



**ASSEMBLÉE  
NATIONALE  
DU QUÉBEC**

**Procès-verbaux du Conseil de Québec  
1764-1775**

Sous la direction de Christian Blais

Bibliothèque de l'Assemblée nationale du Québec  
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**Procès-verbaux du Conseil de Québec  
1764-1775**

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## Introduction historique

*La science ne peut avoir trop d'obligation aux auteurs de ces louables entreprises, et l'on doit espérer que la législature continuera d'affecter des fonds, pour enrichir ces collections et faire imprimer des manuscrits, ou de nouvelles éditions d'anciens ouvrages, qui deviennent de plus en plus rares, relatifs au pays.*

François-Xavier Garneau,  
*Histoire du Canada*, 1845

Le Parlement québécois a toujours favorisé la diffusion et la mise en valeur de son riche patrimoine historique et politique. À la fin du XIX<sup>e</sup> siècle, plus de 13 000 pages de documents d'archives datant du Régime français sont retranscrites et publiées « sous les auspices de la Législature de Québec<sup>1</sup> ». Puis, au XX<sup>e</sup> siècle, la reconstitution des débats de l'Assemblée législative du Québec, antérieurs à 1963, vient combler les brèches de notre mémoire parlementaire<sup>2</sup>. En ce XXI<sup>e</sup> siècle, la Bibliothèque de l'Assemblée nationale du Québec renoue avec cette tradition de publier des sources avec l'édition des procès-verbaux du Conseil de Québec.

En facilitant l'accès à ce corpus, qui couvre la période située entre 1764 et 1775, nous souhaitons contribuer à une meilleure compréhension des fondements de l'histoire parlementaire du Québec<sup>3</sup>. Les chercheurs pourront également approfondir leurs connaissances sur les origines de l'État québécois sous le Régime britannique.

### Le corpus

Les procès-verbaux du Conseil de Québec sont conservés à Bibliothèque et Archives Canada sous le nom de *Minute books of the Council, 1764-1775*, dans la série *Councils of the Province of Quebec fonds*<sup>4</sup>. Ces documents manuscrits, rédigés essentiellement en anglais, sont contenus dans trois cahiers et comptent 1 171 pages.

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<sup>1</sup> Christian Blais, « Nos parlementaires et la mise en valeur de la Nouvelle-France », *Cap-aux-Diamants*, n° 114, été 2013, p. 27-31.

<sup>2</sup> Amorçés en 1974, les travaux sont terminés en 2005.

<sup>3</sup> Les sources d'histoire politique de cette période ont été relativement bien compilées par le gouvernement fédéral. Au premier plan, les *Documents relatifs à l'histoire constitutionnelle du Canada, 1759-1791*, choisis et édités avec notes par Adam Shortt et Arthur G. Doughty offrent une base solide à toutes recherches en histoire politique. D'autres textes constitutionnels dispersés çà et là dans le *Rapport sur les archives du Canada*, publié depuis 1873, sont également dignes d'intérêt. Évidemment, la *Gazette de Québec*, les archives relatives aux gouverneurs Murray et Carleton conservées la Bibliothèque et Archives Canada et *La correspondance du général Frederick Haldimand (1718-1791)*, compilée par Claude Kaufholtz-Couture en 2002 sont d'une utilité certaine. Il en est de même avec *The Maseres letters, 1766-1768*, réunies par Stewart Wallace en 1919.

<sup>4</sup> Bibliothèque et archives nationales du Canada. *Councils of the Province of Quebec fonds*, Book A, R10808-20-8-E; Book B, R10808-21-X-E, Book C, R10808-22-1-E.

Les *Minute books* du Conseil de Québec sont, par définition, des procès-verbaux. Un procès-verbal est un « compte rendu officiel, mais sommaire, de ce qui a été fait au cours d'une séance<sup>5</sup>. » C'est le greffier qui dresse « sous forme de minute, à chaque séance de la Chambre, le compte rendu exact de tout ce qui s'y passe, document qui sert par la suite à la rédaction des procès-verbaux<sup>6</sup> ».

Ces documents d'archives sont retracés à la fin des années 1910 dans les bureaux du gouverneur général du Canada et transférés aux Archives publiques à Ottawa<sup>7</sup>. En 1920, un tapuscrit des minutes du Conseil de Québec est réalisé sous la supervision de l'archiviste Arthur Doughty, mais il n'est pas publié<sup>8</sup>. Les procès-verbaux originaux sont ensuite microfilmés en 1951.

La Bibliothèque de l'Assemblée nationale du Québec numérise ces microfilms en 2006, dans le cadre des recherches menées pour le livre *Québec : quatre siècles d'une capitale*. S'ensuit l'édition des procès-verbaux du Conseil de Québec. Notre politique éditoriale a été de retranscrire ce corpus en respectant la syntaxe et la mise en pages du manuscrit original. Même les fautes d'orthographe et les ratures ont été reproduites. Seules les majuscules des noms propres ont été normalisées.

### **Le Régime britannique : une mise en contexte<sup>9</sup>**

Après la conquête de la Nouvelle-France, les Britanniques mettent en place un régime d'occupation militaire. À compter du 22 septembre 1760, le territoire est divisé en trois administrations : le gouvernement de Québec est commandé par James Murray, le gouvernement de Montréal, par Thomas Gage et le gouvernement de Trois-Rivières, par Ralph Burton.

Le traité de Paris, signé le 10 février 1763, fait de la défunte Nouvelle-France une colonie britannique. Puisque l'article 4 de ce traité donne 18 mois aux Canadiens pour émigrer en France ou demeurer dans la colonie comme sujet du roi de Grande-Bretagne, l'établissement du gouvernement civil est fixé au 10 août 1764.

Le 5 mai 1763, Charles, comte d'Egremont, secrétaire d'État pour le Département du Sud – à qui sont confiées les affaires coloniales – s'adresse aux *Lords Commissioners of Trade and Plantations* (lords du commerce) afin qu'ils préparent un projet de règlement relatif à l'établissement d'un gouvernement civil au Canada. À noter que les lords du

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<sup>5</sup> <http://www.assnat.qc.ca/fr/patrimoine/lexique/proces-verbal.html>.

<sup>6</sup> Arthur Beauchesne, Alistair Fraser, William Foster Dawson et John A. Holtby, *Jurisprudence parlementaire de Beauchesne : règlement annoté et formulaire de la Chambre des communes du Canada*, Toronto, Carswell, 1991, p. 62.

<sup>7</sup> Adam Shortt et Arthur G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada, 1759-1791*, Ottawa, T. Mulvey, 1921, vol. 1, p. xii. Auparavant, les seuls copies disponibles de ces procès-verbaux du Conseil se trouvaient dans la série « Q ». Il s'agissait des transcriptions envoyées naguère en Grande-Bretagne et préservées au *Public Record Office*.

<sup>8</sup> Une comparaison de notre transcription a ensuite été réalisée avec le tapuscrit des archives canadiennes. Des erreurs et des omissions ont été trouvées dans le tapuscrit.

<sup>9</sup> « Proclamation royale (1763) », *Encyclopédie du parlementarisme québécois*, [En ligne], Assemblée nationale du Québec, 15 octobre 2018.

commerce constituent depuis 1696 un corps consultatif, communément appelé le Board of Trade, ayant pour fonction de conseiller le Conseil privé. William Petty, 2<sup>e</sup> comte de Shelburne, est président de ce comité depuis avril 1763.

Sur le plan géopolitique, il est suggéré de réduire les frontières du Canada aux territoires habités par la majorité des Canadiens. « Le fait de restreindre la colonie du Canada dans des bornes convenables et naturelles, explique-t-on, permettra d'empêcher les anciens habitants français et les autres de se déplacer et d'aller s'établir dans des endroits éloignés où il serait plus difficile de les astreindre à la juridiction des colonies [...]»<sup>10</sup>. »

Quant aux lois civiles françaises, Shelburne tient à « assurer aux anciens habitants la jouissance des droits et des privilèges qui leur sont acquis par le traité ». La suggestion de laisser aux Canadiens « la jouissance des droits et coutumes qui leur sont déjà assurés ou qui pourraient leur être accordés » révèle l'intention de ne pas leur imposer la common law<sup>11</sup>.

Avant de définir le mode de gouvernance du Canada, les lords du commerce font le constat que, malgré tous les efforts de colonisation qu'entreprendra la Grande-Bretagne, le « nombre des habitants français excédera pendant longtemps celui des sujets britanniques<sup>12</sup> ». Dans ce contexte, en attendant que la population britannique et protestante augmente, il n'apparaît pas à propos d'établir une assemblée législative.

On propose à la place de confier l'administration de la colonie à un gouverneur et un conseil qui recevraient leurs commissions et leurs instructions royales directement du roi, c'est-à-dire de l'exécutif. Ce type d'administration, modelé sur le « gouverneur en conseil » constitue, écrit-on, « la forme de gouvernement la plus appropriée à des établissements dans leur enfance<sup>13</sup> ». Il y eut d'ailleurs de tels précédents en Nouvelle-Écosse et en Géorgie.

Le 14 juillet 1763, Egremont demande au Board of Trade de rédiger – en complément à la Proclamation – la commission et les instructions royales pour le gouverneur du Canada. Or, Egremont meurt en fonction en août; et son successeur, George Dunk, comte d'Halifax, entend donner une base constitutionnelle plus libérale (whig) à l'administration coloniale<sup>14</sup>.

Dans la pure tradition whig, Halifax souhaite que la Proclamation contienne une déclaration sur l'établissement d'une chambre d'assemblée. Une telle mesure, croit le ministre, encouragerait les protestants à s'établir dans la colonie. À cette fin, Halifax demande aux lords du commerce que la Proclamation fasse état des terres qui seront accordées aux soldats licenciés de l'armée britannique. L'établissement de ces vétérans

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<sup>10</sup> « Annexe à la lettre des lords du commerce à Egremont, 8 juin 1763 », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle...*, vol. 1, p. 114.

<sup>11</sup> *Ibid.*, p. 111 et 114.

<sup>12</sup> *Ibid.*, p. 115.

<sup>13</sup> *Ibid.*, p. 117.

<sup>14</sup> Philip Lawson, *The Imperial Challenge. Quebec and Britain in the Age of the American Revolution*, Montréal-Kingston-Londres-Buffalo, McGill-Queen's University Press, 1990, p. 33-34.

favoriserait ainsi la constitution d'une milice locale capable de garder un œil sur la population catholique<sup>15</sup>. Enfin, dans ce même document daté du 19 septembre 1763, Halifax donne un nom à ce territoire que l'on désignait, depuis le traité de Paris, par « Canada ». Ce territoire s'appellera « la province de Québec<sup>16</sup> ».

Halifax est toutefois contraint de jouer de prudence quant à l'établissement de la nouvelle administration coloniale. Pour lui, le soulèvement des Amérindiens des Grands Lacs, menés par le chef outaouais Pontiac, rend impossible à court terme l'établissement d'une assemblée élue dans la Province de Québec. Le pouvoir temporaire de rédiger les ordonnances demeurera donc entre les mains du gouverneur et de son conseil. Mais ces pouvoirs, insistent les lords du commerce, seront inscrits dans les instructions du gouverneur plutôt que dans la Proclamation ou dans les commissions<sup>17</sup>. Et pour rassurer les Amérindiens de leurs intentions pacifiques, les Britanniques décident d'inclure dans la Proclamation les dispositions concernant les terres leur étant réservées<sup>18</sup>.

Le 28 septembre, la rédaction définitive de la Proclamation est à l'ordre du jour du Board of Trade, désormais sous la présidence de Wills Hill, 1<sup>er</sup> comte de Hillsborough<sup>19</sup>. Le document y est considéré les 29 et 30 septembre. Il est ensuite transmis au procureur général Charles Yorke, le 1<sup>er</sup> octobre, et révisé par John Pownall, secrétaire des lords du commerce<sup>20</sup>.

Le 4 octobre 1763, Halifax approuve cette nouvelle version et la présente au Conseil privé le lendemain. On y réitère l'intention de donner à la Province de Québec « la même forme de gouvernement et la même constitution » que les autres colonies américaines. Cela signifie notamment de convoquer des « assemblées générales des francs-tenanciers » dès que les circonstances s'y prêteront et, ainsi donc, de les doter alors d'une « constitution permanente ». La Proclamation reflète donc la volonté de « britanniser » ces territoires, grâce aux institutions, aux lois et au peuplement britanniques, mais cette politique conservatrice est tempérée par la nécessité de composer avec la majorité canadienne<sup>21</sup>.

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<sup>15</sup> Stephen Conway, « The Consequences of Conquest : Quebec and British Politics, 1760-1774 », dans Phillip Buckner et John G. Reid (dir.), *Revisiting 1759: The Conquest of Canada in Historical Perspective*, Toronto, University of Toronto Press, 2012, p. 151.

<sup>16</sup> « Halifax aux lords du commerce, St-James, 19 septembre 1763 », dans A. Shortt et A. G. Doughty (dir.), *op. cit.* p. 127. Sur la question territoriale, voir Peter Marshall, « The Incorporation of Quebec in the British Empire, 1763-1774 », dans V. B. Platt et D. C. Skaggs (éd.), *Of Mother Country and Plantations : Proceeding of the Twenty-seventh Conference in Early American History*, Bowling Green, Bowling Green State University Press, 1971, p. 46.

<sup>17</sup> P. Lawson, *The Imperial Challenge...*, p. 32.

<sup>18</sup> Alain Beaulieu, « Sous la protection de Sa Majesté. La signification de la Conquête pour les Autochtones », dans Sophie Imbeault, Denis Vaugeois et Laurent Veyssière (dir.), *1763. Le traité de Paris bouleverse l'Amérique*, Québec, Septentrion, 2013, p. 297, note 51.

<sup>19</sup> Duncan MacArthur, « The British Board of Trade and Canada, 1760-1774 », *Canadian Historical Association/Rapports annuels de la Société historique du Canada*, vol. 11, n° 1, 1932, p. 109.

<sup>20</sup> Vincent T. Harlow, *The Founding of the Second British Empire, 1763-1793 (vol. 1) Discovery and Revolution*, Londres, Longmans, 1952, p. 175.

<sup>21</sup> Giselle Giral, « *Suppliant très humblement... We Humbly Beg...* » *Les pétitions collectives et le développement de la sphère publique au Québec, 1764-1792*, Mémoire (M.A.), Université Laval, 2013, p. 44.



## Le pouvoir législatif du Conseil de Québec

La Proclamation royale de 1763 définit en partie le statut constitutionnel de la Province de Québec<sup>22</sup>. Il y est question du pouvoir législatif accordé à la colonie:

Notre Présente Proclamation, que Nous avons par les lettres patentes revêtues de notre Grand Sceau de la Grande-Bretagne, en vertu desquelles lesdits gouvernements sont constitués, donne le pouvoir et l'autorité aux gouverneurs de nos colonies respectives d'ordonner et de convoquer, de l'avis et du consentement de Notre Conseil dans leurs gouvernements respectifs, dès que l'état et les conditions des colonies le permettront, des assemblées générales de la manière prescrite et suivie dans les colonies et les provinces d'Amérique placées sous Notre Gouvernement immédiat; que nous avons aussi accordé auxdits gouverneurs le pouvoir de faire, avec le consentement de Nosdits Conseils et des représentants du peuple qui devront être convoqués tel que susmentionné, de décréter et de sanctionner des lois, des statuts et des ordonnances pour assurer la paix publique, le bon ordre ainsi que le bon gouvernement desdites colonies, de leurs populations et de leurs habitants, conformément autant que possible aux lois d'Angleterre et aux règlements et restrictions en usage dans les autres colonies. Dans l'intervalle et jusqu'à ce que ces assemblées puissent être convoquées, tous ceux qui habitent ou qui iront habiter Nosdites Colonies peuvent se confier en Notre Protection royale et compter Nos Efforts pour leur assurer les bienfaits des lois de Notre Royaume d'Angleterre; à cette fin Nous avons donné aux gouverneurs de Nos Colonies, sous Notre Grand Sceau, le pouvoir de créer et d'établir, de l'avis de Nosdits Conseils, des tribunaux civils et des cours de justice publics dans Nosdites Colonies pour entendre et juger toutes les causes aussi bien criminelles que civiles, suivant la loi et l'équité, conformément autant que possible aux lois anglaises [...]<sup>23</sup>.

La Proclamation royale ne confère aucun pouvoir législatif au gouverneur seul. Les lois, les statuts et les ordonnances devront être faits par le gouverneur, le conseil législatif et l'assemblée législative. Des députés seront élus lorsque le contexte s'y prêtera; ou pour mieux dire, lorsque ces colonies compteront suffisamment de colons protestants<sup>24</sup>. Dans l'intervalle cependant, le gouverneur et ses conseillers ont le pouvoir d'établir des tribunaux pour juger les causes criminelles et civiles.

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<sup>22</sup> « Proclamation royale (1763) », *Encyclopédie du parlementarisme québécois*, [En ligne], Assemblée nationale du Québec, 25 septembre 2014; J. E. Read, « The Early Provincial Constitution », *The Canadian Bar Review*, vol. XXVI, 1948, p. 630.

<sup>23</sup> « Proclamation royale », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 138.

<sup>24</sup> S. Conway, « The Consequences of Conquest... », p. 151. Jack P. Greene, *Creating the British Atlantic: Essays on Transplantation, Adaptation, and Continuity*, Charlottesville, University of Virginia Press, 2013, p. 408; « Proclamation royale », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 138. À noter que la Grenade et la Floride occidentale auront chacune une assemblée constituée en 1766, et la Floride orientale en 1781.

Parce que la Proclamation royale a une portée générale, c'est dans les commissions et les instructions royales que se trouve la source du droit constitutionnel et public de chacune de ces provinces. Le 28 novembre 1763, le gouverneur James Murray est investi d'abord ses pouvoirs par une commission royale. Une commission est, par définition, une lettre patente sous le Grand Sceau de la Grande-Bretagne<sup>25</sup>. Le roi, qui est à la source des pouvoirs exécutif, législatif et judiciaire, délègue ainsi d'importantes prérogatives politiques et administratives.

Il est question du pouvoir législatif délégué à la Province de Québec dans la commission royale :

Nous donnons et conférons à vous, ledit James Murray, tout pouvoir et toute autorité d'ordonner et de convoquer, de l'avis et du consentement de Notredit conseil, lequel doit être constitué tel que susmentionné, des assemblées générales des francs-tenanciers et des colons qui feront partie de votre gouvernement aussitôt que les conditions et la situation de Notredite province confiée à votre gouvernement le permettront [...].

Et Nous déclarons par la présente que les personnes ainsi élues et autorisées, constitueront l'Assemblée de Notredite province de Québec et que vous, ledit James Murray, de l'avis et du consentement de Notredit Conseil et de Notredite Assemblée ou de la majorité de leurs membres, aurez plein pouvoir et entière autorité de faire, décréter ou sanctionner des lois, statuts et des ordonnances propres à assurer la paix publique, le bien-être et le bon gouvernement de Notredite province, de sa population et de ses habitants et à sauvegarder Nos intérêts et ceux de Nos héritiers et successeurs<sup>26</sup>.

La Proclamation royale et la commission royale délèguent les mêmes pouvoirs en matière de législation : les lois, les statuts et les ordonnances devront être faits par le gouverneur, le conseil législatif et l'assemblée législative. L'autorité inhérente de cette commission du gouverneur n'est ni supérieure ni inférieure à celle émanant de la proclamation royale; ces deux documents sont, pour chacun, l'expression indépendante de la volonté de la Couronne britannique<sup>27</sup>.

Un troisième document constitutionnel est rédigé à la suite de cette commission. Il s'agit des instructions royales. Celles-ci indiquent, en détail, les objectifs impériaux, le mode de

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<sup>25</sup> Leonard Woods Labaree, *Royal Government in America. A Study of the British Colonial System before 1783*, New York, Frederick Ungar Publishing Co, 1958, p. 6. Ce sont les fonctionnaires du Board of Trade qui sont chargés, par le ministre responsable des colonies, de rédiger la commission des gouverneurs. Ce document doit être approuvé par le Conseil privé et signé par le roi. Cette commission royale – copiée selon un modèle quasi uniforme depuis le XVII<sup>e</sup> siècle – donne sensiblement les mêmes pouvoirs à tous les gouverneurs.

<sup>26</sup> « Commission de capitaine général et gouverneur en chef de la Province de Québec », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 148-149. Est ajouté que : « Ces lois, statuts et ordonnances devront, autant que possible, être conformes aux lois et statuts de Notre royaume de la Grande-Bretagne. »

<sup>27</sup> L. W. Labaree, *Royal Government in America...*, p. 19.

gouvernement et la politique générale à suivre dans une colonie royale<sup>28</sup>. Le processus entourant la rédaction des instructions royales est sensiblement le même que pour la commission du gouverneur. Au Conseil privé, ce document est adopté par un ordre en conseil. Sa version officielle est revêtue de sceaux plus petits (lesser seals) ou du seing royal, et il est contresigné par le secrétaire d'État aux Colonies.

En ordre d'importance, la commission royale (Grand Sceau) et la proclamation royale (Grand Sceau) occupent une position constitutionnelle plus grande que les instructions royales (petit sceau). Il n'empêche que ce sont les articles contenus dans les instructions qui définissent, avec plus de précisions, l'armature constitutionnelle de la Province de Québec<sup>29</sup>. Les 82 articles des instructions de Murray, datées du 7 décembre 1763, servent véritablement de base à l'édification du gouvernement civil<sup>30</sup>. Il s'y trouve la façon dont le gouverneur doit répondre à une variété de conjonctures données<sup>31</sup>.

Contrairement à la proclamation et à la commission qui sont de nature publique, les instructions s'adressent privément au gouverneur, sauf exception pour certains articles particuliers<sup>32</sup>. Pour verser les articles des instructions royales dans le domaine public (ou pour mieux dire, afin qu'ils soient connus des conseillers), le gouverneur les fait enregistrer au Conseil de Québec.

En matière de législation, il y a concordance entre la Proclamation royale, la commission royale et les instructions royales. Le onzième article des instructions édicte qu'il appartient au gouverneur, au Conseil législatif et à l'Assemblée législative seuls de décréter les lois, les statuts et les ordonnances. Cependant, les instructions royales vont plus loin en matière législative que ne le font la proclamation et la commission. En attendant que les circonstances permettent la convocation d'élections générales pour former une assemblée élue, les articles 2 à 13 des instructions royales du gouverneur Murray lui donnent le pouvoir, sur l'avis du Conseil de Québec, « de prescrire les règles et règlements qui paraîtront nécessaires pour la paix, le bon ordre et le bon gouvernement

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<sup>28</sup> A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. xiv; Elizabeth Mancke, « Another British America: A Canadian Model for the Early Modern British Empire », *The Journal of Imperial and Commonwealth History*, vol. 25, n° 1, 1997, p. 19; Jack P. Greene, *Negotiated Authorities: Essays in Colonial Political and Constitutional History*, Charlottesville, University Press of Virginia, 1994, p. 177; John Manning Ward, *Colonial Self-Government: The British Experience 1759-1856*, Toronto, University of Toronto Press, 1976, p. 88; L. W. Labaree, *Royal Government in America...*, p. 7-8.

<sup>29</sup> L. W. Labaree, *Royal Government in America...*, p. 19.

<sup>30</sup> Philip Lawson, *The Imperial Challenge: Quebec and Britain in the Age of the American Revolution*, Montréal, McGill-Queen's University Press, 1989, p. 39. Selon Stephen Conway : « *The Irish model of ruling a Catholic majority through a Protestant landowning minority clearly influenced the instructions sent to James Murray [...]* ». S. Conway, « The Consequences of Conquest... », p. 152.

<sup>31</sup> Ian K. Steele, « The Anointed, the Appointed, and the Elected: Governance of the British Empire, 1689-1784 », dans P. J. Marshall (dir.), *The Oxford History of the British Empire. Volume II: The Eighteenth Century*, Oxford, Oxford University Press, 2001, p. 110.

<sup>32</sup> Voir l'article 9 des instructions royales. Par comparaison, la commission royale est un document public enregistré au Conseil, lu aux habitants assemblés devant le château Saint-Louis et salué par les canons des remparts de même que par « les vaisseaux de guerre dans la rade. » *La Gazette de Québec*, 16 août 1764, citée par Marcel Trudel, *Le régime militaire et la disparition de la Nouvelle-France, 1759-1764*, Saint-Laurent, Fides, 1999, p. 531.

de cette province ». Les « règles et règlements » adoptés ne doivent cependant « en quelque façon que ce soit, porter atteinte à la vie, à la sûreté corporelle ou la liberté du sujet<sup>33</sup> ». Le Conseil de Québec est donc doté d'un pouvoir législatif en théorie limité.

Le Conseil de Québec comprend que les « règles et règlements » auront la forme d'ordonnances et de proclamations. Il en était ainsi précédemment sous le Régime militaire<sup>34</sup>. Au sens propre, contrairement à un acte, à un statut ou à une loi, une ordonnance ou une proclamation n'est pas adoptée par une assemblée législative élue. Par définition, les ordonnances et les proclamations sont des textes législatifs (des décrets, des ordres en conseil) rédigés par l'exécutif<sup>35</sup>. Sauf que l'ordonnance émane du gouverneur en conseil et la proclamation, du gouverneur en son seul nom. Car, bien qu'il n'en soit pas fait mention dans la Proclamation royale de 1763 ni dans la commission ni dans les instructions royales, le gouverneur a le pouvoir de publier des décrets (proclamations et ordres en conseil) qui ont force de loi dans la colonie.

### **Le Conseil de Québec**

La première séance du Conseil de Québec se tient le 13 août 1764. Jusqu'au 23 mars 1775, « the Governor and the Members of his Majesty's Council » se réunissent à 280 reprises pour veiller à l'administration de la justice, de l'ordre public, du commerce et de la concession des terres de la Couronne<sup>36</sup>.

Alors que le conseil militaire s'assemblait dans la maison Mailloux durant le Régime militaire, de 1759 à 1764, le Conseil de Québec inaugure le gouvernement civil dans un édifice plus prestigieux : « At the Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec ». Pour autant, Murray ne considère pas que cette salle du château Saint-Louis comme un lieu d'asile sacré. Par résolution, du 17 décembre 1764 au 3 janvier 1765, les conseillers siègent à Montréal afin d'enquêter sur l'affaire Thomas Walker. Ensuite, entre le 22 mai 1765 et le 27 mars 1766, le Conseil de Québec se réunit à neuf reprises dans la maison de campagne de Murray, à moins de cinq kilomètres de Québec. Cette demeure était située sur un domaine nommé Sans Bruit, le long du chemin Sainte-Foy. « At Sans Bruit The governors Country house » se transforme par le fait même en enceinte parlementaire ou en salle de commission. Le gouverneur Carleton, pour sa part, n'assemble son Conseil qu'au château Saint-Louis de 1766 à 1775.

À l'origine, le Conseil de Québec est formé d'office, en haut lieu, du gouverneur James Murray, du lieutenant-gouverneur de Montréal Paulus Æmilius Irving et du lieutenant-

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<sup>33</sup> « Instructions au gouverneur Murray », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 159.

<sup>34</sup> « Ordonnances, proclamations, etc. émises par les gouverneurs militaires de Québec, Montréal et Trois-Rivières, depuis la capitulation de Québec jusqu'à l'établissement du gouvernement civil », dans Arthur G. Doughty, *Rapport sur les travaux relatifs aux archives publiques pour l'année 1918*, Ottawa, J. de Labroquerie Taché, 1920, Appendice B.

<sup>35</sup> « Ordonnance », *Encyclopédie du parlementarisme québécois*, [En ligne], Assemblée nationale du Québec, 14 mars 2014.

<sup>36</sup> Siegfried Peters (dir.), *La procédure parlementaire du Québec*, 4<sup>e</sup> éd., Québec, Assemblée nationale du Québec, 2020 [à paraître].

gouverneur de Trois-Rivières Hector Theophilus Cramahé. Irving et Cramahé ne sont que des substituts temporaires : les lieutenants-gouverneurs en titre, c'est-à-dire Ralph Burton à Trois-Rivières et Thomas Gage à Montréal, n'avaient alors aucune intention de se présenter au Conseil, à cause de leurs mauvais rapports avec Murray. De toute façon, puisque les fonctions de lieutenant-gouverneur de Trois-Rivières et de Montréal sont abolies peu après, Irving et Cramahé assistent plutôt aux séances comme conseillers.

Lorsque le gouverneur s'absente, le lieutenant-gouverneur de la Province de Québec le remplace à la présidence du Conseil. S'il n'y a pas de lieutenant-gouverneur en exercice, le doyen du Conseil à titre de commandant en chef et d'administrateur de la colonie, devient « President of his Majesty's Council ». De 1764 à 1775, quatre personnalités occuperont ces hautes charges publiques : James Murray (1764-1766), Paulus Æmilius Irving (1766), Guy Carleton (1766-1770 et 1774-1775) et Hector Theophilus Cramahé (1770-1774). Le juge en chef William Gregory ne préside que deux séances les 3 et 25 septembre 1764<sup>37</sup>.

On compte deux autres membres *ex officio* au Conseil de Québec : le juge en chef et l'inspecteur général des douanes. William Gregory, juge en chef de la province, est membre d'office du Conseil de 1764 à 1766; William Hey lui succède de 1766 à 1774. Charles Stewart, quant à lui, siège d'office comme inspecteur général des douanes en Amérique pour le district central de l'Est (Québec, New Jersey, Delaware, New York et Pennsylvanie)<sup>38</sup>.

Pour nommer les autres membres du Conseil de Québec, le gouverneur Murray se réfère à l'article 2 de ses instructions royales du 7 décembre 1763:

[...] vous devrez nommer et établir un Conseil pour Notredite province, pour vous assister dans la direction du gouvernement, Conseil qui, pour le présent, devra se composer [...] de Notre juge en chef de Notredite province, de l'inspecteur général de Nos douanes en Amérique pour le district du nord et de huit autres personnes que vous choisirez parmi les habitants les plus marquants ou personnes de moyens dans Notredite province<sup>39</sup>.

Si le gouverneur a le pouvoir de nommer huit autres conseillers « parmi les habitants les plus marquants ou personnes de moyen » résidant dans la province, Murray n'en nomme que sept : Hector Theophilus Cramahé, Thomas Dunn, Samuel Holland, Paulus Æmilius

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<sup>37</sup> L'article 2 des instructions royales de James Murray précise d'ailleurs : « C'est néanmoins Notre volonté et plaisir que ledit juge en chef ou l'inspecteur général de nos douanes ne puisse prendre en main l'administration des affaires du gouvernement advenant le décès ou l'absence de Notre gouverneur ou de Notre commandant en chef alors en exercice. » A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 156.

<sup>38</sup> John Temple, membre *ex officio* du Conseil de Québec en vertu de ses fonctions d'inspecteur général des douanes en Amérique du Nord, ne vint jamais dans la Province de Québec et ne siégea pas au Conseil de Québec. Son subalterne, Charles Stewart, inspecteur général des douanes en Amérique pour le district central de l'Est, siégea à sa place. <http://www.assnat.qc.ca/fr/patrimoine/anciens-parlementaires/temple-john-999.html>.

<sup>39</sup> « Instructions au gouverneur Murray », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 156.

Irving, Adam Mabane, François Mounier et Walter Murray. En fait, les instructions royales précisent à l'article 4 que le « Conseil sera composé de sept personnes ou plus ». Une fois choisi, le nom des conseillers est transmis au Board of Trade afin d'être approuvé sous le « seing et sceau » du secrétaire d'État ou désapprouvé.

Au total, 17 personnes ont siégé successivement au Conseil de Québec de 1764 à 1775. Ces conseillers sont : John Carden (1773-1775), John Collins (1773-1775), Hector Theophilus Cramahé (1764/1766-1770/1773-1775<sup>40</sup>) James Cuthbert (1766-1774), Colin Drummond (1768-1775), Thomas Dunn (1764-1775), Hugh Finlay (1767-1775), James Goldfrap (1764-1768), Edward Harrison (1773-1775), Samuel Johannes Holland (1764-1775), Paulus Æmilius Irving (1764-1766), François Lévesque (1772-1775), Adam Mabane (1764-1766), Thomas Mills (1766-1767), François Mounier (1764-1769), Walter Murray (1764-1772) et Benjamin Price (1764-1765/1767-1768).

Prononcer les serments d'office est le premier rituel que doivent accomplir les conseillers lorsqu'ils sont intronisés. Ils prêtent le « Oaths of the Gentlemen of the Council » :

You shall serve his Majesty truly and faithfully in the place of his Council, in this His Majesty's Province of Quebec, You shall keep close and Secret all such matters as shall be treated debated and resolved on in Council without publishing, or disclosing the same or any part thereof by word, writing, or any otherwise, to any Person out of the same Person Council, but to such only as be of the Council and yet if any matter so propounded treated and debated in any such Council, shall touch any particular Person sworn of the same Council, upon any such matter as shall in any wise concern his Loyalty and fidelity to the Kings Majesty; you shall in no wise open the same to him but keep it secret as you would from any other Person, until the Kings Majesty's pleasure be known in that behalf. You shall in all things to be moved treated & debated in any such Council faithfully, honestly and truly declare your mind and opinion, to the honor and benefit of the Kings Majesty, and the good of His Subjects without partiality or exception of Persons, in no wise forbearing so to do, from any manner of respect, favour, Love, need, displeasure or dread of any Person or Persons whatsoever. In general you shall be vigilant, diligent, and circumspect in all your doings touching the Kings Majesty's affairs, all which matters & things you shall faithfully observe and keep as a Good Councillor ought to do, to the utmost of your power wit and discretion.  
So help you God<sup>41</sup>.

S'ensuit le serment du test : un ensemble de serments de fidélité à la couronne britannique comportant des déclarations contre le pape et contre la transsubstantiation. De même, chaque fois qu'un gouverneur ou un lieutenant-gouverneur entre en fonction, les membres du Conseil de Québec doivent prêter les serments de nouveau.

Le gouverneur détient également le pouvoir, en vertu de l'article 7 de ses instructions, de suspendre un membre du Conseil « qui ne pourra alors ni siéger ni voter ni assister aux

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<sup>40</sup> Il préside le Conseil de Québec de 1770 à 1773.

<sup>41</sup> Procès-verbaux du Conseil de Québec, séance du 13 août 1764, p. 8.

séances ». Aucun conseiller ne peut cependant être congédié « sans une cause suffisante et valable, ni sans le consentement de la majorité des membres dudit Conseil, signifié en Conseil et sans avoir examiné sérieusement l'accusation portée contre [...] ce conseiller et avoir entendu sa défense ». Le Conseil de Québec est donc doté du droit d'exclure un membre pour tel motif jugé valable. L'intéressé peut se défendre afin que ses pairs déterminent s'il est digne ou non de conserver son siège. Il s'agit là d'un droit accordé aux membres du Conseil de Québec comme corps législatif; ce droit est, pour dire juste, un privilège parlementaire.

Si le droit d'un conseiller de prendre son siège au Conseil de Québec est à la fois assuré par les instructions royales et par le « seing et sceau » du secrétaire d'État aux colonies, il n'en demeure pas moins que le gouverneur est doté d'un pouvoir arbitraire. Les privilèges des membres du Conseil de Québec sont contrebalancés par les prérogatives accordées au gouverneur, toujours en vertu des instructions royales :

toutefois s'il arrive que vous ayez pour suspendre quelqu'une desdites personnes, des raisons qu'il ne serait pas à propos de communiquer au Conseil, vous pourrez, en ce cas, suspendre cette personne sans le consentement du Conseil; mais vous devrez immédiatement après cette suspension envoyer à Nos Commissaires du commerce et des plantations, afin qu'il Nous soit soumis, un compte rendu de vos procédés à ce sujet avec un exposé complet des raisons qui auront motivé la suspension et des motifs qui vous auront empêché de les communiquer au Conseil [...].

Les conseillers siègent selon un rang dûment établi. Leur nom est inscrit selon cet ordre dans les procès-verbaux. Les conseillers *ex officio* occupent les places supérieures. Pour les distinguer, le greffier ajoute les lettres « C. J. » à la suite du nom du juge en chef et les lettres « S. G. » à la suite de celui du nom de l'inspecteur général des douanes. Les autres conseillers siègent selon leur ancienneté, établie en fonction du moment de leur assermentation. Ce qui permet aux conseillers de gravir quelques échelons, par attrition, au fil du temps.

### **Des partis politiques en gestation**

Dès 1764, les conseillers peuvent être divisés en deux groupes. S'y trouvent des militaires et des marchands en majorité. L'appartenance à un corps de métier est ce qui distingue ses membres de prime abord. Le 2 septembre 1765, les lords commissaires du commerce confirment que les conseillers de Québec « sont entièrement soit des militaires ou des marchands que leur devoir ou leurs intérêts temporaires ont attirés ici et qui ne peuvent être considérés que comme des passants, dont quelques-uns seulement possèdent des propriétés dans la province<sup>42</sup> ».

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<sup>42</sup> « Rapport du comité chargé des affaires des plantations... », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 209.

La majorité des membres du Conseil de Québec se conforme aux volontés du gouverneur. Or, cette administration est bientôt contestée par les marchands britanniques. Le marchand George Allsopp prend la tête d'une campagne calomnieuse contre Murray et réclame une assemblée législative<sup>43</sup>. Ce groupe de marchands n'a pas de véritables représentants au Conseil, jusqu'à ce que le maître des Postes de la colonie et marchand Hugh Finlay y soit nommé; mais il ne va pas y siéger avant le 19 octobre 1767. C'est donc à l'extérieur de la sphère politique que Finlay, indépendant de Murray grâce à ses contacts personnels en Grande-Bretagne, se fait le porte-parole des marchands<sup>44</sup>.

L'aversion que développe Murray à l'encontre de ces marchands se jumelle, par ailleurs, à une partialité certaine en faveur de la noblesse seigneuriale canadienne. La défense de la cause du clergé catholique est aussi perçue, par la classe marchande, comme une injustice à l'encontre des « anciens sujets » du roi<sup>45</sup>. Le 1764, les commerçants de Québec signent une pétition pour dénoncer le gouverneur : « Nous devons ajouter à cela, sa partialité flagrante qui le pousse à susciter des factions, à prendre des mesures propres à entretenir la séparation entre les anciens et les nouveaux sujets de Votre Majesté et à encourager ceux-ci à demander des juges de leur langue<sup>46</sup>. »

Au Conseil de Québec, le gouverneur peut compter sur l'indéfectible appui de Mabane, Cramahé et Irving. Ces conseillers se portent de concert à la défense des institutions, des lois et des coutumes canadiennes. Le French Party (Parti français) est l'étiquette que les historiens utiliseront pour désigner ce groupe de conseillers. Mabane, particulièrement enclin à défendre les droits de la majorité canadienne, est considéré comme l'un des chefs de file de ce mouvement<sup>47</sup>.

Après avoir présidé les travaux du Conseil à seulement quatre reprises, Carleton est déjà à même de constater qu'il s'y trouve des factions. Le 25 octobre 1766, il en fait le portrait « du caractère et des qualités de chaque membre » au secrétaire d'État :

Le principal instigateur de l'opposition projetée est M. Mabane qui a suivi l'armée en ce pays ci qualité d'aide-chirurgien, et qui croyant et espérant que ce

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<sup>43</sup> David Roberts, « ALLSOPP, GEORGE », dans *Dictionnaire biographique du Canada*, vol. 5, Université Laval/University of Toronto, 2003, [http://www.biographi.ca/fr/bio/allsopp\\_george\\_5F.html](http://www.biographi.ca/fr/bio/allsopp_george_5F.html).

<sup>44</sup> « French Party », *Encyclopédie du parlementarisme québécois*, [En ligne], Assemblée nationale du Québec, 14 octobre 2014; Ian K. Steele, « FINLAY, HUGH », dans *Dictionnaire biographique du Canada*, vol. 5, Université Laval/University of Toronto, 2003, [http://www.biographi.ca/fr/bio/finlay\\_hugh\\_5F.html](http://www.biographi.ca/fr/bio/finlay_hugh_5F.html).

<sup>45</sup> G. P. Browne, « MURRAY, JAMES », dans *Dictionnaire biographique du Canada*, vol. 4, Université Laval/University of Toronto, 2003–, [http://www.biographi.ca/fr/bio/murray\\_james\\_4F.html](http://www.biographi.ca/fr/bio/murray_james_4F.html). L'historien Donald Fyson écrit que « pour simplifier, avant 1791, les gouverneurs ont tendance à se ranger non pas du côté des élites commerciales britanniques, perçues par eux comme des marchands communs, mais plutôt du côté des élites canadiennes (seigneurs et membre du clergé) et leurs alliés britanniques, avec lesquels ils se sentent une affinité. » Donald Fyson, « Domination et adaptation. Les élites européennes au Québec, 1760-1841 », dans Claire Laux, François-Joseph Ruggiu et Pierre Singaravélu (dir.), *Au sommet de l'Empire : les élites européennes dans les colonies (XVI<sup>e</sup>-XX<sup>e</sup> siècle) = At the Top of the Empire. European Elites in the Colonies (16th-20th Century)*, P. I. E. Peter Lang, Bruxelles, New York, 2009, p. 185.

<sup>46</sup> « Pétition des commerçants de Québec », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada, 1759-1791...*, vol. 1, p. 204.

<sup>47</sup> Elizabeth Arthur, *Adam Mabane and the French Party in Canada : 1760-1791*, Mémoire (M.A.), Université McGill, 1947, 255 p.



gouvernement est instable, est décidé à soulever une agitation considérable. J'espère qu'il ne réussira pas. Le capitaine Cuthbert me menace sérieusement en me représentant qu'il a de nombreux amis; il dit que lors du départ du gouverneur Murray, il a été forcé par celui-ci contre son gré dans le Conseil, mais qu'aujourd'hui comme membre de ce Conseil, il veut montrer quel est celui qui a des amis et quel est celui qui en doit sortir. Je ris et ne réponds pas. M. Walter Murray qui a joué le rôle de comédien ambulancier dans les autres colonies, est un des conseillers; M. Mounier, un autre membre du Conseil, est un commerçant honnête et tranquille, mais comme presque tous les Canadiens, il est peu familier avec notre langue et nos coutumes; il signera sans examen tout ce que les amis le solliciteront de signer. Fait aussi partie du conseil, le Colonel Irving qui avoue avoir signé ce qui suit et l'arrêté du conseil ci-dessus mentionné parce que ses amis le désiraient. Je considère toutes ces difficultés sans importance, comme la conséquence naturelle de la dernière tempête. Après quelques mois de calme elles feront graduellement place à la tranquillité et disparaîtront. En général les sujets de Sa Majesté dans cette contrée ont plus besoin d'instruction que de réprimande. La volonté du roi, une fois bien connue, et les mesures qui seront prises avec fermeté pour la faire observer, rencontreront ici, ou je me trompe beaucoup, une soumission paisible et respectueuse en dépit de l'opposition de quelques individus intéressés<sup>48</sup>.

Carleton apaise ensuite les relations entre l'administration coloniale et les marchands britanniques en renvoyant Irving et Mabane du Conseil de Québec et en faisant adopter quelques mesures facilitant le commerce des fourrures. La même année, Carleton fait en sorte qu'Allsopp puisse prendre son poste de greffier du Conseil<sup>49</sup>.

L'année suivante, le 15 février 1767, Carleton est toujours d'avis qu'il n'y a pas de place pour les partis dans la colonie :

Aussi, doit-on faire les plus grands efforts, avoir recours à l'adresse et ne pas regarder aux dépenses pour déraciner faction ou parti, pour assurer la tranquillité de ces provinces et y entretenir un ferme attachement envers le gouvernement de Sa Majesté. Il est aussi également essentiel d'y maintenir ce sentiment de sécurité et de force, propre à maintenir dans la soumission et la crainte ceux qui n'ont pas encore entièrement conscience des devoirs que leur impose le titre de loyal sujet et d'honnête citoyen<sup>50</sup>.

Pour apaiser l'humeur du Conseil, Carleton peut compter sur l'appui des conseillers ayant connu une carrière de militaire. Carden, Cramahé, Cuthbert, Holland et Mills sont des

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<sup>48</sup> « Carleton à Shelburne », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada, 1759-1791...*, vol. 1, p. 249.

<sup>49</sup> Le 14 avril et le 1<sup>er</sup> juillet 1766, le gouverneur Murray, avec l'appui unanime des membres du Conseil, s'était prononcé deux fois sur la suspension de la nomination de George Allsopp comme sous-greffier du Conseil de Québec, et comme sous-secrétaire et sous-registraire de la province.

<sup>50</sup> « Copie d'une lettre du major général Carleton à Son Excellence le général Gage, datée de Québec le 15 février 1767 », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada, 1759-1791...*, vol. 1, p. 253.

hommes de guerre. Sous le gouvernement civil, Cramahé, Holland et Mills occupent dorénavant un poste dans la haute « fonction publique ». C'est à titre de fonctionnaires (officiers civils) que ces trois hommes siègent au Conseil de Québec. Cramahé est secrétaire civil, Holland est arpenteur général et Mills est receveur général<sup>51</sup>.

Suivent les marchands et grands propriétaires qui forment le groupe le plus important parmi les conseillers : Collins, Dunn, Drummond, Finlay, Goldfrap, Harrison, Lévesque, Mounier et Price<sup>52</sup>. Pour la moitié de marchands, l'intronisation au Conseil de Québec a été suivie de nominations au sein de la « fonction publique ». Collins devient arpenteur général adjoint de la Province de Québec en 1764; Drummond est sous-commissaire général et trésorier-payeur général adjoint de l'armée britannique en 1768; Finlay est maître des postes en 1763 avant d'être nommé inspecteur des routes postales pour l'Amérique du Nord en 1773; Goldfrap est sous-secrétaire et sous-registraire de la province de 1764 à 1768, de même que sous-commissaire des magasins et approvisionnements et prévôt-maréchal adjoint.

Bref, le plus souvent, des hommes ayant préalablement commencé leur carrière comme marchand ou comme militaire obtiennent ensuite un poste dans la fonction publique<sup>53</sup>. Ne pas « regarder aux dépenses pour déraciner faction ou parti », écrivait Carleton n'est-ce pas? Les patriotes du Bas-Canada parleront des « gens à place » et lord Durham parlera de la « petite loterie » pour désigner ceux qui finissent par monnayer leur principe, ou du moins, les faire rimer avec les intérêts supérieurs de la province. On peut penser que le fait de recevoir des émoluments fait en sorte d'attacher les membres du Conseil de Québec à la bonne marche de l'administration coloniale. Tous savent que le gouverneur a la prérogative de suspendre ces officiers civils de leur fonction.

De 1764 à 1775, il y a certes des communautés d'opinion divergente au Conseil de Québec. En revanche, les démonstrations de force de Carleton par l'exclusion des dissidents ramènent un esprit de soumission qui bâillonne les factions. Ce contexte est différent dans les autres colonies royales, lors de leur création respective. L'historien Peverill Squire conclut qu'il est essentiel de garder à l'esprit que les assemblées législatives des premiers États et territoires se sont développées en l'absence de partis politiques<sup>54</sup>. Puisqu'il apparaît que des factions existent bel et bien au Conseil de Québec, on peut reprendre le vieil adage voulant que la Province de Québec est déjà « une province [royale] pas comme les autres ».

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<sup>51</sup> Ajoutons que Cramahé est à la fois conseiller et secrétaire civil de 1764 à 1780.

<sup>52</sup> Deux conseillers se démarquent de ce groupe, l'un ayant une formation en médecine (Mabane) et l'autre ayant été comédien (Walter Murray). Mabane est également au service de l'armée britannique. Quant à Murray, un parent éloigné du gouverneur, il entre dans le service civil de la Province de Québec comme receveur général (1764-1766) et comme commissaire du port de Québec par la suite.

<sup>53</sup> Enfin William Gregory et William Hey, qui se succèdent au poste de juge en chef, sont avocats. L'inspecteur général des douanes Charles Stewart est haut fonctionnaire.

<sup>54</sup> Peverill Squire, *The evolution of American legislatures. Colonies, territories, and states, 1619-2009*, Ann Arbor, The University of Michigan Press, 2012, p. 6.

## Les officiers du Conseil

En 1764, deux officiers sont engagés par le Conseil de Québec et se partagent les tâches nécessaires à son bon fonctionnement. Le greffier et le portier sont les premiers fonctionnaires au service des conseillers.

Le greffier du Conseil de Québec est nommé en vertu d'une commission royale. Le rôle principal des greffiers consiste à tenir les procès-verbaux de chacune des séances. Henry Ellis, l'ancien gouverneur de la Géorgie et l'un des auteurs de la Proclamation royale de 1763, est le premier greffier en titre du Conseil de Québec. Puisqu'il demeure en Angleterre, il nomme des adjoints (Deputy Clerk of the Council) pour exercer ses fonctions. Les greffiers John Gray (1764-1768) et George Allsopp (1768-1775) se succèdent à ce poste. Des sous-greffiers les assistent dans leur fonction : Henry Kneller (1764-1765) et James Potts (1765- ?)<sup>55</sup>.

Le Conseil de Québec décide aussi par résolution : « qu'un portier soit engagé et nommé pour être au service des membres du Conseil [pour] faire les messages et d'autres services utiles<sup>56</sup> ». Joseph Marie Philebot est le premier « doorkeeper » du Conseil de Québec. Le procès-verbal du 20 août 1764 indique qu'il est désigné à ce poste parce qu'il a « rendu des services spéciaux aux Anglais avant que le pays ne soit entièrement conquis ». Philebot occupe cette fonction durant 15 mois, de 1764 à 1766. Peter Mills lui succède et demeure en poste jusqu'en 1775. On fait également appel au portier pour servir de messager.

Le lieutenant-gouverneur Carleton engage un troisième fonctionnaire pour servir le gouvernement civil. Le 24 février 1768, François-Joseph Cugnet est nommé traducteur officiel et secrétaire français du Conseil de Québec<sup>57</sup>. En substance, Cugnet a pour fonction d'assister le gouverneur et les conseillers : « when by them required to do so, searching for, examining, and understanding the ancients Edicts, Laws, Registers of the Superior Council, and other Courts of Judicature, formerly established in this Province, and other papers of a Public Nature relating to the State and Government of this Province during its subjection to the Crown of France<sup>58</sup> ».

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<sup>55</sup> Christian Blais « Le rôle des avocats dans l'adoption des ordonnances au Conseil de Québec, 1764-1775 » dans J. Michel Doyon (dir.), *Avocats, politique et société au Québec, 1763-1867*, Montréal, Wilson & Lafleur, 2018, p. 17.

<sup>56</sup> « Portier », *Encyclopédie du parlementarisme québécois*, [En ligne], Assemblée nationale du Québec, 10 novembre 2017. Le Conseil alloue une somme annuelle de 30 livres sterling au titulaire de cette fonction. Le portier doit pétitionner deux fois par année pour recevoir, chaque fois, la moitié de son salaire. À compter du 20 juin 1765, il lui en coûte un shilling pour pétitionner.

<sup>57</sup> Marine Leland, « François-Joseph Cugnet », *La revue de l'Université Laval*, vol. XVII, Québec, septembre 1962, p. 69.

<sup>58</sup> *Ibid.*, p. 147; [http://heritage.canadiana.ca/view/oocihm.lac\\_reel\\_c3921/246?r=0&s=4](http://heritage.canadiana.ca/view/oocihm.lac_reel_c3921/246?r=0&s=4).

## Un gouverneur en conseil<sup>59</sup>

Les instructions royales du gouverneur Murray précisent que le Conseil de Québec a pour fonction de l'assister « dans la direction du gouvernement ». Les conseillers sont des « aviseurs » avant d'être des « législateurs ». Leur rôle premier consiste surtout à donner « avis » et « consentement » lorsque le gouverneur le requiert<sup>60</sup>. Il s'agit d'un comité exécutif consultatif et décisionnel. Le Conseil de Québec est, proprement dit, un « gouverneur en conseil ».

De nos jours, la formule « Governor in Council » est toujours en usage à Ottawa pour qualifier le gouvernement canadien : « Le pouvoir exécutif appartient au gouverneur en conseil, qui est à proprement parler le gouverneur général exerçant ce pouvoir avec l'avis et le consentement du premier ministre et du Cabinet<sup>61</sup>. » La formule « Lieutenant Governor in Council » est également usitée dans les provinces canadiennes<sup>62</sup>. Il n'y a qu'au Québec, depuis les années 1980, que le terme « gouvernement » remplace désormais « lieutenant-gouverneur en conseil » dans les textes de loi<sup>63</sup>.

Il existe beaucoup de ressemblance entre les minutes du Conseil de Québec des années 1764-1775, celles du Conseil exécutif de la Province de Québec de 1776 à 1791 et même celles du Conseil exécutif du Bas-Canada. Le portrait d'ensemble réalisé par Alexander M. C. Wright, dans son mémoire intitulée *The Executive Council of Lower Canada, 1791-1805* décrit tout aussi bien les minutes des conseils exécutifs précédant l'Acte constitutionnel de 1791.

Wright note que les minutes des séances ordinaires du Conseil exécutif du Bas-Canada résumant les questions soulevées par le gouverneur ou le lieutenant-gouverneur. Les rapports et les recommandations présentés en comité sont examinés par les conseillers<sup>64</sup>. S'y trouvent également des pétitions et des proclamations. Le Conseil se réunit de même (en séance extraordinaire après 1787) pour la concession de terres. Si le greffier enregistre toujours le nom des conseillers présents, malheureusement, les procès-verbaux

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<sup>59</sup> Tiré de Christian Blais, *Aux sources du parlementarisme dans la Province de Québec, 1764-1791*, Thèse (Ph. D.) Université Laval, 2019.

<sup>60</sup> « Commission de capitaine général et gouverneur en chef de la Province de Québec », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 148-149.

<sup>61</sup> Marc Bosc et André Gagnon (dir.), *La procédure et les usages de la Chambre des communes*, 3<sup>e</sup> éd., 2017, chap. 1, [[https://www.noscommunes.ca/About/ProcedureAndPractice3rdEdition/ch\\_01\\_1-f.html](https://www.noscommunes.ca/About/ProcedureAndPractice3rdEdition/ch_01_1-f.html)].

<sup>62</sup> *Grand dictionnaire terminologique*, « Lieutenant-gouverneur en conseil », [En ligne], 1990, [[http://gdt.oqlf.gouv.qc.ca/ficheOqlf.aspx?Id\\_Fiche=18054918](http://gdt.oqlf.gouv.qc.ca/ficheOqlf.aspx?Id_Fiche=18054918)]. Enfin, dans l'article 61 de la loi d'interprétation (RLRQ, c. I-16), il est écrit : les mots « lieutenant-gouverneur en conseil », le lieutenant-gouverneur ou la personne administrant le gouvernement, agissant de l'avis du Conseil exécutif du Québec.

<sup>63</sup> Aujourd'hui encore, de manière résiduelle, l'expression se trouve dans certaines lois codifiées. Or, l'utilisation de l'expression « Lieutenant-gouverneur en conseil » a cessé en 1987 dans les lois annuelles du Québec. Dans les débats de l'Assemblée nationale, la même expression est employée pour une avant-dernière fois le 14 décembre 1979 et, une dernière fois, le 17 décembre 1992.

<sup>64</sup> En 14 ans, de 1791 à 1801, le Conseil exécutif du Bas-Canada tient 214 séances; en 11 ans, de 1764 à 1775, le Conseil de Québec tient 280 séances.

ne font pas état des votes sur les questions en discussion<sup>65</sup>. Il en est de même de 1764 à 1775. Or, contrairement aux minutes des années 1791-1805, les procès-verbaux du Conseil de Québec font état de l'adoption des ordonnances.

On recense 67 projets d'ordonnance à l'étude au Conseil de Québec. Pour le reste, on compte 244 pétitions relatives à la concession des terres de la Couronne, 93 pétitions pour réclamer des remboursements au gouvernement colonial et 22 pétitions pour contester une décision judiciaire. On dénombre aussi dix proclamations. S'ajoutent à cela 114 documents déposés, la convocation de 43 témoins pour les interroger, auxquels il faut ajouter les huit convocations du procureur général et l'unique convocation des membres du Grand Jury le 19 septembre 1765.

### **L'étude des projets d'ordonnance**

Les chemins menant à l'adoption des ordonnances demeurent multiples tout au long de la période<sup>66</sup>. Les 67 projets d'ordonnances étudiés au Conseil de Québec l'ont été selon 67 méthodes différentes<sup>67</sup>. Et les travaux législatifs ne sont pas répartis également tout au long de la période non plus.

Entre 1764 et 1766, sous la présidence de Murray (1764-1766) et durant l'intérim d'Irving<sup>68</sup> (1766), 52 projets d'ordonnance sont étudiés et 31 sont sanctionnés. Puisque 43 projets d'ordonnance sont sanctionnés de 1764 jusqu'en 1775, c'est dire que 72 % de l'ensemble du corpus législatif a été adopté durant les deux premières années du régime civil britannique (2 ans, 1 mois et 11 jours). Le rythme est tout autre pour les huit années et demie qui s'ensuivent (8 ans, 5 mois et 29 jours). Entre 1766 et 1775, sous la présidence de Carleton (1766-1770 et 1774-1775) et de Cramahé (1770-1774), 15 projets d'ordonnance sont étudiés et 12<sup>69</sup> sont sanctionnés.

Au Conseil de Québec, l'initiative des projets d'ordonnance émane d'abord du gouverneur. De 1764 à 1775, il y a 36 projets d'ordonnance qui sont amorcés par un ordre ou par une résolution du Conseil de Québec<sup>70</sup>; 14 sont étudiés au moment même de leur première lecture; deux découlent d'instructions royales; un autre apparaît dans les procès-verbaux lors de sa sanction; un dernier est lancé après l'étude d'une opinion du procureur général de la Province de Québec. On peut affirmer que ces 54 mesures

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<sup>65</sup> Alexander M. C. Wright, *The Executive Council of Lower Canada, 1791-1805*, Mémoire (M.A.) Université McGill, 1982, p. 90-91. Pourtant, on trouve des votes enregistrés dans les procès-verbaux du Conseil exécutif de 1776 à 1791.

<sup>66</sup> C. Blais, « Le rôle des avocats... », p. 20 et 22.

<sup>67</sup> C. Blais, « Le rôle des avocats... », p. 20. Dans cet article, je dénombrerais 74 ordonnances et non 69. Une erreur qui est corrigée dans cette thèse, de même que les pourcentages qui en découlent.

<sup>68</sup> D'une durée de deux mois et huit jours.

<sup>69</sup> L'*Ordinance for regulating the Pilotage in the River St Lawrence* est initiée sous la présidence de Murray et sanctionnée sous la présidence de Cramahé.

<sup>70</sup> Dont neuf sont adressés directement au procureur général.

proviennent du gouvernement colonial. Pour le reste, 13 font suite à des pétitions et des mémoires des habitants<sup>71</sup>.

Bien que le procureur général de la Province de Québec ne soit pas membre du Conseil de Québec, son expertise en matière législative est toutefois mise à profit de diverses façons. Car le rôle du procureur est, entre autres, de donner des avis juridiques au gouverneur en conseil<sup>72</sup>. Durant la période étudiée, George Suckling, Francis Maseres et Henry Kneller se succèdent à ce titre. Le Conseil de Québec demande leur concours pour la rédaction ou pour l'étude de 37 projets d'ordonnance sur un total de 67 (55 %)<sup>73</sup>. On fait appel au procureur général lorsqu'un projet d'ordonnance a des incidences judiciaires.

À deux occasions, on intime aussi au juge en chef William Gregory de collaborer avec le procureur général Suckling afin de rédiger des ordonnances. Dès le 20 août 1764, le Conseil de Québec leur ordonne de rédiger ensemble le projet d'*Ordonnance pour régler et établir les Cours de Justice, Juges de Paix, Séance de Quartier, Baillis, et autres matières touchant la distribution de la Justice dans cette Province*. Sanctionnée le 17 septembre 1764, cette mesure crée l'organisation du système judiciaire de la colonie. Puis, le 4 février 1764, le Conseil de Québec enjoint au procureur général et au juge en chef de rédiger un projet pour le cantonnement des troupes armées britanniques. Il n'y aura pas de suite à cette résolution.

Dix-sept projets d'ordonnance sont rédigés par les membres du Conseil de Québec, lus une première fois en Chambre et un ordre est ensuite donné afin que chacune de ces ébauches soit examinée par le procureur général Suckling et amendé par lui si nécessaire. Dix de ces projets seulement sont retournés au Conseil afin qu'ils soient sanctionnés. Après le départ de Suckling en 1766, on ne fera plus jamais appel au procureur général pour ce type d'examen préliminaire.

Les lacunes et déficiences du juge en chef Gregory et du procureur général Suckling sont connues. Le jugement du gouverneur Murray à leur égard est sans équivoque :

Notre juge en chef et notre procureur général ignorent complètement la langue des natifs, ont des ressources médiocres et bien qu'ils soient peut-être des avocats capables et des hommes intègres, leur ignorance au sujet de cette contrée, les rend plutôt propres à causer des embarras et des difficultés qu'à les faire disparaître<sup>74</sup>.

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<sup>71</sup> Sous la présidence d'Irving en 1766, un projet d'ordonnance est lancé par Suckling lui-même par un document qu'il transmet au Conseil. Un débat s'ensuit alors en Chambre sur cette opinion du procureur général. Le Conseil lui demande ensuite de rédiger l'Ordonnance pour augmenter une Ordonnance du 17 septembre 1764 qui sera sanctionnée le 28 juillet 1766.

<sup>72</sup> Son rôle consiste aussi à tenter des poursuites au nom de la Couronne. Jacques L'Heureux, « SUCKLING, GEORGE », dans *Dictionnaire biographique du Canada*, vol. 4, Université Laval/University of Toronto, 2003, [ [http://www.biographi.ca/fr/bio/suckling\\_george\\_4F.html](http://www.biographi.ca/fr/bio/suckling_george_4F.html)].

<sup>73</sup> Ce nombre inclut deux projets d'ordonnance rédigés conjointement par le procureur général et le juge en chef.

<sup>74</sup> A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 228, note 2.

Sans compter que le juge en chef Gregory et le procureur général Suckling ne parviennent pas à s'entendre. Ils sont suspendus de leur fonction. Les 25 et 26 septembre 1766, William Hey et Francis Maseres prêtent respectivement les serments d'office : le premier comme juge en chef de la province et comme membre du Conseil de Québec et le second comme procureur général de la province.

De 1764 à 1775, à 20 reprises, par un ordre ou une résolution du Conseil, on intime au procureur général de rédiger seul un projet d'ordonnance. Après quoi ce texte législatif est lu en Chambre. Les conseillers sont libres d'apporter ou non des amendements. De 1766 à 1769, sous la présidence de Carleton, douze projets d'ordonnance sont étudiés par les conseillers à l'époque où Maseres exerce ses fonctions. Parmi ce nombre, six sont rédigés par le procureur général à la suite de cinq ordres et d'une résolution du Conseil. Un nouveau procureur général entre en fonction le 30 septembre 1769<sup>75</sup>. Il s'agit de l'avocat Henry Kneller qui fut sous-greffier du Conseil de Québec en 1764 et en 1765.

Après le départ de Carleton, le travail législatif est réduit à sa plus simple expression. Sous la présidence de Cramahé, le Conseil de Québec étudie seulement quatre projets d'ordonnance. La première de ces quatre ordonnances est lancée par le Conseil de Québec le 18 août 1769. Ordre est donné au juge en chef, à quatre conseillers et au procureur général de former un comité pour étudier l'état de l'administration de la justice par les juges de paix. Le 14 septembre suivant, le rapport du comité est lu et approuvé en Chambre. On ordonne ensuite à Kneller de préparer le projet d'ordonnance pour rendre plus efficace l'administration de la justice et régler les cours civiles de cette province.

L'avant-dernier projet d'ordonnance présenté au Conseil est rédigé par le procureur général. Il concerne les accidents causés par le feu. Ce texte de loi fait suite à une pétition « concernant la construction de certaines cheminées », signée notamment par le futur conseiller législatif François Baby. Le 8 février 1773, un comité est formé pour étudier cette pétition. Il s'assemble le 21 avril et dépose son rapport au Conseil le lendemain. Ordre est alors donné au procureur général de rédiger un projet d'ordonnance. Un mois plus tard, après avoir étudié « deux ordonnances antérieures à l'effet d'empêcher les accidents causés par le feu », Kneller dépose son projet. Celui-ci est lu deux fois au Conseil et sanctionné le 22 mai 1773.

Avec ou sans le concours du procureur général, la procédure législative employée au Conseil de Québec peut être regroupée en plusieurs ensembles plus ou moins cohérents. Un exemple illustre mieux que tout autre la première étape de la rédaction des « drafts of ordinance » élaborés par les membres du Conseil de Québec. Le 24 septembre 1764, par un ordre du Conseil, on demande aux conseillers de rédiger 21 projets d'ordonnance et de les présenter aussitôt que possible.

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<sup>75</sup> Il assure d'abord l'intérim et le 9 août 1770, il prête officiellement les serments d'office comme procureur général de la Province de Québec.

Ces ébauches d'ordonnance – nommées « Heads of an ordinance » à compter de la séance du 25 octobre 1764, que l'on traduit par « chefs d'une ordonnance<sup>76</sup> » – sont les ébauches des articles d'un projet d'ordonnance<sup>77</sup>. À la suite de quoi, les mesures préparées par les conseillers (ou par le procureur général) sont lues une fois, deux fois, rarement une troisième fois et même une quatrième fois avant d'être sanctionnées.

Les conseillers savent pourtant qu'à Westminster, les lois sont lues trois fois avant d'être sanctionnées. À preuve, les honoraires du greffier du Conseil, enregistrés dans les procès-verbaux le 20 juin 1765, précisent : « Reading a private Bill, first time, second time and third time for each....5 shillings ». Il en coûte donc un total de 15 shillings à ceux qui veulent faire adopter un « bill privé » au Conseil de Québec, mais aucune ordonnance privée ne sera étudiée de 1764 à 1775.

Une nouvelle procédure législative apparaît dans les procès-verbaux en 1765 : l'étude des projets d'ordonnance en comité. Les 66 comités spéciaux créés par le Conseil de Québec depuis le 6 décembre 1765 sont surtout employés afin d'étudier les pétitions pour les demandes de terres et pour l'étude des comptes publics. Au total, onze mesures législatives sont envoyées une ou plusieurs fois en comité. Fait particulier, sept de ces mesures font suite à l'étude d'une pétition ou d'un mémoire provenant des habitants de la province.

Somme toute, les comités sont chargés de rédiger les articles des ordonnances, de les étudier et de les amender si nécessaire. Les projets d'ordonnance étudiés en comité sont ensuite lus en Chambre avant d'être sanctionnés ou non. Puis, sous la présidence de Carleton, à compter du 29 août 1768, on peaufine la procédure en lisant le rapport du comité.

En plus des comités spéciaux, il y a aussi les comités pléniers (Comité général, Grand Comité ou Comité de toute la Chambre) qui constituent une autre procédure pour l'étude des projets d'ordonnance. Cette procédure permet à tous les membres du Conseil de Québec de faire partie d'un comité. Au Conseil de Québec, il y a formation de « committee of the Whole Council » les 20 et 23 août 1773, et ce, pour l'étude du dernier projet d'ordonnance qui a pour objet d'établir alors « une cour d'appel durant l'absence du juge en chef actuel et pour déterminer les pouvoirs des commissaires chargés d'exercer les fonctions du juge en chef » (Précédemment, le 15 juillet 1765, un comité plénier avait également été formé, mais pour l'étude d'une pétition et non d'une ordonnance.)

Avant d'être sanctionnés, les projets d'ordonnance et les projets de loi sont grossoyés par le Conseil de Québec ainsi que par le Parlement du Bas-Canada. En 1767 et en 1771, le greffier du Conseil rapporte dans les procès-verbaux que des ordonnances ont été grossoyées. Le verbe « grossoyer » est l'action de transcrire un projet législatif sur un

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<sup>76</sup> Traduction utilisée dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 2, p. 705.

<sup>77</sup> Ordered that the Heads of an ordinance be made out as soon as may be for Regulating the Measures of Cord Wood & to prevent Frauds therein.



rouleau de parchemin<sup>78</sup>. De même, les ordonnances sont traduites en français par ordre du Conseil depuis 1764. Après 1768, lorsque François-Joseph Cugnet agit comme secrétaire français du Conseil de Québec, la lecture de la traduction des projets d'ordonnance est ajoutée à la procédure législative, durant les séances du Conseil ou en comité, mais pas systématiquement.

Enfin, les 43 ordonnances adoptées de 1764 à 1775 ont sensiblement la même structure que celles adoptées sous le Régime militaire. Les ordonnances, transcrites dans les procès-verbaux, sont coiffées d'un titre. Le texte de loi est introduit par un préambule qui commence le plus souvent par « Whereas it is... » et qui expose les intentions de la mesure édictée. Ce préambule se termine avec : « It is therefore Ordained and Declared, by His Excellency the Captain General and Governor in Chief of this Province, by and with the Advice and Consent of the Council of the same, that...». Les articles de l'ordonnance, qui ne sont pas numérotés, commencent souvent par la formule « Provided always, That... », « Provided also, That... » ou « Provided nevertheless, That...». Pour finir, les ordonnances portent cette sanction:

/Signed/ [Nom du gouverneur ou du lieutenant-gouverneur]  
Given by His Excellency [Nom du gouverneur ou du lieutenant-gouverneur],  
Captain General and Governor in Chief in and over the Province of Quebec,  
Brigadier General of His Majesty's Forces, &c. &c. In Council, at the Castle of  
Saint Louis, in the City of Quebec, in the said Province, and passed under the  
Great Seal of the said Province, on the [jour, mois], in the [année] year of His  
Majesty's Reign, and in the year of Our Lord [année après Jésus-Christ].  
By His Excellency's Command

/Signed/ [Nom du greffier du Conseil] D[eputy].C[lerk].C[ouncil].

On peut considérer le gouverneur en conseil de Québec comme étant l'incubateur des premières pratiques parlementaires québécoises. Les progrès accomplis en matière parlementaire demeurent néanmoins à un stade préliminaire, même à la fin de ce régime en 1775. C'est néanmoins sur cette base que les membres du Conseil législatif de la Province de Québec vont poursuivre l'édification du régime parlementaire québécois.

### **La concession de terres<sup>79</sup>**

La Proclamation royale donne au gouverneur le pouvoir de concéder des terres aux colons et, particulièrement, aux soldats licenciés. Entre 1764 et 1775, 244 pétitions sont rédigées par des individus ou des commerçants pour demander des lots dans les villes ou des terres ailleurs dans la province. Ces requêtes, adressées au gouvernement colonial, sont ensuite étudiées par le gouverneur en conseil.

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<sup>78</sup> « Grossoyer », *Encyclopédie du parlementarisme québécois*, [En ligne], Assemblée nationale du Québec, 24 février 2016.

<sup>79</sup> Sur ce sujet, voir : G. F. McGuigan, *Une analyse historique : Land Policy and Land Disposal under Tenure of Free and Common Soccage in Quebec and Lower Canada, 1763-1809*, Thèse (Ph. D.) Université Laval, 1962, 3 vol.

Les conseillers assemblés jugent d'abord du bien-fondé de ces pétitions. Les demandes conformes sont ensuite référées à un comité chargé de la concession des terres. Le Committee for Grants of Lands, composé de trois ou de quatre membres du Conseil de Québec, s'occupe de la concession des terres réclamées.

Les pétitionnaires sont surtout d'origine britannique. En particulier, les soldats licenciés de l'armée pétitionnent afin d'obtenir une terre. Pour les récompenser de leur service militaire, Murray les avait prévenus qu'il leur serait permis de s'établir dans la Baie de Gaspé et dans la Baie-des-Chaleurs<sup>80</sup>. C'est la raison pour laquelle une grande proportion des pétitions concerne les terres de la Gaspésie. La région de Châteauguay est également une destination privilégiée par les pétitionnaires<sup>81</sup>.

En toile de fond, la question de l'établissement des Acadiens préoccupe l'Administration. Des milliers d'Acadiens ayant fui la déportation entre 1755 et 1763 ont trouvé refuge à Québec, à Montréal et dans la Baie-des-Chaleurs. D'autres Acadiens déportés dans les colonies de la Nouvelle-Angleterre cherchent maintenant, par centaines, à s'établir dans la Province de Québec. Le 8 septembre 1766, le Conseil de Québec fait publier cet avertissement dans la Gazette de Québec :

Vu qu'il y a un nombre d'Acadiens arrivé depuis peu de la Nouvelle-Angleterre, avec intention de prendre des terres et de s'établir dans cette Province : Le Conseil de Sa Majesté a ordonné d'en donner cet avis aux différens Seigneurs, à fin qu'ils puissent s'accommoder avec ces Acadiens pour établir les terres non concédées de leurs Seigneuries.

N.B. Il est ordonné de leur distribuer des provisions pour un mois, hors des Magasins du Roi, pour les soutenir jusques à ce qu'ils puissent se pourvoir comme il est dit ci-dessus.

Par Ordre du Conseil<sup>82</sup>.

En retour, le gouvernement colonial veut inciter les familles acadiennes de Bonaventure à s'établir dans la capitale. Il faut dire que le commerçant et juge de paix William Van Felson cherche à s'appropriier leurs terres. Pour ce faire, il fait courir des rumeurs sur l'allégeance des Acadiens à l'égard de la couronne britannique. Invité au Conseil de Québec pour témoigner sous serment, Van Felson affirme à la séance du 9 mai 1765 : « they are still inclined to the French Government, and pay little or no regard to the late Treaty of Peace ». Voilà pourquoi, en 1767, le lieutenant-gouverneur Carleton invite les Acadiens de Bonaventure à « Monter en Canada [pour s'établir] dans l'Intérieur du pays<sup>83</sup> ». Bien que le gouvernement n'incitera plus les Acadiens à quitter la Baie-des-

<sup>80</sup> Christian Blais, « Pérégrinations et conquête du sol (1755-1836) : l'implantation acadienne sur la rive nord de la Baie-des-Chaleurs », *Acadiensis*, vol. XXXV, n° 1 (Automne 2005), p. 10.

<sup>81</sup> Notons qu'il y a eu, avant l'établissement du gouvernement civil, au nord de Québec, des concessions de cantons à Stoneham et Tewkesbury.

<sup>82</sup> *Gazette de Québec*, 15 septembre 1766, p. 2.

<sup>83</sup> Lettres des Acadiens de Bonaventure à Guy Carleton, 28 août 1766, BANC, Lower Canada Land Petitions, MF 6986.

Chaleurs par la suite, ce n'est que le 13 mai 1774 que le Conseil de Québec précise : « That the Acadians lately arrived in Chaleurs bay, or any that hereafter arrive, be permitted to settle in that or any other part of the Province ».

Dans un autre registre, bien que les nouvelles terres concédées soient aliénées selon le régime de franc et commun socage, le régime seigneurial subsiste toujours. Des Britanniques ont d'ailleurs acquis des seigneuries et ces nouveaux seigneurs s'acclimatent fort bien du système féodal. Si bien que certains d'entre eux demandent la concession de vastes territoires pour y établir de nouvelles seigneuries. D'ores et déjà, les Canadiens cherchaient aussi à ce que le régime seigneurial soit reconnu officiellement par le gouvernement civil.

Le 30 juin 1772, sont enregistrées au Conseil de Québec des instructions royales additionnelles produites à la Cour de Saint-James's le 2 juillet 1771. À partir de ce moment, le gouvernement de la province est dûment autorisé à concéder des terres en fief et seigneurie.

La question de l'aliénation des terres est donc un enjeu important pour l'Administration. La période située entre 1764 et 1775 peut être associée à un processus d'enracinement des « anciens sujets » de Sa Majesté (Britanniques et Acadiens) dans la Province de Québec.

### **Les comptes publics**

Au Conseil privé de Londres, la Trésorerie est responsable des finances de la Couronne. Des auditeurs généraux sont nommés et chargés de transmettre les comptes des colonies britanniques au lord Haut Trésorier, aux lords commissaires du Trésor et au Board of Trade<sup>84</sup>.

Peu après l'instauration du gouvernement civil en 1764, un système de vérification des comptes publics est instauré dans la Province de Québec. Le 11 janvier 1764, Robert Cholmondeley, auditeur général pour l'Amérique, nomme John Brooke, prêtre de l'Église anglicane, auditeur adjoint pour la colonie. Le lendemain, cette nomination est approuvée par les lords commissaires du Trésor George Grenville, Frederick North et John Turner. Par sa commission du 14 janvier, Brooke est chargé d'inspecter les comptes publics et d'en faire rapport tous les six mois<sup>85</sup>. Le 4 octobre 1765, Brooke prête serment au Conseil de Québec.

Avant de transmettre les comptes de la province à l'auditeur général pour l'Amérique Cholmondeley, Brooke doit présenter son audit au gouverneur de la colonie. Murray finit toutefois par se brouiller avec Brooke. En plus, en 1765, le Lord Haut Trésorier Grenville se plaint de n'avoir reçu aucun rapport du bilan des revenus et des dépenses de la Province de Québec.

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<sup>84</sup> Sophie Imbeault, *Le vérificateur général du Québec : une institution au cœur de l'histoire*, Québec, Vérificateur général du Québec, 2018, p. 13.

<sup>85</sup> *Ibid.*, p. 9 et 17.

Un receveur général est également nommé pour la perception des droits sur l'alcool et les produits d'importation et d'exportation, les amendes, les confiscations ainsi que le revenu casuel et domanial. Prélevées au bénéfice de la Couronne, ces sommes couvrent une partie des dépenses et des salaires de l'administration civile<sup>86</sup>.

Walter Murray est nommé receveur général de la Province de Québec le 14 septembre 1764. Il occupe officiellement cette fonction jusqu'au 10 juillet 1765. Son successeur, Thomas Mills, prête serment pour exercer la charge de receveur général le 2 juillet 1766. Mills retourne à Londres en août 1767 et ses fonctions de receveur général sont occupées par intérim par Hector Theophilus Cramahé de 1767 à 1770 et par Thomas Dunn de 1770 à 1777.

Le Conseil de Québec est également responsable de la vérification des revenus et des dépenses du gouvernement colonial. Le 25 juin 1765, le receveur général adjoint, Richard Murray (le fils du conseiller et receveur général Walter Murray), dépose les premiers comptes publics de la province au Conseil de Québec, alors que celui-ci siège à Sans Bruit. Ces comptes avaient préalablement été audités par Brooke.

Les 22 et 23 avril 1766, un comité formé pour étudier les comptes publics, présidé par Paulus Æmilius Irving, se réunit. Pour la première fois, le 14 mai 1766, les dépenses détaillées de l'administration coloniale sont inscrites dans les procès-verbaux du Conseil.

Sous la gouverne du lieutenant-gouverneur Guy Carleton, le comité des comptes publics, présidé par Hector Theophilus Cramahé, se réunit le 28 mars 1767. Le rapport, enregistré dans les procès-verbaux le 11 avril 1767, constitue un bilan des comptes financiers du gouvernement civil, depuis août 1764 jusqu'en décembre 1766. Après quoi, l'étude des comptes publics de la province prend une nouvelle forme. D'autant qu'avec le départ de Brooke à Londres en 1768, il n'y a plus d'auditeur adjoint pour la Province de Québec.

Désormais, les comptes publics ne sont audités que par le gouverneur en conseil et le receveur général intérimaire. L'année fiscale se divise alors du 25 juin au 24 décembre et du 25 décembre au 24 juin. Deux fois l'an, le Conseil de Québec forme un comité pour examiner « the Accompts and Claims against the Government of this Province ». Ce comité est formé de trois ou quatre conseillers et présidé par le doyen d'entre eux.

Le receveur général réalise d'abord un état des dépenses de la colonie. Sous serment, le receveur général dépose le tout au Conseil de Québec. Ce document est examiné par les membres du Conseil : il est comparé avec le rapport du comité des comptes publics préalablement approuvé. Après quoi, le rapport du comité est lu et enregistré dans les procès-verbaux. Pour finir, une copie est envoyée aux « Lords Commisionners of the Treasury » à Londres pour y être audités.

Les rapports des comités des comptes publics comprennent deux sections. La première, les « Fees of Office », contient généralement les réclamations du « Deputy Secretary », des « Deputy Provost Marshal » des districts de Québec et de Montréal, du « Deputy

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<sup>86</sup> *Ibid.*, p. 18-20.

Clerk of the Council », du procureur général et des coroners des districts de Québec et de Montréal.

La seconde section des comptes publics concerne les « Disbursements and Contingencies ». Ces dépenses sont principalement liées à l'administration de la justice. S'ajoutent à cela les dépenses inhérentes à l'administration civile : les frais de publication dans la *Gazette de Québec*; l'entretien du château Saint-Louis et de ses jardins; les interprètes en langues française, anglaise et autochtones; divers présents offerts aux alliés autochtones; la location de locaux pour loger les cours de justice; la poste et même un instituteur pour les jeunes protestants, etc.

La Province de Québec dispose, à compter du 2 juillet 1766, de fonds plus considérables pour absorber les dépenses du gouvernement civil. À Londres, les « Lords of the Committee of Council for plantation affairs » en étaient venus à la conclusion que le receveur général de la province peut prélever une redevance sur les vins, les boissons fortes, de même que 3 % des produits (Dry goods) d'importation et d'exportation. En somme, quoique dans la province « the Legislature is prohibited to levy Any Taxes or impose any Dutys », la métropole autorise le retour des taxes de douane « raised payable and paid for the Support of the government there while the Country was subject to the French Kings ». Sauf que cette formule de taxation sera contestée par les marchands et rejetée par la suite par le gouvernement britannique.

### **La suite du régime constitutionnel de la Province de Québec, 1764-1775**

Après l'établissement du gouvernement civil le 10 août 1764, la Proclamation royale est périodiquement suivie de diverses études ministérielles en Grande-Bretagne quant au règlement définitif des affaires de la province<sup>87</sup>. La Proclamation est considérée bientôt comme une étape transitoire vers l'adoption d'une véritable constitution pour la colonie<sup>88</sup>.

En 1765, le gouvernement de George Grenville tend vers le règlement de cette question. Son successeur, le marquis de Rockingham, va dans le même sens avec un projet pour régulariser le statut de l'administration coloniale. L'exécutif demande donc au Board of Trade d'étudier les difficultés créées par l'instauration du gouvernement civil<sup>89</sup>. Son rapport, contenant les dispositions relatives aux lois civiles françaises, est endossé par le Conseil privé le 13 mai 1766<sup>90</sup>. Ce document entend octroyer au gouverneur et au

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<sup>87</sup> Denis Baranger, *Le parlementarisme des origines : essai sur les conditions de formation d'un exécutif responsable en Angleterre (des années 1740 au début de l'âge victorien)*, Paris, Presses universitaires de France, 1999, p. 317.

<sup>88</sup> Peter Marshall, « The Incorporation of Quebec in the British Empire, 1763-1774 », dans V. B. Platt et D. C. Skags (dir.), *Of Mother Country and Plantations : Proceeding of the Twenty-seventh Conference in Early American History*, Bowling Green, Bowling Green State University Press, 1971, p. 44.

<sup>89</sup> « Rapport au sujet de plusieurs documents concernant les ordonnances et les constitutions élaborées par le gouverneur de Québec, adressé aux lords du comité chargé des affaires des plantations », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 207-217.

<sup>90</sup> « Rapport du procureur général et du solliciteur général au sujet du gouvernement civil de Québec », dans *ibid.*, p. 222-228. Il est écrit : « [...] il n'est pas moins désirable qu'un acte du parlement soit voté par lequel le pouvoir législatif de rendre des lois et des ordonnances, en vue de bien gouverner cette province,

conseil, par une loi du Parlement de Westminster, le pouvoir de rendre des ordonnances. Selon ce rapport, il apparaît que le « peuple se soumettra facilement aux lois et ordonnances appuyées sur l'autorité du parlement ».

Les lords du commerce reçoivent ensuite l'ordre de préparer, non pas un projet de loi, mais plutôt des instructions additionnelles au gouverneur afin de régulariser les difficultés ayant trait aux affaires religieuses, civiles et judiciaires dans la colonie. Or, ce projet se heurte à une vive opposition du Lord Chancelier, comte de Northington, qui croit que les réformes proposées devraient être soumises au Parlement plutôt que d'être le fait du roi en conseil ou réglées par l'intermédiaire d'une proclamation. Il entend à ce que le Parlement se saisisse ultimement de ces affaires<sup>91</sup>.

Concernant les lois civiles de la Province de Québec, Wills Hill, 1<sup>er</sup> comte de Hillsborough, successeur de Shelburne à la présidence du Board of Trade (1763-1766) et secrétaire d'État aux colonies (1768-1772) se prononce. En 1768, il écrit au gouverneur Guy Carleton :

J'avais l'honneur de servir Sa Majesté en qualité de membre du conseil du commerce en 1763, alors qu'il a plu à Sa Majesté de publier sa proclamation royale au sujet des nouvelles colonies et quel que soit le sens légal des mots employés dans la proclamation, ce dont je ne prétends pas être juge, je suis certain de connaître l'intention de ceux qui l'on rédigée, car j'ai moi-même contribué à ce travail. Et je puis prétendre sur moi d'affirmer que nous n'avons jamais eu l'intention de bouleverser les lois et les coutumes du Canada à l'égard de la propriété; nous désirions que la justice fût rendue conformément à ces lois et coutumes [...]<sup>92</sup>.

De nouvelles enquêtes sont menées de 1768 à 1770 par le secrétaire d'État aux Colonies, quant à la forme de gouvernement devant être établie dans la Province de Québec. Par la suite, le 6 décembre 1772, le solliciteur général Alex Wedderburn propose de nouveaux règlements qui seraient adoptés par le Parlement :

Le gouverneur ou le commandant en chef de la province de Québec, de l'avis et du consentement de ceux qui seront nommés de temps à autre par Sa Majesté, etc., pour former un Conseil chargé d'assister le gouverneur dans l'administration de la province, dont le nombre de membres ne devra pas être de plus de vingt ni

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sera octroyé au gouverneur et au Conseil, pouvoir qui d'ailleurs a été exercé déjà en vertu d'une instruction de la part du roi seul. »

<sup>91</sup> P. Marshall, « The Incorporation of Quebec... », p. 52. Pierre Tousignant, *La genèse et l'avènement de la Constitution de 1791*, Thèse (Ph. D.), Université de Montréal, 1971, p. 183; David Milobar, *The Constitutional Development of Quebec from the Time of the French Regime to the Canada Act of 1791: A British Perspective*, Thèse (Ph. D.), University of London, 1990, p. 82-85.

<sup>92</sup> « Hillsborough à Carleton, Whitehall, 6 mars 1768 », dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 272.

moins de douze, pourra faire et rendre dans tous les cas des ordonnances pour assurer la paix publique, le bien-être et le bon gouvernement de ladite province<sup>93</sup>.

Le dossier suit son cours jusqu'à ce que le gouvernement tory de Lord North prenne les choses en main. Faisant suite au lobby du gouverneur Carleton et cherchant surtout des moyens d'autofinancer l'administration coloniale, des recommandations concernant le « bill de Québec » sont rédigées à l'été 1773<sup>94</sup>.

Plus globalement, le fait de confier les affaires coloniales au Parlement plutôt qu'au seul conseil privé révèle une volonté « new tory » d'intégrer les colonies aux affaires internes (domestic governance) plutôt que de les reléguer aux affaires étrangères de l'Empire (foreign affairs [...] under crown prerogative)<sup>95</sup>. Et, dans une approche toujours plus autoritaire de la gouvernance impériale, l'Acte de Québec et l'Acte du revenu de Québec dotent la colonie d'un exécutif fort et autonome financièrement<sup>96</sup>. La Constitution de 1774 témoigne néanmoins d'une politique impériale plus flexible quant à la réalité démographique et religieuse de la colonie<sup>97</sup>. Il ne s'agit plus de faire du Québec une province résolument britannique.

Au terme des discussions, les parlementaires britanniques tranchent la question de l'aspect légal de l'administration du gouvernement de la Province de Québec. Il appert maintenant que le Conseil de Québec n'avait pas le pouvoir de décréter des ordonnances. Cette décision concorde avec celle publiée en 1774, par James Marriott, avocat général du roi (*king's advocate general*):

L'on prétend que des doutes se sont élevés, surtout depuis que certaines décisions ont été connues, au sujet de la légalité des ordonnances rendues par le gouverneur sur l'avis du Conseil avant l'établissement d'une Chambre d'assemblée. Le gouverneur aurait alors outrepassé la portée de sa commission. Il s'ensuit que si les ordonnances ne sont pas légales, toutes les mesures auxquelles elles ont donné lieu, doivent par le fait se trouver nulles. Quelques-unes de ces ordonnances ont déjà été désapprouvées parce qu'elles outrepassaient les pouvoirs accordés au

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<sup>93</sup> « Extraits des règlements proposés par le rapport de M. le solliciteur général qu'il serait expédient de faire établir par un acte du parlement. Inclus dans le rapport de M. le solliciteur général, du 6 décembre 1772. » A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 412.

<sup>94</sup> Ramsay Cook, « Governing a Colony pas comme les autres: the Dilemmas of Unplanned Conquest », dans Maija Jansson (dir.), *Realities of Representation: State Building in Early Modern Europe and European America*, New York, Palgrave, 2007, p. 192.

<sup>95</sup> Elizabeth Mancke, « Empire and state », dans David Armitage et Michael J. Braddick (dir.), *The British Atlantic world, 1500-1800*, Basingstoke, Palgrave Macmillan, p. 192-194; David Milobar, « Conservative Ideology, Metropolitan Government, and the Reform of Quebec, 1782-1791 », *International History Review*, vol 12, n° 1 (1990), p. 48.; Heather Welland, « Commercial Interest and Political Allegiance: The Origins of the Quebec Act » dans », dans Phillip Buckner (dir.), *Canada and the British Empire*, Oxford, Oxford University Press, 2008, p. 167.

<sup>96</sup> David Milobar, « Quebec Reform, the British Constitution and the Atlantic Empire, 1774-1775 », dans Philip Lawson (dir.), *Parliamentary History; Parliament and the Atlantic Empire*, Edinburgh University Press, 1995, p. 73, 83.

<sup>97</sup> D. Milobar, *The Constitutional Development of Quebec...*, p. 102-103.

gouverneur et au Conseil, pouvoirs restreints par la commission dans les cas concernant la vie du sujet, les châtements corporels de même que l'imposition de droits. Or, bien peu d'ordonnances publiées dans de telles conditions seront approuvées parce qu'un très petit nombre peuvent être mises en vigueur sans contrainte à l'égard de la personne ou sans affecter la propriété par quelque impôt public.

S'il est permis de supposer pour un moment que la Couronne n'a pas le droit en tout temps de rendre de telles ordonnances par l'entremise de son gouverneur et de son Conseil, sans une Chambre d'assemblée (mais je crois que dans certaines occasions, et dans un pays conquis qui se trouve dans une telle situation la couronne peut exercer ce droit), je n'en suis pas moins porté à croire que toutes les ordonnances rendues jusqu'ici qui n'ont pas été désapprouvées, sont légales; du moins, leur validité dans la province me paraît assurée *pro tempore*, jusqu'à ce que des modifications soient faites en vertu d'un acte approuvé par toute la législature de la Grande-Bretagne ou au moins jusqu'à ce qu'elles soient désapprouvées par un décret de Votre Majesté en son Conseil<sup>98</sup>.

En 1774, le texte même de l'Acte de Québec confirme que le Conseil de Québec a outrepassé son simple pouvoir réglementaire. Un article de la nouvelle loi constitutionnelle considère, en prémisses, que :

les pouvoirs et autorités déferés au gouverneur et aux autres officiers civils de ladite province [...] ont été par expérience trouvée incompatible avec l'état et les circonstances où se trouvait ladite province dont les habitants [...] professant la religion de l'Église de Rome et jouissant d'une forme de constitution stable et d'un système de lois, par lesquelles leurs personnes et leurs propriétés avaient été protégées, gouvernées et régies pendant de longues années, depuis le premier établissement de la province du Canada.

Par conséquent, il est édicté ce qui suit : « chacune des ordonnances rendues par le gouverneur et le Conseil de Québec en exercice, relatives au gouvernement civil et à l'administration de la justice » est révoquée et déclarée nulle<sup>99</sup>. La législation adoptée par le Conseil de Québec de 1764 à 1775 ne fera donc pas jurisprudence.

Bref, les Britanniques ont su composer avec les circonstances. Une opinion a prévalu de 1764 à 1774. En vertu d'instructions royales et de l'accord tacite du *Colonial Office*, le Conseil de Québec a été une véritable législature; puis, elle n'a plus été considérée comme telle en vertu d'une loi du Parlement.

Une assertion de l'avocat général du roi Marriott, en 1774, résume bien l'évolution des idées à propos du pouvoir législatif détenu par le Conseil de Québec : « Le mode de faire

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<sup>98</sup> James Marriott, *Plan of a Code of Laws for the Province of Quebec; reported by the Advocate-General*, Londres, s. n., 1774, p. 48-50. Traduit dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 442.

<sup>99</sup> « Acte de Québec », dans *ibid.*, p. 553-554.



des lois pour la colonie de Québec et de les mettre à exécution peut faire surgir des opinions différentes<sup>100</sup>. » Mariott est d'avis que le droit constitutionnel est une matière plastique qui évolue au gré des événements. C'est du moins ce qu'il affirme, en comité législatif durant l'étude de l'Acte de Québec, quand il parle du meilleur gouvernement civil que l'on puisse offrir à la Province de Québec :

It depends upon a most extensive knowledge, infinite indeed, of the relations of men and things, times and circumstances; the position of both countries; the manners and genius of the people; the want of the province; the view of the mother country; the conduct of the neighbouring colonies, the state of the nation vis à vis, or respecting them and the designs of the rest of Europe [...] What is the properest establishment for the province of Quebec, to be given by the legislature of this country is—I cannot tell<sup>101</sup>.

Christian Blais

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<sup>100</sup> James Mariott, *Plan of a Code of Laws for the Province of Quebec; reported by the Advocate-General*, Londres, s. n., 1774, p. 50. Traduit dans A. Shortt et A. G. Doughty (dir.), *Documents relatifs à l'histoire constitutionnelle du Canada...*, vol. 1, p. 442.

<sup>101</sup> Henry Cavendish, *Government of Canada : Debates of the House of Commons in the years 1774 [...]*, London, s.n., 1839, p. 164.



## Les membres du Conseil de Québec, 1764-1775

- **Les gouverneurs et lieutenants-gouverneurs :**
  1. James Murray
  2. Guy Carleton
  3. Hector Theophilus Cramahé
  
- **Les juges en chef :**
  1. William Gregory
  2. William Hey
  
- **Les inspecteurs généraux des douanes en Amérique :**
  1. John Temple (ne siégera jamais)
  2. Charles Stewart
  
- **Les conseillers :**

1. Paulus Æmilius Irving	10. Hugh Finlay
2. Hector Theophilus Cramahé	11. James Cuthbert
3. Samuel Holland	12. Thomas Mills
4. Walter Murray	13. Charles Drummond
5. Adam Mabane	14. François Lévesque
6. Thomas Dunn	15. James Collins
7. François Mounier	16. Edward Harrison
8. James Goldfrap	17. John Carden
9. Benjamin Price	
  
- **Les greffiers :**
  1. John Gray
  2. George Allsopp
  
- **Les sous-greffiers :**
  1. Henry Kneller
  2. James Potts
  
- **Les portiers :**
  1. Joseph Marie Philebot
  2. Peter Mills
  
- **Le traducteur officiel et secrétaire français**
  1. François-Joseph Cugnet



# Chronologie

## 1764

### **10 août 1764**

Établissement du gouvernement civil dans la Province de Québec, 18 mois après que la Couronne britannique eut adopté le traité de Paris le 7 octobre 1763. En vertu de l'article 4, les Canadiens disposaient de 18 mois pour émigrer en France ou demeurer dans la colonie comme sujet du roi de Grande-Bretagne.

### **13 août 1764**

Première séance du Conseil de Québec, au château Saint-Louis, en présence de James Murray, William Gregory, Paulus Æmilius Irving, Hector Theophilus Cramahé, Samuel Holland, Walter Murray, Adam Mabane, Thomas Dunn et François Mounier. Prestation des serments du test.

Prestation de serment de James Murray comme capitaine général et gouverneur en chef de la Province de Québec.

Nomination de John Gray comme sous-greffier du Conseil de Québec (*Deputy Clerk of the Council*), et comme sous-secrétaire et sous-registraire de la province (*Secretary and Register of the enrollments*), pour exercer les fonctions attribuées par commission à Henry Ellis.

### **3 septembre 1764**

Murray étant absent, le juge en chef Gregory préside les travaux du Conseil. Le Conseil de Québec adopte sa première ordonnance *Pour l'Assise du Pain, et pour constater l'Étalon des Poids et Mesures dans la Province de Québec.*

### **10 septembre 1764**

Le greffier John Gray étant malade, James Monro (Munro) prête serment comme sous-greffier du Conseil de Québec.

### **14 septembre 1764**

Le Conseil de Québec adopte l'ordonnance *Pour régler et établir le cours des monnaies dans cette province.*

### **17 septembre 1764**

Le Conseil de Québec adopte l'ordonnance *Pour régler et établir les Cours de Justice, Juges de Paix, Séance de Quartier, Baillis, et autres matières touchant la distribution de la Justice dans cette Province.*

### **20 septembre 1764**

Le Conseil de Québec adopte l'ordonnance *Pour ratifier et confirmer les décrets des différentes cours de justice établis dans les districts de Québec, Montréal et Trois-*

*Rivières, antérieurement à l'établissement du gouvernement civil par toute la province le dixième d'août 1764.*

### **25 septembre 1764**

Murray étant absent, le juge en chef Gregory préside les travaux du Conseil.

### **18 octobre 1764**

James Goldfrap prête les serments d'office pour siéger au Conseil de Québec.

### **31 octobre 1764**

Benjamin Price prête les serments d'office pour siéger au Conseil de Québec.

### **3 novembre 1764**

Henry Kneller prête serment comme sous-greffier du Conseil de Québec.

James Goldfrap prête serment comme sous-secrétaire et sous-registraire de la province.

Le Conseil de Québec adopte trois ordonnances :

- *Pour mieux découvrir et supprimer les maisons où l'on débite les boissons sans permis.* Cette ordonnance sera révoquée par ordre du Conseil privé de Londres le 22 novembre 1765 et par une proclamation faite à Québec le 25 avril 1766.
- *Pour empêcher que les revendeurs ou les revendeuses n'anticipent sur les marchés, pour acheter en gros et revendre au détail, et pour prévenir les fraudes qui pourraient se commettre par des bouchers, etc.*
- *Pour déclarer ce qui sera estimé une publication légitime des ordonnances dans la Province de Québec.*

### **6 novembre 1764**

Le Conseil de Québec adopte quatre ordonnances :

- *Pour tranquilliser les esprits du Peuple à l'égard de la possession de leurs Biens, et pour fixer l'âge de majorité.* Il est édicté que, le 1<sup>er</sup> janvier 1765, « toute personne qui aura atteint l'âge de 21 ans, sera estimée à l'avenir n'être plus en âge de minorité mais en celui de majorité, conformément aux lois d'Angleterre ».
- *Pour prévenir les désordres qui pourraient arriver par des cavaliers et des meneurs de charrettes, cabrouettes, traînes, carrioles et autres voitures quelconques dans les villes de cette province, et pour régler les louages de chevaux et voitures pour la commodité des voyageurs dans ladite province.* Cette ordonnance contrôle, entre autres, les limites de vitesse des chevaux dans les villes de la province.
- *Pour l'enregistrement des concessions, brevets de ratification, contrats de vente, échange, transport et autres actes de telle nature qu'ils puissent être, en vertu desquels les habitants de ce gouvernement possèdent des biens, soit nobles ou roturiers, et de telle nature qu'ils puissent être.*
- *Pour faire mieux observer le dimanche*

Cette quatrième ordonnance sera révoquée par ordre du Conseil privé de Londres le 22 novembre 1765 et par une proclamation faite à Québec le 25 avril 1766.

### **10 novembre 1764**

Le Conseil de Québec adopte l'ordonnance *Pour constater les dommages des lettres de change protestées.*

### **18 novembre 1764**

Le Conseil de Québec adopte quatre ordonnances :

- *Pour faire loger les troupes de Sa Majesté par billets dans les maisons particulières de cette province. Cette ordonnance sera modifiée le 29 novembre 1764.*
- *Pour amender et expliquer une ordonnance faite par le gouverneur et le Conseil de cette province, le vingtième jour de septembre dernier, intitulée une ordonnance pour ratifier et confirmer les décrets différentes cours de justice établis dans les districts de Québec, Montréal et Trois-Rivières, antérieurement à l'établissement du gouvernement civil par toute la province le dixième d'août 1764; et pour prolonger le Terme limité pour appeler des décrets des différentes cours de justice spécifiées par ladite ordonnance.*

### **29 novembre 1764**

Le Conseil de Québec adopte l'ordonnance *Pour expliquer et amender une ordonnance du douzième de ce mois Pour faire loger les troupes de Sa Majesté en cette province.* Cette ordonnance sera révoquée par ordre du Conseil privé de Londres le 22 novembre 1765 et par une proclamation faite à Québec le 25 avril 1766.

### **13 décembre 1764**

Promulgation des lois britanniques relatives à la haute trahison, la trahison mineure et aux crimes capitaux.

Le Conseil de Québec adopte l'ordonnance *Pour empêcher qu'on ne vende du rhum, ou d'autres boissons fortes aux Sauvages.*

### **17 décembre 1764**

Résolution du Conseil de Québec afin d'aller siéger à Montréal. Du 17 décembre 1764 au 3 janvier 1765, les conseillers siègent à Montréal afin d'enquêter sur l'affaire Thomas Walker, un juge de paix dont une oreille a été tranchée par des hommes masqués s'étant introduits chez lui.

## **1765**

### **28 février 1765**

Il est résolu qu'aucun avocat ne soit admis à pratiquer devant aucune cour de justice sans avoir obtenu préalablement une licence du gouverneur.

### **1<sup>er</sup> mars 1765**

Par proclamation, Murray fait savoir qu'il est désormais permis à quiconque en fait la requête au Conseil de Québec de s'établir sur les rives de la baie de Gaspé et de la baie des Chaleurs.

### **9 mars 1765**

Le Conseil de Québec adopte deux ordonnances :

- *Pour empêcher que les biens et effets des personnes absentes de cette province, ou résidentes ailleurs qu'en icelle, lesquelles se trouveront en possession d'aucun commerçant, facteur, agent, procureur ou fidéicommissaire, ne soit enlevés, remis, transportés ou transférés, jusqu'à ce que les dettes dues par des personnes absentes ou résidentes en icelle soient payées, ou que le paiement de ces dettes soit assuré; et pour rendre lesdits biens et effets sujets au paiement de toutes dettes dues à quelques personnes ou personne que ce soit en cette province, et pour assujettir tous les biens meubles et immeubles de tout négociant, ou personne faisant commerce de marchandises, par marché, échange, réchange, troc, chevisance, ou autrement, en gros ou en détail, ou qui cherche à gagner sa vie en vendant ou en achetant en cette province, au paiement de leurs dettes à raison et au pro rata parmi leurs créanciers, nonobstant tout cautionnement secret qu'on puisse donner à quelque particulier que ce soit à ce contraire.*
- *Portant, que tous grands et petits jurés qui seront ci-après sommés pour servir en aucune cour de justice tenant greffe d'archives, en aucune cour d'assises, et pour délivrer les prisons de cette province, seront sommés, et le rapport de ce qu'ils auront été sommés, se fera du corps de la province en général, sans distinction, et sans avoir égard au voisinage d'aucun district en particulier dans icelle. Par résolution, le Conseil de Québec rappellera cette ordonnance le 22 janvier 1767.*

### **25 avril 1765**

Le procureur général George Suckling, convoqué par le Conseil de Québec, est questionné par les conseillers. C'est la première fois de l'histoire parlementaire québécoise que le « pouvoir législatif » exerce ainsi son contrôle, par le moyen d'une série d'interrogations, sur les actions d'un haut fonctionnaire du gouvernement colonial.

Le Conseil de Québec reçoit une pétition demandant qu'on accorde aux « nouveaux sujets » de la Province de Québec, la liberté de s'assembler pour présenter des observations au gouverneur et au Conseil sur des questions relatives à leurs propres affaires. Les requérants obtiennent la permission de s'assembler dans la ville de Québec, à condition qu'au moins deux membres du Conseil de Québec assistent à leur réunion avec le pouvoir de la dissoudre. Les juges de paix qui le désirent pourront aussi y assister. Les bourgeois canadiens de Québec forment ainsi une association, un « corps du commerce », calqué sur le syndic des négociants qui avait cours sous le Régime français de 1717 à 1760.



### **26 avril 1765**

Le Conseil de Québec adopte l'ordonnance *Pour expliquer une ordonnance pour mieux découvrir et supprimer les maisons où l'on débite les boissons sans permis*. Cette ordonnance sera révoquée par ordre du Conseil privé de Londres le 22 novembre 1765 et par une proclamation faite à Québec le 25 avril 1766.

### **30 avril 1765**

Le Conseil de Québec adopte l'ordonnance *Pour empêcher les pêcheurs ou autres personnes de jeter l'abattis ou les entrailles de poisson à la mer, dans les endroits où on fait la pêche, &c., en cette province*.

### **9 mai 1765**

William van Felson et Alexander McKenzie témoignent devant le Conseil de Québec. Ils laissent entendre que les Acadiens de Bonaventure sont encore rangés du côté du gouvernement français (van Felson avait des prétentions sur leurs terres, faut-il ajouter). À l'unanimité, les membres du Conseil assemblés, Irving, Mabane, Price, Dunn, Mounier et Goldfrap, adoptent une résolution pour qu'une lettre soit adressée aux lords du commerce (Board of Trade) pour demander si les Acadiens de Bonaventure devraient être déplacés (*removed*).

### **15 mai 1765**

Le Conseil de Québec adopte l'ordonnance *Pour ajouter à l'ordonnance publiée le quatrième jour d'octobre dernier, pour régler et établir le cours des monnaies dans cette province*. Par résolution, cette ordonnance sera amendée le 16 mai 1768.

### **22 mai 1765**

Le Conseil de Québec se réunit non pas au château Saint-Louis, mais plutôt dans la maison de campagne du gouverneur James Murray, à moins de cinq kilomètres de Québec, le long du chemin Sainte-Foy. Cette demeure était située sur un domaine nommé Sans Bruit. Cette réunion extraordinaire fait suite à un incendie à Montréal ayant détruit une centaine de maisons ainsi que l'Hôpital général, le 18 mai 1765, dans le quartier de la place du Marché. Le Conseil de Québec adopte plusieurs résolutions pour venir en aide aux sinistrés.

### **31 mai 1765**

Le Conseil de Québec adopte l'ordonnance *Touchant des soldats et des mariniers, et pour prévenir la désertion, et pour empêcher qu'ils ne soient emprisonnés pour dettes, ou sous prétexte de dettes, et pour libérer les soldats qui sont actuellement en prison pour des dettes*.

### **3 juin 1765**

Résolution du Conseil de Québec afin que les terres de la région de la baie des Chaleurs, de Gaspé et de Sept-Îles soient divisées en cantons et arpentées aux frais de la province pour faciliter l'établissement des soldats licenciés.

Henry Kneller démissionne comme sous-greffier du Conseil de Québec. James Potts lui succède dans ses fonctions.

Le Conseil de Québec adopte l'ordonnance *Pour renvoyer (ou ajourner) le prochain terme de la Trinité, et tous les autres termes qui s'en suivront à l'avenir, et pour faire entendre et déterminer de certaines offenses à la ville de Trois-Rivières en cette province.*

### **20 juin 1765**

James Potts prête serment comme sous-greffier du Conseil de Québec.

Charles Stewart prête les serments pour agir comme inspecteur général des douanes en Amérique pour le district central de l'Est, de même que les serments pour siéger au Conseil de Québec. Parce que sa commission provient du roi, il a préséance sur les autres conseillers, juste après le gouverneur et le juge en chef.

### **25 juin 1765**

Pour la première fois depuis l'instauration du gouvernement civil, le receveur général adjoint, Richard Murray (le fils du conseiller et receveur général Walter Murray), dépose les comptes publics de la province au Conseil de Québec, alors que celui-ci siège de nouveau à Sans Bruit.

### **27 juin 1765**

Adam Mabane et Benjamin Price déposent le rapport de leur enquête menée sur l'incendie de Montréal. Ils rapportent avoir rencontré Marguerite d'Youville. Un mois de provision est mis à la disposition des sœurs grises afin de subvenir « aux besoins des aveugles, éclopés, fous et enfants sans famille ». Le rapport indique que, au moment du sinistre, l'Hôpital général de Montréal disposait d'un revenu annuel de 3000 livres pour prendre soin de 119 personnes. Le rapport révèle aussi que 506 personnes ont perdu leurs maisons dans l'incendie.

### **29 juin 1765**

James Murray rédige une lettre aux gouverneurs des colonies britanniques nord-américaines pour les informer des pertes subies par les habitants de Montréal dans l'incendie. Le gouverneur de la Géorgie et celui de la Caroline du Nord répondront que les assemblées législatives de leur colonie respective ont été sollicitées à cette fin, mais qu'aucune ne dispose de moyen suffisant pour venir en aide aux Montréalais.

### **17 juillet 1765**

Le Conseil siège à Sans Bruit.

### **19 juillet 1765**

La difficile relation personnelle entre le gouverneur Murray et le juge en chef William Gregory s'envenime à la suite de l'affaire Walker. De sorte que du 25 juillet 1765 au 24 juin 1766, le juge en chef ne vient siéger qu'à trois séances du Conseil.

### **25 juillet 1765**

Comparution de Thomas Aylwin devant le Conseil, ce dernier affirmant que le juge en chef William Gregory se dissociait des ordonnances adoptées pour régir les cours de justice.

Enregistrement d'une lettre du procureur général George Suckling faisant état du différend qui l'oppose au juge en chef William Gregory.

### **4 octobre 1765**

John Brooke, prêtre de l'Église anglicane, prête serment au Conseil de Québec pour agir à titre de vérificateur général adjoint. Le 14 janvier 1764, le vérificateur général en titre Robert Cholmondeley l'avait choisi pour être son adjoint à Québec. Le révérend Cholmondeley était, à Londres, l'arpenteur et vérificateur général de l'Amérique britannique (1757-1804).

### **5 octobre 1765**

Une lettre du gouverneur de la Nouvelle-Écosse Montagu Wilmot est enregistrée dans les procès-verbaux du Conseil. Celui-ci indique au gouverneur Murray qu'une collecte de fonds sera organisée à Halifax pour venir en aide aux victimes de l'incendie de Montréal.

### **7 octobre 1765**

Le receveur général adjoint, Richard Murray, dépose les comptes publics de la province au Conseil de Québec, alors que celui-ci siège de nouveau à Sans Bruit. Le document porte la signature du vérificateur général adjoint.

### **26 octobre 1765**

James Murray prête le serment requis par la loi du timbre qui frappe d'une taxe tout papier ou parchemin destiné à un usage public. Colin Drummond prête également serment à titre de distributeur de timbres. La loi du timbre, sanctionnée à Londres le 22 mars 1765, entre en vigueur dans les colonies américaines le 1<sup>er</sup> novembre 1765. Le Parlement de Londres abolira la taxe du timbre le 1<sup>er</sup> mai 1766.

### **31 octobre 1765**

Résolution du Conseil qui prévoit que ses membres se réunissent tous les mercredis à 10 heures pour l'expédition des affaires. Il appert cependant que le Conseil devra siéger d'autres jours de la semaine.

### **13 novembre 1765**

*La Gazette de Québec* ayant suspendu ses impressions en raison de la loi du timbre, le Conseil de Québec ne peut donc plus y publier ses ordonnances. En conséquence, une résolution est adoptée au Conseil afin que les ordonnances soient présentées, au son du

tambour, dans les villes de Québec, de Montréal et de Trois-Rivières. On intime aussi aux curés de les lire dans leur paroisse. Enfin, les ordonnances seront affichées « aux endroits les plus publics des dites villes et aux portes des églises des paroisses ».

Le Conseil de Québec adopte l'ordonnance *Pour régler et établir le mesurage du bois de chauffage qu'on exposera en vente en cette province.*

### **28 novembre 1765**

Le Conseil de Québec adopte l'ordonnance *Pour faciliter et pour régler la fourniture de bois de chauffage aux troupes de Sa Majesté en garnison dans cette province; et pour déclarer que tout pouvoir et autorité de quelque capitaine ou autre officier de milice que ce soit établis dans cette province avant la Conquête d'icelle, et continués ensuite jusqu'à l'époque de l'établissement du gouvernement civile britannique, en icelle, ont été abolis et anéantis par l'établissement du dit gouvernement.*

### **30 novembre 1765**

Le Conseil siège à Sans Bruit.

### **6 décembre 1765**

Un comité du Conseil siège à Sans Bruit.

## **1766**

### **2 janvier 1766**

Le Conseil siège à Sans Bruit.

Une pétition de René-Ovide Hertel de Rouville, au nom des Canadiens de Montréal, demande la permission de s'assembler et de représenter au Conseil de Québec « ce qu'ils pourraient croire être dans l'intérêt de la province ». Par résolution, le Conseil leur accorde la liberté de se réunir aux mêmes conditions que les sujets canadiens de Québec.

### **16 janvier 1766**

Le conseiller James Goldfrap rappelle qu'il a plus d'ancienneté que le conseiller Benjamin Price, ce dernier ayant été assermenté après lui. Par résolution, le Conseil intime à ces deux conseillers de prendre place désormais selon ce rang.

### **4 février 1766**

Le Conseil siège à Sans Bruit.

### **21 février 1766**

Les seigneurs de Montréal se réunissent avec la permission accordée par le Conseil. Une série de sept résolutions sont adoptées. En matière de droits civils, ils demandent à la Couronne de « conserver les coutumes et usages de cette Province ». Ils souhaitent aussi

nommer un représentant canadien à Londres. Les seigneurs entendent enfin faire état de leur délibération à l'assemblée des Canadiens de Québec. Le document sera déposé et enregistré dans les procès-verbaux du Conseil de Québec.

### **3 mars 1766**

Un protêt est signé par 15 marchands britanniques de Montréal pour dénoncer l'assemblée des seigneurs tenue à Montréal. Entre autres, les signataires font savoir qu'ils espèrent que les conditions soient bientôt réunies pour qu'une chambre d'assemblée soit établie, tel qu'énoncé dans la Proclamation royale. Une version française du protêt, dont trois articles ont été retranchés, est signée par une trentaine de Canadiens en date du 4 mars 1766. Le protêt sera déposé et enregistré dans les procès-verbaux du Conseil de Québec.

### **27 mars 1766**

Le Conseil siège à Sans Bruit.

Des instructions de Murray adressées au conseiller Adam Mabane sont enregistrées dans les procès-verbaux. Celles-ci font état du droit des nouveaux sujets de pétitionner. Murray précise qu'il a reçu des ordres du secrétaire d'État du département du Sud, datés du 24 octobre 1765, afin d'aviser les Canadiens « qu'ils peuvent faire des représentations sur leurs justes plaintes et obtenir réparation de Sa Majesté ».

Le Conseil de Québec adopte l'ordonnance *Pour faire réparer et raccommoquer les grands chemins en cette province*. Il s'agit de la première loi relative à la voirie adoptée sous le gouvernement civil.

### **2 avril 1766**

Le Conseil répond favorablement à une nouvelle requête des habitants canadiens de Québec demandant la permission de s'assembler en date du 9 avril.

### **9 avril 1766**

Le Conseil répond favorablement à une pétition de l'instituteur Patrick McClement afin que le gouvernement colonial lui verse un salaire annuel de 25 livres sterling. Son école, ouverte le 1<sup>er</sup> septembre 1765, était située au Collège des Jésuites, dans la ville de Québec.

### **14 avril 1766**

Le gouverneur Murray, avec l'appui unanime des membres du Conseil, écrit au Board of Trade pour annoncer la suspension de la nomination de George Allsopp comme sous-greffier du Conseil de Québec, et comme sous-secrétaire et sous-registraire de la province.

### **19 avril 1766**

Quatre ordonnances adoptées par le Conseil en 1764 sont révoquées par le Conseil privé de Londres, par un ordre en Conseil daté du 22 novembre 1765. Cette révocation touche une ordonnance pour « repérer et supprimer les aubergistes qui n'ont pas de licence »,

une ordonnance pour « une meilleure observance du Jour du Seigneur » et deux autres ordonnances relatives au cantonnement des troupes armées dans la province.

### **22 et 23 avril 1766**

Le Comité des comptes publics, présidé par Paulus Æmilius Irving, se réunit et, pour la première fois, les dépenses détaillées de l'administration coloniale sont enregistrées dans les procès-verbaux du Conseil en date du 14 mai 1766.

### **3 juin 1766**

Une pétition est présentée au Conseil alléguant que le château Saint-Louis est dans un tel état de délabrement qu'il met en danger la vie des propriétaires des maisons situées au pied de la falaise.

### **14 juin 1766**

James Cuthbert prête les serments d'office pour siéger au Conseil de Québec.

### **17 juin 1766**

Une pétition du révérend John Brooke demande que le palais épiscopal soit concédé à l'évêque de Londres. Le grand-vicaire Joseph-François Perrault dépose également une pétition afin que les propriétés de l'évêque catholique lui soient conservées.

Un ordre du Conseil suspend l'avis d'expulsion des habitants qui, en vertu de l'article 29 des instructions royales adressées à Murray en 1763, ont refusé de prêter le serment d'abjuration à la puissance du pape.

### **18 juin 1766**

Des correspondances relatives aux Acadiens déportés en Nouvelle-Angleterre sont déposées au Conseil. Les échanges entre Murray et Francis Bernard, le gouverneur de la province du New Jersey, nous apprennent que ces Acadiens souhaitent s'établir au Canada. Murray approuve le projet.

### **24 juin 1766**

James Murray siège pour la dernière fois au Conseil de Québec. Une adresse est lue par les conseillers pour remercier le gouverneur. Murray leur répond par une adresse. C'est la première fois que de tels documents sont enregistrés dans les procès-verbaux.

### **28 juin 1766**

James Murray quitte la colonie. Dans les comptes publics de la Province de Québec, c'est à cette date que prend officiellement fin son administration. Murray conservera officiellement le titre de gouverneur de la province jusqu'au 12 avril 1768.

### **30 juin 1766**

Paulus Æmilius Irving, à titre de doyen du Conseil, devient commandant en chef de la Province de Québec (administrateur de la colonie) et président du Conseil de Québec. Il

prête les serments d'office et publie une proclamation indiquant que les officiers civils commissionnés doivent poursuivre leurs tâches jusqu'à nouvel ordre.

Thomas Mills prête les serments d'office pour siéger au Conseil de Québec.

### **1<sup>er</sup> juillet 1766**

Le Conseil de Québec adopte deux ordonnances :

- *Pour changer et réformer une ordonnance de son excellence le gouverneur et Conseil de Sa Majesté en cette province, passée le dix-septième jour de septembre 1764.* Cette ordonnance édicte que tous les habitants de la Province de Québec, sans aucune distinction, pourront être choisis comme jurés dans les causes civiles ou criminelles. Les Canadiens obtiennent également le droit d'être avocat ou procureur.
- *Pour remettre la Cour inférieure des plaidoyers communs pour la ville et district de Montréal en cette province.*

George Allsopp demande au président du Conseil d'être admis comme sous-greffier du Conseil de Québec et comme sous-registraire de la province. Sa suspension est maintenue unanimement par le Conseil, et ce, jusqu'à ce qu'une décision du Board of Trade soit prise à ce sujet.

### **2 juillet 1766**

Thomas Mills prête les serments pour exercer la charge de receveur général. Sa commission et ses instructions royales, datées du 10 juillet 1765, sont enregistrées. Il succède ainsi à Walter Murray, désigné à cette fonction par James Murray le 14 septembre 1764.

Afin de couvrir les dépenses courantes du gouvernement civil, le nouveau receveur général obtient le pouvoir de percevoir les droits prélevés sous le Régime français sur l'alcool et les produits d'importation et d'exportation. Une proclamation est publiée à cet égard le 5 juillet 1766.

### **5 juillet 1766**

Le Conseil de Québec adopte l'ordonnance *Pour accorder des licences pour détailler du rhum et autres boissons fortes, et pour supprimer ceux qui n'ont point de licence.*

### **16 juillet 1766**

Faisant suite à la pétition du 3 juin 1766, le Conseil engage un maçon et un charpentier afin de démolir une partie en ruine du château Saint-Louis.

### **28 juillet 1766**

Le Conseil de Québec adopte l'ordonnance *Pour augmenter une ordonnance de son excellence le gouverneur et Conseil de cette province, en date du 17<sup>e</sup> de septembre 1764, intitulée « une ordonnance pour régler et établir les Cours de judicature en cette province ».*

### **16 août 1766**

Le Conseil se forme en cour de la chancellerie.

### **25 août 1766**

Une lettre du gouverneur de New York, Henry Moore, adressé au commandant en chef Irving est enregistrée dans les registres du Conseil. Moore souhaite le rencontrer afin que la frontière entre les deux provinces sur le lac Champlain soit établie, conformément à la Proclamation royale de 1763.

### **8 septembre 1766**

Irving étant absent, Hector Theophilus Cramahé préside les travaux du Conseil.

Une pétition avise le Conseil que 90 Acadiens en provenance de la Nouvelle-Angleterre sont arrivés dans la Province de Québec pour s'y établir. Cette migration ayant été approuvée précédemment par Murray, le Conseil ordonne au munitionnaire de leur fournir des provisions pour un mois. Ordre est également donné pour inviter les seigneurs à accueillir ces Acadiens sur leurs terres non concédées. L'annonce est publiée dans *La Gazette de Québec* le 15 décembre.

### **24 septembre 1766**

Guy Carleton est intronisé au Conseil de Québec. Il prête les serments d'office et Irving lui remet le Grand Sceau de la province. Sa commission de lieutenant-gouverneur, datée du 7 avril 1766, est enregistrée dans les procès-verbaux.

Une seconde séance est ouverte et les travaux sont alors présidés par Carleton. Jamais auparavant deux séances ne s'étaient tenues le même jour.

Un *mandamus*, signé par le roi, clarifie le rang et l'ancienneté auquel Cramahé est habilité à siéger au Conseil.

Il est résolu que les membres du Conseil alors assemblés prêtent de nouveau les serments d'office, à la suite de la nomination de Carleton. Le sous-greffier du Conseil, James Potts, prête aussi serment de nouveau.

Une nouvelle proclamation édicte que les officiers civils commissionnés doivent poursuivre leurs tâches jusqu'à nouvel ordre.

### **25 septembre 1766**

William Hey prête les serments d'office comme juge en chef de la province et comme membre du Conseil de Québec.

Ordre est donné que le secrétaire de la province préviennent par écrit William Gregory et George Suckling qu'ils sont suspendus de leur fonction respective de juge en chef et de procureur général.



### **26 septembre 1766**

Francis Maseres prête les serments d'office comme procureur général de la province. Le Conseil est avisé que 68 Acadiens (33 adultes et 35 enfants) sont arrivés de la Nouvelle-Angleterre pour s'établir dans la Province de Québec. Ordre est donné de leur fournir des provisions pour un mois.

Il est résolu que les ordonnances adoptées par le Conseil depuis 1764 soient réimprimées.

### **13 octobre 1766**

Les conseillers Paulus Æmilius Irving, Walter Murray, Adam Mabane, François Mounier et James Cuthbert adressent une remontrance au lieutenant-gouverneur. Ils dénoncent le fait que Carleton n'ait convoqué « qu'une partie du Conseil » à siéger. En réponse, Carleton réitère qu'il est de son intention, à l'avenir, de convoquer les conseillers de son choix « pour toutes affaires ne requérant pas l'approbation du Conseil ».

### **10 novembre 1766**

Le Conseil de Québec adopte l'ordonnance *Pour régler le pilotage sur le fleuve Saint-Laurent*.

### **28 novembre 1766**

Le lieutenant-gouverneur établit la liste et le rang des douze membres du Conseil de Québec : Guy Carleton, William Hey, Charles Stewart, Hector Theophilus Cramahé, James Goldfrap, Thomas Mills, Samuel Holland, Walter Murray, Thomas Dunn, François Mounier, Benjamin Price et James Cuthbert. Le document est enregistré au livre du Conseil le 1<sup>er</sup> décembre 1766. Les autres conseillers étant maintenant considérés comme surnuméraires.

### **1<sup>er</sup> décembre 1766**

Paulus Æmilius Irving et Adam Mabane sont démis de leur fonction de conseiller par Carleton.

Thomas Dunn et François Mounier prêtent de nouveau les serments d'office pour siéger au Conseil.

### **23 décembre 1766**

Walter Murray fait part de son désaccord sur le nouveau rang qui lui échoit au Conseil. Sa contestation est enregistrée dans les procès-verbaux le 27 décembre 1766.

## **1767**

### **22 janvier 1767**

Benjamin Price prête de nouveau les serments d'office pour siéger au Conseil de Québec.

**27 janvier 1767**

Le Conseil de Québec adopte l'ordonnance *Pour révoquer une ordonnance de cette province ci-devant; touchant la sommation des grands et petits jurés.*

**28 mars 1767**

Le Comité des comptes publics, présidé par Hector Theophilus Cramahé, se réunit pour la première fois sous l'égide de Carleton. Le rapport, enregistré dans les procès-verbaux le 11 avril 1767, constitue un bilan des comptes financiers du gouvernement civil, depuis août 1764 jusqu'en décembre 1766.

Une pétition des religieuses de l'Hôpital général de Québec est étudiée au Comité des comptes publics, laquelle demande au gouvernement de leur rembourser 293 livres pour le bois utilisé au cours de l'hiver 1759-1760 pour chauffer les lieux occupés par les malades de l'armée britannique.

**6 mai 1767**

Une pétition de Hugh Finlay, présentée au nom de 25 Acadiens de Bonaventure, est déposée, ces derniers demandant la permission de fonder l'établissement de Tracadie (Carleton-sur-Mer). La pétition est étudiée en comité le 16 mai. On demande à ces Acadiens de s'établir dans les principaux centres de la province. Tracadie sera néanmoins fondé au printemps de 1767. À noter que François Mounier siège au Comité. Son frère Henry Mounier demandera une concession sur ce même territoire le 23 mai 1767. Il obtient un bail d'une durée de 10 ans.

**21 juillet 1767**

Enregistrement du rapport du Comité des comptes publics, présidé par Paulus Æmilius Irving, couvrant la période du 25 décembre 1766 au 24 juin 1767.

**27 août 1767**

Hector Theophilus Cramahé prête les serments pour exercer la charge de receveur général.

**31 août 1767**

Une résolution du Conseil ordonne aux habitants de chaque paroisse d'élire six personnes comme baillis. Cette décision fait suite à l'observation du greffier selon laquelle plusieurs paroisses n'ont pas de baillis. Une autre résolution enclenche une enquête visant à nommer des baillis dans ces dernières paroisses.

**19 octobre 1767**

Hugh Finlay (nommé le 25 septembre 1765) prête les serments d'office pour siéger au Conseil de Québec.

## 1768

### **25 janvier 1768**

Le Conseil refuse de donner suite à la pétition d'Ann Strafford, sage-femme, demandant qu'un salaire lui soit alloué pour son aide et son assistance aux femmes ayant besoin des services de sa profession et, plus particulièrement, aux pauvres femmes des membres de l'armée.

### **2 février 1768**

Enregistrement du rapport du Comité des comptes publics, présidé par Hector Theophilus Cramahé, couvrant la période du 25 juin 1767 au 24 décembre 1767.

### **4 février 1768**

Par résolution, un nouveau règlement permanent (*standing rule*) est adopté au Conseil. En vertu de cette procédure, la traduction française des projets d'ordonnance devra dorénavant être soumise au Conseil avant d'être sanctionnée par le gouverneur.

La tenue des procès-verbaux est également modifiée par l'ajout de notes marginales.

### **23 février 1768**

Le Conseil constate « la difficulté pour le gouvernement d'engager un traducteur de l'anglais au français compétent » et donne avis qu'un tel traducteur devrait recevoir des émoluments de cinq shillings par jour.

Le Conseil de Québec adopte deux ordonnances :

- *Touchant les licences des aubergistes.*
- *Pour prévenir les incendies.*

### **24 février 1768**

François-Joseph Cugnet est nommé secrétaire français du gouverneur en conseil.

### **14 mars 1768**

Une lettre du secrétaire d'État Shelburne, daté du 14 novembre 1767, est enregistrée au Conseil. Le ministre charge le lieutenant-gouverneur Carleton de mener une enquête pour confirmer ou annuler la nomination de George Allsopp comme sous-greffier du Conseil de Québec et comme sous-registrare de la province. Le juge en chef William Hey, Samuel Holland et Francis Maseres sont chargés de mener cette enquête.

Les soldats licenciés obtiennent le droit de prendre possession de leur lot respectif à la baie de Gaspé et à la baie des Chaleurs.

### **28 mars 1768**

Un ordre du Roi en conseil, daté du 28 août 1767, demande au lieutenant-gouverneur de produire un rapport sur le système judiciaire et de proposer des changements, notamment dans un avant-projet d'ordonnance. Il est notamment question de la possibilité que les

juges puissent se référer à la « Coutume du pays ». Carleton charge William Hey et Hector Theophilus Cramahé de former un comité, avec le procureur général Francis Maseres, pour étudier « les arrêts du roi de France concernant cette province » et de présenter les extraits qui pourraient être intégrés aux éventuels règlements de la Province de Québec.

### **5 avril 1768**

Le Conseil de Québec adopte deux ordonnances :

- *En augmentation d'une précédente de cette province concernant le poids du pain.*
- *Qui annule une clause d'une précédente de cette province, en date du 15<sup>e</sup> jour de mai 1765, concernant le cours des monnaies.*

### **22 avril 1768**

George Allsopp prête les serments comme sous-greffier du Conseil de Québec et comme sous-registraire de la province.

Des documents déposés font état d'un incendie à Montréal le 11 avril 1768. Ordre est donné au receveur général d'accorder 400 dollars pour l'aide aux victimes du sinistre.

### **5 mai 1768**

Le Conseil de Québec adopte l'ordonnance *Pour commettre des pilotes, et établir certains règlements à suivre par les maîtres ou capitaines de bâtiments et vaisseaux qui monteront le fleuve Saint-Laurent, pour venir dans la ville et port de Québec, ou qui le descendront.*

### **1<sup>er</sup> août 1768**

Enregistrement du rapport du Comité des comptes publics, présidé par Hector Theophilus Cramahé, couvrant la période du 25 décembre 1767 au 24 juin 1768.

### **3 septembre 1768**

Par ordre du Conseil, Hector Theophilus Cramahé et Thomas Dunn sont désignés pour former un comité afin de comparer et d'étudier les ordonnances et proclamations adoptées depuis l'établissement du gouvernement civil et d'en faire rapport au lieutenant-gouverneur.

### **27 septembre 1768**

Par ordre du Conseil, William Hey, Hector Theophilus Cramahé et Thomas Dunn sont désignés pour former un comité d'enquête sur les comptes d'honoraires des officiers du gouvernement colonial. Les autres conseillers peuvent se joindre au comité, dont le quorum est fixé à trois membres.

Le lieutenant-gouverneur Carleton dépose les pétitions de Lanaudière et de Cugnet se plaignant des « grossières insultes » que leur a proférées George Allsopp, sous-greffier du Conseil de Québec et sous-registraire de la province, dans la salle du Conseil. Ils demandent réparation.

### **26 octobre 1768**

Guy Carleton dépose sa commission de capitaine général et de gouverneur en chef, datée du 12 avril 1768. Il prête les serments d'office. Les membres du Conseil doivent également prêter les serments de nouveau.

### **3 novembre 1768**

James Potts produit sa commission le nommant commissaire et juge de la Cour de vice-amirauté. Il prête les serments d'office.

Le Conseil de Québec adopte l'ordonnance *En augmentation d'une précédente, rendue pour prévenir les accidents du feu, et qui prescrit les moyens de l'exécuter.*

### **24 novembre 1768**

Colin Drummond of Megginch prête les serments d'office pour siéger au Conseil de Québec. Les membres du Conseil absents à la séance du 26 octobre prêtent de nouveau les serments au gouverneur.

George Allsopp demande à ce que le procureur général Francis Maseres ne siège pas au comité chargé d'enquêter sur le différend entre lui, Lanaudière et Cugnet. Par ordre du Conseil, Hugh Finlay est désigné pour remplacer Maseres. Les procès-verbaux du Conseil ne feront plus état de cette question par la suite.

## **1769**

### **5 janvier 1769**

Enregistrement de l'ordre du Conseil privé de Londres, daté du 12 août 1768, confirmant le rapport du Board of Trade concernant les frontières établies entre les provinces de Québec et de New York. Le document règle aussi les réclamations des « nouveaux sujets de Sa Majesté » situés du côté sud de la frontière.

Pour mettre de l'ordre dans l'administration des dépenses du gouvernement civil, il est ordonné qu'aucun compte ne puisse être accepté sans pièces justificatives ou qu'un serment n'ait pas été prêté quant à sa véracité; le Comité de comptes publics est ainsi habilité à recevoir ces serments.

### **17 janvier 1769**

Enregistrement du rapport du Comité des comptes publics, présidé par Hector Theophilus Cramahé, couvrant la période du 25 juin 1768 au 24 décembre 1768.

### **24 janvier 1769**

Des instructions du Board of Trade, datées du 21 mai 1768, sont déposées au Conseil. Celles-ci ordonnent au receveur général de la Province de Québec d'intenter une action pour le recouvrement de certains droits perçus par le roi de France, prenant l'année 1757 comme repère.

### **14 février 1769**

Lecture de la commission royale, datée du 23 avril 1768, nommant le gouverneur Guy Carleton à titre de vice-amiral, commissaire et député à la Cour de la vice-amirauté de la Province de Québec.

### **8 avril 1769**

William Hey, Hector Theophilus Cramahé et Thomas Dunn, les membres du comité chargé d'étudier spécifiquement différents mémoires concernant le commerce avec les Amérindiens, prennent l'initiative d'émettre leur opinion générale à ce propos. Leur rapport est enregistré le 10 avril 1769. En résumé, il suggère d'annexer le territoire des Indiens à la Province de Québec. Il s'agit, en quelque sorte, du premier mandat d'initiative recensé.

### **30 mai 1769**

Le Conseil de Québec adopte deux ordonnances :

- *Concernant les boulangers dans les villes de Québec et de Montréal.*
- *Pour empêcher les cabarettiers de vendre à crédit aucune boisson en détail en dessus de la somme d'une demi-piastre d'Espagne.*

### **11 août 1769**

Enregistrement du rapport du Comité des comptes publics, présidé par Hector Theophilus Cramahé, couvrant la période du 25 décembre 1768 au 24 juin 1769.

### **18 août 1769**

Par ordre du Conseil, un comité formé du juge en chef William Hey, du procureur général Francis Maseres, de Hector Theophilus Cramahé, de Thomas Dunn, de Walter Murray et de Colin Drummond a le mandat d'étudier l'état de l'administration de la justice par les juges de paix. Ce comité propose de mettre en place une administration de la justice plus conforme au système en place au temps de la Nouvelle-France. On propose notamment de créer à nouveau des offices d'intendants subdélégués. Le 14 septembre 1769, ordre est donné au procureur général de rédiger une nouvelle ordonnance sur l'administration de la justice.

Le Conseil étudie la pétition de Théodose-Matthieu Denys de Vitré, pilote de navire ayant guidé la flotte britannique en 1759. En vertu d'une promesse faite par le général James Wolfe et l'amiral Charles Saunders, il réclame une compensation de 100 livres sterling pour les terres qui lui ont été prises à Québec par l'intendant François Bigot sous le Régime français. Par résolution, le Conseil acquiesce à sa demande.

## 1770

### **1<sup>er</sup> février 1770**

Une pétition rédigée par des marchands expose qu'ils ont payé des droits trop élevés sur l'importation de rhum, et ce, avant l'établissement du gouvernement civil. Ils réclament un remboursement avec intérêts. Cette affaire de surplus de tarifs imposés sera réglée selon la demande des marchands.

### **14 février 1770**

Le Conseil de Québec adopte l'ordonnance *Pour rendre plus efficace l'administration de la justice et régler les cours civiles de cette province*. Cette ordonnance modifie en profondeur l'ordonnance pour établir et régler des cours de judicatures, sanctionnée le 17 septembre 1764. Sauf exception, la compétence des juges de paix en matière de propriété est abolie; et, dans le district de Montréal, une cour des plaids communs, indépendante de celle du district de Québec, est créée. Ces cours siégeront toute l'année et les règles concernant l'exécution des jugements sont adoucies.

### **15 février 1770**

Enregistrement du rapport du Comité des comptes publics, présidé par Hector Theophilus Cramahé, couvrant la période du 25 juin 1769 au 24 décembre 1769.

### **23 mai 1770**

Hector Theophilus Cramahé et John (Jean) Martheilhe, nommés juges des plaids communs, prêtent les serments d'office.

### **16 juillet 1770**

Lecture d'un Acte adopté au Parlement de Westminster et sanctionné le 5 mars 1770 (10 Geo. III, c. 17 [R.-U.]) – l'un des *Townshend Revenue Act* adopté en 1767 – abrogeant les taxes et les droits de douane dans les colonies britanniques sur le café, le cacao, la porcelaine, le verre, la peinture, le papier et le carton en provenance de la Grande-Bretagne. La taxe sur le thé est maintenue.

### **30 juillet 1770**

Enregistrement du rapport du Comité des comptes publics, présidé par Hector Theophilus Cramahé, couvrant la période du 25 décembre 1769 au 24 juin 1770.

### **31 juillet 1770**

Thomas Dunn est nommé receveur général par intérim.

### **1<sup>er</sup> août 1770**

Le gouverneur Guy Carleton s'embarque pour Londres et laisse l'administration de la province à Hector Theophilus Cramahé.

### **9 août 1770**

Hector Theophilus Cramahé à titre de doyen du Conseil, devient commandant en chef de la Province de Québec (administrateur de la colonie) et président du Conseil de Québec. Il prête les serments d'office et publie une proclamation indiquant que les officiers civils commissionnés doivent poursuivre leurs tâches jusqu'à nouvel ordre.

Les membres du Conseil prêtent serment de nouveau.

Henry Kneller prête les serments d'office comme procureur général de la province. Kneller agissait déjà comme procureur général intérimaire depuis que Francis Maseres avait reçu un congé d'un an, au printemps 1769, pour retourner en Angleterre.

### **28 septembre 1770**

Le Conseil est avisé que plusieurs tentatives ont été faites pour incendier la ville de Montréal. Par résolution, une annonce est publiée dans *La Gazette*. Elle promet une récompense de 200 dollars à celui qui trouvera la ou les personnes recherchées pour ces méfaits.

## **1771**

### **5 janvier 1771**

Une pétition de Robert M<sup>c</sup>Kay, geôlier pour le district de Montréal, demande un meilleur salaire, puisque l'application de l'ordonnance pour rendre plus efficace l'administration de la justice et régler les cours civiles de cette province a réduit le nombre de prisonniers, ce qui « a eu un effet très désavantageux pour lui ».

### **29 janvier 1771**

Enregistrement du rapport du Comité des comptes publics, présidé par Hugh Finlay, couvrant la période du 25 juin 1770 au 24 décembre 1770.

L'Union Fire Society de Montréal demande l'aide du gouvernement afin de terminer l'érection d'un réservoir d'eau et de construire des conduits et des bassins pour protéger la ville contre les incendies. Par ordre du Conseil, une somme de 100 livres sterling est remise au receveur général à cet effet.

### **17 juin 1771**

Un comité mixte, composé des conseillers William Hey, Thomas Dunn, Walter Murray et Colin Drummond, ainsi que des membres de l'Amical Society for Extinguishing Fires et des principaux habitants de Québec, est formé pour étudier les mesures à adopter pour prévenir les incendies.



### **12 juillet 1771**

Enregistrement du rapport du Comité des comptes publics, présidé par Hugh Finlay, couvrant la période du 25 décembre 1770 au 24 juin 1771.

Trois lettres du gouverneur de New York, John Murray, 4<sup>e</sup> comte de Dunmore, sont enregistrées dans les registres du Conseil. Il expose que l'Assemblée législative de New York a nommé des commissaires afin de régler la question du commerce avec les Amérindiens. Il invite des commissaires de la Province de Québec, et des autres colonies britanniques, à New York le 1<sup>er</sup> décembre 1771. Il est également question de tracer la frontière entre les provinces de Québec et de New York et de partager les dépenses à cet effet à parts égales. Par résolution, John Collins, sous-arpenteur général de la Province de Québec (*Deputy Surveyor General*) est chargé de tracer cette frontière avec Adolphus Benzell, nommé par le gouverneur de New York.

### **26 septembre 1771**

Hector Theophilus Cramahé dépose sa commission de lieutenant-gouverneur et de commandant en chef de la Province de Québec, datée du 6 juin 1771. Il prête les serments d'office. Les membres du Conseil doivent prêter les serments de nouveau.

Par ordre du Conseil, un comité formé de William Hey, Hugh Finlay et Thomas Dunn doit étudier les règlements proposés par l'Assemblée législative de New York concernant le commerce avec les Amérindiens.

### **30 septembre 1771**

Les membres du Conseil présentent une adresse de félicitations au lieutenant-gouverneur Cramahé.

## **1772**

### **13 janvier 1772**

Par résolution, le Conseil accepte la proposition du gouverneur de New York William Tryon. John Collins, sous-arpenteur général de la Province de Québec, devra rencontrer la personne nommée par le gouverneur en conseil de New York, le 1<sup>er</sup> mars 1772 à la rivière Lacolle, afin de tracer la frontière entre les deux provinces.

Enregistrement du rapport du Comité des comptes publics, présidé par Hugh Finlay, couvrant la période du 25 juin 1771 au 24 décembre 1771.

Le comité chargé d'étudier les propositions de la Chambre d'assemblée de New York sur le commerce avec les Amérindiens dépose son rapport. Ces propositions sont rejetées en bloc, arguant que le Conseil de Québec n'a pas le pouvoir de taxer les habitants de la Province de Québec et qu'une telle mesure serait préjudiciable au commerce de la colonie.

### **30 juin 1772**

Le Conseil enregistre une instruction royale datée du 2 juillet 1771. Le gouvernement de la Province de Québec est autorisé à concéder des terres en fief et seigneurie. Cette disposition sera reprise dans l'Acte de Québec en 1774.

### **29 juillet 1772**

Enregistrement du rapport du Comité des comptes publics, présidé par Hugh Finlay, couvrant la période du 25 décembre 1771 au 24 juin 1772.

### **24 août 1772**

Le lieutenant-gouverneur Cramahé constate que seulement quatre conseillers sont présents dans la Province de Québec, alors qu'un quorum de cinq personnes est nécessaire au fonctionnement du Conseil. Un nouveau membre est nommé dans les circonstances.

François Lévesque prête les serments d'office pour siéger au Conseil de Québec. Le Conseil de Québec adopte l'ordonnance *Qui change le premier jour du terme de la Saint-Michel, pour chaque année, du 15 octobre au 6 de novembre.*

## **1773**

### **29 janvier 1773**

Le lieutenant-gouverneur Cramahé constate que seulement trois conseillers sont présents dans la Province de Québec, alors qu'un quorum de cinq personnes est nécessaire au fonctionnement du Conseil. Deux nouveaux membres sont nommés dans les circonstances.

John Collins et Edward Harrison prêtent les serments d'office pour siéger au Conseil de Québec.

### **8 février 1773**

Enregistrement du rapport du Comité des comptes publics, présidé par Thomas Dunn, couvrant la période du 25 juin 1772 au 24 décembre 1772.

### **22 février 1773**

Enregistrement du rapport du comité chargé de l'étude sur la pertinence de tracer une frontière entre la Province de Québec et la province de New York. Tel qu'il est recommandé dans une lettre du gouverneur de New York, le 45<sup>e</sup> degré de latitude nord est retenu.

### **22 mai 1773**

Le Conseil de Québec adopte l'ordonnance *Pour appuyer et compléter deux ordonnances antérieures à l'effet d'empêcher les accidents causés par le feu.*

## **24 juillet 1773**

Enregistrement du rapport du Comité des comptes publics, présidé par Hugh Finlay, couvrant la période du 25 décembre 1772 au 24 juin 1773.

Le Conseil enregistre une quarantaine de pétitions, de la part d'anglophones en majorité, afin de se faire concéder des terres en seigneurie.

## **2 août 1773**

Une lettre du gouverneur de New York est déposée au Conseil. Une rencontre avec le lieutenant-gouverneur Cramahé, concernant la frontière entre la Province de Québec et la province de New York, est prévue à Montréal. Un comité est formé pour étudier la question.

## **4 août 1773**

Le rapport du comité chargé d'étudier la question de la frontière entre la Province de Québec et la province de New York est approuvé. Il est ordonné au sous-arpenteur général d'établir cette frontière avec son homologue de New York. Les membres du comité, présidé par William Hey et composé de Hugh Finlay, Thomas Dunn, Colin Drummond, François Lévesque et Edward Harrison, font cependant état qu'ils souhaitent que les frontières de 1763 soient remaniées pour être « plus favorables et mieux adaptés aux conditions et à la situation de cette province »; ils ajoutent que le consentement à tracer cette frontière ne constitue en aucun cas un abandon des réclamations futures des terres au-dessous de la frontière.

## **20 août 1773**

Pour la première fois de son histoire, le Conseil se forme en comité plénier (*Committee of the whole council*). L'ordonnance pour établir une cour d'appel durant l'absence du juge en chef et pour déterminer les pouvoirs des commissaires chargés d'exercer les fonctions du juge en chef est étudié par le lieutenant-gouverneur Hector Theophilus Cramahé, le juge en chef William Hey, Thomas Dunn, François Lévesque et Edward Harrison.

## **1<sup>er</sup> septembre 1773**

Le Conseil de Québec adopte l'ordonnance *Pour établir une cour d'appel durant l'absence du juge en chef en place et pour déterminer les pouvoirs des commissaires chargés d'exercer les fonctions du juge en chef*. Cette mesure fait suite à la permission royale accordée au juge en chef William Hey de quitter la colonie pour un congé de 12 mois.

## **8 octobre 1773**

Le lieutenant-gouverneur Cramahé constate que seulement quatre conseillers sont présents dans la Province de Québec, alors qu'un quorum de cinq personnes est nécessaire au fonctionnement du Conseil. Un nouveau membre est nommé dans les circonstances.

John Carden prête les serments d'office pour siéger au Conseil de Québec.

### **1<sup>er</sup> novembre 1773**

Le lieutenant-gouverneur Cramahé prête les serments d'office comme président de la Cour d'appel, tel qu'édicté par l'ordonnance du 1<sup>er</sup> septembre 1773. Les membres du Conseil n'étant pas juges de la Cour des plaids communs prêtent aussi les serments d'office des membres de ladite Cour d'appel.

### **6 décembre 1773**

Lecture de deux pétitions « des anciens sujets de Sa Majesté, les propriétaires, marchands, commerçants et autres habitants de cette Province », demandant au lieutenant-gouverneur Cramahé, avec l'avis et le consentement du Conseil, conformément à la Proclamation royale de 1763, et du pouvoir et de l'autorité conférée par Sa Majesté à ses gouverneurs par lettres patentes, de requérir et de convoquer une assemblée législative dans la Province de Québec. Le Conseil ordonne que ces pétitions soient traduites en français et mises sur la table pour être étudiées par les conseillers.

### **11 décembre 1773**

Après avoir étudié en Conseil les pétitions relatives à l'établissement d'une assemblée législative, le lieutenant-gouverneur Cramahé répond : « Messieurs. Le sujet de votre pétition est d'une si grande importance que le Conseil de Sa Majesté ne saurait émettre d'avis à cet égard et que je ne puis pour la même raison prendre une détermination au moment où les affaires de la province, d'après les meilleurs renseignements, vont être l'objet d'une réglementation générale. Les pétitions seront transmises avec ma réponse, à la prochaine occasion, au secrétaire d'État de Sa Majesté. »

## **1774**

### **12 janvier 1774**

Enregistrement du rapport du Comité des comptes publics, présidé par Thomas Dunn, couvrant la période du 25 décembre 1773 au 24 juin 1773.

### **30 mai 1774**

Le lieutenant-gouverneur Cramahé informe le Conseil que 81 Acadiens ont émigré de France, en passant par Jersey, et sont parvenus dans la région de la baie des Chaleurs dans les navires de Charles Robin. À la demande du juge de paix William van Felson, le sous-percepteur des douanes (*Deputy Collector of the Customs*) à Bonaventure William Smith a chargé une caution de 500 livres sterling à Robin. Le Conseil est aussi d'opinion que ni van Felson ni Smith n'étaient autorisés à empêcher ces familles acadiennes à s'installer dans la province. Sur quoi le Conseil stipule : « Qu'il soit permis aux Acadiens qui sont arrivés à la Baie-des-Chaleurs et à tous ceux qui arriveront par la suite, de s'établir à cet endroit ou à tout autre endroit de la Province, les hommes âgés de seize ans et plus prêtant le serment de fidélité à Sa Majesté. »

Une requête adressée au lieutenant-gouverneur par des résidents de Montréal demande l'appui du gouvernement pour l'établissement d'une école protestante grâce à des dons privés. Ordre est donné au receveur général de 100 dollars comme donation du gouvernement.

#### **22 juin 1774**

L'Acte de Québec, soit l'Acte à l'effet de pourvoir d'une façon plus efficace au gouvernement de la province de Québec dans l'Amérique du Nord, est sanctionné à Londres (14 Geo. III, c. 83 [R.-U.]).

#### **20 juillet 1774**

Une lettre déposée au Conseil indique que des personnes malintentionnées ont tenté de mettre le feu à la ville de Montréal le 9 juillet 1774. Des habitants de Montréal offrent une récompense de 200 dollars pour trouver les coupables. Ordre est donné pour que *La Gazette de Québec* publie un avis annonçant que le gouvernement offre aussi une récompense de 200 dollars pour dénoncer les incendiaires.

Enregistrement du rapport du Comité des comptes publics, présidé par Thomas Dunn, couvrant la période du 25 décembre 1773 au 24 juin 1774.

#### **10 août 1774**

Hugh Finlay et James Cuthbert prêtent les serments d'office pour siéger comme membres de la Cour d'appel, tel que l'édicte l'ordonnance du 1<sup>er</sup> septembre 1773.

#### **18 septembre 1774**

Retour du gouverneur Guy Carleton à Québec.

#### **11 octobre 1774**

Guy Carleton préside de nouveau les travaux du Conseil. Pour la première fois de son histoire, un gouverneur et un lieutenant-gouverneur en fonction sont présents dans la salle du Conseil.

L'Acte de Québec et l'Acte du revenu de Québec sont lus au Conseil. Ordre est donné de les faire traduire en français. Quatre autres actes adoptés par le Parlement britannique sont présentés. Ils concernent l'armée, l'importation de produits d'Irlande, l'établissement de ports libres en Jamaïque et le cantonnement des soldats.

#### **Octobre 1774**

Le juge en chef William Hey est élu député de Sandwich à la Chambre des communes britannique.

#### **4 novembre 1774**

Les traductions de l'Acte de Québec et de l'Acte du revenu de Québec sont lues au Conseil et comparées avec les originaux. Les traductions sont soumises à l'étude d'un

comité formé du lieutenant-gouverneur Cramahé, de Duncan et de Colin Drummond et des membres du Conseil de Québec qui souhaitent en faire partie.

### **25 novembre 1774**

Les corrections du comité sur les traductions de l'Acte de Québec et de l'Acte du revenu de Québec sont lues au Conseil. Après quoi, le Conseil examine de nouveau les traductions. Ordre est donné d'inscrire ces lois dans les procès-verbaux du Conseil et d'en imprimer 300 exemplaires pour l'usage des magistrats et des officiers du gouvernement.

## **1775**

### **3 janvier 1775**

Le gouverneur Guy Carleton reçoit de nouvelles instructions royales.

### **11 janvier 1775**

Enregistrement du rapport du Comité des comptes publics, présidé par le lieutenant-gouverneur Hector Theophilus Cramahé, couvrant la période du 25 juin 1774 au 24 décembre 1774.

### **25 janvier 1775**

Le gouverneur Guy Carleton prête les serments d'office comme président de la Cour d'appel, tel que l'édicte l'ordonnance du 1<sup>er</sup> septembre 1773.

### **23 mars 1775**

Dernière séance du Conseil de Québec.

En vertu de l'Acte du revenu de Québec (14 Geo. III, c. 88 [R.-U.]), qui établit « un fonds pour pourvoir aux dépenses de l'administration de la justice et au soutien du gouvernement civil dans la province de Québec », le Conseil ordonne qu'une proclamation soit publiée selon laquelle une taxe sera payée au receveur général pour chaque licence accordée aux aubergistes et vendeurs de spiritueux.

## **Lexique**

&c. : Etc.

ls : Locus sigili (Emplacement du sceau)

L.S. : Lesser Seal (petit sceau)

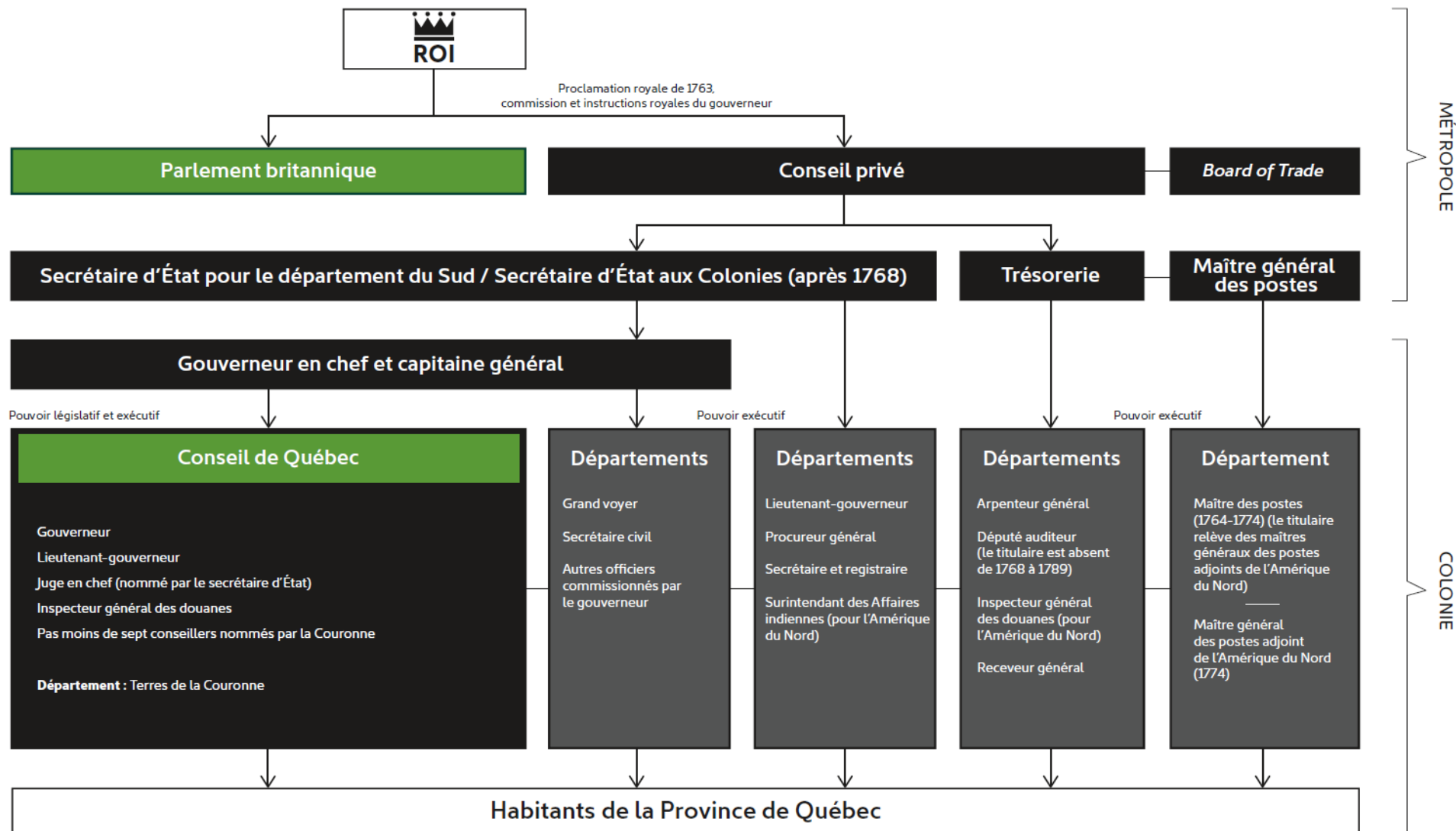
Viz.<sup>t</sup> : Videlicet

/ : £

## **Note**

La pagination du manuscrit original est située en haut de page. Dans le Cahier A, le greffier fait une erreur, de sorte que l'on passe de la page 223 à la page 234. Dans le Cahier B, la pagination n'est comptabilisée que sur le recto des pages et il y a deux fois la page 62.

## Diagramme : l'administration supérieure de la Province de Québec (1764-1775)



Produit par Christian Blais, historien à l'Assemblée nationale du Québec



## Présence des membres du Conseil du Québec

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total	
1	1764	août	13	Murray	1		1	1	1	1	1	1	1												8	
2	1764	août	20	Murray	1		1	1	1	1	1	1	1													8
3	1764	août	27	Murray	1		1	1	1	1	1	1	1													8
4	1764	août	28	Murray	1		1	1	1	1	1	1	1													8
5	1764	août	29	Murray	1		1	1	1	1	1	1	1													8
6	1764	septembre	3	Gregory			1	1	1	1	1	1														6
7	1764	septembre	10	Murray	1		1	1	1	1	1	1	1													8
8	1764	septembre	13	Murray	1		1	1	1	1	1	1	1													8
9	1764	septembre	14	Murray	1		1	1	1	1	1	1	1													8
10	1764	septembre	17	Murray	1		1	1		1	1	1	1													7
11	1764	septembre	20	Murray	1		1	1			1		1													5
12	1764	septembre	24	Murray	1		1	1			1	1	1													6
13	1764	septembre	25	Gregory			1	1			1		1													4
14	1764	octobre	3	Murray	1		1	1			1		1													5
15	1764	octobre	18	Murray	1		1	1			1		1	1												6
16	1764	octobre	22	Murray	1		1	1			1	1	1	1												7
17	1764	octobre	23	Murray	1		1	1			1	1		1												6
18	1764	octobre	25	Murray	1		1	1			1	1	1	1												7
19	1764	octobre	27	Murray	1		1	1			1	1	1	1												7
20	1764	octobre	31	Murray	1		1				1	1	1	1	1											7
21	1764	novembre	3	Murray	1		1				1	1	1		1											6
22	1764	novembre	6	Murray	1		1				1	1	1	1	1											7
23	1764	novembre	8	Murray	1		1				1	1	1	1	1											7
24	1764	novembre	10	Murray	1		1				1	1	1	1	1											7
25	1764	novembre	12	Murray	1		1					1	1	1	1											6
26	1764	novembre	18	Murray	1		1				1	1	1	1	1											7

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total	
27	1764	novembre	27	Murray	1		1				1	1	1	1	1										7	
28	1764	novembre	29	Murray	1		1				1	1	1	1	1											7
29	1764	décembre	3	Murray	1		1				1	1	1	1	1											7
30	1764	décembre	10	Murray	1		1				1	1	1	1	1											7
31	1764	décembre	13	Murray	1		1				1	1	1	1	1											7
32	1764	décembre	14	Murray	1		1				1	1	1	1	1											7
33	1764	décembre	17	Murray	1		1				1	1	1	1	1											7
34	1764	décembre	18	Murray	1		1				1	1	1	1	1											7
35	1764	décembre	24	Murray			1				1	1		1	1											5
36	1764	décembre	25	Murray			1				1	1		1	1											5
37	1764	décembre	26	Murray			1				1	1		1	1											5
38	1764	décembre	27	Murray			1				1	1		1	1											5
39	1764	décembre	28	Murray			1				1	1		1	1											5
40	1764	décembre	29	Murray			1				1	1		1	1											5
41	1765	janvier	3	Murray			1				1	1		1	1											5
42	1765	janvier	18	Murray	1		1				1	1	1	1	1											7
43	1765	janvier	22	Murray	1		1				1	1	1	1	1											7
44	1765	février	3	Murray	1		1				1	1	1	1	1											7
45	1765	février	6	Murray			1				1	1	1	1	1											6
46	1765	février	10	Murray	1		1				1	1		1	1											6
47	1765	février	18	Murray	1		1				1	1		1	1											6
48	1765	février	25	Murray	1		1				1	1	1	1	1											7
49	1765	février	26	Murray	1		1				1	1	1		1											6
50	1765	février	28	Murray	1		1				1	1	1	1	1											7
51	1765	mars	6	Murray	1		1				1	1	1	1												6
52	1765	mars	9	Murray	1		1				1	1	1	1												6
53	1765	avril	11	Murray	1		1				1	1	1	1	1											7
54	1765	avril	22	Murray	1		1				1	1		1	1											6
55	1765	avril	24	Murray	1		1				1	1		1	1											6

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total	
56	1765	avril	25	Murray	1		1				1	1		1	1										6	
57	1765	avril	26	Murray	1		1				1	1		1	1											6
58	1765	avril	27	Murray	1		1				1	1		1	1											6
59	1765	avril	29	Murray	1		1				1	1		1	1											6
60	1765	avril	30	Murray	1		1				1	1		1	1											6
61	1765	mai	3	Murray	1		1				1	1	1	1	1											7
62	1765	mai	9	Murray	1		1				1	1	1	1	1											7
63	1765	mai	15	Murray	1		1				1		1	1	1											6
64	1765	mai	21	Murray	1		1				1	1	1	1	1											7
65	1765	mai	22	Murray	1		1				1	1	1	1	1											7
66	1765	mai	31	Murray	1		1					1	1	1												5
67	1765	juin	3	Murray	1		1					1	1	1												5
68	1765	juin	20	Murray	1						1	1	1	1	1		1									7
69	1765	juin	22	Murray	1						1	1	1	1	1		1									7
70	1765	juin	25	Murray	1						1		1	1	1											5
71	1765	juin	27	Murray			1				1	1	1	1	1		1									7
72	1765	juillet	15	Murray			1			1	1	1		1	1											6
73	1765	juillet	17	Murray						1	1	1		1	1											5
74	1765	juillet	19	Murray	1		1			1	1	1		1	1											7
75	1765	juillet	25	Murray			1			1	1	1	1	1	1											7
76	1765	août	31	Murray			1			1	1	1		1												5
77	1765	septembre	4	Murray			1			1	1	1	1	1												6
78	1765	septembre	17	Murray			1			1	1	1	1	1												6
79	1765	septembre	19	Murray			1			1	1	1	1	1												6
80	1765	septembre	30	Murray			1			1	1		1	1												5
81	1765	octobre	4	Murray			1			1	1	1	1	1												6
82	1765	octobre	5	Murray			1			1	1	1	1	1												6
83	1765	octobre	7	Murray			1			1	1	1		1												5
84	1765	octobre	26	Murray			1			1	1	1	1	1												6

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total	
85	1765	octobre	31	Murray			1			1	1	1		1											5	
86	1765	novembre	6	Murray			1			1	1	1		1												5
87	1765	novembre	13	Murray			1			1	1	1	1	1												6
88	1765	novembre	20	Murray			1			1	1	1	1	1												6
89	1765	novembre	27	Murray			1			1	1	1	1	1												6
90	1765	novembre	28	Murray			1			1	1	1		1												5
91	1765	novembre	30	Murray			1			1	1	1		1												5
92	1765	décembre	4	Murray			1				1	1	1	1												5
93	1765	décembre	11	Murray			1			1	1	1	1													5
94	1765	décembre	18	Murray			1			1		1	1	1												5
95	1766	janvier	2	Murray			1			1	1	1	1													5
96	1766	janvier	16	Murray			1			1	1	1	1	1												6
97	1766	février	4	Murray	1		1				1	1		1												5
98	1766	mars	19	Murray	1		1			1	1	1		1												6
99	1766	mars	27	Murray	1		1				1	1	1	1												6
100	1766	avril	2	Murray			1			1	1	1	1	1												6
101	1766	avril	5	Murray			1			1	1	1	1	1												6
102	1766	avril	9	Murray			1			1	1	1	1	1												6
103	1766	avril	17	Murray			1			1	1	1	1	1												6
104	1766	avril	19	Murray			1				1	1	1	1												5
105	1766	avril	24	Murray			1			1	1		1	1												5
106	1766	mai	7	Murray			1			1	1		1	1												5
107	1766	mai	14	Murray			1			1	1		1	1												5
108	1766	Juin	3	Murray			1			1	1		1	1												5
109	1766	juin	7	Murray			1			1	1	1	1	1												6
110	1766	juin	14	Murray			1				1		1	1			1	1								6
111	1766	juin	17	Murray			1				1	1	1				1	1								6
112	1766	juin	18	Murray			1			1	1	1	1	1			1	1								8
113	1766	juin	23	Murray			1			1	1	1	1	1			1	1								8

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total
114	1766	juin	24	Murray			1				1	1	1	1			1	1							7
115	1766	juin	30	Irving						1	1	1	1	1			1		1						7
116	1766	juillet	1	Irving	1					1	1	1	1	1			1		1						8
117	1766	juillet	2	Irving						1	1	1	1	1			1		1						7
118	1766	juillet	3	Irving						1	1	1	1	1			1		1						7
119	1766	juillet	5	Irving						1	1	1	1	1			1		1						7
120	1766	juillet	12	Irving						1	1	1	1	1			1		1						7
121	1766	juillet	16	Irving							1		1	1	1		1		1						6
122	1766	juillet	17	Irving								1		1	1		1		1						5
123	1766	juillet	25	Irving						1	1	1	1	1			1		1						7
124	1766	juillet	26	Irving	1					1	1	1	1	1			1		1						8
125	1766	juillet	28	Irving	1					1	1	1	1	1					1						7
126	1766	juillet	30	Irving							1	1	1	1					1						5
127	1766	juillet	31	Irving						1	1	1	1	1					1						6
128	1766	août	8	Irving						1	1	1	1	1					1						6
129	1766	août	13	Irving							1	1	1	1					1						5
130	1766	août	15	Irving						1	1	1	1	1					1						6
131	1766	août	16	Irving						1	1	1		1					1						5
132	1766	août	20	Irving						1	1	1	1	1					1						6
133	1766	août	22	Irving						1	1	1	1	1					1						6
134	1766	août	25	Irving						1	1	1	1	1					1						6
135	1766	septembre	8	Cramahé						1	1			1					1						4
136	1766	septembre	24	Irving				1		1	1	1		1					1						6
137	1766	septembre	24	Carleton			1	1		1	1	1		1					1						7
138	1766	septembre	25	Carleton		1	1	1		1	1	1		1					1						8
139	1766	septembre	26	Carleton		1	1	1		1	1	1		1					1						8
140	1766	octobre	9	Carleton		1	1	1						1					1						5
141	1766	décembre	1	Carleton		1		1			1	1		1					1						6
142	1766	décembre	2	Carleton		1		1				1		1					1						5

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total
143	1766	décembre	10	Carleton		1		1				1		1					1						5
144	1766	décembre	22	Carleton		1		1		1		1		1					1						6
145	1766	décembre	27	Carleton		1		1				1		1					1						5
146	1767	janvier	8	Carleton		1		1				1		1					1						5
147	1767	janvier	15	Carleton		1		1		1		1		1					1						6
148	1767	janvier	22	Carleton		1		1				1	1	1	1				1						7
149	1767	janvier	26	Carleton		1		1				1	1	1	1				1						7
150	1767	janvier	27	Carleton		1		1				1			1				1						5
151	1767	février	3	Carleton		1		1				1	1	1					1						6
152	1767	février	17	Carleton		1		1				1		1	1				1						6
153	1767	mars	23	Carleton		1		1				1		1					1						5
154	1767	avril	11	Carleton		1		1				1	1	1	1				1						7
155	1767	mai	6	Carleton		1		1				1	1		1				1						6
156	1767	mai	8	Carleton		1		1				1	1	1					1						6
157	1767	mai	12	Carleton		1		1					1	1	1				1						6
158	1767	mai	13	Carleton		1		1					1	1	1				1						6
159	1767	juin	27	Carleton		1		1				1	1	1					1						6
160	1767	juillet	15	Carleton		1		1				1		1			1		1						6
161	1767	juillet	16	Carleton		1		1				1		1					1						5
162	1767	juillet	21	Carleton		1		1				1		1			1		1						6
163	1767	août	3	Carleton		1		1				1	1	1											5
164	1767	août	7	Carleton		1		1		1		1	1	1			1								7
165	1767	août	11	Carleton		1		1					1	1			1								5
166	1767	août	13	Carleton		1		1					1	1			1								5
167	1767	août	27	Carleton		1		1	1			1	1	1	1										7
168	1767	août	31	Carleton		1		1	1			1	1	1											6
169	1767	octobre	19	Carleton		1		1				1	1	1		1									6
170	1767	novembre	10	Carleton		1		1	1			1		1											5
171	1767	décembre	28	Carleton		1		1	1			1	1	1	1										7

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total
172	1768	janvier	25	Carleton		1		1	1			1	1	1	1										7
173	1768	février	2	Carleton		1		1	1			1	1		1										6
174	1768	février	4	Carleton		1		1				1	1	1											5
175	1768	février	8	Carleton		1		1	1			1	1	1	1										7
176	1768	février	16	Carleton		1		1	1			1	1		1										6
177	1768	février	23	Carleton				1	1			1	1	1											5
178	1768	mars	14	Carleton		1		1	1	1		1													5
179	1768	mars	28	Carleton		1		1	1	1		1		1											6
180	1768	avril	5	Carleton				1	1	1		1	1	1											6
181	1768	avril	18	Carleton		1		1	1			1	1	1											6
182	1768	avril	22	Carleton		1		1	1			1	1												5
183	1768	mai	5	Carleton		1		1	1			1	1												5
184	1768	juillet	4	Carleton		1		1	1	1			1												5
185	1768	juillet	30	Carleton		1		1	1			1	1		1										6
186	1768	août	1	Carleton		1		1	1			1			1										5
187	1768	août	5	Carleton		1		1	1			1	1		1										6
188	1768	août	6	Carleton		1		1				1	1		1										5
189	1768	août	16	Carleton		1		1	1			1	1		1										6
190	1768	août	18	Carleton		1		1	1			1	1		1										6
191	1768	août	29	Carleton		1		1	1			1	1		1										6
192	1768	septembre	3	Carleton				1	1	1		1			1										5
193	1768	septembre	27	Carleton		1		1	1	1		1													5
194	1768	octobre	14	Carleton		1			1	1		1	1												5
195	1768	octobre	26	Carleton		1			1			1	1			1									5
196	1768	novembre	1	Carleton		1			1	1		1	1			1									6
197	1768	novembre	3	Carleton		1			1	1		1	1												5
198	1768	novembre	24	Carleton		1		1	1	1		1	1							1					7
199	1769	janvier	5	Carleton		1		1	1			1	1												5
200	1769	janvier	17	Carleton		1		1	1			1	1			1				1					7

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total
201	1769	janvier	24	Carleton		1		1	1			1	1			1				1					7
202	1769	janvier	28	Carleton		1		1	1			1								1					5
203	1769	février	14	Carleton		1		1	1			1	1			1				1					7
204	1769	avril	5	Carleton		1		1	1			1				1				1					6
205	1769	avril	10	Carleton		1		1	1			1				1				1					6
206	1769	mai	2	Carleton		1		1	1			1	1			1				1					7
207	1769	mai	17	Carleton		1		1	1			1								1					5
208	1769	mai	22	Carleton		1		1	1	1										1					5
209	1769	mai	30	Carleton		1		1	1	1										1					5
210	1769	juillet	10	Carleton		1		1		1		1								1					5
211	1769	juillet	12	Carleton		1		1		1		1								1					5
212	1769	août	10	Carleton		1		1		1		1								1					5
213	1769	août	11	Carleton		1		1		1		1								1					5
214	1769	août	18	Carleton		1		1		1		1								1					5
215	1769	septembre	1	Carleton		1		1		1		1								1					5
216	1769	septembre	14	Carleton		1		1		1		1								1					5
217	1770	janvier	10	Carleton		1		1	1			1				1				1					6
218	1770	février	1	Carleton		1		1		1		1								1					5
219	1770	février	14	Carleton		1		1	1			1				1				1					6
220	1770	février	15	Carleton		1		1	1			1								1					5
221	1770	avril	18	Carleton		1		1	1	1		1				1				1					7
222	1770	mai	23	Carleton		1		1	1			1								1					5
223	1770	mai	30	Carleton		1		1	1	1		1				1				1					7
224	1770	juin	26	Carleton		1		1		1		1				1				1					6
225	1770	juillet	16	Carleton		1		1		1		1								1					5
226	1770	juillet	30	Carleton		1		1		1		1				1				1					6
227	1770	août	9	Cramahé		1				1		1				1		1		1					6
228	1770	septembre	28	Cramahé		1				1		1				1				1					5
229	1770	novembre	10	Cramahé		1				1		1				1				1					5



	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total
230	1771	janvier	5	Cramahé		1				1		1				1				1					5
231	1771	janvier	11	Cramahé		1				1		1				1				1					5
232	1771	janvier	29	Cramahé		1				1		1				1				1					5
233	1771	février	14	Cramahé		1				1		1				1				1					5
234	1771	mai	28	Cramahé		1				1		1				1				1					5
235	1771	juin	17	Cramahé		1				1		1				1				1					5
236	1771	juin	29	Cramahé		1				1		1				1				1					5
237	1771	juillet	12	Cramahé		1				1		1				1				1					5
238	1771	septembre	26	Cramahé		1				1		1				1		1		1					6
239	1771	septembre	28	Cramahé		1				1		1				1		1		1					6
240	1771	septembre	30	Cramahé		1				1		1				1		1		1					6
241	1771	décembre	31	Cramahé		1						1				1		1		1					5
242	1772	janvier	13	Cramahé		1						1				1		1		1					5
243	1772	juin	30	Cramahé		1						1				1		1		1					5
244	1772	juillet	29	Cramahé		1						1				1		1		1					5
245	1772	août	24	Cramahé		1						1				1				1	1				5
246	1773	janvier	29	Cramahé		1						1								1					3
247	1773	janvier	29	Cramahé		1						1								1		1	1		5
248	1773	février	8	Cramahé		1						1								1		1	1		5
249	1773	février	22	Cramahé		1						1								1		1	1		5
250	1773	avril	22	Cramahé		1						1								1		1	1		5
251	1773	mai	21	Cramahé		1						1				1		1		1		1	1		7
252	1773	mai	22	Cramahé		1						1				1		1		1		1	1		7
253	1773	juillet	2	Cramahé		1										1				1	1		1		5
254	1773	juillet	24	Cramahé		1						1				1				1	1	1	1		7
255	1773	août	2	Cramahé		1						1				1				1	1	1	1		7
256	1773	août	4	Cramahé		1						1				1		1		1	1	1	1		8
257	1773	août	12	Cramahé		1										1				1		1	1		5
258	1773	août	20	Cramahé		1						1				1					1		1		5

	Année	Mois	Jour	Président du Conseil de Québec	Gregory	Hey	Irving	Cramahé	Holland	W. Murray	Mabane	Dunn	Mounier	Goldfrap	Price	Finlay	Stewart	Cuthbert	Mills	Drummond	Lévesque	Collins	Harrison	Carden	Total
259	1773	août	23	Cramahé		1						1				1				1	1		1		6
260	1773	septembre	1	Cramahé								1				1		1			1		1		5
261	1773	octobre	8	Cramahé								1								1	1		1		4
262	1773	octobre	8	Cramahé								1								1	1		1	1	5
263	1773	novembre	1	Cramahé								1								1	1	1	1	1	6
264	1773	décembre	6	Cramahé								1								1	1		1	1	5
265	1773	décembre	11	Cramahé								1								1	1	1		1	5
266	1773	décembre	31	Cramahé								1								1	1	1		1	5
267	1774	janvier	12	Cramahé								1								1	1	1		1	5
268	1774	mai	30	Cramahé								1								1		1	1	1	5
269	1774	juin	27	Cramahé								1								1		1	1	1	5
270	1774	juillet	9	Cramahé								1				1					1	1	1	1	6
271	1774	juillet	20	Cramahé								1				1					1	1	1	1	6
272	1774	août	10	Cramahé								1				1		1				1		1	5
273	1774	octobre	11	Carleton				1				1								1	1		1	1	6
274	1774	novembre	4	Carleton				1				1									1	1	1	1	6
275	1774	novembre	25	Carleton				1				1									1	1	1	1	6
276	1774	décembre	14	Carleton				1				1								1	1	1	1	1	7
277	1775	janvier	3	Carleton				1				1				1				1		1	1	1	7
278	1775	janvier	11	Carleton				1				1				1					1	1		1	6
279	1775	janvier	25	Carleton				1												1		1	1	1	5
280	1775	mars	23	Carleton				1				1				1				1	1	1		1	7
<b>TOTAL</b>					<b>67</b>	<b>119</b>	<b>114</b>	<b>114</b>	<b>55</b>	<b>109</b>	<b>135</b>	<b>255</b>	<b>147</b>	<b>157</b>	<b>76</b>	<b>50</b>	<b>23</b>	<b>18</b>	<b>48</b>	<b>75</b>	<b>22</b>	<b>26</b>	<b>28</b>	<b>19</b>	

## **Procès-verbaux du Conseil de Québec (1764-1775)**



# **Cahier A**

Du 13 août 1764

au 22 mai 1765



Je fais serment que je porterai fidélité et Vraie Obeissance à notre Souverain Seigneur le Roi, ses heritiers & successeurs; que je serai vraiment fidel au Gouverneur de sa Majesté ou Commandant en chef de cette Province; que je traduirai au meilleur de mon pouvoir et de ma capacité fidelement & avec vérité, tous les ordres, ordonnances, memorandums; ou minutes ainsi qu'il sera de tems à autre ordonné par le Gouverneur & Conseil Durant le Tems que Je serai continué secretaire français du Conseil, & de plus Je fais Serment que je ne releverai En aucunes manieres les Secrets du Gouverneur et Conseil

Ainsi Dieu me soit en aide





At the Council Chamber in the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Monday the  
thirteenth day of August 1764

Present

His Excellency the Honorable James Murray Esq<sup>r</sup>.

and

- ✓ William Gregory
- ✓ Paulus Emilius Irving
- ✓ Hector Theophilus Cramahé
- ✓ Samuel Holland
- ✓ Walter Murray
- ✓ Adam Mabane
- ✓ Thomas Dunn
- ✓ Francis Mounier



Nominated Members of His Majesty's  
Honorable Council by His said Excellency

Then the oaths for administring Government  
and for Securing the Acts of Trade and Navigation  
were administred to His Excellency by the Honorable  
William Gregory Paulus Emilius Irving and Hector  
Theophilus Cramahe Esquires, three of the said Council  
Impowered and authorised by His Excellency's Commission  
to administer the said Oaths. Then His Excellency  
administred the Oaths appointed by Law to be  
taken by all the Members of the Council and also

Declared

Declared and Subscribed the Test

Then His Excellency produced His Most Sacred Majestys Commission or Letter Patent bearing date at Westminster the Twenty first day of November in the fourth year of His said Majestys Reign, constituting and appointing the said James Murray Esquire Captain General and Governor in chief in and over the Province of Quebec and the Territories depending thereon in America, with all the Rights Members and Appurtenances whatsoever thereunto belonging, which said Commission was read and duly published in the presence of the said James Murray Esquire and the Gentlemen of the Council abovenamed. The Council ordered that the oaths abovementioned be recorded in the Council Book

Then M.<sup>r</sup> Murray produced to the Council the three first Articles of His Majestys Instructions which were read and ordered to be inserted at large in the Council Book and are as follow

X Instructions to our Trusty & well beloved James Murray Esq. our Captain General and Governor in chief in and over our Province of Quebec in America and of all our Territories dependant thereupon Given at our Court at S<sup>t</sup> James's the seventh day of December 1763 in the fourth year of our Reign

1. With these own Instructions you will receive our

Commission under our Great Seal of Great Britain constituting and appointing you our Captain General and Governor in chief in and over our Province of Quebec in America, bounded on the Labrador Coast by the River S<sup>t</sup> John, and from thence by a Line Drawn from the head of that River through the Lake S<sup>t</sup> John to the South end of the Lake Nippissin; from whence the said line crossing the River S<sup>t</sup> Lawrence and the Lake Champlain in forty five degrees of North Latitude passes along the high lands which divide the Rivers that empty themselves into the said River S<sup>t</sup> Lawrence from those which fall into the Sea; and also along the north Coast of the Bay des Chaleurs and the Coast of the Gulph of S<sup>t</sup> Lawrence to Cape Rosiers and from thence crossing the mouth of the River S<sup>t</sup> Lawrence by the west end of the Island of Anticosti terminates at the aforesaid River of S<sup>t</sup> John You are therefore to take upon you the Execution of the Office and trust we have reposed in you and the administration of Government, and to do and execute all things in due manner, that shall belong to your Command, according to the several powers and instructions as shall at any time hereafter be granted or appointed you under our Signet and Sign manual, or by our order in our Privy Council

2. And you are with all due Solemnity to cause our said Commission to be published at Quebec

which

which we do appoint to be the place of your Residence, and the principal Seat of Government in the Districts of Montreal and Trois Rivieres, and in such other parts of your Government as you shall think necessary and expedient as Soon as possible, which being done you are in the next place to nominate and establish a Council for our said Province to assist you in the Administration of Government which Council is for the present to be Composed of the Persons whom we have appointed to be our Lieutenant Governors of Montreal and Trois Rivieres, Our chief Justice of our said Province and the Surveyor General of our Customs in America for the northern District and eight other persons to be chosen by you from amongst the most considerable of the Inhabitants, or Persons of Property in our said Province which Persons so nominated and appointed by you as aforesaid (five of which we do hereby appoint to be a Quorum) are to be our Council for the said Province, and to have and enjoy all the powers privilege & authority usually exercised and enjoyed by the Members of our Councils in our other Plantations and also such others as are contained in our Said Commission under our Great seal of Great Britain and in these our Instructions to you, and they shall meet together at

Such time or times Place or Places as you in your discretion shall think necessary and expedient, It is nevertheless our will & pleasure that the said Chief Justice or Surveyor General of our Customs, shall not be capable of taking the Administration of the Government upon the death or absence of you our Governor or the Commander in chief for the time being

- 3 And you are forthwith to call our Council together, or Such of them as can be conveniently assembled, and to cause our said Commission to you to be read at such meeting, which being done You shall then take yourself and also administer to our Lieutenant Governors Respectively and to the Members of our said Council, the Oaths mentioned in an Act passed in the first year of the Reign of King George the first intituled an Act for the further Security of His Majestys Person and Government, and the Succession of the Crown in the heirs of the late Princess Sophia being Protestants and for extinguishing the hopes of the pretended Prince of Wales and his open and Secret Abettors, as also to make and subscribe and cause them to make and subscribe the Declaration mentioned in an act of Parliament made in the twenty fifth year of the Reign of King Charles the second Intituled “An act for preventing dangers which may happen “from popish Recusants” and you and every one

of

of them are likewise to take an oath for the due execution of your and their places & Trusts with regard to your and their equal & impartial administration of Justice, And you are also to take the oath required by an Act passed in the Seventh and eight years of the Reign of King William the third, to be taken by Governors of Plantations to do their utmost that the Laws relating to the Plantations be observed +

Then the oaths particularly specified in the above instructions were administred to His Excellency and the above named Members of the Council respectively

Then John Gray produced to the Council a Deputation from Henry Ellis Esq.<sup>r</sup> appointing the said John Gray Deputy Clerk of the Council Secretary and Register of the enrollments of this Province and was accordingly swore in and took the necessary Oaths of the Said offices

The Governor and Council ordered this day that the Secretary be directed and required to issue an order from His Excellency to the Attorney General to make out and prepare a Commission to pass under the Broad Seal of this Province for William Gregory Esquire appointing him Chief Justice of this Province pursuant to His Majestys Warrant under his Signet & Sign

manual

manual presented to the Council by the said William Gregory Esq.<sup>r</sup> dated at S<sup>t</sup> James's the 17<sup>th</sup> February 1764 Also to issue an order to the Attorney General to make out and prepare a Commission to pass under the broad seal of this Province for George Suckling Esq.<sup>r</sup> appointing him Attorney General of this Province pursuant to His Majesty's Warrant under his Signet and Sign Manual dated at S<sup>t</sup> James's the 16<sup>th</sup> February 1764 presented to the Council this day by the said Georges Suckling Esq.<sup>r</sup>

Ja: Murray

The Governors Oath

1<sup>st</sup> You shall will and truly execute the Office & trust of His Majesty's Captain General & Governor in chief in and over His Majesty's Province of ~~Quebec~~<sup>Lower Canada</sup> and the Territories depending thereon and duly and impartially administer Justice therein

So help you God

2<sup>d</sup> You shall do your utmost endeavour that all the Clauses matters and things contained in the Several acts of Parliament heretofore passed and now in force relating to Trade, and his Majesty's Colonies and Plantations, be punctually and bonafide, observed according to the true intent and meaning thereof

So help you God

3<sup>d</sup> You shall well and truly execute the office of

Keeper

Keeper of the great seal of His Majestys Province  
of Quebec <sup>Lower Canada</sup> according to the best of your knowledge and  
ability

So help you God +

### The Oaths of the Gentlemen of the Council

You shall serve his Majesty truly and faithfully in  
the place of his Council, in this His Majestys Province of  
Quebec, You shall keep close and Secret all such matters  
as shall be treated debated and resolved on in Council  
without publishing, or disclosing the same or any part  
thereof by word, writing, or any otherwise, to any Person  
out of the same ~~Person~~ <sup>Council</sup>, but to such only as be of the Council  
and yet if any matter so propounded treated and  
debated in any such Council, shall touch any particular  
Person Sworn of the same Council, upon any such  
matter as Shall in any wise concern his Loyalty  
and fidelity to the Kings Majesty; youshall in no  
wise open the same to him but keep it Secret as  
you would from any other Person, until the Kings  
Majestys pleasure be known in that behalf.  
You shall in all things to be moved treated &  
debated in any Such Council faithfully, honestly  
and truly declare your mind and opinion, to the  
honor and benefit of the Kings Majesty, and the  
good of His Subjects without partiality or exception  
of Persons, in no wise forbearing so to do, from any  
manner of respect, favour, Love, need, displeasure  
or dread of any Person or Persons whatsoever.  
In general you shall be vigilant, diligent, and  
circumspect in all your doings touching the Kings  
Majesty's affairs, all which matters & things <sup>you shall faithfully observe</sup> ^ and

keep



keep as a Good Councillor ought to do, to the utmost of your power wit and discretion.

So help you God

### The Oath of the Chief Justice

You shall Swear, that well and Lawfully you shall serve our Lord the King and his people in the Office of Chief Justice of His Majestys Province of Quebec and that lawfully you shall council the King in his business, and that you shall not councill nor assent to anything which may turn him in Damage or Disheris on by any manner, way or color. And that you shall not know the damage or disherision of him, whereof you shall not cause him to be warned by yourself, or by other; And that you shall do equal Law, and execution of Right, to all his Subjects, rich and poor, without having regard to any person. And that you take not by yourself, or by other privily not apertly, Gift nor reward of Gold nor Silver, nor of any other thing which may turn to your profit, unless it be meat or drink; and that of Small value, of any man that shall have any Plea or Process hanging before you, as long as the same Process shall be so hanging, nor after for the same cause. And that you take no fee, as long as you shall be chief Justice, or Robes of any man great or Small, but of the King himself. And that you give none advice or Counsel to no man great nor small, in no case where the King is Party. And in case that any of what estate or condition they be, come before you in your Session with Force and arms; or otherwise against the peace, or against the form of the Statute thereof made, to disturb execution of the common Law, or to menace the people that they may not pursue the Law, that you shall cause their

Bodys

Bodys to be arrested and put in Prison; And in case they be such that you cannot arrest them that you certify the King of their names, and of their misprision hastily, so that he may thereof ordain a convenable remedy. And that you by your =self nor by other, privily nor apertly, maintain any Plea or Quarrell hanging in the Kings Court, or elsewhere in the Country. And that you deny to no man common right by the Kings Letters, nor none other mans, nor for none other cause; And in case any Letters come to you contrary to the Law, that you do nothing by Such Letters, but certify the King thereof, and proceed to execute the Law, notwithstanding the same Letters. And that you shall do and procure the profit of the King and of His Crown, with all things where ye may reasonably do the Same. And in case ye be from hence forth found in Default in any of the Points aforesaid, you shall be at the Kings will of Body, Lands, and Goods, thereof to be done as shall please him.

So ~~as God~~ you help <sup>you God</sup> \_\_\_\_\_

#### The Clerk of the Council Oath

I do Swear that I will bear faith and true obedience to our Sovereign Lord the King his Heirs and Successors I will Bear true fidelity to His Majestys Governor Deputy Governor or Commander in chief of this Province. I will according to the best of my power and ability faithfully and truly enter, all such

orders

Orders ordinances memorandums and minutes  
 as shall from time to time be directed and ordered by  
 the Governor and Council, during Such time as  
 I shall continue Deputy Clerk of the Council  
 And moreover I do swear that the secrets of the  
 Governor & Council I will in no ways Reveal  
 So help you God

### The Secretary & Register of Enrollments Oath

I do swear that I will bear faith and true obedience unto our  
 Sovereign Lord the King his Heirs and Successors, I will bear  
 true fidelity to His Majestys Governor Deputy Governor or  
 Commander in chief of this Province. I will according to  
 the best of my skill and Judgement faithfully execute the  
 Duty of Deputy Secretary and Register of the Enrollments  
 of this Province, so long as I <sup>shall</sup> continue Deputy secretary and  
 Register of the Enrollments of the said Province. I will in  
 all things behave myself honestly and truly as a Secretary  
 & Register of Enrollments ought to do

Ja: Murray

At the Council Chamber in Quebec the  
twentieth day of August 1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup> Gov<sup>r</sup>.

and

The Honble W<sup>m</sup>. Gregory C.J.

Paulus Emilius Irving

Hector Theop<sup>s</sup> Cramahé } Esquires

Samuel Holland

Walter Murray

Adam Mabane

Thomas Dunn

Francis Mounier

His Excellency produced the ninth, Sixteenth, Seventeenth, eighteenth, nineteenth, twentieth twenty first twenty Second and twenty third articles of His Majestys instructions, which having reference to the forty eight and forty ninth articles of his Late Majestys Instructions to Charles Lawrence Esquire late Governor of the Province of Nova Scotia, the said articles were also laid before the Council by his Excellency, upon which the Council ordered that the aforementioned Several articles be entered at large in the Council Book, which are as follow

Copy of the 9<sup>th</sup> 16<sup>th</sup> 17.<sup>th</sup> 18.<sup>th</sup> 19.<sup>th</sup> 20<sup>th</sup>  
21.<sup>st</sup> 22<sup>d</sup> & 23<sup>d</sup> Articles of His present  
Majestys Instructions to His Excellency  
the Honble James Murray Esq<sup>r</sup> Governor  
of the Province of Quebec

Art: 9<sup>th</sup> – You are forthwith to communicate such and

to

to many, of these our instructions to our Said Council, wherein their advice and consent are said to be requisite, as likewise, all such others from time to time as you shall find convenient for our service to be imparted to them

- 16.<sup>th</sup> And whereas by our aforesaid Commission under our great Seal of Great Britain, You are hereby authorised and empowered with the advice and consent of our Council to constitute and appoint Courts of Judicature and Justice it is therefore our will and pleasure that you do, as Soon as possible, apply your attention to these great and important objects; and that in forming the necessary establishments for this purpose, you do consider what has taken place in this respect in our other Colonies in America, more particularly in our Colony of Nova Scotia.\_
- 17.<sup>th</sup> And whereas it is for the ease Satisfaction and benefit of all our Subjects that appeals be allowed in all civil causes from the Courts in our Plantations, it is therefore our will and pleasure that when the several Courts and Offices necessary for the administration of Justice shall have been Settled, appointed and confirmed, in consequence of the power vested in you by our Commission under our great Seal, and by these our Instructions, you do as near as different circumstances will admit, conform yourself to the regulations prescribed in the Instructions given to our Governor of Nova Scotia, in respect to Such appeals, copies of which instructions are hereunto annexed\_
- 18 You are with the advice and consent of our Council in the Province under your Government, to take especial care to regulate, all Sallaries and fees belonging to Places, or paid upon emergencies, that they be within the bounds of moderation, and that no exaction be made on any occasion whatsoever; as also that tables of all Fees, be publickly hung up in all places where such Fees are to

be

be paid; And you are to transmit Copies of all such tables of Fees, to our Commissioners for Trade and Plantations to be laid before us

- 19<sup>th</sup> It is our express will and pleasure that you do by the first opportunity, and with all convenient Speed transmit unto us by our Commissioners for Trade & Plantations authentick copies of all acts orders Grants, Commissions or other Powers, by virtue of which any Courts, Offices Juris =diction, Pleas, authoritys, Fees, and privileges habeen Settled or established, for our confirmation or disallowance and in case all or any of them shall at any time or times be disallowed and not approved, then such and so many as shall be so disallowed and not approved, and so signified by us, shall cease, determine and be no Longer continued or put in practice\_
- 20 You Shall not appoint any Person to be a Judge or Justice of the peace without the advice and Consent of the majority of the members of our Council, present in Council, nor shall you execute yourself or by Deputy any of the said offices And it is our further will and pleasure that all Commissions to be granted by you to any Person or Persons to be Judges or Justices of the peace, or other necessary Officers, be granted during pleasure only
- 21 You shall not displace any of the Judges Justices of the peace or other Officers or ministers without good & Sufficient cause, which you shall signify in the fullest and most distinct manner to our Commissioners for Trade and Plantations, in order to be laid before us by the first opportunity after Such Removals
- 22 And whereas frequent complaints have heretofore been made, of great Delays, and undue proceedings in the Courts of Justice, in several of our Plantations, whereby many

of

of our good Subjects have much Suffered; And it being of the greatest importance to our Service, and to the welfare of our Plantations, that justice be every where Speedily & duly administred, and that all disorders Delays and other undue practices in the administration thereof be effectually prevented; We do particularly require you to take especial care, that in all Courts where you are authorised to preside, justice be impartially administred and that in all other Courts established within our Said Province, all Judges and other persons therein concerned do likewise perform their Several Dutys without any Delay or partiality

23<sup>d</sup> You are to take care that all writts be issued in our name throughout the Province under your Government

Copy of the 40<sup>th</sup> & 49<sup>th</sup> Articles of His  
Late Majestys Instructions to Charles  
Lawrence Esq<sup>r</sup> Governor of the Province of  
Nova Scotia

40 Our will and pleasure is, that you or the Commander in chief of our said Colony for the time being, do in all civil Causes, on application made to you or the Commander in chief for the time being for that purpose, permit & allow appeals from any of the Courts of common Law in our said Colony, unto you or the Commander in chief and the Council of our said Colony; And you are for that purpose to issue a writ in the manner, which has been usually accustomed returnable before yourself and the Council of our said Colony who are to proceed to hear and determine Such appeals wherein such of our said Council, as shall be at that time Judges of the Court, from whence such appeal shall be made to you, our Captain General or to the Commander in chief for the time being and to our said Council as aforesaid, shall not be admitted to vote upon the said appeal, but they may

nevertheless

nevertheless be present at the hearing thereof, to give the reasons of the judgement given by them, in the causes wherein Such appeals shall be made, provided nevertheless that in all Such appeals the Sum or Values of appealed for do exceed the Sum of three hundred Pounds Sterling and that Security be first given by the Appeallant to answer such charges as shall be awarded, in case the first Sentence be affirmed; And either Party shall not Rest satisfy'd with the Judgement of you or the Commander in chief for the time being and Council aforesaid. Our will and pleasure is that they may then appeal unto us in our privy Council, provided the sum or value so appealed for unto us, exceed five hundred pounds Sterling, and that Such appeal be made within fourteen Days after sentence, and good Security given by the Appeallant that he will effectually prosecute the same and answer the Condemnation, as also pay such Costs and Damages as shall be awarded by us in case the sentence of you or the Commander in chief for the time being & Council be affirmed, Provided nevertheless where the matter in question relates to the taking or demanding any duty payable to us, or to any fee of Office or annual rent or other Such like matter and thing, where the Right in future may be bound, in all such cases you are to admit an appeal to us in our privy Council, tho' the immediate Sum or value appealed for, be of a less value; And it is our further will and pleasure, that in all cases whereby your instructions, you are to admit appeals to us in our privy Council, Execution be Suspended until the final Determination of Such appeals, unless good and Sufficient Security be given by the Appellee to make ample restitution of

all



all that the Appellant shall have lost, by means of Such judgement or decree, in case upon Determination of such appeal, such decree or Judgement should be reserved, and restitution awarded to the Appellant

- 49<sup>th</sup> You are also to permit appeals unto us in our privy Council in all cases of Fines imposed for misdemeanors, provided the fines so imposed, amount to or exceed the value of one hundred pounds Sterling the Appellant first giving good Security that he will effectually prosecute the same, and answer the condemnation, if the Sentence by which Fines were imposed shall be confirmed

Then the Council ordered that William Gregory Esquire chief Justice, and George Suckling Esq<sup>r</sup>. Attorney general be required to propose or form a plan, such as to the best of their ~~skill~~ knowlege and Judgement may appear the most expedient towards the establishment of Courts of Judicature and the administration of Justice in this Province, agreeable to His Majestys Instructions abovementioned, and that they do lay the same before the Council for their consideration. And also that they do give their Sentiments in writing concerning the most Speedy method of administring Justice in petty causes in a Summary way, by appointing Justice of the peace for these ~~purpose~~ <sup>Salutary ends</sup> for ~~that~~ the ease convenience and happiness of His Majestys good Subjects ~~may be consulted~~ until the said Courts can be properly and duly established inform, according to the Laws and Statutes of Great Britain ~~in~~ relative to the Plantations, & agreeable to His said Majestys instructions

on

on this head. And that the Secretary be required to issue a Warrant to the Attorney General to prepare a Commission of the peace in the usual form as is practiced according to Law, with all convenient speed

Ordered that John Gray do make out and lay before the Council a Table of Fees for the Offices of <sup>Depty</sup> Secretary Register of the Enrollments and Clerk of the Council which he holds for this Province, for their approbation

Whereas at present there are different Currencies of coins and money in this Province, and Sundry inconveniencies may arise to the Inhabitants & Commerce of the Colony therefrom : The Council have thought proper to order that Hector Theoph<sup>s</sup> Cramahe and Thomas Dunn Esquires do form themselves into a Committee of this Council to inform themselves and consider maturely of the most effectual methods of preventing such inconveniencies in future and of regulating one general Currency for the whole Province and produce their Report ~~of~~ to the Council for their approbation

Door keeper appointed As it is necessary for the publick Service that a Door keeper be employed and appointed for attending on the members of His Majestys Council at the Council Chamber, going of messages and other needful Services The Council have resolved that the sum of Thirty pounds sterling be yearly allowed & appropriated to that Office, and do order and appoint Joseph Marie Philebot to act in and execute the Duty of the said Office, and enjoy the Sallary abovementioned, he having rendered particular services to the English before the Country was wholly conquered

Ja: Murray

At the Council Chamber the ~~20~~<sup>27</sup><sup>th</sup> August 1764

Present

The Honble James Murray Esq<sup>r</sup> Governor

and

The Honble William Gregory C.J.

Paulus Em<sup>s</sup> Irving

H. T. Cramahe

Samuel Holland

Walter Murray

Adam Mabane

Thomas Dunn

Francois Mounier

} Esquires

The Council ordered that the Commission of William Gregory Esquire appointing him chief Justice of this Province, & the Commission of George Suckling Esquire appointing him Attorney General of the said Province should be read and duly published in presence of His Excellency and the members of the Council abovenamed, which was accordingly done. Then His Excellency administred to the foresaid William Gregory & George Suckling Esquires the oaths appointed by Law to be taken by a Chief Justice and Attorney general, which Oaths are herein Expressed at Large

Whereas there are not at present a Sufficient number of Protestant Subjects resident in the intended District of Trois Rivieres, capable of discharging the duty of the Office of Justices of the peace, so as to constitute Courts of Quarter Sessions The Council have ordered that the Province of Quebec be divided into two districts to be known by the names of

Quebec

Quebec and Montreal, for the time being, until there may be a competent number of proper persons settled at or near Trois Rivieres duly qualifyd to exercise the said duty and to be vested with the power of holding Courts of Quarter Sessions <sup>or until His Maiestvs pleasure be known in that behalf</sup> ^ And that the said two Districts be divided and bounded by the River Godfroy on the South and by the River S<sup>t</sup> Maurice on the north shore

Resolved that one Justice of the peace shall have power to hear and finally determine in all Causes not exceeding the Sum of <sup>Five</sup> ~~three~~ pounds <sup>Lawful money New York England</sup> ~~Current money of Quebee~~ and that Two Justices of the peace shall have power to hear and Determine all causes not exceeding the Sum of ~~Six~~ Ten pounds Currency aforesaid, and that such decisions provided they are within and not exceeding the above Limitation shall not be admitted to any appeal. Also that three Justices of the peace shall be a Quorum with power to hold Quarter Sessions in their respective Districts every three months and to Try and decide <sup>all</sup> causes which shall be above ~~six~~ <sup>Ten</sup> and not exceeding ~~twenty~~ <sup>Thirty</sup> pounds Current money <sup>aforesaid</sup> with liberty of appeal to either Party. And it is further Resolved by the Council that the abovementioned Justices of the peace shall issue their warrants to, & to be executed by, the Captains & other Officers of Militia in this Province until the Provost Martial legally authorised by His Majesty, for these Services, shall arrive And that all officers civil and military or others His Majestys loving Subjects in this Province be commanded & Required to aid & assist the said Justices of Peace and Officers of Militia in the execution of their Duty – and that the Secretary be ordered to issue a Proclamation Signifying the intent & meaning of the two last Resolutions to the publick

Whereas the Scarcity of Protestant Subjects in this Province obliges His Excellency & His Honble Council to appoint Several Justices of the peace who may not be thoroughly versed in this duty of the Same It is resolved that the Attorney General be ordered to frame & make out Instructions for the Guidance of the said Justices of the peace in the execution of their Offices

Then His Excellency represented to the Council that as the Lieutenant Governors ~~of~~ nominated & appointed by His Majesty to preside over the Districts of Montreal and Trois Rivieres, have declined accepting, He is under the necessity for the good of His Majestys Service and the Government of His people in this Province, to nominate and appoint others in their room, for the time being; to preside in the said Districts, or until His Majestys pleasure be further known. The Council are therefore of opinion that the said Places are vacant and that it is absolutely necessary & essential to the due administring of Government, that Lieutenant Governors for the Districts abovenamed, be appointed for the time being

His Excellency accordingly has thought proper to constitute and appoint the Honble Paul<sup>s</sup> Emil<sup>s</sup> Irving and the Honble Hector Theophilus Cramahe Esquires to be and act as Lieutenant Governors in the Districts aforesaid, until His Majestys pleasure be known therein.

