of Common Pleas. (2) The cases before both courts were judged according to the laws of England in so far as circumstances and the actual state of affairs might permit. French-speaking subjects could be allowed to serve as jurors. (3) French Canadian barristers or attorneys could plead before the Court of Common Pleas because there was not as yet a single English barrister or attorney who understood French (4)

The choice of civil officers was not a happy one. The administrative offices, such as those of Provincial Secretary, Registrar, Clerk of the Council, were given to interested men who were completely ignorant of the customs of the country. (5)

Protestant jurymen were offended at seeing Catholics allowed to sit with them. In a protest to the king, they declared that it was contrary to the British constitution. (6) The English merchants, in their turn, sent a petition in which they accused Murray of partiality for the Canadians and asked for his recall; at the same time they asked for the establishment of a House of Assembly. (7)

Murray's position was becoming critical. On the 1st April 1766, a letter from S. H. Conway, Secretary of State, summoned him to England to account for his conduct. Although the charges against him were acknowledged to be unfounded, he was not to see Canada again. He took with him the esteem of the French Canadians who, in a very sympathetic letter, asked the King to send him back. (8)

Colonel Irving, President of the Council, acted as Administrator until the arrival of Colonel Guy Carleton, in September 1766.

Carleton, who had belonged to the expedition against Quebec and had commanded a grenadier regiment at the Battle of the Plains of Abraham, soon found out what a difficult mission he had to fulfill. In the fall of 1767, he wrote a long letter to Lord Shelburne in which he endeav-

(1) In the documents he published to justify his conduct as governor, Murray, says that he displeased the petty traders all of whom: "Quakers, Puritans, Anabaptists, Presbyterians, atheists, infidels and even Jews united together to protest against any consideration shown to the poor Canadians" Canadian Archives, M. 899, D. file VII.

(2) Const. Doc. (1759-1791), p. 150, note 1.

(3) Const. Doc. (1759-1791), p. 149, note 4.

(4) Const. Doc. (1759-1791), p. 150, note 3.

(5) Const. Doc. (1759-1791), p. 178, note 2. Chief Justice Gregory and Attorney-General Suckling were placed in 1766, the former by William Hav, and the latter by Francis Masères.

(6) Cons. Doc. (1750-1761), p. 133.

(7) Petition of the Quebec merchants. Const. Doc. (1759-1791), p. 168.

(8) The Quebec Seigniors to the King. Can. Arch., State papers, Q-4, p. 23

oured, as he said, to show the true situation of the country; he wrote at length about the respective positions of the French and English and concluded by these words which denote a very discerning mind: "Having arrayed the strength of His Majesty's old and new subjects (1) and shewn the great Superiority of the Latter, it may not be amiss to observe that there is not the least probability this present superiority should ever diminish; on the contrary, it is more than probable it will increase and strengthen daily. The Europeans, who migrate never, will prefer the long inhospitable winters of Canada to the more cheerful climates, and more fruitful soil of His Majesty's Southern Provinces.

"The few old subjects, at present in this province, have been mostly left here by accident, and are either disbanded officers, soldiers, or followers of the army, who, not knowing how to dispose of themselves elsewhere, settled where they were left at the reduction; or else they are adventurers in trade, or such as could not remain at home, who set out to mend their fortunes, at the opening of this new channel for commerce, but experience has taught almost all of them, that this trade requires a strict frugality they are strangers to, or to which they will not submit; so that some, from more advantageous views elsewhere, others from necessity, have already left this province, and I greatly fear many more, for the same reasons, will follow their example in a few years. But while this severe climate, and the poverty of the country discourages all but the natives, its healthfulness is such that these multiply daily, so that, barring a catastrophe shocking to think of, this country must, to the end of time, be peopled by the Canadian race, who already have taken such firm root, and got to so great a height, that any new stock transplanted will be totally hid, and imperceptible amongst them, except in the towns of Quebec and Montreal." (2)

Carleton was right. When the disasters of the war were repaired the people had regained courage and again set to work to till the soil. The English immigration that had been dreaded was entirely of no account. There was no change in the usages and customs of the people; directed and advised by their priests, supported and protected by the seigniors and nobles of the old regime, the inhabitants were rather indifferent to foreign domination. Without heed to the laws and political combinations of England, they found in their union with the clergy a strength of resistance which thwarted all the plans formed for denationalizing them. They kept their language and their religion and worked to assure their possession of the soil by taking up the vacant lands in the old seigniories; solidly united, they were soon to form a compact, homogeneous and ever-growing mass which no outside force could break and all the more so because a terrible, though foreseen blow, was to cause a great gulf between them and their old mother country.

(1) His Majesty's "old subjects" were the English who had migrated to Canada; the "new subjects", were the French-Canadians.

(2) Carleton to Shelburne, 25th Nov., 1767. Const. Doc., (1759-1791), p. 198.

They had sacrificed everything to save Canada for France; they had shed their blood on the battlefields; they had given all they had to aid the kingdom's exhausted treasury. Great then was their indignation when they learned that the French Government refused to redeem the card money and Bigot's famous ordinances. They realized that the last bonds that united them to France were broken, and there was no doubt that they were abandoned to their fate.

The economic situation of the country was excellent. On the morrow of the capitulation of Montreal, Amherst had declared that trade was free of duties, and had enacted that all sales should be paid in ready money and specie. (1)

Traders went through the country parts, buying wheat and grain which they paid for in gold and liberally; the people lived in comfort hitherto unknown to them; a large fleet of vessels came to the port of Quebec which Marriott hoped would be the St. Petersburg of America. (2)

The population increased; according to the census which Murray had caused to be taken before he left Canada, there were, in 1765, in the Province: 110 parishes with a population of 69,810 souls. Only 19 Protestant families lived in the country parts and there were only 500 English in all in the country. (3)

The instructions to Murray said that in future all concessions of land were to be in free and common soccage. The seigniorial tenure was not abolished, however, and concessions under the old regime remained subject to the laws governing the feudal system. Governor Murray, himself, departing from the line of conduct traced out for him, had

(1) Const. Doc., (1760-1791), p. 33

(2) The great lines of union of Canada to the realm of Great Britain are drawn at present by virtue of the conquest. . . . The cultivation of lands and attention to commerce (unknown before) are increasing every day. The back settlements extend themselves; and the inhabitants of New York and Canada are approaching nearer to each other; some French families who disliked the English proceedings, and many of the first English settlers at Quebec, who were, severa of them, upon speculation, adventurers from England, Scotland, and Ireland, or factors for considerable merchants in London and elsewhere, have retired from the colony; not finding that the advantages of the opening of trade there answered the sanguine expectations of the earliest comers, who overstocked it, or who found a military government in too great a degree of vigour, for the advantage and security of commerce; and their place is daily supplied by another sort of men, such as English officers of the army and navy, and actual merchants. A great iron foundry has been established, (the St. Maurice forges), warehouses are built, one house for distilling only has cost five thousand pounds, and such great purchases of landed property have been made of the native Canadians by Englishmen, that some of the principal seigniories at this day are in the actual possession of the latter. There are about two or three thousand British born settlers besides the troops. Every year, with the accession of commerce, in the nature of things, must increase their numbers and consequence, if the laws are well fixed and administered, and a military government, if possible, is avoided or controlled. For notwithstanding the natural indolence and ignorance of the people and their present poverty, notwithstanding the circumstances of the pretended difficulties attending the navigation of the river Saint Lawrence, at all times, from its rocks and shoals, magnified by the inexperience or policy of the French, and the long time it is frozen, for full six months: yet when we consider the prodigious increase of population, the exceeding fertility of Montreal, the healthiness of the air, and the vast woods of Canada, capable of supplying naval stores and lumber for the West Indies and for the mother-country, the produce of horned cattle, sheep, horses, hogs, wool, corn, hemp, flax, furs, pot-ash, iron, &c., and the situation of the river St. Lawrence, so adapted for the fishery, and increase of seamen, objects little pursued by the French government, totally taken up with military operations, it is reasonable to think that all these circumstances will, in course of time, conspire to make Quebec the Petersburg of North America. Report of Advocate-General James Marriott, on a plan of a Code of Laws for the Province of Quebec, 1774, Const. Doc. (1759-1760), p. 318.

(3) Census of Canada, 1871, Vol. IV, p. 80.

granted two seigniories in 1762: that of Murray Bay (Malbaie), (1) to Captain John Nairne, and that of Mount Murray to Lieutenant Malcom Fraser.

The conditions of those two grants do not differ from those given by the French governors and intendants.

Several seigniories had also been bought by Englishmen, merchants and others, from the nobles who had left the country.

Some of the new owners took advantage of their position to exact exorbitant dues from their tenants; they alleged that the feudal system was no longer in force and that they were not bound by the laws which formerly governed feudal tenure. On the other hand, those laws had never been codified, they were contained in a multitude of scattered documents which it would have taken very long to consult.

The greatest anarchy soon reigned in the courts especially in connection with disputes between seigniors and tenants.

The English-speaking judges, completely ignorant of the laws under the old regime and unable to ascertain them themselves, gave judgments which were often contrary to law. All the more so because the Canadians, deeming that the English laws were in force in the country, took care to have recourse to them when they found it to their advantage while, in other instances, they resorted to the old French laws (2).

Carleton wished to remedy all these drawbacks and he got a juriconsult of that day, Joseph Cugnet, to draw up a summary of the French laws which the latter called: "*Coutumes et usages anciens de la Vieille province de Québec*. It was sent to England in September 1769 (3).

Lastly, in a letter to Lord Shelburne, dated the 12th April, 1768, Carleton merely asked that the old system of granting lands be restored.

"The Canadian tenures differ, he said, it is true, from those in the other parts of His Majesty's American Dominions, but if confirmed, and I cannot see how it well can be avoided without entirely oversetting the properties of the people, will ever secure a proper subordination from this province to Great Britain; if its detached situation be constantly remembered, and that on the Canadian stock we can only depend for an increase of population therein, the policy of continuing to them their customs and usages will be sufficiently evinced.