Then was presented to the Council by John Gray Dept<sup>y</sup> Clerk of this Council, a Petition praying that whereas he was bound to pay a large sum of money yearly to Henry Ellis Esq.<sup>r</sup> Pattentee of the Office which

the

the said Gray holds, in consideration of His Deput=  
 =ation ~~he has~~ from the said H. Ellis, and as there are  
 no representatives of the people to constitute or compose  
 a house of Assembly in this Province at present, of  
 course the said Gray must have all the Load of the  
 business upon him that is commonly transacted both  
 by a Clerk of the Council and a Clerk of an Assembly  
 And whereas his time will be so wholly engrossed ~~by~~  
~~the bur~~ in performing the duty of said Office, that  
 he must totally drop all other concerns. And that as  
 no Sallary has been annexed unto this said Office...  
 .....His Excellency & the Honble Members of the  
 Council will ~~take~~ <sup>be pleased to</sup> Grant him a yearly Sallary  
 adequate to his Trouble and such as is Customary in  
 His Majestys old Colonies. And also praying that  
 as a number of the most valuable Archieves & papers  
 of this Province, will be lodged in the said Grays  
 possession, from the Offices he holds, that the Council  
 would be pleased to appropriate some Safe & con=  
 =venient place, to Lodge & Secure such archieves &  
 papers from accidents by fire or otherwise, agreeable  
 to common custom in others His Majestys Provinces  
 & Islands, ~~whieh~~

Ordered that the said Petition shall lye  
 upon the Table for further consideration

Then was presented a petition from the  
 Merchants of the City of Quebec praying that as  
 soon as circumstances can permit, that His Excellency

&

the Honble Members of the Council will be pleased to grant Permissions for Trading with the Indians in the upper Countrys agreeable to His Majestys Proclamation. to which His Excellency was pleased to make the following reply

That he had not hitherto received any one article of instructions relating to the said Indian affairs, that altho it is indeed reported that the war with these nations is at an end and that a peace is concluded with them, that he has not as yet received any intimation thereof from the Commander in Chief, nor any instructions, on that head. But that the moment, His Majestys orders and instructions relative to the regulations to be entered into, for carrying on the Indian Trade, <sup>shall arrive</sup> Permissions will be immediately granted conformable thereto

Ja: Murray

At the Council Chamber in Quebec the  
28<sup>th</sup> August 1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup> Gov  
and

The Honble William Gregory  
P. Emil<sup>s</sup> Irving  
H. T. Cramahé  
Samuel Holland  
Walter Murray  
Adam Mabane  
Thomas Dunn  
Fran<sup>s</sup> Mounier

} Esquires

Agreeable to the order of yesterday. A Proclamation explaining to the publick, the establishment of Justices of the peace, was read before His Excellency & the Council abovenamed, and the same was ordered to be printed & published in the weekly Gazette being as follows

By His Excellency  
A Proclamation

Quebec LS

Whereas it is highly necessary & expedient for the well being and Good government of His Majestys loving Subjects in this Province, that Commissions of the peace be issued without loss of time for hearing & determining petty Causes in a Summary way, for the more immediate ease, convenience and happiness of the people. I have thought proper, by & with

advice



advice and Consent of His Majestys Council to constitute & appoint Justices of the peace for the respective Districts of this Province, empowering any one of them to hear and finally determine all causes or matters of property in dispute not exceeding the Sum of ~~three~~<sup>Five</sup> pounds ~~Canada~~<sup>Lawfull</sup> money of New ~~York~~<sup>England</sup> and any two Justices of the peace to hear & determine all causes not exceeding ~~six~~<sup>Ten</sup> pounds said Currency, which decisions being within & not exceeding the above Limitation, shall not be admitted to any appeal. And also empowering & authorising three of the said Justices of the peace to be a Quorum, with the power of holding Quarter Sessions in their respective Districts every three months, and of deciding in Causes which shall be above ~~six~~<sup>Ten</sup> and not exceeding ~~twenty~~<sup>Thirty</sup> pounds said ~~Currency~~<sup>Lawfull money</sup> of New ~~York~~<sup>England</sup> with liberty of appeal to either Party. And it is hereby ordered by & with advice and consent of ~~foresaid~~ His Majestys Council that the aforementioned Justices of the peace, do issue their Warrants to, and to be executed by the Captains & other Officers of Militia in this Province, until the Provost marshall legally appointed by His Majesty for these services, shall arrive; And all Officers civil and Military ~~are hereby~~ or others His Majestys loving Subjects in this Province are hereby Comanded & required to be aiding & assisting to the said Justices of the peace & officers of Militia in the execution of their Duty. And whereas there are not at present a Sufficient number of <sup>Protestant</sup> Subjects resident in the intended District of Trois Rivieres ~~legally~~ qualifyd to constitute and compose Quarter Sessions. I have moreover thought fit by and with advice and Consent aforesaid to Divide this

Province

Province into two Districts to be known by the names of Quebec and Montreal, for the time being, until there may be a competent number of people settled at or near Trois Rivieres duly qualifyd to exercise the Offices of Justices of the peace and the power of holding Such Quarter Sessions abovementioned, or until His Majestys pleasure be known on that behalf, And that the said Two Districts be divided and bounded by the River Godfrey on the South and by the River S<sup>t</sup> Maurice on the north Shore

Given under my hand & seal at arms at  
the Castle of S<sup>t</sup> Louis in the City of Quebec  
this Twenty eight day of August 1764

By His Excellencys  
Command  
(countersigned) J Gray D Sec<sup>y</sup>

(signed) Ja Murray  
God Save the King

Resolved that the petition presented yesterday by John Gray cannot be answered, until the Council become more particularly acquainted with the emoluments of His office as Clerk of the Council

Ordered that the Honble Walter Murray Thom<sup>s</sup> Dunn & Francis Mounier Esquires do inform themselves of what steps may be the most prudent & necessary, for regulating weights and measures in this Province & to prevent frauds thereby. And likewise that they inform themselves of the most effectual methods to be pursued for fixing the size & weight of bread and regulating the markets in general. Also that they enquire into the Fees usually paid in the several publick Offices in the other neighbouring Colonies, and that they report to the Council the result of their enquiries and thoughts thereupon, for their consideration

Ja: Murray

At the Council Chamber in Quebec the 29<sup>th</sup> day  
of August 1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup> Gov<sup>r</sup>  
and

The Honble W <sup>m</sup> Gregory CJ	}	Esquires
Paulus Em <sup>s</sup> Irving		
H T Cramahe		
Samuel Holland		
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francois Mounier		

It is agreed upon and ordered by His Excellency the Council that the New York Currency shall take place throughout the Province of Quebec from and after the first day of January 1765, and that a proclamation publishing the same in the Districts of ~~Montreal~~ Quebec & Montreal be forthwith issued by the Secretary

It is likewise Stipulated and ordered that the fees of the Secretary & Clerk of the Councils office, shall be settled and paid on the same footing with those of the Colony of New York, which are herein after inserted, unless the Council should in future see any Just reason for encreasing or diminishing the same and that Tables of the said Fees be hung up in the said offices accordingly

Table of fees to be paid at the Secretarys Office of this Province as settled in the Colony of New York

	N York Cur <sup>y</sup>
For a confirmation of a Patent for a house & Lot of Land formerly possest Viz <sup>t</sup> . ingrossing Fiat, Sealing & recording	} 2.0.0
For a patent for new Land for, or under one thousand acres Viz <sup>t</sup> . ingrossing Fiat sealing & recording.....	} 3.0.0
For a patent for new Land for above one thousand acres Viz ingrossing, fiat, Sealing & recording.....	} 5.0.0
For exemplification of a Patent Viz <sup>t</sup> . ingross <sup>g</sup> Fiat, Seal <sup>g</sup> & record <sup>g</sup> .	2.0.0
For a patent for a new Township.....	6.0.0
For a confirmation of a Township or manor .....	4.0.0
For a confirmation of a patent for above one thousand acres of Land.....	} 3.0.0
For drawing the deposition of witnesses to a will, engrossing the will & probate, & record <sup>g</sup> the same for every sheet cont. <sup>g</sup> 16 lines & eight words in a Line.....	} 0.1.6
For swearing the witnesses & Executor, for each.....	0.1.6
For drawing every Fiat or order for Administration and Swearing the Administrator.....	} 0.6.0
For drawing engrossing & recording the administration, for every sheet containing Sixteen Lines & eight words in a line.....	} 0.1.6
For drawing the administration bond computing the same way pr Sheet.....	} 0.1.6
For a Commission to take the probat of a will or to Swear an Administrator.....	} 0.9.0
Filing the original will & affixing the Seal each.....	0.1.6
For filing the Fiat for administration & affixing the Seal, each.....	0.1.6
Recording an inventory pr page containing Sixteen Lines and <del>each</del> eight words in a Line pr page.....	} 0.1.6
Filing the Inventory & Swearing the Executor or Administrator.....	} 0.1.6
For a Citation.....	0.6.0
For recording Deeds & mortgages conveyances & other writings pr page each containing 16 lines & 8 words in a Line	} 0.1.6

### Secretarys Fees Continued

Copys of Deeds, mortgages, conveyances & other writings recorded or of any other papers or writings <i>pr</i> page containing as afores <sup>d</sup>	} 0. 1.6
For a Search for the first year.....	0. 1.6
For every year back.....	0. 0.9
For a Licence of marriage and Bond.....	0.15.0
For a Ticket for a person to Depart the Province.....	0. 1.6
For a pass for a vessel to Europe & Bond Ten shillings. The like to the west indies Six shil: For the like to the neighbouring Colonies Two Shillings	
For an order under the Governors hand or his hand & Seal.....	0. 6.0
For entering a Caveat.....	0. 1.6
For a Commission under the Broad Seal for a place of Profit.....	} 1. 4.0
For a Commission under the Governors hand & Seal for a Place of profit.....	} 0.10.0
For each Justice inserted in a Commission of the peace.....	0. 6.0
For a Commission for a place of no profit. For Field Officers Twelve Shillings, For Captains eight Shillings, For Subalterns Six Shillings	
For a Licence for an Attorney to practise.....	3 .0.0
For drawing a Certificate to pass under the Broad Seal or any other Seal & for engrossing the same <i>pr</i> Sheet containing 16 Lines & eight words in a Line.....	} 0. 1.6
For attending the Courts or elsewhere with an original Will or Record for each Day.....	} 0.12.0

### The Clerk of the Council's Fees

For reading a petition in Council for money.....	0. 1.0
Reading a petition for other matters.....	0. 5.0
Filing a Petition.....	0. 1.0
For Filing other papers at the Parties Request, or by order.....	0. 1.0
For an order of Council.....	0. 3.0
For a Copy of an order of Council.....	0. 3.0
For attending the Committee of the Council on a reference.....	0.10.0
For drawing a Report of a Committee.....	0. 5.0

Clerk of the Councils Fees Continued

For a fair Copy of a Report of a Committee of Council.....	0. 2.6
Reading a Report of the Committee at the Council Board.....	0. 2.0
Filing a Report.....	0. 1.0
For a Copy of a Petition.....	0. 3.0
Copy of other papers pr Sheet, each Sheet containing	} 0. 1.6
16 Lines & eight words in a Line.....	
Reading writing and writing evidences, for each.....	0. 1.6
Swearing Persons.....for each.....	0. 1.0
Drawing Licence to purchase Lands of the Indians	} 0.12.0
writing fair & entering in the Book.....	
Drawing a Warrant of Survey, writing the same	} 0.12.0
fair and entering in the Books.....	
For drawing a Warrant for the Attorney General to prepare	} 0.12.0
a patent, writing it fair & entering it in the Book	
A Warrant for payment of money & entering it in the	} 0. 3.0
Book.....	

A True Copy taken from an Extract of an Ordinance  
in Council at New York Dated the nineteenth day  
of October 1710 –

Ja: Murray

Joseph Deane, Henry S<sup>t</sup>. John Phips, Apollos  
Morris, Siméon Ecuyer, Thomas Ainslie, Conrad Guky, Lewis Mettral  
John Marteilhe, John Grant, Francis L'Evesque, John Rowe, Richard  
Murray, John Nairne, Malcom Frazer, Samuel Gridley, Thomas  
Woder, Peter Travers, Joseph Walker, Hugh Finlay \* \* \* \* \*  
\* \* \* \* \* And \* \* \* \* \*  
Moses Hazen, Conrad Guky, Lewis Mettral, Dumas S<sup>t</sup>. Martin  
Thomas Lambe, John Livingston, Francis Noble Knipe, John  
Fraser, Hugh Finlay, John Grant, John Rowe, Samuel Gridley  
Esquires, being approved of by his Excellency and Council as  
Justices of the Peace for the two Districts of Quebec and  
Montreal, Minute thereof was Ordered to be Entered accordingly

At the Council Chamber in Quebec the 3<sup>d</sup> day of  
September 1764

Present

The Honble W <sup>m</sup> Gregory C.J.	}	Esquires
Paulus Emilius Irving		
H. T. Cramahe		
Samuel Holland		
Walter Murray		
Adam Mabane		
Thomas Dunn		

Ordered that the Attorney General be required & directed to  
make out a draft of a Dedimus potestatem for <sup>swearing</sup> the Justices of  
the peace in the two Districts of this Province

Agreeable to the following Ordinance relating to the  
assize of Bread and ~~regulating~~ for ascertaining of weights &  
measures in this Province

It is ordered that any three Justices of the peace in  
each District of this Province shall meet the first monday in  
every month to regulate the assize of Bread

The petition of Mess<sup>r</sup>. Beaubien A. Dumas Perault  
& Moore & Finlay / praying that a house <sup>Lot</sup> in the Lower Town  
~~and~~ (so situate as to be become necessary for a direct communication  
from S<sup>t</sup> Peters Street & the Street of Sault de Mattelot; to the  
River, which would be of great publick utility in case of Fire  
and also a great ease to the inhabitants on account of the publick  
Carriages passing & repassing with more ease, should be  
ordered, to be Surveyed, and if found to be so essential to the  
publick good as represented by the Petitioners, that the said  
House Lot, May be with consent of the present proprietor  
bought by <sup>after due</sup> estimation; and <sup>that</sup> the Freeholders in the neighbourhood  
of the same <sup>be</sup> ordered to ~~pays them~~ contribute their respective  
proportions towards the purchase of the said Lot) was read

and

and laid before the Council for their consideration. Upon which it was ordered that the Honble Samuel Holland Esq<sup>r</sup>. Surveyor gen<sup>l</sup> of this Province, should examine the premisses taking such persons with him as may be most proper for his information; concerning the propriety of the Petitioners request, and report his opinion to the Council

An Ordinance, relating to the assize of Bread, and for ascertaining the Standard of weights and measures in the Province of Quebec

Whereas Great frauds are daily committed in this Province, because no Standard for weights & measures or assize of Bread have hitherto been established

His Excellency the Governor, Therefore by and with the advice and Consent of His Majestys Council for the said Province and by virtue of the power and authority to him Given by His Majestys Letters patent under the great seal of Great Britain hath thought fit to ordain and declare, and His said Excellency by and with advice and consent aforesaid, doth hereby ordain and Declare, that from and after the Tenth day of October 1764..... all weights and measures used in this Province shall be according to the Standard of Exchequer of England and that the \_\_\_\_\_ of this Province as soon as may be, procure a set of measures Long Liquid and Dry, and a set of Brass weights and Scales, and that until Such weights and measures Shall arrive the weights at His Majestys Custom house shall be the standard.

And



And the Clerks of the market for each Town (to be hereafter appointed), shall procure therefrom, a Set of weights according to such Standard, which shall remain with them as Assay weights and shall be marked with the Letters G<sup>III</sup>:R:

And be it further ordained and declared that every Inhabitant of each Town respectively, making use of weights & measures in the sale of any Commodity shall in one week after public notice given, by Such Clerks respectively, bring or cause to be brought their weights & measures to be assayed, for each of which assay he shall have two pence for his trouble & no more, and the said Clerk shall cause Such weights and measures to be branded or Stampd with the initial Letter of the Town where such assay shall be made. And whosoever shall thence forward sell or vend any commodity by weights or measures not so branded, or marked, Shall forfeit for every Such offence Twenty Shillings on due conviction thereof before any one of His Majestys Justices of the peace for the District wherein the offence shall be committed to be levied by warrant of Distress, and sale of the offenders Goods.

ici

And for the more effectual preventing Such frauds Be it further ordained and Declared that the said Clerks shall and are hereby impowered, to inspect all weights and measures, and for that purpose, once in three months or oftener, if they see cause Shall visit every Inhabitant Selling publickly by weights and measures, and shall have full power & authority to Seize all such, not Stampd or branded as aforesaid, and may assay & mark and dispose of the Same for their use, as a Satisfaction for their Trouble therein; and if any Person shall hereafter

be

be convicted of Selling by weights and measures, less than the standard hereby established, he shall forfeit the Sum of Ten \_\_\_\_\_ Pounds, to be recovered by Bill, complaint, or information in any of His Majestys Courts of Record, for the use of His said Majesty

And for preventing frauds in the assize of Bread Be it ordained and declared, that the Clerks of the market be, and are hereby impowered to Visit every Bakehouse, or the house of any Person selling Bread and to Seize all such as shall be found, under the weight, and assize established by this ordinance, or ~~that~~ under the weights that may be from time to time <sup>hereafter</sup> Regulated & established by any three of His Majestys Justices of the peace, according to the true intent and meaning of this ~~pr~~ ordinance. Viz<sup>t</sup>.

When the price of wheaten flour is at or			
under 14 Shillings ... the 112 lbs			Avoirdupoize
avoirdupoize.....			Lb    oz:
The Sixpenny <sup>white</sup> Loaf of the same shall weight.....	4	_____	
Ditto brown Loaf.....	6	_____	
When from	to	}.....	
inclusive.....			
From	to		inclusive
From	to		inclusive

And above  
 And in that proportion ~~where~~ less or more when the price of wheaten flour is dearer, or cheaper than the above price of 14 shill<sup>gs</sup> p 112 lbs  
 And it shall and may be Lawful for said Clerks to Stop and examine the Bread that may be carried through the Streets, by any Person or Persons, either for immediate sale, or the Supply of His or their Customers, and in like manner, to Seize all such as shall be found, under the weight and assize. which assize to be regulated by any three Justices of the peace in the Districts of Quebec & Montreal on the first monday in every month and by them published.

And Be it further ordained and declared that

every

every Baker within this Province shall and are hereby required, to mark his bread with the first Letter of His Christian and Surname, which upon failure thereof shall be Seized, and such Bread so Seized shall be forfeited, and delivered to the overseers of the Poor of the Town, where the Offence is committed, for the benefit of the poor, or Prisoners.

Provided always that if any person shall think himself agrieved by such Seizure, he may apply for Redress to any of His Majestys Justices of the peace for the District, who is hereby impowered to Determine the same, if application be made within twelve hours after the seizure be made

And Be it further ordained and Declared, that if any Person mak<sup>e</sup> use of weights and measures, or selling Bread, Shall refuse admittance to any of the said Clerks declaring the intent of their Coming to discharge the Duty of their Office, he shall for every Such Refusal forfeit the Sum of Twenty ... Shillings to be recovered before any one of His Majestys Justices of the peace for

Ja: Murray

At the Council Chamber in the Castle of S<sup>t</sup> Louis  
at Quebec Monday the 10<sup>th</sup> day of September 1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup>. Governor  
and

The Honble W <sup>m</sup> Gregory CJ	}	Esquires
P. <sup>s</sup> Em <sup>s</sup> Irving		
H. T. Cramahe		
Samuel Holland		
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francois Mounier		

John Gray Deputy Clerk of the Council being taken ill  
James Monro took the oath directed to be taken by the  
Deputy Clerk of the said Council and proceeded to act  
accordingly

A Memorial of the Merchants of the City of Quebec  
in behalf of themselves and the other Inhabitants of this  
Province to the Governor and Council with reasons for a continu=  
=ation of the Halifax Currency was read, as also another petition  
from a body of the Merchants of the Citys of Quebec and Montreal in favour  
of the New England Lawful money, was read; And the Council  
having considered the same and debated the matter, Unanimously  
Resolved that their Resolution of the 29<sup>th</sup> August last, should  
be altered and amended, and that from and after the first  
of January 1765. The Currency throughout this Province  
shall be upon the plan of the New England Lawful money  
and that in consequence, an ordinance shall be prepared  
to establish the same. That there be a clause in the said

Ordinance

Ordinance, that no other than the species herein after=  
 =mentioned shall be a Legal tender in payment of all  
 Debts or Contracts which have or shall be made, within  
 this Province, where there is no special agreement drawn up  
 in writing ~~to the contrary~~ or before sufficient Witnesses  
 to the Contrary.

Resolved also that in all agreements before the  
 Conquest of this Province which shall have been made  
 according to the ancient manner of compting in the Country  
 the Livre is to be reckon'd at one shilling, Six livres to the  
 Dollar and in that proportion for the other Species

Resolved also, that, "to prevent the importation of  
 Copper, in such abundance as to Drain the Country of  
 Gold and Silver". From the date hereof throughout this  
 Province, the Sols marqués of whatsoever Denomination  
 shall pass only as farthings, and that consequently  
 forty eight of the said Sols marqués, shall be equal to one  
 shilling of this Currency, and proportionably ~~wher~~ in those  
 places of this Province where New York Currency at present  
 takes place, And that no person shall be obliged to receive  
 of them at one payment for above the value of the one shilling of  
 said Currency, and this for the Convenience of change only.

Resolved also that no parts of whole Dollars cut  
 off with scissars, or otherwise Clipped or diminished, under  
 the pretence of change shall be admitted to pass Current  
 in any part of this Province from the Date thereof, And  
 that all persons altering or passing any such, upon Conviction  
 before one or more Justices of the peace, shall forfeit ten  
 shillings, for the first Offence, and Twenty for the Second  
 Besides one months Imprisonment

Ja: Murray



At the Council Chamber in the Castle of S<sup>t</sup> Louis  
at Quebec the 13<sup>th</sup> Day of September 1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup>. Governor  
and

The Honble W <sup>m</sup> Gregory CJ	}	Esquires
P <sup>s</sup> Em <sup>s</sup> Irving		
H T Cramahe		
Samuel Holland		
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francois Mounier		

The heads of a plan for the Administration of  
Justice, and Settling the Courts of Judicature for this  
Province, were read and approved.

Resolved that an ordinance be framed in Consequence  
to be laid before this Board, and that the Proclamation  
ordered the Twenty Seventh of August be cancelled, and  
that the matter therein contained, be inserted in the said  
ordinance

The Council Adjourned till to morrow 10 o Clock

Ja: Murray

At the Council Chamber in the Castle of S<sup>t</sup> Louis  
in the City of Quebec <sup>Friday</sup> 14<sup>th</sup> September 1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup> Gov<sup>r</sup>.

and

The Honble W<sup>m</sup> Gregory CJ

P<sup>s</sup> Em<sup>s</sup> Irving

H T Cramahe

Samuel Holland

Walter Murray

Adam Mabane

Thomas Dunn

Francois Mounier

} Esquires

The Ordinance for the establishing the Currency of  
this Province was read and approved. and is as follows  
upon which it was Resolved that it be immediately  
printed translated and published throughout the  
Province

The Council adjourned till Monday the 17<sup>th</sup>  
september at 10 o Clock



An ordinance for Regulating and Establishing the  
The Currency of the Province.....

By His Excellency James Murray Esq<sup>r</sup>. Captain General and  
Governor in Chief, in and over the Province of Quebec, and the  
Territories depending thereon in America, Vice Admiral of the same,  
Governor of the Town of Quebec, and Colonel Commandant of the  
second Battalion of the Royal American Regiment or foot &<sup>c</sup>. &<sup>c</sup>. &<sup>c</sup>.  
In Council the 14<sup>th</sup> day of Septem<sup>r</sup>. In the fourth Year of His Majestys  
Reign Annoque Domini 1764... \_\_\_\_\_

Whereas His most sacred Majesty, By his Institutions to his Excellency,  
bearing date at S<sup>t</sup> James's, The Seventh day of December, One thousand  
seven hundred and Sixty three, hath been pleased to Authorise & Impower  
His said Excellency, with the Advice and Assistance of His Majesty's  
Council, to make Rules and Regulations and Ordinances for the  
better ordering and well governing of this His Province of Quebec;

And whereas it is highly Expedient and Necessary To fix a certain  
Value upon every Species of Coin now in this Colony, and to Ascertain  
the Currency thereof throughout the whole Province, Upon one Certain and  
uniform Plan, And having maturely considered the several Currencies  
which prevail at this Time in the different Colonies and Provinces upon  
this Continent, as Likewise the ease and Convenience of His Majestys  
Good Subjects of the Province of Quebec; His Excellency the Governor by  
and with the Advice & Assistance of His Majestys Council, and by Virtue  
of the Power and Authority to him given by His Majestys Letters Patent  
under the Great Seal of Great Britain, Hath thought fit to ordain  
and declare, and His said Excellency the Governor, By and with the  
advice and Assistance aforesaid, Doth hereby ordain and Declare

That

That from and after the first day of January, one thousand seven Hundred and Sixty five, the following Species of Coins shall pass Current Throughout this whole Province, at and after the Several Rates herein mentioned viz \_\_\_\_\_ Dwt\_\_ Gr:\_\_\_\_\_

The Johannes of Portugal weighing	_ 18 ,, 6 _____	at £4 ,, 16 ,,_
The Moydore.....	_ 6 ,, 18 _____	at- 1 ,, 16 ,,_
The Carolin of Germany.....	5 ,, 17 _____	at- 1 ,, 10 ,,_
The Guinea.....	5 ,, 4 _____	at- 1 ,, 8 ,,_
The Louis D'or.....	5 ,, 3 _____	at- 1 ,, 8 ,,_
The Spanis or French Pistole.....	4 ,, 4 _____	at- 1 ,, 1 ,,_
The Seville Mexico, and Pillar Dollar..	17 ,, 12 _____	at __ ,, 6 ,,_
A French Crown or six Livre piece ...	19 ,, 4 _____	at __ ,, 6 ,, 8 _
The French piece passing at present for 4/6 Halifax.....	} 15 ,, 16 _____	at __ ,, 5 ,, 6
The British shilling.....	_ ,, _ ,, _	at __ ,, 1 ,, 4
The Pestereen.....	_ ,, _ ,, _	at __ ,, 1 ,, 2
The French Nine penny piece .....	_ ,, _ ,, _	at __ ,, 1 ,, _
Twenty British Coppers .....	_ ,, _ ,, _	at __ ,, 1 ,, _

And all the higher or Lower denominations of the said Gold and Silver Coins; to pass Current likewise in their due Proportions \_\_\_\_\_

And it is hereby further ordained and Declared, That from and after the first day of January, one Thousand seven hundred and Sixty five, The above species of Coins, or any of them according to the above Rates, shall be deemed a Legal Tender in payment of all Debts and Contracts, that have or shall be made within the Province where there is no Special Agreement to the Contrary, drawn up in writing, or before Sufficient witnesses; And that in all Agreements, Prior to, or since the Conquest of this Province, which have been

made

made in Livres, according to the method of Computation heretofore in use, The Livre shall be Estimated equal to One Shilling of the Currency hereby Established, the Dollar to be equal to Six Livres, or Six Shillings, and in the same proportion for every Coin herein specified\_\_\_\_\_

And whereas a Practice has been Introduced of Cutting Dollars and of passing the fragments as small Change at an Arbitrary Value and the same being Liable to great fraud and abuse, It is hereby further ordained and Declared, That from the Date of the publication hereof, No parts of Dollars or any other Coin, so cut or otherwise Clipped Shall be admitted to pass Current by way of change in any part of this Province, and that all persons, uttering or passing any such, upon Conviction thereof by the Oath of one Credible witness, before one or more Justices of Peace, shall for the first offence, forfeit the Sum of Ten Shillings, Current money of the Province, and Twenty for the second besides one months Imprisonment; the said fines, so levied, to be Applied to His Majestys Use\_\_\_\_\_

And in order to prevent the Importation of Copper in such\_\_\_\_\_ Abundance as to Drain the Country of its Gold and Silver, It is hereby further ordained and Declared, by the Authority aforesaid, That from the date of the Publication, all Sols marques, whether old or new shall only pass as farthings, that is to say from the Date of the\_\_\_\_\_ Publication hereof, untill the first day of January next, Forty eight Sols marques shall be deemed equal to one Shilling Halifax, and thirty of Said Sols marques equal to one Shilling York Currency, but that from and after the said first day of January, next Ensueing, Forty eight of the Said Sols marques, shall be Equal to One Shilling of the Currency of this Province. Provided Nevertheless That no person shall be obliged to

Receive

Receive of said Sols marques, or other Copper at any one Payment, for above the Value of one Shilling of the Currency hereby Established

Given By His Excellency, James Murray Esquire, Captain General and Governor in chief of the Province of Quebec, and Territories thereon Depending in America, Vice admiral of the same, Governor of the Town of Quebec, Colonel Commandant of the 2<sup>d</sup> Battalion of the Royal American Regiment &<sup>c</sup> &<sup>c</sup> &<sup>c</sup>  
In Council at Quebec the 14<sup>th</sup> day of September Anno Domini 1764

And in the fourth year of the Reign of our Sovereign Lord King George the Third By the Grace of God, of Great Britain France and Ireland King Defender of the Faith &<sup>c</sup> &<sup>c</sup> \_\_\_\_\_

Ja: Murray











At the Council Chamber in the Castle S<sup>t</sup> Louis at  
Quebec Monday the 17<sup>th</sup> day of September 1764

Present

His Excellency the Honb<sup>le</sup> James Murray Esquire Governor  
and

The Honb. <sup>le</sup> William Gregory C.J.	}	Esquires
P <sup>s</sup> Emil <sup>s</sup> Irving		
H. T. Cramahe		
Adam Mabane		
Walter Murray		
Thomas Dunn		
F. Mounier		

An ordinance for regulating and Establishing the Courts of Judicature  
Justices of the Peace Quarter Sessions Bailifs and other Matters  
Relative to the Distribution of Justice in this Province, was Read  
and Approved as follows.

By His Excellency James Murray Esquire Captain  
General Governor in Chief, in and over the Province of Quebec and of  
the Territories Depending thereon in America, Vice Admiral of the  
Same, Governor of the Town of Quebec, and Colonel Commodant of  
of the Second Batallion of the Royal American Regiment of foot &<sup>c</sup>. &<sup>c</sup>.  
in Council this            day of September, in the 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

and in the year of our Lord 1764

Whereas it is highly expedient and Necessary for the well governing of his Majesty's good Subjects of the Province of Quebec, and for the Speedy and Imparshall Distribution of Justice among the Same, That proper Courts of Judicature, with Proper powers and Authority's, and under proper regulations, should be Established and appointed.

His Excellency the governor by and with the advice, Consent and assistance of his Majesty's Council, and by Virtue of the Power and Authority to him given by his Majestys Letters Patent under the Great Seal of Great Britain, hath thought fit to ordain and Declare and his Said Excellency by and with the advice Consent and assistance aforesaid doth hereby ordain and Declare

That a Superior Court of Judicature or Court of Kings Bench be Established in this Province, to Sit and hold Terms in the Town of Quebec twice in every year, Viz= One to begin on the 21<sup>st</sup> day of January Called Hillary Term, the other on the 21<sup>st</sup> day of June called Trinity Term.

In this Court his Majesty's Chief Justice presides, with Power and Authority to hear and Determin all Criminall and Civil causes, agreeable to the Laws of England, and to the ordinances of this Province, and from this Court an Appeal Lyes to the Governor and Council, where the matter in Contest is above the Value of Three Hundred pound Sterling.

In all Tryals in this Court all his Majesty's Subjects in this Colony to be admitted on Jury's without any Distinction.

And his Majestys Chief Justice once

in

in every year, To hold a Court of assize and General Goal Delivery Soon after Hilliary term at the Towns of Montreal and Trois Riviers for the more easy and Convenient Distribution of Justice to his Majesty's Subjects in those distant parts of the Province.

And Whereas an Inferior Courts of Judicature or Court of Common Pleas is also thought necessary and Convenient, it is further ordained and declared by the Authority aforesaid that an Inferior Court of Judicature or Court of Common Pleas is hereby Established with power and Authority to Determin all property above the Value of £10. with a Liberty of appeal to either Party to the Superior Court or Court of Kings Bench where the matter in Contest is of the Value of £20. and upwards

All tryals in this Court to be by Jurys if Demanded by either Party, and this Court to Sit and hold two Terms in every year at the Towns of Quebec <sup>and Montreal</sup> at the Same time with the Superior Court or Court of ~~Kings Bench~~ <sup>assize</sup> where the matter in Contest in this Court is above the Value of £300, either party may (if they shall think proper) Appeal to the Governor and Council immediately and from the Governor & Council an appeal lyes to the King & Council where the matter in contest is of the value of five hundred pounds sterling or upwards

The Judges of this Court are to Determin agreeable to Equity, Having regard Nevertheless to the Laws of England as far as the Circumstances and present Situation of things will admitt; Untill Such time as Proper ordinances for the Information of the People can be Established by the Governor and Council agreeable to the Laws of England.

The French Laws and Customs to be allowed and admitted in all Causes in this Court, between the Natives of this Province, where the cause of action arrose before the first day of October 1764.

The first Process of this Court to be an Attachment against the Body. An Execution to go against the Body Lands or Goods of the Def.<sup>1</sup>

French

French Advocates Proctors &<sup>c</sup> may Practice in this Court.

And Whereas it is thought highly Necessary for the ease convenience and Happiness of all his Majesty's Loveing Subjects, that Justices of the Peace should be Appointed for the respective Districts of this Province, with Power of Determining Property of small Value in a Summary way; it is therefore further ordained and declared by the Authority aforesaid, and full power is hereby given and granted, To any one of His Majesty's Justices of the Peace within their respective Districts, To hear and finally determin in all causes or matters of Property not Exceeding the sum of Five pounds Current money of Quebec, and to any two Justices of the Peace within their respective districts, To hear and finally Determin in all Causes or matters of Property not exceeding the Sum of Ten pounds said Currency, which decisions being within, and not Exceeding the aforesaid Limitation Shall not be liable to an Appeal; And also full power is by the Authority aforesaid given and Granted, To any three of Said Justices of the Peace to be a Quorum, with power of Holding Quarter Sessions in their respective Districts every three months, and also to hear and Determin all causes and matters of Property which shall be above the Sum of Ten pounds and not Exceeding Thirty pounds Current money of Quebec; With Liberty of Appeal to either party to the Superior Court or Court of Kings Bench, And it is hereby ordered that the aforesaid Justices of the Peace do Issue their Warrants directed to the Captains and other Officers of the Militia in this Province to be by them Executed

untill

Untill the Provost Marshall, Legally authorized by his Majesty shall arrive, and other inferior officers be appointed for that Purpose, All officers civil and Military or other his Majestys Loveing Subjects are hereby Commanded and required to be Aiding and Assisting to the Said Justices, and officers of Militia, in the due Execution of their Duty, And it is further ordered and Derected by the Authority aforesaid That two of the said Justices of the Peace Sit Weekly in rotation, for the Better regulation of the Police, and other matters and things in the Towns of Quebec and Montreal, and that the Names of The Justices who are to Sit in each Week, be Posted upon the Door of the Session house by the Clerk of the Peace, two days before their respective days of Sitting, that all Persons may know to whom to Apply for redress.

And whereas there are not at Present a Sufficient Number of Protestant Subjects, resident in the intended District of Trois Riviers, Qualified to be Justices of the Peace, and to hold Quarter Sessions, It is therefore further ordained and Declared By the Authority aforesaid That from hence forth this Province Shall be Divided into two Districts, To be known and called by the Names of Quebec and Montreal, for the time being, and untill there may be a Competent number of Persons settled at or near Trois Riviers duly Qualified to execute the office of Justice of Justice of the Peace, and the Power of holding such Quarter Sessions above mentioned, or untill his Majestys Pleasure be Known in that Behalf And that the said two Districts be Divided and bounded by the River Godfroy on the South

and

and the River S<sup>t</sup> Maurice on the North Side.

And Whereas it is thought very Expedient and Necessary, for the Speedy and due execution of the Laws, and for the ease and Safety of his Majestys Subjects, That a Sufficient Number of Inferior Officers should be appointed in every Parish, throughout this Province, it is therefore ordered by the Authority aforesaid that the majority of the Housholders in each and every Parish do on the 24<sup>th</sup> day of June in every year, Elect and return to the Deputy Secretary within fourteen days after such Election six Good and Sufficient men to serve as Bailifs and Sub Bailiffs in Each Parish, out of which number the Kings Governor or Commander in Chief for the time being, with the Consent of the Council is to Nominate and Appoint the Persons who are to act as Bailiffs and Sub Bailiffs in each Parish, and Such Nomination or appointment is to be notified by the Deputy Secretary to the Respective Parishes, and also published in the Quebec Gazette some time in the last week in August in every year, And the Said Bailiffs & SubBailiffs so Nominated as afforesaid are to Enter upon and begin to execute their Respective Offices on the 29<sup>th</sup> day of September in every year.

No person to be Elected a Second time to the same office except the Whole Parish has served round, or that those who have not, are layed aside for some Material objection, which must be supported by Prooff; but that there may Never be an Intire sett

of

of New officers at one time but that those who remain may be able to Instruct those who Enter into Office, one of those Persons who have Served as Sub Bailiffs in each parish to be Elected and \_\_\_\_\_ Nominated Bailiffs of said Parish then Ensueing Year.

If a Bailiff dies in his office the Governor or Commander in Chief will nominate one of those, returned by Said Parish To serve as SubBailliff, for the remainder of the year and when a Sub Bailiff happens to die in office, the Bailiff shall assemble the Parish, upon the next Publick feast day Ensueing his decease, who shall proceed to Elect and return as aforesaid another Sub Bailiff.

The Election of Bailiffs and Sub Bailiffs for this Present year to be on the 20<sup>th</sup> Day of October, their Names to be returned Immediately after the Election. Their nomination will be Notified and Published by the Deputy Secretary, as soon as may be, and they shall enter upon and begin to Execute these respective Offices, on the first day of December but all Elections &<sup>c</sup> after this Turn shall be ~~on~~ upon the days and times above mentioned and appointed for that purpose.

The Bailiffs are to oversee the Kings high ways, and the publick Bridges, and see that the Same are kept in good and Sufficent Repair, To Arrest and Apprehend all Criminals, against whom they Shall have writes, or Warrants, and to Guard and Conduct them through their Respective Parishes, and Convey them to Such Prisons or places as the write, or Warrant shall Derect. They are also to Examine all

Bodys

all Bodys that are exposed, and in whom any marks of Violence Appear, in presents of five reputable Householdors of the same Parish, whom he is hereby impowered to Summons to Inspect the Same, and report in Writeing the State and Circumstance of thereof, To the Next Magistrate, that a further examination may be made therein if Necessary but this to be done only where the Corroner can't by any Possibility attend, Which in this Extensive Province may frequently happen.

Where any Disputes happen Concerning the Breaking of Fence's, Upon Complaint made to the Bailiff, He shall Summons the Def.<sup>l</sup> who is to Chuse three Indifferent Persons, and the P.<sup>l</sup> three more, and these Six, The Bailiff preceding, To decide the Despute, from their Sentence either Party may Appeal to the Qua<sup>r</sup>. Sessions, the Person found in fault to pay one Shilling and no more To the Person who shall Draw up the Decision.

These Bailiffs to be Sworn into their Office, by the Next Justice of the Peace, as soon as may be after their nomination as aforesaid, and the Said Oath to be returned to the next Quarter Session by Such Justice.

Resolved that it should be Immediately printed, Translated and Published throughout the Province

His Excellency the Governor haveing taken into Consideration the great Inconveniencies which mus raise

to



to his Majesty and good Subjects of this Province. If the Decrees of the Military Council of Quebec, and other Courts of Justice in this Province, Established Since the Conquest of the Province and till the Civil Government took place were not Confirmed.

Resolved that an ordinance shall be prepared for the Confirming and Ratefying all said Decrees, Saveing an Appeal to the Governor in Council in matters Exceeding Three Hundred pounds Sterling, and to the King in Council, where the Sum Exceeds Five Hundred pounds Sterling and the said ordinance to be Laid Before the Governor in Council on Thursday the 20<sup>th</sup> Instant

The Council Adjourned till Thursday the 20<sup>th</sup> Sep<sup>r</sup>.  
at 11 of the Clock.....\_\_\_\_\_

Ja: Murray

At the Council Chamber in the Castle of S<sup>t</sup> Louis  
at Quebec on Thursday the 20<sup>th</sup> day of September 1764

Present

His Excellency the Honble James Murray Esquire Gov<sup>r</sup>.  
and

The Honble W<sup>m</sup> Gregory C J }  
Paul<sup>s</sup> Em<sup>s</sup> Irving }  
H. T. Cramahé } Esquires  
Adam Mabane }  
Francois Mounier }

Resolved that the ordinance ~~to be~~ directed to be  
prepared the 17<sup>th</sup> Instant, ratifying and confirming  
the Decrees of the Several Courts of Justice established  
in the Districts of Quebec Montreal & Trois Rivieres  
prior to the establishment of civil Government throughout  
this Province, upon the tenth day of August 1764, be  
forthwith printed and published, being as follows

An ordinance for Ratifying and Confirming the Decrees of the Several Courts of Justice established in the Districts of Quebec Montreal and Trois-Rivieres, prior to the Establishment of Civil Government throughout this Province, upon the 10<sup>th</sup> day of August 1764

By His Excellency James Murray Esq<sup>r</sup>., Captain General and Governor in Chief, in and over the Province of Quebec, and of the Territories depending thereon in America, Vice Admiral of The Same, Governor of the Town of Quebec, and Colonel Commandant of the 2.<sup>d</sup> Battalion of the Royal American Regiment of Foot &<sup>c</sup>. &<sup>c</sup>. &<sup>c</sup>. In Council this 20<sup>th</sup> day of Septem<sup>r</sup>. in the fourth year of His Majesty's Reign, Anno. Domini 1764.....

Whereas upon the Conquest of this Country, His Majestys Commander in chief of the Forces in America, Did order and direct Justice to be Administered to the Inhabitants thereof, By Courts Established for that purpose in the several Governments, into which this Province was at that time divided, of which His Majesty, through one of his Secretaries of State, was pleased to Signify his Royal Approbation, and to command the same to Subsist and Continue untill Civil Government could with Propriety be Settled therein; And In order to Satisfy any Doubts which might Arise, with regard to the Decisions of the said Courts, and as far as may be, To prevent all vexatious Lawsuits, which might at present or hereafter arise therefrom, His Excellency the Governor, by and with the Advice, Consent and Assistance of his Majestys Council, and by Virtue of the Power and Authority to him given by His Majestys Letters Patent, under The Great Seal of Great Britain, hath thought fit to ordain and Declare; And His said Excellency, by and with the Advice, Consent and Assistance aforesaid, Doth hereby ordain and Declare, That

from

from the Eight day of September, in the year One thousand Seven Hundered and Sixty, Date of the Capitulation of Montreal, Untill The tenth Day of August Last, from which Time Civil Government took place throughout this Province, all orders Judgements, or Decrees of the Millitary Council of Quebec, and of all other Courts of Justice in said Government, or in those of Montreal and Trois-Rivieres, Do stand Approved Ratified and Confirmed, and shall have their full force and Effect, except in Such Cases where the value in Despute exceeded the Value of Three hundered pounds Sterling, when either party may Appeal to his Majestys Governor and, Council of the Province, Provided such Appeal be Lodged with the Clerk, or Deputy Clerk of his Majesty's Council of Quebec, within Two months after the Publication hereof, and Sufficient Security is given by the Appellant, To pay all Such Costs and Charges as shall be awarded thereon, if the Decree is affirmed, and from the Governor and Council an Appeal lies to the King and Council, where the Value in Despute amounted to the Sum of Five hundred pounds Sterling or upwards, the Appellant giveing Sufficient Security as aforesaid, if the Decree is affirmed. \_\_\_\_\_

And it is hereby further ordained and Declared, That if before the Publication of the present ordinance, and since the Establishment of Civil Government, throughout the Province, any Person has been Arrested, or process issued upon any Matter already Tried before any of the Courts aforesaid in the Several Governments of Quebec, Montreal and Trois-Rivieres, Before the Tenth day of August Last, the person so Arrested, or Against whom such Process has been Issued, Shall Lay their Case - in writing, or by way of Petition, Before His Excellency and the Council

Together

Together with an Attested Copy or Copies of such Decree or Decrees, that Examination being had of the same, if properly founded, the Action may be Immediately Dismissed; The Parties Nevertheless preserving their Right of Appealing as aforesaid, where the Value of the matter So tried Shall Appear to have exceeded the Said Sums of Three hundred Pounds Sterling and Five Hundred pounds Sterling \_\_\_\_\_

And it is hereby further Ordained, and Declared, by the Authority aforesaid, That the Judges, Justices of the Peace, and other Magistrates or Civil officers of this Province, whom it doth or may Concern, Upon application of the several parties, shall put in Execution all such orders, Judgements or Decrees of the said Courts, the same being properly Attested, as have not been already executed, saving to the several Parties Concerned, their right of Appeal as aforesaid, where the matter in Despute exceeded the above Limited Sums of Three hundred pounds Sterling, and Five Hundred pounds Sterling

Given By His Excellency James Murray, Esquire,  
 Captain General and Governor in Chief of the Province  
 of Quebec, and Territories thereon Depending in  
 America, Vice Admiral of the Same, Governor of the  
 Town of Quebec, Colonel Commandant of the 2.<sup>d</sup> Battalion  
 of the Royal American Regiment of Foot &<sup>c</sup>. &<sup>c</sup>. &<sup>c</sup>.

In Council at Quebec the 20<sup>th</sup> day of September Anno Domini 1764  
 and in the fourth year of the Reign of our Sovereign Lord King  
 George the Third. By the Grace of God, of Great Britain France  
 and Ireland King Defender of the Faith &<sup>c</sup>. &<sup>c</sup>. \_\_\_\_\_

Ja: Murray









At the Council Chamber in the Castle of S<sup>t</sup> Louis  
in the City of Quebec on monday the 24 day of Sept<sup>r</sup>  
1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup> Gov<sup>r</sup>.

and

The Honble W <sup>m</sup> Gregory C J	}	Esquires
Paul <sup>s</sup> Em <sup>s</sup> Irving		
H. T. Cramahe		
Adam Mabane		
Thomas Dunn		
Francis Mounier		

Whereas the attendance of the Honble Paulus Em<sup>s</sup> Irving  
& H. T. Cramahe Esquires, are absolutely necessary for some  
time at their respective Districts; by which means and the  
absence of Honble Samuel Holland, and Benjamin Price Esquires  
on their proper concerns, there will not be a Sufficient  
number of Members of this Council, to make a Quorum

Ordered that the Members here residing for  
during their absence, do apply themselves to frame the  
several Ordinances aftermentioned, that the same may be  
ready to be laid before the Council as soon as conveniently may  
be.

Ordinances to be prepared and ready to lay before  
the Governor and Council as soon as may be

- 1<sup>st</sup> For discovering and Suppressing unlicensed houses
- 2.<sup>d</sup> Requiring the New Subjects, and those who have purchased  
from them, to Register in the Secretary's Office, all  
the lands they are possessed of, in virtue of Grants or  
concessions

concessions, made by the french Government  
before the Conquest

- 3.<sup>d</sup> To prevent forestalling the Market & frauds by Butchers.
- 4.<sup>th</sup> To prevent Frauds and Perjuries.
- 5.<sup>th</sup> To prevent the sale of Slop Clothing & Soldiers Cloths & desertion among the seamen and Soldiers
- 6.<sup>th</sup> For publishing to the new Inhabitants for their information the English Laws relating to Treasons and felonies
- 7.<sup>th</sup> For preventing Trespasses and diminishing <sup>& limiting</sup> the number of Stallions in this Province &<sup>c</sup>.
- 8 For preventing disorderly riding with Slays & other Carriages &<sup>c</sup>. in the Towns of Quebec Montreal & Trois Rivieres
- 9.<sup>th</sup> For obliging the Inhabitants of the Garrisons of Quebec & Montreal to carry Lanthorns as they Pass thro' the said Towns by night, to prevent ~~disor~~ Roberys & other disorders that may happen.
- 10.<sup>th</sup> For preventing the public house keepers &<sup>c</sup>. from encouraging the Troops to get Drunk
- 11.<sup>th</sup> For prevent. Persons leaving the Province without a Pass
- 12.<sup>th</sup> For Limitation of Actions & avoiding Suits of Law
- 13 For Regulating petit Juries
- 14 To prevent Gaming
- 15 To empower the Inhabitants to Divide their Lands among their Children as heretofore, ~~for the~~ which contributes to the better cultivating & peopling the Country
- 16 To prevent importing into this Province disabled and other infirm or useless Persons

- 17.<sup>th</sup> For the better observation and keeping of the Lords day
- 18.<sup>th</sup> For regulating the rates and price of Carriages and  
Boats & measurement of the Roads &<sup>c</sup>
- 19.<sup>th</sup> For ascertaining Damages on protested Bills of Exchange
- 20 For preventing Fires in the Great Towns in this Province
- 21 For fixing the Age of Majority at the age of 21 years  
to take place from a certain period

Ja: Murray

At the Council Chamber at the Castle of S<sup>t</sup> Louis  
in the City of Quebec on Tuesday the 25<sup>th</sup> day of  
September 1764

Present

The Honble W <sup>m</sup> Gregory C. J.	}	Esquires
“ Paulus Em <sup>s</sup> Irving		
“ H. T. Cramahe		
“ Adam Mabane		
“ Francois Mounier		

As it is necessary that a Custos Rotulorum for the Districts of Quebec and Montreal, should be appointed without loss of time. It was proposed and unanimously agreed & ordered, that Samuel Gridley Esquire be appointed accordingly for the District of Quebec, and John Fraser Esquire for that of Montreal, and that they be forthwith inserted in the General Commissions of the peace for the said respective Districts

Ja: Murray

At the Council Chamber at the Castle of S<sup>t</sup> Louis  
in the City of Quebec on Wednesday the 3<sup>d</sup> day of  
October 1764

Present

His Exc<sup>y</sup> The Honble James Murray Esq<sup>r</sup> Govern.<sup>r</sup>

and

The Honble W <sup>m</sup> Gregory C.J.	}	Esquires
Paul <sup>s</sup> Em <sup>s</sup> Irving		
H. T. Cramahe		
Adam Mabane		
Francois Mounier		

Resolved that the following ordinance declaring  
what shall be deemed a due publication of the Ordinances  
of the Province of Quebec. Viz.<sup>t</sup>

An Ordinance

By His Excellency James Murray  
Esquire, Cap<sup>t</sup> General of the Province  
of Quebec &<sup>c.</sup> &<sup>c.</sup> &<sup>c.</sup>

Whereas it is highly necessary & expedient, that the several  
ordinances made in this Province, should be duly published  
and made known to all His Majestys loving Subjects within  
the same. And whereas publishing in the Quebec Gazette, has  
been found the most convenient & expeditious method of  
conveying to the knowlege of the publick, all such matters  
and things, as have been or may be thought proper to  
communicate to them

His Excellency the Governor by and with advice  
consent and assistance of His Majestys Council and by virtue

of

of the power & authority to him given by His Majestys Letters patent, under the great Seal of Great Britain hath thought fit to ordain and declare, and his said Exc<sup>y</sup> by and with advice consent and assistance aforesaid doth hereby ordain and declare

That the publick reading of any ordinance of this Province by the Provost Marshal or his Deputy in the three principal Towns of the said Province, To wit Quebec Montreal and Trois Rivieres, after notice by beat of Drum, and the publishing the same in the Quebec Gazette, shall be deemed a Sufficient publication thereof

And all ordinances heretofore or which hereafter may be published in that manner, are hereby declared to be, in force accordingly, from the time of Such publication

Given by His Excellency James Murray  
Esquire Captain General & Governor in chief  
of the Province of Quebec & the Territories  
thereon depending in America Vice  
Admiral of the same &<sup>c</sup> &<sup>c</sup> &<sup>c</sup>  
In Council at Quebec this third day of  
October 1764 and in the fourth year of  
the reign of our Sov<sup>n</sup> Lord Geo: the third  
by the Grace of God of Great Britain France  
& Ireland King. Defender of the faith  
&<sup>c</sup> &<sup>c</sup> &<sup>c</sup>

By his Excellencys } Ja: Murray  
Command } }

At the Council Chamber at the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Thursday the  
eighteenth day of October 1764

Present

His Excellency the Honble James Murray Esq<sup>r</sup> Gov<sup>r</sup>

and

The Honble W<sup>m</sup> Gregory C.J.

Paul<sup>s</sup> Em<sup>s</sup> Irving

H. T. Cramahe

Adam Mabane

Thomas Dunn

} Esquires

M<sup>r</sup> Kneller presented a petition to the Governor  
& Council in behalf of Gilbert Barkly; against  
John Hay, which was read, and ordered to lye upon  
the table for further consideration

M<sup>r</sup>. Houdin agent to Mons<sup>r</sup> Cadet having presented  
also a petition to the Governor & Council, claiming the  
benefit of an ordinance of the 20<sup>th</sup> of September last, entitled  
“an Ordinance for ratifying and Confirming the Decrees of the  
“Several Courts of ~~Judicature~~ Justice established in the Districts  
“of Quebec Montreal & Trois Rivieres, prior to the Establishment  
“of Civil Government, throught this Province upon the Tenth  
“day of August 1764. in regard to a Suit commenced against him  
(the said Houdin, notwithstanding the Sentence of the military  
Court at Quebec by him comply'd with, dated the Twenty Sixth  
day of July 1763. His Excellency the Governor by & with consent  
and advice of His Majestys Council, has thought fit to order and  
Direct, and doth hereby with advice and Consent aforesaid  
order and direct, that the writ issued out against M<sup>r</sup> Houdin

contrary

contrary to the intent of the said Sentence and the abovementioned ordinance in confirmation thereof, be immediately taken off the file and dismissed, and that the Securitys he has given on that Account be forthwith discharged; And that as Said M<sup>r</sup> Houdin is one of the Emigrants from this Province agreeable to the Treaty of Peace, a Copy of this Order be Given to the Partys concerned; that they ~~in~~ Plaintiff or Plaintiffs may enter their Appeal in due time, if they see just Cause.

Presented by the Burgesses and Inhabitants of the upper Town of Quebec <sup>a Petition</sup> representing that ever Since the Conquest of this Province, they have Lodged the Officers of the Garrison without an adequate recompence and praying that their case may be considered. The Council unanimously admits of the <sup>necessity &</sup> reasonableness ~~of~~ of their having some gratification granted them and ordered that the means whereof be considered of against another Day.

Presented by James Goldfrap Esquire, a Warrant from <sup>bearing date at St James's the 20th July last</sup> His Majesty <sup>^</sup>for Swearing and admitting the said James Goldfrap to be of his said Majestys Council for this Province, whereupon His Excellency the Governor administer'd to him the State Oaths and the oaths appointed to be taken by a Councillor

Then M<sup>r</sup> Goldfrap ~~declared~~ <sup>Repeated</sup> and Subscribed the Declaration by law required and took his Seat in Council accordingly

Adjourned till monday next the  
22<sup>d</sup> Instant at eleven oClock

Ja: Murray



At the Council Chamber at the Castle of S<sup>t</sup> Louis in the City of Quebec  
 on Monday the 22<sup>d</sup> October 1764 \_\_\_\_\_

Present

His Excellency the Honb<sup>le</sup> James Murray Esquire Governor

And

The Honb <sup>le</sup> William Gregory C. J. „ Paul <sup>s</sup> Emel <sup>s</sup> Irving... „ H. Theop <sup>s</sup> Cramahe.. „ Adam Mabane.. „ Thomas Dunn... „ Francies Mounier.. „ James Goldfrap..	}	Esq <sup>rs</sup> .
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The Clerk of the Council present and read before this Board Nine of the ordinances, directed to be framed the 24<sup>th</sup> September Last, which were ordered to be Laid before the Attorney to be Examined, To the end that he may point out any Ammendment if he sees occasion therefor, and Lay the same Before this Board, Being as follows Viz<sup>t</sup>.....

- „1,, An Ordinance for the better Discovering & Suppressing unlicensed Houses
- „2,, An Ordinance to Prevent forestalling the markets & frauds by Butchers
- „3,, An Ordinance for the Regulation of Seamen &<sup>c</sup> .....
- „4,, An Ordinance to prevent Disabled & other infirm or useless persons being Imported into  
 \_\_\_\_\_ this Province.....
- „5,, An Ordinance to Prevent Tresspasses &<sup>c</sup> .....
- „6,, An Ordinance for the better Observing and keeping the Lords Day.....
- „7,, An Ordinance for ascertaining Damages on protested Bills of Exchange\_\_
- „8,, An Ordinance to Prevent Disorderly Rideing Horses &<sup>c</sup> .....
- „9,, An Ordinance for Preventing Persons Leaving the Province without a pass

By order of the Governor }  
 \_\_\_\_\_ in Council..... }

Ja: Murray

At the Council Chamber at the Castle of S<sup>t</sup> Louis in the City of  
Quebec on Tuesday the 23<sup>d</sup> October 1764 \_\_\_\_\_

Present

His Excellency the Honb<sup>le</sup> James Murray Esquire Governor

And

The Honb <sup>le</sup> William Gregory C. J.	} Esq <sup>rs</sup>
„ P. <sup>s</sup> Emel <sup>s</sup> Irving.....	
„ H. T. Cramahe.....	
„ Adam Mabane.....	
„ Thomas Dunn.....	
„ James Goldfrap	

Ordered that the Attorney General be required to Report his Opinion to  
this Board whither in Consequence of the Ordinances past for Confirming  
the Decrees of the Military Courts heretofore Established, Suit against  
M<sup>r</sup> Houdin can be Immediately Dismissed, or not. \_\_\_\_\_

Ordered that the Attorney General be Immediately required  
to give in his opinion to the Council whether they Can form themselves  
unto a Court of Equity and to Report the Custom of the Province of  
Nova Scotia in that Respect and also the method of proceeding  
Therein \_\_\_\_\_

Ja: Murray

At the Council Chamber at the Castle of S<sup>t</sup> Louis in the City of  
 Quebec on Thursday the 25<sup>th</sup> Day of October 1764 \_\_\_\_\_

Present

His Excellency the Honb<sup>le</sup> James Murray Esquire Governor

And

The Honb <sup>le</sup> William Gregory C. J. „ P. <sup>s</sup> Eml <sup>s</sup> Irving..... „ H. T. Cramahe..... „ Adam Mabane..... „ Thomas Dunn..... „ Francis Mounier „ James Goldfrap	}	Esq <sup>rs</sup>
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Ordered that the Heads of an ordinance be made out as Soon as may be,  
 for Regulating the Measures of Cord Wood & to prevent Frauds therein

And that the Attorney General be Required to prepare  
 an Ordinance, to the following purpose Viz<sup>t</sup>. \_\_\_\_\_

**That His Majesty's Troops be Billeted**  
 on the House keepers in this Province That all People in Publick  
 Employments and the Cures, of the Parishes be Exempted from Billeting  
 the said Troops, and none else, and that Merchants or other Inhabitants,  
 Choosing to hire or otherwise procure accommodations for the Troops billeted  
 on them, Shall be permitted so to do, and all Justices of the Peace and others  
 who have hitherto given Billets, before the Publication of this Ordinance,  
 are Indemnify'd by the Same. \_\_\_\_\_

<del>By order of His Excel<sup>ys</sup> the Governor</del> <del>in Council.....</del>	}	Ja: Murray
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At the Council Chamber at the Castle of S<sup>t</sup> Louis in the City of  
Quebec on Saturday the 27<sup>th</sup> Day of October 1764 \_\_\_\_\_

Present

His Excellency the Honb<sup>le</sup> James Murray Esq<sup>re</sup> Governor

And

The Honb <sup>le</sup> William Gregory C. J.	}	Esq <sup>rs</sup>
„ P. <sup>s</sup> Emel <sup>s</sup> Irving.....		
„ H. Theop <sup>s</sup> . Cramahe		
„ Adam Mabane		
„ Thomas Dunn		
„ Francis Mounier		
„ James Goldfrap		

Whereas several Doubts may Arise Concerning the meaning understanding and Intention of the Ordinance bearing Date the 20<sup>th</sup> September 1764 for Ratifying & Confirming the Decrees of the Military Courts heretofore Established in this Province

It is therefore Required of the Attorney General, That he do forthwith Prepare a Draft of an Ordinance, in such Terms as may fully enforce and Carry into Execution the Intention of Said Ordinance of the 20<sup>th</sup> September. And the Intent of the said Ordinance is “That all Decrees of the military Court & other Courts in this Province since the Conquest thereof, and untill Civil Government was Established which Exceed the sum of Three Hundred pounds Sterling, may be Liable to be reheard before the Governor, and Council only, and before no other Court of Judicature

That in the Ordinance ordered to be prepared the 25<sup>th</sup> Instant <sup>for Regulating</sup> Cord wood , the Lengths be agreeable to the annexed note,

being as follows

Viz<sup>1</sup>. The Proportions Betwen French & English Measure

5 Inches 7/8 Lines french are Equal to 6 Inches English

French Measure

English Measure

Cord Wood Shall have

3 feet from point to point.....	3 feet. 2 Ins 6 Lines
2 feet 6 In <sup>s</sup> : between the 2 cuts.....	2 feet 8 In <sup>s</sup> ..._____
2 feet 3 In <sup>s</sup> : or more between 2 cuts } for the Largest Wood.....	2 feet 5 Inches

Ja: Murray

At the Council Chamber at the Castle of S<sup>t</sup> Louis in the City of Quebec on Wednesday the 31<sup>st</sup> October 1764 \_\_\_\_\_

Present

His Excellency the Honb<sup>le</sup> James Murray Esq<sup>r</sup> Governor

And

The Honb <sup>le</sup> William Gregory C. J.	}	Esq <sup>rs</sup>
P. <sup>s</sup> Emel <sup>s</sup> Irving.....		
Adam Mabane .....		
Benjamin Price.....		
Thomas Dunn.....		
Francis Mounier.....		
James Goldfrap.....		
<del>Benjamin Price.....</del>		

The Oath of a Councillor was administred to Benjamin Price Esq.<sup>r</sup> as also the State Oathes and the Declaration by Law Required, Taken Repeated and Subscribed by him, inform which he took His Seat in Council Accordingly.....

John Gray and the Honourable Thomas Dunn Esq<sup>r</sup> produced to the Council the Result of their enquiries and opinion Concerning the Inconveniencies attending the Present Scarcity of Small Change in this Province and the most probable means of Remedying the same, which the Council have Approved of And ordered to be Transmitted to the Board of Trade, for their consideration Being as follows.

In Obedience to the Deration of this Board of the 24<sup>th</sup> Instant We have Dilligintly Considered on the most probable means to remedy the present inconveniency Experienced in this Province, arising from the want of small Money\_\_\_\_\_

The following propositions appear to us the most Eeligible for Effectually preventing in future this inconveniency, which is submitted to your Consideration Viz<sup>t</sup>.....

That

That application be made by the Governor & Council to His Majesty Requesting a Coinage for the Use of this Province of Shillings and Sixpences with the Letters Q & A on one or both sides thereof

The Shillings to be Equal to Eight pence & the Sixpences four pence Sterling, Which being one penny in Each Shilling less than the Sixth part of a Dollar / For which it is proposed they shall pass / will Effectually prevent their being Carryed out of the Province, and the Extraordinary penny will Defray every Charge attending the Same, and perhaps Leave a Ballance to be Disposed of for publick Uses.

We suppose Two thousand pounds to be a Sufficient Sum for this purpose, which Issued in payments to the Troops, will Cause the speediest and most regular Circulation thereof, It might also be requested to have Two or three Hundred pounds in Copper from the Mint. Tho we are Informed some People in Trade have already of that Specie to come out to them Next Spring

Quebec 26<sup>th</sup> October 1764

/Signed/ { Thomas Dunn  
John Gray

Presented a petition from Captain John Nairn late of the 78<sup>th</sup> Regm<sup>t</sup>. Requesting a Grant of Three thousand Acres of Land, on the North side of the River S<sup>t</sup> Lawrence, on Murray Bay, formerly known by the name of Mal Bay.

.....Also a Petition from Lieutenant Malcom Fraser late of the 78<sup>th</sup> Regiment, for a Tract of Two thousand Acres on the same Bay \_\_\_\_ Ordered that warrants be Issued accordingly to the Surveyor General or his Deputy & other proper Officers, and that the patents for said Lands may be made out agreeable to his Majesty's

Procla=

Proclamation and his Instructions which his Excellency laid before the Council in that Behalf

Laid Before the Council by John Gray the Heads of an Ordinance for fixing the Age of Majority at 21 years, And that the Tenures of Lands in this Province &<sup>c</sup>. Held by \_\_\_\_\_ Concession prior to the Cession of the Same by Treaty of Peace \_\_\_ Shall remain on the same footing unless altered by some Declared and Possitive Law. Ordered that the same be Laid before the Attorney General to be Examined & that he may Report his Opinion thereon \_\_\_\_\_

Ja: Murray

At the Council Chamber at the Castle of S<sup>t</sup> Louis in the City of Quebec on Saturday the 3<sup>d</sup> November 1764

Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>.

and

The Honble W Gregory C J P <sup>s</sup> Em <sup>s</sup> Irving Adam Mabane Benjamin Price Tho <sup>s</sup> Dunn Francois Mounier James Goldfrap	}	Esquires
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The Oath of a Deputy Clerk of the Council was administred to Henry Kneller Esquire, and the oath of a Deputy

Secretary



Secretary and Deputy Register of Enrollments was also administered to James Goldfrap Esquire

Presented a petition from James Anson requesting a Grant of Land on Gaspee Bay

Ordered that the same be filed until the Lands on said Bay be Surveyed and until a report shall be produced by the Surveyor General or his Deputy of the State of the settlements already made thereon, that no prejudice or injustice may be done (through want of proper information) to those who have first settled there

Whereas by a petition presented by M<sup>r</sup> Houdin, it appears, that as said Houdin is a foreigner & unacquainted with the nature of the laws and Customs of Great Britain & its Colonies he is under great difficultys to explain the nature of his Case & cause of complaint, And as the Attorneys at law in this Province (being few in number) are chiefly employed, against the said Houdin.

It is therefore ordered & resolved that M<sup>r</sup> Kneller be Attorney for the Petitioner.

Then the two following Ordinances were read, and ordered to be translated into French and published.

- 1:<sup>st</sup> An Ordinance for the better discovering and suppressing Unlicensed Houses.

Whereas there are a great many Persons in this Province who retail Rum Brandy Wine Cyder and other Spirituous and

strong

Liquors and keep common Tipling Houses Therein Harboursing & Entertaining Soldiers, Sailors and Servants to the weakening and Destroying his Majesty's Forces & Promoting Idleness & Debaucheries in this Province

His Excellency the Governor by and with the Advice, Consent, and Assistance of His Majesty's Council and by Virtue of the Power and Authority to him given by His Majesty's Letters Patent under the Great Seal of Great Britain, Hath though fit to ordain and declare and His Said Excellency by and with the Advice, Consent, and Assistance aforesaid Doth hereby Ordain and Declare:

That if any Person or Persons Whatsoever within this Province shall sell any Rum, Brandy, Wine, Ale, Beer, Cyder, Perry or other strong Liquors mixt or unmixt by whatever Name or Names they may be called or Distinguished without Licence first had and Obtained for that Purpose from the Secretary of this Province (upon presenting to Him a Certificate from the Clerk of the Peace that such Person or Persons had been Approved of by the Justices of Peace at the Quarter Sessions, and upon giving to the said Secretary a proper Security for their good Behaviour for which Thirty Six Shillings shall be paid to the Secretary of which Two Shillings shall be for the Clerk of the Peace for his Certificate and Eight Shillings to the Secretary for taking the Security and granting the Licence as aforesaid and the Remainder to be appropriated to Publick Uses in such Manners as the Governor and Council shall think proper / or shall Sell or expose to Sale any such Liquors mixt or unmixt by whatever Name or Names they are or may be called or Destinguished about the Streets Wharfs, Highways, Lanes or Suburbs of the Towns of Quebec Montreal, & Three Rivers, or in any other Town or Place whatsoever within this Province in any Wheelbarrow or Basket or upon the Water in any Ship, Boat, or Vessel or in any other Manner Whatsoever Contrary to the True

Intent and Meaning of this Ordinance, He, She or They Shall Forfeit for every such Offence the Sum of Twelve Pounds Currant Money of this Province.

And it is hereby Ordained and Declared by the Authority aforesaid That it shall and may be lawful for any One Justice of the Peace on his own View or by Confession of the Party or by the Oath of One Credible Witness to Convict any Person and Persons so Offending and the Person or Persons so Convicted shall immediately on such or any other like Conviction Pay the said Sum of Twelve Pounds into ye Hands of such Justice and on such Offender or Offenders Neglecting or Refusing to pay the said Sum The Justice so Convicting shall by a Warrant under his Hand & Seal Commit to His Majesty's Gaol within the District where such Offence shall be Committed There to remain in Close Confinement for the Space of Two Months from the Day of the said Committment and such Person or Persons shall not be discharged from thence Until the Expiration of the said Two Months or untill He, She or They have paid the said Sum of Twelve Pounds and all Monies arising from the Conviction of any Person or Persons as aforesaid in Case there be no Informer shall be paid into the Hands of the Receiver General of this Province to be applyed to the Use of His Majesty's Government. But if there <sup>shall</sup> be an Informer one Moiety of such Money shall be paid to the said Informer the other Moiety to the said Receiver General for the Purpose aforesaid.

And it is further Ordained & Declared that it shall and may be lawfull for the Provost Marshall of this Province his Deputy or Deputys, Constable or Constables Bailiff or Bailiffs in Company with any One Justice of the Peace to enter into the House or Dependences thereof, Bulk or Shed of any Person suspected upon Reasonable Grounds of

Retailing Spirituous Liquors without Licence and to take with them such Assistance as they shall think needfull to make Search for Rum, Brandy, Wine, Ale, Beer, Cyder, Perry or other Strong Liquors Mixt or unmixt by whatever Name or Names they may be called or may be Distinguished<sup>by</sup> And upon Refusal of Entrance the Master Mistress or other Keeper of such House so refusing shall forfeit and pay the Sum of Twelve Pounds and upon Refusing or Neglecting to pay such Justice shall cause the same to be levied by Warrant of Distress under his Hand and Seal and for Want thereof shall Committ such Person or Persons to Gaol There to remain for the Space of Two Months; And if upon Admittance into the House the Quantity of such Liquor or Liquors found shall upon Examination by such Justice be judged by Him to be more than sufficient for the Necessary Use of the Family or what their Condition may Reasonably require to Expend or otherwise have in their Custody it shall and may be Lawfull for such Justice immediatly to Adjudge the same forfeited, And the Constable or Constables, Bailiff or Bailiffs attending shall sell the same And the Money Ariseing therefrom shall be one Moiety for the Use of his Majesty's Government and the other Moiety for the Justice and Officers Attending, provided Nevertheless that if any Person or Persons shall think themselves agrieved by such Sentence they may Appeal from the Judgement of such Justice to the next Court of General Quarter Sessions.

And be it likewise ordained and declared by the Authority aforesaid that if any Person or Persons within this Province shall after the Publication of this Ordonnance Agree or Contract with any Journeyman, Servant, Labourer or other person employed by or working under ~~under~~ them, in Manner following that is to say, That if such Person or Persons shall agree to pay such Journeyman, Workman

Servant <sup>or</sup> Labourer, or others employed under their Directions So much Money or Wages in such Quantity of Spirituous Liquors or Strong Waters as together with such Money shall Amount to the Value of the Wages as shall be ordinarily paid for the Work such Journeyman, Workman, Servant, Labourer or others shall be employed in or shall Sett off Stop or Deduct all or any part of the Wages <sup>or Hire due to</sup> ~~as shall be ordinarily paid for the Work,~~ such Journeyman, Workman, Servant, Labourers or others for any Spirituous Liquors or Strong Waters Deliver'd to them or to any other Person by their Direction or Order by Him, Her, them or any other Person, such Person so offending shall be deemed a Retailer of Spirituous Liquors without Licence within the Meaning of this Ordinance and shall for every Offence forfeit the Sum of Twelve Pounds & such Journeyman, Workman, Servant, Labourers, or others shall be entitled to the whole Wages notwithstanding any such Agreement and shall have the like Remedy for the same in Law as if all or any part of such Wages were not paid. Provided that nothing in this Ordinance shall Extend to prevent any Merchant, Shopkeeper or others not Licensed to Retail, Rum Brandy, Wines, Ale, Beer, Cyder, Perry, or other strong Liquors from selling any Quantity of such Liquors not less than Three Gallons at One Time.

Provided likewise that nothing in this Ordinance shall Extend to prevent any Person or Persons from Supplying any Fisherman Actually employed by such Person or persons in the Fishery with a Necessary Quantity of Rum and Other Liquors during the Fishing Season.

(2.<sup>ly</sup>) \_\_\_\_\_ An Ordinance to prevent forestalling the Markett and frauds by Butchers, &<sup>c</sup>. \_\_\_\_\_

Whereas Quantitys of live Stock fresh Provisions and other Articles are daily brought from the Country by

Land and Water into the Towns of Quebec, Montreal & Trois Rivieres and divers Butchers and another Persons make a Practice of Engrossing the same immediately upon the Arrival thereof to the great Prejudice of the Inhabitants

His Excellency the Governor by and with the Advice, Consent and Assistance of His Majesty's Council and by Virtue of the Power and Authority to him given by His Majestys Letters, Patent under the Great Seal of Great Britain hath Ordained and Declared

\* \* \* \* \* And by and with the Advice Consent and Assistance aforesaid Doth Hereby Ordain and Declare.

That all kinds of Live Stock /Oxen and Sheep excepted/ all Dead <sup>Fresh</sup> Provisions, Grain, Hay, Roots or Garden Stuff which shall be brought to the said Towns of Quebec, Montreal and Trois Rivieres after the Publication Hereof, shall by the Proprietors thereof be brought to the Publick Markett Place and there openly exposed to Sale at or after the Hours of Six OClock before Noon but not before that Hour from the First of May to the First of October And at Eight of the Clock & not before From the First of October to the First of May And no Such Live Stock or Dead Fresh Provisions whatsoever Grain, Hay, Roots or Garden Stuff shall / during the Space of Three Hours in the Winter and Four Hours in the Summer <sup>Season</sup> after being so Exposed to Sale in the Markett Place / be sold or contracted for in Gross or to or with any Person or Persons whatsoever more than is reasonably Necessary for the Use of His, or their families on Penalty of the Forfeiture of the Article or Articles so Sold bought or contracted for, or the Value thereof upon Conviction by the Oath of one Credible Witness Before any Two of his Majesty's Justices of the Peace to be levied by Warrant of Distress under the Hands and Seals of the said Justices One Half of which

Forfeitures to be to the Use of the Informer and the other Half to the Use of the Poor of the Place where such Forfeiture shall be incurred.

And be it Ordained by the Authority aforesaid that for the better encouragement of the Inhabitants on the South Shore or other more distant parts of the Province who may bring to the Towns of Quebec, Montreal and Trois Rivieres during the Season for Navigation Grain Hay Live or dead <sup>fresh</sup> Provisions in Sloops, Schooners or other small Craft for whom it may be inconvenient to Land the same that they shall have Liberty to dispose of the said Commodities on board their Respective Vessels Provided they give immediate Notice thereof by Beat of Drum or ringing of Bell throughout the Town of their Arrival Specifying the Nature of the Commodities to be sold And that they do not begin to sell for One Hour after their Arrival or untill the said Publication has been made throughout the Town Under a Penalty of Forty Shillings for the Person Offending against the true meaning and Intent hereof Any Person buying or offering to buy a small Quantity always having the Preference of him that offers to buy a Cargo and such Vessell or Vessells shall not be liable to or be chargeable with any Port Charges <sup>whatsoever</sup> or Custom House fee The Officers of the Customs having a Right nevertheless to Search the same

And that all Prosecutions under this Ordinance shall be within Ten Days after the Offence is committed.

And His said Excellency by & with the Advice, Consent and Assistance aforesaid doth Hereby further Ordain and Declare that every Butcher and other Person who shall Kill or Slaughter any Ox, Cow, Sheep, Swine, Calf, Lamb or other Cattle for Sale shall Slaughter and Flea the same in

the most Clean and plain Manner and shall not on any Pretence Raise or blow or Use any fraudulent or deceitfull Arts to sett off the same And no Butcher or other Person shall Sell or expose to Sale any Cattle killed But what shall be Killed & Dressed in the most plain Manner And according to the Meaning of this Ordinance, And if any Butcher or other Person shall Offend in any of the Premises And be convicted in the said Offence before One Justice of the Peace of any District By One Witness or Confession of the Offender or on View by such Justice He shall Forfeit such Ox, Cow, Sheep, Swine Calf, Lamb or other Cattle or part thereof Killed or dressed Contrary to this Ordinance to be disposed of by such Justice among the Poor of the Town where such Offence shall be committed or among the Prisoners And shall further forfeit the Sum of Five Shillings to and for the Use of the Informer to the levied by Warrant of Distress under the Hand and Seal of such Justice.

And it is further Ordained by Authority aforesaid that no Butcher or other Person shall Sell or expose to Sale any Tainted Flesh or Fish, unfit for Sale under the like Forfeiture and Penalty to be prosecuted and recovered and to be disposed of in Manner aforesaid Unless the said Tainted Flesh or Fish be wholly unfitt for Food. In which case the Justice before whom such Conviction shall be had shall Cause such Tainted Flesh or Fish to be Burnt or otherwise destroyed

And that the Clerks of the Marketts shall and are hereby impowered ex Officio to Seize & take all such Flesh blown or fraudulently or Deceitfully Sett off, Or Fish Tainted or unfit for Sale and to proceed against and Convict such Offenders in Manner aforesaid and the Fines Arising therefrom Shall be to and for their own Use.

Ja: Murray



At the Council Chamber in the Castle of  
S.<sup>t</sup> Louis in the City of Quebec on Tuesday the 6:<sup>th</sup> Day of  
November 1764

Present

His Excellency James Murray Esq:<sup>t</sup> Governor.

and

The Hon:<sup>bl</sup> W.<sup>m</sup> Gregory C: J:

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Thomas Dunn

François Mounier

Ja.<sup>s</sup> Goldfrap

} Esq<sup>rs</sup>

Presented a Petition from Jn.<sup>o</sup> Collins Benjamin Price &  
Thomas Dunn Esq.<sup>rs</sup> requesting a Grant of a Lot of Ground for making a  
Wharf and Buildings thereon as in Petition is set forth

Ordered that the same be fyled until a Survey of the said Ground  
prayed for is made and laid before this Counsel for their further Consideration  
and that Francois Mounier and James Goldfrap Esq.<sup>rs</sup> do attend the x  
Deputy Surveyor and receive such Report that this Counsel may judge whether  
the granting said Petition may be proper or no and whether any Inconveniency  
may arise to the Publick from the same.

Presented a Petition from Captain James Cuthbert praying a Grant  
of Lands in the Isle of Bique and 2000 Acres on the Main opposite the said  
Island.

Ordered that the same be fyled and directed that Mons.<sup>t</sup> Pannet

shall search the Register to see if said Island or Lands were already granted and to deliver a Copy of such Grant if any to Captain Cuthbert when desired...

Ordered upon the Motion of the Hon:<sup>bl</sup> Adam Mabane that the Clerk of the Council should write a second tre to the Atty Gen.<sup>l</sup> requiring him on the Receipt of it, to give an Account of the Court of Chancery in Nova Scotia, and whether he did not think it necessary here, and if so whether the Governor & Council had not a Right to sit as such in this Province.

Then the three following Ordinances were read and ordered to be translated into French & published.

- 1:<sup>st</sup> An Ordinance for better observing the Lord's Day.
- 2:<sup>d</sup> An Ordinance for Registring Conveyances Grants &<sup>c</sup> concerning Lands &<sup>c</sup> in this Province.
- 3:<sup>d</sup> An Ordinance for Quieting Possession & fixing the Age of Maturity.

After which the Council Adjourned.

Presented also this Day to the Board an Ordinance for preventing disorderly Riding Horses, and driving Carts, Trucks Sleds, Slays, or any other Carriage whatsoever, within the Towns of this Province and for regulating the Rates of Horses and Carriages, for Travellers within said Province. Which being Read was Ordered to be Translated and Published.

Carried to No:100.

**Ordinance for the better Observation and Keeping the Lords Day.**

Be it ordained by his Excellency the Governor and Council; That in order that all Persons may on the Lords Day Apply themselves to Dutys of Religion and Piety both publickly and Privately, That no Trademan Warehousekeeper, Shop keeper or other Person whatsoever shall for the Future open His, Her or their Shop or Warehouse <sup>either</sup> by Himself or Herself or by His or Her Servant or Servants, Child or Children. Sell expose or offer to Sale; Upon any Bulk, Stall or Shed or send or carry out any Manner of Goods or Merchandize on the Lords Day or any part thereof. Provided Nevertheless that this Act shall not extend to prohibit any persons from Selling or Exposing to Sale, Milk, Fresh Fish, or any other perishable Commodity that may come to Markett in Boats or other open Vessels, before the Hour of Nine of the Clock in the Morning and after Five of the Clock in the Afternoon on the said Day.

And it is further hereby Ordained by <sup>the</sup> Authority aforesaid, That no Truckman Labourer or other Person whatsoever for the future shall do or exercise any Labour Work or Business of his ..... or their Ordinary Callings or other worldly labour or suffer the same to be done by His or their Servant or Servants Child, or Children either by Land or by Water / Works of Necessity and Charity only Excepted / or Use or Suffer to be used, any Sport, Game Play or Pastime, on the Lords Day or any Part thereof upon Pain that every Person or Persons so offending in any of the particulars before mentioned upon Conviction thereof upon the Oath of one Credible Witness, before any one of His Majesty's Justices of the Peace of this Province or upon View of any Justice of the Peace for every such Offence shall Forfeit and Pay the Sum of Ten X Shillings.

And it is further Ordained by Authority aforesaid That no Tavern Keeper, Retailer of Spirituous Liquors, Vintner or other Person keeping a Publick House of Entertainment within this province Shall for the future on any Pretence whatsoever entertain or suffer any of the Inhabitants or other Person or persons residing in the Towns of Quebec Montreal & Trois Rivieres or else where within the said Province <sup>or</sup> where such Tavern keepers Retailers of Spirituous Liquors, Vintners or other Persons keeping Publick Houses of Entertainment Respectively dwell or others not being strangers or Lodgers in such Houses or such as come <sup>thither</sup> for necessary dieting and Victualling only to abide or remain in their dwelling Houses, Outhouses or Yards drinking or Idly spending their Time on the Lord's Day but shall keep their Doors shut during the Time of divine Service on Penalty of forfeiting and paying The Sum of Ten Shillings for every Person & Persons respectively so found drinking or abideing in any such Publick Houses or dependencies thereof as aforesaid And every such Person and Persons who shall be found so drinking or abideing in any such Publick House or Dependancies there of <sup>as</sup> aforesaid shall respectively forfeit and pay the Sum of Five Shillings.

And it is hereby further Ordained that the Bailiffs and Sub Bailiffs of the Towns of Quebec Montreal and Trois Rivieres, or any One or more of them shall Once in the Forenoon and once in the afternoon in the Time of Divine Service walk

through the said Towns to Observe and Suppress all Disorders and apprehend all Offenders whatsoever contrary to the true Intent and Meaning of this Ordinan and they are hereby authorised and impowered to enter into any Publick House of Entertainment to Search for any such Offenders and in Case they are denied entrance, they are hereby Impowered to break open or cause to be broke open any of the Doors of the said House and enter therein and all Persons whatsoever are strictly required and Comanded to be Aiding and Assisting to any Bailiffs or other Officers in their Execution of this Act on the Penalty of Ten Shillings Current Money for every Neglect.

And it is hereby further Ordained that if any Person or Persons whatsoever being of the Age of Twelve Years or upwards being able of Body and not otherwise necessarily prevented by real Sickness or other unadvoiable Necessity shall for the Space of Three Months together absent himself or Herself from the Publick Worship on the Lords Day where there are Churches or Places of Worship of their Persuasion shall be subject to a fine that is to say for every Head of a Family Ten Shillings and for every Child or Servant Five Shillings to be recovered upon Complaint before any One of His Majestys Justices of the Peace who are hereby Impowered to cause the same to be levied, and upon Refusal or Neglect of Payment the said Justices are hereby required to Grant a Warrant under his Hand & Seal to apprehend such Offender or Offenders And to require sufficient Securitys for the Personal Appearance of such Offender or Offenders at the next General Court of Session

then and there to answer such Complaint and upon Conviction thereof the Justices of the said Court of Sessions may Impose a Fine of Five Shillings and upon Refusal or Neglect of Payment thereof to Levie the same by Warrant of Distress upon the Offenders Goods or Chattels And all Ministers Masters and Governors of Families are hereby strictly required to Use their utmost Endeavours that their Wives, Children, Servants, and others under their immediate Government do not Transgress any of the particulars in this Ordinance mentioned. All Fines and Penalties incurred by this Ordinance are to be to the Use of the Poor of the Town where such Offence is committed And the Justice and Justices before whom any person or persons shall be Convicted of Offending Against this Ordinance are required to make a Record thereof in a Book to be kept by Him or Them.

Provided that no persons shall be prosecuted for any Offence beforementioned unless they be prosecuted for the Same within Ten Days after the Offence is Committed.

And it is further Ordained that every Justice of the Peace shall have full Power and Authority either upon his own View or other Legal Conviction of any Offender or Offenders against this Ordinance or any part thereof to Levy the Penalties herein before respectively mentioned In case the same shall not upon such Conviction be paid by the Offender or Offenders by Distress and Sale of the Offender or Offenders Goods and Chattels with Costs and in Default of Destress to committ such Offender <sup>or</sup> Offenders to the Common Goal of the Districts there to remain in Close Confinement

for a Time not exceeding Forty Eight Hours nor less than Twenty four Hours.

And it is further Ordained that this Ordinance shall be Publickly read four Times in every Year, Viz<sup>t</sup> At the opening of every Court of General XXXXXX Sessions of the Peace. Immediately after the Grand Jury are sworn and also twice a Year Viz<sup>t</sup>: on every First Sunday of December and on every First Sunday in June in all Publick Places of Worship within this Province Immediately after Divine Service.

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An Ordinance for Registering Grants, Conveyances and other Instruments in Writing, of or concerning any Lands Tenements or Hereditaments within this Province.

Whereas His Most Sacred Majesty by his Royal Instructions to His Excellency the Governor of this Province bearing Date at St. James's the Seventh Day of December 1763, has been pleased /amongst other things/ to Order and Direct that all original Grants, Brevits, Concessions, or other Original Title Deeds made and passed by the French Government of this Province before the Signing the Preliminary Articles of Peace on the Third Day of November 1762. by which any Person or Persons whatsoever, hold or Claim or pretend to Hold or Claim any Lands Tenements or Hereditaments shall be registered in the proper Office; In Obedience to which His said Excellency the Governor by and with the Advice and Consent of his Majesty's Council hath ordained & required and by the Advice and Consent aforesaid doth hereby

Ordain and Require That all and every Person or Persons whatsoever as well corporate as Incorporate or by whatever other Name or Names they are or may be called or distinguished by, holding, claiming or deriving or pretending to hold, Claim, or derive any Estate, Right Title or Interest of in or to any Lands, Tenements or Hereditaments in this Province by Virtue of or under any Grants, Brevits, Concessions or other Title Deeds whatsoever made and passed by the French Government before the said Third Day of November 1762. Shall on or before the Twenty fourth Day of June next produce to and leave <sup>with</sup> the Register or Deputy Register of the Office of Inrollments of this Province all and every such original Grants, Brevits, Concessions or other Title Deeds together with every Plott or Survey of the Boundaries thereof Which the said Register or His Deputy is hereby required to receive & forthwith fairly Register the same in words at full Length in a Book to be kept for that Purpose and every such Grant, Brevit, Concession or other Title Deed x together with every such Plott as aforesaid shall be Registered in the Original Language of such Deed Grant Brevit, Concession, or other Conveyance. For the Intent that the particular Quantity of Land its Size and Extent And the Conditions upon which it was granted either as to Rent Services or Cultivation may appear fully and at Large.

And it is hereby Ordained and



Required by the Authority aforesaid That all Mesne or subsequent Deeds or Conveyances of what Nature soever of or concerning any Lands, Tenements or Hereditaments in this Province made and passed since the said Third Day of November 1762. shall on or before the said 24<sup>th</sup> Day of June next be produced to and left with the said Register or Deputy Register by the Possessors thereof in Order to their being register'd and shall accordingly be Registered in the said Office in such Manner as is here in before directed and required for the Registering of Grants, Brevits, Concessions or other original Title Deeds.

And be it further Ordained and required by the Authority aforesaid that the Due Execution of every such Deed or Conveyance of what Nature soever which shall hereafter be made of or concerning any Lands Tenements or Hereditaments within this Province shall be proved before the said Register or Deputy Register or other Person qualified for that Purpose either by Personal Acknowledgment of the Grantor Vendor or Mortgager in such Deed or Conveyance respectively named or by the Oath of One or more of the subscribing Witnesses to the Same Which Acknowledgment or Proof of the Due Execution of such Deed or Conveyance shall be indorsed on the back thereof and signed by the said Register or his Deputy or other Person thereto authorized as aforesaid which Indorsement shall be allowed as

Evidence of the due Execution of any Deed or Conveyance in any of His Majesty's Courts of Record in this Province. And every Deed or Conveyance of or concerning any Lands Tenements or Hereditaments in this Province shall within the Space of Forty Days next after the respective Dates thereof be Registered in the said Office in Words at Length And for want of such Registry every such Deed or Conveyance shall be adjudged fraudulent against any subsequent Purchaser for a Valuable Consideration.

And be it further Ordained and declared, by the Authority aforesaid That every Deed and Conveyance hereafter to be made and Registered as aforesaid shall be certified on the Back thereof by the Register or Deputy Register and Signed by Him, Containing the Year, Month Day of the Month and Hour of the Day when such Deeds and Conveyances were respectively Registered Which Certificate shall be admitted & allowed of as Evidence of the Registry thereof in any Court of Record in this Province And every Page of such Registry Book shall be numbered And the Year, Month, Day of the Month & Hour of the Day when such Deed or Conveyance was Registered shall be entered in the Margin of the said Book And the said Register or His Deputy shall keep a double Alphabet of every Registry and shall duly Register every Deed in the same Order they respectively come to his

Hands.

An Ordinance for quieting People in their Possessions  
and fixing the Age of Maturity.

Whereas it appears Right & Necessary to Quiet the Minds of the People in Regard to their Possessions and to remove every Doubt Respecting the same which may any Ways tend to excite and encourage Vexatious Law Suits And untill a Matter of so serious and Complicated a Nature fraught with many and great Difficultys Can be Seriously Considered and such Measures therein taken as may appear the most likely to Promote the Welfare and Prosperity of the Province in General. His Excellency by and with the Advice and Consent of His Majestys Council Doth Hereby Ordain and Declare That until the 10<sup>th</sup> Day of August next the Tenures of Lands in Respect to such Grants as are Prior to the Cession thereof by the Definitive Treaty of Peace Signed at Paris the 10<sup>th</sup> Day of February 1763. And the Rights of Inheritance as practiced before that Period in such Lands or other Effects of any Nature whatsoever According to the Custom of this Country, Shall remain to all Intents & Purposes the same unless they shall be altered by some declared and positive Law for which Purpose the present Ordinance shall Serve as a Guide and Direction in all such Matters to every Court of Record in this Province. Provided that nothing in this Ordinance Contained shall extend or be construed to Extend to the Prejudice of the Right of the Crown or to debar his Majesty his Heirs or Successors from obtaining by due Course of Law in any of His Courts

of Record in this Province according to the Laws of Great Britain, any Lands or Tenements which at any Time hereafter may be found to be vested in His Majesty his Heirs or Successors and in the Possession of any Grantee or Grantees His Her or their Assigns or such as claim under them by Virtue of any such Grants as aforesaid, Or under pretence thereof Or which hereafter may be found to have become forfeited to his Majesty by Breach of all or any of the Conditions in such Grants respectively mentioned and contained.

And be it Ordained and Declared by the Authority aforesaid that from and after the First Day of January One Thousand Seven Hundred and Sixty Five Every Person arrived at the Age of Twenty One Compleat Years shall be deemed for the Future of full Age and Maturity agreeable to the Laws of England And shall be entitled to take full Possession from that Time of every Estate or Right to him belonging in Consequence thereof to sue for the Same or bring to Account the Guardians or other Persons who may have been entrusted therewith.

**An Ordinance** to prevent disorderly Riding of Horses &<sup>c</sup> and for Regulating the Rates of Carriages &<sup>c</sup> within this Province.

**In** Order to prevent Inconveniencies and mischiefs which might arise from the negligent and disorderly Riding Horses, and driving Carts, Trucks and Sleds, for Carriage of Burthen or any other Carriage whatsoever within the Towns or Suburbs of Quebec, Montreal, and Trois Rivieres; His Excellency the Governor by and with the advice  
Consent

Consent and Assistance of his Majesty's Council and by virtue of the Power and Authority to him given, by his Majesty's Letters Patent under the Great Seal of Great Britain, hath thought fit to ordain and declare that from and after the Publication hereof no Person or Persons shall, on any pretence whatsoever, Gallop or Ride at full speed on Horse Back or having the Charge of drawing any Horse or Horses in any Cart, Truck or Sled shall ride upon such <sup>Horse or</sup> Horses or remain placed in or upon any such Cart, Truck or Sled within any of the streets or Highways of the said Towns and that no such driver or drivers shall omit during such Time, to lead the Shaft or Thill Horse by an Halter not exceeding Four Feet in Length, or shall drive any such Horse or Horses faster than a foot Pace, upon Penalty of Ten Shillings for every such Offence, to be paid upon Conviction by the Testimony of one Credible Witness, before any one of his Majesties Justices of the Peace, within Twenty Four Hours after such Offence shall be committed: And in Case of any such offenders refusal to pay the same said Offender shall be put to Labour for the Space of Four days, in repairing the Highways under the direction of the Surveyor or Surveyors of the Highways, or any of them, and in Case of Refusal or neglect to perform such Labour, any Justice of the Peace is hereby authorised upon Complaint of the said Surveyor or Surveyors, or any of them to cause such offender to be committed to Prison until proceeded against before <sup>the</sup> two sitting Justices of the Peace for the Time being.

And that every owner or proprietor of any Sled or Slay, used either for the Carriage of Goods or Persons, shall cause at least Six Horse Bells to be affixed to the Horse Harness, or the said Sled or Slay, and shall not drive the same or any other Carriage whatsoever, in a disorderly manner upon Penalty of Twenty Shillings for every such Omission or Offence upon Conviction on the Oath of one Credible witness, before any one of his Majesties Justices of the Peace, within Twenty Four Hours after such Offence shall be committed: and in Case of Refusal or neglect to pay, the same to be levied on the Goods or Chattels of such Offender by Warrant of Distress and Sale under the Hand and Seal of said Justice.

All Fines and Penalties incurred by the aforesaid Offences shall <sup>to</sup> be paid into the Hands of the Surveyors of the Highways for the Time being, to be by them applied towards the Repairing and mending of the same.

And to prevent Frauds by the drivers of Carts, Sleds, Slays or other Carriages employed by the Inhabitants, for Transporting Goods and Effects from Place to Place in the said Towns, It is hereby Ordained by the Authority aforesaid, That no Driver or Drivers shall presume to exercise the Trade or Occupation of a Carter within the Towns or Suburbs of Quebec, Montreal or Trois Rivieres, after the First Day of December next without first obtaining from the two sitting Justices of the Peace for the timebeing, an Order to the Clerk of the Market to enregister him as a Carter, and a certificate under his Hand, specifying the Number of his Cart or Carriage, and Time of his being Registered as such, and said  
Number

Carried to fo: 138.

Ja: Murray

At the Council Chamber in the Castle of S<sup>t</sup>  
 Louis in the City of Quebec on Thursday  
 the 8:<sup>th</sup> Day of November 1764

Present

His Excellency James Murray Esq.<sup>r</sup> Gov:<sup>r</sup>

The Hon:<sup>bl</sup> W.<sup>m</sup> Gregory C: J:

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq: <sup>rs</sup>
Adam Mabane	
Benj. <sup>n</sup> Price	
Tho. <sup>s</sup> Dunn	
Francois Mounier	
Ja. <sup>s</sup> Goldfrap	

The Atty General's Opinion relative to a Court of Equity  
 &<sup>c</sup> in this Province was produced to the Board & being  
 read, it was ordered to be entered fairly in the Counsel  
 Book, and that the Governor having required it, should have  
 the Assistance of his Council when he sat as Chancellor.

Ordered likewise upon the Opinion following that proper  
 Commissions be made out for appointing and swearing in the Hon:<sup>bl</sup>  
 Benj.<sup>n</sup> Price & Tho.<sup>s</sup> Dunn as Masters in the said Court of  
 Chancery and the Hon:<sup>bl</sup> Adam Mabane & Fra.<sup>s</sup> Mounier as  
 Examiners and Hen: Kneller Register in the same.

Quebec, 1<sup>st</sup> Novem<sup>r</sup> 1764.

May it please your Excellency  
And Honours \_\_\_\_\_

I am honoured with your Command signified to me by John Gray Esq<sup>r</sup>; D: C: C: relating to the Court of Chancery in Nova Scotia for me to give a particular Account thereof as it is now commonly held and the manner of proceeding there. And whether I think such a Court is not absolutely necessary here in the present Situation of Things. And whether the Governor & Council have a Right to sitt as such here. \_\_\_ In Answer to which I begg leave to observe that during my Residence in that Province, Where any Person had a Matter of Dispute Congnizable in a Court of Equity, The Party Complainant applied by Petition to the Governor praying that a Day might be appointed for a Court of Chancery to sit for the Dispatch of Business Which was always granted. And the Day appointed, being commonly 16 or 17 Days from the Delivery of the Petition, In which Time the Complainant filed his Bill addressed to the Governor and Council as a Court of Chancery with the Register of the Court. If a common Bill and then took out Process of Subpoena for the Defendant or Defendants to appear and answer Which being personally served and at the Return thereof An Affidavit made of such Service before a Master of the Court and filed with the Register; The Defendant was then Supposed to enter his Appearance with the Register take a Copy of the Bill and pray a reasonable Time to put in his Answer, plead or Demur to the Bill

But He might at his Peril stand out all Process of Contempt even to a Sequestration for want of Appearance or after Appearance for Want of an Answer but this rarely happens. If the Defendant answered or pleaded to the Bill he was to do it upon Oath before a Master and file it with the Register and if the Answer was unexceptionable the Cause was then either sett down to be heard on Bill and Answer; upon Motion of Complainants Council or if Complainants Council advised it the Cause descended to Issue and then a Commission was taken out for the Examining of Witnesses either before an Examiner of the Court or by Dedimus Potestatem to Commissioners Struck by both Parties, or ex parte as the Case happened to be Upon the Return of the Commission and Examination of the Witnesses in Writing closed up, the Complainants or Defendants Council moved for a Day for Publication to pass and for leave to take Copies of the Examinations And if nothing incidental happens a Brief is prepared for the Governor and both Partys Council and <sup>then</sup> a Day upon Motion of Council is appointed for hearing the Cause. At which Day Complainants Council opens the Cause, when he has done. The Defendants Council enters upon the Defence which he must go through with at Once. After he has done the Complainants Council Replys and closes the Arguments during the Course of the Debate the Council of either Side is not to be broke in upon or interrupted by the other Side After which if not Collateral Matter intervenes The Court either Orders a Reference to a Master especially if the Subject of dispute is a Matter of Account or directs and Issue at Law to be tryed upon <sup>some</sup> remarkable point, or appoints a



Day for giving Judgement When being attended by all Parties the Decree is Solemnly pronounced and Costs ordered to be paid according to the Circumstances of the Case.

It often happens that the Council for the Complainant are of Opinion that the Defendants Answer is not full and sufficient Wherefore it is very Usual to take Exceptions to it Which must be in Writing pointing out wherein the Answer is defective These Exceptions upon Motion by Council in Court are ordered to be referred to a Master of the Court who upon being attended by Council and Solicitors on both Sides, Reports to the Court, Whether the Exceptions or any and which of them ought to be allowed or Not. If the Parties are satisfied with his Report it is Confirmed upon Motion by the Court and the Defendant ordered to pay Costs and to put in a further and better Answer. And a Subpoena is usually taken out for that Purpose. Which further Answer being put in, may if there is Cause be excepted to as the First. If either of the Partys are not satisfied with the Masters Report. Exceptions may be taken to it, Which upon Motion are Ordered to be Argued in Court Who determine upon the Matter as they find Cause.

If often Happens in a Cause that incidental or Collateral Matter Intervenes which is disposed of by the Court either upon Petition Affidavits or Motion as the Case may require.

There can be no Court of Chancery appointed to do Business until there be proper Officers appointed and Sworn Which must be Two Masters, One Examiner and One Register at least.

I apprehend a Court of Chancery is the

Subjects Birthright and I do think it ought to be opened  
in this Province for the Decision of many import Affairs;

And as to the last Question whether the Governor and  
Council have a Right to sitt as such Here

I am of Opinion That His Excellency  
the Governor by the Delivery of the Broad Seal to Him  
hath the same Place, Authority, Jurisdiction and Execution  
of the Laws as any Governor or Chancellor in the Plantations  
Hath or ought to have for he is Constituted by the Delivery  
of the Broad Seal to Him and taking the Oath And  
I ground my Opinion of this Point upon 5: Eliz: cap: 18  
4. Ins<sup>t</sup>: 87. And the Custom of His Majestys Council  
Sitting with <sup>the</sup> Governor of Nova Scotia in the Chancery  
Was only as I suppose from a View of having their Advice  
and Assistance in all Matters of Weight and Difficulty.

All which is humbly submitted to your Excellency  
and Honours. By your Excellency's and Honours  
most Obedient and most humble Serv<sup>t</sup>;  
Signed Geo: Suckling.

Presented and read an Ordinance for regula-  
-ting the Measurement of Cord Wood, and another  
for ascertaining Damages on Protested Bills of  
Exchange.

Ordered to lie on the Table until further Order.

Resolved this Day that Chairs Tables Firing and every other necessary Accomodation be provided for his Excellency and the Hon:<sup>bl</sup> the Members of this Board in the Great Council Chamber and that the Hon:<sup>bl</sup> B: Price & Tho:<sup>s</sup> Dunne Esq.<sup>rs</sup> do direct the same to be prepared so soon as possible.

Presented and read an Ordinance for registering Births Christenings and Burials, and another for establishing the Method of Appeals.

Ordered that both be laid before the Attorney General for his Inspection and Alteration if necessary.

Then the following Ordinance was read and being agreed to, was ordered to be translated and publishd.

The Council Adjourned 'till Saturday the 10.<sup>th</sup> Instant.

An Ordinance for preventing Persons leaving the Province without a Pass.

Whereas Injustice may be done to Creditors by Persons in their Debt privately leaving the Province and great Inconveniences may likewise arise from Soldiers and Seamen of the Royal Navy being Secretly conveyed away. For preventing thereof;

His Excellency the Governor by and with the Advice, Consent and Assistance of His Majesty's Council doth hereby Ordain and Declare that all & every Person or Persons intending to leave this Province shall put up their Names publicly at the Secretary's Office for the Space of Thirty Days before they shall obtain any Pass with the Day and Year when they put up their Names and in Case said Person or Persons are not within said Thirty Days underwrote by any others to whom they are indebted. Then and in such Case the Secretary or his Deputy are hereby required to Grant said Person a Pass for which he shall receive One Shilling and two Pence lawful Money only. And in Case said Secretary or His Deputy shall refuse a Pass to any Person or Persons that have Complied with the Rules prescribed by this Ordinance He or they shall forfeit the Sum of Fifty Pounds to be levied by Bill, Plaint, or Information in any of His Majesty's Courts of Record in this Province and for the Use of the Person grieved. And that the Pass for Persons leaving this Province shall be in the following Words. Viz<sup>t</sup>.

Province of Quebec	} Permit	to depart this Province
	(if by Land the Road to be expressed in such Pass & if by	
	Sea the Masters Name with that of the Vessel) He or	

they having complied with an Ordinance of this Province for that Purpose.

Dated.

And it is further Ordained that whosoever shall under Write any Person or Persons so having their Names set up as aforesaid shall Produce at the Secretary's Office an Affidavit made before One of His Majesty's Justices of the Peace which Affidavit shall remain in the said Office setting forth the Cause in Writing if a Debt the Sum or Sums of Money that is due or owing to Him or them to be ascertained as near as they possibly can, & by what Means it doth arise whether by Bill, Bond, Judgement, Promise, Covenant or Account. And, when any Person so setting up their Names in the Secretary's Office as aforesaid shall be underwrote by any Person aforesaid that then and in such Case the Secretary or his Deputy shall take good & sufficient Security from the Person or Persons so Underwritten for the Sum or Sums that He or She is Underwrote for which Security shall be in the following Words. Viz<sup>t</sup>.

Know all Men by these Presents that We  
and  
of                      in the Province of Quebec, are firmly bound  
unto                      in the Sum of  
                            to the true Payment of which we bind Our  
Selves our Heirs and Assigns firmly by these Presents.  
Witness our Hands and Seals this                      Day of.

The Condition of the above Obligation is such that  
whereas the above bound

is underwrote by \_\_\_\_\_ of \_\_\_\_\_  
 aforesaid for the Sum of \_\_\_\_\_ Now if the  
 said \_\_\_\_\_ or \_\_\_\_\_ they, their  
 Heirs or Assigns will pay or cause to be paid to the  
 said \_\_\_\_\_ the said Sum of \_\_\_\_\_  
 or such Sum as shall Legally upon Tryal appear to be  
 Due to the said \_\_\_\_\_ Then the above  
 Obligation to be Void Otherwise to remain in full Force  
 and Virtue.

For taking of such Bond the Secretary  
 shall Receive Three Shillings only.

Provided always and it is the full Intention  
 and Meaning of this Ordinance that the Persons so  
 underwriting file their Actions in the next Supreme  
 or Inferior Court of Common Pleas after Security  
 be given for their Debts then Due otherwise the same  
 being Pleaded shall be a Sufficient Barr to their  
 Action or Actions.

And it is Hereby further Ordained  
 that any Person or Persons that have been underwrote  
 as aforesaid upon their giving Security as before directed  
 are hereby entitled to receive their Pass in like Manner  
 as if they had not been Underwrote.

And the Secretary or his Deputy are  
 hereby impowred to deliver the said Bond so taken  
 as aforesaid to the Person or Persons that underwrote  
 the Person so going away And said Bond shall be  
 Good and Valid against the Security for the Recovery  
 of such Sum or Sums as the Person or Persons to whom  
 the said Bond is delivered can make appear upon Tryall  
 was really due to him by the Person He underwrote with  
 the Costs thereon.

And that in Case any Person intending to leave the Province before the Thirty Days are expired after Setting up His or Her Name may obtain their pass from the Secretary or His Deputy by giving Sufficient Security and entering into Bond as aforesaid that said Security will pay all the Debts said Person going away has Contracted in the Province which Bond shall be good and Valid against such Security.

And that nothing in this Ordinance shall be construed to extend to the restraining any Military Person or Persons from immediately departing the Province with a Special Permission under the Hand of the Commander in Chief of the Troops.

And it is also further Ordained <sup>and declared</sup> by Authority aforesaid That if upon Tryal it shall appear that the Cause for underwriting any Person or Persons setting up their Names in the Secretary's Office to depart this Province be Vexatious and Groundless that then and in such Case the Person so underwriting shall be liable to an Action of Damages to be recovered as aforesaid.

And that no Master of any Ship or Vessel going from the Province of Quebec shall carry away any Person whatsoever without a Pass Signed by the Secretary of this Province or his Deputy (except the Crew or Seamen brought with him in such Vessel at his last Arrival) nor should leave the said Province without Permission in Writing from His Excellency the Governor or Commander in Chief for the Time being of His Majesty's Province and the Master of any Ship or Vessel so offending contrary to the Tenor of this Ordinance shall forfeit the Sum of Fifty Pounds to the Use of the King

and be liable to pay all Damages to be recovered by Bill, Plaint or Information in any of His Majesty's Courts of Record in this Province to be levied by Sale of the Offenders Goods and Chattles by Warrant under the Seal of said Court and for want of such Goods & Chattles the Person Convicted to be committed to some of His Majesty's Goals for the Space of Six Months.

And it is Hereby further Ordained & declared that all Officers civil and Military commanding at or residing near the different Posts upon the frontiers of this Province are strictly enjoined to examine every Person and Persons leaving the same and to stop all or any of such who shall not be provided with a Pass as aforesaid.

John Collins Hugh Montgomery, Alexander Fraser,

And

Samuel Mather John Collins Esq.<sup>rs</sup> being Approved of by his Excellency and Council to be added to the list of Magistrates for the two Districts of Quebec and Montreal Minute thereof is ordered to be entered accordingly

Ja: Murray



At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on Saturday  
the 10:<sup>th</sup> Day of November 1764.

Present

His Excellency James Murray Esq.<sup>r</sup> Gov:<sup>r</sup>

The Hon<sup>#</sup>ble W,<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Tho.<sup>s</sup> Dunn

Francois Mounier

James Goldfrap

} Esq:<sup>rs</sup>

The Hon:<sup>bl</sup> Francois Mounier and James Goldfrap  
Esq.<sup>rs</sup> were desired to make their Report to this Board on  
the Matter of Mess.<sup>rs</sup> Price Dunn & Collins Petition  
of the 6<sup>th</sup> Ult. but M:<sup>r</sup> Goldfrap desiring to be excused  
as he did not think himself a competent Judge of it; the  
whole was ordered to be referred to 12 Mercht.<sup>s</sup> & if Occasion  
they were to call in a 13:<sup>th</sup> Six to be named by M:<sup>r</sup> Mounier  
and six by the Petitioners, their Names to be given in  
to the Clerk of this Board and him to make out a  
Warrant accordingly.

Presented a Petition from Joseph Marder of the City of Quebec Goldsmith praying Leave to make a Lottery on the Terms as therein set forth.

Rejected as illegal, & a bad Precedent.

Presented a Petition from <sup>the Hon:bl</sup> Samuel Holland praying a Lott of Ground sufficient for a House & Garden as in Petition is set forth.

Ordered the said Lott to be surveyed and if it should not appear to incroach any ways on the Kings Ground appropriated to the Use of the Governor for the Time being, & is not already granted to any other Person then the same to be given as prayed.

Presented a Petition from Mons.<sup>r</sup> Duchesney Seigneur of Beauport representing his Case on a Matter of Arrest as therein set forth.

Ordered the same to be fyled and an Answer wrote him <sup>by</sup> the Hon:<sup>bl</sup> Francois Mounier, and that M.<sup>r</sup> Kneller be appointed to defend the said Action.

Then the following Ordinance for ascertaining Damages on protested Bills of Exchange being read a second time was passed, and ordered to be forthwith translated and published.

**An Ordinance for Ascertaining  
Damages on Protested Bills of Exchange.**

His Excellency the Governor  
by and with the Advice Consent and Assistance of  
His Majesty's Council Doth Ordain and Declare  
and be it hereby Ordained and Declared by the  
Authority aforesaid That from and after the Tenth  
Day of August One Thousand Seven Hundred  
and Sixty four all Bills of Exchange drawn from  
and after the said Time by Persons residing within  
this Province upon Persons in Europe that may be  
sent back protested shall be Subject to Twelve *Pr* Cent.  
Damages and Six *pr* Cent *p*<sup>r</sup> Annum Interest upon  
the Principal Sum furnished here from the Day  
of the Date of the Protest on said Bill to  
the Time of Payment.

And that all Bills of Exchange  
drawn by Persons residing within the Province  
after the said Time on Persons in the other Colonies

and sent back Protested shall be Subject to Four p<sup>f</sup> Cent Damages and Six Pr Cent Pr Annum Interest upon the Principal Sum furnished here from the Day of the Date of the Protest to the Time of Payment.

And that all Bills and Orders drawn from and after the said Tenth Day of August by Persons residing within the Province on Persons residing or living in the same, that shall be protested shall be Subject to Six P<sup>f</sup> Cent Pr Annum Interest from the Date of the Protest to the Time of Payment.

Resolved this Day that the late Presentments of the Grand Jury of the last October Quarter Session for this District be laid before the Attorney General for his Opinion whether any and which of them amount to a Libel and if such should be his Opinion that the proper Bills of Indictm<sup>t</sup>. be framed in order to lay before the Grand Jury of the Superior Court for Hilary Term next and that the said Attorney General be ordered to prosecute the same.

The Council Adjourned 'till further Orders.....

Ja: Murray

At the Council Chamber in  
the Castle of Saint Louis in the City of  
Quebec on Monday the 12.<sup>th</sup> Day of November  
1764.

Present

His Excellency the Governor  
The Hon.<sup>bl</sup> W.<sup>m</sup> Gregory C: J:  
P.<sup>s</sup> Em.<sup>s</sup> Irving }  
Benj.<sup>n</sup> Price } Esq:<sup>rs</sup>  
Tho.<sup>s</sup> Dunn }  
Francois Mounier }  
James Goldfrap }

Presented an Ordinance for Billeting his Majesty's  
Troops on private Housekeepers in this Province which  
being read was ordered to lie on the Table 'till a  
further Day.

Presented an Ordinance for explaining and amending an Ordinance of the 20:<sup>th</sup> September last which being read was ordered to lie on the Table 'till a further Day.

Presented a Petition from James De La Fontain praying Redress from an Order of the Justices of the Quarter Sessions for this District and likewise from the Clerk of the Peace whom he charges with having taken more Fees than he ought &<sup>c</sup> &<sup>c</sup> as therein mentioned.

Ordered that the same should lie on the Table 'till the Facts could be examined into, & a proper Answer returned.

The Council Adjourned 'till  
further Orders \_\_\_\_\_

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of  
 Quebec on Sunday the 18.<sup>th</sup> Day of November 1764.

Present

His Excellency James Murray Esq.<sup>r</sup> Gov:<sup>r</sup>

The Honble W.<sup>m</sup> Gregory C: J.

P.<sup>s</sup> Eml.<sup>s</sup> Irving

Adam Mabane

Benj: Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq:<sup>rs</sup>

A scandalous abusive and very infamous Libel  
 being produced to the Board this Day inclosed to James  
 Johnson Merchant in Quebec /then Foreman of the  
 Grand Jury for that District/ under Cover of an anonymous  
 Letter of which the following is an exact Copy.

Dear Sir.

I have hereby sent you the inclosed  
 Paper, being a Copy from the Original Print just arrived from London  
 from which you'll be able to draw a Conclusion from a few Facts  
 therein stated whether a certain Gubernator Incredentus should have  
 his Majesty's Favor or not, when his Administration has been with  
 an Arbitrary Disloyalty to the Service; also Monopoly and Exaction  
 has attended his Reign much to the Hurt of the Fair Trader.

This I leave you Gentlemen of the Grand Jury to judge off;

the

Copy is but badly wrote which you'll excuse

Your Friend  
Incog.

James Johnson Esq.<sup>r</sup> Foreman of the Grand Jury

Which said Libel was by the said Ja.<sup>s</sup> Johnson inclosed in the following Letter to his Excellency the Governor.

Sir.

The inclosed anonymous Piece was brought me by Saturday's Post the 10:<sup>th</sup> Inst. Being addressed to me as a Juror I convened the Grand Jury who are unanimously of Opinion that it ought to be suppressed, as a Piece stuffed with Invective against a dignified Character, They also think it their Duty to communicate it to y.<sup>r</sup> Excellency, that from y.<sup>r</sup> Endeavours w:<sup>th</sup> theirs the Authors of such unsupported Abuse may be discovered. I am very respectfully Sir

Y.<sup>r</sup> most Obed.<sup>t</sup> very hble Ser.<sup>t</sup>  
James Johnson  
Foreman  
Quebec 17:<sup>th</sup> Nov:<sup>r</sup>  
1764.

Ordered the above Paper to be fyled with the Cl. of the Council, and adjudged unanimously by all the Members present that 500<sup>£</sup> should be offered for the discovering & prosecuting to Conviction the Author or Publisher of the s.<sup>d</sup> Libel: It being a most flagrant Insult & Attack on Government hurtful to his Majesty's Service in General and to this Province in particular, tending also highly to poison the Minds of his Majestys old, & new Subjects, and therefore in order that such evil minded Person or Persons may be brought to a speedy & proper Punishm<sup>t</sup>. This Board have also unanimously Resolved that an Advertizment be immediately drawn to the above Effect, and that the same be publishd in the next Quebec Gazette.

Then the following Ordinances being read w:<sup>th</sup> their Amendments, and Alterations, were passed and ordered to be translated & published.

The Council Adjourn'd till further Orders



An Ordinance for amending and explaining an Ordinance of his Excellency the Governor and Council of this Province made the Twentieth day of September Last. Intituled, An Ordinance for ratifying and confirming the Decrees of the several Courts of Justice, established in the Districts of Quebec, Montreal and Trois Rivieres prior to the establishment of Civil Government throughout this Province upon the 10.<sup>th</sup> Day of August 1764; and for enlarging the Time for lodging Appeals from the Decrees of such Courts therein mentioned.

Whereas Doubts may arise about the manner by which Appeals by the said Ordinance directed to be brought before his Excellency the Governor and Council of this Province, or to the King in Council, may be prosecuted according to the true Intent and Meaning of the said Ordinance, ~~as~~<sup>and</sup> also to what Sum, and to whom the Security therein mentioned, for prosecuting such Appeals, ought to be given; for explaining whereof.

His Excellency the Governor, by and with the Advice, Consent and Assistance of His Majesties

Council

Council of this Province, **Doth hereby ordain and Declare**, that if any Person or Persons shall think himself or themselves aggrieved by any Order, Judgment or Decree of the Military Council of Quebec, or of any other Courts of Justice in the said Government, or of those of Montreal or Trois-Rivieres, prior to the establishment of Civil Government throughout this Province in August Last, where the Value in dispute exceeded the Sum of Three Hundred Pounds Sterling; every such Person or Persons may by Petition appeal to His Excellency the Governor and Council and to no other Court of Judicature of this Province whatsoever, provided that Security be first given by the Appellant to Answer such charges as shall be awarded, in Case the first Sentence be Affirmed. **Provided** also, that such Appeal be lodged with the Clerk or Deputy Clerk of the Council, within the space of three Months from the Publishing hereof. **And Provided** always, that if the matter in dispute amounted to the Sum of Five hundred Pounds Sterling, or upwards, every Appellant or Person Petitioning as aforesaid

/in

/in Case <sup>any</sup> such Order, Judgment or Decree of the said Military Courts shall thereupon be affirmed <sup>and</sup> within Fourteen Days thereafter/ may in likemanner Appeal to His Majesty in Council upon giving Good and sufficient Security, effectually to prosecute the same and Answer the Condemnation, as also to pay such Costs and damages as shall be awarded, in Case the Sentence of the Governor or Commander in Chief for the time being, and Council be affirmed.

An Ordinance, for Billeting His  
Majesties Troops on Private Housekeepers in this  
Province.

Whereas it is highly necessary  
that the Officers and Soldiers of his Majesty's Troops  
on Duty in this Province should be provided with  
convenient Quarters, Suitable to their different  
Ranks: But inasmuch as in several Parts of this

Province

Province there are no Barracks, Inns, or Public Houses, and in other Parts of the said Province, where, there are Barracks, the same are by no means Sufficient for the Reception of all the Officers and Soldiers on duty there. And as doubts may arise touching the legallity of Billeting Officers and Soldiers on Private Houses in this Province for removing whereof, and that his Majesty's Troops may not in the mean Time, and until proper Barracks can be provided, be destitute of convenient Quarters, suitable to their different Ranks.

Be it therefore Ordained and Declared, by his Excellency the Governor, by and with the Advice, Consent and Assistance of his Majesties Council of this Province, and by the authority of the same, it is hereby Ordained and declared, that from and immediately after the Publication of this Ordinance, it shall and may be lawful, for any of this Majesties Justices of the Peace of this Province, and they are hereby severally required,

that

that upon Application being made to any of them, by any Commissioned Officer of his Majesties Troops in this Province for Quarters for any Officer or Soldier, immediately to Issue out a Precept, directed to any Constable Bailiff, or other Civil Officer, for Billeting such Officer or Soldier in any Private House in this Province, that is to say, that every Officer, of, or above the Degree of a Captain, shall be provided with a good Bed-Chamber and Parlour, or other Suitable Room in lieu thereof, and one Cellar in such Private House, intirely for his own use, with the free Use of the Kitchen thereto belonging in Common with the Family; and every other Commissioned Officer, under the Degree of a Captain, shall in like manner, be provided with a good Bed-Chamber and one Cellar for his own Use within such private Houses, the free use of the Kitchen belonging to the same in Common with the Family; and every non-commissioned Officer or Soldier, of, or under the Degree of a Serjeant, shall, in like manner, be, provided with convenient Quarters the number whereof to be Quartered, to be in proportion to the bigness of the House, and the number of <sup>the</sup> Family therein That is to say, one non-commissioned Officer, and one

Soldier

Soldier, or two Soldiers and no non-commissioned Officer, shall be provided with a good Bed and Bedding, with the free Use of the Kitchen Fire, or other Fire for Dressing Victuals and warming themselves by in common with the Family.

Provided that nothing in this Ordinance contained shall extend to give any Power or Authority to any Justice, or other Officer for Quartering or Billeting any more than one Commissioned Officer and one Private Man, at one and the same time in any Private house: And as often as any Justice shall be applied to as aforesaid, to provide Quarters for any non-commissioned Officer, Soldier or Soldiers, every such Justice shall, in such Case, issue his precept to any Constable, Bailiff, or other Civil Officer of the Place where such Application shall be made, to Billet such non-commissioned Officer, with such or so many Soldier or Soldiers as may be the least Burthensome in Proportion to the number of suitable Private Houses, in the Place where such Application shall be made.

And it is further Ordained and Declared, by the Authority aforesaid, That if any Justice of Peace of this Province shall for the Space of two Hours after being thereto required as aforesaid, refuse, or neglect to Issue his Precept, to any Constable, Bailiff or other Civil Officer, for Billeting any Officer or Soldier, in such Manner as by this Ordinance is directed; or if any Constable, Bailiff or other Civil Officer, to whom such Precept shall be directed, shall for the space of two Hours after receiving such Precept, refuse or Neglect to Billet any Officer or Soldier, in such Manner as by this Ordinance <sup>is</sup> directed; or if any such <sup>Justice</sup> Constable, Bailiff, or other civil Officer shall receive Demand, or agree for any Money or Reward, for excusing any Person from Quartering any Officer or Soldier; or in Case any Person, liable to have any Officer or Soldier Quartered on him or her by force of this Ordinance, shall refuse to receive such Officer or Soldier, every such Justice, Constable, Bailiff or other civil Officer and Person before mentioned, offending in any of the several Matters herein before settforth, shall, upon conviction thereof before any other Justice of Peace of the District

within

within which such Offence shall be committed, either by confession or Oath of one credible Witness, forfeit for every such Offence, any Sum not exceeding the Sum of Five Pounds, nor less than the Sum of Forty Shillings, to be levied by Distress and Sale of the Offenders Goods and Chattles, by Warrant of any Justice, directed to any Constable, Bailiff or other civil Officer within the District of the Place where such Offender of Offenders dwelt the said Time to be paid the Provost Marshall of this Province, or his Deputy, and to be to the Use of his Majesty.

Provided that nothing in this Ordinance shall extend or be construed to extend to give any Power or Authority to any Justice of Peace, to Issue his Precept to any Constable, Bailiff or civil Officer to Quarter or Billet any of the Wives Children, Men or Maid Servants or other Persons belonging to any Officer or Soldier, in any Private House against the Consent of the owner or Possessor thereof and for any Constable, Bailiff or other Civil Officer to execute the same, and that nothing in this Ordinance contained shall extend, or be construed to extend to the Billeting any Officer or Soldier upon any Person what

soever



soever, who now are or hereafter may be in any Civil Office or Employment under his Majesty in this Province or to the Billeting any Officer or Soldier on any Minister or Curate of any Parish in this Province

And be it further ordained and declared, by the Authority aforesaid that all and every of the Justices of the Peace of this Province or other Person or Persons whatsoever who have before the Publishing this Ordinance been employed about, or who have actually Quartered or Billeted any Officer or Soldier in any Private House in this Province shall, and are hereby indemnified for the same; or if any of his Majesty's Justices of the Peace of this Province Constable Bailiff or other civil Officer shall be sued for anything done as aforesaid, or for what may <sup>hereafter</sup> be by them respectively done by virtue of this Ordinance every such Justice, Constable Bailiff or other civil Officer, or Person whatsoever may Plead the general Issue, and upon Tryal give this Ordinance in Evidence, which the Judge or Judges before whom such Tryal shall be had, shall, and are hereby required to allow of the same; and if upon such Tryal verdict shall be found for the Defendant or Defendants, in such Case the Plaintiff or Plaintiffs shall pay treble Costs of suit to be taxed and allowed of by the proper Officer.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of  
 Quebec on Tuesday the 27.<sup>th</sup> Day of  
 November 1764.

Present

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>+</sup>nble W<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benjamin Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq:<sup>rs</sup>

Ordered this Day that Jacques De La Fontaine  
 should be wrote to by the Clerk of the Council signifying  
 that they had examined into the Matter of his Petition and  
 found that the Facts he there charged were groundless.

Resolved upon reading several Letters and Papers from  
 Montreal that the following Justices Viz<sup>t</sup>. John Frazer, Tho.<sup>s</sup>  
 Walker, John Leviston, Dumas S.<sup>t</sup> Martin and Tho.<sup>s</sup> Lamb Esq.<sup>rs</sup>  
 should be wrote to by the Clerk of this Council requiring their  
 Attendance here before this Board on Thursday the 13:<sup>th</sup> Dec:<sup>r</sup>  
 next, then & there to answer all & every such Complaint as  
 may be made against them by any Person or Persons whatsoever.

Ordered also that Lieutenant Matral and Lieu.<sup>t</sup>  
Gugy Justices of the Peace and living in the Town of  
Trois Rivieres be wrote to respectively, requiring one of  
them to go to Montreal on Receipt of such Letter there to  
act as a Justice of Peace 'till further Order and that  
whoever goes the Government will satisfy for any Expense  
and Trouble such a Journey may occasion

Presented a scheme for a Lottery towards  
rebuilding the Cathedral Church of the City of  
Quebec.

Ordered to be entered in the Council Book as follows  
and four Copies made out for the Lords of Trade the Arch Bishop  
of Canterbury Bishop of London & the Society for propagating the  
Christian Religion. \_\_\_\_\_

N <sup>o</sup> . Prizes	Value of Each	Total
Values		
2.....of.....	1000.....	2000
2.....	500.....	1000
5.....	200.....	1000
10.....	100.....	1000
20.....	50.....	1000
50.....	20.....	1000
500.....	10.....	5000
<u>1460</u> .....	5.....	7300
Prizes 2049	First drawn.....	200
Blanks <u>7951</u>	Last drawn.....	<u>500</u>
<u>10,000</u> Tickets	at £2 Each.....	20,000 £

Presented a Petition from Captain  
James Cuthbert praying a Grant of Lands as  
therein Setforth

Ordered to be fyled and the same to be  
granted unless former Application after proper  
Survey

Presented a Petition from Mess.<sup>rs</sup> R:  
Murray and Lee praying a Lott of Ground for  
building a Wharf &<sup>c</sup> as therein set forth

Ordered the same to be fyled, a Survey  
thereof made and the whole to be referred to 12 Merchants  
Six English and Six French, who might report to this  
Board whether the Granting the same /if vacated/ would  
be attended with any Inconvenience to the Publick; and  
provided also it does not interfere to the Prejudice of the  
Kings Wharf.

The Council adjourned 'till further  
Orders

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of  
 Quebec on Thursday the 29.<sup>th</sup> Day of  
 November 1764.

Present

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>n</sup>ble W<sup>m</sup> Gregory C: J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj: Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq.<sup>rs</sup>

Read a Letter this Day from his Excellency to the  
 Lords of Trade relative to the Jesuits Estates in this Province  
 and the Claims thereon made &<sup>c</sup>.

Ordered that M.<sup>r</sup> Kneller do appear and act as an  
 Attorney on Behalf of the Jesuits and to defend all Suits  
 that may be brought against them by any Person or  
 Persons whatsoever

Read an Ordinance for adding to & explaining an  
 Ordinance of the 18.<sup>th</sup> Instant and passed the same as

follows

Presented a List of Fees given in by the Atty General as belonging to his Office.

Ordered to lie the Table 'till further Order.

Presented also his Bill of Charges on this Province to the 27:<sup>th</sup> Ult. amounting to £ 121.11.8, together with the Charge of One Quarter Salary then due being £ 41.13.4½ the whole amounting to £ 163.5.0½

Ordered that the same be fyled by the Clerk of the Council, and an Order given to the Collector of the Rum Duties for the Payment thereof.

The Council ajourned 'till  
further Orders

An Ordinance for explaining and amending the Ordinance of the 12:<sup>th</sup> Instant for Quartering his Majesties forces in this Province

Whereas it has been represented since the Publication of the said Ordinance of the 12:<sup>th</sup> Instant that in several Places in this Province Magazines of Wood have not been Provided for the Troops, His Excellency the Governor by and with the Advice Consent and Assistance of his Majesties Council, and by Virtue of the Authority granted to him, by Letters Patent under the Great Seal of Great Britain, Doth Declare and Ordain, And it <sup>is</sup> hereby declared and Ordained by the Authority aforesaid, that the allowance of Firing <sup>for</sup> every Officer, shall be at the Rate of one Chord of Wood pr Week during the seven Cold Months, that is to say from the Fifteenth of October to the Fifteenth of May which Wood shall be furnished by the Person or Persons on whom the Officer is Billeted at the Rate of one Milled Dollar or Six Shillings current Money of this Province to be paid by the receiver General, to the Person or Persons so Billeted upon and so Providing Wood, upon his or

their

their producing a Certificate from the Officer Quartered upon him or them, in which Certificate is to be specified the Number of weeks the Officer certifying has been Billeted upon such Person, and the Number of Chords of Wood such Officer may have received by Virtue of this Ordinance.

And be it further Ordained by the Authority aforesaid, that every Officer or Soldier quartered by Virtue of the Ordinance of the 12<sup>th</sup> Instant, shall at all times have free Use of the Kitchen Fire, and the necessary Utensils for Cooking their Victuals in common with the rest of the Family, upon which he or they shall be Billeted. And it is likewise ordained That the Room or Rooms destined by the said Ordinance of the Twelfth Instant for Officers Quarters, shall be decently furnished, agreeable to the Custom of the Country, and that said Rooms shall have either a Fire Place or Stove to each. And it is further Ordained and Declared, by the Authority aforesaid, that every Person, liable to be Billeted upon by the said Ordinance of the twelfth

Inst.



Instant, who shall refuse to furnish Wood, Firing, Furniture and Utensils, as herein before directed, shall upon conviction thereof before any Justice of the Peace in this Province, either by Confession or Oath of one Credible Witness, forfeit for every such Offence any Sum not exceeding the Sum of Five Pounds, nor less than the Sum of Forty Shillings, to be levied by Distress and Sale of the Offenders Goods and Chattles by Warrant of any Justice, directed to any Constable, Bailiff or other civil Officer: the said Fine to be paid to the Provost Marshal of this Province or his Deputy, and to be to the Use of his Majesty.

Continuation of An Ordinance, to prevent disorderly riding  
Horses &<sup>c</sup> and for Regulating the Rates of Carriage &<sup>c</sup>  
within this Province, brought from fo: 101\_\_\_\_\_

Number shall be painted on or affixed by a Ticket to his Cart or Carriage: and the said Clerk of the Market is hereby impowered in Consequence of such Order, to grant such Certificates upon due application, and to keep a Book wherein he is to insert the Carters name, and Time of Entry, and the Number he is to carry on his Cart or Carriage, to the End that the Person or Persons injured may the more easily obtain Redress for which Certificate and entry in said Register, he is only to take one Shilling for his Trouble.

And <sup>in order</sup> to prevent impositions by the owners or drivers of Trucks, Carts and other Carriages, also passage Boats or Canoes, for Transporting Goods Wares and Merchandize in the Towns and Suburbs of Quebec, Montreal and Trois Rivieres, or passing therewith in Boats or Canoes in the Neighbourhood of the said Towns and for the better regulating the Fares and Rates of the same, His Excellency hath thought fit, by and with the Advice, Consent and Assistance aforesaid, to Ordain and Require that the Justices in their General Sessions of the Peace held for the <sup>respective</sup> Districts of Quebec and Montreal shall twice in every Year, in the Month of March and in the Month of September regulate the Fares and Rates for the Carriage of Wood, Barrels, Hogsheads and other Wares and Merchandizes in the Towns of Quebec Montreal and Trois Rivieres, and their Suburbs or of Passage Boats or Canoes, for Transporting the same in the Neighbourhood of said Towns, Consideration being had to the Price of Hay, Provinder for Cattle and price of Day Labourers, and shall cause a Table of the several Rates agreed upon by them at their Session to be printed and posted up in the most Public Places in and about the Towns of Quebec Montreal and Trois-Rivieres.

And if any Carman or owner of any Trucks or Carts, or any other Carriage shall ask demand or receive from any Person, any other or greater Rates or Fares than is allowed and presented by the Table aforesaid he or they shall forfeit and Pay the Sum of Twenty Shillings, to be recovered on the Oath of the Prosecutor, before any one of his Majesties Justices of the Peace for the District, and to be levied by Warrant of Distress; one half to be paid to the Prosecutor, and the other half to be applied to and for the mending of the Streets of the Town where the Offence is committed.

And be it further Ordained and declared, by the Authority aforesaid That from and after the Publication hereof no Person or Persons keeping Horses or Carriages for the accommodation of Travellers, shall exact or demand more than the Sum of Fourteen Pence Pr League for the Hire of any such Carriage, whether the same shall carry one or two Persons:

And shall not exact or Demand more than the Sum of Six Pence Per League for the Hire of any Saddle Horse, to any Person or Persons what ever.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Monday the 3.<sup>d</sup> Day of December 1764

Present.

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C: J:

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq:<sup>rs</sup>



Turn Over.

Read an Ordinance for preventing Rum and other strong Liquors being sold to the Indians

Ordered to lie on the Table 'till a further Day.

Ordered also that a Warrant should be made out for the Atty General directing him to draw a Commission appointing the Hon:<sup>ble</sup> Adam Mabane and the Hon:<sup>ble</sup> Francois Mounier Esq.<sup>rs</sup> Judges of the Court of Common Pleas for this Province.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Monday the 10.<sup>th</sup> Day of December 1764.

Present.

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>n</sup>ble W.<sup>m</sup>. Gregory C: J:

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benjamin Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq.<sup>rs</sup>.

Resolved upon reading the following Letter,  
from Conrade Gugy Esq.<sup>r</sup> J: P: to his Excell.<sup>y</sup> the Govern<sup>r</sup>:  
dat. Montreal 7:<sup>th</sup> Dec.<sup>r</sup> 1764 That an Advertizement  
should be immediately incerted in the Quebec Gazette as  
follows.

Montreal Dec.<sup>r</sup> 7.<sup>th</sup> 1764

Sir

I have the Honour to acquaint your Excellency at  
the request of the Justices of this Place of a shocking affair that  
happened last night betwixt the Hours of eight and nine a number  
of People to the amount of Twelve or Thirteen with their Faces  
disguised went and rushed by force into the House of Justice Walker  
where he was just sat down to Supper Beat him in a most Cruel  
manner from Head to foot wounded him in several Parts of his Head Cutt  
off almost entirely one of his Ears and left him most Dead on the Floor, wounded  
him with a Sword in his Leg, Mr. Walkers Clerk has likewise been very ill used  
having several wounds in his Head but not so dangerous the delinquents are  
not as yet apprehended but there are Strong Suspicions which after enquires y.  
are taking may discover the Authors of such a Daring attempt Brigadier Burton  
who was applyed to for Assistance did everything in his Power to discover the Persons  
concerned. A Serjeant of the 28.<sup>th</sup> Regiment is put in Goal on strong suspicion of being  
one of the Number. I have the Honour be, Sir your Execellencys most obedient  
and most humble Servant

C. Gugy

Province of Quebec, December 10.<sup>th</sup> 1764.

Whereas Information has been laid before his Excellency the Governor, and the Honourable his Majesties Council, That on Thursday the 6.<sup>th</sup> Instant, between the Hours of Eight and Nine of the Clock at Night, a most Violent, Barbarous and Inhuman Assault, was made upon the Person of Thomas Walker Esquire, one of his Majesties Justices of the Peace for the District of Montreal in this Province, whilst he was Sitting with his Family at Supper, by a number of Persons Disguised, Armed with Swords and other Weapons, who in a most cruel and outrageous manner Wounded the said Thomas Walker, so that his Life is in the utmost Danger. In Order therefore to discover the Perpetrator or Perpetrators thereof, and for the speedy bringing the same to Justice, His Excellency the Governor and Council of this Province do hereby offer a reward of Two Hundred Pounds Sterling to any Person or Persons who shall discover the Perpetrator or Perpetrators of the same, to be paid upon Conviction of such Offender or Offenders, Provided the Person so discovering be not Principal Person concerned in

wounding and assaulting the said Thomas Walker; and if the Person making such Discovery as aforesaid, be an Accomplice, such Accomplice shall, on Discovery and Conviction of the Principal, or any other of his Accomplices over and above the said Reward of Two Hundred Pounds Sterling, be intitled unto <sup>and have</sup> his Majesties free Pardon, and if a Soldier <sup>he</sup> shall not only be intitled to his Majesty's free Pardon and the above Reward, but shall also have his immediate Discharge from the Army. And to the end that none of the Dilinquents may escape out of this Province the Captains of the Militia in the several Parishes, and the Officers on their different Posts in this Province, are hereby Ordered and Directed, to take up all suspected Persons whatsoever, who may be Travelling without a Pass signed by some of his Majesty's Justices of the Peace, who are hereby directed to grant Passes gratis to all his Majesties Peaceable Subjects, that the Innocent may not Suffer from this necessary measure.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Thursday the 13.<sup>th</sup> Day of December 1764

Present.

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble W<sup>m</sup> Gregory C: J:

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq:<sup>rs</sup>

Presented a 2.<sup>d</sup> Petition from Mess.<sup>rs</sup> R:  
Murray and J: Lee praying some Alteration in  
their former Petition as therein set forth:

Ordered to be fyled and referred instead of  
their former One, but on the same Terms

Presented the Report of the French & English  
Gentlemen to whom Mess.<sup>rs</sup> Dun, Price, & Collin's Pet.<sup>n</sup>  
was referred for building a Wharf &<sup>c</sup>.



Ordered upon reading that they should both be laid before Mess.<sup>rs</sup> Sam:<sup>l</sup> Gridley and Tache for them to report their Opinions in Writing on the same to this Board

Presented and read a Publication of most of the Acts relative to High Treason Petit Treason and Capital Felonies.

Ordered to be translated and published as follows

Ordered also upon reading a Dr.<sup>t</sup> of an Ordinance for regulating Petit Juries, that it should be returned back to the Att.<sup>y</sup> Gen:<sup>l</sup> with Directions to frame the same agreeable to the Statute of the 3:<sup>d</sup> Geo. 2:<sup>d</sup> Cap: 25

Ordered likewise that the following Ordinance for preventing Rum and other strong Liquors being Sold to the Indians be translated and published.

Whereas it is highly necessary that the Statute Law of Great Britain, relating to high Treason, Petit Treason, and Capital Felonies, should be promulgated to his Majesties French Protestant and Roman Catholick Subjects, in his Majesty's Province of Quebec:

High Treason  
Hanging, Draw-  
ing and Quartering

Therefore it is hereby Published and made known, by his Excellency the Governor, by and with the Advice and Consent of his Majesties Council, that by an Act of Parliament, made in the Twenty-Fifth Year of the Reign of King Edward the Third, it is enacted, that if any Person or Persons shall compass or imagine the Death of the King, or shall levy War against him, or adhere to his Enemys, or give them Aid or Comfort, or shall Forge or Counterfeit the Kings money, being Gold or Silver of England; or shall counterfeit the king's Great Seal, or Privy Seal, and shall thereof be duly convicted, the Person or Persons so Offending, are declared, and shall be Adjudged Traitors, and shall

suffer

as in Cases of High Treason

Counterfeiting  
the Current Coin  
of Great Britain

And by a Statute made in the fifteenth Year of the Reign of his Late Majesty King George the second, it is Enacted, That if any Person whatsoever shall wash, Gild or Colour, any of the Lawful Silver Coin, called a shilling or a six pence, or any Counterfeit Shilling or Sixpence, or add to, or alter the Impression, or any Part of the Impression of either side of such Lawful or counterfeit Shilling or Sixpence, with Intent to make such Shilling resemble or look Like, or pass for, a Piece of Lawful Gold Coin called a Guinea, or with Intent to make such Sixpence resemble or look Like, or pass for a <sup>piece of</sup> Gold Coin called a Half Guinea, or shall file, or any ways alter, wash or Colour any of the Brass Moneys called Half-penneys or Farthings or add to, or alter the impression, or any Part of the impression of either side of an Half-penny or Farthing, with an Intent to make an Half-penny resemble, or look like, or pass for a lawful Shilling, or with an Intent to make a Farthing resemble, or look like, or pass for a Lawful Sixpence, the Person or Persons so offending in any of the matters aforesaid, their Counsellors, Aiders, Abettors and Procurors, shall be, and is, and are hereby Adjudged to be guilty of High Treason.

Petit Treason

And it is further Published and made known, that by two Acts of Parliament, made in the Twenty third Year of the Reign of King Henry the Eighth, and in the Fourth and Fifth Years of the Reign of King William and Queen Mary, it is enacted, that if any Person or Persons shall be convicted of Petit Treason or that shall maliciously command, hire or counsel any Person or Persons to commit or do any Petit Treason, shall suffer Death without Benefit of Clergy.

N.B. Petit Treason is where a Servant Kills his Master, or a Woman Kills her husband, the Judgment is, that the Servant shall be drawn and Hanged, and the Woman shall be drawn to the Place of Execution and there Burnt.

Murder.

And it is further Published and made known that by two Statutes made in the Twenty-Third Year of the Reign of King Henry the Eighth, and in the first Year of the Reign of King Edward the Sixth, it is enacted that if any Person or Persons, their Abettors, procurers, Helpers, Maintainers or Counsellors, shall be lawfully convicted of killing another of Malice prepensed, or of Poisoning another, shall Suffer Death without

By Poisoning.

Benefit

By lying in Wait

Benefit of Clergy. And by a Statute made in the Twenty-second and Twenty-third Years of the Reign of King Charles the Second, it is enacted, that if any Person or Persons, on Purpose, and of Malice aforethought, and by laying in Wait shall unlawfully Cutt out or disable the Tongue, put out an Eye, Slit the Nose, or Cut off a Nose or Lip, or Cutt off or disable any Limb or Member of another, with Intention in so doing to maim or disfigure, in any of the manners abovemention'd, every such Person or Persons so offending, their Counsellors, Aiders, Abittors / knowing of, or Privy to the offence as aforesaid / shall suffer Death without Benefit of Clergy.

By Stabbing

And by a Statute made in the first Year of the Reign of King James the first, it is enacted that every Person or Persons who shall Stab or Thrust any Person or Persons, that hath not then a Weapon drawn, or hath not then first stricken the Party which shall so Stab or Thrust, so as the Person or Persons so stabbed or Thrust shall thereof Die, within the Space of Six Months then next following altho'ugh it cannot be proved the same was done of Malice aforethought yet the Party so offending, and being thereof convicted, shall Suffer Death without Benefit of Clergy.

Provisoe

But shall not extend to any Person who shall kill another in his own Defence, or by Misfortune, or in any other Manner than as shall aforesaid; nor shall it extend to any Person, who in keeping the Peace, shall chance to commit Man-Slaughter, so as the said Man-Slaughter be not committed wittingly, willingly and of Purpose, under pretext or Colour of keeping the Peace; nor shall extend to any Person or Persons which, in chastizing or correcting his Child or Servant shall, besides his or their Purpose, chance to commit Man-Slaughter.

a Mother concealing  
the Death of her  
Bastard Child.

And it is further Published and made known that by a Statute made in the Twenty-First Year of the Reign of King James the first, It is enacted that if any Woman being delivered of any Issue of her Body, male or female, which being Born alive should, by the Laws of the Realm, be born a Bastard, and that she endeavour Privately, either by drowning or secret Burying thereof, or any other way, either by herself, or the procuring of others, so to conceal the Death thereof, as that it may not come to

Light whether it was born alive or not, but be concealed: in every such Case, the said Mother, so Offending, shall suffer Death, as in <sup>Case of</sup> Murder, except such Mother can make proof, by one Witness at the least, that the Child /whose Death was by her so intended to be concealed / was Born Dead.

Buggery

And it is further published and made known That by a Statute made in the Twenty-Fifth Year of the Reign of King Henry the Eighth, It is enacted that the Detestable Sin of Buggery, committed with Mankind or Beast, shall be adjudged Felony, and the Offender or Offenders, be lawfully convicted, shall suffer the Pains of Death, without benefit of Clergy, and Loss of Goods, Lands and Tenements.

Rape of Women

And by a Statute made in the Eighteenth Year of the Reign of Queen Elizabeth, it is enacted, that if any Person or Persons shall commit, or do any manner of Felonious Rape or Ravishment on any Woman, Maid or Wife every such Offender shall, on due conviction thereof, suffer as a Felon; without Benefit of Clergy. N.B. It is necessary that the Woman make a Complaint thereof to a Majistrate x.xxxxx in a Reasonable Time.

Or of an Infant under Ten Years of Age, though with Consent

Or if any Person shall unLawfully and carnally know and abuse any Woman Child, under the Age of Ten Years,

xxxx; every such unlawful and carnal Knowledge shall be Felony, without benefit of Clergy.

Burglary or House-Breaking in the Night

And it is further Published and made known That by two Statutes made in the Eighteenth Year of the Reign of Queen Elizabeth, and in the Twelfth Year of the Reign of Queen Anne, it is enacted that if any Person shall commit Burglary, or shall enter into the Mansion or Dwelling-House of another, by Day or by Night, without breaking the same, with an Intent to commit Felony, and shall in the Night Time Break the said House, to get out of the same, such Person is and shall be adjudged guilty of Burglary and shall Suffer death, without benefit of Clergy.

House-breaking in the day time.

And by two Statutes made in the Twenty third Year of the Reign of King Henry the Eighth, and of the Twelfth Year of the Reign of Queen Anne It is enacted that if any Person shall be found guilty of Robbing any Person or Persons in their dwelling Houses, or dwelling Place, the owner or dweller in the same House, his Wife, his Children or Servants, then being within, and put in fear and dread by the same: or if any Person shall



steal any manner of Goods or Chattles, Wares or Merchandizes, of the Value of Forty Shillings, or more, being in any dwelling House, or out house thereunto belonging, although such House or outhouse be not actually broken by such Offender; and although the owner of such Goods, or any other Person or Persons be, or be not in such house or out house to be put in Fear, or shall assist or aid any Person to commit such Offence, being lawfully convicted, shall be absolutely debarred of Clergy. But not to extend to Apprentices, under the age of fifteen Years, who shall rob their Masters as aforesaid.

Shop-lifting.

And by a Statute made in the Tenth and Eleventh Years of the Reign of King William the Third, it is enacted that all and every Person and Persons that shall, at any Time or Times, by Night, or in the Day Time in any Shop, Warehouse, Coach-house or Stable, privately and Feloniously Steal any Goods, Wares or Merchandizes, being of the Value of Five Shillings or more / altho' such Shop, Warehouse, Coach-house or Stable, be not actually broken by such Offender or Offenders, and although the

owner

owner of such Goods, or any other Person or Persons be or be not in such Shop, Warehouse, Coach-house or Stable to be put in fear / or shall Assist, hire, or command any Person or Persons to commit such Offence, being thereof Lawfully convicted, shall be absolutely debarred and excluded from Clergy.

Stealing and detaining Ship  
wrecked Goods

And by a Statute made in the Twenty Sixth Year of the Reign of his Late Majesty King George the Second, it is enacted, that if any Person or Persons shall plunder, steal, take away or destroy any Goods, or Merchandize, or other Effects, from or belonging to any Ship or Vessell of his Majesty's Subjects or others, which shall be in distress or which shall be wrecked, Lost, stranded or cast on shore in any Part of his Majesty's Dominions / whether any living Creature be on board such Vessell or not / or any of the Furniture, Tacke, Apparel, Provision or Part of such Ship or Vessell, or shall beat or wound, with intent to kill or destroy, or shall otherwise willfully obstruct

the

the escape of any Person endeavouring to save his or her Life from such Ship or Vessell, or the Wreck thereof. Or if any Person or Persons shall put out any false Light or Lights, with Intention to bring any Ship or Vessell into danger, the Person or Persons so Offending, upon conviction thereof shall suffer Death, without benefit of Clergy.

Privately Stealing  
from another

And by a Statute made in the Eighth Year of the Reign of Queen Elizabeth, it is enacted, that no Person or Persons which shall be indicted for felonious taking of any Money, Goods or Chattles, from the Person of any other privily without his knowledge in any Place, whatsoever, and thereupon found Guilty, shall from thenceforth be Admitted to have the benefit of his or her clergy, but utterly be excluded thereof, and shall suffer Death.

Robbery, in or near  
High-ways.

And by two Statutes made in the Twenty-third Year of the Reign of King Henry the Eighth, and the fourth and fifth Years of the Reign of King William and Queen Mary, it is enacted. That if any Person shall be found guilty of Robbing any Person in the Kings Dominions / the Value

of

of the Thing taken not material/ putting them in fear in or near the Highways, their Abettors, procurers, helpers, Maintainers or Counsellors, shall suffer Death as Felons, without benefit of Clergy.

Stealing Bills of Exchange, Notes, &<sup>c</sup>.

And by a Statute made in the Second Year of the Reign of his late Majesty King George the Second It is enacted, That if any Person or Persons, shall Steal, or take by robbery, any Bills of Exchange, Bonds, Warrants, Bills or Promissary Notes for payment of Money, being the Property of any other Person, Notwithstanding any of the Particulars are secured in Law and Chose in Action, it shall be deemed Felony of the same Nature, and with or without the benefit of Clergy, in same Manner as it would have been if the Offender had Stolen, or taken by Robbery, any other Goods of the like Value with the Money due on such Bills of Exchange, Bonds, Warrants, Bills or Notes, or secured thereby, and remaining unsatisfied, and shall Suffer such Punishments as if he, she, or They had Stolen other Goods of the like Value.

Taking Money to procure Stolen Goods &<sup>c</sup>.

And by a Statute made in the fourth Year of the Reign of King George the first, it is enacted, That if any Person shall take any Money or Reward, directly  
or

Indirectly, under Pretence, or on Account of helping any Person or Persons to any Stolen Goods or Chattles, every such Person so taking Money or Reward as aforesaid / unless such Person doth Apprehend, or Cause to be Apprehended, such Felon who stole the same, and cause such Felon to be brought to his Tryal for the same, and Give Evidence against him / shall be guilty of Felony and suffer the Pains and Penalty of Felony, according to the Nature of the Felony committed in stealing such Goods.

Servants going away with, or imbezzeling their Masters Goods.

And by two Statutes made in the Twenty-first Year of the Reign of King Henry the Eighth, and in the Twelfth Year of the Reign of Queen Anne, It is enacted, that if any Servant shall go away with the Money, Goods or Chattels delivered to his, her or their keeping, by his, her or their Master or Mistress, with Intent to steal the same, and defraud his, her or their Master or Mistress thereof, contrary to the Trust and Confidence in them reposed, or being in Service without Assent or Commandment of his, her or their Master or Mistress, shall embezzel or conceal the same, to his or her Use, with Purpose to Steal the same, being of the Value of Forty Shillings or above, every such Offenders shall, upon due conviction, suffer death, without benefit of Clergy; But an Apprentice within the Age of Fifteen shall be entitled to the Benefit of Clergy for the first Offence.

Burning of Houses &<sup>c</sup>  
shooting at any Person.

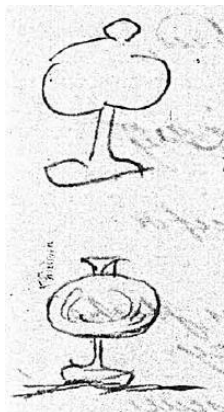
Sending Letters without  
a Name &<sup>c</sup> and demand-  
ing Money &<sup>c</sup>

Threatening to kill  
any Person, or to Burn  
Houses &<sup>c</sup>

Rescuing &<sup>c</sup>

And, by two Statutes made in the Ninth  
Year <sup>of the Reign</sup> of King George the first, and the Twenty-seventh  
Year of the Reign of his Late Majesty King George  
the second, it is Enacted, that if any Person or Persons  
shall sett Fire to any House, Barn, or Outhouse, or to  
any hovel, Mow, or Stack of Corn, Straw, Hay or  
Wood: or shall willfully and Maliciously shoot  
at any Person in any dwelling House or other  
Place; or shall knowingly, send any Letter without  
any Name Subscribed thereto, or signed with a  
Fictitious Name or Names, Letter or Letters  
demanding Money or other Valuable Thing, or  
Threatening to kill any of his Majesty's Subject or  
Subjects, or to Burn their Houses, Out houses, Barns, Stacks  
of Corn or Grain, Hay or Straw: or shall forcibly rescue  
any Person, being lawfully in Custody of any Officer  
or other Person, for any of the Offences aforesaid; or if any  
Person or Persons shall, by gift or promise of Money  
or other reward, procure any of his Majesty's Subjects  
to Join him or them in any <sup>such</sup> unlawful Act, every  
Person so Offending being thereof Lawfully convicted  
shall suffer Death, with benefit of Clergy.

Forgery.



Servants Negligently firing Houses.

And by a Statute made in the seventh Year of the Reign of his late Majesty King George the Second, It is enacted that if any Person or Persons shall falsly make, alter or Forge, or procure to be falsly made altered or forged, or assist in falsly making, altering or forging, any Acceptance of any Bill of Exchange, or the Number, or Principal Sum of any Accountable receipt, or <sup>any</sup> Note, Bill or other Security for payment of Money, or any Warrant or Order for payment of any Money, or delivery of Goods; or shall utter or Publish any such false Acceptance, Bill, Receipt, Warrant, Order or other Security with Intent to defraud any Person, or shall forge Letters of Attorney Tickets, Certificates, or will of any Officer or Seaman, supposed to have Wages due to them, shall upon Conviction, suffer Death, without benefit of Clergy.

And by the Sixth of <sup>Queen</sup> Anne, It is enacted, that if any Servant through Negligence or Carelessness, shall sett Fire to any dwelling House, or Outhouse, shall forfeit One Hundred Pounds, to be levied by Warrant of Distress of two Justices, or on default, to be sent to the House of Correction for eighteen Months.

An Ordinance, to prevent  
Rum and other Strong Liquors being Sold to  
the Indians.

Whereas many Disorders have  
happened and may happen, from Rum, Brandy  
Wine, Beer and other strong Liquors, being Sold to  
the Indians; His Excellency the Governor, by and with  
the Advice, Consent and Assistance of His Majesty's  
Council, Doth declare and ordain, and it is hereby  
Declared and Ordained, by the Authority aforesaid,  
That from and after the Publication hereof, any  
Person or Persons whatsoever, Inhabiting or  
Trading into this Province, who shall carry any  
Strong Liquors whatsoever to any Indian Village,  
or shall vend or dispose of the same to any Indian  
or Indians whatsoever, such Person or Persons shall  
forfeit for every such Offence the Sum of Twenty  
Pounds, current Money of this Province, one  
half whereof shall be for the Use of his Majesty's  
Government, the other half to him, her or them who  
shall inform, to be recovered by Distress and Sale



of the Goods of the Offender or Offenders, on the Oath of One Credible Witness, before any one of his Majesties Justices of the Peace for the said Province.

Provided always, and it is hereby Ordained and Declared, by the Authority aforesaid, that it shall and may be lawfull for any Person or Persons / having Licence to retail Liquors/ to sell or vend to any Indian or Indians, any Quantity of Rum, or other Spirituous Liquors, not exceeding half a Pint in one day for every such Indian, on his, her or their producing a Permit for that purpose, signed by the Curate or Priest of the Parish where he, she or they respectively reside, or more than an equal proportion of other strong Liquors, as shall be particularly expressed in the said Permit.

Ja: Murray

At the Council Chamber, in the  
 Castle of Saint Louis in the City of Quebec  
 on Friday the 14.<sup>th</sup> Day of December 1764.

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C:J:

P.<sup>s</sup> Eml.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq.<sup>rs</sup>

Presented a Letter from Brigadier Burton  
 dated Montreal 10.<sup>th</sup> Instant desiring to be informed  
 from this Board whether it was necessary to appear to  
 an Action commenced ag.<sup>t</sup> him on Ac.<sup>t</sup> of a Decree  
 given by him in the C.<sup>t</sup> Militaire before the Establishm.<sup>t</sup>  
 of Civil Government in this Province as therein set  
 forth &<sup>c</sup>.

Ordered the same to be fyled together with a  
 Summary of the Affair at same Time presented, and

the following Answer to be returned M.<sup>r</sup> Burton by the Clerk of this Board Viz:

That it appears on the whole to be a complicated Affair and more proper for the Determination of the Court of Law from which the Writ issued and for whose Direction the Ordinance of the 20.<sup>th</sup> Sept. last ment.<sup>d</sup> in ye Brigadier Letter was made.

Presented a Petition from Major Dan.<sup>l</sup> Disney & W.<sup>m</sup> Jones praying that the Writ lately issued ag.<sup>t</sup> them for having put in Execution the afs.<sup>d</sup> Military Decree might be quashed.

Answered that the Court out of which the Writ issued would no Doubt determine this Matter properly.

Presented a Petition from Dan.<sup>l</sup> Robertson Lieu.<sup>t</sup> praying that an Action commenced ag.<sup>t</sup> him on Ac.<sup>t</sup> of said Military Decree might be likewise Quashed.

Ordered to be fyled as the former ones and the same Answer returned as to that of Mess.<sup>rs</sup> Disney & Jones

Resolved this Day that the Att.<sup>y</sup> Gen.<sup>l</sup> be directed to attend at Montreal there to assist his Majestys Justices of the Peace for that District in taking Examsons and procuring every Light & Information possible ag.<sup>t</sup> all such psons as may be suspected of having been any ways concerned in the late Outragious Assault on the Body of Thomas Walker Esq.<sup>r</sup>

Ja: Murray

At the Council Chamber, in the  
 Castle of Saint Lewis, in the City of Quebec  
 on Monday the 17.<sup>th</sup> Day of December 1764

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>  
 The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.  
 P.<sup>s</sup> Em.<sup>s</sup> Irving  
 Adam Mabane  
 Benjamin Price  
 Thomas Dunn  
 Francois Mounier  
 James Goldfrap

} Esq.<sup>rs</sup>

Upon reading a Memorial this Day from the  
 Inhabitants of Montreal and two Letters from Brig:<sup>r</sup>  
 Gen.<sup>l</sup> Burton and Captain Mitchelson Commanding  
 Officer of the 28:<sup>th</sup> Regim.<sup>t</sup> of Foot then there together  
 w.<sup>t</sup> their respective Inclosures It was unanimously  
**Resolved** that his Excell.<sup>y</sup> and Council should set  
 forward so soon as possible for the said City of Montreal  
 and that all the afs.<sup>d</sup> Papers should be fyled w:<sup>t</sup> the  
 Clerk of this Board there to remain for any future  
 Inspection.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Lewis in the City of Quebec on  
Tuesday the 18.<sup>th</sup> Day of December 1764

### Present.

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq.<sup>rs</sup>

The Council having met this Day at the  
Request of M.<sup>r</sup> Gilb.<sup>t</sup> Barkly of Philadelphia Merchant

Presented and read a Petition from him praying  
Relief in a summary Way and as a Court of Equity from his  
Excell.<sup>y</sup> the Governor & Council ag.<sup>t</sup> M.<sup>r</sup> John Hay of this  
City Merchant and likewise a Delivery of some Books and  
Papers in his Possession.

Answered that they were only a Court of Appeals & that the  
Books and Papers particularly prayed for they could not order to be  
delivered up untill a Bill was fyled and the other proper Steps  
thereon taken.

Ja: Murray

At the City of Montreal Pursuant  
to the Resolution of the 17.<sup>th</sup> Ult.

Monday the 24.<sup>th</sup> Day of December 1764

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>rs</sup>
Adam Mabane		
Benj. <sup>n</sup> Price		
Thomas Dunn		
James Goldfrap		

The Attorney General's Opinion being asked what would be the most proper and effectual Method to take in order for discovering the Perpetrators or Abettors in the late outrageous Assault on the Body of Thomas Walker Esq.<sup>r</sup> the 6.<sup>th</sup> Ult. He thinks it will be a Means of speeding the Discovery to have the several Examinations taken before His Excell.<sup>y</sup> in Council and in the Presence of two or more of his Majesty's Justices of the Peace, which was Resolved accordingly.

Ja: Murray

At the City of Montreal on Tuesday  
the 25.<sup>th</sup> Day of December 1764

Present.

His Excellency James Murray Esq.<sup>r</sup> Governor

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>rs</sup>
Adam Mabane		
Benjamin Price		
Thomas Dunn		
James Goldfrap		

Began this Day on the Examination of Geo: Wall  
and others.

Presented also and read to this Board the Memorial  
of Jn.<sup>o</sup> Levingston Esq.<sup>r</sup> J: P: for this District by Way of  
Vindication for himself ag.<sup>t</sup> the Charges of Tho.<sup>s</sup> Walker  
Esq.<sup>r</sup> together with other Papers in order to support his  
the s.<sup>d</sup> Leviston's Allegations ag.<sup>t</sup> M.<sup>r</sup> Walker.

Presented likewise and read the Informations of  
Thomas Walker Esq.<sup>r</sup> and Martha his Wife relative to  
the late Outragious Assault on him the s.<sup>d</sup> Tho.<sup>s</sup> Walker  
in the Night of the 6:<sup>th</sup> Instant.

Ja: Murray

At the City of Montreal, on  
Wednesday the 26.<sup>th</sup> Day of December 1764.

Present.

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>rs</sup>
Adam Mabane		
Benj. <sup>n</sup> Price		
Thomas Dunn		
James Goldfrap.		

Continued the Examinations.

Ja: Murray



At the City of Montreal on  
Thursday the 27.<sup>th</sup> Day of December 1764.

Present.

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>rs</sup>
Adam Mabane		
Benj. <sup>n</sup> Price		
Thomas Dunn		
James Goldfrap		

Continued the Examinations.

Ja: Murray

At the City of Montreal, on  
Friday the 28.<sup>th</sup> Day of December 1764.

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>ts</sup>
Adam Mabane	
Benj. <sup>n</sup> Price	
Tho. <sup>s</sup> Dunn	
James Goldfrap	

## Continued the Examinations.

Francis and Samuel Mackay Esq.<sup>ts</sup> being approved  
of by this Board as proper Persons to be Magistrates  
of this District a Minute thereof was ordered to  
be entered accordingly.

Ja: Murray

At the City of Montreal on  
Saturday the 29.<sup>th</sup> Day of December 1764.

Present.

His Excellency James Murray Esq.<sup>r</sup> Governor

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>rs</sup>
Adam Mabane		
Benj. <sup>n</sup> Price		
Thomas Dunn		
James Goldfrap		

Finished the Examinations and ordered to be incerted in the Council Book that his Excellency the Governor and Council having arrived here with his Majesty's Attorney Gen.<sup>l</sup> and examined amongst other Things into the Conduct of the respective Justices of the Peace for this City and District relative to their Behaviour here since the Assault on Tho.<sup>s</sup> Walker Esq.<sup>r</sup> and having required the said Atty Gen.<sup>l</sup> Opinion on the same Do find that they have not acted illegally, but that any a Mistakes they may have been guilty of appear to have proceeded chiefly from Ignorance & Inexperience.

Ja: Murray

At the City of Montreal on  
Thursday the 3.<sup>d</sup> Day of January 1765

Present.

His Excellency James Murray Esq.<sup>r</sup> Governor

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>rs</sup>
Adam Mabane		
Benj: Price		
Tho. <sup>s</sup> Dunn		
James Goldfrap		

Resolved, That it is not necessary to hold a Court of Assize in the City of Montreal, as the Court of Kings-Bench, to be held in the Capital, will be sufficient to Answer every Purpose, especially as there <sup>are</sup> not at present more than Sixty Protestant House holders in that District.

Resolved likewise, That a Court of Common Pleas be held in this City twice in every Year / to wit / on the Eleventh Day of February, and on the Eleventh Day of July.

Then The Council Adjourned, after ordering the above Resolutions to be translated and published.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Lewis in the City of Quebec on Friday  
the 18.<sup>th</sup> Day of January 1765.

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C: J:

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benjamin Price	
Thomas Dunn	
Francois Mounier	
James Goldfrap	

**Ordered** that the Attorney Gen.<sup>l</sup> be forthwith  
directed to frame an Ordinance for the Rules and  
Regulations of the Courts of Common Pleas in this  
Province.

~~Council Adjourned  
'till further Orders.~~

Read a Letter from Gen.<sup>l</sup> Gage to his Excell.<sup>y</sup> the Gov.<sup>r</sup> informing  
him that Peace was made w:<sup>t</sup> the sev.<sup>l</sup> Indian Nations, & inclosing the  
Proclam.<sup>n</sup> of Gov.<sup>r</sup> Colden in Consequence thereof.

Resolved that it was highly necessary the Inhabitants of this  
Province should have the same Priveleges with those of New York and  
that a Proclamation be issued accordingly.

Council Adj:<sup>d</sup>

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Tuesday the 22.<sup>nd</sup> of January 1765.

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor  
The Ho<sup>n</sup>ble William Gregory C. J.

P. <sup>s</sup> Ems. Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benjamin Price	
Thomas Dunn	
François Mounier	
James Goldfrap	

Presented and read the following  
Proclamation for granting Passes to the Indian  
Traders, in pursuance of Order of Yesterday.

Approved of and ordered to be translated  
and published.

Council Adjourned  
'till further Orders

Whereas his Majesty, by his Royal Proclamation, given at S.<sup>t</sup> James's, the seventh Day of October One Thousand Seven hundred and Sixty three, in the Third Year of his Reign, hath thought fit to declare and Enjoin, That the Trade with the several Nations or Tribes of Indians, with whom he is connected and who live under his Protection, should be free and open to all his Subjects whatever.

Provided, That every Person who may incline to Trade with the said Indians, do take out a Licence for carrying on such Trade; from the Governor or Commander in Chief of his Majesties Colonies respectively, where such Person shall reside, and also give Security to observe such Regulations as his Majesty shall, at any Time think fit by his Royal Order, or by his Commissaries to be appointed for that Purpose, to direct and appoint for the benefit of the said Trade; And that the Governor or Commander in Chief, of his said Colonies respectively, should grant such Licences without Fee or Reward: taking especial care to insert therein a Condition that such Licence shall be void, and the Security forfeited, in Case the Person to whom the same is granted, shall refuse or neglect to Observe such Regulations as his Majesty shall think proper to prescribe as aforesaid.

And Whereas all Hostillities with the several Indian Nations who lately appeared in Arm, against his Majesty, are ceased and <sup>a</sup> Friendly Intercourse between his Majesty's Subjects and them is thereby happily restored:

I Have therefore thought fit, with the Advice of his Majesty's Council, to Issue this Proclamation, thereby notifying the same, and strictly enjoining and Commanding all his Majesty's Subjects of this Province to forbear any Act of Hostility on the said Indians, or any or either of them; Hereby also declaring all intercourse and Trade with the several Indian Nations living under his Majestys Protection, free and open to all his Majesty's Subjects: under the Restrictions mentioned in his Majesty's said Royal Proclamation, and Subject to such other Regulations as shall hereafter be established by his Majesty or his Commissary's to be appointed for that Purpose: Provided that no Person or Persons whatsoever, until His Majesty's further Pleasure be known, to Trade or Traffick, vend, or dispose of any Goods, Wares, or Merchandize, of any kind whatsoever,

to



to any Indian or Indians, within the Country, reserved ~~by~~<sup>for</sup> the Indians by Royal Proclamation, except in such Forts or Posts already, or which shall hereafter be established by his Majesty, and garrisoned by his Troops, for which Purpose Licences will ~~will~~ be granted at the Secretaries Office in Quebec, and at that of his Deputy at Montreal; For the due Observance whereof, every Trader is required to enter into Bond for double the Value of the Goods upon Oath, and specify the Quantity of Arms and Ammunition they shall carry with Him.

~~Ja: Murray~~

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of Quebec  
 on Sunday the 3.<sup>d</sup> Day of February 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor  
 The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benj. <sup>n</sup> Price	
Thomas Dunn	
Francois Mounier	
James Goldfrap	

Presented a Petition from the  
 Merchants and Traders of Quebec praying that  
 the late Ordinance might be reconsidered & the  
 Currency of this Province put on its' former Footing

Ans.<sup>d</sup> that the Council had well considered  
 this Ordinance before it passed & had considered  
 the Argumt.<sup>s</sup> in Favor of the New England Curr.<sup>y</sup>  
 with those offered in Favor of the Halifax Curr.<sup>y</sup>  
 & determined accordingly and therefore cannot now  
 change it: Desire also for the future that any  
 Petitions to this Board might assert nothing but  
 Facts this has not as the Halifax Currency was  
 by no means universal throughout this Province

but confined altogether to the Districts of Quebec.

Resolved this Day that Tables of Fees belonging to the different Offices in their several Departments in this Province should be delivered in to the Clerk of the Council in order for his laying the same before this Board on Monday next the 11:<sup>th</sup> Instant.

Presented a Petition from Mess.<sup>rs</sup> More & Finlay praying Ground for building a Wharf on.

Ordered to be fyled and that the Prems be surveyed by the D: Surveyor Gen.<sup>l</sup> and that on his Rep.<sup>t</sup> the Prayer of s.<sup>d</sup> Petition to be granted reserving. Nevertheless a Right to the Crown of erecting Batteries thereon hereafter if necessary and allowing the Publick also to make Use of their Wharf paying a moderate Wharfage and of which they were to deliver in a Table of Fees for the Consideration of this Board

Presented a Petition from Mess.<sup>rs</sup> Gray and Grant, praying in like Manner.

Ordered as the former, and Wart.<sup>s</sup> to be made out for each accordingly.

Turn over.

Presented Petitions from Donald and  
Niel M.<sup>c</sup>Leans late Surgeon & Commissary, Tho.<sup>s</sup>  
Wiggan late Drummer in the 28.<sup>th</sup> and Forty seven  
Serjt.<sup>s</sup> Corporals & Private Men late belonging to  
the 17.<sup>th</sup> 60.<sup>th</sup> & 44.<sup>th</sup> Regimt.<sup>s</sup> of Foot praying  
Grants of Lands as therein set forth.

Ordered to be fyled, and Wart.<sup>s</sup> made  
out for surveying the same.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Lewis in City of Quebec on  
Wednesday the 6.<sup>th</sup> Day of February 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Gove.<sup>r</sup>

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>ts</sup>
Adam Mabane		
Benj. <sup>n</sup> Price		
Thom. <sup>s</sup> Dunn		
Francois Mounier		
James Goldfrap		

Presented a Petition from Joseph Le  
May and others praying Lands as in Petition set  
forth.

Ordered to be fyled, and same to be granted  
on the usual Terms but prior to the Wart.<sup>s</sup> making  
out Search to be made in the Reg.<sup>ts</sup> Office to  
find whether the Ground prayed for is not  
private Property.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of  
 Quebec on Sunday the 10.<sup>th</sup> Day of  
 February 1765

## Present

His Excellency James Murray Esq<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>ts</sup>
Adam Mabane	
Benj. <sup>n</sup> Price	
Thom. <sup>s</sup> Dunn	
James Goldfrap	

Presented a Petition from W.<sup>m</sup> Van  
 Felson Captain of Militia & Police for the  
 North Coast of Chaleur Bay praying as therein  
 set forth.

Ordered that the same be referred to  
 Mess.<sup>ts</sup> Dun and Price for their Opinions thereon  
 and that they do report the same to this  
 Board.

Presented a Petition from M.<sup>r</sup> Isaac  
Werden praying the Grant of certain Islands in  
the River S.<sup>t</sup> Lawrence as therein set forth

Ordered that the same be translated and  
given to Mons.<sup>r</sup> Pannet and that he should search  
the Register to see if any & what Part of them  
were private Property and report the same  
accordingly And that an Advertizm.<sup>t</sup> be likewise  
put in the Quebec Gazette containing the  
Description of the Lands prayed for and desiring  
the Claimants thereof if any there be to give in  
their respective Claims thereto on or before the  
1<sup>st</sup> Day of May next.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of Quebec  
 on Monday the 18.<sup>th</sup> Day of February 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Thom.<sup>s</sup> Dunn

James Goldfrap

} Esq.<sup>rs</sup>

Presented a Pet. from Mess.<sup>rs</sup> Brown &  
 Gilmore Printers together with their Bills for  
 Business done by them for the Province & praying  
 Paym.<sup>t</sup> for the same &<sup>c</sup>.

Ordered that s.<sup>d</sup> Petition & Ac.<sup>t</sup> be referred to  
 Mess.<sup>rs</sup> Dun Price & Goldfrap for them to report thereon  
 to this Board.



Presented a Petition from the Butchers of Quebec complaining of being obliged to pay a Dollar pr Month, by the Justices of the Peace to the Clerk of the Market.

Ordered that Notice be forthwith given to such Justices to attend this Board with the Clerk of the Market on Monday next.

Presented a Petition from Lieu.<sup>t</sup> Dan.<sup>l</sup> Robinson of Montreal and his Wife praying Liberty of appealing to this Board in a Cause therein mentioned.

Ordered to be fyled and Appeal granted on entering into the proper Securities.

Presented a Petition from M.<sup>r</sup> Isaac Werden praying as therein set forth relative to his Fees as Naval Officer of this Port.

Ordered to be referred to Mess.<sup>rs</sup> Dun & Price for them to report thereon to this Board on Monday next.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of Quebec  
 on Monday the 25.<sup>th</sup> Day of February 1765

## Present.

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.  
 P.<sup>s</sup> Em.<sup>s</sup> Irving  
 Adam Mabane  
 Benj.<sup>n</sup> Price  
 Thom.<sup>s</sup> Dunn  
 Francois Mounier  
 James Goldfrap

} Esq.<sup>rs</sup>

Presented by Order of the Governor  
 to the Board a Lre from Brig.<sup>r</sup> Burton & Lieu.<sup>t</sup> Col.  
 Christie to his Excell.<sup>y</sup> desiring a War.<sup>t</sup> might be  
 granted for impressing of Carriages Battoes Men &<sup>c</sup>  
 for transporting Provisions to the Upper Posts on  
 his Majesty's Service.

Ordered the same to be laid before the Att.<sup>y</sup>  
 Gen.<sup>l</sup> for his Opinion as to the Legality of such  
 Warrants.

Ja: Murray

At the Council Chamber in the Castle of  
 Saint Louis in the City of Quebec on  
 Tuesday the 26:<sup>th</sup> Day of February 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor  
 The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benjamin Price	
Thom. <sup>s</sup> Dunn	
Francois Mounier	

**Read** at this Board a Report from the Attorney  
 General with regard to the Establishment of the Courts of Judicature  
 at Halifax and the Practice of the Law as therein Carried on &<sup>c</sup>. &<sup>c</sup>.

**Ordered** the same to be fyled and Copies  
 thereof made for each Member of this Board but nothing  
 to be acted upon 'till the Effects of Capt.<sup>n</sup> Cramahe's Representat.<sup>n</sup>  
 on that Head and his Majesty's Pleasure thereon is known

**Resolved** that from the impossibility of  
 Swearing all the French People xxx the Multiplicity of  
 Business and the Judges of the Court of Common Pleas being  
 Obliged to Attend at Montreal there shall be a Term holden for the

said

said Court of Common Pleas at the City of Quebec commencing the 15.<sup>th</sup> Day of March next and ending the 10.<sup>th</sup> Day of April next.

Resolved also that the Attorney General be directed to frame an Ordinance to prevent the Effects of any Person residing out of this Province from being taken out of the said Province by any Person whatsoever 'till the Debts due in this Province be first paid off and discharged

And that the Effects of all Persons in Trade in this Province be made liable to be divided rateably and proportionably amongst their several Creditors notwithstanding any Private Security whatsoever given to any Particular one.

Read at this Board the Attorney Generals Opinion relative to the legality of Granting Impress Warrants on his Majesties Service as refered to him on Monday last in Consequence of Brigadier Burton & Colonel Christie's Letters thereon to His Excellency urging the necessity thereof for the Good of the Service

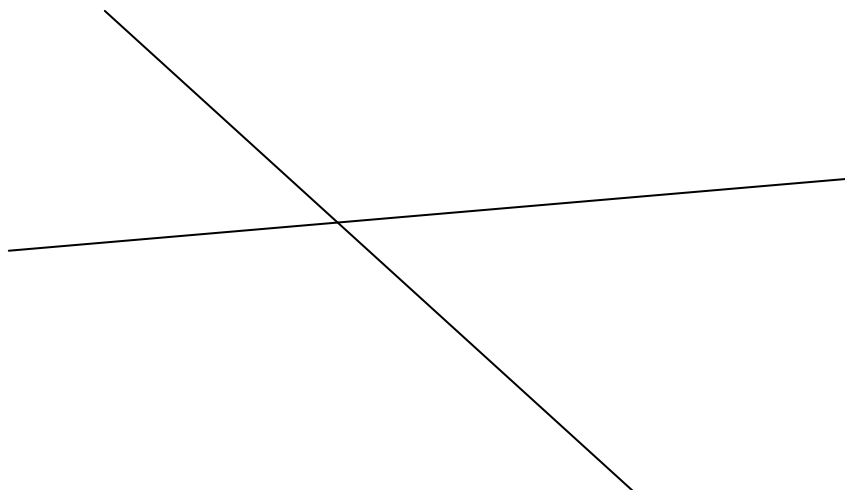
Ordered the same to be fyled.

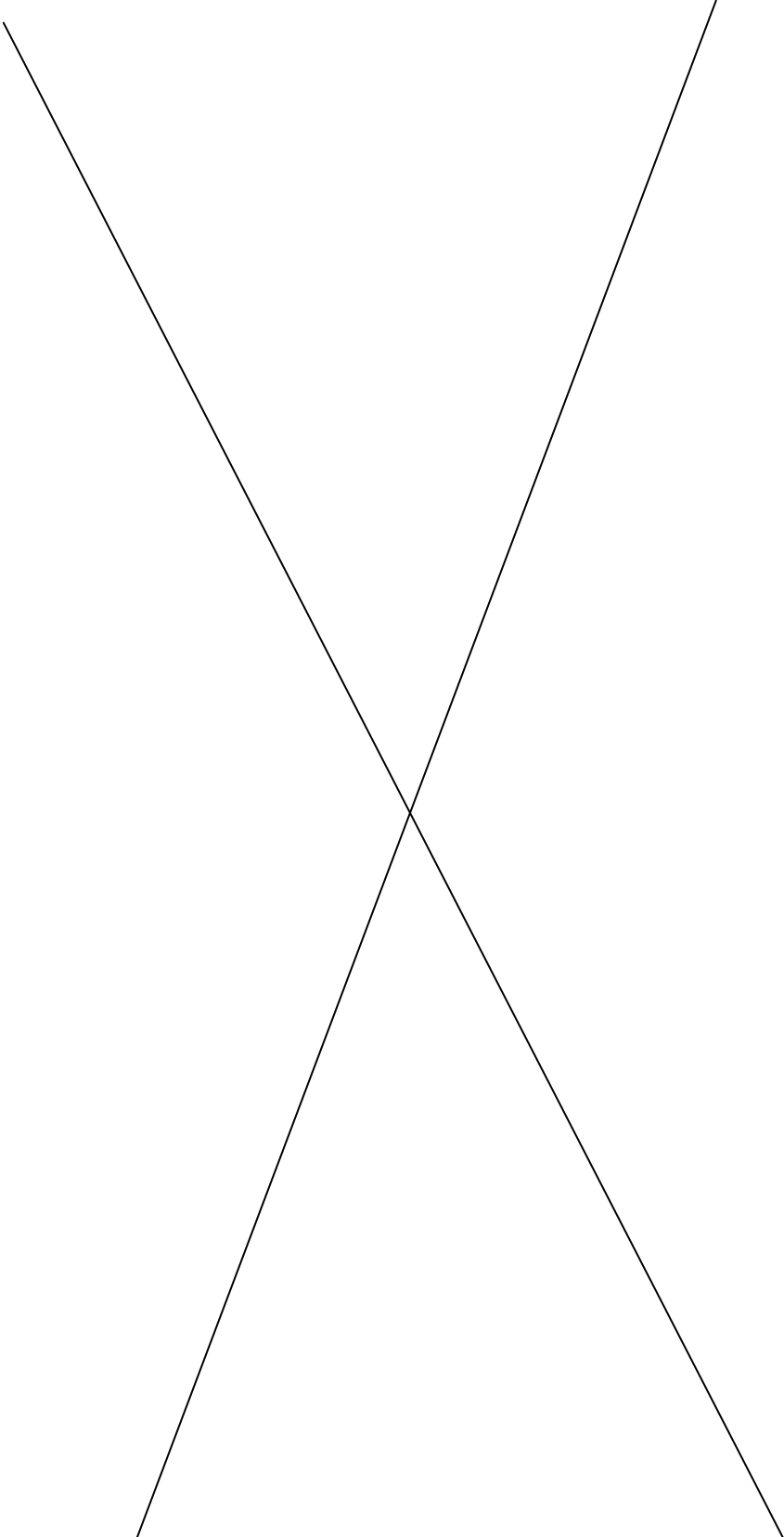
Presented Mess.<sup>rs</sup> Richard Murray and John Lee's  
Petition for Liberty to erect a Wharf &<sup>c</sup> on the Cul-de-Sac  
with the Opinions of the English and French Gentlemen  
to whom the same were referred &<sup>c</sup>. &<sup>c</sup>.

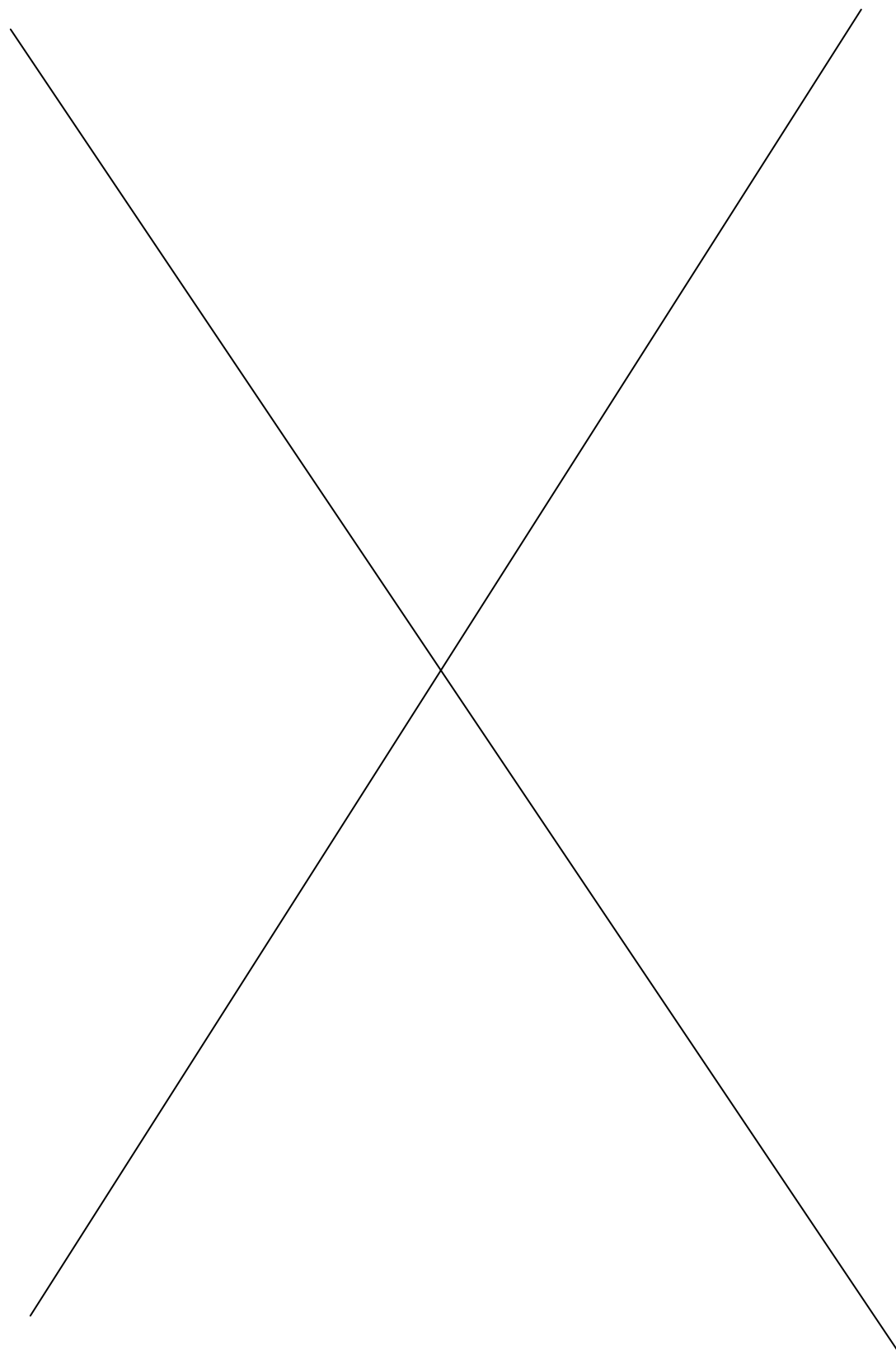
Ordered the whole to be referred to Mess.<sup>rs</sup> Dunn  
Price and Mabane for them to report thereon to this Board  
&<sup>c</sup>.

Ordered that the Clerk of the Market should  
be directed to bring in his Table of Fees and Provide proper  
stalls for the Butchers if he expected to receive any further  
Fees from them.

Ja: Murray







At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Thursday the 28.<sup>th</sup> Day of February 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benjamin Price

Thom.<sup>s</sup> Dunn

Fra.<sup>s</sup> Mounier

James Goldfrap

} Esq.<sup>rs</sup>

Resolved that no Attorney be admitted  
to practice in any of the Courts of Judicature within  
this Province without Licence first had and obtained  
from his Excellency the Governor.

The Sixteenth Section of his Majesties  
Instructions to his Excellency the Governor being Read to  
this Board signifying that it is his Royal Will and  
Pleasure that in forming the necessary Establishment  
for the Courts of Judicature and Justice, his Excellency with

the



the Advice and Consent of the Council should consider what has taken Place in this Respect in the other Colonies in America but more particularly in that of Nova Scotia.

Resolved that this Board being now in Possession of the several Laws of the other Colonies they should severally consider which of those Laws are best Adapted to the Consitution of this Province and report their Opinion thereon respectively by the first day of May next, in order that the necessary Establishments may then take Place.

Presented a Petition from W.<sup>m</sup> Van Felson praying Land as therein sett forth

Ordered the same to be Surveyed and if it does not prove private Property or before Petitioned for the same to be granted

Presented the two Reports of Mess.<sup>rs</sup> Gridley and Taché to whom the Petition of Mess.<sup>rs</sup> Price Dunn & Collins for Liberty to Build a Quay together with the Opinions of the English and French Gentlemen thereon were referred

agreeable

agreeable to a former Order of this Board and on considering the Weight of their respective Opinions it was **Resolved** that the Petitioners should have the Prayer of their Petition Granted with the usual and necessary reservations and a Warrant was directed to be made out accordingly.

**Presented** also the Opinion of the English and french Gentlemen with regard to the Petition of Mess.<sup>rs</sup> Richard Murray and John Lees praying Liberty to Build a Quay in the Cul-de-Sac as therein sett forth

**Resolved** in like manner with the former.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Wednesday the 6.<sup>th</sup> Day of March 1765

Present.

His Excellency the Governor  
The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Thom. <sup>s</sup> Dunn	
Francois Mounier	
James Goldfrap	

Read the Ordinance for preventing the Effects of  
Absentees out of this Province from being taken away  
without being first liable to the Payment of their several  
Creditors in this Province. And for dividing the Estate  
and Effects <sup>of Debtors</sup> proportionably &<sup>c</sup>.

Ordered to lie on the Table 'till the next Council  
Day for M.<sup>r</sup> Gregorys Perusal.

The Attorney Generals Opinion being Asked whether

the affair of M.<sup>r</sup> Walker, of Montreal, Mary Rooks the Woman Confined there on Suspicion of Murder, and the Persons concerned in the Riot and Rescue there could legally be Tryed here instead of Montreal.

Answered that Trying them at Montreal would be attended with very great Expen<sup>c</sup>e to the Governm.<sup>t</sup> and that they might be Tryed here, but then an Ordinance must be framed to Appoint the Summoning the Juries from the Body of the Province in General without regard to any particular District.

Ordered that the Attorney General be directed to frame such an Ordinance without delay and that he have directions to prosecute in the above Affairs for the Crown.

Ordered also that a special Commission of Oyer and Terminer and General Goal delivery be made out directed to the Ho<sup>n</sup>ble William Gregory Chief Justice to commence on the 28.<sup>th</sup> Day of March next.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Saturday the 9.<sup>th</sup> Day of March 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq.<sup>rs</sup>

Read an Ordinance directing that all Juries  
hereafter to be Summoned shall be returned from the Body  
of the Province at Large without regard to any particular  
District.

Ordered the same to be Translated and Published  
immediately by Beat of Drum at Quebec or Montreal.

Presented some little Bills of Expences from M.<sup>r</sup> Golway  
as paid by him relative to repairing the Court House.

Ordered that the same be given to Colonel Irving,

to discharge as he has the next belonging to that work and make one Account of the whole.

Presented a Petition from Alex.<sup>r</sup> Mckenzie Merchant praying the Grant of certain Lands as thereby as well as in a former Petition of his therein mentioned are settforth.

Ordered the same to be fyled and as the first Petition on this Head was mislaid this to be considered / in granting of Lands as heretofore Petitioned for/ the first Petition that ever was presented to this Board

Read a second Time the Ordinance for preventing the Effects of Absentees out of this Province from being taken away without being first liable to the Payment of their Creditors in this Province and for other purposes therein mentioned:

Ordered that the same be forthwith Translated and Published.

Presented a Petition from Mess.<sup>rs</sup> Dunn and Gray praying that they might be supported in their Possession of a Post below given them by a Lease on the

Part

Part of his Majesty 'till the last Day of September next.

Ordered that the same be fyled and Resolved that as their request is so highly Just and Reasonable an Advertisement be immediately inserted in the Quebec Gazette for bidding all and every Person or Persons from Interrupting them in their said Trade or Trading thereto under any Pretence whatsoever 'till after the last Day of August next when any new Adventurers may be at Liberty to Enter into the said Trade which Will be giving sufficient Time to any Traders to avail themselves of the same against the ensuing Year.

Presented a Petition for the Merchants and Traders of Montreal about the Indian Trade praying as therein settforth

Ordered that the same be fyled and the following Answer given to them

LS: The Trader who goes to the Indian Countries is the only Person who is to be bound, the Proclamation is clear in that respect how it should enter the Head of any Man that thereby the Merchant or any other Person is required to be bound is amazing. The Council do not chuse to put it in the Power of the Military Officer to molest or trouble the Honest Traders from this Province he can only inform against those who do not obey the Proclamation But his information must be supported by sufficient proof upon Oath and the accused tryed in this Province by his Peers and the Laws of his Country which puts out Traders <sup>here</sup> on a better footing than those of New York or perhaps any other Province. The expedient proposed in the Memorial is the very Thing pointed out by the Proclamation for if the Party offending has not Assets equal to the Sum Specified in the Bond, no more can be got from him than what he has and he will be thrown into Goal for the Deficiency which is deemed by the Council a sufficient Corporal Punishment.

It is not in the Power of the Governor to Authorize the Traders to go beyond the Posts established by his Majesty and Garrisoned by his Troops neither does he believe that General Gage can admit of it. However the Governor will not only write to M.<sup>r</sup> Gage on this Subject but warmly solicit his Majesty that this Restriction may be removed, As he is very sensible it will not only be conducive to the Advantage of the Individuals of this Colony but to that of the Mother Country in General.

## An Ordinance, to

prevent the Goods and Effects of Persons absenting themselves from, or residing out of this Province, in the Possession of any Merchant Factor, Agent, Attorney or Trustee, from being taken away, delivered up, transferred or removed 'till the Debts due and owing by such Absentees or Persons residing out of this Province, to any Person or Persons residing within the same be first paid or secured to be paid, and for making the same liable to <sup>the</sup> payment of all just and real Debts <sup>due</sup> to any Person or Persons in this Province, and Also for making the Real and Personal Estates of any Merchant, or Person using the Trade of Merchandize by Way of Bargaining, Exchanging, Rechanging, Bartery Chevisance, or otherwise in Gross or by Retail, or seeking his Trade of Living by Buying and Selling in this Province liable to the Payment of their Debts, rateably and proportionably amongst their Creditors, notwithstanding private Security given to any particular Person to the Contrary.

**Be** it therefore Ordained and Declared by His Excellency the Governor of this Province, by and with the Advice, Consent and Assistance of His Majesty's Council and by the Authority of the same, It is hereby Ordained



and declared, that all and every the Monies, Goods, Rights, or Credits whatsoever, now or hereafter in the Possession or Power of any Person or Persons in this Province as Merchant, Factor, Agent or Attorney, in Trust or for the use of any Absentee or Absentees or Persons residing out of this Province, and who have not bona Fide accounted for the same, are and shall be Subject and liable in the Hands of such Merchant, Factor, Agent, Attorney or Trustee for the Payment of all just and real Debts of any Creditor or Creditors in this Province of such Absentee or Person residing out of the same, and such Creditor or Creditors shall, and may take and use such Remedies for the recovery thereof, or the Value thereof, as is herein after directed and prescribed; And if any such Merchant, Factor, Agent Attorney or Trustee, from and after the Publication of this Ordinance, shall by Collusion, sell, pay, deliver, Transfer Charge, alter or remove any Monies, Goods, Rights or Credits, in his or their Possession or Power, of or belonging to any Absentee or Absentees, or Person residing out of this Province, without paying or securing to be paid in manner as is herein after directed, all the just and real Debts of such Absentee or Person residing out of this Province, due to any Person or Persons within the same, every such Sale, Payment, Delivery up Change, Transfer, Alteration or Removal, shall be Adjudged, Deemed and Taken, and is hereby declared to be fraudulent as to such Creditor or Creditors, and every such Merchant, Factor, Agent,

Attorney

Attorney or Trustee so selling, paying delivering up, Transferring changing, altering or removing such Monies, Goods, Rights or Credits, contrary to the true Intent and meaning of this Ordinance, shall, notwithstanding the same, be, and are hereby declared to be Subject and liable to repay the same or the Value thereof, out of his, their or any of their Own proper Goods, Chattels or Estate, and the Creditor or Creditors of such Absentee or Absentees or Person residing out of this Province, shall and may have and use such or the like Remedy for the Recovery thereof, or the Value thereof, as is herein after directed to be used against any Merchant, Factor, Agent, Attorney or Trustee having Monies, Goods or Effects of any Absentee or Person residing out of this Province in his Hands or Possession any Law, Usage or Custom to the Contrary notwithstanding

And be it further Ordained and

Declared by the Authority aforesaid, That when and as often as Occasion shall require, it shall and may be lawfull for any Creditor or Creditors in this Province, for any Just and real Debts, due from any Absentee or Absentees, or Person residing out of the same, to bring an Action or Suit against such Absentee or Person residing out of this Province, in Order to receive Satisfaction for the same out of and from the Monies, Goods, Rights and Credits, or real Estate of any such Absentee or Person residing out of this Province. But before

any

Writ shall thereupon Issue the Plaintiff in such Action shall make and fyle an Affidavit in Writing, before any Judge of the Court before whom such Suit shall be brought, that the Defend.<sup>t</sup> in such Suit is justly and really indebted to the Plaintiff in the Sum of £        of the Currency of this Province for the Time being, which Sum must exceed the Sum of Ten Pounds said Currency, setting forth how and by what means such Debt Accrued, and that he hath not received any part thereof and that the same, and every Part thereof is justly due and owing to the Plaintiff; and the Plaintiff, in such Action, shall in like manner, at the same Time, make and Fyle An Affidavit in Writing either that he knows, or hath good Reason to believe that there is of the Monies, Credits and Effects, or real Estate of such absent Defendant, in the Hands Possession or Power of        to the Amount of £ 10 or upwards like Currency, at the Time of making such Affidavit remaining in the Hands of the said        undisposed of, of the Proper Monies, Credits and Effects of the said Defendant; upon the making and filing which Affidavits, a Writ or Process shall Issue against the Defendant, and upon the Provost Marshal's of this Province, or other Officer's, Return thereto a non est inventus /or not to <sup>be</sup> found/ the Plaintiff's Attorney shall, immediately after the Return of such Writ, file a Declaration against the Defendant or Defendants, leaving with the Attorney

of

of such absent Defendant, /if he hath left, or hath an Attorney) a Copy of such Declaration, or if he hath not left, or hath no # Attorney, then the Plaintiff's Attorney, leaving a Copy of the said Declaration at the House where the said Absent Defendant did last reside, but if the said Absent Defendant never had any House or Place of Residence in this Province, then leaving a Copy of the said Declaration with the Person or Persons in whose Hands, Possession or Power any Goods <sup>or</sup> Effects of such absent Defendant shall be sworn to be in, and if upon the return of such Writ and fying an Affidavit of such Service of the said Declaration, the said Defendant or <sup>Defend.ts</sup> shall not then Appear, Judgement shall be entered by Default against him, and in Lieu of a Writ of Enquiry of Damages, the Plaintiff shall and may give such Evidence in proof of his Debt as he shall be able, to the Jury returned to serve at such Court who shall thereupon be empaneled and Sworn and shall Accordingly Assess the Damages at the Bar.

And be it further Ordained by the Authority aforesaid, That when any Writ shall issue against such absent Defendant or Defendants as aforesaid, the Plaintiff shall at the same Time Sue out a Writ of Summons under the Seal of the said Court, directed to the Provost-Marshal of this Province and returnable at the same Time, that the Writ against such Defendant is returnable to make known to the Person or Persons in whose Hands it shall appear, by the Oath of

the

the Plaintiff, any Monies, Goods or Effects, or real Estate of such absent Defendant or Defendants, is, or are to be and Appear on the return of such Writ of Summons before the Justice or Justices of the respective Court, out of which such Writ of Summons shall issue, then and there to discover and render a Just and True Account in Writing upon Oath to be filed with the Clerk or other Officer of such Court, two days after the return of such Writ of Summons, of all Monies, Goods or Effects, or real Estates of or belongings to such absent Defendant or Defendants, in the Hands Possession or Power of such Garnishee or Garnishees or in Trust for him or Them, or in Trust for such absent Defendant or Defendants, or show Cause to the Contrary, on which Day of Return of such Writ of Summons, and fying with the Clerk or the proper Officer such just and true account in Writing upon Oath as aforesaid, if the said Garnishee or Garnishees shall not appear and discover upon Oath, and file such just and true Account, or shew Cause to the Contrary as aforesaid the respective Courts shall and may upon such Default give Judgement and award Execution for such Debt, so as aforesaid found by the Jury against such absent Defendant or Defendants, with Costs to be levied of the proper Goods, Chattels or Estate of such Garnishee or Garnishees so making Default as aforesaid; but if any Garnishee or Garnishees <sup>shall</sup> appear at the returns of such Writ of Summons and shall then <sup>and</sup> there either admit by Confession or otherwise that he hath sufficient of the Monies, Goods, Rights and

Credits

or real Estate of such Absent Defendant or Defendants in his Hands or Possession, to pay and satisfy the said Judgement, or shall then and there discover and render an Honest, just and true Account in Writing upon Oath of all Monies, Goods, or Effects, and real Estate of or belonging to such absent Defendant or Defendants, and that he hath not thereof in his Hands Possession or Power beyond such a Value to satisfy the said Judgement, and the Plaintiff shall be satisfied with such Account, or otherwise shall not be able to disapprove the same by giving proof in Evidence to the Contrary which the Plaintiff in such Suit shall at all Times be at Liberty to do, then Judgement shall be given for so much as is certified or Sworn to by such Garnishee or Garnishes, and not otherwise disapproved by the Plaintiff as aforesaid and Execution shall thereupon issue with<sup>out</sup> Costs to be levied of the Goods, Chattels, Rights, Credits and real Estate of the absent Defendant or Defendants, in the Hands, Possession or Power of such Garnishee or Garnishes to be by him or them shewn to the Provost-Marshal of this Province, his Deputy or Deputies, or other Officer to whom such Writ of Execution shall be directed /which Writ of Execution shall be made returnable on the next return-day from the Test or time of Issuing thereof/ and for want of Goods Chattels, Rights, Credits and Estate as aforesaid, of such such absent Defendant or Defendants to be by such

Garnishee

Garnishee or Garnishees shewn as aforesaid and upon Return of such Writ of Execution accordingly, the Plaintiff in such Suit shall and may take out another Writ of Execution, returnable as aforesaid, to levy the Value of the Judgment against such Garnishee or Garnishees as aforesaid, with Costs, of the proper Goods, Chattels and real Estate of such Garnishee or Garnishees, <sup>and</sup> for want thereof the Provost Marshal of this Province, or his Deputy or Deputies or other Officer to whom such Writ of Execution shall be directed, shall take the Body or Bodies of such Garnishee or Garnishees, and Commit to Prison there to remain 'till the <sup>said</sup> Judgement with Costs be satisfied or until such Garnishee or Garnishees be discharged by due Course and Order of Law. \_\_\_\_\_

Provided, that the Plaintiff so prosecuting, do and shall give good and Sufficient Security to his Majesty in double the Value of the Judgement, before any Writ of Execution shall Issue, before the Justice or Justices of each Respective Court to and for the use of such absent defendant or Defendants, conditioned to make Restitution of the Goods, Chattels, Credits or real Estate of such Absent Defendant or Defendants, or of such Garnishee or Garnishees as aforesaid, or the Value thereof, or such Part thereof as the absent Defendant or Defendants, so as aforesaid prosecuted, shall at any Time within One Year and a Day to be computed from the Time of entering Judgment against such absent defendant or Defendants, come in either in Person or by

Attorney

Attorney, and appear to the said Original Action, and shall move to have the Judgement by default as aforesaid set aside which the said Court is hereby required to do, and shall Plead thereto an Issuable Plea, and upon Trial shall make it appear that the said Plaintiff, before the Commencement of the said Action hath been and is satisfied and paid the Debt in <sup>the</sup> said Judgment mentioned or some part thereof which Judgement and Execution of the Goods, Chattels, Credits or Real Estate of such absent Defendant or Defendants, in the Hands of such Garnishee or Garnishees as aforesaid, had and made, shall be sufficient and Pleadable in Bar, by such Garnishee or Garnishees in any Action to be brought against him by such absent defendant or defendants for the same.