(1) Mr. George A. Wrong, professor of History, at the Toronto University, gives a history of the Murray Bay seignior in a very interesting work called "A Canadian manor and its seigneurs."

(2) Letter from Carleton to Shelburne, 24th Dec., 1767. Const. Doc. (1759-1791), p. 261. Also a draught of a report drawn up by the Honourable Governor and Council of the Province of Quebec to the King's most Excellent Majesty in His Privy Council concerning the state of the laws and the administration of Justice in that province. Const. Doc. (1759-1791), pp. 240-241.

(3) Const. Doc. (1759-1791), p. 210, note 2.

"For the foregoing reasons it has occurred to His Majesty's Servants here, that it might prove of advantage, if, whatever lands remain vacant in the interior parts of the province, bordering upon those where the old customs prevail, were henceforth granted on the like conditions, taking care that those at Gaspey and Chaleur Bay, where the King's old subjects ought chiefly to be encouraged to settle, were granted on such conditions only, as are required by His Royal instructions; And, upon this consideration, have some grants, in the interior parts, been deferred carrying into execution, until I could receive the sense of Government thereupon. (1)"

The British Government accepted the Governor's suggestion and, by additional instructions dated the 2nd July 1771, the King allowed him to grant lands in future as *fiefs* and seigniories in the same manner as it was usually done before the conquest (2).

Nevertheless, it does not appear that the old manner of granting land was much resorted to since the documents of the period mention only one under the system of seigniorial tenure, that of the seigniory of Schoolbred, in 1786. On the whole, it was not the restoration of the feudal regime that Carleton wanted, but official confirmation of the laws governing the old system.

Another source of trouble in the country parts was the excessive power the justices of the peace took upon themselves to exercise in connection with immoveable property.

Under the ordinance of 1764, the magistrates of the Court of Common Pleas, could render judgment in any case for an amount not exceeding ten pounds. Unfortunately, those magistrates, most of whom were ruined traders, took advantage of their position to try and repair their fortunes. By means of bailiffs whom they sent through the country parts and who watched out for any disputes that might occur, they brought on suits between the farmers and charged exorbitant amounts for settling their disputes. They even went so far as to take possession of properties when the unfortunate people were unable to pay the costs of the court in money (3).

The people subjected to all such annoyances, began to grumble and an uprising was to be feared.

Reports and petitions addressed to the Government of the metropolis and to the King himself, succeeded one another (4).

(1) Const. Doc. (1759-1791), p. 209.

(2) Additional instructions to Carleton. Const. Doc. (1759-1791), p. 295.

(3) Carleton to Lord Hillsborough, 28th March, 1770. Can. Arch., Papers, State Q. 7, p. 7. This letter is printed in the report on the archives for the year 1890. App. A.

(4) Report of Attorney-General Grey and Solicitor-General Yorke, on the civil government of the Province of Quebec, 13th May, 1766. Const. Doc. (1757-1791), p. 174. Reports of Governor Carleton, Attorney-General Masères, for the province and Chief Justice W. Hey, in 1769. Const. Doc. (1759-1791), p. 276. Report of the Lords Commissioners for Trade and Plantations, concerning the state of the Province of Quebec, 10th July, 1770. Const. Doc. (1759-1791), p. 263.

In the year 1770, the French-speaking subjects had presented a petition to the King in which they asked for the restoration of the old laws (1).

Eminent British statesmen, Alex. Wedderburn, Edward Thurlow and James Marriott, had made an exhaustive study of the situation of the country (2).

Again, in 1773, the Canadians sent a memorial to the King setting out their grievances; they claimed the right to have a share in civil and military employ; asked for the re-establishment of the former boundaries of the province and pronounced themselves against a House of Assembly (3) which the English merchants had asked for in a petition also addressed to the King (4).

To enlighten the British cabinet on all the questions and press the adoption of a more equitable form of government, Carleton went to England in 1770. Mr. de Lotbinière accompanied him to watch the interests of the French-speaking subjects, while Cramahé, the oldest councillor, was charged with the administration of the province during the Governor's absence.

Quebec Act (1774).

An important event was about to urge the British Government to act more promptly than it probably wished and to decide the ministers of George III, to grant a little more protection to His Majesty's new subjects. The revolt of the New England colonies threatened to spread to all the British possessions in North America; such a misfortune had to be averted and, to that end, the House of Commons passed an Act, for making more effectual provision for the Government of the Province of Quebec, in North America, that is the "Quebec Act" (5).

The new constitution pushed the boundaries of the Province of Quebec making them extend from New England to the Ohio river and to the left bank of the Mississippi on one side; and to the Hudson's Bay territory on the other. It secured to Catholics the free exercise of their religion; dispensed them from the supremacy oath; established the old French civil laws, and confirmed the criminal laws of England. It was considered that the time had not yet come for establishing a Legislative Assembly, but, the Legislative Council was to consist in

(1) Petitions of the French Canadian subjects for the restoration of the French laws and customs. Const. Doc. (1759-1791), p. 292.

(2) Report of Solicitor-General Alex. A. Wedderburn, (1772). Const. Doc. (1760-1791), p. 296. Report of Attorney-General Edward Thurlow. Const. Doc. (1759-1791), - 305. Report of Advocate-General James Marriott. Const. Doc. (1759-1791), p. 310.

(3) Const. Doc. (1759-1791), p. 276.

(4) Const. Doc. (1759-1791), p. 345.

(5) Const. Doc. (1759-1791), p. 401.

future of 17 members, Catholics and Protestants. The Council was empowered to impose taxes for roads and buildings (1).

The Quebec Act was very gratefully received by the Canadians (2).

Their right to develop according to their national aspirations on the soil of America which they had opened to civilization, was recognized at last (3).

The Protestants were dissatisfied and presented lengthy petitions asking for the repeal of the new constitution (4)

Carleton landed at Quebec, on his return from England on the 8th September, 1774. He formed the new Council, which contained eight Canadians: François Levesque, Charles François de Lanaudière, La Corne de St-Luc, Gaspard Chaussegros de Lery, Pecaudy de Contrecoeur, Picotté de Belestre, des Bergères de Rigauville and Roch de St-Ours.

Carleton could not occupy himself for any length of time with administrative organization, because exceptionally serious matters required his attention to another point.

Two American armies were marching on Canada: one, commanded by Schuyler and Montgomery, was to seize St. Johns and Montreal; the other, under Arnold, was to pass through the Beauce forests and lay siege to Quebec.

Carleton had no army and great was his surprise when he learned that the mass of the country people refused to take up arms and were even disposed to welcome the American rebels as liberators.

While the Philadelphia Congress protested against the Quebec Act and the establishment of a Catholic province in northern America, it sent the Jesuit Carroll to carry on a propaganda in favour of revolution and sent an insidious letter to the Canadians to persuade them that it was in their interest and in that of Catholicism to join the insurgents.

There is no doubt that such hypocritical measures had produced an impression on the naive and credulous population. The example of certain English merchants, James Livingston and Thomas Walker among others, who spoke openly against the Government and headed the insurgents in the Montreal district, was not without influence on the Canadians (5).

(1) Mr. John Boyd, in his *Life of Sir George Etienne Cartier*, rightly observes that if there was no question of the use of the French language in the articles of capitulation or in the Quebec Act, it was because it apparently was not necessary to make any declaration on that subject. It does not depend upon laws or treaties that a people be compelled to speak any special language or be prevented from speaking their mother-tongue, and the French-Canadians' tenacity in preserving their language, clearly proves it. Sir George Etienne Cartier, *Bart.* by John Boyd, p. 31.

(2) Letter from Carleton to Lord Dartmouth, 23rd September, 1774. *Const. Doc.* (1760-1791), p. 410.

(3) Canada and its provinces, Mr. Duncan McArthur, Vol. 3, pp. 48 and 49.

(4) *Const. Doc.* (1759-1791), p. 414.

(5) "Some of the King's old Subjects have joined the Rebels, and it were to be wished all of them, inclined to that Cause, had done the same, we should be the safer for it; the Copy of an intercepted letter from one of them is herewith inclosed". (This letter was signed Jas. Livingstone, who come from the State of New York and was a grain merchant on the Sorel.

Cramahé to Dartmouth, 21st Sept., 1775. *Const. Doc.*, p. 456.

"It requires but little Penetration to Discover that the System of Government Solicited by the Old Subjects (the English) been adopted in Canada, this Colony would in 1775, have become one on the United States of America. Whoever considers the number of Old Subjects who in that Year, corresponded with and Joined the Rebels, of those who abandoned the defence of Quebec in virtue of Sir Guy Carleton's Proclamation in the fall of the same Year, and of the many others who are now avowed well-wishers of the Revolted Colonies, must feel this Truth however national or Religious Prejudices will not allow him to declare it."

Haldimand to Lord Germain, 25th October, 1780. *Const. Doc.*, p. 488.

Moreover, the American emissaries had told the country people that the French were fighting with the Americans and would soon come and free them from the foreign domination. All this was well calculated to influence a population retaining the remembrance of evil days, and knowing but little of the favours just granted by England (1).

The nobility remained loyal, but the seigniors soon found that the authority they formerly had over their tenants, had greatly diminished in the past ten years (2).

When they went to them and asked them to enrol to fight foreign invasion, they were rather coldly received. Those who showed themselves too arrogant, like young de Tonnancourt and young de LaNaudière, were made prisoners and released only on their promising to remain silent (3).

The clergy alone succeeded in overcoming the situation. Bishop Briand addressed a pastoral letter to the Catholics of his diocese, enjoining them to support the interests of Great Britain, to respond to the Government's call and to defend their country and property (4).

If all the French Canadians did not respond to their bishop's call, a good many took up arms, nevertheless, and the majority remained neutral; in the end, all with few exceptions, ranged themselves on the side of authority.

In the following year, Bishop Briand, in another pastoral letter, bitterly reproached the rebels with their unworthy conduct; those who persisted in their revolt were excommunicated; some of the latter died without being reconciled with the Church and were buried in their fields.