And Whereas, by an Act of Parliament made in Great Britain in the Fifth Year of the Reign of his Late Majesty King George the second, It is amongst other things enacted that "The Houses, Lands, Negroes, and other real Estates within any /of his Majesty's / Plantations, belonging to any Person Indebted, shall be liable to all just Debts and demands and shall be Assetts, in Like manner as real Estates are by the Law of England and liable to the Satisfaction of Debts due by Bond and shall be subject to the like remedies, in any Court of Law or Equity in the Plantations as Personal Estates"



And Whereas several of his Majestys Trading Subjects in this Province, herein before particularly mentioned and described, have lately been prevailed upon to give Bonds or other Securities, and to sign Warrants of Attorney to confess Judgement thereon, to the Great impovrishment, Loss and Damage of their other fair and Just Creditors: for Remedy whereof and to prevent the like evil for the future, and to render the said Act of Parliament more efectual and beneficial for the Inhabitants of this Province, Be it further Ordained and Declared by the Authority aforesaid, That all such Bonds and Warrants of Attorney, which may hereafter happen to be given, shall be deemed and taken to be fraudulent both in Law and Equity.

And be it further Ordained and Declared, by the Authority aforesaid, That where any of his Majestys Trading Subjects in this Province, herein also before particularly mentioned and described, is or shall be indebted to others, the real and Personal Estate of such Debtor or Debtors, is, and shall, and is hereby declared to be subject and liable to the Payment of his or their Creditors, rateably and in proportion to the Demands of such Creditor or Creditors so as every one may have and take thereof, in such Parts and Shares as may be in proportion to the respective just Debts and demands of such Creditors, Bond, Warrant of Attorney, or other Securities whatever given to the Contrary hereof, in any wise notwithstanding.

An Ordinance directing that all Grand and Petty-Juries, hereafter to be summoned to serve at any Court of Record, Court of Assize and General Goal Delivery, in this Province, shall be summoned and returned from the Body of the Province at Large, without Distinction or Regard to the Vicinage of any particular district within the same.

Whereas, at a Council held by his Excellency the Governor of this Province, at the City of Montreal on the Third day of January last, it was amongst other things resolved, That it was not necessary to hold a Court of Assize in the City of Montreal, as the Court of Kings Bench to be held in the Capital, would be sufficient to answer every purpose.

And whereas several Crimes and Offences have lately been Committed in the City of Montreal, and the Offenders charged therewith, as well as most of the Witnesses to prove the same are now residing and dwelling in the City of Quebec

And whereas several Persons stand bound by Recognizances to appear and answer, and others to appear and prosecute, and give Evidence against the several Persons so charged at the next Court of Assize and General Goal delivery to be held at the said City of Montreal. In Order therefore to avoid the great and unnecessary Expence to this Province, which must unavoidably happen, as well as the great delay of Justice, by bringing Jurors from the District of Montreal to Quebec, for trying the said Offenders or by removing the several Persons charged with the said Crimes, and the Witnesses to prove the same from the City of Quebec to Montreal aforesaid, It has therefore been resolved by his Excellency

the

the Governor in Council, That a Commission for a Court of Assize and of Oyer and Terminer and General Goal Delivery, do forthwith Issue directed to the Hon.<sup>ble</sup> William Gregory Chief Justice of this Province, for the hearing and determining at the City of Quebec aforesaid all Causes of nisi prius, Treasons, Felonies, Crimes and Misdemeanors whatsoever, done or committed in this Province, as well out of Districts as within, and the Goals in the same Province, of the Prisoners therein being to deliver: In Order therefore to avoid any doubt or Objection that may hereafter arise or be made, touching any proper Venue or Vicinage of Juries hereafter to be summoned and returned.

Be it Ordained by his Excellency the Governor of this Province, by and with the Advice, Consent and Assistance of His Majesty's Council, and by the Authority of the same, It is hereby Ordained and Declared, That all precepts for the Summon<sup>-ing</sup> and returning of Grand-Juries; and all Writs of venire facias hereafter to be Issued out of any Court of Record in this Province shall for the future, in all Cases whatsoever before the Summoning and returning of Juries from the Body of this Province at Large, as well out of Districts as within, and all Juries so summoned and returned, and who are otherwise by any Ordinance of his Excellency the Governor and Council of this Province declared to be Qualified to serve on Juries, are hereby declared to be lawfully summoned and returned, and shall serve accordingly, any Law, Usage or Custom to the Contrary notwithstanding.

And be it further Ordained and Declared by the Authority aforesaid That all and every Person or Persons whatsoever, who now stand bound by Recognizance to appear and Answer, or to appear

and

and Prosecute, or give Evidence, at the next Court of Assize, Oyer and Terminer and general Goal delivery or Court of Oyer and Terminer and general Goal-delivery, to be held at Montreal or at the City of Montreal, shall in any such Case, instead of appearing at the Court of General Goal delivery at Montreal, be, and are hereby respectively obliged to appear and answer or to appear and prosecute, or give Evidence at the next Court of Assize, and of Oyer and Terminer and general Goal delivery, to be held at the said City of Quebec, in and for the Province aforesaid, any Sentence Clause matter or thing in the Conditions of such Recognizances or any of them contained to the Contrary or seemingly to the Contrary thereof in any wise notwithstanding, and all and every Person or Persons so bound, failing, neglecting or refusing to appear accordingly, at such Time and Place as is hereby directed, shall to all Intents and Purposes whatsoever incur a forfeiture of such Recognizances respectively, and the Judge of the said Court of Assize and of Oyer and Terminer and General Goal delivery, so to be held at the City of Quebec as aforesaid, shall and may estreat the same accordingly for his Majestys Use

And be it further Ordained and declared by the Authority aforesaid that the Publication of this Ordinance shall be by Beat of Drum in the City of Quebec or Montreal any other Ordinance to the Contrary notwithstanding.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of Quebec  
 on Thursday the 11:<sup>th</sup> Day of April 1765

Present.

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj.<sup>n</sup> Price

Thomas Dunn

Francois Mounier

James Goldfrap

} Esq.<sup>es</sup>

Presented a Memorial from the Grand Jury  
 of the Assizes held in and for the Province praying  
 as therein settforth.

Ordered the same to be fyled and the following  
 Answer returned them by the Clerk of the Council. Viz.

Gentlemen

The Governor upon receipt of your Letter,  
 Ordered a Council to be Summoned at Eight o'Clock this Morning.  
 His Excellency and Council have considered your Letter and have  
 Ordered me to return the following Answer. That the Reasons  
 which induced them unanimously to Order a Court of Assize  
 and General Goal delivery at Quebec still subsist and are the same  
 that it certainly was their Intention that the Grand Jury of that

Court

Court should for obvious Reasons be composed of Residenters in each District of this Province that the Council is sorry to find that Intention frustrated but shall in due time enquire into the Causes of it of the proper Officers whose duty it was to put that Intention in Execution.

In the mean time the Council Agrees with you that with regard to Presentments to be made, Vicinage is very necessary and always desirable but as the Quarter Sessions will soon be held at Montreal for that District any Neusances in that part of the Province may be presented by the Grand Jury, as Indictments are at all Times only to be found upon the Evidence of Facts laid before you, the same necessity with regard to them does not appear, and as a regard for Conscience is the Principal Qualification of Juries the Council hopes the present Grand Jury will go on with the Business of the Court to which they belong as certainly their Conduct is only to be directed by what Knowledge and Information they have or may receive, and their Consciences cannot be interested in the neglect of others

I am  
Gentlemen &c.

Presented a Memorial from several of the French Merchants of Quebec praying to be further informed and have some Articles explained to them

in the Ordinance for the better discovering and Suppressing unlicensed Houses.

Resolved that the Intention of the Ordinance was that not less than 3 Gallons should be Sold by any one Person at any one Time to explain which the Attorney General is directed to draw up an Advertisement to be inserted in the next Quebec Gazette.

Presented a Memorial from Captain James Mitchelson on behalf of the 28.<sup>th</sup> Regiment praying as therein settforth.

Ordered to be fyled and an Answer returned that there was an Ordinance already passed for Holding the Assizes here and to which the Council would most strictly adhere.

Presented a Memorial from Mons.<sup>r</sup> Hertel de Reuville praying an Advocate to be Appointed him

Ordered accordingly.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Louis in the City of Quebec  
 on Monday the 22:<sup>nd</sup> Day of April 1765

Present.

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benjamin Price

Thomas Dunn

James Goldfrap

} Esq.<sup>rs</sup>

A Petition from Samuel Mackay Esq.<sup>r</sup>  
 to His Excellency the Governor being by him presented  
 to this Board, It was Resolved that the  
 Petition as from him was improper, but that when  
 the Proprietor Mons.<sup>r</sup> Neuverville applied to this  
 Board to know if the Government Here had any further  
 use for that Land it would be answered, of which the  
 Clerk of the Board was Ordered to acquaint the said  
 Samuel Mackay immediately by Letter

Presented a Report of Mess.<sup>rs</sup> Dunn  
 and Price on the Petition of M.<sup>r</sup> Van Felson which had been

referred



referred to them

The Council approved of the same and Ordered it to be filed accordingly and that the Receiver General or his Deputy should be drawn on by the Clerk of this Board for the Payment of such Disbursements which had been made by said Van Felson on account of this Colony agreeable to the aforesaid Report.

Proposed by his Excellency the Governor that James Potts Esq.<sup>r</sup> should be appointed Coroner for the District of Quebec in the Room of W.,<sup>ms</sup> Conyngham Esq.<sup>r</sup> dismissed

Resolved also unanimously that the said James Potts was a very proper Person to fill that Office and a Warrant was accordingly directed to be made out for the Attorney General to prepare a Dr.<sup>st</sup> of such Commission.

Presented a Petition from Samuel Gridley Esq.<sup>r</sup> praying a Spot of Ground to be allotted him for Manufacturing Pott Ash as is therein settforth.

Ordered the same to be fyled and a Warrant made out to the Surveyor General to Report to this Board whether Granting the same would any wise be prejudicial to His Majestys Dock or the Public Good

Presented a Petition from Philip Payne praying a Grant of a Lott of Ground or which he has already

erected

erected a Store House as in his said Petition is sett forth

Ordered as the former one of M.<sup>r</sup> Gridley's

Read the Minutes of Council dated the 9.<sup>th</sup> of March last  
Ordering the Attorney General to Prosecute for the Crown  
in the affair of Justice Walker and the Prizon Breach  
at Montreal

The Attorney General was in Consequence  
sent for and ordered to give an Acco.<sup>t</sup> to this Board on  
Wednesday next of what he had done in that Business  
and by what means he failed in the Proscutions

Presented the Report of Mess.<sup>rs</sup> Dunn  
and Price on the Petition of Isaac Worden Deputy  
Naval Officer for this Province which had been referred  
to them by this Board.

The Council approved of the same and ordered  
a Copy thereof to be made out and given M.<sup>r</sup> Worden

Lieu.<sup>ts</sup> Langharne, Hill and W.<sup>m</sup> Van  
Felson being approved of by the Council for Justices of  
the Peace a Minute thereof was Ordered to be entered  
and Warrants made out for the Attorney General to draw  
a proper Commission appointing them Magistrates  
for the District of Quebec and M.<sup>r</sup> Langharne to be of the  
Quorum

Presented a Petition from many of the Witnesses who came from Montreal to testify in the Matter of the Prison Breach at the Assizes held herefor that and other Purposes praying that they might be reimbursed their Expences which such a Journey and loss of Time had Occasioned them.

Ordered to be fyled and Resolved as soon as the Receiver has any Public Monies in his Hand they should be considered.

Presented the several Petitions following Vizt. from John Denny, Alexander Simpson and others, John Bondfield for William his Son, Mons.<sup>r</sup> Chartier, Mark Young, Robert Blewet and John Macord and others praying Lands &<sup>c</sup> as<sup>are</sup> therein respectively setforth.

Ordered to be fyled 'till after the Registry of the Different Lands are Compleat and then to be Surveyed and Granted if not found to be private Property

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Lewis in the City of Quebec  
 on Wednesday the 24<sup>th</sup>. Day of April 1765

Present.

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benjamin Price	
Thom. <sup>s</sup> Dunn	
James Goldfrap	

The Attorney General attended according to the Order of Monday and read the Report he was then Ordered to make upon which this Board directed the Clerk of the Council to Summon again Tomorrow at 11 the said Attorney General tog.<sup>r</sup> with Mess.<sup>rs</sup> Samuel Gridley & Walker the Deputy Provost Marshal and the latter to bring with him an Authentick Copy of the Summons whereby he Summoned the Jury for the last Assizes.

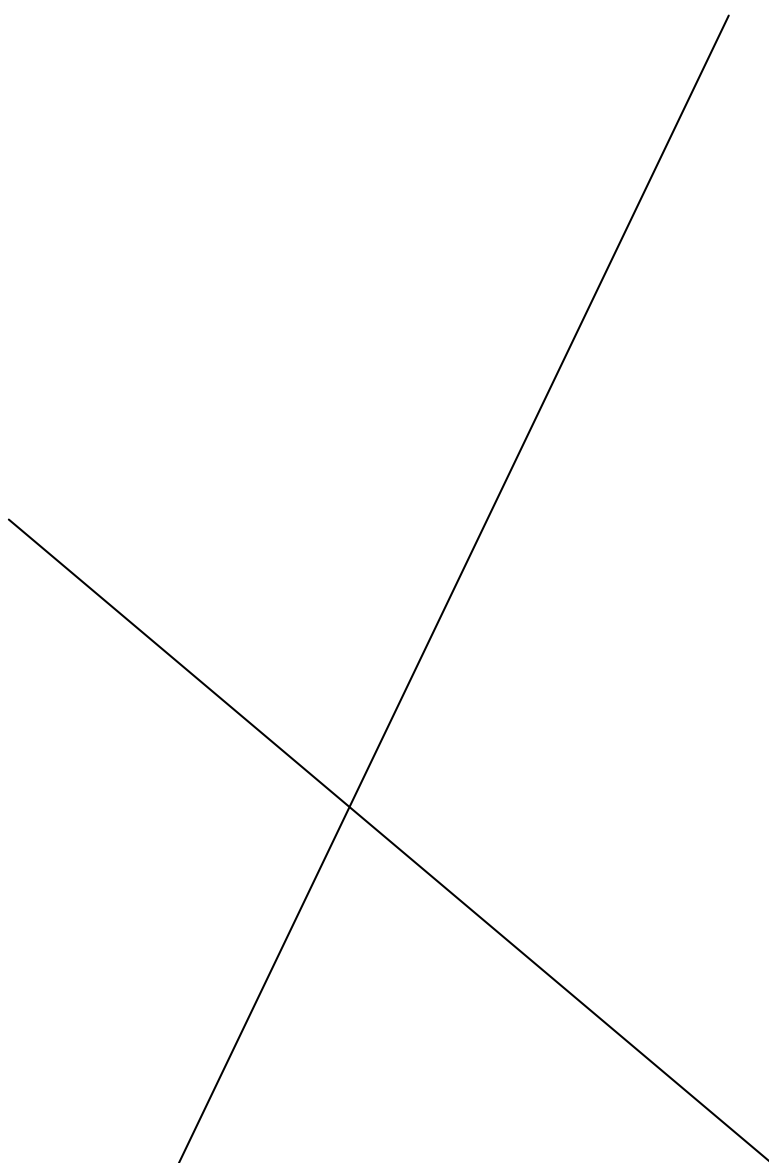
Presented a Petition from M.<sup>r</sup> Zach.<sup>y</sup>  
 Thompson praying an Increase of his Mens Wages

that

he uses in a Boat employed Annually in his Majesties  
Service &<sup>c</sup>. &<sup>c</sup>.

Ordered to be fyled and the same referred to Mess.<sup>rs</sup>  
Price and Dunn for them to report thereon to this Board

Ja: Murray



At the Council Chamber in the  
 Castle of Saint Lewis in the City of Quebec  
 on Thursday the 25<sup>th</sup>. Day of April 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Govern.<sup>r</sup>  
 The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.  
 P.<sup>s</sup> Em.<sup>s</sup> Irving  
 Adam Mabane  
 Benjamin Price  
 Thom.<sup>s</sup> Dunn  
 James Goldfrap } Esq.<sup>rs</sup>

The Att<sup>y</sup> General attended again according to  
 Order of Yesterday and was asked by this Board the  
 following Questions.

- 1.<sup>st</sup> Why he did not make any Challenges to the  
 Grand Jury of last Assizes held at Quebec when  
 they were respectively Sworn in.
- 2.<sup>nd</sup> Why he did not make the Objection to the Illegality  
 of the Appointments of the Deputy Provost Marshals  
 for this Province sooner than he did.
- 3.<sup>d</sup> Whether any Protest in a Notary Publicks Office is

not

not in the Nature of a Record and therefore whether any Person on paying for the same is not Entitled to a Copy

Answered the latter Question in Council Yes. But he desired to have the former ones in Writing and he would give his Answers in Writing.

Ordered thereupon that the Clerk of this Board do immediately give the said Questions in Writing and also be speak a Copy of the Protest which is reported was drawn by M.<sup>r</sup> Conyngham at the Instance of Thomas Walker Esq.<sup>r</sup> of Montreal against the Governor and Council of this Province for passing a Resolution and Ordinance appointing the late Assizes to be held at the City of Quebec in & for the Province of Quebec.

M.<sup>r</sup> Samuel Gridley attending this Board agreeable to the Order of Yesterday was asked what Conversation passed in his Presence at the House of M.<sup>r</sup> Walker of Montreal and who were the Persons then there

Answered that there were present M.<sup>r</sup> Walker M.<sup>r</sup> Conyngham, Lequesne, Wells and some other Persons whom he does not now recollect together with M.<sup>r</sup> Walker Saith that M.<sup>r</sup> Conyngham pulled a Letter out of his Pocket there from the Chief Justice at Quebec giving an Acco.<sup>t</sup>

that

that there was an Ordinance passed for holding the next Assizes for the Province of Quebec at the City of Quebec upon which M.<sup>r</sup> Walker declared he would not go down and would protest against the Governor and Council, on which M.<sup>r</sup> Conyngham said he was much in the Right and advised him thereto saying he would also give him his Assistance therein for which M.<sup>r</sup> Walker thanked him and desired he would attend him the next morning at 8 for that Purpose, M.<sup>r</sup> Walker also added that all the People of Montreal should likewise sign it.

After which said Samuel Gridley used all the Means in his Power to prevent any of said People from signing it, saying it would be a shame for them to suffer themselves to be so lead by M.<sup>r</sup> Walker

Sworn to in Council by the said  
Samuel Gridley. \_\_\_\_\_

The Ho<sup>n</sup>ble William Gregory proposed this Day to give in to this Board the Petition and Letters which he received from the People of Montreal, relative to said Ordinance appointing the Assizes as aforesaid

Presented a Petition from Mess.<sup>rs</sup>  
Amiot and Boisseau in behalf of themselves



and all other the new Subjects of this Province requesting Liberty to assemble themselves together as often as they might see it necessary to make any Representations to the Governor and Council of Matters relative to their <sup>own</sup> affairs.

Ordered to be fyled and Resolved that the Petition be granted with this Restriction, that they do prior to any such meeting apply to this Board for leave to assemble naming the Time and Place and then not to be less then two of the Council Present who are to have Power to dissolve the said Assembly as they shall see Occasion and admittance also to be given to any Justices of the Peace who shall desire it and for that Purpose the Custos Rotulorum to have Constant Notice given him likewise prior to any such Meetings and such Assemblies to be held no where but at the City of Quebec.

Ja: Murray

At the Council Chamber in the  
Castle of Saint Lewis in the City of Quebec  
on Friday the 26<sup>th</sup>. Day of April 1765.

## Present

His Excellency the Governor  
The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.  
P.<sup>s</sup> Em.<sup>s</sup> Irving  
Adam Mabane  
Benj.<sup>n</sup> Price  
Thomas Dunn  
James Goldfrap } Esq.<sup>ts</sup>

Read at this Board the Protest of Thomas Walker Esq.<sup>r</sup>  
of Montreal against the Resolution of Council of  
the Third of January last Resolving that no Assizes  
were necessary to be held at Montreal and against  
the Ordinance of the 9:<sup>th</sup> March last appointing Assizes  
to be held at the City of Quebec for the Province of Quebec

Ordered to be fyled by the Clerk of this  
Board 'till further Order.

M.<sup>r</sup> Attorney General attending and presented  
the following Answers in Writing to the two  
Questions proposed to him of Yesterday.

- 1.<sup>st</sup> At the Time that the Grand Jury were Sworn, I did  
not know or even suspect, that there was cause of Challenge

against them, nor did I know or Suspect, That his Majesties Chief Justice of this Province “could be privy to” a matter of such great Consequence, as a legal Cause of Challenge to the whole Pannell of Grand Jurors, without disclosing it from the Bench before any of them were Sworn. That I might have done my Duty therein.

- 2.<sup>nd</sup> I could not make objections to the illegality of the Appointment of the Deputy Provost Marshal /By which I understand is meant the appointment made by the Ho<sup>n</sup>ble James Goldfrap Esq.<sup>r</sup> to Joseph Walker/ before I was sufficiently acquainted therewith; But as soon as I knew thereof with sufficient certainty, I did make Objections thereto, as my Duty required

The Attorney General being asked by this Board what he meant by the Word Privy, Ans.<sup>rd</sup> that he meant by that the Chief Justice, “was “conscious to”

M:<sup>r</sup> Attorney General being asked by this Board when and by what means he first discovered the Illegality of the appointment of Joseph Walker Esq.<sup>r</sup> and Edw.<sup>d</sup> Chinn as Deputy Provost Marshals for this Province.

Answered in Council on being sent for by his Excellency the Governor on or about the Third Day of this present Month of April in Order to ask his

Opinion

Opinion whether he could legally Antidate Two Commissions which had been about that Time sent him by James Goldfrap Esq.<sup>f</sup> for appointing the said Mess.<sup>ts</sup> Walker and Chinn Deputy Provost Marshals for the Two Districts of Quebec and Montreal.

Ordered that Thomas Ainslie, Thom.<sup>s</sup> Peckham and John Grant Esq.<sup>ts</sup> be Summoned for to attend this Board Tomorrow

Ordered that the Ordinance for explaining an Ordinance, for the better discovering and suppressing unlicenced Houses, be Published immediately.

Carried to folio 272.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Lewis in the City of  
 Quebec on Saturday the 27<sup>th</sup>. Day of April 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble Will.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>ts</sup>
Adam Mabane	
Benjamin Price	
Thomas Dunn	
James Goldfrap	

The Clerk of the Crown being sworn at the Instance of M.<sup>r</sup> Attorney General was asked by him whether he told the Chief Justice that there were two Pannels of Jurors to the Provost Marshals Precept at the Late Assizes held at Quebec for the Province of Quebec, Answered, he told the Judge there were two and believes he mentioned for the two Districts of Quebec and Montreal, and that the Judge Ordered him to read the first in Turn which was that for Quebec

Ordered that Copies of Mess.<sup>rs</sup> Dunn and Prices Petition with the Resolutions of Council thereon, and Mess.<sup>rs</sup> Finlay and Moores Memorial to his Excellency praying Lotts of Ground as therein setforth should be delivered to the Atty General for his Guidance in making out the Draught of Grants for the same.

M.<sup>r</sup> Ainslie attended this Board in pursuance of Order of Yesterday was Sworn and Examined as follows,

Saith that about the beginning of February last being sent for by his Excellency the Governor as a particular Friend of Thomas Walker Esq.<sup>r</sup> J. P. for the District of Montreal to carry a Letter to him which his Excellency told this Examinant he was to bring an Answer to together with some Papers which said Thomas Walker was to send him and that this Examinant would make all possible Haste to return as Captain James Cuthbert of the 15<sup>th</sup>. Regiment of Foot was detained to carry these Papers to England, and as the Examinant was setting out His Excellency said to this Examinant M.<sup>r</sup> Ainslie I know you wish M.<sup>r</sup> Walker well it is on that Acco.<sup>t</sup> I give you this Trouble

you

you will say to him what you think proper to convince him that every thing shall be done which is in my Power to do him that Justice he deserves in punishing the Persons Concerned in Committing the late Outrageous Assault against him, I know he will listen to what you say more than any other Person here. And this Examinant further upon his Oath declares that the above Conversation or Words to that Effect was the whole that passed from the Time this Examinant waited on his said Excellency 'till the Time that he left him as aforesaid, And this Examinant further upon his Oath declares that on his Arrival at Montreal the next Day in the Evening he went to the House of said Thomas Walker and there delivered to him his Excellency's Letter in Presence of M.<sup>ts</sup> Walker & one M.<sup>f</sup> Wells, at the same Time acquainting said Tho.<sup>s</sup> Walker that this Examinant came on Purpose with that Letter at the request of his Excellency, and that if Stay.<sup>g</sup> 48 Hours would be Time enough for M.<sup>f</sup> Walker to get his Answer ready that his Excellency desired that this Examinant would wait, but as much sooner as Possible after said Thomas Walker had read the said Letter he said it would be soon answered and

that

that it should be ready by the next Day at Noon. That Conversation between this Examinant and the said Thomas Walker then turned upon M.<sup>r</sup> Walkers late Misfortune when the said Thom.<sup>s</sup> Walker & Wife began to throw<sup>out</sup> the severest Reflections upon the Conduct of his Excellency the Governor and the Ho<sup>n</sup>ble his Majestys Council with regard to their proceedings when at Montreal particularly for the Resolution of Council then and there passed to hold no Court of Assize at Montreal but more especially against his said Excellency for not keeping his Promise made to said Thomas Walker Vizt. That if he / his said Excellency / could, he would grant a special Commission to try this Matter at Montreal together with many other Reflections of the same Nature.

This naturally having put this Examinant out of Temper he this Examinant well Knowing the great Pains which he had taken on the behalf of the said Thomas Walker to put this whole Affair in a true light before his said Excellency which had been industriously concealed from him before and to<sup>interest</sup> his Excellency as much as this Examinant could to do the said Thomas Walker all the Service



Service in his Power but more particularly upon said Thomas Walker's and Wife's saying that they were Credibly informed that the Judge was coming up to hold his Courts at Montreal without a special Commission for that Purpose according to an Ordinance formerly passed and that they were not in the least obliged to his said Excellency for granting a favour as he might esteem it for what was neither in his or the Councils Power to prevent this ungrateful behaviour of said Thomas Walker for the many Services done him by his said Excellency and this Examinant immediately made him rise up and reflecting on what His said Excellency told this Examinant that he his said Excellency would do further to serve the said Thomas Walker this Examinant did then declare that he was sorry he this Examinant had ever interest'd himself in said Tho.<sup>s</sup> Walker's Affair and for the trouble he had given his said Excellency on his the said Thomas Walker's Account, for that he the said Thomas Walker was the most unworthy of any further Favours from his said Excellency and that he this Examinant would therefore send an Express to acquaint his said Excellency of his the said Thomas Walker's Ingratitude towards<sup>him</sup> and he this Examinant would / if he had any Weight with his said Excellency/ prevail on his said Excellency never to prostitute his Civilities to any Person who was capable

of

of so much Ingratitude and by that M.<sup>r</sup> Walker would see whether the Judge could try his affair at Montreal according to the first Ordinance without having any special Commission for that purpose, and this Examinant further saith that during the above Conversation the said Thomas Walker declared to this Examinant that he would never go down to Quebec upon which this Examinant Replyed that he the said Thomas Walker would then not do himself Justice by giving himself a fair Chance or words to that Effect, this Examinant meaning a Prosecution that was then commenced against him the said Thomas Walker by one Captain Payne in his Majesty's 28.<sup>th</sup> Regiment of Foot then lying at Quebec

M.<sup>r</sup> Peckham attending this Board in pursuance of Order of Yesterday was Sworn and Examined as follows.

Saith that he was at Montreal since Christmas and that he saw M.<sup>r</sup> Williams

Conyngham there having Dined with him and during the Conversation after Dinner which was at the House of M.<sup>r</sup> Wade, M.<sup>r</sup> Conyngham told him said Wade and M.<sup>r</sup> Wells then in Company that they need not go down to Quebec but that if they did not they must be fined

M.<sup>r</sup> John Grant attending this Board in pursuance of Order of Yesterday was Sworn and Examined as follows.

Saith that he believes that he was Summoned for the Supreme Court and that it was Printed in the Margin for the District of Quebec as some of his Brother Jurors whispered this Deponent in Court that would make use of that by way of an Argument but it never was Objected to by any one 'till after they were Sworn in saith that his Fellow Jurors did not conceive themselves Qualified to take Cognizance of matters that happen'd at Montreal it being a seperate District / tho' the Court had often repeatedly told them that they were Jurors both legally and Conscientiously Qualified for the Province at Large / and for those Reasons the Bills of Indictment against Rogers and others at the Suit of Thomas Walker Esq.<sup>r</sup> and another against Hamilton and others for a Riot and Rescue were

thrown out and being asked whether any Person from Montreal was upon that Jury, Answered no they were not and also whether any informality in the Summons by which they were called on said Jury was the occasion of any of their Difficulties and there not acting upon the aforesaid Bills, Answered he believes it was not and if that had been the only Objection they could have got over it

Thomas Aylwin John Lees Esq.<sup>rs</sup> being approved of by this Board as proper Persons for Magistrates of this District, <sup>a</sup> Minute thereof is Ordered to be Entered accordingly.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Lewis in the City of Quebec on  
Monday the 29<sup>th</sup>. Day of April 1765.

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benjamin Price

Thomas Dunn

James Goldfrap

} Esq.<sup>rs</sup>

Mess.<sup>rs</sup> Marteilhe, Traverse and Werden being  
Summoned by this Board attended together with M.<sup>r</sup>  
Attorney General.

M.<sup>r</sup> Marteilhe's Examination dispersed with

M.<sup>r</sup> Traverse being Sworn and Examined was asked  
by this Board whether if there had been Ten or Eleven Jurors  
from Montreal on the Grand Jury for the late Assizes  
they would then have proceeded on M.<sup>r</sup> Walker's affair  
and that of the Prison Breach.

Answered that he believes if there had been a  
sufficient Number of the Inhabitants of Montreal both on

the

the grand and petty Jury a Majority would have proceeded on those two Indictments in the present Circumstances provided M.<sup>r</sup> Walker and Family had attended.

M.<sup>r</sup> Werden being Sworn and Examined was asked the same Question as was before put to M.<sup>r</sup> Traverse and whether M.<sup>r</sup> Walker's Protest against his Excellency and Council was read in the Grand Jury Room.

Answered it was, and further that he believes if there had been even a Third of the Grand Jury from the Inhabitants of Montreal on the late Grand Jury they would have proceeded on those two Indictments of M.<sup>r</sup> Walker's and the Prison Breach.

M.<sup>r</sup> Joseph Walker the Deputy Provost Marshal Ordered to be Summoned to attend this Board tomorrow.

The Chief Justices Opinion being asked on the following Question desired the concurrence of M.<sup>r</sup> Attorney General.

Whether the Persons who had Bills of Indictm<sup>t</sup> prepared against them the last Assizes in the affair of M.<sup>r</sup> Walker and the Prison Breach and which were returned by the Grand Jury, Could in Case of any

Accident in not being Tryed at the next Superior Court be  
again recommitted

The Attorney General also to be required if  
agreeable to M.<sup>r</sup> Gray to report to this Board whether he  
had not a legal right to that Lot of Ground as prayed for  
by him in a former Petition to this Board.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Lewis in the City of Quebec on  
Tuesday the 30.<sup>th</sup> Day of April 1765.

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benjamin Price	
Thomas Dunn	
James Goldfrap	

M.<sup>r</sup> Joseph Walker attending according to Order of  
Yesterday, was asked how he came to Summon the  
Grand Jury for the late Court of Assize from the  
District of Quebec only and not from the Province  
at Large and also for them to attend the Supreme Court,  
and not to the said Court of Assizes.

Answered that he had no ill Intentions in  
Summoning them to the Supreme Court instead of the  
Court of Assizes or from the District of Quebec instead of the  
Province at Large but that he had proceeded in returning  
the Precept for appointing the said Assizes according to

the



the best of his knowledge and the small Experience he had in his said Office of Deputy Provost Marshal for the District of Quebec aforesaid and for which only he thought he had any Power to Act.

The Attorney General attending begged leave to represent to this Board that he was encouraged to make that Motion the last Assizes relative to a Deputy Provost Marshals not being able to make another Deputy from being well. \_\_\_ assured that the Chief Justice being applied to by his Excell<sup>y</sup>. in the Case of John Gray Esq.<sup>r</sup> then Deputy Clerk of this Board had given his Opinion that a Deputy could not appoint a Deputy and therefore prayed his Excellency and such of the Members of this Board as were knowing to that matter would be pleased to declare their knowledge therein, and that the said M<sup>r</sup> Gray might be examined touching the same.

The Council understood it so from the said Chief Justices Opinion at that Time who likewise admits of the same which were also the sentiments of M.<sup>r</sup> Attorney General.

M.<sup>r</sup> Gray being also called upon by the said Attorney General Confirms the foregoing Opinion then given by the said Chief Justice.

Ordered by this Board to draw on Richard Murray Esq.<sup>r</sup> the Deputy Receiver General for this Province for the Sum of Twenty Four Pounds Quebec Currency to be paid to Joseph Philibot for his Attendance on this Board as Door Keeper during

the

during the Space of Eight Months Commencing the 1.<sup>st</sup> Day of September last past and ending the 1.<sup>st</sup> Day of May at the Rate of £ 36. pr Annum.

Presented and Read at this Board an Ordinance for preventing Fishermen and others from throwing over the Offals of Fish on the Fishing Banks in this Province

Passed and Ordered to be Translated and Published as follows

**Whereas** a Practice for some Time has been carried on by Fishermen and others fishing on the Banks and other Places in this Province of throwing the Offalls of Fish on the said Fishing Banks and other Places, to the great Prejudice of the Fishery, carried on in Shallops and other Vessels by the Inhabitants of this Province which if not timely remedied, may not only prove the Ruin of many poor Families Employed therein, but also highly prejudicial to the Trade of this Province in general.

For remedy whereof, Be it Ordained by His Excell.<sup>y</sup>. the Governor by and with the Advice Consent and Assistance of His Majesty's Council of this Province, and by the Authority

of

of the same, It is hereby Ordained and Declared, That from and after the Publication of this Ordinance, if any Guts or Offals of Fish shall be thrown over board out of any Schooner or other Fishing Vessel on the Fishing Banks or fishing Grounds, or into any of the Bays or Harbours within the Distance of two Leagues off<sup>the</sup> Shores or Islands within this Province, where such Fishery is carried on, the Master, Skipper or other Person, having the Charge of such Schooner, or other Fishing Vessel as aforesaid, shall, upon proof thereof as aforesaid, before any one of his Majesties Justices of the Peace on the Oath of one or more credible Witness or Witnesses or on the View of such Justice, forfeit and pay the Sum of Five Pounds of Current Money of this.<sup>d</sup> Province and upon Refusal of such Master Skipper or other Person, having charge of such fishing Vessel to pay the same the said Justice shall immediately issue a Warrant under his Hand and Seal directed to any Constable for seizing so much of the said Cargoe of Fish or Salt of such fishing Vessel, or for want thereof, then of so much of the Tackle, Furniture or Apparel of such Schooner or fishing Vessel, as shall be of, or nearly the Value of the said Sum of Five Pounds for the first Offence, and Ten Pounds for every other Offence, one Moiety whereof shall be to the Use of his Majesty, for the support of his Government and the other Moiety to the Informer.

Ja: Murray

At the Council Chamber in the  
 Castle of Saint Lewis in the City of Quebec  
 on Friday the 3.<sup>d</sup> Day of May 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor  
 The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benjamin Price	
Thomas Dunn	
James Goldfrap	
Francois Mounier	

Presented a Petition from Mess.<sup>rs</sup> Johnston  
 and Purss praying a Grant of a Lot of Ground behind said  
 Johnstons House for erecting a Wharf as therein setforth

Ordered that M.<sup>r</sup> J. Gray be sent for to  
 know if the granting the same would be any ways  
 detrimental by inchoaching on his Wharf as heretofore  
 Granted.

The Opinion of this Board being asked  
 whether they thought that the Attorney General was faulty  
 in not having succeeded with the late Prosecution of M.<sup>r</sup>

Walker

Walker and the Prison Breach are unanimously of Opinion that he did every thing in his Power to bring the same to an Issue and that the said Prosecutions would have been Tried but through the Obstinacy and Intrigues of Thomas Walker Esq.<sup>r</sup> instigated and supported by M.<sup>r</sup> Williams Conyngham and moreover that any Failure in the other under Offices of the Crown appeared to have proceeded from Ignorance and Inexperience in their several Offices and not from any ill Intentions in their different Administrations

The Attorney General attending was Ordered to give his Opinion in a very full & Ample manner whether the Protest lately made against this Board by Thomas Walker Esq.<sup>r</sup> and drawn by M.<sup>r</sup> Williams Conyngham is not highly libellous and Seditious striking at the very Root of Government, and what Methods ought to be taken for bringing the Offenders to a Speedy and proper Justice.

Ja: Murray

At the Council Chamber in the Castle  
of Saint Lewis in the City of Quebec  
on Thursday the 9<sup>th</sup>. Day of May 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>  
The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>rs</sup>
Adam Mabane	
Benj. <sup>n</sup> Price	
Thomas Dunn	
Fran. <sup>s</sup> Mounier	
Ja. <sup>s</sup> Goldfrap	

Presented at this Board the two  
following Opinions of M.<sup>r</sup> Attorney General

1.<sup>st</sup> May it Please your Excellency

I am desired by an Order of Council of the  
3.<sup>d</sup> Instant to Report my Opinion “whether the Protest  
“lately made against your Excellency and his Majesties  
“Council by Thomas Walker Esq.<sup>r</sup> and drawn by Williams  
“Conyngnam is not highly Seditious and Libellous, striking  
“at the very Root of Government, and what Methods ought  
“to be taken for bringing the Offenders to speedy and proper  
“Justice”.

In Answer to which I have read and duly considered  
the Protest and am humbly of Opinion that it is a false and

Scandalous Libel, highly Seditious, Striking at the Root of Govern<sup>t</sup>.  
 And a shameful Insult on your Excellency and his Majesties  
 Council, and that the said Thomas Walker and Williams Conyngham  
 ought to be prosecuted for the same as an Example to others, by an  
 Information to be brought against them the next Term all which  
 is humbly submitted to your Excellency in Council.

By your Excellencys and Honours  
 most Obed<sup>t</sup>. and Most H<sup>+</sup>ble Servant  
 Geo: Suckling

2.<sup>nd</sup> May it Please your Excellency

In Obedience to a Resolution of Council  
 of 29.<sup>th</sup> of April last, by which I am required to give my Opinion  
 “Whether the Persons who had Bills of Indictment preferred  
 “against them the last Assizes at Quebec in the affair of M.<sup>r</sup>  
 “Walker, and the Prison Breach / And which were returned  
 “by the Grand Jury no Bills / could in Case of any Accident by  
 “not being Tryed at the next Supreme Court held at Quebec  
 “aforesaid be again recommitted”

This Case is not stated sufficiently clear for  
 there was not any Bill of Indictment preferred for  
 the Prison Breach, It was for a Riot and Rescue.

In Order therefore to illucidate this matter, I humbly  
 apprehend it is necessary to consider, That the first and one  
 of the Principal Points, on which the Obstructions to those  
 prosecutions turned, the last Assizes at Quebec, Was, the  
 seeming Contrast, between the Ordinance of the 17.<sup>th</sup> of Sept.<sup>r</sup>  
 last and the Resolution of Council at Montreal, the 3<sup>d</sup>.  
 of January, and the Ordinance of the 9<sup>th</sup>. of March last.

If the Jurors Summoned from Montreal had been informed, as they ought, at the Time of their Petitioning the Chief Justice to dispense with their Attendance at the last Assizes, That the said Ordinance of 17.<sup>th</sup> September before it was sent to England for his Majesty's approbation or <sup>disallowance</sup> had a Note or Remark added thereto which was read and approved of in Council Viz<sup>t</sup> "That the Government here intended to alter the said Ordinance" which was accordingly by the said Resolution at Montreal and the said Ordinance of the 9.<sup>th</sup> of March, both which were no other than Consequences of the Governments said Intentions signified to his Majesty as aforesaid, it would have prevented one Principal Obstacle which fell in my way by which I failed in those Prosecutions, as the Jurors from Montreal would in all likelihood have attended.

And if the same or any other of the Causes which Obstructed those Prosecutions at the last Assizes, should happen at the ensuing Term, I humbly apprehend it is more than probable they will produce the like Effects, And the Persons accused cannot be Tryed, but must be a Second Time discharged, And as I know no other Accident which can prevent their being Tryed the next Term, I can see, no good or legal Reason why they should be again recommitted, a Third Time.

I have the Honour of being your Excellencys and his Majesties Councils  
 most Obedient and most H+ble  
 Serv.<sup>t</sup>  
 Geo Suckling



It was unanimously Resolved on Reading the same that the Secretary of this Province should Write in a full and ample manner to the Magistrates of Montreal for them to explain to the People there that the late Resolutions of this Board on the 3.<sup>d</sup> of January last and the Ordinance thereon of the 9.<sup>th</sup> March last were no ways Contradictory to the late Ordinance of the 17<sup>th</sup> September Last, but exactly Conformable and agreeable to the Observations therewith also sent for his Majesty's Approbation, And likewise to explain to the said People the absolute necessity of having said Resolution of the 3.<sup>d</sup> January and the Ordinance of the 9.<sup>th</sup> of March as aforesaid put in force and effectually carried into Execution.

And that the said Secretary should also write another Letter to Thomas Walker Esq.<sup>r</sup> acquainting him of the same and likewise the Opinion of the Lawyers here that the several Persons supposed to be guilty of the late outrageous Assault against him as well as those concerned in the Riot and Rescue must be finally discharged the next Term and cannot again be recommitted should they then not be Tryed and therefore to desire him to spare no pains towards bringing on the said Tryal and carrying the said Prosecution into Execution by immediately entering into proper Recognizances for the same and preparing whatever proofs he may think most Conducive towards bringing the several Delinquents so charged as aforesaid to Justice

And likewise to acquaint the said M.<sup>r</sup> Walker that as the Public is most certainly Injured in this

whole affair it is the Unanimous Resolution of this Board that the Government here shall bear the Expences of such Tryal.

M.<sup>r</sup> Van Felson attending and being Sworn was asked by this Board how many Families were settled at Bonaventure he Answer'd 13 Acadian Families, He was asked whether they were not Fugitives from Nova Scotia, whether the Acadians were expelled from thence by General Lawrince, Answered Yes, and further declares that they took Refuge in the Bay of Chaleur, and that he believes in the Year 1761 when the Halifax Government sent down armed Vessels to take them all up those that are now <sup>there</sup> took refuge in the woods and afterwards they were expelled from thence by the Indians and then they settled at Bonaventure where they at Present remain. Being asked how they gain their livelihood there, Answered by Fishing And being also asked whether they had any Connections with the French says that he has Heard that there was a Letter sent there from the Duke of Husieville the Invader of Newfoundland. And that one Person of the Name of <sup>Marchand</sup> there took a Copy of it which said Letter <sup>desired</sup> them there to hold themselves in readiness to join him the said Mon.<sup>st</sup> Husieville but at

what Place this Examinant doth not now recollect, Being also asked how they behaved themselves? Answered that he believes they are still inclined to the French Government, and pay little or no regard to the late Treaty of Peace. Being also asked whether they have attempted to alienate the Affections of the Indians, Answered they have endeavoured to Corrupt them, but by the Paper deliver'd into this Board, at this his Examination it appears that the Indians are still well Attached to his Majesties Government, He was asked whether there were any more Families in his Neighbourhood Answered there were others at Pesbebiac, Port Daniel Pasbo and another Place whose name this Examin.<sup>t</sup> doth not now recollect but that at these last mentioned Places the Inhabitants are Ancient Residenters and behave<sup>as</sup> well as the other Canadians do.

W.<sup>m</sup> Van Felson

M.<sup>r</sup> Alex.<sup>r</sup> Mckenzie attending had the foregoing Examination read to him and being a great Adventurer there was asked if he knew any thing of the foregoing particulars said he knew very little about the Inhabitants there but believed the Acadians were a very bad set of Men however they were useful to him and the other Adventurers there in carrying on their Fisheries

Alexr. Mckenzie

Mess.<sup>rs</sup> Hugh Finlay, Ackland Bondfield & Philip Payne attending had also read to them the Examination of W.<sup>m</sup> Van Felson and being in the same situation with the said Alexr. M'ckenzie returned the same Answer with him

Resolved unanimously that there should be an Application made by this Board to the Lords of Trade in order That his Majesties Pleasure, on the above Particulars might be known and whether those Acadians should be removed.

Resolved that Ten Shillings a Day should be allowed to the several Commissioners appointed for Tendering the Oaths of Allegiance to the several Inhabitants throughout this Province

Presented a Petition from Robert Hunter praying for a Grant of Land as therein setforth

Ordered to be fyled and referred as the late others were 'till the Registry of Lands in this Province be compleated

Ja: Murray

At the Council Chamber in the Castle  
of Saint Lewis in the City of Quebec on  
Wednesday the 15.<sup>th</sup> Day of May 1765

Present.

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P.<sup>s</sup> Em.<sup>s</sup> Irving

Adam Mabane

Benj: Price

Francois Mounier

James Goldfrap

} Esq.<sup>ts</sup>

Read an Ordinance in addition to an Ordinance  
of the fourth Day of October 1764 for regulating and  
establishing the Currency of this Province.

Ordered to be translated and published  
as follows

**Whereas** no Provision is made  
by the said Ordinance, for perverting Persons being  
Affected thereby, to whom Sums of Money were due  
and owing by Book-Debts, Agreements or Securities

for

for Money before the first Day of January last.

Be it therefore Ordained and Declared, by his Excellency the Governor, by and with the Advice, Consent and Assistance of his Majesty's Council of this Province, and by the Authority of the same

It is hereby Ordained and Declared, That all Merchants Accompts for Goods and Merchandizes or other things whatsoever Sold and delivered, Agreements, Bills, Promissary Notes Bonds Mortgages or other Securities for Money Leases, and all Interest and Rents thereby respectively reserved and made Payable, Commencing made and Entered into in this Province before the said first Day of January last shall respectively be paid Satisfied and Discharged in the Species and Denominations of Money in the said Ordinance mentioned as shall be in value and proportion to the Species or Denomination of Money of such respective Outstanding Debts, Dues and demands aforesaid any thing in the said Ordinance contained to the Contrary thereof in any wise Notwithstanding

And be it further Declared and Ordained by the Authority aforesaid that all Original Entries

in

Books of Accompt, and all Accompts whatsoever for Goods and Merchandizes or other things Sold and delivered Agreements, Bills /Bills of Exchange only excepted/ Promissary Notes, Bonds, Mortgages and other Securities for money Leases and all Interest and Rents thereby reserved, to be kept made and entered into in this Province after the first Day of July next shall be kept made and entered into <sup>for</sup> and in the different Rates and Value of the Currency of this Province established by the said Ordinance and in no other Currency whatsoever and all and every Original Entrys, Accompts, Agreements, Bills /Bills of Exchange only excepted as aforesaid/ Promissary Notes, Bonds, Mortgages, and other Securities for Money, Leases and all Interest and Rents thereby reserved, kept, made, and entered into, after the said first Day of July next, in any other Currency than the said Currency, by the said Ordinance established contrary to the true meaning hereof, and of the said Ordinance, shall not be admitted as Evidence in any Court of Law or Equity in this Province; but shall be deemed, adjudged and taken, and are hereby respectively declared to be null and void, to all Intents and purposes whatsoever

And be it further Ordained and Declared, by  
 by the Authority aforesaid, That Eighteen British  
 Copper half pence or Thirty Six British Copper  
 Farthings, shall after the said first day of July next  
 be equal to one Shilling of the Currency by the said  
 Ordinance established and shall accordingly  
 be received and taken in all Payments any  
 thing in the said Ordinance contained to the  
 Contrary thereof in any wise Notwithstanding

Resolved also this Day on Reading a Petition presented  
 to this Board from several of the French Inhabitants at Montreal  
 praying as therein settforth that the same should be fyled  
 and as the Petitioners do not seem to understand the Ordinance  
 of the 6.<sup>th</sup> of November last therein mentioned and the Prayer  
 of said Petition being Contrary to his Majesties Instructions  
 given to his Excellency the Governor the same cannot be  
 granted, but the following Alterations and Additions should  
 be made in the aforesaid Ordinance: to wit

That all Seigniors or other Persons holding any  
 Estate under the Crown do on or before the                      Day of



next bring to the City of Quebec all their Original Tittle Deeds or Authentic Copies of the same by which the said Estates were Originally Granted in Order that the same might be registered agreeable to the said Ordinance and at the same Time each Seignior to produce the names of every Inhabitant together with the Number of Souls in each Family throughout such Seignory and the Quantity of Land each Inhabitant respectively Possesses agreeable to the Plans given them & which are to be fyled in the <sup>s.d</sup> Registers Office Gratis

And from and after the \_\_\_\_\_ Day of \_\_\_\_\_ next every Transfer or other Mutation of Property whatsoever shall be within \_\_\_\_\_ Days after such Transfer or Conveyance be registered in the said Office or that such Transfer and Conveyance shall <sup>be</sup> deemed fraudulently obtained and null and void to all Intents and Purposes whatsoever. And further that all Bonds passed as a Counter Security on any Mortgage given as a Security for the Loan of any Sums of Money be also Registered.

In Consequence of M.<sup>f</sup> Ainslies the Collectors Letter to his Excellency dated the Sixth \_\_\_\_\_ Day of April last \_\_\_\_\_ and presented to this Board They having duly considered the same are Unanimously of Opinion that it will be most Expedient for his Majesties Service to have an Additional Number of

Tide

Tide Waiters in Order that one may be always ready to put on Board any Vessel which may be cleared from any foreign Port for Montreal as the Collectors desire of having them searched or unloaded at the Port of Quebec would be attended with a Manifest Detriment to the Commerce of this Province



Presented to the Board a Survey of the Barracks, Prison, Palace and other Buildings at Quebec the Property of his Majesty.

Ordered to lie on the Table 'till further Orders

Presented a Petition from Malcolm Frazer reduced Serjeant for Land

Ordered to be fyled with the rest

John Gray Esq.<sup>r</sup> having made his Report relative to the Petition of Mess.<sup>rs</sup> Johnston and Purss as referred to him the 3.<sup>d</sup> Ult. Resolved that said Petition should be granted on the Usual Terms.

Council Adjourned

Ja: Murray

At the Council Chamber in the Castle of  
Saint Lewis in the City of Quebec on Tuesday  
the 21:<sup>st</sup> Day of May 1765.

## Present

His Excellency James Murray Esq.<sup>r</sup> Governor  
The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory Esq.<sup>r</sup> C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	}	Esq. <sup>rs</sup>
Adam Mabane		
Benjamin Price		
Thomas Dunn		
Fran. <sup>s</sup> Mounier		
James Goldfrap		

M.<sup>r</sup> Shepherd was sent for and asked by this Board  
whether he recollected any of the Fees due to the several  
Offices at Halifax. Said he did not.

Presented the Attorney Generals Bill of Expences  
and Salary on this Province Amounting in the whole to  
£307,,7<sup>s</sup>., 9<sup>d</sup> Quebec Currency which being passed, a  
Warrant was directed to be drawn on the receiver General of  
this Province for the Payment of the same to the said Attorney  
General or his Assigns.

Mem. <sup>a part in</sup> the above Bill consisting of £207,,7<sup>s</sup>., 9<sup>d</sup> for his

Fees

Fees on Account of Business done for his Majesty and this Province, was passed by this Board in Obedience to the Kings Mandate empowering him the said Attorney General to receive the same Fees as any other Attorney General of his Majesty in the Leeward Islands a Copy of which Fees was by him this Day delivered in and ordered to be entered and Fyled.

Presented likewise to this Board an Account by the Ho<sup>n</sup>ble Paulus Emelius Irving of the Expences and Disbursements relative to the repairing the Court House Amounting to £ 471,,0<sup>s</sup>.,7<sup>d</sup>. Ordered to be paid also by Warrant on the Receiver General.

Ordered that the Collector shall be directed to lay before this Board an Account of the whole Quantity of Spirits that have been imported into this Province for the Three Years last past.

The Council this Day were unanimously of Opinion that Thomas Walker Esq.<sup>r</sup> should be suspended from Acting as a Magistrate and That M.<sup>r</sup> Conyngham should be likewise dismissed from acting as Attorney or Advocate in any of the Courts of Justice throughout this Province.

Ordered also this Day that M.<sup>r</sup> Gregory be allowed £ 50. in Lieu of his Trouble and Attendance at

the

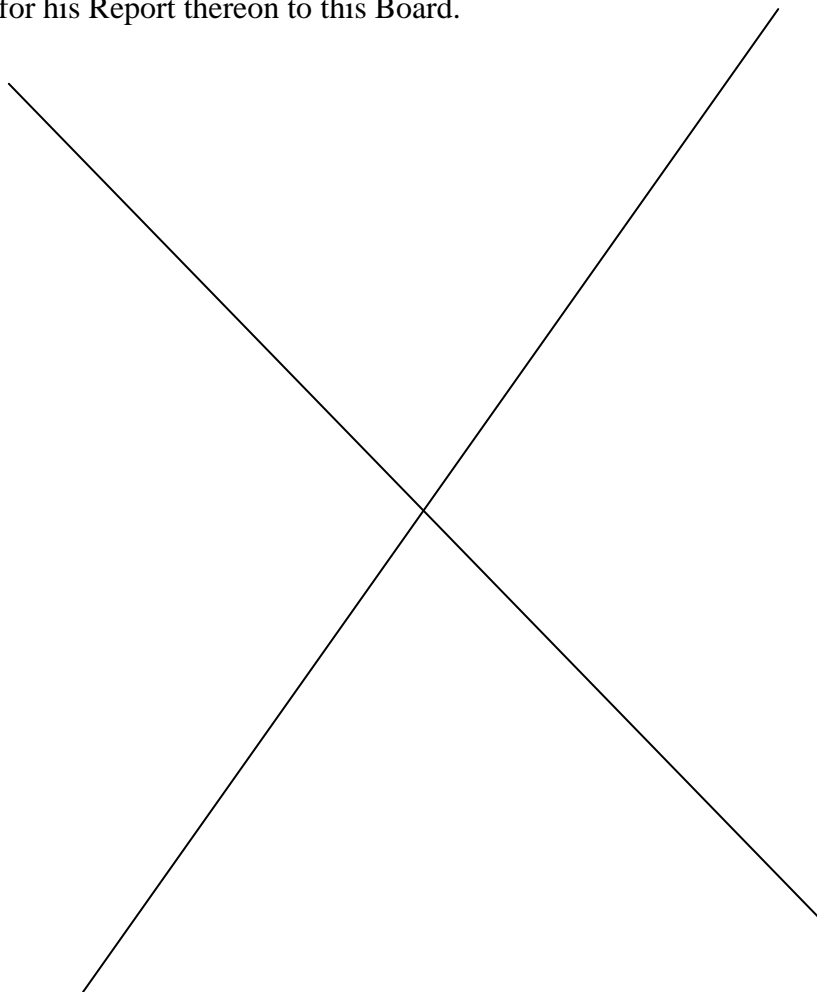
the late Assizes and that a Warrant for the Payment thereof be accordingly drawn on the Receiver General.

Presented <sup>three</sup> Petitions from the Judges of the Common Pleas, the Clerk of the Crown and Davies the Messenger praying Salaries to be established respectively on each.

Ordered to be fyled for further Consideration.

Presented a Petition from Thomas Ainslie Esq.<sup>r</sup> Collector of his Majesties Customs praying Part of the Kings Dock for Building a Custom House &<sup>c</sup>.

Ordered to be fyled and referred to the Surveyor for his Report thereon to this Board.



**An Ordinance**, for explaining an Ordinance,  
for the better discovering and suppressing unlicenced Houses, made  
and past the Third Day of November last.

**Whereas** Doubts have arisen, whether  
any Merchant or Trader, not licenced to retail Spirituous  
Liquors, may sell less than Three Gallons of such Liquors at any  
one time, to any one Person, and whether any such Merchant  
or Trader, selling Three Gallons of spirituous Liquors to several  
Persons at any one Time, be a retailing spirituous Liquors  
to each of the Persons in a less Quantity than Three Gallons,  
contrary to the meaning of said Ordinance.

For explaining whereof Be it Ordained and Declared  
by His Excellency the Governor, by and with the Advice, Consent  
and Assistance of his Majesties Council, and by the  
Authority of the same, It is hereby Ordained and Declared  
that if any Merchant or Trader, not licenced to retail  
spirituous Liquors, shall sell less than Three Gallons  
of Rum, Brandy, Wine, Ale, Beer, Syder Perry, or other strong Liquors  
by what soever name or names, they may be called or distinguished  
mixt or unmixt ^ at any one Time to any one Person: Or if any ..  
such Merchant or Trader shall sell three Gallons of such spirituous  
Liquors to several Persons at one Time, every Person so offending  
shall be deemed and adjudged, and is, and are, hereby declared  
to be a retailer of spirituous Liquors without Licence, to each  
and every such Person or Persons, and shall upon Conviction  
thereof, in such manner as in the said Ordinance is mentioned

forfeit

forfeit for every such Offence the Sum of Twelve Pounds, current Money of this Province and be recovered in such manner as in the said Ordinance is also mentioned, any Thing therein contained to the Contrary thereof in any wise Notwithstanding

Brought from folio: 238

May it please your Excellency

As His Majesty has been most graciously Pleased, by His Warrant under His Privy Seal, addressed to your Excellency for Constituting me his Attorney General of this Province, To Order “That I should have all and singular the “Rights, Fees, Profits, Priviledges and Advantages to the said “Office and Place belonging or Appertaining, in as full and “Ample manner, as any other Attorney General in his “Leeward Carribee Islands, doth hold and enjoy.”

And Letters Patent having past under the Broad Seal of this Province agreeable to his said Majestys Will and Pleasure. – I have therefore in Obedience to your Excellency’s Commands, here, subjoined a Table of Fees belonging and Appertaining to the Office and Place of His Majesty’s Attorney General in his Leeward Carribee <sup>Islands</sup> which by virtue of the Grant to me of the Office of Attorney General of this Province I claim as my Due.

Your Excellency will be pleased to Observe that in my Bill lately delivered, for Business done by me in my Office I have not in many Instances

charged

Charged one half of the Fees, which by my Commission  
I am intituled to Agreeable to the following Table of Fees,

I have the Honour of being with the most profound  
Respect

Your Excellency's  
most Obedient and most h<sup>h</sup>ble Serv<sup>t</sup>.  
Geo. Suckling

Pistoles

All Pleas or Prosecutions of the Crown.....	6
D. <sup>o</sup> Civil Pleas, or other matters where the King is a Party.....	4
D. <sup>o</sup> on Bonds & <sup>c</sup> to the King.....	2
Every Attendance out of Court on Business wherein.....	}..... 3
the King is a Party.....	
Signing this Ingrossment of every Bill or Information in Chancery where the King is a Party.....	}..... 2
Signing the Ingrossment of an Answer thereto.....	
D. <sup>o</sup> of Exceptions to Answer or Interrogatories.....	1
D. <sup>o</sup> of Pleas or Demurrers.....	1
D. <sup>o</sup> of a Replication.....	1
Draft of every x x x Commision or Grant of an .....	}..... 6
Office or Place never less than.....	
D. <sup>o</sup> of every other Instrument in proportion to the.....	}..... 4
Length & <sup>c</sup> Fiat for every Grant of Lands.....	
D. <sup>o</sup> for a Nisi prius and Tales upon every Information.....	1
D. <sup>o</sup> for a Writ of Error.....	1
D. <sup>o</sup> for a Scire Tacias where Lands Dissolve to the King.....	2



List of Fees Continued	Pistoles
Warrant to Acknowledge Satisfaction upon a Judgement where the King remits the Fine.....	} 5
D. <sup>o</sup> for Copies of Conviction or Acquittal.....	1
Consent to Order for estreating Recognizance.....	2
D. <sup>o</sup> on Assigning Council for a Person Indicted.....	½
Composition on a Fine in the Supreme Courts.....	1
Signing a Warrant for a Writ of Possession where Lands escheat or devolve to the King.....	}..... 1
Every Case for Opinion, Petition, Memorial or other matter referred by the Governor & Council	} 6
Every Attendance thereupon or upon any other Reference.....	} 6
General Retainer in any Court never less than	8
Signing every Case before the Council Board.....	8
Brief for Hearing at the Council Board.....	8
Every Attendance on the Governor when he sits as Judge of Probates and Granting Letters of Administration.....	} 6
Signing the Ingrossment of every Information..... in the Supreme Court.....	} 2
If he draws it he is paid for so doing according to the Nature and Difficulty of the Case.....	
If in any Case wherein the King is a Party the proceedings are Long and Continued he is paid inproportion to his trouble and attendance	

Ja: Murray

At his Excellency's House in the  
Country pursuant to special Order  
on Wednesday the 22.<sup>nd</sup> Day of May 1765

## Present

His Excellency James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>  
The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory Esq.<sup>r</sup> C. J.  
P.<sup>s</sup> Em.<sup>s</sup> Irving  
Adam Mabane  
Benj.<sup>n</sup> Price  
Thom.<sup>s</sup> Dunn  
Francois Mounier  
James Goldfrap

} Esq.<sup>ts</sup>

His Excellency presented to the Board a Letter and  
Petition from Mess.<sup>ts</sup> Walker and Knipe of Montreal  
giving an Account of a Dreadful Fire which happened the  
18<sup>th</sup>: Instant at Montreal & which had destroyed 121 Houses.

Resolved on reading the same that Brig.<sup>r</sup> Burton  
should be Wrote to in the following Terms

Sir/

Quebec 22.<sup>nd</sup> May 1765

A Report having been sent from the Majistrates  
at Montreal to his Excellency in Council setting Forth  
the late dreadful Calamity there in which Report is the  
following Paragraph. “We earnestly intreat your Excellency  
“and the Ho<sup>n</sup>ble Council to use your Endeavours to ease the  
“Houses that have Soldiers Lodged upon them either by  
“encamping, cantoning, or Lodging them in  
“the Kings Stores or in some other Way as shall seem meet to the

“End that the Houses which are left standing may be able to receive  
 “their poor unhappy Friends, Relations and Fellow Citizens,  
 “if this Regulation does not take place the whole City is  
 “ruined past redemption” I am Orderd by his Excellency  
 in Council to desire that you will ease the distressed  
 Inhabitants in the speediest and most Effectual manner  
 which the Nature of things will admitt of and to assure  
 you that the Government here is firmly persuaded that  
 if the Magistrates there had made the like Representations  
 to you / which probably their Hurry and Confusion  
 prevented / there would have been no need for this present  
 Application.

Resolved also unanimously by this Board that  
 The Ho<sup>n</sup>ble Adam Mabane and Benjamin Price Esq.<sup>r</sup>  
 should on the Morrow go up to Montreal there to inform  
 themselves & this board what best could be done for the  
 distressed Inhabitants.

Resolved likewise that their Expences be disbursed  
 them and that they shall have the Power of Distributing to  
 the Amount of 300<sup>£</sup> Currency amongst the people most  
 necessitous in the said City of Montreal a list of whom  
 was to be transmitted by them with the Sums of Money  
 respectively Advanced to each Person.

Presented Petition from the Hon<sup>l</sup> Paulus Emilius Irving  
 for a grant of Red Island  
 ordered to be fyled & Surveyed

Ja: Murray



## **Cahier B**

Du 31 mai 1765

au 28 décembre 1767



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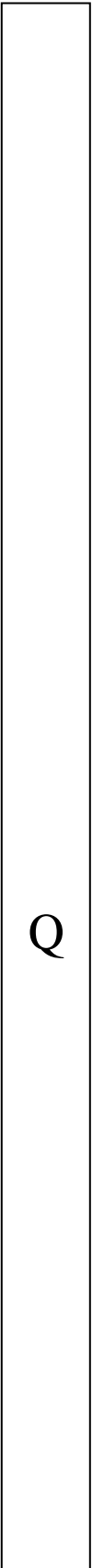
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X











At the Council Chamber in the  
 Castle of Saint Lewis in the City  
 of Quebec on Fryday the 31.<sup>st</sup> Day of May  
 1765.

## Present.

His Excellency the Ho<sup>n</sup>ble James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>r</sup>
Thomas Dunn	
Francois Mounier	
James Goldfrap	

Presented the Report of M.<sup>r</sup> John  
 Collins Deputy Surveyor on a survey  
 directed to be taken by him of Lands as Petitioned  
 for by several Persons on the River Grace in the  
 Lake S.<sup>t</sup> Francois and found by him to have been  
 private Property.

Ordered to be fyled & the Petitioners  
 acquainted of the same

Presented a Petition from Monsieur  
 Amiot Comptaining of the Collector of the Customs  
 of this Port receiving a Sum of Money from him  
 which had been before paid.

Ordered the said Collector to  
 attend this Board who urged that as there was no  
 Receipt produced to him for the money complained

of

of, he could not in strictness allow it according to his Instructions, but however he would for this Time overlook the same and return it.

Read this Day the Answer of Brig.<sup>r</sup> Burton to the Letter sent him pr Order of this Board the last Council Day.

Ordered to be fyled.

Presented a Report of M.<sup>r</sup> Collins D. Surveyor on a Survey by him directed to be made of a Lott of Ground lying in the Cul-de-sac for the use of Mess.<sup>rs</sup> Murray & Lee in Order to erect a Public Wharf thereon

Ordered to be given with a Warrant thereon and Instructions to M.<sup>r</sup> Attorney<sup>General</sup> for him to draw a Dr.<sup>t</sup> of Letters Patent for the same with the usual Reservations &<sup>c</sup>. to the said Mess.<sup>rs</sup> Murray & Lee

Presented also another Survey from said M.<sup>r</sup> Collins According to Order of a Lot of Ground on his Majesty's Wharf for erecting a Custom House thereon with the necessary Dimensions for that purpose and his Opinion that the same would not interfere with his Majesty's Service or that of the Public

Ordered to lie on the Table for a further Day.



Presented 2 Petitions from Mess.<sup>rs</sup> W.<sup>m</sup>  
Govett and Nathaniel Stone praying Grants  
of Land on the River Schattaugay.

Ordered to be fyled till the Registry  
was Compleat and then if not found to be  
private Property to be Surveyed and Granted

M.<sup>r</sup> Alex.<sup>r</sup> Mckenzie one of the Petitioners  
for Lands at Gaspée and Bonaventure down  
the River Saint Lawrence attending this  
Board in Pursuance of an Advertisement put  
in the Quebec Gazette for that purpose in Order to point  
out to the said Petitioners the most easy and  
least expensive Method for Transporting the  
Deputy Surveyor of this Province to the respective  
Lands prayed for, to Survey the same and to settle  
his Fees thereon the said Petitioner in Council refused  
to Comply saying he would rather abandon  
the Premises in Question than be at the Expence  
in obtaining a Grant for them, for that he had  
already got Possession by having Built thereon  
and he thought no Body had a Right to Turn  
him out on that Account.

Mess.,<sup>rs</sup> Finlay<sup>✓</sup>, Murray<sup>✓</sup>, Price<sup>✓</sup>, Werden<sup>✓</sup> ✓  
M.<sup>c</sup>Cord<sup>O'Hara</sup> Montgomerie, Young, Chartier, Denny,  
Bondfield, Blewett, Hunter, Frazer, Tachét, Van  
Felson, Stegman, Askwith M.<sup>c</sup>Arthur, Jorand,

Franks

Franks, H. Mounier, Holtum M<sup>c</sup>Kenivan,  
Williamson, Hyser, Sweetland, together with many  
others who were late Serjeants or Soldiers attending this  
Board either by themselves or Representatives  
pursuant to the Advertisent for that Purpose  
desired that the prayers of the respective Petitions  
for Lands in the seven Islands, Chaleur and Gaspée  
Bay & Places adjacent might be Granted and the  
Surveyor General or his Deputy directed to go down &  
lay out the same which was Ordered accordingly

Read this Day <sup>and passed</sup> an Ordinance  
Relating to Soldiers and Seamen, for preventing  
Desertion and Imprisonment of their Persons  
for Debt, or pretence thereof, and for Librating  
Soldiers now in Prison for Debt.

Whereas it is of great Hurt to His Majestys  
Service, that Soldiers Quartered in this Province, should  
be arrested and restrained in Prison for Debt, or pretence  
thereof, and moreover great Loss and Damage is  
frequently Occasioned to Trade and Navigation  
by seamen deserting their Employ or Voyage they  
entered upon, or being taken Off from the same  
by Arrest and restraint of their Persons in Prison  
for Debt, or pretence thereof: for preventing whereof,

Be it Ordained and declared, by His

Excell.<sup>y</sup>

Excellency the Governor, by and with the Advice, Consent and Assistance of His Majesty's Council and by the Authority of the same, it is hereby Ordained and Declared, That if any Innkeeper, Victualler, seller of Wine, or strong Liquors, Strong Liquors, Shopkeeper or any other Person whatsoever, shall Trust, or give Credit to any Soldier, quartered in this Province, or to any Marine, Mariner or Seaman, belonging to any of His Majesties Ships or Vessels of War, or employed in his Service, or to any Mariner or Seaman, belonging to any Merchant Ship or other Vessel, without the Knowledge and Allowance of the Commanding Officer of the Regiment, or Captain of the Company to which such Soldier belongs, or without the Knowledge and allowance of the Captain, Commander or Master of such Ship or Vessel respectively: No Writ or process whatsoever, for any Debt so Contracted, without Knowledge and Allowance as aforesaid, shall be granted or Issued against, or be served on such Soldier, Marine, Seaman or Mariner: And every Writ or process, granted and served contrary to this Ordinance, shall be deemed and adjudged, and is hereby declared to be null and void to all Intents and purposes whatsoever.

And if any Soldier, Marine, Mariner or Seaman, shall be arrested Contrary to this Ordinance, it shall be lawful for any one of his Majesties Justices of the Peace, of the District where such Soldier, Marine, Mariner or Seaman shall

be

be arrested, upon Complaint by the Party, or his Superior Officer, to examine into the Same by the Oath of the Parties or otherwise, and by Warrant under his Hand and Seal, directed to the Provost Marshal of this Province, to discharge such Soldier, Mariner or Seaman without Fee, upon proof before him, that such Soldier, Marine, Mariner or Seaman, was listed or engaged, and arrested Contrary to this Ordinance and also to award to the Party complaining such Costs as he shall think Reasonable to be levied by Warrant under the Hand and Seal of such Justice.

And be it further Ordained and Declared That if any Person shall Buy, or receive as a Pledge, or Exchange, any Soldiers Cloaths, Arms or Accoutrements, or any Slop-Cloaths from any Seaman or Marine belonging to any of his Majesty's Ships or Vessels of War, upon Conviction thereof, or Confession, or by the Oath of one Credible Witness: or if such Cloaths, Arms or Accoutrements shall be found in the Possession of any Person upon Complaint that they were bought from pledged or Exchanged by such Soldier, Seaman or Marine, and he to be utterly debarred from recovering in any Action the Purchase or Loane of Money for the same: any Person offending herein may be convicted of such Offence before any one or more of His Majesty's Justices of the

Peace

Peace, for the District where such Offence shall be Committed, who are hereby required and impowered to levy the Penalty by distress and in default of Distress, to commit the Offender to His Majesties Goal, there to remain without Bail or Mainprize for the space of Two Months, or 'til such Time as the Penalty shall be paid.

Be it further Ordained and Declared That it shall and may be lawful for any Person upon seeing or knowing any Soldier, or any Seaman or Marine, belonging to any of his Majesty's Ships or Vessels of War, selling or exposing to Sale any of his or their Cloathing Arms, Accoutrements or Slops to apprehend such Soldier, Seaman or Marine, and carry him or them immediately to some Justice of the Peace of the District, who is hereby impowered to commit such Soldier, Seaman or Marine, to his Majesty's Goal, and to deliver him or them over to the Commander of the Regiment, or Captain of the Company to which such Soldier belongs, or to the Captain or other Officer of the Ship or Vessel to which such Seaman or Marine may belong.

And be it further Ordained and Declared by the Authority aforesaid, That if the Master or Commander of any Ship or Vessel / the Captains Commanders or Masters of his Majesties Ships or Vessels of War excepted/ shall Ship any Mariner or Seaman, knowing him to

be

be first entertained and Shipped aboard another Ship or Vessel, or after notice thereof given such Master or Commander /except as aforesaid/ shall not forthwith <sup>discharge</sup> and dismiss such Mariner or Seaman, every Master or Commander /except as aforesaid/ so offending, being thereof Convicted upon Oath before any one or more of his Majesties Justices of the Peace of such District shall forfeit and pay the Sum of Twenty Pounds of Current Money of this Province at the Rate of Six Shillings each Dollar, one Moiety whereof to be to the use of his Majesty's Government and the other moiety to him or them that shall Inform for the same, to be levied and recovered by Warrant of Distress under the Hand and Seal of such Justice, of the Offenders Goods and Chattels and for want thereof to Commit such Offenders to Prison until Payment be made, and every Mariner or Seaman, so Shipping himself, shall forfeit and pay one Month's Wages, to be recovered Employed and disposed of as aforesaid.

And be it further Ordained and Declared by the Authority Aforesaid, That if any Person shall entice any Mariner or Seaman, belonging to any of His Majesties Ships or Vessels of War, or those employ'd in his Service, or any Mariner or Seaman, belonging to any Merchant Ship, or other Vessel, to desert, or Harbour conceal or assist any Deserter from any of the Regiments Quartered in this Province, or from any Ship or Vessel of War, or Merchants

Ship

Ship as aforesaid, knowing him to be such, the Person so offending shall forfeit the Sum of Twenty Pounds of like Current Money as aforesaid, on Conviction by any one or more Credible Witnesses, upon Oath before any one or more of His Majesty's Justices of the Peace, for the use of his Majesty's Governm.<sup>t</sup> to be levied by Warrant of Distress, and for want of such Distress the Person so offending shall be committed to his Majesties Goal, there to remain without Bail or Mainprize for the space of Four Months, or 'till such Time as the said Fine shall be paid.

And be it further Ordained and Declared by the Authority aforesaid that if any Mariner or Seaman, having Shipped himself on Board any Ship or other Vessel to proceed on any Voyage and under pay/ the same being made appear by his signing the shipping Articles, according to the direction of an Act of Parliament in that behalf made/ shall refuse or neglect to give his Attendance, or to do his Duty on Board, or absent himself from said Service, upon Complaint thereof to any Justice of the Peace, such Justice is hereby impowered and required to cause such Mariner or Seaman to be brought before him, and upon Conviction on Oath of having absented himself, or Refusal or neglect to do his Duty, to commit him to Prison that so he may be secured, and forth coming to proceed on the Voyage he has so agreed to, to be

delivered by Order of such or any other Justice in the same District, to the master or Commander of such Ship or Vessel. And whereas it hath been frequently published and made known to the Inhabitants of this Province, not to trust or give Credit to any Soldier in Garrison, notwithstanding which, several People have ventured to trust them, or have pretended so to do, by which means and pretences several Soldiers have been arrested, and are at this time detained in Prison, to the great detriment of his Majesty's Service for Remedy whereof.

Be it Ordained and Declared, by the Authority aforesaid, that it shall and may be lawful, for any Judge, or any one of his Majesty's Justices of the Peace of this Province, and they are hereby required upon Complaint of any non Commissioned Officer or private Soldier /or his superior Officer/ now in Prison for any Debt, or pretended Debt, by Warrant under his Hand and Seal, to Cause such Soldier to be brought before him and upon sight of the Writ, Process or warrant of detainer or Copy thereof, by which such Soldier is kept in Prison imediately to liberate and discharge him out of Custody without Fee, and every such Soldier, so discharged, shall not afterwards be again Arrested or imprisoned for the same Debt or demand.

Ja: Murray



At the Council Chamber in the  
 Castle of Saint Lewis in the City of Quebec  
 on Monday the 3<sup>d</sup>., Day of June 1765. \_\_\_\_\_

## Present.

His Excellency the Ho<sup>n</sup>ble James Murray Esq.<sup>r</sup> Gov.<sup>r</sup>

The Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J.

P. <sup>s</sup> Em. <sup>s</sup> Irving	} Esq. <sup>r</sup>
Thom. <sup>s</sup> Dunn	
Francois Mounier	
James Goldfrap	

Whereas the Number of Petitioners for Land  
 at seven Islands, Gaspee Chaleur and Places  
 adjacent are for the most part of them poor Soldiers  
 who being desirous of settling on the same but unable  
 to pay the Expences of Deputy Surveyors being  
 Transported thither to lay out the same agreeable to  
 his Majesty's Proclamation.

It was this Day unanimously resolved in  
 Council, That as a Grant of the same being of great  
 Consequence to this Province and in Order that the  
 same might be properly laid out in Townships and  
 divided agreeable to His Majesty's Instructions for the  
 better and more speedy settling the same the Surveyor  
 General or his Deputy should be ordered to make a general  
 Survey of the same and report therein to this Board  
 and that the Government here should accordingly  
 bear the Expences of hiring a Vessel and sending the  
 said Surveyor thither and for that purpose instructions

to be made out and given him.

Presented a Petition from Donald  
Williamson and other Soldiers praying Lands  
at the Bay of Challeurs

Ordered to be fyled and Granted on  
the same Terms with the rest.

Presented to this Board a Petition from the  
Coe Seigneuries of Chamblée praying the use of some Lands  
round Chamblée Fort at present unoccupied by this  
Government as being a Part of their Seignieury

Ordered that the Clerk of this Board  
do write to Brig.<sup>r</sup> Burton inclosing a Copy of said Petition  
and desiring him to acquaint this Board if the granting  
the same would be detrimental and in what respect to his  
Majesty's Service.

Whereas from many unforeseen Accidents  
it would be greatly ditrimental to the people of this  
Province to Comply with the Ordinance of the 6.<sup>th</sup> Day of  
November last for bringing in and Registring their  
respective Grants Conveyances &<sup>c</sup> by the Time as in  
the said Ordinance is settforth.

It was in Consequence of the same and several  
Petitions delivered into this Board for that Purpose  
this Day unanimously Resolved that the Time

therein

therein mentioned should be further extended untill Tuesday the 24.<sup>th</sup> Day of December next and that the same should be published immediately in the Quebec Gazette.

Presented a Certificate from M.<sup>r</sup> T. Walker with regard to his Protest together with a Petition from W.<sup>m</sup>.<sup>s</sup> Conyngham Gent. late Attorney Suspended by order of this Board praying that he might again be restored &.<sup>c</sup>

Ordered to lie on the Table for the Consideration of a full Council

Presented likewise 2 Petitions from the 28<sup>th</sup>: Regiment and Captain Payne to the same effect.

Ordered as before.

Presented a Petition from the Ho<sup>n</sup>ble W.<sup>m</sup> Gregory C. J. praying for the Reasons therein sett forth, that His House Rent might be charged to the expence of the Government

Ordered to be fyled, and that His Excell.<sup>y</sup> the Governor should be requested to <sup>write</sup> His Majesties Lords of Trade and Plantations on this Head setting forth the same and desiring their Lordships Resolutions on that Occasion.

Presented a Petition from Mess.<sup>rs</sup>  
Browne and Gilmore praying as therein settforth

Ordered to lie on the Table 'till a  
further Day.

Presented a Petition from Mess.<sup>rs</sup> Francois  
Mounier and John Marteilhé praying some Lands  
of the Jesuits as therein settforth.

Ordered to lie on the Table 'till a  
further day

Presented a Letter from Pere Coquart to  
His Excellency the Governor representing the Savages  
Fears at Tadousac that their Lands would be granted  
from them.

Ordered to be fyled and Resolved on reading  
that they should<sup>be</sup> required to shew to this Honble  
Board their several Rights and Claims to such Lands  
and how they are derived

Presented also a Petition from Philip Payne  
praying Land &.<sup>c</sup>at Gaspée

Ordered to be fyled 'till the General  
Survey which has been directed is Compleat.

Read the following Ordinance for Adjourning Trinity Term next and every succeeding Trinity Term and for hearing and determining certain offences at the Town of Trois Rivières in this Province.

Approved of the same and ordered to be Translated and Published

Resolved also in Consequence thereof that the Attorney General be directed to prepare a Commission of Oyer and Terminer directed to the Honourable William Gregory Esquire C: Jus: to commence on the said 1.<sup>st</sup> Day of July next at the said Town of Trois Rivières.

Whereas, by an Ordinance of his Excellency the Governor and Council of this Province, made the 17.<sup>th</sup> Day of September Last, it was amongst other Things, Ordained and declared "That a Superior Court of Judicature or Court of King's-Bench, should be established in this Province, to sit and hold Terms in the Town of Quebec, twice in every Year viz. one to begin on the Twenty first Day of January called Hillary Term, and the other on the 21.<sup>st</sup> Day of June, called Trinity Term." And whereas the sitting of the said Court, and holding the said Term called Trinity Term, on the 21.<sup>st</sup> Day of June, is on many Accounts likely to prove prejudicial to the Inhabitants of this Province.

Be it therefore Ordained and Declared, by His Excellency the Governor, by and with the advice Consent and Assistance of his Majesty's Council and by the authority of the same, It is hereby Ordained and Declared, That the next sitting of the <sup>said</sup> Superior Court of Judicature, or Court of King's Bench and the said next Term, called Trinity Term, by the said Ordinance appointed to be held on the said 21.<sup>st</sup> Day of June, Is, and are by Force of this Ordinance, adjourned untill the first Day of August next at the City of Quebec; and all Persons /except the Persons and for the Causes in this Ordinance herein after mentioned/ who have any thing to do, at the said Court and Term, by the said Ordinance intended to be held, on the 21.<sup>st</sup> Day of this Instant June, shall, by Virtue hereof, have free Licence and Liberty to forbear their Attendance until the said first Day of August next, at the City of Quebec, and all such Persons /except the Persons herein after mentioned/ are hereby required to keep their Day on the said First Day of August next, at the City of Quebec aforesaid.

And it is also further Ordained and declared by the Authority aforesaid, That every succeeding Trinity Term shall be held on the 15.<sup>th</sup> Day of July in every Year at the City of Quebec aforesaid.

And whereas several Persons stand charged with having violently Assaulted and maimed M.<sup>r</sup>

Tho.<sup>s</sup>

Thomas Walker, Merchant at Montreal, in the Night of the 6<sup>th</sup>. Day of December last, and others are also charged with a Riot and Rescue at the same Place, on the 16<sup>th</sup> Day of January last, and several Persons stand bound by Recognizances to appear and Answer, and others to appear and prosecute, and give Evidence against the several Persons so charged, at the next Court of King's Bench to be held at Quebec: And for the quick dispatch of Justice, it has been thought Adviseable, that the said Offences should be inquired of, heard and determined at the Town of Three Rivers in this Province, on the first Day of July next, and for those purposes only, It has been Resolved, by his Excellency the Governor in Council, That a Commission of Oyer and Terminer do forthwith Issue, directed to the Ho<sup>n</sup>ble William Gregory Esquire Chief-Justice of this Province, for the hearing and determining the said Offences only, at the said Town of Three Rivers.

Be it therefore further Ordained and Declared by the Authority aforesaid that all and every Person or Persons whatsoever, who now stand bound by Recognizance to appear and answer, or to appear and prosecute, or give Evidence in the said Assult and Maiming, Riot and Rescue, at the next Court of King's Bench to be held at Quebec, shall, instead of Appearing at the said next Court of King's Bench at Quebec, be, and are hereby respectively Obligated to

appear and answer, or to appear and prosecute or give Evidence, at the said Court of Oyer and Terminer to be held at the Town of Three Rivers, any Sentence Clause, matter or thing in the Conditions of such Recognizances, or any of them contained to the Contrary or seemingly to the Contrary thereof in any wise notwithstanding. And all and every Person or Persons, so found failing, neglecting or refusing to appear accordingly, at such Time and Place, as is hereby directed, shall, to all Intents and Purposes whatsoever, incur a forfeiture of such Recognizances respectively and the Judge of the said Court of Oyer and Terminer so to be held at the Town of Three Rivers as aforesaid, shall and may estreat the same accordingly for His Majesty's use.

Presented also this Day to his Excellency in Council the following Letter from the Clerk of this Board vidz.

Sir

The Honor your Excellency did me in appointing me D. Clerk of the Council for this Province, has ever made me more particularly Anxious in the Execution of that office; how far my warmest Endeavours have succeeded I cannot pretend to say, it is sufficient for me to know, that if I have merited your Approbation, I shall receive it; Sensible therefore of your Excellency's Justice, and ever studious to obtain your good Opinion, I now request leave

to



to resign, finding it impossible to discharge my Duty in that Place any longer with the Attention I am sure your Excellency wishes, and itself deserves; my other Business increasing so fast upon me, that I cannot without a manifest detriment to myself, & what is much more, that of others, dedicate any further Time from it

As these are the only Motives for desiring this Indulgence, I flatter myself your Excellency will not be displeas'd, at my soliciting it, but by granting add to the many & great Favours already conferred by you on

Sir Y.<sup>r</sup> most faithful most devoted  
& much Oblig'd h<sup>ble</sup> Serv.<sup>t</sup>

H: Kneller

Ordered to be entered and Fyled and the same together with the following Advertisement to be put in the Quebec Gazette

By Authority

The above is a Copy of a Letter from M.<sup>r</sup> Kneller to the Governor who in Council Thank'd M.<sup>r</sup> Kneller, for the Zeal dilligence and Abilities he had shewn in the Execution of the Office of Deputy Clerk of the Council.

The Government expressed their Concern in being under a Necessity of Complying with his request, and M.<sup>r</sup> Potts is appointed Deputy Clerk of the Council in M.<sup>r</sup> Knellers Room.

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec  
on Thursday the 20.<sup>th</sup> Day of June 1765

Present

His Excell<sup>y</sup> The Hon.<sup>l</sup> James Murray Esq<sup>r</sup> gov.<sup>r</sup>

The Hon<sup>l</sup> William Gregory C. J.

Adam Mabane

Benjamin Price

Tho.<sup>s</sup> Dunn

Francis Mounier

James Goldfrap

} Esq<sup>rs</sup>..

M.<sup>r</sup> Kneller The Deputy Clerk of this Board having  
obtained leave to resign agreeable to his Request the  
last Council Day James Potts Esquire was by His  
Excellency in Council appointed Deputy Clerk of the  
Council in M<sup>r</sup> Knellers Room, And having in  
pursuance thereof this Day attended, the Oath of the  
Deputy Clerk of the Council was administered ~~by~~<sup>To</sup> him  
in Council, And he took his Seat at the Board  
Accordingly

Ordered upon reading the following Represen:  
tation from the Hon.<sup>l</sup> William Gregory Chief Justice  
that the same should be entered in the Council Book  
And a Copy of the same made by the Deputy Clerk  
of this Board for the said Chief Justice

“Complaint having been this Day made to this  
Hon.<sup>l</sup> Board by. The Hon<sup>l</sup> William Gregory that

in

in a Supplement to the Quebec gazette Dated the 23.<sup>d</sup> Day of May last the following Scandalous Insinuations and unjust Aspersions were therein inserted and signed by George Suckling Esq.<sup>r</sup> His Majestys Attorney general; To Witt “But The Chief Justice over-ruled me and determined, that the Deputy in this Case might appoint a Deputy, And that the Deed drawn by Conyngham And executed by M<sup>r</sup> Goldfrap, appointing M<sup>r</sup> Walker Deputy to M<sup>r</sup> Turner was good And the Appointment valid.” And in another Sentence of the same Supplement are the Words following “The Chief Justice well know: saying that the Juries from Montreal would not come down to Quebec; And they were under no fear of the Consequences As the Chief Justice declared he would not fine one of them for non attendance”

The said Supplement was accordingly called for and being produced His Majestys Attorney general was then sent for to prove the Truth of the said two paragraphs therein inserted, but could produce no Evidence to support either of the said Charges except his own single assertion And the Chief Justice then declared that he never was of that Opinion nor ever gave such Opinion nor did he ever make such Declaration as in the said second paragraph is set forth”

Ordered that the following List of Fees for the different officers in this province be published in the next weeks Gazette

#### The governors Fees

For the great Seal to every patent for and under one hundred acres of vacant & unappropriated Land

Twelve shill.<sup>s</sup>

For the great Seal to every patent upwards of One hundred Acres, for each hundreded acres of said Land	Ten shillings
For The great Seal to a confirmation for renewing of a patent _____	Twenty shillings
For a Licence of Marriage _____	Ten shillings
For His Seal to Letters of Administration	Ten shillings
For a Certificate under his Hand & Seal to go beyond Sea _____	Ten shillings
For a Licence to purchase Land of the Indians	Twenty shill. <sup>s</sup>
For His Hand & Seal to a pass for a Vessel to Europe _____	Ten shillings
For the like to the West Indies _____	Six shillings
For the like to any neighbouring Colony	Two shillings
For His Seal to the probate of a Will	Ten shillings

### The Secretarys Fees

For a Confirmation of a patent for a House and Lot of Land formerly proessed Viz. <sup>t</sup> Ingrossing Fiat sealing and recording _____	Forty shillings
For a patent for new Land for or under one thousand acres viz. <sup>t</sup> Ingrossing Fiat sealing and recording _____	Three pounds
For a patent for new Lands for above One thousand Acres Viz. <sup>t</sup> Ingrossing Fiat sealing and recording _____	Five pounds
For Exemplification of a patent Ingrossing Fiat and Sealing _____	Forty shillings
For a patent for a new Township	Six pounds
For a Confirmation of a Township or Manor	Four pounds
For a Confirmation of a patent for above One thousand	

Acres

Acres of Land _____	Three pounds
For a Ticket for a person to depart the Province	
_____	One shilling & Six pence
For a pass for a Vessel to Europe & Bond Ten shillings	
To the West Indies .....	Six shillings
To the neighbouring Colonys ....	Two shillings
For An Order under the governors Hand or his	
Hand and Seal .....	Six shillings
For entering a Caveat .....	One shill <sup>g</sup> & Six pen. <sup>ce</sup>
For a Commission under the Broad Seal for a	
place of profit.....	Twenty four shillg. <sup>s</sup>
For a Commission under the governors hand	
And Seal for a place of profit.....	Eighteen shillings
For a Licence for An Attorney to practice	
.....	Three pounds
For drawing a Certificate to pass under the Broad	
Seal or any other Seal And for engrossing the Same	
per sheet containing Sixteen Lines & Eight Words in	
a Line.....	One shilling & Six pence

#### Fees of the prerogative Court

For drawing the Deposition of Witnesses to a Will	
Ingrossing the Will & probate And recording the Same	
for every sheet containing 16 Lines & 8 Words in a	
Line.....	One shilling & Six pence
For swearing the Witnesses and Executor for	
each .....	One shilling & Six pence
For drawing every Fiat or Order for Administration	
and swearing the Administrator.....	Six shillings
For drawing Ingrossing & recording the Adminis:	
tration for every sheet containing 16 Lines & 8 Words	
in a Line.....	One shillings & Six pence

For

For drawing the Administration Bond computing  
the same Way pr Sheet .....One shilling & Six pence  
For a Commission to take the probate of a Will, or to  
swear an Administrator ..... Nine shillings  
Filing the Original Will & affixing the seal For  
each..... One shilling & Six pence  
Filing the Fiat for Administration & affixing the  
Seal, for each..... One shilling & Six pence  
Recording An Inventory pr page each containing  
Sixteen Lines & Eight Words in a Line - One shilling & Six pence  
Filing the Inventory & swearing the Executor for  
each ..... One shilling & Six pence  
For a Citation..... Six shillings  
For attending the Courts or else where with and origi:  
:nal Will for each Day..... Twelve shillings

#### The Registers Fees

For recording Deeds Mortgages Conveyances and  
other Writings per page each page containing 16 Lines &  
Eight Words in a Line..... One shilling & Six pence  
Copys of Deeds Mortgages Conveyances & other writings  
recorded, or of Any other papers or Writings per page  
containing as aforesaid..... One shilling & Six pence  
For a Search for the first year One Shilling & Six pence  
For every year back..... Nine pence  
For attending the Courts or else where with an  
original Record for each Day..... Twelve shillings

#### The Clerk of the Councils Fees

For reading a petition in Council for Money. One Shill.<sup>s</sup>  
Reading a petition for other Matters... Five shillings

Filing

Filing a Petition..... One shilling  
 For filing other papers by the party's Request or  
 by order..... One shilling  
 For an Order of Council..... Three shillings  
 For a Copy of an Order of Council... Three shillings  
 For attending the Committee of the Council on a  
 Reference..... Ten shillings  
 For drawing a Report of a Committee Five shill<sup>g</sup>.<sup>s</sup>  
 For a fair Copy thereof..... Two shill<sup>g</sup>s & Six pen.<sup>ce</sup>  
 Reading a Report of the Committee at the  
 Council Board..... Two shillings  
 Filing a Report..... One shilling  
 For a Copy of a petition..... Three shillings  
 A Copy of other papers per Sheet each Sheet  
 containing 16 Lines & 8 Words in a Line One sh: & Six pen.<sup>ce</sup>  
 For writing & reading each Evidence. One sh: & Six pen.<sup>ce</sup>  
 Swearing persons for each..... One shilling  
 Drawing Licence to purchase Land of the Indians  
 writing fair and entering in the Book.. Twelve shill<sup>g</sup>.<sup>s</sup>  
 For drawing a Warrant of Survey, writing the  
 same fair & entering in the Book.. Twelve shillings  
 For drawing a Warrant to the Attorney general  
 to prepare a patent writing it fair & entering it in  
 the Book..... Twelve shillings  
 A Warrant for payment of money and enter:  
 :ing it in the Book..... Three shillings  
 Reading a private Bill, first time, second time  
 and third time for each..... Five shillings  
 Entering the Agreement of the Council to a  
 Bill..... Four shillings  
 For Ingrossing three parts thereof & parchment  
 for each..... Eighteen shillings  
 Affixing three Seals & Wax for each Six shillings

on Money Warrants



Fees

Fees for the Court of forty shillings or under

For the Summons..... Nine pence  
For serving the Summons for One Miles riding or  
under..... One shilling  
Every Mile more..... Six pence  
The Judgement ..... One shilling  
For the Summons for Evidence Six pence  
Serving the same within One Mile One shilling  
Every Mile more..... Six pence  
The Jury for the same Each Juror..... Nine pence

Fees for the Justices in or out of Sessions

Every Warrant of Appearance . One shilling & Six pen.<sup>ce</sup>  
The Justices Clerk for a Bond.....Two shillings  
Taking Bail in or out of Court One shilling & Six pen.<sup>ce</sup>  
Acknowledging a Deed.....One shilling & Six pence  
For a Licence to Sell Drink.....One shilling & Six pence  
The Clerk for the Bond for the same Two shillings

The Judge & Justices Fees for the Court of Common  
pleas

All Actions from Forty shillings to Twenty pounds  
..... One shilling & Six pence  
From Twenty pounds & upwards Three shillings  
Every Judgement of Court ..... Nine pence  
For Signing An Execution..... Six pence  
Admittance of a guardian..... One shilling & Six pence  
Swearing the Witnesses to a Will. One shilling & Six pence  
A Certificate of the same to the Secretarys Office One sh: & Six pe.<sup>ce</sup>  
Acknowledging Satisfaction on Record Nine pence  
Taxing & Signing a Bill of Costs.. Six pence

Fees



Fees for The Clerk of the Sessions And Court  
of Common pleas

Drawing every Warrant to search for stolen goods or to come before the Justices to be examined upon any Case criminal.....	One shilling & Six pence
Drawing affidavits or taking Examinations for each.....	One shilling & Six pence
Taking Recognizances & drawing it up in form.....	One shilling & Six pence
Every Mittimus .....	Two shillings
For drawing every Indictment & Ingrossing the same on parchment.....	Four shillings & Six pence
Receiving, filing & reading the same...	Nine pence
Subpoena for each Evidence.....	Six pence
A Venire facias or other Writ	One shilling & Six pen. <sup>ce</sup>
Entering the Defendants Appearance	Nine pence
Entering the Pannel & swearing the Jury.	Two shillings
Swearing each Evidence.....	Six pence
Swearing a Constable.....	Six pence
Reading each Evidence Petition &. <sup>c</sup> in Court	Six Pen. <sup>ce</sup>
Takeing & entering a Verdict.....	One shilling
Entering Judgem. <sup>t</sup> & the fine.....	One shilling & three p:
Entering the Defendants Confession.	One shill <sup>g</sup> & three pen. <sup>ce</sup>
An Execution.....	Two shillings
Making up the Record & filing the same	four sh: & Six pen. <sup>ce</sup>
Every Order or Rule of Court.	Nine pence
Entering a Nole prosequi or cessat processus .....	Three shillings
A Venire for a Jury to enquire into Riots forcible	
Entries Detainers &. <sup>c</sup> .....	Two shillings
Drawing & Ingrossing Inquisition & returning the same.....	Six shillings

Receiving

Receiving reading and filing every Town order brought to be allowed at the Court of Sessions & entering the Confirmation and recording the same per page each page containing 16 Lines & 8 Words in a Line. One sh: & Six pen<sup>ce</sup>..

### In The Common pleas

Every Writ of Capias..... One shilling & Six pence  
Entering the Action..... Six pence  
A Bond given by the plaintiff when he is not known to be a free holder..... One shilling & Six pence  
For drawing a Declaration Three shillings  
Filing the same.....Six pence  
For Discontinuance or Retraxit One shilling  
altering the Declaration & admitting the Defendant in a Declaration of Ejectment..... One shilling & three pence  
Entering Every Motion & the rule thereon One shilling  
Entering the Defendants Appearance Nine pence  
Taking special Bail in Court or out One shilling & Six pen.<sup>ce</sup>  
Drawing Every plea Replication Rejoindre &<sup>c</sup> And filing the same..... Two shillings  
A Venire..... One shilling & Six pence  
For receiving & entering the Pannel & swearing the Jury..... One shilling & Six pence  
Habeas Corpora Juratorum. One shilling & three pence  
Subpoena for Every Evidence Six pence  
Reading Every Evidence in Court Six pence  
Swearing Every Evidence..... Six pence  
Swearing every Constable..... Six pence  
Bringing a particular Record into Court two shill<sup>s</sup>  
Receiving & entering Verdict.... One shilling

Entering

Entering Satisfaction on Record... Two shillings  
 Entering Judgement..... One shilling & three pence  
 Re<sup>a</sup>ding and entering allowance of every Habeas  
 Corpus, Writ of Error or Certiorari And the Return  
 ..... Four shillings  
 For An Execution..... Two shillings  
 Copying the Record & returning it with the  
 Writ..... Two shillings  
 Taking a Recognizance in Court when a Cause  
 is put to Arbitration & putting the Same into Form  
 to deliver to the partys..... Two shillings  
 Drawing up a Justices Record upon the Sta:  
 tute of Trespasses..... Three shillings  
 Attending the Sheriff upon a Writ of Enquiry of  
 Damages Swearing the Jury &.<sup>c</sup> Four shillings  
 For every Writ of Enquiry Two shillings & Six pence  
 Drawing And Ingrossing the Inquisition two shil.  
 (-----)lings & Six pence  
 Recording Deeds & other writings per Sheet each  
 Sheet containing 16 Lines & 8 Words in a Line One sh. & Six p:  
 Making up a Record & filing in the office  
 ..... Four shillings & Six pence  
 Indorsing the probate or Acknowledgement of  
 any publick Instrument in or out of Court One shill<sup>s</sup>  
 & three pence  
 Searching the Record within One year One shilling  
 Every year back..... Four pence half penny  
 Copys of Records & Sheet each Sheet containing  
 Sixteen Lines & Eight words to a Line One sh: & Six pence

The

### The Sheriffs Fees for The Supreme Court

Serving a Writ..... Four shillings & Six pence  
For every mile from his Abode... Six pence  
Sheriffs fee on a Bail Bond..... Six shillings  
Returning a Writ..... One shilling  
A Venire..... Twelve shillings  
Serving an Execution under One hundred  
pounds per pound..... One shilling  
Every pound more..... Six pence  
Serving a Writ of possession with the Aid of the  
posse Comitatus ..... One pound & Ten shillings  
Serving the same without a posse Comitatus  
..... Fifteen shillings  
For every Mile from his Abode... Six pence  
Serving a Scire facias & Return Five sh: & Six pence  
Every person committed into the common Prison  
(Three shillings  
The Discharge of every person out of the prison  
being committed..... Three shillings  
Bringing up a prisoner by habeas Corpus      Twelve  
(Shillings  
Every Mile from the place of taking him. Six pence  
Executing a Writ of Enquiry & drawing Inquisition  
and returning the Writ..... Eighteen shillings

### The Sheriffs Fees in the Court of Sessions and Common pleas

Serving a Writ & taking into Custody Three shillings  
Every Mile from his Abode..... Six pence

Every

Every Bail Bond..... Three shillings  
 For returning a Writ..... Nine pence  
 A Venire..... Six shillings  
 For returning the same..... Nine pence  
 Serving a Scire facias & return.. Three shillings  
 Serving an Execution for every pound under  
 One hundred pounds..... Six pence  
 Every pound more..... Three pence  
 Serving a Writ of possession with the Aid of the  
 posse Comitatus..... Twenty shillings  
 Every Mile from his Abode..... Six pence  
 For serving a writ of possession without the Aid  
 of the posse Comitatus..... Ten shillings  
 Every person committed to the common prison  
 (Two shillings  
 The Discharge of every person out of the common  
 prison..... Two shillings  
 Executing a Writ of Inquiry Drawing Inquisiti  
 on And returning the Writ..... Twelve shillings  
 For serving a Summons..... One shilling  
 The Sheriffs Fees on Commitment by a Warrant  
 from a Justice of peace..... Three shillings  
 Summoning a Jury on a Justice of the peace's  
 Warrant on a Riot or Forcible Entry Six shillings  
 The Sheriffs Fees in criminal Matters as  
 executing Writs &.<sup>c</sup> the like fees as there is allowed  
 before for the like Service in Civil Causes

The Cryers Fees for the Court of Sessions  
 & Inferior common pleas

Calling a Jury in each Cause.....One shilling

For

For calling & swearing every Witness .. Four pence half penny  
 For calling every Verdict..... Nine pence  
 For calling each Action..... One shilling  
 For the person who shall ring the Bell or beat  
 the Drum for every Action depending in Court. Nine pence  
 To the Cryer for discharging every person by  
 proclamation..... One shilling & Six pence

The Jurys Fees for the Supreme Court

For every Jury Man each Action One shilling

The Lawyers Fees for the Supreme Court

A Retaining Fee..... Six shillings  
 A Term fee not exceeding three terms. Five shillings  
 Making out every process As Capias. Scire facias &<sup>c</sup>  
 / Five shillings  
 Every Special Writ as Scire facias testalum, Scire  
 facias venditioni exponas procedendo &.<sup>c</sup> Three shillings  
 Every Recognizance for special pledges to prosecute  
 / Two shillings & three pence  
 Every common Declaration Four shillings  
 For a Copy thereof..... One shilling & Six pence  
 Every Special Declaration Replication or other  
 special pleading per Sheet each Sheet containing  
 Twelve Lines & Six Words in a Line. One shilling  
 A Copy thereof per Sheet containing as aforesaid  
 /Nine pence  
 Drawing every general Issue.....Six Shillings  
 For entering the same in the Roll & for parch:  
 :ment.....Six Shillings

Entering

Entering a Warrant of Attorney Nine pence  
 Drawing up every special Issue Special Verdict  
 or Demurrer Book per Sheet containing as aforesaid  
     /One shilling & Six pence  
 For entering the same on the Roll pr Sheet contain:  
 :ing as aforesaid..... Nine pence  
 Every Notice of Tryal..... One shilling  
 Every Ticket upon a Subpoena ..... Nine pence  
 Drawing every Judgement upon non sum informat  
 cognovit actionem or nihil dicit for want of a plea  
     / Six shillings  
 Entering every Judgement upon Verdict or Demurrer  
     / Three shillings  
 Entering every continuance pr term. One Sh: & Six pen<sup>c</sup>.  
 Entering Discontinuance.. One shilling & Six pence  
 Entering every Appearance.. Two shillings  
 For drawing And Ingrossing every Bail piece and  
 attending on giving Bail..... Three shillings  
 Every Habeas Corpus..... Three shillings  
 For drawing every common plea As non assump:  
 :sit non est factum in Col : &.<sup>c</sup> & filing. Three Shillings  
 Drawing every special plea Rejoindre &.<sup>c</sup> pr & Sheet  
 copywise As aforesaid..... One shilling  
 For a Copy thereof pr Sheet as aforesd Nine pence  
 Drawing every non prosequi. Three shillings  
 Entering the same on the Roll. Three shilling  
 Execution for Costs..... One shilling & Six pence  
 A Copy & Service of a Rule One shilling & Six pence  
 A Brief for Tryal..... Six shillings  
 A Copy thereof if more than One Council be fee'd  
     / Three shillings  
 A Fee on Tryal or Argument on a Demurrer or  
 Writ of Error..... Twelve shillings  
 Drawing An affidavit pr Sheet containing As afore:  
 :said..... Six pence  
 A Copy thereof containing As aforesd Four pence half<sup>penny</sup> ..  
 Attending the Judge on Notice... Two shillings

Attending

Attending on Executing a Writ of Enquiry Five shillings  
For every Motion which is properly a Motion in the  
Courts in Westminster Hall..... Five shillings

All other Matters which are usually done by giving  
Rules in some office or offices of the Courts of Westmins:  
ter hall and have been usually done there by Motion to be  
continued, still to be done by Motion but no particular  
Fee to be allowed, it being included in the term Fee above  
mentioned.

The Fees of the Lawyers to be taxed pursuant to  
the Table of Fees above regulated, provided that upon  
taxing any Bill for Costs in a Cause tried there shall  
not be allowed for the whole above Four pounds, un:  
less in a Case of special Verdict, Demurrer to Evidence  
or special pleadings, And then to be allowed According  
to the particulars herein befor mentioned provided that  
the whole do's not exceed Five pounds ten shillings

The Lawyers Fees in the Court of Sessions and  
Court of common pleas in every City & County thro'out  
this Colony for the prosecuting Any Action to a Judge:  
ment shall not exceed in the whole Twenty shillings  
And for Any Cause not prosecuted to a Judgement  
the Lawyers Fees shall be taxed for the Service done  
by him in proportion to the said Twenty shillings  
for prosecuting the Cause to a Judgement

#### The Judges Fees of the Supreme Court

Allowing a Writ of Error & marking the Roll  
that the writ of Error is allowed. Five shillings  
For Every Supersedeas ..... Three shillings  
Taking Bail..... Three shillings

Filing



Filing Every Bail piece or Recognizance	Six pence
A Confession of a Judgem. <sup>t</sup> in or out of Court	/ Three shillings
Signing Every Writ of privilege to remove Any Cause	
Habeas Corpus precedendo Certiorari or prohibition	Three
	/shillings
Acknowledging a Deed.....	Five shillings & Six pence
Admitting An Infant to his guardian	Five sh: & Six pence
Taking an affidavit.....	One pound ten shillings
Admitting An Attorney.....	One pound ten shillings
Taxing a Bill of Costs by the Chief Justice.	Six shillings
Every Cause, To be paid on the first Motion unless	
criminal.....	Ten shillings

### The Clerks Fees of the Supreme Court

Sealing a Writ entering the same, filing the Ticket	
And entering on the Docket.....	Two shillings & three pen. <sup>ce</sup>
Filing a Declaration.....	One shilling & Six pence
Entering An Appearance.....	One shilling
Copy of a Declaration.....	Two shillings
Filing all other pleading for each...One shilling	
A Copy thereof for each.	One shilling & Six pence
Entering a Rule.....	One shilling & Six pence
A Subpoena for Witnesses for four or under,	Two
	/shillings & three pence
Each Witness above four.....	Six pence
Taking An Affidavit in Court.....	One shilling
For a Copy thereof.....	One shilling
Swearing & impanneling a Jury... Two sh: & three pence	
The Return of a Writ & filing the same.	One shilling
Swearing each Witness.....	One shilling
Swearing a Constable.....	One shilling
Reading each Writing or Evidence..	One shilling
Filing the Roll.....	Three shillings

Taking

Taking the Jurys Verdict And entering the same in  
 the minutes..... Two shillings & three pen.<sup>cc</sup>  
 For Entering Judgement. Two shillings & three pence  
 A Retrait or Discontinuance. One shill<sup>g</sup> & Six pence  
 Copys of the Records pleadings &.<sup>c</sup> pr Sheet each Sheet  
 containing 16 Lines & 8 Words in a Line One shill<sup>g</sup> & Six pen.<sup>c</sup>  
 A Summons to attend to Strike a special Jury One shill<sup>g</sup>  
 Attending & Striking a Special Jury & delivering a Copy  
 thereof to each party for each Two shillings & three pence  
 Filing An Affidavit or other papers on Request nine pen.<sup>c</sup>  
~~Entering~~ Indorsing a probate of a Deed in Court One sh: & Six pence  
 Entering Satisfaction On Record. One sh: & Six pence  
 Searching the Record within a year. One sh: & Six pence  
 Every year back..... Six pence  
 For reading a Warrant of Attorney in Court. Six pence  
 Taking Special Bail in Court One shilling & Six pence

### In criminal Causes

A Copy of every Indictment in Felony Trespasses  
 Assault Battery Force Riot &<sup>c</sup> Two shillings  
 Every Appearance to An Indictment or Information  
 /One shilling  
 The Discharge of Any person upon Bail. One shilling  
 Every Imparlance upon An Indictm.<sup>t</sup> One shilling  
 For process against a person upon An Information  
 or other process..... Two sh: & three pence  
 A Licence to compound with an Informer Nine pence  
 The plea to an Indictm.<sup>t</sup> or Information Six pence  
 For copying all pleadings pr Sheet. 16 Lines in a  
 Sheet & 8 Words in a Line..... One shilling & Six pence  
 Relinquishing a plea..... Nine pence

For

For a Submission..... Nine pence  
 Judgement thereon..... One shilling  
 For a Copy of the Traverse..... One shilling  
 Every Subpona for four Witnesses or under Two  
   / shillings & three pence  
 Every Witness more..... Six pence  
 Every appearance upon a Recognizance Six pence  
 Reading the Indictment, Information on Record Six pence  
 Swearing every Evidence on Tryal... One shilling  
 Entering Judgem.<sup>t</sup> on Information One shill<sup>g</sup> & Six pence  
 Respiting every Recognizance..... Nine pence  
 Taking a Recognizance... One shilling & Six pence  
 Taking Security by Bond for payment of Costs  
 upon Indictment of forcible Entry Riot & Battery One  
   / shilling & Six pence  
 Every Order or Rule of Court One shill<sup>g</sup> & Six pence  
 A Copy of a Rule of Court..... One shilling  
 Taking & copying every Special Verdict pr Sheet  
 each Sheet containing 16 Lines & 8 Words in a Line One  
   / shilling & Six pence  
 For the allowance & recording a Warrant of  
 nolle prosequi or cessat processus Four shillings

#### The Cryers Fees in the Supreme Court

Calling each Action..... Nine pence  
 For calling the Jury..... One shilling  
 Swearing a Witness..... Four pence half penny  
 Every Verdict..... Nine pence  
 Discharging every person by proclamation Nine pen<sup>ce</sup>  
 Calling a Non Suit..... Nine pence  
 Calling a Record..... Nine pence  
 Calling a Default..... Nine pence  
 To the person that rings the Bell each Action  
 in Court..... Nine pence

The

## The Clerks Fees of the Court of Sessions

Drawing & Ingrossing every Indictm. <sup>t</sup>	Four Sh: & Six pe. <sup>ce</sup>
Reading Every Indictm. <sup>t</sup> or presentm. <sup>t</sup> in Court	Six pence
Filing the same & Entering the Minute	Nine pence
Copy thereof if required.....	Two shillings
For every Order of Court.....	Nine pence
A Capeas or any other writ.....	Two shillings & / three pence
Entering the Return.....	One shilling
Entering An Appearance.....	One shilling
Entering or filing a plea or other pleading for each	/ One shilling
A Copy thereof if required.....	One shilling
A Venire facias.....	One sh: & Six pence
Swearing a Jury.....	One shilling & Six pence
For a Subpœna for each Evidence	Six pence
Each Evidence sworn on Tryal.....	Nine pence
Swearing a Constable.....	Nine pence
Recording a Verdict.....	One shilling
Entering Judgement.....	Two shillings
Making up a Record & Entering the same in the Book.....	/ Nine shillings
Copy of every Order or Rule of Court.	Nine pence
Taking each Examination Out of Court	One sh: & Six pen. <sup>ce</sup>
If above One Sheet for each Sheet more.	Six pence
Taking & Drawing each Recognizance & filing	/ Two Shillings
Every Mittimus.....	Two shillings
Every Warrant to search or other Warrant	Two shill <sup>g</sup> . <sup>s</sup>
Every person discharged from his Recognizance	One / shilling & Six pence

Respecting

Respecting every Recognizance..... Nine pence  
 The allowance & recording a Warrant of Nole prose.  
 :qui or cessat processus from the Attorney general And  
 against every person in every Indictment Three shillings  
 The allowance of every Certiorari. Three shillings  
 The Return thereof..... Two shillings

### The Jurrys Fees

For every Cause in the Inferior Court of Common  
 pleas each..... Nine pence

### The Attorney generals Fees

Special pleas confessed on scire facias & Extent  
 /Eighteen shillings  
 Pleas of Outlawry or other pleas confess'd Twelve shillg.s  
 The Draft of a Patent Confirmation grant or Charter  
 / Two pounds  
 His Report on Every Petition or Reference Ten shillg.s  
 Entering every cessat processus or nole prosequi  
 for each Defendant..... Ten shillings

### In the supreme Court

Every Process or Indictment or other Writ as ve:  
 :nire facias..... Three shillings  
 Drawing Every Indictment or Information general  
 / Six shillings  
 Copying & Ingrossing the same Six shillings  
 Drawing All Special Indictments & pleadings &<sup>c</sup>  
 pr Sheet copy wise ..... One shilling & Six pence  
 A Copy thereof *pr* Sheet as aforesaid Nine pence  
 Every Motion in Court..... Five shillings  
 A Fiat for a Writ of Error..... Nine shillings  
 Every Argument or Demurrer Special Verdict &<sup>c</sup>  
 or on Tryal..... Twelve shillings

A

A Fiat for a Writ ad quod Damnum Nine shill<sup>g</sup>.<sup>s</sup>  
For Every Warrant to Acknowledge Satisfaction  
on Record & discharging Fine &.<sup>c</sup> Six shillings

#### In the Court of Sessions

For every Motion..... Three shillings  
On Every Argument or Tryal Six shillings

#### The Door keeper of The Council

For Every petition..... One shilling

#### Publick Notarys Fees

For protesting a Bill of Exchange Six shillings  
For all other protests..... Twelve shillings  
For noting a Bill for Non Acceptance three  
/ shillings

#### The Coroners Fees

For the View of each Body Twelve shillings  
For serving of Writs &.<sup>c</sup> in civil Causes the same  
that is allowed the Sheriff for like Service  
To each Juryman that sits on a Dead Body  
/ One shilling

#### The Naval Officers Fees

Registring a Vessel on parchment Six shillings  
For a Sight of every Certificate of Bond given & enter:  
:ing the same..... Six pence  
Cancelling a Bond & filing the Certificate Nine pence  
Every Certificate of goods Landed where Bond is given  
abroad..... One sh: & Six pence  
Every Bond given for enumerated Commoditys One  
/ shilling & Six pence

Every

Every Entry And clearing each One shilling  
Indorsing every Register..... One shilling  
Every Certificate of European goods Outwards Nine  
/ pence  
The Sight of all Certificates from England of the  
whole Cargo..... One shilling

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Presented Petition from Jacob Rowe praying  
for a Slip of Land next to the Wharf commonly  
called the Kings Wharf

Ordered to be fyled & the Deputy Surveyor  
directed to Survey the same & report to this Board  
whether such grant will be any ways prejudicial  
to His Majestys Wharf

This Day the Oaths prescribed by Law were  
administred to Charles Stewart Esquire Surveyor  
general of His Majestys Customs for the Eastern  
middle District in America Also the Oath of a  
Councillor was administred to the said Charles  
Stewart Esquire, who Accordingly took his Seat  
at this Board

The Council adjourned till Saturday  
at One oClock

Ja: Murray

At The Council Chamber in  
the Castle of S<sup>t</sup> Louis in the City of  
Quebec on Saturday the 22.<sup>d</sup> Day of  
June 1765

Present

His Excellency The Hon.<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>f</sup> governor

The Hon.<sup>l</sup> William Gregory C. J.

Charles Stewart S. g. }  
Adam Mabane } Esq.<sup>rs</sup>  
Benjamine Price }  
Thomas Dunn }  
Francis Mounier }  
James Goldfrap }

Ordered that the Attorney general do prosecute  
the Assault committed on M<sup>f</sup> Walker at Montreal  
on the 6.<sup>th</sup> Day of December 1764, also the Riot  
and Rescue or prison Breach committed there  
on the 16.<sup>th</sup> of January 1765, And that at the  
Court of Oyer and terminer ordered to be held at  
Three Rivers on the first of July next

Presented by M<sup>f</sup> Kneller to this Board a  
Letter from Brigadier Burton to him of the 17.<sup>th</sup>  
of June 1765

ordered to be entered in the Book & fyled

Montreal June 17.<sup>th</sup> 1765

Sir

I have received your Letter of the 8.<sup>th</sup>  
Instant with the inclosed Copy of a Petition, which

I



I have read, I beg you will acquaint His Excell.<sup>y</sup> in Council, that by an Order from general gage to me dated the 17.<sup>th</sup> of March last, I am directed to take every proper Measure to prevent, Any person possessing themselves of any part of the Bailieu of the Fort Chambly, And to make the Strongest Remonstrances should the Right of His Majesty to the Tract of Land he has reserved for his posts at Any place, be invaded. In consequence of these orders I can not take upon myself, to allow the Lands of the Domaine belonging to the Fort of Chambly to be Appropriated to Any other Use, but that of the garrison there. In Regard to S.<sup>t</sup> John there has been no Fort at that place since the Conquest of the Country, of Course no garrison, but only An Occasional post during the Summer Season

I have the honor to be

Sir

Your most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

Signed, R. Burton

To Henry Kneller Esq<sup>r</sup> D.CC  
Quebec.

Presented also a Letter from Mons.<sup>r</sup> S.<sup>t</sup> Tonis at Montreal to M<sup>r</sup> Kneller of the 17.<sup>th</sup> of June 1765.

ordered to be fyled

Ja: Murray

At Sans Bruit The governors Country  
house on Tuesday the 25 Day of June  
1765

Present

His Excellency The Hon.<sup>l</sup> James Murray Esq<sup>r</sup> gov.<sup>r</sup>

The Hon<sup>l</sup> William Gregory C. J.

Adam Mabane

Benamine Price

Francis Mounier

James Goldfrap

} Esq.<sup>rs</sup>

The publick Accounts to the 25.<sup>th</sup> Day of June  
in this present year 1765, were sworn to in  
Council by the Deputy Receiver General of this pro:  
vince And signed by His Excellency

Adjourned to thursday next at Ten  
o Clock befor noon at the Council  
Chamber in Quebec

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Thursday  
the 27.<sup>th</sup> Day of June 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>r</sup> governor

Charles Stewart S. g.	}	Esq. <sup>rs</sup>
Paulus Emilius Irving.		
Adam Mabane		
Benjamine Price		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

Read the Petitions from the Sufferers at Montreal  
by the late fire, together with a particular Account  
of the Loss taken at Montreal by The Hon.<sup>l</sup> Adam  
Mabane and Benjamine Price Amounting to One  
hundred and Sixteen thousand Seven hundred &  
and seventy three pounds Eighteen shillings And  
Six pence Currency of Quebec, which is in Sterling  
Eighty seven thousand five hundred and Eighty  
pounds Eight shillings and Ten pence half penny

ordered that Benjamine Price Esquire, a  
Member of this Council be sent to England with the  
said Petitions and Account to represent to the  
Secretary of State The Lords of Trade & Plantations  
and to Any other persons that he in his prudence  
shall think proper, in order to procure Relief for  
the unhappy Sufferers And likeways that M<sup>r</sup> Price  
carry home with him a Copy of the Report made

by

by him and M<sup>r</sup> Mabane to the Council this Day  
of their proceedings at Montreal with all the  
papers to which the Report refers, which papers are  
to be fyled And the Report entered in the Council  
Book

A Report of the proceedings of the Mess.<sup>rs</sup> Mabane  
and Price at Montreal and by them deliver:  
ed in Council the 27.<sup>th</sup> Day of June 1765

In consequence of Your Excellency & Honors Commands  
we left Quebec the 23.<sup>d</sup> of May for Montreal, where  
we arived on the 26.<sup>th</sup> of the same Month. We imme:  
diately waited on Brigadier general Burton in order  
to be informed what application had been made to  
him by the Majistrates for removing part of the Troops  
And likeways to know from him if any thing had  
been done to ease the Inhabitants in that Respect  
He repeated to us the Substance of a Letter, which  
he had wrote to Quebec, by which it appeared that in  
Sundays orders /the day immediately after the fire/ he  
had ordered three Companys of Royal Americans to  
march for Crown point, two more of the same Regim.<sup>t</sup>  
as well as all Soldiers, who had been burnt out of  
their Lodgings to be quartered in the Suburbs, These  
orders were put in Execution on Monday morning,  
the very Day that these gentlemen sent off the Express  
to your Excellency; He complained much that  
Mess.<sup>rs</sup> Walker and Knipe should have wrote to Quebec  
without having made Application to him, or  
without informing themselves of what Steps he

had

had taken in consequence of the Disaster, that had befallen the City. He shewed as the Returns of the garrison by which it appeared that the officers non commissioned officers and private men at that time quartered in the City and Suburbs made in all the number of Three hundred and twenty two, which made two Reliefs for the garrison Duty. He declared his Intention of cantoning part of the fifteenth Regiment so that the number of Troops in Town And Suburbs will continue the same after its Arival: this appeared satisfactory especially As we knew that he was to determine the number of Troops necessary for the Defence of the place, it was needless for us to endeavour to diminish their numbers. Upon Enquiring we found that pride And Obstinacy in consequence of former Disputes with the Military, had so far actuated Mess.<sup>rs</sup> Walker And Knipe, that they had not even during the Fire Applied to the commanding officer of the Troops for assistance. Three Sentries placed along the Beach near the gate of the Market place would have prevented much goods from being carried off by Battoes and Canoes which their Owners had in Vain saved from the Flames: Captain Brown who as Captain of the Day knew much and was very useful, assured us that M<sup>r</sup> Rowe was the only Justice that shewed Zeal on the Occasion. Dumas S<sup>t</sup> Martin had lost his all by the Fire, so could give little attention to the publick, M<sup>r</sup> Lambes Debts confined him to the house And Mess.<sup>rs</sup> Walker & Knipe rather thwarted

than

than aided Justice Rowe in his Endeavours for the publick Service; indeed continued Opposition on their part had drove him out of Town, we met him on the Road And with much Difficulty prevailed on him to return. In the Evening we called the Justices together And Acquainted them of the Motives which had determined your Excellency and Council to send us to Montreal. Mess.<sup>rs</sup> Walker and Knipe had published two Advertisements, one ordering all Strayed goods to be sent to the Seminary within Forty Eight hours, under pain of those, in whose Custody Any Strayed goods should afterwards be found being prosecuted for Felony, another upon hearing of our intended Journey to Montreal ordering the Sufferers to give An Account of their Loss on Monday the 27.<sup>th</sup>. We declared our Intention of prolonging the time to bring in Strayed goods, and as several Merchants were present we recommended it to them to consult amongst themselves how much per Cent they would allow by way of premium for bringing back Strayed goods, as we apprehended that to be the most effectual Method We declared our Resolution to prolong the time for the Sufferers by fire to give in an Account of their Loss, as two Days Notice could not be sufficient And condemned that Measure as precipitate and very apt to give bad Impressions of the Colony to the people at home, As the Sufferers

could

could not be supposed to have sufficiently recollected themselves, so as to State their Loss upon Oath nor as many of the Vaults, which withstood the fire had not been opened, was it possible to estimate their Loss. Mess.<sup>rs</sup> Walker & Knipe received this with Indifference And under pretence of easing the people brought the billeting the Troops upon the Carpet And endeavoured to engage us in a Dispute which in the present Situation of this Colony must be productive of bad Consequence. This we declared we were determined to shun, tho' before we left Montreal we should put the Billeting upon the Footing the least hurtful to the people, And Appointed to meet next morning at the Court house

We Accordingly went to the Court house on Monday Morning where we found Justices Lambe And Rowe. M<sup>r</sup> Howard was sent from the Merchants to Acquaint us that they agreed to give Ten per Cent premium for bringing back Strayed goods. In consequence of which we ordered the following Advertisement to be immediately published by beat of Drum translated into French And to be sent to the adjacent parishes.

“Montreal sc

“Whereas Information has been given that  
 “Merchandize and other Effects have been carried so  
 “far from Town that they could not be brought  
 “back within the time limited by a former Advertise:

:ment

“Advertisement, This therefore is to give Notice, that  
“every person or persons, who may have such goods in  
“their possession, shall bring them to the Seminary  
“within Eight Days inclusive from the Date hereof,  
“that the person or persons bringing such goods  
“shall be entitled to Ten *pr* Cent from the respective  
“Owners as a Reward for their Trouble, And further  
“that every person or persons in whose Custody Any  
“Strayed goods shall be found after the Expiration of  
“the said Eight Days shall be prosecuted with the  
“utmost Rigor; And whoever shall give Information  
“of such person or persons so secreting or concealing  
“such Strayed goods, shall upon conviction of such  
“person or persons be intituled to a Reward of Twenty  
“pounds to be paid by the Receiver general of this  
“province”

At The same time we ordered the following  
Advertisement relative to the account to be  
taken of the Loss to be published As above

“Montreal sc

“This is to give Notice that all those who  
have been sufferers by the late fire are desired  
“to state an account of their Loss As exact as  
“possible, so that the same May be ascertained  
“by Oath of such Sufferers, their Clerks Book-keepers  
“or Agents in five Days inclusive from the Date  
“hereof at the Court house in this City where the  
“Commissioners appointed by His Excellency The

governor



“governor And The Honourable His Majestys Coun:  
 “:cil to examine said Accounts will attend each Day  
 “from Eight o Clock in the Morning till Twelve at  
 “Noon; Notice will be given to each Family to  
 “attend in their Turns each Day till all the  
 “Accounts are received and examined”

We next applyed to the most pleasing part of our Commission that of relieving the necessitous; The Convent of the Seures grises or general Hospital was recommended to us as a proper object of the Attention of government, As in it the blind, lame Idiots and Foundlings were supported upon a very small Revenue; the house Furniture & indeed every thing in it had been destroyed by fire, By the Annexed Return it appears that One hundred & Nineteen persons were supported upon an yearly Revenue of Three thousand & ten livres. We carried the Superieure Madam Eusville An Order upon M<sup>r</sup> Jordan Agent Victualler for One months provisions As by a List given us by M<sup>r</sup> gammelin formerly one of the Captains of Militia it appeared that independant of those in the Seures grises Five hundreded & Six persons were burnt out of their Houses, we required him And the Curate of the parish to certify to us the number of those who required immediate Relief. The Return is Annexed We gave An Order upon M<sup>r</sup> Jordan for a Months provisions to them. Indeed there never was a more afflicted City; almost every body was in Mourning, As many from Fright & Despair had fallen sick & died, wherever we went we

were

were sure to hear some Story of Woe attended with some particular Circumstance, which made the more sensible Impression upon the Fancy: Many that had lived in affluent Circumstances found themselves and numerous Familys reduced to the greatest Distress.

It was strongly represented to us that some money distributed amongst them to buy Cloths, for the fire was so rapid that most people had saved only the Cloths on their Backs, would be very acceptable: This Representation we complied with. Mess.<sup>rs</sup> gammelin and Panet distributed it agreeable to An Annexed List We thought their own Countrymen making the Distribution would ease the unhappy Sufferers more than if it was done by Strangers. Your Excellency And the Council impowered us, to advance Three hundred pounds, your Excell<sup>y</sup> by Letter added an other hundred and if we have gone to the full Extent of Our Commission or exceeded it a little we hope for Indulgence As it was impossible to be an Eye Witness of such Distress without doing our Utmost to alleviate it

The French Merchants in Consequence of a Letter from Justice Dumas assembled, And instead of Ten per Cent premium And the prolongation of Eight Days proposed a general Search both Amongst the Inhabitants & Soldiers, M<sup>r</sup> Dumas at our Desire returned for Answer that a general Search was contrary to the genius of the English Law that a Justice of peace upon Information or a reasonable Suspicion might order a house to be searched, that the Merchants themselves proposed the Ten pr Cent

premium

premium, that such a procedure could not but be acceptable to their principals in London, As it was a proof how much at heart they had the Recovery of their Effects: that as to the Search Amongst the Soldiers, there was not the same Difficulty, as their officers upon Application from the Majistrates would make it at any time

We ordered a Survey to be made of the Ruins that the proprietors might be ordered to knock such of them down as it was unsafe to suffer to Stand. The people named for it were Masons Carpenters & some of the proprietors of the burnt houses, we under took to pay them, they were likeways to estimate the burnt houses, their Valuation is Annexed & was of Use to us in Examining into the Amount of the Loss by fire

Agreable to our Instructions we published by beat of Drum, that the Entrepreneurs would give in a List of what Workmen they would need from Quebec And what wages they would give. We heard nothing in consequence of such publication till two Days befor we left Montreal, when the Master Masons requested Twenty Six Artificers to whom they promised half a Dollar a Day. We told them they had made the Demand so late that we were afraid the Occasion was lost

We wrote a Letter to Captain Brown that As upon Enquiry we found the Behaviour of the Soldiers had been so zealous for & so necessary

to

to the Safety of the Town, that we thought it ~~impor~~  
incumbent upon us to make them some Recompence  
And that we would be obliged to him if he would Settle  
with the other commanding officers of Corps, what time  
it would be most convenient for us to meet to consult  
about the intended Reward. Captains Brown Hope  
and Johnson waited upon us, & in the name of the  
Soldiers thanked us for our Intentions & told us that  
the Soldiers sensible that they had done their Duty &  
pleased with the governor & Councils Approbation of their  
Conduct renounced Any pecuniary Reward As there  
were but too many necessitous Sufferers, who required  
the assistance of government, As for them they had  
always their pay to support them. Many Soldiers  
had lost their necessarys And several were in the  
Hospital for hurts received in extinguishing the fire

Mess.<sup>rs</sup> M<sup>c</sup>kay & Rowe the sitting Justices repre:  
sented to us in the Strongest Manner the Necessity  
of Appointing Some body to billet the Troops, As  
that Duty was too burthensome for Any Single Justice  
And if every Justice did it indiscriminately there  
would be room for Confusion; indeed it was evident  
that the Duty of billeting if impartially executed  
by a Justice of peace, who should happen to be a  
Merchant would be a detriment to His Business  
As a customer might be affronted if Indulgence  
was not shown to himself or Freinds. For these  
Reasons we Appointed M<sup>r</sup> M<sup>c</sup>Carlie Billet Master  
at the Recommendation & under the Inspection of

the

the Justices, as he will be content with a moderate Salary we hope the appointment will be approved of

The Account of the Loss we took in the following Manner. The party brought in An Account of their Loss in writing to which they swore before us to the best of their Belief & Knowledge: They likewise Subscribed a Register which particularized the place of Abode, the Nature & Amount of the Loss: It is here Subjoined. The Loss Amounts to £ 116773..18..6. Current Money of this province A Loss so much the more irretrievable, As having Succeeded Ruinous Wars And the equally fatal non payment of the paper money. Subjoined are two petitions One from the English And the other from the French Inhabitants.

Brigadier general Burton represented to us that there was great Desertion Amongst the Troops, who, he had reason to believe were sheltered & encouraged by the Inhabitants, that are settled in the Remote parts of the Country he desired that we would give Orders in Consequence we promised to recommend it to the Majistrates and in the meantime we wrote to the Vicar general requesting him to order the Curates in his District to inform the people after divine Service of the penalty attending encouraging or concealing Deserters, As likewise of the Reward for apprehending or informing against them.

This

This M<sup>r</sup> Marchand readily undertook, Our Letter And his Answer are Annexed. Indeed the Clergy in general from what were able to observe are very willing to contribute to the Information And Welfare of the people; The S.<sup>r</sup> Sulpiciens were generous to the Sufferers by the Fire; One of them applied to us for an order to Shut up Shops &<sup>c</sup> during the procession of the Fete de Dieu, but upon being told that such an Order was contrary to Law, was satisfied with a permission to do as formerly.

Having finished the Inquiry into the Loss by fire And relieved the Necessitous of the Sufferers as far as was consistant with our Commission, We applied ourselves to the Establishing the Majistracy An Object of great Importance and great Difficulty for never was there in Any place so few Subjects to chuse Amongst nor in Any place had the office of Justice of the peace sunk into so much Contempt and Hatred. M<sup>r</sup> Walkers Protest against government his obstinate perverseness in obstructing the Tryal of those Accused of having maimed himself had determined your Excellency & Council to Strike his Name out of the Commission of the peace befor we left Quebec. M<sup>r</sup> Knipe was immersed in Debt and his loseing his Books, tho' the house he lived in was the last Burnt give Strong Suspitions of his Honesty. As for M<sup>r</sup> Lambe he was likeways in Debt aggravated with having Abused the Trust reposed in him by M<sup>r</sup> Barrow the paymaster

general

general of the Forces, to whom in the Space of  
 one year that he left him his Deputy he had  
 been deficient in many hundred pounds; no body  
 would bail him so he was obliged to remain in  
 the house except on Sundays which contributed  
 not a little to render the Magistracy contemptible  
 so much that not one of the new proposed Majis-  
 trates would Accept provided he remained in the  
 Commission. We spared no time nor pains to  
 find out the Characters Views & Connections of  
 those that were proposed to us as fit to be Majis-  
 trates; the point we had chiefly in View was  
 to find out persons well inclined to one another  
 unbiassed by party Spirit And who should enter  
 into the office without having former Resent-  
 ments to gratify And at the same time who  
 had firmness to execute the Office with Imparti-  
 ality & Justice; The three inserted in the Commis-  
 sion in the Room of Walker Knipe & Lambe were  
 Tod Robertson & Braidshaw; the Reluctance  
 they had to undertake the office, the Diffidence in  
 their own Abilitys from the Opposition they  
 were sure to meet with from various & opposite  
 quarters is inconceivable so Strongly impressed  
 upon the Minds of Men is the Difficulty of dis-  
 charging that office with propriety in that part  
 of the Colony without creating to themselves perso-  
 nal Enemys; Especially as there is no Lieutenant

governor

governor or other principal Majistrate to give Weight.

We likeways took the opportunity when at Montreal to enquire into the real grievances of the people in order to inform your Excellency & Council of them at our Return to Quebec; We received a Petition from a Canadian Surveyor of Land by which it appears, that M<sup>r</sup> Collins Deputy Surveyor general had forbid Any of the Surveyors to exercise their professions except they would give him the half of their profits, His Petition is hereto subjoined. M<sup>r</sup> Collins had advertised at the Church Door that no Seigneur or Inhabitant should employ any of them.

We sent for the presentments of the grand Jury Amidst a Variety of Absurd & Extra proceedings we found some grievances that ought to be remedied: First Money exacted by M<sup>r</sup> Chinn for permits to carry guns, relative to this we had a Letter from Francis M<sup>c</sup>kay Esq<sup>r</sup> one of His Majestys Justices of the peace desiring to be informed whether there was any authority from your Excellency & Council for M<sup>r</sup> Edward Chinn Deputy Provost Marshal to give permits to carry guns, It seems M<sup>r</sup> Chinn sends these permits to the Captains of Militia who sell them for Ten shillings York currency; an abuse so contrary to good policy in its nature & so disgraceful to government in its Manner, that it can not fail to meet with the severest Censure from your Excell<sup>y</sup> and Council, M<sup>r</sup> M<sup>c</sup>kays Letter is subjoined. Second Money said to be paid for passes to trade in the

Upper



Upper Countrys taken by the said Edward Chinn as Deputy Secretary, this seems to have been demanded for the Bond ordered by the proclamation; we were informed that five Dollars was the sum for the most part exacted: Our Information on this head is not so positive tho' as His Majestys proclamation expressly mentions passes to be given gratis it seems An Object worthy the attention of government to take Care that the sum demanded for the Bond is moderate & adequate to the Trouble of writing it and no more. Thirdly the grand Jury presented that some legal Method should be thought upon to provide His Majestys Troops with Carriages &.<sup>c</sup>

We found upon Enquiry very great Cause for this presentment As in that part of the Province there has not been the least Regard paid to the Establishment of civil government in Any thing relating to the impressing Carriages Batteau men &.<sup>c</sup> for transporting the Kings Provisions or for marching his Forces. As we knew that John Fraser Esquire Judge of the Court of common pleas had an Impress Warrant from your Excellency we inquired of him what had been done in that Business, he surprised us by telling us that tho' on the very Day he received your Impress Warrant he acquainted Brigadier Burton And Lieutenant Colonel Christie the Deputy Quarter Master general of his having

received

received it, no Application had been ever made to him in consequence. The Quarter Master general of his own Authority sends Orders to the Captains of Militia of the different parishes to find Men or Any thing else that is necessary as appears by an order sent to Mons<sup>r</sup> Blondeau Captain of Militia at La Chinne dated the 7.<sup>th</sup> June 1765 & Signed g Christie D Quarter Master general; We likeways received a Letter from Justice M<sup>c</sup>kay relative to the same abuse.

As to the fourth Article that British born Subjects were summoned befor Courts of Justice in the French Language M<sup>r</sup> Fraser says it might have happened by the English Clerk being out of the way, however that it should be prevented for the future We had very great Complaints of the Fees taken by the Deputy provost Marshall, but as your Excellency And the Council have ordered a Table of Fees agreable to that at New York to be published there is no necessity of saying much on that head.

The Billeting of the Troops at Montreal affords Cause for dayly Disputes between the Civil and Military, if Any Measure can be fallen upon to relieve the Inhabitants of that Burthen by building Barracks or otherways nothing will contribute so much to the publick Tranquillity

If a Lieutenant governor is not Appointed for Montreal there is a necessity to have some civil

Person

Person of Authority to reside there with a handsome allowance from the government, All which we report and humbly submit to the Consideration of your Excellency & this Honourable Board

, Signed, { Adam Mabane  
Benj.<sup>n</sup> Price

Follows a petition from the English Inhabitants of Montreal referred to in the above Report

To His Excellency The Honourable James Murray Esquire Captain general and governor of the province of Quebec Vice Admiral of the same &.<sup>c</sup> &.<sup>c</sup>  
And To the honourable The Council of the said Province

The humble Petition of the poor unhappy Sufferers by fire which on the 18.<sup>th</sup> ultimo with unrelenting fury in the Space of two hours after a Series of other Misfortunes reduced them to the most deplorable State of Want & Misery

Sheweth

That your Petitioners by the Suddenness of this Calamity And the Want of proper assistance from Fire Engines Buckets &.<sup>c</sup> are utterly ruined; the chief part of the Citizens having had time only to save themselves and the Cloaths upon their Backs, the greatest part of the Merchandize and goods saved from the houses having been burnt, either in the Streets at the River side or stolen from them during the Confusion so that for Subsistance of themselves & familys they are obliged to throw themselves, upon the Charity of well disposed persons having lost upon a moderate Computation the sum of One hundred and twenty

thousand

thousand pounds Sterling

We therefor most humbly pray that your Excell<sup>y</sup>  
And The Honourable Council will be pleased to  
recommend our unhappy Case to The Kings  
most excellent Majesty & The British parliam.<sup>t</sup>  
as well as to the British governments respectively  
on this Continent for their Aid And assistance  
And your Petitioners as in Duty bound shall  
ever pray

Montreal June 7.1765

, Signed,

Math.<sup>w</sup> Wade John Welles  
Jonas Desaulles Isaac Todd  
Jn Grant Jacob Venderheyden  
Mary Crofton John Le Quesne  
John Porteous for Bowman & Neagle  
Paterson & C<sup>o</sup>  
John Blake Major Walbron  
John & Rob Stenhouse Dumas J. P.  
Will.<sup>m</sup> M<sup>c</sup>Cracken James Finlay  
W.<sup>m</sup> M<sup>c</sup>Carty Joseph Howard  
Holmes & Morrison. G. Young  
Dan: Robertson. J.P.  
John Livingston. F R. Knipe

#### The French Petition

A Son Excellence L'honorable Jaques Murray  
Ecuier Capitaine generale et gouverneur en chef  
de la Province de Quebec Territories et Dependances  
d'icelles Vice Amiral d'iceux, gouverneur de la Ville  
de Quebec, Colonel Commandant du Second Bataillon  
du Regiment Roiale Americain &.<sup>c.</sup> &.<sup>c.</sup> &.<sup>c.</sup>

Les marques de Justice et de Bontés que nous avons

eprouvés

éprouvés de la part de votre Excellence, depuis que nous avons le Bonheur de vivre sous son government ne nous permettoient pas de douter que sensible au Malheurs qu'a Occasionnée la fatale Incendie dernièrement arrivée en cette Ville, elle S'empresseroit de nous en faire ressentir de nouveaux Effects

Qu'il nous soit permis de faire nos tres humbles Remerciements a Votre Excellence sur le choix qu'il luy a faire des honorables Adam Mabane et Benjamin Price pour Commissaires : ils ont parfaitement remplis Les Vues de Votre Excellence, les infortunés ont trouvés de la Consolation, et les malheureux une Resource dans les liberalités qu'ils ont été distribué

Nous supplions Votre Excellence de Vouloir bien faire la peintures de nos Malheures a Sa Majesté, la famine la guerre, la Suspension de notre monnoye de papier l'interruption de notre Commerce dans les païs ~~dan~~ d'en haut par les troubles de Sauvages, et le feu qui en moins de trois heures de tems a consumé la Meilleure partie de notre Ville et dans lesquelles plusieurs personnes ont perdues la Vie, Sont les fleaux que nous avons successivement essayés. Convaincues par milles Experiences de la protection royale de notre Auguste Monarque, nous esperons qu'il nous donnera de nouvelles preuves de ses Bienfaites, dans l'etat infortune ou nous sommes reduits. Notre fidelité notre Amour et notre Soumissions seront les garands de notre vive

Reconnoissance

Reconnoissance, et nos veux ne cesseront d'etre offerts affin  
que le ciel luy accorde un regne aussy long que glorieux

Nous finissons en assurant Votre Excellence de notre  
proffond respect et de notre attachement pour elle et  
des Souhairs sinceres que nous faisons de toute l'etendue  
de nos ceures pour Sa Santé et prosperité

Signed { La corne S<sup>t</sup> Luc, Hervieux. A Mounier  
Reaume, Picottee de Belestres, Jaques Hervieux  
Lemoine, Ignace Gamelin, Bond, G Depres,  
Mulier Chevalier, Giasson, De rivieres, Legras  
Neveusestres, Potter, Remond Merard, Jean Crillat,  
G. Rousas, Du Bartezot, Mesiere, Magnan, Poudret  
Louis Fond, Malhiot, Cozeau, Landiere,  
La Bross pour Gaud.<sup>t</sup> Gamelin, R La Brosse,  
Veuve Lamornaudiere, Prevost, P. Pillet,  
Sanguinet, Ch Sanguinet, Mehanard,  
L'Prudhomme, Simon Bourbeau S.<sup>t</sup> Disier

Lieutenant Colonel Christies Order referred to in  
the Report

Monsieur

Vous envoyéré a La Chinne chez Mons.<sup>f</sup> La Gotterie  
Mardy prochain le 11.<sup>eme</sup> du courant a Six heures du  
Matin au plus tard douze bons hommes au fait pour  
armer trois Batteaux destiner a monter de provisions  
au fort Guilleame Auguste lesquels hommes doivent  
etre moitié devant et derriere & l'autre moitié milieu  
et seront payer conformement. Vous tirerez ces  
homes de la Companie de Milice sous vos ordres  
& en cas que vous en ayé plus d'une dans votre  
paroisse vous en detacheré le nombre cy requit

proportionnement

proportionnement suivant leur force

Vous enverrez ces hommes sous la conduite d'un officier de Milice qui les remettra aux personnes proposé pour les recevoir, avec une Liste de leur Noms compagnie et paroisse par écrit, lesquels se conformeront à Ses ordres

Sitôt le Service fait ils seront payer à un juste et equitable prix pour chaque Voyage ou Charge de Batteaux qu'ils auront monter suivant la coutume cy devant

Vous ordonneré à chaque un de ces hommes d'apporter avec lui une Rame, une perche et un Aviron, & au moins une hache une Chaudiere et une poche pour les Vives avec un Bary de quatre pots pour chaque quatre hommes : Vous serez responsable de l'Obeissance ponctuelle à ces ordres pour le Service de sa Majesté, et vous y remar : queré bien que ces presentes comprennent votre paroisse entiere avec chaque Capitaine et compagnie de Milice qui y est, comme nous n'envoyons qu'au premier qui en fera la communication aux autres. Avons de plus à vous avertir que nous attendons l'obeissance la plus ponctuelle à chaque Article de ces presentes comme vous repondré du contraire

fait Signé et scellé à Montreal 7 Juin 1765

, Signed, G Christie D Q M.

(L. S.)

PS. Nous vous payerons pour aucune extraordinaire frais ou depences que vous feré desquelles vous en tiendré un compte sur le Dos de cette Lettre laquelle vous me donneré comme un Memoire pour votre payment à Demande

À Monsieur Blondeau Capitaine ou autre officier de Milice pour lors Command.<sup>t</sup> la paroisse & dependance de La Chinne

Brigadier Burtons Remonstrance with regard to the  
Desertion of the Soldiers is effectually provided for by  
An Ordinance of the 31.<sup>st</sup> of May

Ordered, upon the application of the French  
Surveyor mentioned in Mess..<sup>rs</sup> Mabane & Prices Re:  
:port to this Board, That a proper number of Sur:  
:veyors be provided for each District And they are  
to charge no higher fees than were allowed during the  
french government, they being much lower than those  
exactd by the Surveyors in the other Colonys; Such  
Surveyors to be examined by His Majestys Surveyor  
general or his Deputy And to produce a Certificate  
from one or other of them of their Capacity before  
they are allowed a Licence, A proper Advertisement  
to be published in the next gazette by the Secretary  
to inform the publick of this Regulation

Ordered that an Advertisement in last Weeks  
gazette by order of His Excellency be entered in the  
Council Books, As it sufficiently redresses the  
grievance relating to the permits to carry Fusils

Secretarys office 17.<sup>th</sup> June 1765

Quebec sc

Whereas His Excellency The governor has  
been informed that abuses have been committed and  
money exacted by M<sup>r</sup> Edward Chinn employed by the  
Secretary of the province to issue permits to carry Fusees  
to the Canadian Inhabitants residing within the  
District of Montreal & contrary to the Directions &  
orders given to the said M<sup>r</sup> Chinn

It is therefor His Excell<sup>ys</sup> Commands that all persons

who



who are possessed of such permits do forthwith bring them in to the Sitting Justices at Montreal who will order the Money they paid to be returned: And that the like Abuses may not happen for the future, His said Excellency is pleased further to order & direct that no Canadian Inhabitant whatever do presume to carry a Fuzee without a permit Signed by himself for that purpose. And as all such permits will be given gratis, & to persons only who behave remarkably well none will be granted unless recommended by the respective Bailiffs to His Majestys Sitting Justices of the peace who are to notify to the Secretary their approbation of the same, & the Bailiffs are to take Care that this order is duely executed

By His Excellencys Command  
, Signed, J Goldfrap D Sec.<sup>r</sup>

Ordered that a Suspision of M<sup>f</sup> Chinns having unreasonably exacted money for passes & Bonds for the Indian Trade be enquired into next Council Day

Ordered that the Members of the Council consider of a proper Method to furnish Carriages Battoes &<sup>c</sup> to transport Provisions and necessarys for his Majestys Troops by next Council Day And that the Heads of an Ordinance be prepared to give to the Attorney general for that Effect

Ordered that the Account of Disbursements to the necessitous at Montreal with the Vouchers referred to in said Report be delivered to the Receiver general And he to advance the sum untill such time As it can be replaced by the charitable Contributions proposed to be collected

Presented a petition Signed by several of the

Merch.<sup>ts</sup>

Merchants of Quebec praying the Council to reinstate  
M<sup>f</sup> Williams Connyngham An Attorney dismissed by  
order of Council

Ordered that the petition lye on the Table till a  
further Day

Read the Report of Mess.<sup>rs</sup> Price & Dunn on Za:  
:chariah Thomsons petition of the 22.<sup>d</sup> of Aprile toge:  
:ther with the Report of George Gregory Robert Bluett  
And David Roche who Surveyed & valued the Boat  
mentioned in the petition And her Materials

In Obedience to the Directions of this Board We have  
considered the Request in the Annexed petition from  
Zachariah Thomson Captain of the port And are of Opinion  
that the Wages allowed the Boatmen are sufficient they  
being kept in pay while the Navigation is Open and  
seldom employed

His Request of being allowed for his Boat we  
think reasonable and that he should be paid for her &  
that she should be kept in Repair at the governments  
Expence. To ascertain the Value of said Boat &  
her Utensils we ordered a Survey thereof to be made  
which is hereunto Annexed & submitted to this Board  
for their Determation

Quebec 17 June 1765

Signed { Thom.<sup>s</sup> Dunn  
Benj.<sup>n</sup> Price

Port of Quebec./

We whose Names are hereunto  
subscribed at the Request of M<sup>f</sup> Zachariah Thomson  
Captain of the port of Quebec have surveyed & valued  
a Cutter Boat And all her Materials And find her

as

as follows

A 6 Oar'd Cutter Boat 25 feet long with Rudder and Tiller .....	£ 24.. _ .. _
A grapling 50 <sup>lb</sup> . Wt.....	1..10.. _
20 fathom of Rope for D <sup>o</sup> .....	1..10.. _
6 Oars.....	1.. 4. _
3 Masts 3 Spreets 1 Boathook.....	18.. _
3 Sails.....	3..12. _
	<u>£ 32..14.. _</u>

Witness our hands this

16.<sup>th</sup> Day of May 1765

,Signed, {  
Geo: Gregory  
Rob.<sup>t</sup> Bluett  
David Roche

Ordered the above Report to be confirmed &  
intimated to M<sup>r</sup> Thomson Accordingly

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Monday the 15.<sup>th</sup> July 1765

Present

His Excell<sup>y</sup> The Hon<sup>l</sup> James Murray Esq<sup>r</sup> governor

Paulus Emilius Irving  
Walter Murray  
Adam Mabane  
Bejanime Price  
Tho.<sup>s</sup> Dunn  
Ja.<sup>s</sup> Goldfrap

} Esq.<sup>rs</sup>

Presented a Memorial & Petition from Francis  
M<sup>c</sup>kay John Marteilhe William govett Peter Travers  
George Allsopp & James Moore

Ordered to be entered in the Book

To His Excellency The Honourable James  
Murray Esquire Captain general and governor in  
Chief of the Province of Quebec and Territories  
thereon depending in America Vice admiral  
of the same, governor of the Town of Quebec  
Major general of His Majestys Forces, And  
Colonel Commandant of the Second Batailon  
of the Royal Americain Regiment of Foot &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>  
And To The Honourable the Members of His  
Majestys Council

Humbly sheweth

That the Commandant at Chambly fort  
in this province has of late from what Authority

they

they know not railed or picketed in a great part of the publick landing place near that fort where it was always customary for the Battoes to discharge their lading in order to transport it about half a League by Land to shun the Rapids which can not now be done but by going round a much greater Distance and that by a very bad bye Road

That the above place was also always a publick port for Sloops / going from Quebec or other places to Cham: bly aforesaid / to unload at and that those Steps the Commandant has now taken will render it likeways if not absolutely impossible yet far more impracticable to carry on the Timber Business as heretofore / a valuable Branch of Commerce at present / the aforesaid port being ever made Use of to put the Rafts ashore on their coming down the Rapids

That some of your Memorialists people having encamp't at the aforesaid landing place for the Conveniency of being near the Rafts, the Commander of the said fort ordered them to Strike their Tents and remove farther off, and also prevented the others who were bringing Wood down from encamping there to the great Detriment of the Work carrying on at that Time And Loss of Your Memorialists

That one of your Memorialists having also at a great Expence last Summer got several of his pieces of Oak out of the Rapids which were left there in the Spring, The Soldiers of said garrison cut up Eight pieces of the same for firewood / which your said Memorialist is ready to prove if required / notwithstanding his people had beggd of the said

Commandant

Commandant to give orders to the contrary which he promised to do, yet within an hour afterwards they came again and took away what they had cut, by which means your said Memorialist has become a considerable Loser

That the Commandant of said Fort has even gone so far as to hinder people from fishing in the said River or Rapids a thing so very grievous & oppressive that it cuts off the main Support & Subsistence of the poor Inhabitants in those parts

Your Memorialists therefore humbly pray your Excellency & honors that as a great deal of Timber still remains in the rapids they may have the Liberty of taking it out & putting it by the River side upon the publick Landing place where it was always the custom to lay it; And that you would also be pleased to give such orders as may for the future prevent Any of the Soldiers or others at the said Fort from cutting or destroying any Timber which may be left there as aforesaid; And furthermore that all His Majestys Subjects may again have & enjoy the free Use of that River together with said Road & landing place As has always been the custom from time immemorial

And your petitioners as in Duty bound will pray &.<sup>c</sup>

, Signed,  
Quebec 13.<sup>th</sup> July 1765

{ Francis Mackay  
John Marteilhe  
W<sup>m</sup> Govett  
Peter Travers  
Geo: Allsopp  
Ja.<sup>s</sup> Moore

Quebec

Quebec Dis. } On the 13.<sup>th</sup> Day of July 1765 per:  
 sc } :sonally appeared before me Peter Travers  
 } one of His Majestys Justices of the peace for  
 this District, Mess.<sup>rs</sup> Francois Corbin & Louis Corbin  
 who severally made oath, that all & Singular of  
 the Articles contained in the annexed Memorial  
 respecting the grievances at Chambly are true

, Signed, { F: Corbin  
 Louis Corbin

Sworn before me  
 at the time above  
 mentioned, Signed, Peter Travers J. P.

Ordered the Clerk of this Board to send a Copy  
 of the above Petition & Affidavit annexed to Bri:  
 :gadier Burton, And to enquire if it was by orders  
 from him that the commanding officer of the  
 Fort of Chambly denied the Memorialists the Use  
 of the ground mentioned in the Memorial

Presented Petition from The Honourable  
 Benjamine Price John Hay & Samuel Jacobs

Ordered to be entered in the Book & referred  
 to a Committee of the whole Council who are to  
 report their Opinion on Thursday next at ten  
 oClock

To His Excellency The Honourable James  
 Murray Esquire Captain general & Governor  
 in Chief of the Province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>  
 And To The Honourable Members of  
 His Majestys Council The Petition of  
 Benjamine Price John Hay and  
 Samuel Jacobs

Humbly sheweth

That your Petitioners by Encouragem.<sup>t</sup>

given

given have erected certain houses for making of Malt and distilling Spirits from corn, situated near the palace bounded as follows Viz.<sup>t</sup> beginning at the garden wall now in the possession of Zachariah Thom:  
:son Captain of the port to the Kings high Road which divides it from the houses at S<sup>t</sup> Roches being in lenth about 280 feet, The Breadth from the Wall joining to the Kings high Road which leads from palace gate to S<sup>t</sup> Roches to the second Rowe of Trees which grow in the Paddock or Field behind the said Buildings And is from Side to Side about 128 feet

That the said houses were in Ruins when the Petitioners begun their Work consequently of no im:  
:mediate Value to His Majesty

That such a Work is of the greatest Advantage to this province by the consumption of one of the Staple Com:  
:moditys of the Country

That the sum expended by your Petitioners in this Building is no less than Fifteen hundred pounds which they humbly Apprehend a considerable proof of their Intentions to make the same a publick Benefite

Your petitioners therefor pray that your Excell<sup>y</sup> and honors would consider the premisses And give the Petitioners a grant of the said houses & ground of the Dimensions aforesaid under such Restrictions for the Use of his Majesty As to your Wisdom shall seem meet

Quebec 15.<sup>th</sup> July 1765

, Signed, {  
Benj.<sup>n</sup> Price  
John Hay  
Samuel Jacobs

Presented



Presented Petition from the Justices of the peace  
with relation to the Behaviour of Major Brown of  
the 28 Regiment at the assizes at Trois Rivieres

Ordered to lye upon the Table till M.<sup>r</sup> Gregorys  
Return

This Day the Oath of office was Administred  
by His Excellency in Council to Colin Drummond  
Esquire Comptroller of the Customs for Quebec

Ja: Murray

At Sans Bruit The governors  
Country house on Wednesday the 17.<sup>th</sup> Day  
of July 1765

Present

His Excellency The Hon. <sup>l</sup> Ja. <sup>s</sup> Murray Esq. <sup>r</sup> governor	
Walter Murray	} Esquires
Adam Mabane	
Benjamine Price	
Thomas Dunn	
James Goldfrap	

Information being made that blank Writs have  
been given to Williams Conyngham, And that he  
has filled up And executed the same lately at Montreal

The following Queries were ordered to be put  
to the Attorney general And he to give his Opinion  
to this Board on Friday morning at ten o Clock

1.<sup>st</sup> Is it legal or improper for Any person to  
give

give blank Writs to be filled up by a Second person?  
By blank Writs is meant such as are signed & sealed  
but the places left blank to be filled up As to Names  
Dates sums and Matter.

2.<sup>d</sup> If illegal or Improper how or to what Degree  
can that affect the Subject? By this we would be  
made Sensible of the Reasons of the illegality of it,  
for a thing may be improper in Form, tho' not in  
itself hurtful

3.<sup>d</sup> May not the power of issuing such Writs be  
more <sup>im-</sup>properly placed in the hands of an Advocate or  
attorney than any other man?

4.<sup>th</sup> You are desired to give the Reasons why an  
Attorney employed to Act As Deputy Sheriff can not  
legally officiate as an Attorney

5.<sup>th</sup> Is a Deputy Provost Marshall a proper person  
to be commissioned to take affidavits for the issuing  
Writs?

M<sup>r</sup> Henry Boone Merchant in Quebec  
being called before this Board to testify what he knows  
of the above affair And being duly sworn on the  
Holy Evangelists Depose, That about the fourth  
Day of May last being at Montreal having Occasion  
to take out a Writ against Francis Noble Knipe  
in the Supreme Court of this Province, he made  
affidavit of the Debt before M<sup>r</sup> Edward Chinn Deputy  
Provost Marshall As commissioned by said Court to  
take affidavits, That in consequence of such affidavit

he

he the very same Day received a Writ issuing out  
of the Supreme Court to Arrest the said Francis Noble  
Knipe from M<sup>r</sup> Williams Conyngham at that time  
at Montreal, which Writ has been put in Execution  
, Signed, Henry Boone

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Friday  
the 19.<sup>th</sup> of July 1765

Present

His Excellency The Hon. <sup>l</sup> Ja. <sup>s</sup> Murray Esq. <sup>r</sup> governor	}	Esquires
The Hon. <sup>l</sup> W. <sup>m</sup> Gregory C. J.		
Paulus Emilius Irving		
Walter Murray		
Adam Mabane		
Bejamine Price		
Thomas Dunn		
James Goldfrap		

Read the Report of the Committee upon the Petition  
of Mess.<sup>rs</sup> Price Hay & Jacobs

Ordered to be entered in the Book

Council Chamber Quebec 16.<sup>th</sup> July 1765

Present

The Honb. <sup>le</sup> Paulus Emilius Irving	}	Esq.. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
James Goldfrap		

The Committee of the Council met this Day in  
pursuance

pursuance of the Reference of yesterday to take into Con:  
:sideration the Petition of Benjamine Price John Hay  
And Samuel Jacobs And having read & duly consider:  
:ed the same make the following Report to this Board

In consideration that the Petitioners have  
unwarily laid out so considerable a Sum of money upon  
the premisses, And it appearing to us that such Works  
are a Benefite to the Country And An Encouragement  
to Agriculture, We are of Opinion that a Lease for  
Ninety nine years may be granted the Petitioners un:  
:der the following Restrictions, That if the said Build:  
:ings or ground shall be found of Use to his Majesty  
they shall be obliged to give up the same, the King  
paying them the just Sum that they laid out on the  
Building, or upon An Estimate to be taken at the  
time of delivering them up, And that the said Lease  
shall be granted for the sum of Five pounds currency  
of this province of yearly Rent for the premisses  
, Signed, P. Æmi.<sup>s</sup> Irving  
, Signed, Ja Potts D.CC

Ordered the above Report to be confirmed And  
that a Copy thereof with the Petition be sent to the  
Attorney general for him to draw a Lease of the  
Houses & ground mentioned in the Petition in  
Terms of the Report

The Representation of the Justices of the peace  
fyled on the 15.<sup>th</sup> Instant read & ordered to be entered  
in the Book

May

May it please your Excellency  
and Honours

As the daring Insults offered to civil government by the inhuman and cowardly attack made last Winter on a Majistrate at Montreal And the subsequent Disorders which arose therefrom have not only alarm'd every Individual amongst us, but also attracted the Attention of our Mother Country; We can not help observing that every person in a publick Capacity merits Applause in proportion to the Use he endeavours to make of his power in detecting the perpetrators of these enormous offences, And as the Conduct of M<sup>r</sup> Lambe on that Occasion deservedly met with the intire Approbation of your Excellency And Honours we are exceedingly sorry that his being left out of the last Commission of the peace exposed him to be openly And cruelly reviled by Major Brown of the 28 Regiment in the Face of the supreme Court of Judicature of this province

We therefor conceive ourselves indispensably bound to represent this Conduct of Major Brown to your Excellency And Honours As the greatest Insult offered to every Department of civil government And to the Justices of the peace in particular who / if this is permitted to pass unnoticed / must be exposed to the like treatment every Day in the Execution of the power given us as Majistrates

We have the honor to be most respectfully  
Your Excellency & Honors most Obed<sup>t</sup> & most  
hum<sup>l</sup> Serv.<sup>ts</sup> { John Lees Tho.<sup>s</sup> Ainslie  
Hugh Finlay Rich<sup>d</sup> Murray  
Signed { Ja Potts John Marteilhe  
Quebec 8 July 1765 { Levesque Peter Travers  
Tho<sup>s</sup> Aylwin

ordered

Ordered a Committee of the Council to take the affidavits of such Justices of the peace As were present at Trois Rivieres with relation to the particular Words Spoke by Major Brown, this afternoon in the Council Chamber

Presented and read a Petition from Lieu.<sup>t</sup> Frederic Haldiman for Land

Ordered to be fyled with the others till the Survey of Gaspey & Chaleur is made

Presented also a Petition from Lieu.<sup>t</sup> Arthur goold for Land

Ordered to be fyled with the others till the above Survey is made

Presented a Memorial from the Attorney general requiring a Copy of a Writing given in to this Board on the 20.<sup>th</sup> of June by The Chief Justice

To His Excellency The Hon<sup>l</sup> James Murray Esq.<sup>r</sup> Captain general & governor in Chief in And over His Majestys Province of Quebec And The Territories thereon depending in America & Vice Admiral of the same &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>  
In Council

The Memorial of George Suckling Esquire Humbly sheweth

That your Memorialist has been credibly informed That the Hon<sup>l</sup> William Gregory Esq.<sup>r</sup> His Majestys Chief Justice of this province has or shortly intends to file w.<sup>t</sup> the Clerk of this Hon<sup>l</sup> Board a paper writing containing as your Memorialist has reason to believe, some Reflection

on

on your Memorialist

Your Memorialist therefor humbly prays  
Your Excellency that in Case such paper writing  
be already or should hereafter be filed That he  
may thereupon immediately be at Liberty to  
take a Copy thereof, In order to enable him  
to make his just & necessary Defence thereto  
And your Memorialist will pray &.<sup>c</sup>

, Signed, Geo: Suckling

Quebec 19 July 1765

Ordered That a Copy be given to the Attorney  
general providing he promises to this Board not to  
publish said Writing or his Answer to the same

Read the Attorney generals Opinion on the  
Queries ordered to be put to him last Council Day

Ordered to be fyled & entered in the Book

Quebec 18.<sup>th</sup> July 1765

Sir

Your Excellency did me the honor yesterday in  
Council to desire my Opinion on the following  
Queries.

1.<sup>st</sup> Is it legal or improper for any person to give  
blank Writs to be filled up by a Second person? I mean  
by blank Writs such as are signed & Sealed but the  
places left blank to be filled up As to Names Dates  
Sums and Matter

Answer

I take it to be a very ill practice to give blank  
Writs Signed & Sealed by the officer, And am of Opinion  
such Writs are void because at the time of their being  
signed & sealed by the officer, they were plainly so, being  
with blanks; And if void when they were signed & Sealed  
the same could not be afterwards made good by the

person

person / to whom given / his filling up the Blanks with Names Dates sums and Matter, for then the writs would be issued by the Second person, And not by the officer which would be absurd And a great Misdemea: :nor

2.<sup>d</sup> If illegal or improper How or to what Degree can that affect the Subject? By this we would be made sensible of the Reasons of the Illegality of it for a thing may be improper in Form tho' not in itself hurtful

Answer

The issuing Writs under the Circumstances mentioned in the first Question, I apprehend is more of Substance than of form, As I can find no Precedent to warrant such a practice, And in general I look upon it to be illegal, more especially so where any of the Writs are madeailable, they become dangerous to the Liberty of the Subject, As by a Combination between An Attorney And a Deputy Provost Marshall The Subject, particularly the new Subjects in this Colony may be greatly imposed upon And deprived of their Liberty by such Malpractices; which I am humbly of Opinion ought to be prevented in Time

3.<sup>d</sup>ly May not the power of issuing such Writs be more improperly placed in the hands of An Attorney or Advocate than Any other Man?

Answer

It is unquestionably a great impropriety And unprecedented to place the power of issuing writs in the hands of An Attorney

4.<sup>th</sup> You are desired to give the Reasons why An Attorney employed to Act as Deputy Sheriff can not legally

officiate



officiate as an attorney?

Answer

By the 1: Hen: 5: C: 4: No under Sheriff may be admitted during such his Employment to practice as an attorney, upon pain of Exclusion from the Employment of An Attorney And not to be readmitted

5.<sup>th</sup> Is a Deputy Provost Marshall a proper person to be commissioned to take affidavits for the issuing of Writs

Answer

I can not find upon searching the Books one Instance where An under Sheriff was ever made a Commissioner for taking Affidavits; from which I conclude in general And particularly from the Circumstances of this Case, that a Deputy Provost Marshall of this Province is a most unfitt person to be commissioned for that purpose

All which is humbly submitted by your  
Excellencys Most Obed.<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

To His Excell<sup>y</sup> The Hon<sup>l</sup> \_\_\_\_\_, Signed, Geo: Suckling  
Ja.<sup>s</sup> Murray Esq<sup>r</sup> Captain  
general & governor in Chief of  
Quebec in Council

Ja: Murray

At the Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Thursday the 25.<sup>th</sup> Day of July 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>r</sup> governor  
Paulus Emilius Irving }  
Walter Murray }  
Adam Mabane }  
Benjamin Price } Esquires  
Thomas Dunn }  
Francis Mounier }  
James Goldfrap }

Presented and read Petition from Major James Aber:  
:crombie for Land

Ordered to be fyled with the others till the Survey  
of Gaspey & Chaleur is made, when Major Abercrombie  
will have Leave to chuse his ground in Consideration  
of the Services he has rendered this Colony

Read the affidavits of the Justices of the peace  
taken befor Thomas Dunn & James Goldfrap Esquires  
on the 19.<sup>th</sup> Instant

Ordered to be entered in the Book

Council Chamber 19.<sup>th</sup> July 1765

In presence of the Honourable Thomas Dunn and  
James Goldfrap Esquires a Committee of the Council  
this Day appointed to enquire of the Justices of the  
peace upon Oath What were the Words, to the best of  
their Recollection, made use of by Major Brown of  
His Majestys 28 Regiment of foot, reflecting upon

Thomas

Thomas Lambe Esquire late one of His Majestys Jus:  
 tices of the peace at the assizes lately held at Trois Rivieres  
 Compeared John Grant Esquire who deposeth That  
 during the Tryal of Sergeant Rogers at Trois Riveries  
 upon a Motion made by the attorney general to have  
 the written Evidences of certain Witnesses formerly taken  
 at Montreal, & then not present read, Major Brown  
 Observed that M<sup>r</sup> Lambe in taking these Evidences had  
 inserted more than the Witnesses had declared, which  
 the Deponent thinks was advanced with a View to  
 debilitate these Evidences And further added that  
 as a proof of his bad Conduct he M<sup>r</sup> Lambe had been  
 scandalously or infamously broke or words to that  
 Effect  
 , Signed, J. Grant

Richard Murray Esquire Deposeth & confirms the  
 Evidence of M<sup>r</sup> John Grant And further that M<sup>r</sup>  
 Lambe asked Major Brown Sir do you think me  
 perjured? Major Brown Answered I think you  
 capable of Any thing or Words to that Effect  
 , Signed. Rich.<sup>d</sup> Murray

Thomas Aylwin Esquire sworn deposeth That  
 Major Brown addressing himself to the Judge, said  
 that there was more in the written Evidence that  
 M<sup>r</sup> Lambe had taken than was true And that several  
 of the Regiment were ready to prove it, And that  
 M<sup>r</sup> Lambe Asked Major Brown if he thought him  
 capable of that, Major Brown Answered he thought  
 him capable of Any thing after his Behaviour to  
 the 28 Regiment or Words to that Effect to the  
 best of the Deponents Remembrance And further

Major

Major Brown said something about M<sup>r</sup> Lambes  
being broke but the Deponent do's not recollect the  
particular Words

, Signed, Tho.<sup>s</sup> Aylwin

The Three Affidavits befor written were taken  
befor us At The Council Chamber this 19 July 1765

, Signed, { Thom.<sup>s</sup> Dunn  
                  { J Goldfrap

His Excellency The governor presented to this Board  
the following Letter from Major Brown

Sir/

yesterday The Judge sent me a Copy of that  
Scandalous and infamous Petition to your Excellency &  
the Council, signed by nine of the Justices of the peace  
whereon they falsely Accuse me with having insulted  
civil government in the highest Degree, I therefore  
Sir beg to know whether this Petition is inserted in  
the Council Books which are now sent home by M<sup>r</sup>  
Price that I may direct myself Accordingly, And send  
home proper affidavits about it to my Freinds to  
be laid befor government I have the honor to be  
with great Respect

Sir

your most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

, Signed, Art: Browne

/ Major General Murray /

Ordered the above Letter to be fyled And a Com:  
:mittee of the Council to take the affidavits of the Attorney  
general M<sup>r</sup> Kneller & M<sup>r</sup> Shepherd with relation

to

to the particular Words spoke by Major Browne reflecting upon Thomas Lambe Esquire at the late assizes at Trois Rivieres

Compeared before this honourable Board Thomas Aylwin Esquire who being solemnly sworn upon the Holy Evangelists Deposeth that sometime towards the latter End of last Winter, at a Ball or assembly in the house of M<sup>r</sup> Brookes in the Upper Town, at the End of the assembly Room next the Bishops palace he the Deponent began Conversation with M<sup>r</sup> Gregory after many things which he now has forgot, the Deponent told the said M<sup>r</sup> Gregory that governor Murray had said or the Deponent was misinformed, that he the said M<sup>r</sup> Gregory had assented to most of the Ordinances particularly such As respected the Courts of Judicature / excepting a few of the unpopular Ones) he the said M<sup>r</sup> Gregory then Answered, either that it was a Lye or a damn'd Lye or words equally depreciating the Deponent do's not now remember which of these Words, but it was to that purpose, And further the said M<sup>r</sup> Gregory said either at the Interrogation of the Deponent or without it he do's not remember which that the Votes were collected from the Junior to the Senior Councillors, by the time it came to him who was a Senior Councillor there was a Majority, And being asked if M<sup>r</sup> Gregory mentioned any particular Ordinance that he objected to, Answered The Deponent do's not remember any particular Ordinance mentioned by M<sup>r</sup> Gregory, but by the Tenor of his Discourse

The

The Deponent thought he had objected to many of them And further The Deponent sayeth being asked that next Day he the Deponent repeated the above Conversation with M<sup>r</sup> Gregory to a trusty friend who was much Surprised at what the Deponent said And signified he believed it false. And being further asked if it was the general Opinion Amongst the people in Quebec that M<sup>r</sup> Gregory had dissented from many of the Ordinances passed Depo: he thinks it was generally so believed amongst the Depo: nents particular Acquaintances And that the Depo: nent then believed so himself And being asked if he ever had Any further Conversation with M<sup>r</sup> Gregory on the Subject of government Depo: that about the Time of the last assizes in Quebec, he the Deponent said after the dayly sittings of the Council he hoped it would produce something good for the Country, to which the said M<sup>r</sup> Gregory Answered, with a significant Nod he wished it might prove so, or it may be so, And the Deponent being Asked what he understood by the Significant Nod Depo: he thought M<sup>r</sup> Gregory meant thereby that he thought they would not prove so, but the Deponent is not sure that M<sup>r</sup> Gregory Meant to convey that Meaning; And being asked who the particular Freind was he the Deponent repeated his Conversation with M<sup>r</sup> Gregory to? Answered it was M<sup>r</sup> John Lees And further sayeth not

, Signed Tho.<sup>s</sup> Aylwin

Read

Read the following Letter from the Attorney general to  
the Deputy Clerk of this Board

Quebec 22.<sup>d</sup> July 1765

Sir

You will be pleased to do me the favour of  
making me out a Copy of the Chief Justices paper writing  
filed in Council the 20.<sup>th</sup> June last upon which I promise  
not to publish any Answer thereto agreeable to the order of  
Council I am

Sir

your most hum<sup>l</sup> Serv.<sup>t</sup>

To James Potts Esq<sup>r</sup>  
Deputy CC

, Signed, Geo: Suckling

Read the Attorney generals Answers to the Chief  
Justices Representation of the 20.<sup>th</sup> June  
Ordered to be entered in the Book

Quebec 23.<sup>d</sup> July 1765

May it please your Excellency

The following is a true Copy of a paper  
entered in the Council Books the Twentyeth of June  
last to which I beg leave to make a few Observations  
upon, for my just And necessary Defence, against the  
gross Imputations And manifest untruths therein  
contained Viz.<sup>t</sup>

“Council Chamber Quebec 20 June  
1765

“Present

“His Excellency The governor

“and

“a Quorum of His Majestys Council

“Ordered upon reading the following Representation  
“from The Hon.<sup>l</sup> William Gregory Esquire Chief Justice, that  
“the same should be entered in the Council Book And  
“a Copy of the same made by the Deputy Clerk of this

“Council

“Council for the said Chief Justice.

“Complaint having been this Day made to this  
“Honourable Board by the Hon<sup>l</sup> William Gregory that  
“in a Supplement to the Quebec gazette dated the 23.<sup>d</sup>  
“Day of May last, the following scandalous insinuations  
“and unjust aspersions were therein inserted & signed by  
“George Suckling Esquire His Majestys Attorney general  
“To Witt “But the Chief Justice overuled me and determined  
““that the Deputy in this Case might appoint a Deputy  
““And that the Deed drawn by Conyngham & executed by  
““M<sup>r</sup> Goldfrap Appointing M<sup>r</sup> Walker Deputy to M<sup>r</sup>  
““Turner was good & the Appointment valid” And in  
“an other Sentence of the same Supplement the Words  
“following “The Chief Justice well knowing the Juries  
““from Montreal would not come down to Quebec, And  
““they were under no fear of the Consequences As the  
““Chief Justice declared he would not fine one of them  
““for non Attendance”

“The said Supplement was Accordingly called & being  
“produced His Majestys Attorney general was then sent  
“for to prove the Truth of the said two paragraphs  
“therein inserted, but could produce no Evidence to  
“support either of the said Charges, “except his own  
“Single assertion, And the Chief Justice then declared  
“that he never was of that Opinion, nor ever gave  
“such Opinion, nor did he ever make such Declaration  
“as in the Second paragraph is set forth”

However Stung I may be with a Sense of the  
Indignities that were done me by Conyngham & others

in



in the face of the Court; yet I observed a Reverse of Conduct from theirs, And treated them in a Way which the repeated affronts they gave me by no means intituled them to, nevertheless under these disagreeable Circumstances, I flattered myself that I was under the protection of the Court And did imagine that the Station I have the honor to be in would have Secured me from their Insults And that a Stop would soon be put to such Indecencies: But how far I availed myself of those Imaginations will be best understood by reflecting upon the frequent nay daily repetition of the same kind of Insolence And Abuse, even to the Scandal and offence of many of the Bystanders, Hence Conyngham was encouraged to carry on a frivolous provocation against me befor the Chief Justice for assaults in chastising my Servant, neither exceeding the Bounds of due Moderation either in the Measure of it or in the Instrument made use of for that purpose Hence he took advantage of my Absence one Day, being obliged to attend publick Business out of Court to com: :mence another prosecution befor the Chief Justice against three poor Frenchmen of the Isle of Orleans for a common assault on M<sup>r</sup> Ords Servant And without Any one to plead for them, or their being admitted to a Traverse, And tho' wholly unacquainted with our Language & Laws, they were the same day araigned tried convicted & committed to prison, And being in confinement were terrified into a Composition for so large a sum as Two hundred & forty Dollars besides exorbitant Fees to Conyngham, to the ruin of themselves & their Familys. Is it possible to conceive that such unwarrantable Severitys against his Majestys new Subjects can Answer the good Inten:

:tion

Intention of government towards them? Is this the Way to captivate them with the Lenity of our happy constitution & Laws? Is not this the direct way to rivet them in their former prejudices, And make them detest both our government & Laws? Hence also Conyngham under the Countenance of the Court obstructed me in the Dutys of my Station, And usurped the Right of my office a party was formed against me & every venal means was employed to destroy me without a Cause, yet, I set Bounds to my Resentment which was to terminate whenever an opportunity should offer of publicly vindicating my own honour & Actions & As an unavoidable Consequence resulting from thence of exposing to publick View the Wickedness Weakness & ridiculous Conduct of my Enemys. And if in my Vindication befor your Excellency And Council on 22.<sup>d</sup> of Aprile last / see Supplement to the Quebec gazette of 23.<sup>d</sup> May last / I have therein or may hereafter be obliged to lay open the Actions of others, I have not And far be it from me to add a greater Weight upon the Authors of them than what is unavoidable, And the merited Dishonour of those Actions must naturally involve them in But that after the Facts set forth in my Report And Justification befor the Council Board on the said 22.<sup>d</sup> of Aprile, In the presence hearing & understanding of the Chief Justice, And no other objections thereto or Explanations thereof being made or required by him than only 1.<sup>st</sup> “Why no Challenges were made to the “grand Jury when they were sworn, And 2.<sup>dly</sup> Why “no Objections were made sooner to the Illegality of the “Appointment of the Deputy provost Marshall of this “province. And 3.<sup>dly</sup> what I meant by the Word

“privy

“privy / mentioned in my Answer to the first Question /”  
 And that after several Witnesses were sworn & examined  
 And their Depositions taken at the Council Board in  
 writing in presence of the Chief Justice in Support of  
 the Facts alledged in my Report, And this Business  
 continuing under Examination & Consideration from  
 the said 22.<sup>d</sup> Day of Aprile to the 3.<sup>d</sup> of May, And that  
 then M<sup>r</sup> Gregory with the Council in presence of your  
 Excellency should unanimously be of Opinion that  
 I had done every thing in my power to bring the  
 Business with which I was charged to an issue  
 And the whole Matter from that time to the 23.<sup>d</sup>  
 of May, when I was obliged to print my Vindica:  
 :tion should all the time remain approved And  
 allowed of by him, I say when all these Matters  
 are duly weighed & considered, It is scarcely recon.  
 :ciled or Accounted for, Why the two Facts mentioned  
 in M<sup>r</sup> Gregorys paper above mentioned should remain  
 unnoticed till the 20.<sup>th</sup> of June, And then & not  
 befor be picked out of my Report, which he has  
 been pleased As an Occasion of further contests & Distur  
 :bance to put a plump negative upon, And to say  
 that in my Report to the Council Board / of which that  
 inserted in the Supplement to the Quebec gazette of 23.<sup>d</sup>  
 of May is a true Copy / are Scandalous Insinuations &  
 unjust Aspersions.

However as the Matter in Question turns upon  
 two points Viz.<sup>t</sup> first M<sup>r</sup> Gregorys Absolutely denying  
 that he determined, That a Deputy / in the Case befor the  
 Court / might appoint a Deputy, And that the Deed  
 drawn by Conyngham And executed by M<sup>r</sup> Goldfrap  
 Appointing M<sup>r</sup> Walker Deputy to M<sup>r</sup> Turner was good

And

And the Appointment Valid And 2.<sup>dly</sup> that the Chief Justice knew that the Juries from Montreal would not come down to Quebec, And they were under no fear of the Consequences As the Chief Justice declared he would not fine One of them for Non Attendance. As to the first point it is clear beyond all Manner of Controversy that M<sup>r</sup> Gregory is palpably mistaken in what he so plumply denys, because, the Matter in issue befor the Court was this, Whether the Deputy Provost Marshall could Appoint a Deputy, Which M<sup>r</sup> Gregory denys, the fact of his determining that he could, yet notwithstanding his Denyal I Submit it Whether his determining that point could be other ways than As I have already represented, for if it had been otherwise, then the Return of M<sup>r</sup> Walker the Deputys Deputy could not be good, Which by M<sup>r</sup> Gregorys determination was to all Intents & purposes confirmed, And M<sup>r</sup> Walkers sum: moning & impannelling the Jurys for the District of Quebec allow'd to be good, which was the very thing objected to. If it should be thought necessary after this to produce Viva Voce Evidence of what I here assert I am ready to do it Viz.<sup>l</sup> The greatest part of the grand Jury some of whom took Notes at the time And many Bystanders And therefore it is very unbecoming of the Chief Justice meanly to deny Facts which are so notorious And which can be so well Supported And so clearly proved by Evidence

The 2.<sup>d</sup> point of M<sup>r</sup> Gregorys denying is My asserting “he declared he would not fine one of the “Jurors from Montreal for their non Attendance” This is a fact which I declare in the presence of god is true,

But

But M<sup>r</sup> Gregory well knowing that he declared this to me alone at his own house, imagines that he has me Snugg upon his plump denial of it; However I hope that my assertion will be considered at least of equal Validity with M<sup>r</sup> Gregorys Denyal, And as I have no other positive Evidence to support this Fact than only my own Assertion I must beg leave in lieu of positive proof to offer that which comes next & nearest to it Viz.<sup>t</sup> probable Evidence And therefor I must beg leave to observe M<sup>r</sup> Gregory for some time befor the meeting of the Court of assize at Quebec 28.<sup>th</sup> March last had espoused the Cause of two or three discontented people at Montreal & Quebec who opposed government / it is needless to mention what were his Views in so doing as they are now well known/ his freind Conyngham was in the Secrets of the Cabal And was therefor dispatched to Montreal to raise a Flame there, where he used his Endeavours to prevent the Jury & Witnesses for the King, from coming from thence to Quebec, Solicitations from a person so closely connected with M<sup>r</sup> Gregory, And so united with the Cabal could not fail of meeting with Success And the Event of this Embassy was followed by a Petition to M<sup>r</sup> Gregory from the Juries to dispense with their Attendance at the ensuing assizes, This was the feint made use of to amuse those, who chose to have their Senses locked up by Delusions; The Chief pretence for their Petition being granted was, That the Resolution of Council at Montreal of the 3.<sup>d</sup> of January last And the ordinance of Quebec of the 9.<sup>th</sup> of March last were

repugnant

repugnant to that of the 17.<sup>th</sup> of September, now in Answering this petition if M<sup>r</sup> Gregory had Acted with that Candour & Uprightness which might have been expected from him, he would have undeceived the Jury, And also his freind Conyngham, And have told them As the Truth is That the Ordinance of the 17.<sup>th</sup> of September befor it was sent to England for His Majestys Approbation or Disallowance, had a Note or Remark added thereto, which was read and unanimously Approved of in Council in his Presence Viz.<sup>t</sup> that the government here intended to alter the said Ordinance, which was Accordingly done by the said Resolution at Montreal And the said Ordinance of the 9.<sup>th</sup> of March last. This notorious Suppression of the Truth which so nearly affected the honour of government, prevented the Jury from coming from Montreal, And gave Birth to all these false & scandalous Invectives against government, which were a little after drawn up by Conyngham under the Title of M<sup>r</sup> Walkers Protest; from hence all partys were deceived & abused The people at Montreal by this means were taught to believe, that the government treated them ill, And acted inconsistant with And contradictory to their own Ordinance of the 17.<sup>th</sup> September; And the government had no less Reason for thinking them refractory, And averse to yield Obedience to lawful Authority, So that from hence all was thrown into confusion. The Court of Assize soon followed two pannels of Jurors were returned, The first for the District of Quebec The other for Montreal, The Chief Justice was told by

the

the Clerk of the Crown, that there were two pannels returned, And he was ordered to call the Jury from the first, And not one from Montreal was called tho' the grand Jury frequently represented the necessity of having some of the Jury from thence incorporated amongst them, but that was always refused by the Court; And what followed after was mere parade & nothing material was done, unless Sadling the government with a great Expence to no Manner of purpose than only to create a Burlesque on our Courts of Justice: From all which I humbly infer that there is the greatest probability that M<sup>r</sup> Gregory did know the Jurys from Montreal would not come down to Quebec, And that they were under no fear of being fined for their non attendance I have the honor of being

your Excellency & honours Most Obed.<sup>t</sup>

To His Excell<sup>y</sup> The & Most hum<sup>l</sup> Serv.<sup>t</sup>  
 Hon.<sup>l</sup> Ja<sup>s</sup> Murray Esq<sup>r</sup> ,Signed, Geo: Suckling  
 Cap & general & governor  
 in Chief of Quebec

x Presented Petition  
 from Cap.t Joseph  
 Dean for a grant  
 of 500 acres of Land  
 at Gaspey  
 ordered to be fyled  
 the Land surveyed &  
 granted accordingly

in Council

x

Presented Petition from Daniel Malcolm for  
 a Spot of ground near Champlain Street 45 feet  
 in front by 30 feet in Depth

Ordered to be fyled & the Surveyor to survey the  
 same & report as usual

Ja: Murray

At The Council Chamber in  
the Castle of S<sup>t</sup> Louis in the City of Quebec  
on Saturday the 31.<sup>st</sup> of August 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>r</sup> governor  
Paulus Emilius Irving  
Walter Murray  
Adam Mabane  
Thomas Dunn  
James Goldfrap

} Esq.<sup>rs</sup>

Read the Report of Mess.<sup>rs</sup> Dunn & Goldfrap of the  
Affidavits of the Attorney general M<sup>r</sup> Kneller and  
M<sup>r</sup> Shepherd with relation to Major Browns Words  
at the Assizes at Trois Rivieres

Ordered to be entered in the Book

On the Twenty fifth Day of July 1765 In Presence  
of the Honourable Benjamine Price Thomas Dunn And  
James Goldfrap Esq<sup>rs</sup> compeared George Suckling Esq<sup>r</sup>  
His Majestys attorney general who being duly sworn  
on The Holy Evangelists deposeth to the best of the  
Deponents Remembrance Major Brown said several  
things reflecting upon M<sup>r</sup> Lambe As the Deponent  
understood in his Conduct As a Justice of the peace  
And particularly Major Brown said that M<sup>r</sup> Lambe  
had either been turned out of the Commission of the  
peace or disgraced for bad Conduct or Words to that  
Effect, That the Deponent was so much engaged in  
Business at that time in the Court that he had not

time



time to give much attention to what passed betwixt  
Major Brown & M<sup>r</sup> Lambe further than is above set forth  
, Signed, Geo: Suckling

Henry Kneller Esquire sworn on the Holy Evangelists &  
examined Deposeth That being wholly engaged in his  
Business as Advocate for the 28 Regiment in taking  
down the Depositions of Witnesses cross examining others  
And attending to what M<sup>r</sup> Attorney general from time  
to time Advanced in behalf of the Crown he can not take  
upon himself to recollect with any kind of precision  
what passed between Major Brown & Thomas Lambe  
late one of His Majestys Justices of the peace for the  
District of Montreal, but from what he can now  
remember of those Circumstances Major Brown  
threw out some Expressions which reflected on the said  
M<sup>r</sup> Lambes Conduct whilst a Majistrate, And  
particularly that of his saying / but on what Occasion  
this Deponent do's not recollect / that he thought the  
said M<sup>r</sup> Lambe might be capable of Any thing  
, Signed, Hen Kneller

, Signed, { Thom<sup>s</sup> Dunn  
J Goldfrap

Council Chamber 26 July 1765  
Present

Tho.<sup>s</sup> Dunn  
+  
James Goldfrap } Esq.<sup>rs</sup>

Compeared James Shepherd Esquire who acted as Clerk  
of the Crown at the last Court of assize at Three  
Rivers who being solemnly sworn on the Holy  
Evangelists Deposeth That on the Examination of  
Sergeant Mihies Wife befor the Supreme Court at

Three

Three Rivers, the Woman said that the Oath she had taken befor Justice Lambe at Montreal was false for said M<sup>r</sup> Lambe had forced her to say more than the Truth & threatened her, Major Brown upon that said to the best of the Deponents Remembrance he believed it was very true, then M<sup>r</sup> Lambe said some-thing to Major Brown which the Deponent do's not recollect, And Major Brown Answered as a proof of it Sir have you not been Scandalously & infamously broke as a Majistrate And further saith not  
Signed, J Shepherd.

, Signed, { Thom.<sup>s</sup> Dunn  
J Goldfrap

Presented Petition from Joseph Gridley praying an appeal from a Judgement of the Supreme Court In the Cause, Hazen ag.<sup>t</sup> Wheelwright

To His Excellency The Honourable James Murray Esquire Captain general & governor in Chief of the Province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> And To the honourable Members of His Majestys Council of the said Province

The Petition of Joseph Gridley Acting for himself And in Behalf of Samuel Gridley & C.<sup>o</sup> Merch.<sup>ts</sup> in this City

Humbly sheweth

That your Petitioners the 20.<sup>th</sup> february last Accepted for payment a Bill of Exchange drawn by Mess.<sup>rs</sup> Thomson & Gridley of Boston for Six thousand four hundred & fifty Dollars, in favour of Nath.<sup>l</sup> Wheel-

-wright

Wheelwright of the same place, which was indorsed to Mess.<sup>rs</sup> Moore And Finlay, And that as the Bill was drawn at Thirty Days Sight, it being too short a time for the payment of so large a sum, your Petitioners Applied to said Moore & Finlay for a longer time to pay it in who consented to grant them a Delay till the first of August following on condition they would give Security that it should be paid by that time, which was given to the Value of £ 1777..15..1 Halifax Curr: the Bill was afterwards indorsed by said Moore & Finlay to Thomas Dunn Esquire and delivered up to him with the Security for the payment thereof That on the 14.<sup>th</sup> of March following a Writ of Attachment was laid on your petitioners by Moses Hazen Esquire in order to deter them from paying the said Bill to the possessor

That your Petitioners were called upon in the Court of Kings Bench in the Cause of Hazen against Wheelwright to file a Bill, which was Accordingly done and sworn to, setting forth that the Bill was drawn And indorsed As above, that it had been Accepted for payment by your Petitioners, And Security given to the possessor of said Bill, but that it was not then taken up

That your Petitioners Applied to & retained several of the Most eminent Attorneys to Appear for them, but they were all employed in Behalf of the Plaintiff Hazen except one who was retained by the said Moore & Finlay And refused to Act for your petitioners So that your petitioners Apprehend

that

that for want of an Advocate to plead their Cause  
And represent their Case in its proper Light, the  
Court gave Judgement against your Petitioners as  
Garnishees, pursuant to an Ordinance of this Province  
bearing date the 9.<sup>th</sup> March 1765

That in Consequence of this Judgement Execution  
issued And was immediately served on a Ship which  
is not the property of your Petitioners, And also on  
goods And Effects the property of your petitioners on  
Board the said Ship, which has greatly distressed your  
Petitioners by preventing their Sending the necessary  
Supplies of goods And provisions to their Fisherys in  
the Gulph of S<sup>t</sup> Lawrence, where their Fishermen unless  
speedily relieved will be in the Utmost Danger of perish-  
-ing for want of provisions

That your Petitioners Apprehend they can not  
by Any means be lookt upon As garnishees of  
Nathaniel Wheelwright, under the meaning of the  
said Ordinance not having at present nor At Any  
time befor since the year 1762 Any Effects or Moneys  
of his in their hands or possession

That your petitioners are ready & willing to pay  
or deposit the said sum of Six thousand and four hun-  
-dred and fifty Dollars, when And wherever your  
Excellency & Honours May think proper to direct  
provided the said Ship & Cargo so taken in Execution  
and also the said Accepted Bill with the Security in  
the hands of the possessor of said Bill be delivered up

to

to them.

Your Petitioners beg leave to Appeal from said Judgem.<sup>t</sup> of the Court of Kings Bench, And therefor pray that your Excellency & honors will be pleased to take their Case into your Consideration And grant them such Relief in the premisses As the nature of the Circumstances require, because As the Matter now Stands your Petitioners Apprehend they will be inevitably obliged to pay the said sum twice over for by the Law of Merch.<sup>ts</sup> a Bill of Exchange will stand always good against the Drawer or Acceptor, untill it be taken up

And your Petitioners As in Duty bound will ever pray , Signed, Joseph Gridley

Quebec 31 August 1765

Presented Petition from Lieutenant Colonel Christie praying An Appeal from a Judgement of the Supreme Court in the Cause Knipe ag.<sup>t</sup> Christie

To His Excellency The Hon.<sup>l</sup> James Murray Esquire Captain general governor & Comman:der in Chief in and over His Majestys province of Quebec And territorys depending thereon in Council

The Memorial of Gabriel Christie Esq<sup>r</sup> Lieutenant Colonel in His Majestys Forces & Deputy Quarter Master general in America

Sheweth

That Francis Noble Knipe of Montreal in said Province did As of last Hilary Term fyle a Declaration in Trespass in His Majestys Superior

Court

Court of Kings Bench in the said Province against your Memorialist, in which he has laid his Damages to four thousand pounds lawful Money of Quebec to which your Memorialist pleaded And the Cause being at issue in last Trinity term was set down for Tryal for Saturday the twenty fourth Day of August instant but by consent of the Attorneys on both Sides it was postponed to Monday the 26 Day of August by Nisi prius befor The Honourable William Gregory Esq<sup>r</sup> His Majestys Chief Justice of said Province

That your Memorialists former Attorney or Advocate M<sup>r</sup> Conyngham was by a Resolution of your Excellency And His Majestys Council of the said province Suspended from Acting As an Attorney for your Memorialist since May last And your Memo. -rialist caused Application to be since made to Thomas Hall of the City of Quebec gentleman As his Attorney or Advocate who did Attend on Saturday the 26 Day of August aforesaid when the said Cause was so postponed as aforesaid

That on said 26 Day of August your Memori- -alists Attorney or Advocate said Hall being extremely ill in Bed was incapable of attending on the said Tryal as appears by affidavit of two persons produced on that Day to the said Court whereby And no Attorney appearing for your Memorialist Judgement was obtained against your Memorialist by Default

That by the 48 Article of His Majestys Ins. -tructions to your Excellency it appears that upon Application made to your Excellency Appeals are

to

to be permitted and allowed by your Excellency from Any of the Courts of common Law And that a Writ is to be issued in the Manner that has been usually Accustomed retournable befor your Excell<sup>y</sup> And His Majestys said Council in said Province unto your Excellency & His Majestys Council of said province provided the sum Appealed for doth exceed the sum of Three hundred pounds Sterling And that Security be first given by the Appellant to Answer the Charges &.<sup>c</sup> As shall be awarded in Case the first Judgement shall be affirmed which your Memorialist has Accordingly given befor His Majestys said Chief Justice As usual in Cases of Appeals

May it therefor please your Excell<sup>y</sup> to cause the usual Writ of Appeal to be forthwith issued in this Cause directed in such manner agreable to His Majestys Instructions on that head

And your Memorialist will pray  
, Signed, G Christie D Q M G.<sup>f</sup>

Presented Petition from Lieutenant Colonel Christie praying An Appeal from a Judgement of the Supreme Court in the Cause Knipe and Lesquesne against Christie

To His Excellency The Honourable James Murray Esquire Captain general And governor in Chief in And over His Majestys Province of Quebec And Territorys depending thereon in Council  
The Memorial of Gabriel Christie Esquire

Lieutenant

Lieutenant Colonel in His Majestys Forces  
And Deputy Quarter Master general in America

Sheweth

That Francis Noble Knipe and John Lesquesne both of Montreal in the said Province did As of last Hilary term fyle a Declaration in Trespass in His Majestys Superior Court of Kings Bench in the said Province against your Memorialist in which they have laid their Damages to Four thousand pounds lawful Money of Quebec to which your Memorialist pleaded And the Cause being at Issue in last Trinity Term was set down for tryal for Saturday the 24 Day of August instant but by the Consent of the Attorneys on both Sides it was postponed to Monday the 26 Day of August Instant by Nisi prius before The Honourable William Gregory Esq.<sup>r</sup> His Majestys Chief Justice for said Province

That your Memorialists former Attorney or Advocate M<sup>r</sup> Conyngham was by a Resolution of your Excellency And His Majestys Council of the said Province suspended from Acting As an Attorney for your Memorialist since May last And your Memorialist caused application to be since made to Thomas Hall of the City of Quebec gentleman As his Attorney or Advocate who did attend on Saturday the 24 Day of August aforesaid When the said Cause was so postponed as aforesaid

That on said 26 Day of August your Memorialists Attorney or Advocate said Hall being extremely ill in Bed was incapable of attending on the said Tryal As appeared by affidavit of two persons produced on

that



that Day in the said Court Whereby and no Attorney appearing for your Memorialist Judgement was obtained against your Memorialist by Default

That by the 48 Article of His Majestys Instructions to your Excellency it appears that upon Application made to your Excellency Appeals are to be permitted and allowed by your Excellency from Any of the Courts of common Law And that a Writ is to be issued in the Manner that has been usually Accustomed retournable befor your Excellency and His Majestys said Council of said Province in said Province unto your Excellency And His Majestys Council of said Province provided the sum Appealed doth exceed the sum of Three hundred pounds Ster.<sup>1</sup> And that Security be first given by the Appellant to Answer the Charges &.<sup>c</sup> As shall be awarded in Case the first Judgement shall be affirmed which your Memorialist has Accordingly given befor His said Majestys Chief Justice As usual in Cases of Appeals

May it therefore please your Excell<sup>y</sup> to cause the usual Writ of Appeal to be forthwith issued in this Cause directed in such Manner And agreable to His Majestys Instructions on that head

And your Memorialist will pray  
 , Signed, G Christie D Q M G.<sup>1</sup>

Presented Petition from Ralph Burton Daniel Disney and Daniel Robertson Esq..<sup>rs</sup> And William Jones praying an appeal from a Judgement of the

Supreme

Province  
of  
Quebec }

Supreme Court in the Cause Eleazar Levy against them

Between Eleazar Levy Plaintiff

and

Ralph Burton Daniel Disney and Daniel  
Robertson Esquires and William Jones Defend.<sup>ts</sup>

To His Excellency The Honourable James Murray  
Esquire Captain general and governor in Chief in  
and over the whole province of Quebec And Territorys  
thereon depending &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> And the Honble The  
Members of His Majestys Council

The Humble Petition of the Defendants

Sheweth

That the Plaintiffs having commenced An  
Action at Law against your Petitioners in his Ma:  
jesty's Supreme Court or Court of Kings Bench obtain'd  
a Verdict there this last term for the payment of  
Five hundred pounds Sterling And upwards in  
which Sentence your Petitioners humbly Apprehend  
Error manifest has intervened

Your Petitioners therefor humbly pray your  
Excell<sup>y</sup> & honours to grant them an immediate  
Appeal in the above Cause before your honourable  
Board they being ready to enter into such Securitys  
for the purpose As to your honours shall seem  
meet

And your Petitioners As in Duty bound will  
ever pray &.<sup>c</sup>

, Signed,

Hen: Kneller Soll<sup>r</sup>  
for Defend.<sup>ts</sup> 29 Aug.<sup>t</sup>  
1765

Presented

Presented Petition from Anthony Peter Houdin  
 praying an Appeal from a Judgement of the Supreme  
 Court in the Cause John Ord Jacob Rowe and William  
 James assignees of the Estate of Captain William Johnson  
 against Houdin

Province }  
 of Quebec }

Between John Ord Jacob Rowe and  
 William James Assignees of the Estate of  
 Captain William Johnson Plaintiffs  
 And  
 Anthony Peter Houdin Defendant

To His Excellency The Honourable James Murray  
 Esq<sup>r</sup> Captain general And governor in Chief of  
 the Province of Quebec And the Territorys  
 thereon depending &<sup>c</sup>. &<sup>c</sup>. &<sup>c</sup>. And To The  
 Honourable the Members of His Majestys  
 Council

The humble Petition of the Defendant

Sheweth

That the Plaintiffs having commenced An  
 Action at Law against you Petitioner in His  
 Majestys Supreme Court or Court of Kings Bench  
 obtained a Verdict there this last Term for the  
 payment of Sixty thousand Livres in paper Money  
 in which Sentence your petitioner humbly  
 apprehends Error manifest has intervned

Your petitioner therefor humbly prays your  
 Excellency & honours to grant him an  
 immediate Appeal in the above Cause befor  
 your honourable Board he being ready to enter

into

into such Securitys for that purpose As to your honours shall seem meet

And your petitioner As in Duty bound will ever pray , Signed, Hen: Kneller Soll<sup>r</sup> for Defend.<sup>t</sup> 29 Aug<sup>t</sup> 1765

Ordered upon reading the foregoing five petitions that the same be referred to His Majestys Chief Justice And Attorney general to give their Opinion in writing to this Board as soon as possible, What may be necessary to be done in Behalf of the several Petitioners And Whether these Petitions are proper Appeals to this Council agreeable to the governors Instructions And what is the proper Form And Method to proceed in Such Appeals. As these Matters have been much contested in the other Colonys And that M<sup>r</sup> gridleys Petition be the first taken into consideration As the Case seems to admit of no Delay And reported to this Board on Tuesday next at farthest

Read a Letter of the 25.<sup>th</sup> of July from general Burton to the Clerk of this Board inclosing one from the commanding Officer of Chambly fort in Answer to the Petition of Francis Mackay John Marteilhe And others of the 15.<sup>th</sup> of July

Ordered to be entered in the Book

Montreal July 25. 1765

Sir/

I have your Letter of the 20.<sup>th</sup> Instant

with

with a Copy of the petition presented by Francis M.<sup>c</sup>  
 -kay Esq<sup>r</sup> and others to His Excellency the governor and  
 Council at Quebec regarding the Use of some ground  
 at Chambly &.<sup>c</sup> Which petition I have communicated  
 to the officer commanding at that fort And inclosed  
 you have his Answer to me, which shews that the  
 facts have been misrepresented As he is ready to  
 prove what he advances I am

Sir

Your most hum<sup>l</sup> Serv.<sup>t</sup>  
 , Signed, R Burton

/ Ja.<sup>s</sup> Potts Esq<sup>r</sup> /

Sir /

In answer to the petition you have been pleased  
 to notify to me, which I return inclosed, I have the honour  
 to say that the publick port for Sloops to unload at  
 / if there ever was any come to Chambly, which I believe  
 has not been the Case since this Country has been con:  
 :quered / is not nor ever has been railed in by me. I  
 have fenced in for meadow land upon the Kings  
 Domain, and close to the fort, a small spot of low  
 ground which I have left open towards the Water  
 / where there is no possibility of Any Sloop or Vessel  
 of Burden to come in at, / not only on Account of  
 the Strenth of the Rapids, but the Shallowness of the  
 Water, which will admit of nothing larger than a Battoe  
 or Canoe to come near the Shore / and that fence being  
 only intended against the Cattle coming in, can not  
 by any means prevent the landing of Timber, or  
 Any way prejudice the carrying on that Branch  
 of Trade, and hitherto the place for unloading Sloops &.<sup>c</sup>

Stands

Stands below that Rail, where the water is sufficient to bring them close to Shore, And the Kings high road runs just above it, And when Battoes or Canoes are unloaded, or to be carryed over the Portage, none are ever Stopped from landing even within that fenced in meadow, And orders are given to let them be transported the Shortest way, And close to the fort And I am convinced that none of the Petitioners can say they ever were debarr'd that priveledge, or of coming thro' that fenced in meadow, to the Water Side where their Battoes Canoes Timber &c lay unmolested within that Rail as long as the Owners thought proper / M<sup>r</sup> Frank M<sup>k</sup>ays in particular was close to the Fort; I must beg leave to observe that the place railed in / which is about One hundred yards along Shore / is so close to the rapids that no Raft coming down can be Stopt to be put ashore untill they are got a considerable way below those Rails, where the landing is much preferable to any within, but when they choze to tow them up again they never were hindered

In Regard to the Striking of Tents I recollect having ordered some people, who without asking my leave had pitched their Tents in the Meadow, And as I thought too near the fort, to remove on the other side of the little River, where they would have much better ground, not so close to the fort, And nearer the place where the said peoples Timber was actually lying though Still on the Kings ground; And those were the only persons who were ordered to remove from the place where they first fixed themselves.