It does not come within the scope of this work to relate the events of the American invasion, how Montgomery's army, after successively seizing St. Johns, Chambly and Montreal, joined that of Arnold to attack Quebec; how the first part of the campaign ended with Montgomery's defeat and death under the walls of Quebec, in the night assault of the 31st December, 1775.

(1) See the letter of Chief Justice Hey to the Lord Chancellor on the subject; 28th August, 1775. Const. Doc., p. 456.

(2) The Gentry and Clergy have been very useful on this occasion and shown great fidelity and warmth for His Majesty's service, but both have lost much of their influence over the people. Carleton to Dartmouth, 7th June, 1775. Const. Doc. (1759-1791), p. 454.

"No means have been left untried to bring the Canadian Peasantry to engage them to take up arms in defence of the Province, but all to no purpose; The Justice must be done to the Gentry, Clergy, and most of the Bourgeoisie, that they have shewn the greatest Zeal and Fidelity to the King's Service, and exerted their best Endeavours to reclaim their infatuated Countrymen, Cramahé to Dartmouth, 21st September, 1775. Const. Doc. (1759-1791), p. 455.

(3) Documents relating to the seigniorial tenure in Canada; Munroe, The Champlain Society, Toronto, pp. 241-243.

(4) Pastoral letter respecting the American invasion of Canada. *Mandements des évêques de Québec. Vol. II*, p. 264.

The Americans, driven from the Province of Quebec in the spring of 1776, continued the struggle on the great lakes and in the western provinces, which finally turned to their advantage.

On the 3rd September, 1783, the British plenipotentiaries signed the treaty of Paris, recognizing the independence of the American colonies. Canada lost a vast territory. The rich Ohio valley, the whole region of the great lakes and lake Champlain itself were ceded to the new republic. A great error was committed in leaving the boundaries between Canada and Maine undefined; later on, inextricable difficulties arose in connection with this and the Province of Quebec was dispossessed of a fine portion of its territory through Lord Ashburton's concessions.

Great changes occurred in the Government of Quebec during the war of Independence. Carleton, at variance with the Secretary for the Colonies, Lord Germain; offended by the preference given by the Imperial authorities to Bourgoyne regarding the command of the troops and, above all, indignant at the more or less arbitrary proceedings of his councillors, had asked for his recall in June, 1777 (1).

On the 30th June, 1778, Haldimand replaced him with the title of Administrator. He was Swiss by birth, and well knew the country he had to govern. On the morrow of the conquest, he had succeeded Burton as Governor of Three Rivers. It seems that, at the outset, he wanted to govern with the same moderation as his predecessors. Shortly after his arrival, he wrote to Lord Germain that he considered the Canadians as the people of this country and that, in the administration of laws, regard should be paid to the sentiments and manner of thinking of 60,000 men rather than of 2,000—three fourths of whom were traders and could not properly be considered as residents of the province (2).

Probably the fear of seeing the Canadians embrace the cause of the Americans, owing to the appeal addressed them by the Count d'Estaing (3) and Lafayette (4), compelled him to change the line of conduct he had first traced out and to act with inflexible severity. The Canadians were overburdened by forced labour and many were cast into prison without any kind of trial.

If the charges brought by DuCalvet, who was imprisoned by the Governor's orders, must not be too readily believed, it is none the less true that terror reigned throughout the country and there were signs of uneasiness everywhere.

(1) Can. Arch., State Papers, Carleton to Germain, 27th June, 1777, Q. fol. 297.

(2) Haldimand's letter to Germain, 25th October, 1780. Const. Doc., p. 488.

(3) Count d'Estaing's proclamation to all the French in America, 28th Oct., 1778. Can. Arch., State Papers, Q. 16, fol. 297.

(4) Lafayette's letter urging Canadians to rebel, 20th Oct., 1780. Can. Arch., State Papers, Q. 17, fol. 175.

In 1785, Haldimand was recalled to England and was succeeded by Lieutenant Governor Hamilton. In November of the same year, Hamilton was replaced by Colonel Hope. Lastly, on the 23rd November, 1786, Sir Guy Carleton, who had been raised to the peerage with the title of Lord Dorchester, came out again as governor.

The Loyalists.

During the American war of Independence, a fresh element had been added to the population. The New England settlers who wanted to remain faithful to their King, were forced to leave their homes. Deprived of their property and looked upon as traitors by the rebels, they crossed the Canadian border and placed themselves under the protection of the British flag. The first who came were mostly military men who, under the command of leaders chosen by themselves, came to fight the American invaders side by side with the Canadians. They were afterwards followed by large groups including whole families. These refugees belonged to all classes of society; among them were men of mark: judges, legislators, clergymen who were to play an important part in the history of the country; also a great many artisans and farmers. All religious creeds were represented.

It is interesting to read, in Haldimand's letters, about the lengthy and expensive arrangements he made to suitably place these loyal servants of the Empire.

The first fugitives arrived in the fall of 1778 *via* Lake Champlain; some settled in the old seigniory of St Armand; others stopped at St. Johns and Sorel; several crossed the St. Lawrence and settled at Machiche, where Colonel Gagy, the seignior of the place, erected temporary dwellings for them by Haldimand's orders. They were also provided with stoves, kitchen utensils and provisions. (1)

In order to group the new-comers together as much as possible, the Governor had been ordered by additional instructions, dated the 16th July, 1783, (2) to place as many as possible in the seigniory of Sorel which he had purchased for the Crown in the previous year.

One hundred acres of land were to be given to every head of a family and fifty acres to every member of his family; fifty acres to every bachelor; two hundred acres to every non-commissioned officer discharged at Quebec; one hundred acres to every private soldier discharged at Quebec and fifty acres to every member of his family.

(1) Temporary settlement of Loyalists at Machiche, by H. Siebert. M. S. R. C., 1915. Sect. II, p. 407

(2) Additional instructions to Haldimand. Const. Doc., (1759-1791), p. 494.

In the month of August 1784, several hundred refugees from the State of New York, brought by British ships, landed at Sorel and were provided with temporary lodgings until lots of land could be given them. (1)

A census, taken in 1784, of the Loyalists definitively settled within the limits of the Province of Quebec, gives the following figures: 316 at Sorel; 207 at Lachine; 66 at Chambly; 375 at St. Johns; 617 at Montreal and in its vicinity. (2)

Mention must also be made of a colony of about 450 fugitives who took refuge in the Gaspé peninsula and on the north shore of the Baie des Chaleurs. Several of them came from Machiche which they left in the spring of 1784, being dissatisfied with the settlement conditions imposed on them.

The Loyalists would have liked to settle on the north side of lake Champlain, on Missisquoi bay, but Haldimand objected. On the 27th November, 1783, he wrote to Lord North (3) in answer to a question by the latter as to the advantages that might be derived by settling American Loyalists on lands east of the St. Lawrence and on the border of the revolted colonies. He said that it would be better to leave those lands unsettled as long as possible and, for that reason, he had refused the repeated requests of many people of Vermont who claimed to be our friends, and of some loyalists. Another reason was that the Canadian population would increase and, in a few years, they would find no land to settle on. It seemed therefore good policy to have the border settled by people of a different religion, speaking another language and accustomed to other laws than those of the enterprising neighbours of New England.

On the whole, notwithstanding Haldimand's efforts, very few loyalists finally settled in the already inhabited portion of the Province of Quebec.

They who had first come to Sorel, Chambly and St. Johns soon left to join their countrymen who already formed large colonies scattered along the river St. Lawrence, in that part of Ontario now extending from lake St. Francis to Kingston and beyond, to the bay of Quinté.

Notwithstanding the Governor's opposition, some emigrants from New England had been settled after 1784 on the east and west sides of Missisquoi bay, in the seigniory of Foucault and even in the seigniory of Noyan. When, in 1791, settlers were allowed to take lands in that region, those refugees already formed an important group and gradually peopled the district afterwards call the Eastern Townships. This was the first planting of a solid English-speaking population in the French part of Canada.

(1) The American Loyalists in the Eastern seigniories and townships of the Province of Quebec, by W. E. Siebert. M. R. S. C., 1913, Sec. II, p. 3.

(2) Reports on the Archives of Canada, (1891), p. 17.

(3) Can. Arch., Haldimand Collection. B. 56, fol. 199.

Seigniorial Tenure.

The system of granting lands, under the provisions of the feudal regime, had been restored in 1771. In the new instructions to Haldimand in 1773 (1) and to Lord Dorchester in 1786 (2), it was stated that all lands to be given the Loyalists "should be divided into distinct seigniories or fiefs to extend from two to four leagues in front and from three to five leagues in depth, if situated on a navigable river; otherwise, to be run square or in such shape and in such quantities as shall be deemed convenient and practicable."

The Loyalists already settled in the eastern part of the present Province of Ontario soon protested against this method of granting land.

Sir John Johnson, Superintendent of Indian affairs, had been directed to see to the settlement of the emigrants in Upper Canada. On the 12th April 1785, while in London, he presented a petition to the King, signed by the leading men among the Loyalists, in which they asked for a change in the land tenure and the formation of a new district from Pointe à Beudet on lake St. Francis, westward to the boundary of the land that was being settled (3).

At the first inquiry concerning the settlement of Crown Lands, Sir John Johnson who was himself a member of the special committee, (4) again pronounced himself against the feudal tenure and presented a petition from the Loyalists settled at Cataraqui and New Oswegatchie, in which they prayed that lands be in future granted in free and common soccage. (5)

Lastly, on the 13th June, 1787, Lord Dorchester wrote to Lord Sydney, saying: "But what urges more immediately is an alteration in the tenure of lands to be granted by the Crown. The instructions direct that these lands be granted in a manner in every way similar to the tenure under the French Government. Whatever merit this system may have had formerly, so great have been the changes of late years on this continent, that a new line of policy, adapted to the present relative condition of the neighbouring States and suited to the minds and temper of the King's subjects, has become indispensably necessary for Great Britain. I therefore humbly recommend that His Majesty would be graciously pleased to allow His Governor and

(1) Express instructions were given by Haldimand to Sir John Johnson, who had charge of the settlement of the Loyalists in what is now Eastern Ontario, that the new surveys should not be called townships or given names, but be numbered as Royal Seigniories to be held under feudal tenure. See Haldimand Papers, B. 65, p. 34. Const. Doc., (1759-1791), p. 494.