As

As for the Soldiers of my garrison cutting up Eight pieces of Oak for fire wood, no complaint was ever made to me but of One, cut by one Soldier, whom I instantly reprimanded before the Complainant, And gave orders that no Soldier should presume to cut any timber lying there or thereabout on Any Account; what became of that piece of timber after I can not Say As I heard no more about it, And no further complaint was ever made to me or Money demanded for the Damage which would have been paid for if demanded; I have no Reproach to make to myself nor Any Answer to make to the petitioners, about distressing the Inhabitants Any way, or hindering them from fishing, in Any part of the River they chose / except that of spearing with lights at night as coming at any hour of the night with lighted Torches close under the Walls And near the Magazine of powder, might be attended with fatal Consequences; that I should also be negligent of my Duty as an officer commanding there should I suffer a thing of that Sort; however I have told the Inhabitants that when they chose to fish there they should acquaint me with it, and I would order a Sentry from the guard to go with them And remain until they had done to prevent Accidents / so if they had Any Reason to complain I dare say they would have done it themselves which I flatter myself will never be the Case

Far from having Any Intentions of giving the least Trouble or hinderance to people employed on the timber Branch, I can appeal to M<sup>r</sup> Francis M<sup>c</sup>kay himself whom I have obliged in a particular Manner in giving him one of Kings houses to lodge his men in, As he told me he had no Tents for them

to

to lay under, And in every other thing in my power  
I am astonished that a Man who I have obliged so  
much should be the first to subscribe his Name to a  
petition, which upon Recollection he must know not  
to be fact. As every thing I have here Advanced  
is matter of fact I flatter myself it will be satisfactory  
to you, And that you will have no Reason to disa:  
:prove of my Conduct I have the Honour to be

Sir

Your most Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

/To Major general Burton / ,Signed, Geo: Gillman

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Wednesday the 4<sup>th</sup> Day of September 1765

Present

His Excellency The Hon<sup>l</sup> James Murray Esq<sup>r</sup> governor

Paulus Emilius Irving

Walter Murray

Adam Mabane

Thomas Dunn

Francis Mounier

James Goldfrap

} Esq...<sup>rs</sup>

Agreable to the order of the 31.<sup>st</sup> of August His  
Majestys Chief Justice And Attorney general produced  
to this Board in writing their signed Opinions upon  
the Petition of Joseph gridley for An Appeal

Council Chamber Quebec 3<sup>d</sup> Sept<sup>r</sup>  
1765

May



May it please your Excellency

<p>Moses Hazen Esq<sup>r</sup> Plaintiff          against          Samuel Gridley Esq<sup>r</sup> &amp; Joseph          gridley two of the garnishees          of Nathaniel Wheelwright Esq<sup>r</sup>          Defendant</p>	}	<p>Upon the Defendants petition          for An Appeal</p>
--	---	--

In Obedience to your order in Council of 31.<sup>st</sup> August last I have read And maturely consider -ed the 17.<sup>th</sup> Article of His Majestys Royal Instructions to your Excellency thereby referring to the 48 & 49.<sup>th</sup> Articles of Instructions to His governor of Nova Scotia And have also read & maturely considered the Defend.<sup>ts</sup> petition, And am of Opinion that An Appeal ought to be granted, As it appears that Judgement is already rendered And that a Writ of Appeal ought to issue agreeable to His Majestys said Instructions upon the Defendants entering into a Recognizance with two Sufficient Securities to the plaintiff in double the sum for which Judgement has been Obtained, conditioned to prosecute the said Appeal with Effect in a certain limited time And to pay & satisfy the said Judgement with Costs, in Case the same be affirmed. All which is humbly submitted to your Excellency by

Your Excellencys  
 most Obed.<sup>t</sup> & most hum<sup>l</sup> Serv<sup>t</sup>  
 ,Signed, Geo: Suckling  
 Att<sup>y</sup> general

I do think the appeal ought to be granted And I do agree with M<sup>r</sup> Att<sup>y</sup> gen.<sup>l</sup> in the above Method of prosecuting Appeals As I am by him informed that the same is agreeable to the practice made Use of in Nova Scotia

, Signed, W<sup>m</sup> Gregory } C. Jus.<sup>tce</sup>

3<sup>d</sup> Sept<sup>r</sup> 1765

Indorsed

Indorsed on M<sup>r</sup> Gridleys Petition 4 Sept<sup>r</sup> 1765  
Allowed, Signed, Ja: Murray

Presented Petition from Moses Hazen to this Board  
Plaintiff in the last mentioned Cause

Ordered to be entered in the Book

Province }  
of Quebec }

Between Moses Hazen Esq<sup>r</sup> Plaintiff

And

Nathaniel Wheelwright an Absentee resid:  
:ing out of this province, And Mess.<sup>rs</sup> Gridleys  
garnishees to said Wheelwright And others  
Defendants

To His Excellency The Honourable James  
Murray Esq.<sup>r</sup> Captain general & governor in  
Chief in And over the whole province of  
Quebec and the Territorys thereon depending  
The humble Petition of the above  
named plaintiff §

Sheweth

That in pursuance to an Ordinance of this  
province passed by your Excellency in Council the 9.<sup>th</sup>  
And published the 14.<sup>th</sup> of March last Your Petitioner  
commenced his Suit against the above named Defend.<sup>ts</sup>  
in the Manner as is therein directed, And having this  
last term duly obtained Judgement against the Defend.<sup>t</sup>  
Wheelwright, And the other Defendants having also  
delivered in their respective Accounts on Oath, accord-  
-ing to the direction of the said Ordinance, confessing  
Effects of the said Wheelwright in their hands; Writs of  
Execution were issued agreable thereto against such  
Monys goods and Credits of the said Wheelwright so  
admitted as aforesaid

That the Provost Marshall being called upon for

a

a Return of these Writs, returned that the said Defend.<sup>t</sup>  
 Wheelwright had no Monies Goods Chattels Rights Credits or  
 Estate in the hands possession or power of the said Defen:  
 :dants the gridleys shown to him, whereby he could in  
 Any Manner execute the said Writ

That upon such Return And in Consequence of the  
 aforesaid Ordinance, your Petitioner immediately caused  
 an other Writ of Execution to issue against the proper  
 goods Chattels & Estate of the said Defendants Mess..<sup>rs</sup>  
 gridleys And for want thereof to commit their Bodys  
 to prison there to remain till the aforesaid Judgement  
 with Costs be satisfied, or untill they be discharged by  
 due Course & order of Law

That this last writ has been by the said Provost  
 Marshal in part executed by his having Attatched a  
 Vessell belonging to the said Mess..<sup>rs</sup> Gridleys, or one of them

That your Petitioner is nevertheless informed that  
 the said gridleys have presented a petition to your Excell<sup>y</sup>  
 praying An Appeal which your Petitioner begs Leave  
 to represent would be attended with an uncommon  
 hardship to your Petitioner, And as he humbly con:  
 :ceives what they are not now intituled unto

From these Considerations therefor, but more  
 especially your Excellencys well known Love to strict  
 And impartial Justice, Your Petitioner humbly  
 hopes the said Appeal will not be granted without  
 first giving him or one of his Advocates the honour  
 of a hearing

And your Petitioner as in duty bound will ever  
 pray                      Signed, Hen: Kneller Sol<sup>r</sup> fr pt.<sup>f</sup>  
 2 Sept.<sup>f</sup> 1765

The Chief Justice And Attorney general produced also

to

to this Board in writing their signed Opinions upon the  
Petition of gabriel Christie for an Appeal in the Cause  
Knipe against Christie

Ordered to be entered in the Book

Council Chamber Quebec 3.<sup>d</sup> Sept.<sup>r</sup> 1765  
May it please your Excell<sup>y</sup>

Francis Noble Knipe Plaintiff }  
  against } Upon the Defendants Petition for  
gabriel Christie Esq<sup>r</sup> Defend.<sup>t</sup> } an Appeal

In Obedience to your Order in Council of the  
thirty first of August last I have read and maturely  
considered the 17.<sup>th</sup> Article of His Majestys Royal Instructi-  
:ons to your Excellency thereby referring to the 48.<sup>th</sup> & 49.<sup>th</sup>  
Articles of His Instructions to His governor of Nova Scotia  
and have also read & maturely considered the Defendants  
Petition And am of Opinion that an Appeal ought not  
for the present be allowed As it appears from the Defend.<sup>ts</sup>  
Petition that Judgement is not yet rendered, & compleat  
which it ought to be befor a writ of Appeal can issue  
agreable to His Majestys Instructions, And am further  
of Opinion that the Security alledged in the Petition  
to be given is premature before the allowance of an  
Appeal and very irregular, All which is humbly  
submitted to your Excell<sup>y</sup> by your Excellencys

Most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

, Signed, Geo: Suckling  
Att<sup>y</sup> general

I am of opinion that an Appeal in this Case is premature  
till the Judgement is compleat, which can not be till the  
first Day of next Term, but I think the Security May  
with propriety be given either befor or after the Petition  
be allowed

Signed, W<sup>m</sup> Gregory } C J

3.<sup>d</sup> Sept<sup>r</sup> 1765

Indorsed

Indorsed on Gabriel Christies Petition Disallowed till  
Judgement is compleat , Signed, Ja: Murray

The Attorney general produced in writing his  
Signed Opinion upon the Petition of Gabriel Christie for  
An Appeal in the Cause Knipe & Lesquesne ag.<sup>t</sup> Christie

Ordered to be entered in the Book

Council Chamber Quebec 3.<sup>d</sup> Sept.<sup>r</sup> 1765

May it please your Excellency

Francis Noble Knipe & John Lesquesne P. <sup>lfs</sup>	}	Upon the Defendants petition for an Appeal
against Gabriel Christie                      Def. <sup>t</sup>		

In Obedience to your Order in Council of the 31.<sup>st</sup>  
Day of August last, I have read & maturely considered  
the 17.<sup>th</sup> Article of His Majestys Royal Instructions to  
Your Excellency thereby referring to the 48 & 49.<sup>th</sup> Articles  
of His Instructions to His governor of Nova Scotia, And  
have also read & maturely considered the Defend.<sup>ts</sup> Petition  
And am of Opinion that an Appeal ought not for  
the present to be allowed, As it appears from the Def.<sup>ts</sup>  
petition that Judgement is not yet rendered, and  
compleat which it ought to be befor a Writ of Appeal  
can issue agreable to His Majestys Instructions, And  
I am further of Opinion that the Security alledged  
in the petition to be given is premature befor the  
Allowance of an Appeal And very irregular All which  
is humbly submitted to your Excellency by

Your Excellencys  
most obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, Geo: Suckling  
Att<sup>y</sup> general

Indorsed on the Defend.<sup>ts</sup> Petition Disallowed till  
Judgement is compleat , Signed, Ja: Murray

The

The Chief Justice And Attorney general produced in writing their signed Opinions upon the Petition of Ralph Burton Esquire & others for An Appeal in the Cause Levy against Burton &.<sup>c</sup>

Ordered to be entered in the Book

Council Chamber Quebec Sept.<sup>r</sup> 3.<sup>d</sup> 1765

May it please your Excellency

Eleazar Levy Plaintiff	}	Upon the Defend. <sup>ts</sup> petition for An Appeal
ag. <sup>t</sup> Ralph Burton Esq <sup>r</sup> & others Defd. <sup>ts</sup>		

In Obedience to your Order in Council of the 31.<sup>st</sup> of August last I have read & maturely considered the 17.<sup>th</sup> Article of His Majestys Royal Instructions to your Excell<sup>y</sup> thereby referring to the 48 & 49.<sup>th</sup> Articles of Instructions to his governor of Nova Scotia, And have also read & maturely considered the Defend.<sup>ts</sup> Petition & Am of Opinion that the prayer thereof ought immediately to be granted, if Judgement be rendered, And that a Writ of Appeal ought to issue agreable to His Majestys said Instructions upon the Defend.<sup>ts</sup> entering into a Recognizance with two sufficient Securitys to the plaintiff in double the sum for which Judgement has been obtained, conditioned to prosecute the said Appeal with Effect in a certain limited time And to pay & satisfy the said Judgement with Costs, In case the same be affirmed with additional Costs. All which is humbly submitted to your Excellency by

Your Excellencys  
Most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, Geo: Suckling  
Att<sup>y</sup> general

The

The Judgement in this Cause not being compleat  
the Application for An Appeal I am of Opinion is for the  
present premature

3<sup>d</sup> Sept<sup>r</sup> 1765 , Signed, W<sup>m</sup> Gregory } C J

Indorsed on the Defend.<sup>ts</sup> Petition Disallowed till  
the Judgement is compleat , Signed, Ja: Murray

The Chief Justice and Attorney general produced  
in writing their Signed Opinions upon the Petition  
of Anthony Peter Houdin for An Appeal in the Cause  
The assignees of Johnson against Houdin

Ordered to be entered in the Book

Council Chamber Quebec 3<sup>d</sup> Sept.<sup>r</sup> 1765

May it please your Excellency

John Ord & others Plaintiffs	}	Upon the Defendants Petition for An Appeal
against		
Anthony Peter Houdin Def. <sup>t</sup>		

In Obedience to your Order in Council of the 31.<sup>st</sup>  
Day of August last, I have read & maturely considered  
the 17.<sup>th</sup> Article of His Majestys Royal Instructions to  
your Excellency thereby referring to the 48 & 49.<sup>th</sup>  
Articles of Instructions to His governor of Nova Scotia  
And have also read & maturely considered the Defend.<sup>ts</sup>  
petition And Am of Opinion that if Judgement be  
rendered, An Appeal ought immediately to be granted  
And that a writ of Appeal ought to issue agreable to  
His Majestys said Instructions upon the Defendants  
entering into a Recognizance with two Sufficient  
Securitys to the plaintiffs in double the sum for which  
Judgement has been Obtained, conditioned to prosecute  
the said Appeal with Effect in a limited time And to  
pay And satisfy the said Judgement with Costs in Case

the

the same be affirmed. All which is humbly submitted  
to your Excellency by

Your Excellencys  
Most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, Geo: Suckling  
Att<sup>y</sup> general

As Judgement in this Case is not yet compleat I  
think the petition is premature 3<sup>d</sup> Sep.<sup>r</sup> 1765

, Signed, W<sup>m</sup> Gregory } C J

Indorsed on M<sup>r</sup> Houdins Petition Disallowed  
till Judgement is compleat , Signed, Ja: Murray

Upon reading the Petition of John Courteau  
complaining that he had been arrested And held to Bail  
by Beau parlant for the sum of Five hundreded & fifty  
odd Livres contrary to an Ordinance for confirming  
the Decrees of the Military Courts for Any sum under  
Three hundred pounds And it likeways Appearing by  
the said Petition that the present Matter complained  
of has been determined And settled by a Decree of one of  
the Military Courts of this province It is therefore  
ordered that the Writ issued against the said Courteau  
be immediatly taken off the Fyle & that the Bail  
be immediatly discharged

Ja: Murray



At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Tuesday  
the 17.<sup>th</sup> Day of September 1765

Present

His Excellency The Hon<sup>l</sup> James Murray Esq<sup>r</sup> governor  
 Paulus Emilius Irving }  
 Walter Murray }  
 Adam Mabane } Esq.<sup>rs</sup>  
 Thomas Dunn }  
 Francis Mounier }  
 James Goldfrap }

Read a Letter from the Justices of the peace at  
Montreal to His Excellency

Ordered to be entered in the Book

Montreal 10 Sept<sup>r</sup> 1765

May it please your Excell<sup>y</sup>

As by the last Act of Parliament for the better billeting And lodging his Majestys forces private houses are to be exempted, many of the Inhabitants of this place have Applied in consequence thereof, to have the Troops taken off them, and others refuse taking Any in, And as there is no provision made for the billeting, lodging And furnishing the Troops in this place agreeable to said Act of parliament; We therefore pray your Excell<sup>y</sup> to inform us how we are to Act in this affair As we are threatned with prosecution in Case we inforce any thing contrary to said Act And if your Excell<sup>y</sup> should think it necessary to have places taken And fitted up for the lodging of the Troops, we would humbly recommend to have it

done

done as soon as possible the Season being already far advanced.

We suppose it will be thought necessary to appoint a person to superintend the fitting up of places, And to supply the Troops as directed from which very probably some Benefit may arise. We pray therefore to have the Liberty of recommending a person for such Employment for whom we will be Security, But we must also beg Leave to observe to your Excellency that it will be a very difficult Matter / nay we believe impossible / to have the Troops provided for here, without immediate payment or particular Security

Your Excellency must be sensible we have already had a great deal of Trouble having never been assisted by Any other of His Majestys Justices for this District since our being in the Commission of the peace, in all which time we have done every thing in our power to promote a good Understanding between his Majestys civil & Military Subjects here, And we are glad to have it in our power to say, not without Effect. But as Disputes will now be dayly arising, unless some Speedy Methods are taken, we find it will be impossible for us longer to keep up that good Understanding, so essential to the peace of this City, And when that is at an End, the Loss of the peoples good Opinion And Wishes must follow to us, which rather than be obliged to forfeit we must beg leave to resign, All these things we leave to your Excellencys Consideration And beg a speedy Answer being with the most profound respect

Your Excell<sup>ys</sup>

Your Excellencys  
 Most Obedient & most hum<sup>l</sup> Servants

, Signed, {  
 Dumas  
 Dan<sup>l</sup> Robertson  
 Isaac Todd  
 Tho Brayshay

Ordered a Committee of this Council to draw up Instructions to the Justices of the peace at Montreal to direct them in the billeting the Troops And that a Copy of such Instructions be entered in the Council Book

Read Petition from Anthony Peter Houdin praying a prolongation of the time allowed him to Stay in this province to settle the affairs of Mons.<sup>r</sup> Cadet, because of his Suit depending with the assignees of Cap<sup>l</sup> Johnson & other Reasons therein set furth

Resolved that the prolongation petitioned for be granted

Read Petition from Etienne gouvreau for a piece of unpatented Land

Ordered to be fyled And the Surveyor general or his Deputy warranted to Survey the Land mention'd in the petition And report to his Board

Read Petition from James Thomson Town Sergeant for a small house & Lot of ground thereto adjoining

Resolved that the above petition of Sergeant Thomson be referred to the Attorney general who is to report to this Board his opinion thereof as soon as convenient

Information

Information having been made to this Board that there is a small Chaloupe arived from Miquelon with a pass from Mons.<sup>r</sup> D'Arjaque

Ordered that the Collector of the Customs inform the Council on Thursday Morning relative to the Circumstances of that Chaloupe And that in the mean time the Secretary of the province examine upon Oath the Individuals who came on Board And report the same to this Board on Thursday

Read Petition from Hugh Finlay Post master

Ordered to be fyled & M<sup>r</sup> Finlay to produce to this Board the Act of parliament mentioned in the petition to be considered by them

Read Petition from Jacob Stagman Goaler requesting the Council to establish a List of goal fees

Ordered to be referred to the Attorney general who is to report to this Board on thursday next

Read Petition from Pierre Marchand Master Blacksmith at the Forge at Three Rivers for Wages alledged in the petition to be due to him & oy..<sup>rs</sup>

Ordered the Clerk of this Board to write the Petitioner Marchand, that the Establishment of the Forge at Three Rivers was intirely military And that they must seek their Redress from general Amherst or the Commander of the Troops for the time being, all the Funds arising from said Forge being in their hands, And that the Petitioners were discharged immediately upon the Establishment of

Civil

Civil government, And since which time Iron has been sold to Merchants, And that this Board is informed a large quantity is at this Moment on Board a Merchant Ship in the Bason of Quebec

Read Petition of Isaac Werden Deputy Naval officer for an augmentation of His Fees

The Council having taken the Petition & List of Fees therewith produced into Consideration Ordered the Fees to be from hencefurth conform thereto as follows And that a Copy of the same be delivered And certified by the Clerk of this Board to M<sup>r</sup> Werden

Read petition from John Costen Ship Carpenter for a grant of Land upon the River St. Charles

Ordered a Warrant to be made to the Surveyor general or his Deputy to survey the same & report to this Board And in the mean time the Register to be searched to see whether the Land petitioned for is private property

Read the following Remonstrance from the grand Jury of the last Supreme Court at Quebec

To His Excellency The Honourable James Murray Esquire Major general governor & Commander in Chief of His Majesty's Province of Quebec; And To the Honourable the Members of His Majesty's Council of the said province  
The Remonstrance of the grand Inquest held at Quebec for the Supreme Court of the said Province At Trinity Term for the year 1765

Sheweth

That from a just

Sense

Sense of the Duty we owe to our Country, the many Representations and Complaints laid before us by people in Distress, as well as the Difficultys we have ourselves experienced during the Course of our Business as Jurors this term, we think it indispensably incumbent on us to represent to your Excellency & Honours that the removal of the Courts of Justice from Montreal to Quebec, And the summoning the Jurors from the Body of the province at large, are attended with the greatest Distresses to many Individuals, must be follow'd by Events of the most alarming Nature to the publick and t'is to be feared maybe subversive of that good order, which a due & regular Execution of the Laws only can secure to the people.

That in a Country so much circumscribed in its Commerce as this is, the Season, the most precious and valuable to all the Inhabitants of whatever Rank or Degree, is almost wholly taken up from those whose Lot it is to be on Jurys or Evidences to a Trial in attending the Supreme Court at Quebec; which has injured the Circumstances of some & threatens ruin to many; So heavy is the grievance upon the poorer Sort, who are obliged to attend As Jurors Witnesses or prosecutors from Montreal, that we are well informed they have reduced to the Necessity of selling their Wearing Apparel to buy them Bread to Eat, during the Sitting of this Court.

That this Measure is not only distressing to the Subject, but also may in many Respects be said to impede the Course of public Justice, because when a fact is committed at Montreal or its Nighbourhood And for want of positive proof, an attempt to Discovery

by

by circumstantial Evidence, becomes expedient; A Criminal may escape the hands of Justice there not being time or convenience on account of the great Distance to send for Any other Evidences than those first produced, which may also be made Use of to screen the guilty from punishment, or to endanger the Lives & propertys of the Kings Subjects. These Complaints we lay before your Excellency & Honours, not as barely speculative, for we have seen & felt very sensibly the ill Effects thereof in the whole Course of this Term; particularly in Regard to the Business at Montreal & its neighbourhood.

That so populous a District as that of Montreal, where there are more than a sufficient Number of persons properly qualified to be Jurors; the holding Courts of Assize there must prevent numberless Misfortunes to Individuals greatly forward the public Business And also prevent the winking at Crimes for Want of a Speedy & convenient Method of Redress, which from the immoderate Charges the Prosecutors and Witnesses are put to by coming to Quebec, we are informed has already been the Case.

We therefore beg that your Excellency & Honours will take this Matter into your Consideration, And Apply such Remedy & Amendment, As the Circumstances of the Colony require, And the necessitys of the people Stand so much in need of

John Gray	Laurier	Peter Travers
	Geo: Measam	W <sup>m</sup> Mackenzie
LeCompte	Fred: Engelke	
	Geo: Allsopp	John Woolsey
	P. Lemoine	Jn. <sup>o</sup> A. Gastineau
	Pellissier	Decheneaux
	Stephen Abbott	Jn. <sup>o</sup> Melvin

Ordered

Ordered that the British Subjects who signed  
the Remonstrance be summoned by the Clerk to the  
next Sitting of Council

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Thursday the 19.<sup>th</sup> Day of September 1765

Present

His Excellency The Honourable Ja.<sup>s</sup> Murray Esq.<sup>r</sup> gov.<sup>r</sup>

Paulus Emilius Irving

Walter Murray

Adam Mabane

Thomas Dunn

Francis Mounier

James Goldfrap

} Esq.<sup>rs</sup>

The grand Jurors who signed the Remonstrance read in  
Council last Day being summoned, they Accordingly Appeared  
A List of the Protestant Subjects in the District of Mon  
:treuil taken by Authority of His Excellency in Council  
Amounting to Fifty Six persons was read And of thoze  
Ten were supposed to be absent or exempted by their  
Stations to serve as Jurors; The number appeared to  
be insufficient to form a grand & Petty Jury. A Copy  
of that List was ordered to be given to M<sup>r</sup> Travers the  
foreman of the last Quebec grand Jury for him And  
the other Jurors who signed the Remonstrance to add  
what other Protestant Subjects they knew or could be  
informed of in the District of Montreal /

This



This Honourable Board having taken into Consideration that the Ordinance for billeting His Majestys Troops in this province is now repealed by the Act of parliament for quartering the Troops in America

Resolved that it now becomes necessary to provide Lodgings for the Officers And Soldiers by hiring of houses &..<sup>c</sup>

Resolved that as that Act requires that the Expence thereof shall be paid out of the Funds to be raised by the province, As the sums for defraying the Charges of their respective governments are raised; It can not extend in that Respect to this province where the Legislature is prohibited to levy Any Taxes or impose Any Dutys: That of Course As the Expence must be paid by the Treasury at home it should be proposed to the general Officer command-  
-ing in the District to employ the proper officers under his Command with every possible Assistance the government and Civil Majistrates can give to make the necessary provision on this Occasion

That by this Method the publick Money will probably be more frugally managed, The Accounts go through the proper Channel, And every Expence be under the Direction of His Majestys Servants Accustomed to Account to the Treasury for very large sums.

Resolved That at all Events the Troops in this province must be on the same footing with Regard to Fire Candles small Beer &..<sup>c</sup> with those in His Majestys garisons and Forts as the provision to be made is at His Majestys immediate Expence

Resolved that a Copy of the above Resolutions be

furthwith

furthwith sent to general Burton; That if the said general will not take on himself to comply with the said Resolutions, in that Case the government, As Necessary Absolutely requires, must provide Quarters for the Forces And give Bills upon the Treasury for the Expence thereof.

Ordered that the Clerk of this Board write general Burton inclosing a Copy of the above Resolutions

Ordered the Clerk of this Board to write to the Justices of the peace at Montreal to desist from providing Quarters for the Troops till the Receipt of general Burtons Answer to the above Resolutions And to request their Concurrence with the officers appointed by general Burton in Case he takes upon himself to provide for the Troops According to the Act of parliament.

George Jackson Esquire At Yamaska proposed by His Excellency to be of the Commission of the peace he was unanimously approven of by this Board As a proper person And the Attorney general ordered to make out His Commission Accordingly

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Monday  
the 30.<sup>th</sup> Day of September 1765

Present

His Excellency The Hon.<sup>l</sup> James Murray Esq.<sup>r</sup> gov.<sup>r</sup>

Paulus Emilius Irving	}	Esq.. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Francis Mounier		
James Goldfrap		

Read a Letter from general Burton to the Clerk of  
this Board in Answer to the Resolutions transmitted  
him on the 19.<sup>th</sup> Instant

Ordered to be entered in the Book.

Montreal Sept.<sup>r</sup> 23.<sup>d</sup> 1765

Sir

I have this Day received your Letter to me  
by command of the governor And Council inclosing  
a Copy of the Resolutions of the governor & Council of  
the 19.<sup>th</sup> Instant containing certain propositions  
therein mentioned, which entirely regard civil Matters.  
I am therefore to desire you will Acquaint the governor  
and Council that His Majestys Commands to me are  
that I am by no means to interfere in any respect  
with civil Matters. But as soon as Barracks &..<sup>c</sup>  
Are provided and fitted up agreeable to the Act of  
parliament of the 24.<sup>th</sup> of March last I shall most  
readily march the Troops into the same I am

Sir

Your most Obed Serv.<sup>t</sup>  
, Signed , R Burton

/ M<sup>f</sup> Potts D C C/

Resolved

Resolved in consequence of general Burtons declining to take upon himself the Execution of the Resolutions of Council with regard to the quartering the forces, That Captain John Carden an experienced officer be appointed for that purpose with a Sallery of Ten shillings Ster.<sup>1</sup> a Day for one year certain, with an assistant under him at Trois Rivieres And Montreal at the Rate of One shilling a Day each

Resolved that Instructions be immediately drawn out for Captain Cardens guidance in the above Business which Instructions are to be inserted in the Council Book

Quebec sc                      Instructions by The governor & Council to Captain John Carden, Appointed by them to direct and regulate the quartering And finding necessarys for His Majestys Troops in the Districts of Montreal And Trois Rivieres

You are to observe that the furniture of a Barrack Room is as follows, for each two men One paillass two Blankets One Covered or Rugg And for each room One Iron pot & Bale for it One Trammel one pair of Dogs One pair of Tongs and fire Shovel One Iron Candlestick two Forms One Table And one Ax. The Soldiers to find themselves with Barrack Utensils for which An Allowance of Nine pence half penny Sterling per year will be made each man.

The allowance of fireing and Candles for the Regiments in the Northern District from the 1.<sup>st</sup> November to the 30.<sup>th</sup> of Aprile One pound of Candles or Oil in proportion per Week for each Room And half a Cord of Wood; & from the 1.<sup>st</sup> of May to the 31.<sup>st</sup> October a Quarter of a Cord of Wood

for

for each room.

You are to observe that a Field officer is to have two Rooms, a Captain one, two Subalterns one, the Staff officers two, And as many Soldiers as can be sent without Inconveniency or prejudice to their Health to be lodged in a Room.

#### The garrison Staff

Town Major Commissary of Stores and provisions, Chaplain Surgeon Major Apothecary And Barrack Master a Room each, Mates of the Hospital to be two in a Room.

Artillery officers to be quartered upon the same footing with any other Troops agreeable to their Ranks but not to be mixed with any other Corps

Conductors of Artillery to be lodged at the Rate of four in a Room.

Engineers to be quartered by themselves agreeable to their Rank

When a Subaltern Commands he is to have a Room to himself

No officer bearing two Commissions to receive firing or Candles in a double Capacity

The Chimneys of the Troops quarters to be swept Once a Month

You are to provide every thing at the cheapest Rate for which purpose you will advertise that sealed proposals may be sent to you before the 10.<sup>th</sup> of November to be laid before the Council, but the Houses are to be hired And fitted up As soon As possible

You are to keep regular Accounts, to take three Receipts for each respective payment, to make up your Accounts every three Months Two Copys thereof

to

to be sent to the Council, with two Sets of Receipts one Set of which to be deposited with the Clerk of the Council, the other to be transmitted to the Lords of the Treasury.

The Deputy Auditor general is to Audit these Acco.<sup>ts</sup>

You are to set out for Montreal as soon as possible And you are immediately to shew these Instructions to general Burton

You are to do every thing in your power to provide quarters for the number of Troops the general may chuse to have in that Town or Any other place in the Colony; But if it is found impracticable to hire houses for the whole the general May think necessary for the garrison of Montreal, which is most probably the Case from the late fire which consumed a great part of that Town you must hire houses in the places most adjacent where the general shall direct

As it appears by the Estimate taken this Day in Council, that the prices of Barrack Furniture is most extravagant if bought in this Colony you will do your Utmost to hire every thing for the Troops for one year or untill the necessary provision can be got from England. It is supposed you will find no Difficulty in Accomplishing this as the Burghers and Inhabitants who have now the Troops quartered upon them will most chearfully hire what is now Occupied by the Soldiers that they may be eased of so great a Burthen

You are to apply to general Burton to spare what  
Storehouses

Storehouses you may have Occasion for that belong to the King And ground to be picketed in to keep the Firewood in safety And for Sentries to guard the same

If by the lateness of the Season you can not procure a Sufficient quantity of Firewood You are to apply to John Fraser Esquire who is impowered by us to impress Carriages Wood &c when the necessity of the Service requires it

You are to Observe a Cord of Wood is to measure Eight feet in lenth four feet in height And four feet in Breadth

To such officers as hire their own Lodgings, You are to allow a Captain at the Rate of Twelve pounds currency of this province per year, to each Subaltern when lodged two in a Room At the Rate of Nine pounds per year; And when a Subaltern commands you are to allow him the same As a Captain

If you can hire quarters for all or a part of the Troops in terms of the foregoing Instructions And find it will be cheaper to engage the people upon whom the Soldiers are now quartered to keep them till the Twenty fourth of June next; you are to prefer this last Measure As more consistant with Oeconomy And for the Ease and Convenience of the Troops who in the present Emergency can not be quartered so well As is to be wished

The quarters shall be regularly payed every Month

, Signed, Ja: Murray

Ordered to put the following Queries in writing to the Attorney general

Whether

Whether or not the Justices of the peace in this Colony  
As government is now constituted have the same powers  
As those in England?

Out of what Fund are criminal Prosecutions the  
Expences of Jurors And every other thing relative  
thereto to be paid?

If Justices of the peace can assess the people for the  
Reparation of the Kings High roads, May they not  
likeways assess them for the Money necessary to bring  
Criminals to Justice? The one is as much a publick  
domestick Concern as the other.

The Attorney general having reported to this Board  
that Jurors in criminal prosecutions were paid nothing  
for their Attendance at Hallifax

Why should Jurors be paid in this province  
when they receive nothing in the province of Nova Scotia?

Ordered the Attorney general to Answer the  
above Queries in writing next Council Day

Ordered that the Clerk of the Crown And the  
Clerks of the peace of the two Districts of Quebec & Mon:  
:treal And all others whom it doth concern do furthwith  
deliver to the Attorney general An exact Account in  
writing of all Fines & Forfeitures that heretofore have  
been imposed or incurred in their several Departments  
with An Account of what Money / if Any / that has  
been received on account thereof, And also the several  
Recognizances forfeited, And thereupon the Attorney ge:  
:neral do cause the Same to be levyed & put in Suit And  
upon Receipt of the Money or Any part thereof that he  
pay the same to the Receiver general or his Deputy taking  
his Receipt for the Same.

Ja: Murray



At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Friday the 4.<sup>th</sup> Day of October 1765

Present

His Excell<sup>y</sup> The Hon.<sup>l</sup> James Murray Esq<sup>r</sup> governor

Paulus Emilius Irving	}	Esq. <sup>rs</sup>
Walter Muray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

The Deputy provost Marshalls List of the Protes:  
stant Jurors at Montreal was laid befor the Council  
And a List was given in by the Grand Jury of the  
last Quebec Assizes

Ordered said Lists to be entered in the Book

A List of Protestants qualified to serve  
As Grand Jurors for the District of Montreal

Isaac Todd Esq. <sup>r</sup>	John Lesquesne
Tho. <sup>s</sup> Brayshay Esq. <sup>r</sup>	John Blake
John Dumas Esq. <sup>r</sup>	George Young
Francis M <sup>c</sup> kay Esq. <sup>r</sup>	David Chenie
5 Samuel M <sup>c</sup> kay Esq. <sup>r</sup> .	20 John Stenhouse
Moses Hazen Esq. <sup>r</sup>	Robert Stenhouse
John Livingston	John Grant
John Wells	John Porteous
Lawrence Ermantinger	Jacob Venderheyden
10. Joseph Howard	25 John Crozier
Jonas Desaulles	James Price
Richard Dobie	WilliaTm Haywood
Samuel Holmes	Benjamin Forbisher
James Morrison	Joseph Tory
15 Francis Noble Knipe	

A

A List of Protestants qualified to serve  
as Petty Jurors for the District of Montreal

John Delisle	}		
James Crofton			
Major Walbron			
Henry Donnelly			
5 William Murray			Grand 28
Hugh Farris			Petty <u>21</u>
Peter Stanley			49
Christian Burgy			Montreal 26 Sept. <sup>r</sup> 1765
Thomas Burch			, Signed, Edw <sup>d</sup> W <sup>m</sup> Gray
10 George Noble			
Peter Bennehy			
Dan. <sup>1</sup> M <sup>c</sup> killup			
Hugh Heany			
Alex. <sup>r</sup> Campbell			
15 James Blake			
Tobias Isenhout			
Richard Webster			
Will. <sup>m</sup> Pace			
Peter M <sup>c</sup> Farling			
20 James M <sup>c</sup> Nabb			
George Geoper			

The Quebec Grand Jurys List of British Subjects  
supposed to be in the district of Montreal

B. Forbisher	W. Weare	J. Robinson	J. Lilly
G. Knaggs	Ball	P. Arnoldie	T. Barron
Patterson Sen <sup>r</sup>	W Richardson	H Henry	J. Black
D. M <sup>c</sup> killup	J Gentle	Lomas	J. Neagles
5 J Glen	15 E. Morrison	25 J. Divine	35 J. Martin
C. Burgy	J. Kennedy	T. Farsall	J. Farqharson
H. Ferris	E. Rankin	W. T Ellwall	J. Grant Sen. <sup>r</sup>
T. Neilson	Kellet	D Briggs	M <sup>c</sup> Clean
J. Myers	J. Stanley	R. M <sup>c</sup> Carty	J. Dumas
10 J. Jordan	20 P. Stanley	30 W. M <sup>c</sup> karthy	40 Nugent
			Morin

	Morin	J. M <sup>c</sup> Lean	A Carpenter name forgot	Stanfield
	S. Mather	Gent	Donnelly	M <sup>c</sup> Gregor
	Porteous Sen. <sup>r</sup>	Ling	Pierce	Gates
	N. Bezzo	Russell	Kelly	Smith
45	R. Livingston	65 Stye	85 J Farrell	105 Johns
	S. Groesbeck	Shively	Taylor	
	J. Desaulles	Michel	Williams	a Disch. <sup>d</sup> Soldier
	D. Desonlavay	Duberge	W. Murray	Gilbert
	T. Isenhout	S. Avis	R. Murray	Jackson
50	J. Henderson	70 Proudfoot	90 J. Fitzpatrick	{ E. W. Gray
	J. Anderson	J. Bryere	Hesse	{ Prov. <sup>t</sup> Marshall
	D. Robertson	M. Decouage	Holland	110 { J Burke
	W. Bostwick	T Lynch	Middleburg	{ Cononer
	J. Chinn	Beckman	Milikin	
55	J. Crofton	75 Currie	95 Robinette	
	E. Webster	M <sup>c</sup> Intosh	Norburg	
	His partner	T Lavenue	Inglesby	
	Deane	His Father	Flin	
	Weggans	Eades	Peters	
60	Fraser	80 { a French protes. tant at Quebec gate	100 Allan	

Ordered that Copys of the above Lists be transmitted to the Justices of the peace of the District of Montreal And that they be required to examine them And report to this Board the Quality Occupation And Circumstances of every Individual in said Lists, That is to say, to set forth the place of Nativity & Calling of each person before they made Choice of this Colony for their Residence And as it is Apprehended that most of the persons in the List given in by the Grand Jury are disbanded Soldiers Journeymen Tradesmen Merchants Servants or Day Labourers who have no fixed abode, these Circumstances are to be particularly specified in the Report And the Housekeepers to be particularly distinguished

Read the Attorney Generals Answers to the

Queries

Queries put to him by this Board on the 30.<sup>th</sup> of  
September last

Ordered to be entered in the Book

Ques.<sup>t</sup> 1<sup>s</sup>.<sup>t</sup> Whether or not the Justices of the peace in this  
Colony, as government is now constituted, have  
the same power as those in England?

Ans.<sup>r</sup> 1 I do not apprehend that the Justices of the peace in  
this Colony, even as government is now constituted,  
have the same Plenitude of Power as these in England  
/ except such Matters as are particularly pointed out in  
their Commission / Unless it be supposed that all the  
Laws of England, without Exception relating to the office  
of Justice of the peace are in force in the Plantations  
as it is impossible they should, as many acts of parlia<sup>t</sup>  
have given power to Justices of the peace to do, or take  
Cognizance of Matters which in their Nature being local  
can not extend to the plantations

2.<sup>d</sup> Out of what fund are criminal Prosecutions  
the Expences of Jurors And every other thing  
relative thereto to be paid?

2<sup>d</sup> Criminal Prosecutions in England in general are  
carried on At the Expence of the Prosecutors, except  
State Matters which commonly are at the Expence of  
government, No part of these Expences, that ever I heard  
of, arise for Jurors, Because Criminal Prosecutions  
being generally at the Suit of the King, every person  
qualiyed to serve as a Juror is bound in Duty to attend  
when lawfully required. In civil Causes Jurors are  
to be paid for their Trouble and Attendance, the  
quantum of which is to be proportioned, According to  
the Distance of place, Badness of Weather &.<sup>c</sup> And I  
have been informed that in some of the Colonys they

have

have adopted some such method for Jurors in Criminal prosecutions, And I have always understood, that the Expences of carrying on Criminal Prosecutions in the Colonys with every thing relative thereto are at the Expence of government

3.<sup>d</sup> If the Justices of the peace can assess the people for the Reparation of the Kings High road, may they not likewise assess them for the Money necessary to bring Criminals to Justice ? the one seems as much a publick domestick Concern as the other

3.<sup>d</sup> The Justices of the peace in England by several Acts of parliament particularly 12: g: 2.<sup>d</sup> C: 29: are impowered to make County Rates or assessments not only for the Repairs of the High ways but for many other purposes of the like Nature therein mentioned

This being a special power And for particular purposes, derived from the parliament & delegated to the Justices, And however it may be thought to be a publick Domestick Concern, yet I am far from thinking that it follows as a Consequence that they may raise or assess Money necessary to bring Criminals to Justice, This would be a most dangerous Experiment And what the most pressing necessities could never justify the doing of

4.<sup>th</sup> Why should the Jurors in Criminal prosecutions be paid in this Province And not at Hallifax?

4.<sup>th</sup> I know of no legal Reason why they should, unless it be equitably considered, that some of the Jurors in this province come 180 Miles to attend that Service often in very bad Weather, are out at

least

least a Month at great Expences from their Employ  
and Familys; whilst they at Hallifax in my Time  
had not half a Mile to travel, were at no Expences  
nor did their Employ or Family suffer by their  
Absence And Attendance on their Duty

All which is humbly Submitted to his  
Excellency in Council

By His Excellencys  
Most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, Geo: Suckling  
Att<sup>y</sup> general  
4 Octo.<sup>r</sup> 1765

Read Petition from Mons.<sup>r</sup> De Maloize praying a  
prolongation of One year to the time allowed him to  
sell his Estates in Canada

Ordered to be fyled & the prayer of the Petition  
granted

Read Petition from John Marteilhe praying a  
grant of certain Lands near the Palace to build a  
Dock Wharf &.<sup>c</sup>

Ordered to be fyled and referred to a Committee  
of the Council who are to report to this Board with  
the Assistance of the Surveyor general or his Deputy  
how far granting said ground interferes with the  
Subject of a petition presented by John Costen Ship  
Carpenter on the 17.<sup>th</sup> of September last

The Reverend John Brooke took the follow:  
:ing Oath befor this Board As Deputy Auditor of His  
Majestys Revenues in this province

You

You shall well and faithfully discharge the office of Deputy Auditor of His Majestys Revenues in this province According to the Tenor of His Majestys Original patent to the Auditor general of the Plantations And the Deputation of the said Auditor general to yourself, And such Orders And Instructions As you shall from Time to time receive from The Lord High Treasurer or Commissioners of the Treasury for the time being or from the Auditor general of the Plantations

So help you God

Ja: Murray

At The Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec On Saturday the 5.<sup>th</sup> of October 1765

Present

His Excellency The Honourable James Murray Esq.<sup>r</sup> gov.<sup>r</sup>

Paulus Emilius Irving	}	Esq. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

Presented a Letter from Johnson & Purss inclosing Triplicates of Authenticate Accounts certified by the Justices of the peace & Deputy Provost Marshall for repairing the prison at Montreal Amounting to Twelve ~~thousand One~~ hundred and Ninety two Livres Eight Sols making Sixty four pounds twelve shillings & four pence Quebec Currency

Ordered a Warrant to be directed to the Receiver

General

General to pay the same

Read Petition from the Judges of the Court of  
Common pleas

Ordered to be entered in the Book

The Memorial of the Judges of the  
Court of Common pleas To His Excellency  
The Honourable James Murray Esq<sup>r</sup>  
governor of the province of Quebec And  
the Members of His Majestys Council

humbly sheweth

That in the Month of May Your Memorialists  
gave in a petition to Your Excellency And Honors re:  
:questing a Sallary to be Appointed to them As Judges  
of the Court of Common pleas, in Consideration of the  
Expence attending frequent Journeys to Montreal And  
the many Difficultys in the Discharge of their Duty  
from the peculiar Circumstances of this province; that  
their Petition was ordered to be fyled for farther Conside:  
:ration; As your Memorialists have already been at  
much Expence they beg that your Excellency and honors  
will resume the Consideration of their petition And order  
such Sallary to be paid to them As to you shall seem  
fit and reasonable

Quebec 5 Octo.<sup>r</sup> 1765 , Signed, { Adam Mabane  
John Fraser  
F. Mounier

Resolved to allow the three Petitioners Adam  
Mabane John Fraser And Francis Mounier Esq.<sup>rs</sup>  
the sum of One hundred And fifty pounds Sterling  
each as One years Sallary to this Date And ordered  
a Warrant to be accordingly directed to the Receiver  
general for payment thereof

Read



Read a Letter from governor Wilmot at Hallifax  
to His Excellency

Ordered to be entered in the Book

Halifax 27 August 1765

Sir

I had the honor of your Letter of 29 of June relating to the unhappy Sufferers by the fire at Montreal together with An Authenticated Account of their Loss All which I laid before the Council, who have advised the making of Collections at Charity Sermons to be preached on the Occasion at Halifax which is the only part of this province wherein the people are as yet in a Condition to give, And whatever may be contributed shall be properly remitted to be paid unto your Order

I have the honour to be with great Regard

Sir your Excellencys most Obed.<sup>t</sup>  
& most hum.<sup>l</sup> Servant

, Signed, M. Wilmot

His Excellency  
James Murray Esq<sup>r</sup>  
&<sup>c</sup> &<sup>c</sup> &<sup>c</sup>

Read a Letter from Mess.<sup>rs</sup> Claus and Robertson  
to his Excellency

Ordered to be entered in the Book

Montreal 25 Sept.<sup>r</sup> 1765

Sir

We beg leave to put your Excellency in Mind of a petition delivered you last year in August by Cap<sup>t</sup> Glazier late of the 60.<sup>th</sup> Regiment for the granting us in your province a Tract of Land As half pay officers, agreable to the Intentions of His Majestys Bounty

The

The Spot we petitioned your Excellency for, is situated upon the South side of the River S<sup>t</sup> Laurence, about a League to the Westward of Laprairie de la Magdalaine near a Creek commonly called La Fortue And running west along said River Three Acres above the grist miln of Sault S<sup>t</sup> Louis

The Jesuits at present possess And claim said Tract of Land, but according to the Bounds of their Concession / by which the French King grants them two Leagues in front only / they don't take in said Spot as has appeared by repeated Surveys, As well as before an English Court of Judicature.

Since therefore the Jesuits keep possession thereof by Sinister means, in having it neither included in their Deed nor holding it by any seperate grant or Title: We the Petitioners now present pray your Excellency to take this our Case into Consideration, And do therein what in Justice & Equity you think best recommending Ourselves mean while to your Excellencys favour And Benevolence, And are with the greatest Respect

Sir your Excell<sup>ys</sup>  
most Obed & Most hum<sup>l</sup> Serv.<sup>ts</sup>

To His Excell<sup>y</sup> The  
Hon<sup>l</sup> Ja<sup>s</sup> Murray  
Esq<sup>r</sup> &<sup>c</sup> &<sup>c</sup> &<sup>c</sup>

Signed { Dan: Claus  
Dan<sup>l</sup> Robertson

Read a Letter from His Majestys Justices of the peace at Montreal

Ordered to be entered in the Book

Montreal 1 Octo.<sup>r</sup> 1765

May it please your Excellency  
That your Excellency May know in some

measure

measure the Difficultys we labour under here in other matters As well As that of providing lodgings for the Troops we beg leave to Acquaint you with our proceedings in An affair for which we are to be protested against And we don't know how far lyable to a prosecution, the Affair is this: We were some time ago applyed to by the D. Q.<sup>r</sup> M.<sup>r</sup> general to provide men for the taking up of Sixteen Battoes loden with provisions for the Kings Service, on Receipt whereof we called a meeting to consult what was to be done, when we were informed Your Excellency had given a Special Commission to M<sup>r</sup> Fraser for that purpose, And on enquiring of M<sup>r</sup> Fraser were told by him that he had such Commis-  
-sion And that when the D. Q.<sup>r</sup> M.<sup>r</sup> gen.<sup>l</sup> applyed to him he should be furnished with what men he might want for the Kings Service, All this we Acquainted Colonel Christie with who gave us for Answer he was directed by Act of Parliament And also by your Excellencys Orders in writing / which he shewed us / to apply to the Justices of the peace when he wanted men for the Kings Service, And that he would not apply in any other manner, as he Was not safe in doing it he at same time acquainted us with the necessity of the Service which must suffer if we did not provide men immediatly, on which, being willing to do every thing in our power, we gave verbal Orders to the Bailiffs to warn men as usual on this Occasion, but finding the people took no notice thereof, we gave a written Order which they regarded no more than the other And on enquiring the Cause of their not going as usual, were informed they had been told by M<sup>r</sup> Fraser that they had no Right to go by our Orders. This surprised us much, as it was hindering the Service, And made us

as

as Majistrates look very little in the Eyes of the people  
But we could not find any Authority to support us  
in punishing by Fine or otherways, the people refusing  
to go on this Service were obliged to drop it, tho' at same  
time were told we should be protested against for not  
providing men when applied for as above

We therefore pray your Excellency would inform  
us what we have a Right to do herein, as we shall be  
very ready to give our assistance to the Service as far  
as is consistant with Law, but can find none that  
gives us a power to impress men to Battoe Provisions;  
And if your Excellency has Appointed And thinks fit  
to confirm M<sup>r</sup> Fraser by a Commission for that pur:  
:pose, should be glad it was settled as that we might  
not be applied to nor the Service hurt

Numberless Disputes are And will continue to  
arise here about the lodging of the Troops, if something  
is not soon done therein. M<sup>r</sup> Shepherd will inform  
your Excellency more fully to whom we beg leave to  
refer you And are

Your Excellencys  
Most Obed & Most hum<sup>l</sup> Serv.<sup>ts</sup>  
, Signed, { Tho Brayshay  
                  { Dan<sup>l</sup> Robertson  
                  { Isaac Todd

Read the Attorney generals Opinion upon the  
Subject of the above Letter

Ordered to be entered in the Book

Quebec 5 Octo.<sup>r</sup> 1765

May it please your Excellency

I have the honor of your Commands

yesterday

yesterday in Council to consider of And report my Opinion on a Letter of 1.<sup>st</sup> Instant / which I herewith return/ addressed to your Excellency by three of His Majesty's Justices of the peace at Montreal, principally relating to An Application which had been lately made to them As Justices by the D. Q.<sup>r</sup> M.<sup>r</sup> general to provide men for the taking up Sixteen Battoes to Fort William Augustus loaden with provisions for the Kings Service

In An Opinion which I had the honor to give your Excellency sometime in February last, touching the Legality of Impress Warrants, I was then As I still Am of Opinion, that they ought to be granted with great Caution And Restrictions, As I do not know of Any Act of parliament which Warrants the granting them in the plantations, But when His Majesty's Service in the Colonys requires such assistance from his Subjects, As is by Law directed & permitted in England, the best way is to keep up as near as possible to the Letter and meaning of those Laws, And at any Rate not to exceed the Directions And Limits which the parliament have thought proper to prescribe

I observe farther by the Letter that your Excell<sup>y</sup> had lately commissioned Captain Fraser a gentleman in whom you could confide to execute so important a trust as the granting Impress Warrants for such Services as might be legally required, And on the Justices enquiring of him were told that he had such a Commission, And that when the D. Q.<sup>r</sup> M.<sup>r</sup> general applied to him he would be furnished with every thing in his power for His Majesty's Service,

which

Which the D. Q<sup>r</sup> M<sup>r</sup> general did not think proper to do pretending as it seems, That he was directed by Act of Parliament to apply to the Justices, And that he would not apply in any other Manner, pretending that he was not safe in doing it, And because he could not procure men to be impressed or provided in the Way he thought proper to dictate, he has menaced the Justices to protest against them, tho' at the same time And long before he knew that Captain Fraser had a Commission from your Excellency as befor mentioned

These being the Facts As they Appear to me I am of Opinion that the Justices have not the least Cognizance of this Matter, And that they ought not to have taken the least Notice of it, And their issuing their Verbal and written Orders to impress Men was illegal And a gross Imposition on them by the D. Q<sup>r</sup> M<sup>r</sup> general As he thereby under colour of his office betrayed them as civil Majistrates, to the doing of An Act which he must know was illegal And unwarrantable. And I wish it had appeared by the Letter that Captain Fraser had told the Justices not to pay the least Notice or Regard to what the D. Q<sup>r</sup> M<sup>r</sup> general had applyed to them for As above, As undoubtedly it would have prevented the Justices from proceeding the Lenth they did

And as to the D. Q<sup>r</sup> M<sup>r</sup> general, It must in the first place be presumed, that he is no Stranger to the Mutiny Acts Particularly the 4 of His present Majesty Cap: 3: Sec: 29. 2<sup>dly</sup> He must know that all those Acts are local, And can not extend to Any other places whatever, than England Wales or Town of Berwick upon Tweed 3.<sup>dly</sup> He must know that

those

those Acts provide for Land Carriages only for the Forces in their Marches in these places mentioned in the Acts, or for their Arms Cloaths or Accoutrements And nothing else 4.<sup>ly</sup> As a Consequence from hence he must know, that none of the Acts have made Any provision for impressing men to serve in Water Carriages 5.<sup>ly</sup> He must know, that no officer mentioned in the Acts or Any D. Qr M<sup>r</sup> general would have ventured to have Applied to Any Justice of the peace in England to impress men to go in Water Carriages for transporting Provisions for the Forces, And to menace the Justices for not doing it 6.<sup>ly</sup> He must know, That in all Cases where the Law has not expressly provided A Means for facilitating the Kings Service / particularly in Matters within his Department / that the officers intrusted with those affairs, are to contract with proper people for the doing thereof 7.<sup>ly</sup> He must know that the governor of this province has gone great lengths to facilitate the Kings Service by giving a Commission to Captain Fraser to impress men for such Services as might legally be required 8.<sup>ly</sup> He must know it was his Duty wherever the Service required, to have Applied to Captain Fraser for Any Assistance in his power to have granted 9.<sup>ly</sup> He must know that it was a Matter of indifference to him as D. Q. M<sup>r</sup> general by whom the Kings Service was done or facilitated, so that it was done was the only point in View. 10.<sup>ly</sup> He must know that if the Kings Service has suffered by Delays or Neglects, it was solely owing to

himself

himself, And for which he alone is Answerable  
From all which Facts and Presumptions it may  
very justly And properly be concluded, That the D.  
Q<sup>r</sup> M<sup>r</sup> general by His extraordinary Conduct in this  
affair in particular could have nothing more in View  
than only to gratify some private Resentment And  
sow the Seeds of further Dissention in this province  
Which it is the Duty of every officer both civil And  
military to Avoid. All which is humbly submitted  
to your Excellency in Council by

Your Excellencys  
Most Obed & Most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, Geo: Suckling  
Att<sup>y</sup> general

Read a Report from John Fraser Esq<sup>r</sup> to the  
governor with relation to furnishing Men to carry  
provisions from Montreal to the Upper Countrys

Ordered to be entered in the Book

Quebec 5 Octo.<sup>r</sup> 1765

May it please your Excellency

Brigadier general Burton And Lieu.<sup>t</sup> Colonel  
Christie D. Q.<sup>r</sup> M<sup>r</sup> general having represented to your  
Excellency in the Month of last February, that it  
would be necessary to forward to the upper posts Supplys  
of provisions early in the Spring And having at same  
time prayed your Excellency to authorise somebody to  
impress Men for these Services, you was pleased to  
intrust me with that Power dated 27.<sup>th</sup> same February  
upon Receipt of which / before the 8.<sup>th</sup> of March following /  
I waited on general Burton And his Q.<sup>r</sup> M<sup>r</sup>. general

to



to let them know, that I had received a Commission from His Excellency the governor of the Province, empowering me to impress men when the Kings Service required it – Great was the Q.<sup>r</sup> M.<sup>r</sup> general's Disappointment, As he left no Stone unturned to procure to himself that Impress Warrant And I soon had reason to Suspect he still carried on the Service As if he had it, of which I had a sufficient proof in the Month of June, having detected And taken up a Letter of his to the Cap<sup>t</sup> of Militia of the parish of La Chinne, whereby he was demanding so many Men for the Kings Service, this Letter I immediately sent to your Excellency who is best Judge whether it be an impress Warrant or not, Next Day I went to inform the Q.<sup>r</sup> M.<sup>r</sup> general that I had detected him And that I had sent the Proof thereof to the governor, he insisted he only meant to hire, I insisted that his Letter was an Impress Warrant And after a good deal of Altercation we parted, he Acquainted general Burton with what passed, I was sent for by the general And was introduced into a Closet where I likewise found the Q.<sup>r</sup> M.<sup>r</sup> general, I repeated there pretty much what passed between the Q.<sup>r</sup> M.<sup>r</sup> general And me At his house general Burton then said, since I construed that Letter to be an Impress Warrant that he then Applied to me for Seventy five Waggons to carry provisions to La Chinne, And Two hundred And twenty Eight men / including four Conductors / to man fifty Six Battoes, to which I replied, that the proper Steps should be immediately taken on

my

my part, the Q<sup>r</sup> M<sup>r</sup> general said upon that, that the parishes had already Notice of the number of Waggon And Men each was to give, And that if I did not prevent he was sure they would attend at the Appointed hour And place, I replied that I would not prevent it but that it might be done regularly, I begg'd he would give me a List of the parishes and the number of Men each was to give, And that I would then give an Impress Warrant for the whole this he said would do very well, And Sent to me in the Evening a List of parishes And number of Men exceeding the number mentioned to me At general Burtons, I began to consider how this could come about, when I recollected the number that was Sent upon the Service for which I had taken up his Letter this number I deducted from this List, And exactly remained the number he first spoke of, for which Number only I sent to him An Impress Warrant, which he returned since he did not get a Warrant for the whole, he had no Occasion for a Warrant for a part only that he only meant to hire, And that when he could not hire then that he would Apply to the person that was properly authorised, in this Manner he continued hireing / as he calls it / for the Service untill his Return in the Month of September last from Quebec where he was sued in the Supreme Court of Judicature for employing for his own purposes Men that were impressed for the Kings Service, frightened I suppose by the Issue of that affair for the next Service he Applied to His Majestys Justices of the peace at Montreal, who verbally desired the Constables to be assitting to the Q<sup>r</sup> M<sup>r</sup> general, But the Men not

being

being procured by this Method, he entered a Complaint before the Justices, At which meeting Mess.<sup>rs</sup> Francis & Samuel M<sup>c</sup>kay two of His Majestys Justices of the peace happened to assist, And informed the other Justices that I had an Impress Warrant from the governor for these Services But the Justices for greater certainty wrote to me desiring I would be so good as to inform them whether it was so or not, I immediately repaired to the Court house, And told them that as long ago as the Month of March I had that Impress Warrant, that the Q<sup>r</sup> M<sup>r</sup> general could not pretend Ignorance of that as he was informed from myself upon Receipt And as a great deal had passed between us Face to Face And in writing since that period. His Majesty's Justices then came to a Resolution of informing the Q<sup>r</sup> M<sup>r</sup> general that he was to apply to me, being legally authorised, which they Accordingly did, but received for Answer from the Q<sup>r</sup> M<sup>r</sup> general that he was directed to Apply to them, And that he would not apply to Any body else, he so much persisted in that Resolution that notwithstanding Justice Robertson wrote to me that he neither had nor would Sign An Impress Warrant, Notwithstanding their being convinced that I had an Impress Warrant, And that they informed the Q<sup>r</sup> M<sup>r</sup> general of that, And that he should therefore Apply to me, yet did they in Contradiction to all that sign an Impress Warrant. Now I made no Secret of having this Impress Warrant, therefore it is surprising that every body in the Course of Eight Months did not know it, yet so tender I was of the Service that even

when

when the Q<sup>r</sup> M<sup>r</sup> general was carrying it on in that Manner I would not interrupt it, but was satisfied to take Care to make him Accountable that was carrying it on illegally.

I was much more delicate in this point when I found altho' to my great Surprise that the Justices had contrary to their Resolutions interfered, I was very sensible that for the Dignity of the Majistracy, And for the Sake of good order And likeways not to interrupt the Service it was best when the Opportunity offered to tell the people they should obey, on their Return to inform themselves, And if hurt to complain And that they would be redressed, this I can very easily prove, And defy the World to prove one Single Instance to the contrary. To conclude I told Justice Robertson that as I had a Commission for these Services I imagined it excluded every body else from Acting, that the Justices thought otherwise since they gave an Impress Warrant, that nothing was left for me to do but to lay the whole before the governor that he might determine whether the person Appointed by him or they were to act, And accordingly the whole is Submitted most respectfully to your Excellencys Consideration by

Your Excellencys  
Most Obed & most hum<sup>l</sup> Serv.<sup>t</sup>

/To His Excellency , Signed, John Fraser  
The governor in Council/

Follows the D Q<sup>r</sup> M<sup>r</sup> generals Order to the Captain of Militia mentioned in the above report

Monsieur

Vous enverray a La Chine chez Mons.<sup>r</sup>

Lagotara

Lagotara Jeudy prochain le 20.<sup>me</sup> du courant a Six heures du matin au plus tard Vingt et quatre bons hommes au fait pour Armer Six Batteaux destiner a Monter des Provisions au Fort Guill.<sup>m</sup> Auguste lesquels hommes doivent etre moitie devant et derriere & l'autre moitie milieu ils seront payer conformement. Vous tireré ces hommes de la compagnie de Milice sous vos ordres et en cas que vous en ayez plus d'une dans votre paroisse, vous en detacheré le nombre ey requit proportionnement suivant leur forces.

Vous enverré ces hommes sous la Conduilte d'un Officier de milice qui les remettra aux personnes proposer pour les recevoir avec une Liste de leur Noms Compagnie et paroisse par escrit lesquels ses conformeront a ses ordres

Sitot le Service fait ils seront payer a un juste et equitable prix pour chaque Voyage ou Charge de Batteaux qu'ils auront monter suivant la Coutume cy devant

Vous ordonneré a chaqu'un de ces hommes d'apporter avec lui une Rame une perche et un Aviron, et au moins une hache une chaudiere et une poche pour les Vivres avec une Bary de quatre pots pour chaque quatre hommes. Vous seré responsable de l'obeissance ponctuelle a ces ordres pour le Service de sa Majesté & vous y remarqueré bien que ces presentes comprennent votre paroisse entiere avec chaque Capitaine et Compagnie de Milice qui y est comme nous n'envoyons qu'au premier qui en fera la Communicaton aux Autres

Avons de plus A vous avertir que nous atten :  
:dons

attendons L'obeissance la plus ponctuelle a chaque  
Article de ces presentes, comme vous repondrez du  
contraire

Fait signé et scellé a Montreal ce Quatorzieme Juin  
1765

, Signed, G Christie D Q M (g<sup>d</sup>)

P. S. Nous vous paye:  
:rons pour aucune extraordinaire  
peines ou depences que vous feré  
desquelles vous entiendré une Compte  
sur le dos de cette Lettre laquelle vous  
me donneré comme une Memoire pour  
Votre payment a Demande

A Monsieur Dagenay Capitaine ou autre  
officier de Milice Command.<sup>t</sup> pour lors la  
paroisse et Dependances du Sault des Recolets

Letter from general Burton to His Excelly

Sir Montreal Sept.<sup>r</sup> 29. 1765

In consequence of orders I have received from the Commander in Chief to  
throw up from this place as soon as possible a further supply of provisions, for the Use  
of His Ma<sup>ty</sup>s Troops garrisoned in the posts in the Upper Country; I gave my orders to  
Lieu.<sup>t</sup> Co.<sup>l</sup> Christie the D. Q.<sup>r</sup> M<sup>r</sup> gen.<sup>l</sup> to take the necessary & proper Steps for putting the same  
into Execution, which I flattered myself as it was for his Majestys Service would have met  
with no Delay or Difficulty as none had heretofore happened, but was this Day greatly  
Surprised at receiving the inclosed Report to me from the D. Q.<sup>r</sup> M<sup>r</sup> gen.<sup>l</sup> w.<sup>t</sup> its  
inclosures acquainting me that Sixteen Boats loaded with provisions & other stores  
for His Majestys Service could not proceed as expected from La Chine to Fort  
William Augustus for want of Battoemen. I therefore think proper to transmit  
to your Excell<sup>y</sup>, the D. Q.<sup>r</sup> M<sup>r</sup> gen.<sup>ls</sup> report to me with its inclosures begging that  
as the Season is far advanced And His Majestys Troops might suffer by this Con:  
:voy not ariving this fall at the upper posts as ordered by the Commander in  
Chief, You will please to take the same into Consideration And direct such  
Speedy & proper Methods to be followed as will appear best to your Excell<sup>y</sup>  
for the carrying on this essential part of His Majestys Service

I have the honor to be Sir

To His Excell<sup>y</sup> the Hon<sup>l</sup> gov.<sup>r</sup>  
Murray &<sup>c</sup> &<sup>c</sup>

your most obed hum<sup>l</sup> serv.<sup>t</sup>

, Signed, R Burton

Letter from Colonel Christie to gen<sup>l</sup> Burton

Montreal 13 October 1765

Sir

I am to represent to you when His Excellencys Order arived the 9<sup>th</sup>  
Instant

Instant to the Sheriff, it was agreed the Batteau Men should rendezvouze at La Chine on Saturday morning the 12. Accordingly orders were given by him; And I gave him all the Informations he required or I saw necessary for a Speedy Execution thereof – On the Evening of the 12 it was reported to me by Mons<sup>r</sup> Lagotrie / the person who is employed under me at La Chine / that a few Men only had come, And as soon as they appeared run off again, that he had attended the whole day without Any Success or probability of being able to send off one Boat, upon which I sent to acquaint the Sheriff And afterwards to prevent Mistakes thought it proper to write to him a Letter, The Copy I now Inclose N.<sup>o</sup> 1. Soon after I had an Interview with him & he assured me the Bailiffs disregarded the orders given that the people were averse & corupted to do which great pains had been taken for some time past, to which I only answered the necessity of the Service required them things to be represented to His Excell<sup>y</sup> The gov.<sup>r</sup> who no doubt would make a proper Enquiry as well as an Example of such Enemies to their Country – That the same thing was remarked in the Letter sent by His Majestys Justices of the peace – that general terms would be very improper if they would not / condescend on persons &.<sup>c</sup> Upon the whole I think it my Duty Once more to tell you the Service is again Stopt that after waiting from time to time at an immense extraordinary Expence to the public, that by this last order of His Excellency we have been able to send off only Four Boats, that there still remains 12 of the 16 which requires 48 men, That since the application was made new Emergencies of Cloathing, Barrack necessaries Viz.<sup>t</sup> Bedding Utensils &.<sup>c</sup> have been ordered & now ready to be sent up which will Occupy One Boat more, Some weeks longer Delay will cut off the Water Communication and there is no possibility of Any by Land

I have also to remark to you if you think proper to represent to His Excellency the governor That the different parishes are only able to send a certain number proportionably to their Strength of Batteau men that the half of which ought always to be head and Stern Men the other half middle men, that the last orders were in odd Numbers which don't answer so well As by Boats Crews for Exemple 12 – 16 = 20 men &.<sup>c</sup> &.<sup>c</sup> That the orders from the Commander in Chief As well as the Occurrences of the Service are often so sudden As not to admit of Delay And the Loss of time between this & Quebec is great that his Excellency may please consider of some proper method of procuring men in numbers when the Service absolutely requires it. You are sensible I have taken every method in my power to supply the Service as it required in the mildest Manner to the people without troubling His Excell.<sup>y</sup> or any

civil

civil Authority, but when absolutely necessary at which none of the people have ever grumbled, this I really thought would be agreeable but to the contrary I have found even my Endeavours for the Service only Occasions Jelousy and gives offence to weak minds but, I willing to avoid that must therefore have recourse to you to desire you'l please repre: sent the Difficultys now Subsisting And the impossibility of complying with Any orders of Supplys As things now Stand, And that the people are often insolent to those employed in the Kings Service in my Department & exposed to Insults from the Canadians now poison'd in their minds and instructed that they can not be forced on such Service &.<sup>c</sup> A proof of their Insolence yesterday I refer to the inclosed Copy of a Letter from La Chine N.<sup>o</sup> 2, In short Sir its in vain farther attempts As nothing but an Exertion of power to convince the people they're mised can now supply the Exigencys of the Service The Prices paid by the King are great equal to what is by Any Merchant on private Emergencys with this difference ready money the moment the Service is finished And Instances has been of parishes applying for this Service to get a little ready money

I am sorry to give you so much trouble in these Matters in which I have had a Share And do assure you I have sent off some hundred Boats with less trouble than I've already had for these few Still to go. I have Acquainted the Sheriff who tells me he shall represent the Case to the governor that he communicated punctually His Excellencys order which is all the Authority vested in him Last Information is contained inclosed N.<sup>o</sup> 3

The last Letter I have had from Lagotorie the Copy inclosed N.<sup>o</sup> 4 And the return of the parishes who have sent people is contained inclosed paper N.<sup>o</sup> 5, by which you will please observe 12 Boats or 48 Men are yet wanting of the first number demanded but to do the Service required 52 Men is necessary. I am now informed that Complaints have been making to His Majestys Justices of the peace by the Bailiff of Point aux Tremble, that the people threatned to beat him for presenting to them His Excellency The governors order. No Doubt the civil officers will represent properly

such



such flagrant Crimes. I have the honor to be with great  
Respect

Sir

Your most Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

To Major general Burton , Signed, G. Christie D Q M. G.<sup>l</sup>  
commanding His Majestys  
Forces in the northern District &.<sup>c</sup> &.<sup>c</sup>

Ja: Murray

At Sans Bruit the governors Country house  
on Monday the 7 of October 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>r</sup> governor

Paulus Emilius Irving

Walter Murray

Adam Mabane

Thomas Dunn

James Goldfrap

} Esq..<sup>rs</sup>

Richard Murray Esquire Deputy Receiver general  
made Oath before this Honourable Board that the  
Accounts this Day produced by him in Council, audited  
And Signed by the Deputy Auditor general are just And  
true, which Accounts were dated this Day And a Ballance  
Appeared in favour of the government of Ninety Nine  
pounds thirteen shillings And Six pence Sterling

Ja: Murray

At The Council Chamber in the Castle  
of S.<sup>t</sup> Louis in the City of Quebec on Saturday  
the 26 October 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>r</sup> governor

Paulus Emilius Irving

Walter Murray

Adam Mabane

Thomas Dunn

Francis Mounier

James Goldfrap

} Esq..<sup>ts</sup>

Resolved that no Ship or Vessel shall be cleared out at  
the Custom house untill the Master shall produce to the  
Collector a pass signed by the governor And that this  
Order be intimated to the Collector by the Clerk of this Board

His Excellency took the Oath directed by An Act of  
the fifth year of His present Majesty Intituled “An  
“Act for granting And Applying certain Stamp Dutys  
“and other Dutys in the British Colonys & plantations  
“in America towards further defraying the Expences of  
“defending protecting and Securing the same; And for  
“amending such parts of the several Acts of parliament  
“relating to the Trade & Revenues of the said Colonys  
“and plantations, As direct the Manner of determining  
“and recovering the penaltys And Forfeitures therein  
“mentioned”

Presented Petition from  
Rich.<sup>d</sup> Murray Esq.<sup>r</sup> & Mal:  
:colm Fraser Esq.<sup>r</sup> for a  
grant of 6000 Acres of  
unpatented Land near the  
River De Loupe  
ordered to be fyled  
And the Surveyor warranted  
to Survey the same

Colin Drummond Esq.<sup>r</sup> took also the Oath directed  
by said act as Distributer of the Stamps in this pro:  
:vince

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Thursday  
the 31.<sup>st</sup> of October 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq<sup>r</sup> governor

Paulus Emilius Irving	}	Esq. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
James Goldfrap		

Resolved that the Council shall hencefurth meet  
every Wednesday at Ten oClock befor noon for the  
Dispatch of Business And that this Resolution be  
made publick

Read Petition from Joseph Bostman a Soldier  
for Land

Ordered to be fyled with the others untill the  
Survey of Gaspey & Chaleur Bays is finished

Read Petition from William Brymer John  
Gray And others relating to the Seal And other  
Fisherys on the Labrador Cost

ordered to be entered in the Book

To His Excellency The Honourable James  
Murray Esq<sup>r</sup> governor of the Province of  
Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> And the other honourable  
Members of his Majestys Council

May it please your Excellency And Honours  
We the Subscribers Merchants of Quebec being largely in  
Advance for the different Seal fishing ports, upon

the

the Labrador Cost; The Settlement of which we have been Accomplishing ever since the year 1761, with much Trouble And at a great Expence; can hardly express the Consternation we are thrown into, by His Excellency the governor of Newfoundlands orders, dated 28 of August last which your Excellency has just published, the purport of which seems entirely to deprive us And the great number of people we employ, of the fruits which we hoped would Accrue from the Labour Industry & Expence we have bestowed on these Settlements for these four years by past.

We likeways find that the immediate Obedience required to these Orders And the Threat of Corporal punish:ment to be inflicted for the first offence hath so terrified the Fishermen we had engaged & Sent down on the Winter Fisherys at the said posts, that many of them are already returned from below As if drove up by the Enemy, And postively refuse to fulfill their Engagem.<sup>t</sup> or to work out the Advances. We had made them it appearing to them inconsistant with their personal Safety to counter act his Excellency M<sup>r</sup> Pallisers Orders

Thus having engaged our people victualled them for Eight Months, furnished with all the expensive Aparatus of a Seal fishery dispatched them in Vessels built And purchased for this Business, We have the Mortification to see not only our Labour and Expence in this last Outfitt totally lost And rendered ineffectual, but also many of our Settlements left deserted, Our Buildings fixtures fishing Materials Provisions And Mercha<sup>n</sup>dise totally exposed to Destruction As it is not in our power to get Men to go down in Vessels to save them.

We

We beg your Excellency would be pleased to remember our Memorial of the 14.<sup>th</sup> of February 1764 upon this very Subject And which you was so good As to recommend to the Attention of The Honourable Board of Trade And plantations

Your Excellency has since Signified to us that their Lordships had favourably regarded our Memorial; That all His Majestys Subjects might rest secured in the Enjoyment of a free Fishery upon the Labrador Coast which you had Reason to believe was to be carried on by a general plan; of Course the Kings Subjects here were at least upon a footing with other people And therefor we did not hesitate to continue to fitt out And avail ourselves of the Advantages which Nature gives to the Inhabitants of this Colony in the Under: takings on the Labrador Coast

As British Subjects whose Hearts are warm with Loyalty and Duty to Our most gracious Sovereign we boldly claim his protection And hope Sir that you his Representative Governor of this province will seriously take into Consideration this very extraordinary affair, which is pregnant with bad Consequences to this part of His Majestys Dominions; where the Royal assurances of protection, And your Excellencys Efforts to verifye them will but little avail, when the propertys of Industrious fair trading Individuals are held so very cheap; And we may say annihilated so inconsiderately.

But as we have the greatest Reason to hope That His most gracious Majesty will not suffer the Appropriation of the Labrador Coast, to be the Ruin of so many of his faithful Subjects, And so fatal to the

Infant

infant Trade of this province; We beg that your Excellency And Honours would permit us to ascertain the present Value of Our Effects actually upon And Our Outfitts for the said Fishing Settlements, in the Way that shall seem most equitable And impartial that we may be thereby enabled to require Redress for the great Loss And Disapointments we think we unjustly suffer. In the mean time we beg that your Excellency would be pleased to lay our very hard Case befor his Majesty Recommending us And our propertys to His Royal Care & Protection

We are most Respectfully

May it please your Excell<sup>y</sup> & honours

Your Excellency & honours Most

Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

Signed,	{	Perrault	Bayne & Brymer
		John Jenison	Johnson & Purss
		A Fortier	John Lymburner
		Louis Lizot	John Gray
		John Ord	Hugh Finlay
		Joseph Isbister	Alexr M <sup>c</sup> Kenzie

Ordered Mess.<sup>rs</sup> Dunn Mounier And Goldfrap a Committee of this Council with what assitance from Merchants Inhabitants or others they may chuse to take to enquire into the Losses mentioned in the above petition upon Oath And report the same to this Board that these Losses may be Authenticated under the great Seal of the province

The Committee to meet at the Council Chamber on Saturday next At three oClock after noon

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednesday  
the 6.<sup>th</sup> of November 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esquire governor

Paulus Emilius Irving	}	Esq. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
James Goldfrap		

John Gray Esquire Agent for the posts of The Kings  
Domaine produced in Council four Copys of An Acco..<sup>tt</sup>  
Intituled “Invoices of Goods Shipt by John Gray for the  
“Posts of the Kings Domaine in Canada, Expences Clerks  
“And Servants Wages paid, Peltrys received from the  
“said posts Inventarys of goods remaining in the  
“several Stores &.<sup>c</sup> from the 4 of June to the 16 October  
“1762 inclusive” Which Account was Audited by  
the Deputy Auditor general for this province  
And M<sup>r</sup> Gray was sworn in Council this Day  
by His Excellency to the Truth of said Accompt

Read Petition from William Venfelson praying  
that the Recognizance mentioned in the Petition be  
remitted

Ordered to be fyled

Resolved that the Attorney general be ordered to grant  
a Warrant for the Remittance of the said Recognizance

Ordered that a Warrant be made out for the  
Deputy Surveyor general to survey the Lot of ground

mentioned

mentioned in a petition from Mess.<sup>rs</sup> Price Hay And  
Jacobs of the 15.<sup>th</sup> of July last And Report the same  
to this Board

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec On  
Wednesday the 13.<sup>th</sup> of November 1765

Present

His Excell<sup>y</sup> The Hon.<sup>l</sup> James Murray Esq<sup>r</sup> governor

Paulus Emilius Irving	}	Esq.. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

Read Petitions from John Hay John M<sup>c</sup>Cord And  
Mons.<sup>r</sup> Hertel de Rouville praying grants of certain  
Ruins & Lots of ground near the palace

Ordered to be entered in the Book

To His Excellency The Honourable James  
Murray Esq<sup>r</sup> Captain general & governor in  
Chief of the Province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>  
In Council

The Petition of John Hay

Humbly sheweth

That your Petitioner by your Excellencys  
permission has taken possession of a Lot of ground

And



And Ruins thereon, part of the Building formerly called Les Magazins du Roy, bounded on the South by the High road leading from Palace gate to S<sup>t</sup> Roches, on the East by S<sup>t</sup> Nicholas Street, on the North by a passage to the palace Court, And on the West by a part of the said Ruins; containing in front about Ninety two feet, And in Depth about One hundred And twenty feet

That the said Ruins And Lot of ground was totally useless to His Majesty or the publick

That in Consequence of such your Excellencys permission As aforesaid, your Petitioner has expended And laid out in repairing And improveing great part of the said Ruins And Lott of ground to the Amount of Six hundred pounds And upwards

And therefore Your Petitioner prays your Excellency to Grant the same to your Petiti.<sup>r</sup> And his heirs as unpatented Lands under such Quit Rent & Restrictions for the Use of His Majesty if he should hereafter have Occasion for it, As to your Excellency shall seem meet

And your petitioner shall ever pray

, Signed, John Hay

Quebec 13 Nov.<sup>r</sup> 1765

To His Excellency The honourable James Murray Esq.<sup>r</sup> Captain general And governor in Chief of the Province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>  
In Council

The Petition of John M<sup>c</sup>Cord

Humbly sheweth

That your petitioner by your Excellencys

permission

permission has taken possession of a Lot of ground And Ruins thereon, bounded on the East by S<sup>t</sup> Nicholas Street containing about Sixty feet, On the South by the passage leading to the palace containing about Seventy feet, on the West by the passage on the End of the palace containing about Ninety feet, And on the North by a part of the said Lot And Ruins

That the said Ruins And Lot of ground was totally useless to His Majesty or the publick

That in consequence of such your Excellencys permission your Petitioner has expended And laid out in the repairing And improving great part of the said Ruins And Lots of ground, to the Amount of Three hundred And fifty pounds & upwards

And therefore you Petitioner prays your Excellency to grant the same to your Petitioner And his Heirs As Unpatented Land, under such Quit Rent And Restrictions for the Use of His Majesty, if he should hereafter have Occasion for it, As to your Excellency shall seem meet, And your Petitioner shall ever pray

, Signed, John M<sup>c</sup>Cord

Quebec 13 Nov.<sup>r</sup> 1765

A Son Excellence L'honorable Jaques Murray Ecuyer gouverneur en chef de la province de Quebec &<sup>c</sup> &<sup>c</sup> &<sup>c</sup> Et a l'honorable Conceil

Hertel de Rouville Ecuyer Supplie tres humblement Son Excellence et Conceil de luy accorder une Concession d'une Emplacement ou Terrene appartenant a Sa Majesté

Situé

Situé sur la Bord de la Rue qui va au passage de la petite Riviere S<sup>t</sup> Charles, et connue cy devant sous le nom de la maison du Controlle

Ce Terreine ou Emplacement qui faisoit cy devant moitié de la dite maison du Controlle, contient environ cinquante pieds de front sur cinquante sept de profondeur; et il reste sur ycluÿ une Muraille ruiné par le feu que le Suppliant eseroit de pouvoir repare

Il espere cette grace de Son Excellence et Conceil pour La Conservation des quels il offrira ses prieres et ses Voux  
 , Signed, Hertel De Rouville

Ordered these Petitions to be fyled And referred to Paulus Emilius Irving Thomas Dunn And James Goldfrap Esquires a Committe of this Council who are to report to the Board next Council Day And also to take into Consideration the Printers And other Bills formerly presented to this Board And report their Opinion of the same

Whereas the Gazette of Quebec is now laid aside Resolved that from hencefurth the publishing of Ordinances &.<sup>c</sup> by Beat of Drum in the Towns of Quebec Montreal and Three Rivers And reading the same by the Curates of the several Parishes in the province And afterwards affixing the Ordinances &.<sup>c</sup> in the most publick places of the said Towns and upon the Church Doors of the parishes shall be deemed a Sufficent publication of the same

Read and passed the following Ordinance

ordinance

An Ordinance for regulating and  
Establishing the Admeasurement of Firewood  
exposed to Sale in this province

Whereas divers Frauds are frequently committed by the Sellers of Firewood, in Rafts and otherways, both as to the quantity said to be contained in such Rafts And also As to the lenth of the Logs and Sticks therein contained, for Remedy whereof, **Be it ordained and declared**, By His Excellency The governor of this province, by and with the advice consent & assistance of His Majestys Council, And by the Authority of the same it is hereby **ordained and declared**, That every Cord of Firewood, which from And after the fifteenth Day of June 1766, shall be exposed to Sale, in Vessels, Rafts, Cages, or otherwise, in any of the Towns of this province, shall be full Eight feet Six Inches And two thirds of an Inch long English measure And full four feet three Inches and one third of an Inch in Heighth like measure, being equal to Eight feet long And four feet high french measure, And that each Log or Stick shall be full two feet Eight Inches English Measure in length between the Cuts, equal to Two feet Six Inches french measure, And every Cord of Firewood contained in such Raft or Cage, shall be solid and well packed together

And **Be it further ordained & declared** by the Authority aforesaid, That if Any person or persons from And after the said 15.<sup>th</sup> Day of June, contracting for the purchase of Any parcel of Firewood in Vessels

Rafts

Rafts or Cages, shall suspect, that the parcel of Firewood in any such Vessel Raft or Cage, does not contain the number of Cords contracted for, or that the Logs or Sticks are not of the Length And Dimensions by this Ordinance directed, every person so contracting And suspecting as aforesaid, shall, immediately after And before such Wood or Any part thereof shall be removed from the place where exposed to Sale or contracted for, otherwise than for the necessary Surveying and measuring thereof, cause the same to be surveyed or measured, by such person or Persons as shall be appointed by His Majestys Justices of the peace of the Districts of Quebec or Montreal, who are hereby required to survey And measure the same Accordingly; And if on such Survey or measurement it shall be found, that either the Raft Cage, or parcel of Wood, do not contain the number of Cords of Firewood contracted for, or that the Logs And Sticks are not of the Lengths and Dimensions by this Ordinance directed, every such Raft Cage or parcel of Wood shall be forfeited, One moiety to the poor of the Town where such offence shall be committed And the other moiety to the Contractor he paying thereout for the Surveying or Measuring thereof whether the same be forfeited or not at the Rate of Two pence per Cord

And whereas it frequently happens that the Sellers of Firewood in Rafts or Cages, oblige the Buyers thereof under various deceitful pretences to pay down the price contracted for, And afterwards it is found that the Rafts or Cages do not contain

the

the quantity of Wood contracted for: For Remedy whereof Be it further ordained and declared by the Authority aforesaid, that where Any person after the said 15.<sup>th</sup> Day of June, shall contract And pay for Any quantity of Firewood, in Rafts or Cages, which either before or after removing thereof, by Any fraudulent And deceitful packing or otherwise, shall be found either not to contain the quantity of Wood contracted And payed for, or that the Logs And Sticks are not of the Length and Dimensions in this Ordinance directed, It shall and maybe lawful for Any one of His Majestys Justices of the peace of the District where such offence shall be committed upon Complaint thereof upon Oath of the person so defrauded, to issue his Warrant for the Apprehending and bringing befor him, or Any other of His Majestys Justices of the peace such offender or offenders, And upon Conviction of such offence upon the Oath of two or more credible Witnesses, such offender for the first offence shall forfeit And pay the sum of Twelve shillings And shall be committed by such Justice to the Common prison, there to remain in close Confinement for the Space of fifteen Days, And untill the said sum of Twelve shillings be paid And satisfied: And upon a Second Conviction As aforesaid, the offender shall forfeit and pay the sum of Twenty four shillings, And suffer one Months close imprisonment

And Be it further ordained and declared by the Authority aforesaid that from And after the first Day of December next ensuing All firewood brought

by

by Land for Sale to the Towns of Quebec Montreal  
 And Three Rivers in this province in Sleys Carts or  
 other Carriages, shall be sold on the Parade in the  
 Town of Quebec near to the Castle of S<sup>t</sup> Louis in the  
 Upper Town And in the Area of the lower town And  
 in such places in the Towns of Montreal & Three  
 Rivers, As shall be Appointed by His Majestys Justices  
 of the peace in the respective Districts, on pain of  
 forfeiture thereof, one moiety to the Informer and  
 the other moiety to the poor of the Town where the  
 offence shall be committed

Given by His Excellency The honourable  
 James Murray Esquire Captain general and  
 governor in Chief of the province of Quebec, Major  
 general of His Majestys Forces, And Colonel  
 Commandant of the Second Battailon of the  
 Royal American Regiment &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> In Council  
 At Quebec the 13.<sup>th</sup> Day of November  
 Anno Domini 1765 And in the Sixth year  
 of the Reign of Our Sovereign Lord George III  
 by The Grace of God of Great Britain France  
 and Ireland King Defender of the Faith &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>

, Signed, Ja: Murray

By order of His Excellency  
 in Council, Signed, Ja Potts D. C C

Read Petition from Lieutenant Colonel Christie  
 praying this Board to allow him to appeal under the  
 Recognizances formerly entered into befor the Chief Justice  
 in the Cause Francis Noble Knipe ag.<sup>t</sup> Christie

Ordered to be fyled And a Copy of the Petition to be

given

given to the Attorney general for him to give An  
Answer to the same for Francis Noble Knipe next Council  
Day

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednesday  
the 20.<sup>th</sup> of November 1765

Present

His Excellency The Hon<sup>l</sup> Ja<sup>s</sup> Murray Esq<sup>r</sup> governor  
Paulus Emilius Irving }  
Walter Murray }  
Adam Mabane } Esq<sup>rs</sup>  
Thomas Dunn }  
Francis Mounier }  
James Goldfrap }

Read the Report of the Committee of the 16.<sup>th</sup> Instant

Ordered to be entered in the Book

Council Chamber 16 Nov.<sup>r</sup> 1765

Present

The Hon.<sup>l</sup> Paulus Emilius Irving }  
Thomas Dunn } Esq<sup>rs</sup>  
James Goldfrap }

A Committee appointed last Council Day the 13.<sup>th</sup>  
Instant to consider the Petitions of John Hay John  
M<sup>c</sup>Cord And Mons.<sup>r</sup> Hertel De Rouville And to report  
their Opinion of the same

The Committee are of Opinion that the Surveyor

should



should be ordered to survey the plots of ground petitioned for before Any Answer can be given by the Council to the Petitions

The Committee having ~~also~~ considered the Printers Bill referred to them by the Council Amounting to One hundred And fifty one pounds Eighteen shillings And Six pence currency Are of opinion that the Printers should be allowed One hundred and twenty pounds in full for that Account And recommend to the Council to allow the Printers a Sallary of One hundred pounds currency pr Annum for printing for the publick, which Sallary if it shall be allowed they recommend paying the Printers at the Rate of the Sallary counting from the first Date of their Acco..<sup>t</sup>

The Committee having also considered the Interpreters Bill referred to them Amounting to Sixty two pounds Eighteen shillings And Eight pence Are of Opinion As some of the Articles seem to be too high charged that he ought to be allowed Fifty pounds currency in full of which he has already received Nineteen pounds four shillings

, Signed, P. Æmi.<sup>s</sup> Irving

Ordered a Warrant to be made out for the Surveyor general to survey the ground mentioned in the report of the Committee And return plans thereof to this Board

Resolved that the Printers be allowed a Sallary of Seventy two pounds Currency of this province per Annum equal to the Sallary allowed the Printers for the province of Nova Scotia, And in Consideration

that

that all Ordinances are printed in this Province in English and French

Resolved that the Interpreter be paid the sum of Thirty pounds Sixteen shillings being the Ballance found by the Committee of Council due to him by the province

This honourable Board having heard read The Petition of Gabriel Christie Esq.<sup>r</sup> presented to them As a Court of Appeal And an Answer to the same by the Attorney for Francis Noble Knipe are of Opinion that the Application to this Board by M<sup>r</sup> Christie is irregular And therefor they dismiss the Petition with Costs

Presented and read Petitions from Peter Stuart and Donald M<sup>c</sup>Donald discharged Soldiers for Land at Chaleur Bay

Ordered to be fyled with the others till the Report of the Survey is made

Presented and read Petitions from Hugh Mont: gomery And John Collins for Land at Chaleur Bay

Ordered to be fyled with the others till the Survey is compleated

Read a Representation from Mons.<sup>r</sup> Cunett Surveyor of the Roads for himself and the Surveyor at Montreal

Ordered to be referred to a Committee who are to report next Council Day. The Committee is also

to

to consider An Account presented to this Board  
for the Reparation of the Prison at Montreal

Read Petition from Margaret Page alias Marshal  
for a grant to her Son Francis Gustavus Ferral  
of a Lot of ground in the lower Town on which he  
has erected a Brewhouse

Ordered the Deputy Surveyor general to sur-  
vey the ground petitioned for And report

Signed            Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednes-  
day the 27 of November 1765

Present

His Excellency The Hon <sup>l</sup> Ja. <sup>s</sup> Murray Esq. <sup>r</sup> governor	}	Esq. <sup>rs</sup>
Pau. <sup>s</sup> Emilius Irving		
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

Read the Report of the Committee of this Date

ordered to be entered in the Book

Council Chamber Wednesday 27 Nov.<sup>r</sup>  
1765

Present	}	Esq. <sup>rs</sup>
The Hon <sup>l</sup> . Adam Mabane		
Thomas Dunn		
James Goldfrap		
Francis Mounier		

A Committee Appointed last Council Day to consider

the

the Representation of the Surveyors of the Roads

The Committee are of Opinion that a further Day should be allowed them to consult the Laws of Great Britain respecting the Reparation of the High ways, And in the mean time As the Ferrys over the different Rivers in the province are in very bad Repair And of the Utmost consequence to the Community, And all the Ferrys are the property of different Seigneurs who ought to keep the Boats &.<sup>c</sup> in proper repair. The Committee are of Opinion that the Clerk of this Board should be ordered to write to the different Seigneurs to desire in the name of the Council that they may repair the Boats And furnish new ones where necessary or if they shall think the profits of the Ferry not worth such Expençe that they may give up their Rights of the Ferrys to government which will take upon it to provide proper passage Boats &.<sup>c</sup> And that they give An Answer at furthest by the first of February next

The Committee having considered the Accounts for the Reparation of the prison at Montreal One to LaLime £ 43..18 Currency And the other to Peter Frolin for Carpenters Work £ 16..18. both swore to befor Mons.<sup>f</sup> Dumas a Justice of the peace And certi: :fyed not to have been paid by M<sup>f</sup> Weir Deputy Commissary at Montreal ought to be paid

, Signed, Adam Mabane

Resolved that the Committee have a further time to consider the Laws of Great Britain with Relation to Highways, And

The

The Board recommend to them to report their Opinion whether two Surveyors general of the High roads for the two Districts of Quebec And Montreal, with a Sallary of One hundred pounds per Annum to each should be continued, which Appears the more necessary As the persons presently employed in that office are men who can be trusted to furnish government with Intelligence from the distant parts of the province; All the Protes: :tants and people of property and Understanding resid: :ing in the great Towns

Read An Accompt due by the government to William Smith for the hire and Pilotage of a Sloop to carry John Collins Esquire Deputy Surveyor gen.<sup>1</sup> to survey Gaspey And Chaleur Bays, Amounting to Two hundred And Eighteen pounds Eleven shillings which Accompt is certified by M<sup>r</sup> Collins

Ordered that a Warrant be given to the Receiver general for payment of the same

Read Memorial from The Honourable James Goldfrap Esq.<sup>r</sup> Deputy Secretary of this province requesting payment of An Accompt due by the government to him As Deputy Secretary Amounting to Four hundred pounds fifteen shillings And two pence.

Resolved that the Council without Advice from Great Britain can not take upon them to order payment of that accompt tho' they are very sensible that an Equivalent ought to be made to M<sup>r</sup> Goldfrap there being no Sallary Annexed to the office; but recommend to him to transmit to his Constituant

in

in England a Copy of His Accompt with this Resolu:  
:tion of Council to solícite the payment At home

Read at same time two memorials from Henry  
Kneller Esq.<sup>r</sup> late Deputy Clerk of this Board requesting  
payment of two Accompts due by the government to  
him One of them for Money advanced by him Amount:  
:ing to Eighty two pounds five shillings & two pence  
And the other for Business done by him when Clerk  
of Council Amounting to Two hundred And Thirty  
nine pounds Nine shillings and Eight pence half  
penny.

Resolved that a Warrant be given to the Receiver  
general for payment of the first Accompt of  
Eighty two pounds five shillings And two pence And  
that the other Accompt be put on the same footing  
with M<sup>r</sup> Goldfraps

Adjourned till tomorrow to read the Draft of an  
Ordinance for furnishing Firewood to His Majestys  
Forces in garrisons posts And Cantonments in  
this province And for declaring the Militia to have  
been abolished from the Establishment of Civil govern:  
:ment

Ja: Murray

At The Council Chamber in the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Thursday the  
28 Day of November 1765

Present

His Excell<sup>y</sup> the Hon.<sup>l</sup> James Murray Esq<sup>r</sup> governor

Paulus Emilius Irving	}	Esq. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
James Goldfrap		

Read and passed the Ordinance mentioned in the  
Adjournment of yesterday

An Ordinance

For the better and more regular providing Firewood  
for the Use of His Majestys Forces in garrison in  
this province, And for declaring that all Power  
and Authority of any Captain or other officer of the  
Militia, established in this Province befor the  
Conquest thereof, and afterwards continued untill  
the Establishment of British civil Government  
within the same, was thereby abolished and taken away

Whereas the Inhabitants dwelling in the Vicinage of, or  
near to His Majestys Military garrisons, Posts and Canton:  
ments in this province, from various illegal Combinations  
amongst themselves, refuse to supply the Forces in garrison  
there with Firewood at a reasonable Price, by means where.  
:of great Damage may arise to His Majestys Service:  
for preventing whereof **Be it ordained and declared**  
by His Excellency the governor by And with the Advice  
Consent & assistance of His majestys Council of this  
province, And by the Authority of the same **Be it**  
hereby ordained and declared That as often as

Firewood

Firewood may be wanted for the Use of His Majestys Forces in this province, on a Representation thereof being made to His Excellency the governor in Council, by the Barrack Master for this province, or by any of the Barrack Masters of His Majestys garrisons, in writing, signed by such Barrack Master, specifying therein the Quantity of Firewood required, And for what garrison post or Cantonment the same is wanted; that thereupon His Excellency the governor will In Council issue his Warrant under his hand & Seal, directed to Any of the said Barrack Masters to apply to the Bailiff or Sub-Bailiff of the parish or parishes in the Vicinage of such garrison, Post or Cantonment to make provision for the quotas of Firewood mention'd in such Warrant to be provided by their respective parishes, together with Carriages Horses And Men to convey the same to such Garrison post or Cantonment as is therein mentioned. And the Bailiffs or Sub-Bailiffs of the respective Parishes to whom such Application shall be made as aforesaid, shall, And they are hereby Strictly charged And required to order and appoint such person or persons, in their respective Parish or Parishes, As they shall think proper, rateably And proportionably, to provide & Convey the quantity of Firewood mentioned in the said Warrant; And the person or persons so Appointed shall, And are hereby Strictly charged and required to provide and convey the same Accordingly: And the Barrack Masters Applying for such firewood, or to whom such Warrant may happen to be directed, shall And is hereby required on the Delivery thereof at the garrison post or Cantonment mentioned in the said

Warrant



Warrant, to pay down in hand to the Owner or Owners Driver or Drivers of the Cart or other Carriage, in which such Firewood shall be conveyed, for the Use of the Owner or Owners thereof, such sum of Money for every Cord of Firewood, agreeable to the price of Cord Wood to be regulated and established by His Majestys Justices of the peace at their next general Court of Quarter Sessions of the peace, to be held for the Districts of Quebec and Montreal in this province, And so yearly And every year for the furture, At their December Quarter Sessions, over And above the sum of One penny for each Cord to the Bailiff or Sub-Bailiff for the Service of said Warrant, for which sums so received, the person or persons receiving, is and are hereby required to give a Receipt in writing to the person paying the same: provided that the Justices of the peace of the said Districts shall in the mean time, And as soon As conveniently may be, meet and regulate the prices of Cord Wood, which Prices so regulated, shall be the price of Cord Wood to be paid by such Barrack Master, untill the Regulation thereof be made At the next Quarter Sessions as aforesaid. And Be it further ordained and declared by the Authority aforesaid that if any Bailiff or Sub-Bailiff shall wilfully neglect or refuse, upon Application being made As aforesaid, by the said Barrack Master to whom such Warrant shall be directed, to order & appoint such person or persons in their respective parishes as they shall think proper, rateably and proportionably, to provide the quantity of Firewood mentioned in the said Warrant to be provided by the

Parish

parish of the said Bailiff or Sub-Bailiff, with suitable Carriages, Horses and Men for conveying thereof to the garrison post or Cantonment mentioned in the said Warrant; or if Any person or persons, appointed by the Bailiff or Sub-Bailiff of the respective Parishes to provide agreeable to this Ordinance Any Firewood with proper Carriages Horses and Men for conveying the same as aforesaid, shall neglect or refuse to provide or convey the same, or Any other person or persons whatsoever, shall wilfully do Any Act or thing whereby the Execution of the said Warrant shall be hindered or frustrated, every such Bailiff or Sub-Bailiff, or other person or persons so offending shall, for every such offence, forfeit Any sum not exceeding Twenty pounds of current Money of this province, nor less than Ten pounds like Currency towards defraying the Contingent Expences of this government; And all and every such offence or offences shall And may be enquired of heard & fully determined by Two of His Majestys Justices of the peace, dwelling in or nearest the place where such offence shall be committed, who have hereby power to cause the said penalty to be levied by Distress and Sale of the Offender or offenders goods and Chattles, tendering the Over plus / if Any / to the owner; And for Want of goods And Chattles whereon to levy the same, to commit the offender or offenders to the Common Goal of the District where such offence shall be committed, there to remain without Bail or Mainprise untill payment

thereof

thereof be made.

And whereas several Captains of the Militia, formerly established in this province, before the Conquest thereof, And afterwards continued until the Establishment of civil government within the same, pretend that their Commissions, And former Authority of Captains of Militia still continue And are in force, notwithstanding no Ordinance of His Excellency the governor in Council has ever been made either for Establishing or continuing thereof: And whereas the keeping up a Militia in this province is not necessary Be it therefore further ordained and declared by the Authority aforesaid, that on the Establishment of the British civil government in this province, the Militia before that time established within the same was thereby abolished & taken away to all Intents And purposes whatsoever; And all power and Authority derived from thence, or which any person or persons whatsoever might claim, or pretend to claim by force or in Virtue of Any Commission or other Authority therein, did thence forward cease, and was thereby annulled & taken Away; And every person or persons whatsoever acting or pretending to Act, under Any Commission or Authority therein, was and were thereby And by means thereof dismissed And discharged from the same Accordingly

given by His Excellency &..<sup>c</sup>

The Attorney general presented an Accompt due to him by the province Amounting to Three hundred & twenty five pounds One shilling & four pence

Ordered to be referred to the Committee who are to report next Wednesday

Ja: Murray

At Sans Bruit The governors Country  
house on Saturday the 30.<sup>th</sup> of November 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>r</sup> governor  
Paulus Emilius Irving }  
Walter Murray } Esq.<sup>rs</sup>  
Adam Mabane }  
Thomas Dunn }  
James Goldfrap }

Read Petition from Mons.<sup>r</sup> Perrault for payment of  
An Accompt for quartering the Troops at Trois Rivieres  
Amounting to One hundred & thirty nine pounds fifteen  
shillings And Eight pence

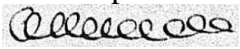
Ordered the Petition & Accompt to be referred to the  
Committee who are to report next Council Day

Thomas Parry Soldier in Captain Johnsons Company  
of the 28 Regiment of Foot produced a Letter or Infor:  
:mation to His Excellency the governor, concerning the  
people engaged in the assault upon Thomas Walker Esquire  
at Montreal in December last, And was sworn befor  
this Board to the Truth of that Information

Ordered to be entered in the Book

Quebec 28 Nov.<sup>r</sup> 1765

May it please your Excellency

To Accept of the under written Lines from  
 Regim.<sup>t</sup> now present in your  
Excellencys house

Which sheweth

That your Excellencys Servant the

above

above written no longer able to keep hidden the affairs of  
M<sup>f</sup> Walker Merchant late of Montreal, thinks it as  
his Duty to reveal that most barbarous Assault made  
on that gentleman and flatter myself I shall be under  
Your Excellencys Patronage & Care for such Discovery, altho'  
not in the least concerned in such a piece of Barbarity  
The Substance of my Knowledge therein is as follows  
Viz.<sup>t</sup> I happened to be at Serjeant Mees house of  
our Regiment / who kept Tavern / on thursday the  
6 Day of December from the hours of about 7 till  
near 9 at night, during the half of which time or  
thereabouts I found something was going forwards  
of no good, As I saw Serjeant Rogers in a Disguise  
having a Handkerchief tyed round his head And to  
the best of my memory A short Blanket Coat on,  
And in the back Room of Serjeant Mees house I heard  
several people talking together till near about Eight  
o Clock at Night, at which time I believe they left  
the house; but am almost positive they did not go  
through the Room where I was sitting, there being  
Windows on the Back Side of that Room through  
which they might posibly pass to the side of the  
Rampart behind. About half an hour after Eight  
or something more at Night I returned home / As I  
dont carry a Watch cant be particular to a Minute  
or ten / but when I came home which was very  
near M<sup>f</sup> Walkers; the French people in the house  
told me that M<sup>f</sup> Walker had received much hurt  
by An Assault made on him by some Armed Men  
As was in danger of his life, to which I made no

other

other Reply than that it was not me

Some time after this affair happened, I happened to be at one Corporal Yarrows house of our Regiment, who lived out in Quebec Suburbs, who I believe was some thing in Liquor, who whispered privately to me saying he knew the persons concerned in this Affair And repeated their Names, & further said after it was over they came to his house And washed their faces

Here follows their Names he told me

Serg.<sup>t</sup> Mee  
Serj.<sup>t</sup> Rogers  
Tho.<sup>s</sup> Donnelly  
James Coleman  
Jn.<sup>o</sup> McLaughlan  
Dan.<sup>l</sup> Ashman

Befor this affair was transacted Serj.<sup>t</sup> Mee told me he was to do something to some person in town but never mentioned the persons Name, he was kept Duty free a long time As I believe for this purpose and to the best of my Opinion was relieved from being orderly that Day it happened or thereabouts

I had almost forgot to mention during my Stay in his house that Night that one Castles a Taylor who worked there took a Tomihawk in the back Room but to who he delivered it cant say As I never entered the Room And in particular remembers to see Serjeant Rogers go out and come in again in the Dress described before this affair happened

The Serjeant Major used frequently to come to

Serjeant

Serjeant Mees house and always had some frivolous  
Excuse or an other by saying he was to go orders or some  
thing to that purpose in Regard of Duty

Indorsed Nov.<sup>r</sup> 30.1765

The within Information sworn to by Thomas Parry  
a Soldier in Captain Johnsons Company of the 28 Re:  
:giment in Council , Signed, Tho.<sup>s</sup> Parry

The said Thomas Parry being asked if the men mention'd  
in the Information Viz.<sup>t</sup> Serjeant Mee Serjeant  
Rogers Thomas Donnelly James Coleman John  
M<sup>c</sup>Laughlan and Daniel Ashman be now with the  
Regiment Deposeth they are not all present, That  
James Coleman And John M<sup>c</sup>Laughlan went to  
Ireland in the same Transport with Lieutenant  
Tottenham of the same Regiment about the tenth  
of September last, And being asked Whether to his  
Knowledge these two men are discharged or absent upon  
Furlow Deposeth he do's not know, And being asked  
if either Coleman or M<sup>c</sup>Laughlan that went in the  
same Ship with Lieutenant Tottenham were his Ser:  
:vants Deposeth ~~they were both Irishmen but~~ that  
neither of them were M<sup>r</sup> Tottenham's Servants And  
being Asked what Countrymen these two Men were  
Deposeth they were both Irishmen, but of what County  
in Ireland the Deponent do's not know Deposeth  
that he has known Coleman for many years And  
being Asked if he knows to what part of Ireland they  
are gone or where they can be found Deposeth he  
do's not know but supposes they are with Lieutenant  
Tottenham, Being asked if he ever was employed in

writing

writing in the Regiments Books Deposeth he was employed writing therein about Seven Weeks, And being asked if in the Regimental Books the place of Birth & particular Descriptions of the Men of the Regiment were regularly entered Deposeth they were very particularly entered therein, And being asked if Corporal Yarrow is at present with the Regiment Deposeth he has been informed that Yarrow is gone to Montreal to work at his Trade of a Cabinet Maker for general Burton And being Asked if Yarrow has a Wife Deposeth he has one And being asked if his Wife is in Quebec Deposeth he do's not know And being asked if Castles a Taylor mentioned in the Information be with the Regiment Deposeth he is that the Deponent saw him the night befor last, And being Asked if Thomas Donnelly at present a Corporal in the 28 Regiment was a Corporal at the time the assault upon M<sup>r</sup> Walker was committed Deposeth he was not And that he was made a Corporal on the Second or third of this Month that Donnelly can neither read nor write but has the Character of a brave Soldier, And being asked if there are in the Company with Donnelly Any other Men that can read & write Deposeth he the Deponent belongs to that Company And that there are several others who can read and write And are in every other Respect as good men as Donnelly. Being asked if he is acquainted with Ashman mentioned in the Information Deposeth he has know him a long time that he belonged to the same Bataillon of the Royal Americans with the Deponent

And



And came into the 28 Regiment at the same time with him And being asked what Charecter Ashman bears Deposeth ever since the Deponent knew him he has been given to quarrelling drinking and fighting And being Asked if he knows Any particular men that Ash: :man keeps Company with Deposeth there is one Jerry Docheday a drinking quarrelsome fellow belong: :ing to the same Company And several others whom the Deponent do's not remember And being asked if he knows Any other person in the Regiment that he thinks likely to make a Discovery of M<sup>r</sup> Walkers affair Deposeth that he believes there is one Fitzsymons who knows a great deal about it And being Asked his Reason for thinking Fitzsymons would be ready to make a Discovery Deposeth that Fitzsymons told the Deponent in private upon some ill usage he had received in the Regiment that he would complain to the governor And knew how to get his Discharge by which the Deponent understood his Knowledge of Walkers affair And being asked if he wrote or knows Any thing of a Letter wrote to M<sup>r</sup> Walker at Montreal And Signed Mathew gospel Deposeth he knows nothing of it And further sayeth not  
, Signed, Tho.<sup>s</sup> Parry

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednes:  
:day the 4 of December 1765

Present

His Excellency The Hon<sup>l</sup> Ja.<sup>s</sup> Murray Esq<sup>r</sup> governor

Paulus Emilius Irving  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap

} Esq.<sup>rs</sup>

Read a Letter from the Lords of Trade of the 2.<sup>d</sup> of  
September last which is as follows

Whitehall Sept.<sup>r</sup> 2. 1765

Sir

The Commander in Chief of His Majestys  
Forces in America having made Complaint, that the  
governors of several of His Majestys Colonys have granted  
away Lands close to the Forts belonging to His Majesty  
by which means the garrisons of such Forts have  
been obliged to pay the proprietors of these Lands extra:  
:vagrant prices for wood cut for a necessary Supply  
of Fuel and thereby a great and unreasonable Expen:  
ce has been brought upon the Military Contingencys,  
we have it in Command from His Majesty to signify  
to you his Majestys pleasure, that you do take  
especial Care, that in all Warrants for surveying  
of Lands adjacent or contiguous to Any Fort or  
Fortification, whether such warrant be granted upon  
an original petition to you in Council, or upon

any

any order of His Majesty in his privy Council, there be an express direction to the Surveyor, that he do reserve to His Majesty, for the Use of the Fort near to which the Lands shall lye, such a part of the Tract petitioned for / being woodland / and in such a Situation as the Commander in Chief of the said Fort / with whom he is to be required to consult and advise in all such Cases / shall judge convenient and sufficient for a permanent and certain Supply of Fuel for such a garrison, as the said Fort may be able to contain And it is his Majestys further pleasure, that a regular plot of such reserved Land, describing the Bounds expressing the Quantity of Acres, and properly signed and attested by such Surveyor, be delivered to the Commanding officer of each Fort to be there publicly hung up, And a Duplicate thereof also recorded in the Secretarys office, or other proper office of Record in the Colony

As the due Execution of this Order is essential to His Majestys Service, you will take Care that the regulations above prescribed be duly entered upon the Council Books, As a Standing Order to all persons, who may be intrusted with the powers to which they refer.

We are

Sir  
Your most Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>ts</sup>

Honb. <sup>le</sup> James Murray Esq. <sup>r</sup> governor of Quebec	}	Signed	{	Dartmouth Soame Jenyns J. Dyson John Yorke
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The

The above Letter to remain in this Book a Standing  
Order as thereby directed

Read the Report of the Committee of the 2.<sup>d</sup> Instant  
Council Chamber 2.<sup>d</sup> Decem<sup>r</sup> 1765

Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap } Esq..<sup>rs</sup>

The Committee appointed last Council Day to consider the  
Representation of the grand Voyers or Surveyors of the Roads  
And the several Acts of parliament relating to that Subject  
And to report their Opinion of the Account presented  
to the Board by the Attorney general

The Committee are of Opinion that the Attorney  
general ought to be paid his half years Sallery of One  
hundred pounds And that he ought to be paid the sum  
of Forty pounds for his attending the Assizes at Three  
Rivers, And as there are sundry Articles in the Acco..<sup>ts</sup>  
which the Committee are of Opinion ought not to be  
paid, particularly what the Attorney general charges  
for advising And writing to the Justices of the peace  
with Relation to the Nuisance in the Area of the  
Lower Town, The Committee refer these Articles of the  
Account to a full Board And are further of Opinion  
that the Ballance of said Account ought to be sent  
home with the other Bills presented by the Secretary  
And Clerk of the Council

The Committee having read and considered the  
Acts of parliament of England with Relation to

Highways

Highways are of Opinion that the Surveyors or Supervisors of the Roads ought to be Accountable to his Majestys Justices of the peace for their Conduct in that office And when they find it necessary to have the Roads mended in Any particular Parish; The Bailiffs shall summon the parishioners at the Church Door Eight Days before the time they intend working And that every Inhabitant shall be obliged to attend accordingly at the time appointed or find a Man in his Room, And whoever keeps a horse Cart or other Carriage shall be obliged to attend with the same, with the necessary Utensils for mending the Roads under the penalty of Twelve shillings per Carriage And four shillings each Man per Day to be paid in Twenty Days otherwise lyable in double payment; The people employed to work Eight hours per Day, The Surveyor or Supervisor to enquire into all Defaults on the Oaths of the parishioners, to report to two of His Majestys Justices who will empower the Constables or Bailiffs to levy the Fines; The Bailiffs to be Accountable to the Surveyor under the penalty of Forty shillings for each Default: The Surveyors or the Bailiffs by their Direction to take gravel Rubbish & out of Any persons Lands / excepting houses And Gardens / for the Reparation of Roads, The Pit so dug not to exceed Ten yards square, to be fenced round while they are open And to be filled up with: in a Month by the Parishioners under the Direction of the Bailiffs under the penalty of Forty shillings

for

for each neglect to be reported and levyed as the former penalty. Surveyor And Bailiffs to be impowered to ~~him~~ turn water into the highest Land to clear the High ways Any person laying Soil or other Stuff on the Roads to the prejudice thereof shall pay a fine of Twenty Shillings to be reported and levyed As the others: All Trees that incommode the Highways to be stubbed up in Ten Days by the parishioners by the Direction of the Bailiffs under the penalty of Twenty shillings for each neglect reported by the Surveyor to the Justices. The Surveyors to present a general State of the Highways in each District to the Justices at their Quarter Sessions. The Justices in Sessions to be impowered to make, cause widen, or enlarge Roads where found necessary. The Justices to Appoint Scavengers in Towns And Cities & to be impowered to assess the people Occupiers & Owners of Houses not exceeding Six pence per pound of the yearly Rent for the Reparation mending & clearing the Streets. which assessment shall be paid in Eight Days after the Demand otherwise levyed by Distress, No prosecution to be commenced after Six Months from the Default committed. The Committee are further of Opinion that Surveyors of the Highways for the two Districts of Quebec & Montreal are highly necessary not only an Account of the Highways but by their office being obliged to visit the Distant parts of the province they will be able to give from time to time An Account to the government of the State And Situation of the Canadian Inhabitants. The Committee having also considered that Disputes may

arise

arise Amongst the Inhabitants whereby the Surveyors  
 may be put to extraordinary Trouble, The Justices to be  
 empowered to fine the party in Default in a reasona:  
 :ble sum to be paid to such Surveyor for his Trouble

The Committee having read & considered the  
 petition of Mons.<sup>r</sup> Perrault with the Accompt  
 Annexed Amounting to One hundred and thirty  
 nine pounds fifteen shillings And Eight pence certi:  
 :fied by M<sup>r</sup> Metral one of His Majestys Justices of  
 the peace And late Town Major at Trois Rivieres  
 Are of Opinion that the Accompt Ought to be  
 paid by the Barrack Master of the Province

, Signed, Adam Mabane

Resolved that the Attorney general be directed  
 to frame An Ordinance According to the above  
 Report

Presented Petition from James Potts for a  
 Grant of certain Ruins near the palace

Ordered to be entered in the Book

To His Excellency The Honourable James  
 Murray Esquire Captain general and  
 governor in Chief of the province of Que:  
 :bec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> And To the Hon<sup>l</sup> Mem:  
 :bers of His Majestys Council  
 The Petition of James Potts Esq<sup>r</sup>

Humbly sheweth

That there is near the Intendants palace  
 a Lot of ground with Ruins thereon bounded on

the

the South by the High Road leading from palace gate  
to S<sup>t</sup> Rockes on the West by the Court before the Inten:  
:dants palace On the North by the back Passage to  
said palace And on the East by the Lot lately conceded  
to John Hay. That said Lot of ground is of no  
Value or advantage whatever to His Majesty or the  
publick

Your petitioner therefore humbly prays your  
Excellency in Council to grant the same to him  
And his Heirs under the usual Reservations  
in these Cases

, Signed. JaPotts

Quebec 4 Dec.<sup>r</sup> 1765

Ordered that the ground be examined by a  
Committee of the Council who are to report their  
Opinion to this Board, whether it is of Any imme:  
:diate Use or likely to be of Any future Use to His  
Majestys Service

Read a petition from William Warren Brewer  
for an half of the Lot petitioned for by Margaret Page

Ordered William Warren And Margaret Page to  
attend next Council Day to be examined on their  
Petitions

Ordered a Warrant to be directed to the Receiver  
general to pay to The Attorney general, The sum  
of One hundred And forty pounds found due to  
him by the Committee, for half a years Sallery &  
His attending the assizes At Trois Rivieres

Read



Read the Reports of the Deputy Surveyor general of his Survey of the Lots petitioned for by Mess.<sup>rs</sup> Hay & M<sup>c</sup>Cord

Ordered to be fyled And the Committee appointed to visit the Lot petitioned for by James Potts to visit these Lots And report Accordingly

Thomas Parry having offered to give further Information against the people concerned in the Assault upon Thomas Walker Esquire at Montreal, A Committee are appointed to meet at the governors Country house on friday morning the Sixth Instant to examine him

Ja: Murray

At The Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on Wednesday the Eleventh Day of December 1765

Present

His Excellency The Hono.<sup>l</sup> Ja.<sup>s</sup> Murray Esq.<sup>r</sup> governor  
 Paulus Emilius Irving }  
 Walter Murray } Esq.<sup>rs</sup>  
 Adam Mabane }  
 Thomas Dunn }  
 Francis Mounier }

Read the Report of the Committee of the 6.<sup>th</sup> Instant  
 Ordered to be entered in the Book

At Sans Bruit The governors Country house on the Sixth Day of December 1765

Present

Paulus Emilius Irving }  
 Walter Murray } Esq.<sup>rs</sup>  
 Thomas Dunn }

A

A Committee of the Council Appointed last Wednesday the 4.<sup>th</sup> Instant to examine Thomas Parry further As to his Knowledge of the Assault upon M<sup>r</sup> Walker at Montreal

The said Thomas Parry being solemnly sworn on the Holy Evangelists Deposeeth that Corporal Yarrow mentioned in the former Deposition is a Cabinet Maker And that he is still in Quebec That Yarrow's Wife is a Washer woman and lives in a Hut near the Artillery Barracks And being Asked if Coleman is discharged from the 28 Regiment Deposeeth he do's not know but has been told that Coleman would not Accept of His Discharge And that he Coleman was born in Dublin And being asked if he knew or was informed of Any Reason Coleman could have for refusing his Discharge Deposeeth he supposes it was because he had a Hand in the affair with M<sup>r</sup> Walker And being asked where M<sup>c</sup>Laughlan was born Deposeeth he supposes it was in the parish of Inchigaly in the North of Ireland And further that M<sup>c</sup>Laughlan frequently refused to mount guard or go to Exercise while he Stayed in Quebec And that the whole Regiment talked of it And that M<sup>c</sup>Laughlan never was punished for his refusing And the Deponent believes they durst not confine him And further that it is imagined M<sup>c</sup>Laughlan is gone to his Wife in Ireland And further Deposeeth that one time last Summer when M<sup>c</sup>Laughlan was drunk at one Sergeant Pearsons, when Sergeant Rogers and he had had a quarrel some time befor in the Barracks, several of the non commissioned officers of the Regiment seemed to be afraid that M<sup>c</sup>Laughlan would make a Discovery, that they whispered from one to an other to that Effect And further Deposeeth he has had some

Conversation

Conversation lately with Ashman, that Ashman is a  
Labourer, but the Deponant could Discover nothing new  
from him And further sayeth not

, Signed, Thomas Parry

Sworn befor us  
Signed, { P. Em.<sup>s</sup> Irving  
Tho<sup>s</sup> Dunn }

Thomas Ainslie Esquire late Agent for the Kings  
Domaine in this province, produced An Accompt  
relating to these posts from the 10.<sup>t</sup><sup>h</sup> of September 1760  
to the 10.<sup>th</sup> of August 1762 Audited by The Reverend John  
Brooke Deputy Auditor for the province of Quebec to the  
Truth of which Accompt M<sup>r</sup> Ainslie made Oath befor  
his Excellency in Council

Ja: Murray

At The Council Chamber in the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Wednesday the  
Eighteenth Day of December 1765

Present

His Excellency The Hon..<sup>ble</sup> James Murray Esq.<sup>r</sup> governor  
Paulus Emilius Irving }  
Walter Murray }  
Adam Mabane }  
Thomas Dunn } Esq..<sup>rs</sup>  
Francis Mounier }  
James Goldfrap }

Whereas the Distributer of the Stamps has found it neces:  
sary to have the Act of Parliament relative thereto transl:  
ated into french

Ordered that the Curés of each parish read the Trans:  
lation in the same Manner as they read the Ordinances of  
this province

Read

Read two Letters from Monsieur Pellisier to the Governor  
with the Attorney Generals Opinion thereupon

Ordered the Letters and Opinion to be entered in the  
Book

Quebec 8 X.<sup>bre</sup> 1765

Monsieur

En Veritable cytoyen je ne peux m'enpecher d'informer  
Votre Excellence que dans une Sentence rendue a une  
Séance de quartier de la paix le six de ce mois, sur la  
deposition d'une Accusatrice sans temoin contre un Defen :  
:deur qui par un Temoin oculaire a prouver avec la  
derniere Evidence la fausseté de L'accusation contre luy  
le dit Defendeur a neanmoins été reconnu coupable par  
un corps de petits Jurés et qu'en consequence il a été  
condemné non seulement a payer tous les fraix, mais  
meme a une Amende de quatre livres de la province, et  
aussy a donné caution de sa conduite pendant six mois  
au risque de payer cinquante livres. Le resultat de cette  
affaire et les tristes evenements qui pourroient s'ensuivre  
m'ont faits ouvrir les yeux sur les veritables Interets de  
mes concytoyens. Je n'ose pas cacher a Votre Excellence  
que si l'administration de la Justice est continué sur  
le meme pied, Je crois que nos Vies et nos biens ne sont  
plus en sureté. Si un Delateur sans temoin a droit de  
faire condamner un Defendeur en de'pis de preuves evi :  
:dentes, L'ennemi opprimera son Ennemi, et Le Mechant  
opprimera L'innocence. La Candeur La Droiteur, les Bonnes  
Meurs, et la Vertue rien ne sera ` a l'abris de l'oppression

Je conçois que le Vice doit etre punis mais non pas  
que L'imposture démontrée doive L'emporter sur L'equité  
reconnu. Tel est pourtant la triste perplexité a  
laquelle Les Sujetts de Votre gouvenment se voyent

exposés

exposés, Si Votre Excellence / qui est icy le premier Chef de la Justice / ne daigne avoir égard a un Motif aussy pressant qui Je pense, tient nos Vies et nos Biens dans un Etat Arbitraire, et qui Vraisemblablement ouvreroit la porte a tous les maux.

Je supplie Votre Excellence d'etre bien persuadé qu'il n'y a que l'amour du bien general qui a dicté ma Lettre. Elle est dans tout son contenu suivant mon Opinion

J'ay L'honneur d'etre avec le plus profond  
Respect

Monsieur  
Votre tres humble et tres obeis  
-sant Serviteur  
, Signed, Pellissier

Quebec le 11. X.<sup>bre</sup> 1765

J'ay L'honneur d'informer son Excellence et l'honorable Conceil que le Six de ce mois il parut a l'audience de Messieurs les Juges de paix une femme nommée Marianne Beland qui se plaignit que Mons.<sup>f</sup> Guillame Le Roy Marchand de cette Ville L'avoit frappé ches luy

Cette Accusatrice ne produisit aucune Temoin pour prouver la Verité du fait, au contraire le Defendeur offrit de prouver la fausseté de L'accusation par la deposition de sa Servante, Messieurs Les Juges de paix luy Accorderent que sa Servante seroit entendu, et en consequence receurent sa Declaration, qui dementit en : tierement la Deposition de L'accusatrice, ajoutant de plus que la Defendeur avait seulement mis Mad.<sup>m</sup> Beland dehors de chez luy, parce qu'elle luy disoit des injures et a Son Epouse, et que meme elle avoit levé la main pour frapper mon dit S.<sup>f</sup> Le Roy. Le Chirurgien Mons.<sup>f</sup> Dubary, fut entendu, il deposa que Madame Beland luy avoit dit qu'elle avait été battu par M<sup>f</sup> Le Roy Mais qu'il n'en avoit rien vu; que le premier jour qu'il la visité il ne luy avoit trouvé sur le corp auc'une

playe

playe ny contusion, exepté une petite egratignure au menton, que cependant quelques Jours apres elle avait une marque Jaune a la hanche. il est bon d'observer que Mad.<sup>m</sup> Beland dans sa Deposition dit que le premier jour qu'elle se fit visiter par Mons.<sup>f</sup> Dubary elle avoit la hanche noire et blue et la genouil endommagé. M<sup>f</sup> Dubary a affirmé le contraire: ce qui est une Contradiction Bien marquéé contré cette deposante.

Voila donc une Accusatrice sans aucun temoin, elle se trouve dementis par son propre Chirurgien sur ces pretendues contusions, et par le Temoin du defendeur qui detruit toutes ses depositions en egard aux Coups qu'elles dit avoir reçue. Qu'elle conviction plus forte Veut-on exiger d'un defendeur, sur tout lorque son Accusatrice n'a aucun temoin? pour moy Je l'ignore : tout ce qu'il y a de certain c'est que M.<sup>f</sup> Le Roy Defendeur a eté condamné comme coupable a une Amende pecuniere : aire et a donner Caution de sa conduite pendant six mois

il est bien mortifiant pour un homme d'honneur et petri de sentiment de subir en pleine Audience des humiliations qu'il n'est pas capable de meriter. les Temoignages que ce Defendeur a donner de son innocence en sont de sure garanti ou bien il faudroit démontré qu'ils sont insuffisantes, ce que ne paroit pas vraysemblable, car ou un Temoin est recevable en Justice, ou il ne l'est pas? s'il n'est pas, il ne doit pas etre admis. s'il est ou si on l'admet, Sa Deposition doit avoir lieu, cependant Je ne vois pas que l'on ait fait la moindre attention a la Deposition du Temoin produit par le Defendeur, non plus qu'a la Declaration du Chirurgien qui fait porter a faux celle de L'accusatrice

Autant auroit il valu que le Defendeur n'eut rien produit pour sa deffense. L'on pouvoit donc le condamner sans l'entendre puisqu'il l'a été malgré ses Temoins

Si

Si l'on n'a point d'égard aux Temoins d'une Defendeur, c'est luy oter les moyens de Justification. Delors il ny aura plus de Ressource, et tous les Accusé seront coupables, ce sont pourtant les Suites funestes d'un pareil inconveni : ent. J'ignore quel est le nombre de Temoins necessaire pour la Justification d'un Accusé, qui ne l'est que par sa partie, mais il me semble que deux voix doivent l'emporter sur une dans tous les Cas. Dans celuy dont il est question peut-on objecter a M<sup>r</sup> Le Roy qu'il a été le premier a rompre la paix? non, puisqu'il est prouvé que Mad.<sup>m</sup> Beland a commencé a L'injurier elle a donc rompu la première la paix qui regnoit entre eux on ne peut pas dire non plus que la defendeur a rompu la paix en mettant hors de chez luy une personne qui l'insultoit : il est bien naturel que l'on chasse de chez soy celluy qui par ses invectives vient troubler la paix dont on Jouissoit. si il ne pas permis de le faire sans courir le risque d'être condamné en Justice il me semble que les honnetes gens seroient bien malheureux, puisque de lors rien ne sçauroit le mettre a l'abry non seulement des insultes des Mechants, mais meme des plus dures extremités d'ont ces Especes d'hommes sont capables. \_\_ Il est démontré que Mad.<sup>m</sup> Beland a troublé la paix, il ne l'est pas que l'accusé l'ait frappé, elle est donc la seule coupable. \_\_ J'ay l'hon : neur d'observer a Son Excellence et a L'honorable Conceil que Je n'impute a personne aucune faute dans cette affaire : les hommes sont sujets de faire des Erreurs, peut-estre est ce moy qui en faire une : cependant si J'ai raison, il me semble que les Con : clusions qui en resulteroient seroient aisée a deduire

Il me paroitra vraysemblable qu'un mechant homme, Delateur, trouveroit presque toujours les moyens d'opprimer l'innocence d'es que sa seule Deposition pourroit suffire malgré les temoins du defendeur,

ce

ce sont la les consequences que J'ai tireé de cette affaire  
ou le public a parut prendre part avec d'autant plus  
de raison qu'un chaquun se trouve interessé, non  
seulement en son repos mais meme en ses biens, son  
honneur et sa personne au reste mon Opinion ne  
fait rien aux Choses. \_ La Lettre que J'eu l'honneur  
d'ecrire le 8 derniere a Son Excellence le Gouverneur  
en chef de cette province. ainsy que cet escrit ne sont  
que des observations et mes propres conjectures, d'ont  
J'ai cru en bon cytoyen devoit luy faire part. C'est  
a sa sage prevoyance et a celle de l'honorable Conceil  
d'apliquer un Remede a ce mal, si l'on trouve que  
C'en soit un

, Signed, Pellissier

Quebec 16 December 1765

May it please your Excellency

In Obedience to your Order of 11.<sup>th</sup> Instant  
for referring to me, the Consideration of the two Letters of  
Mons.<sup>r</sup> Pellisier, the first of 8.<sup>th</sup> Instant addressed to your  
Excellency And the other / by way of Explanation of the for:  
:mer / of 11.<sup>th</sup> Instant to your Excellency in Council, And  
am of Opinion that they contain Opinions And Expressions  
Subversive of And dishonourable to all Laws in general  
especially to Laws constituted with so much lenity and  
Equity as Ours, for a more daring insult on the Adminis:  
:tration of Justice nor a bolder or more dangerous defiance  
was ever shewn to the Kings Laws, which he And all  
the new Subjects equally in common with the Old, are  
under the protection of and to which he And they are  
bound by their allegiance to yeild all dutiful obedience  
and Submission to, on pain of being deservedly punished  
with the utmost Severity, And as I am well informed

that



that His Majestys Justices of the peace in their Sessions proceeded regularly in the affair he complains of According to the established Rules of Law, And that they could not legally do otherwise than they did, Viz.<sup>t</sup> to allow the Prosecutrix for a breach of the peace to be sworn an Evidence for the King which was alone without other proof sufficient to support the Indictment, And the Evidence for the Defendant was also sworn & examined after which the Matter rested / As is usual in the like Cases / with the Petty Jury who are sworn to give a Verdict according to the Evidence And accordingly they believed the Evidence of the person assaulted And upon that Evidence they found the Defendant guilty And upon the Return of that Verdict the Court According to Law fined &<sup>c</sup> the Defendant, And they must have done equally the same had the like affair happened between two British Subjects, of all which Pellisier was duly informed yet he most arrogantly And audaciously Arraigns the Justice of our Laws And the Administration of Justice And even has the Insolence to say in his Letter of the 8.<sup>th</sup> Instant “That “if the Administration of Justice be continued on this footing he Apprehends that their Lives & fortunes are “no longer safe,” if An Englishman had said but half As much he would deservedly have been punished with the Umost Rigour of the Law, but how far the single Consideration of Pellisiers being one of the new Subjects And this being his first offence may in your Excell.<sup>ys</sup> Judgement exempt him from punishment, is not for me to determine Yet I hope it will never be forgot that no Insult on our Sacred Laws And the Kings Courts of Justice ought to pass by with a total Impunity, And therefore I would beg leave to recommend that Pellisier should in open Sessions Acknowledge his fault And publickly ask pardon for the same, And

as

as I am credibly informed that he has been endeavour:  
:ing to poison the minds of several people with his pernici:  
:ous principle, I think he ought to enter into a Recog:  
:nizance of Five hundred pounds with two sufficient  
Sureties in Two hundred & fifty pounds each to be of the  
peace And good Behaviour for Twelve Months to come  
And if he refuses to comply herewith he ought to be  
committed to prison till he finds good Security for his  
personally Appearing in the Supreme Court the first Day  
of next Term to Answer to such Articles As on His Ma:  
:jestys Behalf shall then & there be objected against him  
All which is humbly Submitted to your Excellency in  
Council by

Sir

Your Excellencys Most Obed.<sup>t</sup> & most  
hum<sup>l</sup> Serv.<sup>t</sup> , Signed' Geo: Suckling  
Att<sup>y</sup> gen.<sup>l</sup>

Resolved that the Clerk of this Board send to the Justices  
of the peace a Copy of the above Opinion And recommend  
to the Justices to proceed in the affair accordingly

Read petition from John Costen Ship Carpenter

ordered to be entered in the Book & referred to a  
Committee of Council who are to examine the Spot petitioned  
for And report next Council Day

To His Excellency James Murray Esq.<sup>r</sup> governor  
of the province of Quebec And The Hon<sup>l</sup> His Majestys  
Council

The humble petition of John Costen Ship  
Carpenter

Humbly sheweth

Your petitioner finds a very great inconvenience  
at this rigorous Season of the year for want of a convenient  
place to erect a Shed to carry on his Business with Dispatch  
for building small Craft, prays your Excellency And the

Hon<sup>ble</sup>

Hon<sup>ble</sup> Council would allot him a small spot of ground at the lower End of S<sup>t</sup> Nicolas Street, to erect a Shed on, Your petitioner has showed The Hon<sup>ble</sup> Thomas Dunn Esq.<sup>r</sup> And The Hon.<sup>l</sup> Francis Mounier Esq.<sup>r</sup> a Spot that is very suitable for the purpose, it is from all other Buildings a considerable Distance, so hope you will take his Case under your Consideration & grant his prayer And your Petitioner in Duty bound will pray

, Signed, John Costen

Read the Report of the Committee of the 5.<sup>th</sup> Instant  
Quebec 5 December 1765

} Adam Mabane  
} Thomas Dunn Esq.<sup>rs</sup>  
} Francis Mounier

A Committee Appointed by the Council to Visit the Lots of Ground petitioned for by John Hay John M<sup>c</sup>Cord Mons.<sup>r</sup> Hertel de Rouville & James Potts are of Opinion that these Lots are of no immediate Use to His Majesty And that granting the Lots with a Reserve to the King to take them to himself if he should afterwards have Occasion for them can be no Detriment to him or the public And as a further Reason for granting the petitions the parts of these Lots unoccupied by the Petitioners serve only to debauch the Soldiers by little Ale houses being thereon erected

, Signed, Adam Mabane

Ordered a Warrant to be directed to the Surveyor general to Survey the Lot petitioned for by James Potts And that a Warrant be made out to the Attorney general to draw a Draft of Letters patent under the Broad Seal of the province for the Lots petitioned for by John Hay John M<sup>c</sup>Cord And Hertel de Rouville

Read

Read petition from Joseph Isbister for a Grant of certain Lands therein mentioned

Ordered the Petition to be considered by the Committee who are to report next Council Day

Read petition from John Dalglish for a grant of certain Ruins near the palace

Ordered to be referred to the Committee

Presented Petition from Isaac Werden for a grant of One thousand acres of Land near the River de Loupe

The Council refuse granting M<sup>r</sup> Werdens petition

Presented Petition from Brown And Gilmore Printers for Money

Ordered to be fyled till a further Day

Read a Letter from the Chief Justice in Answer to Mr Aylwins Deposition of the 25.<sup>th</sup> of July last

Ordered to be fyled & Entered in the Book

To His Excellency The governor And the Honb.<sup>le</sup> The Council of the Province of Quebec

Gentlemen

I have lately been furnished with a Copy of a Deposition of Thomas Aylwin now one of the Justices of the peace for this province, relative to a private conversation / which he alledges to have passed some time last Winter / in a public Assembly between him And me, I can not help observing that the Subject Matter of the Conversation, the time And the place are so very improbable and unlikely for such a Supposed Conversation that I really think it sufficiently contradicts itself;

more

more especially when it is considered that I never knew M<sup>r</sup> Aylwin till my Arrival in this place, And since that time have never improved that acquaintance further, than to take off my Hat when I chanced to meet him, he having no Qualifications that I could ever hear of to induce me to wish to cultivate an Intimacy with him

I must further take notice that not only my words but even my very looks and gestures are so Strictly observed and attended to, as to be construed in such Manner as they Deponent shall think proper, And then reduced into an affidavit against me, why so Strict a Watch should be kept over my private Words and actions I am at a loss to Account for; and happy I am to find no hold has yet been taken of my public Conduct / which I must suppose / would first have been attacked had there been any just Cause of Objection against it

I must further also ask any impartial person what Credit ought to be given to the Affirmation of the man, who is base and mean enough to betray a private Conversation even were it true, and some what extraordinary it must Appear; but most true it is that this is the third time my Supposed private conversations have been betrayed in this Manner and reduced into affidavits during my short Residence in this province. \_\_\_ From a part of the Deposition of said Aylwin / if true / it should seem that the governor nor himself had been Accused, before said pretended conversation, of disclosing who voted for And who voted against some particular Ordinances, which I am satisfied must have been only a malicious And Scandalous Aspersion, And certain I am that there is not Any Man who knows or is acquainted with my

Mode

mode of Expression, that will believe me capable of so Coarse so ungentlemanlike an Answer, as to say such or such a thing is a Lye, this is not my manner of expressing myself if I chuse to contradict a thing, I can convey my Sentiments in as Strong but more genteel terms, such being only proper for persons of the Deponents Class & Education.

Upon the whole Circumstances of the affair, And upon the best recollection I am at this Distance of time able to make, I do not remember ever to have had any private Conversation at any time or place whatever with the Depo: :nent, but am certain I never had Any such As in the Deposition is particularly mentioned and set furth

I must also say I think it very extraordinary that this affair came not to light before the 25.<sup>th</sup> of July last so many Months after the Supposed Conversation is said to be had, And shall hold myself for the future excused from sitting down to write Answers to every person who shall think proper to attack me in this Scandalous And ungenerous Manner, if Accusations of this Nature are admitted And Countenanced no Man is safe the most exalted Charecters are subject to be maligned & calumniated by low designing people

I have the honor to be with all due Respect  
Your Excellency & the Councils most  
Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, W.<sup>m</sup> Gregory } C. J.  
Quebec 11 December 1765

Ja: Murray

At Sans Bruit The governors Country  
house on Thursday the Second Day of January  
1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq<sup>r</sup> gov.<sup>r</sup>  
 Paulus Emilius Irving }  
 Walter Murray } Esq<sup>rs</sup>  
 Adam Mabane }  
 Thomas Dunn }  
 Francis Mounier }

Resolved, upon the application of James Goldfrap  
Esquire Deputy Register of this province that Mons.<sup>r</sup>  
Robin be ordered to deliver up the Records in his  
possession to Mess<sup>r</sup>.<sup>s</sup> Mabane And Mounier a Committee  
of this Council who will take an Inventory of the papers  
Books &<sup>c</sup> And deliver the same to M<sup>r</sup> Goldfrap who  
will sign a Receipt for the same which with a Dupli-  
cate of the Inventory is to be lodged with the Clerk of  
the Council

Presented a Representation from Mons.<sup>r</sup>  
Hertel de Rouville in Name of the Canadian Subjects  
in the District of Montreal requesting Leave to assem-  
ble there to consult about and represent to this  
Board what they may think concerns the Interest  
of the province

Resolved that His Majestys Canadian Subjects  
at Montreal have Liberty to assemble in the same  
Manner with those at Quebec and that one or more  
of the Members of this Board be present at such  
meeting to dissolve them if they see Cause, And any  
of the Majistrates may attend if they think proper

Read the Report of the Committee of the 28 of Decem<sup>r</sup>

Ordered

Ordered the Report to be entered in the Book

Quebec 28 Decem.<sup>r</sup> 1765

Present

The Hon<sup>l</sup> Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap } Esq..<sup>rs</sup>

A Committee appointed last Council Day to consider  
And report to the Board their Opinion of the petitions  
presented by John Costen, Joseph Isbister And John  
Dalgliesh.

The Committee are of Opinion that the Spot pe:  
:titioned for by Costen ought not to be granted him  
but during this Winter only, As it is the place where  
the Inhabitants of S<sup>t</sup> Roche land all their goods Wood &.<sup>c</sup>  
when the Navigation of the River is open, And that  
he should be obliged to remove in the Spring Any  
Shed or other Building thereon erected

The Committee are further of Opinion that the  
Petition of M<sup>r</sup> Isbister can not be granted, the Spot  
first mentioned in his Petition being already conceded  
to Mons.<sup>r</sup> Rouville, And the other place is used for  
a mast house, And Shed to lay up the Kings Boats,  
And further that no fishing Banks can be granted  
exclusively to Individuals

And the Committee are of Opinion that there is no  
immediate Necessity for granting the Lot petitioned for  
by M<sup>r</sup> Dalgliesh the Council may retain in their own

hands



hands certain Spots to reward the Servants of the  
public

, Signed, Adam Mabane

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Thurs:  
:day the Sixteenth Day of January 1766

Present

His Excellency The Hon.<sup>l</sup> James Murray Esq.<sup>r</sup> gov.<sup>r</sup>

Paulus Emilius Irving	}	Esq.. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

Resolved that the Quit Rent to be paid his Majesty  
by Mess..<sup>rs</sup> Hay And M<sup>c</sup>Cord for the Lots lately granted  
to them shall be fifty Shillings Sterling pr Annum each

Presented Petition from Captain John Fraser  
ordered to be entered in the Book

To His Excellency The Honourable James Murray  
Esq.<sup>r</sup>. Captain general and governor in Chief of  
the Province of Quebec &.<sup>c</sup> &.<sup>c</sup> In Council  
The Petition of Captain John Fraser

Humbly sheweth

That your Petitioner as a half pay Captain  
is intituled to Three thousand Acres of Land to be granted  
him upon his Application to your Excellency & Honors  
And he Apprehends his Services in this province when  
a Member of the Military Council befor the Establishment  
of civil government intitule him to something besides  
his Rank of Captain

your

336  
29  
3024  
672  
9744

Your petitioner has the honor to represent to The Honourable Council that there is a piece of ground containing 29 Acres in front by 336 in Depth lying betwixt the Seigneurie of De la Salles belonging to Mons.<sup>r</sup> René Cartier And the Seigneurie De la prairie de la Magdalene belonging to the Jesuits at least in their possession which Tract has never been conceded or granted And is at present unpatented Land your Petitioner therefor humbly prays that your Excellency & honors will grant to him the Tract befor mentioned , Signed. John Fraser

Resolved in Consideration of the peculiar Services Captain Fraser has rendered this Colony that his petition be preferred to all others if the Land petitioned for is in the gift of the Crown

The Honourable James Goldfrap Esquire moved to the Board that he is a Senior Councillor to the Hon.<sup>l</sup> Benjamine Price Esq.<sup>r</sup> M<sup>r</sup> Price being swore in after him

Resolved from hencefurth these gentlemen take place at the Board accordingly

Ja: Murray

At Sans Bruit The governors Country  
house on Tuesday the fourth Day of February  
1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq.<sup>r</sup> gov.<sup>r</sup>  
The Hon.<sup>l</sup> William Gregory Chief Justice

Paulus Emilius Irving }  
Adam Mabane }  
Thomas Dunn }  
James Goldfrap }

Read a Letter from general Burton to His Excellency  
dated 30.<sup>th</sup> January 1766 & a Letter from Captain  
Morris to general Burton referred to in the above

Ordered these two Letters to be entered in the Book

Montreal January 30. 1766

Sir

Since the burning of one of the houses hired  
here for Barracks repeated Complaints have been made  
to me by the commanding officers of the two Corps gar:  
:risoned in this town regarding Soldiers being turned out  
of their Quarters. I waded as long as possible troubling  
your Excellency with these Complaints hoping the  
Instructions you had given to the Justices And Provin:  
:cial Barrack Master would have proved effectual for  
having his Majestys Troops properly lodged. \_\_ It is with  
the greatest Reluctance, I am now under the disagreeable  
Necessity of transmitting to your Excellency the inclosed  
Complaint of the officer commanding part of His Ma:  
:jestys 27 Regiment in garrison here; it fully  
represents the disagreeable Circumstances the Troops are  
in at present in this town. Complaints of this kind  
I have reason to expect must repeatedly be made to me

In

In Consequence of this last Complaint to me I desired this Day a Meeting of His Majestys Justices of the peace of this District together with the provincial Barrack Master where I in person Applied to them for Billets for such of His Majestys Servants garrisoned here as are now reduced to lay in the Streets or at the different guards They expressed great Willingness to have the Troops properly lodged in this severe Climate and at present very inclement weather, but added that having Acted As far as they thought themselves Authorised, the public houses were already overcharged, And they could not without further powers take upon themselves to Billet upon Any other houses, desiring I would make Application to higher powers. . The Barrack Master informed me at the same time that it was not possible for him to provide for such men as were every day lyable to be turned out of their Billets, considering the unlucky Accident which had destroyed one of the hired houses intended for Barracks, and with it most all the furniture & Utensils he had provided. It is therefor my Duty as Brigadier commanding in this District, to beg your Excellency will consider the present Situation His Majestys Troops are in, And give such Orders as in your prudence you shall think necessary and effectual upon this Emergency and pressing Occasion

I have the honor to be

Sir

Your Excell<sup>ys</sup> most Obed.<sup>t</sup> & most  
hum<sup>l</sup> Sev.<sup>t</sup> , Signed, RBurton

To His Excellency  
governor Murray &<sup>c</sup> &<sup>c</sup> &<sup>c</sup>

Sir

Sir

Montreal Jan<sup>ry</sup> 29. 1766

Notwithstanding our hopes that the measures lately taken, would have brought the Inhabitants to a tolerable temper, And tho' all must be sensible of the present Exigence a fresh Instance of Our Soldiers being turned into the Streets without provocation or Apology obliges me to complain

On their flying to me for Redress I repeatedly sent the Sergeant Major to know if they had given any Cause of Dissatisfaction to the people of the house, the Door was purposely shut against him, but he was told they had no Right to quarter nor would they, adding that if the Soldiers did not take away their necessarys they would be thrown in the Streets. – The Men have layen /as usual in this too frequent Case/ one Night already on the Guard Bed, All we expected was that after two or three more a majistrate would procure quarters in some of those miserable Cantines where one half of the Act will or can not be complied with but even this is denied & the Justices who used to give Billets refuse to act.

The Circumstances in this Respect under which our Men have for some time been, are miserable & Scandalous, you know Sir they are at best but tenants at will. those who do not submit to menial & unbecoming offices are dayly told they are kept for Charity, some of these miscreants for whom their Labours have procured or Lenity saved houses refuse coming to Any terms about Quartering, And urge those who are better disposed to do the same. this is a Situation which I believe no body of Troops, who had not meanly surrendered for their lives ever was in before.- The Native Reverence we have for the Supreme Legislature of our Country, that Obedience to Superiors which the Spirit of our profession inspires, has rendered the meanest of our men /however reviled in the

illiberal

illiberal prints at home, As well as on this Side the Atlantick / willing to Submit to every Injury rather than do Any thing that may seem to wound its Authority or violate its Laws, But when these honest principles are made the Engine to perplex, & oppress 'em it becomes the Duty of us who are immediately to exact their Obedience to intercede in their Behalf. While Any method of palliating things remained, I forbore, sensible of the Difficultys his Majestys Servants here must have in remedying Complaints of this Nature, no one wou'd be more averse to making any; but I have now no other Resource. Whether this Situation be tolerable, whether as well as lessening the Soldiers, it is not a Dishonour to the Nation they serve, whether it has not the most prejudicial Effects on His Majestys Service, whether some immediate Remedy is not required, And whether the present necessity do's not justify Any that can be fallen on is humbly Submitted by

Sir with the greatest Respect  
Your most Obed hum<sup>l</sup> Servant

\_\_\_\_\_  
To Major gen<sup>l</sup>Burton , Signed. Apollos Morris Cap<sup>t</sup>  
command<sup>g</sup> the 27 Regim.<sup>t</sup> at  
Montreal

Read three Letters from Captain Carden to His Excellency  
date the 2.<sup>d</sup> 23.<sup>d</sup> & 30.<sup>th</sup> of January

Ordered to be fyled

Read two Letters from Mons.<sup>r</sup> Rouville dated the 22.<sup>d</sup> &  
30.<sup>th</sup> January

Ordered to be fyled

Resolved

Resolved that the Chief Justice & Attorney general as soon as possible prepare An Ordinance for quartering His Majestys Troops in this province agreeable as near as Circumstances will permit to the Act of parliament for quartering the Troops in America

His Excellency informed this Board that he had procured in the mean time lodgings for the Troops at Montreal from the Jesuits And Recollets if no other Method could be fallen upon; for which purpose M<sup>r</sup> Mabane one of the Members of this Board is to set out for Montreal immediately; Resolved that His Excellency furnish him with Instructions necessary to obviate the Difficultys mentioned in the Letters entered & fyled by this Days Order

Presented Petition from the Procureurs & others who have Causes depending in the Court of common pleas at Quebec praying a prolongation of the present term because of the Multiplicity of Business befor said Court

Resolved that the Court of common pleas shall be empowered to meet on the 24 Day of March next And to continue Sitting till they have determined the Causes depending before them

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Wednesday the Nineteenth Day of  
March 1766

Present

His Excellency The Hon<sup>ble</sup> James Murray Esq.<sup>r</sup> Governor  
The Hon<sup>l</sup> William Gregory C J  
Paulus Emilius Irving  
Walter Murray  
Adam Mabane  
Thomas Dunn  
James Goldfrap

} Esq<sup>rs</sup>

Read a Letter from general Burton dated the 13 March

Ordered to be entered in the Book

Montreal March 13. 1766

Sir/

I have the Satisfaction of informing Your Excellency that in Consequence of your Directions to M<sup>r</sup> Mabane Houses are provided for the lodging of the Troops at present quartered here, which they will go into in a few Days. I will not miss this Opportunity of acquainting you how very diligent and exact Captain Carden has been in fitting up And furnishing the hired houses, with all the Utensils &<sup>c</sup> &<sup>c</sup> for the Soldiers, A properer person certainly could not have been appointed for this Department.

I likewise think proper to acquaint your Excellency that the Walls of this town will want painting And some small Repairs, this next Spring. When I came to this government I found that such Repairs when wanted were made at the Expence of the town, As the

French



French King had advanced the necessary monies, for the Walls and Fortifications of this place, he caused an Edict to be published in the year 1716 and renewed in 1748, whereby the Inhabitants of this Town were to pay yearly 6000 livres whereof One third was to be paid by the S<sup>t</sup> Sulpiciens as Lords of the Manor, for keeping up the said Walls and Fortifications in proper Repair. In consequence of that Custom general gage finding some Repairs necessary in 1762 ordered the Captains of Militia to make what Bargains they thought proper with Workmen And authorised them to levy in the proportion they judged best the sum wanted for that purpose, according to the French Kings Regulation, Viz.<sup>t</sup> Two thirds from the Burghers & Convents And One third from the S<sup>t</sup> Sulpiciens naming a person from themselves to receive And pay out said Moneys, the Bargains made for the Repairs And the Account of the Rates levied to pay them were directed to be layed before the Governor for his Approbation. One Mons.<sup>r</sup> Hervieux a Captain of Militia was named by this assembly in 1764 some Repairs being again Wanted I followed the same Method General Gage had Appointed.

Having thus thought proper to acquaint your Excellency with a State of this affair, you are the best Judge what Orders & Directions to give thereupon

I have the honor to be with great Regard  
Sir your Excellencys Most Obed.<sup>t</sup>  
humble Serv.<sup>t</sup>

To His Excell<sup>y</sup> , Signed, R Burton  
governor Murray &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>

Presented Petition from the grand Inquest of last Hillary term for payment of their Expences attending the Court Ordered to be fyled

Resolved

Resolved that the people not being at present  
Subject to any provincial Tax they may contribute  
their personal Service for the good of the public therefor  
the Council will not take upon them to order payment  
of the Expences petitioned for Ordered the Sheriff to  
repay what money the petitioners have paid for firing  
And a Room and charge the same to the public

Presented Petition from Benjamine Compte for  
Liberty to withdraw his Security given in the Court of  
Kings Bench for Samuel and Joseph Gridley

Resolved that this Board can not interfere in  
that Business

Presented Petitions from Samuel Hollandt Esq.<sup>f</sup>  
Lieu.<sup>t</sup> Frederic Haldiman, Thomas Johnstone Tho.<sup>s</sup>  
Wilmot Hugh Fraser & Mons.<sup>f</sup> Rousseau for Land in  
the Bay of Chaleur

Ordered to be fyled with the others till the Survey  
is completed

Presented a Return from the Deputy Surveyor  
general of a Survey taken by order for Jacob Rowe

Ordered to be referred to a Committee

Presented Petition from Captain John Brown for  
Three thousand acres of Land

Ordered to be referred to a Committee

Presented Petition from John Lees Esq.<sup>f</sup> for Thomas  
Christie And William Weir for payment of their Expences  
As Jurors in the tryal of the assault on M<sup>f</sup> Walker at

Montreal

Montreal at the assizes held at Quebec And Three Rivers

Ordered to be referred to a Committee

Presented Petition from Andrew M<sup>c</sup>Clure a Black:  
:smith for liberty to erect a house & forge near palace  
Gate

Ordered to be referred to a Committee

Presented a Representation from John Collins Esq<sup>r</sup>  
Deputy Surveyor general

Ordered to be entered in the Book

To His Excellency The Honourable James Murray  
Esq.<sup>r</sup> Governor of the province of Quebec &.<sup>c</sup> &.<sup>c</sup>  
And The Ho.<sup>l</sup> His Majestys Council

May it please your Excellency And Honors  
I judge it to be my Duty to Acquaint you with every  
thing I learn in the different places where my  
office calls me, for the Benefit of the province, it is  
on this Account I take the liberty of mentioning  
the following Matter which Occurred to me on my late  
Journey to the River De Loup; It appears to me  
there is a great want of opening a Road through  
the high Lands from the Camourascas to the River  
Trois pistoles. This will relieve the Inhabitants  
from Any Inconveniency which they labour under  
at present, And which they are so sensible of as to  
be unanimous in praying such a Road may be  
opened, It will be beneficial also not only to the  
Inhabitants, but may be greatly so to the merchants  
of this City And perhaps Occasionally contribute to  
the Safety of the Colony. For I beg leave to observe  
to your Excellency & honors, that the River of Trois  
pistoles is but two leagues & a half distant from

the

the Island of Bic, the first anchoring place in coming up the River And where nothing can come but it may be seen from the former place, from this you will easily perceive that were posts & Ferrys established and Bridges erected over some small Rivers it might not only contribute frequently to the Benefit of the Merchants by forwarding Expresses and Advices but also be of use in giving Notice of the Approach of Danger from an Enemy. With this View I have taken some pains to enquire along the Road for proper persons to be appointed Masters of posts And have found a sufficient number both proper to be intrusted with it and willing to under take it

I have the honor to be Your Excell<sup>y</sup> & honors most Obed hum<sup>l</sup> Ser.<sup>t</sup>  
, Signed, John Collins D. S. G.

Ordered the above Representation to be referred to a Committee

Presented Petition from Mons.<sup>r</sup> La Naudiere for a Slip of ground near the Bishops palace

Ordered to be referred to a Committee

Presented Petition from Zachariah Thomson for a grant of the House & ground presently possessed by him near the Intendants palace

Ordered to be entered in the Book

To His Excellency the Hon<sup>l</sup> James Murray Esq<sup>r</sup>  
Captain general & governor in Chief of the province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> In Council

The Petition of Zachariah Thomson

Humbly sheweth

That your Petitioner by

your

your Excellencys permission has at a great Expence repaired And fitted up that part of a Lot of ground & Ruins thereon which he presently possesses lying near the Intendants palace. \_ That the said Ruins & Lot of ground was totally useless to his Majesty or the public, And therefore your petitioner prays your Excellency to grant the same to your Pet.<sup>r</sup> And his Heirs as unpatented Lands, under such Quit Rent And Restriction as to your Excellency shall seem meet And your Petitioner shall ever pray

, Signed, Zach: Thomson

Quebec 17 feb<sup>ry</sup> 1766

Ordered the above petition to be referred to a Committee

Presented Petition from Thomas Ainslie Esq<sup>r</sup> Collector of Quebec

Ordered to be Entered in the Book

To His Excellency the Hon<sup>l</sup> James Murray Esq.<sup>r</sup> Governor in Chief of the Province of Quebec in Council

The Petition of Thomas Ainslie Esquire

humbly sheweth

That the Wharf or Quay commonly called the Kings Wharf in the lower town of Quebec is going to Ruin for want of proper Repairs, which will be a great Detriment to the public, your petitioner will undertake to put the same in proper Repair & keep it so in time to come providing your Excellency will please to grant it to him & his Heirs, reserving to the King his prior Right for all his Ships Stores &<sup>c</sup> to be there landed & only obliging the public to pay to the petitioner the moderate Wharfage as Settled for the other Wharfs by order of Council & your petitioner will ever pray

, Signed, Tho<sup>s</sup> Ainslie

Ordered to be referred to a Committee

Presented

Presented Petition from John Clerk Carpenter for payment of sundry Acco.<sup>ts</sup> of work done for the public

Ordered to be referred to a Committee

Presented Bills from four Tradesmen for the Reparation of the house in the garden of the Castle of S.<sup>t</sup> Louis

Ordered to be referred to a Committee

The Committee are also to consider a Petition of Brown and Gilmore filed the 18 of December last And to consider the Draft of An Ordinance for the Reparation of the Highroads in this Province And to report next Council Day

Ja: Murray

At Sans Bruit the governors Country house on Thursday the Twenty Seventh Day of March 1766

Present

His Excellency The Honb.<sup>lc</sup> James Murray Esq.<sup>r</sup> governor  
Paulus Emilius Irving }  
Walter Murray }  
Adam Mabane } Esq.<sup>rs</sup>  
Thomas Dunn }  
Francis Mounier }  
James Goldfrap }

Read a Report from the Honourable Adam Mabane from Montreal in consequence of His Excellencys of His Excellencys Instructions of the 6 of February 1766

Ordered the Instructions & Report with the papers referred to to be Entered in the Book Viz.<sup>t</sup> N.<sup>o</sup> 3. 4. 13. 5. 6 N.<sup>o</sup> 7. 9. & 10

Instructions

6 February 1766

Instructions for M.<sup>r</sup> Mabane in Consequence  
of the Order of Council

As it appears by the Representations of Major general Burton many difficultys have arisen in lodging the Troops at Montreal And many bad consequences are apprehended from the Refusal which the Inhabitants have made to quarter the Troops since the burning of the house intended for Barracks, you are to do your utmost to bring the said Inhabitants to Reason

In case of a Refusal on the part of the Inhabitants or an Impossibility to hire houses, you are hereby Authorised / As there is an absolute necessity the Troops be lodged/ to take possession of the Religious houses of the Jesuits And Recollets, the Superiors of these Orders chearfully consented to give them in Case no other Expedient can be found; And as I am informed that there are two halls at the Hotel Dieu which at very small Expencc may be so fitted up As to contain Two hundred men, you are to Endeavour to get the Consent of the Nuns to hire these Halls for the purpose of lodging the Kings Troops: It is to be hoped that these halls with the house already hired by the provincial Barrack Master will be sufficient to lodge the Troops at present quartered in Montreal, four hundred Sets of Bedding &.<sup>c</sup> are already sent from this place; the provincial Barrack Master will procure such Orders to be given to prevent fire &.<sup>c</sup> As will be most agreable to the said Nuns.

As ever since the Establishment of the civil government, the Council has had constant complaints And difficultys from Montreal, you will enquire into the Causes report the same As likeways the most probable means to prevent them for the future.

As the Seigneurs of the District of Montreal have presented a Petition to the governor & Council requesting

leave

leave to assemble in Order to deliberate upon such Matters as they may think necessary to represent to Government you are to take Care that no person should interupt this Meeting under the Restrictions which the Order of Council in Consequence of the said Petition has Subjected them to I have received Orders from the Secretary of State to signify to the new Subjects that they may make Representations of their just grievances in order to be redressed by His Majesty.

From the Report of the provincial Barrack Master there is Reason to suspect that the house intended for Barracks has been burnt purposely, you are to make such Inquiries As to you shall seem necessary for a thorough Discovery of the same

, Signed, Ja: Murray

To The Hon<sup>l</sup> Adam Mabane

Report of M<sup>r</sup> Mabane to The governor & Council in consequence of the Instructions which he received by order of Council of the 6 Feb.<sup>ry</sup> 1766

Upon my Arival at Montreal I presented the governors Letter to Major general Burton, who as he was to set off that Day for three Rivers, referred me to the Commanding officers of Corps till his Return. \_ I found the Difficultys relative to the lodging the troops had been much diminished, after the Representations had been sent from general Burton, the Majistrates had billeted upon the public houses such Soldiers As had been turned out of their Quarters either by the Caprice of their Landlords or on account of their keeping bad hours.

I spoke to the principal Inhabitants As likeways in a particular manner to Mess.<sup>rs</sup> Montgolfier & Rouville representing to them the bad consequences that might happen from the

indiscreet



indiscreet refusal, which the Inhabitants of Montreal made to lodge the Troops; they assured me that the greatest part of the Citizens was well inclined to lodge them for a limited time, but that as the assembly held in order to deliberate upon the most effectual means, was open to every body, the young and inconsiderate attended with some foreigners And the British Traders had made such Noise & created so much Confusion, that the principal & well disposed Citizens were obliged to withdraw themselves from the assembly without having declared their Sentiments; that the British Traders And others residing at Montreal, had insinuated to the Canadians that any consent on their part tho' for a limited time, would be the means of perpetuating the Burthen of lodging the Troops upon themselves; I desired them to recollect the Steps which the governor & Council had taken to ease them of that Burthen, As soon as the act of parliament relative to the quartering the Forces in North America had reached the province; that as these Steps had for the present proved abortive, by the burning of the house intended for Barracks, any Refusal on the part of the Canadians to lodge the Troops, when the necessity was so urgent and so evident, could not but prejudice the Kings Ministers against them, & contradict the many Reports which the governor had made of their Zeal for & Submission to the Kings Service: I acquainted them that as there was an absolute necessity to lodge the Troops I had orders, in case I could not get houses to hire to put the Troops in the Monastrys, as the Superiors of the Jesuits and Recollets had consented to give theirs: I likewise mentioned the Halls at the Hotel Dieu, & requested Mons.<sup>r</sup> Montgolfier to assure the Nuns that the Council had no Design to interfere with their Institution, or diminish Any thing from the Respect due to their Order I received for answer, that the greatest part of the houses which had been destroyed by fire last Summer had not been so far rebuilt as to be habitable this Winter, hence

arose

arose the Difficulty to find houses to hire within the Walls, that if general Burton had not absolutely objected to it the provincial Barrack Master would long ago have found houses in the Suburbs sufficient to quarter the Troops; I told them that general Burton was the sole Judge of the propriety or impropriety of quartering the Troops without the Walls, but promised to speak to him upon his Return from Three Rivers, And in the mean time beg'd them to consider the bad consequences, which might proceed from the Soldiers being insulted by their Landlords.

I enquired into the State of the Monastrys, & found that the greatest part of the Jesuits Colledge was already occupied by the public, that the Recollets Convent before it could be converted into a Barrack would require many additional Chimneys which neither the Climate or Season would admit of. M<sup>r</sup> Montgolfier acquainted me that the Nuns had hired their two halls to a merchant, who employed them as a granary, tho' if I could free them from that Engagement, The Nuns would consent to lodge the Troops in Case of Necessity, tho' the apprehension from fire would Subject them to perpetual Alarms.

These Considerations made me abandon the Design of putting the Troops into the religious houses, especially As the Necessity was not so urgent or so Striking to reconcile the measure to the people, who might think their Religion aimed at by turning out their priests: indeed I was very confident that not only the priests, but the principal Inhabitants would exert themselves in such a manner as to prevent my being reduced to Any such necessity. \_ The provincial Barrack Master published by beat of Drum, that such Inhabitants as had Soldiers

quartered

quartered upon them should upon application to him, receive a Dollar per Month for every Man. Upon Enquiry we found that it cost that sum to such Inhabitants as hired Lodgings for the Soldiers billeted upon them

Some Days after general Burtons Return from Three Rivers, the provincial Barrack Master And I met the commanding officers of Corps at his house, much conversation ensued, the Result was that I should endeavour to find houses within the Walls, And in Case I could not general Burton should withdraw his objection to houses in the Suburbs provided I would write him a Letter assuring him that the Arrangement was only temporary. As Montreal is rather a Cantonment than a fortified town, his Delicacy or Difficulty appeared to me ill placed, tho' to prevent all Altercation I agreed to write him conformable to his Desire

I wrote a Letter to M<sup>r</sup> Rouville /N.<sup>o</sup> 1/ in order to be by him communicated to the principal Inhabitants And with the provincial Barrack Master And him endeavoured to get houses within the Walls. It was a generally received Opinion, that the house intended for Barracks had been wilfully set on fire by evil minded persons, hence the utter Reluctance on the part of the Inhabitants to hire houses for the Troops: To obviate that I was obliged however irregular it may be to insure the houses against Fire, at the Risque of government, provided it should appear that the Soldiers being lodged in them was the Cause of it. The papers markt /N.<sup>o</sup> 2/ are the Leases. - The garrison of Montreal consists of

340 340 Men, who are quartered in three houses within the Walls & two in the Suburbs; in Case the garrison is compleated or Augmented, the public houses will be a Resource, they are too numerous being no less than 70 tho' so very poor that even upon an Emergency they could lodge but 111 Soldiers. - The Provincial Barrack Master used great Expedition in filling the houses up, he

shewed

shewed them to general Burton & Colonel Massie, who declared themselves perfectly satisfied, indeed the Troops are as well lodged as Circumstances would admit, & I hope there is now an End to further Complaints & Disturbances on that head. Agreeable to my promise I wrote General Burton the Letter /N.º 3/ & received for Answer /N.º 4/ His insisting so much on the Service being interested whether the Troops are within or without the Walls made me the more pleased at having Amicably accomplished that part of my Instructions which regards the quartering the Troops at Montreal.

The bad consequences of leaving the Military Governor to command the Troops, after the Commencement of civil Government, And the not relieving those Troops which had so long governed that part of the Country, have been but too much felt and are well known to your Excellency & Honors Hence the Disputes between the Troops & the first Set of Majistrates, An other circumstance not as yet attended to has contributed much to the Discontents & Disturbances at Montreal especially As that City is so removed from the Seat of government, & has no Lieutenant governor to reside in it. general gage when military governor erected a Court of Judicature for the Determination of property, It was composed of the Captains of Militia of the Town of Montreal who were mostly Burghers & engaged in Business; As their Decisions had force over the whole District the Inhabitants resorted to them for Justice, & the Acquisition of power became likeways the Means of encreasing their Riches as it enlarged their Business. M<sup>r</sup> Burton naturally adobted the mode of Administring Justice which had been instituted by his predecessor. The civil government put an End to that Court by the Appointment of Justices of the

peace

peace, who by the Instructions must be protestants. These Men did not relish a change of government, which at once reduced their Importance & their Interest, And tho' if left to themselves they would have continued good Subjects, they were easily led away by the bad Exemple which the British Traders & others set them, being illiterate to the greatest degree & utterly ignorant of our Laws, they greedily swallowed the Spirit of Licentiousness for that of liberty. The Billeting of the Troops, the want of a Court of Assize at Montreal tho' retarded for reasons very favourable to the new Subjects, exposed them to great Inconveniencys And unable to determine how little or how much it was in the power of the civil Government to remedy these Evils, they joined the discontented Traders in complaints of grievances, which your Excellency has frequently reported to those who alone could redress them. One Fuller Walker who stiles himself Agent for the people, has likewise contributed much to seduce the Montrealists from their Duty to the Kings government. This man for the sake of Money harangues the Board of Trade against every measure of government, writes to his Corespondents that he is much relished there, that he has had Interest enough to have your Excellency recalled, & that if Any Relief is to be procured for the Sufferers by fire, it is not in consequence of Any thing which the governor & Council have done, but of the Efforts which he and the London Merchants trading to the province have made, And that they can not do better than appoint him their Agent: He tells them to behave with great Deference to the Kings governor, but to send authenticated Complaints against him. Such are the heads real or pretended of the Letters which Fuller Walker writes or is said to write, & which have stirred up the Burghers of Montreal

to

turn the Kings Troops into the Streets in most incle:  
:ment Weather, from which the worst Consequences  
might have happened had not the officers exerted them:  
:selves much to keep things quiet And your Excell<sup>y</sup>  
And Honors determined to lodge the Troops in houses at  
Any Expence or Any Risque

It is likewise my Duty to report that the people  
in that part of the Province begin to murmur at the  
Stamp Act, tho' by the firmness of the Majistrates it is  
Strictly obeyed, the Traders of Montreal are mostly natives  
of the other provinces or at least get their goods from them  
by which means they have constant correspondance with  
them, And every post brings Letters from the other pro:  
:vinces, telling them of the proceedings of the Sons of Liberty  
And their Intention to oppose the Stamp act, Tho' the  
Canadians are very tractable they express An Uneasiness at  
paying a Tax from which the other provinces are at present  
exempt, & any Relaxation on the part of the Majistrate  
would be followed with much Opposition to that Law; this  
has only reached the Town, the yeomaenry of Canada is I  
believe the most Obedient & the most faithful Set of Subjects  
the King has in America, As it is easier to prevent Evil  
than remedy it, I mention the little I observed of this, that  
your Excellency & honors may pay the Stronger attention  
to the necessity of having An Independent & proper Majis:  
:tracy at Montreal, which the Consideration of the third  
Article of my Instructions leads to, As the only means to  
establish a firm And lasting tranquility in that town.

As soon as I knew for certain the Day on which the  
Seigneurs proposed to assemble, I desired the Justices of the  
peace to meet me at Croftons. general Burton had thought  
it necessary to write them the Letter /N<sup>o</sup>. 5/ this they commu:

:nicated

communicated And at their Desire I wrote him immediately /N.<sup>o</sup> 6/ I did it the more readily as independent of the Information I had had from your Excellency, I had been repeatedly told that general Burton Colonel Christie & M<sup>r</sup> Bruyere had endeavoured to deter the Seigneurs from meeting As contrary to the Laws enacted against Catholics. \_ It is to be observed that there have been many even tumultuous assemblies of the lower Class of Canadians at Montreal, which excited no Apprehensions in the general, it must appear extraordinary that Twenty Seigneurs should alarm him, especially as he could not be ignorant from some of themselves, that they had the permission of Government. It has been productive of Evil so far, as it has alarmed the better Sort of Canadians by letting them feel, that tho' their Conduct has been such as to acquire the Confidence of their governor & Council, they are still exposed to the Insults and Jealousies of men in office. However he sent me a very civil Answer /N.<sup>o</sup> 7/

I met the Justices of the peace read to them the petition of the Canadian Seigneurs for leave to assemble, the order of Council in consequence, & the paragraph from the Secretary of States Letter dated 24.<sup>th</sup> October 1765 to your Excellency and beg'd them to meet me the next Day at the Court house at 4 oClock As it was very agreeable to the Council that there should be no meeting of Roman Catholics without the presence of the Majistrates. The Seigneurs assembled at 4 oClock when the Court house was immediately filled with old & new Subjects who seemed thoroughly disposed to create Tumult & Confusion As Mess.<sup>rs</sup> Todd & Brayshay had been there before the hour I waited impatiently their Return, and in the meantime represented to the Intruders that as your Excellency and Council had permitted that Meeting under the Restriction of a Councillor & all the Majistrates being

present

present, there was no Occasion for their Attendance much conversation passed And many improper things were urged by Mess...<sup>rs</sup> Wells Haywood, Adhemar & Hervieux the last I found had been invited in Consequence of some Deputation which had been signed last Summer by the Canadian Merchants of Montreal, this he Strenuously denied, till his own Signatures were produced against him They asked leave to read a paper protesting against the meeting As illegal &.<sup>c</sup> I told them that the Council had permitted it And that your Excellency had received a Letter from the Secretary of State ordering you to signify to the new Subjects that they ought make Representations of their just grievances, that I could allow no paper to be read there, they might protest Any where else they pleased, that if they apprehended Any thing they should make Representations to the governor And Council, M<sup>r</sup> Wells said they sent their Representations immediately home, I represented the impoliteness of intruding upon others, & that as a Councillor the Majistrates & Provost Marshal were present, there could be nothing Apprehended for their Liberty; they said the Magistrates were the guardians of public tranquility not of public Liberty. I then declared I would be sorry to proceed to Extremitys with my fellow Subjects, but as I had Authority, I would make the orders of the governor & Council be obeyed; I then made proclamation for them to leave the Court house, undisturbed for the Meeting of the new Subjects in the Name of the governor & Council, And desired the Provost Marshall to write a Warrant of Committal: they remained till the Warrant was near compleated, when they moved off one by one leaving a very odd Impression of their indecent & tumultuous Behaviour on the minds of their fellow Subjects.

The



The assembly proceeded to their Business, as Mess.<sup>rs</sup> Todd and Brayshay arived just as I had got the Court house cleared; the Provost Marshal remained And M.<sup>r</sup> Travers then in Town from Quebec came at my Desire, Mess.<sup>rs</sup> Robertson And Dumas did not attend; Propositions /N.<sup>o</sup> 8/ were read to the Seigneurs in name of the Canadi: ans And Resolutions /N.<sup>o</sup> 9/ were made in Consequence neither I nor any of the Magistrates found Any thing contained in them which in Any Respect required our Interposition, indeed there was so much moderation And Decency in the Conduct of these Seigneurs that we wished the whole town had been present could that have been consistant with good order. I was next Day told that there had been a protest made against the Meeting /N.<sup>o</sup> 10/ is a Copy of it, it speaks for itself.

I was much surprised with A visit from Mess.<sup>rs</sup> Tod & Brayshay desiring me to forward a Letter to your Excellency /N.<sup>o</sup> 11/ wherein they Acquainted you with the Necessity they were under to resign their offices of Justices of the peace, as, in spite of all I could say they persisted, I forwarded it by Express. I told them that I had hoped their impartial Conduct had surmounted the Obstacles which they foresaw when they entered upon the Office, they said they had hoped the same, but they found there was no pleasing their fellow Traders, except they should Act as violently As they did, that their consciences would not admit of, And therefor they resigned the office, which they had always exercised to the Advantage of these very people, that by being engaged in Business they had frequent Intercourse with them, by which both their Interest And Tranquility would suffer, And that the governor And Council could not expect of them to ruin their own private affairs in the Service of the public; that

they

they had taken minutes of every thing which had passed at the Meeting of the Seigneurs, in order to convince their fellow Traders that nothing was done or intended to their prejudice, but had received for Answer such Suspicions of their veracity, as they would have resented as Men, tho' as Magistrates they were obliged to bear with it. They are men of very moderate unprejudiced Sentiments And appeared to me to have discharged their Duty as Magistrates most conscientiously: neither they nor many others whom I consulted could recommend men to make in their place, except half pay officers or such men in civil Employ who had already declined the office as too troublesome. I gave them your Excellencys Answer by Return of the Express, M<sup>r</sup> Brayshays affairs called him to the Continent.. M<sup>r</sup> Todd desired me to carry the Answer /N.º 12/ And agreed to act As a Magistrate till such time as the Council should find proper persons to appoint for that District.

The foregoing Narrative points out the necessity & nature of a Remedy for these Disorders at Montreal, the only effectual the only permanent one is the establishing a proper Magistracy, Sallarys will be necessary to engage persons to accept who are qualified for the office, And the circumstances of that District absolutely require it. This province differs much from every other on this Continent the people are numerous of a different Religion & Language And the persons to be made choice of as Magistrates are few in Number, And all engaged in Business: Half pay officers do not reside in town, they might revive the Authority of the civil Magistrate, which at Montreal from very opposite Reasons has been almost Annihilated. There appears to be only this alternative to maintain good order and Tranquility at Montreal, which is either to make the Roman Catholics Magistrates or allow Sallarys to

proper

proper persons who will give Attention to the Duty; The first is absolutely forbid by the Instructions, And is perhaps improper, the second is lyable to many objections being without precedent, And this province being without Funds, however the advantages will in the End be found to counterbalance these Considerations, as nothing but that measure can prevent the new Subjects from looking upon our government & Laws as a Scene of Anarchy And Confusion. There is no Police whatsoever in the District of Montreal.

As to my fourth Instruction the affidavits of Captain Carden & the Barrack Master <sup>Sergeant</sup> N.º 13/ give all the lights which the Nature of the thing will admit of. Little doubt can be entertained from the Situation of the Rooms &.<sup>c</sup> but that it was burned designedly, tho' there is not the least Circumstance known which can lead to a Discovery by whom: Indeed I did not attempt to make Any, being convinced that I could not Succeed

I am with Due Respect

Your Excellency & Honors most Obed.<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

Quebec 18 March  
1766

, Signed, Adam Mabane

Letter N.º 3 in the foregoing Report

Montreal March 10. 1766

Sir

Agreable to governor Murrays Letter to you I have procured houses to lodge the Troops at present quartered in this City: had it been possible they should all have been within the walls; Captain Carden tells me that he has shewn them to you, that you are perfectly Satisfyed, and desire me to write you As was agreed upon, when you consented to accept of Houses in the Suburbs. \_\_ Any Arrangement which governor Murray has made relative to lodging the Troops at Montreal

can

can only be considered as temporary: He has represented the necessity of building Barracks in every part of the province, where Troops are thought necessary, for that Reason the Leases of the houses expire in fifteen Months

It is not necessary tho' my Duty requires it to observe to you Sir that the houses are insured against fire at the Risk of the Crown, as without that Condition I could not get the Troops lodged I have the honor to be

Sir

with the greatest Respect your  
most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

, Signed, Adam Mabane

Letter N.<sup>o</sup> 4 in the Report

Montreal March 11. 1766

Sir

I am extremely happy to find by your Letter of yester. days Date to me, that you have procured houses sufficient to lodge the Troops quartered at present in this town, I always wished to see them disposed of in that Manner rather than in Billets where they were exposed to be turned out at the will of their Landlords

It certainly would have been more proper & consistant with the Service to have had the Troops lodged within the Walls, had it been possible to have procured houses sufficient to have contained the Eight Companys, whereof this present garrison consists, but the late fire & other Circumstances rendering it impracticable, I must remain well Satisfied with the present disposition, which as you observe can not be looked upon but as temporary I am

Sir

Your most Obed.<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

, Signed, R Burton

Adam Mabane Esq.<sup>r</sup>

Cap<sup>t</sup>

Captain Cardens affidavit N.º 13. in the Report

Captain John Carden Barrack Master for the province of Quebec Maketh oath that he do's not know by what means the Barrack took fire the first of January last, there not being a fire place in the Room where the fire first broke out, nor in the Store Room over it, nor Any fire / to the best of my Knowledge/ in the low Room adjoining to that where the fire first appeared, which Circumstances I apprehend to be the Reason people would not let their houses for Barracks unless insured fearing the other house had been set on fire purposely

And that the following were the only Stores saved to the best of this Deponents Knowledge That is to say Twenty three Small Ruggs Eight Blankets Ten paillasses Eight Tramels Six pair of Dog Irons, Two fire Shovels Eleven Iron Eyes for Tramels, Seven wood Axes, four Buckets, forty one Iron Pots, but Six Servicable, Six covers, Eighteen hooks Thirty four Bales, Seventy Bucket Hoops & Eighteen handles, And one hundred & fifty three pounds of Candles

, Signed, J. Carden

Sworn befor me at Montreal

this 10 Day of March 1766

; Signed, Adam Mabane

Abel Salter Barrack Sergeant having read the Affidavit on the other Side And being duly Sworn on the Holy Evangelists declares the same to be just & true

, Signed, Abel Salter

Sworn befor me at Montreal

this 13. March 1766

, Signed, Adam Mabane

Letter N.º 5 in the Report

Montreal February 9. 1766

Gentlemen

Captain Disney town Major of this place having reported to me this morning that he had perceived a great many of the Seigneurs of this District at present in

this

this town, And that upon Enquiry he has been told that they are all to be here in the Course of this Day or tomorrow where they are to have an assembly. \_ As I have no previous Notice And this is a garrison trusted to my Care I think it proper to desire you gentlemen will be pleased to let me know whether this unusual Concourse of ~~The~~ all the head people of His Majestys Subjects in this District is with the Cognizance And under the Sanction of the civil power or not, what makes this precaution more necessary is that it happens at a critical time when the Court of common pleas is sitting, And upon one of these Days in the Week when great Numbers of the Inhabitants resort to this town for the usual market I have the honor to be with great Regard

Gentlemen

Your most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, R Burton

To His Majestys  
Justices of the peace

Letter N.º 6 in the Report

Sir

His Majestys Justices of the peace for the District of Montreal have communicated to me a Letter which they had the honour to receive from you of this Date.

The Assembly of the Seigneurs is in Consequence of a petition by them presented to the governor & Council of this province, And is to be held on Friday under such Restrictions as to them seemed necessary. \_ I this Day received Directions from governor Murray to Apply to you as commanding officer of His Majestys forces for a guard to protect them from Insult, As he had received the Kings orders in a Letter from the Secretary of State to signify to the new Subjects that they might make Representations of their just grievances

And

And that His Majesty will be always ready to redress them  
 I hope no body will interupt an assembly of the new Subjects  
 which is held with the Consent of government And in Obedi-  
 .ence to His Majestys Instructions if they should in Conjunc-  
 :tion with the Magistrates I will make the necessary Applica-  
 :tion I have the honor to be with the greatest Respect

Sir

\_\_\_\_\_  
 Major general Burton , Signed, Adam Mabane

Letter N.º 7. in the Report

Montreal Feb.<sup>ry</sup> 19.. 1766

Sir

I have received your Letter of this Date, by mine  
 to His Majestys Justices of the peace for the District, I  
 meant only to be informed whether the assembly of the  
 Seigneurs to be held in this garrison was authorised And  
 countenanced by the civil Power, As I had received no In-  
 :telligence of it from any Magistrate. I have no Busi-  
 :ness or Desire to know why they assemble; it is enough  
 for me to be acquainted that they do it with the Consent  
 of government which you have now notified to me

Any Assistance you And the Magistrates may  
 require shall be most readily and immediately given

I have the honor to be

Sir

\_\_\_\_\_  
 Adam Mabane Esq.<sup>r</sup> , Signed, R Burton

Resolutions of the Seigneurs N.º 9 in the Report

Deliberation de l'assemblée des Seigneurs de District de  
 Montreal en la province de Quebec, present un des Deputés  
 de Trois Rivieres, et un de Montreal, les autres invités,  
 tenue en la dite Ville de Montreal en Vertue de la permission  
 Accordée par son Excellence Le gouverneur et l'honorable  
 Conceil de Sa Majesté en datte le deux Janvier dernier; ou

etoient

etoient presents l'honorable Adam Mabane Ecuÿer l'un des membres de dit conceil Mess.<sup>rs</sup> Isaac Todd, Thomas Brayshay et Pierre Travers Ecuÿers Juges de paix de Sa Majesté et Edouard William Gray Ecuyer Deputé Prevot Mareshall

#### Article 1

Resolu par l'assemblée qu'il sera fait un Address a sa Majesté, notre tres souverain Monarque contenant les plus humbles et les plus vifs remerciements pour toutes les faveurs et Bontez donc elle nous a comblé depuis que nous avons le Bonheur de vivre sous sa Domination et dans laquelle nous le supplierons de vouloir bien nous continuer sa protection Royale et le libre exercice de notre Religion

#### 2

Que nous supplierons Sa Majesté de faire cesser toutes Distinctions d'anciens et de nouveaux Sujets, afin que tous sur le meme pied, nous puissions concourir au bien de la province; en Sorte que les Sujets Catholics puisse estre utile a sa patrie comme les Protestant

#### 3

Que sa Majesté sera tres humblement supplié de vouloir nous conserver les Coutumes et Usages de cette Province de la maniere la plus avantageuse

#### 4

Que nous soumettons la nomination d'un Deputé a Londres a ce qui sera decidé dans l'assemblée de Quebec, sous le bon plaisir de son Excellence Le gouverneur, et dans le cas de la Necessité d'un agent, l'assemblée se pretera les moyens convenables pour procurer les fonds necessaires

#### 5

Qu'il sera faits de tres sinceres Remerciements a Son Excellence le gouverneur et a l'honorable Conceil de cette province sur la permission qu'ils ont accordé a cette Assemblée

de



de faire leurs Deliberations; sur les marques de Justice qu'ils ont approuvés depuis L'Etablissement du gouvernement civil qu'en fin Sa dite Excellence sera supplier de vouloir bien appayer les tres humbles Representations de l'assemblée a Sa Majesté

6

Que comme par la Suite, il pourroit etre utile de faire quelques Representations, et qu'il seroit difficile de pouvoir rassembler tous les membres de l'assemblée dans ce district, il a été resolu que pour preparé les matieres il sera prié Les membres de la dite assemblee residents en cette ville, lesquels sont autorisés a faire les dites Representations lorsque Besoin sera en presence de Messieurs les Juges de paix

7

Que quant un Deputé quil convient d'envoyer a Quebec pour porter la presente deliberation le committé y pourvoyra

Fait et deliberé a Montreal Le 21 Fevrier 1766  
/Signé/ Daillebouts, De cuisy, G De Tonnancourt  
S.<sup>t</sup> Ours, Montgolfier, Contreleur Montesson,  
Deschambault, Godfroy Linctot, La Vellerie,  
Le Che : Neverville, Neverville, La Bruere, De  
Rouville, J. Neveu, Godfroy Normanville,  
Delormes Norman, Joseph Desornier, Joseph  
La Februre, S.<sup>t</sup> Francois Dechené Hertel de Rouville

Pour Veritable Copie tiré d'original  
, Signed, P.<sup>r</sup>.<sup>e</sup> Panet Secretaire  
de l'Assemblée

Protest N.° 10 in the Report

City & District of Montreal      Be it remembered by this  
in the province of Quebec sc } public Instrument of writing that I  
Edward William Gray of the City of Montreal, Notary and  
Tabellion public being thereto lawfully admitted sworn &  
authorized do make known and manifest unto all persons  
That on this third Day of March One thousand seven

hundred

hundred And Sixty Six personally compeared befor me  
 at the City of Montreal in the said province, John Wells  
 Joseph Howard, Lawrence Ermatinger, Mathew Wade &  
 others the Subscribers at a general Meeting held for that  
 purpose, at the house of James Crofton in the said City  
 Inkeeper, And desired & requested to protest against a  
 certain assembly of French Seigneurs of this District namely  
 Contreleur, S<sup>t</sup> Ours de Chaillons of Montreal, Rouville of  
 Chambly, Monteçon & Neverville of Trois Rivieres Knights  
 of the order of S<sup>t</sup> Louis Nomandville Trois Rivieres, La  
 Veltrie Montreal Hincleaux of Vercher French officers  
 Neverville of Chambly Cuisy of Montreal, Rouville And  
 Tonnancourt of Three Rivers, Neveu de D'austré, Deslormes  
 of Masqua, Normand D'arpenigny, S<sup>t</sup> Francois de S<sup>t</sup> Fran:  
 :cois tous Seigneurs habitants, Dechambeault late agent  
 to the India Company Le Fevre de la baye de Fevre;  
 La Bruere de Bucherville gentleman, Montgolfier Superior of  
 the Seminary And Seigneur of the Isle of Montreal held at the  
 public Court house on Friday February 21. 1766, which  
 protest these Compearers desired & requested me the said Notary  
 to enter into my Register and make manifest for the following  
 Reasons Viz.<sup>t</sup>

That some of these Seigneurs were / as these Compearers are  
 informed and believe/ about the Month of June last uncon:  
 :stitutionally chosen to represent the Inhabitants of their res.  
 :pective Seigneuries As agents &.<sup>c</sup> by Virtue of a Letter / or  
 Ordinance / was never made public only communicated to  
 a few Individuals, That said Seigneurs being many of them  
 Knights of the order of S<sup>t</sup> Louis, by Virtue of the Oath taken  
 on receiving said Cross, it is incompatible for them to be  
 the Representatives of a province under the British Constitu:  
 :tion, And thereby become guardians of the Libertys of a free  
 people, untill such time As they have laid aside said Cross

And

And taken the same Oaths to His Britannic Majesty which they did to their late Sovereign, Also these Compearers are informed And believe that several of those very persons are now absolutely Subjects of His most Christian Majesty some of which are in present pay, they further are informed And believe that they have refused to take the Oaths And are only waiting for an opportunity to dispose of their property in order to return to France.

That the said Seigneurs are assembled from different parts of the province many Leagues asunder, by Virtue of a circular Letter signed by Mons.<sup>r</sup> Rouville Inhabitant of Trois Rivieres And Mons.<sup>r</sup> S<sup>t</sup> Ours of Montreal Cuisy & others /as per Copy/ without the Knowledge or Consent of the Magistrates for the District, the Commander in chief of His Majestys forces or the Inhabitants of the City

That the said Seigneurs on their Arival were /as they say/ entirely ignorant of the Business for which they were summoned, M<sup>r</sup> Longueil one of the principal ones returned immediately to His Seigneurie without waiting for the meeting.

That as the true Method to make this province flourish is the gaining the Affections of His Majestys new Subjects which can be accomplished no otherwise, than by uniting them with the Ancient ones, therefore Any methods used to prevent said Union will tend to the manifest hurt & Ruin of the said Province

That Assemblys And meetings on public affairs not only to the entire exclusion of His Majestys Ancient British Subjects in general, but of the mercantile part of His Majestys new Subjects, And causing such Distinction to be made between them And those who stile themselves the noblesse will be the means of infusing in their minds a Spirit of Discontent contrary to His most gracious Majestys kind Intention, That the English And French Inhabitants of this province would

be

be united And live happy together were these very means not made use of And persons employed to persuade them that the English are using their utmost Endeavours to deprive them of the Exercise of their Religion /which they say depends solely on the favour of the governor/ As well As the partaking in Any Branches relative to the Administration of Justice

That several of His Majestys British Subjects who are possessed of Seigneuries never received Any order or Summons to attend the said meeting, As well As the greater number amongst the french also there are many Seigneuries which have at present no Seigneurs so that those Inhabitants have no Representatives

That upon the principal English And French Citizens assembling at the Court house in order to be present at And know the Cause of this public Meeting, they were informed by Adam Mabane Esquire One of His Majestys Honorable Council for this province that their presence was not necessary As this meeting did not regard them And ordered them out, that the said Adam Mabane Esquire being Asked whether those Seigneurs were assembled on Business relative to themselves as individuals & respecting their Seigneuries he Answered they were, the Citizens then told him that if they were upon that Business it was well but if upon Business which regarded the public, As they had reason to Suspect, that they then unanimously informed them that they were not authorised Appointed or legally chosen by them, to make Any Representations or Sign any papers in their Behalf, And that they should immediately protest against their Proceeding /as representing the public/ in that private concealed Manner, that said Adam Mabane Esquire told them they were welcom to protest or act as they

thought

thought proper, that this assembly was by a particular order of the governor and Council, And that no person was to be admitted but those contained in a certain List he held in his Hand, And that he was determined to Obey exactly those Orders, And should be sorry to go to Extremitys, the said Citizens then desired of Adam Mabane Esq.<sup>r</sup> Liberty to read a paper to said Seigneurs /As pr Copy/ which was peremptorly refused, as being the orders of the governor And Council that no paper whatsoever should be read but those befor them, the Inhabitants anxious for the Consequences that might attend an assembly of that kind And not caring to retire thus unsatisfyed continued untill Adam Mabane Esquire by his own Authority as Councillor And in the Name of the governor & Council ordered said Citizens to clear the Court house, And went even so far as to attempt to thrust out several persons the Inhabitants finding they would not proceed to Business in their presence withdrew, the Court house was shut immediatly, guarded by a Bailiff And no person /Justices of the peace excepted/ permitted to enter, M<sup>r</sup> Panet Clerk of the Court of Common pleas produced & read a paper Signed by some of the French Citizens no: :minating Six Deputys last year, which was never un: :derstood in that point of Sight, As a Choice of Represen: :tatives as they would insinuate, but merely as two Deputys for the Noblesse And for the french ~~Inhabitants~~ Merchants to deliberate on Matters or represent any grievances they might have Occasion to the governor & Council, which has been superceded by a Subsequent one proposing three As sufficient

That the said Inhabitants flatter themselves when it shall be his Majestys pleasure / And as specified in his most gracious proclamation/ that the Circumstances of this province maybe thought to admit of a House of Assembly that his Majestys Ancient Subjects will be permitted at least

to

to have a Share in the Choice of their Representatives  
 That said Inhabitants are apprehensive And fear from  
 the irregular And uncustomary Way the said persons  
 were summoned, from the Manner the whole was con:  
 :ducted And by whom, that said assembly will be pro:  
 :ductive of something not altogether for the General good  
 of this province; but be the means of dividing His Ma:  
 :jestys Subjects creating Jelousies And causing Discontent  
 and confusion throughout the Province an Instance  
 of which immediately presented itself Viz.<sup>t</sup> Isaac Todd  
 And Thomas Brayshay Esquires two of His Majestys  
 Justices of the peace present at the Meeting, the public  
 thinking they had given Sanction to it expressed themselves  
 in such a Manner that they sent down their Resignation  
 to the governor

Therefore the said Compearers do hereby protest And  
 declare before me the said Notary in the presence of the  
 persons who have subscribed as Witnesses hereunto against  
 said Assembly of Seigneurs held as aforesaid As well as  
 against their proceedings as respecting the public in  
 Any Way either by themselves Deputys or Agent Also against  
 said Adam Mabane Esquire and all other persons concerned  
 in said Meeting for Any Consequences that may happen  
 from Any Representation relative to said Compearers on  
 Account of said Assembly, and have signed this their protest  
 And desired me to attest the same And affix my Notorial  
 Seal hereto

In testimony whereof I have hereunto  
 set my hand & affixed my Notorial Seal at  
 the City of Montreal in the province of Quebec  
 this 3.<sup>d</sup> of March 1766

L. S.

, Signed, Edw.<sup>d</sup> W<sup>m</sup> Gray, Not.<sup>s</sup> Pubs.

Witnesses  
 B. Forbisher  
 John Thomson

John Wells  
 R. Stenhouse  
 Mathew Lessey  
 Sam.<sup>1</sup> Holmes

John Stenhouse  
 G. Young  
 Joseph Howard  
 Lawrence Ermatinger

Mathew Wade  
 James Price  
 Tho.<sup>s</sup> Barron  
 Jonas Desaulles

Rich.<sup>d</sup> Dobie  
 W.<sup>m</sup> Haywood  
 John Blake

I do certify that the foregoing is a true & exact Copy of the original Protest entered in my Register And that the fifteen names Subscribed to said Protest are the Names of the persons who subscribed said Original Protest, And that there is also entered in my Register a true Translation of the foregoing Protest in the french Language except the Second Article relating to the Knights of the Order of S<sup>t</sup> Louis And the two following articles All which three said Articles are entirely omitted in said Translation which is signed by me And Hervieux Jaques Hervieux, Ig: Bourassa, C Dupré, Peleduc, Pillet, Augé, Chenville, S<sup>t</sup> Dessy, Mesiere, L'huilier, Chevalier, Am : Cuzot, B. Campault, Jean Etienne Waben, Michel Augé P. Pillet, Simon Bourbeau, Jean Crillat, Le Cavelier, Pampalon, Le Prohon, Dissan, Guiÿ, Am: Hubert, S<sup>t</sup> Germaine Gagnie, Fr Cazeau, Marchesseau, Foretier. J. B. Adhemar Beaumont fils, And Perinault Dated At Montreal this fourth Day of March 1766

, Signed, Edw<sup>d</sup> W.<sup>m</sup> Gray

Read the Report of the Committee Appointed last Council Day

Ordered to be entered in the Book

Council Chamber 22. March 1766

Present

The Honb. <sup>le</sup> Adam Mabane	} Esq. <sup>rs</sup>
Thomas Dunn	
James Goldfrap	

The Committee having taken into consideration the Petition And several Bills of John Clerk Carpenter, Viz.<sup>t</sup> for Work at the Secretarys office Forty pounds seven pence, For a press for the Council papers & Books, Fourteen Pounds Eight shillings, For a pair of Stocks, Eleven pounds ten shillings, For work at the Court house Two pounds fifteen shillings And two pence three farthings, For Work at the Castle of S<sup>t</sup> Louis Three pounds three shillings And two pence, For a press for the Great Seal of

Quebec

Quebec Four pounds Sixteen shillings, Amounting to Seventy Six pounds twelve shillings And Eleven pence Three farthings, all which Accompts being certified by the proper officers, The Committee are of Opinion they ought to be paid.

The Committee having considered the Petition of Brown And Gilmore printers, are of Opinion they ought to be paid the accompt petitioned for, in the same proportion they were paid their former Account

The Committee having considered the petition of John Lees for William Weir and Thomas Christie are of Opinion, they ought to be paid the money the expended on the Road, And to be a allowed Sixteen pence currency per Day for the time they were absent from home attending the Assizes

The Committee having considered the petition of Captain John Brown, are of Opinion that if the Land petitioned for appears to be the property of the Crown it ought to be granted

The Committee having considered the petition of Andrew McClure, are of Opinion that a Smiths forge erected so near the Barracks would be dangerous, And therefore that the Desire of the petition ought not to be granted.

The Committee having considered the Petition of Zachariah Thomson are of Opinion that the ground petitioned for ought to be granted on the same Conditions with those of John Hay John M<sup>c</sup>Cord &.<sup>c</sup> And that a Quit Rent of Twenty five shillings Sterling will be in proportion to the Value of the Situation

The Committee having considered the Surveyors Report for Jacob Rowe are of Opinion that the Quit Rent for the ground ought to be Twenty shillings Sterling

per



per Annum

The Committee having considered the petition of Thomas Ainslie Esquire for a grant of the Wharf commonly called the Kings Wharf are of Opinion that the Wharf should be surveyed by order And the Surveyor to report As usual

The Committee having considered the petition of Monsieur La Naudiere, think it would be imprudent to grant that petition for the present.