(2) Const. Doc., (1759-1791), p. 561.

(3) Const. Doc., (1759-1791), p. 524. On the 24th July, 1787, that territory was erected into four new districts respectively called: Lunenburg, Mecklenburg, Nassau and Hesse; the district of Gaspé was also created by the same proclamation. Const. Doc., (1759-1791), p. 651.

(4) The other members of the committee were Messrs. DeLery, De Longueuil, Holland, Davidson and Boucherville. Const. Doc., (1759-1791), p. 640.

(5) Const. Doc., (1759-1791), pp. 640, 645.

Council to grant His lands in free and common soccage, unincumbered with any Crown rent whatever, but not more than one thousand acres to the same person, without the King's approbation. Many petitions have been sent down by the Loyalists (the last of which is enclosed) praying among other things to be placed on the same footing as their brethren in Nova Scotia and New Brunswick; some disorders have also been excited among them, concerning which I have directed immediate investigation. It is not on account of these petitions that I propose the alteration, but because I judge it highly expedient to remove the smallest cause of discord between the King's Government and His people or between Great Britain and these provinces, on any score whatever" (1).

Some of the owners of the old seigniories also wanted a change in the land tenure and one of them, Mr. de la Naudière, seignior of La Pérade and superintendent of roads, presented to the members of the commission, to which he himself belonged, a petition asking to be allowed to change the method of tenure of his properties (2).

Lord Dorchester then appointed a special committee of all the members of the Legislative Council to ascertain the comparative advantages and disadvantages of free and common soccage tenure and the tenures actually in force in this province.

The members of the committee, desiring to be fully informed on the matter, drew up a series of questions which were submitted to the law officers with a request to answer by a joint report.

Owing to the illness of the Attorney-General, all the work was done by the Solicitor-General, Mr. J. Williams, who submitted a thorough report on the laws governing seigniorial tenure and said that he was in favour of a change of tenure, but observed that such a change would be unfavourable to the tenants.

The resolutions of the special committee presented by Chief Justice Smith and based on the Solicitor-General's recommendations, stated that a change of tenure was necessary; that the feudal system had been the cause of the slight progress made by the colony under the French regime; that such obstacle would but increase in the future, and the only remedy was to encourage change of tenure without, however, making it compulsory. (3)

Mr. Justice Mabane, one of the members of the committee, strongly protested against these resolutions, saying that, far from having hampered the settlement of the country, the feudal system had favoured it as evidenced by the rapid growth of the population; moreover, the change of tenure would tend to giving the seignior a more absolute and

(1) Const. Doc., p. 646.

(2) Can. Arch., State Papers, 3rd March, 1788, Q. 35, fol. 416.

(3) Can. Arch., State Papers, Q. fol. 48-1.

unconditional possession of his fief and to free him from his obligations towards his tenants.

After Mr. Justice Mabane had spoken, Rev. Thomas Bedard, superior of the Seminary, protested against the answers submitted to the Council by Mr. de la Naudière, which contained false insinuations. He said that, if the seigniors were allowed to change the tenure of their lands, they would arrogate to themselves power to divide up their lands and to grant them on such conditions as they pleased, whereby the people would soon be subjected to harsh oppression.

In view of the strong opposition manifested almost everywhere, it was not deemed advisable to proceed any further for the moment. The vexatious question of the abolishing of the seigniorial tenure was destined to find a temporary solution through the constitutional act of 1791, but was to be finally settled only in 1854.

Economic Development.

Neither under the English nor under the French domination, had the feudal system hindered the development of the country since the population had increased by 44,000 souls in 19 years. The census of 1784 showed a population of 113,012, against 69,810 in 1765. The number of settlers of British birth was estimated at about 15,000. (1).

The French Canadians had gradually gone into the seigniories granted some years before the conquest. Those of Two Mountains, St. Hyacinthe, Beauharnois and Vaudreuil, in the district of Montreal, were being gradually peopled; there was also a considerable increase of population in the seigniories along the Chaudière river in the district of Quebec; new settlements were being established in the lower St. Lawrence district, from Rivière du Loup to Rimouski, which had so far been unoccupied.

A new census, taken in 1769, showed the population to be 161,311; there were also 2,874 Indians in the province: 612 at Caughnawaga; 754 at the lake of Two Mountains; 380 at St. Regis; 342 at St. Francis; 103 at Lorette; 101 at Oswegatchie, and 582 at Carleton island in the Baie des Chaleurs.

The Canadians inhabited the districts of Quebec and Montreal; some were also settled in the districts of Gaspé and Hesse. The Loyalists, to the number of about 10,000, were settled exclusively in the districts of Lunenburg, Mecklenburg and Nassau. The proportion of the

(1) Census of Canada, (1871). Vol. IV, J. 74.

English, who lived chiefly in the towns of Quebec and Montreal, was one to two Canadians. Some of the former also lived at Three Rivers, Terrebonne, William Henry (Sorel), St. Johns, and at the entrance to lake Champlain, while a few were scattered among the Canadians in the rural parishes. The proportion of English to Canadians in the two districts of Quebec and Montreal, outside the towns, was about one to forty; in the same districts, including the towns, it was one to fifteen; in the districts of Hesse and Gaspé, two to three, and in the whole Province, about one to five (1).

The English devoted themselves chiefly to trade, of which they practically had the whole control. That trade was with England, the West Indies and the American colonies. The chief exports consisted of cod and salmon, oil, potash, linseed oil, flour, biscuits, peas, wheat, boards and deals, hoops, oak staves, ash oars and large pieces of oak. The imports were: rum, in large quantities: brandy and wines, molasses and sugar, gun-powder, salt, tea and coffee. (2)

But little cloth and leather was imported. The peasants made their own cloth for their clothing and also made their own shoes.

The fur trade was always very active; thousands of beaver, marten, otter, mink, bear, muskrat, raccoon, etc., etc., skins were exported. (3)

After the conquest, the fur trade with the Indians was open to all. A band of adventurers had invaded the posts formerly occupied by the French traders and, to attract the Indians, they distributed quantities of intoxicating liquor among them; great demoralization resulted and the very remunerative fur trade was threatened with ruin.

The traders realized that the only way to escape disaster and to remedy the many disorders due to individual trading, was to unite together and form a large company whereby their mutual interests could be more easily promoted.

To that end, in 1783, Joseph and Thomas Frobisher founded the North West Company which was to become the rival of that of Hudson's Bay. The rivalry soon degenerated into bloody battles with lasted over a quarter of a century. (4)

Agriculture was developing, but progress was very slow and but little commensurate with the fertility of the soil. The settlers adhered to the old routine and it was necessary to infuse new blood in the rural population. Lord Dorchester loved the Canadian peasantry and took

(1) Dorchester's letter to Sydney, 1788. Const. Doc., (1759-1791), p. 654.

(2) Statistics of the trade of Quebec, (1768-1783). Report on the Archives of Canada, for the year 1888.

(3) Imports and exports of the port of Quebec for the years 1783, 1784, 1785 and 1786. Can. Arch., Q. 27-1, fol. 429.

(4) In 1786, there were shipped to Europe 116,623 beaver skins; 48,436 marten skins; 23,644, otter skins; 9,576 mink skins; 6,213 fox skins; 17,713 bear skins; 202,719 musk-rat skins; 108,521, raccoon skins. Can. Arch., Q. 27-1, fol. 430.

(4) For the fur trade during the first years of English domination, see the report on the Archives of Canada, for the year 1890. Note C, pp. 46 and following.

an interest in them, so he strove with all his might to improve their lot. Through his efforts, the first agricultural Society in Canada was founded in the spring of 1789.

The leading men of the period became members of the society. (1)

At the first meeting, held on the 6th April, 1789, at the Château St. Louis, Henry Caldwell, the president, in a speech delivered first in English and then in French, explained the society's general plan. Subscriptions were to be taken throughout the province; the society was to be divided into branches and every branch was to elect 16 directors, a secretary and a treasurer every year. The branches were to communicate the results of their experiments to one another as well as such discoveries that might be made which would be of interest to the society. The reports on the work were to be published in *Quebec Gazette* and be printed in pamphlet form. The society was to give prizes to incite farmers to greater industry and create a spirit of emulation among them; seed grain adapted to the soil and climate of Canada was to be imported. Lastly, it was intended to encourage flax-growing and the improvement of breeds of live stock. A yearly subscription of one guinean was to be exacted from every member.

On the whole, the general situation of the country was excellent, but a less despotic and less arbitrary Government was desired. A great change in society had taken place. The Canadians had come into contact with the English population, and, although the rapprochement was not absolutely close, it had enabled them to become acquainted with the aspirations of the race that lived beside them. Therefore the roll of the seignior and noble gradually lost its importance and the ascendancy of the gentleman over the peasant disappeared. The *bourgeoisie*, the merchants, the members of the liberal professions were to dominate. The Bedards, Parents, Panets and Papineaus, who were soon to figure so honourably in the political area, were to come from the ranks of the *bourgeoisie* and the people, and the seigniors of the old regime, among whom the Taschereau family stood in the first rank, were to still retain some prestige by allying themselves with both classes.

(1) Their names will be found in the *Quebec Gazette* of the 23rd April, 1789.

ONE HUNDRED AND FIFTIETH ANNIVERSARY
 OF THE
 SPANISH AND PORTUGUESE JEWS
 OF MONTREAL

דע לפני מלך אלה עומד



לא הרעה	אנכי ה'
לא הנאף	לא תיה'
לא תגנב	לא תשא
לא תענה	זכור את
לא תחמד	כבוד את