The Committee having considered the Representation of John Collins Esquire with Regard to a post & Road to be opened down the South Shore of the River S<sup>t</sup>. Laurence are of Opinion that M<sup>r</sup> Collins has done great Service in representing to government what so much concerns the good of the public, And recommend to him to give further Light to the Council how to execute his plan

Adjourned till Monday at 10 oClock  
, Signed, Adam Mabane

Council Chamber Monday 24 March  
1766

Present

The Hon <sup>l</sup> . Adam Mabane	}	Esq. <sup>rs</sup>
Thomas Dunn		
James Goldfrap		

The Committee having read & considered the Draft of an Ordinance for repairing the Highways referred to them have made some Alterations therein, which they desire may be copied by the Clerk, And presented to a full Board next Council Day

The Committee having considered the petition of Hugh Finlay Postmaster are of Opinion, He should give in to the Council a Copy of the Instructions he proposes to

give

give to the Postmen betwixt the Towns of Quebec And Montreal, when the Board will give An Answer to the Petition

The Committee having considered the Tradesmens Bills for the Reparation of the house belonging to the garden of the Chateau de S<sup>t</sup> Louis, Amounting to Forty Eight pounds Nine shillings & ten pence are of Opinion that the same should be payed

, Signed, Adam Mabane

Past the Ordinance mentioned in the Report And ordered the same to be published

An Ordinance for repairing And Amending the Highways in this province

Whereas the free And easy Intercourse And means of conveying And carrying Goods & Merchandize from One town or parish to An other, contributes very much to the Advancement of Trade And raising the Value of Lands As well as to the Ease And convenience of the Inhabitants of this province And whereas the Highways And Bridges in this province for want of due And timely Repairs And Amendments are become in many places almost impassable And dangerous to passengers And Carriages And whereas for the better and more effectual repairing the Highways and Bridges in this province it is highly necessary in the mean time that a Surveyor or orderer of the Works for the Amendment of the Highways And Bridges in the Districts of Quebec And Montreal, should As soon As conveniently be Appointed, who should have sufficient Authority as well by Virtue hereof as of their respective Commissions to order & direct the persons And carriages that shall be appointed for those Works Be it therefore ordained & declared by His Excellency the

Governor

Governor by And with the Advice consent and assistance of His Majestys Council of this Province And by the Authority of the same it is hereby ordained and declared, That the Surveyor or Surveyors of the Highways that are or hereafter may be Appointed for the Districts of Quebec And Montreal respectively in this Province shall from time to time every Six months during their being respectively Surveyors as aforesaid take a View of all the Roads, Common Highways Caseways, Ferrys, Water Courses Bridges Ditches Hedges Trees Drains or gutters next adjoining to the same within the District or Division for which he is appointed a Surveyor, that are to be repaired by the parish Village or Precinct; And the Justices of the peace in their respective Districts or Limits of their Commission, are for the purposes in this Ordinance declared, hereby impowered once in two months or oftner if they find it needful to hold a Special Session And thereunto shall cause to be summoned the Surveyor of Highways within that District to come before them, who shall make a Presentment to them in writing upon Oath /which Oath the said Justices are hereby impowered to administer/ of the State & Condition of the Highways in the District to which he belongs And what offences or Neglects any are guilty of contrary to this Ordinance, And in Default of making such presentment shall incurr the penalty of Twenty pounds unless he shall have some reasonable Excuse for Omitting the same to be allowed of by the said Justices, & what Defaults or Annoyances such Surveyor shall find in Any of the said Highways, Caseways Ferrys Water Courses, Bridges, Ditches Hedges, Trees Drains or Gutters next Adjoining to the same, The said Justices in their said Sessions after due consideration thereof had, shall give orders in writing to such Surveyor for the repairing And amending the same As to them shall seem meet, And

such

such Surveyor shall thereupon from time to time with:  
:in Six Days after receiving such Orders issue an Order in  
writing under his hand directed to the Bailiff or Sub Bailiff  
of the respective parishes, Villages or Precincts in the  
District for which he is Surveyor, therein naming And  
Appointing Eight Days for the Amending the said Ways  
then following, And also directing the time for beginning  
to work, which Bailiff or Sub Bailiff respectively shall on  
pain of forfeiting Forty Shillings summon the Parishio:  
:ners or Inhabitants of the parish Village or Precinct to  
which he belongs at the Church Door of the parish imme:  
:diately after divine Service Eight Days before the time  
Appointed for working, And the said Parishioners so sum:  
:moned shall be chargeable thereunto As followeth That  
is to say, Every person keeping there a horse Cart or other  
Carriage, shall find and send it at every Day & place to be  
appointed for the Amending of the Highways in that Parish  
village or Precinct aforesaid, One Cart or other Carriage, furnish  
:ed with Oxen horses or other Cattle And all other necessarys  
meet to carry things convenient for that purpose And  
one Able man with the same And shall upon every one  
of the said Eight Days Work & labour in the Amendment  
of the said Highways upon pain of Every Draft making  
Default Twelve Shillings per Day of the said Days And every  
Man making Default Four Shillings pr Day of the said Days  
And if the said Carriages of the parishes or Any of them  
shall not be thought needful by the Surveyor or Bailiff  
in his Absence to be employed upon Any of the said Days  
That then every such person that should have sent any  
such Carriage shall send to the said Work for every Carriage  
so spared Two able men there to labour for that Day upon

pain

pain to lose for every man not so sent to the said work  
 Four Shillings. And every person And Carriage above said  
 shall have and bring with them, such Shovels, Spades, Picks,  
 Mattocks, And other Tools & Instruments as are necessary for  
 their said work. And all the said Persons And Carriages shall  
 do And keep their work as they shall be appointed by the  
 said Surveyor or Bailiff as aforesaid Eight hours of every of  
 the said Days, And if the same or such part thereof as  
 shall be appointed by the Justices shall not be repaired  
 And Amended within the said Eight Days, That then  
 the said Surveyors of Highways respectively shall within  
 Ten Days after present the same to the Justices anew  
 who are hereby impowered to issue their orders to the  
 Surveyors as before directed. **And Be it further**  
**ordained** by the Authority aforesaid that it shall And  
 maybe Lawful to And for the Surveyors & Bailiffs in their  
 Absence for the Amendment of the said Highways to  
 take or carry away Any of the Rubbish or smallest  
 broken Stones that shall be found ready dugg & lying  
 near any Quarry or Quarrys being within the District  
 of such Surveyor or parish of such Bailiff respectively  
 And that for Want of Rubbish to be found ready dugg  
 And lying near any Quarry or Quarrys, it shall &  
 may be lawful to and for the said Surveyors or Bailiffs  
 respectively for the Use aforesaid in the several grounds  
 of any person or persons being within their respective  
 District or parishes /houses and gardens excepted/ And  
 nigh Adjoining to the Way or Ways wherein such Repa:  
 :rations shall be thought necessary to be made And wherein  
 Any gravel or Sand is likely to be found to digg or cause  
 to be digged One pitt only in such several grounds  
 Provided such Pitt be not in Any Way in Breadth  
 And Length above ten yards over at the most And  
 that the Surveyor or Bailiff shall immediately cause

the

the same to be fenced round, And within One month after digging or making thereof cause the same to be filled & Stopped up at the Cost & Charges of the parishioners And likeways to gather Stones lying upon Any Lands or grounds proper to be used for such Service and Purpose And thereof to take & carry away so much As by the Discretion of the said Surveyor or Bailiff shall be thought necessary to be employed in the Amendment of the said Highways

And Be It further ordained by the Authority aforesaid, that every such Surveyor or Bailiff as is aforesaid shall by Force of this Ordinance within their respective District or parish have full power & Authority to turn Any Water Course or Spring of Water being in Any of the said Highways into Any Ditch or Ditches of the several grounds or Soil of Any person or persons whatsoever next Adjoining to the said Highways in such Manner & form as by the Discretion of the said Surveyor or Bailiff shall be thought meetest And most convenient

And Be it further ordained that the Ditches Fences, Dikes or Hedges next adjoining on either side to any high or common Way shall from time to time be sufficiently repaired And kept in good order so as not to incommode the Highways And all Trees Shrubs & Bushes growing in the Highways shall be cut down grubbed up And carried away by the Owner or possessor of the ground or Soil which shall be inclosed with the said Ditches fences dykes or Hedges aforesaid within ten Days after Notice to him or them given by the said Surveyor or Bailiff on pain to forfeit for every Neglect the sum of Twenty shillings to be levyed & disposed of as is

herein

herein after mentioned, whereby the said ways may be open And the people have more ready And easy passage in the same

And Be it further ordained by the Authority aforesaid that no person or persons whatsoever shall lay in Any Highway not being Twenty foot broad, Any Stones Timber Straw Dung or other matter whereby the same shall be Any ways Obstructed or Annoyed on pain to forfeit for every such offence the sum of Twenty Shillings to be levied And disposed of as hereafter is mentioned.

And Be it further ordained that every such Surveyor or Bailiff for the time being within Twelve Days next after Default or offence made done or committed by Any person or persons contrary to the purport And true meaning of this Ordinance shall present every such Default or offence to the next Justice of the peace for the time being upon pain to forfeit for every such Default or offence in such Sort not by him presented Forty Shillings And that every such Justice of the peace to whom Any such Default or offence shall be presented, as is aforesaid shall certify the same presentment so to him made at the next general or Special Sessions within the said Districts respectively then next to be holden upon pain to forfeit for not certifying every such presentment of such Default or offence As is aforesaid Five pounds. And that the Justices of peace in the District where Any of the said Defaults or offences shall be committed, shall immediately have Authority to enquire of Any such Default or offence committed within the Limits of their Commission at every their Quarter Sessions And to assess such fines for the same as they or three of them shall think meet.

And Be it further ordained by the Authority aforesaid That every Justice of the peace shall have Authority

by

by this Ordinance upon his own proper Knowledge in the Open general or special Sessions, to make presentment of Any Highway not well & sufficiently repaired And Amended And of Any other Default or offence committed and done within the District or Limits of His Commis: sion contrary to the Intent of this Ordinance And that every such presentment made by any such Justice of peace upon his own Knowledge as is aforesaid, shall be as good And of the same force Strength And Effect in the Law As if the same had been presented found And Adjudged by the Oath of Twelve men And that for every such Default so presented As aforesaid the Justices of the peace of the said District shall immediately at the said general or special Sessions have Authority to assess such Fines As to them or three of them shall be thought meet. Saving to every person & persons that shall be touched by Any such presentment to have his or their lawful Traverse to the same presentment As they might have upon Any Indictment for Trespass or forcible Entry by the Laws of Great Britain. And Be it further ordained by the Authority aforesaid that the Surveyors of Highways shall and are respectively required to make every Highway Fourteen feet wide at the least, And as near as may be even And level

And Be it further ordained by the Authority aforesaid that all fines forfeitures And penaltys Arising or which may be incurred by this Ordinance shall be levyed by And paid into the Hands of the Surveyor of Highways of the District or place by Virtue of a Warrant from a Justice of peace of such District to be applied towards the Repair And Amendment of such Highways. And that every Surveyor of Highways shall every six months or oftner if thereto required give an accompt in writing under his hand upon Oath to the Justices in their general or Special

Sessions



Sessions of the peace to be held in the District wherein he is Surveyor of all moneys that has come to his hands which ought to be employed in mending the Highways And how he hath disposed of the same, And in Case Any moneys shall remain in his Hands he shall immediately pay the same to the Clerk of the peace of that District And in Case of Failure as aforesaid shall forfeit double the Value of what shall be adjudged to be in his Hands by the said Justices to be recovered by Warrant of Distress And Sale of the offenders goods And Chattels in like manner As other Fines And Forfeitures are recoverable by this Ordinance, And every Clerk of the peace shall regularly fyle all such Accompts, And make fair Entrys thereof in a Book to be kept by him for that purpose of all Moneys paid to him as aforesaid, And furthwith pay the same over to the Receiver general of this province for the time being to be applyed towards defraying the Contingent Charges of this government

Given &..<sup>c</sup>

Ordered a Warrant to be directed to the Receiver General for payment of John Clerk, Carpenters Acco.<sup>tt</sup> in terms of the Report, Also for payment to Brown & Gilmore printers as is therein reported, And for payment to John Lees Esq.<sup>r</sup> of the money due to William Weir and Thomas Christie in terms of the Report

Ordered a Warrant to be directed to the Surveyor General to Survey the ground petitioned for by Zachari: :ah Thomson, And the Wharf petitioned for by Tho..<sup>s</sup> Ainslie Esq.<sup>r</sup> And to report to this Board as usual

Presented an Accompt from The Honourable Thomas Dunn Esq.<sup>r</sup> Amounting to Thirty seven pounds five shillings & Nine pence of Money Advanced by him for the Council Chamber by order of this Board, which

Acco.<sup>t</sup>

Accompt is properly certified

Ordered the same to be paid And that it be included  
in the Warrant directed for John Clerk Carpenter

Presented Petition of Philip Payne

Ordered to be entered in the Book

To His Excellency The honourable James Murray  
Esq.<sup>r</sup> Governor of Quebec &<sup>c</sup> &<sup>c</sup> &<sup>c</sup> And The  
honourable His Majestys Council

The Memorial of Philip Payne Merchant

Humbly sheweth

That your Memorialists Sloop George, Charles  
Quasey, Master was on the 31.<sup>st</sup> Day of July 1762 impressed  
by Captain Graham of His Majestys Ship Aldborough on  
a Cruise down this River: In whose Service she continued  
one Month, And on Application made him to know in  
what Manner the same should be paid, he informed Your  
Memorialist that as at the time when pressed she was in  
His Majestys Provision Service, the whole would be included  
in one Certificate; which Certificate your Memorialist has  
received, and in it observes no mention made of Any Reta:  
:liation to him on that account. In whose Service like-  
-wise was impressed a Long Boat belonging to your Me:  
:memorialist in which she continued fourteen Days, at a  
great Expence to your Memorialist, who has received no  
manner of Satisfaction for the same, on both of which  
Circumstances your Memorialist is necessitated to Apply  
to your Excellency and the Hon<sup>l</sup> Council to be informed  
whether the same agreable to Cap<sup>t</sup> Grahams Information  
is to be paid here or otherwise he humbly prays your  
Excellency & the Hon<sup>l</sup> Council would be pleased to point out  
in what manner And to whom he must seek for Redress

for

for the same. \_ And that your Memorialists Sloop Black Jock was the first of August last impressed by M<sup>r</sup> Jacob Rowe into his Majestys Service And was a few Days following by the Direction of your Excellencys Secretary sent to the Island of Orleans to load fascines for the garrison in which Service he continued untill the 30.<sup>th</sup> of September, And during her Continuance therein had the Misfortune to lose an Anchor & Cable; for which Service your Memorialist has as yet received no manner of Satisfaction, And is therefor obliged to lay the same befor your Excell<sup>y</sup> and the Hon<sup>l</sup> Council, for such Redress as the Nature of the Case points out. Submitting the whole to your Excell<sup>y</sup> and the Hon.<sup>l</sup> Councils Consideration your Memorialist hopes for such Satisfaction in the premisses As to your Excell<sup>y</sup> And the Honb.<sup>lc</sup> Councils known Justice may seem requisite And your Excell<sup>ys</sup> Memorialist as in Duty bound will ever pray &. <sup>c</sup> &. <sup>c</sup> &. <sup>c</sup>

Resolved that the Clerk of this Board inform M<sup>r</sup> Payne to get his Acompts Vouched by the proper officers And Transmit the same to the Lords of the Treasury for his Redress, all the Accounts of that kind in this province being closed long ago

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec On Wednes:  
:day the Second Day of April 1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq.<sup>r</sup> Governor

P. E. Irving

Walter Murray

Adam Mabane

Thomas Dunn

Francis Mounier

James Goldfrap

} Esq.<sup>rs</sup>

Presented Petition from J. Baptiste Grand Maison

ordered to be entered in the Book

To The Honb.<sup>lc</sup> James Murray Esquire Governor  
of the Province And garison of Quebec And  
To His Majestys Hon<sup>l</sup> Council for said Province

The humble Petition of J. Baptiste Grand Maison  
an aged and disabled Inhabitant at Kamaraska

Most humbly sheweth

That your petitioner having the Misfortune  
some years ago to lose One of His Arms on a Service your  
Excellency was pleased to employ him, by which he was  
disabled from gaining his Bread as formerly, Your Excell<sup>y</sup>  
was graciously pleased to allow him An yearly pension  
of One shilling Hallifax money *pr* Day, which he has since  
been regular paid. But from the late infirm State of health  
of your Petitioner, it has been out of his power to wait on  
your Excellency at Quebec, in order to receive his Allowance  
for last year, And as your Petitioner has hardly Any  
other means left for his Support, in his advanced age than  
what he derives from your Excell<sup>ys</sup> Bounty, he humbly

prays

prays Your Excellency And His Majestys Council would  
 be pleased to continue your Favour And Assistance to him  
 And in your goodness give Directions that his last years  
 pension / ending the 20.<sup>th</sup> of June last/ may be paid to him  
 or to his order, As he has been used to receive it in for:  
 :mer years And as in duty bound he will ever pray  
 , Signed, Maforge L'homme chargé  
 D'un plein pouvoir de Grand  
 Maison

This Board considering that the years Sallary of One  
 shilling Hallifax Currency pr Day was allowed the Petiti:  
 :oner during the Military government, for Service ren:  
 :dered the public, are of Opinion that the Sallary ought  
 to be continued And Therefore order payment to the  
 20<sup>t<sup>h</sup></sup>. of March last

Mess..<sup>ts</sup> Boisseau, Perreault. Amiot And Tachét  
 in Name of the Canadian Inhabitants of Quebec Re:  
 :quest this Board to allow them to assemble them:  
 :selves in the house of Mons.<sup>r</sup> Philebert in the Upper  
 Town On Wednesday the 9.<sup>th</sup> Instant in consequence  
 of the Leave formerly granted them

Ordered that the Clerk inform the Justices of the  
 peace of said Assembly that they may be present if they  
 think proper

Presented a Petition from Adrien Pauchet  
 S.<sup>t</sup> André a French Protestant

ordered to be entered in the Book

To His Excellency The Hon<sup>l</sup>. James Murray  
 Esq.<sup>r</sup> Captain general And governor in Chief  
 of the Province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>  
 In Council

The Memorial of Adrien Pauchet S.<sup>t</sup> André

Humbly sheweth

That your memorialist is a protestant

native

native of Old France, living in this province, these last three years, having been employed both by the Government for Lieutenant and Adjutant in the Batalion of Canadian Volunteers raised in the year 1764. And after said Batalion was reduced, by His Excellency the Hon<sup>l</sup> governor Murray for his Secretary for above Twelve Months, And having taken Lands also the Oaths of Allegiance to His Majesty. And being determined to become a Subject, begs from His Excell<sup>y</sup> The Hon<sup>l</sup>. governor Murray, And The Hon<sup>l</sup>. His Majestys Council to enjoy all the Prerogatives & Priveledges as a British Subject

And your Memorialist will ever pray

, Signed, A P.<sup>t</sup> S.<sup>t</sup> André

Whereas a Doubt has arose whether or not the governor & Council have a Right to naturalize Foreigners found Settled in this province, And others who may hereafter come to the same, in the present Circumstances of this Colony. It is ordered that the said Petition And this Minute of Council be referred to the Attorney general who is to report to this Board next Council Day

Read Petition from John Fraser a Prisoner at present in goal, requesting to be set at Liberty for the Reasons therein mentioned

The Attorney general being Asked what he knows of this Petition Declares there are several Informations lodged in the Crown office against the Petitioner for several Middemeanors which have not yet been tryed; upon which he was remanded to prison by the Court last term

till

till he should give Security for his Appearance the first Day of next Term, which Securitys the Attorney general agrees shall be in Twenty pounds each

Resolved that Fraser must find the Security above mentioned before he can be released

Presented Memorial from Thomas Aylwin Esq.<sup>r</sup>

Ordered to be entered in the Book

The Memorial of Thomas Aylwin Merch.<sup>t</sup> in Quebec And one of His Majestys Justices of the Peace for this District

Sheweth

That in Consequence of an Order received from your Excellency & the Council to attend on this Honourable Board in the Month of June last, And give Evidence in An affair which doubtless you apprehended the peace & quiet of His Majestys Colony was nearly concerned in. You was then pleased to tell your memorialist you had been informed he had declared M<sup>r</sup> Gregory had not assented to the Ordinances that were passed And that your memorialist heard M<sup>r</sup> Gregory declare it. Your Memorialist did accordingly give his Evidence respecting the facts that came to His Knowledge And answered such Questions as your Excellency And Honors were pleased to put to him looking on the same as his indispensable Duty both as a private Member of Society but more especially as a magistrate. Your memorialist to his great Surprise has found that M<sup>r</sup> Gregory in a Vague Letter of 11.<sup>th</sup> of December addressed to this Honb.<sup>le</sup> Board has most injuriously attempted to invalidate And Set aside the testimony your Memorialist gave on that Occasion

And

not satisfied with endeavouring to represent every thing he made Oath to before your Excellency & Honors as false And groundless, has likewise published the same through this place, / And probably sent it home / to the great hurt & prejudice of the Charecter of your Memorialist among his fellow merchants & Citizens of every Class. Also he has most Artfully endeavoured to make this Honourable Board & the World believe your Memorialist had divulged a Secret that was given him in trust. he therefore most Earnestly requests of your Excellency And the Honourable Council that you will be pleased to hear such other Evidence As your memorialist may produce as a Conviction to this Hon<sup>l</sup>. Board And the World that the former Testimony given by your memorialist were Truths, And for clearing his Charceter from the many very gross & ungenerous Aspersiones that M<sup>r</sup> Gregory has so unbecomingly thrown out against it. Which in a private but more especially in a public Capacity may be of the worst Consequence to your Memorialist. Your Excell<sup>y</sup> & honors will therefore be pleased to Grant him such other Relief & Satisfaction as a Matter of so tender a nature requires  
And your memorialist as in Duty  
bound will pray  
, Signed, Tho.<sup>s</sup> Aylwin

Ja: Murray



At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec On Saturday  
the fifth Day of April 1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq<sup>r</sup> gov.<sup>r</sup>

Paulus Emilius Irving	}	Esq. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

Presented Memorial from the Justices of the  
peace

Ordered to be entered in the Book

To His Excellency The Honourable  
James Murray Esq.<sup>r</sup> governor of the Province  
And garison of Quebec And The Hon<sup>l</sup>. His  
Majestys Council for said Province  
The Memorial of us the Subscribers  
Justices of the peace for this District

Sheweth

That as nothing tends more to the peace Industry  
And good government of Any Society than the due  
punishment of all idle Vagrant And disorderly  
people who by their bad Exemple often corrupt the  
manners of their fellow Citizens. And as your me:  
morialists have lately in the Execution of their office  
as magistrates discovered that there are many such  
persons residing in And about this place, who if not  
early made Exemples of may become very dangerous to  
the Community, Your Memorialists pray Your  
Excellency & Honors will be pleased to give orders to the  
Keeper of His Majestys Goal to set apart & repair two

Rooms

Rooms in the same for the reception of such idle  
And disorderly people, where they may be properly cor:  
:rected And kept to hard Labour, agreable to what is  
customary in other places

As also that you would please to give Orders that  
the Expence attending the same be paid out of such fund  
as your Excellency & Honors may judge proper, untill  
the usual County Rates can be established for the future  
Support of such a necessary Undertaking, they have  
the honor to be

Your Excell<sup>y</sup> & honors most  
Obed<sup>t</sup> Serv.<sup>t</sup>

Signed { Peter Travers, John Lees. J A Potts  
          { Hugh Finlay, John Collins Tho.<sup>s</sup> Aylwin

Resolved that two Rooms be set apart for a  
Workhouse as mentioned in the memorial And that the  
Expence thereof be paid out of the Fines under the Direction  
of the Justices

Presented Petition from Nicolas Davies requesting  
an allowance for the Services done by him to the province

Resolved that the Sallary of Twenty pounds pr Annum  
be continued to him as Messenger, he having given very  
important Intelligence during the War at the Risque of  
his Life

Read the Report of the Deputy Surveyor general of  
the Survey for Mons.<sup>r</sup> Hertel de Rouville

The Deputy Surveyor general having reported in his  
Survey of the Lot for John M<sup>c</sup>Cord which is a part of the  
same Ruin petitioned for by M.<sup>r</sup> Rouville, That Granting  
M<sup>r</sup> M<sup>c</sup>Cords petition would be no Detriment to his Majesty,

which

which was Approven of by this Board after being visited by a Committee of Council And a grant ordered accordingly

Resolved to grant the Lot to M<sup>r</sup> Rouville under the same Quit Rent And Restrictions with that to M.<sup>r</sup> M<sup>c</sup>Cord The Surveyors two Reports being utterly inconsistent & that of M<sup>r</sup> Rouville absolutely groundless

Ordered a Committee of the whole Council on Monday next to consider And report their Opinion of Acco..<sup>ts</sup> presented for payment by M.<sup>r</sup> Goldfrap And the Attorney general

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Wednesday the Ninth of April 1766

Present

His Excellency The Honb. <sup>le</sup> Ja. <sup>s</sup> Murray Esq. <sup>r</sup> governor	
Paulus Emilius Irving	} Esq.. <sup>rs</sup>
Walter Murray	
Adam Mabane	
Thomas Dunn	
Francis Mounier	
James Goldfrap	

Presented the Surveyors Report of the Survey of the Wharf commonly called the Kings Wharf petitioned for by M<sup>r</sup> Ainslie

Presented a Remonstrance of the Merchants of Quebec thereupon

Ordered to be entered in the Book

To His Excellency James Murray Esq.<sup>r</sup>

Governor

Governor of the Province of Quebec &.<sup>c</sup> And The  
Hon<sup>l</sup> His Majestys Council

The Remonstrance of the Merchants of the  
City of Quebec

Most respectfully sheweth

That your Remonstrants learn with Surprize, that  
a petition has been presented to Your Excellency & Honors  
by Thomas Ainslie Esq.<sup>r</sup> for a grant of the large Wharf  
in the lower town of Quebec, commonly called the  
Kings Wharf; in Consequence of which it has been sur-  
veyed by the Deputy Surveyor general of the province

Your Remonstrants on this Occasion confess they  
are alarmed And beg leave to lay befor your Excellency  
And Honors, some Reasons why they think that the  
granting said Wharf, would be very prejudicial to the  
Merchants of this City And the public in general

They beg leave to Observe that the port of Quebec  
has by Nature fewer Conveniencys for laying Shipping  
ashore & Shipping And landing goods than Any port of  
America And on this Account Business is transacted  
with great Difficulty Trouble & uncommon Expence  
And that the Kings Wharf is the only one of which the  
Traders in general can make Any use

For these Reasons your Remonstrants think that  
the said Wharf is of too great Consequence to the Commerce  
of this Colony to be granted to Any private person whatever  
And assure your Excellency And Honors that if your  
Inducement to grant it is, that it may be kept in  
Repair Your Remonstrants will at all times be willing  
to contribute thereto

Your Remonstrants therefore

pray

pray Your Excellency And honors will  
 maturely consider a matter of so much  
 Importance to the Trade of this Country  
 And preserve to them the Use of the said  
 Wharf, in the same manner as they  
 have enjoyed it heretofore  
 And your Remonstrants shall ever pray

Signed	John Ord	Henry Boone	Jacob Rowe	Peter Faneuil
	John Baird	Cha. <sup>s</sup> Alexander	Alex. <sup>r</sup> M <sup>c</sup> kenzie	John Franks
	Geo: Gregory	Peter Travers	Gilb. <sup>t</sup> Barkly	W. <sup>m</sup> Govett
	John Halsted	Claud Morin	Fred Engelke	R Fargues
	Ph: Payne	Isaac Levy	Joseph Isbister	Eleazar Levy
		Nath. Stone	Hen: Taylor	John Lymburner
		John Stafford	Sam <sup>l</sup> Eldridge	W <sup>m</sup> Abbott
		Jn. <sup>o</sup> Melvin	Edw <sup>d</sup> Harrison	James Jeffrey
		John M <sup>c</sup> Cord	Murdock Stewart	John Danser
		Pellissier	Jn. <sup>o</sup> Purss	Simon Fraser

Resolved that the Clerk of this Board inform the  
 Subscribers of the above Remonstrance That the only  
 View of the Council to grant said Wharf to an Individual  
 was to insure its being kept in Repair for the Benefit  
 of His Majesty And the public; if they the Subscribers  
 will give undoubted Security to this Board that they will  
 put And keep the said Wharf in Repair for the above  
 mentioned purposes it will perfectly fulfill the Inten:  
 tions of government; They must give in their plan  
 next Council Day, because if the Wharf is not repaired  
 this ensuing Summer, it will become useless And cost  
 the government a great sum of money

Presented Petition from Patrick M<sup>c</sup>Clement  
 Schoolmaster

Ordered to be entered in the Book

To His Excellency the Hon<sup>l</sup> James Murray  
 Esq.<sup>r</sup> governor of the province of Quebec And  
 the Territories thereon depending &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup>

The Memorial of Patrick M<sup>c</sup>Clement  
 Humbly sheweth

That

That as your Excellency was pleased to encourage your Memorialist to undertake the teaching of a School in this City, He Accordingly opened One the first of September last, but the number of Scholars that as yet has offered has not been sufficient to Support him properly in the Discharge of his Duty and Station, Your Memorialist therefore hopes from your former Goodness that you will be pleased to establish And grant him a yearly Sallary of Twenty five pounds which sum would assist him greatly and enable him to attend properly, And your Memorialist further prays that it may please Your Excell<sup>y</sup> to allow the above Sallary to commence from the first of September last which will lay under perpetual Obligations him who is your Excell<sup>ys</sup> Memorialist

And he As in Duty bound will ever pray  
, Signed Pat: M<sup>c</sup>Clement

The Petitioner being the only Protestant Schoolmaster in Quebec of a good Character & decent Behaviour, And not having met with proper Encouragement, Resolv-  
-ed to allow him the Sallary petitioned for

Ja: Murray

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Thursday  
the Seventeenth Day of april 1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq.<sup>r</sup> gov.<sup>r</sup>

Paulus Emilius Irving	}	Esq.. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

Presented and Read a paper entituled Resolutions  
of the merchants of Quebec with Respect to the Wharf  
in the Lower town

Ordered to be entered in the Book

At a meeting of the Merchants & Traders held  
at the House of Thomas Leamy the 14. of April  
1766 in order to consider of a plan to be  
proposed to the governor & Council, of a grant  
of the Kings Wharf for public Benefit, reserv:  
:ing to the King his usual Rights

Resolved That a Subscription for the present Repair  
of the Wharf be entered into at the Rate of Twelve Dollars  
each

That each Subscriber have a Vote in the Choice of  
Directors

That Seven Directors be chosen Annually And in  
Case of Absence the place to be supplied by Vote of the  
Subscribers

That the Subscription commence immediately And so  
soon as filled, a meeting be called & directors chosen

That the Directors when chosen digest a plan for  
the Inspection of the Subscribers And every Article therein

be

be confirmed by a Majority

That the Directors propose some Method in their plan of procuring some Advantages peculiar to the Subscribers

That the Directors petition the governor & Council for a grant of the said Wharf, According to Actual Survey such grant to be made to the Directors in trust for the public

That Rates of Wharfage be proposed from time to time by the Directors

That the Directors have full power to appoint a Wharfinger, erect Cranes, build Shades, Store houses &.<sup>c</sup> so far as the monies arising from the Wharfage will enable them

That the Directors reimburse to each Subscriber his Subscription Money as soon as possible

That it is hoped the Moneys Subscribed together with a Moderate Wharfage will always insure the Wharf being kept in proper Repair

That Peter Travers And Peter Faneuil are hereby nominated to represent to the governor And Council next Council Day the necessity there is of allowing us further time

That in Consequence of the above Resolves we the Subscribers do promise to pay our Subscription Money immediatly to the Directors when chozen

Tho. <sup>s</sup> Aylwin 12 Doll. <sup>rs</sup>	Peter Travers & C. <sup>o</sup> 12 Doll. <sup>rs</sup>
Walmough Measam & C. <sup>o</sup> D. <sup>o</sup>	John Lymburner D. <sup>o</sup>
P. Tergues _ D. <sup>o</sup>	Geo: Allsopp D. <sup>o</sup>
Geo: Gregory D. <sup>o</sup>	Paterson & Grant D. <sup>o</sup>
B Compte & C. <sup>o</sup> D. <sup>o</sup>	Joseph Gridley D. <sup>o</sup>
Joseph Isbister D. <sup>o</sup>	John M <sup>c</sup> Cord D. <sup>o</sup>
For self & Jn <sup>o</sup> Collins	Zach: Mcaulay D. <sup>o</sup>
W <sup>m</sup> Govett	John Malcom D. <sup>o</sup>
John Danser	Jeffrey & Faneuil 16 Doll. <sup>rs</sup>

Ordered



Ordered that these Resolves with M.<sup>r</sup> Ainslies Petition be referred to the Committee who are to report to this Board their Opinions of what will be most for the public Benefit

Read the memorial presented by Thomas Aylwin Esq.<sup>r</sup> on the Second Instant

Ordered that a Copy of that Memorial be sent to M.<sup>r</sup> Gregory by the Clerk with the following Resolution of Council

This Board resolve to hear this Matter on Saturday next, they hope M.<sup>r</sup> Gregorys Health will permit his Attendance that Day As the Affair can not be longer delayed

Read a Letter directed to Mess..<sup>rs</sup> Mabane & Mounier relating to papers Sealed up by their order in the possessi: -on of a French Notary public deceased

Ordered to be referred to the Committee who are to consider of a Rule for the future with Respect to the papers in the Hands of French Notarys

Ja: Murray

At the Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on Saturday the Nineteenth Day of April 1766

Present

His Excellency the Hon <sup>l</sup> James Murray Esq. <sup>r</sup> gov. <sup>r</sup>	}	Esq.. <sup>rs</sup>
Paulus Emilius Irving		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		

The Council met this Day in Consequence of the Adjourn:

:ment

Adjournment of thursday to hear what further Evidence  
M<sup>f</sup> Aylwin may produce in support of His affidavit in  
Council on the 25 of July last

Read a Letter from the Chief Justice to the  
Clerk of this Board

Ordered to be entered in the Book

Sir

I was favoured with your Letter enclosing me  
the Resolution of the Council, to proceed on M<sup>f</sup> Aylwins me:  
:morial on this Day: I always have And always shall  
be ready to give my attendance when in my power, but  
at present my Indisposition is such as disables me to  
leave my house

In December last I gave M<sup>f</sup> Aylwins Deposition  
as full an Answer as I possibly could, And the only  
Answer I ever shall give it, having neither time nor  
Inclination to have any further altercation with him  
I am with best Respects to His Excell<sup>y</sup> and the rest of  
the Council

Sir

Your very Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

Signed, W.<sup>m</sup> Gregory

April 19. 1766

To J. Potts Esq.<sup>r</sup> D C C

---

Compeared James Shepherd Esquire Clerk of the peace for  
the District of Quebec who being Solemnly sworn on the  
Holy Evangelists Deposeth that M<sup>f</sup> Gregory told the  
deponent in a public Company not as a Secret some  
Months before the 25 of July last that he M<sup>f</sup> Gregory  
had not assented to many of the Ordinances passed, And  
deposeth that the Deponent replied M<sup>f</sup> Gregory was looked  
upon as a Member of the Council, And if he M<sup>f</sup> Gregory

thought

thought any of the Ordinances wrong, it was his Duty to have protested against these Ordinances or to have vacated his Seat At the Council Board to vindicate his own Charecter to the World, to which M<sup>r</sup> Gregory made no Answer, And further deposes the Deponent always understood M<sup>r</sup> Gregory never made a Secret of what he told as above, on the contrary that he industriously propagated it among every body that he looked upon as his Freinds And further sayeth not

Signed J Shepherd

Compeared John Lees Esquire One of His Majestys Justices of the peace for the District of Quebec who being solemnly sworn on the Holy Evangelists Depo-  
-seth that some time after M<sup>r</sup> Aylwin made his Deposition in Council, the Deponent thinking the peace And good Order of the people nearly concerned in that affair, As well As the Charecter of One of his particular freinds He committed to writing what he then recollected with respect to M<sup>r</sup> Aylwin And M<sup>r</sup> Gregory in the form of an Affidavit which he now produces

Ordered to be entered in the Book

Quebec sc    The Deposition of John Lees Esq.<sup>r</sup> Merchant in this place taken before Samuel Gridley Esq.<sup>r</sup> One of His Majestys Justices of the peace for this District who being Solemnly sworn on the Holy Evangelists Deposeh & sayeth

That Thomas Aylwin Esq.<sup>r</sup> Mechant in this City did several times last winter converse with the Deponent on the Subject of the Ordinances made by the governor & Council of this province And on other political Disputes they had given rise to among the Inhabitants of this place. That during

the

the Course of such Conversation the Deponent And said Aylwin often differed widely in Opinion; On one of these Occasions the point in Dispute was, whether some of the Ordinances complained of by the people had met with the Approbation And Consent of the Chief Justice of this province, said Aylwin then advanced they had not, And the Deponent having Good Authority for believing the contrary, And that most of the Ordinances complained of by the public had been Approved of by the Judge, The Deponent declares he as Strenuously insisted it was otherways adding that said Aylwin must certainly have been misinformed, The Deponent do's further Declare that said Aylwin in Support of his Opinion said, t'is so reported over the town, & that the Deponent could not be ignorant that the Judges most intimate freinds took pains to make it public, Further the Deponent declares that in Justification of the Judges Conduct in this Matter, said Aylwin did add, That it was extremely natural for the public to pay a due deference to the Judges Opinion as he was the only Member of Council that could be supposed well Acquainted with the Laws & Constitution of Great Britain And of Course able to detemine whether the Ordinances were in any Degree inconsistant with them. The Deponent further adds that not long after the above mentioned conversation he the Deponent happened to be in the public Ball Room at the house of M<sup>r</sup> Brooks, where he saw the Chief Justice & said Mr Aylwin Standing together at the left hand Corner of the said Room At the End next the Bishops Palace seemingly engaged in a very Interesting Conversation, That next morning after to the best of the Deponents Remembrance, being about the latter End of the Winter said M<sup>r</sup> Aylwin told the Deponent that last Night he acquainted the Judge, that he was told general Murray had declared, Justice Gregory had given his assent to most

if

if not all the Ordinances that had passed in Council, to which said Aylwin declared to the Deponent that said Gregory made for Answer it was a Lye or a damn'd Lye this Deponent do's not recollect which, but well remembers the word Lye was used As the said Aylwin told him. On which the Deponent declares he was surprised at such an answer And asked said Aylwin if he was certain the Judge said so to which he replied he was positive of it. Soon after the Dispute ended between said Aylwin & the Deponent, the former being apparently satisfied that what the Judge had said to him on the Occasion must be true. The Deponent do's further declare that he has been told by many different persons And heard also the same repeated in Various Companys Viz.<sup>t</sup> that the Chief Justice had objected or at least had not given assent to Any of those Ordinances, which were complained of by the public, And that as he this Deponent never looked on this assertion of the Chief Justices As Any Secret, he declares he has often repeated it in his own house before various Sorts of Company And also on other Occasions

further the Deponent sayeth not

Sworn before me this \_\_\_\_\_, Signed, John Lees

7 Jan<sup>ry</sup> 1766

\_\_\_\_\_, Signed, Samuel Gridley J P.

Sworn in Council 19.<sup>th</sup> April 1766

Compeared John Aitken of Quebec Merchant who produced An affidavit taken by him before Peter Traverse Esq<sup>r</sup> One of His Majesty's Justices of the Peace on the 23.<sup>d</sup> December 1765 And was sworn to the Truth thereof before this Board

Ordered to be entered in the Book

District of Quebec Viz. <sup>t</sup>	}	The Deposition of John Aitken of Quebec Merch <sup>t</sup> . taken before me Peter Traverse Esq <sup>r</sup> One of His Majesty's Justices of the Peace for said District, who being duly sworn on the Holy Evangelists deposeth & sayeth
---	---	---

That during the Course of last Winter Disputes running

high

high concerning the Ordinances then made by the gov.<sup>t</sup>  
And Council of this province, he had frequent Conversation  
thereon with M<sup>t</sup> Thomas Aylwin, who told the Deponent  
that as it was often And publicly reported, that the Chief  
Judge had not assented to several of the said Ordinances  
he was determined to embrace the first Opportunity of  
asking the Judge whether the Report was true

That on a certain Night towards the End of the  
Winter / in what Month the Deponent doth not exactly  
remember /, he saw the Chief Judge & said M<sup>t</sup> Aylwin  
seemingly conversing together in the assembly Room; &  
that soon after, the Deponent thinks on the very next  
morning at Breakfast, M<sup>t</sup> Aylwin told him that it  
was as he expected, for he had asked the Judge & received  
for Answer “that several of them had been passed  
“without his assent” or in words to that Effect

And further the Deponent Sayeth that to the best  
of his Remembrance, it was often & publicly reported,  
previous to the night whereon he saw the Chief Judge  
& M<sup>t</sup> Aylwin together in the assembly Room, That  
the said Chief Judge had not assented to many of the  
Ordinances then made & published

, Signed, John Aitken

Sworn before me this

23 Dec.<sup>r</sup> 1765

Signed, Peter Travers J. P.

His Excellency the governor thinks it his Duty upon this  
Occasion to declare before this Board that long before M<sup>t</sup>  
Aylwin made his Deposition, he had been told again & again  
at his own Table that a Report was propogated that M<sup>t</sup>  
Gregory Declared he had not assented to the Ordinances, And  
that thereupon he desired M<sup>t</sup> Richard Murray to find out  
any particular person who said so, that M<sup>t</sup> Murray found  
that M<sup>t</sup> Aylwin had said so, that thereupon the governor

sent

sent for M<sup>r</sup> Aylwin who with a great deal of Reluctance  
 And not till after the governor persuaded him it was a Duty  
 he owed to the public delcared the Conversation betwixt him  
 And M<sup>r</sup> Gregory

The Council having heard the Depositions corroborat-  
 -ing M<sup>r</sup> Aylwins Affidavit Are of Opinion that M<sup>r</sup> Aylwin  
 did no more than his Duty in deposing befor them what  
 had passed betwixt M<sup>r</sup> Gregory and him And that it do's  
 not by Any means appear that the Converstation betwixt  
 them was private or told as a Secret And think it  
 their Duty for the Satisfaction of the public to declare  
 that he M<sup>r</sup> Gregory had not objected to or dissented from  
 Any ordinance that was passed on the contrary that  
 when ever Any Law Matters were the subject, The  
 Ordinances were particularly sent to Mr Gregory for  
 his Perusal And Correction And further that the public  
 And M<sup>r</sup> Aylwin would have had this Satisfaction sooner  
 agreable to M<sup>r</sup> Aylwins repeated request, but that a  
 Multiplicity of Business And the frequent absences  
 of the members of this Board prevented their enquiring  
 further into this Affair before this time

Resolved that the Clerk of this Board furnish  
 M<sup>r</sup> Aylwin with a Copy of the whole proceedings with  
 relation to M<sup>r</sup> Gregory if he shall demand it

His Excellency produced An order of His Majesty  
 in Council dated 22.<sup>d</sup> November 1765  
 Ordered to be Entered in the Book

At The Court at S.<sup>t</sup> James's  
 the 22.<sup>d</sup> November 1765

### Present

The Kings most Excellency Majesty	
Lord President	Earl of Egmont
Lord Steward	Earl of Resborough
Earl of Denbigh	Earl Verney
Earl of Albemarle	Viscount Falmouth
Earl of Dartmouth	Viscount Barrington
Earl of Hardwicke	Viscount Villiers
	M <sup>r</sup> Secretary Conway
	Whereas

Whereas The governor of His Majestys Province of Quebec, with the Advice of the Council of that Province, is authorized And impowered / until the Situation And Circumstances of the said Province will admit of calling general assemblies / to make such Rules & Regulations As shall appear to be necessary for the Peace order And good government of the said Province, taking Care that nothing be passed or done, that shall Any ways tend to affect the Life Limb or Liberty of the Subject or to the imposing Any Dutys or Taxes; which Rules And Regulations are directed to be transmitted to His Majesty for his approbation or Disallowance, And whereas in pursuance of the said Powers the following Rules And Regulations have been made in the said Province And transmitted intituled As follows Viz.<sup>t</sup>

An Ordinance for the better discovering & Suppressing unlicensed houses, dated 3.<sup>d</sup> Nov.<sup>r</sup> 1764  
An Ordinance for the better Observance of the Lords Day, dated the 6 Novem.<sup>r</sup> 1764  
An Ordinance for billeting His Majestys Troops on private housekeepers in the Province of Quebec dated the 12 Nov.<sup>r</sup> 1764  
Together with an Additional Ordinance published on the 29 of the same Month in further Explanation of it

Which Ordinances together with a Representation from the Lords Commissioners for Trade & Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of His Majestys most honorable Privy Council for Plantation affairs, the said Lords of the Committee did this Day report to His Majesty that the said Ordinances ought all of them to be repealed

His



His Majesty is thereupon pleased with the Advice of His Privy Council to declare his Disallowance of the said Ordinances, And pursuant to His Majestys Royal Pleasure thereupon expressed, the said Ordinances are hereby repealed, declared void, And of none Effect, Whereof the governor or Commander in Chief of His Majestys Province of Quebec for the time being And all others, whom it may concern Are to take Notice And govern them:  
:selves Accordingly

, Signed, W: Sharpe

Resolved that the above order be immediately published by Way of Proclamation

Read Surveyors Return of 6000 Acres near the River De Loup for Richard Murray & Malcom Fra:  
:ser Esq..<sup>rs</sup>

Ordered to be fyled And a Warrant given to the Attorney general to draw a Draft of the grant reserving Two shillings pr hundred acres of Quit Rent to His Majesty

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Thursday the twenty-fourth of April 1766

Present

His Excellency The Hon <sup>l</sup> James Murray Esq. <sup>r</sup> governor	}	Esq.. <sup>rs</sup>
Paulus Emilius Irving		
Walter Murray		
Adam Mabane		
Francis Mounier		
James Goldfrap		

Read the Surveyors Report of the Survey of Red Island for Lieu<sup>t</sup>. Colonel Irving

Ordered to be fyled And A Warrant to be directed to  
the

the Attorney general to draw a Draft of Letters patent for a Grant of said Island to M<sup>r</sup> Irving with the Reserve of Two shillings Sterling pr Annum of Quit Rent to his Majesty.

Presented Petition from Jacob Rowe  
ordered to be entered in the Book

To His Excellency The Hon.<sup>l</sup> James Murray  
Esquire Captain general and governor in Chief  
in And over the province of Quebec &<sup>c</sup> &<sup>c</sup> &<sup>c</sup>  
the Hon<sup>l</sup> The Members of His Majestys Council

The humble Petition of Jacob Rowe

Sheweth

That your Petitioner was on the 14 of Octo.<sup>r</sup> 1761  
And long before Acting Deputy Commissary in the City of  
Quebec being thereto duly commissioned And by Virtue  
of his said office was particularly under the Command of  
your Excellency as Commander in Chief of all His Majestys  
forces in Canada / since called & known by the name of the  
Province of Quebec /

That your Petitioner being Deputy Commissary as  
aforesaid did on or about the said 14.<sup>th</sup> Day of October receive  
orders from your Excellency to impress a certain Sloop  
called the Welch into his Majestys Service

That your Petitioner did accordingly on the same  
Day in pursuance to such your Excellencys Commands Ar.  
rest And impress the said Sloop Welch into His Majestys  
Service And sent her / agreable to further orders / to the  
Assistance of an other Sloop called the Elizabeth then  
also in His Majestys Service loaded with provisions And  
which had been by some Accident in her Way to Montreal  
drove ashore on a Ridge of Roches near the parish of

S<sup>t</sup> Antoine

S.<sup>t</sup> Antoine.

That the said Sloop Welch being thus employed in his said Majestys Service as aforesaid returned therefrom on or about the 24 of said Month of October into the Harbour of Quebec And there anchored And made fast

That being there moored she was in the same Night by the Violence of the Winds and Waves drove from her said Moorings near to a place called Wolfes Cove and there Stranded

That John Malcom of the City of Quebec aforesaid thereupon some time in Trinity term last commenced An Action at Law against your Petitioner for Damages as alledged to be done him on Account of the aforesaid Premisses he being One half Owner of said Vessel And on hearing of said Cause obtained a Verdict against your Petitioner for the payment of One hundred & thirty nine pounds seven shillings & five pence farthing Sterling with Costs of Suit And final Judgment having been entered thereon Execution is since issued

That your Petitioner by means thereof is reduced to the unhappy Alternative of confining himself a prisoner in his own house or otherwise going to goal

That this misfortune therefore must unavoidably be attended with the certain Ruin of your Petitioner his Wife And Family unless your Excellency And Honors will in your great Goodness & Justice be pleased to apply some Remedy whereby your Petitioner may again be at Liberty to follow his Business as usual towards the Support of himself & his distressed Family Your Petitioner therefore most humbly prays Your Excellency And Honors will consider the Circumstances of this Case together with his present deplorable Situation And make such orders And directions thereon

As

As to your Excellency And Honors shall seem most meet And the peculiar Hardship of your Petitioners Circumstances require

And your Pet.<sup>r</sup> as in Duty Bound will ever pray  
, Signed, Jacob Rowe

In Regard It is consistant with His Excellency the governors Knowledge & that of The Hon.<sup>l</sup> Paulus Emilius Irving then Deputy Quarter Master general that the Sloop mentioned in the Petititon was lost on or about the time therein set forth in his Majestys Service Resolved that the Petitioner be paid the Value thereof with the Costs of Suit

Ordered upon considering the Petition of Joseph Le May presented the 6.<sup>th</sup> of February 1765 for a grant of certain Lands lying near the Seigneurie of S<sup>t</sup> Jean de Chaillon that the Deputy Surveyor general fix the Boundaries of the Seigneuries of S<sup>t</sup> Jean de Chaillon belonging to M<sup>r</sup> S<sup>t</sup>. Ours And of S<sup>t</sup>. Pierre Le Viccaire belonging to Mons.<sup>r</sup> Leverard

William Van Felson informed this Board that several people had cut upon Lands belonging to His Majesty, Timber fit for Masts yards &.<sup>c</sup>

The said William Van Felson being solemnly sworn on the Holy Evangelists Deposeth and sayeth that some Accadians settled in the Bay of Bonaventure did cut numbers of Trees for Masts and yards upon the Kings Lands for Moore And Finlay Merchants in Quebec by order of their Clerks And further Deposeth that he has been told by the Inhabitants of Bonaventure that a considerable

Quantity

Quantity of Wood upon the Kings Land was going to be cut for Alexander M<sup>c</sup>kenzie of Quebec Merchant And that the people were engaged to cut the same, And further that John Collins Esq.<sup>r</sup> Deputy Serveyor general told the Deponent he M<sup>r</sup> Collins had seen the Wood lying that was cut for Moore And Finlay

Sworn in Council 24 April 1766

John Collins Esquire being solemnly sworn on the Holy Evangelists Deposeth that he saw at Bonaventure a good many masts cut which Masts the people told him were for Moore & Finlay And being asked if he knows of Any Lands about Bonaventure that are private Property Deposeth he never heard of Any

Sworn in Council 24 April 1766

Read a Letter from Hugh Montgemery Esquire dated at Grand Riviere in the District of Gaspey to the Secretary of the Province praying An allowance for Administring the Oaths both to the Inhabitants thereabouts & other Services

Ordered to be fyled And referred to a Committee

Presented An Accompt for Lewis Mettral Esq.<sup>r</sup> one of his Majestys Justices of the Peace for his Attendance And Expences in taking the Presentments And swearing in the Inhabitants of 48 Parishes Amounting to £ 89..19..6 Currency

Ordered that the Above Accompt be payed

Ja: Murray

At The Council Chamber in the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Wednesday the  
Seventh Day of May 1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq.<sup>r</sup> Governor  
Paulus Emilius Irving }  
Walter Murray }  
Adam Mabane } Esq..<sup>rs</sup>  
Francis Mounier }  
James Goldfrap }

Presented Petition for Money from Brown & Gilmore  
Printers

Ordered to be referred to a Committee

Read Information of Jacob Stagman Keeper of the  
goal of Quebec

Ordered with the Depositions of Ensign Hamilton And  
Mary Stegman And the Attorney generals Opinion upon  
Stegmans Information to be entered in the Book

District of Quebec }  
To wit } The Information of Jacob Stegman Keeper of His  
Majestys Goal in the City of Quebec taken before  
Samuel Gridley And John Marteilhe Esq.<sup>r.s</sup> two of His  
Majestys Justices of the peace in And for said Dis:  
trict who deposeth and Sayeth

That on friday last being the 2.<sup>d</sup> of May this Informant  
Arrested Ensign Hamilton of the 28.<sup>th</sup> Regiment for a Debt  
of £ 70.. And upwards who after being properly taken pre:  
sented a Fuzee at this Informant & declared he would Shoot  
him, upon which this Informant retreated four or five  
yards, untill M.<sup>r</sup> Wilcox / An assistant this Informant had  
procured / seized the Fuzee; upon which this Informant  
layd hold of said Hamilton, And took away his Arms, &  
lead him away to a tavern, in order to procure Bail, Accord  
ingly Major Browne being sent for said he would answer

for

for the money, but would not give Bond for the same after which as Bail could not be procured this Informant took his Prisoner to Goal, soon after he was there many officers of the 28 Regiment came to visit him, this Informant desired they would disarm themselves before they entered the Prison, upon this Request several of them / And M.<sup>r</sup> Shellitoe in particular / refused to deliver their Swords, And abused this Informant and the Turnkey in a very Vulgar indecent Manner, notwithstanding they were obliged to deliver their Swords before they entered the Prison, & were afterwards conducted to Ensign Hamiltons Appartment some time after they went away

About 7 oClock of the same Day Lieu.<sup>t</sup> Carleton of the ~~same~~ 28<sup>th</sup> Regiment came also to visit M.<sup>f</sup> Hamilton Accordingly the Turnkey had orders to let him in After being with him about half an hour this Informant was called by said Carleton, who said, you have A man here prisoner One Berry belonging to my Company under Sentence of Death for Murder, who I thought had every Day the Goal Allowance, but I find to the contrary to which this Informant replied, that as he knew he drew his pay & Provisions from the Regim.<sup>t</sup> weekly, As another Soldier who did Duty he imagined One allowance was sufficient for any one in his Circumstances; upon that Lieu.<sup>t</sup> Carleton said, such Villainy as goes on here he would himself report to general Townsend: this Informant then replied that he gave nothing Away but to those he was ordered, whereupon Lieu.<sup>t</sup> Carleton expressed himself, that it was general Murrays fault; But general Murray was a Lyar And a damned Lyar, & he could prove it, & repeated such words And words to the same Effect very often upon which this Informant told the said Carleton, it was improper to speak so indecently in the Goal, & he should not make use of such Expressions Anymore, where:

: upon

whereupon Lieu.<sup>t</sup> Carleton replied “I tell you Stegman there never was a general officer in His Majestys Service that had Stained his Commission with more infamous Black guard Actions than general Murray had done” this Informant called him out of M<sup>r</sup> Hamiltons Room & ordered it to be locked up, Lieu.<sup>t</sup> Carleton followed this Informant into his appartement, & again repeated the same Words he had before uttered about gen.<sup>l</sup> Murray And went away

That on Saturday Evening the 3.<sup>d</sup> Instant Lieu.<sup>t</sup> Dowe of the 28 Regiment came to the Prison was admitted And went in to M<sup>r</sup> Hamilton after Staying there about half an hour, sent for a Bottle of Wine & this Informant, & asked if this Informant had ever been in the Army, who replied he had for 21 years, he demanded how this Informant came to Arrest an officer, or Any one belonging to the Army, this Informant replied it was his Duty And he was obliged to do it, upon which Lieu.<sup>t</sup> Dowe said to this Informant, if you should Arrest me do you think this Goal sufficient to keep me? this Informant told him, if he was there upon such An Occasion he should endeavour to keep him safe as well as an other Upon that Lieu.<sup>t</sup> Dowe swore he would have M.<sup>r</sup> Hamilton out of the prison & if he was not able of himself, he would march the granadier Company to the front of the goal, as the whole Company had sworn to be true to him the said Dowe, And further declared at same time that this Informant should be the first Bougee he would kill, this Informant asked Dowe how he could be so cruel to him as to kill him, as he did no more than his Duty, upon which said Dowe damned this Informant And all that

wears



wears coloured Cloths

This Informant further declares that since Lieu.<sup>t</sup> Hamil:  
:tons confinement in the prison, many officers of the 28 Reg.<sup>t</sup>  
had been frequently at the prison; And behaved in a Riotous  
insulting And menacing manner: And lastly this Infor:  
:ment further declares that from the Behaviour of the  
officers before mentioned, he really believes his Life is in  
Danger And apprehends M<sup>f</sup> Dowe in particular intends  
him some bodily mischief, And really believes that the  
said Dowe with others have an Intention of rescuing  
the said Ensign Hamilton out of Prison, & further this  
Informant says not

, Signed, Jacob Stegman

Sworn before us this 6 May

1766 } Sam: Gridley  
, Signed, } John Marteilhe

District of City } The Examination of Mary Stegman  
of Quebec To Wit } Spinster taken before Sam<sup>t</sup> Gridley & John  
Marteilhe Esq.<sup>r</sup> two of His Majestys Justices  
of the peace for the said District who being  
duly sworn Deposeth and Sayeth

That to the best of her Knowledge the first time she saw  
Lieu.<sup>t</sup> Carleton to visit Ensign Hamilton, he came into this  
Deponents Room, with her husband about 9 or 10 oClock in  
the Evening, & heard Lieu.<sup>t</sup> Carleton say, that he never heard  
of a General who stained his Charecter, with more infamous  
Actions than general Murray, And repeated it several times  
over, or words to the same Effect, And further this Exa:  
:minant sayeth not

her

, Signed Mary X Stegman

Sworn before us the } mark  
7 of May 1766

Signed, } Sam: Gridley  
, } John Marteilhe

District of City of } The Examination of Ensign Hamilton of the  
Quebec To Wit < } 28 Regim.<sup>t</sup> taken before Sam<sup>t</sup> Gridley & John  
Marteilhe Esq.<sup>ts</sup> two of His Majestys Justices of  
the peace for said District

Who being duly sworn deposeth & sayeth that he remembers

Lieu.<sup>t</sup>

Lieutenant Carleton being with him soon after his Confinement & drank a Bottle of Wine in his Apartment but do's not remember Any Conversation during the time Lieu.<sup>t</sup> Carleton was with him, that general Murray was mentioned, that being so affected at his Situation he gave no Attention to what Any one said, & in particular at that time; this Deponent further says that Lieu.<sup>t</sup> Carleton has been to visit him several times since; but he don't recollect to have ever heard M<sup>r</sup> Carleton mention gov.<sup>r</sup> Murrays Name or Any thing about him at either of said Visits

, Signed. R Hamilton

Sworn before us this  
7 Day of May 1766

Signed } Sam Gridley  
          } John Marteilhe

Quebec 7 May 1766

May it please your Excell<sup>y</sup>

In Obedience to your order I have perused Jacob Stegmans Information taken the 6.<sup>th</sup> Instant before Sam<sup>l</sup> Gridley And John Marteilhe Esq.<sup>rs</sup> two of His Majestys Justices of the peace, And am of Opinion that Lieu.<sup>t</sup> Carleton therein informed against ought to be compelled to find good Sureties for his personal Appearance in the Supreme Court of Judicature the first Day of next term to Answer to such Matters which on His Majestys Behalf shall then And there be objected against him And that in the mean time he be of the peace & good Behaviour to all His Majestys Subjects in this Province And also that Lieutenant Dowe be compelled to find sufficient Sureties to be of the peace & good Behaviour to all his Majestys Subjects in this Province And in particular to the said Jacob Stegman All which is humbly submitted to your Excell<sup>y</sup> by Sir your Excell<sup>ys</sup> most

Obed.<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

, Signed, Geo: Suckling  
Atty gen.<sup>l</sup>

At The Council Chamber in the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Wednesday  
the 14 Day of May 1766

Present

His Excellency the Hon<sup>l</sup> James Murray Esq.<sup>r</sup> governor  
 Paulus Emilius Irving }  
 Walter Murray }  
 Adam Mabane } Esq.<sup>rs</sup>  
 Francis Mounier }  
 James Goldfrap }

Read the Reports of the Committee of the 22.<sup>d</sup> & 23.<sup>d</sup>  
or April

Ordered to be entered in the Book

Council Chamber Quebec Tuesday the  
22.<sup>d</sup> of April 1766

Present

The Hon.<sup>l</sup> Paulus Emilius Irving }  
 Adam Mabane } Esq.<sup>rs</sup>  
 Francis Mounier }

The Committee having considered the Accompts presented  
by the Hon.<sup>l</sup> James Goldfrap, are of Opinion That the  
following Articles ought immediately to be paid, being  
money advanced by M<sup>r</sup> Goldfrap by order of government  
in the Department as Secretary Viz.<sup>t</sup>

1764	December 8	Paid M. <sup>r</sup> Galloway for translating memorial from Esquimaux an Indian & other Business £	—	19.	—
	20	Paid Horse hire to Cape Rouge, when the gov. <sup>r</sup> & Council went to Montreal.....	—	12.	—
	29	Paid a Messenger for going from Montreal to Laprairie in search of Soldiers.....	2..	2.	—
1765	Jan. <sup>ry</sup> 9	Paid Louis Bertrand going Express from Montreal to Quebec	8..	14.	—
	11	Paid Nicolas Jorrel an other Express.....	8..	2.	—
	21	Paid Nicolas Davies one quarters Sallary.....	6..	—	—
		Paid D. <sup>o</sup> for sundry Expresses &. <sup>c</sup> .....	10..	19.	6
		Carried over.....£	37	8..	6

	1765	Brought over.....	37..	8..	6
Jan <sup>ry</sup>	26	Paid Lieu. <sup>t</sup> Gogy Travelling Expences to Montreal And back.....	23..	9..	—
Feb. <sup>r.y</sup>	2	Paid Cap <sup>t</sup> Fraser his travelling Expences.....	13..	16	—
	6	Paid the grand Jury for first quarter Sessions.....	7..	4.	—
Aug. <sup>t</sup>	17	Paid Nicolas Davies traveling Charges.....	—	19.	2
Decem. <sup>r</sup>	8	Paid Nicolas Davies traveling Charges.....	1..	5.	7½
	18	Paid a Carpenters Bill fitting up a School.....	18..	—.	—
	24	Paid Brown & Gilmore Printers for sundry Advertisem <sup>ts</sup> Paid Brown & Gilmore for Priting Licences And Recognizances.....	3..	8.	—
	1766	Paid Ditto for Advertisements.....	8..	10.	—
Jan <sup>ry</sup>	11	Paid Nicolas Davies one quarters Sallary.....	—	12.	—
Feb <sup>ry</sup>	18	Paid William Harrier a Soldier in the 27 Regim. <sup>t</sup> pr order of His Excell <sup>y</sup> The gov. <sup>r</sup> in consideration of his Loss having been robb'd by a Deserter & also in Consideration of his having informed on Bourlemaque for harbouring s <sup>d</sup> Deserter, for which Bourlemaque was fined £ 20 agreable to an Ordinance .....	10.	16.	—
March	25	Paid Davies a quarters Sallary.....	6..	—	—
		Paid for Canoe hire at Christmas 1764.....	5.	8..	7½
		Paid M <sup>r</sup> Eddlestone Conductor of Artillery his Expences for Canoe hire, coming from Montreal and returning there.....	7..	4..	—
		As per Vouchers.....	150..	—	11
Jan <sup>ry</sup>	1766	Accompt of Contingencys by the Secretary pr Order			
	3	Paid a maricite Indian who brought a Petition to the governor & Council..... £ 1.. 10.. — Sundrys p <sup>d</sup> . at Montreal when there w. <sup>t</sup> the gov. <sup>r</sup> & Council Paid for translating plan of the Lords of Trade for Indian Affairs .....£ 2..8.. — For Wax paper Tape &. <sup>c</sup> ..... 8..10 For brandy to the Indians..... 18.. — _____3..14..10			
	30	A present to one of the Huron Chiefs .....	1..	4.	—
		Carried forward . .	£ 6 . 8 . 10		
		Carried over.....	150..	—	11

Brought forward.....	£ 6.. 8.. 10		
Brought over.....		150	11
Paid two Captains of Militia what they paid the messenger who went Express for their Lists of Bailiffs, it appearing that said Captains had sent said Lists to their freinds at Quebec who neglected taking them to the Secretarys office.....	3.. 6.. _		
Paid for 2 Medals for Indians Chiefs at Bonaventure.....	1.. 2.. _		
Paid the Messenger who came Express w. <sup>t</sup> the acco <sup>ts</sup> of the fire at Montreal.....	7.. 4.. _		
Paid by M <sup>r</sup> Gray for two Expresses sent to Montreal with Ordinances &. <sup>c</sup> at £ 8..4 each .....	16.. 8.. _		
Paid for publishing the governors procla: :mation for granting Lands in the News papers at New york Virginia Philadelphia Boston & New Lon: :don £ 12.. York Currency.....	9 ..-.-	43.. 8.. 10	
Quebec currency	£	193.. 9.. 9	

The Committee are of Opinion that the remaining Articles of the before mentioned Accompts, that do not Appear to have been advanced by the Secretary by order And those without Vouchers ought to be referred to the Lords of Trade. And the Committee beg of the governor to write to their Lordships for immediate & possitive Direc: tions with Regard to the Expences incident to the patent offices in this province, that if they make no Answer he will look upon the Accompts as ordered to be paid

M.<sup>r</sup> Goldfrap also present

The Committee having considered the Accompt present- ed by the Attorney general. Amounting to £ 140.. 6 are of Opinion that the quarters Sallary being £ 50 should be paid, And that the Remainder ought to be referred to the Board of Trade in the same Manner as the Secretarys, And more especially As there are no Disburse: ments in his office

, Signed, P. E: Irving

Council Chamber Quebec Wednesday  
23.<sup>d</sup> April 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving }  
Walter Murray } Esq.<sup>rs</sup>  
Adam Mabane }  
Francis Mounier }

The Committee having considered the Accompts presented by M<sup>r</sup> Goldfrap in the Department of Provost Marshal amounting to £ 342.7..2¼ of money disbursed by him in that office per Vouchers, Are of Opinion that the Accompt should be immediately paid, And recommend to the governor to write to the Board of Trade for positive Directions concerning such contingent Expences of government there being no County Rates yet Established in this province nor no Authority to raise Any funds for such purposes

M<sup>r</sup> Goldfrap also present

The Committee having reconsidered the Accompts for John Clerk Carpenter & M<sup>r</sup> Dunns Accompts added thereto by order of Council, with An Accompt this Day presented by M<sup>r</sup> Mounier Amounting to £ 2..1..<sup>4</sup>/<sub>5</sub> Also An Accompt presented for M<sup>r</sup> Mabane for his Expences at Montreal Amounting to £ 24..6 Are of the same Opinion with the Committee of the 22.<sup>d</sup> of March with respect to Clerks And M<sup>r</sup> Dunns Accompts. And are of Opinion that those of M<sup>r</sup> Mounier & D<sup>r</sup> Mabane ought also to be paid

The Committee having considered the Accompts presented by M<sup>r</sup> Collins Deputy Surveyor general, are of Opinion that he ought to be paid immediately the following Articles Viz.<sup>t</sup>

A

A Set of plans for the use of the Council .....	£	32..	10..	—
Ditto to be returned to the Board of Trade .....		32..	10..	—
To two Chain Carriers & two hatchet men employ'd during the time of the Survey 61 Days at 3/		36.	12.	—
To sundry Expences Attending fixing the Boundaries of this Province Viz. <sup>t</sup> Postage by Land Hire of Batteaux & Canoes mens Wages Provisions &. <sup>c</sup> .....		84..	16..	8
	£	186.	8..	8

And having also considered the Remainder of the Accompt are of Opinion that the Article of One hundred pounds for taking Care of the Highways ought to be struck out, As the Council have appointed particular Surveyors for that Business. And are further of Opinion that the Articles immediately following this paragraph / which compleat the said accompt / should be transmitted to the Board of Trade for their Determination, as from Cap<sup>t</sup> Hollandts the Surveyor generals Commission, it do's not appear he is to take his Orders from the Governor or Commander in Chief of this province And the Committee are ignorant of His Instructions Captain Hollandts being always employed out of the province in the Kings Service, makes Deputys and assistants absolutely necessary upon the Spot

To fixing the Boundary between this province & the province of New York on the Lakes Champlain And S <sup>t</sup> Francis agreable to the order & Instructions of The Honb. <sup>le</sup> James Murray Esq. <sup>r</sup> governor of the said Province And the Honb. <sup>le</sup> His Majestys Council from 2. <sup>d</sup> March 1765 to the 19. <sup>th</sup> of May both days included is 79 Days at 24 / pr Day .....	£	94..	16..	—
To My assistant employed during the above time of 79 Days at 15 / pr Day .....		59.	5.	—
Carried over.....		154.	1.	—

Brought over .....	£	154.	1.	—
To Admeasuring Surveying & Setting out the Lands of the Bays and Harbours of Gaspey & Chaleurs, from the 1. <sup>st</sup> of July to the 1. <sup>st</sup> of Novem. <sup>r</sup> both days included is 124 Days at 24/pr Day		148.	16.	—
To My assistant in the Survey from the 15. <sup>th</sup> of July to the 1. <sup>st</sup> Nov. <sup>r</sup> 1765 both Days included is 110 Days at 15/pr Day .....		82.	10.	—
To my office &. <sup>c</sup> to be allowed by governm. <sup>t</sup> £ 50 Sterling pr Annum .....		66.	13.	4
To making a fair Entry and Recording the several Surveys in the Surveyor generals office.....				

The Committe having considered the Accompts presented by William Van Felson for swearing in the Inhabitants of Chaleur Bay by order Amounting to £ 82..10 Halifax Currency are of Opinion M<sup>r</sup> Van Felson ought to be allowed £ 60 currency in full., And having considered that Hugh Montgomery had been employed in the same Business in a different part of the Country, who has returned An Acco.<sup>t</sup> to the Secretary of the Province, of the people to whom he administred the Oaths, are of Opinion M.<sup>r</sup> Montgomery ought to be allowed £ 20.. Currency for his Trouble

The Committee having considered the Petition & Acco..<sup>ts</sup> of George Young Lazarus David Edward Webster Major Walbron & John Blake for money to be paid them for their Attendance as Jurors on the assizes at Quebec & Three Rivers are of Opinion they ought to be paid in the same porportion with those allowed on the 22.<sup>d</sup> of March

, Signed P. Æm.<sup>s</sup> Irving

Ordered these Reports to be confirmed And the Money to be paid Accordingly

Read



Read the Surveyors Report of the Survey for Sam.<sup>1</sup>  
Gridley

Ordered a Warrant to be directed to the Attorney  
general to draw a Draft of Letters patent for the grant  
reserving Twenty shillings Sterling of Quit Rent to his  
Majesty

Read a Letter from the governor of Georgia to his  
Excellency

Ordered to be entered in the Book

Savanna in Georgia 20 Jan<sup>ry</sup> 1766

Sir

Your Excellencys Letter of the 29<sup>th</sup> of June with  
the Estimate of the Loss by the fire at Montreal I did not  
receive till the 10 of November & agreable to your Excell<sup>s</sup>  
Request immediately communicated the same to the Coun:  
cil, And afterwards / in a private way / to the Assembly of  
this Province, who are deeply affected with & greatly  
concerned for the great Loss His Majestys new Subjects  
in that Country have sustained. but Sir I find the Opinion  
to be that the Annual sum raised here for the Expences  
of government & necessary public Works & Services is  
as great a Tax as the people in this Infant Colony  
are able to bear, And really very few or none have  
affluence sufficient to contribute towards the humane  
& laudable purpose recommended by your Excellency  
which I shall yet endeavour to promote but much  
doubt of Success

I have the honor to be with great Truth & Regard

Sir

Your most Obed.<sup>t</sup> & very hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed Ja. Wright

Read a Letter from the governor of North Carolina to  
His Excellency

ordered to be entered in the Book

North Carolina

Brunswick 3.<sup>d</sup> March 1766

Sir

I received the honor of your Letter of the 29.<sup>th</sup>  
of

of June last with the List of the Names & the Amount  
of the Losses of the unhappy Sufferers by the fire at Mon:  
:treal attested under the Seal of your Province

I took the first Opportunity of laying before the  
Council the melancholy Situation of these unhappy  
people, when it was unanimously agreed that the most  
likely Method of obtaining Relief for them in this province  
would be to lay their Sufferings & Distresses before the next  
general assembly; which I shall most willingly comply  
with And Support with my warmest Recommandation  
as affluence do's not reign in this province I can not flatter  
myself with the Relief equal to my Wishes I am with  
great Regard

Sir

Your most Obed<sup>t</sup> & very hum<sup>l</sup>  
Serv.<sup>t</sup> , Signed, W.<sup>m</sup> Tryon

Read the Report of the Committee of the 25 of April

Ordered to be Entered in the Book

Council Chamber friday 25 April 1766

Present

The Honb.<sup>lc</sup> Paulus Emilius Irving  
Walter Murray  
Adam Mabane  
Francis Mounier  
James Goldfrap } Esq..<sup>rs</sup>

The Committee having taken into Consideration the Petition  
of Tho.<sup>s</sup> Ainslie Esq.<sup>f</sup> for a grant of the Wharf called the Kings  
Wharf And the Resolves of the Merchants of Quebec respect:  
:ing the same together with the Memorial of Mons.<sup>f</sup> Dechenay  
claiming part of said Wharf as his property Are of Opinion  
that M<sup>f</sup> Dechenay should produce his Titles to the Council  
befor they can determine any thing relative thereto  
, Signed. P. Æmi.<sup>s</sup> Irving

Ja: Murray

At The Council Chamber in the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Tuesday the  
third Day of June 1766

Present

His Excellency The Honb.<sup>le</sup> James Murray Esq<sup>r</sup> governor

Paulus Emilius Irving	}	Esq. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Francis Mounier		
James Goldfrap		

Ordered that the Information of Perry a Soldier in the  
28 Regiment concerning the assault upon M<sup>r</sup> Walker  
at Montreal formerly entered in this Book be again  
laid before the Attorney general who is to give his Opinion  
in writing what further Steps can be taken by this  
Board in that affair

Presented Petition from Richard Murray  
and William Grant

Ordered to be entered in the Book

May it please your Excellency & Honors

We have the honor to acquaint your Excell<sup>y</sup>  
And the Honb.<sup>le</sup> Council, That M<sup>r</sup> George Allsopp And  
Mess.<sup>rs</sup> Watmough And measam of this City Merchants  
have cleared two Vessels at the Custom house bound for  
the Posts of His Majestys Domaine leaden with merchan:  
:dizes & materials for erecting Buidlings In open  
Violation of the Lease granted by your Excellency to  
Thomas Dunn And John Gray confirmed by His majesty  
to them, And Signified to Thomas Mills Esq.<sup>r</sup> Receiver  
general of this province

Your Excellency And Honors are the best Judges  
of what is necessary to be done to protect the Leasees

According

According to His Majestys Intention. We have the honor to be

Quebec 2 June 1766

Your Excell<sup>y</sup> & honors  
most Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>ts</sup>

Signed { Rich.<sup>d</sup> Murray D<sup>y</sup> Rec<sup>r</sup> gen.<sup>l</sup>  
William Grant / Att<sup>y</sup> to John Gray /

Resolved that this Board can not look upon the private Letter of M<sup>r</sup> Mills to the Deputy Receiver general of sufficient Authority to them, to contradict a possitive order of the Board of Trade, That by the governors order M<sup>r</sup> Mills's Letter was shown to M<sup>r</sup> Allsopp by M<sup>r</sup> Goldfrap also his majestys Proclamation prohibiting Any person to erect Buildings on Any Lands therein reserved to the Savages, that M<sup>r</sup> Allsopp was told at his peril <sup>not</sup> to proceed or send Materials for Building to said posts

Ordered that if M<sup>r</sup> Allsopp or any other person erect Buildings upon the Lands reserved to the Savages in this province by His Majestys Proclamation they shall be prosecuted with the Utmost Rigour of the Law

Presented two Memorials from The Honb.<sup>le</sup> James Goldfrap

Ordered to be entered in the Book And referred to a Committee

To His Excellency The Hon.<sup>ble</sup> James Murray  
Esq.<sup>r</sup> Captain general governor And Commander  
in Chief of the province of Quebec And The Hon.<sup>l</sup>  
His Majestys Council for said Province  
The Memorial of James Goldfrap Esq.<sup>r</sup>

Sheweth

That your Memorialist has executed the office of Deputy Secretary to this province, under the Patentee Henry

Ellis

Ellis Esq.<sup>f</sup> for the Space of Eighteen Months past, And in Consideration of your Memorialists receiving all the Fees Profits And advantages thereof he agreed to pay the Patentee a certain Annual Rent

That the Fees of said office arise chiefly from the Business that must necessarily be done for government, Accounts of which your memorialist had the honor to lay before this Board, made up to the first of April last Amounting to £ 504..4..2 for which he has not hitherto received any Satisfaction

That to the Date aforesaid your memorialist presented his account of Disbursements in the said office, of which £134 now remains unpaid

That the Rent paid by your memorialist for the said office, And the Expende of the Clerkship exceed the common Fees by him received, in the sum of £149. which together with the unsatisfied part of his real Disbursements Amount to £-283..

Your Memorialist therefore Prays your Excell<sup>y</sup> And Honors will now be pleased to order the Receiver general for this Province to pay him £ 300 upon Account, As he is in great want thereof All which is humbly submitted by Your Excell<sup>y</sup> & honors most Obed.<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>

Quebec 2.<sup>d</sup> June 1766

, Signed, J Goldfrap

To The Hon<sup>b.le</sup> James Murray Esq<sup>f</sup> Captain general and Commander in Chief of the province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> And The Hon.<sup>l</sup> His majestys Council for said province

The Memorial of James Goldfrap Esq<sup>f</sup>

Sheweth

That your Memorialist is Deputy to Nicolas Turner Esq.<sup>f</sup> Provost Marshall for this Province

That

That your said Memorialist is obliged to pay the necessary contingent Charges of said office as well as the dayly Subsistance of Criminals, altho' he has not Any public money in his Hands

That there are Fees due to your Memorialist from this government, which he is justly intituled into the sum of Ninety pounds

Your Memorialist therefore humbly prays your Excellency And honors will be pleased to order the Receiver general for this province to pay into his Hands the sum of One hundred & fifty pounds upon Account, As he is in great Want thereof

All which is humbly submitted by

Your Excellency & honors  
most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
Quebec 2 June 1766 , Signed, J Goldfrap

Presented An accompt of ONeil & Dunn Carpenters for work done for the public attested by the Chief Justice

ordered to be referred to the Committee

Presented Petition from the proprietors of Houses that stand under the Castle of S<sup>t</sup> Louis, representing that their Houses & Lives are in danger from the ruinous State of that Building

ordered to be referred to the Committee

Presented Petition from Peter Mills Doorkeeper of the Council praying payment of half a years Sallary due to him

ordered to be referred to the Committee

Read a Letter from Lieutenant Colonel Jones to His Excell<sup>y</sup>

ordered

ordered to be entered in the Book

Sir

I beg leave to acquaint your Excellency that there are houses now a building facing the upper Barrack, that appear to me to be an Encroachment on the Kings ground And I am also informed Application has been made for an Allotment of part of the ground commonly called the Intendants garden. But better known to all Military men in this garrison, by the name of the Exercising green near the palace, A grant of any part of the waste ground within the wall, will be of very great Prejudice to the Service, as it is the only place fitt and convenient, within a mile of this City; where a Regiment can be drawn up on to exercise, or seperated to be drilled in Squads. the Utility of this Spot of ground, to his Majestys Service And the well known Inconveniency of Houses being built near Barracks which are in general a Nuisance, being converted into tippling houses And Brandy Shoppes, will I hope plead my Excuse for interfeiring so far as to make this Matter known to your Excellency I am with great Respect And Regard

Sir

Your Excellencys most Obed.<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup> Signed, Val: Jones L.<sup>t</sup> Co.<sup>1</sup>

52.<sup>d</sup> Reg.<sup>t</sup> & Senior off.<sup>r</sup> of

Quebec 17 May 1766

the Troops in garrison

To His Excellency general Murray governor of Quebec

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Saturday the Seventh Day of June 1766

Present

His Excellency The Hon.<sup>l</sup> James Murray Esq<sup>r</sup> gov.<sup>r</sup>  
Paulus Emilius Irving }  
Walter Murray }  
Adam Mabane } Esq.<sup>rs</sup>  
Thomas Dunn }  
James Goldfrap }  
Francis Mounier }

Read the Report of the Committee of the 5.<sup>th</sup> Instant

ordered to be entered in the Book

Council Chamber 5 June 1766

Present  
The Hon.<sup>b.le</sup> Paulus Emilius Irving }  
Adam Mabane } Esq.<sup>rs</sup>  
Francis Mounier }

Read two Accounts from Henry O'neil & C.<sup>o</sup> for work  
done at the Court house & certified by the Chief Justice  
Amounting to £ 5..14..6 current money

The Committee Admits the same as having been  
certified by the proper officer And thinks it should be  
immediately paid

Read the Memorial from James Goldfrap Esq.<sup>r</sup> as  
Deputy Secretary of the province requesting £300 to be  
paid him on account

The Committee refers the same to a full Board

Read Memorial from James Goldfrap Esq.<sup>r</sup> as Depu:  
ty Provost Marshall requesting £150 on Account

The Committee refers the same to a full Board

Read



Read Petition from Peter Mills Doorkeeper to the Council requesting payment of half a years Sallary due to him from the 4 of December 1765 to the 3.<sup>d</sup> June 1766

The Committee thinks he should be immediately paid the same

Read Petition from the people who's houses are immediately under the Chateau representing the danger they are in And requesting the part may be secured that is so likely to tumble down

The Committee is of Opinion that some immedi. -ate Steps should be taken to prevent the bad Consequences which seem to be so justly Apprehended from the ruinous State of that Building

, Signed. P. Æmi.<sup>s</sup> Irving

Ordered that the Chateau be visited by Tradesmen to be named by the Petitioners who are to report to this Board

Ordered the money mentioned in the Report to be paid in terms thereof

This Board having taken into Consideration the two memorials of James Goldfrap Esq.<sup>r</sup> Are of Opinion that the governor should draw Bills upon the Lords of the Treasury for £300 Ster.<sup>1</sup> Mr Goldfrap find: :ing Security to be Accountable in Case the Bills should not be paid

Presented Memorial from James Potts Esq.<sup>r</sup>  
Judge of the Admiralty

To His Excellency The Hon.<sup>1</sup> James Murray  
Esquire Captain general And governor in  
Chief of the Province of Quebec &.<sup>c</sup> &.<sup>c</sup> &.<sup>c</sup> In  
Council

The Petition of James Potts Esq.<sup>r</sup> Judge of  
the Admiralty  
Humbly sheweth                      That your Petitioner had the  
honor

honor in the month of June 1765 to represent to your Excellency by Petition that, by the Commission your Excellency had been pleased to confer on him, he was obliged to give up all his other Business to attend to the Dutys of his office, That it is the Spirit of the British Constitution that Judges should be independant of Casual Perquisites arising from the Causes tryed before them, That by the Situation of this port very little Business is done in the Court of Admiralty, in comparison with what happens in ports nearer the Sea which are Open all the year

That your Petitioner was informed all the Judges of the Courts of Admiralty throughout the other provinces enjoyed certain fixed Annual Sallarys And therefore prayed your Excellency to allow him such a Sallary as you might think adequate to the office. That your Excellency did transmit said Petition to the Board of Trade for their Determination, but no Answer or order has as yet come in Answer thereto

Your Petitioner begs Leave to represent to your Excellency in Council the necessity he is under to make this application, praying you would fix An adequate Sallary to your Petitioner And order him immediate payment thereof from the 24<sup>th</sup> of August 1764, the Date of His Commission, at least to order him payment of £200 Ster.<sup>l</sup> to account should your Excellency And the Council decline fixing his Sallary without hearing from home

All which is humbly Submitted by  
Your Excellency & honors  
most Obedient humble Servant  
, Signed, Ja Potts

This Board are of Opinion that the governor should draw Bills on the Treasury for Mr Potts for £200 Ster.<sup>1</sup> to account he finding Security to be Accountable in Case the Bills should not be paid

Presented Petition from Anthony Merry George Allsopp Joseph Howard And Edward Chinn for a grant of Lands at Tadoussac

Refused

Read a Lease for a house situated in the upper Town to be a Council Room And a Depositary of the papers belonging to the Council

Resolved that the Governor be requested to sign the Lease at the yearly Rent of Sixty pounds currency the house where the Council sits at present being private Property And the Proprietor chusing to enter into possession

Read a Copy of a Letter from His Excellency to the Lords of Trade the 14 of April 1766

Ordered to be entered in the Book Because in that Letter the governor expressed the unanimous Opinion of the Council with Regard to M<sup>r</sup> Allsopps Suspension

Quebec 14 April 1766

My Lords

In Obedience to the 24.<sup>th</sup> Article of my Instructions, I have the honor to report to your Lordships, that untill His Majestys pleasure shall be known, I have suspended from the Execution of his offices M<sup>r</sup> George Allsopp who was appointed by the Patentee M<sup>r</sup> Ellis Deputy Secretary Clerk of the Council And Clerk of the Inrollments of this province

The Behaviour of this man ever since the Establishment of civil government has been most

notorious

notorious; it was he that begun the Dissentions betwixt the civil And Military; it was he in conjunction with James Johnstone & Eleazar Levy a Jew, that stimulated the first grand Jury to Act as they did; And ever since the uninterrupted Business of his Life has been to revile at & disturb government at the Expence of Truth order And Decency. The meanness of his Charecter And the mediocrity of his parts, have hitherto rendered his At: :tempts to create Confusion ineffectual; The new Subjects are still dutiful and thankful, And many of the deluded Old ones have been convinced of their Errors by M.<sup>r</sup> Conways Letter to me of the 24.<sup>th</sup> of October, in which His Majestys highest Disapprobation of the proceeding of the grand Jury, And of Course of their Abettors was notified. Was this M.<sup>r</sup> Allsopp reprimanded for Sedition by the November Dispatches, to be elevated by those of January to the offices of the greatest Trust And Importance in the Colony, the Effect on the minds of the people is evident; on that of myself And the members of His Majestys Council, It is my Duty to declare that nothing but the Kings express Commands can prevail upon us to Act with a man, who wantonly without Provocation has done every thing to undignify the Members of go: :vernment which an illiberal licentious heart can dictate. I have the honor to inclose a Copy of the Letter I have wrote to M.<sup>r</sup> Ellis on this Subject And am with the greatest Truth And Regard.

My Lords

Your Lordships most faithful & most  
Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

To The Right Hon<sup>l</sup>

The Lords Comm.<sup>rs</sup> for  
Trade & plantations

, Signed, Ja: Murray

Presented

Presented Petition from James Thomson Town Sergeant for grant of a Piece of ground to build a house upon near the Entrance to the Bishops Palace

This Board refuse granting said Petition

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in City of Quebec on  
Saturday the fourteenth Day of June 1766

Present

His Excellency The Hon. <sup>l</sup> James Murray Esq. <sup>r</sup> gov. <sup>r</sup>	}	Esq. <sup>rs</sup>
Charles Stewart Sur. <sup>y</sup> Gen. <sup>l</sup>		
Paulus Emilius Irving		
Adam Mabane		
Francis Mounier		
James Goldfrap		

James Cuthbert Esquire was this Day sworn in a Member of His Majestys Council And took his Seat at the Board Accordingly

Presented Petition from the Hon<sup>l</sup> Benjamine Price Esq.<sup>r</sup> requesting An Allowance for his voyage to London with Dispatches for the Board of Trade And to solicit Subscriptions for the Relief of the Sufferers by fire at Montreal

ordered to be referred to a Committee

His Excellency the governor proposed to this Board Pierre Calvet Esq.<sup>r</sup> a Protestant at Montreal to be a Justice of the peace for that District

Approved by the Board & resolved that his Commission be made out Accordingly

This Board having considered the Petition of Mons.<sup>r</sup>

DeLanaudiere

DeLanaudiere for a Slip of ground near the Bishops Palace as an equivalent for a piece of ground belonging to him, taken for His Majestys Service for a Road to the Grand Battery.

Ordered that the ground taken from Mons.<sup>r</sup> De Lanau-  
X or a Majority of them diere be inspected by five Men <sub>x</sub> who are to report upon Oath to this Board the Value thereof; with Mons.<sup>r</sup> DeLanaudieres assent Mess.<sup>rs</sup> Perrault Amiot Marteilhe William Grant And John Collins are Appointed

Resolved that Mons.<sup>r</sup> DeLanaudiere be granted the Spot of ground petitioned for, in full consideration of the ground taken from <sup>him</sup>, but if it should afterwards be found not to belong to the King ordered that the Proprietor be paid the Value of his Original Piece of ground agreeable to the Valuation to be mentioned in the Report

Ja: Murray

At The Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on Tuesday the Seventeenth Day of June 1766

Present

His Excellency The Hon.<sup>l</sup> James Murray Esq.<sup>r</sup> gov.<sup>r</sup>  
Charles Steuart S. g. }  
Paulus Emilius Irving } Esq..<sup>rs</sup>  
Adam Mabane }  
Thomas Dunn }  
Francis Mounier }  
James Cuthbert }

Presented Petition from Mons.<sup>r</sup> Hertel De Rouville representing that one Chevalier a Sub Bailiff at Trois Rivieres refuses to pay the Petitioner a Debt, alledging that he acted

in

in place of M<sup>r</sup> Rouville as a Sub Bailiff.

The above named Chevalier having been returned a SubBailiff, not in place of M<sup>r</sup> Rouville. This Board are of Opinion that his Acting as a SubBailiff by the nomination of government can not be construed as a Reason for his refusing to pay his Debts to M<sup>r</sup> Rouville

Read the Report of the Report of the Valuation of the ground belonging to Mons.<sup>r</sup> DeLanaudiere taken for a Road to the grand Battery Signed by Mess.<sup>rs</sup> Perrault Amiot Will.<sup>m</sup> Grant & John Collins whereby they Estimate said ground at Two hundred And Sixty Dollars

Ordered to be fyled And a Committee of this Council to examine Mons.<sup>r</sup> DeLanaudieres Titles & report to this Board whether he has a Right to the Money mentioned in the Valuation from His Majesty

Captain William Marten of the Royal Artillery being asked by this Board his Opinion of the Utililty of the Road to the Grand Battery; Captain Martin Declares it is absolutely necessary to have said Road to preserve the Communication betwixt the Body of the garrison And said Battery And all the Ramparts fronting the River

Read a Petition from The Reverand John Brooke Chaplain of the garrison claiming the Bishops Palace And all the Bishops Lands for the Bishop of London And requesting a grant of the same to himself And his Successors

Read also a Petition from Mons.<sup>r</sup> Perrault Vicair general requesting that the Bishops Lands may be preserved as they now are untill His Majestys pleasure be known

Ordered said Petitions to be fyled And Resolved that nothing be done with regard to the Bishops Lands untill his Majestys pleasure shall be known And the order of this 14.<sup>th</sup> Instant to grant Mons.<sup>r</sup> DeLanaudiere the Slip of ground petitioned for by him is hereby Suspended

Presented

Presented Petition from Mons.<sup>r</sup> Perrault praying His Excellency to suspend putting in Execution the Article of his Instructions with regard to the Canadian Inhabitants being Obligated to depart the Province who have not taken the Oath of Abjuration

ordered to be fyled

This Board are of Opinion that His Excellency should suspend the Execution of the Instruction relative to the sending away the Inhabitants who refuse the Oath of Abjuration till His Majestys Pleasure be known because of what is set forth in the Petition, For altho' the numbers who have refused said Oath are not considerable the ordering them to leave the Province would Occasion very great Confusion

Ordered that the Secretary immediately Acquaint the Individuals who have declined taking said Oath of His Excellencys agreeing to suspend the Order for their Departure till the Kings pleasure is known

Ja: Murray

At The Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on Wednesday the Eighteenth Day of June 1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq<sup>r</sup> governor  
Charles Steward Surveyor gen<sup>l</sup>  
Paulus Emilius Irving  
Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
James Cuthbert

} Esq.<sup>rs</sup>

Read a Letter from governor Barnard dated Boston the

22.<sup>d</sup>



22.<sup>d</sup> April 1765 Accompanying A plan of the Rout from Fort Pownall to Quebec

ordered the Letter with the plan to be fyled in the Secretarys office

The governor desires that the whole Council will resolve themselves into a Committee tomorrow to examine the Deputy Receiver Generals Accounts

The Letter from Lieutenant Colonel Jones to His Excellency Entered the 3.<sup>d</sup> of June 1766 having been considered ordered that the Committee of tomorrow examine John McCords Titles to the ground first mentioned in said Letter And report to this Board

The following papers relative to the Accadians at present in the province of New England formerly read to the Council are now ordered to be fyled Viz.<sup>t</sup> The Accadians Application to The governor of Boston 12 March 1765, Governor Barnards Letter to governor Murray 14 March 1765, governor Barnards Application to the House of Representatives, 13.<sup>th</sup> Feb.<sup>ry</sup> 1766 And Resolutions thereupon 20.<sup>th</sup> Feb.<sup>ry</sup> 1766, The Accadians Letter to governor Murray 24.<sup>th</sup> Feb.<sup>ry</sup> 1766 Governor Murrays Answer to the Accadians April 1766

Read a Petition from Mons.<sup>r</sup> Montgolfier at Montreal requiring the Arrears of Rent of a house belonging to him at present Occupied for a Court house at Montreal

Ordered that Mons.<sup>r</sup> Montgolfier be immediately payed the Arrears due to him, And whereas there is no other house can be got at present for a Court house Ordered that a Lease be entered into for said house With M<sup>r</sup> Montgolfier for the time to come by the Justices of the peace at the Rate of Thirty

pounds

pounds currency per Annum

£75

Mons.<sup>r</sup> DeLanaudiere having produced to this Board His Original Title to the piece of ground taken for a Road to the Battery, in which there Appears no Reserve for His Majesty Ordered that M<sup>r</sup> DeLanau:  
:diere be payed agreeable to the Valuation 260 Dollars

Presented Petition from Chaloux a Pilot

ordered to be referred to the Committee

Ja: Murray

At the Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on Mon:  
:day the Twenty third Day of June 1766

Present

His Excellency The Hon<sup>l</sup> Ja<sup>s</sup> Murray Esq.<sup>r</sup> governor  
Charles Stewart Sur.<sup>r</sup> gen.<sup>l</sup>  
Paulus Emilius Irvine  
Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
James Cuthbert

} Esq.<sup>rs</sup>

Read the Reports of the Committee of the 19.<sup>th</sup> And  
21.<sup>st</sup> of June

Ordered to be confirmed And entered in the Book

Council Chamber 19 June 1766

Present  
The Hon.<sup>l</sup> Charles Stewart Su.<sup>r</sup> gen.<sup>l</sup>  
Walter Murray  
Adam Mabane

}

Thomas

Thomas Dunn }  
 Francis Mounier } Esq.<sup>rs</sup>  
 James Goldfrap }  
 James Cuthbert }

Having taken into consideration the memorial of Benjamin Price Esq.<sup>r</sup>, The Committee are of Opinion that M<sup>r</sup> Price ought to be payed for his Trouble in going to England to sollicite Relief for the Sufferers by fire at Montreal, out of the Fund there raised for that purpose

The Committee having searched for the original Titles to the Land now in the possession of John M<sup>c</sup>Cord near the upper Barracks have not as yet been able to find them

Read the Petition of J. B. Chaloux a Pilot for the River S<sup>t</sup> Lawrence, And having sent for David Algeo, he Accordingly appeared And produced. The Governors Regulations with regard to pilotage, dated 24.<sup>th</sup> June 1762, And also a Commission from the governor to him of the same Date, Appointing him Superintendent of the Pilots

The Committee are of Opinion that the Regulations should be entered in the Council Book, That a proper Ordinance may be framed, And that masters of Ships And Pilots ought to be examined on Saturday to give the Council what light they can relative to that Business

NB. The Hon<sup>l</sup> Walter Murray Receiver gen.<sup>l</sup> withdraws  
 Adjourned till Saturday to examine the Vouchers of the Receiver generals Accounts

, Signed, Cha Stewart

By The Hon.<sup>l</sup> James Murray Esq.<sup>r</sup> governor of  
 Quebec &<sup>c</sup>

Rules and Regulations to be observed by all masters or

Commanders

Commanders of Vessels sailing up or down the S<sup>t</sup> Laurence to Quebec, The Branch Pilot, And all other Pilots who have passed Examination And have Certificates from me

Whereas for the Ease and Conveniency of the Trade And at the request of the principal Merchants of this place a Branch Pilot for the River S<sup>t</sup> Laurence has been appointed I have thought fit to direct And do hereby direct the following Rules And Regulations to be most Strictly observed

1.<sup>st</sup> As soon as the Season permits a certain number of Pilots shall be constantly stationed at Bic, where they will attend till the middle of October to take charge of all Vessels coming up, from which place to Quebec all Vessels are to pay According to the Quantity of water they draw, at the Rate of Ten shillings pr foot

2.<sup>d</sup> A Number of pilots are likewise to attend at the Island of Coudres till about the middle of December, to take Charge of Vessels, and shall be payed for the bringing them up to Quebec after the following Rate Viz.<sup>t</sup>

Hallifax Currency

Ships.....	£	4	..	..	..	..
Snows & Brigantiens .....		3	..	..	..	..
Schooners & Sloops.....		2	..	..	..	..

3.<sup>d</sup> All Vessels coming up the River without a Pilot, shall pay half Pilotage as rated from Coudres.

4.<sup>th</sup> All Vessels bound down the River, shall pay Pilotage to Coudres, if they land their Pilot at that place, if they do not land him there they are to pay to Bic

5.<sup>th</sup> The Coasting or River Vessells are to pay no Pilotage

6.<sup>th</sup> If a Vessel takes in a pilot at either place, And one or more Vessels follow her to save pilotage, that Vessel or Vessels shall pay half pilotage, according to the Rate which would have <sup>been</sup> payed, if a pilot had been on

Board

7.<sup>th</sup> No person is to act as pilot, unless he has been properly examined, and is furnished with a Certificate thereof by me

8.<sup>th</sup> All masters shall aid And assist the Pilots in working their respective Vessels, and not entirely depend upon them, they shall also follow the Pilots Directions when to weigh and where to anchor, and shall not oblige them to run any risques

9.<sup>th</sup> No Masters of Vessels shall detain any Pilots on Board at any place, where they take Charge of a Vessell above two Tides, to bring their Vessells up or down the River, unless they pay five shillings pr Day

10.<sup>th</sup> All Masters of Vessels on their Arrival shall pay their several Pilot money into the Hands of the person appointed to take Care of the Pilotage, And those bound downwards shall likewise pay him the same before they sail, according to the foregoing Rates

11.<sup>th</sup> The Person appointed to inspect this Branch of Business shall find a small Vessel at his own Expence to carry Pilots between Quebec Coudres & Bic &.<sup>c</sup>

12.<sup>th</sup> For his Care and Expence therein, And to defray all Charges he shall be allowed One fourth part of the Pilotage up and down the River, And the whole of what will arise from the Vessels coming up without Pilots . And all masters Pilots and others concerned are hereby directed to observe the foregoing Orders and Regulations on pain of Fifty pounds Penalty to the offender

given under my Hand And Seal at

Quebec this 24 Day of June 1762

, Signed Ja: Murray

By His Excellencys

Command , Signed, H T. Cramahe

Council

Council Chamber 21 June 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving  
Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
James Cuthbert

} Esq<sup>es</sup>

The Committee having taken into consideration the Petition of Chaloux the Pilot, are of Opinion that M<sup>r</sup> algeo ought not to be payed Any part of the Pilotage at present because he do's not furnish the Acting Pilots with Boats agreable to his first Appointment And order the Clerk to write to the masters of the Ships at present in the Harbour of Quebec requesting them to lay before the Council their Sentiments of what may be a proper Regulation for the Pilots in time to come And that a Copy of the former Regulations should be sent them for their guidance

The Hon<sup>l</sup> Walter Murray withdraws

The Committee having examined an Account produced by Richard Murray Esq.<sup>r</sup> Deputy Receiver general from the 7 of October 1765 to the 23 of May 1766 And compared the same with the Vouchers finds it right and agreable thereto And which has been Accordingly certified at the Foot of said Acco.<sup>tt</sup>

, Signed, P. Æmi.<sup>s</sup> Irving

Richard Murray Esquire was this Day sworn in Council to the Truth of the Accounts mentioned in the above Report

Read the Attorney generals Opinion with Regard to what the Council can legally do further to discover

the

the perpetrators of the assault upon M<sup>r</sup> Walker at  
Montreal

ordered to be entered in the Book

Quebec 7.<sup>th</sup> June 1766

May it please your Excell<sup>y</sup>

I have the honor of your order in Council  
of the 4.<sup>th</sup> Instant, inclosing the Information & Examination  
of  
“ That I might give my opinion  
“:nion to you relative to what I think can be farther  
“legally done against the Persons supposed guilty of  
“the assault upon M.<sup>r</sup> Walker at Montreal.”

Altho' I have not the least Doubt but that all  
or most of the persons mentioned in the Information  
were deeply concerned in the assault on M<sup>r</sup> Walker  
yet as the Information &.<sup>c</sup> in my opinion Amounts  
to no more than probable circumstantial Evidence  
principally grounded on Hearsay, And that from  
a person / said in the Information to be / in Liquor, I  
can not think there is a sufficient Foundation for a  
prosecution, or that if a Prosecution should be commenced  
that there is scarcely a probability of any of the per:  
:ons informed against being convicted. The Proof of  
the Facts mentioned in the Information must chiefly  
if not wholly depend upon foreign Evidence, I mean  
the testimony of others who do not belong to the  
28 Regiment, for Experience has hitherto fully evinc:  
:ed, that there is not the least Shadow of probability  
of any of that Corps, or who were concerned in that  
Business will be so regardless of their own Safety, As  
to Venture to give public Evidence thereof in a Court of  
Justice, so as that any one of the Persons concerned  
therein may be convicted

I have the honor of being with the most profound

To His Excell<sup>y</sup> the     Respect  
Hon<sup>l</sup> Ja: Murray Esq.<sup>r</sup>

Sir

your Excellencys  
most Obed.<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, Geo: Suckling

Resolved

Resolved that no further Steps can be taken with any probability of Success in that affair untill the Arival of the New Chief Justice And Attorney general And that it be deferred till that time to apply to the Commander in Chief for the persons informed against by Perry

Ja: Murray

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Tuesday the Twenty fourth Day of June  
1766

Present

His Excellency The Hon<sup>l</sup> James Murray Esq.<sup>r</sup> governor  
Charles Stewart Su.<sup>r</sup> general  
Paulus Emilius Irving  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
James Cuthbert

} Esq.<sup>rs</sup>

This Day The following Address was presented to His Excellency by the Members of this Board

To His Excellency The Honourable James Murray Esquire Captain general And governor in Chief of the province of Quebec And Territories thereupon depending in America, Vice Admiral of the same, Governor of the Town of Quebec Major general of His Majestys Forces And Colonel Commandant of the Second Batailion of His Majestys Royal American Regiment &<sup>c</sup> &<sup>c</sup> &<sup>c</sup>

The



The humble Address of the Council

We His Majestys most dutiful and loyal Subjects The Council of Quebec, would be wanting to Ourselves, to the Justice due to your Excellencys Administration, And to the Interests of Our Sovereign did we not express our Sentiments on An Event so interesting to this province: As your Departure from it

We lament the loss of that presence which has been And would again on the most important Occasions of peace or War, be of the Utmost Consequence to His majestys Service in this part of the World. \_ of that Sagacity in Cases unforeseen, And Knowledge of the Circumstances and relative Interests of this province. \_ That Rectitude of Intention, firmness And Vigor in Execution, which were essentially necessary to the good government of a Province under very peculiar Circumstances. \_ That Authority which an Experience of these Qualifications in times the most critical, had fixed in the minds of Our new Fellow Subjects, And which Supported by generosity And Humanity has been productive of the Happiest Consequences by conciliating their affections to the best of Kings and his government

But while we lament that Loss permit us at the same time to congratulate your Excellency on the Opportunity which will be afforded of rendering An Account of your Administration And of representing the true State of this Colony, which can not fail to remove the Effects of the many misrepresentations that have been made of it

Our Duty to the public prompts us also to

request

request of your Excellency not to allow the Consciousness of having deserved well of your Country to render you less Solicitous in obtaining these great Objects

We most sincerely wish your Excellency all Manner of Prosperity

Council Chamber  
Quebec 24 June 1766

To which Address His Excellency was pleased to return the following Answer

This Address is highly agreable to me As it comes from gentlemen who are intimately Acquainted with all my Views and Designs during the time I have had the honour to govern in this province

Zeal for the Kings Service, And a hearty Attachment to the Canadians are principals so conformable to these I have experienced in the Gentlemen of the Council, that they are naturally led to applaud measures which flowed from these Sources, And to over value Talents exercised in a manner so agreable to their wish

At leaving a Country I sincerely love, it gives me pleasure to inform you from my personal Knowledge of the gentleman His Majesty has Appointed to command in my absence, that he is disposed And qualified to render the province happy. I am sure he will find the same Assistance from you which I have met with, And hope his government will not be disturbed by Resentments against the Authors of the unjust Calumnys that have been raised against me

I shall omit no Opportunity of giving his majestys

ministers

Ministers all the Information I can of the State and  
true Interest of this Colony, And shall ever with grati:  
:tude And pleasure reflect on the Conduct of the gentle:  
:men of the Council in the management of public  
affairs And in their Treatment of myself



At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
monday the thirtyeth Day of June 1766

Present

The Honourable Paulus Emilius Irving Esquire  
President of the Council, Commander in chief of the  
province

Charles Stewart Sur.<sup>r</sup> gen.<sup>l</sup>

Walter Murray

Adam Mabane

Thomas Dunn

Francis Mounier

James Goldfrap

} Esquires

The Honourable Paulus Emilius Irving this Day  
took the Oaths prescribed by Law upon the Command  
of the province devolving to him in the Absence of  
His Excellency The governor

Read the following Proclamation

Ordered to be entered in the Book And  
furthwith published by Beat of Drum in the Towns  
of Quebec Montreal and Three Rivers And also to  
be inserted in the next Gazette

Quebec S<sup>c</sup> By The Honourable Paulus Emi.<sup>s</sup>  
Irving Esq.<sup>r</sup> Commander in Chief of  
this Province & Lieu.<sup>t</sup> Colonel of His  
Majestys Army

A Proclamation

Whereas by the Departure of His Excellency The  
governor for Britain, the command of this Province  
devolves upon me; And whereas it is necessary for  
the peace And good government of said province, that

all

all officers within the same should continue in their several offices And Employments; I have therefore thought fit, by And with the Advice and Consent of His Majestys Council to issue this Proclamation hereby ordering And directing that the said officers do continue in their several Employments untill further Orders; of which all persons concerned are required to take Notice

given &.<sup>c</sup> 30.<sup>th</sup> June 1766

/ Signed / P. Æmi.<sup>s</sup> Irving

By order of the  
Commander in Chief  
of the Province  
/Counts<sup>d</sup>/ J Goldfrap D Sec<sup>r</sup>

### God save the King

Thomas Mills Esquire produced His Majestys Mandate: mus to be a member of this Council, The Oath of a Councillor And the Oaths prescribed by Law were administered to him, And he took his Seat at this Board Accordingly

Read His Majestys Additional Instructions to His Excellency The governor dated 24.<sup>th</sup> February 1766, relating to Jurors

Resolved that an ordinance be immediately framed and published in consequence of that Instruction, And in the mean time, ordered that the Provost Marshall be required to summon all Jurys agreeable thereto

Read also An Additional Instruction from His Majesty dated 24.<sup>th</sup> February 1766 relating to the Currency

ordered a Committee of the Council to take this last Instruction into their Consideration And report to this Board their Opinion of what may in the best manner fulfill His Majestys Intention signified in

said

said Instruction

Read a Letter from the governor to The Hon<sup>b.le</sup>  
Paulus Emilius Irving Esq.<sup>r</sup>

ordered to be entered in the Book

Quebec 27 June 1766

Sir

Herewith I send you the Chapel Plate and Furniture, which I desire may be kept for the use of the Episcopal Church of the Parish of Quebec, And that you will deliver the same to the Church Wardens of the said Parish when such an Establishment shall take place I am

Sir

Your most Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

The Hon<sup>l</sup> P. E. Irving Esq<sup>r</sup> , Signed, Ja: Murray  
Commander in Chief of the  
province

The Judges of the Court of common pleas represent:  
-ed to this Board that many Inconveniencys arise to the people from the Term for their Court being held at Montreal on the Eleventh of July, As it interferes with the Hay And Corn Harvest; proposing that it should be ordered to be held on the first of September for this year And for the future

Resolved that the Term for the Court of Common pleas at Montreal be from hencefurth held on the Eleventh Day of September, And that the Attorney general be ordered to frame an ordinance to that purpose

P. Æmil.<sup>s</sup> Irving

At

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec  
on Tuesday the first Day of July 1766

Present

The Honb.<sup>le</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
of the Council, Commander in Chief of the province

William Gregory C J  
Charles Stewart S. g.  
Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
Thomas Mills

} Esq.<sup>rs</sup>

Read the Draft of an Ordinance in Consequence of  
His Majestys Instruction read last Council Day to alter  
And Amend an Ordinance of His Excellency The governor  
and His Majestys Council of this province passed the  
17.<sup>th</sup> Day of September 1764

ordered the same to be entered in the Book And  
immediately published

An Ordinance &.<sup>c</sup>

Whereas by an Ordinance of His Excellency The  
governor and His Majestys Council of this province  
made and passed the Seventeenth Day of September 1764  
Intituled, An Ordinance for regulating And establishing  
the Courts of Judicature in this province; His majesty  
has most graciously been pleased to signify his Royal  
Will and pleasure therein, by An Additional Instruction  
to His said Excellency the governor. “That the Welfare &  
“Happiness of his loving Subjects in this province, which  
“will ever be Objects of His Royal Care and Attention do

“require



“require that the said Ordinance should be altered And  
 “amended in several provisions of it, which tend to restrain  
 “his Canadian Subjects in those priveledges they are in:  
 “:titled to Enjoy in common with his natural born  
 “Subjects” And Therefore it is his further Royal will  
 And pleasure, that it shall be declared, And by His  
 Honour the President of His Majestys Council by And  
 with the Advice consent and assistance of His majes:  
 :tys Council of this province, And by the Authority of  
 the same, It is hereby ordained and declared, that  
 all His Majestys Subjects in the said province of Que:  
 :bec without distinction, are intituled to be impan:  
 :neled And to sit and Act as Jurors, in all Causes  
 civil and criminal cognizable by Any of the Courts  
 or Judicatures within the said province

And for the more equal and impartial Distri:  
 :bution of Justice, be it further ordained & declared  
 by the Authority aforesaid, that in all civil Causes  
 or Actions between British Born Subjects And  
 British born Subjects the Juries in such Causes or  
 Actions are to be composed of British born Subjects  
 only: And that in all Causes of Actions between  
 Canadians and Canadians the Jurys are to be com:  
 :posed of Canadians only, And that in all Causes  
 or Actions between British born Subjects & Canadians  
 the Jurys are to be composed of an equal number of  
 each if it be required by either of the partys in Any of  
 the above mentioned Instances

And Be It further ordained and declared  
 by the Authority aforesaid, that His majestys Canadian  
 Subjects shall and are hereby permitted and allowed  
 to practice as Barristers, Advocates Attorneys and

Proctors

Proctors, in all or any of the Courts within the said province under such Regulations As shall be prescribed by the said Courts respectively for persons in general under those Descriptions

And Be it further ordained and declared by the Authority aforesaid, that this Ordinance shall continue in force until His Majesty's pleasure be further known herein; And that so much of the said Ordinance of the said 17.<sup>th</sup> of September 1764, as is not hereby altered and changed, shall and is hereby declared to be temporary only

given &.<sup>c</sup> 1 July 1766

, Signed, P Æmi<sup>s</sup> Irving

By order of the  
Commander in chief of  
the province / Counts.<sup>d</sup> / JAPotts D.cc

Read also a Draft of An Ordinance for Adjourn:  
:ing the term of the Court of Common pleas for the District  
And City of Montreal in this province to the Eleventh of Sep:  
:tember next

ordered the same to be entered in the Book And  
immediately published

An Ordinance &.<sup>c</sup>

Whereas the holding An Inferior Court of Common pleas at the City of Montreal, for the District & City of Montreal on the Eleventh Day of July is for several important reasons likely to prove very prejudicial to the Inhabitants residing in the Country in the said District For preventing whereof Be it ordained and declared By His Honour / The President of His Majesty's Council And Commander in chief of this province / by And with the Advice consent and assistance of His Majesty's Council And By Authority of the same It is hereby ordained

and

and declared, that the next Meeting of the said inferior Court of Common pleas intended to be held for the District and City of Montreal aforesaid on the Eleventh Day of this Instant July, is by force of this Ordinance adjourned un: :till the Eleventh Day of September next at the City of Montreal aforesaid And all persons who have Any thing to do at the said Inferior Court of common pleas for the District and City of Montreal aforesaid, intended to be held at the said City of Montreal, on the said Eleventh Day of July shall by Virtue hereof, have free Licence And Liberty to forbear their attendance untill the said Eleventh Day of September next at the said City of Montreal; and all such persons are hereby required to keep their Day on the said Eleventh Day of September next at the City of Montreal aforesaid

And Be it further ordained by the Authority aforesaid that the said Inferior Court of Common pleas for the said District and City of Montreal, shall yearly & every year be held on the Eleventh Day of September And on the Eleventh Day of February

Given &.<sup>c</sup> 1 July 1766

By order of The                      Signed. P. Æmi.<sup>s</sup> Irving  
 Commander in chief of  
 the province / Counts.<sup>d</sup> / JAPotts DCC

M<sup>r</sup> George Allsopp this Day demanded of The Honourable Paulus Emilius Irving Esq.<sup>r</sup> President of this Council and Commander in chief of this province to be admitted to the Exercise of the Offices of Secretary Clerk of the Council and Clerk of the Inrollments of this province upon a Deputation to him from M<sup>r</sup> Ellis Patentee of these Offices dated 15.<sup>th</sup> February 1766

To

To which Demand the following Answer was made

M<sup>r</sup> Allsopp with regard to this Demand you make as It was formerly made to The governor in chief, And you was suspended by him, for Reasons Approved by the Council and already reported to the Board of Trade untill I know their Lordships pleasure on that Head things must remain as they are

The above Answer was unanimously Approved by this Board

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Wednesday the Second Day of July 1766

Present

The Hon.<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of the  
Council, Commander in chief of the Province

Charles Stewart S. g.	}	Esq.. <sup>rs</sup>
Walter Murray		
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		
Thomas Mills		

Thomas Mills Esquire produced to this Board a Commission under His majestys Sign manual dated the Tenth of July 1765 constituting And Appointing him Receiver general of His Majestys Revenues in this province, The Oath of office and the Oaths prescribed by Law were Accordingly administred to M<sup>r</sup> Mills

Thomas Mills Esq.<sup>r</sup> presented to this Board the following Order from His Majesty in Council

At

At The Court at St James's the 22.<sup>d</sup> Day  
of November 1765

Present

The Kings Most Excellent Majesty in Council  
Upon Reading at the Board a Report from The Right  
Honourable, The Lords of the Committee of Council for  
plantation affairs dated the Nineteenth Day of this  
Instant in the words following Viz.<sup>t</sup>

“ Your Majesty having been pleased to refer unto this  
“Committee a Representation from the Lords Commissioners  
“of your Majestys Treasury, Setting forth, Amongst  
“other Things that no provision had been made by  
“Parliament for defraying the Expences of the civil go:  
“vernment of Quebec and its dependancies, That such  
“Expences are usually defrayed in the other British  
“Colonys in America by a Revenue raised within each  
“of the said Colonys respectively; That whilst the Colony  
“of Quebec was under the Dominion of the French  
“King certain Revenues were raised therein, which if  
“continued would probably produce more than suffici:  
“nent to defray the Expences of the civil government of  
“the said Colony; And that having received the Opinion  
“of your Majestys then Attorney And Solicitor general,  
“that the Dutys payable to the French government  
“in the said Colony when it was conquered may be  
“legally collected by a proper Authority from your  
“Majesty, The said Lords Commissioners therefore  
“submitted to your Majesty whether a proper Authority  
“should not be given for collecting such part of the  
“said Revenues As your majesty should think  
“proper the said Revenues to be applyed to defray  
“the Expences of the civil government of the said

Colony

“Colony, And to any other Uses your Majesty shall  
 “be pleased to direct. But if it should not be thought  
 “expedient to give the proper Authority for collecting  
 “the said Revenues, or so much thereof as will be suffi:  
 “:cient to Answer the Charge of government, the said  
 “Lords Commissioners Submitted that it would be neces:  
 “:sary to receive your Majestys Instructions and orders  
 “in what Manner the said Charge shall be defrayed.  
 “The Lords of the Committee in Obedience to your  
 “Majestys Commands did sometime since take the  
 “said Representation into their Consideration, And  
 “being of Opinion that a proper Authority should be  
 “given for collecting all or such parts of the said  
 “Revenues As your Majesty should think proper,  
 “did direct your Majestys present Attorney and  
 “Solicitor general to prepare the Draft of an Instrum.<sup>t</sup>  
 “for that purpose, who have reported to this Committee  
 “that they are of Opinion the proper Authority in this  
 “Case is the Appointment of a Receiver general  
 “ / according to the usual form in your majestys Colonys)  
 “by Warrant under the Sign manual countersigned  
 “by the Lords of the Treasury, referring to such Instruc:  
 “:tions as are or shall be given by the Treasury to  
 “regulate that officer in the Execution of his Duty, it  
 “being most certain that all the Dutys payable to the  
 “French King before the Conquest and Cession are now  
 “due and payable to your Majesty, And as they are  
 “vested in your majesty by Right of conquest at com:  
 “:mon Law, nothing seems to have been wanting since  
 “that time, but the appointment of An officer duly  
 “authorised to receive & collect them, And if your  
 “majesty should think fit to direct only the Collection  
 “of some part of the Dutys and not of all they submitted

whether

“whether that End may not be answered by special  
 “Instructions to be given by The Lords of the Treasury  
 “to such Receiver general of Quebec, And the Lords of the  
 “Committee being informed that a Receiver general of Quebec  
 “has been lately appointed by Sign manual countersigned  
 “by The Lords Commissioners of the Treasury, do therefore  
 “agree humbly to report, that it may be adviseable  
 “for your Majesty to direct the said Lords Commissioners  
 “of your majestys Treasury to give Instructions to the  
 “said Receiver general to receive And collect all or  
 “such parts of the said Revenues, / to be applyed to defray  
 “the Charges of the civil government of the said Colony  
 “and to any other uses / As the said Lords Commissioners  
 “shall think proper and expedient.”

His Majesty this Day took the said Report into  
 Consideration, And was pleased with the Advice  
 of his privy Council to approve thereof, And to order  
 As It is hereby ordered that The Right Honourable  
 The Lords Commissioners of His majestys Treasury  
 do give Instructions to the Receiver general of the  
 Colony of Quebec, to receive and collect all or such  
 part of the said Revenues / to be applyed to defray  
 the Charges of the civil government of the said Colony  
 And to any other uses / As they shall think  
 proper and expedient

, Signed, W Sharpe

Instructions from the Lords of the  
 Treasury to The Receiver general

His Majesty having by His Commission under his Royal  
 Sign manual dated the 10.<sup>th</sup> Day of July 1765, Apoint-  
 -ed you Receiver general And Collector of all the  
 Patrimony Estates Revenues Farms Taxes Tythes Dutys

Imposts

Imposts, Profits and Casualtys whatsoever / His Revenue of Customs always excepted / belonging to His majesty And which had arisen or should arise within his Majestys province of Quebec, And His majesty having in the same Commission required you to follow such orders Rules and Instructions As you should receive from His Majesty, as therein is mentioned or from the Commissioners of His majestys Treasury now being have thought fit to give unto you the orders Rules & Instructions herein after contained for your government in the Execution of the Trust committed to you In And by the said recited Commission That is to say whereas it appears unto us That the following Dutys were raised payable And paid for the Support of the government there while the Country was subject to the French King That is to say

	Livres	Sols	Ster. <sup>l</sup>	money
Wine by the Hogshead.....	12..	0 ..	£ .....	S <sup>s</sup> 10.. D <sup>d</sup> 0 <sup>q</sup>
Rum by _____ D. <sup>o</sup> .....	24..	0 .....	1..	0.. 0
Brandy whether English or French, or from whatever port it comes, for the Velt or measure of 2 gall. <sup>s</sup> .....	1..	4.....	0..	1.. 0
Ordinary Wine bottled pr Bottle.....	0..	1.. .....	0..	0.. 02
Bottled Sweet Wine pr Bottle.....	0..	3 .....	0..	0.. 12
Eau de Vie Liqueur pr gall.....	0..	10.....	0..	0.. 5
Dry goods imported three <i>pr</i> Cent on their Valuation				
Dry goods exported a Duty of Three <i>pr</i> Cent				

We do hereby order and instruct you to demand & receive the said several Dutys And in so doing you do Strictly conform yourself to the Ancient Customs & Usages of the said Country before it was conquered by His majesty And that you do demand And take all such & the like

papers



papers orders and Instructions for the regulating of your Conduct in the said office as formerly And usually were given to those who had the management of the Revenue of that Country before the Conquest thereof, taking Care that English and other Brandies Eeau de Vie de Liqueur, Rum and Wines from whatever parts they may arive and be imported into the said province do pay the like Dutys and Rates thereupon as were formerly and usually payed as aforesaid And that the like Rule be observed by you in respect of dry goods imported or exported And allowing such & the like Exemptions of Dutys And Taxes As have formerly & usually been allowed in the said Country whilst in the possession of the French King

And whereas It is necessary that regular Accompts should be made And exhibited by such of His Majestys officers who have had the management of Any of His Estates & Revenues in the said province since the Conquest thereof you Are hereby strictly enjoined to demand of all the said officers exact & compleat accompts of all sums of money of the Dutys fines upon alienations Taxes & Revenues of the Crown whatsoever which have arisen And grown due to His Majesty And been received for His Majestys use by the said officers or any of them And if any such Dutys And Revenues are Outstanding in the hands of the Inhabitants who ought to have payed the same you are further Strictly directed to make use of all legal methods for the Recovery thereof; And you are generally to pursue and use all legal waies And Methods as maybe necessary for the Accounting for & recovering

all

all monies due to His majesty for Any his said  
Dutys And Revenues of & in the said Province from  
Any person or persons whatsoever

We do likewise Instruct & authorise you to  
suspend Any officer or officers belonging to the Reve:  
:ne under your Charge for Any Misbehaviour in  
their Department, which Suspensions are to be  
furthwith by you notified to The Commissioners of  
His majetsys Treasury you Appointing others in the  
mean while to do the Duty of the persons Suspended  
And whereas It is His Majestys pleasure that no  
greater number of Officers shall be employed than  
what may be Sufficient to take Care of the Revenues &  
Estates under your Charge And that no greater or fur:  
:ther allowances or Sallarys shall be given to them than  
such as were Annexed to their several offices while the  
said Country was subject to the French King

We having been informed that the posts & places of  
Resort to which the Indians and Savage Nations used  
at Stated times of the year to come with their Furr  
And peltries were formerly kept as part of the Kings  
Domaine & Estate but that a Lease of the said posts &  
places hath been granted by Governor Murray to a Com:  
:pany of merchants for a term of years upon the same  
plan As when the Country was subject to the French  
King, you are hereby strictly directed to examine into  
the Nature And Condition of that Lease And Acquaint  
us for His majestys Information whether in your  
opinion by the Continuance of the said Lease the Confidence  
of the Savages may be gained And their affections to His  
Majestys government be conciliated And preserved in

the

the most effectual manner, or whether the said purposes may not be better answered And Obtained by opening a free Intercourse of Trade between them And the province

And whereas the Lands of several Religious Societies in the said province, particularly those of the Society of the Jesuits are or will become part of His majestys Revenue you are therefore to endeavour by aggreements to be made with the persons interested for the present in Any the said Estates to take the said Estates into your Charges giving unto them respectively such competent allowance thereout for their Lives As you may judge proper taking Care that these Lands may not be seques-tered or alienated from His majesty; you are from time to time to acquaint the Lords of the Treasury of your proceedings herein

And for better enabling the proper officer to collect the Dutys upon Importation And Exportation within the said Province, you are upon your Arival in Canada to give him the most exact Accounts & Lists of the Dutys upon Importation And Exportation which were raised whilst the Country was Subject to The French King So that he may conform in every thing to what was the Ancient usage of the Country before the Conquest, And he is to Account with you from time to time And to pay the clear Amounts of Receipts into your Hands for defraying the Expences of civil officers And contingencys of government in that province

You are to apply the monies which shall come to your Hands of the said Dutys & Revenues in the first place for And Towards defraying the necessary Expences of government, And the necessary Charges of

manageing

managing the Revenue under your Care, remitting home by good Bills of Exchange the Surplusses of the monies which from time to time shall remain in your hands after payment of those Expences in order that the same may be applied to the reimbursing to the public here the monies which have been necessarily advanced for that province by Reason that the aforesaid Dutys and Taxes have not been levied within the two years last past

And lastly we charge and require you Annually to transmit to the Commissioners of His majestys Treasury for the time being exact Accompts of all your Receipts and payments And other your Transactions in the premisses taking Care that Duplicates thereof be sent by different Ships to prevent the consequences of any miscarriages by Dangers of the Seas. Given under our hands At The Treasury Chambers in Whitehall this Tenth Day of march 1766

To Our Very loving freind  
Thomas Mills Esq.<sup>r</sup> Recei: Signed, { W.<sup>m</sup> Dowdeswell  
:ver general & Collector { J Cavendish  
of His majestys Revenues { Geo Onslow  
arising within the province  
of Quebec / The Revenues of Customs excepted /

Instructions To The Kings Receiver in  
the province of Quebec  
Ent.<sup>d</sup> at The Treasury

Read the Report of the Committee of the first Ins.<sup>t</sup>

ordered to be entered in the Book

Council

## Council Chamber 1 July 1766

Present

The Hon<sup>l</sup> Charles Steuart Esq.<sup>r</sup> Su.<sup>r</sup> gen.<sup>l</sup>

Adam Mabane	}	Esq.. <sup>rs</sup>
Thomas Dunn		
Francis Mounier		
James Goldfrap		

The Committee having taken into consideration His Majesty's Additional Instruction with regard to the Currency dated the 24.<sup>th</sup> of February 1766 are of Opinion that a new Ordinance for regulating the Currency of this province ought to be framed agreeable to the former / excepting that the Pistole ought to be rated at Twenty two shillings /, a French piece mentioned in the former ordinance to pass at 4<sup>s</sup>/6.<sup>d</sup> Halifax currency ought to be omitted, The whole Clause respecting cut money left out, The Sols marqués ought to be added to the List of Coins at the Value of one farthing each or 48 to a shilling, And taken no farther notice of And that no person should be obliged to receive above the Value of Five shillings of Any Copper Coin at one payment  
 , Signed, Cha Stewart

Resolved that the Attorney general prepare the Draft of An Ordinance in terms of the above Report  
P. Æmi.s Irving

At The Council Chamber in the  
 Castle of S<sup>t</sup> Louis in the City of Quebec on  
 Thursday the third Day of July 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of  
 the Council, Commander in Chief of the Province

And

And

Charles Steuart S. g. }  
Walter Murray }  
Adam Mabane }  
Thomas Dunn }  
Francis Mounier } Esq.<sup>rs</sup>  
James Goldfrap }  
Thomas Mills R. g. }

Ordered The Attorney general to draw up a Proclamation agreeable to His majestys order in Council for levying certain Dutys in this province, which Proclamation is to be entered in this Book And immediately published

Read the Draft of An Ordinance to regulate the granting Licences to the Retailers of Spiritous Liquors also the Draft of An Ordinance to regulate the Currency of the Province

Ordered a Committee to consider these Drafts And report to this Board

The Committee are Mess.<sup>rs</sup> Mabane Dunn Mounier and Goldfrap

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the Castle of S<sup>t</sup> Louis on Saturday the fifth Day of July 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of the Council Commander in chief of the Province

Charles Steuart S. g. }  
Walter Murray }  
Adam Mabane }  
Thomas Dunn }  
Francis Mounier } Esq.<sup>rs</sup>  
James Goldfrap }  
Tho.<sup>s</sup> Mills R. g. }

The

The Committee reported they had read and made some Alterations in the Drafts referred to them last Council Day which they submit to the Board

Approved the Draft of the Ordinance for regulating the Licences to Retailers of Spirits

ordered the same to be entered And published

### An Ordinance &.<sup>c</sup>

Whereas there are a great many persons in this province, who presume to retail Rum Brandy Wine Syder And other Spirituous & Strong Liquors, And keep common tippling houses And Victualling houses without Licence; For preventing whereof **Be it** ordained and declared by His Honour The President And Commander in chief, by And with the advice Consent and assistance of His majestys Council of this province, And by the Authority of the same It is hereby ordained and declared, That no person or persons whatever within this province after the 29.<sup>th</sup> Day of September now next coming, shall be admitted or suffered to sell by Retail Any Rum Brandy Wine Syder, or other Spiritous & Strong Liquors mix'd or unmixed, by whatever Name or names they may be called or distinguished or keep Any common Tippling house or Victualling house without Licence for that purpose first had & obtained from the Deputy Secretary of this province upon presenting to him a Certificate from the Clerk of the peace of the Respective Districts of this province That such person or persons had been Approved of by the Justices of the peace at their quarter Sessions for the said respective Districts And upon their Entering into Recognizances to His

majesty

Majesty in the sum of Twelve pounds with sufficient Securitys, as well against the using unlawful games as also for the using And mantainance of good order and Rule to be had & used within the same, for the time to be limited in such Licenses, for which Thirty six shillings shall be paid to The Deputy Secretary, two shillings whereof shall be for the Clerk of the peace for his Certificate, And Eight shillings to the Secretary for taking the Security And granting the Licence as aforesaid, And the Remainder to be appropriated to public uses, As the Governor & Council shall think proper; And every such Licence shall continue in Force for one year And no longer, to be computed from the 29.<sup>th</sup> Day of September next, And in like manner for every Succeeding year

And Be it further ordained by the Authority aforesaid, That every person in this province who after the 29.<sup>th</sup> Day of September now next coming, shall keep any ~~Vietu~~ Tippling house or Victualling house, or shall retail any Rum Brandy Wine Syder or other Spiritous Liquors mixed or unmixed, or by whatsoever name or names they may be called or distinguished, without being licensed thereunto According to the Direction of this Ordinance, And shall be thereof convicted within Ten Days after such offence committed, on his or her Confession, or the Oath of One credible Witness, by Any one or more Justice of the peace of the District, where such offender shall reside or be licenced, every such offender shall forfeit & pay for the first offence The sum of Five pounds, for the Second offence the sum of Ten Pounds, And for the third offence the sum of Twenty Pounds, And after the said third offence shall be incapable of keeping

a



a tippling house or victualling house or of selling Any Rum Brandy Wine Syder or other Spiritous and Strong Liquors by Retail by virtue of Any Licence granted before such Conviction, or of having Any Licence for such purpose thereafter; And if Any such offender shall continue to commit Any of the aforesaid offences, then such offender shall for every such offence subsequent to his third Conviction, forfeit And pay the sum of Twenty pounds all which respective Penaltys and Forfeitures, shall & maybe levied by Distress And Sale of the goods And Chattels of every such offender / rendring him or her the Overplus, after the Charges of the said Distress & Sale are deducted / by Warrant Signed by the said Justice or Justices who do convict such offender, which said penaltys shall be paid And applyed one half to the Informer; And the other half to His majesty, for the use of this government; And such conviction signed by the said Justice or Justices shall immediately after the said Conviction is signed As aforesaid, intimate or cause to be intimated the said Conviction to the person convicted, And shall return or certify the same, And the proceeding therein to the Clerk of the peace of the District in which such Justices do Act to be by the said Clerk preserved Amongst the Records of the said District

Provided always And Be it further ordained by the Authority aforesaid, That if any person aggrieved by such Conviction, shall be minded to appeal from such conviction, it shall and maybe Lawful to And for such person within ten Days after such Conviction shall have been intimated to him or her, to Appeal to the next ensuing Quarter Sessions or Adjournment thereof, which shall be held for the District where such offence

shall

shall have been committed, And the Justices of the peace assembled at such quarter Sessions or Adjournment are hereby Authorised And impowered to hear And determine the said Appeals, And to give and cause to be executed such Judgment and Sentence as in their Opinion, the Justices from whom the Cause is Appealed ought to have given, Provided always that the person Appealing shall with all convenient Speed, And before the meeting of the said Quarter Sessions or adjournment thereof leave his or her Reasons of Appeal in writing with the Clerk of the peace of the said District, And also attend and with Effect prosecute his or her appeal at the said quarter Sessions or adjournment thereof, And the Clerk of the peace shall at the Quarter Sessions or Adjournment thereof produce all such Convictions And Reasons of Appeal As shall have been returned and certified to him, or left with him since the last quarter Sessions or Adjournment thereof, And shall upon reasonable Notice deliver to any person requiring the same, a fair Copy of such Conviction or Reasons of Appeal, for each Copy whereof the sum of Three shillings and no more shall be demanded And paid. And In order to prevent fivolous and vexatious Appeals Be it further ordained and declared by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the peace at the said quarter Sessions or Adjournment if they shall judge Any Appeal from Any Conviction to be fivolous & calculated for Delay, to award order and direct the party Appealing to pay Any sum not exceeding Forty shillings, over And above the penaltys herein before mentioned to be levyed And

applied

Applied in such manner And to such use And  
 Uses as the said Justices shall direct and Appoint  
 And the Judgment and determination of the said  
 Justices at the quarter Sessions or adjournment  
 thereof shall in all the Cases aforesaid be final and  
 conclusive to all Intents & purposes

Provided that nothing in this ordinance  
 contained shall extend to prevent Any merchant  
 Shopkeeper or others not licenced to retail Rum  
 Brandy Wine ale Beer Syder Perry or other Strong  
 Liquors from selling Any quantity of such Liquors  
 not less than Three gallons at one time

First

given &.<sup>c</sup> 7<sup>th</sup> July 1766

By order of the \_\_\_\_\_, Signed, P. Æmi.<sup>s</sup> Irving  
 Commander in Chief  
 of the province /Counts.<sup>d</sup> / JAPotts DCC

Read also The Draft of An Ordinance for  
 regulating the Currency of the Province

Approved thereof And ordered the same to  
 be transmitted to the Board of Trade for their  
 Approbation or Alteration

Read the Draft of a Proclamation for  
 publishing the Dutys to be levyed in this province  
 by His Majestys order in Council And the  
 Instructions of the Right Hon.<sup>1</sup> The Lords Com:  
 :missioners of the Treasury to the Receiver gen.<sup>1</sup>

Approved thereof And Ordered the same  
 to be published

Province of } Quebec Sc }	By The Hon <sup>1</sup> Paulus Emilius Irving Esq. <sup>r</sup> Commander in Chief of this province And Lieu. <sup>t</sup> Colonel of His majestys Army
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A Proclamation

Whereas

Whereas at The Court at S<sup>t</sup> James's the 22.<sup>d</sup> Day of November 1765, present The Kings most excellent majesty in Council, The Report of the Right Hon.<sup>1</sup> The Lords of the Committee of Council for Plantation affairs, dated the Nineteenth Day of the said month of November, in the same year, was read at the Board / amongst other things setting forth / "That "whilst the Colony of Quebec was under the Dominion "of the French King, certain Revenues were raised "therein, which if continued would probably produce "more than sufficient to defray the Expences of the "civil government of the said Colony; It being most "certain that all the Dutys payable to the French "King before the Conquest and Cession, are now due & "payable to, And vested in His majesty by Right of "Conquest at common Law". Which Report His Majesty having taken into consideration, was pleased with the advice of His privy Council, to approve thereof And to order, That the Right Hon<sup>1</sup> The Lords Commissioners of His majestys Treasury, do give Instructions to the Receiver general of the Colony of Quebec, to receive and collect all or such part of the said Revenues / to be applied to defray the Charges of the civil government of the said Colony And to any other uses / As they shall think proper & expedient And whereas The Right Honourable The Lords Commissioners of His Majestys Treasury have by their Instructions dated at the Treasury Chambers at White: :hall, The Tenth Day of march last directed Thomas Mills Esquire His majestys Receiver General And Collector of all His Revenues in the Province of Quebec &.<sup>c</sup> to receive And collect all such Dutys And Revenues As were collected in this Colony while under the

Dominion

Dominion of the French King, to be applied to defray  
the Charges of the civil Government thereof. And whereas  
the following Dutys were collected And paid whilst this  
province was under the Dominion of the French King  
That is to say

	Liv:..Sols..	£. S.. D. q
Wine by the Hogshead.....	12.. _ ..	_ .. 10.. _
Rum by D. <sup>o</sup> .....	24.. _ ..	1.. 0.. 0
Brandy whether English or French or from whatever port it comes, for the Velt, or measure of 2 gallons	1.. 4..	0.. 1.. 0
Ordinary Wine bottled pr Bottle .....	0.. 1..	0.. 0.. 02
Bottled sweet wine pr Bottle .....	0.. 3..	0.. 0.. 1.2.
Eau de Vie Liqueur per gallon.....	0.. 10..	0.. 0.. 5
Dry goods imported 3 pr Cent on their Valuation		
Dry goods exported a Duty of 3 pr Cent		

I have therefore thought fit with the advice of His  
Majestys Council of this province, to publish this  
proclamation: And all persons concerned are hereby  
required to take Notice thereof, And yeild Obedience  
thereto as they will Answer the contrary at their  
peril

Given &.<sup>c</sup> 5 July 1766

, Signed, P Æmi.<sup>s</sup> Irving

By order of the Commander  
in chief of the Province

/Counts.<sup>d</sup> / JGoldfrap D. Sec.<sup>ry</sup>

God save the King

This Board having reconsidered the Petition of the  
Inhabitants dwelling under the Chateau S<sup>t</sup> Louis

Ordered that it be Advertised in the next weeks  
Gazette for tradesmen to give in their proposals to  
the Clerk of this Board for taking down the ruinous

part

part of said Castle on Wednesday next at Ten  
a Clock before noon

P. Æmi.<sup>s</sup> Irving

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec  
on Saturday the Twelfth Day of July  
1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of  
the Council, Commander in Chief of the Province

Charles Steuart S. g. )  
Walter Murray )  
Adam Mabane )  
Thomas Dunn )  
Francis Mounier ) Esq..<sup>rs</sup>  
James Goldfrap )  
Thomas Mills R. g. )

Pierre Pacquette Mason gave in proposals for  
taking down the ruinous part of the Chateau S<sup>t</sup> Louis  
for 2800 Livres

Michel Chalery Carpenter gave in proposals to take  
down the faulty part of the Roof of the Chateau  
S<sup>t</sup> Louis for Fifty Dollars

ordered that Mess..<sup>rs</sup> Dunn And Mounier a  
Committee of this Council agree with these people  
upon the terms, their proposals being by far the  
lowest presented

The President of this Council presented a Letter  
from the Receiver general

ordered

Ordered to be entered in the Book

Quebec 11.<sup>th</sup> July 1766

Sir

The Naval officer has been to inform me that without an order of government, he can not refuse a Clearance to Any Vessel, notwithstanding the Duties on her Cargo<sup>e</sup> are not paid at my office which obliges me to make Application to you, that I maybe able to put His majestys orders in Execution

I have the honour to be

Sir

Your Honours most Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>

To The Hon<sup>l</sup> Paulus

, Signed. Thomas Mills

Æmi.<sup>s</sup> Irving Esq.<sup>r</sup>

Commander in chief of the province of Quebec &.<sup>c</sup> &.<sup>c</sup>

In Council

This Board having considered the Application of the Receiver general

Ordered that the Attorney general give his Opinion in writing what is the most effectual method to put his majestys orders in Execution with regard to the Dutys to be levyed in this province agreeable to His majestys order in Council dated 22.<sup>d</sup> November 1765, And ordered that the Attorney general do assist the Receiver general with every thing in his power for the Execution of His orders and Instructions

Presented a Petition from the Merchants & Inhabitants of Quebec praying the Council to Suspend the levying the Duty of Four pence pr Gallon on British Brandy

The

The above Petition is improper, As His Majes:  
:tys Commands can not be dispensed with

Read Memorial from Alexander Dumas  
praying the Council to fix the Rate of Canada paper

This Board is of Opinion that they can not  
at present fix Any particular Value on Paper money

Read Petition of Jacob Stegman Keeper  
of the Goal praying to have the Prison repaired

ordered that the Provost Marshal advertise  
for workmen to give in their proposals to him  
for the necessary reparation of the Goal

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednes:  
:day the Sixteenth Day of July 1766

### Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of the  
Council, Commander in chief of the Province

Charles Steuart S. g.	}	Esq.. <sup>rs</sup>
Adam Mabane		
Francis Mounier		
James Goldfrap		
Benjamine Price		
Thomas Mills R. g.		

Read Petition from Mons<sup>r</sup> LeBrun Attorney  
for René Grasset S<sup>t</sup> Saveur setting forth that in  
the Admiralty office here during the French govern:  
:ment there was lodged a quantity of paper money

by



by order of that Court the property of M.<sup>r</sup> S<sup>t</sup> Saveur praying the Council to give an order to search said office for said paper money

Ordered that Mess..<sup>rs</sup> Mabane and Mounier search the office And Records of the Admiralty and report to this Board agreeable to the former order respecting the Records in the Hands of Panet Robin and others

Read the agreements with the Workmen to take down the ruinous part of the Chateau S<sup>t</sup> Louis Viz.<sup>t</sup> To the Mason 2800 livres, To the Carpenter fifty Dollars dated the 14.<sup>th</sup> Instant

ordered that the Clerk of the Council sign these agreements

Read the plan given in by the masters of Ships with regard to the Pilotage in the River S<sup>t</sup> Laurence

Ordered a Committee of this Council Mess..<sup>rs</sup> Dunn Goldfrap and Price to consider said plan and report to this Board what they think would be a proper plan to be adopted by government

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Thursday the Seventeenth Day of July 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
of the Council, Commander in Chief of the province

And

And Charles Steuart S. g. }  
Thomas Dunn }  
James Goldfrap } Esq.<sup>rs</sup>  
Benjamine Price }  
Thomas Mills R. G. }

Presented an Accompt from Samuel Mather Esq.<sup>r</sup> for His Expences in taking the Recensements of the parishes on the River Richlieu And swear: :ing the Inhabitants Amounting to £ 19.. 17.. 0

Resolved that the above Accompt be paid

Read the Attorney generals Opinion with Regard to the Method to put His majestys orders in Execution respecting the Dutys to be levyed in this province

ordered to be given to the Receiver general

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on Friday the twenty fifth Day of July 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of the Council, Commander in Chief of the Province

Charles Steuart S. g. }  
Walter Murray }  
Adam Mabane } Esq.<sup>rs</sup>  
Thomas Dunn }  
Francis Mounier }  
James Goldfrap }  
Thomas Mills R. g. }

Presented Petition from Mons.<sup>r</sup> L'Everard setting

forth

forth that Joseph Le May Poudrier had cut a quantity of wood on a Seigneurie belonging to the Petitioner

ordered to be referred to a Committee

Presented Petition from Mons.<sup>r</sup> Perras praying a grant of the Beach behind his house in the lower Town, thereon to erect a Quay

ordered to be referred to a Committee

Mess.<sup>rs</sup> Mabane and Mounier Reported their having searched the Records & Depositaries of the Court of Admiralty during the French government.<sup>t</sup> And that they found no paper money in the said Depositaries

ordered Mess.<sup>rs</sup> Mabane and Mounier to search the Records to find what paper money ought to be in the Depositaries of the Admiralty And by whom or by what Authority it has been expended

Read Petition from Alexander Shaw for a grant of a Spot of ground in the lower Town

ordered to be referred to a Committee

The Council having taken into Consideration the Inconveniencies arising to the Inhabitants of this province from the unavoidable Delays in judicial Proceedings by having only two terms in the year in the supreme Court and Court of common pleas, And it being referred to the Attorney general. He produced to the Board the following Opinion

Quebec 25 July 1766  
It has often been complained of that public

Credit

Credit suffers greatly by there being no more than two terms in the year in the Supreme Court And Court of common pleas, I am therefore of Opinion that there ought to be two terms added to the former by An Ordinance of the governor And Council, which will be the means of giving great Dispatch to public Business All which is humbly submitted by  
, Signed, Geo: Suckling

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Saturday the Twenty Sixth Day of July 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of  
the Council, Commander in chief of the Province

William Gregory C. J.  
Charles Steuart S. g.  
Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
Thomas Mills R. g. } Esq..<sup>rs</sup>

The Board having taken into consideration the opinion of the Attorney general entered yesterday, And the necessity to appoint further Terms to expedite his Majesty's Business, And after having duly considered & debated the propriety of such Additional Term

Resolved that a term be held in the Supreme

Court

Court, And Court of common pleas from the  
15.<sup>th</sup> of October to continue the usual length, every  
year And that the Attorney general be ordered to  
frame An Ordinance to that purpose

Thomas Lynch of Montreal was proposed to be  
in the Commission of the peace for the District of  
Montreal

The Board unanimously Approve of M<sup>r</sup>  
Lynch As a proper person for that office

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Monday the Twenty Eighth Day of July  
1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
of the Council, Commander in chief of the  
Province

William Gregory C. J. }  
Walter Murray }  
Adam Mabane }  
Thomas Dunn }  
Francis Mounier }  
James Goldfrap }  
Thomas Mills R. G. }

Read the Draft of an Ordinance in Addition  
to the Ordinance of the 17.<sup>th</sup> September 1764

Approved thereof And ordered the same to be  
published in the next gazette

An Ordinance &<sup>c</sup>

Whereas

Whereas It has been often complained of, that there being no more than two terms in the year, Ap: pointed for holding His Majestys Supreme Court of Judicature, And Courts of common pleas within this province, is a delay in obtaining Justice, And a great prejudice to public Credit, For Remedy whereof **Be it ordained and declared**, by His Honour The President and Commander in chief of this province, by And with the Advice Consent and assistance of His Majestys Council And by the Authority of the same, It is hereby ordained and declared That a new Term is by Virtue of this Ordinance established and added to the two former Terms, called Hillary and Trinity terms, which said new Term shall be called Michaelmas Term, And shall commence and be held yearly for the Dispatch of public Business in the said Supreme Courts And Courts of common pleas respectively on every fifteenth Day of October, with the same number of return Days therein as is practised in the said two other Terms, called Hillary And Trinity terms, with the same Liberty of Appealing from the Judgments therein to be given And all other Rights and priveledges As is And are established by An Ordinance of His Excellency The governor And Council of this province of the 17<sup>th</sup> September 1764 Intituled "An Ordinance for regulating & establishing "the Courts of Judicature in this province", or by Any other Ordinance in Addition to or in Amendment or Explanation thereof: And all writs And Process whatsoever hereafter to be lawfully & regularly sued out of Any of the said Courts, And made retournable the first or Any other Return Day of the said

term

Term Michaelmas, by this Ordinance established  
are hereby declared to be good & valid

Given &.<sup>c</sup> 26 July 1766

By order of the Commander , Signed, P Æmi.<sup>s</sup> Irving  
in chief of the Province  
/ Counts.<sup>d</sup> / JAPotts D.<sup>cc</sup>

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednes.  
-day the thirtieth Day of July 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
of the Council, Commander in Chief of the province

Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
Thomas Mills R. g. }

Read a Petition from the French Attorneys in  
the Court of common pleas setting forth the Incon:  
:veniency of Writs of Certiorari being issued from  
the Supreme Court to the Court of common pleas

Resolved that An Ordinance be framed to  
prohibite such Writs for the future, As it evidently  
frustrates the Intention And Spirit of the Ordinance  
of the 17.<sup>th</sup> September 1764 regulating the Courts  
of Justice, by which every Cause must be determin-  
-ed And Judgement issued before it can be removed  
from An Inferior to a Superior Court

Resolved

Resolved that a further time be taken to consider the above petition Viz.<sup>t</sup> till the Arival of the new Chief Justice

P. Æmi.<sup>s</sup> Irving

At The Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on Thursday the thirty first Day of July 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of the Council, Commander in chief of the province

Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
Thomas Mills R. G. } Esq..<sup>rs</sup>

Read a Letter from Thomas Mills Esq.<sup>r</sup> Receiver general referring to a Letter directed to him by Thomas Dunn And John Gray Esq..<sup>rs</sup> representing that certain persons have erected Buildings on the Kings Domaine And Indian Country in Defiance of His majestys Proclamation dated the 7.<sup>th</sup> Day of October 1763 And the order of His Excellency The governor intimated by James Goldfrap Esq.<sup>r</sup> Deputy Secretary of this province to M.<sup>r</sup> George Allsopp

ordered to be entered in the Book

Quebec 31.<sup>st</sup> July 1766

Sir

Having received a letter from Mess..<sup>rs</sup> Thomas Dunn and John Gray leasees of the posts of the Kings

Domaine



Domaine informing me that sundry Traders are erecting Buildings, disturbing them in their Rights and invading His majestys Estate and property

I therefore beg you will please to lay the same before his Majestys Council, that it may be made known to his Subjects in this province, that the said posts are by no means laid open, And Strictly forbidding Any one to trade thereto or debauch the Indians I have the honor to be

Your most Obed.<sup>t</sup> & most  
 hum<sup>l</sup> Serv.<sup>t</sup>  
 To the Hon<sup>l</sup> P. E. Irving Esq.<sup>r</sup> &.<sup>c</sup> &.<sup>c</sup> , Signed, Thomas Mills

Quebec 4 July 1766

Sir

In consequence of your Letter dated at London 21.<sup>st</sup> March last, to Richard Murray Esq.<sup>r</sup> acting Receiver general for this province, we did jointly with him memorial his Excellency The Governor and the honorable Council to protect & support us in the enjoyment and quiet possession of the posts of his Majestys Domaine according to our Lease which we inclose for your perusal

In Answer to the prayer of said Memorial it was resolved in Council that the intruders on the Domaine Mess.<sup>rs</sup> George Allsopp Edward Chinn Watmough & Measam or others whatsoever should be prevented from erecting Buildings on any part of said Domaine, which was signified to M<sup>r</sup> George Allsopp by James Goldfrap Esq.<sup>r</sup> Deputy Secretary of this province; But notwithstanding this Notification of His majestys pleasure And

the

the resolution of Council, they still obstinately persist in raising Buildings trading with & debauching the Indians of His Majestys said Domaine in open Defiance of government And direct Violation of our Lease by the Tenor of which we are bound to pay to His Majesty the yearly Rent as it becomes due & to perform the other covenants on our parts therein mentioned. It is likewise our duty to preserve good order among the Indians, conciliate their Affections and render them useful to his Majestys government, which has been our constant Study And we flatter ourselves will so appear when it shall please His Majesty or his Servants to order the strictest enquiry

We therefore make no doubt but you will speedily take the most effectual measures to fulfill the Engagements Stipulated on the part of the Crown & to secure us in the peaceable possession of our said Lease agreeable to its tenor, & to prevent the mischiefs that must necessary ensue, if such unwarrantable Intrusions are suffered. We have the honor to be

Sir

Your most Obed<sup>t</sup> & most hum<sup>l</sup>  
Serv.<sup>ts</sup>

, Signed, { Thom.<sup>s</sup> Dunn  
John Gray

To Thomas Mills Esq<sup>r</sup>  
Receiver general of the  
province of Quebec

Ordered that the Attorney general give his Opinion to this Board in writing of what is the legal Method to destroy the Buildings erected as above set forth

P. Æmil.<sup>s</sup> Irving

At

At The Council Chamber in the Castle of  
S<sup>t</sup> Louis in the City of Quebec on Friday the  
Eighth Day of August 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of the  
Council, Commander in chief of the province

Walter Murray	}	Esq.. <sup>rs</sup>
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		
Thomas Mills R.g.		

Read the Report of the Committee of the 18.<sup>th</sup> of July  
also the Report of the 7.<sup>th</sup> Instant

ordered the two Reports to be entered in the  
Book And confirmed

Council Chamber Quebec 18 July  
1766

Present

The Honb. <sup>le</sup> Thomas Dunn	}	Esq.. <sup>rs</sup>
James Goldfrap		
Benjamin Price		

The Committee are of Opinion that the first Article  
in the former Regulations for Pilots is proper, with  
this Distinction, that the number of Pilots to be  
stationed at Bic should be Eight or Ten, And that  
the pilotage money to be paid should be Twelve shillings

2.<sup>d</sup> The Committee Approve of the second Article in  
the Report of the Masters of Vessels viz.<sup>l</sup> Six shillings  
currency pr foot And Forty Eight shillings for Vessels  
drawing less than Eight feet water

3.<sup>d</sup> The Committee Approve of the third Article of

the

the masters Report with this Difference that the Vessel should lye to for a Pilot a reasonable time, provided it can be done with safety at either Bic or Coudre, And are of Opinion that a Pilot neglecting or refusing to go on board any vessel should be fined Five pounds currency

4.<sup>th</sup> The Committee Approve of the fourth Article

5.<sup>th</sup> The Committee are of opinion that all vessels to or from any port out of the province should be subject to these regulations

6.<sup>th</sup> The Committee Approve of the sixth Article

7.<sup>th</sup> The committee are of opinion it should be mentioned in the branch of each Pilot, what Channel he has passed examination for, or if he knows both the north and south channels

8.<sup>th</sup> The Committee Approve of the eighth Article

9.<sup>th</sup> The Committee Approve of the Masters Report

10.<sup>th</sup> The Committee Approve of the 10.<sup>th</sup> Article of the Masters Report

11.<sup>th</sup> The Committee Approve of the Eleventh Article of the Masters Report, And that an adequate Consideration should be paid by the Masters of Ships for the assistance of the Pilot Boat in Weighing their Anchors

12.<sup>th</sup> The Committee Approve of the twelfth Article

13.<sup>th</sup> The Committee are of Opinion it will be very necessary to have Buoys fixed in the manner mentioned in the Masters Report

14.<sup>th</sup> The Committee are of Opinion that a Vessel refusing to take in a Pilot at Bic or Coudre, provided

the

The pilot offer his Service, such Vessel should be obliged to pay the full Pilotage, one half of which to go to the Superintendent of the Pilots, And the other half to the acting Pilots stationed at the different places above mentioned, And that the whole of the Pilotage as well as the forfeitures should be equally divided, And the Committee are further of Opinion that a Loghouse should be built upon Bic, for the Accommodation of the Pilots

, Signed, Thom.<sup>s</sup> Dunn

Council Chamber Quebec Thursday 7 Aug.<sup>t</sup>  
1766

Present

The Hon. <sup>l</sup> Thomas Dunn	}	Esq.. <sup>rs</sup>
Francis Mounier		
James Goldfrap		

The Committee having considered the petition of Mons.<sup>r</sup> L'Everard referred to them on the 25.<sup>th</sup> of July last, are of Opinion that the dispute between the petitioner and Poudrier do's not concern the Council, And that M<sup>f</sup> L'Everard may take the legal means to do himself Justice

The Committee having taken into consideration the Petition of Mons.<sup>r</sup> Perras for a grant of the Beach behind his house are of opinion that the Petition should be left to Twelve gentlemen, Six English and Six French, to make their report to this Board whether granting said piece of ground will be detrimental to the public, The French gentlemen are Mess..<sup>rs</sup> Amriott Laurieu, Laroque Ponçy, Perrault and Rousseau, the English gentlemen Mess..<sup>rs</sup> Lees Shepherd Aitken, M<sup>c</sup>Caulay Lymburner And Paterson

The

The Committee having considered the Petition of Alexander Shaw for a grant of a Lot of ground in the lower Town upon which a Store has been built by Philip Payne are of opinion that the ground can not be granted to M<sup>r</sup> Shaw, it having been long ago petitioned for by Payne & promised to him & are of opinion that M<sup>r</sup> Payne or his Creditors ought to be asked whether they will be at the Expence of passing the grant

The Committee having taken into Consideration the Report of the Committee of the 18.<sup>th</sup> of July with respect to the Regulation of the Pilotage in the River S<sup>t</sup> Laurence which has not yet been presented to the Council, And having considered the Regulations for Pilotage during the French government furnished them by the former Clerk of the Admiralty are of Opinion that the Report of the 18.<sup>th</sup> of July is extremely proper, and that the French Regulations are not at present practicable But submit to a full Board how far the Regulations mentioned in said Report can be enforced And are of opinion That the Draft of An Ordinance should be immediately framed agreeable to said Report, & sent home for approbation before it be published as there will be time sufficient to have An Answer before the Navigation be open next Season

, Signed, Thom.<sup>s</sup> Dunn

Resolved that the Attorney general be ordered to draw a Draft of An Ordinance for regulating the Pilotage agreeable to these Reports

Read

Read the Opinion of the Attorney general of the  
1.<sup>st</sup> of August with regard to the Houses built on the  
Kings Domain

Read also An affidavit of Peter Stuart Esq.<sup>r</sup>  
relating to said Buildings

Ordered the Opinion and affidavit to be  
entered in the Book

Quebec 1 August 1766

May it please your Honour

Kings Domain



It having been represented to you in Council  
“That certain persons have erected Buildings on the  
“Kings Domain and Indian Country in Defiance of  
“His Majestys Proclamation dated 7 Octo.<sup>r</sup> 1763, on  
“which it has been ordered That I give my Opinion  
“in writing to your Honour in Council, of what  
“is the legal Method to destroy the buildings erected  
“as above set forth.”

In Obedience to which I have read and consid:  
:dered His Majestys said Proclamation, And as it  
is his pleasure to reserve under his Sovereignty, Pro:  
:tection and Dominion for the Use of the Indians  
all the Land & Territorys called the Kings Domaine  
possessed by the Indians And has Strictly forbid on  
pain of his Displeasure all his Subjects from  
making any purchases or Settlements whatever  
or taking possession of Any of those Lands without  
especial Leave And Licence for that purpose first  
obtained; I am of Opinion that the persons who  
have presumed to erect any Buildings on the

said

said Lands, should be ordered by the government to take down the same immediately and carry away the materials; And as these kind of offences are not only very daring but maybe attended with very dangerous Consequences, which were by the proclamation intended to be prevented, And as the continuing the Buildings during the Course of a prosecution against the offenders, may prove fatal, I think the government may on Oath being made of the Facts, legally issue a warrant / In Case on Application, And Refusal to remove the Buildings / directed to such Number of persons as may be thought necessary to pull down the same, And in Case of Opposition the persons so to be authorised maybe empowered to Apprehend the Delinquents And bring them hither to be punished in the ordinary Course of Justice. I have the honour of being

Sir

To The Hon<sup>l</sup> P. Em.<sup>s</sup> Irving Esq.<sup>r</sup> Your Honours most Obed<sup>t</sup> & most  
 President of His majestys hum<sup>l</sup> Serv.<sup>t</sup>  
 Council & Commander in chief , Signed, Geo: Suckling  
 of the province of Quebec

Peter Stuart of the City And province of Quebec Esquire being duly sworn on the Holy Gospels of God Deposeth and sayeth that during apart of the last Fall and winter he this Deponent resided at one of the posts belonging to His Majesty, hired by The Hon<sup>l</sup> Thomas Dunn Esq.<sup>r</sup> and others at Chicoutimy in the province aforesaid And in the same fall of the year M<sup>r</sup> Edward Chinn arived there with an assortment of goods And particularly a large quantity of British Spirits, in order to trade with the Indians And

soon



soon after his Arival there the said Edward Chinn caused a house to be built within about a quarter of a mile below the said post at Chicoutimy where he lodged his goods And traded with the Indians during all the last Winter, supplying them with great quantitys of British Brandy by which means they were frequently made drunk, And great Quarrels And disturbances ensued, which made it very unsafe to live at the Kings post, And this Deponent further saith that in the month of June last, the said Edward Chinn caused two houses to be built on Lake S<sup>t</sup> John, one of which is a dwelling house And the other a Store house in order to trade with the Indians, by all which means the lawful Trade at the Kings post at Chicoutimy is greatly reduced, And this Deponent verily believes that if the said houses are suffered to remain at Chicoutimy And Lake S<sup>t</sup> John as afore:  
 :said the lawful Trade there with soon be of little or no value, And this Deponent further saith that he this Deponent demanded of the said Edward Chinn in the presence of several persons if he the said Chinn had the permission of the Governor & Council of this province for erecting the said Buildings who answered he did not ask their leave nor did he care for Any ones leave but the Kings, or words to that Effect And further this Deponent saith not \_\_\_\_\_, Signed, Peter Stuart

Sworn this 8 Day of Aug.<sup>t</sup>

1766 before me , Signed, JAPotts J. P.

Resolved that An order be immediately

sent

sent to M<sup>r</sup> George Allsopp to cause take down & carry away the materials of the Houses by him erected on the Kings Domaine, contrary to His Majesty's Proclamation being Lands possessed by the Indians betwixt and the fifteenth Day of October next If M<sup>r</sup> Allsopp do's not comply with said order within the time above mentioned. Resolved that a warrant be granted to Peter Stuart Esq.<sup>r</sup> one of His Majesty's Justices of the peace to take down & remove said Buildings

Read Petition from Thomas Aylwin for a grant of a Slip of ground near the Kings Wharf

Ordered the Petition to be fyled & referred to a Committee who are to report to this Board their Opinion of the Utility of said Spot to His Majesty or the public

Presented an Accompt from Nicolas Davies messenger due him by the government Amounting to £9.. 11.. 4 and a quarters Sallary from the 25 of March to the 24 of June certified by M<sup>r</sup> Goldfrap

This Board are of opinion that the same should be paid

P. Æmil.<sup>s</sup> Irving

At

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednesday  
the thirteenth Day of August 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of  
the Council, Commander in chief of the province

Adam Mabane	}	Esq.. <sup>rs</sup>
Thomas Dunn		
Francis Mounier		
James Goldfrap		
Thomas Mills R. g.		

Read the Report of the Committee of the 11.<sup>th</sup> Ins.<sup>t</sup>

Ordered to be entered in the Book

Council Chamber Monday 11 Aug.<sup>t</sup>  
1766

Present

The Hon <sup>l</sup> Thomas Dunn	}	Esq.. <sup>rs</sup>
Francis Mounier		
James Goldfrap		

The Committee are of Opinion that M.<sup>r</sup> Aylwins  
Petition presented the 8.<sup>th</sup> Instant ought to be  
granted, he paying a quit Rent in the same  
proportion with that of M<sup>r</sup> Rowe agreeable to the  
quantity of ground

, Signed, Thom.<sup>s</sup> Dunn

ordered the Report to be confirmed And a  
Warrant to the Surveyor general to survey & report  
As usual

Read a Letter from Thomas Ainslie Esq.<sup>r</sup>  
Collector

ordered to be entered in the Book

Sir

Sir

I think it my Duty to lay before you the  
Event of two notes of hand taken by me by orders from  
His Excellency Governor Murray for the provincial  
Dutys.

The first of Gilbert Barkly for £ 61.. \_ , The  
other of Eldridge and Long for £ 405.. Hall: Curr.<sup>y</sup>  
when I sent for the money to M<sup>r</sup> Barkly he refused  
paying it; Eldridge paid £200.. of his, but refused the  
Remainder; I reported this to the governor at the settling  
my accompts with the Receiver general, & he directed me  
to put them into the hands of the Attorney general to  
recover them in Law, which I immediately did.

M<sup>r</sup> Barklys was tried the Winters Terms, & tho' the  
note was made payable to me or my order, which was  
transferable, & the signature proved to be the Hand writing  
of Gilbert Barkly, yet the Jury brought in a Verdict  
for the Defendant.. Eldridge and Longs was tried last  
last term, And tho' part of the Note was paid, And  
the Signature proved to be those of Eldridge and Long  
which was proving the fact, yet the Jury brought in  
a Verdict also for the Defendant with costs

The Cases are so singular and so prejudicial to  
the Receipt of His majestys Revenue in this province  
that I beg leave to submit them to you And the Hon<sup>l</sup>  
Council to direct such Steps to be taken As to you shall  
seem good; observing that the governor recommended  
them to be appealed to you in Council, if determined  
against the Plaintiff.

I

I have the honour to be with great Respect  
 Sir  
 your most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
 Quebec 10 Aug.<sup>t</sup> 1766 , Signed, Tho.<sup>s</sup> Ainslie

To The Hon<sup>l</sup> P. E. Irving Esq.<sup>r</sup> &.<sup>c</sup> &.<sup>c</sup>

Resolved that the Attorney general be ordered  
 to bring up the Causes mentioned in the Letter as  
 soon as they are ripe for appeal

Read a Letter from Thomas Mills Esq.<sup>r</sup> Receiver  
 general

ordered to be entered in the Book

Quebec 13.<sup>th</sup> August 1766

Sir

Upon reading Petition in Council last friday  
 from some of the Inhabitants, praying for grants  
 of wharfs and Lots of improved ground belonging  
 to the Crown in this City, I laid in my Claim for  
 His majesty, observing they belonged to his Royal  
 Patrimony and could not be granted, you seemed  
 to express a desire to know what his Estate was  
 I shall therefore lay before you and this Council  
 what His Majestys Commands to me are, And  
 His Ministers Instructions give me the Charge of  
 in this province, And what my Duty obliges me  
 to claim, seize and lay hold of, from Any person  
 or persons whatsoever, who may be in possession  
 or that has since the Conquest of this Country  
 invaded his Majestys Estate & property, And to make  
 it the more clearly understood Sir I think it  
 necessary upon this Occasion to repeat my  
 Commission under His Royal Sign manual, as

well

well as his Instructions from his Ministers,  
wherein I am “constituted and Appointed, his  
“Receiver general and Collector of all his Royal  
“Patrimony Estates, Rents, Revenues, Farms, Taxes,  
“Tyths, Dutys, Imposts, Profits, and Casualtys  
“whatsoever belonging unto His Majesty or which  
“have arisen or shall arise within this His Province  
“of Quebec, and hereby giving And granting unto me  
“full power & Authority to ask demand & receive  
“all sums of Money so due and to become due unto  
“him And to give Acquittance for the same, as  
“also to persue and prosecute the recovery of the  
“same, And I am further Strictly commanded to  
“observe follow and govern myself According to  
“such Rules orders and Instructions As I shall  
“receive from his Majesty by Any warrant or  
“writing under his Royal Sign Manual, counter-  
“-signed by the Commissioners of his Treasury,  
“or his Lord High Treasurer for the time being,  
“And He do’s hereby command and require all his  
“officers and ministers and loving Subjects whatsoever  
“in their several and respective Stations and places, to be  
“aiding and assisting to me, in all things to be done and  
“performed by me, in the due Execution of this his Commission

I shall therefore State my Demands And what of  
right belongs to His Majesty; where private property  
do’s not interfere. All lands or lots of ground, farms  
houses wharfs or buildings whatsoever, that has been  
improved or money laid out upon them by the King  
or any of his Predecessors, as the property & estate of

the

the Crown, and what is claimable and what I do now  
 in his Majestys name claim as his royal Patrimony  
 And as he has been most graciously pleased to allow  
 that monies arising from his Estate shall assist in  
 defraying the Expençe of government in this province  
 I am now to inform you Sir that as soon as His  
 majestys more important Commands and Instructi:  
 ons are regulated, I shall immediately put them  
 upon the most advantageous and best footing possible  
 to endeavour / in the present pressing Exigencies of  
 this Province / to raise some money for the contin:  
 :gent Expençe of the government, and wherever I  
 may be molested or disturbed in taking quiet Posses:  
 sion of his Majestys just Rights, I make no doubt  
 of having all the aid and assistance that I may be  
 under the necessity to require from you and this  
 Council, as well as the other officers of the Crown

I have the honour to be

Sir

To The Hon<sup>l</sup> Paulus Your most Obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
 Em.<sup>s</sup> Irving Esq.<sup>r</sup> Commander , Signed, Thomas Mills  
 in Chief of the province &.<sup>c</sup>

In Council

P. Æmi.<sup>s</sup> Irving

At The Council Chamber in the Castle  
 of S<sup>t</sup> Louis in the City of Quebec on Friday  
 the fifteenth Day of August 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
 of the Council, Commander in Chief of the Province

And

And Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
Thomas Mills R. G.) } Esq.<sup>rs</sup>

Read Petition from Mons.<sup>r</sup> Lagorgendiere setting forth that certain Inhabitants therein mentioned had cut & carried off Hay from his Lands contrary to a Decree of the military Council

Mons.<sup>r</sup> Tachereau being sworn & examined in Council deposed that he was yesterday upon the Spot and saw the Hay mentioned in the Petition carried off as is therein set forth

Mons.<sup>r</sup> De Lagorgendiere made Oath before the Council that Nicolas Perrault Jean Perrault, Nicolas Paquin, Paul Perrault, Jasques Perrault, Francois Grelau And Pierre Joseph Grelau, did cut & sell Hay growing on a meadow belonging to him contrary to an Order of the governor and the military Council And that the said Hay was sold to Francois Montambaud, Joseph Renaud And Jean Mathieu fils who carried off the Hay sold as aforesaid

The Attorney general who is Council for the Inhabitants of Deschambault in the inferior Court Appeared in Council And gave it as his Opinion that application to this Board was very proper setting forth that the said Inhabitants had cut & carried off said Hay contrary to an order of the military Council confirmed by an Ordinance of this province

And



And further that the Fact being proven An Order may immediately be issued commanding them to return to M<sup>r</sup> De Lagorgendiere the half of said Hay agreable to said original military order

Presented the Deputy Surveyor generals Return of Surveys made for Captain Joseph Deane of 517 Acres at Gaspey, for Hugh Finlay Esq.<sup>r</sup> 200 Acres of Land in the Bay of Chaleur on the north side of the River Bonaventure 50 Acres of Land for Francis Dominic Rousseau in the Bay of Chaleur on the north side of the River Bonaventure, And for Zachariah Thomson a Spot of ground occupied by him near the Intendants palace, including 15284 superficial feet

Resolved that a Warrant be directed to the Attorney general to draw a Draft of Letters patent for Zachariah Thomson agreable to the plan given in this Day reserving to His Majesty His right to the ground when he shall have occasion for it & reserving also the sum of Forty shillings sterling pr Annum of quit Rent.

Resolved that Warrants be directed to the Attorney general to prepare patents for Captain Deane Hugh Finlay and M<sup>r</sup> Rousseau agreable to their respective plans under a quit Rent of Two shillings per hundred Acres According to the proclamation

Presented Petition from Peter Robertson Ship Carpenter praying for leave to build a Vessel in the Slip in the Kings wharf it being at present unoccupied

Resolved that M<sup>r</sup> Robertson be allowed to build

a

a Vessel upon the Slip in the Kings wharf provided  
he be obliged to finish the vessel by the first of June  
1767 he paying Five pounds sterling to His Majesty  
As an Acknowledgement for said permission

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Saturday  
the sixteenth Day of August 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of  
the Council, Commander in chief of the province

Walter Murray  
Adam Mabane  
Thomas Dunn  
James Goldfrap  
Thomas Mills R. G. } Esq..<sup>rs</sup>

Resolved that the Attorney general give his  
Opinion in writing, whether the Chief Justice or  
other civil majistrate in the province can not  
agreable to the ordinance ratifying & confirming the  
orders & Decrees of the military Courts execute or cause  
to be executed the order of the military Court for  
dividing the Hay produced from the Common at  
Deschambault between Mons.<sup>r</sup> De Lagorgendiere And  
the Inhabitants of the said Seigneurie So as to procure  
immediate Redress to the Party aggrieved

Follows the Opinion

The Ordinance of the 20<sup>t</sup>.<sup>h</sup> September 1764 gives  
power to the civil Majistrate upon Application to put

in

in execution the decrees of the military Courts which remain unexecuted, But I apprehend that the Case of Gorgendiere And the Inhabitants of Deschambault referred to differs widely from the matter pointed out by the Ordinance, because the matter in that Case complained of has arisen subsequent to the Decree, and therefore not executable within the Letter or meaning of the Ordinance, nor can as I conceive any Court of Law upon application to them to be made issue Any writ proces or Injunction for Redress of the Waste already committed or which may hereafter be committed, And the only Remedy as I conceive that Mons.<sup>r</sup> Gorgendiere has for Redress of the matters complained of is to apply by Petition supported by affidavits to the Court of Chancery, who will of Course as is usual grant an Injunction for Restitution & Stay of Waste, untill the matter in dispute be finally determined on untill the said Court of Chancery shall give further order therein, And in the mean time the Court for further Information of the waste already committed, may legally order the partys complained of to attend the Court for Examination  
 , Signed, Geo: Suckling

This Board resolve themselves into a  
 Court of Chancery

P. Æmil.<sup>s</sup> Irving

At

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec  
on Wednesday the Twentyeth Day of  
August 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
of the Council, Commander in chief of the province

Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
Thomas Mills R. G. ) Esq.<sup>rs</sup>

Read the Draft of an Ordinance for regulating  
the Pilotage in the River S<sup>t</sup> Laurence

ordered to be referred to the Committee that  
formerly sat on the Subject of Pilotage who are  
to report on Friday next at 10 oClock

Read a Letter from Peter Stuart Esq.<sup>r</sup> to the  
Clerk of this Board desiring him to lay before the  
Council the necessity he is under to apply for a  
Corporal and three Soldiers to assist him in  
destroying the houses erected by George Allsopp &  
others on the lands possessed by the Savages in  
Case M<sup>r</sup> Allsopp do's not comply with the order  
intimated to him to that purpose

Resolved that application be made to the com:  
manding officer of the Troops Accordingly

P. Æmi.<sup>s</sup> Irving

At

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Friday the Twenty Second Day of August  
1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
of the Council, Commander in chief of the province

Walter Murray	}	Esq.. <sup>rs</sup>
Adam Mabane		
Thomas Dunn		
Francis Mounier		
James Goldfrap		
Thomas Mills R. g.)		

Read the Report of the Committee of the  
21.<sup>st</sup> Instant

ordered to be entered in the Book

Council Chamber Aug.<sup>t</sup> 21. 1766

Present

The Hon <sup>l</sup> Thomas Dunn	}	Esq.. <sup>rs</sup>
Francis Mounier		
James Goldfrap		

The Committee having read and considered the Draft  
of an Ordinance for the Regulation of Pilotage in  
the River S<sup>t</sup> Laurence, they have made several  
Amendments therein And added a Clause as  
markt on said Draft which they submit to the  
Board , Signed, Thom.<sup>s</sup> Dunn

Read the Draft of the Ordinance for the Regula:  
:tion of Pilotage as altered by the Committee

This Board approve of the Draft And order a  
Copy Thereof to be transmitted to the Board of Trade  
for their Lordships Approbation or disallowance

P. Æmil.<sup>s</sup> Irving

at

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec  
on Monday the twenty fifth Day of  
August 1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President  
of the Council Commander in Chief of the  
Province

Walter Murray  
Adam Mabane  
Thomas Dunn  
Francis Mounier  
James Goldfrap  
Thomas Mills R. g. } Esq.<sup>rs</sup>

Read a Letter from S.<sup>r</sup> Henry Moore governor of  
Newyork dated 28 July desiring a meeting  
with the Commander in chief to fix the Boundaries  
of the two provinces upon Lake Champlain agreable  
the His Majestys Proclamation

Resolved that it is highly necessary that the  
Commander in chief meet Sir Henry Moore on the  
Spot to settle the important Business of the Boun:  
-daries of the province And that the Deputy Surveyor  
general accompany Colonel Irving to Lake Champlain  
The Expençe to be bore in the same manner as in  
the other governments, of which the Board beg of  
the Commander in Chief to inform himself particu:  
:larly of the governor of New york

Read a Letter from the Deputy Clerk of the

peace

peace at Montreal dated the 4 of August 1766  
to James Goldfrap Esq.<sup>r</sup> informing him that the  
Roads and Bridges in the District of Montreal  
have been presented at the general Quarter Sessions

Resolved that M<sup>r</sup> Goldfrap write to the Clerk of  
the peace that M<sup>r</sup> Rouville is the Surveyor for  
the District of Montreal And that he should  
be ordered by the Justices agreable to the ordinance  
to do his Duty

P. Æmi.<sup>s</sup> Irving

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec  
on Monday the Eighth Day of September  
1766

Present

The Hon.<sup>l</sup> Hector Theophilus Cramahé  
Walter Murray  
Adam Mabane  
James Goldfrap  
Thomas Mills R g } Esq.<sup>rs</sup>

The Council met this Day to read a petition from  
a number of accadians just arived from the province  
of New England in consequence of a Letter from His  
Excellency governor Murray to them dated in April  
in Answer to a petition from the Accadians dated  
28.<sup>th</sup> February 1766

The Board are of opinion that an order should be  
directed to the Commissary of the Kings provisions to  
issue to the said Accadians, being the number of ninety  
men women and children, provisions for one month  
And that an Advertisement should be published ac-  
-quainting the different Seigneurs in this province of  
the Arival of these people, that they may without  
Loss of time agree with them to settle on their  
Lands upon the best Terms they can make

Resolved that an order be given to the  
Commissary Accordingly, viz.<sup>t</sup> that a full Ration  
be furnished to the men And women And half a  
Ration to the Children

H.T. Cramahé



At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednes-  
-day the twenty fourth Day of September  
1766

Present

The Hon<sup>l</sup> Paulus Emilius Irving Esq.<sup>r</sup> President of  
the Council, Commander in chief of the Province

Hector Theophilus Cramahé	} Esq. <sup>rs</sup>	Walter Murray	} Esq. <sup>rs</sup>
Adam Mabane		Thomas Dunn	
James Goldfrap		Thomas Mills	

Read an Address to The Honourable Guy Carleton  
Esquire Lieutenant governor & Commander in chief  
of the province of Quebec

Approved of the Address And ordered the  
same to be entered in the Book

Address to  
Lieu<sup>t</sup>. Governor  
Guy Carleton

To The Honourable Guy Carleton Esq.<sup>r</sup> Lieutenant  
governor And Commander in chief of the province  
of Quebec

The Address of His Majestys Council

His Majestys Council of the province of Quebec take the  
earliest opportunity to congratulate you on your  
Arival here, and to express their Satisfaction for the  
choice, which His Majesty has made of a Lieutenant  
governor

The military Command united to the civil in  
your person, the late Regulations of Jurys &.<sup>c</sup> will  
we hope be productive of the best consequence  
to His majestys Service And Subjects in this part of  
the world

Inclination as well as Duty, will render this  
Council always desirous to promote every thing

that

that can conduce to the good of the Kings Service  
the prosperity of the province And the Satisfaction of  
him who commands the same

Resolved that the Members of this Board  
wait upon M<sup>r</sup> Carleton to present the above Address  
And conduct him to the Council Chamber

Lieu.<sup>t</sup> Governor  
Guy Carleton

The Honourable Guy Carleton was accordingly  
waited upon by the members of His Majestys Council  
And the above Address presented to him by the  
Honourable Paulus Emilius Irving in the name of  
the Council

The Lieutenant governor was then conducted  
to the Council Chamber where he produced a  
Commission under the Sign manual of His most  
Sacred Majesty dated at S<sup>t</sup> James's the 7.<sup>th</sup> of April  
1766, constituting and appointing him Lieutenant  
governor of His majestys province of Quebec in  
America, which Commission was read at this  
Board; Then His Honour the Lieutenant gover-  
-nor took the Oaths inserted in the first Council  
Book also the State Oaths agreeable to Law And  
took his Seat in Council Accordingly, whereupon  
the Broad Seal of this province was delivered to  
the Lieutenant governor by The Honourable Paulus  
Emilius Irving

ordered that the Commission be entered  
in this Book

Follows

Follows the Commission

George R

L. S. George the third by the Grace of God King of Great Britain, France and Ireland Defender of the faith &<sup>t.c</sup> To our trusty and well beloved Guy Carleton Esq.<sup>f</sup> greeting We, reposing especial Trust and confidence in your Loyalty Integrity And Ability, do by these presents constitute and appoint you to be our Lieutenant governor of our Province of Quebec in America To have hold exercise and enjoy the said Place and office during our pleasure, with all Rights Priveledges Profits perquisites and Avantages to the same belonging, or appertaining; And further in Case of the Death or during the absence of our Captain general and governor in chief of our said Province of Quebec now and for the time being, we do hereby Authorize and require you to exercise and perform all and singular the Powers and Directions contained in our Commission, to our said Captain general and governor in chief According to such Instructions as he has already received from us And such further orders and Instructions As he or you shall hereafter receive from us. And we do hereby command all and singular our officers ministers and loving Subjects in our said Province and all others whom it may concern to take due Notice hereof, and to give their ready Obedience Accordingly given at our Court at S<sup>t</sup> James's the Seventh Day of April 1766

in

in the Sixth year of our Reign

By His Majestys Command  
/ Counts.<sup>d</sup> / HS Conway

Guy Carleton Esquire  
Lieutenant governor of Quebec

Ent.<sup>d</sup> at the Treasury  
/ Signed , Tho.<sup>s</sup> Tomkyns  
Ent.<sup>d</sup> in the office of the Lords Comm.<sup>rs</sup>  
for Trade & Plantations  
, Signed, S Bradbury

P. Æmil.<sup>s</sup> Irving

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Wednesday  
the Twenty fourth Day of September 1766

Present

The Honourable Guy Carleton Esquire  
Lieutenant governor

Paulus Emilius Irving	}	Hector Theo. <sup>s</sup> Cramahé	} Esq.. <sup>rs</sup>
Walter Murray		Adam Mabane	
Thomas Dunn		James Goldfrap	
Thomas Mills R g.			

The Honourable Guy Carlton Esquire Lieutenant  
governor returned An Answer to the Address this  
Day presented him by the members of this Council  
which Answer they requested leave of him to have  
entered in this Book. Which was ordered Accordingly

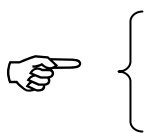
Follows

## Follows The Answer to the Address

Gentlemen of the Council

I return you thanks for your kind and dutiful Address, And for the Respect shewn to His majestys Commission; I doubt not but I shall always find your hearty concurrence in every thing I shall propose for the good of His Service

My present demand is that all may join to preserve good humour and a perfect harmony, first among His Majestys natural born Subjects, also between His Subjects by birth And His Subjects by Acquisition, so that no Distinction may be noted but the great difference between good men and bad: As the good and Happiness of His people is the first object with the King our Sovereign, we must all know, nothing will be more acceptable to him; we must all feel, nothing can be more agreable to the great Laws of Humanity

Quebec 24.<sup>th</sup> Sept.<sup>r</sup> 1766

Presented a mandamus under the sign manual of His Majesty dated at S<sup>t</sup> James's the 21 of June 1766 requiring the Admission of The Honourable Hector Theophilus Cramahé Esquire as a member of this Council According to the Rank and Precedence in which he stands by the Appointment of James Murray Esquire governor of the province

Councillors  
and the oaths &<sup>c</sup>

Resolved that all the members of this Council take the Oaths again upon the Appointment of the Honourable Guy Carleton to be

Lieu<sup>t</sup>.

Lieutenant governor

The Oaths of Councillors with the Oaths prescribed by Law were administered to the members present this Day And they took their Seats at the Board Accordingly

D<sup>y</sup> Clerk of the Council takes his place at the Board

The Oaths of office was administered to James Potts Esquire Deputy Clerk of Council And the Oaths prescribed by Law, he took his place at this Board Accordingly

Read a Proclamation by The Hon<sup>l</sup> Guy Carleton Esquire Lieutenant governor

Ordered the same to be entered in the Book & immediately published by Beat of Drum in the Towns of Quebec Montreal and Three Rivers

Quebec sc } By The honourable Guy Carleton  
Esquire Lieutenant governor And Com:  
:mander in chief of the province of Quebec  
Brigadier general of His majestys forces &<sup>c</sup> &<sup>c</sup>

### A Proclamation

Whereas His Majesty has been most graciously pleased by his Commission under his Royal Sign manual dated at S<sup>t</sup> James's the 7.<sup>th</sup> Day of April 1766 to constitute and appoint me Lieutenant governor and Commander in chief in and over his Province of Quebec And Territorys thereunto belonging; And For as much as it is necessary for the peace And good government of the said province that all officers within

the

the same should continue in their several offices and Employments; I have therefore thought fit by and with the Advice and Consent of His majestys Council to issue this proclamation, hereby ordering and directing That the said officers do continue in their several Employments untill further Orders of which all persons concerned are required to take Notice

Given under my hand And Seal at  
Arms &.<sup>c</sup> 24. Sept.<sup>r</sup> 1766

By The Lieu<sup>t</sup>. gover-  
-nors Command  
/ Counts.<sup>d</sup> / JGoldfrap D Sec.<sup>r</sup>

God save the King

The Hon.<sup>l</sup> William Hey Esq.<sup>r</sup> presented to the Lieutenant governor A mandamus under His most Sacred Majestys Sign manual dated at S<sup>t</sup> James's the 3.<sup>d</sup> Day of February 1766 directed to the governor or Commander in chief of this province Authorizing and requiring him to cause Letters patent to pass under the Broad Seal of this province to constitute and Appoint the said William Hey Esq.<sup>r</sup> Chief Justice of the said province

Ordered that a Warrant be directed to the Secretary to draw Letters patent under the Broad Seal of this province to constitute and appoint the Honourable William Hey Esq.<sup>r</sup> Chief Justice of the province of Quebec agreeable to His majestys mandamus

Francis Maseres Esq.<sup>r</sup> presented to the Lieutenant governor a Mandamus under his most Sacred Majestys

Sign

Sign manual dated at S<sup>t</sup> James's the 4.<sup>th</sup> Day of  
march 1766 directed to the governor or Commander  
in chief of this province authorizing and requiring  
him to cause Letters patent to be passed under the  
Broad Seal of the province of Quebec, constituting And  
appointing him the said Francis Maseres Esq.<sup>r</sup> Attorney  
general of and in said Province in the Room of George  
Suckling Esquire to have hold exercise and enjoy the  
said office during pleasure with the same Rights Fees  
Profits Priveleges and Advantages thereunto belonging  
in as full and ample a manner As the said George  
Suckling did hold and enjoy the same or Any other  
Attorney general in the Leeward Charibbee Islands doth  
hold and enjoy; And to cause be inserted in the said  
Letters patent a Clause or Provisoe obliging the said  
Francis Maseres to actual Residence within this pro:  
:vince And to execute the said office in his own person  
except in Case of Sickness or Incapacity, And all  
other Clauses and Provisoes as are requisite and neces:  
:sary in that Behalf

ordered that a Warrant be directed to the  
Secretary to prepare Letters patent under the Broad Seal  
of this province to constitute and appoint the said  
Francis Maseres Esquire Attorney general agreable  
to His Majestys mandamus \_\_\_\_\_

Guy Carleton



At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Thursday  
the twenty fifth Day of September 1766

Present

The Honourable Guy Carleton Esquire Lieutenant governor		
Paulus Emilius Irving	Hector Theo. <sup>s</sup> Cramahé	} Esq.. <sup>rs</sup>
Walter Murray	Adam Mabane	
Thomas Dunn	James Goldfrap	
Thomas Mills		

The Honourable Guy Carleton Esq.<sup>r</sup> Lieutenant governor  
signed a Commission under the Broad Seal of this  
province constituting and Appointing the Hon<sup>l</sup>  
William Hey Esquire Chief Justice of the same

which Commission was read at this Board  
The Oath of Chief Justice and the Oaths prescribed by Law  
were administred to the Honourable William Hey in  
presence of the Lieutenant governor in Council

The Oath of a Councillor and the Oaths prescribed  
by Law were administred to the Chief Justice And  
he Accordingly took his Seat at this Board

The Honourable Guy Carleton Lieutenant governor  
signed a Commission under the Broad Seal of this  
province constituting and appointing Francis  
Maseres Esquire Attorney general of and in the  
of province of Quebec

Which Commission was read at this Board  
The following Oath of office and the Oaths pres-  
-scribed by Law were administred to the Attorney

general

General “ You shall swear that you will  
“faithfully and diligently serve our Lord the King  
“in the office of Attorney general”

“So help you god”

ordered that the Secretary this Day write to  
William Gregory and George Suckling Esq.<sup>rs</sup> acquaint:  
:ing them of their being superceded in their offices  
of Chief Justice and attorney general by the  
Appointments of the Hon<sup>l</sup> William Hey and  
Francis Maseres Esquires \_\_\_\_\_

Guy Carleton

At The Council Chamber in  
the Castle of S<sup>t</sup> Louis in the City of Quebec  
on friday the twenty Sixth Day of September  
1766

Present

The Hon.<sup>l</sup> Guy Carleton Esq.<sup>r</sup> Lieutenant  
Governor

Paulus Emilius Irving  
Walter Murray  
Thomas Dunn  
Thomas Mills R g.

Hector Theo.<sup>s</sup> Cramahé  
Adam Mabane  
James Goldfrap  
William Hey C. J.

} Esq..<sup>rs</sup>

The Oath usually administred to the Attorney  
General in the Colonys not being at hand yesterday  
Francis Maseres Esq.<sup>r</sup> Attorney general attended the  
Board this Day And took the following Oath of Secrecy

and

and Fidelity “I do swear that I will bear faith  
 “and true obedience to our Sovereign Lord the King  
 “his Heirs and Successors I will bear true fidelity to  
 “His Majestys Governor Deputy governor & Commander  
 “in chief of this province, the Secrets of the gover-  
 “nor and Council I will no way reveal”  
 “So help me God”

The honourable Guy Carleton Lieu.<sup>t</sup> governor informed this Board that there arived yesterday from New England a number of Accadians in consequence of governor Murrays Letter formerly mentioned in this Book viz.<sup>t</sup> 33 Grown persons and 35 Children making in all the number of 68 And that they have made Application for a months provisions to be issued to them untill they can establish themselves in the province

Resolved that an Order be given to the Commissary to issue to these Accadians one months provisions viz.<sup>t</sup> a full Ration to the grown people and half a Ration to the Children

Resolved that the Original Commission to Governor Murray and the Commission of the Hon<sup>l</sup> Guy Carleton Lieutenant governor be printed for the Satisfaction of the public And that all the Ordinances at present in force in this province be reprinted therewith \_\_\_\_\_

Guy Carleton

At The Council Chamber in  
the Castle of S<sup>t</sup> Louis in the City of  
Quebec on Thursday the ninth Day  
of October 1766

Present

The Hon.<sup>l</sup> Guy Carleton Esq.<sup>r</sup> Lieu<sup>t</sup> Governor  
Paulus Emilius Irving      Hector Theo.<sup>s</sup> Cramahe }  
James Goldfrap              Thomas Mills R. g. }  
William Hey C. J.

Joseph Howard merchant in Montreal in Behalf  
of himself and other merchants concerned in the  
Trade with the Indians made Application to the  
Lieu.<sup>t</sup> governor to have a Suspension of the order  
of Council of the 8.<sup>th</sup> of August last for pulling  
down certain houses erected on the Kings Domain  
being Lands possessed by the Indians, which Application  
was referred to this Board by The Lieu.<sup>t</sup> governor

Resolved that the Suspension prayed for be  
granted till further orders

Ordered that the Clerk furnish M<sup>r</sup> Howard with  
a Copy of the above Resolution to intimate to Peter  
Stuart Esq.<sup>r</sup> Justice of the peace the Suspension of  
the order directed to him

Resolved that the present State of the posts of  
the Kings Domain be considered by a Committee of  
this Council, the Committee to consist of The  
Hon.<sup>l</sup> Paulus Emilius Irving, Hector Theophilus

Cramahé

Cramahé James Goldfrap Thomas Mills and William Hey Esq.<sup>rs</sup>. The Committee are to consider particularly the State of the posts when under the Dominion of the French King, what powers the Crown of England has granted to the Leasees And whether Any thing in the Kings Proclamation, or by any other Act of government has controuled or avoided the Powers so granted by Lease, the Committee are empowered to send for Any Persons or papers that can give Light into the matter And are to report their Proceedings to the Lieu.<sup>t</sup> governor

Guy Carleton

Quebec December 1.<sup>st</sup> 1766

The Hon<sup>t</sup> Guy Carleton Esq.<sup>r</sup> Lieutenant governor: nor ordered the following Remonstrance & Answer thereto to be entered in this Book.

Quebec Octo.<sup>r</sup> 13.<sup>th</sup> 1766

To The Hon<sup>ble</sup> Brig.<sup>r</sup> gen.<sup>t</sup> Guy Carleton  
Lieu.<sup>t</sup> Gov.<sup>r</sup> of the Province of Quebec, &  
Brig.<sup>r</sup> Gen.<sup>t</sup> of His Majestys Forces &.<sup>c</sup>

We the underwritten Members of His majestys Council, for the province of Quebec, think it our indispensable Duty to communicate to you our Sense of the method lately adopted of calling together only a part of the Council: The bad consequences which may arise from Practice are manifold; But as you are pleased to signifye to us by Coll Irving

that

that it was accident, & not Intention, it is needless for us to enumerate them


We would be wanting to ourselves, & others in the same Circumstances, if we did not remonstrate against an Opinion lately insinuated, As if mandamus's from Brittain suspended Appointments to the Council made by Gov.<sup>r</sup> Murray. We apprehend his Commission, & Instructions by which he was authorised to constitute a Council, & to make Choice of the persons, to be to all Intents, And purposes, a mandamus to each of us, provided his majesty did not disapprove of us, when reported to Him by the governour: the many Difficulties which for two years we had to encounter in a new Establishment for a Province under very peculiar Circumstances, perhaps entitle us to some Regard: at Any Rate tho' His majesty may have an undoubted Right to encrease the number of His Council by granting mandamus's to whom he pleases, it is to be presumed that by so doing there is no Intention to deprive us either of our Right to Precedence, or to a Seat in Council. A late Event on the Departure of gov.<sup>r</sup> Murray is a proof of the contrary

If by the Constitution, or Custom of the Colonys the number of the Council is restricted, mandamus's are in that Case to be regarded only as an order for the Admission of the persons named therein,

provided

provided there is a vacancy

If the Deference which we feel for every manifestation of the will of our Sovereign has prevented us from objecting to any person possessed of a mandamus from being sworn into the Council, we apprehend that if the Council is at present or hereafter may be restricted, The Councillor last admitted is to be considered as the Supernumerary we have the hon.<sup>r</sup> to be w.<sup>th</sup> the greatest respect

S<sup>r</sup> y.<sup>r</sup> most obed.<sup>t</sup> h.<sup>ble</sup> Serv.<sup>ts</sup>  
 Signed { P. Æmi.<sup>s</sup> Irving  
 Wa.<sup>r</sup>: Murray  
 Adam Mabane  
 F Mounier   
 James Cuthbert

The Lieutenant governors Answer

To Lieu.<sup>t</sup> Col.<sup>l</sup> Irving Major to the  
 15.<sup>th</sup> Reg.<sup>t</sup> M<sup>r</sup> Walter Murray, M<sup>r</sup>  
 Adam Mabane Surgeon, M<sup>r</sup> Francis  
 Mounier Merch.<sup>t</sup> Captain James Cuthbert

Gentlemen

As Lieu.<sup>t</sup> Colonel Irving has signified to you that the part of my Conduct, you think worthy your Reprehension, happened by Accident, let him explain to you his Reasons for so doing, He had no Authority from me

But that there may be no further doubt

I

I hereby make known to you, that I both have and will, on all matters which do not require the Consent of Council, call together such Council-  
-lors As I shall think best qualified to give me Information: And further that I will ask the Advice And Opinion of such persons, tho' not of the Council As I shall find men of good Sense Truth, Candor, and impartial Justice; Persons who prefer their Duty to the King and the Tran-  
:quility of His Subjects, to unjustifiable Attachments Party Zeal, and to all selfish mercenary Views After I have obtained such advice, I will still direct as to ~~be~~ me shall seem best for His majes-  
=tys Service and the good of His Province committed to my Care

I further make known to you, and for the first time I give An Opinion, that for the present His majestys Council consists of Twelve members, those named and appointed immediately by the King have the Preference; next follow those ap-  
-pointed by governor Murray, till the Seats are all full

You will be pleased to recollect, Gentlemen that M<sup>r</sup> Stuart, tho' sworn into Council after M<sup>r</sup> Mounier, has by Virtue of the Kings immediate Appointment constantly taken place and Precedence of you all

I must also remind you that His majestys

Service



Service requires Tranquility and peace in His  
Province of Quebec, and that it is the indispensable  
Duty of every good Subject And of every honest  
man to promote so desirable an End

, Signed, Guy Carleton

Delivered  
28 Nov.<sup>r</sup> 1766

A List of His Majestys Council of the  
Province of Quebec ranked agreeable to the  
order of the Honourable Guy Carleton Esq.<sup>r</sup>  
Lieutenant governor this Day entered in the  
Council Book

The Hon <sup>l</sup> William Hey C J.	Charles Steuart S. G.
Hector Theo. <sup>s</sup> Cramahé	James Goldfrap
Thomas Mills R. G.	Samuel Hollandt
Walter Murray	Thomas Dunn
Francis Mounier	Benjamin Price
James Cuthbert Esq.. <sup>rs</sup>	<u>Guy Carleton</u>

At The Council Chamber in  
the Castle of S<sup>t</sup> Louis in the City of Quebec  
on monday the first Day of December 1766

Present

The Hon.. <sup>ble</sup> Guy Carleton Esquire Lieu. <sup>t</sup> governor	
The Hon <sup>l</sup> William Hey C J	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Francis Mounier
Esquires	

Col<sup>o</sup> Irving and  
M<sup>r</sup> Mabane sus  
pended

The Honourable Guy Carleton Lieutenant governor

informs

informs this Board that he is sorry for having been obliged to remove Lieutenant Colonel Irving and M.<sup>r</sup> Mabane from being Councillors, that his Reasons for so doing he will lay before his Majesty

The Honourable Thomas Dunn produced a mandamus under His most sacred majestys Sign manual dated at S<sup>t</sup> James's the 22.<sup>d</sup> Day of May 1766 requiring his being sworn in as a member of this Council

The Oath of a Councillor And the Oaths prescribed by Law were administred to M<sup>r</sup> Dunn, who took his Seat at this Board agreable to The Lieutenant Governors Resolution this Day entered in the Council Book

The Oath of a Councillor And the Oaths prescribed by Law were this Day Administred to the Hon<sup>l</sup> Francis Mounier, it being the first meeting of this Council at which he is present since the Arival of the Lieutenant Governor

Presented Petition from Mons.<sup>r</sup> DeLery praying: praying payment of a Ballance of House Rent due to him by the Government

Presented Petition from Mons.<sup>r</sup> DeLobiniere praying to be secured in an Exclusive Trade with the Savages in his Seigneuries agreable to his Titles

Presented Petition from Madame Beausyeux praying: -ing payment of a Ballance of House Rent due to her

by

by the Government

Ordered these three petitions to be referred to  
a Committee Viz.<sup>t</sup> Mess..<sup>rs</sup> Hey, Goldfrap, Mills  
Dunn And Mounier

The Committee is likewise to consider the petition  
of the Tradesmen for having repaired the Chateau  
S<sup>t</sup> Louis \_\_\_\_\_

Guy Carleton

Extract of Proceedings

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Tuesday the Second day of December 1766

Present

The Hon. <sup>l</sup> Guy Carleton Esquire	Lieu. <sup>t</sup> Governor
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Esq.. <sup>rs</sup>

ordered that all public officers in this province  
make up their Accompts against the Government  
to the Twenty fourth of this month; Taking care  
to distinguish, / in a separte Accompt, what  
Expencc has been incurred since The Hon<sup>b.le</sup> Guy  
Carleton was swore in \_\_\_\_\_

Guy Carleton

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
monday the tenth Day of December 1766

Present

The Honourable Guy Carleton Esquire Lieutenant  
Governor

William Hey C J

Hector Theo.<sup>s</sup> Cramahé

James Goldfrap

Thomas Mills R. G.

Thomas Dunn Esquires

Read a Letter from the Secretary of State dated 13.<sup>th</sup>  
September 1766, directed To the Governor of this province  
signifying that His Majesty had been informed of many  
unprovoked Violences and murders committed upon  
the Indians on the Frontiers of different Provinces;  
And commanding that a Strict Enquiry be made after  
the offenders

Ordered that the Attorney General draw up a  
proclamation offering a Reward of Fifty pounds to any  
person that will inform against Any one of such  
offenders so as they may be convicted

Read the Reports of the Committee of the third &  
ninth of December

It is ordered that these Reports be entered in  
the Council Book & confirmed

Council Chamber Quebec wednesday the  
third Day of December 1766

Present

The Hon.<sup>ble</sup> William Hey C. J.

James Goldfrap

Thomas Mills R. G.

Thomas Dunn

Francis Mounier Esq.<sup>rs</sup>

The Committee having met agreeable to the order in

Council

Council of yesterday, The Petition of Mons.<sup>r</sup> DeLery was read, with the Certificate and Accompt therein referred to, when Captain Cramahé produced to the Committee, A Report of the military Council of Quebec to Governor Murray dated 12.<sup>th</sup> July 1763, where -by the yearly Rent of M<sup>r</sup> DeLerys house was fixed at One hundred Dollars *pr* Annum. The Committee having examin:  
:ed the merits of the Petition are of Opinion, that there is no Ground to demand the sums as stated to be in Arrear & due to the Petitioner, for admitting and it is not disputed but that the house of the Petitioner was Occupied by the govern:  
:ment and for their Service during the time mentioned in the Petition, yet they take it into their Consideration that for the first year after the Cession of this place, no demand for Rent whatsoever can or ought to be allowed to the Owners of houses occupied by the Government.

And it appears further by the Report of the military Council, as given in by M<sup>r</sup> Cramahé, upon a Survey made by him and the other Gentlemen of the Council, As also by a former Survey made by Mess..<sup>rs</sup> Dunn Gray and Ainslie, of the Rents of the several houses Accord:  
:ing to the Value which they would have born at and in the time of the French & before the Commencement of the war, that the Rent of the Petitioners house was & ought to be valued One hundred Dollars or Twenty five pounds Hallifax *pr* Annum, And no more, According to which Valuation it appears to this Committee, that the Petitioner by his own Accompt has received the full Value of the Rent of his house, so occupied by the Go:  
:vernment: But The Committee are also of Opinion that a Strict Adherence to the Rule which they have thought proper to adopt of not making Any allow:  
:ance to the Occupiers of houses taken by the govern:  
:ment for the first year after the Cession of this place, As also to the Valuation of the Rents As made by mess..<sup>rs</sup> Dunn Gray and Ainslie, & after by the Gentlemen of the military Council, from which they do not think themselves at Liberty to depart may / And does in

this

this particular case of the petitioner / bear hard upon some Individuals, They do therefore think proper to recommend it to Brigadier General Carleton to order the sum of Fifty pounds Halifax to be paid to the Petitioner as a Compensation for the Loss he has sustained in this particular

The Petition of Madame Beaujeu was read, The Committee are of Opinion that she should produce An exact Accompt of her Charge against the Government & of what payments have been made to her, & to enquire of Colonel Jones how much has been laid out by the Government for Repairs of Madame Beaujeus house

The Petition of the workmen who repaired the Chateau S<sup>t</sup> Louis being read, The Committee refer to mess.<sup>rs</sup> Dunn and Mills to inspect the work done by the Petitioners, with the Assistance of what workmen they may think proper And report whither these Men have fulfilled their Contract with the government for said Repairs

Adjourned 'till Saturday next at five o Clock Afternoon  
/ Signed / W<sup>m</sup> Hey J. C.

Council Chamber Quebec Decem.<sup>r</sup> 9. 1766

### Present

The Ho <sup>#</sup> nble William Hey C. J.	James Goldfrap
Thomas Mills R G.	Thomas Dunn
Esq. <sup>rs</sup>	

The Committee having considered the Petition of madame Beaujeu And the Clerk reported to them that Mons.<sup>r</sup> Duchenay knows no more of madame Beaujeus Charge ag.<sup>t</sup> the Government than Appears on the face of the Petition; And that Colonel Jones do's not know the Amount of the Repairs made by Governor Murrays order, but supposes those Repairs make a part of the Barrack masters general account, As the Workmen employed at the Barracks were the people who repaired said house

The Committee are of Opinion that considering the Rule

they

they have prescribed to themselves as stated in the Report on the Petition of Mons.<sup>r</sup> DeLery, one years Rent only appears to be due to the Petitioner, And that, as appears by several Receipts for Rent signed by her Agent and for her Use at the Rate of Eighty Dollars pr Annum, which Rent the Committee are of Opinion hath already been more than satisfied by the Repairs laid out by the order And at the Expence of government. The Committee think proper to State that the house is no longer necessary for the Service of government.<sup>t</sup> And that it ought to be surrendered to the proprietor And in the mean time it is recommended to Brigadier General Carleton to direct the officer who has been in possession to pay his allowance for Quarters, after deducting such Expences as he himself has been at in repairing said house, to the Petitioner.

The Petition of Mons.<sup>r</sup> DeLobiniere was read claiming exclusive Priveledges of trading with the Indians on his Seigneuries and complaining of persons encroaching upon said Trade to the prejudice of his Grant; but no such Grant having been laid before the Committee to support his Claim As set forth in his Petition, or if there had, from the nature of it it must certainly Appear to be a Question of Law how far such exclusive Rights can be claimed by the Petitioner, The Committee think he must be left to support his Claim by an Action at Law & that his Application to the Governor and Council is improper

Mess.<sup>rs</sup> Dunn and Mills have reported to the Committee that they had examined the Carpenters & masons Account for the Reparation of the Chateau S<sup>t</sup> Louis, The masons Account Amounting to 2830<sup>Livres</sup> .. 6<sup>s</sup>. & the Carpenters to 1517<sup>Livres</sup> .. 4<sup>Sols</sup> .. 4<sup>Deniers</sup> & find the two Accompts to be just & that a warrant ought to be granted for the payment thereof

The

The Committee Approve of said Report And recommend to  
Lieutenant Governor Carleton to order payment of the money  
Quebec Dec.<sup>r</sup> 9.<sup>th</sup> 1766 / Signed / W<sup>m</sup> Hey P. C.

Read Petition of Peter Stuart for a grant of part  
of the Beach behind a house belonging to him in the  
lower Town

Read Petitions, for grants of Land agreeable to His  
majestys Proclamation, of Alexander M<sup>c</sup>Kay Sergeant,  
Thomas Chillman, Edward Davidson James M<sup>c</sup>kenzie  
Richard Hinton, Mathew Armstrong, Jacob Freeks,  
James Rutherford, Donald Fraser, Michael Campeler, Peter  
M<sup>c</sup>Nab, Abraham Denford, William Tunkes, James Bryan  
William Dickieson, John Lee, Donald M<sup>c</sup>Kay, John Ander-  
-son, John May, Alexander M<sup>c</sup>Nab, Duncan M<sup>c</sup>Gray  
& Murdoch Morrison Soldiers, Isabella Burns a Soldiers  
Widow.

x also Petition of Lieut.<sup>s</sup> Francis  
& Saml McKays for a grant  
of Lands on the River Cha:  
: teaugay

Read Petition for a grant at Seven Islands by George  
Finch, for a grant of 1000 Acres at the mouth of  
Fox River on the South side the River S<sup>t</sup> Lawrence by  
M<sup>r</sup> Bellcombe, for a grant at Gaspey by Edward  
Manwaring, & for a grant of Restigouch in the Bay of  
Chaleur by Joseph Marie Philebot x

ordered the above Petitions to be referred to a  
Committee of this Council Viz.<sup>t</sup> Mess..<sup>rs</sup> Hey Cramahé  
Goldfrap Mills & Dunn who are to report to the  
Lieutenant governor next Council Day

The Committee are also to take into their Considera:  
:tion the former Petitions for Town Lots or Wharfs by  
mess..<sup>rs</sup> Costen Marteilhe & Ainslie & report next Council  
Day to the Lieu.<sup>t</sup> governor

The Committee are likewise ordered to consider a

Draft



Draft of An Ordinance “ For regulating the times of Sessions  
of the Supreme Court” And report at same time

Guy Carleton

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on monday the  
Twenty second Day of December 1766

Present

The Ho <sup>n</sup> ble Guy Carleton Esq. <sup>r</sup>	Lieutenant governor
William Hey C. J.	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills R. G.
Thomas Dunn	Walter Murray
Esq.. <sup>rs</sup>	

Read a Letter from William Gregory Esquire to  
the Lieutenant governor requesting Copys of certain  
Letters & orders of Council relating to himself while  
chief Justice

ordered that the Secretary & Clerk of the Council  
furnish him with these Copys Accordingly

Read a Draft of a Proclamation Agreeable to  
the order of the 10.<sup>th</sup> Instant

Ordered the same to be entered in this Book  
& immediately published

A Proclamation

By The Hon<sup>n</sup>ble Guy Carleton Esq.<sup>r</sup> &<sup>c</sup> &<sup>c</sup>  
Whereas Advices have been received that several  
unprovoked violences And murthers have been  
committed upon the Indians under his majestys Pro:  
tection in the Countrys adjoining to His Majestys

provinces

provinces in north America, And that Settlements have been made in the said Countrys beyond the Limits prescribed by his majestys Royal proclamation of 1763, in the grounds therein allotted to the Indians: whereby the said Indians have been greatly and justly discontented: His Excellency The Lieutenant Governor and Council of this province do hereby Strictly enjoin and command all the Inhabitants of the same to avoid every Occasion of giving the Indians offence, And to treat them as Freinds & Brothers intituled to His Majestys Royal protection, & if any of the said Inhabitants have made Any Settlements on the Indians grounds, to abandon them without delay, under pain in case of Failure herein, of being prosecuted as Disturbers of the peace of the province with the utmost rigour of the Law

And to the End that the persons guilty of the above mentioned Violences may be speedily discovered and brought to Justice, His Excellency the Lieutenant Governor And the Council of this province Do hereby give public notice that if Any person will make discovery of any murther or Imprisonment or other illegal violence committed on Any of the Indians on the Borders of this province, or of any destruction made of their houses Settlements or goods, or of Any Violent Interruption of them in their hunting upon the grounds allotted to them by His Majestys Royal Proclamation of 1763, or of Any Settlement illegally made by Any of his majestys Subjects of this province in the said grounds, so that any of the said offenders may be convicted of ~~the said~~<sup>such</sup> offence upon a legal prosecution the person making such discovery shall upon the conviction of the offender, receive a Reward of

Fifty

Fifty pounds

Given &.<sup>c</sup> 12.<sup>th</sup> December 1766  
 By The Lieut governors , Signed, Guy Carleton  
 Command / Signed / J Goldfrap D Sec.<sup>y</sup> \_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle of  
 S<sup>t</sup> Louis in the city of Quebec on Saturday the  
 Twenty seventh Day of December 1766

Present

The Ho<sup>n</sup>ble Guy Carleton Esq.<sup>r</sup> Lieutenant governor  
 William Hey C. J.                      Hector Theo.<sup>s</sup> Cramahé  
 James Goldfrap                      Thomas Mills  
 Thomas Dunn                      Esq..<sup>rs</sup>

Read the Reports of the Committee of the 23.<sup>d</sup> & 24<sup>th</sup>  
 of December

ordered the Reports to be entered in the  
 Book And confirmed  
 Quebec Dec.<sup>r</sup> 23. 1766

Present

The Honble W.<sup>m</sup> Hey C. J.                      Hector Theo.<sup>s</sup>. Cramahé  
 James Goldfrap                      Thomas Mills  
 Thomas Dunn                      Esq..<sup>rs</sup>

The Committee defer the consideration of M<sup>f</sup> Finlay  
 the postmasters petition till tomorrow morning at  
 Eleven o Clock when M<sup>f</sup> Finlay is to be summoned  
 by the Clerk to attend the Committee with his Instructions

The Petition of Lieutenants Francis & Samuel  
 M<sup>c</sup>Kay being read, The Committee are of Opinion  
 that the Deputy Surveyor general should be warranted

to

to make a general Survey of all the unconceded Lands upon the river Chateaugay in this province And report the same to the Lieutenant Governor

The petition of Marie Joseph Philebot being read praying for a grant of 20,000 Acres of Land in pursuance of His majestys order in Council dated 18<sup>th</sup> June 1766, directed To the governor and Commander in chief of this province ordering them to make such grant under the Conditions and Restrictions therein expressed, And praying that those Lands may be assigned at Restigouche, And that he may be relieved of certain conditions mentioned in his majestys said order. The Committee have taken the same into consideration And are of Opinion the Lands so prayed to be assigned are, or are claimed to be the property of the Indians, And as such by His majestys express command as set forth in his proclamation in 1763, not within their power to grant; The Committee are further of Opinion that they are restrained by His majestys said order from granting Lands but upon the Conditions therein contained

The Petition of Peter Stuart being read praying for a grant of the Beach behind his house in the lower town, The Committee are of Opinion that the Deputy Surveyor general should be ordered to survey said Beach and report to the Lieutenant Governor whether granting the same will be of Any detriment to his Majesty

The Surveyors Reports of Surveys for Mess<sup>rs</sup> Marteilhe & Costen being read, The Committee are of Opinion that these plans ought to be sent back

to

to the Deputy Surveyor general And he warranted to report to the Lieutenant governor in Council whether in his Opinion the passing the grants of these Lots will be any Detriment to his Majestys Interest agreable to the former Practice in this province

, Signed, W<sup>m</sup> Hey P. C  
Quebec December 24. 1766

### Present

The Ho<sup>#</sup>nble W<sup>m</sup> Hey C J Hector Theo.<sup>s</sup>. Cramahé  
James Goldfrap            Thomas Mills  
Thomas Dunn            Esq..<sup>rs</sup>

The Committee having heard read the Instructions given to Hugh Finlay Esq.<sup>r</sup> by the Deputy Postmasters general in North America, together with the plan for regulating the post and M<sup>r</sup> Finlays petition, The Committee are of Opinion that the several Complaints are such as may be properly redressed by the several acts of parliament passed in England, And by an Ordinance of this province. With regard to the plan proposed The Committee are of Opinion that it contains matters of regulation of very great importance, which require to be well considered as well with respect to the nature of those Regulations as to the powers of government to carry them into execution; It is the Opinion therefore of the Committee that the further consideration be deferred till a proper plan for regulating the post can be settled & the Circumstances of the province will better enable the government to carry it into execution

The Committee having considered the petition of Thomas Ainslie Esq.<sup>r</sup> for a grant of the wharf com: :monly called the Kings wharf And the following Report of the Deputy Surveyor general “Being

“required

“required by your Excellency And honors to make due  
 “report whether the granting said wharf will be detrimen:  
 “:tal to His Majestys Interest or not, in obedience to which  
 “it appears to me that the Key or wharf petitioned for  
 “was built at a very great Expence by the Crown of  
 “France, for the advantage of having a proper place for  
 “building ships and other warlike Vessels, the house or  
 “Store erected thereon serves for a dwelling for the Artifi:  
 “:cers employed in building the said Ships &. <sup>c</sup>, The Dock  
 “adjoining the said wharf being the only place where  
 “the Kings Ships could be in Safety, the whole being advan:  
 “:tageously situated for the uses above mentioned And as it  
 “appears from His majestys Instructions that all useful  
 “Timber fit for naval construction must be reserved  
 “for the use of the crown, by which I apprehend his ma:  
 “:jesty intends building Ships & other warlike Vessels within  
 “this province, and make no doubt but it will be his majes:  
 “:tys pleasure to have said wharf repaired and applied again  
 “to the use of the Crown in that case it can not be granted  
 “to M<sup>r</sup> Ainslie without greatly injuring his majestys Interest  
 “and Service”

“Surveyed 1 April 1766”

, Signed, “John Collins D Su<sup>r</sup> gen<sup>l</sup>”

The Committee are of Opinion that granting said  
 wharf to an individual would be greatly injuring his  
 majestys Interest & Service agreeable to the above Report

The petition of Cap.<sup>l</sup> Finch for a grant of Lands at  
 Seven Islands being read The Committee are of Opinion  
 that the consideration of the Petition ought to be deferred  
 till His Majestys pleasure is known, the Seven Islands  
 being one of the posts of the Domaine

, Signed, W<sup>m</sup> Hey P. C.

Read a Letter from The Hon<sup>#</sup>ble Walter Murray to

the

the Deputy Clerk of this Board

ordered the Letter to be entered in the Book

Sir /

Dec<sup>r</sup> 23. 1766

If you didn't enter my Dissent in regard to what I mentioned about Rank in Council yesterday hope you won't omit it the next Council day, if I shouldn't happen to be there; I shall do my duty in the place now appointed for me 'till the affaire is settled at home who am

Y.<sup>r</sup> most h.<sup>ble</sup> Ser.<sup>t</sup>  
, Signed, Wa<sup>t</sup>: Murray

Read a Letter from the D. Barrack Master to the Lieutenant governor requesting an order for Six thousand Bundles of Straw for the use of His majestys Troops in garrison.

ordered to be referred to a Committee viz.<sup>t</sup>  
Mess..<sup>rs</sup> Cramahé Goldfrap & Murray \_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle  
of Saint Louis in the City of Quebec on  
Thursday the Eighth Day of January 1767

Present

The Hon <sup>ble</sup> Guy Carleton Esquire Lieu. <sup>t</sup> Governor	
William Hey C. J.	Hector Theo.. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Esq.. <sup>rs</sup>

Francis Maseres Esquire His majestys Attorney  
general at the desire of M<sup>r</sup> Walker at Montreal  
requests this Board that the Advertisement published  
in the Quebec Gazette on the 10.<sup>th</sup> day of Decem.<sup>r</sup> 1764

together offering

offering a Reward to those who would discover the perpetrators of the assault upon him on the 6.<sup>th</sup> Decem.<sup>r</sup> 1764; together with the Advertisement published in the London Gazette 29.<sup>th</sup> March 1766 offering a further Reward by His Majestys Commands to those who would discover the said Perpetrators; might be republished in the Quebec Gazette by the Authority of this Board in order to bring to speedy Justice those guilty of the above Crime

The Lieutenant Governor produced his Majestys order in Council 22.<sup>d</sup> Novem.<sup>r</sup> 1765 and a Letter from one of His majestys principal Secretarys of State dated the 21.<sup>s</sup>.<sup>t</sup> march 1766 directed to Governor Murray relative to the Attempt to assassinate M<sup>r</sup> Walker which were read and ordered to be entered in this Book

At The Court At S<sup>t</sup> James's  
22<sup>d</sup> Nov.<sup>r</sup> 1765  
Present

The Kings most excellent majesty in Council Upon reading at the Board a Report to his Majesty from The Lords of the Committee of His majestys most Hon<sup>#</sup>ble privy Council, dated the 15.<sup>th</sup> of this instant in the Words following Viz.<sup>t</sup>

“Whereas the Lords of the Committee of Council, since  
“their Report to your majesty of the 8.<sup>th</sup> of last month  
“have received the Opinion of your majestys Attorney  
“and Sollicitor general upon some doubts which had  
“arisen, in regard to the Authority of the governor of  
“Quebec to cause courts of Oyer and terminer to be  
“held at Trois Rivieres for the tryal of the offenders  
“concerned in the assassination of M<sup>r</sup> Thomas Walker  
“at Montreal, & in the Riot Breach of prison And

Rescue



“Rescue of divers persons taken up on that account  
 “at which Court several of the offenders had been tryed &  
 “acquitted And your majestys said Attorney & Sollicitor  
 “general being of Opinion that the governor of Quebec is  
 “fully authorized and empowered by his Commission and  
 “Instructions to appoint Courts of oyer and terminer within  
 “all the Districts of that province, & that no special Commis.  
 “sion can be lawfully issued for a new tryal of those  
 “persons who had been indicted tryed and acquitted at the  
 “said Court held at Trois Rivieres, But as there is Reason  
 “to believe there are several other principal offenders, who  
 “have not yet been apprehended or brought to tryal; The  
 “Committee think it adviseable for your Majesty to  
 “require your Governor or Commander in chief of the  
 “province of Quebec, to exert himself in causing a  
 “diligent Search to be made after such persons And  
 “bringing them to tryal in due Course of Law in the  
 “Vicinage of the place where the offence was committed  
 “& by a Jury of the said Vicinage”

His Majesty this Day took the said Report into consi-  
 -deration, & was pleased, with the Advice of his privy  
 Council to approve thereof & to order as it is hereby  
 ordered, that The Right Ho<sup>n.</sup><sup>ble</sup> Henry Seymour Conway  
 Esquire one of His majestys principal Secretarys of  
 State, do signify his majestys pleasure to the Governor  
 or Commander in chief of His Majestys province of  
 Quebec for the time being, to exert himself in causing  
 a diligent Search to be made after such of the said  
 principal offenders who have not yet been apprehended  
 or brought to tryal, & in bringing them to Tryal in due  
 Course of Law, in the Vicinage of the place where the  
 offence was committed, & by a Jury of the said Vicinage

, Signed, W Sharpe

S<sup>t</sup> James’s March 21. 1766

Sir

This will be delivered to you by M<sup>r</sup> Walker  
 who had the misfortune to have met with such

Treatment

treatment at Montreal As is a disgrace to all government, As no material Complaint has been made against him for misconduct as a majistrate & as his general Charecter is supported by the testimony of very respectable people in Canada And in London And as it seems unjust that a person should be turned out of the majistracy for Any other cause but his misconduct therein especially after the unparrelled Cruelties exercised on M<sup>r</sup> Walker I am therefore to acquaint you Sir, that he should be immediately restored and put into the Commission of the peace; & also that you would omit nothing in your power to support him in that unmolested pursuit of Trade which as a British Subject, he is intitled to, wherever he chuses to settle

As to the persons concerned in the horrid Attempt to assassinate M<sup>r</sup> Walker in his own house, I hope, that in consequence of his majestys order in Council of the 22.<sup>d</sup> Nov.<sup>r</sup> 1765, transmitted to you in my Letter of 2.<sup>d</sup> Decem.<sup>r</sup> 1765 you have taken such measures as to have discovered And brought to Tryal those who had at first eluded that Vigilance, which from a Sense of your Duty, you naturally exert to bring such offenders to Justice

It is not without extreme concern, that I find the conduct of some, who are honored with his Majestys Commission in his Army, has raised a Suspicion of their having been engaged in this atrocious wickedness, I hope there is no foundation for such a Suspicion, If any such there are their Crime is double as men And as officers, in so extravagant a Violation of the Laws of the Land, & so flagrant a Breach of that order And Discipline, which is the Life And Soul of all Armys, and especially of the British,

whose

whose glory it is to be the Supporters of the Laws & Liberty of their Country. Wherever his Majestys Forces are found to be actuated by a Spirit contradictory to that principle they are a disgrace to his Service & must expect to incur his highest displeasure. Their honor and their Interest require that the military should so carry themselves, as to ensure to themselves the respect and Love of the people I am therefore by His majestys express Commands to recommend it to you & all the principal officers in America that the utmost Attention be given to preserve the strictest Discipline & that on no Acco.<sup>t</sup> the smallest Encouragement be given to any idle pretensions of exclusive priveleges in the military Service. Such pretensions are all together unsuitable to the nature of our constitution & can tend only to the ruin of good order & discipline; for which Reason I am confident you will think it very particularly your duty to discountenance all such destructive & dangerous Opinions

I persuade myself you will feel as strongly as I can the great & crying Injustice that any Resentment should remain against M<sup>r</sup> Walker after the cruel wrongs he has suffered. As a Man he has a right to pursue those who would have murther'd him It is the common cause of humanity that they should be pursued & in fact A man can not that I see entertain a resentment against M<sup>r</sup> Walker for seeking Justice without in some sort making himself a party in this very black affair. The good Sense and the Equity of the gentlemen of the Army will I doubt not demonstrate that, however particular men may have been engaged, the Army in general were not actuated by Any common prejudice to this unfortunate man. If there should however be any persons so very wrong headed & ill minded as to intend him mischief, I recommend it particularly to you Sir to exert your utmost Endeavours  
to

to frustrate their malice & protect him

I am with great Truth & Regard

Sir

Your most Obed<sup>t</sup> hum<sup>l</sup> Ser.<sup>t</sup>

, Signed, H S Conway

Governor Murray

The Board are of Opinion that it would at present be improper to republish by the Authority of government the advertisements mentioned in M.<sup>r</sup> Maseres's Application for the following Reasons

Because to revive these Advertisements under the Authority of the Governor & Council at this very particular period of time, would in their Apprehension subject them to the Imputation of taking a part in the prosecution unbecoming their Stations, And which might be attended with Consequences detrimental to the public Justice of the province

They distinguish between an Encouragement to Accomplices to come in And make a general Discovery of offenders before Any one in certain is pointed out, And An Invitation as this might be taken to be to come in And give Evidence against particular persons in actual Custody, the former proceeding is very proper & adopted by all governments, of the latter, as no Instance at present Occurs to us, so it is believed none can be produced

The governor And Council will be extremely careful as far as in them lies, that the promises of Indemnity, Protection & Reward, as set forth in those proclamations, shall be religiously performed, and made good to those who shall become the Objects of them but for the Reasons here assigned, persuade themselves it would be highly improper for them, to interpose their Authority to revive them in the manner now prayed by the Prosecutor.

The

The Hon<sup>ble</sup> Hector Theophilus Cramahé reported to the Lieutenant governor that the Committee did not meet to consider the application of the Deputy Barrack master for Straw to the Troops because of M<sup>r</sup> Murrays not attending

ordered that the above Application be taken into the Consideration of an other Committee viz.<sup>t</sup> Captain Cramahé M<sup>r</sup> Goldfrap & M<sup>r</sup> Dunn who are to report next Council Day \_\_\_\_\_

Guy Carleton

also At the Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on thursday the fifteenth Day of January 1767

Present

The Ho <sup>#</sup> nble Guy Carleton Esquire Lieu. <sup>t</sup> governor	
William Hey C. J.	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Walter Murray
Esq.. <sup>rs</sup>	

Read the Report of the Committee of the 9.<sup>th</sup> Instant  
The Board Approve of the Report & order it to be entered in the Book

Quebec 9.<sup>th</sup> Jan.<sup>ry</sup> 1767

Present

The Ho <sup>#</sup> nble Hector Theo. <sup>s</sup> Cramahé	} Esq.. <sup>rs</sup>
James Goldfrap	
Thomas Dunn	

The Committee having taken the Application of the Barrack master into consideration Are of Opinion that during the present Scarcity of forage the readiest way  
to

to provide the Straw necessary for His majestys Troops is a requisitorial Letter from the Lieutenant governor to the different parishes to furnish immediately the following Quantities at the market price viz.<sup>t</sup>

	Bundles
The Parish of S <sup>t</sup> Foix .....	200
On the North Shore {	Ancient Lorette..... 600
	Charlebourg.....400
	Beauport.....400
	Ange Gardienne..... 200
	Chateau Richie..... 300
On the Isle of Orleans {	S <sup>t</sup> Peters..... 200
	S <sup>t</sup> Famille.....300
	S <sup>t</sup> Johns..... 200

And further the Committee are of Opinion that a requisitorial Letter should also be sent from the Lieutenant governor to the following parishes to reserve in Store the quantity that will be wanted in the Summer in case the River do's not freeze so that it may be brought up during the Winter in the following proportions viz.<sup>t</sup>

	Bundles
The Parish of Point Levy.....	400
On the South Shore {	Beaumont..... 200
	S <sup>t</sup> Michel..... 600
	S <sup>t</sup> Valiere..... 200
	Berthier..... 500
	S <sup>t</sup> Francois..... 750
	S <sup>t</sup> Pierre... } Riviere du Sud 750
On the North Shore {	S <sup>t</sup> Anns..... 200
	S <sup>t</sup> Joachin..... 400

And the Committee are further of Opinion that a Vessel should be hired by the Barrack master to bring up said Straw as soon as the navigation is open

The Committee have thought proper to mention Six hundred Bundles more than the quantity required in order to make up for the deficiencies that may happen in some of the parishes

, Signed, H T Cramahe  
Read

Read Petition of Edward Manwaring for a grant at  
Gaspey

X <sup>1</sup> Ordered, <sup>3</sup> to be referred to a Committee ~~who are~~  
X also to ~~consider~~ <sup>2</sup> the Accounts against the government,  
<sup>4</sup> viz. <sup>t</sup> Mess. <sup>rs</sup> Cramahé Mills And Dunn. \_\_\_\_\_

Guy Carleton

also

X

At the Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on thursday  
the twenty second Day of January 1767

Present

The Hon<sup>#</sup>ble Guy Carleton Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor

William Hey C J  
James Goldfrap  
Thomas Dunn  
Benjamin Price

Hector Theo.<sup>s</sup> Cramahé  
Thomas Mills  
Francis Mounier

Esquires

The Oath of a Councillor And the Oaths prescribed  
by Law were administred to The Hon<sup>+</sup>ble Benjamin  
Price Esq.<sup>r</sup> who took his Seat at this Board Accord  
:ingly

Read a Petition from Mons.<sup>r</sup> De Lagorgendiere  
praying that a Suspension by His Excellency governor  
Murray of a Sentence of the Military Council of Quebec  
in M<sup>r</sup> De Lagorgendières favour against the Inha:  
:bitants of Deschambault may be taken off

It is ordered that Notice be served on the Inha:  
:bitants mentioned in the Petition to Appear at  
this Board on Tuesday the third Day of february  
to show cause why said Suspension should not be  
removed

X

Read a Letter from Charles Lowndes Esq.<sup>r</sup>

Secretary

Secretary to the Treasury directed to His Excell<sup>y</sup>  
Governor Murray dated 30.<sup>th</sup> Sept.<sup>r</sup> 1766

Ordered to be entered in the Book and referred  
to the Committee who are to take the public Acco..<sup>ts</sup>  
into Consideration ††

Sir

I am directed by the Lords Commissioners of  
his Majestys Treasury to signify to your Excellency  
their Desire that you will cause to be made up And  
transmitted to me by the first Opportunity And with the  
utmost Dispatch for their Information An Account of  
the ordinary And extraordinary Expences of your govern:  
ment both civil And military, in sterling money of  
great Britain distinguishing each particular Salary  
and Service, and specifying in the most particular  
manner the funds out of which such Expences are  
defrayed, whether provincial or otherwise And where  
the same are defrayed by provincial funds, specifying  
the particular Taxes and dutys that constitute such  
funds; the Duration of the Laws by which such Taxes  
are laid and Duties imposed; And the manner in  
which the money raised thereby is appropriated issued  
and Accounted for

I am with great Respect

Sir

your Excellencys most Obed<sup>t</sup> hum<sup>l</sup> Serv.<sup>t</sup>  
, Signed, Cha Lowndes

Treasury Chambers  
30 Sept<sup>r</sup> 1766

His Excellency Gov.<sup>r</sup> Murray of Quebec

Whereas it is thought expedient for the Inhabi:  
tants of the District of Montreal that a sessions of  
the Supreme Court be held there for the future once

or



or more every year And the Jury be summoned from the Vicinage And whereas the Kings most Excellenc<sup>t</sup> majesty in Council by his Royal order dated 22.<sup>d</sup> Nov.<sup>r</sup> 1765 has ordered that such a Court be held there for the tryal of the persons suspected to be guilty of the outrageous assault upon M<sup>r</sup> Walker at Montreal on the 6 Decem<sup>r</sup> 1764 by a Jury called from the vicinage

Resolved that the Attorney general be directed to frame An Ordinance for the above purposes And to repeal An ordinance made by the governor and Council of this province ordaining Jurys to be summoned from the body of the province at large without respect to particular Dis:  
:tricts \_\_\_\_\_

Guy Carleton

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
monday the twenty Sixth Day of January  
1767

Present

The Hon <sup>ble</sup> Guy Carleton Esq. <sup>r</sup>	Lieu. <sup>t</sup> governor
William Hey C J	Hector Theo <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Francis Mounier
Benjamin Price	Esq.. <sup>rs</sup>

Read Petition from George Linton praying for a grant of 1000 Acres of Land on the South side of Lake Saint Francis above the Cedars adjoining to the Seigneurie of Mons<sup>r</sup> Beauharnois

Ordered that the D Surveyor general be warranted to survey said Lands & report as usual \_\_\_\_\_

Guy Carleton

At The Council Chamber at the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Tuesday  
the Twenty seventh Day of January 1767

Present

The Honble Guy Carleton Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor  
William Hey C. J.            Hector Theo<sup>s</sup> Cramahé  
Thomas Mills                Thomas Dunn  
Benjamin Price Esq..<sup>rs</sup>

Read The Attorney Generals Draft of An Ordinance  
in obedience to the order of the 15.<sup>th</sup> Instant

The Board approve of said Draft, order it to be  
entered in this Book & immediately published in the gazette

An ordinance repealing a former ordinance  
of this Province concerning the Summoning of  
Grand & Petty Jurys

Whereas it is judged expedient for the Inhabitants of the  
District of Montreal that the Chief Justice of this province should  
hold one or more Sessions of the Supreme Court of Judicature in  
every year at the town of Montreal, And that on those Occasions  
the Juries attending on the said Court should be summoned  
from the District of Montreal And not from the Body of  
the province at large, to the End that the facts that shall  
be contested in the Causes that shall be tried in the said Sessions  
may be Ascertained by the Oaths of good And lawful men  
of the neighbourhood of the places where they have hap-  
-pened, According to the wholesom and Ancient Rules of  
the common Law of England; And whereas it has been  
ordered by the Kings most Excellent Majesty in his privy  
Council by an order dated the 22.<sup>d</sup> Day of November  
1765 that a Session should be held at Montreal  
by the said Chief Justice for the trial of the persons  
suspected to be guilty of the Outragious Assault committed

upon

upon M<sup>r</sup> Thomas Walker of Montreal on the 6.<sup>th</sup>  
of December 1764 and that the said trial should be by  
a Jury of the Vicinage; It is ordained and declared  
by His Excellency the Lieutenant Governor of this pro:  
vince by And with the Advice and consent of the Council  
of the same, that a certain Ordinance of this province  
dated on the Ninth Day of march in the year of our  
Lord 1765 And published in the Gazette of the said  
province on Thursday the Twenty Eighth day of the  
same month, Intitled, "An Ordinance directing that  
"all Grand & Petty Juries hereafter to be summoned to  
"serve at Any Court of Record, Court of Assize And  
"General Goal Delivery in this province shall be  
"summoned and returned from the body of the  
"province at large, without distinction or regard  
"to the Vicinage of Any particular District within  
"the same" Shall be from the day of the Date of  
the publication hereof totally void & of no Effect  
but shall be deemed to be hereby repealed & Annulled  
to all Intents & purposes whatsoever; And that  
whenever a Session of the said Supreme Court of  
Judicature shall be held At the Town of Montreal  
the Grand & Petty Jurys that shall attend thereat  
shall be summoned from the District of Montreal  
only & not from the body of the province at large

Given &.<sup>c</sup> 27 Jan.<sup>ry</sup> 1767

By the Lieu.<sup>t</sup> Gov.<sup>rs</sup> , Signed, Guy Carleton  
Command /Signed / JAPotts DCC

Read a Letter from Thomas Ainslie Esq.<sup>r</sup> Collector  
of the Customs desiring a Grant of part of the Kings  
wharf thereon to erect a Custom house

Ordered that the Clerk require M<sup>r</sup> Ainslie And the  
Deputy Surveyor general to attend this Board on  
Tuesday next the third day of February 1767

Guy Carleton

At the Council Chamber in  
the Castle of S<sup>t</sup> Louis in the city of  
Quebec on Tuesday the third day of  
February 1767

Present

The Hon<sup>ble</sup> Guy Carleton Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor  
William Hey C. J.            Hector Theo.<sup>s</sup>. Cramahé  
James Goldfrap            Thomas Mills  
Thomas Dunn                Francis Mounier  
Esq..<sup>rs</sup>

Read The Doorkeepers Return of the Summons  
of the 22.<sup>d</sup> January served on Jean Perrault And  
Nicolas Paquin to appear this Day & show cause  
to this Board why the Suspension by Governor Mur-  
-ray of the Decree of the military Council should not  
be taken off

After hearing both partys It is resolved that  
the Suspension by Governor Murray of the Decree of the  
military Council be taken off And declared Void And of  
no Effect to all Intents And purposes from the Date  
hereof

It is proposed by this Board that the Surveyor  
general shall be deputed to measure out & allot to  
each of the Inhabitants of the Seigneurie of Descham-  
-bault, between whom And M<sup>r</sup> DeLaGorgendiere  
the present dispute Subsists, the several Lots of  
Land which they ought to enjoy by virtue of The King  
of France's original grants to M<sup>r</sup> DeLaGorgendieres  
Ancestors, And of the several grants made by M<sup>r</sup>.  
DeLaGorgendiere & his Ancestors to the several Inha:  
:bitants And their Ancestors, so far As the latter  
grants are consistant with And founded upon

the

the former, and no farther, And that M<sup>r</sup> DeLagor-gendiere shall assign and confirm to those Inhabitants the portions of Land so allotted to them, & they on their part shall resign And deliver up to the King And to M<sup>r</sup> DeLagorgendiere such parcels of Land as they may hitherto have possessed that are not comprised in these allotments. And that the Right to cut the Hay upon the common in question be confirmed to be solely in M<sup>r</sup> DeLagorgendiere, without any participation therein by the Inhabitants According to the repeated Determinations of the Courts of Justice that have hitherto examined the Dispute. And that the partys shall immediately enter into mutual Bonds with considerable penaltys to abide by the Terms of this proposal; And that the Expences of the Survey be equal between the partys

Guy Carleton

At the Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec on  
Tuesday the Seventeenth Day of Feb.<sup>ry</sup> 1767

Present

The Hon <sup>ble</sup> Guy Carleton Esquire Lieu. <sup>t</sup> governor	
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Benjamin Price
Esq.. <sup>rs</sup>	

Read a Petition signed by sundry of the Freinds of Peter Travers Esq.<sup>f</sup> late Merchant in Quebec, setting forth that M<sup>r</sup> John Gordon M<sup>r</sup> Travers's Sole Attorney died lately And praying the Lieu.<sup>t</sup> governor as Chancellor to appoint three or more to take

charge

charge of M<sup>f</sup> Travers's Books papers & Effects during his absence or untill orders shall come from him or his partners in Trade

Having considered the above Petition The Lieu.<sup>t</sup> governor orders a power to be made out by the attorney general to Henry Kneller Esquire Mess.<sup>rs</sup> George Gregory and Henry Boon merchants to take charge of M<sup>f</sup> Travers's affairs agreable to the Petition

Read Petition from M<sup>f</sup> Dellezenne praying payment of a house his property thrown down by order of government

Ordered to be referred to the Committee

The Hon<sup>ble</sup> Benjamin Price Esq.<sup>r</sup> withdraws

Read Petition from Benjamin Price Esquire praying an allowance for his Expences And Trouble going to England with Dispatches from government & to sollicite Relief for the Sufferers by fire at Montreal

Read Petition of Joseph Smith John Rose & George Eberhard Sergeants for Lands agreable to His majestys proclamation

Ordered to be filed with the others till a new Survey is made \_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle of S<sup>t</sup> Louis in the City of Quebec on monday the twenty third day of march 1767

Present

The Ho <sup>#</sup> nble Guy Carleton Lieutenant Governor	
William Hey C. J.	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Esq. <sup>rs</sup>

Read

Read Petition of David Chabrand De L'Isle, Clerk, for a grant of 5000 Acres of Land upon the River Chateaugay in this province agreeable to His Majestys order in Council of date the 18..<sup>th</sup> June 1766

ordered to be filed with the others untill the general Survey of the Lands upon the River Chateaugay be reported

Read Petition of Nicolas Deguise & Jean Baptiste Oylet for a grant of unpatented Lands of two Leagues in front And One League & a half in Depth bounded by the Lands of the Seigneurie of S<sup>t</sup> Sulpice & joining to the Lake Conarau

ordered that the Surveyor general or his Deputy be warranted to make a Survey of the Lands petitioned for & report the same to this Board

Read Petition of Antoine Lupien, Baron, of Montreal for a Grant of Lands upon the Riviere du Loup above the Seigneurie of Beauharnois, of Two Leagues in front on both sides of the River by one League in Depth

ordered to be filed with the other Petitions for Lands upon the Chateaugay River, As these Lands will be included in the general Survey to be made of the same

ordered that the Clerk of this Board write to M<sup>r</sup> Ainslie the Collector of the Customs, that there is nothing contained in his Letter to the Lieu.<sup>t</sup> governor in council. dated 16..<sup>th</sup> Jan<sup>ry</sup> 1767, which has made this Board alter their Opinion with regard to granting him and his Heirs the wharf commonly called the Kings Wharf; That they are of Opinion it would by no means be for the Benefit of His majestys Revenue or of the Trade of this province to grant the same, on the contrary it would be detrimental to both And therefore it will not be conceded to Any person whatever without His majes:  
:tys express Order \_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle of Saint Louis in the city of Quebec on Saturday the Eleventh day of April 1767

Present

The Hon<sup>#</sup>ble Guy Carleton Lieutenant Governor  
William Hey C. J.            Hector Theo..<sup>s</sup> Cramahé  
James Goldfrap            Thomas Mills  
Thomas Dunn              Francis Mounier  
Benjamin Price      Esq.<sup>rs</sup>

Read the Report of the Committee Appointed to take into their consideration the Accompts and Claims ag.<sup>t</sup> the Government of this province to the 25 December 1766

Resolved that the Report be entered in this Book And that the Orders and Resolutions upon the several Articles therein referred to this Board be inserted immediatly after each particular Article As follows viz.<sup>t</sup>

Council Chamber Quebec 28 March 1767

Present

The Report.  
Viz<sup>t</sup>

The Hon<sup>#</sup>ble Hector Theophilus Cramahé }  
Thomas Mills } Esq..<sup>rs</sup>  
Thomas Dunn }

1 <sup>st</sup> Head	Fees of Office	To whom owing	Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury



	James Goldfrap Esq <sup>r</sup> Deputy Secretary from the - day of Aug <sup>t</sup> 1764 to the 24 <sup>th</sup> June 1766.....	798 6,,10½	.....	798,, 6,,10½
	Ditto from 25 <sup>th</sup> June to the 24 <sup>th</sup> September 1766.....	85,, 7,, .	.....	85,, 7,,
	Ditto from 25 <sup>th</sup> September to 24 <sup>th</sup> December 1766 .....✓.. 8.92.04.1	8,,15,,1½	.....	
2d	George Suckling Esq. <sup>r</sup> late Attorney General from 24 <sup>th</sup> January to 24 <sup>th</sup> June 1766.....	75,, 1,, 6	.....	8,,15,,1½
	Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> September when he was dismissed .....✓..213.9.11	138,, 8,,5	.....	75,, 1,, 6
3d	Nicholas Turner Esq <sup>r</sup> Provost Marshal from August 1764 to 24 <sup>th</sup> June 1766 .....	69,, 7,,	.....	138,, 8,, 5
	Ditto from 25 <sup>th</sup> June to 24 <sup>th</sup> September 1766 .....	8,, 15. 6	.....	69,, 7
	Ditto from 25 <sup>th</sup> Septem <sup>r</sup> to 24 <sup>th</sup> Decem. <sup>r</sup> 1766 .....✓.. 126.14 6	48,, 12.	.....	8,,15,, 6
4	Isaac Werden Coroner from the 11 <sup>th</sup> August 1765 to 24 <sup>th</sup> June 1766.....	37,, 14,, 7	.....	48,,12,,
	Ditto from 25 <sup>th</sup> June to 24 <sup>th</sup> September 1766.....	21,, 1,, 7	.....	37,,14, 7
	Ditto from 25 <sup>th</sup> Septem. <sup>r</sup> to 25 <sup>th</sup> December 1766 .....✓.....61.9.2	2,,13,,	.....	21,, 1,, 7
	Francis Maseres Esq <sup>r</sup> Attorney General from the 25 <sup>th</sup> September to the 24 <sup>th</sup> December 1766...✓.....	45,, 3,, _	.....	2,, 13,,
	Henry Kneller Esq <sup>r</sup> as Clerk of the Council from the 13 <sup>th</sup> August 1764 to 24 <sup>th</sup> June 1765.....✓.....	51,, 5,, 8	.....	45,, 3,,
	James Potts Esq <sup>r</sup> as Clerk of the Council from the 20 <sup>th</sup> June 1765 to 24 <sup>th</sup> June 1766.....	275,, , 6	.....	51 5,, 8
	Ditto from 25 <sup>th</sup> June to 24 <sup>th</sup> September 1766.....	34,,15,, 1	.....	275,, , 6
	Ditto from 25 <sup>th</sup> Septem. <sup>r</sup> to 24 <sup>th</sup> Decem. <sup>r</sup> 1766 .....✓..320 - 9	10,, 5,, 2	.....	34,, 15,, 1
	John Burke Esq <sup>r</sup> Coroner of the District of Montreal from 23 <sup>d</sup> Decem. <sup>r</sup> 1764 to 24 <sup>th</sup> June 1766 .....}	20,, 7,, ¾	.....	10,, 5,, 2
	Ditto from the 25 <sup>th</sup> June to 24 <sup>th</sup> Septem <sup>r</sup> 1766 .....22: 13 1½	2,, 5,, ¾	.....	20,, 7,, ¾
	£	1733,,4,,1½	.....	2,, 5,, ¾
				1733,, 4,,1½

## Accounts of the Province of Quebec Continued

	2 Head	Contingencies	To whom Owing	Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
5 <sup>th</sup>		James Goldfrap Esq. <sup>r</sup> Deputy Secr <sup>ys</sup> Office from the 8 <sup>th</sup> December 1764 to 24 <sup>th</sup> June 1766.....		247,,12,10½	247,,12,,10½	.....
		Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> September 1766.....		62,,17,,4¾	62,,17,,4¾	.....
		Ditto from the 25 <sup>th</sup> Septem. <sup>r</sup> to the 24 <sup>th</sup> December 1766.....✓. 3.2.9.17.7..		19,, 6,, 3¾	19,, 6,,3¾	.....
		Nicholas Turner Esq <sup>r</sup> Provost Marshal's Office from the 28 <sup>th</sup> Febr <sup>y</sup> to the 24 <sup>th</sup> June 1766.....		25,,14,,4½	25,,14,,4½	.....
		Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> September 1766.....		24,,10,10½	24,,10,10½	.....
		Ditto from 25 <sup>th</sup> September to the 24 <sup>th</sup> December 1766.....✓..1.66.7..		116,, 1,,9½	114,, 2,, 4	.....
		James Potts Esq <sup>r</sup> Clerk of the Council's office from the 20 <sup>th</sup> June 1765 to the 24 <sup>th</sup> June 1766.....		41,,10,, ,	41,,10,, ,	.....
		Ditto from the 25 <sup>th</sup> of June to the 24 <sup>th</sup> September 1766.....		3,, 7,, 6	3,, 7,, 6	.....
		Ditto from 25 <sup>th</sup> September to 24 <sup>th</sup> December 1766.....5.1.7.6.....		6,,10,, ,	6,,10,, ,	.....
6 <sup>th</sup>		John Collins Esq <sup>r</sup> Surveyor Gen. <sup>l's</sup> Office for Ball <sup>ce</sup> of his Acco. <sup>t</sup> to the 7 <sup>th</sup> of September 1765.....		447,, 6,, 9	.....	447,, 6,, 9
		Ditto from the 8 <sup>th</sup> Septem <sup>r</sup> 1765 to the 24 <sup>th</sup> June 1766.....		39,, 6,,	.....	39,, 6,, ,
		Ditto from 25 <sup>th</sup> June 1766 to the 24 <sup>th</sup> Septemb. <sup>r</sup> 1766.....		85,, 6,,11	54,, , ,	31,, 6,, 11
		Ditto from the 25 <sup>th</sup> Septem. <sup>r</sup> 1766 to the 24 <sup>th</sup> Decem. <sup>r</sup> 1766.....✓..609..2.2..		37,, 2,, 6	.....	37,, 2 6
		Lieu. <sup>t</sup> Colonel Irving for Ballance of his Demand for Travelling and other Expences when Command. <sup>r</sup>		50,, , ,	50,, , ,	.....
		in Chief to meet Sir Harry Moore to fix the Boundaries having already Rece. <sup>d</sup> £ 50.✓..				..
		Zachariah Thompson Cap. <sup>t</sup> of the Port's Office from the 8 <sup>th</sup> Septem. <sup>r</sup> 1765 to the 24 <sup>th</sup> June 1766..		23.. .. 1	23,, , 1	.....
		Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> September 1766.....✓ .....		23.. 4.. 5	23,, 4,, 5	.....
		Ditto from the 25 <sup>th</sup> Septem <sup>r</sup> to the 24 <sup>th</sup> Decem <sup>r</sup> 1766.....61.12.3		15.. 7.. 9	15,, 7,, 9	.....

David Gallaway Interpreter from 1765 to the 24 <sup>th</sup> June 1766.....	28,,10,, ,,	28,,10,, ,,	.....
Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> September 1766.....	7,, 4 ,	7,, 4,,	..
Ditto from the 25 <sup>th</sup> Septem. <sup>r</sup> to the 24 <sup>th</sup> December 1766.....✓..43.1.9.....	7,, 7,, 9	7,, 7,, 9	.....
Patrick M <sup>c</sup> Clement Schoolmaster for Rent of a Schoolhouse to the 24 <sup>th</sup> December 1766.....✓ .....	2,, ,, ,,	2,, ,, ,,	.....
Kenneth MacCulloch for 40 Cords of Wood for the Council Chamber .....	15,, ,, ,,	15,, ,, ,,	..
Browne & Gilmore Printers from the 10 <sup>th</sup> September 1765 to the 24 <sup>th</sup> June 1766.....	42,,15,, ,,	42,,15,, ,,	.....
Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> Septem. <sup>r</sup> 1766.....	13,,10,, ,,	13,,10,, ,,	..
Ditto from the 25 Septem. <sup>r</sup> to 24 <sup>th</sup> Decem. <sup>r</sup> 1766.....✓..69.1.5.....	13,,10,,	13,,10,,	..
Patrick M <sup>c</sup> Clement School Master from the 1 <sup>st</sup> to the 24 <sup>th</sup> June 1766.....	1,, 5 ,,	1,, 5,, ..	.....
Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> September 1766.....	4,,13,, 9	4,,13,, 9	..
Ditto from the 25 <sup>th</sup> September to 24 <sup>th</sup> Decem. <sup>r</sup> 1766.....✓..10.1.2.6.....	4,,13,, 9	4,,13,, 9	.....
Nicholas Davis Messenger from the 25 <sup>th</sup> June to the 24 <sup>th</sup> Septem. <sup>r</sup> 1766.....	9,,13,, 5	9,,13,, 5	..
Ditto from the 25 <sup>th</sup> September to the 24 <sup>th</sup> December 1766.....19.5.9.....	9,,12,, 4½	9,,12,, 4½	..
Grand Maison from the 20 <sup>th</sup> March to the 24 <sup>th</sup> June 1766.....	4,, 6,, 5	4,, 6,, 5	.....
Ditto from the 25 <sup>th</sup> June to the 24 <sup>th</sup> Septem. <sup>r</sup> 1766.....	4,, 3,, 8	4,, 3,, 8	..
Ditto from the 25 <sup>th</sup> Septem. <sup>r</sup> to the 24 <sup>th</sup> Decemb. <sup>r</sup> 1766.....	4,, 1,,11	4,, 1,,11	.....
John Clarke Carpenter for work done at the Council Chamber, Courthouse & Chapel to the 24 <sup>th</sup> Decem. <sup>r</sup> 1766 .....	40,,17, 1	40,,17, 1,	.....
Hire of an apartment for Lodging the Council and other Public papers from the 25 <sup>th</sup> Septem. <sup>r</sup> .....	5,,12,, 6	5,,12,, 6	.....
to the 24 <sup>th</sup> December 1766 .....			....
Carried forward .....£			226

## Accompts of the Province Continued

	2 Head	Contingencies	To whom Owing	Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
8 <sup>th</sup>		Amount of Contingencies owing Bro <sup>l</sup> forward .....	£	1487,, 2,, 2¼	930,, ,, 6½	
		John Burke for Sundry Repairs done at the Court house at Montreal to the 24 <sup>th</sup> December 1766. ✓.		22,, 9,, 2¼	22,, 9,, 2¼	
		Henry Kneller Esq <sup>r</sup> as Attorney for the Crown in Sueing for the Import duties on Brandy &c <sup>a</sup> ..... ✓..		48,, 6,, 5	48,, 6,, 5,,	
		£	1557,, 17,, 9½	1000,, 16,, 1¾	.....	

NB

Governor Murray's Administration Commenced the 13<sup>th</sup> August 1764 and Ended the 28<sup>th</sup> June 1766

Lieu.<sup>l</sup> Col<sup>o</sup> Irving's Administration Commenced the 28<sup>th</sup> June and Ended the 24<sup>th</sup> September 1766

Lieu<sup>l</sup> Governor Carleton's Administration Commenced the 25<sup>th</sup> September 1766.

### Remarks upon the foregoing Accompts

In the List of Fees a Commission under the great Seal for a place of Profit is only rated Twenty four Shillings, Whereas the Articles of the Secretarys Accounts marked (A) and (B) are Charged Two pounds One Shilling which is Explained to us in the follow<sup>g</sup> manner

For Commission.....	£ 1,, 4,,
Parchment.....	,, 5,,
Seal.....	,, 6,,
Registering.....	,, 6,,
	£ 2,, 1,,

As We are Ignorant, what is the practice in other Colonies, We Referr this matter to the Consideration of the Board

The Articles in the said Accounts marked (C) being Commissions for Places of Profit, We think the Expen.<sup>s</sup> should be born by the officers themselves

The Articles (E) being Copies of a Court Martial, and Court of Enquiry ought not to have had a place in these Accounts but as it was work done by the Governors orders it would be hard for this officer, if they were not allowed

Submitted to the Right Ho<sup>n</sup>ble The Lords Commissioners of the Treasury

2.) This Account We Referr to the Consideration of the Board

Submitted to the Right Honble The Lords Commissioners of the Treasury

/3/ The Posse Comitatus, mentioned in the Articles (A) of this Acco.<sup>t</sup> We take to be a Detachment of the Kings Forces, And that therefore the Provost Marshal is only Intitled to fifteen Shillings for each Prisoner; Agreeable to the List of Fees.

In the Article (B) We apprehend the Provost Marshal should be allowed Travelling Charges for 180 Miles instead of 186 Agreeable to what he has Charged in former Accounts

Approved

/4/ We are of Opinion the Article (A) of the Coroners Acco.<sup>t</sup> being for Dinners &c.<sup>a</sup> should be struck out

Approved

/5/ We are of Opinion as before with regard to the Articles /B/ of this Acco.<sup>t</sup> that the Provost Marshal should be allowed for only 180 Miles from Quebec to Montreal

Approved

6/ This Account of M<sup>r</sup> Collins's We understand to have been already Referred to the Board of Trade by Governor Murray

Approved

We

227

/7/ We make no Remarks upon these last Accounts of the Deputy Surveyor's as the fate of his former one we apprehend must determine what he is to expect from Government for the future; however We think him well Intitled to the Sixty Pounds Halifax or Fifty four Sterling. Charged for his trouble and Expences in Settling the Boundaries of the Province

Approved

/8/ This matter, We Referr to the Consideration of the Board.

The Board are of Opinion M<sup>r</sup> Kneller's Acco.<sup>t</sup> is reasonable and Ought to be paid.

	Claims Examined	Demands as per Accounts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
	<p>Walter Murray Esq<sup>r</sup> As Acting Receiver Gen.<sup>l</sup> his Sallery from the 13<sup>th</sup> June to the 30<sup>th</sup> Septem<sup>r</sup> 1766 ....</p> <p>We are of Opinion it should be allowed him to the 30<sup>th</sup> June Upon the Arrival of Tho<sup>s</sup> Mills Esq<sup>r</sup> R G</p> <p style="text-align: center;">Approved</p> <p>George Jenkins for Attend<sup>g</sup> as Juryman the Assizes at Trois Riviere in July 1765.....</p> <p>Allowed the same as we understand that those who applied, have been paid Agreeable to a promise then made by Government .....</p> <p style="text-align: center;">Approved</p> <p>William Graham for Attending the said Assizes .....</p> <p>Allowed for the same reasons .....</p> <p style="text-align: center;">Approved</p> <p>John Jones for Summoning Juries to Attend said Assizes .....</p>	<p>50,, ,, ,</p> <p>.....</p> <p>1,, 7,, ,</p> <p>.....</p> <p>1,, 7,, ,</p> <p>.....</p> <p>5,, 8,, ,</p>	<p>.....</p> <p>9,, 17,, 3,,</p> <p>.....</p> <p>1,, 7,, ,</p> <p>.....</p> <p>1,, 7,, ,</p> <p>.....</p>	<p>.....</p> <p>..</p> <p>.....</p> <p>..</p> <p>.....</p> <p>..</p> <p>.....</p> <p>..</p>
	<p style="text-align: center;">Not allowed as the Deputy Secr<sup>y</sup> has Certified his having been paid for that Service approved</p>			

4087 4087 4087	<p>Widow Malouin for one years Rent of a house Occupied by Government from September 1763 to Novem.<sup>r</sup> 1764</p> <p>Allowed as it is Consistent with our knowledge, that her House was Occupied by Governm.<sup>t</sup> during that time, And it appears from the Acco<sup>ts</sup> she has been paid only till Septem<sup>r</sup> 1763.....</p>	13,, 2,, 6	.....	.....
	<p style="text-align: center;">Approved</p>			
	<p>Courval, Director of the Forges S<sup>t</sup> Maurice for Allowance to himself and Several Artificers belonging to the said Forges, retained there by order of Governor Murray from the 1<sup>st</sup> October 1764 to the 1<sup>st</sup> August 1765 when the said Governor ordered them to be Discharged as per Account.....✓</p>	304,, 3,, 2	.....	.....
	<p>We think in Justice this Acco.<sup>t</sup> ought to be paid as there is no doubt, said Courval &amp; Workmen were detained at the Forges, by order of Governor Murray upon expectations of Instructions from Britain in regard to said Forges.....</p>			
	<p style="text-align: center;">Approved</p>			
	<p>James Potts Esq<sup>r</sup> as Judge of the Admiralty pr Acco.<sup>t</sup> Current for Sallary from the 24<sup>th</sup> August 1764 to the 24th December 1766 at the rate of £ 200 .. .. Sterling per Annum</p> <p>Ballance of his Account.....</p>	286,,13,,4	.....	..... 286,,13,,4
	<p>We understand this to have been Recommended at home by Governor Murray and therefore give no opinion about it.</p> <p style="text-align: center;">Approved</p> <p style="text-align: center;">Referred to the Right Hon<sup>ble</sup> the Lords Commissioners of the Treasury</p>			
	<p style="text-align: right;">Carried forward    £</p> <p style="text-align: right;">Timothy</p>	662,, 1,, ,,	329,,16,,11 Claims	286,,13,, 4 228

	<b>Claims Examined</b>	Demands as per Accounts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Comissioners of the Treasury
365 18.15	<b>Brought Forward.....</b>	662,, 1,, ,,	329,,16,,11	286,,13,,4
	<p>Timothy Devine Cryer of the Supreme Court Read his Petition praying a Compensation for his past attendance on the Supreme Court from December 1764 to 24<sup>th</sup> December 1766</p> <p style="padding-left: 40px;">We are of Opinion said Devine ought to be allowed for his past attendance Twenty pounds</p> <p style="padding-left: 40px;">It likewise appears to us, said Devine should hereafter have a Yearly allowance of</p> <p style="padding-left: 40px;">Ten pounds for his attendance upon the Supreme Court Commencing from 25<sup>th</sup> Decem.<sup>r</sup> last</p> <p style="text-align: center;"><b>Approved</b></p>	20,, ,, ,,	20,, ,, ,,	..... ...
	<p>Timothy Devine, Read a Second Petition of his praying payment of a Room, Fire Candles &amp;c<sup>a</sup> for the Quarter Sessions and weekly Sittings of the Justices of the Peace as p<sup>r</sup> Agreem<sup>t</sup> w<sup>t</sup> s.<sup>d</sup> Justices</p> <p>We have no doubt that this should be allowed as the same is Certified by the Justices.....</p> <p>And for this Service We think he should be allowed in future £ 18..15.. Agreeable to his Agreement with said Justices.      <b>Approved</b></p>	33,, 2,, 6 .....	33,, 2,, 6,	..... ...
	<p>Jacob Stegman Goaler Read his Petition praying payment for his Care &amp; trouble in that Office from the Establishment of Civil Government August 1764 to 24th Decem<sup>r</sup> 1766</p> <p>We think he should be allowed Forty pounds as a Compensation for his Services to the 24th December 1766. And for the future one Shilling p diem to Commence from 25<sup>th</sup> Decem<sup>r</sup> last inclus<sup>ve</sup></p> <p style="text-align: center;"><b>Approved</b></p>	40,, ,, ,,	40,, ,, ,,	..... .....



<p>Benjamin Price Esq<sup>r</sup>; Read his Petition setting forth that he was sent over with Dispatches of Government to Solicit Relief for the Sufferers by fire at Montreal, And that he was a Considerable loser by Governor Murray's detaining his Vessell some days after she had taken in all her Load<sup>g</sup></p> <p>Referred to the Consideration of the Board _____</p>	283,, 1,, ,,	.....	283,, 1 ,,
<p>Submitted to the Right Honble the Lords Commissioners of the Treasury Nuns of the Generat Hospital; Read their Petition setting forth that they had provided a quantity of Fuel for the Sick of the British Army during the Winter from 1759 to 1760 for a Considerable part whereof, they are to this day indebted not having the Means to discharge the same; They alledge Governor Murrays having promised them payment of said Fuel, and produced two Letters of his then Secretary as the only proofs in their power at present to bring of the said Promise.....</p> <p>Referred to the Consideration of the Board.</p> <p>The Board are of Opinion the above should be paid it being consistent with the knowledge of Cap.<sup>t</sup> Cramahé then Governor Murray's Secretary and Major Mills then his Aid du Camp that they were promised payment and they having made Oath to the truth of the Account before two Justices of the Peace.....</p>	293,, 2,, ,,	.....	.....
<p>Zachariah Thompson. Captain of the Port, read his Petition setting forth that by ord<sup>r</sup> of Governor Murray he did in October 1763, take up a Vessell belonging to M<sup>r</sup> Edw.<sup>d</sup> Harrison to Carry up the Baggage of the 28<sup>th</sup> Regim.<sup>t</sup> to Montreal, which has never been paid, And least Execution should go out Against him, in Consequence of the Suit Commenced by the Owner of s.<sup>d</sup> Vessell prays Relief.....</p>	.....	293,, 2,, ,,	.....
<p>Carried over      £</p>	56,, 13,, 1, 1387 · 19 7	.....	..... 716 .1 .5 569.14.4 229

	<b>Claims Examined</b>	Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Comissioners of the Treasury
	<p style="text-align: right;">Brought Forward.....£</p> <p>We understand that a Vessell in the like Circumstance was paid by the Deputy Quarter M.<sup>r</sup> General by order of Governor Murray, And are of Opinion, that in Justice this likewise ought to be paid tho' it naturally is a military Contingency.....</p> <p style="text-align: center;">Approved</p> <p>Pierre Poulin Read his Petition praying Rent of the Ground upon which the Forges of S.<sup>t</sup> Maurice are Erected from September 1759 at the rate of Three hundred Livres or £11..5..Ster.<sup>l</sup> pr Annum in the same manner as it was paid by the French Government and the Original Proprietors of said Forges heretofore.....</p> <p>We can have no doubt that this should be allowed from the Conquest in Septem<sup>r</sup> 1760 when the British Government took possession of the said Forges untill 24<sup>th</sup> Decem<sup>r</sup> 1766✓</p> <p style="text-align: center;">Approved</p> <p>Ignace Delezenne, Silver Smith Read his Petition Setting forth that he had a House in this Town, burned during the Seige, the Walls of which were Remaining untill the Year 1762 when they were pulled down and the whole Levelled, prays a Compens.<sup>n</sup> for the same We understand this Demolition to have been made when S<sup>t</sup> Johns in Newfoundland was taken in 1762 at a time when there was some apprehension the Enemy might attempt to push up this way, in order to Clear the Fortifications of this place and render it more tenable the Country at that time was ours by Conquest &amp; not Ceded therefore We apprehend the Government is not liable</p>	<p>1387. 19. 7</p> <p>.....</p> <p>81,, 11,,3.</p> <p>.....</p>	<p>716. 1. 5</p> <p>56,,13,,1.</p> <p>.....</p> <p>70,, 6,, 3.</p>	<p>569,, 14,, 4</p> <p>.....</p> <p>.....</p> <p>.....</p>

<p>for any damages Individuals incurred by measures taken for the Defence of the Fortifications Especially as there was only a Ruin.      <b>Approved</b></p> <p>James Cuthbert Esq<sup>r</sup> Read two Letters of his dated the 6<sup>th</sup> December &amp; 23<sup>d</sup> Januray last to the Receiver General, Claiming £ 500.. .. for Carrying home some Dispatches of Governor Murrays the 3d. March 1765.....</p> <p>We are of Opinion these Letters should be transmitted home &amp; laid before Government</p> <p style="text-align: center;"><b>Approved</b></p> <p>John Lees Esq.<sup>r</sup> Read his Petition setting forth that in his office of Justice of the Peace he had been at great Expencc &amp; trouble to apprehend one Fraser a publick Cheat tho by some improper management upon the Trial said Fraser evaded the punishment, his said Expences Amounted as pr Account to.....</p> <p>We are of Opinion this Acco.<sup>t</sup> should be allowed, tho we apprehend that regularly this Expencc ought to have been paid by the Pro: marshal &amp; Charged in his Account.....</p> <p style="text-align: center;"><b>Approved</b></p> <p>John Lees Esq<sup>r</sup> Read his petition in behalf of Mess.<sup>rs</sup> Thomas Wier &amp; W<sup>m</sup> Christie praying Reimburse: ment of their expences for attending as Witnesses the Assizes at Trois Rivires in July 1765 upon M<sup>r</sup> Walker's affair.....</p> <p>As there is no Charge given in with this Petition, We know not what to say to it Only in General, that as there was a promise of Governm<sup>t</sup> to Defray the Expences of those who attended said assizes a Sum should be sett apart to discharge this &amp; every oy<sup>r</sup> Just Claim upon s.<sup>d</sup> Acco.<sup>t</sup> of which We understand there are Several yet Outstand<sup>g</sup> Supos.<sup>g</sup> the whole may Amount to about</p>	<p>500,, ,, ,,</p> <p>8,, 8,, 9</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>8,, 8,, 9</p> <p>50,, ,, ,,</p>	<p>500,, ,, ,,</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p style="text-align: right;">Approved</p> <p style="text-align: right;">Carried over    £ Benjamin.</p>	<p>1977,,19,, 7</p>	<p>901,, 9,, 6</p>	<p>1069,,14,, 4 230</p>

	<b>Claims Examined</b>	Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Comissioners of the Treasury
	<p style="text-align: right;">Brought Forward..... £</p> <p>Benjamin Comte, Attorney for James James of Philadelphia by Petition from Jacob Rowe of Quebec Setting forth that he was employed by Governor Murray sometime in October 1764 He being the Deputy Commissary of Provisions at Quebec to impress the Sloop Welch into His Majestys Service, in order to Carry Provisions to Montreal in which Service the said Sloop was lost, and that since the Establishment of Civil Government in this Province the said Rowe having been sued by John Malcom half owner of said Vessell Judgement was obtained Against said Rowe for £139.. 7.. 5½ Sterling with Costs of Suit which Governor Murray on application from this Petitioner ordered to be paid to said Malcom, And the said Benj.<sup>n</sup> Comte having received a power from James James of Philad.<sup>a</sup> Owner of the other half of s.<sup>d</sup> Sloop Welch Amounting to £137.. 16.. 8. Sterling to sue for and recover the same the said Petitioner prays redress therein.....</p> <p style="padding-left: 40px;">It appears to us this Claim is very Just And are of Opinion it should be paid and the Sooner the better as the Charge to Government will be Considerably enhanced if a prosecution is Commenced Against the said Jacob Rowe.....</p> <p style="text-align: center;">Approved</p> <p>Jaques Roy. for Sund<sup>y</sup> Repairs of the Goal at Montreal in Jan<sup>y</sup> 1765 by order of Gov<sup>r</sup> Murray Amount.<sup>g</sup> to £150 Livres &amp; to some further Repairs of s.<sup>d</sup> Goal in may 1765 by order of the then D. P. Marshal Amount.<sup>g</sup> in all to 604 Livres.....</p>	<p style="text-align: center;">1977,,19,,7</p> <p style="text-align: center;">137,,16,, 8,,</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">22,,13,, ,</p>	<p style="text-align: center;">901,, 9,, 6</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">137,,16,, 8,</p> <p style="text-align: center;">.....</p>	<p style="text-align: center;">1069,,14,, 4</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">.....</p>

	<p>We are of Opinion this Account ought to be Discharged.....</p> <p style="text-align: center;">Approved</p> <p>Jean Brassier Priest &amp; Procureur of the Seminary at Montreal, Read his Petition dated the 13<sup>th</sup> March 1767. setting forth that a house belonging to the said Seminary was Occupied for the Sittings of the Justices and Court of Common Pleas, That Governor Murray had ordered them to be allowed Rent for the same from 24<sup>th</sup> October 1764 but had as yet received no payment and praying a Discharge of the same with the Arrears thereon which to the 24<sup>th</sup> December would Amount to in Sterling money to.....</p> <p>We are of Opinion this Charge is Just and ought to be allowed Agreeable to an order of Governor Murray &amp; Council of date the 18<sup>th</sup> June 1766.....</p> <p style="text-align: center;">Approved</p>	<p>.....</p> <p>48,,15,,....</p> <p>.....</p>	<p>22,,13,, ,</p> <p>.....</p> <p>48,,15,,..</p>	<p>.....</p> <p>.....</p> <p>.....</p>
<p><b>Total..... £</b></p>		<p>2187,, 4,, 3</p>	<p>1110,,14,, 2</p>	<p>1069,,14,,4</p>
<p>Quebec 28<sup>th</sup> March 1767</p> <p>/ Signed / H. T. Cramahé P.</p> <p>Add to the middle Colum as in the abstract Annexed...</p>		<p>.....</p>	<p>6,,15,, 9,</p>	<p>231</p>

Abstract of the foregoing Account		Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Comissioners of the Treasury
1 <sup>st</sup> Head Fees of Office Viz <sup>t</sup>				
From August 1764 to 24 <sup>th</sup> June 1766 during the Administration of Governor Murray.....		1327,,3,, 2½	.....	1327,, 3,, 2½
From 25 <sup>th</sup> June to 24 <sup>th</sup> Septem <sup>r</sup> 1766 during the Administration of Colonel Irving.....		290,,12,, 7¾	.....	290,,12,, 7¾
From 25 <sup>th</sup> Septem. <sup>r</sup> to 24 <sup>th</sup> December 1766 Since the Commencem <sup>t</sup> of the Adminis <sup>n</sup> of L <sup>t</sup> Governor Carleton...		115,, 8,, 3½	.....	115,, 8,, 3½
Total Fees of Office to 24 <sup>th</sup> Decem <sup>r</sup> 1766.. £		1733,, 4,, 1½	.....	1733,, 4,, 1½
2 <sup>d</sup> Head Contingencies Viz <sup>t</sup>				
From August 1764 to 24 <sup>th</sup> June 1766 during the administration of Governor Murray.....		901,, 6.. 6	414,,13,, 9	486,,12,, 9
From 25 <sup>th</sup> June to 24 <sup>th</sup> September 1766 during Ditto of Lieu <sup>t</sup> Col <sup>o</sup> Irving.....		288,, 1,,11¼	257,, 5,, ¼	31,, 6,, 11
From 25 <sup>th</sup> Septem <sup>r</sup> to 24 <sup>th</sup> Decem <sup>r</sup> 1766 since the Commencem <sup>t</sup> of the Adminis. <sup>n</sup> of L <sup>t</sup> Governor Carleton		367,,19,, 4	328,,17,,4½	37,, 2,, 6
Total ..... £		1557,,17,, 9¼	1000,,16,, 1¾	557,, 1,, 7½
Claims_____Total.....		2187..4..3	1110,,14,, 2	1069,,14,, 4
Add to the Allowed Column the Difference between the Claims rejected and what is Sett apart to Satisfy those not yet ascertained Expences of.....		.....	6,,15,, 9	.....
Jurors &C. <sup>a</sup> at Trois Rivieres.....				

NB The whole of the Claims are Ranked under the Administration of Governor Murray; Because a great part arose before the Establishment of Civil Government, and the remainder was Instituted during his Administration

Total of Fees of Office Contingencies & Claims in Governor Murrays Administration				£ 4415,,13,,11½
Total of Ditto	in	Col <sup>o</sup> Irvings time.....		579,, 4,, 7
Total of Ditto	in	Lieu <sup>t</sup> Governor Carletons time.....		<u>483,, 7,, 7½</u>
				<u>£ 5478,, 6,, 1¾</u>

Presented Petition of William Le Roy complaining of the conduct of the Judges of the Common pleas in a certain cause depending in that court where the Petitioner is Plaintiff & Francis Mounier Esq.<sup>r</sup> as Attorney for Pierre Chaboisseau is Defendant

Ordered a Copy of the Petition to be given to the Judges of the Common pleas for them to Answer it next Council Day

Read petition of Edward Manwaring for a grant of 700 Acres of Land at Gaspey

ordered that the Deputy Surveyor general make a Return of said Lands for M<sup>r</sup> Manwaring

ordered Mess.<sup>rs</sup> Cramahé Mills Dunn Mounier & Price a Co<sup>#</sup>mme of this Council to enquire into the Conduct of William Kluck Clerk of the Common pleas, against whom several Complaints have been made and report their opinion thereof to this Board \_\_\_\_\_ Guy Carleton

At The Council Chamber in  
the Castle of Saint Louis in the city of  
Quebec On wednesday the Sixth Day of  
May 1767

Present

The Ho<sup>#</sup>nble Guy Carleton Lieu.<sup>1</sup> Governor  
William Hey C J      Hector Theo.<sup>s</sup> Cramahé  
Thomas Mills          Thomas Dunn  
Francis Mounier      Benjamin Price  
Esq..<sup>rs</sup>

Read The Reports of the Committee concerning  
M<sup>f</sup> Klucks conduct

Ordered the Reports to be entered in this  
Book

Quebec 2.<sup>d</sup> May 1767

Present

The Honble Hector Theo<sup>s</sup> Cramahé      Tho.<sup>s</sup> Mills  
Thomas Dunn                              Fra: Mounier  
Benjamin Price      Esq..<sup>rs</sup>

A Committee Appointed last Council day to enquire  
into the Conduct of William Kluck Clerk of the Common  
pleas respecting several Complaints against him  
in his said office laid before The Hon<sup>#</sup>ble Guy Carleton  
Lieutenant Governor

The said William Kluck being ordered to attend  
the Committee he Accordingly Appeared before them,  
When Francis Mounier Esq.<sup>f</sup> One of the Judges of  
the common pleas informed the other Gentlemen  
of the Committee that in the cause before said  
Court Mons<sup>f</sup> DeLaGorgendière Against the  
Inhabitants of Deschambault M<sup>f</sup> Kluck charged  
in his Account of fees in said cause for a Special  
Jury, One pound for each Juror, altho' the Gentle-  
-men of the Jury would not Accept of Any money  
for their Service: And that the total of the  
Account



Account Amounted to above Forty pounds Curry of this province, which was reduced when taxed by the Judges to between Three And four pounds

The Committee demanded of M<sup>r</sup> Kluck the Account mentioned by M<sup>r</sup> Mounier; M<sup>r</sup> Kluck Answered he had lost that Account, And believes it was tore among some Useless papers

M<sup>r</sup> Mounier farther informs the Committee that he lately received a Letter from the Inhabitants of the Seigneurie of Deschambault requesting of him to inform them if they ought to pay M<sup>r</sup> Kluck the sum of twenty five pounds charged by him Against them that they were very uneasy because of M<sup>r</sup> Klucks demand he having threatned them with great Expençe if they refused payment: M<sup>r</sup> Mounier wrote the Inhabitants to pay nothing to M<sup>r</sup> Kluck, except he produced An Account to them taxed by him or the other Judge of the Court

M<sup>r</sup> Kluck produced to the Committee An Acco.<sup>t</sup> which he says is the same he presented to the Inhabitants of Deschambault Amounting to £ 24.. 15.. 7

John Marteilhe Esq<sup>r</sup> One of His majestys Justices of the peace informed the Committee that One Montignie of the Isle of Orleans was fined on the 17.<sup>th</sup> of march last by the Court of Quarter Sessions in Twenty shillings, And in Twenty one Livres of costs of Suit, but that the Justices never ordered the fine to be levyed, And that the Court took M<sup>r</sup> Tachets word to be Answerable for the fine

Mons.<sup>r</sup> Tachet informed the Committee that M<sup>r</sup> Kluck came to him at his own house when he was at dinner the day that Judgement was given And told him the Justices wanted Montignies fine directly And that he gave M<sup>r</sup> Kluck a half Joannes to pay the same And the Remainder on his own Account. M<sup>r</sup> Kluck mentioned to the Com<sup>#</sup>mee that he was employed by M<sup>r</sup> Tachet to assist Montignie in making his defence that he drew up a petition for him to the Justices And that he offered to pay to M<sup>r</sup> Shepherd the Clerk of the peace Montignies

fine

fine out of the half Joannes he had received of M<sup>r</sup> Tachet, And further that he never was otherwise paid for the trouble he took in that affair, And of this he is ready to make Oath

M<sup>r</sup> Shepherd being Asked by the Committee if he remembers being offered payment of Montignies fine by M<sup>r</sup> Kluck he says he do's not recollect to have ever been offered it, that he is not the proper officer to collect or levy the fines, it would therefore very probably have struck him upon the Governors mentioning that Montignie had paid the fine had it been offered to him as M<sup>r</sup> Kluck alledges

, Signed, H T Cramahé Pr.<sup>t</sup>  
Quebec 4 May 1767

### Present

The Hon<sup>#</sup>ble Members of the Committee

M<sup>r</sup> Kluck produced to them the Account mentioned by M<sup>r</sup> Mounier & taxed by him, which M<sup>r</sup> Kluck thought had been lost

Captain Cramahé produced to the Committee a Letter addressed to him from Mons<sup>r</sup> LeBrun a Canadian Procureur dated the 3.<sup>d</sup> of this instant, mentioning that he was employed in the last Quarter Sessions of the peace for One Dumett Inhabitant of Point Levy against the Inhabitants of the Village Detani: :ata, that he gained the cause & the Inhabitants were condemned in costs, M<sup>r</sup> Kluck desired him not to take Execution against them As they would pay the costs to him who would Account to M<sup>r</sup> Le Brun therefore that the costs Amounted to Eleven pounds some odd Shillings. That M<sup>r</sup> Kluck did receive of the said Inhabitants Eighteen pounds Halifax currency & offered M<sup>r</sup> LeBrun Eight pounds of it And his own note of hand for the remaining three alledging he had only received the Eight pounds, M<sup>r</sup> LeBrun refused to Accept it And in about three weeks after demanded payment of the Bill of costs of said Inhabitants, they produced to him M<sup>r</sup> Klucks Receipt for the money they went before M<sup>r</sup> Marteilhe to have the Affair settled by him, And the Inhabitants were ordered to pay

M<sup>r</sup>.

M<sup>r</sup> Le Brun; they begd the affair might be kept Secret till they should recover their money out of M<sup>r</sup> Klucks hands, And after calling on him for three Successive days they only recovered Ten pounds Eleven Shillings some odd pence, M<sup>r</sup> Kluck told them he had paid the remainder to the Clerk of the Court which M<sup>r</sup> LeBrun for his own Satisfaction proved to be false

And for the other parts of M<sup>r</sup> Klucks conduct M<sup>r</sup> LeBrun refers to the Judges of the Common pleas And the Records of their Court

With said Letter M<sup>r</sup> LeBrun sent an affidavit of one Adam dit La Fontaine of the parish of Islet taken before Adam Mabane Esquire Judge of the Common pleas that his Reputation had considerably suffered by a warrant signed W: Kluck directed to the Bailiffs of the parishes L'Islet, S<sup>t</sup> Roche, S<sup>t</sup>. Anne and Riviere Ouelle to enquire into the Charecter And conduct of the Deponent the Deposition is dated 9 July 1766. And sent at same time a declaration signed by M<sup>r</sup> Kluck dated 11.<sup>th</sup> of July 1766 addressed to said Bailiffs acknowledging said Warrant to be improper And done by no Authority but his own, And asking pardon of M<sup>r</sup> La Fontaine for the same, declaring him to be a very honest man

, Signed, H T Cramahé Pr

The Hon<sup>ble</sup> Guy Carleton Lieutenant governor informs this Board that in consequence of the above Report he will remove M<sup>r</sup> Kluck from his offices of Clerk of the Common pleas And Register of the Court of Vice Admiralty, for having under Colour of said office of Clerk of the Common pleas Acted irregularly And extorted several sums of money illegally from the Inhabitants of this province

Read the Answer of the Judges of the Common pleas to M<sup>r</sup> LeRoys Petition

Ordered the Answer to be entered in this Book

Sir

We have received a copy of a Petition

from

from M<sup>r</sup> Roy To The Hon<sup>#</sup>ble Lieu.<sup>t</sup> governor And Council of the Province.

You'l please to lay before them the inclosed extract from the Register of the Court of Common pleas, it is in the French language as the affair is between Canadian And Canadian

It is likewise to be observed that as the Cause of Action arose long before October 1764, it is one of these Actions which by the Ordinance And our Commission Are to be determined agreable to the French Laws

By the Extract from the Register it appears that in Trinity term 1766 the cause in question was left to Arbitration the Arbitrators were likewise exempted from an Oath by and with the consent of the partys.

Micheaelmas term passes over the Cause do's not appear till a few days before the End of Hilary term 1767 when the Plaintiff petitioned for a Jury The Defendant objected to the Jury there being a Rule of Court for An Arbitration, And the nature of the Cause not admitting of that mode of trial

Much reasoning passed between the partys And the Lawers on each side, the Result of which was that they agreed to a new Arbitration. The Court consented to the nomination of Mess.<sup>rs</sup> Saillant and Panet, not doubting but that the partys made choice of them from a persuasion that they were the properest persons; Either party might have made objections to the Arbitrator named by his Adversary provided he had Any to make

We know nothing of Any Award, which the Arbitrators have given but from M<sup>r</sup> Roys Petition supposing it to be as Injurious to him, As he says it is, his Application to The Hon<sup>#</sup>ble Lieu.<sup>t</sup> governor & Council is equally irregular & premature the Court of common pleas having reserved to themselves sufficient authority upon a proper Represen-

-tation

Representation and proof to give him such Redress  
as to them would seem just & legal

we are Sir your most Obed.<sup>t</sup> hu<sup>l</sup> Serv.<sup>ts</sup>

Quebec 4 May 1767 Signed { Adam Mabane  
  { F Mounier

To James Potts Esq.<sup>t</sup> D.CC

Ordered that the Petition be dismissed as  
not being proper for the cognizance of this Board  
the cause being still depending in the Court of  
Common pleas

Read Petition of Hugh Finlay in behalf  
of the Accadians at Bonaventure in Chaleur Bay  
praying a Grant of a Tract of Land Three leagues  
in front by half a League deep

Referred to the Committee who sat formerly  
on the Petitions for Lands \_\_\_\_\_

Guy Carleton

At The Council Chamber in  
the castle of Saint Louis in the city of  
Quebec on friday the Eighth day of  
May 1767

Present

The Hon <sup>#</sup> ble Guy Carleton Lieu. <sup>t</sup> Governor	
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
Thomas Mills	Thomas Dunn
Francis Mounier	Benjamin Price
	<u>Esq.</u> <sup>rs</sup>

Several complaints of the Indians at Catnawaga  
or the Iroquois addressed to The Honble Guy  
Carleton Lieu.<sup>t</sup> governor Against M<sup>r</sup> René Cartier  
And Madame La Noüe for Incroachments made  
by them upon the Lands granted those Indians  
were by His Honour laid before this Board

Ordered that all partys Observe the Decision of  
the

the Court of common pleas in July 1766 till the matters in dispute can be perfectly Settled And that Mons.<sup>r</sup> Cartier and Madame La Noüe send up their several Titles to the Seigneuries And other Lands in their possession to the Clerk of this Board in Order to be laid before the same

In the mean time It is ordered that the Deputy Surveyor General make a Survey of the Lands in dispute And report the same to this Board

The Indians settled at S<sup>t</sup> Francis called Abina: :quis have also preferred complains against the Seigneur of Saint Francis And Mons.<sup>r</sup> Beaubassin setting forth that they have encroached upon the Lands the property of said Indians

Ordered that the Seigneur of Saint Francis And Mons.<sup>r</sup> Beaubassin send their Titles to their Lands that border with the Indians Lands of S.<sup>t</sup> Francis to the Clerk of this Board for their consideration

The Indians of the two Mountains have likewise preferred a complaint to the Lieutenant Governor Setting forth that several of the Traders who resort to them immediately after their Return from hunting fur: :nish them with quantities of Brandy And other spiritous Liquors in exchange for their peltries And requesting that a Stop may be put to that Practice by His Excellency And that none but one named by themselves should be permitted to retail Liquors to them

Ordered that the Clerk of this Board write to the Justices of the peace at Montreal to know whether they have taken the Licences from all persons residing upon or near their Lands who sell liquor to the Indians agreeable to the order of the Lieu.<sup>t</sup> Governor to them when at Montreal And if they have not that they will do it immediately And to recommend to the Justices to put the Ordinance in force against those who retail Spirits to the Savages

It

It is ordered that the Deputy Surveyor General Survey & mark out for his Majesty the public Road reserved by The French King in His Original grant to the Seigneur of Deschambault And report the same to this Board

Read the Deputy Surveyors Report of a Survey of Seven hundred Acres of Land at Gaspey for M<sup>r</sup> Edward Manwaring

Ordered that a warrant be directed to the Attorney General to make a Draft of Letters patent under the Broad Seal of this province for a Grant to M<sup>r</sup> Manwaring his Heirs &.<sup>c</sup> of said Seven hundred acres of Land under the Usual Reservations

Presented An Account of La Mire a Black: :smith for the Reparation of the Chateau Saint Louis Amounting, As altered by the Tradesmen who visited the Work to £488<sup>Livres</sup> .. 13<sup>Sols</sup> ..

Ordered that a Warrant be given to the Receiver General to pay the same

Resolved that Mess<sup>rs</sup> George Allsopp & George Gregorys Petition presented this day be substituted in the place of M<sup>r</sup> Philip Paynes original Petition for a Grant of a Spot of ground near The Kings wharf they having purchased said Spot of M<sup>r</sup> Paynes Creditors for a valuable consideration \_\_\_\_\_

Guy Carleton

At The Council chamber in the  
Castle of Saint Louis in the city of Quebec  
on Tuesday the twelfth day of May 1767

Present

The Hon <sup>#</sup> ble Guy Carleton	Lieutenant Governor
William Hey C. J.	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Francis Mounier	Benjamin Price

Esq..<sup>rs</sup>

The

The Honourable Guy Carleton Lieutenant  
governor laid before this Board a London News  
paper intituled “Lloyds Evening post dated from  
Friday January 2 to monday January 5. 1767  
Vol: XX N.<sup>o</sup> 1481, In which is inserted the  
following Letter

Governor’s Fees

To The Editor of Lloyds Evening post

Sir

In your paper of the 26 Ult: I saw a paragraph  
the consequence of an Advertisement inserted in  
the Quebec Gazette the 7.<sup>th</sup> of November 1766 in  
the following words “Whereas the numerous fees  
which the Inhabitants of this province have been  
obliged to pay, have been found to be very burthen:  
:some And Inconvenient to the said Inhabitants  
in the low and distressed condition to which many  
of them have been reduced by the Calamitys of the late  
war &.c The Public Is hereby Given to understand that  
Lieutenant governor Carleton has resolved to release and  
relinquish all the Fees that may be Due to himself, by  
Virtue of the Commissions or powers with which it has  
pleased His majesty to invest him, excepting only the  
fees due from Vintners, and other Publicans for Licences  
to keep public houses; which Fees shall still continue  
to be paid; And The Lieutenant governor further de:  
:clares, that the money arising from those Fees last  
mentioned shall not be Appropriated to his private use  
but shall be paid into the Hands of the Receiver General  
of His majestys Revenue of this province, And considered  
as a part of that Revenue, And Accounted for Accordingly

relinquished by  
the L.<sup>t</sup> Gov.<sup>r</sup> Carleton  
and appropriated  
as part of the Provin  
cial Revenue \_\_\_\_\_

Nov: 7. 1766

“Guy Carleton”

Every person who reads the above Advertisement, must  
draw from it two conclusions: First that the fees  
established in the province of Quebec were burthensome  
and oppressive. Secondly that these Fees had yeilded  
a considerable Revenue, And in particular that the  
Fees levyed upon Vintners had formerly been applied  
not to the public use but to that of the governor

Upon



Upon these Suppositions the above Advertisement would, no doubt reflect honour on Lieu.<sup>1</sup> governor Carleton, And mark at the same time the governor with blame and reproach

It never has been nor never shall be my practice to take notice of Anonimous abuse; but when any thing is signed which may be construed an Imputation upon my conduct, I shall always think it my duty to give a fair account of the matter to my Country, And I desire nothing more earnestly than that every particular of it may be canvassed to the Bottom, As I flatter myself the strictest Scrutiny will do me honour

The Governors Fees established at Quebec are as follows

For the Great Seal to every Patent for Land, not exceeding 100 Acres, Sterling.....	£ 0..9..0
For the Great Seal to every Patent for Land exceeding 100 Acres, for each 100 Acres And in proportion.....	0.. 7..6
For the Great Seal for renewing a Patent.....	0..15..0
For a Licence of marriage.....	0.. 7..6
For Letters of Administration.....	0.. 7..6
For a Certificate to go beyond Sea.....	0.. 7..6
For a Licence to purchase lands of the Indians.....	0..15..0
For a Pass for a Vessel to Europe.....	0.. 7..6
For a Pass for a Vessel to the West Indies.....	0.. 4..6
For a Pass to any of the other Colonies.....	0.. 1..6
For his Seal to the probate of a Will.....	0.. 7..6

The above is a List of all the Fees the Governor of Quebec can claim, And it is to be remarked that little can arise from the Patents for Lands, As all the valuable Lands were granted before the conquest of it by us: That as little can arise from the Licences of marriage, Letters of Administration, Probates of Wills, and Licences to purchase Lands of the Indians; And As not more than Thirty ships in one year come from Europe, very few from the other Colonies, And rarely above two or three in a year from the West Indies, the Navigation being shut up Six months every

every year, the great Revenue to the governor must of course proceed from Certificates to go beyond Sea. Had I taken Fees for these certificates, the Amount must have been very considerable, not less than £4000 As the Canadians were obliged to send them to France relative to their paper money, And other affairs which were very numerous; but I never took myself, nor permitted my Secretary to take any Fees, from any man, on Any Account whatever, during the military government which lasted five years; And the Amount of all the Fees I have taken since the Establishment of civil Government do's not exceed £65 Sterling. The Fees for licensing public houses for two years last past Amounted to about £450 Sterling; And the Ordinance published the 3.<sup>d</sup> of November 1764, which establishes the said fees declares and enacts, that they are to be applied to the public use, And Accounted for as part of the Revenue to the government

This being the true State of the case, the public judge of the Propriety of Lieutenant governor Carletons Advertisment above recited

James Murray governor of  
the province of Quebec

Fees on Licences

The Hon<sup>#</sup>ble The Lieu.<sup>t</sup> governor informed this Board that he did look upon the monies arising from Licences to keep public houses to be the Governors fees And that M<sup>r</sup> Murray did receive them as such, having received that Information from the Secretary of the province

James Goldfrap Esq.<sup>r</sup> Deputy Secretary of this province mentioned to the Board that his reason for giving Lieu.<sup>t</sup> governor Carleton the above Information was that Governor Murray alwise claimed the money arising from Licences as his own property, And quoted other Governors in America as Precedents of such moneys being received by the governors, And he alwise understood And believes the other members of

the

the Council thought it was a perquisite of the Governors; But M<sup>r</sup> Goldfrap very well remembers that governor Murray often declared he would appropriate such money to public uses: M<sup>r</sup> Goldfrap then produced the following Receipt

“Quebec 24 June 1766

“Received of James Goldfrap Esq.<sup>r</sup> pr order of His  
 “Excellency Governor Murray Five hundred and  
 “ninety nine pounds six shillings currency being  
 “His Excellencys fees upon Four hundred & Sixty  
 “one Licences for retailing Liquor at Twenty six  
 “shillings each, I say received for the use of the  
 “Governor / Signed / Rich.<sup>d</sup> Murray  
 “£ 599. .6.. 0

Ordered a Committee of this Council viz.<sup>t</sup>  
 Mess<sup>rs</sup> Hey Mills and Price to examin the Receiver  
 Generals accounts from the Commencement of civil  
 Government And report to this Board whether it  
 appears from said Accounts that any Licence money  
 has been accounted for to the public

Resolved that a Proclamation be immediately  
 published requiring all persons whatsoever in public  
 offices under the Government of this province who  
 receive or claim fees in consequence of their several  
 offices whether claiming under the List of fees pub-  
 .lished by order of Council 20.<sup>th</sup> of June 1765, by any  
 other order or by Usage of the Country to send an  
 exact account of their fees & perquisites so claimed  
 or received to the Secretarys office for the Information  
 of this Board \_\_\_\_\_

Guy Carleton

At The Council chamber in the  
 Castle of Saint Louis in the city of Quebec  
 on Wednesday the thirteenth day of  
 May 1767

Present

The Ho<sup>n</sup>ble Guy Carleton Lieu<sup>t</sup>. Governor

William

William Hey C. J  
James Goldfrap  
Francis Mounier

Hector Theo.<sup>s</sup> Cramahé  
Thomas Mills  
Benjamin Price

Esq.<sup>rs</sup>

Read the Report of the Committee of yesterdays  
date

ordered the Report to be entered in the Book

Quebec 12 May 1767

Present

The Hon<sup>#</sup>ble William Hey Chief Justice  
Thomas Mills  
&  
Benjamin Price } Esq.<sup>rs</sup>

Report respecting  
Fees for Licences  
taken by governor  
Murray

A Committee this day appointed to examin The Receivers  
Generals Accounts And to report to The Hon<sup>#</sup>ble Guy Carleton  
Lieu.<sup>t</sup> governor in Council whether it appears from said  
Acco<sup>ts</sup> that Any part of the Money arising to government  
from the Licences to public Housekeepers has been Ac-  
counted for to the public

They have Accordingly examined the Receiver generals  
Books And Accounts And Report that they find no  
Entry in Any of the Books or any thing to induce them  
to think that the Licence money or Any part thereof  
was Accounted for to Government

/Signed/ W<sup>m</sup> Hey P. C.

Read the Draft of a Lease from His Majesty  
of a certain Tract of Land in this province, containing  
the Iron Mines, commonly called the Forges of Saint  
Maurice And of all other Mines that may be found  
on the said Tract, excepting Mines of Gold And Silver  
To Christopher Pelisier merchant in Quebec Alexander  
Dumas Merchant in same place Thomas Dunn,  
Benjamin Price And Colin Drummond Esq.<sup>rs</sup> of the  
same Place Dumas Saint Martin Esquire of Montreal  
George Allsopp and James Johnstone Merchants in  
Quebec And Brooke Watson Merchant in London  
for the yearly Rent of Twenty five pounds currency  
or Eighteen pounds fifteen shillings Sterling to con-  
tinue during the space of Sixteen years under the

Conditions

Conditions and Reservations therein expressed

This Board Approve of the Draft And order  
the same to be engrossed \_\_\_\_\_

Guy Carleton

At The Council chamber in the Castle  
of Saint Louis in the city of Quebec on  
Saturday the Twenty Seventh day of June  
1767

Present

The Hon <sup>#</sup> ble Guy Carleton Lieu <sup>t</sup> . governor	
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Mills
Thomas Dunn	Francis Mounier
<u>Esq.</u> <sup>rs</sup>	

Read the Report of the Committee with regard  
to the Complaint against M<sup>r</sup> Gridley Deputy  
Provost Marshall

ordered to lye on the Table till a further day

Ordered Mess..<sup>rs</sup> Cramahé Mills & Dunn  
a committee of this Council to examin the  
Accounts against government from 25 Decem<sup>r</sup>  
1766 to 24 June 1767

Resolved that the Clerk of this Board write  
to the Clerks & proper officers of the several Courts  
in this province to furnish the Receiver general  
with an Account of the fines imposed in their  
several Courts from the Commencement of  
civil government to this day, particularly of  
what has been levyed & how Applied \_\_\_\_\_

Guy Carleton

At The Council chamber in the Castle  
of Saint Louis in the city of Quebec on  
wednesday the fifteenth day of July 1767

Present

The Hon <sup>#</sup> ble Guy Carleton Lieu. <sup>t</sup> Governor	
William Hey C J	Charles Stewart S. G.
	Hector

Hector Theo.<sup>s</sup> Cramahé  
Thomas Mills

James Goldfrap  
Thomas Dunn

Esq.<sup>rs</sup>

The Lieutenant Governor laid before this Board a Letter from Lieutenant Colonel Jones commanding officer of the Troops at Montreal containing Complaint of the Indians of the two Mountains, setting forth that several people still continue to vend rum and other spirituous liquors at their Villages & praying that a Stop may be put to such Practices

ordered that the Clerk of this Board write to the justices of the peace at Montreal directing them to put the Ordinance Strictly in Execution against those who sell liquor to the Indians\_\_\_\_\_

Guy Carleton

At The Council chamber in the Castle  
of Saint Louis in the city of Quebec on thursday  
the sixteenth day of July 1767

Present

The Hon<sup>#</sup>ble Guy Carleton Lieutenant Governor  
William Hey C J            Hector Theo.<sup>s</sup> Cramahé  
James Goldfrap            Thomas Mills  
Thomas Dunn

Esq.<sup>rs</sup>

Read the Report of the Committee of the  
16<sup>th</sup> of May

ordered the Report to be entered in the  
Book And confirmed

Quebec 16.<sup>th</sup> May 1767

Present

The Honble William Hey C J  
Hector Theo<sup>s</sup> Cramahé  
James Goldfrap  
Francis Mounier } Esq.<sup>rs</sup>

A committee Appointed to take into their consideration  
the Petition of Hugh Finlay on Behalf of certain

Accadians

Accadians for a Grant of a Tract of Land upon  
or near the River Restigouche in the Bay of Chaleur

The Committee are of Opinion that the Lands mentioned in the Petition are Lands claimed by the Indians, whose Right has not yet been ascertained till it is no Grant should be given that may prejudice their Claim

The Committee recommend to The Lieu.<sup>t</sup> governor to encourage these people to come and settle in the Interior parts of the province by giving them a passage And furnishing them with provisions till they can provide for themselves

/ Signed / W<sup>m</sup> Hey P. C

Read the Reports of the Committee of the 13.<sup>th</sup>  
And 15.<sup>th</sup> of July

ordered the Reports to be entered in the Book  
Quebec 13.<sup>th</sup> July 1767

Present

The Honble William Hey C. J.	James Goldfrap
Thomas Mills	Thomas Dunn
Francis Mounier Esq. <sup>rs</sup>	

A Committee Appointed by The Honble Guy Carleton Lieu.<sup>t</sup> Governor to enquire into An Application made to him by Thomas Ainslie Esq.<sup>r</sup> respecting the dutys on Wines And Spirits collected by him by governor Murrays Order during the Military government

M<sup>r</sup> Ainslie produced to the Committee the following Letter from him to the Lieutenant governor with One inclosed therein

Sir

“I had the honour to call on you this  
“morning to lay before you the enclosed Letter, as  
“it may not be the only one upon that Subject  
“I wait your honours Directions how to act: the  
“money arising on these Dutys was paid into the  
“Receiver Generals hands for which I have his  
“Receipts. The Obligations required of me, if you should  
“approve of it, may be given by the Receiver general,

or

“or his Deputy, which I am of Opinion would be  
“satisfactory, for this I wait your Commands And have  
“the honor to be with great Respect

Sir

Your most obed<sup>t</sup> & most hum<sup>l</sup> Serv.<sup>t</sup>  
/ signed / Tho<sup>s</sup> Ainslie

Custom house Quebec

11.<sup>th</sup> July 1767

To The Honble Guy Carleton Esq.<sup>r</sup> Lieu<sup>t</sup>. governor  
of Quebec

M<sup>f</sup> Ainslie

Sir

“I have this day consulted M<sup>r</sup>  
“Suckling to see if you & myself can fall on a freindly  
“method of settling the point with respect to those dutys  
“paid you by M<sup>r</sup> Grant &<sup>c</sup> on Account of my Owner  
“M<sup>r</sup> Arnold Willis, knowing that he at my Return  
“to Boston will not be easily satisfied with me, in  
“case I do not comply with my Orders from him

“I think we can with a little of his Assistance do  
“something that will satisfy my Employer with my  
“Conduct & at the same time expose you to no risque  
“M<sup>r</sup> Suckling desired me to speak to you on this head  
“And to let him know when And where it would  
“be most convenient for you to meet us concerning  
“this affair. Dear Sir there are not wanting  
“in Quebec such as would be glad that I would  
“attack you in the Law way, for it wants nothing  
“but a beginning like all other mischief. But I  
“would almost rather forfeit my Employers future  
“favours than distress a man whom it has been  
“my Ambition to call my Freind I am

Sir

“with all possible Respect Yours  
/ signed / “Hector M<sup>c</sup>Neil

Thursday noon 11.<sup>th</sup> July  
1767

To Tho.<sup>s</sup> Ainslie Esq<sup>r</sup> Quebec

He likewise produced the two following warrants  
from governor Murray for levying said Dutys

“By The Hon<sup>#</sup>ble James Murray Esq<sup>r</sup>  
“Governor of Quebec &<sup>c</sup>

“Whereas



“Whereas it is necessary for the Protection of the  
 “Trade in this River, and for preventing undue  
 “Practices being carried on therein to the Prejudice of the  
 “Fair Trader And Detriment of His majestys Revenue  
 “to man And equip a Vessel to cruise in the River for  
 “the aforementioned purposes, You are hereby directed  
 “and required to levy on every Hogs head of Wine entered  
 “into this port the sum of Five shillings this Currency  
 “from the date hereof untill His majestys pleasure  
 “is further known, towards defraying the charges, of  
 “said Vessel, And keep a due Account of the same  
 “for which this shall be your sufficient warrant  
 “And Authority

“Given under my hand at Quebec this  
 “9.<sup>th</sup> June 1762 / Signed / Ja: Murray

“By His Excellencys Command  
 / Signed / H T Cramahé

A True copy  
 /Signed/ H. T. Cramahé Sec<sup>ly</sup>”

“By the Hon<sup>#</sup>ble James Murray Esq<sup>r</sup>  
 “Governor of Quebec &.”

“To Thomas Ainslie Esq.<sup>r</sup> Collector of His majestys  
 “Customs in Canada

“Whereas by my Order bearing date the 22.<sup>d</sup> of  
 “November 1760 I did therein think fitt to order  
 “and establish certain duties to be levyed on Rum  
 “and other spirituuous liquors, I do hereby nominate & ap:  
 “:point you to collect the same And to follow all such  
 “orders relating thereto as you shall receive from me  
 “or Any other your Superior officer for which this  
 “shall be your Warrant & Authority

“Given under my hand at Quebec this 1.<sup>st</sup> day of  
 “May 1763 / Signed / Ja: Murray

By His Excellencys Command  
 / Signed / H T Cramahé

M<sup>r</sup> Ainslie then produced to the Committee the  
 three following Receipts from the then Deputy  
 Receiver general for said duties

Received

“Received 20 May 1765 of Thomas Ainslie Esq.<sup>r</sup> Eleven  
“hundred and Ninety two pounds Eighteen shillings &  
“a penny half penny Halifax Currency, being for  
“Amount of duties collected by him on Wines & Spirits  
“in the year 1763 /Signed/ Rich.<sup>d</sup> Murray  
Dep<sup>ty</sup> Rec<sup>r</sup> general

“Received 20 May 1765 of Thomas Ainslie Esq.<sup>r</sup>  
“the sum of One thousand and twelve pounds three  
“shillings and two pence Halifax currency in part of  
“duties on Wine And Spirits collected by him in the  
“year 1764 / Signed / Rich.<sup>d</sup> Murray  
Dep<sup>ty</sup> Rec<sup>r</sup> general

“Quebec June 1.<sup>st</sup> 1766  
“Received of Thomas Ainslie Esq.<sup>r</sup> his Note of hand for One  
“hundred & twenty three pounds five shillings & two pence  
“three farthings Halifax currency being the Ballance of  
“Monies collected by him for dutys on rum & Wine As ap-  
“-pears by an Account delivered me this date  
/ Signed / Rich.<sup>d</sup> Murray  
De<sup>ty</sup> Rec.<sup>r</sup>

M<sup>r</sup> Ainslie informed the Committee that these Receipts  
contain Vouchers for the whole sum collected by him  
as appears by the Accounts delivered in to the Receiver  
General And referred to in the Receipt excepting the wines  
in two Vessels which are not yet accounted for, these  
Vessels being seized by him as Collector of the Customs  
for illegal Importation of their wines, of one of which  
he received the duties & is ready to Account for them  
And the other the Owner has always refused to pay  
/ Signed / W<sup>m</sup> Hey P C

Quebec 15 July 1767

Present

The Honble W<sup>m</sup> Hey C J      James Goldfrap  
Thomas Mills              Thomas Dunn  
Esq.<sup>rs</sup>

Mess.<sup>rs</sup> Peter Faneuil And Jonas Clark Minott who  
had commenced Suits against M<sup>r</sup> Ainslie for several

sums,

sums of money paid by them for duties on Wines & spirituous liquors Appeared before the Committee, upon which the following proposal was made by the Committee That it should be recommended by them to The Lieu<sup>t</sup>. Governor in Council, And there would be no doubt but it would be immediately done; That an Order of Council should be made by which the government would become Security to the several persons who had now brought their Actions to refund the several sums of money advanced by them under An Oder or Orders from His Excellency General Murray for collecting certain duties upon Wines And Spirituous Liquors for the years 1763 & 1764, upon condition that the causes now instituted by them ag.<sup>t</sup> Tho.<sup>s</sup> Ainslie Esq.<sup>r</sup> Collector of the said duties should be finally determined in their favour, to which proposal M<sup>r</sup> Faneuil was desired to give his Answer whether he would Accept that Security in case such Order of Council was made or not

To which M<sup>r</sup> Faneuil made Answer that with regard to the particular Cause for which he Took out the writ he considered it as distinguished from & independant of the general case of the duties, And looked upon M<sup>r</sup> Ainslie to be Answerable for that in his own person, That he had Commissions to one for duties to about the Amount of £1500 And that if the Question was put with respect to them His Answer would be that he could not Accept of that Security

The same Question was proposed to M<sup>r</sup> Minott who Answered he could not Accept of that Security

The Committee conceiving that nothing more was recommended by your Honour to their consideration than merely to take the Answer of the several Gentlemen to the proposal as above set forth & having Stated both that & the Answer, are humbly of opinion that they have nothing more before them necessary to trouble your Honour with upon this Occasion

/ Signed / W<sup>m</sup> Hey P C

Read

Read Petition of Edward William Gray Deputy  
Provost Marshal at Montreal praying that the  
Military Goal maybe fitted up, the present Goal  
being insufficient to keep the Prisoners in safety

Ordered that the Provost Marshal procure  
Estimates of the Repairs necessary to be laid before  
this Board \_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle  
of Saint Louis in the city of Quebec on  
Tuesday the Twenty first day of July 1767

Present

The Hon<sup>#</sup>ble Guy Carleton Lieu.<sup>†</sup> Governor  
William Hey C J                      Charles Stewart S G  
Hector Theo<sup>s</sup> Cramahé              James Goldfrap  
Thomas Mills                              Thomas Dunn  
Esq<sup>..rs</sup>

Read the Report of the Committee of the 17.<sup>th</sup>  
& 21.<sup>st</sup> of this Instant July upon the Accounts &  
Claims against the Government of this province  
from the 25 of December 1766 to the 24 of  
June 1767

Ordered the Report to be entered in the  
Book And that the sum of the Provost Marshals  
Account of fees submitted to the Treasury be made  
agreeable to the Resolution of this day entered imme-  
diately after said Report

Council

Present  
 The Honourable Hector Theop.<sup>s</sup> Cramahe }  
 Thomas Mills } Esquires  
 Thomas Dunn }

The Committee appointed to examine the Acco<sup>ts</sup> & Claims against the Government of this Province from the 25<sup>th</sup> December 1766 to the 24<sup>th</sup> June 1767

Fees of Office	Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
The Committee have Examined the Deputy Secretarys Accot of Fees of Office Amounting to.....	62,,18,,11	.....	.....
The Committee are of Opinion the Articles Charged / mark'd A / by the Secretary for Copys of his and the Pro: Marshal former Acco <sup>ts</sup> Cannot be Admitted.....	.....	.....	49,,2,,5
The Committee have Examined the D. P. Marshall Acco <sup>t</sup> of Fees for the District of Quebec.....	48,,19,,	.....	.....
In this Acco <sup>t</sup> it appears that for Number of Evidences for the Crown residing in the same place and Summoned at the same time double milage is Charged for each respective Evidence which is Submitted to the Council. _____			
Agreeable to the Resolution of the Board upon the above reference			
take off the half of the Articles mark'd / A / And the whole of the Articles /B/ equal to £11,,8,,6			
The Ballance Submitted to the Treasury is.....	.....	.....	37,, , 6
	111,17,,11		243
		The Comittee	

Fees of Office Continued	Demands as per Accounts	Allowed by the Comms and Approved of in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
Brought forward.....	111.17.11		
The Committee have Examined the Deputy Pro: Marshals Account of Fees for the Dis. <sup>t</sup> of M <sup>t</sup> real Amount <sup>g</sup> This Account appears to the Committee to be Agreeable to the List of Fees.	11,,8,,3	.....	11,,8,,3
The Committee have Examined the Deputy Clerk of Councils Fees Amounting to.....✓ This Account appears to the Committee to be agreeable to the List of Fees,	49,,1,,4½	.....	49,,1,,4½
The Committee have Examined the Attorney Generals Acco <sup>t</sup> of Fees Amounting to.....✓..	65,,2,,	.....	65,,2,,
The Committee have Examined Jacob Stegman Goaler's Acco <sup>t</sup> of Fees Amounting to....✓..	4,,17,,6	.....	4,,17,,6
Total Fees of Office £	242,,7,½	.....	216,,12,½
<b>Disbursements of Contingencies</b>			
The Committee have Examined the Acco <sup>ts</sup> of Ja. <sup>s</sup> Goldfrap Esq. <sup>r</sup> Dep <sup>y</sup> Scretary Amounting to	48,,8,,4	.....	.....
The Commee are of Opinion that the Sum of £4,,1,,0 Charged for Printing should be struck out, the Printers being allowed Salary for printing for the Public.....	.....	44,,7,,4	.....
James Goldfrap Esq. <sup>r</sup> his Acco <sup>t</sup> of Disbursements without Vouchers Amounting to.....✓... }	5,,12,,	5,,12,,	.....
The Honble W. <sup>m</sup> Hey Chief Justice for his Expences to M <sup>t</sup> real to try the Persons Accused of the Assualt on T. Walker ✓	100,, , ,	100,, , ,	.....
Francis Maseres Esq. <sup>r</sup> Attorney General his Expences for same Journey.....✓	45,, , ,	45,, , ,	.....
Henry Kneller Esq. <sup>r</sup> Clerk of the Crown his Acco <sup>t</sup> of Charges for same Journey.....✓	27,, , ,	27,, , ,	.....
David Lynd Civil Clerk of the Supreme Court his Acco <sup>t</sup> of Ditto for Ditto.....✓	22,,10,,	22,,10,,	.....
Jacob Stegman Goaler his half years Allowance @ 1/ per day.....✓	9,,2,,	9,,2,,	.....
James Potts Deputy Clerk of Council his Acco <sup>t</sup> of Contingencies & Disbursements.....✓	13,,11,,10	13,,11,,10	.....
Joseph Gridley Deputy Pro. Marshal for the District of Quebec his Acco <sup>t</sup> of D <sup>o</sup> & Ditto.. ✓..	54,,11,,9	54,11,9	.....

Edw. <sup>d</sup> W <sup>m</sup> Gray Deputy Provost Marshall for the District of Montreal his Acco <sup>t</sup> of D <sup>o</sup> & D <sup>o</sup> .....	27,,8,,3,,	27,,8,,3,,	.....
Browne & Gilmore Printers their Acco <sup>ts</sup> of Contingencies for their Allow. <sup>ce</sup> from 25 <sup>th</sup> Decemb. to 24 <sup>th</sup> June 1767 £36			
For Reprinting two hundred Copys of the Ordinances of the Province..... <u>100,,</u> ✓			
£136 Cury.	102.....	102.....	.....
Timothy Devine his Acco <sup>t</sup> of Disbursements for Firewood &c. <sup>a</sup> to the Supreme Court.....£5,,12,11			
His half Years Sallary for Attending the Supreme Court.....5,, ,, ,,			
For furnishing a Room fire & Candles for the Justices of the Peace..... 9,,7,,6	20,,5,,	20,,5,,	.....
Patrick M <sup>c</sup> Clement Schoolmaster his half Years allowance..... 9,,7,,6			
Rent of School House for the same time..... 4,, ,, ,,	13,,7,,6	13,,7,,6	.....
David Gallaway Interpretor his half Years allowance for attend <sup>g</sup> the Several Courts.....✓	29,,8,,	29,,8,,	.....
Zachariah Thompson Cap. <sup>t</sup> of the Port his Acco <sup>t</sup> of Disbursements.....✓	19,,1,,10½	19,,1,,10½	.....
John Clarke Carpenter for work done to the Council Chambers office since 24 <sup>th</sup> December 1766..	7,,12,,	7,,12,,	.....
Nicolas Davis messenger for his Allowance & Disbursements for the half year.....✓	15,,13,,	15,,	.....
Richard Murray Esq. <sup>r</sup> half years Rent of a house for Lodging the Public Papers.....	22,,10,,	22,,10,,	.....
The Seminary at Montreal half years Rent of a Court house.....	11,, 5,,	11,, 5,,	.....
Mons <sup>r</sup> DeLobiniere for half years Rent of the Chateau at Montreal hired by Government for the			
Accommodation of the persons apprehended for the Assault on M <sup>r</sup> Walker.....	8,, 4,,3	8,, 4,,3	.....
Mons <sup>r</sup> Cugnet half years Rent of a house for keeping the Council Papers.....✓	11,, 5	11,, 5	.....
Grand Maison the pension allowed him in His majestys Council from the 25 <sup>th</sup> Decem <sup>r</sup> 1766			
to the 24 <sup>th</sup> June 1767 @ 1/ Halifax currency <i>p</i> day.....	8,, 4,,3	8,, 4,,3	.....
Carried over £	651,, 5,9½	647,, 4,9½	244
		Quebec	_____

Quebec 21<sup>st</sup> July 1767.

Disbursements & Contingencies  
Continued

Present  
The Honourable Hector Theop.<sup>s</sup> Cramahé  
Thomas Mills  
Thomas Dunn

} Esquires

	Demands as per Accounts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
Brought over.....	651,,5,,9½	647,, 4, 9½	.....
Read a Letter from Hugh Montgomery Esq. <sup>r</sup> at Bonaventure to the Lieu <sup>t</sup> Governor wherein he Charges £100 Sterling for his trouble and Expences in Administring the Oath Inhabitants of Chaleur Bay and other Business he has done for Government in that part of the Province.....	100,, ,, ,,	.....	.....
The Committee are of opinion that M <sup>r</sup> Montgomery shoul be paid £20 Currency the Sum allowed him Council on the 14 <sup>th</sup> May 1766 for Swearing the Inhabitants of Chaleur Bay and also the sum £27,, 8 Halifax Currency for his Expences and Constables Fees in a Suit against Milot at Grand Riviere deducting therefrom £10,, Currency received by the Constable.....	.....	32,,10,2½	.....
Samuel Morin Foreman of the Grand Jury for the quarter Sessions of the Peace in their Winter Sessions Read his Claim of 23 Dollars paid by him for a Room & firing for said Jury	6,8,6	....	.....
The committee are of Opcion that Mr Morins Demand ought to be paid.....	.....	6,8,6	.....
Total £	757,,14,,3½	686,, 3,, 6	.....
757,14, 3			
<u>686, 3, 7</u>			
71,10, 9			
/Signed/ H. T. Cramahe_____			



This Board having taken into Consideration the Charge made in the Deputy Provost Marshalls Account for going out and coming home for each respective Evidence summonsd for the Crown residing in the same place and Summonsd at the same time, are of Opinion the Provost Marshall has no Right to more than Six pence pr mile for the Distance from his abode Agreeable to the List of Fees, And that he has no right to be paid but for the Journey made without Regard to the number of Evidences Summonsd

Guy Carleton

At The Council Chamber in the Castle  
of Saint Louis in the city of Quebec on  
Monday the third Day of August 1767

Present

The Honble Guy Carleton Lieu <sup>t</sup> Governor	
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Dunn
Francis Mounier	

Esq.<sup>rs</sup>

Read Petition of Samuel M<sup>c</sup>Kay & Moses Hazen  
Esq.<sup>rs</sup>

Ordered to be referred to a further day

The Lieutenant Governor having represented to the Council that the Complaints of the Indians of the two Mountains formerly mentioned in this Book can not be rectified by the civil Majistrates at Montreal; The Board takes the Liberty to mention to him that they are of Opinion it will be proper to send a party of His Majestys Troops under the Command of an Officer who will have a Commission As a Justice of the peace to reside among the said Indians in order to put the Ordinance in Execution against those who sell spirituous liquors to the Savages And that the said officer should have an allowance of Five shillings sterling pr Day from government, for his trouble in Acting As a civil

Majistrate

Majistrate at the Lake of the two mountains And places adjacent As it will be attended with a very considerable Expence to him residing in said Command

Resolved that the officer to be appointed by the Lieutenant governor to command at the Lake of the two Mountains, be inserted in the Commission of the peace for this province; And that he be allowed Five shillings Sterling pr Day during his Residence there as a Justice of the peace

Resolved that William Hervey Esq.<sup>r</sup> commanding his majestys Schooner Saint John be inserted in the Commission of the peace for this province

Ordered that An Advertisement be published in this Weeks Gazette requiring all persons who are in possession of Records Original grants ordinances or other public papers during the French government of this province to deliver the same to the Clerk of this Board within the Space of One Calendar Month from the date of the Advertisement\_\_\_\_\_

Guy Carleton

At The Council chamber in the Castle of Saint Louis in the city of Quebec on Friday the Seventh day of August 1767

Present

The Honble Guy Carleton Lieu<sup>t</sup> governor  
William Hey C J                      Charles Stewart S. G.  
Hector Theo<sup>s</sup> Cramahé              James Goldfrap  
Thomas Dunn                          Walter Murray  
Francis Mounier

Esq.<sup>rs</sup>

This Board having taken into consideration the Application of Samuel M<sup>c</sup>Kay & Moses Hazen Esq.<sup>rs</sup> relative to certain Trees fit for masts for the navy alledged by them to be seized by Benjamin Price and others Are unanimously

of

of Opinion that the affair between the Petitioners and M<sup>r</sup> Price is at present entirely a private concern And his majesty is no ways interested therein They there:fore dismiss the Petition And leave To Mess.<sup>rs</sup> M<sup>c</sup>Kay and Hazen their Recourse in common Law

Read petition of Antoine Parent Mason Jean Babtiste Baillarge Joiner Jean Jeanton alias Dauphiné Carpenter and Josephe Drolet Blacksmith in Quebec Praying the Board to give the Petitioners a Preference to the other Creditors of John Rowe Esq.<sup>r</sup> for the Expence of building a certain house in the lower town, they having contracted with M<sup>r</sup> Rowe to build said house agreeable to the Custom of the Country

This Board are of Opinion the Matter of the Petition do's not come regularly before them it being only cognizable in a Court of Equity or Law Therefore They dismiss the Petition\_\_\_\_\_

Guy Carleton

At The Council chamber in the castle of Saint Louis in the city of Quebec on Tuesday the Eleventh Day of August 1767

Present

The Honble Guy Carleton Lieut. Governor  
William Hey C. J. Charles Stewart S. G.  
Hector Theo.<sup>s</sup> Cramahé James Goldfrap  
Francis Mounier

Esq.<sup>rs</sup>

Read Petition and Complaint of Anthony Merry George Allsopp Edward Chinn and others, setting forth the Hardships and Injurys they and their Servants have suffered at Chicoutimi from Peter Stuart Esq.<sup>r</sup> a Justice of the peace his Disobedience of an Order & Resolution of this Board

Ordered that Mess.<sup>rs</sup> Allsopp and Dunn one of Mr Stuarts Partners in trade attend this Board on Thursday next at twelve oClock\_\_\_\_\_

Guy Carleton

At

At The Council Chamber in the Castle  
of Saint Louis in the city of Quebec on  
Thursday the thirteenth Day of August 1767

Present

The Honble Guy Carleton Lieu.<sup>t</sup> Governor  
William Hey C. J.                      Charles Stewart S. G.  
Hector Theo.<sup>s</sup> Cramahé              James Goldfrap  
Francis Mounier  
Esq.<sup>rs</sup>

Agreable to the order of the 11.<sup>th</sup> of this Instant  
Mess.<sup>rs</sup> Allsopp & Dunn appeared before this Board

Resolved that a copy of the Petition & Complaint  
of Mess.<sup>rs</sup> Merry Allsopp & others be served upon Peter  
Stuart Esq.<sup>r</sup> And he summoned to put in his Answer  
thereto betwixt And the 13.<sup>th</sup> of September next

Resolved also that each party be furnished with  
copsys of all the Orders of Council relative to the posts  
commonly called the Kings Domaine if Applied for  
Guy Carleton

At The Council chamber in the Castle  
of Saint Louis in the city of Quebec on Thursday  
the Twenty seventh Day of August 1767

Present

The Honble Guy Carleton Lieutenant governor  
William Hey C J                      Hector Theo.<sup>s</sup> Cramahé  
James Goldfrap                      Thomas Dunn  
Samuel Holland                      Francis Mounier  
Benjamin Price

Esq.<sup>rs</sup>

The Honble Hector Theophilus Cramahé this day  
took the Oath of office As Acting Receiver general  
of this province

Read Petition of William Fitchbourne Auctioneer  
praying An Exclusive Priviledge to issue promisyary  
Notes

notes for small sums by way of change for Silver to supply the want of copper Currency

This Board dismiss the Petition

Read the Answer of Peter Stuart to the Complaint of Merry Allsopp and others

Ordered Mess.<sup>rs</sup> Cramahé Goldfrap and Holland a Committee of this Council to enquire if M<sup>r</sup> Stuart has disobeyed the orders of this Board respecting the houses erected on the Lands commonly called The Kings Domaine

Guy Carleton

At The Council chamber in the Castle of Saint Louis in the city of Quebec on Monday the thirty first day of August 1767

Present

The Hon <sup>ble</sup> Guy Carleton Lieutenant Governor	
William Hey C J	Hector Theo <sup>s</sup> Cramahé
James Goldfrap	Thomas Dunn
Samuel Holland	Francis Mounier

Esq.<sup>rs</sup>

Read Petition signed by several of the Merchants of Quebec praying that the Currency of the Province maybe changed to that of Nova Scotia

Resolved that Copys of the Petition be given to the Chief Justice and Mons.<sup>r</sup> Mounier, that they may enquire at Montreal if the Alteration of the currency petitioned for will be advantageous to the people of that part of the province

The Deputy Secretary presented a List of the Bailiffs of the different Parishes for the year ensuing And observed that several of the Parishes have not elected Bailiffs

Resolved that an Enquiry be made for the most proper persons to be appointed Bailiffs in those parishes where none are elected, And the List be published in the Gazette As soon as possible

Resolved that for the future, The Inhabitants of every Parish be ordered to elect Six persons for Bailiffs agreeable to the Ordinance

Read

Read Petition of Mess.<sup>rs</sup> Lunier Tachet & Peter Stuart praying Leave to erect a Quay between their respective houses & the River to preserve them from the Effects of the high Tides

Resolved that the Ground be examined by the Surveyor general Mess.<sup>rs</sup> Mounier & Dunn who are to report to this Board if granting the Prayer of the Petition will be any detriment to the public

Resolved that an Order be published in this weeks Gazette requiring every person in the province who are possessed of Records or other writings of a public nature to lodge the same with the Clerk of this Board that they may be aranged and afterwards lodged in the Registers office within six weeks from this date

Read Petition of John Royen a Sergeant for a grant of Lands agreable to The Royal Proclamation And of The Widow De La for a grant of 50 Acres

ordered to be ranked with the others when the Survey of Chateaugay River is returned\_\_\_\_\_

Guy Carleton

At The Council Chamber in the castle of Saint Louis in the city of Quebec on Monday the Nineteenth day of October 1767

Present

The Honble Guy Carleton Lieut governor  
William Hey C. J.                    Hector Theo.<sup>s</sup> Cramahé  
James Goldfrap                    Thomas Dunn  
Francis Mounier

Esq.<sup>rs</sup>

Hugh Finlay Esquire produced to this Board a Mandamus under the Royal Sign Manual dated at The Court of Saint James's the 25 Day of

September

September 1765 addressed to The governor of this province or in his absence to The Commander in chief to swear and admit the said Hugh Finlay to be of his majestys Council for the Province of Québec

The Oath of a Councillor And the Oaths prescribed by Law were administred to Hugh Finlay Esquire And he accordingly took his Seat at this Board

Resolved that the Attorney general be ordered to frame An Ordinance to oblige all the Inhabitants in the Towns of Quebec Montreal and Three Rivers to have the chimneys where they keep fires in their several houses swept once ~~in~~ every month at least under a penalty

Ordered Mess.<sup>rs</sup> Goldfrap Dunn and Holland a Committee of this Council to take into their Consideration all the Ordinances that have been made in this province during the french government and since the conquest respecting the High roads And Streets within the same And Report to this Board their opinion thereof. And in the mean time Resolved that these gentlemen give such Directions and orders concerning the Streets & Highroads As are immediately necessary

Ordered Mess..<sup>rs</sup> Cramahé Goldfrap and Holland a Committee of this Council to take into their Consideration all the Petitions for Lands upon the River Chateaugay And report their Opinion thereupon to this Board

---

Guy Carleton

At The Council chamber in the Castle of Saint Louis in the city of Quebec on Tuesday the tenth day of November 1767

Present

The Honble Guy Carleton	Lieutenant Governor
William Hey C. J.	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Dunn
Samuel Holland	

Esq.<sup>rs</sup>

Read His majestys Royal in Council dated the 26 of June last Approving of the Draft of an Ordinance For appointing Pilots And Establishing Rules and Regulations to be observed by the

masters

Masters of Ships coming up or going down the  
River S<sup>t</sup> Laurence to or from the city of Quebec  
And for other purposes therein mentioned

Read also An Order of His Majesty in Council  
of the same Date repealing the Draft of an  
Ordinance Intituled “Draft of an ordinance for  
“regulating & Establishing the Currency of this province”

Read at same time An Order of His Majesty  
in Council of the same date to repeal an Ordinance  
“For granting Licences for retailing Rum And  
“other Spirituous Liquors, And for suppressing un-  
-“licenced houses”

Resolved that the Ordinance for Appointing  
Pilots And Establishing Rules And Regulations to  
be observed by the masters of Ships coming up or  
going down the River Saint Laurence to or from  
the city of Quebec And for other purposes therein  
mentioned be entered in this Book And immedi-  
-ately published agreable to His Majestys Royal  
Approbation









Ordered that the Attorney general prepare the  
Draft of An Ordinance to repeal the Ordinance for  
granting Licences for retailing Rum and other

Spirituos

spirituous Liquors And for Suppressing unlicensed houses  
 And to make other necessary Regulations with regard  
 to said Licences Taking care to insert nothing therein  
 that may affect the Life Limb or Liberty of the Subjects  
 or to impose Any Taxes or Dutys

Read Petition of John Woolsey for himself &  
 family for a Grant of 2000 Acres of Land on the  
 River Chateaugay

Ordered to be referred to the Committee

At The Council Chamber in the  
 Castle of Saint Louis in the city of Quebec  
 On Monday the Twenty Eighth day of  
 December 1767

Present

The Honble Guy Carleton Lieu. <sup>t</sup> Governor	
William Hey C. J.	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Dunn
Samuel Holland	Francis Mounier
Benjamin Price	

Esq.<sup>rs</sup>

Read the Reports of the Committee of the  
 24 & 28 of October, 14 & 21 of November, 5.  
 7. & 12 of December concerning the Highways  
 And Streets

Ordered the Reports to be entered in the Book  
 Quebec 24 October 1767

Present

The Honble James Goldfrap	} Esq. <sup>rs</sup>
Thomas Dunn	
Samuel Holland	

A Committee appointed last Council Day to take  
 into their Consideration the several Ordinances &  
 Regulations respecting the Streets & Highways  
 in the province of Quebec And to give such orders  
 as they shall find immediately necessary for the  
 Amending the same

The

The Committee having taken into their Consideration A Dispute among the Inhabitants of Point Levy concerning a certain Road to be made to the Village of Taniata Agreeable to the Powers granted them by The Lieu<sup>t</sup>. Governor in Council Order the said Inhabitants to make the Road According to the Procés Verbale of Date the 5 of September 1767 taken by Samuel Holland Esq<sup>f</sup> & Mons.<sup>f</sup> Cugnet with this Difference that the three widows Sans Chagrin, La France & Josephe Cadoret are exempted from furnishing people to work upon the said Road Jean Demers Inhabitant of Point Levy undertaking and promising to find three Men to work in their place till the Road is once compleated, And for the present the Road to be made sufficient only for a Winter Road And to be finished compleatly after the seed time next Spring under pain of the penaltys of the Ordinance Respecting the Highways of this province, And further the Committee order the old Road to be used by the Inhabitants in the Summer until the first day of August 1768 by which time the new Road is expected to be finished

The Committee Appoint Michel OBois dit S.<sup>t</sup> Julien to see the above order executed And to report to the Council if Any Inhabitant refuse to obey the same

/Signed/ J Goldfrap

Quebec 28 October 1767

Present

The Honble James Goldfrap  
Thomas Dunn  
Samuel Holland } Esq.<sup>rs</sup>

The Committee met to receive Mons<sup>f</sup> Cugnetts Memorial but he not attending they adjourn till Saturday

, Signed, J Goldfrap

Quebec

Quebec 14 November 1767

Present

The Honble James Goldfrap }  
 Thomas Dunn } Esq.<sup>rs</sup>  
 Samuel Holland }

Mess.<sup>rs</sup> Stephen Moore John Franks & Peter Faneuil  
 Inhabitants of the Lower Town came before the Committee  
 And represented that the Streets in the lower Town  
 are extremely dirty and muddy which endangers the  
 healths of His Majestys Subjects And that an Order to  
 every Inhabitant to remove the mud from before his own  
 house might be effectual to remedy that nuisance, &  
 that the Inhabitants pile Wood And Timber And  
 leave their Carts and Trucks standing in the Streets to  
 the Danger And Annoyance of His Majestys Subjects in  
 the dark, And that there are numbers of Hogs run-  
 -ning loose about the Streets apt to destroy Any-  
 thing that may be left without a Guard to take care  
 of it And that these Hogs are a very great Nuisance  
 to the public, And Orders ought to be given for their  
 proprietors to keep them confined, They further  
 Represent that such orders can not be effectually  
 executed but under the Inspection of a particular person  
 to be appointed for that purpose

The Committee are of Opinion that an order  
 of the Lieu<sup>t</sup> governor in Council ought to be  
 immediately published requiring all the Inhabitants  
 to remove their wood & Timber piled in the Streets  
 And to carry their Trucks & Carts out of the  
 Streets at night And that in case of their  
 Non Compliance with said order that M<sup>r</sup> Collins  
 Deputy Surveyor of the province should remove  
 said wood & Timber Carts or Trucks to the  
 Kings Wharf And the Proprietors should be obliged  
 to pay the Expences attending the removal thereof  
 before they should be restored to them

/ Signed / J Goldfrap

Quebec

Quebec 21.<sup>st</sup> Novem.<sup>r</sup> 1767

Present

The Hon<sup>#</sup>ble James Goldfrap }  
Thomas Dunn } Esq.<sup>rs</sup>  
Samuel Holland }

Read Petition Signed by Mons<sup>r</sup> Descheneau Seigneur of Saint Michel & LeVaudiere Alexander Fraser Esq.<sup>r</sup> Seigneur of S<sup>t</sup> Charles and John Nairn Esq.<sup>r</sup> Attorney for the Honourable James Murray Esq.<sup>r</sup> Seigneur of Point Levy, setting forth that a Road to begin at the River Boyer in the Seigneurie of Beaumont thence thro' the Seigneurie of Beauchamp to the Village of Arlaka which is in the Seigneurie of Lauson will be a very great Advantage to the Inhabitants and Proprietors of Lands in that part of the Country by shortning the Distance from their Habitations to the passage of the River opposite to Quebec Two Leagues at least And therefore praying the Governor and Council to give immediate Orders for making a good And sufficient Road in the Manner mentioned in the Petition

The Committee have taken said Petition into consideration And resolve that An Order be directed to Alexander Fraser Esq.<sup>r</sup> One of His majestys Justices of the peace to be by him communicated to the Bailiffs of the different Parishes to warn & order all the Inhabitants who are interested in the Road mentioned in the Petition that they furthwith set about opening a Road sufficient for the Winter from the River Boyer to the Village Arlaka And that the said Road be completely finished by the said Inhabitants immediately after their Seed time next Spring

Read Petition of Mons.<sup>r</sup> Descheneau Seigneur of the Seigneurie of Saint Michel in the name of the Inhabitants of the fifth concession of said Seigneurie

Praying



praying that the said Inhabitants may be ordered to open a Road thro' the said fifth concession of Forty acres deep for the Benefit of the whole

The Committee having considered said Petition  
Resolve that an order be directed to Amelin  
a Canadian Surveyor at Point Levy to mark out  
the said Road mentioned in the Petition in the most  
convenient place of the fifth Concession of the Seigneurie  
of Saint Michel And that the Inhabitants of said  
fifth concession be ordered furthwith to Open said  
Road And make it sufficient for the Winter, And  
immediatly after their seed time next Spring that they  
finish the same compleatly for the whole year And  
that the said Amelin make choice of Any one of the  
said Inhabitants to see order carried into Execution  
And to make a Return of his Name to this Committee  
/Signed/ J Goldfrap

Quebec 5 December 1767

Present

The Honble James Goldfrap	} Esq. <sup>rs</sup>
Thomas Dunn	
Samuel Holland	

Read the Representation of Mons.<sup>r</sup> Cugnet  
Grand Voyer of the District of Quebec together with  
Regulations given in by him respecting the Highroads  
and Streets in this province during the French  
Government

Ordered the Representation & Regulations to  
lye on the table for the consideration of the Com<sup>#</sup>mee

Read a Representation of Mons.<sup>r</sup> Cugnet praying  
that Joseph Pron and Thomas Roy Bailiffs of  
Nouvelle Beauce may be cited to appear before  
the Committee to Answer for their having refused  
his orders respecting the Highroads in their  
District

Ordered the Representation to lye on the  
Table for consideration

/Signed/ J Goldfrap  
Quebec

Quebec 7.<sup>th</sup> December 1767

Present

The Honorable James Goldfrap }  
Thomas Dunn } Esq.<sup>rs</sup>  
Samuel Holland }

The Committee having taken Mons.<sup>r</sup> Cugnets Representation And Regulations presented by him into consideration Are of Opinion that the Ordinance of the 27 of March 1766 is full and ample with respect to the Method therein prescribed for the Amending of the Highways &<sup>c</sup> And that M<sup>r</sup> Cugnets proposals can not be adopted by this Committee without contradicting the said Ordinance And further the Committee beg leave to State to the Lieu.<sup>t</sup> governor in Council that their having been appointed and impowered by him for the special purpose of directing the Reparations of the Highways and Streets, puts them with respect to the Grand Voyer in the place of the Justices of the peace mentioned in the said Ordinance, And that his making his Presentments & Applications to them in the same manner as he is in the Ordinance directed to do to the Justices will be sufficient And there will be no Occasion for new Regulations on the Subject And having considered his Representation respecting the Disobedience of the Bailiffs of Nouvelle Beauce, Are of Opinion there is no necessity for ordering them to attend this Committee

Resolve to issue An Order Addressed to the Bailiffs of the different Parishes of that District to be transmitted to them by Mons.<sup>r</sup> Cugnett to order the Inhabitants to repair the Road mentioned in the Representation so as to make it passable for the Winter And it is the further Opinion of the Committee that it is highly unwarrantable & improper for M<sup>r</sup> Cugnett to issue Orders of himself or to impose fines on the Inhabitants

without

without the express Authority of Government excepting in matters of little Consequence, such as the filling up of a Gulley occasioned suddenly in the Road or the reparation of a Bridge accidentally broke down he may require the Inhabitants to repair the same taking care to acquaint them if the Reparation immediately necessary is not made he will apply to this Committee for an Express order in that respect

The Committee having taken into their Consideration that Mons<sup>r</sup> Cugnett has frequently levied money of the Inhabitants of the District of Quebec of his own Authority under various pretences And particularly that he received Money from the Inhabitants of Taniata in the Seigneurie of Point Levy pretending it was for the Deputy Surveyor General of the province are of Opinion Mons<sup>r</sup> Cugnett ought to be ordered to refund All such moneys to said Inhabitants And that this Resolution ought to be intimated to the Inhabitants in general that they may give an Account of the moneys they have paid him that the same may be recovered

The Committee refer to the Lieu<sup>t</sup> Governor in Council what allowance the Grand Voyer ought to have when he is obliged to travel in the Execution of his Duty And by whom he should be paid

/ Signed / J Goldfrap

Quebec 12 December 1767

Present

The Hon<sup>ble</sup> James Goldfrap }  
Thomas Dunn } Esq.<sup>rs</sup>

Read a Representation of John Collins Esq.<sup>r</sup> Deputy Surveyor General of the province

The Committee Submit M<sup>r</sup> Collins Representation to the Lieut Governor in Council

Read an Addition by Mons.<sup>r</sup> Cugnett to his Regulations respecting the Highroads formerly presented to this Committee

The Committee Are of Opinion the above is fully Answered by their Report of the 7.<sup>th</sup> instant

/ Signed / J Goldfrap

Resolved

Resolved that the Committee take into their consideration all the Ordinances and Orders respecting the Streets and Highways during the French Government And the Ordinance of the 28 of March 1765 And from thence draw up a plan of a new Ordinance which may effectually regulate the Reparations of Streets & Highroads And that Any Member of this Board May attend & make one of said Committee  
ici

Ordered Mess.<sup>rs</sup> Cramahé Mounier And Price a Committee of this Council to consider the Accounts And Claims against government for the half year preceeding the 25 of this month of December And the Committee are to compare a List of fees given in by the several officers of government by order of the Lieutenant governor with the List published by government on the 20 of June 1765\_\_\_\_\_

Guy Carleton





## **Cahier C**

Du 25 janvier 1768  
au 16 septembre 1775





## A

Allgeo David Clk of the Market, read his petition, and order thereon.....	9
Aitkin John, read his petition relative to the King's wharf and order thereon.....	9
Allsopp Geo: read Extract of a Letter from the Secretary of State, ordering an Enquiry into the reasons of his having been Superseded, and order thereon.....	} 9
Allsopp Geo: Read Report of the Com <sup>#</sup> mee appointed to enquire into the reasons of his being Supers. <sup>d</sup>	14
Allsopp Geo: Sworn in as Deputy Sec <sup>r</sup> , Clerk of the Council and Clk of Enrolments.....	14
Aitkin John, read Report of a Com <sup>#</sup> mee on his petition about the King's Wharf and order	14
Advertisem <sup>t</sup> order'd to be publish'd for bidding all persons from cutting Timber on the King's Land	20
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	H. T Cramahé S. Holland	H. T. Cramahé. T. Dunn.	J Goldfrap 20 July 1764 T Mills 24 Mar. 1766		<b>C</b> T. Dunn. 22 May 1766 S. Holland
	W. Murray A. Mabane B Price T Dunn F. Mounier J. Gray	H. Finlay. S. Holland. W Murray. B Price. F Mounier. C Drummond.	S Holland W Murray T Dunn 22 May 1766 F Mounier B Price J Cuthbert		Ja Cuthbert C. Drummond F. L'evesque J Collins Ed. Harrison John Carden.
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**X**

**Y**

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**Z**

**Z,**

|



At The Council chamber in  
the Castle of Saint Louis in the city of Quebec  
on Monday the twenty fifth day of January  
1768

Present

The Honourable Guy Carleton Lieu<sup>t</sup> Governor  
William Hey Chief Justice    Hector Theo.<sup>s</sup> Cramahé  
James Goldfrap                    Thomas Dunn  
Samuel Holland                    Francis Mounier  
Benjamin Price

Esq.<sup>rs</sup>

Dra.<sup>t</sup> of Ord.<sup>ce</sup>  
For Licensing  
Victualling-  
Houses. \_\_\_

Read a Draft of a Ordinance for Licensing  
public Victualling houses

to lye on the Table.

Ordered the Draft to lye on the table for the  
consideration of the Members of this Board

D.<sup>o</sup> For preventing  
Accidents by  
Fire.

Read the Draft of An Ordinance for preventing  
Accidents by fire in the towns of Quebec And Montreal  
and the Suburbs thereof

to lye on the Table.

ordered to lye on the Table for the Consideration of  
the Members of this Board

Petition of Jn<sup>o</sup> Ord  
to stay the Execution  
of Writs.

Read Petition of John Ord praying this Board to  
Stop Execution of certain writts issued from the Courts of Law  
in this province against the Petitioners Estate

not Cognizable by  
the Board.

This Board Are of Opinion the Petition is not  
cognizable by them

Petition of Ann  
Strafford Midwife  
for a Salary.

Read Petition of Ann Strafford Midwife praying  
a Sallary may be allowed her in consideration of her  
attending and assisting the poor women of the Army  
and others in the way of her Profession\_\_\_\_\_

Dismissed.

This Board Dismiss the Petition\_\_\_\_\_

Guy Carleton

At The Council chamber in the  
Castle of Saint Louis in the city of Quebec  
on Tuesday the Second day of February 1768

Present

The Honourable Guy Carleton Lieu.<sup>t</sup> Governor  
William Hey C J            Hector Theo.<sup>s</sup> Cramahé  
Thomas Dunn                Samuel Holland  
Francis Mounier            Benjamin Price

Esq.<sup>rs</sup>

The Receiver General  
Sworn to his Acco.<sup>ts</sup> &

Report of the  
Committee on  
the Publick Acco.<sup>ts</sup>  
from 24 June to  
24 Decem.<sup>r</sup> 1767.

The Hon<sup>#</sup>ble Hector Theophilus Cramahé Acting Receiver  
General produced his Accounts for the half year preced-  
-ing the 25 of December last And was sworn to the  
truth of them in Council

Read the Report of the Committee of the  
28 & 31.<sup>st</sup> of January upon the public Accounts

Order'd to be  
confirmed  
and entered.

ordered the Report to be confirmed &  
Entered in this Book \_\_\_\_\_.

Quebec



Quebec 28<sup>th</sup> & 31<sup>st</sup> January 1768

Present  
 The Honble Hector Theop<sup>s</sup> Cramahe  
 Thomas Dunn  
 Francis Mounier  
 Benjamin Price } Esquires

The Committee appointed to Examine the accounts and Claims against the Government of this Province from the 25<sup>th</sup> June to the 24<sup>th</sup> December 1767

Fees of Office	Demands as per Acco <sup>ts</sup>	Allowed by the Committee & approved of in Council	Submitted to the Right Honble the Lords Commissioner of the Treasury
The Deputy Secretarys Account.....✓	43,, 2,, 4	.....	43,, 2,, 4
The Deputy Provost Marshals Account for the District of Quebec.....✓	34,, 2,, 3	.....	34,, 2,, 3
The Deputy Provost Marshals Account for the District of Montreal.....✓	7,,10,, 4½	.....	7,,10,, 4½
The Deputy Clerk of Councils Account.....✓	38,,19,, 4½	.....	38,,19,, 4½
The Attorney Generals Account.....✓	102,,18,,	.....	102,,18,,
The Coroner of the District of Quebec his Acco. <sup>t</sup> from 27 <sup>th</sup> Febr <sup>y</sup> to 24 <sup>th</sup> December 1767	28,,11,,11	.....	28,,11,,11
Total Fees of Office £	255,, 4,, 3		255,, 4,, 3
Disbursements & Contingencies			2. <sup>e</sup>

Disbursements & Contingencies	Demands as per Account <sup>s</sup>	Allowed by the Committee & Approved of in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
The Deputy Scer <sup>ys</sup> Account of Disbursements with Vouchers for the Several Articles...✓	22,, 7,,10	22,, 7,,10	
The Deputy Scer <sup>ys</sup> Account of Contingencies without Vouchers.....✓	13,, 5,, 1	13,, 5,, 1	
The Deputy Provost Marshal of the District of Quebec Disbursem <sup>ts</sup> & Contingencies....✓	77,,17,,4½	77,,17,,4½	
The Deputy Provost Marshal of the District of Montreal D <sup>o</sup> and D <sup>o</sup> .....✓	28,,13,,11	28,,13,,11	
The Deputy Clerk of Councils Account of Disbusem <sup>ts</sup> & Contingencies.....✓	36,,14,5½	36,,14,5½	
The Honble William Hey Chief Jus. <sup>cc</sup> Expences going to Montreal & hold <sup>g</sup> the Septem <sup>r</sup> Assizes.....✓	100,,__ __	100,,__ __	
Francis Maseres Esq. <sup>r</sup> Attorney General attending said Assizes.....✓	45,, , ,	45,, , ,	
Henry Kneller Esq. <sup>r</sup> Clerk of the Crown attending Ditto.....✓	27,, _ __	27,, _ __	
David Lynd Esq. <sup>r</sup> Civil Clerk Attending Ditto.....✓	22,,10,,__	22,,10,,__	
John Collins Esq. <sup>r</sup> Dep <sup>y</sup> Surveyor Gen. <sup>l</sup> for one years Rent of Office &c. <sup>a</sup> allowed by the Treasury £50			
John Collins Esq. <sup>r</sup> for his trouble and Expences in laying out a Kings Road at Dechamb. and Surveying the Indians Land at Catnawaga by order of Government } 35,,15,,6	85,,15,,6	85,,15,,6	
Brown and Gilmore Printers their half years Salarie.....✓	27,, , ,__	27,, , ,__	
Jacob Stegman Goaler his allowance and Disbursements.....✓	9,, 3,, __	9,, 3,, __	
Timothy Devine his allowance for attending the Supreme Court.....£5			
To his allowance and Disbursem <sup>ts</sup> for Room, fire & Candles for the Jus. <sup>cc</sup> of the Peace in their weekly sitt <sup>g</sup> .....14,,16,,½	19,, 16, ½	19,, 16, ½	
Patrick M <sup>c</sup> Clement Schoolmaster his Salarie for Six Months.....£9,, 7,, 6			
School house Rent.....4_____	13,, 7,, 6	13,, 7,, 6	

David Gallaway Interpreter for Attending the Several Courts.....✓	33,, ,, ,,	33,, ,, ,,	
Zach <sup>y</sup> Thompson Cap. <sup>t</sup> of the Port his Disbursem <sup>ts</sup> & Contingencies.....✓	42,,18,, 7	42,,18,, 7	
John Clarke Carpenter for work done to the Council Chamber.....✓	1,, 9,, 3	1,, 9,, 3	
Richard Murray Esq. <sup>r</sup> half years Rent of a House for the Public Papers.....✓	22,,10,, _	22,,10,, _	
Seminary at Montreal half years Rent of a Court house.....	11,, 5 _	11,, 5 _	
Mons <sup>r</sup> Cugnet half years Rent of a House for the Council papers.....✓	11,, 5 _	11,, 5 _	
Grand Maison his half years Pension.....	8,, 4,, 3	8,, 4,, 3	
Richard Murray Esq. <sup>r</sup> 84 Cords of Wood for the C. Chamber Secr <sup>y</sup> of Clk of Councils office @10L money	31,,10 _	31,,10 _	
Mons. <sup>r</sup> Boisseau his Disbursements in the Reparation of a Vault in the Intendants Palace } for keeping the French Records.....	17,,17,, 3	17,,17,, 3	
Thomas Dunn Esq. <sup>r</sup> for Sundries Bo <sup>t</sup> for the Indians by ord. <sup>r</sup> of the L <sup>t</sup> Governor p particular Acco. <sup>ts</sup> ✓	44,, 5,, 7	44,, 5,, 7	
Captain Schlosser his allowance of 51 Sterling p day from the 6 <sup>th</sup> August to 24 <sup>th</sup> December for } Residing and acting as a Justice of the Peace at the Lake of the Two Mountains...✓	35,, 5 _	35,, 5 _	
To the Post office for the Governments Letters from 26 <sup>th</sup> Septem. <sup>r</sup> 1766 to 24 <sup>th</sup> December 1767.....✓	35,,17,,7½	35,,17,,7½	
Nicholas Davis Messenger, his allowance and Disbursements.....	20,,13,, 9	20,,13,, 9	
<u>Total of Disbursem<sup>ts</sup> &amp; Contingencies £</u>	844,,12,, ..	844,,12,, ..	.....
/Signed/ H. T. Cramahé P. <sup>r</sup> C. <sup>te</sup>			
Guy Carleton			
_____			
3 <sup>e</sup>			

At The Council Chamber in the  
Castle of Saint Louis in the city of Quebec on  
Thursday the fourth Day of February 1768

Present

The Honble Guy Carleton Lieu.<sup>t</sup> Governor  
William Hey C. J.            Hector Theo<sup>s</sup> Cramahé  
Thomas Dunn                Francis Mounier  
Benjamin Price

Esq.<sup>rs</sup>

Ord.<sup>ces</sup> for licensing  
Pub. houses and

Read the Draft of an Ordinance for Licensing public  
victualling houses

For preventing  
Accidents by fire

Read also the Draft of An Ordinance for preventing  
of fires in the Towns of Quebec And Montreal and Suburbs  
thereof

To be translated  
into French &  
laid before this  
Board, this to be  
a Rule in  
future.

Resolved that these Ordinances be immediately  
translated into French And the Translations thereof laid  
before this Board for their Inspection: Which is to continue  
a standing Rule for the time to come \_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle of  
Saint Louis in the city of Quebec on Monday the  
Eighth day of February 1768

Present

The Hon<sup>#</sup>ble Guy Carleton Lieutenant governor  
William Hey C J            Hector Theo<sup>s</sup> Cramahé  
James Goldfrap            Thomas Dunn  
Samuel Holland            Benjamin Price  
Francis Mounier

Esq.<sup>rs</sup>

Rep.<sup>t</sup> of Com<sup>#</sup>mee  
on the Petition  
for Lands at  
Chateauguay.

Read the Report of the Com<sup>#</sup>mee upon the Petitions for Lands  
on the River Chateaugay

to lye on the  
Table.

Ordered to lye on the Table for the perusal of the Members  
of this Board x x x x x x x Guy Carleton

At

At The Council Chamber in the Castle of Saint  
Louis in the city of Quebec on Tuesday the Sixteenth  
day of February 1768\_\_\_\_\_

Present

The Hon<sup>#</sup>ble Guy Carleton Lieu.<sup>t</sup> Governor  
William Hey C J                    Hector Theo.<sup>s</sup> Cramahé  
Thomas Dunn                        Samuel Holland  
Francis Mounier                   Benjamin Price  
Esq.<sup>rs</sup>

Presentment of the  
Grand Jury of the  
frauds committed  
by the Bakers.

The Hon<sup>#</sup>ble William Hey Chief Justice laid before this Board  
a Presentment of the Grand Jury of the present Sessions of  
the Supreme Court for the District of Quebec setting forth  
that the present Ordinance concerning the assize of Bread is  
insufficient to restrain the Frauds committed by the Bakers  
And that it ought to be amended by imposing a severe  
fine upon those who make Bread for Sale under the  
weight fixed agreeable to the said Ordinance

the ord.<sup>cc</sup> for the  
Assize of Bread  
to be amended.

Fine to be one  
Shilling for every  
ounce under weight.

Recital of a Clause  
in the Ord.<sup>cc</sup> of 15.<sup>th</sup>  
May 1765 for amending  
the Ord.<sup>cc</sup> for regu=  
-lating the Currency

Resolved that the Ordinance for the Assize of Bread  
be amended And that the fine to be imposed on the  
Bakers who shall take Bread for Sale under the Weight  
fixed by Authority shall be the sum of One shilling p Ounce  
for every Loaf over And above the forfeiture of said Bread

This Board having taken into consideration that  
in an Ordinance passed by The Governor And Council of this  
province on the fifteenth of May 1765 there is the  
following Clause “ Be it further ordained & declared  
“by the Authority aforesaid that all original Entries in Books  
“of Accounts And all Accounts whatsoever for goods And  
“Merchandizes or other things sold And delivered Agreements  
“Bills /Bills of Exchange only excepted/ Promisary Notes Bonds  
“Mortgages And other Securitys for money Leases and all  
“Interest And Rents thereby reserved kept made & entered  
“into for and in the different Rates And Value of the  
“currency of this Province Established by the said Ordinance  
“And in no other Currency whatsoever : And all & every

original

which Clause occasions many difficulties and inconveniencies and therefore

Resolved to be **Repealed**

Scheme for re-pairing the Kings wharf.

refer'd to a Committee.

“original Entries Accounts agreements Bills /Bills of  
“Exchange only excepted as aforesaid/ Promisary Notes Bonds  
“Mortgages And other Securities for money Leases And all  
“Interest & Rents thereby reserved kept made & entered into  
“after the said first day of July in any other Currency  
“than the said Currency by the said Ordinance Established  
“contrary to the true meaning hereof And of the said Ordinance  
“ shall not be admitted as Evidence in Any Court of Law or  
“Equity in this province but shall be deemed adjudged & taken  
“And are hereby respectively declared to be null and void to all  
“Intents & purposes whatsoever” Which Clause above  
recited occasions many difficultys And Inconveniencies in  
the Recovery of just Debts in the Courts of Law in this province  
And may give Occasion to many Frauds & Injuries in that  
respect It is therefore Resolved to Repeal and  
Set aside the said Clause to all Intents & Purposes what=  
-soever

A Scheme for repairing & keeping in Repair the  
Kings Wharf by granting a Lease thereof under certain Condi-  
-tions was laid before this Board

Ordered to be referred to a Committee Viz.<sup>t</sup> Mess<sup>rs</sup>  
Cramahé Dunn Holland & Mounier\_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle of Saint  
Louis in the city of Quebec on Tuesday the twenty  
third Day of February 1768

Present

The Honble Guy Carleton Lieu.<sup>t</sup> Governor  
Hector Theo.<sup>s</sup> Cramahé      James Goldfrap  
Thomas Dunn                  Samuel Holland  
Francis Mounier

Esq<sup>rs</sup>

Read

Translation of the  
Ord.<sup>ce</sup> for licensing  
Pub. houses, into  
French is\_  
approved and  
order'd to be En.<sup>td</sup>  
& Published.

Read the Draft of an Ordinance for licencing public  
victualling houses And the Translation of the same into the  
French language

This Board approve of the Draft and of the translation  
And It is ordered that the Ordinance be entered in this Book  
And immediately published

### An Ordinance Concerning the Licensing of Publick Victualling Houses

Preamble.

His Majesty's  
disallowance of the  
last ordinance for  
licensing public  
houses.

Necessity of restrain-  
-ing in some manner  
the number of  
public vict.<sup>s</sup> houses

No public victualling  
house shall hereafter  
be kept without a  
licence from the  
Governor, Lieutenant  
Governor or other  
commander in chief  
of the Province

excepting

Whereas His most Excellent Majesty by an order  
in his most Honourable Privy Council, dated on the Twenty sixth  
day of June, in the year of Our Lord One thousand Seven hundred  
and Sixty Seven, hath been pleased to disallow and Repeal a Certain  
Ordinance, made by the Commander in Chief & Council of this Province  
on the Seventh day of July in the year of Our Lord One thousand Seven  
hundred and Sixty Six, entitled, "An Ordinance for granting Licences  
for Retailing Rum and Spirituous Liquors and for Suppressing unlicens'd  
houses" And whereas it is Judged to be necessary, in order to prevent  
Drunkenness and Debauchery Amongst His Majestys Subjects in this Province,  
and the Riots and Breaches of the Peace and other mischiefs that might  
thence ensue, that the number of Public Ale Houses and Victualling  
Houses be restrained within proper Bounds, and that they be kep't only  
by Persons of good fame and Sober Conversation, who will no ways  
encourage any Excess of disorderly Proceedings and that in order  
there unto, Certain Rules and restraints be made Concerning the same,  
resembling, as nearly as the Circumstances of the Province will permit,  
the Laws that have been enacted in England for the same Purposes,  
By the Wisdom of the British Parliament: It is therefore Ordained  
and Declared by the Lieutenant Governor and Commander in Chief of this  
Province By and with the Advice and Consent of the Council of the same,  
That from and after the Day of the Publication of this Ordinance, no Person  
whatsoever shall Sell by Retail, or by any less quantity than three Gallons at  
one time, any Ale, Beer, Cider, Perry, Wine, Rum, Brandy, or other Spirituous  
or Strong Liquor whatsoever, or keep any Ale House or Victualling House,  
without a Licence obtained for that purpose from the Governor in Chief,  
Lieutenant Governor, or other Commander in Chief of this Province for the time  
being, under His hand in the manner herein after directed, excepting those

Persons

excepting those kept by Persons who have already obtained Licences under the former Ordinance.

persons who have already obtained Licences for so doing, in pursuance of the Ordinance above mentioned, which has been repeated by the afores<sup>d</sup> Order of His Majesty in Council: And such persons may Continue to keep Public Houses for the times specified in their Respective Licences, and no longer, without obtaining new Licences According to the Directions of the present Ordinances.

Method of granting Licences to keep publick victualling houses.

Those persons who are desirous of keeping ale Houses or Victualling Houses, or of Selling Strong Liquors by Retail, shall apply to the Deputy Secretary of the Province to represent their desire to the Governor, Lieutenant Governor or Commander in Chief of the Province for the time being, in order to Obtain Licence in Writing under his hand for that purpose: And the said Licences shall be made out by the Deputy Secretary of the Province, who shall receive a Fee of Two Shillings & Six pence and no more, for his Trouble for so doing.

Fee for making out the Licence 2.<sup>s</sup> 6.<sup>d</sup>

And to the end that none but persons of good Fame & Substance may be permitted to keep any Ale House, or Victualling House, or to Sell any strong Liquors by Retail, within this Province. It is further ordained, That no License shall be granted to any person to keep any ale House or Victualling House, or to Sell by Retail any Ale, Beer, Cider, Perry, Wine, Rum, Brandy, or other strong and Spirituous Liquors, unless the Person to whom such Licence is granted shall have first entered into a Recognizance to the King in Twenty pounds, with two Securities in Ten pounds each, to keep and maintain good order and Rule in the said House, and to Suffer no disorders or unlawful Games to be used therein, nor in any Out House, yard, or Garden thereunto belonging during the time for which the said Licence shall be granted: And the said Recognizance shall be taken by the Deputy Secretary of the Province, and preserved by him Amongst the papers of his Office: And the said Deputy Secretary shall have a Fee of two shillings, and no more, for making out and taking the said Recognizance: And no Licence shall be granted to Continue for a longer time than One year, from the Date thereof: And all Licences granted by the Governor, Lieutenant Governor, or Commander in Chief of the Province for the time being, without such Recognizance, or for a longer time than One year, shall be null and void.

£  
Recognizance of 20, with two Securities in 10<sup>£</sup> each to keep good order in the house.

Fee of 2.<sup>s</sup> for making out and taking this Recognizance.

Further, when any person, to whom a Licence to keep any Ale House or Victualling House, or to sell Spirituous or Strong Liquor by Retail, has not been granted, shall apply for such a Licences, he shall, besides Entering in a Recognizance aforesaid, produce a Certificate

under



Certificate of 4 Substantial house holders that the person applying for a licence is a person of good fame and sober life and conversation.

under the hands of at least four Reputable and Substantial Householders of the Parish in which he lives /attested by a witness who saw the said Householders sign their names, or put their marks thereto/ Setting forth, that such person is of good Fame, and of Sober Life & Conversation And it shall be mentioned in the Licence that such Certificate was produced: And if such Certificate be not produced, or Mention be not made in the Licence thereupon Granted, that it was produced, such Licence shall be null and void.\_\_\_\_

Penalties of Offences against this Ordinance

£5 for the first offence  
£10 for the second, and  
£20 for the third and  
every subsequent offence,  
half to the king, and  
half to the informer.  
Prosecution to be  
before one Justice  
of the Peace.

And if any Person, after the Twenty fifth day of March next ensuing the Publication of this Ordinance, in the Publick Gazette of this Province, shall keep any Ale House, Victualling House, or Tippling House, or Sell any Ale, Beer, Cider, Perry, Wine, Rum, Brandy, or other Spirituous or Strong Liquors, by Retail, or by any less quantity than three Gallons at one Time without a Licence Obtained According to the Directions of this Ordinance, or a Licence obtained before the Publication of the present Ordinance, In pursuance of the Direction of the Ordinance that has been Repealed, such person shall for the first offence pay Five pounds, and for the Second offence Ten pounds, and for the Third, and every Subsequent offence Twenty pounds, whereof One half shall belong to Our Sovereign Lord the King, and the other half to any one who shall sue for the same by Information, or otherwise, before any one Justice of the Peace of the District in which the said offence shall be Committed, who is hereby Authorised and required to determine the said Complaints or Informations, in a Summary Method, and upon Oath of one Credible Witness /not being the Informer himself/ and to Levy the said Penalties and the Costs for suing for them, by a Warrant to Seize and Sell the Goods or Lands of the Offenders.

Appeal to the quarter Sessions of the Peace.

And if any person Convicted in this Manner, before one Justice of the Peace of having Sold Strong Liquors by Retail, or kept an Ale House, Victualling House or Tippling House, without a Licence, shall think himself Agrieved by such Conviction, he shall be at Liberty to appeal from such Conviction to the next General quarter Sessions of the Peace, where the Matter shall be Examined anew and the Sentence of the Single Justice either Reversed or Confirmed, According to the Opinion of the Major part of the Justices there assembled: But this appeal shall not be allowed unless the Appellant shall first Lodge the money forfeited upon his first Conviction in the Hands of the Justice before whom he shall have been Convicted, And the said Justice shall either keep the said Money in his own

hands

Hands, or pay it into the hands of the Clerk of the Peace, to be kep't by him until the Determination of the appeal at the Quarter Sessions, And then it shall be paid as before directed, if the Conviction is Confirmed, or to the appellatant, if it is reversed. And further, if the Conviction is Confirmed, the appellatant shall pay to the Informer the Costs he shall have been put to by the said appeal, which shall be levied upon the Goods and Lands of the appellatant, by an order of the Justices in their said Sessions.

Given &c<sup>a</sup> the 23<sup>d</sup> day of February 1768

/Signed/ Guy Carleton

By the Lieu<sup>t</sup> Governor  
Command /signed/ Ja Potts D.C.C.

## AN ORDINANCE for preventing Accidents by Fire

Preamble.

Whereas many Houses in the Towns of Quebec and Montreal in this Province have of late taken Fire, and some of them have been destroyed thereby, which has been owing for the most part to the Negligence of the Inhabitants of the said Houses, in not causing the Chimneys thereof to be Swept so often as they should have been, and by keeping ashes in the said Houses on Wooden floors or in Wooden Vessels, and other such Instances of Carelessness; in order therefore to prevent such unhappy Accidents for the Time to come, and to encrease the Means of Extinguishing Fires in Houses when they do happen, It is ordained by the Lieutenant Governor of this Province, by and with the Advice & Consent of the Council of the same, That after the Twenty fifth day of the March in the present year of Our Lord One thousand Seven hundred and Sixty eight, every House-keeper in the Towns of Quebec and Montreal and the Suburbs thereof, shall cause the Kitchen Chimney, or Kitchen Chimnies /if there are more than one) of the House he lives in, to be Swep't by a Chimney Sweeper once in every four Weeks throughout the whole year, and every other Chimney in the House, which is made use of either by Fire in a Hearth or by a Stove, to be Swept likewise by a Chimney Sweeper once in every four Weeks during the Winter Season of the year, Reckoning from the first day of October in every year, to the first day of May.

Chimnies that  
are made use of  
shall be swept'  
once in every 4 weeks.

Every housekeeper  
shall keep one or  
two Water-buckets.

And further, every Housekeeper in the said Towns of Quebec and Montreal, and the Suburbs thereof, in whose House there shall be three or more Hearths, shall keep two Buckets for Carrying water, when any Houses in the said Towns shall happen to be on Fire and these

Buckets

Buckets shall be made either of Leather or Seal Skin, or the Skin of some other Fish, or of Canvas painted on the Outside, and Covered with Pitch on the inside, And shall be large enough to hold at least two Gallons of Water each. And every HouseKeeper in the said Towns and Suburbs thereof, in whose House there shall be only one or two Hearths, shall be obliged to keep one such Bucket; And these Buckets shall be marked with the Christian & Surname of the HouseKeeper to whose House they belong, or at least with the Initials Letters thereof.

And a hatchet.

And every HouseKeeper in the said Towns of Quebec and Montreal and the Suburbs thereof shall likewise keep a Hatchet in his House, to assist in pulling down Houses in Cases of Dangerous Fires, in order to prevent the Spreading of the Flames. And every HouseKeeper in the s<sup>d</sup> Towns & the Suburbs thereof, shall likewise keep as many Ladders fixt on the Roof of his House as there are Separate Chimnies, or Stacks of Chimnies, belonging to the s.<sup>d</sup> house, And shall cause them to be so placed that there shall be a Ladder leading from the bottom of the Roof to every Separate Chimney or stake of Chimneys, to the end that, if any Chimney shall happen to take fire, it may be easy to carry up water to it, in order to extinguish the fire\_\_\_\_\_

and Ladders fixt on the roof of the house.

and two Fire poles.

And every HouseKeeper in the said Towns, and the Suburbs thereof, shall likewise keep in his house two fire poles, of the lengh of ten feet, & five Inches diameter, with cross bars made of wood, stuck into them, at the distance of six inches one from the other, in order to knock off the Roofs of Houses that are on fire, or that are in immediate danger of becoming so.

The expense of these buckets, Ladders and fire poles to be borne by the owners of the houses.

And where it happens that the HouseKeepers in the said Towns of Quebec and Montreal and the Suburbs thereof, are not the Owners of the Houses in which they live, it shall be Lawfull for them to deduct the Expences they are at in procuring the Water Buckets, Ladders & fire Poles afore said, for the Houses they Inhabit, and likewise the Expence of procuring new Buckets, Ladders and fire Poles, from Time to Time, as the former ones wear out, from the Rent they pay for the said Houses to the Owners thereof.

Penalty of 40 shillings for a breach or neglect of these Provisions.

And to the end that the aforesaid Directions may be Compli'd with by the Housekeepers of the said Towns of Quebec and Montreal and the Suburbs thereof, It is further ordained by the authority aforesaid, that if at any time after the month of May next ensuing, any Chimney in any House, in either of the said Towns or <sup>the</sup> Suburbs thereof, shall be on Fire, and it shall be found that the Occupier of such House had not in the House at the time of such fire a Hatchet and two fire Poles, and the proper number of Ladders placed on the Roof of the House in manner above mentioned or that the Chimney that was on fire, or any other of the Chimnies in the same house, that ought According to the Directions of this Ordinance, to have been Swep't within four weeks, has not been Swep't by a Chimney Sweeper within the said Space of four weeks immediately preceeding such fire,

the said

half of this  
penalty to go  
to the King and  
the other half  
to the Informer.  
method of  
Prosecution.

the said Occupier of such House, shall forfeit the sum of Forty Shillings for such Neglect, of which one half shall belong to Our Sovereign Lord the King, and the other to any One who shall sue for the same by Information before any One Justice of the Peace of the District in which such House is Situated, who is hereby Authorized and required to hear and Determine such Information in a Summary manner, and upon the Oath of One Credible Witness (being some other than the Informer himself) and to Levy the said Sum of Forty Shillings, together with the Costs of Suing for the same, by a Warrant in writing under his hand, to Seize and Sell the Goods of the Offender. And every housekeeper, whose Chimney shall take fire, shall be presumed to have neglected to cause it to be swept by a Chimney Sweeper within the said space of ~~three~~<sup>four</sup> weeks, unless the Chimney Sweeper who Swept the same, or two Witnesses who saw him Sweep it, shall testify before the said Justice that he did Sweep it.

And if any Chimney in any House in the said Towns of Quebec and Montreal or the Suburbs thereof, shall <sup>take</sup> fire at any time after the first day of October, and it shall be found that the Occupier of the s<sup>d</sup> House, had not in the House, at the time of the said fire, the Water Bucket or Buckets which he ought to have had, According to the Directions of the said Ordinance, he shall in like manner, forfeit the Sum of Forty Shillings, of which One half shall belong to the King, and the other half to him who shall sue for the same, by Information before any ~~of~~ one Justice of the Peace for the District in which the said House is Situated who is hereby Authorized and required to hear and Determine such Information in a Summary manner, and upon the Oath of one Credible Witness (not being the Informer himself) and to Levy the said Sum together with the Costs of suing for the same by a Warrant in writing under his hand to Seize and Sell the Goods of the Offender, in Order to produce it

No Hay or Straw  
shall be kept in  
any part of any  
dwelling house.

Nor shall any  
ashes be kept on a  
wooden floor or in  
a wooden Vessel

Also, It is further Ordained, by the Authority aforesaid, That after the first day of the month of may next, it shall be unlawful to keep any Hay or Straw in the Garret or Cellar, or any other part of any Dwelling house in the said Towns of Quebec and Montreal or the Suburbs thereof, and it shall likewise be unlawfull to keep any Ashes on any Wooden Floor or <sup>in</sup> any Wooden Vessel in any of the said Houses, And if any HouseKeeper in either of the said Towns, or the Suburbs thereof, shall, after the first day of May, keep or permit, to be kept, any Hay or straw in the Cellar or Garret, or any other part of the House in which he lives, or shall keep any Ashes on a wooden floor or in a wooden vessel in the said House, he shall forfeit the sum of Forty

Shillings

Penalty of 40.<sup>s</sup>

half to the King  
and half to the  
Informer

Method of  
Prosecution.

Shillings for ~~any~~ every time that any Hay or Straw shall be found to be in his said House, or any Ashes shall be found therein upon a Wooden floor or in a Wooden Vessel, of which Sum one half shall belong to the King and the other to him who shall sue for the same, by Information before any one Justice of the Peace of the District in which the said House is Situated, who is hereby Authorized and required to hear and Determine the said Information, in a Summary manner, and upon the Oath of one Credible Witness /not being the Informer himself) and to Levy the said Sum together with the Costs of Suing for the same, by Warrant in writing under his Hand to Seize and Sell the Goods of the Offender, in order to produce it.

Prosecutions upon  
this Ordinance to  
be begun within two  
months after the  
Offence.

And it is further provided, That none of the Informations appointed by this Ordinance shall be brought after the Expiration of Two months from the Time that the Neglect or Offence Against this Ordinance shall have been Committed.

Appeal to the  
Quarter Sessions  
of the Peace.

And lastly, if any person Convicted in this Manner, before One Justice of the Peace of any of the Neglects or offences before Mentioned shall think himself Aggrieved by such Conviction, he may Appeal therefrom to the next Quarter Sessions of the Justice of the Peace of the District wherein such Conviction was had, where the Sentence of the Justice by whom he was Convicted, and the Grounds upon which it was founded shall be fully Examined, And the said Sentence of the Single Justice either reversed or Confirmed, According to the Opinion of the Major part of the Justices there assembled. But in order to Intittle himself to this appeal The Appellant shall first Deposite the Money forfeited upon his Conviction in the Hands of the said Justice before whom he shall have been Convicted; and the said Justice shall, at his Discretion, either keep the said Money in his own hands or pay it to the Clerk of the Peace of the Court, before which the appeal is brought, to be safely kept by him till the Determination of the said Appeal at the Quarter Sessions, and then shall either pay it as before directed if the Conviction is Confirmed, or to the Appellant if it is reversed. And further if the Conviction is Confirmed, the Appellant shall pay to the Informer the Costs he shall have been put to by the appeal, which shall be Levied upon the Goods and Chattels of the Appellant, by an order of the Justices in their said Sessions.

Given &c.<sup>a</sup> the 23<sup>d</sup> day of February,  
1768. /Signed/ Guy Carleton

By the Lieutenant  
Governors Command  
/Signed/ Ja Potts D C C

Appointm.<sup>t</sup> of a Translator for the Governm<sup>t</sup> approved, with a Salary of 5/ Sterl<sup>g</sup> per day.

Return of two Bailiffs for S.<sup>t</sup> Ferreole.

Report of Com<sup>tee</sup> for repairing the King's Wharf

to be revised and reported anew.

Conditions of a Lease for said Wharf to be advertised.

This Board having taken into their Consideration the difficulty of procuring a Good & Sufficient Translator for the Government from the English into the French language are of Opinion that such good & sufficient Translator should have An Appointment of Five Shilling Sterling *p* Day

The Inhabitants of the parish of Saint Ferreole have returned Jean Paré for Bailiff and Jean Caron for SubBailiff of their parish

Ordered that the Secretary cause publish the same in this weeks Gazette

Read the Report of the Committee for the reparation of the Kings Wharf

Ordered the Committee to revise the Same And report anew to this Board And having taken into consideration the ruinous And decaying Condition that said Wharf is in \_\_

Ordered that an advertisement be published in this Weeks Gazette informing the public that the Conditions of a Lease for repairing And keeping said Wharf in good Repair Are to be seen at the Clerk of the Councils office for the Inspection of such as are desirous of becoming Leasees\_\_\_\_\_

Guy Carleton

At The Council chamber in the Castle of Saint Louis in the City of Quebec on Monday the fourteenth day of March 1768

Present

The Hon <sup>#</sup> ble Guy Carleton Lieutenant governor	
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
Thomas Dunn	Walter Murray
Samuel Holland	

Esq.<sup>rs</sup>

Read Extract of a Letter from the Right Honourable The Earl of Shelburne one of His Majestys Principal Secretarys

of

Extract of a Letter from the Secretary of State ordering an Enquiry into the Reasons of M.<sup>r</sup> Allsopp's having been Superseded.

The above Enquiry refer'd to a Committee.  
W Hey, C J.  
S Holand, S G.  
F Maseres, A G.

Who are to report the Inquiry, to the Lieu.<sup>t</sup> Governor, for his Judgement.

Petition of David Allgeo }  
}

Refer'd to a Committee. }  
}

Petition of Jno & Rob Woolsey J. Melvin & J. Aitkin relative to the K.<sup>s</sup> Wharf

Refer'd to a Committee. }  
}

An Advertisem<sup>t</sup> to be published acquainting the discharged Soldiers they make take possession of their Lots of Land in the Bays of Gaspee & Chaleur.

of State to The Lieu.<sup>t</sup> Governor dated Whitehall 14 November 1767 in the words following "I am to signify to you His Majestys "Commands to enquire into the reasons of M.<sup>r</sup> Allsopp's having been "superceded And that you either confirm the Supersedeas or restore "him, just as you shall find him culpable or innocent"

Ordered that The Honble William Hey Chief Justice Samuel Holland And Francis Maseres Esq<sup>rs</sup> make the Inquiry directed in the above Order of His majesty And that these gentlemen be impow-  
-ered to Summon Lieut Colonel Irving And Adam Mabane Esq.<sup>r</sup> in particular before them to support the Charge laid against M.<sup>r</sup> Allsopp in governor Murrays Letter to the Lords of Trade dated 14 April 1766 And also to summon Any other persons they think can give Information to them relative to that affair. And that they report the said Inquiry to The Lieu.<sup>t</sup> Governor that he may there=  
=upon pass Judgement agreeable to His Majestys Commands

Read Petition of David Algeo Clerk of the market

ordered to be referred to a Committee Mess<sup>rs</sup> Cramahé  
Dunn and Murray

Read Petition of John And Robert Woolsey John Melvin  
And John Aitken relative to the Kings Wharf

ordered to be referred to a Committee Viz.<sup>t</sup> Mess.<sup>rs</sup> Hey  
Goldfrap and Holland

Resolved that An Advertisement be published in the next Gazette Acquainting the discharged Soldiers & others who have drawn for Lots of Land in the Bays of Gaspey and Chaleur that they are at liberty to go And take possession of their respective Lots taking care to leave their names And the numbers of their said Lots at the Clerk of the Councils office before their departure\_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle of  
Saint Louis On Monday the twenty Eighth day  
of March 1768

Present

The Hon <sup>#</sup> ble Guy Carleton Lieutenant Governor	
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Dunn
Samuel Holland	Walter Murray

His Majesty's  
Order in Council  
dated 28 Aug<sup>t</sup> 1767  
respecting the defects in the  
Courts of Judicature  
in this Province.

Read His Majestys Order in Council dated 28 August  
1767 in the Words following Viz<sup>t</sup>:

At the Court of S<sup>t</sup> James's  
the 28<sup>th</sup> day of August 1767-

Present

The King's most Excellent Majesty	
Lord Chancellor	Viscount Townshend
Lord President	M <sup>r</sup> Secretary Conway
Earl of Shelburne	Sir Edward Hawke

Whereas there was this day read at the Board, a Report  
from the Right Honourable the Lords of the Committee of Council  
for Plantation affairs, dated this day, in the words following Viz.<sup>t</sup>

“The Lords of the Committee having this day taken into their  
“Consideration, a Draught of Instructions prepared by the  
“Board of Trade for establishing Courts of Judicature in the  
“Province of Quebec and transmitted to this Committee  
“on the 24<sup>th</sup> of June 1766. –Their Lordship's upon full -  
“Consideration of the said Draught of Instructions are of  
“Opinion that the same is so General and so unsupported  
“by any Specific or particular proof of any Grievances in  
“Judicature to which any particular and Effectual Reform  
“or Remedy can be applied ( Except what has already

been-



“been given) and especially as since the Return of General Murray  
 “no Governor or Locum Tenens or any of your Majestys Law  
 “Officers have represented in their Correspondence, any Gravamens  
 “arising to the Subjects in the Province from any Defects in the  
 “State of Judicature as it at present Exists / which had any material  
 “ones existed it was their duty to do, and they Certainly would have  
 “done) Except a paragraph in a Letter from Colonel Irving dated  
 “the 20th August 1766 Viz.<sup>1</sup> “ All that to me seems wanting at present  
 “is, a permanency to the Inferior Courts and a more Ample Authority  
 “for the Judges of it to adhere to the Coutumes de Pais”, a Defect if  
 “it Subsists so concisely and unexplicitly stated as not to be under-  
 “=stood so as to found a Judgement of the Remedy to be applied, that  
 “the Lords of the Committee cannot without further Information  
 “Advise Your Majesty to approve thereof, and order the same to  
 “be Carried into Execution\_ But as their Lordships are truly  
 “Sensible of your Majestys Royal Constitutional and paternal  
 “Regard, for all and every part of your Majestys Dominions, and  
 “Your Subjects in habiting therein, The Committee do, after the  
 “most Serious and Mature Deliberation on the Subject, referred  
 “by Your Majesty to them for their advice thereupon, Submit as  
 “their humble Advice to your Majesty, That in order to amend  
 “any Defects in the present state of Judicature in the Province of  
 “Quebec (if any such Subsist,) it is proper and absolutely necessary,  
 “after a Competent Experience now had of the State of the province, so  
 “particularly Composed of English and Canadian Subjects, and of  
 “the Judicature and Administration of Justice now Subsisting, to  
 “obtain from Your Majestys Servants there, on whose Information  
 “alone Your Majestys Servants in this Kingdom can rely with  
 “any reasonable Degree of Confidence, precise, Solemn and authentick  
 “Information, of the Defects, if any, that are now Existing, together  
 “with the Remedies, Reforms Additions or Alterations which they

would

“would propose for Your Majestys Royal Consideration,  
“that so Your Majestys Servants here, may be enabled  
“to Advise your Majestys, on the best Light that can be  
“Obtained, it being as the Lords of the Committee Conceive,  
“unwise and Dangerous to the Province, to frame or  
“Reform Laws in the Dark, and upon Speculation only.  
“And for the purpose of Obtaining such necessary  
“Information on so Serious and Import a Subject, Their  
“Lordships humbly Submit to your Majesty, to order Your  
“now Governor of the said Province or his Locum Tenens,  
“with the Advice and Assistance of the Council, the Chief Justice  
“and Attorney General of your majestys province, And taking  
“such other assistance as shall be thought necessary to Report  
“to your majesty.

1<sup>st</sup> “Whether any and what Defects are now Subsisting in the  
present State of Judicature\_

2<sup>ndly</sup> Whether the Canadians in particular are or think themselves  
“aggrieved According to the present Administration of Justice,  
“Wherein and in what Respect? together with their Opinions  
“of any Alterations Additions or Amendments that they can  
“propose for the General Benefit of the<sup>sd</sup> Province, And that  
“such Alterations or Amendments, for the Clearer apprehension  
“thereof, be transmitted in form of Ordinances but not passed as  
“such, And that such Report be returned Signed by Your  
“majestys Governor, or locum Tenens, the said Chief Justice  
“and Attorney General, but if they should not Concurr, the  
“person or persons differing in Opinion, be required to  
“Report the Difference of his Opinion together with his  
“Reasons for such Difference of Opinion fully and at large;  
“And that a fit ~~person~~ and proper person be sent with  
“such Instructions, And to bring back such Report, for the

most

“most Convenient Dispatch, and who being properly Recommended  
 “to the said Officers, may be enabled to Explain any Difficulties,  
 “if such should Arise from the said Report.” \_\_\_\_\_

**His Majesty** this day took the said Report into Consideration and was pleased, with the Advice of His privy Council, to approve thereof, And to Order, that The Right Honourable the Earl of Shelburne, One of His Majestys principal Secretarys of State, do give the necessary Directions for Carrying into Execution what is therein proposed to be done. \_\_\_\_\_

/Signed/ **W; Blair**

The Lieu<sup>t</sup> gov.<sup>r</sup> recommends the Council to suggest to him what may occur to them to be necessary for the speedy execution of the King's order in Council before mentioned.

Which is Refer'd to a Committee to sit every Monday Wednesday and Friday.

Dra.<sup>t</sup> of Ord.<sup>ce</sup> for repealing a Clause of a former Ord.<sup>ce</sup> concerning the Currency.

Approved, order'd to be Translated and the Translation laid before the Board.

Dra.<sup>t</sup> of Ord.<sup>ce</sup> relative to the Assize of Bread

Approved and order'd to be translated as above.

The Lieutenant Governor recommends to the Members of this Board And to the attorney general to suggest to him in Council what may Occur to them relating to the above Order so that it may be executed as soon as possible

**Resolved** that Mess.<sup>rs</sup> Hey and Cramahé with the assistance of the Attorney general a Committee of this Council meet on every Monday Wednesday And Friday At the Council chamber to examine the French Kings Arrets relating to this province And take such Extracts from thence As may Appear to them necessary to make a part of the future Regulations of the province And that every Member of the Council who chuses to attend may make One of this Committee

**Read** the Draft of An Ordinance repealing a Clause in a former Ordinance of this province dated the 15.<sup>th</sup> Day of May 1765 concerning the currency

This Board Approve of the same Order it to be translated into the french language And the Translation submitted to their consideration

**Read** the Draft of An Ordinance to Amend a former Ordinance of this province relating to the Assize of Bread

This Board Approve of the same Order it to be translated into the french language And the translation laid before them

for

for their inspection\_\_\_\_\_

Guy Carleton

At The Council chamber in the Castle of  
Saint Louis in the city of Quebec On Tuesday  
the fifth day of April 1768

Present

The Hon<sup>#</sup>ble Guy Carleton Lieu<sup>t</sup> Governor  
Hector Theo.<sup>s</sup> Cramahé            James Goldfrap  
Thomas Dunn                        Samuel Holland  
Walter Murray                    Francis Mounier

Esq..<sup>rs</sup>

Translation  
of the Ord.<sup>ce</sup>  
relative to the  
Assize of Bread

Read the translation into the french language of the  
Ordinance relating to the Assize of Bread

Approved, & the  
Ordinance to be  
Enter'd and  
Published.

This Board Approve of the same And Order the  
Ordinance to be entered in this Book & immediately  
published

The Ordinance.

An Ordinance To Amend a former Ordinance  
of this Province, relating to the Assize of Bread-

Preamble

Whereas notwithstanding the provision of a Certain  
Ordinance of this province Concerning the Assize of Bread, dated  
on the 3<sup>d</sup> day of September In the year of Our Lord One thousand  
Seven hundred and Sixty four, And the other Laws now in being  
on the same Subject, great Frauds are daily Committed by Sundry  
Bakers in this Province, by selling Bread under the weight established  
by the said Ordinance or by Regulations made by Justices of the peace  
in pursuance of it, to the great Injury and Oppression of the poor: It is  
therefore Ordained & Declared by the Lieu<sup>t</sup> Governor and Commander in  
Chief of this province, by an with the Advice and Consent of the Council of the  
same, That whenever any quantity of Bread shall be Seized by Virtue of  
the powers given to the Clerks of the Market, in this province by the said  
Ordinance of the third day of September in the year of Our Lord One  
thousand seven hundred and sixty four or by Virtue of any other Laws or

Regulations

Bakers whose Bread is under weight, shall forfeit a Shilling an Ounce for the weight that is deficient

Half to the King, and half to the Informer

Appeal to the next Court of Quarter Sessions of the peace

The Money forfeited must be deposited before the appeal is Allowed

If the Conviction is Confirmed the Appellant shall pay the Costs of the appeal

Regulations now inforce in this Province, and shall be found to more than Ounce under the weight Established by that Ordinance, or by any Regulations made in pursuance of it, the Baker whose Bread shall be found to be this deficient, shall forfeit for every Ounce by which the Bread so Seized shall fall short of the weight it ought to have, the Sum of One Shilling, of which one half shall belong to the Kings Majesty, and the other half to any who shall sue for the same, by Information before any one Justice of the Peace of the District in which the Offence shall have been Committed, who is hereby Authorized and required to hear and determine the Same in a Summary Manner, upon the Oath of One Credible Witness (being some other than the Informer himself) and to levy the Sum forfeited together with the Costs of Suing for the same, by a Warrant in writing under his Hand to Seize & Sell the Goods of the Offender.

And if any person Convicted in this Manner before One Justice of the peace, and Condemned thereupon in the Sum of Ten Shillings or more, shall shall think himself aggrieved by such Conviction, he may appeal therefrom to the next Court of Quarter Sessions of the Justices of the peace of the District wherein such Conviction was had, where the Sentence of the Justice by whom he was Convicted; and the Grounds upon which it was founded, shall be fully Examined, And the said Sentence of the Single Justice shall be either Reversed or Confirmed, According to the Opinion of the Major part of the Justices there Assembled, or if there is an equal number of Justices on each side of the question, according to the opinion of those Justices with whom the Chairman of the said Sessions shall Agree: But in order to intitule himself to this Appeal the Appellant shall first deposit the money forfeited upon his Conviction in the hands of the said Justice before whom he shall have been Convicted: And the said Justice shall at his discretion, either keep the said Money in his own Hands or pay it to the Clerk of the peace of the Court before which the Appeal is brought to be Safely kept by him till the Determination of the said Appeal at the said Court of Quarter Sessions, And then the said Justice or the said Clerk of the peace shall either pay it as is before directed, to wit half to the King and half to the Informer if the Conviction is Confirmed or to the Appellant if it is Reversed. And further, if the Conviction is Confirmed the Appellant shall pay to the Informer the Costs he shall have been put to by the Appeal, which shall be Levied upon the Goods & Chattels of the Appellant, by order of the said Justices of the peace in their said Session.

Given &c.<sup>a</sup> on the 5<sup>th</sup> day of April 1768.

By the Lieutenant }  
Governors Command }  
/Signed/ Ja Potts D.C.C.

/Signed/ Guy Carleton

Translation of  
Ord.<sup>ce</sup> repealing  
a Clause in a  
former Ord.<sup>ce</sup>  
concerning the  
Currency.

Approved &  
the Ord.<sup>ce</sup> to be  
Entered and  
Published.

Read the Translation into the French Language of the  
Ordinance repealing a Clause in a former Ordinance of this  
province dated the 15<sup>th</sup> May 1765 Concerning the Currency of this  
Province\_\_\_\_

This Board approve of the same and order the Ordinance  
to be Entered in the Book and immediately published\_\_\_\_\_

**An Ordinance** Repealing a Clause in a former  
Ordinance of this Province dated the fifteenth day of  
May in the year of Our Lord 1765, Concerning the  
Currency of the Province. \_\_\_\_\_

Whereas it has been found by Experience that a Certain Clause  
in a Certain Ordinance of this province, made by the Governor and  
Council of the same on the fifteenth day of May in the Year of Our  
Lord One thousand seven hundred and Sixty five, and ~~ent~~ intitled,  
“An Ordinance, in Addition to an Ordinance published the fourth day  
“of October last, for Regulating and establishing the Currency of this province”  
“does not answer the purpose for which it was intended but hath Occasioned  
“diverse difficulties and Inconveniencies in the Recovery of Just Debts in  
the Courts of Justice in this province, And is thereby likely to become the means  
of much Fraud and Injustice if it be Suffered to Continue in Force which  
Clause is as follows, to wit, “And be it further Declared and Ordained by the  
“Authority aforesaid, that all Original Entries, in Books of Accounts and  
“all Accompts whatsoever for Goods and Merchandizes or other things Sold  
“and Delivered, Agreements, Bills (Bills of Exchange only Excepted) promissary  
“Notes, Bonds, Mortgages, and other Securities for Money, Leases and all  
“Interest and Rents thereby reserved, kept, made and entered into, after the  
“said first day of July next, in any other Currency, than the said Currency  
“by the said Ordinance established, Contrary to the true meaning hereof  
“and of the said Ordinance, shall not be admitted as Evidence in any Court  
“of Law or Equity in this province, but shall be deemed Adjudged and taken  
“and are hereby respectively declared to be null & void to all Intents and  
“purposes whatsoever It is therefore Ordained & Declared by the Lieu<sup>t</sup> Governor  
“and Commander in Chief of this province by and with the advice & Consent of the Council  
of the same, that the said Clause above recited of the aforesaid Ordinance, shall be from  
the day of the date of the Publication hereof Totally void and of no Effect, provided  
nevertheless that nothing herein Contained shall invalidate or in any

degree

Degree Affect any <sup>other</sup> part of the aforesaid Ordinance, excepting the said Clause above Recited. \_\_\_\_\_

Given &c.<sup>a</sup> this 5th day of April 1768

By Order of the Lieutenant  
Governor in Council.  
Ja Potts D.C.C.

/Signed/ Guy Carleton\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle of  
Saint Louis in the city of Quebec On Monday the  
Eighteenth day of April 1768

Present

The Honourable Guy Carleton Lieu <sup>t</sup> Governor	
William Hey C J	Hector Theo. <sup>s</sup> Cramahé
James Goldfrap	Thomas Dunn
Samuel Holland	Francis Mounier

Petition of  
John Franks  
and – La Bat  
to be appointed  
Surveyor of  
the Chimnies.

Read Petition of John Franks praying to be appointed  
Surveyor of the Chimneys in the city of Quebec agreeable to the  
Ordinance for preventing fires. Also Petition from La Bat  
to the same purpose

Refer'd to  
a Committee.

Ordered to be referred to a Committee Viz.<sup>t</sup> the Chief Justice  
Captain Cramahé & Mons.<sup>r</sup> Mounier, who are likewise to take  
into their consideration, what further Regulations are necessary  
to prevent Accidents by fire, And any other member of this  
Board may make One of the Committee

Petition of  
Jn<sup>o</sup> Marteilhe.

Read Petition of John Marteilhe praying a confirmation  
of his right to two Seigneuries upon Lake Champlain

to lye on the  
Table.

Ordered to lye on the Table for consideration\_\_\_\_\_

Guy Carleton

At the Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Friday the  
Twenty second day of April 1768.

Present

The Hon<sup>ble</sup> Guy Carleton Lieu.<sup>t</sup> Governor.  
William Hey C. J. }  
Hector Theo.<sup>s</sup> Cramahé, } Esq.<sup>rs</sup> Sam.<sup>l</sup> Holland }  
Thomas Dunn, } Fra<sup>s</sup> Mounier } Esq.<sup>rs</sup>

Report of the  
Com<sup>tee</sup> of  
Inquiry into  
the Grounds &  
Reasons of  
M.<sup>r</sup> Allsopp's  
Supersedeas by  
Gov.<sup>r</sup> Murray.

The Lieutenant Governor having signified to the Council,  
that he having read and considered the Report made to him  
by the Chief Justice, Samuel Holland & Francis Maseses Esq.<sup>rs</sup>,  
appointed to enquire into and report the Grounds and Reasons  
of M.<sup>r</sup> Allsopp's having been superseded from the several  
Offices &c, by his Excellency Governor Murray;

Has thought proper to remove the Suspension.

The Suspension  
**Removed**  
Order for his  
Admission to  
his offices  
by the Lieu.<sup>t</sup>  
Governor.

It is ordered that M.<sup>r</sup> Allsopp be admitted to the several  
Offices he claims under Hen<sup>y</sup> Ellis Esq.<sup>r</sup> the Patentee; and that  
he be sworn in, and take his Seat as Clerk of the Council.

M.<sup>r</sup> Allsopp  
sworn in as  
D Secretary,  
Clk of the Council  
& Clk of the  
Inrollments  
of this Province.

The Lieut.<sup>t</sup> Governor ordering M.<sup>r</sup> Allsopp to appear  
before him in Council, he presented his Deputation from  
Henry Ellis Esq.<sup>r</sup>, dated the 15<sup>th</sup> day of January 1766, to the  
Offices of Deputy Secretary, Clerk of the Council, and Clerk  
of the Inrollments for this Province; the State Oaths,  
Oaths of Office, and Declaration against Popery were  
tendered and administered to him, and he took his  
Seat as Clerk of the Council Accordingly.

Letters from  
L<sup>t</sup> Col<sup>o</sup> Jones  
& the Justices  
about the  
Fire at  
Montreal  
of the 11<sup>th</sup>  
April 1768.

The Lieut.<sup>t</sup> Governor laid before the Council Two  
Letters from Lieu.<sup>t</sup> Col.<sup>o</sup> Jones dated the 12<sup>th</sup> and 18<sup>th</sup> Instant,  
giving an Account of the dreadful Fire that broke out at  
Montreal on Monday the 11<sup>th</sup> Instant; and also a Letter  
from the Justices of the Peace at Montreal dated the  
18<sup>th</sup> Instant, giving an Account likewise of the above fire,  
representing the Great Services rendered by the Officers and  
Troops on that alarming Occasion and praying for  
Relief to the unhappy Sufferers.

Read the Three Letters above mentioned.

It is



400 dollar  
order'd to be  
distributed  
among the  
Sufferers  
& the Thanks  
of this Board  
to be given  
to the L<sup>t</sup> Col.<sup>o</sup>  
& the Garisson  
of Montreal.

It is ordered that the Acting Receiver General do give Lieutenant Col.<sup>o</sup> Jones Credit for Four hundred Dollars to be distributed amongst the most necessitous of the Sufferers; and that a Letter of Thanks be wrote to the Lieu.<sup>t</sup> Colonel acknowledging the great Services rendered to the Publick by him and the Garrison by their Vigilance in stopping the Fire. \_\_\_\_\_

Guy Carleton

At The Council Chamber in the Castle  
of S<sup>t</sup> Louis in the City of Quebec on Thursday the  
fifth day of May 1768.

Present

The Honourable Guy Carleton Lieutenant Governor.  
William Hey C. J. } Esq.<sup>rs</sup> Sam Holland }  
H T Cramahé } Fra<sup>s</sup> Mounier } Esq.<sup>rs</sup>  
Tho.<sup>s</sup> Dunn... }

Report of the  
Com~mee on the  
Petition of J.  
Woolsey J. Aitkin  
& others ab.<sup>t</sup>  
the King's wharf.

Read the Report of the Committee directed by the Lieu<sup>t</sup> Governor to inquire into the Grounds of a Petition presented by John Aitkin, John Melvin, John & Rob.<sup>t</sup> Woolsey, Merchants, touching the Lease of the King's Wharf.

Report  
to be Enter'd &  
the Petition  
dismissed.

Ordered that the Report be entered in the Council books, and that the Petition abovementioned be dismissed this board.

“April 22.<sup>d</sup> 1768.

The  
Report  
viz.<sup>t</sup>

“ At a Committee of Council, directed by his honour the Lieu<sup>t</sup> Governor “to enquire into the Grounds of a Petition presented by John Aitkin “John Melvin, John and Robert Woolsey, Merchants, in which “they pray to be admitted as joint Lessees with James Johnston “Merchant, in a Lease intended to be granted by the Governor “and Council of the King's Wharf in the Lower Town.

“ Present.

“William Hey C J. }  
“James Goldfrap } Esq.<sup>rs</sup>  
“Samuel Holland }

“Who taking the Petition into their Consideration, beg leave to “represent to your Honour and the Council, that it appears to  
them

“ them, that Notice having been given in the Gazette of the 25.<sup>th</sup>  
“ Feb<sup>y</sup> last that certain Conditions for leasing the King’s Wharf  
“ would be ready to be delivered to the Public, at the Council  
“ Office on that day, several Persons, including as well  
“ M<sup>r</sup> James Johnston, as two of the Petitioners, in behalf  
“ of the others attended at the office in pursuance of the  
“ Notice given in order to see the Conditions.

“ It appears too that the Committee who were directed to  
“ prepare the terms of the Lease were then sitting, not having  
“ completed the Conditions of the Lease. M<sup>r</sup> Potts the Clerk of  
“ the Council, being at that time with them, at the President’s  
“ Cap.<sup>t</sup> Cramahés house. that M<sup>r</sup> M<sup>c</sup>Culloch, M<sup>r</sup> Potts’s Clerk,  
“ did send from the Office, two different Messages to M<sup>r</sup> Potts,  
“ to acquaint him that several Persons were waiting there,  
“ impatient to see the Conditions, which he desired might  
“ be sent down to the Office as soon as possible. in  
“ consequence of which, M<sup>r</sup> Potts sent him a rough draught  
“ of them, interlined in many places, according to the  
“ Directions of the Committee, giving him orders at the  
“ same time, not to suffer any person to sign that  
“ or any other draught of them, but that whoever should  
“ approve and be willing to accept of the Lease upon those  
“ terms, should signify his intention <sup>in writing</sup> to the Governor,  
“ ~~in writing~~, and receive an Answer from him only.

“ It appears further to the Committee, that soon after the  
“ draught of the Conditions came down to the Office, M.<sup>r</sup> Johnston  
“ who had before called there, and was then returned was  
“ reading the draught in the inner room when M<sup>r</sup> Melvin  
“ and M<sup>r</sup> Robert Woolsey, two of the Petitioners, came in and  
“ desired to see it, which <sup>after</sup> M<sup>r</sup> Johnston had read, it was  
“ delivered to them for their perusal and was accordingly  
“ perused by them.

“ When they <sup>had</sup> read it they called M<sup>r</sup> M<sup>c</sup>Culloch into the  
“ outer Room and signified their Approbation of the terms  
“ of the Lease, and their Willingness to accept it, desiring  
“ to be informed by him, of the Steps necessary to be taken,

in

“ in order to put in their Claim to the Lease and intitle themselves  
 “ to the Preference.

“M.<sup>r</sup> M.<sup>c</sup>Culloch told them that a fair Copy from that rough  
 “ draught must first be made for the use of the office, after  
 “ which if they desired it, another should be made out for  
 “ them, which they might sign with their Proposals, and send  
 “ in to the Governor, with which Answer they went  
 “ away satisfied with having done every thing in their Power,  
 “ or that could then be done to signify their readiness to  
 “ accept the Terms or forward them in the means of  
 “ obtaining the Lease.

“ W<sup>h</sup>en M.<sup>r</sup> M.<sup>c</sup>Culloch returned into the inner Room,  
 “ M.<sup>r</sup> Johnston desired again to see the Draught, & asked  
 “ for a pen and ink and half a Sheet of Paper, which M.<sup>r</sup>  
 “ M.<sup>c</sup>Culloch supplied him with, & sat him down at  
 “ a Desk by himself, thinking he intended to copy the  
 “ Conditions, he himself not paying any particular  
 “ attention to him, but going out and speaking with  
 “ other Persons occasionally as they came into the  
 “ Office upon that or any other business.

“ In a very short time M.<sup>r</sup> Johnston got up from the desk  
 “ and addressing himself to M.<sup>r</sup> M.<sup>c</sup>Culloch, with the Draught  
 “ in his hand, said there! for the good of the Publick, I  
 “ have accepted the terms for myself and Partner. M.<sup>r</sup>  
 “ M.<sup>c</sup>Culloch took the paper and seeing that he had sub-  
 “=scribed it in that form, represented to him, that it was  
 “ irregular and contrary to the Instructions he had received,  
 “ and mentioned as he had done to M.<sup>r</sup> Melvin and M.<sup>r</sup> Woolsey,  
 “ the Steps he was directed to prescribe to those who should  
 “ seem desirous of obtaining the Lease; to which M.<sup>r</sup> Johnston  
 “ made little reply, but that he knew the Course of business  
 “ in things of that nature, and that he accepted the  
 “ Conditions.

M<sup>r</sup> Ord

“ M<sup>r</sup> Ord and M<sup>r</sup> Dalglish came in soon after & were acquainted  
“ by M<sup>r</sup> Johnston that the Affair was over, for that he had  
“ subscribed to and accepted the terms, but M<sup>r</sup> M<sup>c</sup>Culloch  
“ told M<sup>r</sup> Johnston, that his manner of accepting them, could  
“ not be conclusive, and advised the others notwithstanding  
“ that subscription, to deliver in their proposals to the  
“ Governor if they had any inclination to the Lease.

“ The Same was said to M.<sup>r</sup> Collins, M<sup>r</sup> Johnston  
“ adding only, that if he pleased, he should be let into  
“ a share with him, which M<sup>r</sup> Collins accepted.

“ These are Circumstances which attended this  
“ Transaction attested by the Petitioners, and not contradicted  
“ by M<sup>r</sup> Johnston. the Committee would gladly if they  
“ could have reconciled this matter, and did very strongly  
“ recommend to the Parties, to unite their several Interests  
“ and take a joint lease in all their Names, to be divided  
“ after, in such Proportions, as they could agree upon,  
“ amongst themselves. but it appeared to the Committee  
“ that M<sup>r</sup> Johnston in confidence that his Subscription  
“ would intitle him to the Lease, had made such a  
“ disposition and arrangement of his Affairs, by letting  
“ in M<sup>r</sup> Collins and others to a Share, and by Contracts with  
“ several Persons for Timber and other things necessary to  
“ fulfill the Conditions of the Lease, as rendered an Union  
“ and joint acceptance of the Lease impracticable, and that  
“ he must either take it in the way he has subscribed for  
“ or totally abandon the whole design.

“ It should be added that the Petitioners as soon as they  
“ heard M<sup>r</sup> Johnston had signed Returned to the Office, and  
“ put their Names into the rough draught under his, and  
“ that they are now willing and content, to be let into  
“ such a Share with M<sup>r</sup> Johnston, as your Honor and the  
“ Council shall think reasonable. ✓

“ Upon this State of the Case, the Committee are desirous

of

“referring the whole matter to the Governor and Council at large, for their Consideration; Whether the Petitioners should be admitted to any, and what Share in the Lease intended to be granted to private Lessees, for the benefit of the Publick, of the King’s Wharf.

ix. Signed W.<sup>m</sup> Hey P. C.”

Survey of the Wharf & Storehouse and an Estimate of the Expences to be made.

Ordered that the Surveyor General make a Survey of the King’s Wharf and Storehouse thereon, and of the Repairs that are necessary to be made, with an Estimate of the Expence that such Repairs may amount to.

Dra.<sup>t</sup> of the Ord.<sup>ce</sup> for appointing Pilots

Read the Draught of an Ordinance for appointing Pilots and establishing certain Rules and Regulations to be observed by Masters of Ships sailing up and down the River S.<sup>t</sup> Lawrence to or from the City and Port of Quebec.

a new Preamble to be prepared by the Att. Gen.<sup>l</sup>

Ordered that the Attorney General do prepare a Preamble to the said Ordinance, setting forth it’s having received his Majesty’s Royal Approbation, and that it is not to be in force ‘till the first of May 1769.

To be translated and enterd in this book and published.

Ordered that the said Ordinance be translated into the French Language as usual and immediately published. and entered in this Book.

Ordinance for putting in force the new Pilotage ordinance

An Ordinance for appointing Pilots, and for establishing Certain Rules and Regulations to be observed by all Masters or Commanders of Ships, or Vessels, Sailing up or down the River Saint Lawrence, to or from the City and Port of Quebec

New preamble

Whereas the Ordinance hereunder following for the Appointment and Regulation of Pilots for the River Saint Lawrence, was prepared by the Honourable Lieutenant Colonel Irving, late president of His Majestys Council of this Province, by and with the Advice and Consent of the Council of the same, in the year of Our Lord One thousand, Seven hundred and Sixty

Six.

Six, And was afterwards sent to England in order to be perused and examined by His Most Excellent Majesty in his Privy Council,— And it hath pleased His Majesty by an order in his said Privy Council to signify his Royal Approbation of the said Ordinance and to sent it back to His Excellency the Lieutenant Governor and Command<sup>r</sup>, in Chief of this province, in ord.<sup>r</sup> to be passed by the <sup>S<sup>d</sup>.</sup> L.<sup>s</sup> Gov<sup>r</sup> & Council of the sd. Province. It is therefore Ordained and Declared by His Excellency the Lieutenant Governor and Commander in Chief of this Province, by and with the Advice and Consent of the Council of the same, That the said Ordinance shall take place and be in force in the said Province of Quebec. **But** as it would be difficult to make the necessary preparations for Carrying it into Execution soon enough to render it of service to the Navigation of the said River Saint Lawrence during this present year; It is therefore Ordained and Declared by His Excellency the Lieutenant Governor and Commander in Chief of this Province, by and with the Advice and Consent of the Council of the same, that the said Ordinance shall take place and be in force in the said Province of Quebec only from and after the first day of May in the year of Our Lord One thousand Seven hundred and Sixty nine, and not before.

The said Ordinance is as follows.\_\_\_\_

Ordinance  
for regulating  
Pilots.

“An Ordinance for Appointing Pilots and for  
“establishing Certain Rules and Regulations to be Observed by  
“all Masters or Commanders of Ships, or Vessels, sailing up or down  
“the River Saint Lawrence to or from the City and port of Quebec.—

Preamble

“Whereas the Stationing at proper Seasons of the  
“year a Certain Number of able Pilots, under proper Regulations,  
“at Bic and the Island of Coudre, in the River Saint Lawrence,  
“will be of great advantage and Safety to Shipping, bound to or  
“from the City of Quebec, And in order to render the same Effectual,  
“it will be necessary to establish Certain Rules & Regulations, to  
“be Observed by all Masters or Commanders of Ships or Vessels, on

their

“their Arrival at Bic and Coudre from Sea; or on their Return thither  
 “from Quebec. Be it therefore Ordained and Declared by His  
 “Honour the President of His Majestys Council and Commander  
 “in Chief of the Province of Quebec by and with the Advice and Consent  
 “of His Majestys Council, and by the Authority of the same It is  
 “hereby Ordained and Declared, That as soon as the season will  
 “permit in the next Spring, Eight or Ten Branch or other Pilots  
 “who shall have passed an Examination before Competent Judges  
 “and have been found sufficiently qualified to take upon themselves  
 “the Charge of the Pilotage of any Ship or Vessel Arriving at  
 “Bic or Coudre, bound to Quebec, and from thence down the River;  
 “and who shall respectively have Certificates of such their Qualifica=  
 “=tions Signed by the Governor or Commander in Chief of this Province  
 “for the time being, shall be ordered to attend at Bic from the time  
 “aforesaid until the middle of October in every year at which  
 “place a Convenient Log house shall be built for their use And at  
 “least Ten pilots shall likewise be ordered to attend at Coudre  
 “from the time aforesaid until the Middle of December in every  
 “year who shall respectively take Charge of all ships or Vessels  
 “on their Arrival at either of the said places, That is to say, every  
 “Pilot taking upon himself the Charge of any Ship or Vessel  
 “at Bic shall pilot the same from thence to Coudre, At which  
 “place if he is not qualified to proceed to Quebec, he shall be  
 “discharged and paid at the rate herein after mentioned, and  
 “the Ship or Vessel shall take in another pilot at Coudre who  
 “shall proceed from thence to Quebec, And on their return from  
 “thence to Coudre if the Pilot be not qualified to proceed to  
 “Bic the Master of such Ship or Vessel shall take in another  
 “Pilot there to proceed to Bic; And if any Pilot respectively  
 “Appointed to attend at Bic or Coudre as aforesaid for the time,  
 “and in Manner as is herein before directed, shall neglect, or

Refuse

“refuse so to do, or attending, shall neglect or refuse to go on board any  
“Ship or Vessel, being thereto required, by Signal or otherwise, and  
“do this duty therein as a pilot, in either of the said cases, such  
“Pilot not having any Just or reasonable Cause for such his  
“Neglect or Refusal, to be Allowed of by the person who shall  
“be appointed to Superintend the Pilots, shall, for every such  
“Offence, forfeit and pay the Sum of Five pounds Currency  
“for such uses, and to be levied, recovered and disposed of  
“in such Manner as is herein after directed. And be it  
“further Ordained and Declared by the Authority aforesaid  
“That every Ship or Vessel taking in a Pilot at Bic and  
“proceeding from thence directly to Quebec shall ~~pay for~~  
“pay for Pilotage at the rate of Twelve Shillings like Money  
“per foot, for every foot of Water, any such Ship or Vessel shall  
“draw, And every Ship or Vessel taking in a Pilot at the  
“Island of Coudre and proceeding from thence to Quebec, shall  
“pay for Pilotage at the rate of Six Shillings like Money  
“per foot, for every foot of Water any such Ship or Vessel shall  
“draw, and every Vessel proceeding from Coudre to Quebec,  
“and drawing less than eight foot of Water, shall pay for  
“Pilotage the Sum of Forty eight Shillings like Money, And  
“every Ship or Vessel returning from Quebec down the River,  
“shall pay after the rates and proportions as is herein before  
“mentioned And all Vessels to or from any port out of this  
“Province, shall and are hereby declared to be Subject and  
“liable to the same payments for Pilotage, as is herein before  
“and herein after mentioned. And be it further Ordained  
“and Declared by the Authority aforesaid that all Ships or Vessels  
“coming up the River Saint Lawrence, shall lye to (provided it can  
“be done with Safety) a reasonable time either at Bic or Coudres  
“in order to take in a Pilot at either of the said places; And when  
“any Ship or Vessel taking in a Pilot at either of the said places, And

One



“One or more Ships or Vessels Shall follow her, in order to save pilotage,  
 “every such Ship or Vessel so following shall pay one half pilotage,  
 “according to the rate which, would have been paid if a Pilot had  
 “been on board; And all Single Ships or Vessels coming up the  
 “River without a Pilot, shall pay half pilotage, Unless the  
 “Master can make appear that it was not owing to his neglect  
 “and all Masters or Commanders of Ships or Vessels shall aid and  
 “assist the Pilots, in working their respective Ships or Vessels, and  
 “shall follow the Pilots instructions, when to weigh and where to  
 “Anchor; And shall not oblige the Pilot on board to run any  
 “risque, And no Master of any Ship or Vessel shall detain a  
 “Pilot on board after the Ship or Vessel is moored at her Port,  
 “or the place for which the Pilot is taken in, more than Twenty  
 “four hours, But if the Master shall think it necessary for the  
 “Security of the Ship or Vessel to keep a Pilot on board any longer  
 “time, he shall pay to such person as is herein after appointed  
 “for receiving the pay of the Pilots, the Sum of Five Shillings for  
 “every day the Pilot shall be so detained as aforesaid, over and  
 “above the rates of Pilotage by this Ordinance Established. **And**  
 “**Be it further Ordained and Declared by the Authority aforesaid**  
 “That when any Pilot either at Bic or Coudre shall offer his  
 “Service to go on board any Ship or Vessel, And the Master or  
 “Commander shall refuse to take him in, every such Master or  
 “Commander so refusing, And not taking in, shall nevertheless  
 “be obliged, and shall pay the full Pilotage from either of the said  
 “places, One quarter part whereof, shall be for the use of the  
 “Superintendent or person to be appointed to have the Care  
 “and Management of the Pilots, and the remaining three fourths  
 “for the benefit of all the Pilots at the Station where such refusal  
 “was made; And that the whole of the Pilotage as well as the  
 “several forfeitures shall be divided in like Manner between the  
 “said Superintendent, And the Pilots of the respective Stations; And

all

“all Masters or Commanders of any Ship or Vessel, shall immediately  
“after their Arrival in the Harbour of Quebec, and being there  
“safely Moored, pay to the Superintendant of the Pilots the  
“respective Pilotage Money, And all Ships or Vessels bound  
“down the River shall pay their respective pilotages when they  
“put the Pilot ashore; And that <sup>in</sup> the Branch or Commission of  
“every Pilot hereafter to be Appointed for the services aforesaid,  
“it shall be mentioned therein for which of the Two Channels  
“he has passed his examination, And if he knows the Navigation  
“of both the North and South Channels. And in order to encourage  
“Pilots to Acquire a thorough knowledge of the South Channel  
“(that being esteemed the Safest for Vessels of a Moderate Burthen).  
“It is hereby Ordained that every pilot who shall Conduct any  
“Ship or Vessel up or down the said South Channel, shall  
“receive for his own proper use, over and above the rates of  
“Pilotage herein before set forth Twelve Shillings Lawful Money  
“of this Province, for every Ship so piloted, and Six Shillings  
“like money for any other Vessel, to be paid him by the Master  
“or Commander of such Ship or Vessel, upon their discharging  
“such Pilot. And be it further Ordained and declared by the  
“Authority aforesaid That the Superintendant or person to be  
“appointed to have the care and management of the Pilots \_  
“shall at his own expence provide a Shallop of between Eight  
“or Ten Tons Burthen; provided with a Windlass and other  
“necessaries, as well for Carrying the Pilots between Quebec, Coudre,  
“and Bic, as to assist Ships in cases of necessity, in carrying out  
“or weighing their Anchors, and for his care and Expences for  
“providing such Shallop, fitted and Carrying the Pilots from  
“place to place as aforesaid, he shall be allowed and may detain  
“in his hands One full fourth part and no more of the Pilotage  
“money up and down the River, And the like proportion of the Money  
“Arising for half pilotage, And when it shall happen that such Shallop

shall

“shall be aiding and assisting in Carrying out or weighing the Anchors  
 “of, or rendering any other Service to, any Ship or Vessel, the Master or  
 “Commander whereof, shall, over and above the Charges of Pilotages,  
 “pay a reasonable price therefor, and such Superintendant of the pilots,  
 “shall, from time to time, on Demand, pay over in equal proportions  
 “According to the Rates of Pilotage hereby Established, to and  
 “Amongst all the Pilots so to be appointed as aforesaid, the remain-  
 “=ing three fourths of the pilotage Money up and down the River  
 “as aforesaid, on pain of forfeiting for every refusal to the party  
 “injured, the Sum of Ten pounds of Like Money. And in order  
 “to render the passage over the Traverse more safe and easy It is  
 “hereby further Ordained and Declared by the Authority aforesaid  
 “That as soon as the Season of the year will permit, there shall be three  
 “Buoys secured on the Traverse with Anchors of between Eight and Twelve  
 “Hundred weight each, One of which Buoys shall be fixed on the  
 “north sand head, And the other on the Middle Ground, And another  
 “Buoy shall also be Secured on the Outer end of the Sand stretching out  
 “from the South shore over towards Coudre, which shall be laid down  
 “in the Spring and taken up late in the Fall, of every year, by the  
 “Superintendant of the Pilots; for defraying the Expences whereof each  
 “Ship shall on her Arrival at Quebec, pay to the said Superintendant  
 “of the Pilots eight Shillings, Snows and Brigantines Six Shillings, and  
 “Sloops or Schooners four shillings. And be it further ordained and  
 “Declared by the Authority aforesaid, That all other penalties and  
 “forfeitures arising by this Ordinance, and not herein before disposed  
 “of, shall be one half to His Majesty for the use of the Government  
 “of this province, And the other Moiety to the person who shall Inform  
 “and Sue for the same; And shall be Sued for and Recovered before any  
 “Two of His Majestys Justices of the Peace of the District of Quebec, upon  
 “the Oath of One or more Credible Witnesses in which Manner all  
 “other penalties Contained in this Ordinance shall be Sued for and  
 “recovered. And the Justices before whom the Offender or Offenders

shall

be Convicted,  
shall and may  
by Virtue of this  
Ordinance,(in case  
the Offender or  
Offenders shall

“shall shall neglect to pay the penalty or forfeiture) issue their Warrant  
“under their Hands and Seals for levying the same with full Costs  
“on the Offenders Goods and Chattels returning the Overplus /if any/  
“And for want of Goods and Chattels whereon to levy the same, to  
“Commit the Offender or Offenders to the Common Goal, thereto  
“remain without Bail or Mainprize for the space of three  
“Months, or until the said fine and Costs shall be paid. \_\_\_

“Given by the Honourable Paulus Emilius Irving,  
“Esquire, President of His Majesty’s Council, Com-  
“-mander in Chief of this Province, and Lieu<sup>t</sup> Colonel  
“of His Majesty’s Army At the Castle of Saint Louis  
“in the City of Quebec this Twenty first day of  
“August, in the Sixth year of His Majesty’s  
“Reign, And in the year of our Lord One thousand  
“Seven hundred and Sixty Six,, \_\_\_\_\_  
/Signed/ ,, P. Æmi.<sup>s</sup> Irving”

Given by the Honourable Guy Carleton, Lieutenant  
Governor and Commander in Chief of the Province  
of Quebec, Brigadier General of His Majestys  
Forces &c<sup>a</sup> &c<sup>a</sup> At the Castle of Saint Louis in  
the City of Quebec, this fifth day of May in  
the Eighth year of His Majesty’s Reign, And in  
the year of Our Lord One thousand Seven  
hundred and Sixty eight. \_\_\_\_\_  
/Signed/ Guy Carleton

By order of the Lieu<sup>t</sup> }  
Governor in Council\_\_\_\_ }  
/Signed/ Geo Allsopp D.C.C.

Petition of G.  
Messayer and  
others, Bakers

Read a Petition from Gab<sup>l</sup> Messayer, Augustin Cuvillier,  
John Haussman, John Saul & Peter La Chaume Master Bakers  
desiring that the Bakers of this City may be put under certain regulations,  
and that such persons only as follow Constantly that Profession,  
should have licences to carry on the baking business.

Refer'd to a  
Committee

Ordered to be refer'd to a Committee. Viz.<sup>t</sup> Mess.<sup>rs</sup> Hey  
Dunn and Mounier. \_\_\_\_\_

Petition of  
Jn<sup>o</sup> Marteilhe  
relative to his  
Lands in  
Lake Champlain  
praying a  
Confirmation  
& complaining  
of M<sup>c</sup>Kay and  
others.

Read a Second time a Memorial from John Marteilhe  
Esquire, relative to Grand Isle and a Seigniory in the Bay of  
Missiskoui on lake Champlain, praying a Confirmation of  
his Purchase, setting forth his having paid to his Majesty's  
use the Droit de Quint or fifth Penny and done Homage  
for the said lands; complaining that Fra<sup>s</sup> M<sup>c</sup>Kay Surveyor  
General of the King's Woods, in Conjunction with Sam<sup>l</sup> M<sup>c</sup>Kay  
and Moses Hazen Esquires, has sent People to cut down  
Timber and make Staves on the said Seigniory.

No Confirmation  
can be granted  
Seigniory  
being reunited  
to the Demesne.

Resolved that it is the Opinion of this Board that  
they can grant no Confirmation of the said Seigniory,  
it having been reunited to the King's Domain, during  
the time of the French Government; but the Petitioner's  
having paid the Purchase money and also the King's  
fifth penny, may entitle him to his Majesty's Favour  
with respect to a future Grant of the s.<sup>d</sup> Seigniory.

Cl. Council ord.<sup>d</sup>  
to require Mess<sup>rs</sup>  
McKay & other  
desist from  
cutting down  
the King's  
Timber.

Ordered that the Clerk of the Council do write Mess.<sup>rs</sup>  
MacKays and Hazen a Letter, requiring them to desist  
from cutting down Timber on the King's Domain or  
ungranted Lands, or that they shall be prosecuted by  
the Attorney General.

An Advertisem.<sup>t</sup>  
to be published  
forbidding all  
persons from  
cutting down  
Timber on his  
Majesty's Demesne

Ordered that an Advertisement be published in the  
Quebec Gazette, giving notice that no Person do presume  
to lay waste, Or cut down any Timber on, the King's  
Lands in this Province, on pain of being prosecuted  
in due Course of Law by his Majesty's Attorney General.

Guy Carleton

At The Council Chamber in the  
Castle of S<sup>t</sup> Louis in the City of Quebec, on Monday  
the Fourth day of July 1768.

Present.

The Hon<sup>ble</sup> Guy Carleton Lieut:<sup>t</sup> Governor  
William Hey C. J. } Esquires  
H. T. Cramahé }  
Sam.<sup>l</sup> Holland }  
Walter Murray }  
Fra.<sup>s</sup> Mounier } Esquires

A New Committee appointed to prepare the heads of an ordinance for amending the old and making New roads.

Resolved that a New Committee be appointed to take into Consideration the State of the publick Roads and high ways in this Province and to examine the Ordinances in force and prepare the Heads of an Ordinance for the more effectual amending the old or making such new Roads as may be judged expedient, the Committee to consist of the Chief Justice, M.<sup>r</sup> Cramahé, M.<sup>r</sup> Holland and M.<sup>r</sup> Mounier, and any other Member of this board may make one of the Committee.

Report touching the petition of J. Jenison & Delorme for a new road from Yamasca to S.<sup>t</sup> Charles.

Read the Report of the old Committee for the Roads and high ways touching a New road petitioned for by John Jenison and M.<sup>r</sup> Delorme from Yamasca to S.<sup>t</sup> Charles.

Refer'd to the New Committee of roads.

Ordered to be refer'd to the New Committee for their Consideration.

Petition of Sam. Jacobs, Jn<sup>o</sup> Welles & Company for a Grant of the Ruins of the King's Forge.

Read Petition of Sam Jacobs John Welles & Company, setting forth their heavy Loss by the falling down of the King's Forge in the Cul de Sac, where they had erected works for carrying on the Manufactory of Pearl Ashes, or extracting Salt from Vegetables; and praying a Grant of the Ruins thereof, in order to enable them to carry on the said Manufactory under such Reserve and quit rent as to this Board shall seem meet.

Ordered to be Surveyed

Ordered to be filed and that a Warrant be directed to the Surveyor General, to survey the Ruins of the said Forge for the Petitioners and to make <sup>a Plan</sup> of the same, reporting his opinion, if the granting the same will be to the prejudice of his Majesty or the Publick.

Memorial in favor  
of John Fraser  
to be appointed  
School-master.

Read Memorial of Sundry Merchants addressed  
to the Lieutenant Governor and Council, recommending  
John Fraser for Master of the Publick English School  
in the room of Patrick <sup>M.c</sup>Clement resigned.

Dismissed.



Resolved that the Memorial be dismissed, it  
being improperly addressed to the L.<sup>t</sup> Governor in  
Council, as the Lieutenant Governor, having  
received his Majesty's Instructions on that head,  
had taken his Resolution in regard to the person  
to be appointed to the place abovementioned.

Petition of the  
Merchants and  
principal Inhabitants  
to appoint a person  
to inspect into the  
due Execution of  
the Fire Ordinance.

Read Petition of the Merchants and principal  
Inhabitants of the City of Quebec, praying a Person to be  
appointed, to inspect that the Ordinances and  
Regulations made to prevent Accidents by fire or  
such others as may be thought expedient to be made,  
for that purpose, are duly executed.

Refer'd to the  
Fire Committee  
appointed 18 Ap<sup>l</sup>  
last.

Ordered to be filed, and Refer'd to the Committee  
of the 18<sup>th</sup> April last, who are to consider of what further  
Regulations are necessary to be made to prevent  
Accidents by fire.

Petition of N. Davis  
Messenger for an  
Appeal from a Judgment  
of the Weekly Court  
for a Debt contracted  
by his Wife before  
Marriage.

Read Petition of Nicolas Davis,  
Messenger, praying an Appeal from a Judgment  
given by the Justices of the weekly Court, in favor  
of John Haussman, ag.<sup>t</sup> the Petitioner, it being  
a Debt contracted by his Wife before their  
Marriage, which he alledges he is not liable  
to pay by the French Laws.

Dismissed.

Resolved that the Petition be dismissed  
this Board.

Pet.<sup>n</sup> of P:<sup>r</sup> Mills  
for his Expences in  
summoning Evidency  
from Deschambault  
to lye on the Table.

Read Petition of Peter Mills praying an  
allowance for his Expences in going to Deschambault  
and summoning Evidence from thence.

Ordered to lye on the Table.

Order for Survey of Lands behind the Seigniory of the Indians of Sault S.<sup>t</sup> Louis. \_

Ordered that a Warrant be directed to the Surveyor General or his Deputy, to make a Survey of the Lands behind the Seigniory of the Savages called the Sault de Saint Louis, as far back as the Boundaries of the Province, in order to compleat the former Survey ordered to be made of the Lands in dispute between the said Indians, Monsieur René Cartier and Madame La Noue agreeable to an order in Council of the 8. May 1767.

Order for Survey of Lands claimed by the Indians of S.<sup>t</sup> François.

Ordered that a Warrant be directed to the Surveyor General or his Deputy to make a Survey of the Lands claimed by the Indians of S.<sup>t</sup> Francis in the District of Montreal and to return a Plan thereof to this board.

Appointment of Committee to Examine the public Acco.<sup>ts</sup> to 24<sup>th</sup> June last.

Ordered that H T Cramahé Esquire, Cap<sup>t</sup> Holland and M<sup>r</sup> Mounier do sit as a Committee to examine and make up the publick Accounts to the 24<sup>th</sup> of June last inclusive. and any other Member of this Board may make one of the Committee. \_\_\_\_\_

Guy Carleton

At The Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Saturday the Thirtieth day of July 1768.

Present

The Hon<sup>ble</sup> Guy Carleton Lieut.<sup>t</sup> Governor.

William Hey C J. }  
H T Cramahé .... } Esquires.  
Thomas Dunn. }

Sam.<sup>l</sup> Holland }  
Benj.<sup>a</sup> Price } Esquires.  
Fra<sup>s</sup> Mounier }

Letter from the Secretary of State laying open the Indian Trade.

Read a Letter from the Right Honble The Earl of Hillsborough, his Majesty's Principal Secretary of State for the American Department to the Lieutenant Governor, dated White hall April 15.<sup>th</sup> 1768. directing the Indian Trade to be laid open. under the direction of the Governments of the different Provinces.

Report of the Board of Trade to his Majesty touching the said Trade.

Read also a Report from the Board of Trade \_\_\_ to his Majesty, Touching the expediency of laying open the Indian Trade and explaining the Business of the Superintendant for Indian Affairs.

Ordered



Ordered to be kept  
in the Office for  
the perusal of the  
Council.

The Survey of  
this Province from  
the Cedars to Lake  
Ontario, recommended  
by the Surv<sup>r</sup> Gen.<sup>l</sup>  
and

Approved by  
this Board.

Petition of Colin  
Drummond Agent  
Victualler regarding  
Wharfage demanded  
of him and a  
Store building by  
Cap<sup>t</sup> Johnston in the  
front of the King's  
Store.

Petition of Jonas  
Clark Minot with  
respect to a Wall  
built close to his  
Brew house.

both the above  
Petitions refer'd  
to the Wharf-  
-Committee.

Ordered that a Copy of the before mentioned Letter and Report  
be filed; and kept in the Office for the perusal of the Members  
of this board.

The Surveyor General having recommended that the  
Survey of this Province be continued from the Cedars up to  
Lake Ontario; and Lieu.<sup>t</sup> Chris.~ Carleton having offered  
himself as a Volunteer to make the said Survey without  
any allowance from Government for his Services.

Approved of, provided that the Sum necessary for  
carrying the said Survey into execution does not exceed  
Sixty pounds Sterling.

Read a Petition from Colin Drummond Esquire  
Agent to the Contractors for victualling his Majesty's  
Forces in North America, complaining of Wharfage being  
demanded of him by the Lessees of the King's Wharf;  
and of their building a Store or Warehouse in the Front  
of the King's Store.

Read <sup>also,</sup> a Petition of Jonas Clark Minot complaining  
that the Wall built by M<sup>r</sup> Johnston one of the Lessees of the  
King's Wharf near the Petitioners house, deprives him  
both of Light to his house and of common convenience  
to his Lot of Ground, so as to render his Property of  
very little value.

Ordered <sup>both Petitions to be filed, and</sup> that Mess.<sup>rs</sup> Cramahé, Dunn, Holland and  
Mounier, the former Committee appointed to prepare  
the Conditions of the Lease for the King's Wharf, do take  
a View of the Premises, and see that the Conditions of  
the Lease are strictly complied with and to take  
care also that no Private Property be infringed on by  
the Lessees.

Read.

Survey of a lot of Ground adjoining to the King's Wharf for Jacob Rowe.

Read the Deputy Surveyor General's Report and Description of the Plan of a Lot of Ground adjoining to the King's Wharf, Surveyed for Jacob Rowe.

Survey of the like for George Gregory & G Allsoop.

Read likewise the Deputy Surveyor General's Report and Description of the Plan of a Lot of Ground adjoining to the King's Wharf surveyed for Geo. Gregory and Geo Allsopp.

Survey of the Ruins of the King's Forge for Sam.<sup>l</sup> Jacobs, J Welles & Co.

Read also the Surveyor General's Report and Description of the Plan of the Ruins of the King's Forges, surveyed for Samuel Jacobs, John Welles and Company.

Refer'd to the Wharf Com<sup>m</sup>tee.

Ordered to be <sup>filed</sup> & refered to the Committee before mentioned who are to take a view of the Premises & to report their opinion thereon to This board.

M<sup>r</sup> Dunn having desired not to be on the Committee that are to report concerning M.<sup>r</sup> Rowe's Lot of Ground,

Ordered that the Chief Justice be put in his stead.

Petition of Ronald McDonnel a discharged Soldier for Lands.

Read a Petition of Ronald MacDonnel a discharged Soldier, for a spot of Land, between La Prairie and S.<sup>t</sup> John's or else where,

Refer'd to the Committee.

Ordered to be filed and refer'd to the Committee of Grants of Lands. \_\_\_\_\_

Guy Carleton

At

At the Council Chamber  
in the Castle of S.<sup>t</sup> Louis in the City of Quebec,  
on Monday the first day of August 1768.

Present.

The Hon<sup>ble</sup> Guy Carleton Lieutenant Governor.

William Hey C J.	} Esquires
H. T. Cramahé	
Tho. <sup>s</sup> Dunn	
Sam. <sup>l</sup> Holland	
Benj. <sup>n</sup> Price	

Petition of  
Ja.<sup>s</sup> Johnston & Jn.<sup>o</sup> Purss  
for the Lease of the  
Wharf to be made.

Read Petition of Johnston & Purss praying that the  
Lease of the King's Wharf be immediately made out and  
executed agreeable to the Tenor of their Contract. \_\_\_\_\_

The Att<sup>y</sup> General  
to prepare the  
Dra.<sup>t</sup> thereof.

Ordered to be filed and that the Attorney General  
do prepare the Draught of a Lease of the King's Wharf  
and lay the same before this board for their  
Approbation. \_\_\_\_\_

Receiver General's  
Accounts produced  
and Sworn to

The Honble Hector Theoph.<sup>s</sup> Cramahé Esq.<sup>r</sup> Acting  
Receiver General produced his Accounts for the last  
half year from 25 December 1767 to 24 June 1768,  
which were compared with those formerly examined  
and approved in Council, and he was this day sworn  
to the truth of his said Accounts in Council.

to be filed in  
the office.

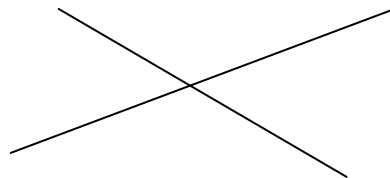
Order'd that the Receiver General's Accounts be  
filed in this Office. \_\_\_\_\_

Report of the  
Com<sup>m</sup>tee on the  
Publick Acco.<sup>ts</sup>

Read the report of the Committee of the 23.<sup>d</sup> 25.<sup>th</sup>.  
& 27 July last upon the Publick Accounts. \_\_\_\_\_

Confirmed &  
Order'd to be Enter'd.

Ordered the Report to be confirmed and entered  
in this Book. \_\_\_\_\_



Quebec,

Present  
The Honble Hector Theop.<sup>s</sup> Cramahé  
Thomas Dunn }  
Samuel Holland } Esquires  
Francis Mounier }

The Committee appointed to examine the Accounts and Claims against the Government of this Province from the  
25<sup>th</sup> December 1767 to the 24<sup>th</sup> June 1768. \_\_\_\_\_

Fees of Office	Demands as per Account <sup>s</sup>	Allowed by the Committee & Approved of in Council	Submitted to the Right Honble the Lords Co'missioners of the Treasury.
	Sterling		Sterling
The Deputy Secretarys Account from 25 <sup>th</sup> December 1767 to 24 <sup>th</sup> April 1768.....	81,,10,, 6	.....	81,,10,, 6
Ditto.....from 25 <sup>th</sup> April to 24 <sup>th</sup> June.....1768.....✓	21,,19,, 4	.....	21,,19,, 4
The Deputy Provost Marshals Accounts for the District of Quebec.....✓	20,, 6,, 4	.....	20,, 6,, 4
Ditto.....for the District of Montreal.....✓	15,,13,, 6	.....	15,,13,, 6
The Deputy Clerk of the Councils Account from the 25 <sup>th</sup> December 1767 to 24 <sup>th</sup> April 1768....✓	35,, 8,,10	.....	35,, 8,,10
Ditto..... from 25 <sup>th</sup> April to 24 <sup>th</sup> June.....1768.....✓	16,,16,, 1	.....	16,,16,, 1
The Attorney Generals Accounts.....d <sup>o</sup> .....d <sup>o</sup> .....✓	82,,19,,	.....	82,,19,,
The Coroner for the District of Quebec's Account.....✓	13,,17,,	.....	13,,17,,
Ditto for the District of Montreal's Acco <sup>t</sup> from 25 <sup>th</sup> June to 24 <sup>th</sup> Decem <sup>r</sup> 1767. Omitted in the last half years Acc. <sup>s</sup>	7,,19,,7	.....	7,,19,,7
Ditto.....from 25 December 1767 to 24 <sup>th</sup> June 1768.....✓	<u>13,,16,, 1</u>	.....	<u>13,,16,, 1</u>
<u>Total Fees of Office Sterl<sup>s</sup> £</u>	<u>310,,6,,3</u>	.....	<u>£310,,6,,3</u>
<b>Disbursements ans Contengencies</b>			
The Deputy Secretary's Account of Disbursements from 25 <sup>th</sup> December 1767 to 24 <sup>th</sup> April 1768.....✓	29,,17,,	29,,17,,	✓
Ditto.....from 25 <sup>th</sup> April to 24 <sup>th</sup> June 1768.....✓	25,, 8,, 5	25,, 8,, 5	✓

The Deputy Provost Marshal's Acco <sup>t</sup> for Disbursements for the District of Quebec.....✓	86,, 4,, 8	86,, 4,, 8	✓
Ditto.....d <sup>o</sup> ..... for the District of Montreal.....✓	52,,14,, 1	52,,14,, 1	✓
The Deputy Clerk of Councils Acco <sup>t</sup> of Disbursem <sup>ts</sup> from the 25 <sup>th</sup> Decem <sup>r</sup> 1767 to 24 <sup>th</sup> April 1768.....	10,, 6,, 6	10,, 6,, 6	✓
Ditto.....d <sup>o</sup> .....from the 25 <sup>th</sup> April to 24 <sup>th</sup> June 1768.....✓	7,, 5,, 3	7,, 5,, 3	✓
The Clerk of the Peace's Disbursem <sup>ts</sup> for the District of Montreal from the 25 <sup>th</sup> Decem <sup>r</sup> 1767 to 24 <sup>th</sup> June 1768.....✓	7,,10,,	7,,10,,	✓
The Honble William Hey Chief Justice going to Montreal & holding the Assizes in Febr <sup>y</sup> last.....✓	100,, ,, ,,	100,, ,, ,,	✓
Francis Maseres Esq. <sup>r</sup> Attorney General Attending said Assizes.....✓	45,, ,, ,,	45,, ,, ,,	✓
Henry Kneller Esq. <sup>r</sup> Clerk of the Crown Attending...ditto.....✓	27,, ,, ,,	27,, ,, ,,	✓
David Lynd Esq. <sup>r</sup> Civil Clerk.....Attending...ditto.....✓	22,,10,,	22,,10,,	✓
John Collins Esq. <sup>r</sup> Deputy Surv. <sup>r</sup> Gen. <sup>l</sup> for half years Rent of an Office allowed by the Treasury £25,, ,, ,,			
d <sup>o</sup> for his trouble and Expences in travelling to Montreal and making Sundry			
Surveys, of the Indian Lands at Sault S <sup>t</sup> Louis, of those reserved for the Fortifications			
of Montreal, and also of the Seignories of Chateauguay & La Prairie with Plans thereof } 70,,4,, ✓	95,, 4,,	95,, 4,,	✓
Jenkin Williams Esq. <sup>r</sup> for Seven days Attendance on the Committee appointed to enquire			
into the Grounds and reasons of M <sup>r</sup> Allsopp's having been Superseded by Governor			
Murray, in the stead of M <sup>r</sup> Potts Acting Clerk of the Council, who declined			
to officiate on that Occasion in March and April 1768..... } 5,, 7,, 7 ✓	5,, 7,, 7	5,, 7,, 7	✓
Brown and Gilmore Printers their half years Salary.....✓	27,, ,, ,,	27,, ,, ,,	✓
Jacob Stegman Goaler his Allowance from 25 <sup>th</sup> Decem <sup>r</sup> 1767 to 15 <sup>th</sup> May 1768_ 143 days @ 1/ St <sup>r</sup> p diem.....✓	7,, 3,, ,,	7,, 3,, ,,	✓
Robert Murray Goaler.....Ditto from 16 <sup>th</sup> May to 24 <sup>th</sup> June 1768...40 day @ d <sup>o</sup> .....✓	2,, ,, ,,	2,, ,, ,,	✓
Timothy Divine Cryer his Allowance for attending the Supreme Court.....£5,, ,, ,			
d <sup>o</sup> for attend <sup>g</sup> the Court of Quarter Sessions, the Justices weekly Courts, and his Disbursements.....9,,14,3	14,,14,, 3	14,,14,, 3	✓
Joseph Perthuis Interpreter for his trouble and attendance upon Lieu. <sup>t</sup> Governor Carleton to the Several Indian Villages			
on the Lieut Governor's Route to Oswegatchie and up the Ottawa River in June last..... } 22,,10,, ,, ✓	22,,10,, ,,	22,,10,, ,,	✓
Carried over    £	587,,14,, 9	587,,14,, 9	24

Disbursements and Contingencies Continued	Demands as per Accounts	Allowed by the Committee & approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
Brought Forward.....£	587,,14,, 9	587,,14,, 9	
David Gallwey Interpreter for Attending the Several Courts of Justice.....✓	28,,10,,	28,,10,,	✓
Zach <sup>y</sup> . Thompson Captain of the Port his Disburse <sup>ts</sup> & Contingencies.....✓	17,,17,, 3	17,,17,, 3	✓
Mons <sup>r</sup> Chabert for a years Rent of a house at Montreal and the Furniture thereof for the Governor.....✓	75,, ,, ,,	75,, ,, ,,	✓
Richard Murray for 4mo. <sup>s</sup> 7 days rent of a house for the publick papers from 25 <sup>th</sup> Decem. <sup>r</sup> 1767 till 1 <sup>st</sup> May 1768. <u>now given up</u> ✓	15,,17,, 6	15,,17,, 6	✓
The Seminary at Montreal for a half years Rent of a Court house.....	11,, 5,, ,,	11,, 5,, ,,	✓
Mons. <sup>r</sup> Cugnet for half years Rent of a house for the Council papers.....✓	11,, 5,, ,,	11,, 5,, ,,	✓
Captain Schlossher his Allowance of 5/ Ster. <sup>1</sup> p day for residing and acting as a Justice of the Peace at the Lake of the Two Mountains from 25 <sup>th</sup> December 1767. to 24 <sup>th</sup> June 1768. _ 183 days.....✓	45,,15,, ,,	45,,15,, ,,	✓
Grand Maison for his half years Pension.....	8,, 4,, 3,,	8,, 4,, 3,,	✓
Tho <sup>s</sup> Dunn Esq. <sup>r</sup> for Sundry Presents made the Indians in differ. <sup>1</sup> parts of the province by ord. <sup>cc</sup> of the L <sup>t</sup> Gov. <sup>r</sup> as p partic <sup>r</sup> accots✓	34,, ,, ,,6	34,, ,, ,,6	✓
The Post office for the Governments Letters.....✓	26,, 6,,10	26,, 6,,10	✓
Nicholas Davis Messenger his Allowance for Six Months and Disbursements.....✓	22,, 9,, 1	22,, 9,, 1	✓
Peter Mills Doorkeeper for Extra Service.....✓	1,, 7,, 6	1,, 7,, 6	✓
Patrick M <sup>c</sup> Clement Schoolmaster for Six months Salary & Schoolhouse rent.....✓	13,, 7,, 6	13,, 7,, 6	✓
Jonas Desaulles, Ja. <sup>s</sup> Jeffry & Jonas Clark Minot Three Jurors who were Summoned to Three Rivers in 1765. to Attend the Assizes held there for the trial of Sundry persons Concerned in the assault on Thomas Walker Esq. <sup>r</sup> and promised their Expences by Governor Murray, but who Omitted to deliver their Acco. <sup>ts</sup> 50/. Each.....	7,,10,, ,,	7,,10,, ,,	✓
Benjamin Comte Att <sup>y</sup> to James James of Philadelphia for £137,,16,, 8 Ster. <sup>1</sup> the one half amount of the Sloop Welch impressed into the Kings Service in October 1761. by Jacob Rowe Acting Commissary, in order to Carry Provisions to Montreal, in which Service she was lost_ for the other half of said Sloop, the property of John Malcom, a prosecution was Commenced, and Judgement given against said Jacob Rowe and the Government did pay unto said Malcom the Sum of £139,, 7,,57 Sterling together with Costs of Suit.....	137,,16,, 8	.....	
The Committee are of opinion that the said Sum of £137,,16,, 8 Ster. <sup>1</sup> should be forthwith paid to M <sup>r</sup> Comte in order to avoid the Expences of a Law Suit.....	.....	137,, 16,, 8	✓
Delestre Beaujour for inclosing & reparation of the publick Well on the Parade.....✓	24,, ,, ,,	24,, ,, ,,	✓
Total of Disbursem., <sup>ts</sup> & Contingencies Sterling £	1068,,6,, 10	£1068,,6,, 10	
(Signed) H. T. Cramahé P <sup>r</sup> . C <sup>1</sup> ,			
Examined and Approved in Council..... <u>Guy Carleton</u>			

At The Council Chamber in the Castle of S.<sup>t</sup>  
Louis in the City of Quebec on Friday the fifth day of  
August 1768.

Present.

The Hon<sup>ble</sup> Guy Carleton Lieutenant Governor.

William Hey C J.	} Esq. <sup>rs</sup>
H T Cramahé	
Thomas Dunn	
Sam <sup>l</sup> Holland	
Benjamin Price	
Fra <sup>s</sup> Mounier.	

Report of the  
Com<sup>m</sup>ee on  
C Drummond &  
J C Minot's Petitions.

Read the Report of the Committee appointed to take  
into Consideration the Petitions of Colin Drummond Esq<sup>r</sup>  
& Jonas Clark Minot, ordered the 30<sup>th</sup> July last.

Confirmed  
& Messieurs  
Johnston & Purss  
ord.<sup>d</sup> to desist  
from building  
before the King's  
Store.

Ordered that the Report be confirmed and Entered in  
this Book. Resolved that Mess.<sup>rs</sup> Johnston & Purss be  
directed to desist from building that part of a Store or  
Warehouse they have begun to erect in the Front of  
the King's Store and that they do remove the Materials  
they have carried there & leave the Space before the  
King's Store in the State they found it \_\_\_\_\_

The Report.  
\_\_Viz.<sup>t</sup>\_\_

“ At a Committee of the Council held on Tuesday  
“the Second day of August 1768

“Present

“The Honble Hector Theop. <sup>s</sup> Cramahé	} Esquires.
“Thomas Dunn	
“Samuel Holland	
“Francis Mounier	

“The Committee having considered the Petition of Colin Drum-  
mond Esquire, respecting the Store or Warehouse begun to be erected  
“by Messieurs Johnston and Purss in the front of the King's Store  
“on the Wharf, and taken a view of the premises, Are of Opinion

that

“that as by the Conditions made for the Lease of the Wharf, the  
“King’s Store House is Expressly left out of the Dependancies of  
“the King’s Wharf and Consequently the space or Lot of Ground  
“fronting it; That Mess<sup>rs</sup> Johnston & Purss had no right to build  
“before the Kings Store and should be obliged to remove the building  
“they have begun and also the Materials they have caused to be Carried  
“there for building, and leave the Space before the said Store in the  
“State they found it. \_\_\_\_\_

“That with respect to the Wharfage demanded for the Brig  
“Betty, during the time she lay at the said Wharf landing  
“a Cargo of Rice for the Troops: It is expressly Stipulated in the  
“last Article of the Conditions of the said Lease, “That no Wharfage  
“shall be demanded for Vessels; or for Goods landed for His Majesty’s  
“use, as Stores Provisions &c.” \_\_\_\_\_

“The Committee are of Opinion that Messieurs Johnston & Purss  
“had no right to demand any Wharfage for the Brig Betty, while  
“she lay at the said Wharf, discharging her Cargo for the King’s use.

“The Committee having taken into Consideration the  
“Petition of Jonas Clark Minot, in behalf of Captain Benj.<sup>n</sup> Cobb.  
“and taken a view of the Wall built before the Petitioners house,  
“are of opinion that the said Wall is very prejudicial to the said  
“house, being so near as to deprive one end of it almost intirely of  
“light, and will lessen the Value of the House and Lot very  
“Considerably: but as the Wall is already built, how or what  
“relief can be given therein to the Petitioner the Committee Submits  
“to the Consideration of this Board.” \_\_\_\_\_

/Signed/ H. T. Cramahé

Guy Carleton

At.



At the Council Chamber  
in the Castle of S.<sup>t</sup> Lewis, in the City of Quebec,  
on Saturday the sixth day of August 1768.

Present.

The Hon<sup>ble</sup> Guy Carleton, Lieut.<sup>t</sup> Governor.  
William Hey C J.  
H. T Cramahé.  
Thomas Dunn  
Benj.<sup>n</sup> Price  
Fra<sup>s</sup> Mounier. } Esquires.

Survey of the  
King's Wharf.

Read the Surveyor General's Report and Description  
of the Plan of the King's Wharf.

Approved &  
Confirmed.  
and  
order'd that the  
value of the Lots  
of ground occupied  
by Jacob Rowe  
Geo. Gregory and  
Geo. Allsopp, be  
settled by Arbi-  
-tration. \_\_

Approved and ordered to be Confirmed, and that  
the value of the buildings and Improvements on the Lots  
of ground claimed by Messieurs Jacob Rowe, Geo. Gregory  
and George Allsopp be estimated by Arbitrators, Two to  
be chosen by the Lessees of the Wharf and two by the Occupiers  
of the said Lots; which four are to chuse a fifth Arbitrator  
and a Majority of Voices shall determine the price  
the said Occupiers are to be paid for the same.

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
On Tuesday the Sixteenth day of August 1768.

Present

The Hon<sup>ble</sup> Guy Carleton Lieutenant Governor.  
William Hey C J  
H. T Cramahé  
Tho<sup>s</sup> Dunn  
Sam.<sup>l</sup> Holland  
Benj.<sup>n</sup> Price  
Fra<sup>s</sup> Mounier. } Esquires.

Second\_  
Petition of S Jacobs  
J. Welles & Co.  
touching a Grant  
or Lease of the  
ruins of the Forge.

Read a Petition of Sam.<sup>l</sup> Jacobs, John Welles and  
Company, touching a Grant or Lease of

the

The King's Forges in the Lower Town. Read also the Surveyor General's Report and Description of the Plan thereof.

Refer'd to the Committee.

Order'd to be filed and refer'd to the Committee appointed the 30.<sup>th</sup> July last.....

Petition of Andrew Convan a discharged Soldier for Lands.

Read Petition of Andrew Convan late Soldier in His Majesty's 15.<sup>th</sup> Regiment, for a Lot of Land at Chateauguay.....

Refer'd to the Committee.

Ordered to be filed and refer'd to the Committee for Grants of Lands. \_\_\_\_\_

Guy Carleton

At the Council Chamber in the Castle of S.<sup>t</sup> Louis in the City of Quebec, on Thursday the Eighteenth day of August 1768.

Present.

The Hon<sup>ble</sup> Guy Carleton Lieu.<sup>t</sup> governor.  
W<sup>m</sup> Hey C J. } Esq.<sup>rs</sup> { Sam.<sup>l</sup> Holland  
H T Cramahé } { Ben.<sup>n</sup> Price  
Tho.<sup>s</sup> Dunn } { Fra.<sup>s</sup> Mounier

Petition of Joseph Phillibot.

Read Petition of Joseph Phillibot for a Grant of Twenty thousand Acres of Land on the North shore of the River Ristigouche, in the Bay of Chaleurs.

Not granted.

Resolved that the Land petitioned for cannot be granted, ~~as~~ being claimed by the Indians.

Petition of Peter Mills.

Read Petition of Peter Mills, Doorkeeper, for his Expences in going to Deschambault and summoning Evidences from thence.

Dismissed.

Ordered that the Petition be dismissed this Board, as it comes properly before the Court of Chancery.

Memorial of the Grand Jury for an allowance for a room

Read the Memorial of the Grand Jury of the last Term for the District of Quebec, for an allowance for the use of a Room to do the publick business in.

Receiv<sup>r</sup> Gen.<sup>l</sup> order'd to pay the foreman 23 dollars.

Ordered that the Receiver General do pay to the Foreman of the Grand Jury twenty three Dollars for the use of a Room

Room occupied by them the last Term, it being the Sum formerly allowed.

A  
Committee  
appointed to  
examine into  
the Reparation  
of the Chateau  
S.<sup>t</sup> Louis

Ordered that M.<sup>r</sup> Dunn, Cap<sup>t</sup> Holland & M.<sup>r</sup> Mounier  
A Committee of this Board, do take a View of the Repairs of  
the Chateau S.<sup>t</sup> Louis, & examine if the Work done be agreeable  
to the Contracts made with the respective Artificers, and  
make a Report thereof to this Board.

Guy Carleton

At the Council Chamber, in the Castle  
of S.<sup>t</sup> Louis in the City of Quebec, on Monday the  
Twenty ninth day of August 1768.

Present

The Hon<sup>ble</sup> Guy Carleton Lieu.<sup>t</sup> Governor.

William Hey C J	} Esquires.
H T Cramahé	
Thomas Dunn	
Sam. <sup>l</sup> Holland	
Benj. <sup>n</sup> Price	
Fra <sup>s</sup> Mounier.	

Petitions  
for Land.  
Jn.<sup>o</sup> Franks.

Read Petition of John Franks for 1600 Acres of  
Land between Lake Champlain & Lake S.<sup>t</sup> Louis.

John Lee.

Read Petition of John Lee a discharged Soldier for  
Lands near Montreal.

Mat. Armstrong.

Read Petition of Matthew Armstrong a discharger Soldier  
for Lands near Chateauguay.

Ja.<sup>s</sup> Bryan

Read Petition of James Bryan a discharged Soldier  
for Lands near Chateauguay.

John Ross.

Read Petition of John Ross for 750 Acres of Land  
at Chateauguay.

Petition of  
Rob.<sup>t</sup> Mallet  
for Land.

Read Petition of Robert Mallet, Cooper, for  
Lands at Chateauguay.

Refer'd to the  
Com<sup>m</sup>tee for  
Lands.

Ordered the above Six Petitions to be filed and  
refer'd to the Committee for Grants of Lands.

Petition of  
Mary Robinson  
alias Fraser

Read Petition of Mary Fraser alias Robinson for  
3,000 Acres of Land at Chateauguay.

Dismissed.

Ordered to be Dismissed.

Petition of  
Brown &  
Gilmore

Read the Petition of Brown & Gilmore Printers to  
the Government, for an addition to their Salary, and that  
the business that they are to do for such Salary may be  
ascertained. \_\_\_

to lye on the  
Table

Ordered to lye on the Table.

List of the  
Bailiffs  
to be published.

Ordered that the List of the Bailiffs for the ensuing  
year be made out agreeable to the Returns or Nominations  
made by the respective Parishes, and that for such Parishes  
as have made no Returns, the old Bailiffs are to be  
continued, and the List published as usual. \_\_\_

Report of the  
Com<sup>m</sup>tee on the  
Baker's Petition.

Read Report of the Committee on the Bakers Petition,  
(appointed 5 May 1768.) of the 7<sup>th</sup> May last.

a Dra:<sup>t</sup> of an  
Ordinance to  
be prepared.

Ordered that the Attorney General do prepare a draught  
of an Ordinance agreeable thereto. \_\_\_

Report of the  
Com<sup>m</sup>tee on the  
Publick Roads.

Read Report of the Committee on the Publick Roads  
(appointed the 4 July last) of the 9. 11. 13. 15 & 17 Aug<sup>t</sup> 1768.

Order'd a dra:<sup>t</sup>  
of an Ordinance  
to be prepared.

Ordered that the Attorney General do prepare a dra.<sup>t</sup>  
of an Ordinance conformable to the Plan laid down in  
the said Report. \_\_\_\_\_

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Lewis in the City of Quebec,  
on Saturday the third day of September 1768.

Present

The Hon<sup>ble</sup> Guy Carleton Lieutenant Governor.

H T Cramahé

Tho.<sup>s</sup> Dunn

Sam.<sup>l</sup> Holland

Benj.<sup>n</sup> Price

Walter Murray

} Esquires.

Report of the  
Com<sup>m</sup>tee on  
the Repairs  
of the Castle  
of S.<sup>t</sup> Lewis.

Read the Report of the Committee dated 31 Aug 1768, appointed  
the 18 Aug<sup>t</sup> last to take a view of the Repairs made at the Chateau  
S.<sup>t</sup> Louis by the Artificers who contracted with Cap.<sup>t</sup> Harry  
Gordon, Chief Engineer.

Confirmed

Ordered that the Report be Entered in this Book and  
confirmed, and that Warrants be made out for paying the  
respective workmen, who have made the Repairs of the  
Chateau S.<sup>t</sup> Louis.

“At a Meeting of the Committee held at the  
“Chateau S<sup>t</sup> Louis on Monday the 22<sup>d</sup> August  
“and at the Council Chamber on Monday the  
“29<sup>th</sup> August 1768, on the Repairs of the Chateau  
“Saint Louis

“Present

“The Hon<sup>ble</sup> Thomas Dunn

“Samuel Holland

“Francis Mounier

} Esquires

Report,  
Viz.<sup>t</sup>

“The Committee having taken a view of the Work performed in the  
“Castle of Saint Louis by John Baillargé Carpenter and others, and  
“having Compared said Baillargé’s Account with the Contract  
“made by Captain Harry Gordon Chief Engineer, Are of opinion  
“that there should be deducted from his Account the Sum of Fourteen

pounds

“pounds Seventeen Shilings and Six pence Currency for Overcharges.

“31<sup>st</sup> August.\_ The Committee are of

“Opinion that there should be deducted from Peter Delestre Beaujeu

“Mason’s Account the Sum of Eleven pounds thirteen Shillings

and seven pence Currency for Overcharges.\_

“The Committee having examined the Account of William

“Berlinquet, Smith, do find it right.”

/Signed/ Thom.<sup>s</sup> Dunn”

Petition of  
Mark Young  
for Lands

Read Petition of Mark Young, late Surgeon’s Mate  
of his Majesty’s Royal American Regiment; praying for  
a Grant of 2,000 Acres of Land at Chateauguay, as a  
reduced Officer, agreeable to his Majesty’s most gracious  
Proclamation.\_\_\_\_\_

Dismissed

Ordered the Petition to be dismissed as the Petitioner  
never had the Rank of a Commissioned officer.\_\_\_\_\_

Petition of  
Miles Prenties  
for Lands.

Read Petition of Miles Prenties late Provost  
Marshal to the Army on the Expedition against  
Quebec: praying for a Grant of 2000 Acres of Land  
as a reduced Officer, and for 550 Acres more for his  
Wife, Children and Servants in all 2550 Acres of Land  
at Chateauguay.\_\_\_\_\_

Dismissed.

Resolved, that as M.<sup>r</sup> Prenties never had the  
Rank of a Commissioned Officer, the Petition be dismissed.

Petition of  
Tho. Manning  
Cooper for  
Lands.

Read Petition of Thomas Manning late Cooper  
of his Majesty’s Ships Juno and Port Royal, for a  
Grant of Land at Chateauguay.\_\_\_\_\_

Refer’d to the  
Committee for  
Grants of Lands.

Ordered to be filed and refer’d to the Committee for  
Grants of Lands.\_\_\_\_\_

Committee ord.<sup>d</sup>  
to compare Copies  
of the Ordinances  
& Proclamations  
since Civil  
Government.

Ordered that M<sup>r</sup> Cramahé & M<sup>r</sup> Dunn be appointed  
a Committee, to compare and examine the Copies of all  
the Ordinances and Proclamations made since the Establish-  
ment of Civil Government, and transcribed by the Secretary,  
and that they make a Report thereof to the Lieutenant  
Governor. X X X X X X X Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Tuesday the twenty seventh day of September 1768.

Present.

The Hon<sup>ble</sup> Guy Carleton Lieuten.<sup>t</sup> Governor.  
William Hey. C. J. }  
H T Cramahé... } Esquires.  
Tho.<sup>s</sup> Dunn.... }  
Sam.<sup>t</sup> Holland.. }  
Walter Murray. }

His Majesty's Order  
in Council of 26 June  
1767, dismissing the  
Petition of Anthony  
Merry and others,  
in regard to the  
King's Post of  
Chigoutimi.

Read his His Majesty's order in Council dated the  
26.<sup>th</sup> day of June 1767. Dismissing the Petition of  
Anthony Merry of London Merchant, and others, and  
ordering that the Buildings, and Magazines erected at  
the King's Post of Chigoutimi by the Petitioners be  
demolished, and that the Goods sent there by the Petitioners  
be returned to them.

Ordered to be filed  
in the Council office,  
Register'd in the  
Secretary's Office,  
and a Proclamation  
drawn up in  
Consequence.

Resolved that the above Order of his Majesty  
in Council be filed in the Clerk of the Council's Office,  
and Registered in the Secretary's Office; and that the  
Attorney General be directed to prepare a Draught of  
a Proclamation to notify the said Order in Council  
to the Publick.

M.<sup>r</sup> Hey, M<sup>r</sup> Cramahé  
and M<sup>r</sup> Dunn  
appointed a Com<sup>m</sup>tee  
to inquire into and  
make a Report of  
the Fees taken  
by the different  
Officers. \_\_\_\_\_

Ordered that M.<sup>r</sup> Hey, M.<sup>r</sup> Cramahé & M<sup>r</sup> Dunn  
be appointed to enquire into the Accompts of Fees taken  
by the different Officers of Government in this Province  
and report thereon to the Lieu.<sup>t</sup> Governor in Council;  
Any Member who chuses to attend may make one of  
the Committee, and any Three members of this Board  
to make a Quorum. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Read

Report of y<sup>e</sup> Com<sup>~</sup>mee  
on the Petitions  
of Sam Jacobs  
Jn<sup>o</sup> Welles & Co  
touching the  
Ruin of the  
King's Forge

Confirmed,  
and the Att.<sup>y</sup>  
General order'd  
to prepare the  
dra<sup>t</sup> of a lease.

Read the Report of the Committee, dated the 7 & 9 Inst.<sup>t</sup>,  
appointed the 30<sup>th</sup> July last, to take into Consideration the  
Petition of Samuel Jacobs, John Welles & Company, touching  
a Grant of the Ruins of the Buildings in the Lower Town  
of Quebec, where the Kings Forges formerly stood.

Ordered that the Report be confirmed and that  
the Attorney General be directed to prepare <sup>the draught of</sup> a Lease, to the  
Petitioners, agreeable to the said Report.

“At a Meeting of a Committee of the  
“Honourable Council, held at the Council  
“Chamber on Wednesday & Friday the 7<sup>th</sup> & 9<sup>th</sup>  
“September 1768 to take into consideration the  
“Petitions of Samuel Jacobs, John Welles & Comp<sup>y</sup>  
“touching a Grant of the Kings Forges in the  
“Lower Town.

“Present

“The Honble Hector T. Cramahé }  
“Thomas Dunn } Esquires  
“Sam<sup>l</sup> Holland }

The  
Report  
Viz.<sup>t</sup>

“Your Committee having pursuant to your Several orders  
“of the 4.<sup>th</sup> 30<sup>th</sup> July, and 16<sup>th</sup> August, taken into consideration the  
“Petitions of Samuel Jacobs, John Welles & Company, together with  
“such further Arguments as they had to offer thereupon in a  
“Letter addressed to your Committee of the 6.<sup>th</sup> Instant hereto  
“Annexed. And the Surveyor General of the Province having  
“at our desire drawn up an Estimate of the Expence  
“requisite for repairing the King's Forges in the Lower Town  
“in such a manner as to render them as good as new, in  
“which Estimate he States at £300 Halifax Currency, what  
“the Petitioners suppose will stand them in at Least £800.

“We Cannot recommend the same to be granted upon  
“any other terms than that of a Repairing Lease for a  
“Term of Thirty years, with a Clause of Surrender to the  
“Crown when demanded, upon repayment of the Expences incurred for  
“the necessary Repairs thereof; But as it appears to us to be your

intention



“Intention to encourage the new Branch of Business which the Petitioners  
“are concerned in, we would propose that a Liberty may be reserved  
“to them at the Expiration of the Lease, or in case the Crown has Occasion  
“for the building And it is thought proper to resume the same for its  
“particular use, to remove what ever works they shall have Erected  
“within the Building for the purpose of Manufacturing Pearl and  
“Pot ash, that will not affect or endanger the building, together with all  
“the Utensils belonging thereto\_\_\_\_ /Signed/ H. T. Cramahé\_\_

Petition of  
D.<sup>r</sup> J. Brooke  
for Land.

Read Petition of the Reverend D.<sup>r</sup> John Brooke, for a  
Grant of unpatented Lands as Chaplain to the Garrison of  
Quebec, and Chaplain in the Army.

Refer'd to the  
Committee.

Ordered to be filed and referred to the Committee for  
Grants of Lands.

Petition of  
Mich. O'Brien  
for Lands.

Read Petition of Michael O Brien a discharged  
Soldier for a grant of Lands up the Country, in lieu  
of the Lot he drew at the Fishing Posts, and praying  
an Addition in consideration of his Family.

Refer'd to the  
Committee

Ordered to be filed and refer'd as above.

Petition of  
Hugh Fraser  
for Land.

Read Petition of Hugh Fraser a discharged Soldier,  
for 250 Acres of Land at Chateauguay, in consideration  
of his having a large Family.

Refer'd to the  
Committee

Ordered to be filed and refer'd as above.

Petition of  
W.<sup>m</sup> Wright  
for Land.

Read the Petition of William Wright, a discharged Soldier  
for a grant of 150 Acres of Land above Montreal.

Refer'd to the  
Committee.

Ordered to be filed and refer'd as above.

Four diagonal lines forming a wide 'V' shape, with the word "Read" centered between the two inner lines.

Petition of Sam<sup>l</sup>  
Schreder, Mil-  
wright for a  
Lot of Land in  
Quebec.

Read Petition of Samuel Schreder Milwright, for  
a Spot of Ground under the Rock, behind the Hotel Dieu  
in this City, in order to erect a Mill thereon, for the  
use of this Garrison or the Publick.

Ordere'd to  
be Surveyed.

Ordered to be filed, and that the Surveyor General  
do survey and make a plan of the said spot of  
unoccupied Ground, and report his Opinion, whether  
the granting it ~~the said spot~~ to the Petitioner, will be  
in any wise detrimental to the Interest of His Majesty  
or the Publick.....

Petition of Mess.<sup>rs</sup>  
La Naudiere  
and Cugnet.

The Lieutenant Governor presented Petitions from M De  
La Naudiere and Cugnet, complaining of the Deputy Secretary of the  
Province having grossly insulted them in the Council Chamber,  
and praying Redress.....

Refer'd to a  
Committee.

Ordered that M.<sup>r</sup> Hey, Cap.<sup>t</sup> Holland and M.<sup>r</sup> Maseres  
be appointed a Committee to take the above Petitions into  
Consideration and make a Report thereof to the Lieu.<sup>t</sup> Governor.

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Friday the fourteenth day of October 1768. \_\_

Present.

The Hon<sup>ble</sup> Guy Carleton Lieuten.<sup>t</sup> Governor.

William Hey C J.  
Thomas Dunn,  
Samuel Holland,  
Walter Murray,  
Francis Mounier, } Esquires.

Dra.<sup>t</sup> of an  
Ordinance  
to amend and  
enforce a former  
one to prevent  
Accidents by Fire

Read the Draught of an Ordinance to amend and enforce  
a former Ordinance for preventing Accidents by fire.

To lye on the  
Table & the  
Translation to be  
prepared.

Ordered that the Draught lye on the Table for the Consideration  
of this Board, and that a Translation thereof be prepared to be laid  
before this board the next Council day.....

Ordered

Three Bailliffs added to the Parish of Point Levy.

Ordered that the following Persons, Viz.<sup>t</sup> Louis Guay, Jean Dussault, and Charles Guay, be added to the Number of Sub Bailiffs for the Parish of S.<sup>t</sup> Joseph, Point Levy; and their Names published in the next week's Gazette: and that they be commanded to qualify themselves immediately for the Execution of the said Office.....

Petition of John Costen, Shipwright for a spot of land.

Read Petition of John Costen, Shipwright, for a Grant of a Spot of Land on the River S.<sup>t</sup> Charles for a yard and Dock.....

To lye on the Table.

Ordered to lye on the Table.

Petition of John Charlery for land

Read Petition of John Charlery, a discharged Soldier for a Grant of a Spot of land at Paspebiac.\_\_\_\_

Refer'd to the Committee.

Ordered to be refer'd to the Committee for Grants of Lands.....

Guy Carleton

At The Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Wednesday the Twenty sixth day of October 1768.\_\_\_\_

Present.

The Hon<sup>ble</sup> Guy Carleton, Lieutenant Governor.

William Hey. C. J.	} Esquires.
Thomas Dunn...	
Hugh Finlay...	
Samuel Holland.	
Francis Mounier.	

His Majesty's Commission to Gen.<sup>l</sup> Carleton, to be Captain General & Governor in Chief of this Province.  
Read at the board

The Lieutenant Governor produced his Majesty's Commission, under the Great Seal of Great Britain, dated at Wesminster the 12<sup>th</sup> day of April last, constituting and appointing him Captain General and Governor in Chief, in and over his Majesty's Province of Quebec; which said Commission being read at this Board

His

the Oaths administered to the Governor, and to all the members of the Council, in consequence thereof. \_\_

His Excellency took the Oaths and made and subscribed the Declaration directed by the said Commission to be taken and subscribed: and all the Members of his Majesty's Council, present in Council, did likewise take The Respective Oaths and subscribe the Declaration, in this case appointed to be administered to them. \_\_\_\_\_

Dra.<sup>t</sup> of an Ordinance to licence the Bakers.

Read the Draught of an Ordinance concerning the Licensing of the Bakers of Bread for Sale, in the Towns of Quebec, Three Rivers and Montreal.....

To lye on the Table.

Ordered to lye on the Table for the Consideration of this Board .....

Guy Carleton

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis, in the City of Quebec, on Tuesday the first day of November 1768. \_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey. C. J.

Thomas Dunn.

Hugh Finlay.

Samuel Holland.

Walter Murray

Francis Mounier

} Esquires.

Dra.<sup>t</sup> of the Ordinance to amend & Enforce that for preventing Accidents by Fire and the Translation

Read the Draught of the Ordinance for amending & enforcing a former Ordinance to prevent Accidents by fire, and the Translation thereof into the French Language.

To lye on the Table.

Ordered to lye on the Table for the further Consideration of this Board. \_\_\_\_\_

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Thursday the third day of November 1768.\_\_\_\_

Present.

His Excellency Guy Carleton, Governor.  
The Hon<sup>ble</sup> Will.<sup>m</sup> Hey C. J. }  
Thomas Dunn } Esquires.  
Samuel Holland }  
Walter Murray }  
Fra<sup>s</sup> Mounier }

M.<sup>r</sup> Ja: Potts,  
sworn in, as  
Commissary of the  
office of Vice Admiralty.

James Potts Esq.<sup>r</sup> Commissary and Judge of the  
Court of Vice Admiralty, having produced his Commission,  
to the Governor; the State Oaths were administered to him,  
and the Declaration against Popery tendered to and subscribed  
by him; and he took the Oath of Office to the following  
purport.

Oath of Office.

“I do swear that I will faithfully and truly  
“execute the Office of Commissary and Judge of the Court  
“of Vice Admiralty, according to the best of my  
“Abilities, So help me God.” \_\_\_\_\_

Dra.<sup>t</sup> of the New  
Fire Ordinance,  
including the  
Town of 3 Rivers.

Read the Draught of an Ordinance, to amend  
and enforce a former Ordinance, for preventing Accidents  
by Fire in the Towns of Quebec and Montreal, and extending  
the said Ordinance to the Town of Three Rivers.

Approved and  
Order'd to be Enter'd  
& published

Approved and Ordered that the said  
Entered in this book and  
Ordinance be <sup>^</sup> immediately published in the Quebec Gazette.

Translation of  
said Ordinance.

Read also, the Translation of the abovementioned  
Ordinance into the French Language.

To be published  
also.

Ordered that the s.<sup>d</sup> Translation of the above Ordinance  
be made conformable to the Original and published with  
it in the Gazette. \_\_\_\_\_

Read.

Petition of Is. Werden  
Coroner, for payment  
of his Disbursements  
and Fees of Office.

Read Petition of Isaac Werden, Coroner for the  
District of Quebec, praying for payment of his Disbursements  
and Fees of Office amounting to £159.11.6 Quebec Currency,  
as he is about to quit this Province. \_\_\_\_\_

The Acco<sup>l</sup> of Disburs.<sup>ts</sup>  
to be taken into  
Consideration of the  
first Committee who  
shall examine  
publick Acco<sup>ts</sup>.

Ordered that M.<sup>r</sup> Werden be directed to make  
out his Accompt of Disbursements, in order to be deliver'd  
to the first Committee that shall be appointed to  
examine the Publick Accompts. \_\_\_\_\_

Petition of  
Fra<sup>s</sup> Paget for  
land.

Read Petition of Francis Paget for a tract  
of 12 Acres of Land in Front upon 60 Acres in Depth  
situate at the South west Village, at Bonaventure in  
the Bay of Chaleurs, in Consideration of his Services  
as Bailiff in the said District. \_\_\_\_\_

Joseph Philibot  
for Land.

Read Petition of Joseph Philibot for a Grant  
of a Tract of Twenty thousand Acres of Land, situate  
at Petit Paspebiac on the North side of Chaleurs bay,  
in order to fulfil the Mandamus granted him by his  
Majesty.....

Leon Roussy  
for Land.

Read Petition of Leon Roussy, setting forth his  
having erected buildings and made other Improvents  
on a Tract of Land at Paspebiac, in the Bay of  
Chaleurs in this Province, and praying a Grant of  
the said Tract containing 200 Acres of Land, in  
Consideration of his being settled thereon. \_\_\_\_\_

Refer'd to the  
Committee.

Ordered that <sup>the</sup> three above Petions be refer'd  
to the Committee for Grants of Lands. \_\_\_\_\_

An

**An Ordinance, to**  
 amend and enforce a former Ordinance,  
 for preventing Accidents by fire. \_\_\_\_\_

Preamble.

General neglect of the directions of the Ordinance of the 23<sup>d</sup> of February last for preventing Accidents by fire.

Probable causes of the said neglects.

Expediency of enforcing the Execution of the said Ordinance.

And of extending it to the Town of Three Rivers.~

After the first day of next January the aforesaid Ordinance of the 23.<sup>d</sup> of February last shall take place in the Town of Three Rivers.

**Whereas** the Directions contained in an Ordinance of this Province, dated on the twenty third day of February last, intituled, "An Ordinance for preventing Accidents by fire." have not been observed by the greater part of the Inhabitants of the Towns of Quebec and Montreal, which, is probably owing in part to the want of a penalty to be inflicted immediately upon every Neglect of complying with the said Directions, even though the Houses, or Chimnies in which such Neglects are Committed, do not actually take fire, and in part to the want of a proper Officer whose particular duty it shall be to Superintend the Execution of the said Ordinance, And in particular to oversee the Chimnies in the said Towns, and take care that they shall be duly Swept at the times therein appointed: **And** whereas it is of the greatest Importance to the safety of the said Towns that the directions of the aforesaid Ordinance should be generally complied with: **And** whereas it is likewise thought Expedient that the Provisions of the aforesaid Ordinance should be extended to the Town of Three Rivers: It is therefore Ordained and Declared by His Excellency the Governor in Chief of this Province, by and with the Advice and Consent of the Council of the same, That from and after the first day of January next, in the year of Our Lord, One thousand seven hundred and Sixty nine, the Ordinance aforesaid, of the Twenty third day of February last; and all the directions therein given, and the penalties for not Complying with them, shall take place in the Town of Three Rivers, and be binding upon the Inhabitants thereof in the same manner as if the said Town of Three Rivers had been expressly and by name <sup>mentioned</sup> in the said former Ordinance.

and

Three officers shall be appointed for the Towns of Quebec, Montreal, and Three Rivers, who shall be Called Overseers of the Chimnies

And it is further Ordained and Declared, by the Authority aforesaid, that immediately after the day of the Publication of this present Ordinance in the Quebec Gazette, it shall be Lawful for His Excellency the Governor in Chief, Lieutenant Governor, or other <sup>the</sup> Commander in chief of this Province for the time being, to Appoint Three Public Officers, to wit, One for the Town of Quebec, and the Suburbs thereof, to be called, The Overseer of the Chimnies for the Town of Quebec, another for the Town of Montreal and the Suburbs thereof, to be called, The Overseer of the Chimnies for the Town of Montreal, And a third for the Town of Three Rivers, to be called, The Overseer of the Chimnies for the Town of Three Rivers, whose duty and Authority shall be as follows:

The Chimnies shall be Swept at the appointed times by persons employed by the said Overseers.

These Overseers shall undertake to cause the Chimnies, in the Towns and Suburbs of the Towns in which they are Overseers, to be Swept at the times appointed in the above mentioned Ordinance, by able and Skilful Chimney Sweepers, whom they shall employ for that purpose: And for every Chimney which they <sup>shall so</sup> cause to be Swept, they shall receive from the Occupier of the house to which such Chimney belongs, the Tenth part of a Spanish Dollar, and no more.

Housekeepers who refuse to let their Chimnies be swept by persons employed for that purpose by the said Overseers shall be liable to a penalty of One Spanish Dollar;

Which shall be Sued for by the said Overseers.

And if any Housekeeper, in either of the said Towns of Quebec and Montreal, or the Suburbs thereof, or in the said Town of Three Rivers, shall refuse to let his Chimney, or Chimnies, be Swept, at the times appointed by the said Ordinance, by the Chimney Sweeper employed for that purpose by the Overseer of the Chimnies of the Town in which such Chimney shall be Situated, he shall, for every such Refusal, forfeit the Sum of One Spanish Dollar, which shall be recovered by the said Over-Seer, by Information before any One Justice of the Peace of the District in which such Chimney shall be Situated, who is hereby Authorized and required to hear and determine such Information in a Summary

manner,



manner, and upon the Oath of one Credible witness /being some other than the said Overseer himself) and to levy the said Sum of One Spanish Dollar, together with the Costs of suing for the same, by a Warrant in writing under his hand to seize and Sell the Goods of the Offender: And this Sum of One Dollar shall be forfeited for such Refusal, notwithstanding the said House or Chimney shall not have been on fire, and also notwithstanding the said Chimney may have been Swept within the appointed length of time by some other Chimney Sweeper not employed by the said Overseer.

And half of it shall belong to the King, and half to the Overseer of the Chimnies.

And of the Sum of One Dollar so forfeited one half shall belong to Our Sovereign Lord the King, And the other to the Overseer of the Chimnies for the Town in which such Chimney shall be Situated.

The Overseers shall likewise visit the houses under their Care at least once in every three months, and enquire Concerning the Water Buckets, hatchets, firepoles & Ladders, prescribed in the aforesaid Ordinance;

Housekeepers that shall refuse to admit them into their houses to make these enquiries, or that, having admitted them, are found to have neglected to comply with any of the directions of the aforesaid. Ordinance Concerning the Water Buckets, hatchets, firepoles & Ladders, shall be liable to the penalty of one Spanish Dollar.

Further it shall be Lawful for the said Overseers of ~~the~~ Chimnies, to visit all the houses in their respective Towns and Suburbs once in every Month, and it shall be their duty to visit them at least once in every Three months, at such times as they shall think proper, between the hours of Eight in the morning and six in the evening, and to enquire whether the Occupiers of the said houses have the Water Buckets, hatchets and firepoles, which they are directed by the aforesaid Ordinance to provide, and likewise <sup>whether</sup> they have placed Ladders on the Roofs of their houses in the manner directed by the said Ordinance, and to demand that the said Buckets, hatchets and firepoles be produced before them, And that the Ladders on the Roof may be shewn to them. And if any House =keeper, in either of the Towns of Quebec, or Montreal, or the Suburbs thereof, shall at any time after the first day of next December, or if any housekeeper in the said Town of Three Rivers, shall at any time after the first day of next January, refuse to Admit such Overseer into his House when he so comes to make this Enquiry, provided he has not visited the same within the space of One Month then last past, or shall, after Admitting him, and being

required

Who shall themselves have half the said Penalty; and the other half shall belong to the King.

required by him to produce the Water Buckets, Hatchet, & Firepoles, mentioned in the aforesaid Ordinance, and <sup>to</sup> shew him the Ladders on the Roof of the house, placed in the manner directed in the said Ordinance, fail to produce the said Buckets, Hatchet, and firepoles, or to shew him the said Ladders placed in the aforesaid manner, such Housekeeper shall forfeit the Sum of One Spanish Dollar, which shall be recovered by the said Overseer, by Information before any One Justice of the Peace of the District wherein such house shall be Situated, who is hereby Authorized and required to hear and determine such Information in a Summary Manner, and upon the Oath of One Credible witness (being some other than the said Overseer himself,) and to levy the said Sum of One Spanish Dollar, together with the Costs of suing for the same, by a Warrant in writing under his hand to Seize and Sell the Goods of the Offender: And of the Dollar so forfeited, One half shall belong to Our Sovereign Lord the King, And the other to the aforesaid Overseer of the Chimnies, who shall have sued for the same.

In making these Visits of the houses under his care, the Overseer may take with him one person as a Companion & assistant.

And in these visits of the Houses of the Inhabitants of the said Towns of Quebec and Montreal, and the Suburbs thereof, and of the said Town of Three Rivers, each of the aforesaid Overseers of the Chimnies may take one person with him as his Companion on the said visits, to see and testify, if necessary, the Condition of the house with respect to the Buckets, Hatchet, firepoles, and Ladders, aforesaid; And a Refusal to Admit such Companion of the Overseer into the house, shall Subject the Occupier of the house to the same penalty as a Refusal to admit the Overseer himself.

The Overseer shall also observe whether any Hay or Straw is kept in any Dwelling house or any ashes are kept on any Wooden floor or in any Wooden Vessel in any Dwelling house.

Also it shall be the duty of the said Overseers of the Chimnies, when they thus visit the said houses, to observe whether or no any Hay or Straw is kept in the Garrets and Cellars, or in any other part of any Dwelling house, and whether any Ashes are kept on any wooden floor or in any wooden Vessel in any Dwelling house,

contrary

contrary to the Injunctions of the Ordinance above mentioned.

And on these Occasions each of these Overseers may take with him any person that he thinks fit as a Companion and Assistant in making these Visits and enquiries. And if any Hay or Straw shall be found in the Garrets, or Cellars, or any other part of any Dwelling house, in either of the said Towns of Quebec and Montreal, or the Suburbs thereof, or in the said Town of Three Rivers, or if any Ashes shall be found, on any Wooden floor, or in any wooden Vessel, in any Dwelling house in the said Towns or Suburbs, by the Overseer of the Chimnies for the Town in which such house is Situated; or if the Occupier of the house shall refuse to permit the Overseer and his Companion to visit every part of the said Dwelling house (the said House not having been visited by the said Overseer within one month then last past) in either of these Cases the Occupier of the said Dwelling house shall forfeit the Sum of One Spanish Dollar, of which one half shall belong to Our Sovereign Lord the King, and the other half to the Overseer of the Chimnies, who shall sue for the same, by Information before any One Justice of the Peace for the District in which such house is Situated, who is hereby Authorized and required to hear and determine such Information in a Summary manner, And upon the Oath of one Credible witness, (being some other than the said Overseer himself) and to levy the said Sum of One Spanish Dollar, together with the Costs of suing for the same, by a Warrant in writing under his hand, to seize and sell the Goods of the Offender.

And if any Hay or Straw shall be found in any dwelling house, or any Ashes shall be found on any wooden floor, or in any Wooden Vessel in any Dwelling house, the Occupier of such Dwelling house shall be liable to a penalty of one Spanish Dollar.

No person shall keep more than Twenty five pounds weight of Gunpowder in his house.

The overseer of the Chimnies shall, in

Further, it shall be unlawful for any person residing in either of the said Towns of Quebec and Montreal or the Suburbs thereof, or in the said Town of Three Rivers, whether he be an housekeeper or only a Lodger in any house in either of the said Towns or Suburbs, to keep or have at any time more than twenty five pounds of Gunpowder in his House or Lodging, or in any Stable or Outhouse belonging thereunto. And it shall be the Duty of the said Overseers of

the

his Ordinary  
Visits of the houses  
observe the quantity  
of Gunpowder  
kept in them.

the said Overseers of the Chimnies, when they Visit the houses  
in the said Towns in the manner above mentioned, to  
go likewise into the Stables and Outhouses thereunto  
belonging, and observe whether any, and what quantity  
of Gunpowder is kept either in the said Houses, or Stables,  
or Outhouses.

Penalty of refusing  
to permit the said  
Overseer to Visit  
for this Purpose  
any house Stable  
or Outhouse.

And if the Occupier of any Dwelling house,  
or Lodging, Stable or Outhouse, in either of the said Towns  
or the Suburbs thereof, when the Overseer of the Chimnies,  
visits the houses in the said Towns and Suburbs in the  
manner above mentioned, shall refuse to permit the said  
Overseer, together with One Companion and Assitant as  
is above mentioned, to go into every part of the said Dwelling  
the Occupier of the said Dwelling house, Lodging, Stable, or Outhouse  
house, or Lodging, Stable, or Outhouse, ^ who shall so refuse  
him, shall forfeit for such Refusal the sum of One  
Spanish Dollar, which shall be recovered by such  
Overseer, by Information before one Justice of the Peace  
of the District wherein such house, Stable or Outhouse  
shall be Situated, which Justice is hereby Authorized  
and required to hear and determine such Information  
in a Summary manner, and upon the Oath of one  
Credible Witness (being some other than the said Overseer  
himself) and to levy the said Sum of One Spanish  
Dollar, together with the Costs of suing for the same,  
by a Warrant in writing under his hand to Seize and  
Sell the Goods of the Offender.

Penalty for keeping-  
more than twenty  
five pounds weight  
of powder in any  
house, Stable or  
Outhouse.

And if the said Overseer shall find on such  
Occasion of making those Visits of the houses (which it  
shall be his duty to make once every three Months; but  
which he shall be at Liberty to make Once in every  
month) or on any other Occasion whatsoever, in any  
Dwelling house, Lodging, Stable or Outhouse, in either of  
the said Towns of Quebec or Montreal, or the Suburbs thereof,  
or in the said Town of Three Rivers, a larger Quantity of  
Gunpowder than Twenty five pounds weight, the person  
in whose Dwelling house, Lodging, Stable or Outhouse, it shall  
be found, shall forfeit the Sum of Twenty Spanish Dollars,  
together with all the Gunpowder that shall be found there more than

the

the allowed quantity of twenty five p.<sup>ds</sup> of the s.<sup>d</sup> penalty of Twenty Spanish Dollars together with the said Overplus of Gunpowder, shall be recovered by the said Overseer by Information before any one Justice of the Peace for the District in which such house, Stable or Out-house, is Situated, who is hereby Authorised and required to hear and determine such Information in a Summary manner, And upon the Oath of One Credible Witness (being some other than the said Overseer himself) and to levy ~~such~~ such Sum of Twenty Spanish Dollars, together with the Costs of Suing for the same, and likewise to seize such Overplus of Gunpowder above the allowed quantity of twenty five pounds, or, in case the said Gunpowder shall have been removed and Secreted, to levy such Additional Sum of money as the said Justice shall Adjudge the said Overplus of Gunpowder to have been worth, by a Warrant in writing under his hand to Seize and Sell the Goods of the offender.

Also, if more than Twenty five pounds weight of Gunpowder shall be found in any Dwelling house, Stable, or other Outhouse, in either of the said Towns of Quebec and Montreal and the Suburbs thereof, or the said Town of Three Rivers, by any other persons than the Overseers of the Chimnies of the said Towns, it shall be the duty of such persons to inform the said Overseer thereof; And the said Overseer may in this case also recover the said last mentioned penalty of Twenty Spanish Dollars, from the person in whose Custody such Gunpowder shall have been found, by Information before One Justice of the Peace of the District in which such house, Stable, or Outhouse, is Situated, which Justice is hereby Authorized and required to hear and determine such Information in a Summary Manner, but not without the Oaths of two Credible witnesses, and to levy the said Sum of Twenty Spanish Dollars, together with the costs of suing for the same, And likewise to seize such Overplus of Gunpowder above the allowed quantity of Twenty five pounds weight, or, in case the said Gunpowder shall have been removed or Secreted, to levy such Additional Sum of Money as the said Justice shall Adjudge the said Overplus of Gunpowder to have been worth, by a Warrant in writing under his hand to Seize and

Sell

Sell the Goods of the Offender.

It shall be further lawful for the said Overseers of the Chimnies to visit the houses in the said Towns at any other times that they shall think fit.

provided they obtain a Licence or Warrant for that purpose from a Justice of the Peace

And a refusal to permit them to visit on such Occasion shall be attended with the same penalty as in the Ordinary Visitings.

And the penalties for neglects and offences Against this and the former Ordinance shall be the same, and recover'd in the same Manner, as when these neglects or offences are discovered in the Ordinary Visitings.

Further, though the aforesaid Overseers of the Chimnies are Authorized by this Ordinance, to visit the Several houses in the aforesaid Towns of Quebec and Montreal and the Suburbs thereof, and in the said Town of Three Rivers, only Once in every Month, and are required to do so only once in every three Months, yet it shall be lawful for them to visit the said houses, and the Stables and other Outhouses thereunto belonging, at any other times that they shall think fit, provided that some person shall first have made Oath before a Justice of the Peace, that such and such particular houses which the said Overseers purpose to visit at these Extraordinary times, are not furnished with the proper Number of Water Buckets, hatchets, firepoles, and Ladders, or that some hay or Straw is kept in them, or that ashes are kept in them on a wooden floor, or in a Wooden Vessel, or that more than Twenty five pounds weight of Gunpowder is kept in them, or in some Stables, or other Outhouses belonging to them, and the said Justice shall thereupon have given the Overseer so applying a Licence or Warrant to visit the said houses. And a refusal to permit the said Overseer, together with his Companion or Assistant, above mentioned to visit such houses, Lodgings, Stables, or Outhouses, in consequence of such Licence or Warrant of a Justice of the Peace, shall Subject the Occupiers of such houses, Lodgings, Stables, or Outhouses, to the same penalties as a refusal to permit them to visit them at the Ordinary times; And these penalties shall be recovered in the same manner in both cases; also the penalties for not having the proper Number of Water Buckets, Hatchets, and firepoles and Ladders placed in the manner above mentioned, And for keeping Hay or Straw in a Dwelling house, or ashes on a Wooden floor or in a Wooden Vessel in any Dwelling house, or more than twenty five pounds weight of Gunpowder in any Dwelling house, Stable or other Outhouse, shall be the same, and recovered by the Overseers of the Chimnies in the same manner, as when the same Neglects and Offences

against

against this and the afore mentioned Ordinance, of the Twenty third day of last February, are discovered by the said Overseers in their Ordinary Visitings of the said houses.

And in all the Cases mentioned in this Ordinance one half of the penalties recovered by the Overseers of the Chimnies who sue for the same, shall belong to the Kings Majesty, and the other to the Overseer who shall have sued for them.

Prosecutions for these penalties shall begin in One Month after the offences by which they are incurred. This Ordinance shall not take away the penalties appointed by the aforesaid Ordinance of February 23.<sup>d</sup> Appeal to the Justices of the Peace in their next Quarter Sessions.

The penalties appointed by this Ordinance shall be sued <sup>for</sup> within One Calendar month after the neglect or Refusal for which they shall be incurred. And they shall not be construed to Supersede or take away, or in any Degree alter or affect the larger Penalties of Forty Shillings, appointed by the Ordinance above mentioned, in <sup>the</sup> cases of houses and Chimnies that are Actually on fire.

And further if any person Convicted in this manner, before one Justice of the Peace, of any of the neglects or Offences before mentioned, shall think himself aggrieved by such Conviction, it shall be lawful for him to appeal therefrom to the next Court of Quarter Sessions of the Peace, of the District wherein such Conviction was had; Where the Sentence of the Justice of the Peace by whom he was Convicted, And the grounds upon which it was founded, shall be fully examined, and the said Sentence of the Single Justice shall be either Reversed or Confirmed, According to the Opinion of the Major part of the Justices there Assembled. But in order to intitle himself to this Appeal, the Appellant shall first deposit the Money forfeited upon his Conviction, together with the Costs awarded by the said Single Justice upon such Conviction, in the hands of the said Justice before whom he shall have been convicted: And the said Justice shall, at his Discretion, either keep the said Money in his own hands, or pay it to the Clerk of the Peace of the Court before which the Appeal is brought, to be safely kept by him, till the Determination of the said Appeal at the Quarter Sessions; and then it shall be by the said Justice, or Clerk of the Peace, in the manner herein above directed, if the Conviction is Confirmed, or to the Appellant if it is reversed. And further if

the

the Conviction is confirmed, the Appellant shall pay to the Informer the Costs he shall have been put to by the Appeal, which Costs shall be levied upon the Goods and Chattles of the Appellant, by an order of the Justices in their said Quarter Sessions.

Lastly, these Employments of Overseers of the Chimnies of the Towns of Quebec, Montreal, and Three Rivers shall never be given to any persons during their Natural lives, but only during the pleasure of the Governor, Lieutenant Governor, or other the Commander in Chief of the Province for the time being.

/Signed/ Guy Carleton

Given by His Excellency Guy Carleton,  
Captain General and Governor in Chief  
in and over the Province of Quebec, Brigadier  
General of His Majesty's Forces, &.<sup>c</sup> &.<sup>c</sup> In  
Council, At the Castle of Saint Louis, in the  
City of Quebec, in the said Province, and  
passed under the Great Seal of the said  
Province, on the Third day of November, in  
the ninth year of His Majesty's Reign,  
And in the year of Our Lord One thousand  
Seven hundred & Sixty eight.

By His Excellency's Command  
/Signed/ Geo: Allsopp D.C.C.

Guy Carleton



At the Council Chamber,  
in the Castle of Saint Louis, in the City of Quebec,  
on Thursday the Twenty fourth day of November 1768.

Present.

His Excellency Guy Carleton, Governor.

The Hon <sup>ble</sup> William Hey. C. J.	} Esquires.
H T Cramahé.....	
Thomas Dunn...	
Samuel Holland.	
Walter Murray.	
Fra <sup>s</sup> Mounier.	

M<sup>r</sup> Cramahé & M<sup>r</sup> W<sup>r</sup> Murray, being absent on the 26 Octo<sup>r</sup> last, were this day Sworn in Council.

Hector Theophilus Cramahé and Walter Murray Esq.<sup>rs</sup>, not being present in Council on Wednesday the 26<sup>th</sup> day of October last, when the other Members of his Majesty's Council took the Oaths; the Oaths of Allegiance, Supremacy and Abjuration, the Oath of a Counsellor and the Declaration against Popery, were this day taken and subscribed by them in Council.

M<sup>r</sup> Colin Drummond also Sworn in, and he took his Seat as a member of his Majesty's Council.

The above Oaths and Declaration were also administered to, and taken and subscribed by, Colin Drummond, Esquire, who took his Seat as a Member of his Majesty's Council accordingly.

Letter from M. Courval reporting that Augustin Paradis was nominated by the Inhabitants of Three Rivers, to be Bailiff in his stead.

Read a Letter from M. Courval, Bailiff of the Town of Three Rivers / who had desired permission to resign the said Office, having already served two years and upwards) reporting that Augustin Paradis had been nominated by the Inhabitants of the said Town to succeed him, provided that such Nomination met the Approbation of this board,

The Nomination of s. Aug.<sup>n</sup> Paradis approved and ordered to be published.

Approved, and Ordered that the said Augustin Paradis, be substituted Bailiff, in the Stead of M<sup>r</sup> Courval, for the said Town of Three Rivers; and that the Secretary cause his Name to be published in the next Gazette.

At

Hugh Finlay Esq.<sup>r</sup>  
appointed to sit on the  
Enquiry into M La  
Naudiere & Cugnet's  
Petitions, instead  
of M.<sup>r</sup> Maseres.

At the desire of M.<sup>r</sup> Allsopp, Deputy Secretary, that M.<sup>r</sup>  
Maseres might not sit as a Member of the Committee  
appointed to enquire into the Difference between him and  
Mess.<sup>rs</sup> Lanaudiere and Cugnet, Ordered that  
Hugh Finlay Esquire be appointed in his Stead.\_\_\_\_

The Publick Officers  
who have received  
Fines, order'd to acco.<sup>t</sup>  
with the Receiver-  
General for them.

Ordered that Notice given to all the Publick  
Officers who have levied and received Fines, that they  
do account with the Receiver General for the Same, before  
the 24<sup>th</sup> day of December next: and that for the future  
they account for such Fines every six months, Namely;  
on or before the 24<sup>th</sup> day of June, and 24<sup>th</sup> day of  
December in every year.\_\_\_\_\_

All Persons who  
have Acco<sup>ts</sup> and Claims  
against the Government  
are order'd to deliver  
them in to the Clerk  
of the Council, before  
the Seventh of January  
next.

Ordered that Publick Notice be given, to all  
Persons who have Accounts and Claims against the Government,  
to deliver in their respective Accompts, made up to the 24.<sup>th</sup>  
day of December next, to the Clerk of the Council, on  
or before the Seventh day of January following; otherwise,  
their Accounts will be postponed to the next half year.

Guy Carleton

At the Council Chamber,  
in the Castle of Saint Louis, in the City of Quebec,  
on Thursday the fifth day of January 1769.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey, C. J.

H. T. Cramahé

Tho.<sup>s</sup> Dunn

Sam.<sup>l</sup> Holland

Fra<sup>s</sup> Mounier

} Esquires.

Read

The King's order in Council touching the boundary Line drawn between this Province and that of New York, dated 12 August 1768, which regulates also the claims under French Grants to Lands to the Southward of said Boundary. \_\_\_\_\_

To be filed and Recorded.

Petition of Jos. Godefroy de Tonnacour in regard to an Agreement made with M.<sup>r</sup> Pelissier Director of the Iron Works at S<sup>t</sup> Maurice.

To lye on the Table.

Petition of W.<sup>m</sup> M<sup>c</sup>Nabb for an allowance for the Loss he sustained by pulling down his house in order to stop the late Fire.

Refer'd to M<sup>r</sup> Dunn, M<sup>r</sup> Collins & M<sup>r</sup> Marteilhe to inquire into his Losses and report to this board.

Read his Majesty's Order in Council, dated at S.<sup>t</sup> James's the 12<sup>th</sup> day of August 1768, confirming the Report made by the Lords of the Committee of the Council for Plantation Affairs, relative to the Boundaries fixed between this Province and that of New York, by S.<sup>r</sup> H. Moore Governor of New York and the Commander in Chief of this Province; regulating the Claims made by his Majesty's New Subjects to Lands on the South side of <sup>the</sup> Boundary line drawn between the said Provinces.

Ordered that the above Order in Council be filed in the Clerk of the Council's Office and Recorded in the Office of Enrollments.

Read Petition of Joseph Godefroy, Seignior of Tonancour, &c. setting forth that he agreed with Mons.<sup>r</sup> Pelissier, Manager of the Iron Works at S<sup>t</sup> Maurice, to be paid the sum of 200 dollars for the liberty of digging up Iron Ore in his Seignory, for the use of the said Iron works; and praying that this Board would confirm the s.<sup>d</sup> Agreement and condemn M.<sup>r</sup> Pelissier and his Partners in the s.<sup>d</sup> Iron Works to pay him the same sum annually as set forth in the Agreement.

Ordered to lye on the Table; and that a Copy of the s.<sup>d</sup> Petition be delivered to the Lessees.

Read Petition of W.<sup>m</sup> M<sup>c</sup>Nabb and a Certificate of sundry Merchants, setting forth his Losses by the Destruction of his house and removal of his Goods, in order to prevent the spreading of the late Fire in Palace Street, which broke out and consumed a House adjoining to the Barracks.

Ordered to be filed and that M<sup>r</sup> Dunn, a member of this board; together with M<sup>r</sup> Collins & M<sup>r</sup> Marteilhe, two of his Majesty's Justices of the Peace, do make inquiry into the Losses sustained by the Petitioner, and report to this Board.

Ordered

Committee appointed to examine the Publick Accompts up to the 24 December last.

Ordered that M<sup>r</sup> Cramahé, Cap.<sup>t</sup> Holland & M<sup>r</sup> Mounier do sit as a Committee, to examine and make up the Publick Accompts to the 24<sup>th</sup> December last: and any other Member of this Board may make one of the Committee.

No Accompts to be admitted unless proved on Oaths or by Vouchers.

Ordered that no Accompts be received against the Government, unless proved on Oath or by Vouchers: & that the Committee be empowered to administer such Oaths.

Petition of W.<sup>m</sup> Wier for his Expences attending the Assizes at Quebec & 3 Rivers in M<sup>r</sup> Walker's affair.

Read Petition of W.<sup>m</sup> Wier for the sum of £15.4 / Quebec Currency, his Expences in attending the Assizes at Quebec and Three Rivers, in M<sup>r</sup> Walkers Affair.

Petition of Tho.<sup>s</sup> Christie for the like.

Read Petition of Tho.<sup>s</sup> Christie for an allowance of the same sums of £15.4 / Quebec Cur<sup>y</sup> his Expences in the like business.

Petition of John Lees, Esquire, in their behalf.

Read likewise the Petition of John Lees, as Attorney to the above Petitioners, praying that this board would be pleased to order him Payment of the Expences incurred by his Constituents.

Refer'd to the Committee for public Accompts

Ordered that the above Petitions be shall <sup>filed &</sup> refered to the Committee appointed to examine the Publick Accompts.

Demands of Lawrence Ermatinger, James Price and Conrad Guky, for an allowance of Expences laid out by them on Acco.<sup>t</sup> of the said Affair of M<sup>r</sup> Walker.

Presented a Demand of Lawrence Ermatinger for £5.14 / Quebec Curr<sup>y</sup>, his Expences attending the Three River Assizes in M<sup>r</sup> Walker's Affair. Also a Demand of James Price for £19.17.0 Halifax Cur<sup>y</sup> for his Expences attending the Assizes at Quebec and Three Rivers in the above Affair and likewise a Claim of Conrad Guky for £6.12.0 Quebec Cur<sup>y</sup>, The Cost of an Express sent from Montreal to Quebec, the 7<sup>th</sup> Decem<sup>r</sup> 1764 giving the Government an Account of the Assault committed on M<sup>r</sup> Walker. \_\_\_\_\_

Refer'd to the Com<sup>m</sup>tee for publick Accompts.

Ordered that the Three Claims abovementioned be refer'd to the Committee for Publick Accompts.

Read

Petition of Joseph Philibot for the balance of his Salary as Door-keeper to the Council.

Read Petition of Joseph Philibot for balance of a Salary, the Sum of £19..10<sup>v</sup> / Sterling . . due to him as Doorkeeper of his Majesty's Council.\_\_\_\_\_

Petition of Isaac Werden for his Disbursements as Coroner.

Read Petition of Isaac Werden, Coroner for the District of Quebec, for the sum of £48 Quebec Currency, his Disbursements, only, in the said Office.

a second time

Petition of the Printers, Brown & Gilmore, for an increase of Salary. read a Second time.

Read ^ Petition of Brown & Gilmore, Printers to the Government for an increase of their Salary, and that the Government Business may be ascertained.

The three above Petitions refer'd to the Committee.

Ordered that the three Petitions abovement<sup>d</sup> be filed and refer'd to the Committee for Publick Accompts.

Petition of W<sup>m</sup> Smith for Lands.

Read Petition of W.<sup>m</sup> Smith, Merchant, for a Grant of 1600 Acres of Land at Bonaventure and 400 Acres at Paspebiac, contiguous to the fishing Stages, Houses, &c he has there erected.

Refer'd to the Committee.

Ordered to be filed and refer'd to the Committee for Grants of Lands.

Petition of Jacob Rowe and Acco.<sup>t</sup> Sales of a parcel of Whale bone.

Read Petition of Jacob Rowe Deputy Provost Marshal, laying before this Board the Accompt of Sales of a parcel of Whale Bone, taken up by People under his Direction; setting forth the smallness of the Emoluments of his Office, and praying an allowance out of the Net proceeds of the said Whale bone or in such other manner as to this Board shall seem meet.

Order'd the proceeds of s.<sup>d</sup> Whale bone to be paid to the Receiver General

Resolved that as the King's Property in the said Whale bone is not yet ascertained, this Board cannot dispose of the Net Proceeds: and Ordered that the said Proceeds be paid into the hands of the Receiver General, there to remain untill it shall be decided whose property it is.

Read

Petition of Duchéney and Others for a Writ of Error in the Cause between them and Joachim Bureau.

Read Petition of Antoine Juchereau Duchéney Seigneur of Beauport, La Veuve Mantet and S<sup>t</sup> Martin Proprietors of a Fief in the said Seignory, and Pierre Grenier, Texier and Plante, Inhabitants, praying ~~the~~ Suspension of the Execution of a Judgment obtained in the Court of Common Pleas by Joachim Bureau against the Petitioners for the sum of £15.15 / Quebec Curr<sup>y</sup>, and that this Board would order the said Cause to be brought up before them by Writ of Error.

Dismissed.

Ordered that the above Petition be dismissed, as the sum for which Judgement is obtained, is insufficient to admit of an Appeal to this Board. \_\_\_\_\_

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Tuesday the Seventeenth day of January 1769.

Present.

His Excellency, Guy Carleton Governor.

The Honble W.<sup>m</sup> Hey C J.

H T Cramahé

Tho<sup>s</sup> Dunn

H Finlay

Sam Holland

Fra<sup>s</sup> Mounier

Colin Drummond

} Esquires

Petition of Henry Mounier for 10,000 Acres of Land at Tracadies.

Read Petition of Henry Mounier praying for a Grant of 10,000 Acres of Land at Tracadies in the Bay of Chaleurs, agreable to A Mandamus from his Majesty in Council, dated at S.<sup>t</sup> James's the 26.<sup>th</sup> day of August 1767, for the like quantity of Land to be granted to the Petitioner, in one Contiguous

tract

Tract, in this Province, under the Reserves and Conditions in the said Order of Council expressed.

Referred to the Committee.

Ordered that the above Petition and Mandamus be filed, and referred to the Committee for Grants of Lands.

Report on W<sup>m</sup> M<sup>c</sup>Nabb's Petition, proving his Loss to be the Sum of £94.5.4 Sterl<sup>g</sup>.

Read the Report of Tho<sup>s</sup> Dunn, Jn<sup>o</sup> Collins and John Marteilhe Esquires, to whom W<sup>m</sup> M<sup>c</sup> Nabb's Petition was referred; setting forth that his Losses by the Destruction of his house & removal of his Goods in order to prevent the late fire in Palace Street from communicating to his Majesty's Barracks, amount to the Sum of £94.5.4 Sterling.

Confirmed, and Order'd to be Enter'd; & the Petitioner to be reimbursed.

Order'd that the Report be confirmed and Entered in this book; and Resolved that the Petitioner, W<sup>m</sup> M<sup>c</sup>Nabb be reimbursed by the Receiver General, the Loss he has sustained. \_\_\_\_\_

Receiver General's Acco.<sup>ts</sup> for the last half year Sworn to in Council and examined.

The Hon<sup>ble</sup> Hector Theophilus Cramahé, Esquire, Acting Receiver General, produced his Accounts for the last half year, from the 25.<sup>th</sup> of June to the 24.<sup>th</sup> of December 1768; which were compared with those formerly examined and approved in Council, and he was this day sworn to the truth of the said Accompts in Council. \_\_\_\_\_

Ordered to be Filed.

Ordered that the Receiver General's Accompts be filed in the Clerk of the Council's Office.

Report of the Committee on the Publick Acco.<sup>ts</sup>

Read the Report of the Committee of the 9.<sup>t</sup> 11.<sup>t</sup> 13.<sup>t</sup> & 14.<sup>t</sup> Instant upon the publick Accompts.

Confirmed and order'd to be Entered.

Ordered that the said Report be confirmed and Entered in this Book. \_\_\_\_\_  
Quebec the 9<sup>th</sup>, 11<sup>th</sup>, 13<sup>th</sup> & 14<sup>th</sup> January 1769

Present

The Hon<sup>#</sup>ble Hector Theop.<sup>s</sup> Cramahé  
 Thomas Dunn  
 Samuel Holland  
 Francis Mounier } Esquires

The Report, Viz.<sup>t</sup>

The Committee appointed to examine the Accompts and Claims against the Government of this Province from the 25.<sup>th</sup> June to the 24.<sup>th</sup> December 1768. Fees of Office

Fees of Office	Demands as per Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Com-issioners of the Treasury
	Sterling	Sterling	Sterling
The Deputy Secretary's Accompt of Fees of from the 25. <sup>th</sup> June to the 24 <sup>th</sup> December 1768.....✓	323,,14,,4	.....	323,,14,,4
The Deputy Provost Marshal's Accompt for the District of Quebec from d <sup>o</sup> to ditto.....✓	16,, 2,,1	.....	16,, 2,,1
Ditto..... for the District of Montreal from d <sup>o</sup> to ditto.....✓	9,, 4,,6	.....	9,, 4,,6
The Deputy Clerk of the Council's Accompt..... from d <sup>o</sup> to ditto.....✓	138,, 6,,6	.....	138,, 6,,6
The Attorney General's Accompt..... from d <sup>o</sup> to ditto.....✓	120,,15,,0	.....	120,,15,,0
The Coroners Accompt for the District of Quebec..... from d <sup>o</sup> to ditto.....✓	15,,11,,8	.....	15,,11,,8
<b>Total Fees of Office, Sterling £</b>	<b>623,,14,,1</b>	.....	<b>£623,,14,,1</b>
<b>Disbursements &amp; Contingencies</b>			
The Deputy Secretary's Accompt of Disbursements & Contingencies from the 25 <sup>th</sup> June to the 24. <sup>th</sup> December 1768.....✓...	79,, 11,,7	79,, 11,,7	
The Deputy Clerk of the Enrolment's Accompt for fitting up the Office and fixing Book Shelves and Iron Doors and Window Shutters in the Vault to preserve the Records from Accidents by fire.....✓...	82,, 7,,2	82,, 7,,2.	
The Deputy Provost Marshal's Accompt of Disbursements for the District of			



Quebec from the 25 <sup>th</sup> June to the 24 <sup>th</sup> December 1768.....✓	57,, 6,,2	57,, 6,,2	
The Deputy Provost Marshal's Accompt of Disbursements for the District of Montreal from ditto to ditto.....✓}	67,,14,,6	67,,14,,6	
The Deputy Clerk of the Council's Accompt of Disbursements and Contingencies from ditto to ditto.....✓}	50,, 5,,0	50,, 5,,0	
The Clerk of the Peace's Accompt of Disbursements for the District of Montreal from d <sup>o</sup> to d <sup>o</sup> ✓	6,,12,,2	6,,12,,2	
The Coroner's Accompt of Disbursements for the District of Quebec from the Month of April 1765 to the 17 <sup>th</sup> October 1768, which Accompt he <sup>^</sup> has Sworn to before the Committee and is to be deducted from his former Acco <sup>ts</sup> of Fees charged to the Governm <sup>t</sup> ✓	36,, 0,,0	36,, 0,,0	
The Hon <sup>ble</sup> William Hey Chief Justice in Lieu of all Fees, At the rate of £200 Sterl. <sup>s</sup> p An. <sup>m</sup> for 6 months ✓	100,, 0,,0	100,, 0,,0	
Ditto..... his Expences going to Montreal & holding the Assizes there, in Sept. <sup>r</sup> last ✓	100,, 0,,0	100,, 0,,0	
Francis Maseres Esquire Attorney General Attending said Assizes.....✓	45,, 0,,0	45,, 0,,0	
Henry Kneller Esquire Clerk of the Crown Attending said Assizes.....✓	27,, 0,,0	27,, 0,,0	
Gerald Fitzgerald for Attending the said Assizes, in the room of David Lynd Civil Clerk.....✓}	22,,10,, ,	22,,10,,0	
Lieutenant Christopher Carleton for the Expences of himself and Party in Surveying the River Cataraqui from the Cascades upwards, Agreeable to a Resolution in Council the 30 <sup>th</sup> day of July last.....✓}	60,, 0,,0	60,, 0,,0	
Carried over £	734,, 6,,7	734,, 6,,7	
			42

Disbursements & Contingencies Continued	Demands as per Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Com-isse <sup>s</sup> of the Treasury
Brought Forward	734,, 6,, 7	734,, 6,, 7	
John Collins Esq. <sup>r</sup> Deputy Surveyor General, for half a years rent of an Office Allow'd by the Treas <sup>y</sup> ✓	25,, 0,, 0	25,, 0,, 0	
Brown and Gilmore Printers their half years Salary.....✓	40,, 0,, 0	40,, 0,, 0	
Robert Murray Goaler his Allowance for Six months from the 25 <sup>th</sup> June to the 24 <sup>th</sup> December 1768. being 183 days at 1 / . Sterling per diem.....✓	} 9,, 3,, 0	} 9,, 3,, 0	
Timothy Devine Cryer his Allowance for Attending the Supreme Court. £5,, 0,, 0			
Ditto.....for Attending the Court of Quarter Sessions, the Justices weekly Courts and his Disbursements..... <u>16,,18,,10</u> ✓	} 21,,18,,10	} 21,,18,,10	
Daniel Gallwey Interpreter for Attending the Several Courts of Justice.....✓	33,, 0,, 0	33,, 0,, 0	
Zachariah Thompson Captain of the Port his Disbursements & Contingencies.....✓	43,, 4,, 0	43,, 4,, 0	
Thomas Dunn Esq. <sup>r</sup> for Rent of a house at Quebec for the Governor from the 24. <sup>th</sup> of September 1766 to the 24. <sup>th</sup> December 1767. before the Chateau was fitted up for his Excellency's Reception at £60,, Sterling per Annum.....✓	} 75,, 0,, 0	} 75,, 0,, 0	
Monsieur Chabert for half a years Rent of a house at Montreal and the Furniture thereof for the Governor.....✓	} 37,,10,, 0	} 37,,10,, 0	
The Seminary at Montreal for half a years Rent of a Court house.....	11,, 5,, 0	11,, 5,, 0	
Captain Schlosser his Allowance of 5 / Sterling per diem for Residing			

and acting as a Justice of the Peace at the Lake of the Two Mountains from the 25 <sup>th</sup> June to the 31 <sup>st</sup> July 1768. are 37 days.....	✓ 9,, 5,, 0	9,, 5,, 0	
Grand Maison for his half years Pension.....	8,, 4,, 3	8,, 4,, 3	
Thomas Dunn Esq <sup>r</sup> for Sundry Presents made the Indians in different parts of the Province by order of the Governor.....	✓ 13,,10,, 0	13,,10,, 0	
The Post Office for the Governments Letters.....	✓ 18,,18,,11	18,,18,,11	
Joseph Phillibot for Balance of his Accompt of Salary as Doorkeeper of the Council in 1764 and 1765.....£18,,16, 8			
Ditto for his Disbursements..... <u>3,,17,, 7</u> ✓	22,,14,, 3	22,,14,, 3	
James Jackson Schoolmaster for 6 months Salary & Schoolhouse rent.....	✓ 13,, 7,, 6	13,, 7,, 6	
Nicholas Davis messenger his Allowance for 6 months & Disbursements.....	✓ 15,, 5,, 1	15,, 5,, 1	
The following persons who were Summoned to the Three River Assizes in 1765, and attended there as Jurors or Witnesses on the Trial of Sundry persons Concerned in the Assault on Thomas Walker Esq. <sup>r</sup> and promised their Expences by Governor Murray, but who Omitted to deliver their Acco <sup>ts</sup> .			
Viz <sup>t</sup> _____ William Wier Thomas Christie James Price Law. <sup>cc</sup> Ermatinger John Purss John Crossier John Walmough	} 7 persons at 50 / Sterling Each.....	17,,10,, 0	17,,10,, 0
Carried over £	1149,, 2,, 5	1149,, 2,, 5	43

Disbursements & Contingencies Continued				
	Brought Forward	£	1149,, 2,, 5	1149,, 2,, 5
Conrad Gugy for an Express sent from Montreal to the Governor at Quebec on the 7 <sup>th</sup> December 1764 giving an Account of the Assault on M <sup>r</sup> Walker	}		4,,19,, 0	4,,19,, 0
For fitting up a Grand Jury Room for the use of the Grand Inquests of the Supreme Court, and of the Quarter Sessions of the Peace, to do the Publick business in, having been obliged hitherto, to meet in a Publick house	}		8,,17,,10	8,,17,,10
For the hire of the said Room during three Terms of the Supreme Court and four Sessions of the Peace, at the rate of £20. Sterling per Annum.....	}		10,, 0,, 0	10,, 0,, 0
Francis Joseph Cugnet for Extra Services in taking out Sundry Extracts from the Publick Registers for the use of the Government in the years 1767. & 1768. 200 Dollars, and Ten dollars more for J. B Hervieux employed by him in Copying one of the said Extracts.....✓)	}		47,, 5,, 0	47,, 5,, 0
<b>Total of Disbursements &amp; Contingencies Sterling</b>		<b>£</b>	<b>1220,, 4,, 3</b>	<b>£1220,, 4,, 3</b>

The Committee

The Committee having read and considered the Petition of Isaac Werden Coroner for the District of Quebec, praying for payment of £48. Quebec Currency, expended by him in the duty and business of his Office; are of Opinion that he should be paid the said Sum advanced by him, which is Stated in the publick Accompts Accordingly. \_\_

The Committee having likewise read and considered the Petition of Brown & Gilmore Printers, praying an Addition to their Salary as Printers to the Government; are of Opinion that the Sum of Twenty six pounds Sterling per Annum should be added to their Salary as an Equivalent for the Business they do for the Government, which Addition is also stated in the foregoing Publick Accompt of Disbursements & Contingencies for the last half year. \_

The Committee having also read and considered the Petition of Joseph Phillibot late Doorkeeper to the Council, and examined the former Receiver General's Accompts, find that he is charged with the sum of £18,,13,, 4 only, whereas said Phillibot acted as Doorkeeper to the Council during the space of 15 months at the Salary of £30. Sterling per annum, by which there is a Balance <sup>due to him</sup> of £18,,16,, 8 Sterling; And he having also produced an Accompt of Disbursements paid by him to the amount of £3,,17,,7½ Sterling which Accompt he has Sworn to: The Committee are of Opinion that the said Balance of £18,,16,, 8 Sterling as also the said sum of £3,,17,, 7 Sterling should be paid to the said Phillibot, and those Sums are stated in the Publick Accompts Accordingly.

The Committee having taken into Consideration the Petitions of William Wier & Thomas Christie and also that of John Lees in their behalf; praying an allowance of their expences in attending the Assizes held at Quebec in March 1763. And the Assizes held at Three Rivers in July 1765 for the Trial of the persons concerned in the Assault on Thomas Walker Esq.<sup>r</sup> And having had reference to the former Resolutions of Council in that behalf, do not find that any promise was made for the payment of the Expences in attending the Assizes at Quebec

but

but they understand that a promise was made by the Government for the payment of the Expences in going to Three Rivers; They are therefore of Opinion that the Sum of Five pounds Sterling should be paid to M<sup>r</sup> Lees as Attorney to Mess.<sup>rs</sup> Wier & Christie for their Post hire and expences in Attending the Three River Assizes, it being the Sum of 50 / Each, as formerly allowed in the like case.

The Committee having also considered the Claims of James Price, Law.<sup>er</sup> Ermatinger, John Purs, John Crosier and John Walmough for attending the said Assizes at Three Rivers as Jurors or Witnesses think that the like Sum of 50 / Sterling should be allowed each of them. And seing the long time that persons have had to make their Application for payment of the like expences; The Committee <sup>submit</sup> their Opinion to the Board. That no further Claims of that Kind should be received.

The Committee having received an Accompt of David Allgeo claiming a Salary of £200 Sterling per Annum as Clerk of the Market and Publick Sworn Gauger; Are of Opinion that the said Accompt is inadmissible. \_

/Signed/ H: T: Cramahé P. C.

Report on  
W.<sup>m</sup> M<sup>c</sup>Nabb's  
Petitions  
Viz.<sup>t</sup>

To His Excellency Guy Carleton Governor and  
Commander in Chief in and over the Province  
of Quebec, Brigadier General of His Majesty's Forces  
&c.<sup>a</sup> &c.<sup>a</sup> And the Honourable the Members  
of His Majesty's Council.

In Obedience to an Order of your Excellency and Honours dated the 5<sup>th</sup> instant, We have carefully enquired into the Loss sustained by William MacNabb by pulling down his house to prevent the fire in Palace Street in this Town from Communicating to his Majestys Barracks on the night of the twenty third of October last, and from the Examination of the said MacNabb his Servant and

neighbours

Neighbours, We compute his Loss of Goods as per the Annexed Account to amount to Seventy nine pounds fourteen Shill<sup>gs</sup> and Nine pence  $\frac{3}{4}$ . exclusive of his house which we are of Opinion may be rebuilt for Twenty five pounds, making together the Sum of One hundred and four pounds fourteen Shillings and nine pence three farthings Halifax Currency equal to Ninety four pounds five Shillings and four pence Sterling, which We humbly Certifie and Submit to this Honourable Board.

Quebec 16<sup>th</sup> January /Signed/  
1769. } Thom.<sup>s</sup> Dunn  
John Collins  
John Marteilhe

Examined and approved in Council. Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Tuesday the twenty fourth day of January 1769.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C J. } Esq.<sup>rs</sup>  
H. T. Cramahé  
Thomas Dunn  
Hugh Finlay  
C. Drummond  
Sam Holland  
Fra<sup>s</sup> Mounier.

Instructions <sup>&c</sup> from  
the Board of Treasury  
to the Receiver  
General touching  
the Ancient  
French Duties  
claimed by his  
Majesty,

ordering

Read a Letter from Thomas Mills, Esquire, Receiver General of this Province to H T Cramahé Esq.<sup>r</sup> Acting Receiver General of the same, dated the 11<sup>th</sup> day of June 1768; also a Letter from Thomas Bradshaw, Esquire, accompanying Instructions from the Right Hon<sup>ble</sup>, The Lords Commissioners of his Majesty's Treasury to the Receiver and Collector of the King's Revenues in this Province, bearing date the

21<sup>st</sup>

ordering a Suit to be brought for the recovery thereof;

21<sup>st</sup> day of May last, ordering him to cause a Suit to be instituted for the Recovery of the Duties claimed by his Majesty as heretofore belonging to and levied by the French King: and in Case a Verdict shall be obtained in favour of the Crown, to collect the Duties which appear to have been collected by the French Government in 1757, except such Duties as by the said Instructions of their Lordships, his Majesty has been graciously pleased to remit. Read also the State of the Proceedings had in the Court of Common Pleas at London in the month of February 1768 relative to divers Suits brought against General Murray for collecting of Duties at Quebec.....

To lye on the Table for the Consideration of the board.

Ordered that the above Letters, Instructions and Proceedings do lye on the Table for the Consideration of this Board.

Memorial of Jn<sup>o</sup> Collins in behalf of Pere Floquet, praying that y<sup>e</sup> boundary lines may be drawn between the Seignories of Laprairie, Sault S<sup>t</sup> Louis, La Salles, and the King's ungranted Lands.

Read Memorial of John Collins Esq<sup>r</sup> Dep<sup>y</sup> Surveyor General, in behalf of Pere René Floquet, Superior of the Jesuits at Montreal, praying that the Boundary Lines between the Seignory of La Prairie, that of the Cognawago Savages of Sault S.<sup>t</sup> Louis, the Seignory of Rene Cartier and the unconceded Lands belonging to the King, may be finally fixed and Determined by the Authority of this Board.

To lye on the Table

Ordered to lye on the Table.

Memorial of Sam.<sup>l</sup> Holland Esquire recommending the Surveys of the River Yamaska, S<sup>t</sup> Francis, Nicollet, and S<sup>t</sup> Maurice in order to be laid down on his General Plan of the province

Read also the Memorial of Sam. Holland Esquire, Surveyor General, recommending the Surveys of the Rivers Yamaska, S.<sup>t</sup> Francis, Nicollet and Saint Maurice in order that such Surveys may be inserted .....and laid down in



in the General Plan which he is actually making of this Province.....

To lye on the Table.

Ordered to lye on the Table.\_\_\_\_\_

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Saturday the 28<sup>th</sup> day of January 1769.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C J.

H. T. Cramahé..

Thomas Dunn..

Colin Drummond

Sam.<sup>l</sup> Holland.

} Esquires.

Memorial or  
Petition of Jn.<sup>o</sup>  
Collins in behalf  
of Pere Floquet  
read a 2.<sup>d</sup> time.

Read the Second Time Petition <sup>or Memorial</sup> of John Collins Esq<sup>r</sup>  
Deputy Surveyor General, in behalf of Pere Floquet, praying  
to have the boundary lines finally fixed and settled between  
the Seignories of La Prairie de la Magdelaine, Le Sault S.<sup>t</sup>  
Louis, that of René Cartier and the unconceded Lands  
belonging to the Crown. \_\_\_\_\_

Order'd to be  
filed, and  
that the boundary  
lines be drawn  
as set forth in  
the Petition.

Ordered to be filed and Resolved on the part  
of the Crown as well as in behalf of the Savages of the Sault  
S.<sup>t</sup> Louis that the said Boundaries be fixed by the Deputy  
Surveyor General, provided that the Proprietors of the  
other Seignories abovementioned do on their parts consent  
to the same. \_\_\_\_\_

Read

Memorial or  
Petition of Sam<sup>l</sup>  
Holland Esquire  
recommending the  
Survey of divers  
Lands, read a  
Second time.

Ordered,  
A Warrant of Survey  
for the Rivers of  
S.<sup>t</sup> Francis and  
Nicollet.

Instructions of the  
Board of Treasury  
to the Receiver  
General, also the  
Letters and Proceedings  
in the Court of com<sup>n</sup>  
pleas, touching the  
ancient French duties  
read a 2.<sup>d</sup> time.

Order'd to be filed  
and refer'd to  
a Committee.

Read a second time the Petition <sup>or Memorial</sup> of Samuel  
Holland Esquire touching the Surveys of the Rivers  
Yamaska, S.<sup>t</sup> Francis, Nicollet, and S.<sup>t</sup> Maurice  
recommending more particularly the Surveys of those  
of S.<sup>t</sup> Francis & Nicollet, to the end that they may be  
laid down in the General Plan of this Province.

Ordered to be filed and that a Warrant be  
directed to the Deputy Surveyor General to make the  
Surveys of the said Rivers of S.<sup>t</sup> Francis and  
Nicollet, for the purpose above mentioned.

Read likewise a Second time The Instructions  
of the Right Hon<sup>ble</sup> The Lords Commissioners of the  
Treasury to the Receiver and Collector of his Majesty's  
Revenues in this Province, with respect to the Ancient  
French Duties; Read also the Letters and Proceedings  
in the Court of Common Pleas which were laid before  
this Board the last Council day.

Ordered that the Instructions, Letters and  
Proceedings abovementioned be filed and that the  
Chief Justice, M.<sup>r</sup> Cramahé and M.<sup>r</sup> Drummond, (with  
the Assistance of the Attorney General,) do sit as a  
Committee, to take the abovementioned Instructions  
and Papers into consideration and report their  
Opinion to this Board of the most effectual  
Method of carrying their Lordships Instructions  
into Execution: and that any Member of this  
Board may make one of the Committee.

Guy Carleton

At

At the Council Chamber in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec, on Tuesday the fourteenth day of  
February 1769. \_\_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C J.)

H. T Cramahé....

Thomas Dunn...

Hugh Finlay....

Colin Drummond ...

Samuel Holland..

Fra<sup>s</sup> Mounier...

} Esquires.



His Majesty's Commis-  
=sion to Gov<sup>r</sup> Carleton  
to be Vice Admiral,  
Commissary and  
Deputy in this  
Province.

Read his Majesty's Commission under the Grand Seal  
of the High Court of Admiralty dated at London the 23<sup>d</sup> day  
of April last, to his Excellency Guy Carleton, Captain General  
and Governor in Chief of this Province, appointing him Vice-  
Admiral, Commissary and Deputy in the Office of  
Vice-Admiralty in the Province of Quebec and Territories  
thereon depending and in the Maritime parts of the same.

Petition of Justin  
Franck to be  
admitted to plead  
in forma pauperis

Read Petition of Justin Franck praying to be admitted  
in forma pauperis and to have an able Attorney assigned him, to  
prosecute for the Recovery of his House taken and sold by virtue  
of an Execution. \_\_\_\_\_

Dismissed.

Ordered that the Petition be dismissed, the Application  
to this Board, being improper.

A New Petition from  
John Lees in behalf  
of W.<sup>m</sup> Wier &  
Tho.<sup>s</sup> Christie  
for attending the  
Quebec Assizes &c,  
as Witnesses.

Read Petition of John Lees <sup>Esqr</sup> as Attorney to W.<sup>m</sup>  
Wier and Thomas Christie, praying a further allowance  
for their Attendance as Witnesses at Quebec and Three  
Rivers Assizes held for the Trial of the Persons concerned  
in the Assault on Thomas Walker Esquire. \_\_\_\_\_

Order that the Receiver General pay him £10 Sterl<sup>s</sup> in Consequence of a Resolution of a former Committee.

Ordered that in Consequence of the Resolution of the Committee of the Council of the 22<sup>d</sup> March 1766, the further Sum of Five pounds Sterling be paid by the Receiver General to each of the Petitioners, Mess.<sup>rs</sup> Wier & Christie, for their Expences in attending the s<sup>d</sup> Assizes.

Petition of Chris<sup>t</sup> Pelissier & others, Lessees of the Forges de S<sup>t</sup> Maurice for a Confirmation of the right <sup>to dig ore.</sup> & an Addition to their Lease.

Read Petition of Christopher Pelissier and others his Majesty's Lessees of the Iron Works at S<sup>t</sup> Maurice, praying a Confirmation of the Right which the former Lessees enjoyed to take Ore on the Adjacent Lands <sup>^</sup> and for an Addition to their Lease of fifteen years more in Consideration of their great Advances, and the General Utility of their Undertaking to the Province. \_\_\_\_\_

To lye on the Table.

Ordered to lye on the table. \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the Castle of Saint Louis, in the City of Quebec, on Wednesday the fifth day of April 1769. \_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.

H T Cramahé.

Tho.<sup>s</sup> Dunn.

Hugh Finlay.

Colin Drummond.

Sam.<sup>l</sup> Holland.

} Esquires.

Memorials of the English & Canadian Merchants of Montreal touching the Regulations for the Indian Trade.

Read Memorials of the English and Canadian Merchants and Traders of Montreal, setting forth the many inconveniencies The Indian Trade in the upper Countries, is Subject to at this time, and praying for sundry new Regulations

therein, which are particularly mentioned in the s.<sup>d</sup> Memorials; read also copies of the Licences granted last year for the said Trade.

Refer'd to a Committee.

Ordered that the Chief Justice, M<sup>r</sup> Cramahé and M.<sup>r</sup> Dunn be appointed a Committee to take the afores<sup>d</sup> Memorials into Consideration and to report their Opinion thereon as well as upon the form of the licences and Bonds for the Indian Trade now in use: Ordered likewise that any member of this board may make one of the Committee. \_\_\_\_\_

Memorial of divers merchants of Quebec praying liberty to make a Lottery, in order to Cut a Road from the River Chaudiere to Fort Halifax in New Hampshire.

Read Memorial of Sundry Merchants in Quebec setting forth the apparent Utility of a Road from this Province by The way of the Riviere Chaudiere, to Fort Halifax on the Kennebec River in the Province of New Hampshire; praying liberty to make a Lottery for the purpose of raising money to defray the Expences of cutting the said Road, and that this Board would nominate proper persons to take the management there of. \_\_\_\_\_

To lye on the Table.

Ordered to lye on the Table. \_\_\_\_\_

Petition of Cha.<sup>s</sup> Daley for a Salary for taking care of & working the Fire Engines, and a Certificate of the merchants in his behalf.

Read Petition of Charles Daley for an appointment for taking care of and working the Fire Engines in this City, together with a Certificate from the Merchants and Principal Inhabitants thereof, of his Skill, Courage and Activity in extinguishing Fires. \_\_\_\_\_

To lye on the Table.

Ordered to lye on the Table. \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the Castle of Saint Louis in the City of Quebec, on Monday the tenth day of April 1769. \_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.

H T Cramahé

Tho Dunn..

Hugh Finlay

Colin Drummond

Sam.<sup>l</sup> Holland

} Esquires.

Report of the Com̃mee  
on the proposed new  
Regulations for the  
Indian Trade.

Read the Report of the Committee appointed the 5<sup>th</sup> Inst.<sup>t</sup>  
to take into Consideration the Memorials of the Merchants of  
Montreal relative to the Indian Trade.

Order'd to be enter'd  
and the Licences and  
bonds to be made  
out and translated  
into French.

Ordered that the above Report be Entered in this Book;  
and that the Licence Oaths and Bond be made out  
agreable thereto and translated into the French Language  
for the use of the Canadians.

Representation of the  
great Inconveniencies  
of Publicans giving  
too great Credit.  
for liquors drank in  
their houses.

Whereas it has been suggested to this Board by M.<sup>r</sup>  
Marteilhe one of the Acting Justices of the Peace in this  
City, that great Inconveniencies do arise from the too  
great Credit given by those who keep Publick houses, to  
divers idle and dissolute Persons in this Province.

Resolution that the  
Attomey General Prepare  
an ordinance to  
restrain the same.

Resolved that the Attorney General be directed to  
prepare the Draught of an Ordinance to restrain the said  
Publick house keepers from giving Credit for Liquors  
consumed in their houses beyond a certain small Sum.

The Report  
Viz.<sup>t</sup>

“Quebec April the 8<sup>th</sup> 1769

“ At a Committee appointed to take into consideration  
“the Several Memorials of the English and Canadian  
“Merchants, of Montreal touching the Indian Trade, and  
“also the form of the Licences now granted to and the Bonds  
“taken from the Traders, and to Report if any and what  
“alterations may be made in either of them;

“Present

“The Honble William Hey C. J.

“Hector Theop.<sup>s</sup> Cramahé } Esquires.

“Thomas Dunn.

“Who Agreed upon the following Report.

“Before we touch upon any of the matters more  
“immediately referred to our Consideration, by <sup>the</sup> order of Council  
“bearing date the fifth day of the present month, We beg  
“leave to offer our Sentiments upon the Subject of Regula-  
“tions for the Indian Trade in General; not with any

confidence

“Confidence that our Opinion however well conceived can be carried  
 “into immediate Execution, but in hopes that your Excellency, if they  
 “should be fortunate enough to meet your approbation, will make  
 “them the Subject of your future Correspondence with his Majesty’s  
 “Ministers, and by that means open a way to Provisions from  
 “home which may obviate the many difficulties that seem at  
 “Present to lie in the way of this great and important object  
 “of Commerce to these Countries.

“And the first thing that naturally strikes us,  
 “as a Matter of great inconvenience and prejudice to the Trade  
 “in General, is the Situation and present Condition of the places  
 “where this Trade is Carried on, and in which all Regulations  
 “whether made by this or any other province must of  
 “consequence have their operative Influence, they are at present as  
 “we understand the Subject of no Civil Jurisdiction whatsoever,  
 “without any internal principles of Government within themselves,  
 “nor Annexed for the purposes of Civil Government to any Province  
 “which has; so that we are at a loss to conceive, how any Province  
 “in particular, or all the separate Jurisdictions in America combined,  
 “can form a System, tho ever so well appointed or necessary, and  
 “give it its binding Effect upon persons casually residing for the  
 “purposes of Trade in a Country not liable to receive a Law from them,  
 “or enforce Obedience to it, when formed; whilst his Majestys was  
 “pleased to Appoint a Superintendant for Indian Affairs  
 “with powers to regulate the different Posts, and direct in what  
 “manner the Trade should be carried on, it was not difficult  
 “perhaps for each Province to restrain its own Traders from  
 “doing any thing Contrary to his directions, besides that, there  
 “always was an Agent upon the Spot with a proper Military  
 “Force, to interpose and prevent any open and Notorious breach  
 “of them. \_ but that Commission being now with drawn, and the  
 “care of this matter left to the different Provinces, we do not Com=  
 “=prehend how one general solid well formed system for the  
 “Regulation of the Trade, which must arise from an Union of  
 “all the different Provinces so at variance with one another,  
 “in their manners constitution, forms and Modes of Government,  
 “and so unconnected upon any one general principle, can

possibly

“possibly be established, and without that we think the Indian  
“Trade will fall first into confusion, distraction & Licentiousness,  
“and terminate perhaps in consequences fatal to the Dominion  
“of Great Britain over those Countries.

“The only Method that at present Occurs  
“to us of enforcing any Regulation whatsoever, is by partial  
“restraints upon the Conduct of Individuals in the Nature of  
“Covenants, with penalties annexed to the breach of them, but  
“how very inadequate this must be to the purpose of Effecting any  
“Substantial plan for regulating this great business, must be  
“obvious to any person who makes it the Subject of a moment’s  
“reflection, and whoever has been at all conversant with the  
“modes of proceeding in a Court of Justice must know, with  
“what difficulties a Plaintiff contends who puts in Suit  
“a Common Bond, Conditioned for the performance of Covenants,  
“and how often he is disappointed where the merits of the  
“case are clearly with him, for want of a Clear and positive  
“proof of the breaches on the part of the defendant, or by some  
“defect in the form and manner of Assigning them.

“And we think it a matter of a Delicate  
“nature, and to be proceeded on with great Caution, for any  
“Province, by itself, and without communication with the  
“others, to multiply restraints upon the Common rights of  
“Individuals for the benefit of the whole, without knowing  
“the Sentiments of the whole upon that Subject, and whether  
“the same restraints will be imposed on or Submitted to by  
“the general body of the Traders. \_ many might no doubt  
“be imposed with regard to the Sale of Spirituous Liquors  
“in particular, that upon the whole would be very desirable  
“and if submitted to by the whole, be of great Advantage to  
“the Trade, but if confined to one set of Traders only, would operate  
“against all equity, Justice and good Policy, to the prejudice  
“of the Moderate and obedient, and to the Advantage only of  
“the licentious and hurtful Trader. \_ so in like manner a  
“restraint to Trade only at particular posts, which perhaps  
“upon principles of general policy might be much to be desired,  
“would if partial, only be detrimental to the persons so

restrained



“restrained without affecting any one point of Public Expedience  
 “or utility to the Trade in general. \_ whereas if his Majesty  
 “should be Advised to annex Michilimackinac and the other  
 “Forts, for the purpose of regulating the Indian Trade, and in  
 “Civil cases, as the Mutiny bill has already done in Criminal  
 “cases, to this or any other province, the constitution of that Province  
 “might be immediately imparted by such Annexation and  
 “it would then have Authority to make provisions, and power  
 “by the Assistance of <sup>the</sup> Military, to Compell a due observation of them.  
 “And here we think we do not speak the Language of persons  
 “improperly devoted to our own Province, when we say that  
 “this has much better pretensions to give the Law upon this  
 “head to those Countries, than any other Government upon the  
 “Continent. Our Traders are more numerous, they Exchange more  
 “of the British Manufactories (the others, those from Albany  
 “in particular only carrying up rum) and have besides such  
 “a free Communication with the posts by means of the great rivers  
 “which fall directly into the S<sup>t</sup> Lawrence, as must <sup>make</sup> them the  
 “Carriers of, by far the greatest and most Valuable produce of  
 “those Countries to the European Markets.

“Having thus taken the Liberty to represent  
 “to your Excellency our thoughts upon this Subject, to which we  
 “desire to Add our Request that they may be Communicated to  
 “his Majesty’s Ministers, we proceed to give our Opinions upon  
 “the several Articles contained in the Memorials referred for our  
 “Consideration.

“The first Article of the English Memorial seems to  
 “us of great importance, considered either in a political or  
 “Commercial light; but we apprehend that there is no Authority  
 “in this Government to erect any Jurisdiction or Communicate  
 “any powers of Judicature, or give life and Operation to any  
 “process from our own Courts beyond the Limits of our own Province,  
 “and that any attempt to Arrogate to ourselves any such Autho-  
 “-rity, as it would be without all manner of effect, so it would  
 “Argue a high degree of weakness and presumption. \_ We have  
 “already Submitted our Opinion of what may hereafter be done  
 “to Obviate the difficulties there mentioned and the only Temporary

expedient

“expedient, that we think can be applied to a case which certainly  
“deserves one, must come from the Commander in Chief; who  
“we apprehend might give a power of the kind alluded to, in  
“that Article, to the Commanding Officer at Michilimackinac  
“for we take it to be a Maxim that there must be Law where  
“there is Society, and the Military will prevail where no  
“Civil Jurisdiction is established.

“With regard to the 2.<sup>d</sup> Article we think  
“the Assertion, that they <sup>find</sup> it impossible to comply with the terms  
“of an Advertisement in the Quebec Gazette, is much too  
“general to be well founded, or to deserve any particular  
“remark, the Gentlemen should have pointed out the  
“particular Inconveniencies which it Subjects them to, when  
“it would probably have appeared that they were such as  
“were either insignificant in themselves, or Capable of very  
“Obvious remedies\_ the only Two that Occur to us, we shall  
“enumerate and we think the difficulties very easy to be  
“removed. \_\_

“1<sup>st</sup>. That they are obliged to have new passes  
“upon any Change or Alteration of their Servants by  
“death or Sickness or desertion, which will of Course be  
“Attended with a delay always to the prejudice of, and  
“perhaps at some Critical time to the loss or miscarriage  
“of the whole Adventure.

“2<sup>dly</sup>. That their loaded Canoes in coming  
“down with their Merchandize being often damaged or  
“short of Provision, or otherwise disabled from reaching their  
“place of destination, are much prejudiced by the delay necessarily  
“incurred in the Application for a pass at Quebec for the Canoes  
“intended to be sent up for their Relief.\_ The first of these is  
“easily Obviated by directing the Commanding Officer at the next  
“Post to pass their new Men, and the other by giving a power  
“to the Commanding Officer at Montreal, to grant Licences for  
“such Canoes only as go up not with any Cargo or for the  
“purpose of Trade, but merely to replace any damaged Canoes,  
“or Supply with Provisions or otherwise relieve any which  
“by Accident are prevented from making their voyage to Montreal.

The

“The latter part of this Article which prays a Liberty to  
 “dispose of their goods in the way to the place of their destination,  
 “we think may be admitted, the Quantity and Quality of the goods  
 “so disposed of being indorsed on the Pass and Shewn to the  
 “Commanding Officer of the next Fort.

“We are of the same Opinion with regard to  
 “the Third Article, and we have made a small Addition to the  
 “Oath According to the request therein Contained.

“The 4.<sup>th</sup> and 6.<sup>th</sup> Articles we much approve but  
 “for the reasons already given we are tender of Recommending it  
 “here till we know the Opinion of other Provinces, and it is here  
 “only that a restraint of that kind can be imposed.

“The 5.<sup>th</sup> is no doubt of great importance, but  
 “it is the Commander in Chief only that can Carry it into Execution.

“The Articles in the French Memorial differ  
 “so little in Substance from the other, and where it does upon  
 “points referable only to the Commander in Chief, that we have  
 “nothing particular to recommend upon that Memorial.

“The only matters that remain for our  
 “Consideration are the form of the Licences, to be granted to the  
 “Trader, and the Bond to enforce the Observation of it.

“With regard to the first we are of Opinion  
 “that <sup>the</sup> Tenor and purport of the Oath should not be inserted  
 “in the Body of the Licence, leaving it (as the present practise is)  
 “to the Magistrate to collect from that a precise and direct form of  
 “words in which to Administer it, but <sup>that</sup> the Oath itself should be  
 “indorsed on the Licence together with the Oath of Allegiance  
 “in the following words.

“I A. B. do sincerely promise and swear that I will be  
 “faithful and bear true Allegiance to his Majesty King George  
 “the Third, and him will maintain and defend to the utmost of  
 “my power. So help me God.

“I A. B. do sincerely promise and swear that I will  
 “neither say or do any thing prejudicial to the Interest of his  
 “Majesty King George the Third directly or indirectly and if any  
 “matter or thing shall come to my knowledge whereby the  
 “Interest of the British Government is or may be Affected or injured,

I will

“I will immediately give Intelligence thereof to the Governor or  
“Commander in Chief of this Province, and also to the Commanding  
“Officer at the Post I shall be nearest to at the time of making  
“such discovery; particularly if I shall know or hear of any  
“practices with the Indians that I shall conceive to be to the  
“prejudice of the person by whom I am employed, I will not  
“only do my utmost to disclose and make known such Matter  
“to the Commanding Officer, but also I will faithfully declare  
“and report the same to my Chief or Master. I will not directly  
“or indirectly instigate or stir up any strife or Mischief  
“Amongst the Indians but as much as in me lies will  
“promote peace and union Amongst his Majestys Old and  
“New Subjects and the Savage Nations. And I will in all things  
“behave and demean myself as a good and faithful Subject of  
“his Majesty King George the Third ought to do.

“So help me God.

“These Oath when taken should be signed by the Parties the Trader  
“Master and Mariners tested by the Magistrate or other person  
“properly Authorized to Administer them, and Certified in the following  
“form by the Commanding Officer at Montreal in whose presence  
“they should allways be Administered.

“I A. B. Commanding Officer at Montreal do Certify  
“that, the Oaths indorsed upon this Licence were Administered  
“in my presence this            day of            1769, to C. D. & E. by F.  
“One of his Majesty’s Justices of the Peace for the district of  
“Montreal or other person properly Authorized for that purpose  
“and that the names C. D. & E. and also of F. the aforesaid  
“Justice of the Peace, or person duly Authorized, are respectively  
“of their own proper hand writing.

“Or if they Cannot write their names, that the  
“mark hereunto Subscribed is the mark of A. made with his  
“own hand, in my presence

“The Licence we think may then run in the  
“following manner (Liberty to Trade in the way to their Post, as  
“also to go from hence to any other Post being Supposed)

“In Obedience to his Majesty’s Commands  
“this Licence is granted to A. B. to pass unmolested with one

Canoe

“Canoe manned with 6 men whose names Occupations and  
 “places of abodes and also the quantity of Merchandize on board  
 “are reported upon Oath and specified in the Margin to  
 “Michilimackinac, and from thence to such markets or parts  
 “as he shall find most Advantageous for the disposal of the said  
 “Merchandize, with Liberty to dispose of any such Goods and effects  
 “as he shall Occasionally find a Market for in his passage to  
 “Michilimackinac, he taking care to endorse upon this Licence  
 “the Quantity and Quality of the goods so disposed of and shewing  
 “the same to the Commanding Officer of the next Fort.

“Provided allways that nothing herein  
 “Contained shall be construed to extend to give any Authority to  
 “the said A. B. to do any Act or thing, or to Trade to any place  
 “Contrary to such Regulations as his Majesty may have been  
 “pleased to make, or shall hereafter think proper to make, by  
 “himself, or by the Commander in Chief, or by any person properly  
 “Authorized to give directions concerning the Indian Trade.

“Provided also that he the said A. B. and  
 “also all and every the Master or Masters of, and all other  
 “persons Concerned in Navigating the said Canoe, shall  
 “first have taken and Subscribed the Oaths indorsed on this  
 “Licence in the presence of the Commanding Officer at Montreal  
 “and shall also have given Security to observe and keep the same  
 “And also that he the said A. B. will not take with him or  
 “permitt any of his people to take with them any other person  
 “or persons, but such as usually have followed or intend hereafter  
 “to follow the Occupation of Navigating Battoes or Canoes, And  
 “further that the said A. B. and all such persons as he shall  
 “take with him shall and will immediately on his or their  
 “return to the City of Montreal present themselves to and personally  
 “appear before the Officer Commanding at Montreal, and take  
 “a Certificate from him in writing of their having so personally  
 “appeared, Death or any other unavoidable Accidents only excepted.

“These Securities being given this Licence to  
 “be inforce for           Months, otherwise to be null and void  
 “to all intents and purposes.

“A Duplicate of this pass we apprehend

should

“should be taken, one for the Trader and the other to be kept in the  
“Secretary’s Office and annexed to the following Bond, The  
“Condition of which only we think it necessary to state at Large.

“Know all men by these presents that I A. B. &c.<sup>a</sup>  
“The Condition of this Obligation is such that whereas  
“the above bounden A. B has this day obtained a Licence to  
“Trade with the Indians Nations living under his Majesty’s  
“protection at Michilimackinac and from thence to any  
“Markets or posts which he shall find most Advantageous  
“for the Sale of his Merchandize for the space of       Months  
“Now if the said A. B. shall well and truly in all  
“things Conform to and perform the several Conditions recited  
“in the said Licence, and shall also well & truly keep & observe  
“the Matters and things enjoined in the Several Oaths  
“endorsed upon the Licence a Duplicate of which is hereunto  
“Annexed, Then this Obligation to be void or else to remain  
“in full force.

“We have now gone through the whole of  
“what your Excellency and the Council Submitted to our  
“Consideration, and we have noth.<sup>g</sup> further to offer upon this Subject.

/Signed/ “W<sup>m</sup> Hey P. C.”

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Tuesday the Second day of May 1769.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C J.

H T. Cramahé..

Tho.<sup>s</sup> Dunn....

Hugh Finlay....

Sam<sup>l</sup> Holland

Fra<sup>s</sup> Mounier..

Colin Drummond

} Esquires.

Read

Three Schemes of a Lottery to raise money towards making a road to Portsmouth in New Hampshire.

Read Three different Schemes of a Lottery, marked A. B and C. for raising the Sum of 2,400 Dollars, towards defraying the Expences of making a Road from Quebec to Portsmouth in New Hampshire by the way of the River Saint François.

To lye on the Table.

Ordered to lye on the Table.

Representation from Hugh Finlay about the Post. Masters on the Road, proposing an Ordinance to regulate them.

Read a Representation from Hugh Finlay, Esquire, Post Master, of Divers Complaints made of and by the Persons who keep Post Horses and Carriages to hire, between This place and Montreal and proposing a new Ordinance to remedy the present Inconveniencies.

To lye on the Table.

Ordered to lye on the Table.

Petition of William Vanfelson for a new Grant of Land at Bonaventure.

Read a Petition from W.<sup>m</sup> Vanfelson praying a New Grant of Land at Bonaventure in Chaleurs Bay, in lieu of a former Grant made to him there. Orderd to be filed & Refer'd to the Committee for Grants of Lands.

Refer'd to the Com<sup>m</sup>tee

Petition of the Lessees of the Forges of S<sup>t</sup> Maurice and of Mons<sup>r</sup> De Ton<sup>n</sup>ancour read a Second time.

Read a Second time the Petition of Christopher Pelissier and others, Lessees of the Forges of S<sup>t</sup> Maurice, relative to the digging of Ore on the Adjacent Seignories, and praying for an Addition to their Lease, for the Considerations therein mention'd,

Read a Second time, likewise, the Petition of Monsieur De Tonnancour touching an Agreement made with M.<sup>r</sup> Pelissier in quality of Director of the abovementioned Iron Works, praying that this Board would confirm the said Agreement.

Order'd that Extracts from the Petition of the Lessees be deliv.<sup>d</sup> to Mons.<sup>r</sup> De Ton<sup>n</sup>ancour.

Ordered, that such Extracts of the Petition of the Lessees of his Majesty's Iron Works, as do regard the Claim made by Jos Godefroy de Tonnancour, be delivered to him or his Agent, in order that he, said Tonnancour, may, if he shall see fitting, have an opportunity of making his Reply to what is set forth in the Petition of the said Lessees. \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec, on Wednesday the Seventeenth Day  
of May 1769 \_\_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W<sup>m</sup> Hey C J.

H T Cramahé.

Tho.<sup>s</sup> Dunn.

Sam Holland

Colin Drummond

} Esquires.

Dra.<sup>t</sup> of an Ordi-  
-nance concerning  
Bakers of Bread.

Read the Draught of an Ordinance concerning  
Bakers of Bread in the Towns of Quebec, Three Rivers and  
Montreal.

Refer'd to a  
Committee

Ordered to be refer'd to a Committee, Viz.<sup>t</sup>  
M.<sup>r</sup> Hey, M.<sup>r</sup> Cramahé, M.<sup>r</sup> Dunn & M.<sup>r</sup> Drummond  
and any Member of this board may make one of  
the said Committee.

Dra.<sup>t</sup> of the Lease  
of the King's =  
Wharf to Johnston  
& Purss.

Read the Draught of a Lease of the King's Wharf  
to James Johnston and John Purss of this City merchants  
for the Term of Thirty years from the Date thereof.

To lye on the table.

Ordered to lye on the Table.

Guy Carleton

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec, on Monday  
the Twenty second day of May 1769.

Present

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.

H T Cramahé.

Tho.<sup>s</sup> Dunn.

Sam.<sup>l</sup> Holland

Walter Murray

Colin Drummond

} Esq.<sup>rs</sup>

Read



Dra<sup>t</sup> of the Lease  
of the King's Wharf  
read a second time.

Read a Second Time the <sup>dra<sup>t</sup> of the</sup> Lease of the King's Wharf,  
to James Johnston & John Purs Merchants.

To be deliv.<sup>d</sup> to the  
Lessees for their  
Perusal.

Ordered that the said Draught be delivered to the  
Lessees for their Perusal. \_\_\_\_\_

1<sup>st</sup> Report of the  
Com<sup>m</sup>tee on the  
Baker's Ordinance

Read the Report of the Committee <sup>of the 13<sup>th</sup> Instt</sup> appointed the  
last Council day to take into Consideration the Draught  
of an Ordinance concerning Bakers of Bread.

To lye on the Table

Ordered to lye on the Table.

Amended Dra<sup>t</sup> of  
the Baker's Ordinance

Read an amended Draught of the above Ordinance

Refer'd to the  
Com<sup>m</sup>tee

Ordered to be refer'd to the Committee abovement.<sup>d</sup>

Dra<sup>t</sup> of an Ord.<sup>ce</sup>  
to restrain Publicans  
from giving Credit.

Read the Draught of an Ordinance to restrain the  
Keepers of Publick Victualling Houses from Selling  
Liquors by retail upon Credit beyond the Sum of  
half a Spanish Dollar.

Refer'd to the  
Com<sup>m</sup>tee abovement.<sup>d</sup>

Ordered to be refer'd to the Committee who have  
at present the Bakers Ordinance under Consideration.

Guy Carleton

At the Council Chamber, in the Castle of  
Saint Louis, in the City of Quebec, on Tuesday the  
Thirtieth day of May 1769.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.

H T Cramahé.

Sam<sup>l</sup> Holland

Walter Murray

Colin Drummond

} Esquires.

Read

New Memorial from Johnston & Purss ab.<sup>t</sup> the Lease of the Wharf.

Read a new Memorial from James Johnston and John Purss touching the Lease of the King's Wharf and praying some additions to be made thereto.

Refer'd to a Committee.

Ordered to be filed and that M.<sup>r</sup> Hey, M.<sup>r</sup> Cramahé and M.<sup>r</sup> Murray be appointed a Committee to take the s<sup>d</sup> Memorial into Consideration and to report their Opinion thereon to this Board; Ordered also that any Member of this Board may make one of the said Committee.

Read a 2.<sup>d</sup> time the first Report on the Baker's Ordinance

~~Read the Report of the Committee of the 18 Inst.<sup>t</sup> (appointed the 17.<sup>th</sup> Ditto) on the first draught of the Baker's Ordinance~~

~~Ordered~~

GC

Second Report of the Com<sup>m</sup>ee on the Bakers Ordinance, and likewise on that for restraining the Publicans from giving Credit.

Read the Report of the Committee <sup>of the 23<sup>d</sup></sup> appointed the 22 Inst.<sup>t</sup> to take into Consideration the new Draught of the Ordinance concerning the Bakers of Bread in the Towns of Quebec and Montreal. and likewise the Draught of an Ordinance to restrain the Publicans from selling Liquors by retail upon Credit.

Approved.

Approved and ordered to be filed, and that the said Ordinances be framed agreeable thereto. \_\_\_\_\_

Dra<sup>t</sup> of the Ord<sup>ce</sup> for restraining the Publicans &c.

Read the Draught of an Ordinance to restrain the Keepers of Publick Victualling Houses from selling Liquors by retail upon Credit beyond the Sum of half a Spanish Dollar.

Dra<sup>t</sup> of the Ord<sup>ce</sup> Concerning the Bakers.

Read also, the Draught of an Ordinance concerning Bakers of Bread in the Towns of Quebec, and Montreal.

Approved and orderd to be translated and published.

Approved and ordered that the said Ordinances be <sup>Entered in this Book and</sup> translated into the French Language; The Translations to be examined by the Committee appointed this day, and published with the Original Ordinances in the Gazette, so soon as the s<sup>d</sup> Translations shall have been approved by the Committee abovementioned.

Form of the Recognizance to be enterd into by the Bakers.

Read the Form of a Recognizance to be entered into by the Bakers of Bread in pursuance of the Ordinance made in that behalf.

Approved.

Approved and ordered to be filed.

Read

Plan of a Survey  
& Report of the  
D Surv.<sup>r</sup> Gen.<sup>l</sup> for  
Sam.<sup>l</sup> Schreder.

Read the Deputy Surveyor General's Return of the Survey of a Lot or piece of Ground surveyed by order, for Sam<sup>l</sup> Schreder Milwright, situated under the Rock, below the Hotel Dieu, with a Plan of the said Lot of Ground and description thereof.

To lye on the  
Table.

Ordered to lye on the Table.

a New Petition  
from Jonas Clark  
Minot, respecting  
a passage to Benj<sup>n</sup>  
Cobb's house on  
the King's Wharf.

Read Petition of Jonas Clarke Minot in behalf of Benjamin Cobb, touching a Passage to a house the property of said Cobb, thro' the King's Wharf.

Refer'd to a  
Committee.

Ordered to be refer'd to the Committee appointed this day on Johnston & Purss's new Memorial.

**An Ordinance**, to restrain the keepers of Public Victualling houses from selling Liquors by retail upon Credit, beyond the Sum of half a Spanish Dollar. \_\_\_\_\_

Preamble

Inconveniencies  
arising from the  
too great Credit  
given by the keepers  
of Public houses-  
to their Customers.

**Whereas** it is found, by daily experience, that the too great Credit given by the keepers of Public Ale houses and Victualling houses in this Province, to those who frequent the said houses, for the sake of procuring strong Liquors, is a great cause of drunkenness, idleness and extravagance, and Contributes in a great degree to the ruin of many of his Majesty's Subjects in this Province, by bringing them and their families to extreme poverty, and beggary, who might otherwise by a course of Sobriety and Industry, be maintained in a decent and comfortable manner; and it is therefore become highly expedient that a Speedy remedy be provided thereto, by discouraging the keepers of such Publick houses from giving Credit to their said Customers for any but very small sums of Money: **It is therefore Ordained and Declared**, by His Excellency the Captain General and Governor in Chief of this Province, by and with the Advice and

Consent

No Contract for Strong Liquors, Sold by retail by any keeper of a Public-house, shall for the future, be valid and binding in Law for more than the Sum of one half of a Spanish Dollar.

Consent of the Council of the same, that from and after the first day of July next, no Contract, or Contracts, express, or implied, made between any keeper of a Public Ale house Victualling house, or Tippling house in this Province and any other person, for any Ale, Beer, Cyder, Perry, Wine, Rum, Brandy, or any other Strong Liquor sold and delivered to such person by retail, or by less than Three Gallons at a time, for any Sum, or Sums, of Money exceeding the Sum of one half of a Spanish Dollar, shall be valid and binding in Law, for any more than the said Sum of one half of a Spanish Dollar; So that if any person shall, after the said first day of July, have received, at different times from any such keeper of a Public Ale house, Victualling <sup>house</sup> or Tippling house, by retail, and upon Credit, or without paying for the same, divers quantities of Strong Liquors the Value of which shall exceed the sum of One half of a Spanish Dollar in any proportion whatsoever, he shall be deemed in Law to owe to the said keeper of a Publick house only the Sum of one half of a Spanish Dollar on the said Account: And no more than the said Sum of one half of a Spanish Dollar shall be adjudged to such keeper of a Publick house by any Justice of the Peace, or other Judge, or Judges, before whom any such keeper of a Publick house shall have sued such person for the Value of the Liquors so delivered to him. But this shall not affect the rights of any such keeper of a Publick house arising from the Sale of Strong Liquors by retail to any of his Customers before the first day of the month of July next ensuing the Publication of this Ordinance.

(Signed) Guy Carleton

Given by His Excellency Guy Carleton, Captain General and Governor in Chief, of the Province of Quebec, Vice Admiral of the same, and Brigadier General of his Majesty's Forces, &c<sup>a</sup> &c.<sup>a</sup> In Council, at the Castle of Saint Lewis, in the City of Quebec, and passed under the Great Seal of the sd. Province in the said Province, <sup>^</sup> on the Tirtieth day of May, in the ninth year of his Majesty's Reign and in the year of our Lord, One thousand, Seven hundred & Sixty nine. \_\_\_\_\_ By His Excellency's Command  
(Signed) Geo: Allsopp D.C.C.

**An Ordinance, Concerning Bakers  
of Bread in the Towns of Quebec and Montreal.**

Preamble.

**Whereas** it happens, from the great and unavoidable badness of the roads in this Province at particular Seasons of the year, that it is extremely difficult and almost impracticable at such times and seasons for the Country People in the neighbourhood of the Towns of Quebec and Montreal, to bring any Supplies of Corn of other Provisions into the said Towns; And the said Towns are thereby exposed to the danger of a Scarcity of Corn and other necessary Victuals, even when there is a Sufficient quantity thereof in the Province, unless care be taken by the persons who supply the said Towns with the same, and more especially by those who Bake and Sell Bread therein, to provide before hand a sufficient Stock thereof to supply the Inhabitants of the said Towns during the continuance of such unhappy times and seasons: and whereas it has been found that a great number of persons, who follow the Trade of Baking and selling Bread in the said Towns of Quebec, and Montreal and in the Suburbs of the same, have, at particular times, when Wheaten flour has been scarce and difficult to be procured, suddenly shut up their Shops, and refused to bake or sell any bread to their Customers; And their said Customers thereupon have been obliged to have recourse to other Bakers, who have not discontinued their said Trade, to be supplied with Bread for their daily Sustenance; And these latter Bakers have often times not been able to supply such Occasional Customers with Bread on these Occasions, by reason that they have only laid in a Sufficient Stock of Flour to provide Bread for their usual and Constant Customers, upon whose Custom they can depend; which has caused a great and unnecessary scarcity and dearness of Bread in the said Towns, which has been very grievous to the poorer sort of the Inhabitants of the same; and whereas the practice of suddenly leaving

off

No person shall carry on the Business of a Baker without entering into a Recognizance, to Continue to Bake and sell Bread all the year, and to keep the Ordinances relating to the Assize & weight of Bread.

off the business of Baking and selling bread, when the profits attending it are small, and resuming it when it is grown more advantageous, is highly and unjustly prejudicial to the Interest of those more usefull Bakers who, notwithstanding the difficulties they Labour under at particular times, yet persevere in Supplying the public with bread constantly throughout the year: And these inconveniences make it necessary that some Method should be taken to compell all those persons who shall for the future carry on the Trade of Baking and selling Bread in the said Towns of Quebec and Montreal, to continue the same throughout the year without such intermissions as have been before mentioned: It is therefore Ordained and Declared, by His Excellency the Captain General and Governor in Chief of this Province, by and with the Advice and Consent of the Council of the same, that from and after the First day of August next, in this present year <sup>of Our Lord</sup> One thousand, seven hundred and sixty nine, no person whatsoever shall Bake and Sell Bread in either of the said Towns of Quebec and Montreal, or the Suburbs thereof, without having first entered into a Recognizance to the King's Majesty in the Sum of Four Score Spanish Dollars, with two sureties in the sum of forty Dollars each, to keep and observe the Ordinances of this Province concerning the Assize and weight of Bread, and the Regulations relating thereto, that are or shall be made by the Justices of the Peace of the district in which such Baker shall dwell, by virtue of any of the said Ordinances, and to continue to Bake and sell Bread to their Customers during a Certain reasonable time, to be mentioned in the said Recognizance, which shall not be less than one year, without intermitting their said Trade for the space of three days together. This Recognizance shall be taken by any Two Justices of the Peace of the district in which the person by whom it is given proposeth to follow the said Trade of Baking and Selling bread, in one of the weekly Sessions of the said Justices. And the Clerk of the Peace of the said district shall have a fee of one half of a Spanish Dollar, and no more

for

for making out the said Recognizance.

Penalty of Baking  
and Selling Bread  
without having  
entered into such  
a Recognizance.

Eight Spanish dollar  
for the first offence,  
Twenty for the Second,  
Forty for the Third,  
and <sup>for</sup> every Subsequent  
offence.

Time and manner  
of suing for these  
Penalties.\_\_\_\_

Appeal to the next  
quarter Session  
of the Peace.

And if any person after the first day of August next, in the year of Our Lord One thousand Seven hundred and sixty nine, shall Bake and sell any bread, in either of the Towns of Quebec and Montreal, or the Suburbs thereof, without first having first entered into such a Recognizance, such person shall, for the first offence, pay the sum of Eight Spanish Dollars, and for the Second Offence the Sum of Twenty Spanish Dollars, and for the third, and every Subsequent, Offence the sum of Forty Spanish Dollars, which shall be recovered by the Clerk of the Market of the Town in which, or in the Suburbs of which, such Offence shall have been committed, if the said Clerk of the Market shall sue for the same within one Month after the Offence shall have been committed. And if the said Clerks shall neglect to sue for the said penalties, within the space of one Month after the Commission of the Offences for which they are due, then it shall be Lawful for any other person whatsoever to sue for the same at any time within the space of three months after the Commission of the said offences; but not after the expiration of the said Three Months. And these penalties may be sued for by Information, before any two Justices of the Peace of the district in which such Offence shall have been committed, who are hereby Authorized and required to hear and determine the said Informations in a Summary manner upon the Oath of Two Credible witnesses (neither of whom shall be the Informer himself) and to Levy the said penalties, together with the Costs for suing for the same, by a warrant in writing under their hands to seize and sell the goods of the Offender: And one half of the said Penalties so recovered shall belong to the King's Majesty, and the other half to the Clerk of the Market, or other Informer who shall have sued for the same.\_\_\_\_ And if any person Convicted in this Manner before any two Justices of the Peace of the Offence of having baked and sold bread in either of the Towns of Quebec and Montreal or the

Suburbs

Suburbs thereof, without having entered into such a Recognizance as is before mentioned, shall think himself Aggrieved by such Conviction, he may Appeal from such Conviction to the next <sup>Court</sup> of Quarter Sessions of the Peace for the district in which such conviction shall have been had; where the Sentence of the said Two Justices and the Grounds upon which it was given shall be fully examined, and the said Sentence shall be either reversed or Confirmed, as shall seem just to the Major part of the Justices there Assembled. But before the said Appeal is allowed, the Appellant shall deposit the whole Money forfeited upon his first Conviction (including the costs awarded by the said Two Justices thereupon) in the hands of the said # # # Justices, or one of them, who shall either keep the said Money in their own hands or deliver it into the hands of the Clerk of the Peace of the district in which such Conviction shall have been had, to be kept by the said Clerk of the Peace untill the Determination of the said Appeal, as ... the said Justice or Justices shall think fit. And after the determination of the said Appeal, by the said Court of Quarter Sessions, the said Money shall be paid by the said Justices, or the Clerk of the Peace, in the manner and to the uses above mentioned, if the said Conviction shall be there Confirmed, or to the Appellant if it is reversed. And further, if the Conviction is confirmed, the Appellant shall pay to the Clerk of the Market, or other person, who shall have brought Information, the reasonable Costs he shall have been put to by the said Appeal, which shall be Estimated According to the discretion of the Justices in the said Court of Quarter Session, and shall be levied upon the Goods and Chattels of the Appellant, by their order in their said Session. And if the Conviction is reversed by the said Justices in their said Court of Quarter Session, and the said Justices shall be of Opinion that the said Information was frivolous and vexatious, and brought without any Appearance of reason, it shall be Lawful for

them



Manner of suing  
for the Penalty of  
the Recognizance.

them to adjudge to the Appellant, over and above the money before deposited by him and now to be returned to him, the reasonable costs which the said Appellant shall have been put to in the whole Course of the Prosecution, both before the two Justices and before the Court of Quarter Session, or such part of the said Costs, as they shall think proper, and to order the same to be levied upon the Goods and Chattels of the Clerk of the Market, or other person who shall have brought the said Information. \_\_\_\_ And if any Baker, who shall have entered into any such Recognizance as is above mentioned, shall intermit his Trade of Baking and Selling bread for the space of Three days together, or shall Commit any Offence against the Ordinances of this Province concerning the Assize and weight of bread, or against the Regulations relating thereunto that are or shall be made by the Justices of the Peace of the District in which such Baker lives by Virtue of any of the said Ordinances, or shall do any other thing whereby the Money specified in the said Recognizance shall become forfeited, the Money so forfeited shall be sued for by the Clerk of the market of the Town in which, or in the Suburbs of which, such Baker lives, before the Justices of the Peace of the district in which such Town is Situated, in their next General Quarter session of the Peace after such Offence shall have been Committed; and if he fails to sue for it at the said next general Court of Quarter Session, then it may be sued for and recovered by the Clerk of the Peace of the said District in the ensuing quarter Session of the Peace for the said District, that is, in the Second quarter Session of the Peace after the Commission of the Offence; And if the said Clerk of the Peace shall neglect to sue for it at the said Second quarter Session, then it may be Sued for and recovered by any other person in the Province, in the Third Quarter Session after the said Offence shall have been committed: And the said Money so forfeited may be sued for and recovered by the said Clerk of the Market, Clerk of the Peace, or other person, by Information before the said Justices in

their

their said Sessions. And the said Justices are hereby Authorized, and required to hear and determine, the said Informations in a Summary Manner, and upon the Oath of two Credible witnesses; and if, upon such an Information, the Defendant shall be Convicted by the said Justices of having Committed such Offence, the said Justices shall order the said Sum of Four Score spanish Dollars, together with such reasonable Costs as the said Clerk of the Markets, Clerk of the Peace, or other Informer, shall have been put to by prosecuting the said Information, to be levied upon the Goods and Chattels, Lands and Tenements, of the said Offender. And if the Provost marshal, or other Ministerial Officer, to whom the said order of the said Justices shall be directed, shall make a return thereto, that he cannot find sufficient Goods and Chattels, Lands and Tenements, belonging to the said Offender to produce the said Sum of Four score Spanish Dollars, the said Justices shall, in such case, Summon the Two sureties of the said Offender to come before them in their Quarter Sessions, and shew cause why they should not pay the Sum of Forty Dollars each, which they had bound themselves to pay in the said Recognizance; or so much thereof as is necessary to increase the Sum levied upon the goods and Chattels of the Offender to four Score Dollars; and if they cannot produce any Just and sufficient reasons to exempt them from the payment of the said sums, the Justices of the Peace, either in the same, or in the next following Quarter Session, shall make another order to the said Provost Marshal, or other Ministerial Officer, to seize and sell so much of the Goods and Chattels, Lands and Tenements, of the said Sureties, as shall be Sufficient to increase the Sum already raised upon the Offender himself to Four Score Dollars, taking care, as much as may be, to raise an Equal Sum of Money upon each Surety: And of the said sum of Four Score dollars so forfeited and Levied, one half shall belong to the said Clerk of the Market, or Clerk

of

of the Peace, or other person who shall have brought the said Information, and shall be paid to him by order of the said Justices together with the costs above mentioned: And the other half of the said Four score of Dollars shall belong to the King's Majesty, and shall be paid into the hands of the Receiver General of his Majesty's Revenue in this Province.\_\_\_\_\_ And if, upon hearing the said Information, the said Justices shall Acquit the Defendant and determine that he hath <sup>not</sup> done anything whereby the Sum specified in the said Recognizance ought to be forfeited, And they shall be of Opinion that the said Information is frivolous and Vexatious, and was brought without any appearance of reason, it shall be Lawful for them to award to the Baker who shall have been so informed against and acquitted, such reasonable Costs, as he shall have been put to by means of such Information, or <sup>a</sup> part of the said Costs, at their discretion, and to order the same to be Levied upon the Goods and Chattels of the Clerk of the Market, or Clerk of the Peace, or other person who shall have brought the said frivolous and vexatious Information.

Lastly, nothing in this Ordinance shall be Construed to take away, or alter in any degree, any penalties or Confiscation appointed by any former Ordinance of this Province, relating to the Assize and weight of Bread.

(Signed) Guy Carleton

**Given** by His Excellency Guy Carleton,  
 Captain General and Governor in Chief  
 in and over the Province of Quebec, Vice  
 Admiral of the same, and Brigadier  
 General of his Majesty's Forces, &c.<sup>a</sup> &c.<sup>a</sup> In Council,  
 At the Castle of Saint Lewis, in the City of Quebec  
 in the said Province, and passed und.<sup>r</sup> the  
 great Seal of the said Province, on the Thirtieth day  
 of May, in the Ninth year of his Majesty's Reign, and  
 in the year of Our Lord One thousand Seven hundred and  
 sixty nine.

By His Excellency's Command  
 /Signed/ Geo: Allsopp D. C. C.

Guy Carleton

At the Council Chamber, in the Castle  
of Saint Louis, in the City of Quebec, on  
Monday the Tenth day of July 1769.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey. C J.

H T Cramahé

Tho.<sup>s</sup> Dunn.

Walter Murray,

Colin Drummond

} Esquires.

Letter from the  
Gov.<sup>r</sup> of New York  
transmitting  
Regulations for  
the Indian Trade.

Read a Letter from S.<sup>r</sup> H. Moore, Bar.<sup>t</sup> Governor of New  
York, and also a Copy of Regulations proposed by the  
House of Assembly for that Province touching the  
Indian Trade. \_\_\_\_\_

To be filed.  
& Copy of the  
Regulations  
del.<sup>d</sup> to each  
Member of this  
board.

Ordered that a Copy of the said Letter and Regulations  
be filed in the Clerk of the Council's Office; and that the  
Members of this Board be furnished with a Duplicate  
Copy of those Regulations respectively.

Petition of  
Brown & Gilmore  
Printers for an  
Addition to their  
Salary.

Read a Petition from Brown and Gilmore Printers,  
for an Addition to their Salary for doing the Government's  
Business. \_\_\_\_\_

To be filed and  
£20 Sterl<sup>s</sup> per  
Annum added  
thereto.

Ordered to be filed and that the Petitioners be  
allowed an Addition of Twenty pounds Sterling per Annum,  
to make up their Yearly Salary the Sum of One hundred pounds Sterl.<sup>s</sup>

Com<sup>m</sup>tee appointed  
to examine the  
Publick Accompts  
up to the 24.<sup>th</sup>  
June 1769.

Ordered that M<sup>r</sup> Cramahé, M<sup>r</sup> Dunn and M<sup>r</sup> Drummond  
be appointed a Committee to examine the Accompts and  
Claims against the Government for the last half year  
ending the 24.<sup>th</sup> June last; And that any Member of this  
Board that chuses may make one of the said Committee.

Irregularities  
in the present  
method of issuing  
Process, by the  
Justices of Mont.<sup>l</sup>

Complaints having been made to this Board of  
several Irregularities in the present Method of issuing  
Process by the Justices of Montreal; \_\_\_\_\_

The Clk of the  
Council order'd to  
prepare a Letter  
to them on that  
Subject. \_\_\_\_

Ordered that the Clerk of this Board do prepare a  
Letter to the said Justices upon the Subject matter of  
those Complaints. \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the Castle  
of Saint Louis, in the City of Quebec, on Wednes-  
=day the Twelfth day of July 1769. \_\_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W<sup>m</sup> Hey C J.

H T Cramahé

Tho.<sup>s</sup> Dunn

Walter Murray

Colin Drummond

} Esquires.

Dra.<sup>l</sup> of a Letter  
to the Justices  
of Montreal.

Read the Draught of a Letter directed, the last Council  
Day, to be written to the Magistrates of the District  
of Montreal. \_\_\_\_\_

Approved and  
order'd to be Sent  
to the Clerk of  
the Peace at  
Montreal, with  
directions for him  
to report what  
shall be done  
in Consequence  
thereof.

Approved and Ordered to be Entered in  
this Book; and that the Clerk of this Board do transmit  
the said Letter to the Clerk of the Peace for the District of  
Montreal, directing him to lay it before the Bench of  
Justices at their present Quarter Sessions and to send a  
Copy of the said Letter to every absent Justice within the  
said District: But if the said Sessions should be broke  
up; that he forward a Copy of the Letter above mentioned  
to every Gentleman in the Commission of the Peace in  
that District, and make a Report to this Board if any,  
and what, Regulations are made in Consequence thereof.

“Council Chamber, Quebec 10<sup>th</sup> July 1769.

“To The Justice of the Peace  
“Acting in and for the  
“District of Montreal

}  
“Gentlemen\_\_\_\_

“In Obedience to an order of Council bearing date  
“the 10<sup>th</sup> instant, I transmit to you the Sentiments of Government  
“upon some points relative to the Execution of your Authority as  
“Justices of the Peace, in which, it appears to them from facts

too

“too Notorious to be disputed, that His Majesty’s Subjects in General,  
“but more particularly His Canadian Subjects are daily  
“injured and abused to a degree they are no longer able  
“to support, nor publick Justice endure. \_\_\_\_\_

“They hope, and believe, that the practice, upon  
“which the Complaints made to them are grounded, is not  
“Common to that part of the Commission which is exercised  
“within your District, but as the Conduct of every Individual  
“does in some degree Affect the Honour of the Commission itself,  
“and as General reformatiions can only take place under  
“General resolutions they have thought it proper that their  
“Sentiments upon this head should be communicated to the  
“body at large rather than to those Magistrates only whose  
“Conduct has given Occasion to those Complaints, not intending  
“at this time to do more than mark their high disapprobation  
“of the Practice it self, and recommend a Method of proceeding  
“which appears to them as well Calculated to answer the ends of  
“Justice, and less liable to those objections to which the other is  
“so manifestly exposed, And the Consequences of which have  
“been so severely felt. \_\_\_\_\_

“They expect however an immediate attention  
“to the Subject Matter of this Letter, And that (if possible) before  
“the Court of Quarter Sessions breaks up, you will make and  
“publish in the most open Manner, such regulations as may  
“meet the grievances Complained of, which at present prevail to  
“the obstruction if not perversion of Publick Justice, the Oppression  
“of the poor Suitor and the dishonour of the Commission itself.

“The first thing I have in charge to observe to  
“you upon the Subject of those Complaints, is the practice of dispersing  
“in the Several Parishes papers signed only with the name of  
“the Justice, and left to be filled up either in the form of a  
“Summons, a Capias, a Judgement or an Execution, as the person  
“to whose hands it is entrusted, (And who has not been, by all  
“the Information that has yet been received, even a Ministerial  
“Officer of Justice) may think proper to make use of them.  
“A practice so illegal in itself, so horribly mischievous in its Consequences,  
“and so disreputable to the Majestrate who gives it Countenance,

that

“that the Governor and Council would not believe its existence,  
 “if the proofs of it were not of a Nature that excluded all possi=  
 “=bility of doubt or misreport. \_\_\_\_\_

“They expect therefore that all such papers shall  
 “be immediately called in, and the Practice for the future  
 “wholly discontinued. \_\_\_\_\_

“But besides this most enormous and irregular  
 “proceeding, other matters of Complaint have arisen from the  
 “present Method of Summoning partys to appear before a  
 “Magistrate many times at a great distance from the place of  
 “their Residence, upon trifling Occasions and for small Debts,  
 “and it appears to the Governor and Council that the present  
 “form of the Summons, even those which issue in the most regular,  
 “and least exceptionable Manner, together with the Method of serving  
 “them, is inconvenient, if not oppressive in these 3 instances. \_\_\_\_\_

“1.<sup>st</sup> As they are very expensive, by going throught the  
 “hands of the Provost Marshal, whose Bailiffs charge their Travell=  
 “=ing expences at a rate which frequently exceeds in a great  
 “proportion the Value of the thing in Litigation. \_\_\_\_\_

“2.<sup>dly</sup> As the time for the partys Appearance under them  
 “is so short, as many times to Subject him to a Judgement by Default,  
 “without giving him an Opportunity to make his Defence. \_\_\_\_\_

“And 3.<sup>dly</sup>, As they are Compulsory for his Appearance,  
 “without leaving it in his option by paying the debt to avoid the  
 “Trouble and expence of an attendance before the Magistrate. \_\_\_\_\_

“To the first of these they apprehend an Effectual and  
 “perhaps the only remedy will be found, in making the person  
 “who applies for the Summons the bearer of it (if he chooses to take  
 “the charge of it; if not that it be served by the Bailiff of the  
 “Parish to whom it shall be transmitted at the Expence of the Party  
 “applying, for which the Bailiff shall receive one Shilling only and  
 “no travelling charges allowed) And by admitting his Evidence  
 “upon Oath, or that of a Neighbour whom he may take with him,  
 “as Proof of the Service. \_\_\_\_\_

“And they conceive that no inconvenience will  
 “follow from this, if it is confin’d to a Summons for a Small Debt,  
 “and not extended to Process of a Criminal nature, or such whereon

bail

“Bail may be Demanded, much less to a Judgement or an Execution,  
“those ought without doubt to be Executed by the Provost Marshal  
“or by persons employed by him for whose Conduct he is  
“Answerable, but in cases where the Matter in question does  
“not amount to more than 40. or 50. or perhaps an 100 Livres,  
“it is loading the Process with a weight it cannot Support, to  
“serve <sup>it</sup> at such an Expence as the bare travelling charges of  
“a Bailiff will of necessity Amount to. \_\_\_\_\_

“To the 2.<sup>d</sup> which introduces an Obvious  
“mischief, it may be difficult perhaps to prescribe any  
“General Rule; the time for appearance must necessarily  
“vary in proportion to the distance, the roads and other  
“circumstances, which cannot be reduced to any Certainty,  
“but must be left to the discretion of the Magistrate regulated  
“by those Circumstances; it is hardly necessary to observe that it  
“is a first principle that no man shall be condemned with=  
“=out being heard, and that a Summons which cannot be  
“Complied with is no Summons at all. \_\_\_\_\_

“With regard to the 3.<sup>d</sup> inconvenience which  
“Arises either from the Ignorance of the Party or the imposition  
“of the Bailiff, they Recommend to the Justices to make their  
“Summons with an Optional Clause, either to pay the Debt  
“or do the thing demanded, or in failure of that to appear  
“and shew cause why they should not. For tho’ in Truth  
“it is in itself discretionary, and no Man is or ought to be  
“obliged to appear before a Magistrate if he is Contented to  
“do that, the refusal of which only was the cause of his being  
“Summoned, yet the Canadians who are very Ignorant  
“don’t know that. And it is to <sup>be</sup> feared, indeed it has been in proof  
“that the Bailiffs to increase the Expence, frequently oblige  
“the parties to appear tho’ they are willing to satisfy the  
“Demand and Anticipate all that could be obtained from a  
“hearing before the Magistrate. \_\_\_\_\_

“These are the principal matters which  
“I am Directed to lay before the Gentlemen in the Commission  
“for the District of Montreal, but I am Commanded not to  
“Conclude without recommending it to them in general to

facilitate



“facilitate the Course of Justice by alleviating the Expence of it,  
 “and more particularly in that Instance, if in truth it  
 “prevails, which Subjects the Suitor to a Demand of Six  
 “Livres or any other Sum for the use of the Magistrates Room.

“I am with Regard. \_\_\_\_\_

Gentlemen \_\_\_\_\_

Your most obedient humble Serv.<sup>t</sup>

(Signed) “Geo: Allsopp D. C. C.”

Guy Carleton

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis,  
 in the City of Quebec, on Thursday the 10<sup>th</sup> day of August 1769.

Present

His Excellency Guy Carleton, Governor.

The Honble Will.<sup>m</sup> Hey C J.

H T Cramahé\_

Thomas Dunn

Walter Murray

Colin Drummond

} Esquires.

Receiver General's  
 Accompts produced  
 and Sworn to.

The Hon<sup>ble</sup> Hector Theophilus Cramahé Esquire, Acting  
 Receiver General, produced his Accompts for the last  
 half year from the 25 of December 1768 to the 24<sup>th</sup> of  
 June 1769, which were compared with those Accompts  
 formerly examined and approved in Council; and he  
 was this day Sworn to the Truth of his said  
 Accompts in Council. \_\_\_\_\_

To be filed in  
 the Office.

Ordered that the Receiver General's Accompts be filed  
 in the Clerk of the Council's Office. \_\_\_\_\_

Guy Carleton

At

At the Council Chamber, in the Castle of Saint Louis, in the  
City of Quebec, on Friday the Eleventh day of August 1769.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C J.

H. T. Cramahé\_\_

Thomas Dunn\_\_

Walter Murray\_

Colin Drummond

} Esquires.

Read the Report of the Committee of the 27<sup>th</sup>. 29<sup>th</sup> July & 2<sup>d</sup> Instant on the Publick Accompts.

Ordered that the said Report be approved and confirmed, except the following Articles.

† First. Resolved that the Accompt of Fees claimed by the Clerk of the Peace of the District of Quebec, amounting to the Sum of £52.11.10 Sterling be disapproved, it being an unprecedented Charge. \_\_\_\_\_

‡ Second The Deputy Surveyor General having charged the Government with the Sum of £25.4.0 Sterling, for sundry Surveys done for the Surveyor General in order to compleat the General Plan of the Province; \_\_\_\_\_

Ordered that the said Sum be deducted from his Accompt as it does not appear that those Surveys were made by order of Government. \_\_\_\_\_

Which said Deductions will reduce the Total Amount of the Fees of Office to the Sum of £384.10.8 Sterling and the Accompt of Disbursements and Contingencies to that of £1417.,8.,0 Sterling \_\_\_\_\_

Report of the  
Com<sup>tee</sup> on the  
Publick Acco.<sup>ts</sup>

Approved and  
Confirmed  
except in  
Two Articles.

The Report  
Viz.<sup>t</sup>

Quebec. 27.<sup>th</sup> 29<sup>th</sup> July & 2<sup>d</sup> August 1769.---

Present

The Honble Hector Theophilus Cramahé }  
Thomas Dunn } Esquires  
Colin Drummond }

The Committee Appointed to examine the Accompts and Claims against the Government of this Province from the 25<sup>th</sup> December 1768 to 24<sup>th</sup> June 1769. \_\_\_\_\_

Fees of Office		Demands as per Accompts	Allowed by the Committee and Approved of in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
		Sterling		Sterling
✓	The Deputy Secretary's Accompt of Fees of from the 25 <sup>th</sup> December 1768 to 24 <sup>th</sup> June 1769.....	159,,10,, 8	.....,.....	159,,10,, 8
✓	The Deputy Provost Marshal's Acco <sup>t</sup> of d <sup>o</sup> .....for the District of Quebec .....from d <sup>o</sup> to d <sup>o</sup> .....	14 6,, 6	.....,.....	14 6,, 6
✓	The Deputy Provost Marshal's Acco <sup>t</sup> of d <sup>o</sup> .....for the District of Montreal from d <sup>o</sup> to d <sup>o</sup> .....	7,, 13,, 0	.....,.....	7,, 13,, 0
✓	The Deputy Clerk of the Council's Acco <sup>t</sup> of d <sup>o</sup> .....from d <sup>o</sup> to d <sup>o</sup> .....	104,,10,, 9	.....,.....	104,,10,, 9
✓	The Attorney General's Accompt of d <sup>o</sup> .....from d <sup>o</sup> to d <sup>o</sup> .....	82,,19,, 0	.....,.....	82,,19,, 0
✓	The Coroners Accompt for the District of Quebec.....from d <sup>o</sup> to d <sup>o</sup> .....	15,,10,, 9	.....,.....	15,,10,, 9
✓ X <sub>1</sub>	The Clerk of the Peace's Accompt for the District of Quebec from September 1766 to 24 <sup>th</sup> June 1769	52,,11,,10		52,,11,,10
Total Fees of Office, Sterling £		437,, 2,, 6	.....,.....	437,, 2,, 6

Disbursements

Disbursements & Contingencies		Demands as per Accompts	Allowed by the Committee & Approved of in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
		Sterling	Sterling	
✓	The Deputy Secretary's Accompt of Disbursements & Contingencies from the 25 <sup>th</sup> Decem. <sup>r</sup> 1768 to 24 <sup>th</sup> June 1769.	62,,17,,4	62,,17,,4	
✓	The Deputy Clerk of Enrolments Acco <sup>l</sup> of Disbursem. <sup>ts</sup> for new binding the Ancien French Register &c <sup>a</sup> from d <sup>o</sup> to d <sup>o</sup> .....	15,, 3,, 2	15,, 3,, 2	
✓	The Deputy Provost Marshal's Acco <sup>l</sup> of Disbursem. <sup>ts</sup> & Contingencies for the District of Quebec from d <sup>o</sup> to d <sup>o</sup>	72,,17,,6	72,,17,,6	
✓	The Deputy Provost Marshal's Accot of ditto.....for the District of Montreal from d <sup>o</sup> to d <sup>o</sup>	64,, 6,, 8	64,, 6,, 8	
✓	The Deputy Clerk of the Council's Acco <sup>l</sup> of Disbursem. <sup>ts</sup> & Contingencies..... from d <sup>o</sup> to d <sup>o</sup>	35,, 1,, 4	35,, 1,, 4	
✓	The Clerk of the Peace's Accompt of Disbursements for the District of Quebec from Septem. <sup>r</sup> 1766 to 24 <sup>th</sup> June 1769...	15,, 0,, 0	15,, 0,, 0	
✓	The Coroner's Accompt of Disbursements for the District of Quebec...from the 25. <sup>th</sup> December 1768 to 24 <sup>th</sup> June 1769...	14,,11,,10	14,,11,,10	
✓	The Hon <sup>ble</sup> William Hey Chief Justice, in lieu of all Fees, at the rate of £200 Sterling per Annum for 6 months is.....	100,, 0,, 0	100,, 0,, 0	
✓	.....Ditto..... for going to Montreal and holding the Assizes there in March last.....	100,, 0,, 0	100,, 0,, 0	
✓	Francis Maseres Esq. <sup>r</sup> Attorney General Attending said Assizes.....	45,, 0,, 0	45,, 0,, 0	
✓	Henry Kneller Esq. <sup>r</sup> Clerk of the Crown Attending said Assizes.....	27,, 0,, 0	27,, 0,, 0	
✓	Gerald Fitzgerald for Attending said Assizes, in the room of David Lynd Civil Clerk.....	22,,10,,0	22,, 10,,0	
✓	John Collins Esq. <sup>r</sup> Deputy Surveyor Gen. <sup>l</sup> for half a years Rent of an office, Allowed by the Treasury.....£25,,0,,0			
‡2	.....Ditto.....for making Sundry Surveys, per Order of Government with Plans thereof..... <u>56,,14,,0</u>	81,,14,,0	81,,14,,0	
✓	Brown & Gilmore Printers their half years Salary £50. An Addition of £20 Sterling per Annum_ } having been Added to their Salary by order of the Governor in Council.....	50,, 0,, 0	50,, 0,, 0	
✓	Robert Murray Goaler his Allowance for 6 Months at 1 / <sup>Strg</sup> per day.....	9,, 2,, 0	9,, 2,, 0	
✓	Timothy Devine Cryer, his allowance for Attending the Supreme Court.....£5,, 0,, 0			
	Ditto for attending the Quarter Sessions, and the Justices weekly Courts, and for his } Disbursements for Fire wood, Stationary &c. <sup>a</sup> for said Courts.....} 9,, 7,, 6			
	Ditto for his Disbursements for firewood Stationary &c. <sup>a</sup> for the Supreme Court and... } Supplying firewood for the Church during the whole Winter.....} 10,, 7,, 6	24,,14,, 6	24,,14,, 6	

✓	Daniel Gallwey Interpreter for Attending the Several Courts of Justice.....	28,,10,,0	28,,10,,0	
✓	Zachary Thompson Captain of the Port his Disbursements & Contingencies.....	18,, 5,, 5	18,, 5,, 5	
	Mons <sup>r</sup> Chabert for half <sup>a</sup> years Rent of a house at Montreal and the Furniture thereof for the Governor.....	37,,10,,0	37,,10,,0	
	The Seminary at Montreal for half a years Rent of a Court house.....	11,, 5,, 0	11,, 5,, 0	
	Grand Maison for his half years Pension.....	8,, 4,, 3	8,, 4,, 3	
	Tho. <sup>s</sup> Dunn Esq. <sup>r</sup> for Sundry presents made to the Indians in different parts of the Province, by order of the Governor. ✓	137,, 9,, 1	137,, 9,, 1	
	The Post office for the Governments Letters..... ✓	20,,16,,11	20,,16,,11	
✓	James Jackson Schoolmaster for 6 month's Salary & Schoolhouse rent.....	13,, 7,, 6	13,, 7,, 6	
✓	Nicholas Davis Messenger his Allowance for 6 months & Disbursements.....	30,,14,,8	30,,14,,8	
	For hire of a Room for the Grand Inquest & Quarter Sessions of the Peace for 6 months.....	10,, 0,, 0	10,, 0,, 0	
✓	Fran. <sup>s</sup> Jos. Cugnet, for making Copies of Sundry papers for the use of the Government and attend <sup>e</sup> the Court of inquiry concerning J. B <sup>te</sup> LeBrun to take down the Depositions of the Witnesses &c <sup>a</sup> .....	22,, 1,, 0	22,, 1,, 0	
	Louis Corbin for Copying Sundry Extracts of the French Laws heretofore in use in this Province.....	14,,10,, 3	14,,10,,3	
	Henry Dunn, Carpenter, for Sundry Repairs done by him, and other Workmen to the Chateau S <sup>t</sup> Louis and the House belonging to the Governors Garden..... ✓	304,,19,, 7	304,,19,,7	
	James Shepherd Prothonotary, for Attending four Courts of Assizes at Montreal in September 1767.....	108,, 0,, 0	....., .....	
	February 1768, September 1768. and March 1769. at £27 Sterling each time.....			
	The Committee are of Opinion that M <sup>r</sup> Shepherd be allowed for Attending the said Assizes.....			
	but Twice only, as he did not put on his Claim before, at the same rate allowed the Civil.....	....., .....	45,, 0,, 0	
	Clerk, which is £22,,10 Sterling, and further that the like Allowance should continue for the future. }			
	Total Disbursements <sup>s</sup> & Contingencies Sterling £	1505,,12,,0	£1442,,12,,0	

/Signed/ H. T. Cramahé P. C.

Examined and Approved in Council, [ Except the two foregoing Articles, marked †1  
†2 ]

Guy Carleton

At the Council Chamber, in the Castle of  
Saint Louis in the City of Quebec, on Friday the  
Eighteenth day of August 1769.

Present.

His Excellency Guy Carleton, Governor.

The Honble W.<sup>m</sup> Hey. C J  
H T Cramahé.  
Tho.<sup>s</sup> Dunn  
Walter Murray  
Colin Drummond } Esquires.

A Com<sup>m</sup>tee  
appointed to take  
into Considera<sup>n</sup> on  
the Administration  
of Justice by  
the Justices of  
the Peace.

Ordered that the Chief Justice, M<sup>r</sup> Cramahé, M<sup>r</sup>  
Dunn, M<sup>r</sup> Murray & M<sup>r</sup> Drummond be appointed a  
Committee to take into Consideration the present State  
of the Administration of Justice by the Justices of  
the Peace within this Province; That the Attorney  
General be directed to attend the said Committee, And  
that any three Members thereof make a Quorum.

Memorial of  
John Burke  
touching the  
issuing the Process  
or Writs of  
the Court of  
Quarter Sessions &c.

Read a Memorial from John Burke Esquire, Clerk  
of the Peace for the District of Montreal, praying that  
he may be allowed to issue the Process or Writs of the  
Court which he has hitherto been deprived of by  
the Justices. \_\_\_\_\_

To lye on the  
Table.

Ordered to lye on the Table. \_\_\_\_\_

—New—  
Memorial of  
Jos Godefroy de  
Tonnancour  
touching the Pet.<sup>n</sup>  
of C Pelissier &  
others. \_\_\_

Read a New Memorial of Joseph Godefroy de Tonnancour  
touching the Petition of C Pelissier and others his Majesty's  
Lessees of the Forges de S.<sup>t</sup> Maurice for leave to dig Ore on  
the Adjacent Lands as enjoyed by former Lessees.

A Copy to be  
del.<sup>d</sup> the Lessees  
of the Forges  
at S<sup>t</sup> Maurice.

Ordered that a Copy of the said Memorial be  
delivered to the Lessees abovementioned. \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the Castle of S<sup>t</sup> Louis  
in the City of Quebec on Friday the first day of  
September 1769. \_\_\_\_\_

Present

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C J.

H. T Cramahé

Thomas Dunn

Walter Murray

Colin Drummond

} Esquires.

List of  
Bailiffs for  
the ensuing Year.

Read the List of Bailiffs for the Ensuing Year to  
commence the 29.<sup>th</sup> Instant. \_\_\_\_\_

Approved and  
Ordered to be  
Published.

Approved and ordered to be published in the  
next Quebec Gazette. \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the Castle of  
Saint Louis in the City of Quebec on Thursday the  
fourteenth day of September 1769. \_\_\_\_\_

Present

His Excellency Guy Carleton Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.

H T Cramahé

Tho<sup>s</sup> Dunn

Walter Murray

Colin Drummond

} Esquires.

The Report of  
the Com<sup>tee</sup> on  
the Administration  
of Justice by  
the Justices of  
Peace. Read  
at the board.

Read the Report of the Committee dated the 29<sup>th</sup> Aug.<sup>t</sup>  
and 11<sup>th</sup> Instant, appointed the 18.<sup>th</sup> of August last to take  
into Consideration the present State of the Adminis=  
=tration of Justice by the Justice of the Peace within  
this Province. \_\_\_\_\_

Approved

Approved and  
the Attorney General  
directed to prepare  
an Ordinance  
in Consequence  
thereof.

Approved and Ordered to be Entered in this Book;  
and that the Attorney General be directed to prepare an  
Ordinance in consequence of the New Regulations  
proposed to be made by the said Report. \_\_\_\_\_

“Quebec 29,<sup>th</sup> August & 11,<sup>th</sup> September 1769

The Report  
Viz.<sup>t</sup>

“ At a Committee appointed to take into consideration  
“the State of the Administration of Justice under the Justices  
“of Peace in this Province. \_\_\_\_\_

“Present \_\_\_\_\_

“The Hon<sup>ble</sup> William Hey President.

“H. T. Cramahé

“Thomas Dunn

“Colin Drummond

} Esquires.

“Who Agreed upon the following Report

“ In Obedience to an order of Council bearing date the  
“18<sup>th</sup> day of August last, We have taken into our consideration  
“the Several matters therein referred, in consequence of which  
“we beg leave to represent to your Excellency and the Council,  
“that the Several Authorities & powers of the Justices of Peace  
“in matters of property as contained in the Ordinance of  
“September 1764, appear to us to have been very injudicious  
“in their Original institution, and in the exercise of them,  
“more particularly within the District of Montreal, exceedingly  
“grievous and oppressive to the Subject. It is well known  
“that in England, where the Justices of Peace are for the most  
“part men of large fortunes, who have a considerable  
“Interest in common with the People over whom their  
“Authority is exercised, no such power is entrusted to them  
“either by the Commission itself, or any of the various Acts of  
“Parliament which relate to their Office; And tho’ the ill  
“advised construction of the great Courts established here  
“for the determination of Property in the year 1764 confined  
“Originally in their Session to two terms in the year and

only



“only now enlarged to three, might have made it necessary to Create  
 “Smaller Jurisdictions in order to conform in some measure to the  
 “Ancient practice of the Colony, and to give a freer and quicker  
 “Circulation to the Course of Justice, yet we apprehend that even  
 “under those circumstances, the Authority given to the Justices,  
 “hath been both too largely and too confidently entrusted, and  
 “requires to be retrenched, if not wholly taken away in almost  
 “every instance. \_\_\_\_\_

“But that is not all; what is still more  
 “unfortunate, we find even those powers large as they are, to  
 “have been in some instances extended, and a Jurisdiction  
 “usurped to the great prejudice of the parties whose property  
 “has been the Subject of it, without any right (as we conceive)  
 “to interpose in such matters, as derived from that Ordinance,  
 “or any other Authority that has as yet come to our knowledge:  
 “for, by the ill penning of that Ordinance, and for want of a Clause  
 “which should have expressly forbid them to intermeddle in those  
 “matters, the Justices of Montreal have to our knowledge in one  
 “instance, and probably in many others which have passed  
 “without notice, assumed to themselves Powers of a Nature not  
 “fit to be exercised by any Summary Jurisdiction whatsoever,  
 “inconsequence of which Titles to Land have been determined, and  
 “pos~sions disturbed in away unknown to the Laws of England,  
 “and inconsistent with the Solemnity and Deliberation which  
 “is due to matters of so high and important a Nature. And we  
 “are not without information, that even in cases where personal  
 “property only has been in dispute, one magistrate in particular  
 “under pretence that it was at the desire and request of both the  
 “contending parties, has by himself exercised a Jurisdiction  
 “Considerably beyond what the Ordinance has allowed even to  
 “three Justices in full Court at their Quarter Sessions. \_\_\_\_\_

“From an Omission of a Similar Nature and for  
 “want of Ascertaining the manner in which their Judgements  
 “were to be enforced, we find the magistrates to have assumed  
 “another very high and dangerous Authority, in the exercise of  
 “which the Goals are constantly filled with numbers of unhappy  
 “Objects, and whole families reduced to beggary and Ruin it being

a

“a common practice and the usual Method of their process,  
“to take Lands in Execution and order them to be sold for the  
“payment of ever so small a debt, or in case there are no  
“Lands to satisfy the debt, to commit the party to Prison  
“the sad Consequences whereof, and the wretched Servitude to  
“which a people are reduced whose persons and property are  
“thus exposed, we believe we need <sup>^</sup>not enlarge upon farther, than  
“to observe that the rapid Sale of Estates under Judgements  
“out of the Common Pleas, or even the Supreme Court itself,  
“seems to be within the same mischief and to require some  
“effectual, tho perhaps a different remedy. \_\_\_\_\_

“If any thing could yet be wanting  
“to compleat the Misery of such a People it would be the  
“consideration that those powers Originally calculated for the  
“ease of the Suitor and to facilitate the course of Justice,  
“should become the very Instruments of his Oppression and  
“ruin, and instead of affording a cheap and expeditious  
“remedy for the recovery of small Debts should either direct  
“or connive at such a Complicated and expensive mode of  
“Process, as, (if we may collect from one Instance where  
“the Expence of suing for a debt of Eleven Livres Amounted  
“to eighty four) must either deter the Creditor from pursuing  
“a just tho’ small debt, or ruin himself or his adversary and  
“perhaps both in the pursuit of it, which will probably  
“always be the case where the office of a Justice of Peace  
“is considered as a Lucrative one and must infallibly be so  
“where it is his principal if not only dependence. \_\_\_\_\_

“In Justice however to the magistrates of  
“this District we ought to Declare that these Observations  
“are not designed to extend to them. \_\_\_\_\_

“For these and many other reasons  
“which we are tender of enlarging upon, we conceive it to  
“be high time to put a Stop to this unequal, Wasteful and  
“oppressive mode of Administering Justice and to Substitute  
“some other in its place, more conformable to the System  
“which formerly prevailed here, and less liable to the  
“Objections which so manifestly accompany this both in

its

“its Institution and Practice. \_\_\_\_\_

“And for that purpose we recommend it to  
 “Your Excellency in the first place to appoint an other Judge  
 “for the Court of Common Pleas at Montreal and as a Compensa=  
 “=tion for the Extraordinary duty which will be required that  
 “their Salaries may be made £200 per Annum. \_\_\_\_\_

“And 2<sup>dly</sup> that an Ordinance should be  
 “immediately prepared, which after setting forth in a Preamble  
 “some or all of the Grievances, here mentioned, and the good  
 “Disposition in Government to attend to and redress the  
 “injuries complained of by the Subject as soon as they are  
 “made known to them, should abrogate and Annul all that  
 “part of the Ordinance of 1764 which gives Authority to  
 “the Justices of Peace to determine matters of Civil property in  
 “any shape or manner whatsoever, and expressly define their  
 “power to be barely such as the Commission itself warrants  
 “and the Ordinances of this Province (except that of September 1764)  
 “has entrusted to them. \_\_\_\_\_

“It should then after reciting the reasons,  
 “namely, to prevent a failure of Justice, and to supply a quick  
 “and competent Jurisdiction in matters of small Value not at  
 “present cognizable in either of the great Courts, give the  
 “Court of Common Pleas a Jurisdiction, which at present  
 “it has not, to hold plea in all matters however trifling the  
 “demand may be and direct that both Courts should sit  
 “in Quebec and Montreal once in every week, (Seed and  
 “Harvest time and a fortnight at Easter & Christmas excepted)  
 “thro’ out the year. \_ But that for all matters under the  
 “Sum of ten pounds, one Judge only need be present.

“In the latter case their Process should  
 “be by Summons, and in all Executions where the debt & Costs  
 “does not Amount to Ten pounds Halifax Currency no Capias  
 “ad Satisfaciendum to Arrest or detain the body should issue  
 “but a Fieri facias against the Goods and Chattels only (with  
 “an express exception to Beasts of the Plow) unless the party  
 “chuses that his land should be sold, in which case he should  
 “sign upon the back of the process his consent and request for

that

“that purpose. \_ It might not be amiss too to give the Judges  
“a power to levy the debt where it was under ten pounds by  
“installments; for it often happens that a debtor is exceedingly  
“distressed to pay tho’ but a moderate Sum and upon the instant,  
“of demand which yet by <sup>his</sup> Industry or by some event near  
“taking place but which he cannot anticipate, he might pay  
“with ease to himself at given times. \_ Upon an affidavit of  
“this sort We think they might be allowed to mark upon the  
“Writ to be levied by Installments- 20 Sh.<sup>s</sup> on such a Day. 20: At  
“such other and the remainder at such other. \_\_\_

“But these times ought to have some Limitation  
“and perhaps should not exceed 3 months for the last payment.

“If the Judge has reason to Suspect that the  
“party Secretes his Effects or has disposed of them after the  
“Commencement of the Suit in order to avoid their being taken  
“in Execution, he should be at Liberty to issue process against the  
“Lands immediately, and for want of them to commit to prison  
“till the Debt is Satisfied. \_ The truth of which should be examined  
“upon Affidavits. \_ In all other matters, where the debt or demand  
“is above the Value of 10 pounds they should proceed as usual,  
“except that where Lands are taken in Execution, they should be  
“made ¶ ¶ Subject to the debt or demand immediately from the  
“day of the date of the Writ; and avoid all Subsequent Sales  
“and Mortgages, or any other disposition or incumbrance of  
“them, but not absolutely sold, for Six Months, after Several  
“Publications in the Gazette, and Notice affixed to the Church  
“door of the Parish in which the lands lye and other Neighbouring  
“Parishes. \_ nor should the Sale even then be good till a  
“Report was made to one of the Judges of the Court, of the  
“quantity and Produce and Condition of the Lands with the  
“Amount of the purchase Money and the Sale confirmed by him. \_

“It is difficult if not impossible exactly to  
“Ascertain the Quantum of Expence in recovering these Small  
“Debts, but we recommend it to the Gentlemen who preside  
“in these Courts to reduce it as much as possible, and we have  
“no doubt but they will give a proper attention to a Matter  
“so interesting to the Honour of the Crown, and the convenience

and

“and ease of the Subject. \_\_\_\_\_

“The Administration of Justice in ca<sup>u</sup>ses of small  
 “consequence we apprehend will be tolerably well provided for  
 “in the Towns of Quebec and Montreal upon this Establishment  
 “more especially if there be added (as perhaps, may be necessary,  
 “at least convenient), One officer of Justice in each, who might  
 “decide in all ca<sup>u</sup>ses to the Value of Fifty Shillings current Money  
 “and enforce his decision by distress and Sale of the Defend<sup>ts</sup> goods only.

“These Officers to be appointed by your  
 “Excellency, by Special Commission independent of the General  
 “Commission of the Peace, (tho’ it would be adviseable for them  
 “to have both,) in the Nature of the Intendants Subdelegués,  
 “they may perhaps be well appointed by Virtue of the Powers  
 “given to your Excellency in your Commission, but we  
 “rather recommend it to be done by an Ordinance. \_\_\_\_\_

“And you should be empowered to appoint  
 “more of these Officers in different parts of the Province as the  
 “Circumstances and Situation of things may require, and as  
 “in your discretion, they may appear to be necessary. \_ whose  
 “Jurisdiction might be at least equal to what was given  
 “to a Single magistrate under the Ordinance of September 1764.

“These are the observations that have Occurred  
 “to us upon this Subject: We believe the regulations here proposed  
 “will be found to be Salutary, and meet the Greivances at  
 “present so loudly and so Justly complained of, And we  
 “accordingly recommend them to be immediately Carried  
 “into Execution. \_\_\_\_\_

“One observation however has escaped us which  
 “we beg leave to add, with regard to the assize of Bread which  
 “by an Ordinance of this Province bearing date the 3<sup>d</sup>  
 “of September 1764 is directed to be regulated by 3 Justices of  
 “the Peace; And tho’ this Jurisdiction will still be preserved  
 “to the Justices, yet we are apprehensive that they will  
 “be indisposed to exercise it, if they should resent the  
 “Diminution of their Authority which the Regulations  
 “we <sup>have</sup> proposed are designed to make. \_ That Authority  
 “therefore very usefull and Necessary to the publick

should

“should be transferred in case of their neglect to the  
“Two Judges of the Common Pleas, and the Justice  
“who has a Commission in Small matters in  
“the way that we have Recommended. \_\_\_\_\_

(Signed) “W: Hey P.”

Petition from Denis  
Vitré for an allow.<sup>ce</sup>  
for the Ground whereon  
the Barracks stand  
agreeable to a Promise  
made him by Gen<sup>l</sup> Wolfe  
& Adm.<sup>l</sup> Saunders.

Read a Petition from Denys Vitre, a Pilot in  
his Majesty’s Service, praying an Allowance for the  
Ground on which the Barracks in this City now stand,  
which was his Property, being taken from him by the  
late Intendant under the French Government, without  
any Compensation for the same; claiming such  
Allowance by Virtue of a Promise from General  
Wolfe and Admiral Saunders at the time he acted  
as Pilot to the British Fleet up the River Saint  
Lawrence in the year 1759. \_\_\_\_\_

Order’d that the Receiv<sup>r</sup>  
General be directed to  
pay the Pet.<sup>r</sup> £100 \_\_\_\_\_  
Sterl<sup>g</sup>. in Consider.<sup>n</sup>  
of that promise.

Resolved that it appears to this Board that  
there was such a Promise made as set forth  
in the said Petition, and Ordered that  
a Warrant be directed to the Receiver General  
to pay the Petitioner the Sum of One hundred  
Pounds Sterling in Consideration thereof. . \_

### Guy Carleton

At the Council Chamber in the Castle  
of Saint Louis, in the City of Quebec, on  
Wednesday the Tenth day of January 1770.

Present

His Excellency Guy Carleton Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.  
H Theo<sup>s</sup> Cramahé  
Thomas Dunn  
Hugh Finlay  
Samuel Holland  
Colin Drummond

} Esquires

Read

Draught of an Ordinance for the more effectual administration of Justice & for regulating the Courts of Law.

Refer'd to a Committee.\_\_\_\_

A Committee appointed to examine the Publick Accompts up to the 24 Dec<sup>r</sup> 1769.

Read the Draught of "An Ordinance for "the more effectual Administration of Justice and "for regulating the Courts of Law in this Province."

Ordered that M<sup>r</sup> Cramahé M<sup>r</sup> Dunn and M<sup>r</sup> Drummond be appointed a Committee to take the above Draught of an Ordinance into Consideration and that any Member of this Board that chuses may make one of the Committee.

Ordered that the above Gentlemen be also appointed a Committee to examine the Accompts and Claims against the Government of this Province for the last half year ending the 24<sup>th</sup> day of December 1769. And that any Member of this Board that chuses may likewise make one of the said Committee. \_\_\_\_\_

Guy Carleton

At the Council Chamber in the Castle of S.<sup>t</sup> Louis, in the City of Quebec, on Thursday the first day of February 1770. \_\_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> Will.<sup>m</sup> Hey C. J.

H T Cramahé

Thomas Dunn

Walter Murray

Colin Drummond

} Esq.<sup>rs</sup>

Report of the Com<sup>tee</sup> on the Ord.<sup>ce</sup> for the more effectual Administr.<sup>n</sup> of Justice &c.\_\_\_\_

Read the Report of the Committee dated the 22.<sup>d</sup> 25. 27 & 31 January, appointed the 10<sup>th</sup> ditto to take into Consideration the Draught of an Ordinance for the more effectual Administration of Justice, and for Regulating the Courts of Law in this Province. \_\_\_\_\_

Approved

Approved & to be  
Enter'd.

Approved and Confirmed; and Order'd to be Entered  
in this Book. \_\_\_\_\_

The Report  
Viz.<sup>t</sup>

“Quebec the 22.<sup>d</sup> 25.<sup>th</sup> 27<sup>th</sup> & 31 Jan<sup>y</sup> 1770:  
“At a Committee appointed to take into Consider.<sup>n</sup>  
“the Draught of an Ordinance for the more effectual  
“Administration of Justice, and for Regulating the  
“Courts of Law in this Province. \_\_\_\_\_

Present

The Hon<sup>~</sup>ble Hector Theo<sup>s</sup> Cramahé Esq.<sup>r</sup> President  
Thomas Dunn } Esquires.  
Colin Drummond }

“ The Committee having read for the third time  
“the abovementioned Draught of an Ordinance, together  
“with sundry Alterations made by them therein,  
“do submit the whole to the Approbation of the  
“Governor in Council, and humbly recommend the  
“said Ordinance to be carried into immediate execution.  
Signed H. T Cramahé P. C.”

Amended dra.<sup>t</sup> of  
the Ord.<sup>ce</sup> for the  
more effectual adm.<sup>n</sup>  
of Justice &c.

Read the Draught of the Ordinance, intituled as  
above, as it stands amended by the Committee. \_\_\_\_

Approved and ord<sup>d</sup>  
to be Translated.

Approved and ordered to be translated which  
Translation is to be laid before the Board as usual.

Memorial of  
Jotham Gay, R.<sup>d</sup>  
Dobie & others  
for return of  
the excess of  
Rum Duties p.<sup>d</sup>  
by Gov<sup>r</sup> Murray's  
order. \_\_\_\_

Read the Memorial of Jotham Gay, Rich<sup>d</sup> Dobie  
and Others setting forth their having paid a Duty of Six  
pence Halifax Currency per Gallon on Rum imported into  
this Province before the Establishment of Civil Government  
to Persons appointed by Governor Murray to collect the  
Same, which Duty being Two pence per Gallon more,  
as the Memorialists are informed, than the Duty paid to  
the French Government at the Conquest of this Country;  
they pray that the said Excess of Duty may be  
refunded to them with Interest. \_\_\_\_\_

Referred



Refer'd to a  
Committee.

Referred to the Committee on the Publick Accompts  
and Ordered that the Petitioners, and likewise any  
other Persons having the like Claim, do produce their  
Proofs before the said Committee who are to make  
Report thereof to this Board; \_\_\_\_\_

Attorney General  
to attend the s<sup>d</sup>  
Com<sup>m</sup>tee.

Ordered also that the Attorney General be directed to  
attend the said Committee on this Business of the Excess of  
Duties collected on Rum. \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the  
Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Wednesday the 14 February 1770. \_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Honble William Hey C. J.

H T Cramahé

Tho<sup>s</sup> Dunn

Hugh Finlay

Sam.<sup>l</sup> Holland

Colin Drummond

} Esq.<sup>rs</sup>

Translation of the  
Ord.<sup>ce</sup> for the more  
effectual Administr.<sup>n</sup>  
of Justice, &c.

Read the Translation of the Ordinance for the more  
effectual Administration of Justice, and regulating the  
Courts of Law in this Province. \_\_\_\_\_

To be published  
in the Gazette,  
with the Original.

Approved and Ordered that the said  
Ordinance and the Translation thereof be published in  
the Gazette as soon as possible. \_\_\_\_\_

The Ordinance  
to wit.

**An Ordinance** for the more  
Effectual Administration of Justice, and for  
Regulating the Courts of Law in this Province. \_\_\_\_

Preamble.

**Whereas** it has been found by Experience,

that

Authority of the Justices in matters of private property taken away;

except from such as have, or may have, a Special Commission for that purpose.

Clauses in the Ordinance of September 1764 repealed.

that the Several provisions contained in an Ordinance, bearing date the Seventeenth day of September One thousand, Seven hundred and Sixty four and Intituled amongst other things, "An Ordinance for Regulating and establishing the Courts of Judicature," by Virtue of which certain powers and Authorities are given to the Justices of the Peace for this Province, as well Separately as Collectively, to hear and determine in matters of private property, between party and party; instead of answering the good purposes for which they were ordained, have become an intolerable Burthen to the Subject, and proved the means of great disquiet, vexation and oppression: It is therefore Ordained and Declared by His Excellency the Captain General and Governor in Chief of this Province, by and with the Advice and Consent of the Council of the same, that from and after the day of the date of the Publication of this Ordinance, all Jurisdiction, power and Authority in matters of private property, belonging to, or exercised by, any Justice or Justices of the Peace for this Province, or any District, part or member of the same, except such as already have procured, or hereafter may procure a Special Commission for that purpose, under the hand and Seal of the Governor or Commander in Chief for the time being; shall be clearly annulled, taken away and determined: And that from and after the day of the date of the Publication aforesaid, no Justice or Justices of the Peace, except as before excepted, shall have any power or Authority, to hear examine or determine any matter of private property, between party and party, or to make, pronounce or deliver any Judgement, Sentence, order or Decree, or to do any Judicial Act whatsoever touching the same. And it is further Ordained and Declared by the Authority aforesaid, that from and after the

day

day of the date of the Publication aforesaid, the following Clauses or parts of an Ordinance, bearing date the Seventeenth day of September One thousand, seven hundred, and sixty four, and Intituled, amongst other things, "An Ordinance for regulating and establishing the Courts of Judicature," shall be repealed, and the same are hereby Repealed, and absolutely revoked and made void; that is to say;

"And whereas it is thought highly necessary, for the ease, Convenience and happiness of all his Majesty's loving Subjects, that Justices of the Peace should be appointed for the respective Districts of this Province, with power of determining property of small Value in a Summary way, it is therefore further ordained and Declared by the Authority aforesaid, and full power is hereby given and granted to any one of his Majesty's Justices of the Peace, within their respective Districts, to hear and finally determine in all causes or Matters of Property, not exceeding the Sum of Five pounds, Current money of Quebec; And to any Two Justices of the Peace, within their respective Districts, to hear and finally determine in all causes or matters of property, not exceeding the sum of Ten pounds said Currency, which Decisions being within, and not exceeding the aforesaid Limitation, shall not be liable to an Appeal; And also full power is, by the Authority aforesaid, given and granted, to any Three of... said Justices of the Peace to be a Quorum, with power of holding Quarter Sessions in their respective Districts every three months, and also to hear and determine all Causes and Matters of Property, which shall be above the sum of Ten pounds, and not exceeding Thirty pounds Current money of Quebec, with Liberty of Appeal to either party to the Superior Court, or Court of King's Bench:"

And all and every other Ordinance or Ordinances, and all and every Article, Clause or Sentence in them; and every of them, by which any Jurisdiction, power or Authority to

And all others that give Authority to the Justices to determine Matters of private Property.

hear

Penalty  
upon the Justices  
for Disobedience.

Proviso  
not to extend to any  
of the Powers in the  
Commission of the  
Peace,

hear and determine in matters of private property, between party and party, is given, limited and appointed to any Justice or Justices of the Peace, for so much as concerneth the same, shall also be repealed, and the Same are hereby Repealed, and absolutely revoked and made void. And it is further Ordained and Declared by the Authority aforesaid, that from and after the day of the date of the Publication aforesaid, if any Justice or Justices of the Peace, or any other person whatsoever, shall offend or do any thing Contrary to the purport, true intent and meaning of this Ordinance, he or they so offending, besides being liable to answer the same in a Criminal way, shall also forfeit and lose unto the party grieved, by any thing so done, his, her or their treble Damages, which he, she or they shall sustain, and be put unto by means or Occasion of any thing so done as aforesaid; the same to be recovered in any of the Courts of Record in this Province, by Action of Debt, or in any other way and manner, according to the known and established practice of the Court, in which such Action shall be brought. Provided always, that nothing contained in this Ordinance, shall extend, or be construed to extend, to take away, determine or abridge any of the powers given and granted, to any Justice or Justices of the Peace, for this Province, by virtue of His Majesty's Commission of the Peace to them directed, or to restrain or hinder them, in the Exercise of any other powers, to them limited, and appointed, by any other Ordinance or Ordinances, save and except such as relate to the Administration of Justice in matters of private property, between party and party only, but such Justice or Justices of the Peace, is and are hereby further Authorized and required, to do and execute, all and every matter or thing, to him or them enjoined, by Virtue of the said Commission of the Peace: And

also

nor to any Judge=  
=ment already  
pronounced and  
not executed,

nor to any Writ of  
Execution already  
issued and not return'd;

but the same to be  
perfected as if this  
Ordinance had not  
been made.

Preamble  
to the Clause for  
erecting a new  
Jurisdiction.

all disputes for  
Sums not exceeding  
£12. to be heard before  
the Judges of the Courts  
of Common Pleas  
only;

except as after  
excepted.

also to hear and determine all Penalties and forfeitures, arising from the Breach of any Ordinance or Ordinances, and to proceed therein, in the same manner, as he or they would have done, if this Ordinance had not been made. **And Provided** also, that nothing herein contained, shall extend or be construed to extend, to reverse, alter or Suspend any Judgement or Judgements, already pronounced or given, by any Justice or Justices of the Peace, upon which no Execution has yet been awarded, or to Supersede, vacate, alter or Suspend any Writ or Writs of Execution, already awarded and not yet returned; but the said Justice or Justices of the Peace, is and are hereby further Authorized and required, to award Execution upon such Judgements already pronounced and given, And the Provost Marshal is hereby Authorized and required to enforce the same and also to proceed upon such Writs of Execution, as are already awarded and not yet returned, and to levy the Debt and Costs, and make such return, to the Justice or Justices awarding the same, as he would have done before the Publication of this Ordinance. **And whereas** the providing an easy, plain and Summary method of proceeding, for the recovery of small debts, with a due regard at the same time to a certain degree of Solemnity and Deliberation, which ought ever to accompany the Administration of Publick Justice, very much Contributes to promote Industry, and to Support and Encourage useful Credit: **It is therefore Ordained and Declared** by the Authority aforesaid, that from and after the day of the date of the Publication aforesaid, all manner of disputes and Differences, between party and party, for any sum not exceeding Twelve pounds Currency of this Province, except as is herein after excepted, shall be heard, tried and Adjudged, before the Judges of the Courts of Common Pleas for the time being only, who are hereby Authorised and required,

to

Preamble  
to the Clause for  
fixing the Court  
of Common Pleas  
at Montreal.

Court of Common  
Pleas at Montreal  
Constituted an  
independent Court  
with Original  
Jurisdiction,

in all matters arising  
within the  
District of Montreal,

in the same Manner  
as the Court of Common  
Pleas in Quebec, in  
all matters arising  
within the District  
of Quebec.

to take Cognizance thereof, and the same to hear,  
Adjudge and finally determine, as to them shall  
seem Just in Law and Equity, any Ordinance or  
Ordinances, or any Cause, matter or thing in them,  
or any of them contained, to the Contrary hereof in  
any wise notwithstanding. And whereas  
some Inconveniencies have arisen from the present  
practice of Adjourning the Court of Common Pleas  
from Quebec to Montreal, and from the want of  
a fixed, settled and Established Court, for the hearing  
and determining, all matters arising within the  
District of Montreal, before Judges specially appointed  
for that District, and constantly residing within  
the same: It is further Ordained and Declared  
by the Authority aforesaid, that from and after the day  
of the date of the Publication of this Ordinance, the Court  
of Common Pleas heretofore held by Adjournment at  
different days and times in the Town of Montreal,  
and considered and taken to be a part or member  
of the Court of Common Pleas established at Quebec,  
shall be, and it is hereby Constituted a Court of  
Record, with Original Jurisdiction of its own,  
independent of, and no wise connected with, the  
Court of Common Pleas established at Quebec; which  
Court of Common Pleas for the District of Montreal,  
shall for the future, be held before Judges constantly  
residing within the said Town of Montreal, who  
shall have the same power and Authority, and the  
same is hereby given and granted to them, to hear  
and determine within the District of Montreal,  
and to award Execution, and to do and execute all  
and every matter or thing touching the Administration  
of Justice, in as full and ample a manner, as is now,  
or has at any time, been used, practised, or done by  
the Court of Common Pleas established at Quebec,  
in and for the District of Quebec. And that

from

Proviso  
that both Courts shall  
have a concurrent  
Jurisdiction in  
awarding Writs of  
Execution.

Where the Defendant  
has no Lands or  
Goods within the  
District where the  
Cause was tried,

Execution may be  
Awarded into the  
other District:

but it must be  
indorsed by one of  
the Judges of the  
District in which  
it is to be executed;

And the return must  
be made by the Provost  
Marshall to the Court  
from whence it was  
Originally awarded,

from and after the day of the date of the Publication aforesaid, the said Court of Common Pleas in the Town of Quebec, and the said Court of Common Pleas in the Town of Montreal, shall be taken, and adjudged to have each their Saparate Jurisdictions, independent of, and unconnected with each other, That is to say; the said Court of Common Pleas at Quebec, in and over all matters and things arising within the District of Quebec; and the Court of Common Pleas at Montreal, in and over all matters and things arising within the District of Montreal. **Provided** always, and it is hereby further Ordained & Declared by the Authority aforesaid, that from and after the day of the date of the Publication aforesaid, where any person or persons against whom Judgement shall be obtained, in either of the said Courts of Common Pleas, shall not have any Lands, Goods or Effects, wherewith to satisfy the said Judgement, within the Jurisdiction of that Court wherein such Judgement shall have been obtained, but such person or persons shall have Lands, Goods or Effects, within the Jurisdiction of the other Court of Common Pleas, that then, and in that case, it shall and may be lawful for the Judge or Judges, of the Court of the District, in which such Judgement shall have been obtained, to award Execution to the Provost Marshal of the District, in which such Lands, Goods or effects shall be found, who shall before he proceeds to do any thing therein, carry the said Writ of Execution to one of the Judges of the Court of the District, in which such Lands, Goods or Effects shall be found, who is hereby Authorized and required, to indorse the same; which Writ of Execution, being so indorsed as aforesaid, the <sup>sd</sup> Provost Marshall of the District, in which such Lands, Goods or Effects shall be found, shall proceed to levy the Debt and Costs, and make return thereof under his hand and Seal, to the Judge or Judges of the

Court

but it need not  
be made in person.

The Provost Marshal  
executing the Writ  
only answerable before  
the Court of the  
District which award=  
=ed the same.

The same in Writs  
of Capias ad Satisfacien=  
=dum.

Court from whence such Writ of Execution was originally awarded, And such Writ of Execution, together with the return thereof, under the hand and seal of the Provost Marshal Subscribing the same, shall <sup>be</sup> by him conveyed, so soon after the making and Signing thereof as conveniently may be, to the Provost Marshal of the District, from whence such Writ was originally awarded, who is hereby Authorized and required, to deliver the same into the Court of Common Pleas, from whence such Writ was originally awarded, on the first Court day, next after the coming of the said Writ and return into his hands, and the Judge or Judges of the said Court of Common Pleas, by whom such Writ of Execution was originally awarded, are hereby Authorized and required to receive the same, and the same shall be as Valid and Effectual, to all intents and purposes, as if the Provost Marshal making and Subscribing the same, had himself been present, and delivered the same into the Court with his own hand;

Provided nevertheless, that the Provost Marshal executing the said Writ, and making return thereof as aforesaid, only shall be answerable, as well for the Truth of the said Return, as for any misbehaviour, Omission or neglect, in the manner of executing the said Writ, or making return thereof, before the Judge or Judges of the Court, from whence such Writ of Execution was originally awarded, and not before the Judge or Judges, of the Court of the District to which he belongs. And in case any person or persons, against whom such Judgement as aforesaid shall be obtained, not having any Lands, Goods or Effects within the Province, where with to satisfy the said Judgement, shall usually reside without the Jurisdiction of the Court, in which such Judgement shall be obtained, or, being at the time of obtaining the said

Judgement



Judgement, resident within the same, shall alter his or their place of residence, and withdraw his or their person or persons, from the Jurisdiction of the Court, in which such Judgement shall have been obtained, it shall and may be lawful for the Judge or Judges of the said Court, in which such Judgement shall have been obtained, in all cases where such Writ may legally issue, to award a Writ or Writs of Capias ad Satisfaciendum, to the Provost Marshal of the District, in which such person or persons shall reside, or be found, which Writ or Writs, being so Indorsed as aforesaid, the said Provost Marshal of the District, in which such person or persons shall reside, or be found, shall proceed to execute the same, and to Arrest, the Body or Bodies of such person or persons, and him, or them, to convey to the Common Goal of the District, in which such person or persons shall be Arrested, there to remain, till the Debt and Costs are paid, or he or they be otherwise delivered by due Course of Law. And in order to avoid the delays and Inconveniencies, Occasioned by the present practice of holding the said Courts of Common Pleas, at certain fixed times and periods, according to the directions of the aforesaid Ordinance of September One thousand, Seven hundred, and sixty four, and to the Intent that the Judges of the said Courts, may be enabled to give more Speedy and effectual relief in all cases, as well where the Matter or thing in demand shall exceed the sum of Twelve pounds, as where it falls short of, or is equal to it; It is further Ordained and Declared by the Authority aforesaid, that from and after the day of the date of the Publication of this Ordinance, the said Courts of Common Pleas, as well at Quebec as at Montreal, shall be Constantly open to the Suitor, and they are hereby required to be kept open, at all times throughout the year, except on

Sundays

And the Defendant to be conveyed to the Goal of the District in which he is Arrested.

Preamble to the Clause for keeping the Courts open throughout the year.

Courts to sit all the year,

except Sundays and  
others times of Vacation,

without regard to Terms  
as appointed by the  
Ordinance of Septem=  
ber 1764. or any other  
Ordinances, All which  
as far as they relate to  
the Sitting of the said  
Courts, are repealed.

The Judges to sit one  
day in every Week, at  
their discretion, for  
matters above £12.

and on every Friday,  
except in Vacation  
for matters not exceeding  
£12.

One Judge Sufficient  
in Matters not exceeding  
£12. the other having a  
reasonable Cause of  
absence.

Sundays, and three weeks at Seed time, a Month at  
Harvest, and a Fortnight at Christmas and Easter, and  
except during such Vacation, as shall be from time to time  
appointed by the Judges, for making their respective  
Circuits throughout the Province, twice in every year,  
and the Judges of the said Courts, are hereby Authorized  
and required, to issue their process, and to do and execute  
all and every other Matter or thing, touching the  
Administration of Justice, without regard to Terms, or  
any Stated periods of time, as limited and appointed  
by the Ordinance of September One thousand; Seven  
hundred, and sixty four, or any other Ordinance,  
Custom or usage whatsoever, all and every of which  
Ordinance or Ordinances, so far as they relate to the Sitting  
of the said Courts, or prescribe any Limitations of time  
for that purpose, are hereby annulled, revoked, and  
made void, in as full and ample amanner, as if they  
were herein particularly enumerated, and set forth.

Provided always, and it is further Ordained and  
Declared by the Authority aforesaid, that the Judges  
of the said Courts of Common Pleas, as well in Quebec as  
Montreal, shall appoint one day in every week, (except  
Sunday or in such Vacations as aforesaid) at their  
discretion, for the hearing and determining all Matters,  
wherein the cause of Action, shall ~~not~~ exceed the sum  
of Twelve pounds; which day shall be declared at the  
rising of the Court, on the Court day next preceding.  
And no Adjournment of the Court shall be made, for any  
longer time than one week, upon any pretence or  
ground whatsoever. Provided also, that Friday in  
every week, except it be in such Vacation as aforesaid,  
shall be always a Court day, as well in the Town of  
Quebec as Montreal, for the hearing and determining all  
Matters, wherein the cause of Action shall not exceed the  
sum of Twelve pounds as aforesaid, on which day, one of  
the Judges of the said Courts of Common Pleas, shall

attend

attend, as well at Quebec as at Montreal, for the dispatch of Business, who is hereby Authorized and required, to proceed to hear and determine, all matters, where the cause of Action shall not exceed the sum of Twelve pounds, in the absence of the other Judge, such Judge being prevented from Attending, by sickness, or any other lawful and reasonable Cause of excuse, and every Judgement, Sentence, Order or Decree, given, made or pronounced, and every Writ of Execution, awarded by such Judge, in matters where the cause of Action shall not exceed the sum of Twelve pounds, as aforesaid, shall be in all respects, as binding, and Valid, as if both the Judges of the said Court, had been present, and Concurred, in giving, making or pronouncing, such Judgement, or in awarding, such Writ of Execution. And to the intent that this part of the Jurisdiction, of the said Courts of Common Pleas, which Attaches upon Matters, where the value of the thing in demand does not exceed the Sum of Twelve pounds, and the manner and form of proceeding therein, may be Clearly comprehended, so as to enable the party either by himself or his agent, to prosecute his own means of redress, with dispatch, certainty, and moderation, in point of expence, It is therefore Ordain=  
 =ed and Declared by the Authority aforesaid, that from and after the day of the date of the Publication aforesaid, in all matters, where the cause of Action shall not exceed the sum of Twelve pounds Currency, no Process whatsoever, shall issue against any Defendant or Defendants, until the Plaintiff or Plaintiffs, or his, her, or their Agent or Agents, shall have first produced and left with, or being unable to write or read, shall have first procured from, the Clerk of the Court, in which such Action is intended to be brought, who is hereby ordered and required to make out the same, a Declaration, either in the English or French Language, According to the following form. \_\_\_\_\_ } \_\_\_\_\_ day of \_\_\_\_\_ 177:

No process to issue against any Defendant till the Plaintiff has filed his Declaration.

Form of the Declaration.

Quebec }  
 Montreal }

A. B. Plaintiff.  
 C. D. Defendant.

The

The Plaintiff demands of the Defendant, the Sum of \_\_\_\_\_ due to the Plaintiff, from the Defendant, for \_\_\_\_\_ which said Sum, tho' often demanded, still remains due;

Manner of taking out the Summons, Therefore the Plaintiff demands Judgement. Which Declaration, being so produced to, and left with, or so as aforesaid made out by, the Clerk of the Court, in which such Action is intended to be brought, shall be filed by the said Clerk, with the other Records of the Court, and the said Clerk, shall immediately make out an attested Copy thereof, and upon the back of such Copy indorse a Summons,

And attesting the same. to which he shall procure the name, of one of the Judges of the said Court, to be set, commanding the Defendant, either to pay the debt and Costs to the Plaintiff, or else to appear on some Subsequent Court day, According to the discretion of the Judge who signs the same, regard being had to the distance of the Defendants place of residence, and the means of Communication therewith. \_\_\_\_\_ Which Summons

Form of the Summons. shall be in the following form. \_\_\_\_\_ To C. D. the Defendant in this Action. \_\_\_\_\_ You are hereby Commanded and required, to pay to the Plaintiff, the within named Sum of \_\_\_\_\_ together with \_\_\_\_\_ Costs, or else to be and appear, either in person, or by your Agent, before me, at the Court House, of the Town of Quebec, together with your

Montreal,

witnesses, if any you have, on \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_ on which day, the matter of Complaint against you, as Contained in the within Declaration, will be heard and finally determined, otherwise Judgement will be given against you, by default in this Action. E. F. Judge of the Court of Common Pleas. And this Attested Copy of the Declaration, together with the Writ of Summons, indorsed and signed as aforesaid, (for all which the Clerk of the said Court shall receive from the Plaintiff the Sum of Six pence and no more, where the Original Declaration shall be produced and delivered to him, and the Sum of One Shilling and no more, where he shall make out the Original Declaration himself, at the request of the Party)

shall

Manner of Serving the same. shall delivered to the Plaintiff or Plaintiffs, or his, her, or their Agent, or Agents, who shall convey, or cause the same to be conveyed, to one of the Bailiffs of the Parish, in which such Defendant resides, who is hereby Authorized and required, to serve the same upon the Defendant, personally, if he can be found, or otherwise, upon his Wife, Son, Daughter, Servant, or some other grown person, at his the <sup>sd</sup> Defendants Dwelling House, or usual place of abode, and at the same time to shew him, her or them, the Attested Copy of the Declaration, together with the Writ of Summons Annexed, under the hand of the Judge issuing the same, and to Acquaint him, her or them, with the Contents thereof; and to leave a Copy of the same, at the said house, And the Bailiff serving such Process as aforesaid, is hereby further Authorized and required, to attest the said Service, at the foot of the said Writ of Summons, together with <sup>the</sup> day and time of serving the same, according to the following form. \_\_\_\_\_

Manner in which it shall be attested by the Bailiff. I. G. H Bailiff of the Parish of \_\_\_\_\_ did on \_\_\_ day \_\_\_\_\_ of \_\_\_\_\_ personally serve the within named Defendant, with the Copy of the Declaration and Writ of Summons Annexed, by shewing him the same, and Acquainting him with the Contents thereof, and by leaving a Copy of the same at his house, with \_\_\_\_\_ the \_\_\_\_\_ of the said Defendant, such \_\_\_\_\_ being of the age of \_\_\_\_\_ or thereabouts.

Form of Attestation of of the Service. And this Copy of the Declaration, with the Writ of Summons Annexed, and the Certificate of the Service, so made by the Bailiff, shall be delivered by him to the Plaintiff, if thereto personally required by the Plaintiff himself, who shall pay the Bailiff for the Service and Attestation as aforesaid, the Sum of one Shilling, and no more, which sum of one shilling, together with the Charges of issuing and returning the said Process, shall be allowed him in his Costs, in case he shall obtain Judgement, against the said Defendant in the Action, but in case the said Plaintiff shall not personally

shall be delivered to the Plaintiff if personally Demanded. demand

Fee of one Shilling to the Bailiff, To be allowed in Costs. Otherwise to be returned by the Bailiff,

<p>who shall be allowed his Charges.</p>	<p>demand the Custody of the said Process, after such Service and Attestation as aforesaid, that then the Bailiff so serving and attesting the same, shall forthwith return the same to the Court of Common Pleas, from whence such Process issued, who shall direct the Costs of returning the same, together with the fee of one Shilling for the service and Attestation thereof, to be paid to the said Bailiff, by the Defendant if he shall be condemned in the suit, or by the Plaintiff if he shall discontinue the Action, or otherwise fail in the proof of the matter contained in his Declaration.</p>
<p>Defendant not appearing after Service of the Declaration and Summons,</p>	<p><b>And it is further Ordained and Declared</b> by the Authority aforesaid, that if any Defendant, after having been duly Summoned as aforesaid, shall refuse to pay the said debt and Costs, and shall not appear either by himself or agent, before the Court, at the time and place mentioned in the said Writ of Summons, it shall and may be lawful for the Judge or Judges of the said Court, upon view of the Certificate of the said Bailiff, as aforesaid, or other due proof of the Service of the said Writ of Summons, in manner aforesaid, to hear the Cause on the part of the Plaintiff or Plaintiffs only, and to make such order, decree, or Judgement, and to award such reasonable Costs of suit, as to him or them shall seem most Agreeable to Equity, and good Conscience. And if upon the day of the return of such Writ, or on such other day as shall be specially appointed by the Court, for the hearing of the cause, the Defendant so Summoned as aforesaid, shall appear, either by himself or his Agent, and the Plaintiff shall not appear, either by himself or his Agent or appearing shall not prosecute, or prosecuting shall fail in the proof of the matter contained in his Declaration, that then upon due proof that such Defendant was Served with such process, it shall and may be Lawful, for the Judge or Judges of the said Court, to dismiss the <sup>said</sup> Defendant, and Decree and award him such Costs, as in his or their</p>
<p>Cause to be heard on the part of the Plaintiff only.</p>	
<p>Plaintiff not appearing or appearing and not prosecuting, or failing in Proof of the debt,</p>	
<p>Defendant shall be dismissed and the Plaintiff shall be condemned in Costs.</p>	<p>discretion</p>

discretion shall seem meet, and to award Execution against the said Plaintiff, for recovering and levying thereof, in the same manner, as other Executions are hereby directed to be awarded, against the Defendant, where the Plaintiff shall obtain Judgement in the Action.

Execution not to be awarded till the Court day next after giving Judgment.

(except the Defendant is about to leave the District)

On which day Execution shall be awarded to the Bailiff of the Parish where the Defendant resides,  
or to some other discreet person residing in or near the same.

To be levied out of the Defendants Goods and Chattels only.

Provided always and it is hereby further Ordained and Declared by the Authority aforesaid, that no Execution shall be awarded against any Defendant, until the next Court day after that, on which Judgement shall be given in the Cause, to the intent that the party may have time to satisfy such Judgement, by paying the debt and Costs, into the hands of the Plaintiff or Plaintiffs, or his, her or their Agent, or to the Clerk of the Court, who is hereby Authorized and required to receive the same, for his, her or their use, unless it shall be made appear, to the Judge or Judges pronouncing such Judgement, that the Defendant or Defendants, is, or are, preparing to leave the District, or otherwise to defeat the Plaintiff or Plaintiffs, of the Effect of his, her, or their Judgement, in which case, it shall and may be Lawful, for the Judge or Judges, pronouncing the said Judgement, to award Execution immediately; but in Default of such payment as aforesaid, that then it shall and may be lawful, for the Judge or Judges giving such Judgement, on the Friday next ensuing the said Judgement, to award Execution, under his or their hand and Seal, directed to the Head Bailiff of the Parish, wherein the Defendant resides, or, to some other discreet person, dwelling in, or near the said Parish, whom the Judge or Judges, shall think proper to name for that purpose, and which he or they, are hereby Authorized and Impowered to do, commanding him to levy the debt and Costs, together with his fees, for leaving and returning the said Writ (which Fees shall be expressed in the Warrant of Execution) out of the Goods and Chattels belonging to such Defendant only, with an Express exception nevertheless therein Contained,

to

Beast of the Plough,  
Implements of Husbandry,  
Tools of Trade and  
one Bed and Bedding  
not to be sold,  
unless there are no  
other goods,

and even then the Bed  
and Bedding not to  
be sold.  
Bailiff to give Notice  
for two Sundays before  
he proceeds to the Sale  
of the Defendants Goods.

other Directions  
touching the Sale.

If Defendant's Goods  
& Chattels not  
sufficient  
to Satisfy the Execution,

Bailiff to inquire of  
his Lands,

And to return the  
quantity and Condition  
of them,

to his, the party's, Beasts of the Plough, Implements of Husbandry, Tools of his Trade and one Bed and Bedding, unless the other Goods and Chattels of such Defendant or Defendants, shall prove insufficient, in which case, such Beasts of the Plough, Implements of Husbandry, and Tools of his Trade, shall be sold, but not the bed and Bedding. And the said Bailiff, or other person, to whom such Writ of Execution shall be awarded, as aforesaid, shall before he proceeds to do any thing therein, give notice at the Church door of the Parish, wherein such Writ is intended to be Executed, immediately after divine Service, both Morning & Evening, on two Successive Sundays, next after the coming of the said Writ, of the day and time appointed, for the Sale of the Defendants Goods, on which day he shall proceed to sell the same to the highest bidder, and for the most money he can get, till he shall have raised sufficient, to discharge the whole of the said Writ of Execution, after which, if any Goods remain in execution, the same shall be immediately restored to the Defendant. And in case the Defendant or Defendants, against whom such Writ of Execution as aforesaid, shall be awarded, shall not have, Goods or Chattels Sufficient, to Satisfy the said Writ of Execution, either in the whole or in part, that then the Bailiff, or other person so as aforesaid Authorized, shall enquire whether the <sup>said</sup> Defendant or Defendants, hath or have, any Lands, in his or their possession or Occupation, or in the hands of any other person, in trust for him or them, lying within the Parish, wherein such Defendant or Defendants shall reside, or else where, within the Jurisdiction of the Court, from whence such Writ of Execution, shall be awarded, and if the said Bailiff, or other person so as aforesaid Authorized, shall be fully informed and Satisfied, that such Defendant or Defendants, hath or have, any Lands as aforesaid, such Bailiff, or other person so as aforesaid Authorized, is hereby required, to make return thereof, upon the Back of the Writ, Specifying the

extent



whether arable or  
grass land usually  
reserved for Hay;

If any such, the Court  
to issue another Writ,  
directing the Bailiff  
to enter upon the Lands  
at the time of reaping  
or mowing,

And to set apart so  
much as will be  
Sufficient to satisfy  
the Debt & Costs;

And to sell the same  
upon the Land,  
returning the Overplus.

Penalty for obstructing  
the Bailiff in the  
Execution of this Writ.

Judges Impowered  
to order the Debt to  
be levied by Instalments.

extent and Quality of the same, and particularly, if any part thereof, be land usually sowed with Corn or Meadow Land reserved for Hay, and upon such return, it shall and may be Lawful, for the Judge or Judges of the Court from whence such Writ ¶ ¶ issued, to issue another Writ, to the Bailiff of the Parish, in which such Lands lye, or to some other discreet person, residing in, or near the same, commanding him to enter upon such Arable or Meadow Land, belonging to such Defendant or Defendants, at the proper Season, immediately after the reaping or mowing the same, and before any part of the produce thereof shall be removed and carried of, and of such produce, whether of Corn or Hay, to set apart so much, as in his discretion he shall think sufficient, to discharge the whole of the Writ, so to him directed, and the same to sell upon the Land, for the most money that he can get, leaving the Overplus, if any there be, upon the Land, for the use of the Defendant or Defendants. And it is further Ordained and Declared by the Authority aforesaid, that if any Defendant or Defendants, or any person or persons, by his or their direction; after notice to him or them of the coming of such Bailiff, or other person as aforesaid, upon the Land (which notice he is hereby required to give) shall make any resistance, or prevent his coming upon the Land, to execute the Writ, or otherwise disturb him in the Execution of it, or shall remove or Carry away, all or any, of the parcels of Corn or Hay, so as aforesaid set off, without having first satisfied the whole of the said Writ of Execution, he or they, so offending, shall pay and forfeit, over and above the Sum so com=manded to be levied, the sum of Ten pounds Currency of this Province, to be recovered in a Summary way, before one of the Judges of the Court, issuing the said Writ of Execution, by the person, against whom such Offence shall have been committed, or any other person who shall sue for the same. Provided also, and it is hereby further Ordained and Declared by the Authority aforesaid that it

shall

So as the whole time does not exceed three Months from the time of awarding the Writ of Execution.

If Defendant conveys away, or Secretes his Effects, Court may award a Writ of Capias ad Satisfaciendum.

Preamble  
To the Clause for im=  
=powring Justices to determine matters to the Value of £3.

shall and may be lawful, for any Judge or Judges, issuing any Writ of Execution, in matters where the Cause of Action shall not exceed the sum of Twelve pounds as aforesaid, upon due proof before him or them made, of the distressed Circumstances of the Defendant or Defendants in the Action to indorse upon the same, his or their order to the Bailiff, or other person as aforesaid, commanding him to levy and raise the same by Instalments, in such proportions, and at such days and times, as to him or them shall seem meet. Provided nevertheless, that the whole of the time so allowed and given, shall not exceed the space of Three months, from the day of the date of the issuing such Writ of Execution, And provided also, that if it shall appear upon due proof thereof, made before such Judge or Judges issuing such Execution as aforesaid, that the Defendant or Defendants, hath, or have, at any time after the Service of the Declaration and Writ of Summons as aforesaid, conveyed away, or Secreted, all or any part of his or their Goods or Effects, in order to defeat the Plaintiff or Plaintiffs, of his, her, or their demand, that then and in such Case, it shall and may be lawful, to and for the said Judge or Judges, immediately to award a Writ of Execution, against the Body or Bodies of the said Defendant or Defendants directed to the Bailiff or other person as aforesaid, commanding him to arrest the said Defendant or Defendants, and him or them to convey, to the Common Goal of the District, there to remain, till such Debt and Costs be fully satisfied, or other Order be made by the said Court, for his or their deliverance. And whereas it may be of still further utility and Convenience, and the means of extending the benefit of these Regulations more Generally throughout the Province, to Constitute and appoint other Jurisdictions, by which disputes of a still inferior nature, may be terminated, as well in the Towns of Quebec and Montreal, as in other parts of the Province remote from the Courts of Justice.\_\_\_\_

It

Their Authority under  
 Special Commission.

Titles of Lands not  
 to be drawn in question  
 in their proceedings.

Persons so authorized  
 by Commission to observe  
 the same Forms in their  
 proceedings as the Judges  
 of the Courts of Common  
 pleas in Causes not  
 exceeding £12.

Bailiffs and other  
 persons required to  
 pay due obedience to  
 their Process.

**It is further Ordained and Declared** by  
 the Authority aforesaid, that it shall and may be  
 Lawful, to and for any person or persons, as well  
 within the Towns of Quebec and Montreal, as in  
 other remote parts of the Province, being thereto  
 specially appointed, by Commission under the hand  
 and Seal, of the Governor or Commander in Chief  
 for the time being, to hear and determine, and also  
 to award Execution, in all causes, where the matter in  
 question shall not exceed the sum of Three pounds  
 Current money of this Province, so as the Title of Lands  
 be not drawn in Question, in any such proceedings,  
 in as full and ample manner, as any Judge or  
 Judges, of either of the Courts of Common Pleas, are  
 hereby authorized and Impowered to do, in matters  
 where the Cause of Action shall not exceed the Sum of  
 Twelve pounds, as aforesaid, any thing to the Contrary  
 hereof in this Ordinance notwithstanding; And  
 the person or persons so as aforesaid appointed by  
 Commission, as well in the Towns of Quebec & Montreal,  
 as elsewhere within the Province, are hereby Authorized  
 and Commanded, in the Execution of the powers to them  
 entrusted, of hearing, determining and awarding as  
 aforesaid, to keep and observe, all the Rules and Regulations,  
 herein prescribed, limited, and directed, to the Judge  
 or Judges of the Courts of Common Pleas, in the Exercise  
 of their Jurisdiction, in matters where the Cause of Action  
 shall not exceed the Sum of Twelve pounds, and to Conform  
 to the same, both in their Judgements and Process, as  
 fully and perfectly, as if the same were herein  
 particularly, again set forth at large and Enjoyed;  
 And all Bailiffs of Parishes, or other persons, to whom  
 any Writs of Summons, Warrants of Execution, or any  
 other process whatsoever, in matters where the Cause of  
 Action shall not exceed the Sum of Three pounds as  
 aforesaid, shall be directed by any person or persons so

appointed

Not to sit on any  
Friday,

but on some other  
day in every week.

Preamble  
to the Clause for  
altering the present  
Method of selling  
real property under  
Execution.

No Execution against  
houses or Lands where  
the Cause of Action  
does not exceed £12.

Nor any House  
or Lands to be sold  
but in default of  
personal property.

appointed as aforesaid, are hereby authorized and required, to pay due obedience to the same, and cause the same to be Executed, and returns thereof to be made to the person or persons so appointed issuing the same, as they would do or make, to any Judge or Judges of the Courts of Common Pleas, if such Process had issued from him or them. Provided that such person or persons as shall be appointed for this purpose within the Towns of Quebec and Montreal shall not sit, or hold any Court, for the hearing & determining matters within their Jurisdiction, on any Friday, but on some other day in every week, according to their discretion other than Friday, or in such Vacation as aforesaid.\_\_\_\_

And whereas great and manifold Inconveniencies and Losses, have arisen to the proprietors of real Estates in in this Province, by having their Houses and Lands taken in execution, and exposed to Sale, for the payment of small debts, and also from the hasty and Informal method, of settling the same to Sale, even in cases where the Extent of the Judgement will admit of no other Satisfaction; It is further Ordained and Declared by the Authority aforesaid, that from and after the day of the date of the Publication of this Ordinance, no Process whatsoever, shall be awarded for the Sale of any House or Houses, Land or Lands, Tenement or Tenements, upon any Judgement or Judgements, where the Original cause of Action, shall not exceed the Sum of Twelve pounds, current money of this Province, and that from and after day of the date of the Publication aforesaid, no Houses, Lands or Tenements, taken in Execution upon any Judgement or Judgements, Obtained in His Majesty's Supreme Court of Judicature for this Province, or upon any Judgement or Judgements, obtained out of the Court of Common Pleas in Quebec or Montreal, shall be extended or Sold, by the Provost Marshal, or any ¶ ¶ person whatsoever, unless the personal property of the Defendant or Defendants in the Action, shall be found

insufficient.

Directions to the  
Provost Marshal  
touching the Sale  
of real Estates.

Notice.

No Sale till six  
months after notice.

Bailiff to publish  
the Sale also.

Fees of the Bailiff  
for such Publication

All Estates bound  
from the day of the  
Judgement,

insufficient. And it is further Ordained & Declared by the Authority aforesaid, that upon the issuing of any Writ of Execution for the Sale of any Houses or Lands, or so soon after as may be, the Provost Marshal of the District in which such Houses or Lands shall lie or be, shall cause the same to be Advertized in the Quebec Gazette, both in English and French, and therein set forth as near as may be, the quantity & Condition of such Houses and Lands; together with the Terms and day of Sale, which day of Sale, shall not be till Six Months after such Publication, and at the same time, or so soon after as Conveniently may be, he shall also cause a true Copy of the said Advertizements, both in English and French, to be sent to the Head Bailiff of the Parish where such houses or Lands shall lie or be, who is hereby Ordered and required, to fix the same upon the Door of such Parish Church, and to replace the same, so often as it shall be removed, defaced, or rendered illegible, by time or Accident, and also to publish and declare, the Contents thereof, every Sunday at the door of the said Church, immediately after divine Service, both in the morning and afternoon, that the same may be fully known and understood, by the Inhabitants thereof, for which the said Bailiff shall receive, out of the produce arising from the Sale, the Sum of one Spanish Dollar, to be paid by the Provost Marshal, and allowed in his Accounts:  
Provided always, and it is hereby, and by the Authority aforesaid, further Ordained and Declared, that from any after the day of the date of the Publication aforesaid, all Houses and Lands, against which any Writ or Writs of Execution shall be awarded, for the Sale of the same, shall be taken to be, and they are hereby, and by the Authority aforesaid, declared to be obliged and bound in Law, to pay and satisfy all and every Judgement or Judgements which shall and may be obtained, against the owners and proprietors thereof,

from

And no Conveyance or Disposition good after the date of such Judgment.

Judges to mark on the Writ of Execution the day of Signing the Judgment.

And in case of two or more Executions against the same Defendant on the same day, to be Satisfied in equal Proportions.

from the day on which such Judgement or Judgements shall be pronounced or given, and that no Mortgage, Sale or Assignment, or any Deed of Conveyance, or any Disposition without Deed whatsoever, howsoever, or to whomsoever, made after the day on which such Judgement or Judgements, shall be pronounced or given as aforesaid, shall defeat, avoid, Suspend or delay, the force and Operation of such Judgement or Judgements, but all and every such Mortgage, Sale, Assignment, Deed and Disposition, shall be taken to be, and all and every of them, are, and is hereby, declared to be fraudulent, as against the said Judgement Creditor or Creditors, and to have no validity, power, operation or Effect whatsoever, to the prejudice of such Judgement Creditor or Creditors. And Lastly it is further Ordained and Declared by the Authority aforesaid, that all Judges, and other persons Authorized to Administer Justice, issuing any Writ of Execution, as well where the Cause of Action shall exceed the sum of Twelve pounds as aforesaid, as where it falls short of, or is equal to that sum, shall, and they are hereby Authorized and required to, mark upon such Writ of Execution, the day on which Judgement was given in the Cause, and if two or more Writs of Execution shall be issued, upon Judgements given the same day, against the same Defendant or Defendants, and so marked upon the Writ, such Executions, shall have the same privilege, and be satisfied in the same proportions, And the Provost Marshal, Bailiff or other person, to whom such Writs of Execution shall be awarded, receiving the same, is hereby Authorized and Commanded, after the <sup>Sale of the</sup> whole of such Defendant or Defendants real and personal Estate, where the said Writs shall be awarded against both, in case the same should not be Sufficient to satisfy the whole of the said Judgement, to pay over and divide the Neat produce of such Sale or Sales,

after

after deducting his own Costs and Charges, amongst the Several Plaintiffs, in proportion to the Amount of their respective Judgements.

/Signed/ Guy Carleton

**Given** by His Excellency Guy Carleton  
 Captain General and Governor in Chief  
 in and over the Province of Quebec,  
 Vice Admiral of the same, and Brigadier  
 General of His Majesty's Forces, &c<sup>a</sup>: &c<sup>a</sup>:  
 In Council, at the Castle of Saint Lewis, in  
 the City of Quebec, in the said Province,  
 and passed under the Great Seal of the  
 said Province, on the First day of February,  
 in the Tenth year of His Majesty's Reign, and  
 in the year of Our Lord, One thousand, Seven  
 hundred, and Seventy. \_\_\_\_\_

By His Excellency's Command,  
 /Signed/ Geo: Allsopp. D. C. C.

Guy Carleton

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis,  
 in the City of Quebec, on Thursday the 15.<sup>th</sup> day of  
 February 1770. \_\_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C. J. }

H. T. Cramahé

Thomas Dunn

Sam.<sup>l</sup> Holland

Colin Drummond } Esquires.

The

Receiver General's  
Accompts produced  
and sworn to:

The Hon<sup>ble</sup> Hector Theophilus Cramahé<sup>Esqr.</sup> Acting Receiver  
General, produces his Accompts for the last half year from the  
25.<sup>th</sup> of June to the 24<sup>th</sup> of December 1769, which were compared  
with the Publick Accompts formerly examined and approved  
in Council; and he was <sup>^</sup> <sup>this day</sup> sworn to the truth of his said  
Accompts in Council. \_\_\_\_\_

To be filed in  
the Office.

Ordered that the Receiver General's Accompts be filed  
in the Clerk of the Council's Office. \_\_\_\_\_

Read Report of  
the Com<sup>m</sup>ee on  
the pub: Accompts.

Read the Report of the Committee on the Publick Accompts  
dated the 27 Jan<sup>y</sup> & 11<sup>th</sup> Instant. \_\_\_\_\_

Approved and  
order'd to be  
Entered. \_\_\_

Approved and Confirmed and Ordered that the  
said Report be entered in this Book. \_\_\_\_\_

Four Petitions  
from William  
Van Felson.

Read several Petitions from William Van Felson dated  
the 2<sup>d</sup> May 12 July & 1 Nov<sup>r</sup> 1769 & the 1.<sup>st</sup> Feb 1770 touching his grant  
of Lands at Bonaventure in the Bay of Chaleurs and praying that  
the Mistakes supposed to have been made by the Deputy Surveyor  
General in laying out the same, may be Rectified. \_\_\_\_\_

Refer'd to a  
Committee.

Ordered to be referred to a Committee Viz.<sup>t</sup> Mess.<sup>rs</sup>  
Dunn, Holland and Drummond who are to take the  
said Petitions into Consideration and make Report thereon  
to this Board; and that the Petitioner be directed to attend them.

M.<sup>r</sup> Finlay and  
M.<sup>r</sup> Collins to attend,  
s.<sup>d</sup> Com<sup>m</sup>ee.

Ordered <sup>^</sup> <sup>also</sup> that M.<sup>r</sup> Finlay & M.<sup>r</sup> Collins do attend the said  
Committee. \_\_\_\_\_

Petition of John  
Franks Overseer  
of the Chimnies,

Read the Petition of John Franks Overseer of the  
Chimnies for the City and Suburbs of Quebec, setting forth  
his Losses by the said Office and praying to be relieved.

Referd to the  
above Com<sup>m</sup>ee.

Ordered that the Committee above appointed to  
take W Vanfelson's Petitions into Consideration; do  
likewise consider and report on the s.<sup>d</sup> Petition of Jn.<sup>o</sup> Franks.

Petition of Jos:  
Launier for a  
Salary,

Read the Petition of Joseph Launier, Interpreter  
of the Abenakise and Amalécite Indian Languages, praying  
to be allowed a Salary. \_\_\_\_\_

To lye on the  
Table.

Ordered to lye on the Table. \_\_\_\_\_  
Read



Petition of Sam<sup>l</sup>  
Schreder Mil-  
-wright, about a  
run of water,

Read the Petition of Samuel Schreder, Milwright.  
in regard to a run of Water near a Spot of ground surveyed for  
the Petitioner and on which he has made improvements, with  
a view of making use of the said water, but which is now  
appropriated by Colin Drummond Esquire. \_\_\_\_\_

Dismissed.

Ordered that the Petition be dismissed, the Matter in dispute  
not being a proper object for the determination of this Board. \_\_\_\_\_

Petition of Rob.<sup>t</sup>  
Murray Goal-keeper  
for Fees,

Read the Petition of Robert Murray, Goaler, praying  
to be allowed his Fees for the discharge of sundry Criminals  
by order of Government. \_\_\_\_\_

To lye on the Table.

Ordered to lye on the Table. \_\_\_\_\_

Memorial of  
John Burke  
for payment of  
his Fees as Coroner,

Read Memorial of John Burker Coroner & Clerk of the  
Peace for the District of Montreal, dated the 25 Dec<sup>r</sup> 1769,  
praying payment of his Fees as Coroner. \_\_\_\_\_

Dismissed.

Ordered that the said Petition be dismissed. \_\_\_\_\_

Petition of  
Peter Mills Door-  
-keeper for Fees on  
Petitions presented.

Read the Petition of Peter Mills Doorkeeper,  
praying to be paid Fees on sundry Petitions presented.

Dismissed.

Order'd, the Petition to be dismissed.

Petition of  
Edw<sup>d</sup> W.<sup>m</sup> Gray  
for payment of the  
Executioner's board;

Read the Petition of Edward William Gray  
Deputy Provost Marshal of the District of Montreal,  
praying to be reimbursed the Sum of £32. 2. 3 Quebec Cury  
paid by him for the Executioner's Board. \_\_\_\_\_

Dismissed.

Ordered to be Dismissed. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Quebec

The Report  
Viz.<sup>t</sup>

Quebec the 27<sup>th</sup> January & 11<sup>th</sup> February 1770

Present  
The Hon<sup>ble</sup> Hector Theop<sup>s</sup> Cramahé  
Thomas Dunn  
Colin Drummond

} Esquires

The Committee appointed to examine the Accompts and Claims against the Government of this Province  
from the 25<sup>th</sup> June to the 24<sup>th</sup> December 1769

Fees of Office		Demands as per Accompts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Com <sup>missioners</sup> of the Treasury
		Sterling		Sterling
✓	The Deputy Secretary's Accompt of Fees from the 25 <sup>th</sup> of June to the 24 <sup>th</sup> December 1769.....	147,, 5,, 0	.....	147,, 5,, 0
✓	The Deputy Provost Marshal's Accompt for the District of Quebec from ditto to ditto .....	54,,18, 3	.....	54,,18,, 3
✓	The Deputy Provost Marshal's Accompt for the District of Montreal from ditto to ditto .....	7,,13,, 0	.....	7,,13,, 0
✓	The Deputy Clerk of the Council's Accompt..... from ditto to ditto .....	82,,13,, 6	.....	82,,13,, 6
✓	The Attorney General's Accompt.....from ditto to ditto .....	88,, 4,, 0	.....	88,, 4,, 0
✓	The Coroner's Accompt for the District of Quebec.....from ditto to ditto.....	13,, 3,, 2	.....	13,, 3,, 2
✓	The Coroner's Accompt for the District of Montreal.....from ditto to ditto.....	10,, 1,, 6,,	.....	10,, 1,, 6,,
	Total Fees of Office Sterling £	403,,18,,5	.....	£403,,18,,5
Disbursements and Contingencies				

✓	The Deputy Secretary's Accmpt of Disbursem <sup>ts</sup> & Contingencies from the 25 <sup>th</sup> June to the 24 <sup>th</sup> December 1769	63,, 4,, 3	63,, 4,, 3	
✓	The Deputy Clerk of Enrolment's Accmpt.....from ditto to ditto.....	6,, 2,, 5	6,, 2,, 5	
✓	The Deputy Provost Marshal's Accmpt for the District of Quebec.....from ditto to ditto.....	55,,15,, 0	55,,15,, 0	
✓	The Deputy Provost Marshal's Accmpt for the District of Montrea.....from ditto to ditto.....	68,,15,, 0	68,,15,, 0	
✓	The Deputy Clerk of the Council's Accmpt of Disbursem <sup>ts</sup> & Contingencies from ditto to ditto....	49,, 4,, 0	49,, 4,, 0	
✓	The Clerk of the Peace's Accmpt for the District of Quebec.....from ditto to ditto.....	6,, 5,, 7	6,, 5,, 7	
✓	The Clerk of the Peace's Accmpt for the District of Montreal.....from ditto to ditto.....	8,, 8,, 11	8,, 8,,11	
✓	The Coroner's Accmpt for the District of Quebec .....from ditto to ditto.....	5,, 7,, 6	5,, 7,, 6	
✓	The Coroner's Accmpt for the District of Montreal.....from ditto to ditto.....	5,,12,, 6	5,,12,, 6	
✓	The Hon <sup>ble</sup> William Hey Chief Justice, in Lieu of all Fees, at the rate of £200 Sterling <i>p</i> an <sup>m</sup> for 6 months	100,, 0,, 0	100,, 0,, 0	
✓	.....Ditto..... his Expences going to Montreal and holding the Assizes there in September last	100,, 0,, 0	100,, 0,, 0	
✓	Francis Maseres Esquire Attorney General Attending said Assizes.....	45,, 0,, 0	45,, 0,, 0	
✓	Henry Kneller.....Clerk of the Crown.....Attending ditto.....	27,, 0,, 0	27,, 0,, 0	
✓	James Shepherd.....Prothonotary.....Attending ditto.....	22,,10,, 0	22,,10,, 0	
✓	David Lynd.....Civil Clerk.....Attending ditto.....	22,,10, 0	22,,10, 0	
✓	John Collins Esq. <sup>r</sup> Deputy Surv. <sup>r</sup> Gen. <sup>l</sup> for half a Years rent of an Office, Allowed by the Board of Treasury	25,, 0,, 0	25,, 0,, 0	
✓	Brown and Gilmore Printers to the Government their half years Salary.....	50,, 0,, 0	50,, 0,, 0	
✓	Robert Murray Goal Keeper his Allowance for 6 months @ 1/. Sterling per day.....	9,, 3,, 0	9,, 3,,0	
	Carried over £	669,,18,, 2	669,,18,, 2	83

Disbursements & Contingencies Continued		Demands as per Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
	Brought forward	£669,,18,, 2	£669,,18,, 2	
✓	Thimothy Devine Cryer his Allowance for Attending the Supreme Court..... £5,,0,,0			
	Ditto for his allowance for Firewood & Stationary for the Supreme Court, & Supply. <sup>g</sup> firewood for the Church, for both F <sup>ch</sup> & En <sup>sh</sup> Service 10,,12,,6			
✓	Ditto for Attending the Q <sup>e</sup> Sessions and the Justices weekly Courts, & for his Allow. <sup>oe</sup> for Firewood Stationary &c. <sup>3</sup> for said Court.....9,,7,,6	25,, 0,, 0	25,, 0,, 0	
✓	Daniel Gallwey Interpreter for Attending the Several Courts of Justice.....	33,, 0,, 0	33,, 0,, 0	
	Zachary Thompson Captain of the Port his Disbursements & Contingencies.....	43,, 4,, 6	43,, 4,, 6	
	John Maurez for half a Years rent of a House at Montreal and the Furniture thereof for the use of the Governor	37,,10,, 0	37,,10,, 0	
	The Seminary at Montreal for half a Years rent of a Court house.....	11,, 5,, 0	11,, 5,, 0	
	John B <sup>te</sup> Grand Maison for his half years Pension.....	8,, 4,, 3	8,, 4,, 3	
	Thomas Dunn Esq <sup>r</sup> for Sundry Presents made to the Ind. <sup>ns</sup> in different parts of the Province, by ord. <sup>r</sup> of the Governor	29,, 1,, 8	29,, 1,, 8	
	The Post office for the Governments Letters.....	22,, 5,, 4	22,, 5,, 4	
✓	James Jackson Schoolmaster for 3 months Salary & Schoolhouse rent from 25 <sup>th</sup> June to 24 <sup>th</sup> September 1769	6,,13,, 9	6,,13,, 9	
✓	John Fraser Schoolmaster for 3 months .....ditto.....from 25 <sup>th</sup> Septem. <sup>r</sup> to 24 <sup>th</sup> December 1769	6,,13,, 9	6,,13,, 9	
✓	Nicholas Davis Messenger his Allowance for 6 months and Disbursements.....	12,, 8,, 10	12,, 8,, 10	
	For the hire of a Room for the Grand Jury for 6 months.....	10,, 0,, 0	10,, 0,, 0	
✓	Henry Kneller Esq <sup>r</sup> as Sollicitor for the Crown & his Disbursem. <sup>ts</sup> in suing for the Rum duties in July 1769.....	31,,14,, 8	31,,14,, 8	
✓	Francis Joseph Cugnet, for taking sundry Extracts from the Ancient Registers of the Laws & Regulations of this Province whilst under the French Government, and making sundry Copies of the same	36,, 0,, 0	36,, 0,, 0	
✓	David Lynd, Clerk of the Court of Common Pleas, his Disbursem <sup>ts</sup> , for Repairs and for two Stoves and Fuel furnished the said Court.....			
	Henry Dunn Carpenter for Sundry Repairs to the Chateau Saint Louis.....£65,, 8,, 0			
	for ditto.....to the Several Court houses.....27,, 2,, 5			
	for ditto.....to the Publick Goal at Quebec.....93,,10,, 7✓	186,, 1,, 0	186,, 1,, 0	
	Total Disbursem <sup>ts</sup> & Contingencies Sterling £	1198,, 5,, 6	1198,, 5,, 6	.....

Examined and Approved in Council \_\_\_\_\_/Signed/ H. T. Cramahé P. C.  
Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Wednesday the Eighteenth day of April 1770.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C. J.

H T Cramahé.

Tho.<sup>s</sup> Dunn

Hugh Finlay

Sam.<sup>l</sup> Holland

Walter Murray

Colin Drummond

} Esquires.

Read Report  
Com<sup>tee</sup> on  
W<sup>m</sup> Vanfelsons  
Petitions.

Read the Report of the Committee appointed the 15<sup>th</sup> and  
held the 19 February last on divers Petitions of W.<sup>m</sup> Van Felson,  
Dated the 2<sup>d</sup> May 12 July & 1 Novem<sup>r</sup> 1769 and 1<sup>st</sup> Feb<sup>y</sup> 1770. \_\_\_\_

Approved, ordered  
to be enterd and  
the Petitions  
Dismissed.

Approved and Ordered that the Report be  
Entered in this Book; and that the said Petitions of  
William Van Felson be dismissed. \_\_\_\_\_

Memorial of  
divers Merch<sup>ts</sup> at  
Montreal praying  
leave to sell  
liquors in less  
quantity than  
3 Gallons.

Read Memorial of divers Merchants of Montreal,  
praying for the reasons therein mentioned, that the Ordinance  
of the 23.<sup>d</sup> February 1768, so far as it restrains the Memorialists  
from Selling Spirituous Liquors by Retail in a less quantity  
than Three Gallons at a time, may be amended, by allowing them  
to sell the said Liquors in so small a quantity as Two, or even  
as one Gallon at a time. \_\_\_\_\_

To lye on the  
Table.

Ordered to lye on the Table. \_\_\_\_\_

His Majesty's  
Order in Council  
to grant Lands  
to F Dutins  
D Anderson &  
W Smith,

Read his Majesty's Order in Council dated at S.<sup>t</sup> James's  
the 3<sup>d</sup> May of May 1769, directing that 10,000 Acres of unappropriated  
Land be surveyed in one Contiguous Tract on the Coast of  
Bonaventure in Chaleurs Bay, for Frederick Dutins, Duncan  
Anderson & William Smith, in such part as they shall chuse,  
and a Grant made thereof, under the Terms, Conditions and  
Reservations therein expressed;

Read also

Their Petition  
to have it laid  
out at Tracadigas  
& Paspebiac  
in manner  
of Seignories.

Read also the Petition of the said Duncan Anderson  
and William Smith, in behalf of themselves and said Frederick  
Dutins, praying that the quantity of 5000 Acres of the  
abovementioned Lands be granted to the Petitioners at  
Tracadigauche, and the remaining quantity of 5000 Acres  
at Paspebiac, both Tracks in manner of a Seignory,  
agreeable to the Ancient French Custom. \_\_\_\_\_

Refer'd to the  
Committee.

Ordered to be filed and that the Order in Council  
and Petition abovementioned be referred to the Committee  
for Grants of Lands. \_\_\_\_\_

Memorial of  
Jenkin Williams  
Reg<sup>r</sup> in Chancery  
for a Salary. &c.

Read the Memorial of Jenkin Williams,  
Register in Chancery, praying a Salary and that the  
Fees of his Office may be regulated by this Board.

Refer'd to the  
Com<sup>m</sup>tee appointed  
to take The Fees  
of the Pub Officers  
into considerat.<sup>n</sup>

Ordered to be filed and referred to the Committee who  
have at present the Fees of the Publick Officers of  
this Province under Consideration. \_\_\_\_\_

Read the  
Copy of a  
Memorial of  
divers Merch<sup>ts</sup>  
of Quebec praying  
a Repeal or amend-  
ment of the  
Ord.<sup>ce</sup> of 1.<sup>st</sup>  
Feb<sup>y</sup> 1770

Read the Copy of a Memorial of divers  
Merchants and other Inhabitants of the City of Quebec,  
praying, for the Reason therein mentioned, that the  
Ordinance, dated the 1<sup>st</sup> Feb<sup>y</sup> and published the 22<sup>d</sup> March  
last, for Regulating the Courts of Law &c, may be repealed  
or amended. \_\_\_\_\_

To lye on  
the Table

Ordered to lye on the Table, and that any of  
the Members of this Board that require it may be  
furnished with Copies of the said Memorial. \_\_\_\_

The Report of  
the Committee  
on M.<sup>r</sup> Vanfelson's  
Petition's.  
Viz<sup>t</sup>

“At a Committee of Council held at Quebec  
“on the 19<sup>th</sup> day of February 1770, On divers petitions  
“from William Van Felson touching his Grant of  
“Lands at Bonaventure in Chaleurs Bay  
“within this Province.

Present

“ Present \_\_\_\_\_  
 “ The Hon~ble Thomas Dunn Esq.<sup>r</sup> President  
 “ Samuel Holland }  
 “ Colin Drummond } Esquires.

“In Obedience to an order of your Excellency in Council  
 “bearing date the 15,<sup>th</sup> instant referring to this Committee the  
 “following Petitions from William Van Felson, to wit; of the 2<sup>d</sup> May,  
 “12.<sup>th</sup> July & 1<sup>st</sup> November 1769 and the 1<sup>st</sup> instant, setting forth  
 “particularly that the Deputy Surveyor General had not laid  
 “out for the Petitioner a Certain Tract of Land at a place called  
 “Bonaventure in the Bay of Chaleurs within this Province  
 “as petitioned for and conformable to a Warrant of Survey  
 “supposed by the Petitioner to have been directed to him for  
 “that purpose in the year 1765, and praying redress.\_

“ The Committee do agree humbly to Report to your  
 “Excellency in Council that, having taken into their consideration  
 “the said Petitions, together with the Answer of John Collins  
 “Esquire, Deputy Surveyor General of this Province, dated the  
 “5,<sup>th</sup> September last, to the charges brought against him by the  
 “Petitioner; And the Petitioner not having been able to  
 “Support his Allegations, or, after a strict search made in  
 “the Secretary’s and Clerk of the Council’s Offices, to prove that  
 “any Warrant was directed to the said Deputy Surveyor  
 “General to lay out Lands for the Petitioner prior to, or  
 “other than, that of the 29,<sup>th</sup> April 1766, they are of  
 “Opinion that the Complaints against M.<sup>r</sup> Collins  
 “are entirely groundless and without foundation and  
 “that he has strictly complied with His Majesty’s  
 “Royal Instructions in regard to the laying out of Lands  
 “in this Province in general, and with the Warrant  
 “of Survey of the 29,<sup>th</sup> April 1766 before mentioned, in

behalf

“behalf of the Petitioner in particular. And therefore  
“they humbly submit to Your Excellency in Council,  
“that the said Petitions of William Vanfelson should be  
“Dismissed. \_\_\_\_\_

/Signed/ “Thom.<sup>s</sup> Dunn”

Guy Carleton

At the Council Chamber,  
in the Castle of Saint Louis, in the City of Quebec,  
on Wednesday the twenty third day of May 1770.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.

H. T. Cramahé.

Thomas Dunn

Samuel Holland

Colin Drummond

} Esquires.

Oaths and Declaration  
administered to the  
Hon<sup>ble</sup> H. T. Cramahé Esq.  
& Jn.<sup>o</sup> Marteilhe Esq.<sup>r</sup>  
Judges of the Common  
Pleas. \_\_\_\_\_

The State Oaths, Declaration against Transubstantiation  
and Oath of Office were administred to the Hon<sup>ble</sup> Hector  
Theo.<sup>s</sup> Cramahé Esq.<sup>r</sup>, and likewise to John Marteilhe Esquire,  
Judges of the Court of Common Pleas for this Province,  
and signed by them respectively. \_\_\_\_\_

Read the  
Report of the Com<sup>m</sup>tee  
on John Franks’s  
Petition. \_\_\_\_\_

Read the Report of the Committee appointed the  
15<sup>th</sup> February and held the 28 April 7 & 12 May 1770 on  
the Petition of John Franks dated the 31 Decem<sup>r</sup> 1769. \_\_\_\_\_

Approved, and ...  
the Receiver General  
to pay him £100  
in Consequence.

Approved and Ordered that the Report be  
Entered in this Book, and that a Warrant be directed  
to the Receiver General to pay the said John Franks  
the Sum of One hundred pounds Halifax Currency  
as a Compensation for his Trouble, Losses, and for  
Sweeping the Chimnies of Poor Persons for the time  
mentioned in the said Report.

The Report  
Viz.<sup>t</sup>

“At a Committee of Council held at Quebec the  
“28<sup>th</sup> April 7 and 12<sup>th</sup> May 1770 on the Petition of John  
“Franks Overseer of the Chimnies for the City and Suburbs  
“of Quebec. \_\_\_\_\_

Present



“ Present \_\_\_\_\_  
 “ The Hon<sup>#</sup>ble Thomas Dunn Presid<sup>d</sup> }  
 “ Samuel Holland } Esquires.  
 “ Colin Drummond ... }

“In Obedience to an order of your Excellency in Council  
 “bearing date the 15<sup>th</sup> of February last, referring to us the  
 “Petition of John Franks Overseer of the Chimnies for the  
 “City and Suburbs of Quebec, dated the 31<sup>st</sup> December  
 “1769, Setting forth his Loss by that Employment and praying  
 “Relief; \_\_\_\_\_ We have taken into consideration the  
 “above mentioned Petition together with a state of M<sup>r</sup> Franks’s  
 “Acco<sup>st</sup> of Receipts and Disbursements, proved upon the Oath of  
 “his Assistant; And do humbly agree to report to your Excellency  
 “in Council that we find the Expences attending the Execution  
 “of his Office for the first year, that is to say, from the 8<sup>th</sup>  
 “November 1768 to the 31<sup>st</sup> October 1769 inclusive do

“Amount to the Sum of .....£ 181,, 5,, 0 Halifax Cur<sup>y</sup>

“That the whole money he has received, for Sweeping the }  
 “Chimnies of the City and Suburbs aforesaid for that } 170,, 5,, 0  
 “time Amounts to no more than..... }

“ So that he is actually in advance the Sum of £11,, 0,, 0 –

“We also find by his Sundry Accompts, proved upon Oath  
 “as aforesaid That the sweeping all the Chimnies Occupied in the  
 “said City and Suburbs for one whole year, would, if regularly  
 “Swept, Amount to about.....£374,,6,,6 Halifax Cur<sup>y</sup>

“ Of which he has only received, as above.....£170,,5,,0.

“That he has lost by disputed bad debts, people leaving }  
 “ the Town &c<sup>a</sup> as per list..... } 69,,18,,0

“That he may still recover of Outstanding debts about the sum of 8,,0,,0

“Which, with the Amount of his Accompt for Sweeping the }  
 “Chimnies of houses Occupied by poor persons, Sold<sup>rs</sup> &c.<sup>a</sup> as p list being } 126,,3,,6

“Will together form the Sum above mentioned of £374,,6,,6

“ The Committee, considering the great usefulness of  
 “M<sup>r</sup> Franks’s Employment to the Province in General, do humbly  
 “recommend to your Excellency in Council to make him such allowance  
 “for his Trouble during the time above Stated, as to this Board, shall  
 “seem just. \_\_\_\_\_ /Signed/ “Thom.<sup>s</sup> Dunn”

Read

Memorial of divers Merchants of Montreal praying a repeal or amendment of the Ord.<sup>ce</sup> for the more effectual adminis.<sup>n</sup> of Justice &c.

To lye on the Table.

Memorial of Jacob Rowe D Prov. Marsh.<sup>1</sup> touching his office. \_\_\_

Refer'd to the Com<sup>m</sup>tee on the Publick officer's Fees. \_\_\_\_\_

Petition of Hen. Mounier for Lands at Tracadies in Chaleurs Bay.

Refer'd to the Com<sup>m</sup>tee

Apprehensions that the Settlers at Chaleurs Bay will abandon the Place for want of proper Grants.

Read Memorial of divers Merchants of the City of Montreal praying for the Reasons therein set forth, that the Ordinance for the more effectual Administration of Justice and for regulating the Courts of Law in this Province may be repealed or amended.

Ordered to lye on the Table and that any of the Members of this Board that require it, may be furnished with Copies of the s.<sup>d</sup> Memorial. \_\_\_\_\_

Read Memorial of Jacob Rowe Deputy Provost Marshal for the District of Quebec, setting forth the inequality of his Fees and Perquisites to the Trouble of executing the said Office and praying Relief: and likewise praying to be heard in regard to his Right of Poundage on Executions served by him and in respect to other matters set forth in said Memorial. \_\_\_\_\_

Ordered to be filed and refer'd to the Committee who now have under Consideration The Fees of the Publick officers of this Province. \_\_\_\_\_

Read the Petition of Henry Mounier praying for a Grant of a Tract of Land 5 miles in Front upon a proportionable Depth, at Tracadies in the Bay of Chaleurs, where the Petitioner has already settled several Families and made other Improvements, at a great Expence, for carrying on the Fishery. \_\_\_

Ordered to be filed and referd to the Committee for Grants of Lands. \_\_\_\_\_

Upon a Representation made to the Governor in Council, that it is apprehended many of the Inhabitants of Chaleurs Bay, and

of that part of the Province, will, from the want of proper Grants being made out for the Lands whereon they are settled, quit this Province in order to settle Elsewhere.

Assurances  
to be given them  
that the Governor  
expects Instruct.<sup>s</sup>  
to grant those  
lands on benefi-  
cial terms  
next year.

It is Ordered that a Letter be wrote to M<sup>r</sup> Henry Mounier, informing him that so soon as the Governor shall receive Instructions to grant the Lands in those Parts on Terms and Conditions that will be beneficial to the Inhabitants, which he expects to receive next year, that Grants will be immediately made out, and that M<sup>r</sup> H<sup>y</sup> Mounier be desired to communicate such Letter to the said Settlers.\_\_\_\_

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Wednesday the 30<sup>th</sup> day of May 1770.

Present.

His Excellency Guy Carleton, Governor.

The Honble William Hey C J.

H. T. Cramahé.

Tho Dunn

Hugh Finlay

Sam.<sup>l</sup> Holland

Walter Murray

Colin Drummond

} Esquires.

Read  
Report of the  
Com<sup>m</sup>tee on the  
Excess of Rum  
Duties.

Read the Report of the Committee appointed the 1<sup>st</sup> Feb last, and held the 2.<sup>d</sup> 5.<sup>th</sup> 9.<sup>th</sup> April 2.<sup>d</sup> 22.<sup>d</sup> 23.<sup>d</sup> & 24.<sup>th</sup> Instant on the Petition of Jotham Gay, R.<sup>d</sup> Dobie and other Claimants to the Excess of Rum Duty p.<sup>d</sup> prior to the Establishment of Civil Government, in which Report are also included the Claims of divers other Persons who appeared before the Committee with Vouchers for the like Duty paid by them.

Approved,  
& orderd that  
Warrants be  
directed to the  
Receiver General  
to pay the  
Claimants agre<sup>~</sup>able  
thereto.

Approved and Ordered that the Report be Entered in this Book and that Warrants be directed to the Receiver General to pay the Claimants the Excess of Duty and Interest thereon as stated in the said Report. \_\_\_\_\_

Quebec

At a Committee of the Council appointed the 1<sup>st</sup> February and held the 2,<sup>d</sup> 5<sup>th</sup>  
to the Excess of Duty Collected on Rum imported into the Port of Quebec during the

The Hon<sup>ble</sup>

Claimants Names	Collectors names	Date of the Entry	Quantity of Rum Gallons	Vessels Names	Gross Amount of Duty on Rum Halifax Currency	Deductions made	
						for Leakage 5 per Cent	other Deductions
John M <sup>c</sup> Cord	Sam <sup>l</sup> Morin	23 <sup>d</sup> June 1761	760	<i>p</i> non pareil	19,,0,,0	.....	
	John Gray	10 <sup>th</sup> Novem. <sup>r</sup> 1761	3314	W <sup>m</sup> & Sarah	82,,17,,0	4,, 2,,9	
	ditto	22 <sup>d</sup> Octob. <sup>r</sup> 1762	354	.....	8,,17,,0		
	Tho <sup>s</sup> Ainslie		960	Betsey	24,, 0,,0		
Calvin Gay	Sam <sup>l</sup> Morin	5 <sup>th</sup> June 1761	300	Betsey	7,,10,,0	0,, 7,,6	
	ditto	9 <sup>th</sup> June 1761	304	Juno	7,,12,,0	0,, 7,,6	
	ditto	14 <sup>th</sup> Aug <sup>t</sup> 1761	246	Neptune	6,, 3,,0		
	John Gray	5 <sup>th</sup> October 1761	1612½	Deborah	40,, 6,,3	2,, 0,,3	
John Phillips	John Gray	.....	1050	.....	26,, 5,,0	.....	.....
	John Gray	9 <sup>th</sup> June 1761	590	Juno	14,,15,,0	1,,17,,3	
Tho. <sup>s</sup> Mellish, for Lew. <sup>s</sup> Turner	John Gray	24 <sup>th</sup> May 1761	3540	Young Eagle	22,,10,,0		29,,10,,0
	ditto	27 <sup>th</sup> May 1761	2340	Dolphin	88,,10,,0		
	ditto	28 <sup>th</sup> May 1761	5500	Young Eagle	58,,10,,0		
	ditto	9 <sup>th</sup> June 1761	4523	Salisbury	137,,10,,0		
	ditto	ditto	1823	Juno	113,, 1,,6		
	ditto	13 <sup>th</sup> June 1761	1643	ditto	45,,11,,6		
	ditto	19 <sup>th</sup> June 1761	1770	Beaver	41,, 1,,6		
	ditto	ditto	2445	Polly	44,, 5,,0		
			Betsey	61,, 2,,6			
Hen <sup>n</sup> Kneller, for Ch. <sup>s</sup> Conner p. <sup>d</sup> by D. Allgeo }	John Gray	16 <sup>th</sup> May 1761	1172	Three friends	589,,12,,0		
					29,, 6,,0		
John M <sup>c</sup> Cord for Jn. <sup>o</sup> Cebra	John Gray	4 <sup>th</sup> June 1761	3267	Marq <sup>s</sup> Granby	81,,13,,6	4,, 1,,8	
	ditto	23 <sup>d</sup> June 1761	219	Non pareil	5,, 9,,6	0,, 5,,0	
Jane Walker, for Jos Walker deceased	Alex M <sup>c</sup> Kenzie	20 <sup>th</sup> Janry 1761	7148	in Cellar	178,,14,,0	5,, 5,,9	
	John Gray	21 <sup>st</sup> May 1761	1104	Kealing	27,,12,,0		
	ditto	21 <sup>st</sup> May 1761	1309	George	32,,14,,6		
	ditto	5 <sup>th</sup> June 1761	720	Betsey	18,, 0,,0		
	ditto	18 <sup>th</sup> June 1761	1100	Montreal	27,,10,,0		
					105,,16,,6		
Ja. <sup>s</sup> Jeffry for P <sup>r</sup> Faneuil	John Gray	26 <sup>th</sup> May 1761	1055	<i>p</i> Triton	26,, 7,,6		
		29 <sup>th</sup> May 1761	99	News wallow	2,, 7,,0		
			590	News wallow	14,,15,,0	0,,14,,9	
			671	Two Brothers	16,,15,,6	0,,16,,9	

the 24<sup>th</sup> May 1770  
 9<sup>th</sup> April 2,<sup>d</sup> 22,<sup>d</sup> 23<sup>d</sup> & 24<sup>th</sup> May 1770. for the Examination of the Accompts of divers Claimants  
 Administration of Governor Murray, prior to the Establishment of Civil Government. \_\_\_\_\_

Present

Hector Theophilus Cramahé Esq.<sup>r</sup> President

Thomas Dunn

Colin Drummond } Esquires

Net Amo. <sup>t</sup> of Duty on Rum Halifax Currency	Date of Receipts	By whom Received	Sums Received Halifax Curr <sup>y</sup>	Deductions to be made therefrom	Net Sum paid for Rum Halifax Curr <sup>y</sup>	Excess of Duty on Rum being one third part or Two pence p Gallon	Interest on the Excess Calculated as 5 per Cent per annum to the 24 <sup>th</sup> May 1770		Sums to be refunded with Interest included Halifax Currency	Total Amounts in Sterling Allowed by the Committee and approved in Council Ex. at 104 p Cent
							Years days	Amount of Interest		
19,, 0,, 0	13 <sup>th</sup> Septemb <sup>r</sup> 1761 26 <sup>th</sup> Ditto	Sam. <sup>l</sup> Morin ditto	7,, 8,, 8 42,, 0,, 6	..... 30,, 9,, 2 for Shrub &	7,, 8,, 8 11,, 11,, 4	2,, 9,, 7 3,, 17,, 1	8,, 253 8,, 240	1,, 1,, 7 1,, 13,, 4	3,, 11, 2 5,, 10,, 5	
78,, 14,, 3 8,, 17,, 0 24,, 0,, 0	23 <sup>d</sup> Febr <sup>y</sup> 1762 21 <sup>st</sup> April 1763 31 <sup>st</sup> May 1764	John Gray John Gray Tho <sup>s</sup> Ainslie	87,, 15,, 5 12,, 17,, 0 27,, 10,, 0	Cordials 9,, 1, 2 Shrub & Brandy 4,, 0,, 0 Shrub 3,, 10,, 0 Shrub	78,, 14,, 3 8,, 17,, 0 24,, 0,, 0	26, 4, 9 2, 19, 0 8, 0, 0 43, 10, 5	8,, 90 7,, 33 5,, 358	10,, 16,, 5 1,, 0,, 11 2,, 7,, 11 17,, 0,, 2	37,, 1, 2 3,, 19,, 11 10,, 7,, 11 60,, 10,, 7	58,, 4,, 0
7,, 2,, 7 7,, 4,, 6 6,, 3,, 0	27 <sup>th</sup> Aug <sup>t</sup> 1764	Sam <sup>l</sup> Morin	20,, 10,, 0		20,, 10,, 0	6,, 16,, 8	8,, 270	2,, 19,, 9	9,, 16,, 5	
38,, 6,, 0 26,, 5,, 0	3 <sup>d</sup> March 1762 19 <sup>th</sup> Novemb <sup>r</sup> 1762	John Gray John Gray	38,, 6,, 0 26,, 5,, 0	..... .....	38,, 6,, 0 26,, 5,, 0	12,, 15,, 4 8,, 15,, 0	8,, 82 7,, 186	5,, 5,, 0 3,, 5,, 8	18,, 0,, 4 12,, 0,, 8	
35,, 7,, 9	1 <sup>st</sup> March 1762 24 <sup>th</sup> June 1761 31 <sup>st</sup> Aug <sup>t</sup> 1761 12 <sup>th</sup> Janry 1762 23 <sup>d</sup> Febr <sup>y</sup> 1762	John Gray John Gray ditto ditto ditto	101,, 5,, 5 43,, 6,, 6 100,, 0,, 0 100,, 0,, 0 317,, 4,, 2	65, 17, 8 for Am <sup>d</sup> Welles ..... ..... ..... 0, 8, 8 for Shrub	35,, 7,, 9 43,, 6,, 6 100,, 0,, 0 100,, 0,, 0 316,, 15,, 6 560,, 2,, 0	111, 5, 11 14, 8, 10 33, 6, 8 33, 6, 8 105, 11, 10 186, 14, 0	8,, 84 8,, 334 8,, 266 8,, 132 8,, 90	4,, 17,, 1 6,, 8,, 8 14,, 11,, 0 13,, 18,, 8 43,, 10,, 10 78,, 9,, 2	16,, 13,, 0 20,, 17,, 6 47,, 17,, 8 47,, 5,, 4 149,, 2,, 8 265,, 3,, 2	38,, 6,, 9 16,, 0,, 2 254,, 19,, 2
29,, 6,, 0	15 <sup>th</sup> Decemb <sup>r</sup> 1761	John Gray	70,, 0,, 0	40, 14, 0 for Acco <sup>d</sup> of othes	29,, 6,, 0	9,, 15,, 4	8,, 160	4,, 2,, 5	13,, 17,, 9	13,, 7,, 1
77, 11, 0 5,, 4,, 6	24 <sup>th</sup> Aug <sup>t</sup> 1761 24 <sup>th</sup> Septem <sup>r</sup> 1761	John Gray ditto	77,, 11,, 10 5,, 4,, 6	..... .....	77,, 11,, 10 5,, 4,, 6	25,, 17,, 3 1,, 14,, 10 27, 12, 1	8,, 273 8,, 242	11,, 6,, 3 0,, 15,, 1 12, 1, 4	37,, 3,, 6 2,, 9,, 11 39,, 13,, 5	38,, 2,, 11
178,, 14,, 0	21 <sup>st</sup> Novem <sup>r</sup> 1761 6 <sup>th</sup> March 1762 15 <sup>th</sup> June 1762	Alex M <sup>r</sup> Kenzie John Gray ditto	178,, 14,, 0 50,, 0,, 0 51,, 0,, 3	..... 0, 9, 6 for Shrub .....	178,, 14,, 0 49,, 10,, 6 51,, 0,, 3	59,, 11,, 4 16,, 10,, 2 17, 0, 1 93, 1, 7	8,, 184 8,, 79 7,, 343	25, 6, 7 6, 15, 7 6, 15, 0 38, 17, 2	84,, 17,, 11 23,, 5,, 9 23,, 15,, 1 131,, 18,, 9	126,, 17,, 3
26, 7, 6 2,, 7,, 0 14,, 0,, 3 15,, 18,, 9 58,, 13,, 6	22 <sup>d</sup> Febr <sup>y</sup> 1762	John Gray	58,, 13,, 6	.....	58,, 13,, 6	19,, 11,, 2	8,, 91	8,, 1,, 4	27,, 12,, 6	26,, 11,, 3
Carried over £									572,, 8,, 7	

Claimants Names	Collectors Names	Date of the Entry	Quantity of Rum Gallons	Vessels Names	Gross Amo <sup>l</sup> of Duty on Rum Halifax Currency	Deductions made		Net Amount of Duty on Rum Halifax Curr <sup>y</sup>
						for Leakage 5 per Cent	other Deductions	
Jeffry & Faneuil	John Gray	June 1762	290	Success	7,,5,,0	.....	.....	7,,5,,0
Ja. <sup>s</sup> Jeffry. for D <sup>l</sup> Sigourney	John Gray	6 <sup>th</sup> Septem <sup>r</sup> 1761 20 <sup>th</sup> Septem <sup>r</sup> 1761	93	Speedwell	2,,6,,6	} 2,,2,,6	.....	40,,10,,0
			640	Polly	16,,0,,0			
			972	Keatie & Betsey	24,,6,,0			
			180		4,,10,,0			
Ja. <sup>s</sup> Jeffry, for Gro. <sup>v</sup> Townsend p. <sup>d</sup> by Jos. Walker	John Gray	10 <sup>th</sup> June 1762	7975	Union	199,,7,,6	9,,19,0		189,,8,,6
Ja. <sup>s</sup> Jeffry, for Herman Brismmer	John Gray	9 <sup>th</sup> June 1761	323	Juno	8,,1,,6	0,,8,,0		7,,13,,6
Ja. <sup>s</sup> Jeffry, for Jonas Clark Minot	Sam. <sup>l</sup> Morin	28 <sup>th</sup> May 1761 27 <sup>th</sup> ditto	618	Good fortune	15,,9,,0	} 0,,15,,6	.....	14,,13,,8
			676½	Hope	16,,18,,3			
	John Gray	9 <sup>th</sup> June 1761	474¼	Juno	11,17,,1½	} 1,,8,,8½	.....	27,,6,,8
	John Gray	25 <sup>th</sup> June 1762 16 <sup>th</sup> July 1762	.....	Juno Success.....	..... .....			
Allsopp & Welles for E <sup>d</sup> Chinn p. <sup>d</sup> by Chinn & Law	Alex <sup>r</sup> M <sup>r</sup> Kenzie	5 <sup>th</sup> Decem <sup>r</sup> 1760	2395	in Cellar	59,,17,,6			59,,17,,6
Thomas Lamy	Sam. <sup>l</sup> Morin & John Gray	21 <sup>st</sup> May 1761	1027	Elizabeth	25,,13,,6	1,,5,,6		24,,8,,0
Jn. <sup>o</sup> Bondfield for B. Comte & C <sup>o</sup> paid by Mich <sup>r</sup> Franklin & C <sup>o</sup> }	John Gray	25 <sup>th</sup> May 1761 10 <sup>th</sup> Septem <sup>r</sup> 1761 6 <sup>th</sup> Novem <sup>r</sup> 1761 6 <sup>th</sup> Septem <sup>r</sup> 1761	5646	Seaflower	141,,3,,0	} ..... ..... ..... .....	.....	.....
			500	Speedwell	12,,10,,0			
			100	Southold	2,,10,0			
			2395	Speedwell	59,,17,6			
P. <sup>r</sup> Fargues, for Wharton & Story  (Claimed by Geo: Jackson)	John Gray	21 <sup>st</sup> May 1761 25 <sup>th</sup> May 1761 29 <sup>th</sup> May 1761 11 <sup>th</sup> Septem <sup>r</sup> 1761	348	Canada	8,,14,,0	0,,8,,9		8,,5,,3
			6547½	Seaflower	163,,13,,9	8,,3,,8		155,,10,,1
			4821	Polly	120,,10,,6	6,,0,,6		114,,10,,8
			229	Nancy	5,,14,,6	0,,5,,8		5,,8,,10
	Tho <sup>s</sup> Ainslie		180		4,,10,,0			283,,14,,2 4,,10,,0
Geo: Jackson for Ottley & Woodyer paid by Cap <sup>r</sup> Dorrell	Tho. <sup>s</sup> Ainslie	1 <sup>st</sup> Septem. <sup>r</sup> 1764	2163	Sandypoint	54,,1,,6	.....	.....	54,,1,,6
Jenkins Trye & Allsopp	Tho <sup>s</sup> Ainslie	31 <sup>st</sup> October 1763 ditto	660	Elizabeth	16,,10,,0	0,,16,,6		15,,13,,6
			110	ditto.....	2,,15,,0	0,,2,,9		2,,12,,3
Jn. <sup>o</sup> MCord for Arnold Welles paid by John Phillips }	John Gray	21 <sup>st</sup> May 1761	2774	Elizabeth	69,,7,,0	3,,9,,4		65,,17,,8
Eliz Fitzsimons, Wid of Jo. Fitzsimons paid by M <sup>r</sup> Wier.....	Alex M <sup>r</sup> Kenzie	8 <sup>th</sup> Decem <sup>r</sup> 1760	100	in Cellar	2,,10,,0			2,,10,,0
	John Gray	24 <sup>th</sup> May 1761	419½	Dolphin	10,,9,,9			10,,9,,9

Date of Receipts	By whom received	Sums received Halifax Curr <sup>y</sup>	Deductions to be made therefrom	Net sum paid for Rum Halifax Curr <sup>y</sup>	Excess of Duty on Rum being one third part or Two pence p Gallon	Interest on the Excess calculated as 5 p Cent p Annum to the to the 24 <sup>th</sup> May 1770		Sums to be refunded with Interest Included Halifax Curr <sup>y</sup>	Total Amounts in Sterling Allowed by the Comm-ee & approved in Council Exc. 104 p Cent
						Years days	Amo <sup>t</sup> of Interest		
							Brought	over £	<b>572 8 7</b>
5 <sup>th</sup> Febr'y 1763	John Gray	7,,5,,0	.....	7,,5,,0	2,,8,,4	7 108	0,,17,,8	<u>3,,6,,0</u>	3,,3,,6
7 <sup>th</sup> Decem. <sup>r</sup> 1761	John Gray	20,,0,,0		20,,0,,0	6,,13,,4	8,, 168	2,,16,,5	9,,9,,9	
24 <sup>th</sup> Decem. <sup>r</sup> 1761	ditto	20,,10,,0		20,,10,,0	6,,16,,8	8,,151	3,,11,,6	10,,8,,2	
17 <sup>th</sup> Febr'y 1763	ditto	4,,10,,0		4,,10,,0	<u>1,,10,,0</u>	<u>7,,96</u>	<u>0,,10,,11</u>	<u>2,,0,,11</u>	
8 <sup>th</sup> Septemb. <sup>r</sup> 1763	John Gray	189,,8,,6		189,,8,,6	<u>15,,0,,0</u>		<u>6,,18,,10</u>	<u>21,,18,,10</u>	21,,1,,11
					63,,2,,10	6,,258	21,,3,,6	<u>84,,6,,4</u>	81,,1,,6
29 <sup>th</sup> Febr'y 1762	John Gray	7,,13,,6		7,,13,,6	2,,11,,2	8,,115	1,,1,,3	<u>3,,12,,5</u>	3,,9,,7
26 <sup>th</sup> August 1761	Sam. <sup>l</sup> Morin	14,,13,,6		14,,13,,6	4,,17,,40	8,,271	2,,2,,9	7,,0,,7	
20 <sup>th</sup> July 1761	ditto	27,,6,,8		27,,6,,8	9,,2,,3	8,,308	4,,0,,8	13,,2,,11	
31 <sup>st</sup> Janry 1763	John Gray	.....	.....	94,,10,,0	<u>31,,10,,</u>	<u>7,,113</u>	<u>11,,10,,3</u>	<u>43,,0,,3</u>	
					<u>45,,10,,1</u>		<u>17,,13,,8</u>	<u>63,,3,,9</u>	60,,15,,2
23 <sup>d</sup> Febr'y. 1761	Alex. <sup>r</sup> M <sup>c</sup> Kenzie	64,,17,,0	4,,19,,6 for Brandy	59,,17,,6	19,,19,,2	9,,90	9,,4,,6	<u>29,,3,,8</u>	28,,1,,2
30 <sup>th</sup> Septem. <sup>r</sup> 1761	Sam. <sup>l</sup> Morin	12,,0,,0		12,,0,,0	4,,0,,0	8,,236	1,,14,,7	5,,14,,7	
14 <sup>th</sup> March 1762	John Gray	11,,0,,0		11,,0,,0	3,,13,,4	8,,71	1,,10,,1	5,,3,,4	
23 Ditto	ditto	1,,8,,0		1,,8,,0	<u>0,,9,,4</u>	8,,62	<u>0,,3,,9</u>	<u>0,,13,,1</u>	
					<u>8,,2,,8</u>		<u>3,,8,,4</u>	<u>11,,11,,0</u>	11,,2,,2
14 <sup>th</sup> April 1762	John Gray	100,,0,,0	.....	100,,0,,0	33,,6,,8	8,,40	13,,10,,4	46,,17,,0	
8 <sup>th</sup> Septem. <sup>r</sup> 1761	John Gray	100,,0,,0	.....	100,,0,,0	<u>33,,6,,8</u>	<u>7,,258</u>	<u>12,,16,,11</u>	<u>46,,3,,7</u>	
					<u>66,,13,,4</u>		<u>26,,7,,3</u>	<u>93,,0,,7</u>	89,,9,,0
8 <sup>th</sup> March 1762	John Gray	250,,0,,0		250,,0,,0	83,,6,,8	8,,77	34,,4,,3	117,,10,,11	
25 <sup>th</sup> March 1762	ditto	93,,6,,9	10,,9,,0 for Brandy 49,,3,,7 Shrub	33,,14,,2	11,,4,,9	8,,60	4,,11,,10	15,,16,,7	
22 <sup>d</sup> June 1764	Tho. <sup>s</sup> Ainslie	4,,10,,0		4,,10,,0	<u>1,,10,,0</u>	5,,336	<u>0,,8,,11</u>	<u>1,,18,,11</u>	
					<u>96,,1,,5</u>		<u>39,,5,,0</u>	<u>135,,6,,5</u>	130,,2,,4
1 <sup>st</sup> Septem. <sup>r</sup> 1764	Tho. <sup>s</sup> Ainslie	54,,1,,6		54,,1,,6	18,,0,,6	5,,265	5,,3,,3	<u>23,,3,,9</u>	22,,5,,11
5 <sup>th</sup> Decem. <sup>r</sup> 1763	Tho. <sup>s</sup> Ainslie	34,,8,,9	16,,3,,0 Shrub & Sugar	15,,13,,6	5,,4,,6	6,,170	1,,13,,9	6,,18,,3	
5 <sup>th</sup> Decem. <sup>r</sup> 1763	ditto			2,,12,,3	<u>0,,17,,5</u>	6,,170	<u>0,,5,,8</u>	<u>1,,3,,1</u>	
					<u>6,,1,,11</u>		<u>1,,19,,5</u>	<u>8,,1,,4</u>	7,,15,,1
1 <sup>st</sup> March 1762	John Gray	101,,5,,5	35,,7,,9 for Jn <sup>o</sup> Shillings	65,,17,,8	21,,19,,3	8,,84	9,,0,,9	<u>31,,0,,0</u>	29,,16,,2
8 <sup>th</sup> Decem. <sup>r</sup> 1760	Alex M <sup>c</sup> Kenzie	2,,10,,0		2,,10,,0	0,,16,,8	9,,167	0,,7,,10	1,,4,,6	
2 <sup>d</sup> June 1761	John Gray	10,,9,,9		10,,9,,9	<u>3,,9,,11</u>	<u>8,,356</u>	<u>1,,11,,4</u>	<u>5,,1,,3</u>	
					<u>4,,6,,7</u>		<u>1,,19,,2</u>	<u>6,,5,,9</u>	<u>6,,0,,11</u>
							Carried over		£1066.13.---

Date of Receipts	By whom received	Sums received Halifax Curr <sup>y</sup>	Deductions to be made therefrom	Net Sum paid for Rum Halifax Curr <sup>y</sup>	Excess of Duty on Rum being one third part or two pence per Gallon	Interest on the Excess Calculated at 5 p <sup>t</sup> Cent p annum to the 24 <sup>th</sup> May 1770		Sums to be Refunded with Interest include= =ed Halifax Cu <sup>r</sup>	Total Amounts in Sterling Allowed by the Comm <sup>ee</sup> and approved in Council Ex. at 104 p Cent	
						Years days	Amount of Interest			
							Brought	over	£1066.13__	
30 <sup>th</sup> Septm <sup>r</sup> 1761	Sam <sup>l</sup> Morin	50,,0,0	6,,14,,7 for Shrub	43,,5,5	14,,8,,6	8,,236	6,,4,,9	20,,13,,3		
2 <sup>d</sup> March 1762	John Gray	150,,0,0		150,,0,0	50,,0,0	8,, 83	20,,11,,4	70,,11,,4		
25 <sup>th</sup> Aug <sup>t</sup> 1762	ditto	100,,0,0		100,,0,0	33,,6,,8	7,,272	12,,18,,2	46,,4,,10		
17 <sup>th</sup> Febr <sup>y</sup> 1763	ditto	46,,15,,10		<u>46,,15,,10</u>	<u>15,,12,,0</u>	7,, 96	<u>5,,13,,3</u>	<u>21,,5,,3</u>		
				<u>340,,1,,3</u>	<u>113,,7,,2</u>		<u>45,,7,,6</u>	<u>158,,14,,8</u>	152,,12,,7	
2 <sup>d</sup> March 1762	John Gray	24,,0,9		24,,0,9	8,,0,,3	8,, 83	3,,5,,11	<u>11,,6,,2</u>	10,,17,,6	
26 <sup>th</sup> April 1763	John Gray	117,,17,4	7,,1,,11 for Shrub	110,,15,,5	36,,18,,6	7,, 28	13,,1,,3	<u>49,,19,,9</u>	48,,1,,3	
3 <sup>d</sup> March 1762	John Gray	110,,0,8	9,,8,,2 for Shrub & Gin	100,,12,,6	33,,10,,10	8,, 82	13,,15,,11	<u>47,,6,,9</u>	45,,10,,4	
3 <sup>d</sup> Septem. <sup>r</sup> 1761	Sam <sup>l</sup> Morin	40,,10,8	4,,10,,8 for Shrub	36,,0,0	12,,0,0	8,,263	5,,4,,8	<u>17,,4,,8</u>	16,,11,,5	
4 <sup>th</sup> Decem. <sup>r</sup> 1764	John Gray	64,,8,9	Gin Brandy 23,,9,,4 & Shrub	40,,19,5	13,,13,,2	8,,171	5,,15,8	19,,8,,10		
6 <sup>th</sup> October 1763	} Tho. <sup>s</sup> Ainslie	} 352,,6,9	} .....	48,,17,3	16,,5,9	6,,230	5,,8,0	21,,13,9		
28 <sup>th</sup> May 1764				87,,17,6	29,,5,10	5,,361	8,,15,5	38,,1,3		
31 <sup>st</sup> May 1764				21,,15,0	7,,5,0	5,,358	2,,3,4	9,,8,4		
18 <sup>th</sup> July 1764				36,,5,0	12,,1,8	5,,310	3,,10,8	15,,12,4		
6 <sup>th</sup> Novem. <sup>r</sup> 1764				157,,12,0	<u>52,,10,,8</u>	5,,199	<u>14,,11,,4</u>	<u>67,,2,,0</u>		
							<u>131,,2,,1</u>	<u>40,,4,,5</u>	<u>171,,6,,6</u>	
17 <sup>th</sup> Aug <sup>t</sup> 1764	Sam <sup>l</sup> Morin	25,,4,0		25,,4,0						
ditto	ditto	<u>15,,12,,0</u>		<u>15,,12,,0</u>	13,,12,0	8,,280	5,,19,2	<u>19,,11,2</u>	18,,16,2	
		<u>40,,16,,0</u>		<u>40,,16,,0</u>						
6 <sup>th</sup> Decem <sup>r</sup> 1760	Alex M <sup>c</sup> Kenzie	11,,7,6		11,,7,6	3,,15,,10	9,,169	1,,15,,10	<u>5,,11,8</u>	5,,7,4	
13 <sup>th</sup> Decem <sup>r</sup> 1760	Alex M <sup>c</sup> Kenzie	9,,8,0		9,,8,0	3,,2,,8	9,,162	1,,9,7	<u>4,,12,3</u>	4,,8,8	
22 <sup>d</sup> Janry 1761	Alex <sup>r</sup> M <sup>c</sup> Kenzie	19,,10,6		19,,10,6	6,,10,2	9,,122	3,,0,9	9,,10,11		
29 <sup>th</sup> March 1762	John Gray	91,,19,11	8,,17,,5 Shrub Brandy &c <sup>a</sup>	83,,2,6	<u>27,,14,2</u>	8,, 56	<u>11,,5,11</u>	<u>39,,0,1</u>		
					<u>34,,4,4</u>		<u>14,,6,8</u>	<u>48,,11,0</u>	46,,13,8	
14 <sup>th</sup> Aug. <sup>t</sup> 1761	Sam <sup>l</sup> Morin	13,,18,7	0,,15,,3 Shrub	13,,3,4	4,,7,9	8,,283	1,,18,6	<u>6,6,3</u>	6,,1,5	
29 <sup>th</sup> August 1761	Sam <sup>l</sup> Morin	20,,0,0		20,,0,0	6,,13,4	8,,268	2,,18,3	<u>9,,11,7</u>		
7 <sup>th</sup> Novem. <sup>r</sup> 1761	John Gray	26,,6,1	0,,18,,11 for Shrub	25,,7,2	<u>8,,9,0</u>	8,,198	<u>3,,12,2</u>	<u>12,,1,2</u>		
					<u>15,,2,4</u>		<u>6,,10,5</u>	<u>21,,12,9</u>	20,,16,2	
13 <sup>th</sup> August 1761	Sam <sup>l</sup> Morin	8,,15,0		8,,15,0	2,,18,4	8,,284	1,,5,7	4,,3,11	4,,0,8	
6 <sup>th</sup> Febr <sup>y</sup> 1761	Alex <sup>r</sup> M <sup>c</sup> Kenzie	30,,0,0		30,,0,0	10,,0,0	9,,107	4,,13,0	4,,13,0		
4 <sup>th</sup> Decem <sup>r</sup> 1761	John Gray	40,,0,0		40,,0,0	13,,6,8	8,,117	5,,12,11	18,,19,7		
27 <sup>th</sup> Febr <sup>y</sup> 1762	ditto	40,,0,0		40,,0,0	13,,6,8	8,, 86	5,,9,10	18,,16,6		
9 <sup>th</sup> August 1762	ditto	21,,1,6		21,,1,6	7,,0,6	7,,288	2,,14,8	9,,15,2		
16 <sup>th</sup> Aug. <sup>t</sup> 1763	Tho. <sup>s</sup> Ainslie	16,,1,0		16,,1,0	<u>5,,7,0</u>	6,,281	<u>1,,16,2</u>	<u>7,,3,2</u>		
					<u>49,,0,,10</u>		<u>20,,6,7</u>	<u>69,,7,5</u>	66,,14,1	
22 <sup>d</sup> Janry 1761	Alex M <sup>c</sup> Kenzie	3,,18,0		3,,18,0	1,,6,0	9,,122	0,,12,0	<u>1,,18,0</u>	1,,16,6	
Total Amo. <sup>l</sup> Halifax Curr <sup>y</sup> £1746,,19,,4 Ex <sup>d</sup> 104 p. <sup>ct</sup> Sterl <sup>g</sup> £									1679,,15,,6	
Quebec										





Quebec

Accompt of the Duty paid on Rum before the Establishment of Civil Actions were Commenced against him by Martin Gay Administrator to the Estate of a Proposal made to the Plaintiffs by His Majesty's Attorney General for this Province, to with a Letter received by him from the Sollicitor to the Treasury by order of their Lordships, included the said M.<sup>r</sup> Ainslies Costs of Suit in defending these Actions and likewise an paid him by the Plaintiffs before the Establishment of the Civil Government of this

Plaintiffs or Claimants names	Defendants or Collectors names	Date of the Entry	Quantity of Rum Gallons	Vessels Names	Net amo. <sup>t</sup> of Duty on Rum Halifax Cur <sup>y</sup>	Date of Receipts	By whom received	Sums received Halifax Curr <sup>y</sup>
Martin Gay, Administ <sup>r</sup> } to Calvin Gay deead }	Tho. <sup>s</sup> Ainslie	16 <sup>th</sup> Aug <sup>t</sup> 1763	596	Rose	14,,18,,0	31 <sup>st</sup> Aug <sup>t</sup> 1763	Tho. <sup>s</sup> Ainslie	14,,18,,0
	ditto	6 <sup>th</sup> October 1763	2294	Deborah	57,,7,,0	6 <sup>th</sup> Octo. <sup>r</sup> 1763	ditto	81,,19,,6
	ditto	31 <sup>st</sup> Octo <sup>r</sup> 1763	1268	Ruby	31,,14,,0	31 <sup>st</sup> Octo <sup>r</sup> 1763	ditto	31,,14,,0
	ditto	7 <sup>th</sup> June 1764	2862½	Deborah	71,,11,,3	7 <sup>th</sup> June 1764	ditto	89,,8,,9
	ditto	27 <sup>th</sup> June 1764	3420	Mercury	85,,10,,0	27 <sup>th</sup> June 1764	ditto	103,,5,,0
	ditto	6 <sup>th</sup> Aug <sup>t</sup> 1764	4700	Three Sisters	117,,10,,0	6 <sup>th</sup> Aug <sup>t</sup> 1764	ditto	124,,7,,6
		9 <sup>th</sup> August 1764 4 <sup>th</sup> Septem <sup>r</sup> 1764	Deduct Drawback on Rum exported <i>p</i> the Sally Alex <sup>r</sup> En ditto..... <i>p</i> Leopard Epraim Deane					
			Amount of the Plaintiffs Bill of Costs in the ditto ditto in					
Arnold Welles, p. <sup>d</sup> by Stuart Gray & Comp <sup>y</sup> d <sup>o</sup> paid by W <sup>m</sup> Grant	Tho. <sup>s</sup> Ainslie	21 <sup>st</sup> Nov <sup>r</sup> 1763	1724½	.....	43,,2,,3	21 <sup>st</sup> Novem <sup>r</sup> 1763	Tho. <sup>s</sup> Ainslie	43,,2,,3
	ditto	30 <sup>th</sup> May 1764	4133	.....	103,,6,,6	30 <sup>th</sup> May 1764	ditto	103,,6,,6
			Amount of the Plaintiffs Bill of Costs in the ditto ditto in					
			Amount of M <sup>r</sup> Ainslie's Bills of Costs as Defendant in the above					

In Obedience to an order of your Excellency in Council bearing Gay, Richard Dobie and such other persons as have applied for the Excess of Duty levied by order of General Murray prior to the Establishment of Civil with the Original Books kept by the Collectors, as also with the Receipts given of Duty paid by such Claimants as have appeared before us, with the thousand seven hundred and forty six pounds nineteen Shillings & hundred and four per Cent ( being the lowest that has been known for some nine pounds fifteen Shillings and six pence As appears by the particulars same time, Stated the Claims of Martin Gay Administrator to the Estate of Actions against M<sup>r</sup> Ainslie one of the Collectors of the duty on Rum above Majesty's Attorney General, in consequence of a Letter from the Sollicitor of the thereon and Costs of Suit, which proposal was immediately Accepted by the Plaintiffs in these two Actions, and likewise an other brought against him by James Jeffry & Peter Faneuil Three hundred & thirty pounds three Shillings and one penny Halifax Currency and at the Shillings and one penny Sterling, as per Accompt thereof hereto also annexed. The discharging the to the Claimants, as well as a considerable Saving to Government. All which we humbly Submit

24<sup>th</sup> May 1770

Government to Thomas Ainslie Esquire one of the Collector of the said Duty, for which Calvin Gay Deceased, and Arnold Welles, both which Actions were dropped in consequence refund the Excess of duty on Rum with Interest thereon and Cost of Suit in Compliance bearing date the 19.<sup>th</sup> April 1769, which proposal the Plaintiffs Accepted. In this Accompt are also other Action brought against him by James Jeffry and Peter Faneuil for the Duties on Wine Province.

Deductions to be made therefrom	Net sum paid for Rum Halifax Curr <sup>y</sup>	Excess of duty on Rum being one third part or Two pence P Gallon	Interest on the Excess Calcu= =lated at 5 p Cent p Annum to the 24. <sup>th</sup> May 1770.		Costs of Suit Halifax Curr <sup>y</sup>	Excess of Duty to be refunded with Interest & Costs of Suit included Halifax Curr. <sup>y</sup>	Total Amounts in Sterling Allowed by the Committee and Approved in Council Exchange at 104 per Cent
			Years days	Amo <sup>t</sup> of Interest			
24,,12,6 for Wine	314,,18,,0	4,,19,,4	6,,266	1,,13,,5			
.....	57,,7,,0	19,,2,,4	6,,230	6,,6,,9			
17,,17,,3 for Wine	31,,14,,0	10,,11,,4	6,,205	3,,9,,4			
17,,15,,0 for Wine & Shrub	71,,11,,3	23,,17,,1	5,,351	7,,2,,2			
6,,17,,6 for Wine	85,,10,,0	28,,10,,0	5,,331	8,,8,,4			
	<u>117,,10,,0</u>	<u>39,,3,,4</u>	<u>5,,291</u>	<u>11,,7,,2</u>			
	378,,10,,3	126,,3,,5		38,,7,,2			
glish Mast <sup>f</sup> for Halifax	8,,11,,8	2,,17,,3	5,,288	0,,16,,4			
Master for ditto	<u>20,,16,,6</u>	<u>6,,18,,10</u>	<u>5,,262</u>	<u>1,,19,,8</u>			
	<u>29,,8,,2</u>	<u>9,,16,,1</u>		<u>2,,16,,0</u>			
	349,,2,,1	116,,7,,4		35,,11,,2			
Court of King's Bench as Taxed by the Chief Justice.....					13,,6,,8	} 187,,9,,7	£180,,5,,4
Chancery.....as Taxed by the Master.....					22,,4,,5		
	43,,2,,3	14,,7,,5	6,,184	4,,13,,5			
	103,,6,,6	<u>34,,8,,10</u>	5,,359	<u>10,,6,,1</u>			
		48,,16,,3		14,,19,,6			
Court of King's Bench as Taxed by the Chief Justice.....					13,,6,,8	} 99,,6,,10	95,,10,,5
Chancery.....as Taxed by the Master.....					22,,4,,5		
Causes, as also in that of Jeffry & Faneuil both in Law and Equity Taxed at					<u>43,,6,,8</u>	<u>43,,6,,8</u>	<u>41,,13,,4</u>
					114,,8,,10	330,,3,,1	
					Exc. <sup>a</sup> at 104 p Cent		£317,,9,,1 Ster <sup>g</sup>

date the first of February last, We have examined into the Claims made by Jotham Duty on Rum. ( that is to say the difference between the Old French Duty and the Government) and Interest thereon. And having Compared their respective Claims by the said Collectors, and other Original Vouchers; We do find that the Excess Interest thereon to the 24<sup>th</sup> May 1770 Amount together to the sum of One four pence Halifax Currency, which at the present course of Exchange, One years) make in Sterling money, One thousand Six hundred and Seventy thereof Stated in the foregoing Sheets hereunto Annexed. We have also, at the Calvin Gay Deceased, and Arnold Welles, being the persons who brought mentioned, and who dropped their said Actions upon a Proposal of His Treasury, by order of their Lordships, to refund the Excess of Duty on Rum with Interest said causes, the said Excess, Interest & Costs, including M<sup>t</sup> Ainalies Costs of Suit in defending for duty on Wines collected by him by General Murray's order, do amount in the whole to like course of Exch.<sup>a</sup> (of one hundred & four p Cent) make Three hundred & Seventeen pounds nine foreing demands, without Suffering them to be sued for, will avoid Trouble, and must prove agreeable to Your Excellency in Council.

/Signed/ H. T Cramahé P.C.

Guy Carleton

At the Council Chamber,  
in the Castle of S.<sup>t</sup> Louis, in the City of Quebec,  
on Tuesday the twenty sixth day of June 1770.

Present.

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> William Hey C. J

H. T. Cramahé...

Tho.<sup>s</sup> Dunn .....

Hugh Finlay ....

Walter Murray

Colin Drummond

} Esquires.

Petition of Jonas  
Clark Minot to be  
refunded the Excess  
of Duty on Rum.

Read Petition of Jonas Clark Minot, praying  
to be refunded, for his Constituents, the Excess of Duty  
on Rum, and Interest thereon; as has been allowed  
to other Claimants in that behalf. \_\_\_\_\_

Refer'd to a  
Committee

Ordered to be filed and referred to a Committee  
Viz.<sup>t</sup> Mess.<sup>rs</sup> Cramahé Dunn & Drummond who are  
also to examine and report on any other Claims  
of the like Nature that may be laid before  
them. \_\_\_\_\_

Petition of Beaujeu  
de Villemonde, to be  
confirmed in part of  
a Tract of Land on  
Lake Champlain.

Read Petition of Louis Lienard de Beaujeu  
Sieur de Villemonde praying Confirmation of such  
part of a Tract of Land, situated on Lake Champlain  
and conceded to him the 20.<sup>th</sup> July 1755, as may be  
found within the Limits of this Province. \_\_\_\_\_

Refer'd to the  
Committee.

Ordered to be filed and refer'd to the  
Committee for Grants of Lands. \_\_\_\_\_

A Com<sup>tee</sup> appointed  
to examine the Publick  
Acco.<sup>ts</sup> up to the  
24 June 1770.

Ordered that M<sup>r</sup> Cramahé, M<sup>r</sup> Dunn and M<sup>r</sup>  
Drummond be appointed a Committee to examine  
the Accompts and Claims against the Government  
of this Province for the last half Year, ending

the

the 24<sup>th</sup> June 1770, and that any Member of this Board, that Chuses, may make One of the said Committee.

The Hon<sup>ble</sup> Walter Murray Esq.<sup>r</sup> withdraws.

Petition of W.<sup>r</sup> Murray Esq; for allowance for an office and Stationary &c

Read Petition of Walter Murray Esq. Dep Naval Officer for the Province of Quebec, praying an allowance for rent of an Office, Stationary, &c. \_\_\_\_\_

To lye on the Table.

Ordered to lye on the Table. \_\_\_\_\_

Guy Carleton

At the Council Chamber in the Castle of Saint Louis in the City of Quebec on Monday the Sixteenth Day of July 1770.

Present

His Excellency Guy Carleton Governor.

The Hon<sup>ble</sup> W.<sup>m</sup> Hey C J.  
H T Cramahé  
Tho Dunn  
W<sup>m</sup> Murray  
Colin Drummond

} Esquires.

Act of 10<sup>th</sup> Geo: III Repealing certain Duties in the Brit: Colonies in America.

Read an Act of Parliament of Great Britain of the 10.<sup>th</sup> of George the third CHAP. XVII. Intituled, An Act to repeal so much of an Act made in the Seventh year of his present Majesty's Reign, Intituled, An Act for granting certain Duties in the British Colonies and Plantations in America; for allowing a Drawback of the Duties of Customs upon the Exportation, from this Kingdom, of Coffee and Cocoa Nuts of the Produce of the said Colonies or Plantations; for discontinuing the Drawbacks, payable on China Earthen Ware exported to America; and for more Effectually preventing the Clandestine Running of Goods in the said Colonies and Plantations, as

relates

relates to the Duties upon Glass, Red-lead, White-lead, Painters Colours, Paper, Paste-boards, Mill-boards, and Scale-boards of the Produce or Manufacture of Great Britain, Imported into any of His Majesty's Colonies in America; and also to the discontinuing the Drawbacks payable on China Earthen-ware, Exported to America; and for regulating the Exportation thereof. \_\_\_\_\_

To be filed.....  
translated and  
published. \_\_\_\_\_

Ordered to be filed in the Office and that the same be translated into French and published in the Gazette. \_\_\_\_\_

Memorial of Isaac  
Werden praying to be  
paid his Fees of office  
&c.

Read Memorial of Isaac Werden Coroner praying to be paid his Fees of Office, and that his Partner in Trade, John Dyer Mercier, may be appointed to Succeed him in his Office, he being about to leave the Province \_\_\_\_\_

Dismissed.

Ordered to be dismissed \_\_\_\_\_

Guy Carleton

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis, in the City of Quebec on Monday the Thirtieth day of July 1770 \_\_\_\_\_

Present

His Excellency Guy Carleton Governor.

The Hon<sup>ble</sup> Will.<sup>m</sup> Hey C J  
H T Cramahé...  
Tho.<sup>s</sup> Dunn  
Hugh Finlay  
Walter Murray  
Colin Drummond

} Esquires.

Read Second  
Report of the  
Com<sup>m</sup>ee on  
Rum Duties.

Read Report of the Committee appointed the 26 June last and held the 27 June, 27 & 28 Instant, on the Petition of Jonas Clark Minot, and on the Accompts of divers other Claimants to the Excess of Duty on Rum who were unpre-  
pared at the Sitting of the last Committee on this business.

Approved; &  
Warrants to be  
directed to the  
Receiving General  
to pay the Claim-  
=mants therein  
mentioned.

Approved and Ordered that the s.<sup>d</sup> Report be filed and Entered in this Book; and that Warrants be likewise directed to the Receiver General to pay these Claimants the Excess of Duty, and Interest, as stated in the s.<sup>d</sup> Report.

Receiver Gen-  
-neral's Acco.<sup>ts</sup>  
produced &  
Sworn to.

The Hon<sup>ble</sup> Hector Theo<sup>s</sup> Cramahé Esquire Acting Receiver General, produced his Accompts for the last half year commen-  
-cing the 25 Dec<sup>r</sup> 1769 & ending 24 June 1770, which were examined in Council and compared with the Report of the Committee formerly approved by this Board; and he was this day sworn to the Truth of his s.<sup>d</sup> Accompts in Council.

To be filed  
in the Office.

Ordered that the Receivers General's Accompts be filed in the Clerk of the Council's Office. \_\_\_\_\_

Report of the  
Committee on  
the pub: Acco.<sup>ts</sup>

Read the Report of the Committee on the Publick Accompts dated the 28<sup>th</sup> July, instant, \_\_\_\_\_

Approved and  
ord.<sup>d</sup> to be Ent.<sup>d</sup>

Approved and Confirmed, and Orderd that the said Report be filed and Entered in this Book

Memorial of the  
Lessees of the  
King's Posts  
praying to be  
exempted from  
payment of the  
Rent for the years  
1765-1766 & 1767  
and that such years  
may not be reckoned  
part of their lease.

Read Memorial of Thomas Dunn Esquire and William Grant, Lessees of the King's Post, complaining of being interrupted in the free Enjoyment of the s.<sup>d</sup> Posts during the Years 1765, 1766 & 1767, warranted to them by the Covenants of their Lease; and praying that the Rent during those Years may be remitted to them, and that y:<sup>e</sup> said Three years may not be reckoned any part of their Lease. \_\_\_\_\_

Resolved that  
the prayer in  
the said Memorial  
be granted.

Resolved that the Prayer of the said Memorial be granted, the King's Posts having been laid Open by Order of Government on the first of Septem.<sup>r</sup> 1765 and not Contradicted by them, until the Publication of his Majesty's Order in Council bearing date the 26<sup>th</sup> day of June 1767, and published in the Quebec Gazette the 20.<sup>th</sup> October 1768. \_\_\_\_\_

Quebec

At a Committee of the Council appointed the 26<sup>th</sup> June  
 Minot, and for the Examination of the Accompts of divers persons  
 of Civil Government, which said Persons were absent, or unprepared

The Hon<sup>#</sup>ble

Who having examined the said Accompts and Claims.

Claimants Names	Collectors names	Date of the Entry	Quantity of Rum Gallons	Vessels names	Gross Amount of Duty on Rum Halifax Cur <sup>y</sup>	Deductions made		Net Amo <sup>t</sup> of Duty on Rum Halifax Cur <sup>y</sup>
						For Leakage 5 per Cent	other deductions	
Jonas Clark Minot for John Austin	Sam. <sup>l</sup> Morin and John Gray	21 <sup>st</sup> May 1761	1356	King's Fisher	33,,18,,0	} 16,,14,,9	} 3,,4,,0 draw <sup>b</sup> k on Exports	428,,0,,9
		24 <sup>th</sup> ditto	5874	Olive	146,,17,,0			
		28 <sup>th</sup> ditto	2623	Molly	65,,11,,6			
		9 <sup>th</sup> June 1761	1511	Juno	37,,15,,6			
		10 <sup>th</sup> ditto	2025	Aumbind	50,,12,,6			
		2 <sup>d</sup> Oct. <sup>r</sup> 1761	4530	Butterfly	<u>113,,5,,0</u>			
					<u>447,,19,,6</u>			
		21 <sup>st</sup> June 1762	1418	Juno	35,,9,,0			
		16 <sup>th</sup> July 1762	4140	Success	<u>103,,10,,0</u>			
					<u>138,,19,,0</u>			
Isaac Levy	Sam. <sup>l</sup> Morin John Gray	24 <sup>th</sup> May 1761	659¾	Dolphin	16,,9,,10½	.....	.....	16,,9,,10½
		10 <sup>th</sup> Novem <sup>r</sup> 1761	847	Will <sup>m</sup> & Sarah	21,,3,,6	1,,1,,2	.....	20,,2,,4
Robert Jackson	Sam. <sup>l</sup> Morin	24 <sup>th</sup> Aug <sup>t</sup> 1761	230	Charm <sup>s</sup> Molly	5,,15,,0	.,4,,6	.....	5,,10,,6
Jere Daly	Alex. <sup>r</sup> M <sup>c</sup> Kenzie	13 <sup>th</sup> Decem <sup>r</sup> 1760	188	in Cellar	4,,14,,0	.....	.....	4,,14,,0
John Collins for Wallis & Heaton	John Gray	18 <sup>th</sup> June 1761	1146½	Nancy	28,,13,,3	1,,8,,8	.....	27,,4,,7
John M <sup>c</sup> Cord...	Tho. <sup>s</sup> Ainslie	June 1764	120	Betsey	3,,0,,0	.....	.....	3,,0,,0
Caldwell & M <sup>c</sup> Gill.	John Gray	18 <sup>th</sup> June 1761	8400	Hope	210,,0,,0	10,,10,,0	.....	199,,10,,0
Exors to the Estate of Dan <sup>r</sup> Malcom deseased	John Gray	27 <sup>th</sup> May 1761	1534	Sally	38,,7,,0	} 2,,1,,0	} 0,,6,,0 draw <sup>b</sup> k on Exports	44,,13,,0
		4 <sup>th</sup> July 1761	106	Betsey	2,,13,,0			
		2 <sup>d</sup> Oct <sup>r</sup> 1761	560	Butterfly	<u>14,,0,,0</u>			
					<u>35,,0,,0</u>			

Obedience to an order of your Excellency in Council bearing date the 26<sup>th</sup> day and examined into his Claim for the Excess of Duty paid on Rum, by his Constituent Demands of divers other persons who paid the like duty but were absent or unprepared their respective claims with the Original Books kept by the Collectors, their Receipts and Claimants with Interest thereon to the 24<sup>th</sup> day of May 1770, Amount together to the Sum at 104 per Cent, the Course of Exchange, as settled in the said former Report make in Sterling particulars thereof within Stated. All which we humbly Submit to your Excellency



28<sup>th</sup> July 1770

and held the 27<sup>th</sup> June 27<sup>th</sup> & 28<sup>th</sup> July 1770 on the Petition of Jonas Clark  
Claimants to the Excess of Duty collected on Rum before the Establishment  
to lay their Claims before the former Committee on this business, when they closed their Report

Present

Hector Theophilus Cramahé Esq<sup>r</sup> President

Thomas Dunn

Colin Drummond } Esquires

do Report the State thereof to be as follows. viz.<sup>t</sup>

Date of Receipts	By whom Received	Sums Received Halifax Cur <sup>y</sup>	Deductions to be made therefrom	Net Sums paid for Rum Halifax Cur <sup>y</sup>	Excess of Duty on Rum being one third part or Two pence p Gallon	Interest on the Excess Calculated as 5 p Cent p annum to the 24 <sup>th</sup> May 1770		Sums to be refunded with Interest included Halifax Cur <sup>y</sup>	Total Amo. <sup>ts</sup> in Sterling Allowed by the Committee and approved in Council Ex. <sup>ts</sup> @ 104 p. Cent
						Years, days	Amo. <sup>t</sup> of Interest		
24 <sup>th</sup> Aug <sup>t</sup> 1761	Sam <sup>l</sup> Morin	136,9,,6	.....	136,, 9,,6	45,, 9,,10	8,,273	19,,18,,0	65,,7,,10	
2 <sup>d</sup> march 1762	John Gray	285,,18,,3	.....	285,,18,,3	95,, 6,,1	8,, 83	39,, 4,,1	134,,10,,2	
8 <sup>th</sup> April 1762	John Gray	5,,13,,0	.....	5,,13,,0	1,,17,,8	8,, 46	0,,15,,4	2,,13,,0	
18 <sup>th</sup> March 1763	John Gray	130,,2,,0	.....	130,,2,,0	43,,7,,4	7,, 67	15,,11,,6	58,,18,,10	
		558,,2,,9	.....	558,,2,,9	186,,0,,11		75,,8,,11	261,,9,,10	£251,,8,,8
13 <sup>th</sup> Aug <sup>t</sup> 1761	Sam <sup>l</sup> Morin	16,,9,,10½	.....	16,,9,,10½	5,,9,,11	8,,284	2,,8,,2	7,,18,,1	
2 <sup>d</sup> March 1762	John Gray	22,,12,,9	2,,10,,5 for Shurb &c	20,,2,,4	6,,14,,1	8,, 83	2,,15,,2	9,,9,,3	
					12,,4,,0		5,,3,,4	17,,7,,4	16,,14,,0
24 <sup>th</sup> Aug <sup>t</sup> 1761	Sam <sup>l</sup> Morin	5,,10,,6	.....	5,,10,,6	1,,16,,10	8,,273	0,,16,,1	2,,12,,11	2,,10,,11
13 <sup>th</sup> Decem <sup>r</sup> 1760	A M <sup>c</sup> Kenzie	4,,14,,0	.....	4,,14,,0	1,,11,,4	9,,162	0,,14,,9	2,,6,,1	2,,4,,4
1 <sup>st</sup> Novem. <sup>r</sup> 1761	John Gray	28,,17,,4½	1,,12,,9½ Shrub &c	27,,4,,7	9,,1,,7	8,,198	3,,17,,7	12,,19,,1	12,,9,,2
30 <sup>th</sup> June 1764	Tho <sup>s</sup> Ainslie	3,,0,,0	.....	3,,0,,0	1,,0,,0	5,,328	0,,5,,11	1,,5,,11	1,,4,,11
27 <sup>th</sup> August 1761	John Gray	144,,3,,8	.....	144,,3,,6	48,,1,,2	8,,270	21,,0,,0	69,,1,,2	
2 <sup>d</sup> March 1762	John Gray	66,,1,,11	10,,15,,5 Shrub &	55,,6,,6	18,,8,,10	8,, 83	7,,11,,8	26,,0,,6	
				199,,10,,0	66,,10,,0		28,,11,,8	95,,1,,8	91,,8,,6
9 <sup>th</sup> Decem. <sup>r</sup> 1761	John Gray	44,,13,,0	.....	44,,13,,0	14,,17,,8	8,,166	6,,5,,10	21,,3,,6	20,,7,,3
Total Amount in Sterling									£398,,7,,9

of June last, We have taken into consideration the Petition of Jonas Clark Minot, John Austin, before the Commencement of Civil Government, We have also examined the at the time of closing our former Report dated the 24<sup>th</sup> May last, And having Compared other Original Vouchers, We do find that the Excess of Duty on Rum paid by the said of Four hundred and fourteen pounds six Shillings & five pence Halifax Currency, which Money Three hundred ninety eight pounds seven Shillings & nine <sup>pence</sup> as appears by the in Council \_\_\_\_\_ /Signed/ H. T. Cramahé P. C.

Quebec

The Committee appointed to examine the Accompts & Claims against the Government

	Fees of
✓	The Deputy Secretary's Accompt of Fees of from the 25 <sup>th</sup> December 1769 to the 24 <sup>th</sup> June
✓	The Deputy Provost Marshal's Accompt for the District of Quebec from ditto to ditto
✓	The Deputy Provost Marshal's Accompt for the District of Montreal from ditto to ditto
✓	The Deputy Clerk of the Council's Accompt.....from ditto to ditto
✓	The Coroners Accompt for the District of Quebec.....from ditto to ditto
	<b>Disbursement &amp; Continge</b>
✓	The Deputy Secretary's Accompt of Disbursements & Contingencies from the
✓	The Deputy Clerk of Enrolments..... Accompt.....from ditto
✓	The Deputy Provost Marshal's Accompt for the District of Quebec.....from ditto
✓	The Deputy Provost Marshal's Accompt for the District of Montreal.....from ditto
✓	The Deputy Clerk of the Council's Accompt of Disbursements and Contingencies.....from ditto
✓	The Clerk of the Peace's Accompt for the District of Quebec..... from ditto
✓	The Clerk of the Peace's Accompt for the District of Montreal..... from ditto
✓	The Coroner's Accompt for the District of Quebec.....from ditto
✓	The Honourable William Hey Chief Justice in lieu of all Fees, at the rate of £200.
✓	.....ditto.....his Expences going to Montreal and holding the
✓	Henry Kneller Esq. <sup>r</sup> ...Attorney General.....Attending said Assizes
✓	Alexander Johnston.....Clerk of the Crown.....Attending said Assizes
✓	James Shepherd.....Prothonotary.....Attending...ditto.....
✓	David Lynd.....Civil Clerk.....Attending...ditto.....
✓	Jonn Collins Esq. <sup>r</sup> Deputy Surveyor General for half a years Rent of an office
✓	Brown & Gilmore Printers to the Government their half years Salary £50. And for
✓	Robert Murray GoalKeeper his Allowance for 6 months at 1 / Sterling per day.....
✓	Timothy Devine Cryer his Allowance for Attending the Supreme Court.....
✓	.....Ditto.....his Allowance for Firewood & Stationary for the Supreme Court &
✓	.....Ditto.....for Attending the Quarter Sessions and the Justices weekly Courts
✓	Daniel Gallwey Interpreter for Attending the several Courts of Justice.....
✓	Zachariah Thompson Captain of the Port his Disbursements and Contingencies.....
✓	John Maurez for half a years Rent of a house at Montreal and the Furniture thereof
✓	The Seminary at Montreal for half a years Rent of a Court house.....
✓	John B <sup>te</sup> Grand Maison for his half years Pension.....
✓	The Post office for the Governments Letters.....
✓	John Fraser Schoolmaster for 6 months Salary & Schoolhouse Rent.....
✓	Nicolas Davis Messenger his Allowance for 6 months & Disbursements.....
✓	For the hire of a Room for the Grand Jury for 6 months.....
✓	Plantade dit Chateau vert for his Expences in pursuing and taking Gaudreau
✓	Henry Kneller Esq. <sup>r</sup> his Bill of Disbursements & Law Expences on Account of the Savages
✓	Henry Dunn Carpenter for Sundry Repairs to the Chateau Saint Louis.....
	<b>Examined and</b>

July 1770

Present

Hector Theophilus Cramahé }  
 Thomas Dunn } Esquires  
 Colin Drummond }

of this Province from the 25<sup>th</sup> December 1769 to the 24<sup>th</sup> June 1770.

Office _____	Demands as per Accounts	Allowed by the Committee & approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
	Sterling		Sterling
.1770.....	175,, 5,, 9	.....	175,, 5,, 9
.....	38,, 3,, 6	.....	38,, 3,, 6
.....	14,, 1,, 9	.....	14,, 1,, 9
.....	206,, 7,, 1	.....	206,, 7,, 1
.....	<u>25,, 18,, 5</u>	<u>.....</u>	<u>25,, 18,, 5</u>
<u>Total Fees of Office Sterling £</u>	<u>£459,, 16,, 6</u>	<u>.....</u>	<u>£459,, 16,, 6</u>
<b>ncies</b> _____		Sterling	
25 <sup>th</sup> December 1769 to 24 <sup>th</sup> June 1770.....	53,, 6,, 9	53,, 6,, 9	
to ditto.....	13,, 13,, 7	13,, 13,, 7	
to ditto.....	63,, 9,, 10	63,, 9,, 10	
to ditto.....	73,, 1,, 2	73,, 1,, 2	
to ditto.....	31,, 8,, 8	31,, 8,, 8	
to ditto.....	4,, 15,, 5	4,, 15,, 5	
to ditto.....	1,, 9,, 9	1,, 9,, 9	
to ditto.....	11,, 7,, 0	11,, 7,, 0	
Sterling per Annum for 6 months..... £100,, 0,, 0			
Assizes there in February last..... <u>100,, 0,, 0</u>	200,, 0,, 0	200,, 0,, 0	
.....	45,, 0,, 0	45,, 0,, 0	
.....	27,, 0,, 0	27,, 0,, 0	
.....	22,, 10,, 0	22,, 10,, 0	
.....	22,, 10,, 0	22,, 10,, 0	
allowed by the Board of Treasury.....	25,, 0,, 0	25,, 0,, 0	
Extraordinary business, printing, folding & Stich <sup>g</sup> 350 New Ordin. <sup>cc</sup> £15,, 7,, 6..	65,, 7,, 6	65,, 7,, 6	
.....	9,, 2,, 0	9,, 2,, 0	
..... £5,, 0,, 0			
Supplying firewood for the Church, both French & Eng. <sup>l</sup> Service..... 10,, 12,, 6			
and for his allow. <sup>cc</sup> for firewood Stationary & c <sup>a</sup> for said Court <u>9,, 7,, 6</u>	25,, 0,, 0	25,, 0,, 0	
.....	28,, 10,, 0	28,, 10,, 0	
.....	44,, 2,, 5	44,, 2,, 5	
for the use of the Governor.....	37,, 10,, 0	37,, 10,, 0	
.....	11,, 5,, 0	11,, 5,, 0	
.....	8,, 4,, 3	8,, 4,, 3	
.....	21,, 14,, 3	21,, 14,, 3	
.....	13,, 7,, 6	13,, 7,, 6	
.....	18,, 14,, 7	18,, 14,, 7	
.....	10,, 0,, 0	10,, 0,, 0	
a Criminal.....	4,, 13,, 9	4,, 13,, 9	
of Saint Francis & Sault S <sup>t</sup> Louis.....	40,, 11,, 3	40,, 11,, 3	
.....	<u>10,, 0,, 5</u>	<u>10,, 0,, 5</u>	
<u>Total Disbursements &amp; Contingencies Sterling £</u>	<u>942,, 15,, 1</u>	<u>942,, 15,, 1</u>	
Approved in Council _____	/Signed/ H.	T. Cramahé	P. C.
<u>Guy Carleton</u>			

At the Council Chamber in the Castle of  
Saint Louis in the City of Quebec, on Thursday  
the Ninth day of August 1770.

Present

The Hon<sup>ble</sup> Hector T Cramahé Esquire  
President of his Majesty's Council &  
Commander in Chief of the Province.

The Hon<sup>ble</sup> W<sup>m</sup> Hey C J.

Hugh Finlay

Tho Dunn

Wa<sup>r</sup> Murray

Ja.<sup>s</sup> Cuthbert

Colin Drummond

} Esquires

The Honble H T Cramahé Esquire took the Oath  
of Office, and the State Oaths and Declaration,  
upon the Command of the Province devolving on him  
in the Absence of his Excellency Governor Carleton.

The Hon<sup>ble</sup> H T  
Cramahé Esq. Sworn  
in as Commander  
in Chief.

The Oath of a Councillor and the said State Oaths  
and Declaration were administered by the Commander  
in Chief to the Hon<sup>ble</sup> the Members of his Majesty's  
Council present this day in Council \_\_\_\_\_

Oaths administered  
to the Members  
of the Council,

The Oath of Office of Attorney General for his  
Majesty's Province of Quebec and the State Oaths  
and Declaration were likewise administered to  
Henry Kneller Esquire. \_\_\_\_\_

and Attorney  
General

Read the Draught of a Proclamation for  
the Continuing the Officers of Government in their  
respective Employments.

Proclamation  
of the Commander  
in Chief.

Approved and ordered to be Entered: and that  
the said Proclamation be translated into French  
and published immediately. \_\_\_\_\_

Approved and to  
be translated &  
published im-  
-mediately.

By

“By The Honourable  
 “Hector Theophilus Cramahé Esq.<sup>f</sup>  
 “President of His Majesty’s Council,  
 “Commander in chief on the Province  
 “of Quebec, &c.<sup>a</sup> &c.<sup>a</sup> \_\_\_\_

“ A Proclamation

“ Whereas his most gracious Majesty has  
 “been pleased to grant his Royal Leave of Absence to his  
 “Excellency Guy Carleton, Captain General and  
 “Governor in chief of this Province, in consequence of  
 “whose departure the Command of the said Province  
 “devolves upon me.

And whereas it is necessary for the  
 “Peace and good Government of the said Province that all  
 “his Majesty’s Officers within the same should continue in  
 “their several Offices and Employments. I have therefore  
 “thought fit, by and with the Advice and Consent of his  
 “Majesty’s Council, in Council Assembled, to issue this  
 “Proclamation, hereby ordering & directing that the said  
 “Officers do continue in their said Offices and Employments  
 “untill further Orders of which all persons concerned are  
 “required to take notice and to govern themselves Accordingly.

“Given under my hand and Seal  
 “at Arms, at the Castle of Saint Louis  
 “in the City of Quebec this ninth  
 “day of August, in the Tenth year of  
 “his Majesty’s Reign, And in the year  
 “of Our Lord One thousand Seven  
 “hundred & Seventy.

/Signed/ “H. T. Cramahé”

“By order of the Commander }  
 .. in chief of the Province }  
 Counts.<sup>d</sup> “Geo: Allsopp D Sec<sup>y</sup>”

H. T. Cramahé\_\_

God Save the King.

At the Council Chamber in the Castle of  
Saint Louis, in the City of Quebec, on Friday the  
Twenty eight day of September 1770 \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Commander in Chief.

W.<sup>m</sup> Hey. C J.

Hugh Finlay

Tho.<sup>s</sup> Dunn

Walter Murray

Colin Drummond

} Esquires

List of Bailiffs  
for the ensuing  
Year.

Read the List of Bailiffs for the ensuing Year to  
commence on the 29.<sup>th</sup> Instant. \_\_\_\_\_

Approved & ord.<sup>d</sup>  
to be published.

Approved and Ordered to be published in the  
Next Gazette. \_\_\_\_\_

Attempts to set  
fire to the City  
of Montreal,

It having been represented to the Board that  
Divers Attempts have been lately made to set fire  
to the City of Montreal. \_\_\_\_\_

A Reward of  
200 dollars for  
the discovery of  
the Offenders. \_

Resolved that an Advertisement be published  
in the Gazette promising his Majesty's most gracious  
Pardon and offering a Reward of Two hundred Dollars  
to be paid by the Receiver General to any of the Offenders  
(except the Person who actually did or shall hereafter attempt  
to set fire to the said City) who shall discover his or their  
Accomplices so that they may be apprehended and  
convicted thereof. \_\_\_\_\_

H T. Cramahé

At

At the Council Chamber  
In the Castle of Saint Louis in the City of Quebec,  
on Saturday the tenth day of November 1770 \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Commander in Chief  
William Hey C J.  
Hugh Finlay...  
Thomas Dunn...  
Walter Murray...  
Colin Drummond

} Esquires .

Petition of Samuel  
Sleeper Esq.<sup>r</sup>; for assistance  
to open two new roads  
into this Province.

Read Petition of Samuel Sleeper Esquire, setting forth  
that an easy Communication may be made between Gloucester  
County on Connecticut River in the Province of New York and  
the Mouth of Riviere à la Moëlle on Lake Champlain in  
the s.<sup>d</sup> Province at the Distance of 50 miles from S.<sup>t</sup> John's,  
and praying the Assistance of Government towards making  
the said Road; and also to enable him to open another  
Road from S.<sup>t</sup> John's to the said County of Gloucester.

Resolved that no  
publick money can  
be granted for the  
above purpose.

Resolved that this Board cannot grant any  
publick money for the purpose of cutting a Road in  
any other Government: That it appears to them the road  
from Gloucester Court House to the Mouth of the River  
à la Moëlle may prove beneficial to the Trade of this  
Province and therefore are willing to encourage the  
same in their private Capacities, by setting on foot a  
Subscription for that Purpose. \_\_\_\_\_ And as to opening  
a direct Road from thence to S.<sup>t</sup> John's in this Province  
that it is a matter which deserves further Consideration.

H T. Cramahé \_\_\_\_\_

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec, on Saturday the Fifth day  
of January 1771. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq<sup>r</sup> Commander in Chief.

William Hey C. J. }  
Hugh Finlay } Esq.<sup>rs</sup>  
Tho.<sup>s</sup> Dunn }  
Walter Murray }  
Colin Drummond }

A Com<sup>tee</sup> appointed  
to examine the Publick  
Acco.<sup>ts</sup> up to the 24  
Decem<sup>r</sup> 1770.

Ordered that M.<sup>r</sup> Finlay, M.<sup>r</sup> Dunn, M<sup>r</sup> Murray and  
M<sup>r</sup> Drummond be appointed a Committee to examine the  
Accompts and Claims against the Government of this  
Province for the last half year ending the 24<sup>th</sup> December 1770,  
and that any Member of this Board, that chuses, may make  
one of the said Committee. \_\_\_\_\_

Petition of John  
Franks Overseer of  
the Chimnies,

Read Petition of John Franks Overseer of the Chimnies  
for the City and Suburbs of Quebec, praying for an Allowance  
from Government for the Execution of the Office the  
last Year.

Refer'd to the Com<sup>tee</sup>  
on the Pub. Acco.<sup>ts</sup>

Ordered to be filed and refer'd to the Committee  
appointed for the Examination of the Publick Accompts.

Memorial of Rob.<sup>t</sup>  
M<sup>c</sup>Kay, Goaler at  
Montreal,

Read Memorial of Robert M.<sup>c</sup>Kay Keeper of his  
Majesty's Goal for the District of Montreal in the said  
Province praying to be allowed a Salary, the late  
Ordinance for the more effectual Administration of Justice, &c,  
having operated greatly to his disadvantage, by reducing  
the Number of Prisoners that <sup>have</sup> been usually committed to the  
said Goal.

Refer'd to the  
above Com<sup>tee</sup>.

Ordered to be filed and refer'd to the Committee  
above mentioned. \_\_\_\_\_

H T. Cramahé

At



At the Council Chamber, in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec, on Saturday the Twelfth day  
of January 1771. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Commander in Chief  
William Hey C J. }  
Hugh Finlay } Esq.<sup>rs</sup>  
Tho.<sup>s</sup> Dunn }  
Walter Murray }  
Colin Drummond }

Claim of M Boisseau  
one of the Cl<sup>rks</sup> Com<sup>pl</sup>es  
for an allowance for  
going the Circuit,  
of the Court of Common Pleas, for the Sum of Ten pounds Quebec  
Currency for his Expences in going the last Circuit and  
Twelve pounds more s.<sup>d</sup> Currency for his trouble and  
attendance;

Allowed £20 Quebec  
Currency for the  
same.  
Resolved that he be allowed the Sum of Twenty  
Pounds Current money of the Province for the Same, And  
that it be included in the Report of the Committee on the  
Publick Accompts.

Martial Vallet,  
Cryer of the Court Com<sup>pl</sup>es,  
allowed  
£5 for making the  
Fires, &c.  
Resolved that Martial Vallet Cryer of the  
Court of Common Pleas be allowed the Sum of Five  
pounds Halifax Currency as Cryer of the Court, and  
for making the Fires and cleaning out the Court House  
the last 6 Months, and this in Consideration that he  
gets no Fees on the Causes under Twelve pounds. \_\_\_\_

Letter from the Sec<sup>ry</sup>  
to the Board of Treasury  
touching the Attorney  
General's Fees.  
Read a Letter from Grey Cooper Esq.<sup>r</sup> Secretary to  
the Lords Commissioners of his Majesty's Treasury, dated  
Treasury Chambers 16 June 1770, relative to the Fees claimed  
by Francis Maseres Esq.<sup>r</sup> Attorney General of this Province.

Ordered  
To be filed &<sup>c</sup>  
his Acco.<sup>ts</sup> of Fee's to  
be included in the  
Report of the Com<sup>m</sup>tee.  
Ordered to be filed in the Office, and that M.<sup>r</sup> Maseres  
Accompts of Fees from the 25<sup>th</sup> Day of September 1766 to the 24 Decem<sup>r</sup> 1769,  
be included in the Report of the Committee on the Publick Accompts. H. T. Cramahé\_\_\_\_

At the Council Chamber, in the Castle  
of S.<sup>t</sup> Louis, in the City of Quebec, on Tuesday  
the Twenty ninth day of January 1771. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Commander in Chief.  
William Hey C J  
Hugh Finlay.  
Tho.<sup>s</sup> Dunn.  
Walter Murray.  
Colin Drummond

} Esquires

Receiver General's  
Accompts produced  
and Sworn to.

The Hon<sup>ble</sup> Tho.<sup>s</sup> Dunn Esq.<sup>r</sup>, Acting Receiver General,  
produced his Accompts for the last half Year commencing  
the 25<sup>th</sup> June and ending the 24 December 1770, which were  
examined in Council and compared with the Report of the  
Committee formerly approved by this Board: and he was  
this day sworn to the Truth of his said Accounts in Council.

To be filed in  
the Office.

Ordered that the Receiver General's Accompts be  
filed in the Clerk of the Council's Office.

The Union Fire Society  
at Montreal prays  
the Assistance of  
Government to enable  
them to compleat the  
publick Reservoir  
&c.

Read Two Letters from Jacob Jordan Esquire, dated  
Montreal 19 Novem<sup>r</sup> 1770 and 14 January 1771, praying  
the Assistance of Government to enable the Gentlemen  
associated under the Appellation of the Union Fire Society  
of that place, to finish and compleat the Publick Reservoir &  
to make Conduits and Basons for the Reception of Water in  
different Streets of the s.<sup>d</sup> City in order to prevent and  
extinguish Fires therein; together with an Estimate of  
the said Improvements. \_\_\_\_\_

Allowed the  
sum of £100 for  
the above purpose.

Ordered that a Warrant be directed to the Receiver  
General to pay M<sup>r</sup> Jordan the sum of One hundred Pounds  
Halifax Currency for the above mentioned Purpose; and that  
the s.<sup>d</sup> Sum be included in the Report of the Committee on the  
Publick accompts. \_\_\_\_\_

Report of the  
Com<sup>m</sup>ee on the  
pub. Acco.<sup>ts</sup>

Read the report of the Committee on the Publick  
Accompts dated the 7.<sup>th</sup> 9.<sup>th</sup> 23<sup>d</sup> and 29<sup>th</sup> Instant. \_\_\_\_\_

Approved & order'd  
to be Enter'd.

Approved and Confirmed and Ordered  
that the said Report be filed and Entered in this Book.

The Report

Viz.<sup>t</sup>

Quebec the 7.<sup>th</sup> 9.<sup>th</sup> 23<sup>d</sup> & 29<sup>th</sup> January 1771.

Present

The Honourable Hugh Finlay  
 Thomas Dunn  
 Walter Murray  
 Colin Drummond

} Esquires

The Committee appointed to examine the Accompts and Claims ag<sup>#</sup>st the Government of this Province from the 25<sup>th</sup> June to 24<sup>th</sup> December 1770

Fees of Office

	Demands as <i>p</i> Accompts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
	Sterling	Sterling	Sterling
✓ The Deputy Secretary's Accompt of Fees from the 25 <sup>th</sup> June to the 24 <sup>th</sup> December 1770.....	226,,11,,3	.....	226,,11,,3
✓ The Deputy Provost Marshal's Acco. <sup>t</sup> for the District of Quebec from d <sup>o</sup> to d <sup>o</sup> .....	29,,18,,6	.....	29,,18,,6
✓ The Deputy Provost Marshal's Acco. <sup>t</sup> for the District of Montreal from d <sup>o</sup> to d <sup>o</sup> .....	5,,17,,9	.....	5,,17,,9
✓ The Deputy Clerk of the Council's Acco. <sup>t</sup> .....from d <sup>o</sup> to d <sup>o</sup> .....	91,,14,,10	.....	91,,14,,10
✓ The Coroner's Accompt for the District of Quebec.....from d <sup>o</sup> to d <sup>o</sup> .....	35,, 3,, 0	.....	35,, 3,, 0
<u>Total Fees of Office Sterling £</u>	389,, 5,, 4	.....	389,, 5,, 4

Disbursements and Contingencies.

✓ The Deputy Secretary's Accompt of Disbursements & Contingencies from the 25. <sup>th</sup> June to 24 <sup>th</sup> December 1770.....	77,,17,, 2	77,,17,, 2	
✓ The Deputy Clerk of Enrolment's Accompt.....from ditto to ditto....	14,, 8,, 6	14,, 8,, 6	
✓ The Deputy Provost Marshal's Accompt for the District of Quebec.....from ditto to ditto....	66,, 0,, 0	66,, 0,, 0	
✓ The Deputy Provost Marshal's Accompt for the District of Montreal.....from ditto to ditto...	62,,19,, 0	62,,19,, 0	
✓ The Deputy Clk of the Council's Accompt of Disbursements & Contigencies from ditto to ditto...	56,, 9,, 8	56,, 9,, 8	
✓ The Clerk of the Peace's Accompt for the District of Quebec.....from ditto to ditto...	4,,12,, 3	4,,12,, 3	
✓ The Clerk of the Peace's Accompt for the District of Montreal.....from ditto to ditto...	8,, 7,,11	8,, 7,,11	
✓ The Coroner's Accompt for the District of Quebec .....from ditto to ditto...	3,,14,, 5	3,,14,, 5	
✓ The Honourable William Hey Chief Justice, in lieu of all Fees, at the rate of £200 Sterl <sup>s</sup> <i>p</i> An <sup>m</sup> for 6 months £100,, ,			
✓ Ditto his Expences going to Montreal and holding the Assizes there in September last <u>100,, ,</u>	200,, 0,, 0	200,, 0,, 0	
✓ Henry Kneller Esq. <sup>r</sup> Attorney General Attending the said Assizes.....	45,, 0, 0	45,, 0, 0	
✓ Alexander Johnston Clerk of the Crown Attending the said Assizes.....	27,, 0,, 0	27,, 0,, 0	
✓ James Shepherd Prothonotary Attending Ditto.....	22,,10,, 0	22,,10,, 0	
✓ David Lynd Civil Clerk Attending Ditto.....	<u>22,,10,, 0</u>	<u>22,,10,, 0</u>	
Carried forward £	611,,8,,11	611,,8,,11	66

Disbursements & Contingencies Continued		Demands as <i>p</i> Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Com <sup>rs</sup> ioners of the Treasury
	Brought over £	611,,8,,11	611,,8,,11	
✓	John Collins, Esq. <sup>f</sup> Deputy Surveyor General for half a year's Rent of an Office allowed by the Board of Treasury £25,, ,, , And for Surveying the King's Lands at Fort Chambly, S. <sup>t</sup> John's &c. <sup>a</sup> by order of Government 12,,18,,0	37,,18,, 0	37,,18,, 0	
✓	Brown & Gilmore Printers to the Government their half year Salary.....	50,, 0,, 0	50,, 0,, 0	
✓	Robert Murray Goal Keeper his allowance for six months.....	9,, 3,, 0	9,, 3,, 0	
✓	Thimothy Devine his Allowance for attending the Supreme Court as Cryer and Court Keeper..£5,, ,, , Ditto his allow. <sup>o</sup> for Firewood & Stationary for y <sup>e</sup> Supreme Court & Grand Jury Room & Supply. <sup>s</sup> firewood for the Church dur <sup>e</sup> both..... French & English Services } 10,,12,,6			
	Ditto for Attending the Quarter Sessions and for his Allowance for Firewood, Stationary &c. <sup>a</sup> for said Court...9,,7,,6	25,, 0,, 0	25,, 0,, 0	
✓	Daniel Gallwey Interpreter for attending the several Courts of Justice.....	33,, 0,, 0	33,, 0,, 0	
✓	Zachary Thompson Captain of the Port his Disbursements and Contingencies.....	43,, 0,,10	43,, 0,,10	
✓	John Maurez for half a year's Rent of a house at Montreal and the Furniture there of for the use of the Comm <sup>dr</sup> in Chief	37,,10,, 0	37,,10,, 0	
	The Seminary at Montreal for half a year's Rent of a Court house.....	11,, 5,, 0	11,, 5,, 0	
	John B. <sup>te</sup> Grand Maison for his half year's Pension.....	8,, 4,, 3	8,, 4,, 3	
✓	Thomas Dunn Esq. <sup>f</sup> for Presents given to Friendly Ind. <sup>ts</sup> in diff <sup>t</sup> parts of the Province by ord. <sup>r</sup> of y. <sup>e</sup> Gov <sup>t</sup> & ye Comm. <sup>dr</sup> in Chief	59,,18,, 2	59,,18,, 2	
✓	The Post Office for the Governments Letters.....	19,,19,, 8	19,,19,, 8	
✓	John Fraser Schoolmaster for 6 months Salary and Schoolhouse Rent.....	13,, 7,, 6	13,, 7,, 6	
✓	Nicholas Davis Messenger his allowance for 6 months and Disbursements.....	16,,15,, 5	16,,15,, 5	
	For the hire of a Room for the Grand Jury for 6 months.....	10,, 0,, 0	10,, 0,, 0	
✓	David Lynd Clerk of the Court of Common Pleas his Disbursements from the 25 <sup>th</sup> December 1769 to the 24 <sup>th</sup> December 1770	15,,15,, 3	15,,15,, 3	
✓	Henry Dunn for Sundry Repairs done at the Chateau Saint Louis, the Court house, at the Vaults of the Intendants Palace &c. <sup>a</sup> in the City of Quebec.....	111,, 0,, 7	111,, 0,, 7	
✓	Fran. <sup>s</sup> Jos: Cugnet for making Copies of the Extracts from the Ordinances of the Intendants Office of the... Ancient Laws, Edicts, Regulations and Decrees with Marginal Notes and References.....	18,, 9,, 0	18,, 9,, 0	
	Louis Corbin for making a Copy of divers Extracts of the Ordinances & Customs of y. <sup>e</sup> Province for the use of Government	8,,15,, 6	8,,15,, 6	
✓	M. Boisseau one of the Clerks of the Court of Common Pleas, for his Expences and trouble in going the Circuit thro' the District of Quebec in the month of July last.....	16,,10,, 0	15,,00,, 0	



At the Council Chamber in the Castle of  
S.<sup>t</sup> Louis in the City of Quebec, on Thursday  
the fourteenth day of February 1771. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Commander in Chief  
William Hey C J.  
Hugh Finlay...  
Thomas Dunn  
Walter Murray  
Colin Drummond } Esquires.

Petition of the  
Merchants of  
Montreal for a  
Lot to build a  
powder magazine  
on.

Read a Petition from the Merchants and Traders  
of the City of Montreal, praying a Grant of a Lot of Ground  
near the King's Powder Magazine in the said City, for the  
Purpose of building a Publick Magazine thereon for the  
Storing their Gun powder. \_\_\_\_\_

Report of the D.  
Surv.<sup>r</sup> Gen & a  
plan of the  
said Lot.

Read also a Report of the Deputy Surveyor  
General, annexed to a Plan of the Lot above prayed  
for. \_\_\_\_\_

Warrant for the  
Attorney General  
to purpose a dra.<sup>t</sup>  
of a Grant for  
the same.

Ordered to be filed in the Office and that a  
Warrant be made out directing the Attorney General  
to prepare a Draught of a Grant of the said Lot of  
Ground, to John Fraser Esquire, M. De S<sup>t</sup> Ours Deschaillons,  
M. Deschambault, Peter Du Calvet and Jacob Jordan Esquires,  
for the purpose abovementioned, Subject to an annual  
Quit Rent of One shilling Sterling for the Premisses, if  
demanded, and to the Inspection of Government.

H T. Cramahé \_\_\_\_\_

At the Council Chamber, in the Castle of  
S.<sup>t</sup> Louis, in the City of Quebec, on Tuesday  
the Twenty eight day of May 1771. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Commander in Chief.

W. <sup>m</sup> Hey C J.	} Esq. <sup>rs</sup>
Hugh Finlay	
Tho. <sup>s</sup> Dunn	
Walter Murray	
Colin Drummond	

Draught Letters Patent  
of a Lot of Ground  
for Erecting thereon  
a publick magazine  
for the Storing of  
Gunpowder in the  
City of Montreal

Read Draught of Letters Patent of a Lot of Ground situate  
near the King's Powder Magazine in the City of Montreal, to  
John Fraser, De S<sup>t</sup> Ours Deschailions, Deschambault,  
Peter Du Calvet and Jacob Jordan Esquires, in trust for themselves  
and the Merchants, Traders and other Inhabitants of the s.<sup>d</sup> City.  
for the purpose of erecting thereon a Publick Magazine or  
Storehouse for Gunpowder.

Approved & to be  
Engrossed.

Approved and Ordered to be Engrossed. \_\_\_\_\_

H T. Cramahé \_\_\_\_\_

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec, on Monday the Seventeenth  
Day of June 1771. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq. Commander in Chief.

W. <sup>m</sup> Hey C. J.	} Esq. <sup>rs</sup>
Hugh Finlay	
Tho. <sup>s</sup> Dunn	
Walter Murray	
Colin Drummond	

M<sup>f</sup> Perrault, J. M<sup>c</sup>Cord  
& L.<sup>s</sup> D'Alair exam.<sup>d</sup>  
touching the Attempts  
to set fire to this  
City. \_\_\_\_\_

The Board having examined Monsieur Perrault,  
M<sup>f</sup> John M.<sup>c</sup>Cord and Louis D'Alair, touching the late  
Attempts to set Fire to this City. \_\_\_\_\_

Resolved

A Committee appointed to confer with the principal Inhabitants on the means to prevent the ill Effects of such attempts in future.

Resolved that M<sup>r</sup> Hey. M<sup>r</sup> Finlay, M<sup>r</sup> Dunn, M<sup>r</sup> Murray and M<sup>r</sup> Drummond, be appointed a Committee to confer with some of the Members of the Amicable Society and other Gentlemen of the Town on the most effectual means to prevent any ill Effects f.<sup>m</sup> such Attempts to set fire to this City in future.

A Reward of 200 Span: Dollars for the discovery & Conviction of the Offenders.

Resolved, likewise that a further Reward of One hundred Dollars, besides the Reward of one hundred Dollars promised by Government in their Advertisement dated the 8.<sup>th</sup> Instant, making together two hundred Dollars, be offered to any of the Offenders who shall discover his or their Accomplices in attempting to set fire to the said City or who shall attempt to set fire thereto in future, And that the Kings most Gracious Pardon be promised to any but the Person who actually committed<sup>^</sup> or shall commit the Fact, The s.<sup>d</sup> Reward to be paid by the Receiver General, upon the Conviction of the Offenders. \_\_\_\_\_

H T. Cramahé \_\_\_\_\_

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis, in the City of Quebec, on Saturday the Twenty ninth day of June 1771. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq. Comm<sup>r</sup> in Chief.  
William Hey C J. }  
Hugh Finlay } Esquires.  
Thomas Dunn }  
Walter Murray }  
Colin Drummond }

A Committee appointed to examine the Publick Acco<sup>ts</sup> up to the 24 June 1771.

Order'd that M<sup>r</sup> Finlay, M<sup>r</sup> Dunn, M<sup>r</sup> Murray & M<sup>r</sup> Drummond, be appointed a Committee to examine the Accompts and Claims against the Government of this Province for the last half year ending the 24.<sup>th</sup> Instant, and that any Member of this Board that chuses, may make one of the said Committee. \_\_\_\_\_



Petition of  
Brown and  
Gilmore Printers  
touching business  
done for the  
Secretary's Office.

Read Petition of Brown and Gilmore Printers setting forth that they have done divers kinds of Printing for the Secretary's Office these 3 years last past, namely Licences and Bonds for Indian Traders and Licences and Recognizances for Tavernkeepers, to the amount of about Forty pounds Halifax Currency: That by a Resolution of this Board dated 21.<sup>st</sup> July 1767, it was ordered that the Printers should not be paid for printing Licences and Recognizances for James Goldfrap Esq.<sup>r</sup> late Deputy Secretary, they being allowed a Salary for printing for the Publick. That they have been paid by the Collector of the Custom, Post Master and others for printing business done for them respectively, And praying that this Board will ascertain whether the above Printing for the Secretary's Office of this Province is Publick work or not. \_\_\_\_\_

Refer'd to the  
Com<sup>tee</sup> on the  
Pub. Acco.<sup>ts</sup>

Refer'd to the above Committee on the  
Publick Accompts. \_\_\_\_\_

H T. Cramahé \_\_\_\_\_

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec, on Friday  
the Twelfth day of July 1771

Present \_\_\_\_\_

The Honble H T Cramahé Esq.<sup>r</sup> Com<sup>r</sup> in Chief.

W<sup>m</sup> Hey C J.

Hugh Finlay

Tho.<sup>s</sup> Dunn

Walter Murray

Colin Drummond

} Esquires.

The

Receiver General's  
Accompts produced  
and sworn to.

The Hon<sup>ble</sup> Thomas Dunn Esquire Acting Receiver  
General produced his Accompts for the last half year  
commencing the 25 Decem<sup>r</sup> 1770 and ending the 24 June 1771,  
which were examined in Council and compared with the  
Report of the Committee formerly approved by this board;  
And he was this day Sworn to the Truth of his said Accompts  
in Council.

To be filed in the  
Office. \_\_\_\_\_

Order'd that the receiver General's Accompts be  
filed in the Clerk of the Councils Office \_\_\_\_\_

Petition of John  
Beller for Lands.

Read Petition of John Beller Merchant setting forth  
his Intention to establish a Fishery at Cape Chat River in this  
Province and praying for that purpose a Grant of a Tract of land  
containing between five and six hundred Acres, namely, twelve  
Acres in front by twenty four Acres in Depth upon each side  
of the said River. \_\_\_\_\_

Refer'd to the  
Committee.

Ordered to be filed and referd to the Committee for  
Grants of Lands. \_\_\_\_\_

Read 3 Letters from  
Lord Dunmor Gov<sup>r</sup>  
of N York touching  
the Appointment of  
Commissioners to  
regulate the Commerce  
with the Indians,

Read three Letters from His Exc<sup>y</sup> Lord Dunmore,  
Governor of the Province of New York to the Commander in  
Chief of this Province, dated the 18<sup>th</sup> March, 7 May, & 10 June  
1771. setting forth that the Assembly of said Province have appointed  
Commissioners to meet Commissioners from this and other Provinces,  
in order to regulate the Commerce with the Indians, and desiring  
that Commissioners from this Province may be directed to meet  
those of the others Colonies, at New York, on the first day  
of December next; \_\_\_\_\_

And desiring that  
the Boundary may  
be run between this  
Province and that of  
N York, as far as  
Connecticut River.

Representing also that the said Assembly have voted  
a Sum for defraying half of the Expence of fixing a Boundary  
Line between this Colony and that of New York from the  
Station fixed by S.<sup>r</sup> Henry Moore to Connecticut River;  
and desiring that this Government will Concur  
therein and furnish a part of the Expence.

Resolved

Resolved that  
Commissioners from  
this Province be appoin-  
-ted after the return of  
the Indian Traders,

And that J. Collins  
Esq. D Surv<sup>r</sup> General  
do assist in running  
the Boundary Line.

Report of the  
Com<sup>m</sup>tee on the  
Pub. Accompts

approved and  
order'd to be Ent.<sup>d</sup>

The Report  
Viz.<sup>t</sup>

Resolved that Commissioners be appointed to meet those of  
the other Colonies at the time and place fixed upon, so soon as  
convenient, after the Return of the Traders from the Upper Country.

Resolved also that John Collins Esquire, Deputy  
Surveyor General of this Province do run, jointly with  
Adolphus Benzell Esq.<sup>r</sup> the person appointed by the Governor of  
New York, the Boundary Line between the Two Provinces,  
and that this Province do bear an equal part of the  
Expence. \_\_\_\_\_

Read the Report of the Committee on the  
Publick Accompts dated the 9.<sup>th</sup> 10<sup>th</sup> & 11<sup>th</sup> Instant.

Approved and Confirmed: and ordered that  
the said Report be filed, and Entered in  
this Book. \_\_\_\_\_

“Quebec the 9.<sup>th</sup> 10.<sup>th</sup> & 11.<sup>th</sup> July 1771.

“Present

“The Honourable Hugh Finlay	} Esquires
“ Thomas Dunn	
“ Walter Murray	
“ Colin Drummond	

“The Committee appointed to examine the Accompts  
“and Claims, against the Government of this Province  
“from the 25,<sup>th</sup> December 1770 to the 24.<sup>th</sup> June 1771.

Fees of Office\_\_

	<u>“Fees of Office</u>	Demands as p Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Comissioners of the Treasury
“	The Deputy Secretary’s Accompt of Fees from the 25 <sup>th</sup> of December 1770 to the 24 <sup>th</sup> June 1771.....✓	69,, 7,, 1	.....	69,, 7,, 1
“	The Deputy Provost Marshal’s Acco. <sup>t</sup> for the Dis. <sup>t</sup> of Quebec from d <sup>o</sup> to ditto.....✓	40,, 5,, 3	.....	40,, 5,, 3
“	The Deputy Provost Marshal’s Acco. <sup>t</sup> for the Dis. <sup>t</sup> of Montreal from d <sup>o</sup> to ditto.....✓	6,,19,,10	.....	6,,19,,10
“	The Deputy Clerk of the Council’s Accompt.....from d <sup>o</sup> to ditto.....✓	62,,19,, 5	.....	62,,19,, 5
“	The Coroner’s Accompt for the District of Quebec.....from d <sup>o</sup> to ditto.....✓	17,,14,,11	.....	17,,14,,11
	Total Fees of Office, Sterling..... £	197,, 6,, 6		197,, 6,, 6
	<u>Disbursements and Contingencies</u>			
“	The Deputy Secretary’s Accompt of Disbursements and Contingencies from the 25. <sup>th</sup> December 1770 to y. <sup>c</sup> 24. <sup>th</sup> June 1771...✓	54,, 2,, 9	54,, 2,, 9	
“	The Deputy Clerk of Enrolments....Accompt.....from....ditto.....to...ditto..✓	14,,13,,10	14,,13,,10	
“	The Deputy Provost Marshal’s....Accompt for the District of Quebec.....from....ditto.....to...ditto..✓	86,,16,, 9	86,,16,, 9	
“	The Deputy Provost Marshal’s...Accompt for the District of Montreal.....from....ditto.....to...ditto..✓	74,,16,, 3	74,,16,, 3	
“	The Deputy Clerk of the Council’s Acco <sup>t</sup> of Disbursem. <sup>ts</sup> & Contingencies..from....ditto.....to....ditto..✓	33,, 2,, 0	33,, 2,, 0	
“	The Clerk of the Peace’s Accompt for the District of Quebec.....from....ditto.....to....ditto..✓	5,, 5,, 9	5,, 5,, 9	
“	The Clerk of the Courts Acco. <sup>t</sup> for the District of Montreal.....from....ditto.....to....ditto..✓	2,, 5,, 8	2,, 5,, 8	
“	The Coroner’s Accompt for the District of Quebec .....from....ditto.....to....ditto..✓	3,,14,, 0	3,,14,, 0	
“	The Hon <sup>ble</sup> William Hey Chief Justice in lieu of all Fees at the rate of £200 Sterling <i>p</i> annum .....£100,, , ✓			
“	ditto his Expences going to Montreal and holding the Assizes there in Febr <sup>y</sup> last.....100,, , ✓	200,, 0,, 0	200,, 0,, 0	
“	Henry Kneller Esquire Attorney General...Attending the said Assizes.....✓	45,, 0,, 0	45,, 0,, 0	
“	Alexander Johnston....Clerk of the Crown...Attending the said Assizes.....✓	27,, 0,, 0	27,, 0,, 0	
“	James Shepherd.....Prothonotary..... Attending...ditto.....✓	22,,10,, 0	22,,10,, 0	
“	David Lynd.....Civil Clerk..... Attending...ditto.....✓	22, 10,, 0	22, 10,, 0	
“	John Collins, Esq. <sup>r</sup> Dep <sup>y</sup> . Surv. <sup>r</sup> Gen. <sup>l</sup> for half a year’s Rent of an office Allowed by the Treasury.....✓	25,, 0,, 0	25,, 0,, 0	
“	Brown & Gilmore Printers to the Government their half years Salary.....✓	50,, 0,, 0	50,, 0,, 0	
“	Robert Murray Goal Keeper at Quebec his Allowance for six months.....✓	9,, 2,, 0	9,, 2,, 0	
“	Robert M <sup>c</sup> Cay Goal Keeper..... at Montreal his Allowance for six months.....✓	9,, 2,, 0	9,, 2,, 0	
“	Thimothy Devine his Allowance for Attending the Supreme Court as Cryer and Court Keeper.....£5,, , ,			
“	d <sup>o</sup> his allow. <sup>ts</sup> for Firewood & Stationary for the Supreme Court & Grand Jury Room & Supply. <sup>s</sup> firewood for y <sup>e</sup> Church dur. <sup>s</sup> y <sup>e</sup> French & English Services 10,,12,,6			
“	d <sup>o</sup> for attending the Quarter Sessions & for his Allowance for Firewood Stationary &c. <sup>a</sup> for said Court.... 9,7,6✓	25,, 0,, 0	25,, 0,, 0	
“	Daniel Gallwey Interpreter for Attending the Several Courts of Justice.....✓	33,, 0,, 0	33,, 0,, 0	
“	Zachary Thompson Captain of the Port his Disbursements and Contingencies.....✓	74,,19,, 3	74,,19,, 3	

“	John Maurez for half a years Rent of a House at Montreal and the furniture thereof for the use of y <sup>c</sup> Comm <sup>er</sup> in Chief.✓	37,,10,, 0	37,,10,, 0	
“	The Seminary at Montreal for half a year’s Rent of a Court house.....✓	11,, 5,, 0	11,, 5,, 0	
“	John B, <sup>te</sup> Grand Maison for his half year’s Pension.....✓	8,, 4,, 3	8,, 4,, 3	
“	Thomas Dunn Esquire for presents given to Friendly Ind. <sup>ts</sup> in differ. <sup>t</sup> parts of the Prov. <sup>ce</sup> by order of the Com. <sup>dr</sup> in Chief.✓	98,, 2,, 1	98,, 2,, 1	
“	The Post office for the Governments Letters.....✓	7,,12,, 3	7,,12,, 3	
“	John Fraser Schoolmaster for 6 months Salary and Schoolhouse Rent.....✓	13,, 7,, 6	13,, 7,, 6	
“	Nicholas Davis Messenger his Allowance for 6 Months and Disbursements.....✓	15,,19,,10	15,,19,,10	
“	For the hire of a Room for the Grand Jury for 6 Months.....✓	10,, 0,, 0	10,, 0,, 0	
“	David Lynd, Clerk of the Court of Common Pleas for the Dis. <sup>t</sup> of Quebec his Acco <sup>t</sup> of Disbursements.....✓	5,, 9,, 2	5,, 9,, 2	
“	Henry Dunn Carpenter for Repairing the Roof of the Chateau S <sup>t</sup> Louis carried away by a Storm during the Winter & other Repairs, also for Rebuilding a Wall at the end of Champlain Street which was in Ruins &c. <sup>a</sup> .....✓	64, 8,, 1	64, 8,, 1	
“	Nicolas Boisseau one of the Clerks of the Court of Common Pleas, for his Expences and trouble in going the } Circuit thro’ the District of Quebec in the Month of March last.....✓	15,, 0,, 0	15,, 0,, 0	
“	Martial Vallet Cryer of the Court of Commons Pleas for making the Fires & Cleaning the Court house the last 6 Months...✓	4,,10,, 0	4,,10,, 0	
“	Louis Perthuis Indian Interpreter at Montreal for his Salary...from 25 <sup>th</sup> Decem <sup>r</sup> 1770 to 24 <sup>th</sup> June 1771.....✓	40,,19,, 0	40,,19,, 0	
“	S <sup>t</sup> Jean Rousseau Interpreter of the Outawas Language his Salary from...ditto...to...ditto.....✓	11,, 5,, 0	11,, 5,, 0	
	<b>“Total Disbursements &amp; Contingencies Sterling £</b>	<b>1101,,12,,5</b>	<b>£1101,,12,,5</b>	

“The Committee having taken into consideration the Petition of Brown & Gilmore Printers to the Government, and heard the Allegations of M<sup>r</sup> Allsopp Deputy Secretary and Clerk to this Board, touching the same, Cannot see the least reason for deviating from the Resolution of Council of the 21.<sup>st</sup> July 1767, And are therefore of Opinion that all kinds of Business done in, and issuing out of, the Secretary’s and Clerk of the Council’s Offices, by order of Government, namely; Ordinances, Orders, Proclamations, Advertisements, Licences, Bonds and Recognizances, as also Passes, Summons’s and Dispatches of every kind that may be Judged necessary by the Secretary and Clerk of the Council to be printed for the Publick Conveniency are to be done, upon good paper, for their Salary from Government.  
/Signed/ “Hugh Finlay P.<sup>t</sup> C<sup>ee</sup>”

Examined and Approved in Council \_\_\_\_\_

(Signed) H. T. Cramahé \_\_\_\_\_

H. T. Cramahé \_\_\_\_\_

At

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At the Council Chamber, in the Castle of Saint Louis in the City of Quebec, on Thursday the Twenty sixth day of September 1771.

Present

The Hon<sup>ble</sup> Hector Theo.<sup>s</sup> Cramahé Esq.<sup>r</sup> Commander in Chief.  
William Hey. C J. }  
Hugh Finlay \_\_\_ } Esquires.  
Tho<sup>s</sup> Dunn \_\_\_ }  
Walter Murray — }  
James Cuthbert — }  
Colin Drummond }

The Hon<sup>ble</sup> H. T. Cramahé Esq. appointed Lieutenant Governor,

and takes the Oaths &c.

Read his Majesty's Commission under his Royal Sign manual dated at S.<sup>t</sup> James's the 6<sup>th</sup> day of June last, constituting and appointing the Hon<sup>ble</sup> Hector Theophilus Cramahé Esq.<sup>r</sup> Lieutenant Governor of His Majesty's Province of Quebec: Who accordingly took the Oaths of Office, Allegiance, Supremacy, and Abjuration; and made and subscribed the Declaration, appointed by Act of Parliament. \_\_\_\_\_

The Oaths &c, administer'd to the Council.

The Oath of a Councillor together with the State Oaths were administered by the Lieutenant Governor to all the above Members of his Majesty's Council, who did also make and subscribe the Declaration against Transubstantiation respectively. \_\_\_\_\_

Read Extract from Lord Dunmore's Letter to the L.<sup>t</sup> Governor ab.<sup>t</sup> appoint.<sup>g</sup> Commissioners from this province,

Read an Extract from Lord Dunmore's Letter to the Lieu.<sup>t</sup> Governor dated New York 10 June 1771, touching the Appointment of Commissioners from this Province, to meet those from the Colonies of N York & Philadelphia, at the City of New York on the 1<sup>st</sup> Decem<sup>r</sup> next, to consider of Regulations for the Indian Trade. \_\_\_\_\_

And Regulations proposed for levying Duties on the Indian Trade.

Read also the Regulations proposed by the Assembly of New York for levying certain Duties on the Indian Trade, and transmitted in S.<sup>r</sup> H. Moore's Letter to Governor Carleton of the 11<sup>th</sup> June 1769. \_\_\_\_\_

A Committee appointed to take this Business into Consideration.

Ordered, That M<sup>r</sup> Hey, M<sup>r</sup> Finlay and M.<sup>r</sup> Dunn, with any other of the Members of this Board that chuse, be appointed a Committee to take the beforementioned matters, concerning the Indian Trade, into Consideration and to Report their Opinion thereon to the Lieutenant Governor in Council. \_\_\_\_\_

Petition of Ja.<sup>s</sup> Hughes Town Major of Montreal for a Spot of Land.

Read Petition of James Hughes Town Major of the City of Montreal, praying a Grant of a Spot of Land in the said City as described in his Petition. \_\_\_\_\_

Resolved that it cannot be granted.

Resolved that the Spot of Land applied for, cannot be granted to the Petitioner, as it will be wanted for the Use of Government. \_\_\_\_\_

Proclamation of the Lieuten.<sup>t</sup> Governor.

Read Draught of a Proclamation of the Lieuten.<sup>t</sup> Governor for continuing the Officers of Government in their respective Employments till further Orders.

Approved and order'd to be published.

Approved, Ordered to be Entered; and to be translated into French and published in the next Gazette. \_\_\_\_\_

“Quebec Ls.      “By The Honourable Hector  
                         “Theophilus Cramahé, Esquire,  
                         “Lieutenant Governor and Commander  
                         “in Chief of the Province of Quebec, &c. &c.

“      A Proclamation.

“      Whereas His Majesty has been most Graciously  
“pleased, by his Commission under his Royal Sign on Manual,  
“dated at Saint James’s, the 6<sup>th</sup> day of June, 1771, in the  
“Eleventh year of His Reign, to Constitute and Appoint me  
“Lieutenant Governor of His Province of Quebec:

I have

“ I have therefore thought fit, by and with the Advice  
“and Consent of His Majesty’s Council, to issue this  
“Proclamation, hereby ordering and directing, that  
“all Officers of Government, within the said Province,  
“do Continue in their several Offices and Employments,  
“until further orders; of which all persons Concerned  
“are required to take notice, and to Govern themselves  
“Accordingly.

“Given under my hand and Seal at  
“Arms, At the Castle of Saint Lewis, in  
“the City of Quebec, this 26<sup>th</sup> day of September,  
“In the Eleventh year of His Majesty’s  
“Reign, And in the year of Our Lord, 1771.

By the Lieutenant Governor’s  
Command,  
Counters.<sup>d</sup> Geo: Allsopp: D Secr.<sup>y</sup>

/Signed/ H. T. Cramahé

God save the King.

H T. Cramahé

At the Council Chamber in the Castle  
of Saint Louis in the City of Quebec, on Saturday  
the Twenty eighth day of September 1771.

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq. Lieuten.<sup>t</sup> Governor.

W<sup>m</sup> Hey C J.

Hugh Finlay

Tho.<sup>s</sup> Dunn

Walter Murray

James Cuthbert

Colin Drummond

} Esquires.

Read



List of Bailiffs  
for the ensuing year.

Read the List of Bailiffs for the ensuing Year  
to commence on the 29<sup>th</sup> Instant and an Advertisement,  
concerning the same \_\_\_\_\_

Approved and  
Ordered to be  
published.

Approved and ordered that the said Advertisem.<sup>t</sup>  
be translated and published with the abovementioned  
List of Bailiffs in the next Gazette. \_\_\_\_\_

Petition of the  
Hon<sup>ble</sup> Ja<sup>s</sup> Cuthbert  
Esq.<sup>r</sup> for Lands.

Read the Petition of the Hon<sup>ble</sup> James Cuthbert  
Esquire Seigneur of Berthier and New York, setting  
forth that the Seigniors of Dautray, La Noray,  
La Valtrie and others to the Westward of Berthier  
have formerly obtained and do enjoy a Prolongation  
of their Grants to the River Assumption which River  
would be a proper boundary for the Petitioner also:  
and praying a Grant of the unconceded Lands behind  
his said Seigniories as far back as the said River  
Assumption, upon the Conditions and Reservations in  
his former Grants, or upon such other Terms as  
Government shall think proper. \_\_\_\_\_

Refer'd to the  
Committee.

Ordered to be filed and referred to the Committee  
for Grants of Lands. \_\_\_\_\_

H. T. Cramahé \_\_\_\_\_

At the Council Chamber in the Castle of  
Saint Louis in the City of Quebec on Monday the  
thirtieth day of September 1771. \_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieuten<sup>t</sup> Governor.

William Hey C. J.	} Esquires.
Hugh Finlay . .	
Tho. <sup>s</sup> Dunn . .	
Walter Murray .	
Ja. <sup>s</sup> Cuthbert	
Colin Drummond	

The

Address of the  
Council to  
the Hon<sup>ble</sup> H. T.  
Cramahé Esq.<sup>r</sup>  
Lieut.<sup>t</sup> Governor,

The Hon<sup>ble</sup> The Members of his Majesty's Council  
presented a <sup>Congratulatory</sup> Address to the Hon<sup>ble</sup> Hector Theophilus Cramahé  
Esquire, on his Appointment to the Office of Lieutenant Governor  
of this Province, in the following Terms, Viz.<sup>t</sup> \_\_\_\_\_

To the Honorable Hector  
Theophilus Cramahé, Esquire  
Lieutenant Governor and Com=  
=mander in Chief of His Majesty's  
Province of Quebec, &c.<sup>a</sup> &c.<sup>a</sup>

The Address of His Majesty's Council.

We the Members of His Majesty's Council are  
desirous of taking the earliest Opportunity to Congratulate you  
upon your Appointment to the Office of Lieutenant Governor of  
this Province: to assure you of the intire Satisfaction we have  
in it, and our warmest Wishes that it may be as advantageous  
to you as we believe it to be to the Publick.

We will not offend your Delicacy by enumerating the particulars  
of a Conduct which have (no doubt) derived to you this mark of  
his Majesty's Confidence; but you must give us leave (for that is a  
general Concern) to express the pleasure we receive in seeing it so  
Honorably distinguished: His Majesty's gracious Disposition to  
reward his faithful Servants is known to the remotest part  
of his Dominions, and we rejoice in this, amongst other instances,  
to find his Judgement so well informed in the Application of it.

While we retain our Confidence in your Abilities to promote the  
Interest of this Province, and your Inclination to exert them in  
every way they can be made useful to it, it is a Compliment to  
Ourselves, rather than you, to assure you of an intire Union and  
Harmony in our Councils as long as you continue to preside in  
them: Our personal Esteem and Regard, the fair reward of a  
private Character long known and well established, will attend  
you in every Station. \_\_\_\_\_

Quebec the 30<sup>th</sup> September 1771. (Signed) { W.<sup>m</sup> Hey C. J. W<sup>r</sup>a Murray  
Hugh Finlay James Cuthbert  
Thom.<sup>s</sup> Dunn Colin Drummond

His Answer  
thereto. —

To which Address, the Lieutenant Governor was  
pleased to return the following Answer. \_\_\_\_\_

Gentlemen,

I return you my sincere thanks for  
your very obliging Congratulations upon His Majesty's  
Most Gracious appointment of me to be Lieutenant  
Governor of this Province.

The only Acknowledgement in my power  
to make for so distinguished a Mark of His Royal favor  
and Confidence is to exert my best Endeavours for His  
Service, and to promote, as far as in me lies, the Welfare  
and Happiness of all His Subjects in this part of his  
Dominions.

It is a particular Satisfaction to me, that in the  
Execution of this important Trust, I am to be advised and  
Assisted by Gentlemen, whose abilities as well as Zeal  
for the King's Service, I have long experienced.

/Signed/ H. T. Cramahé

Quebec the 30<sup>th</sup> Septem<sup>r</sup> 1771.

H. T. Cramahé

At the Council Chamber, in the Castle of S<sup>t</sup> Louis  
in the City of Quebec on Tuesday the Thirty first day  
of December 1771. \_\_\_\_\_

Present

The Hon<sup>~</sup>ble H. T. Cramahé Esq.<sup>r</sup> Lieut.<sup>t</sup> Governor.

William Hey C. J.

Hugh Finlay

Tho.<sup>s</sup> Dunn

Ja<sup>s</sup> Cuthbert

Colin Drummond,

} Esquires.

Ordered

A Committee appointed to examine the Pub: Acco.<sup>ts</sup> up to the 24 Decem.<sup>r</sup> 1771.

Ordered that M.<sup>r</sup> Finlay, M.<sup>r</sup> Dunn, M.<sup>r</sup> Cuthbert and M.<sup>r</sup> Drummond, be appointed a Committee to examine the Accompts and Claims against the Government of this Province for the last half year ending the 24 Instant, And that any Member of this Board that chuses may make One of the said Committee. \_\_\_\_\_

Memorial of divers Inhabitants touching the Clerk of the Market,

Read Memorial of divers Inhabitants of this City, representing that the Person commissioned to Act as Clerk of the Market of Quebec, neglects his Duty, and praying that a proper Person may be appointed, with Authority to carry into Execution the Ordinances for regulating the Markets in the said City. \_\_\_\_\_

Refer'd to a Committee.

Ordered to be <sup>filed &</sup> refer'd to the Chief Justice and Gentlemen appointed to examine the Publick Accompts.

Petition of Hugh Finlay Esq; for Lands at Bonaventure.

Read Petition of Hugh Finlay Esq.<sup>r</sup> praying for a Grant of certain Tracts of Land at Bonaventure in Chaleurs Bay, formerly allotted to Discharged Soldiers who have forfeited the same to the Crown, for want of settling and improving the said Lands agreeable to an Advertisement published by Command of the Lieutenant Governor in Council, on the 14<sup>th</sup> March 1768: praying also for an Addition of as much Land contiguous thereto, as will make <sup>in</sup> the whole, : Twenty thousand Acres, which, if granted, he purposes <sup>immediately</sup> to settle with Industrious Farmers and Fishermen, from Great Britain. \_\_\_\_\_

Petition of John Thomson for lands, at Bonaventure,

Read Petition of John Thomson, praying for a Grant of ten thousand Acres of Land at Bonaventure in the Bay of Chaleurs with part of it on the Harbour, and the remainder contiguous thereto, Convenient for Carrying on the Fishery & to form a Settlement.

Read

Petition of Anderson and Smith, touching their former Petition for Lands, filed the 18 Ap.<sup>l</sup> 1770, & praying part thereof elsewhere,

Read Petition of Duncan Anderson & William Smith, Merchants, praying that the ten thousand Acres of Land for which they have obtained a Mandamus from the King in Council dated the 3<sup>d</sup> May 1769 in the Names of Frederick Dutins, Duncan Anderson & William Smith, may be granted as follows; Four thousand acres at Bonaventure, Four thousand Acres at Paspebiac and Two thousand Acres at Cascapediac in Chaleurs Bay, which they pray may be granted them, in such places as they may chuse, according to the Ancient Tenure of French Grants in this Province, or agreeable to the Terms of their said Mandamus. \_\_\_\_

Petition of Zachary Macaulay & Ch<sup>s</sup> Gordon for Lands on the Island of Bonaventure,

Read Petition of Zachary Macaulay and Charles Gordon, Merchants, praying a Grant of Six hundred Acres of Land on the Island of Bonaventure in the Gulph of S.<sup>t</sup> Lawrence for the purpose of carrying on a Cod fishery.

Petition of Cha<sup>s</sup> Gordon for Lands at Point Percé,

Read Petition of Charles Gordon setting forth his Intention to carry on A Cod fishery near the Pierced Island, in the Gulph of S<sup>t</sup> Lawrence, that for the Conveniency thereof <sup>he</sup> is desirous to make a Settlement on the Main contiguous thereto; And praying for that purpose a Grant of Two thousand five hundred Acres of Land on the South side of Point Percé.

Petition of Zach. Macaulay for lands at Point percé,

Read Petition of Zachary Macaulay, Merchant, praying a Grant of Two thousand five hundred Acres of Land on the North Side of Point Percé for the Conveniency of carrying on a Cod Fishery off the Islands of Bonaventure and Percé between Gaspée & the Mouth of Chaleurs Bay.

Petition of Zachary Macaulay for lands on Fox River, in quality of midship=  
=man, &c.<sup>a</sup>

Read Petition of Zachary Macaulay, setting forth his having Served the last War, in quality of Midshipman, on board his Majesty's Ship of War the Princess of Orange at the Reduction of Louisbourg and Quebec, and praying, (under his Majesty's Royal Proclamation of the 7.<sup>th</sup> October 1763) a Grant of Two thousand Acres of

of Land on Fox River, (on each side of the said River) situated between the Great Pool and Cape Roziere on the South Side of the River S.<sup>t</sup> Lawrence; praying also that if his Majesty should be pleased to direct the Lands in this Province to be granted under the Ancient French Tenure, he may share his Majesty's Royal Bounty in this particular, and be indulged with an addition of Ten thousand Acres more on the said River. \_\_\_\_\_

The foregoing 7 Petitions refer'd to the Com<sup>tee</sup>.

Ordered that the Seven foregoing Petitions for Lands, be filed and refer'd to the Committee for Grants of Lands. \_\_\_\_\_

H. T. Cramahé \_\_\_\_\_

At the Council Chamber, in the Castle of Saint Louis in the City of Quebec, on Monday the thirteenth day of January 1772. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieut.<sup>t</sup> Governor.

W.<sup>m</sup> Hey C J

Hugh Finlay

Tho.<sup>s</sup> Dunn

Ja.<sup>s</sup> Cuthbert

Colin Drummond

} Esquires.

Letter from Gov.<sup>r</sup> Tryon proposing that M<sup>r</sup> Collins D Surv<sup>r</sup> Gen.<sup>l</sup> should meet the Commissioner from N York at Riviere à la Colle the 1<sup>st</sup> March next to run the boundary line between the two Provinces,

Read Extract of a Letter from His Exc<sup>y</sup> W.<sup>m</sup> Tryon Esquire Governor of New York, dated New York 29 Nov.<sup>r</sup> 1771, setting forth that the Person appointed to run the Boundary Line between this Province and that of New York to the West banks of Connecticut River, in Conjunction with M<sup>r</sup> Collins Deputy Surveyor General of this Province, had been prevented by Sickness from attending that Duty, but that the Governor and Council of New York, had thought proper to appoint some other person in the room of M<sup>r</sup> Benzell to meet M<sup>r</sup> Collins at the River à la Colle, on the first of March next, x x x to run, jointly with him, the said Boundary Line.

M<sup>r</sup> Collins order'd to attend at the time & place appointed.

Resolved, that this Board do approve of the Proposal made by the Governor of New York and that said M<sup>r</sup> Collins be ordered to attend at the time and place appointed to run the said Boundary Line, according to his former Instructions.

Read

Memorial of Ja.<sup>s</sup>  
Shepherd, Clerk  
of the Peace for the  
District of Quebec,  
praying a Salary,

Read Memorial of James Shepherd Clerk of the Peace for the District of Quebec, setting forth that by the Ordinance of the 1<sup>st</sup> February 1770 for the more effectual Administration of Justice &c, taking all Jurisdiction in Civil matters from his Majesty's Justices of the Peace; he has been deprived of divers Fees and Emoluments, which were a Compensation for his attendance and trouble in both the Criminal and Civil Business of his office; that, at present, he has no Emoluments or allowance whatever, arising from the Criminal Jurisdiction exercised by the Justices, and therefore praying a Salary may be annexed to his said Office adequate to the business thereof. \_\_\_\_\_

To lye on the Table.

Ordered to lye on the Table. \_\_\_\_\_

Receiver General's  
Acco.<sup>ts</sup> produced  
and sworn to.

The Hon<sup>ble</sup> Thomas Dunn Esquire, Acting Receiver General produced his Accompts for the last half year commencing the 25<sup>th</sup> June and ending the 24<sup>th</sup> December 1771, which were examined in Council and compared with the Report of the Committee formerly approved by this Board; And he was this day sworn to the truth of his said Accounts in Council.

To be filed in  
the Office.

Ordered that the Receiver General's Accompts be filed in the Clerk of the Council's Office. \_\_\_\_\_

Report of the Com<sup>tee</sup>  
on certain proposals  
from New York for  
regulating the  
Indian Trade,

Read the Report of the Committee appointed the 26 Septem<sup>r</sup>, and held the 30 Octo.<sup>r</sup>, 2 Novem<sup>r</sup> 1771, and 10 January 1772, on some Proposals for regulating the Indian Trade transmitted by the Governor of New York. \_\_\_\_\_

Approved &  
order'd to be Ent.<sup>d</sup>

Approved and ordered that the above Report be <sup>filed and</sup> Entered in this book, together with the Proposals of the Assembly of N York and the Memorial of divers Merchants of this Province concerned in the Indian Trade, annexed to the said Report. \_\_\_\_\_

Report of the Com<sup>tee</sup>  
on the Pub: Accompts.

Read the Report of the Committee on the Publick Accompts dated the 8.<sup>th</sup> 10<sup>th</sup> & 13<sup>th</sup> Instant. \_\_\_\_\_

Approved and  
order'd to be Ent.<sup>d</sup>

Approved and Confirmed: and Ordered that the said Report be filed, and entered in this Book. \_\_\_\_\_

“Quebec the 10<sup>th</sup> January 1772.

The Report  
concerning the  
Indian Trade.

“ At a Committee of the Council appointed  
“the 26,<sup>th</sup> September, and held the 30,<sup>th</sup> October, 2,<sup>d</sup> November  
“1771 and this day, in order to take into Consideration  
“some proposals from the House of Assembly at New York  
“for Regulating the Indian Trade, transmitted by  
“the Governor of that Province.

“ Present

“The Hon <sup>ble</sup> Will. <sup>m</sup> Hey C. J.	} Esquires
“ Hugh Finlay	
“ Thomas Dunn	
“ James Cuthbert	
“ Colin Drummond	

“ Who are unanimous in reporting to your Honor  
“and the Council that it appears to them that the Governor  
“and Council have no Authority to impose Duties or Levy  
“Taxes upon the Subjects of this Province for any purpose  
“whatsoever, and if they had such Authority, Your  
“Committee could by no means recommend the  
“exercising it for the Purposes and in the manner  
“set forth in the paper hereunto Annexed N<sup>o</sup>1.  
“containing Proposals by the Assembly of New York  
“for the Regulation of the Indian Trade: Proposals  
“which, if they could be carried into Execution, would  
“as far as they Affect this Province, be † exceedingly  
“detrimental to the Trade of it. For the first part of  
“Our Resolution, We beg leave to refer your Honor and  
“the Council to His Majesty’s Instructions to the  
“Governor of this Province. For the other, it being a  
“Matter of a Nature almost purely Mercantile, We have  
“thought fit to consult several Gentlemen of particular  
“experience in that Trade, whose opinions we transmit in  
“the paper N<sup>o</sup>2, without any other Observation than that they

concurr



“concurr with our own in every point.

/Signed/ “W.,<sup>m</sup> Hey P.”

Proposals made by  
the Assembly of N York  
for regulating the  
Indian Trade.

Paper N.º 1. referred to in the foregoing Report.

“ That this Colony impose a Duty of one Shilling Currency  
“per Gallon on all Rum or distilled Liquor sold at Niagara,  
“And three per Cent on all dry Goods sold at Niagara  
“and Detroit. That the Colonies of Pennsylvania and  
“Quebec do the like. \_\_\_\_\_

“ That the Duties arising on all Goods sold at either  
“of the above places be applied for Supporting the Trade  
“there, in such manner as shall be directed by Acts of this Colony.

“ That the Colony of Quebec impose a Duty of  
“on all Rum or distilled Liquor sold at Carrilon, and a  
“Duty of \_\_\_\_\_ per Cent on all dry Goods sold at  
“Carrilon, Michilimackinac, and any other Post where  
“there is a Garrison. \_\_\_\_\_

“ That the Colonies of Pennsylvania and New York  
“pass a like Act. \_\_\_\_\_

“ That the Duties arising on all Goods sold at either  
“of the above places or such other Post where there is a  
“Garrison be applied for Supporting the Trade there,  
“in such manner as shall be directed by the  
“Colony of Quebec. \_\_\_\_\_

“ That the Colony of Pennsylvania impose a Duty  
“of \_\_\_\_\_ per Gallon on all Rum or other distilled Liquor  
“sold at Pittsburgh, and a Duty of \_\_\_\_\_ per Cent  
“on all dry Goods sold at Pittsburgh, Illinois or any  
“other place or Post where there is a Garrison. \_\_\_\_\_

“ That the Colonies of Quebec and New York pass  
“a like Act. \_\_\_\_\_

“ That the Duties arising on all Goods sold at either  
“of the above places, or any other place or Post where there  
“is a Garrison be applied for Supporting the Trade there  
“in such manner as shall be directed by the Colony of  
“Pennsylvania. \_\_\_\_\_

“ That an Act be passed by each of the three mentioned  
“Colonies to prohibit Rum or other Distilled Liquor being  
“Carried any farther than Niagara, Pittsburgh and

Carrilon

“Carrillon (excepting a Certain allowance to the Traders and  
“their Servants for their own use) That the Acts Provide  
“for one or more Commissioners in each of said Colonies  
“with whom all Traders shall enter their Goods and  
“give Security for paying the Duties, that such Commissioners  
“or Commissioner in the Colony of New York shall Transmit  
“all the Duties he receives from Traders going to Trade at  
“any of the Posts under the direction of Pennsylvania or  
“Quebec, to the Commissioner or Commissioners of the s.<sup>d</sup> Colonies.

“ That the Commissioners of Canada & Pennsylvania  
“do the like with respect to New York and to each other. \_\_\_

Memorial of  
sundry Merchants  
concerned in the Indian  
Trade, upon the  
Foregoing Proposals.

Paper N.<sup>o</sup>2. Referred to in the foregoing Report.

“To the Hon<sup>ble</sup> Committee of His  
“Majesty’s Council of this Province  
“nominated to Report on the Resolves  
“of the Government of New York.

“ We do not conceive the necessity or Utility of imposing  
“a Duty on Rum or on Dry Goods as proposed by the  
“Government of New York, nor can we see any Advantage  
“that would arise to Great Britain, the Colonies, or the  
“Indians, from such a Scheme. \_\_\_\_\_ On Dry Goods  
“such a Tax would not only be Anticommercial but  
“unconstitutional; And on Rum it seems to us unnecessary.

“ Nor does the Expediency of raising a Fund by any  
“means “to support the Trade” appear obvious to us. \_\_\_ It is  
“the private affair of those who Trade to the upper Countries  
“to pay their Interpreters and Gunsmiths. \_\_\_ And it  
“is the practice of the Traders of this Colony to carry  
“such with them to their Establishments amongst the  
“Indians, and that at their own Expence.

“ The confining of the Sale of Spirituous Liquors to the  
“Posts of Carrillon, Niagara, Detroit, and Pittsburgh &c.<sup>a</sup>  
“would be the means of Losing the Indian Trade, in  
“general, and throwing of it into the hands of Our  
“Neighbours the French and Spaniards; And that,  
“because of the distance of those Posts from the numerous

Indian

“Indian nations to the Northward and Westward of them.  
 “ Had the Government of New York proposed an Act  
 “totally to prohibit the Sale of Strong Liquors to the Indians,  
 “or even to restrict the Quantity to be carried into the  
 “Indian Countries to 60 or 70 Gallons each Battoe or  
 “Canoe\_\_ We think it would be the Interest of this Colony  
 “to Acquiesce thereto. Such an Act well regulated and  
 “Strictly observed, would be as Beneficial to Trade as it  
 “would be humane. The Indians in a few years would  
 “return to Industry. Murders and Savage Cruelty would  
 “be no more heard of. The English Trader would Sleep in  
 “Peace, and Commerce would flourish. And the Nations  
 “that Inhabit the Inland Countries of North America  
 “would soon become useful Good and Peaceable  
 “Subjects to Great Britain. \_\_\_\_\_

“We have the Honor to be

“Your most obedient

“ And most h<sup>#</sup>ble Servants

Quebec the 31<sup>st</sup> October 1771.

/Signed/ { “William Grant\_\_\_\_  
 “F. Baby\_\_\_\_  
 “Rich.<sup>d</sup> Dobie  
 “Benj.<sup>n</sup> Frobisher  
 “F.<sup>s</sup> Levesque\_\_\_\_  
 “Serindac\_\_\_\_  
 “Lawrence Ermatinger.”

The Report on  
 the Public Acco.<sup>ts</sup>  
 Viz.<sup>t</sup>;

“ Quebec the 8<sup>th</sup> 10.<sup>th</sup> & 13<sup>th</sup>: January  
 1772.

“Present

“The Hon<sup>#</sup>ble Hugh Finlay  
 “ Thomas Dunn  
 “ James Cuthbert  
 “ Colin Drummond } Esquires.

“ The Committee appointed to examine the Accompts &  
 “Claims against the Government of this Province from 25<sup>th</sup>  
 “June to 24<sup>th</sup> December 1771. \_\_\_\_\_

Fees of Office

<u>“Fees of Office</u>		Demands as per Accompts	Allowed by the Committee & approved in Council	Submitted to the Right Honble the Lords Commissi- =oners of the Treasury
		Sterling	Sterling	Sterling
“	The Deputy Secretary’s Accmpt of Fees from the 25 <sup>th</sup> June to the 24 <sup>th</sup> December 1771.....✓	210,,15,,11		210,,15,,11
“	The Deputy Provost Marshal District of Quebec’s Acco. <sup>l</sup> from d <sup>o</sup> to ditto.....✓	31,, 2,, 6		31,, 2,, 6
“	The Deputy Provost Marshal District of Montreal’s Acco. <sup>l</sup> from d <sup>o</sup> to ditto.....✓	9,,15,, 0		9,,15,, 0
“	The Deputy Clerk of the Council’s Accmpt.....from d <sup>o</sup> to ditto.....✓	67,, 0,, 3		67,, 0,, 3
“	The Acting Attorney General’s Acco. <sup>l</sup> from the 29 <sup>th</sup> Septem <sup>r</sup> 1769 to the 24 <sup>th</sup> December 1771.....✓	224,,10,, 1		224,,10,, 1
“	The Coroner’s Accmpt for the District of Quebec from 25. <sup>th</sup> June to 24. <sup>th</sup> December 1771.....✓	20,,13,, 8		20,,13,, 8
Total Fees of Office, Sterl <sup>l</sup> £		563,,17,, 5	.....	£563,,17,, 5
<b>Disbursements and Contingencies</b>				
“	The Deputy Secretary’s Accmpt of Disbursements and Contingencies from the 25 <sup>th</sup> June to 24 <sup>th</sup> Decem <sup>r</sup> 1771 ✓	80,,19,, 9	80,,19,, 9	
“	The Deputy Clerk of Enrolment’s Accmpt.....from d <sup>o</sup> to ditto.....✓	12, 7,, 2	12, 7,, 2	
“	The Deputy Provost Marshal’s Accmpt for the District of Quebec.....from d <sup>o</sup> to ditto.....✓	67,, 6,, 7	67,, 6,, 7	
“	The Deputy Provost Marshal’s Accmpt for the District of Montreal.....from d <sup>o</sup> to ditto.....✓	77,, 7,, 5	77,, 7,, 5	
“	The Deputy Clerk of the Council’s Accmpt of Disbursements and Contingencies....from d <sup>o</sup> to ditto.....✓	59,,14,, 5	59,,14,, 5	
“	The Clerk of the Peaces Accmpt for the District of Quebec.....from d <sup>o</sup> to ditto.....✓	5,, 1,, 3	5,, 1,, 3	
“	The Clerk of the Courts Accmpt for the District of Montreal and for Firewood Supplied the Church there.. from d <sup>o</sup> to ditto.....✓	15,, 6,, 0	15,, 6,, 0	
“	The Coroner’s Accmpt for the District of Quebec .....from d <sup>o</sup> to ditto.....✓	8,, 2,, 0	8,, 2,, 0	
“	The Hon <sup>#</sup> ble William Hey Chief Justice in lieu of all Fees at the rate of £200 Sterling per Annum... £100,, ,,			
“	Ditto his Expences going to Montreal and holding the Assizes there in Septem. <sup>r</sup> last.....100,, ,, ✓	200,, 0,, 0	200,, 0,, 0	
“	Henry Kneller Esquire Acting Attorney General...Attending the said Assizes.....✓	45,, 0,, 0	45,, 0,, 0	
“	Alexander Johnston Acting Clerk of the Crown...Attending the said Assizes.....✓	27,, 0,, 0	27,, 0,, 0	
“	James Shepherd Prothonotary..... Attending.....Ditto.....✓	22,,10,,0	22,,10,,0	
“	David Lynd Civil Clerk.....Attending.....Ditto.....✓	22,,10,,0	22,,10,,0	
“	John Collins Esquire Deputy Surveyor General for half a year’s Rent of an office allowed by the Treas <sup>y</sup> .....✓	25,, 0,, 0	25,, 0,, 0	
“	Brown & Gilmore Printers to the Government their half year’s Salary.....✓	50,, 0,, 0	50,, 0,, 0	
“	Robert Murray Goal Keeper at Quebec his Allowance for 6 months.....✓	9,, 3,, 0	9,, 3,, 0	
“	Robert M <sup>c</sup> Cay Goal Keeper at Montreal his Allowance for 6 months.....✓	9,, 3,, 0	9,, 3,, 0	
“	Thimothy Devine his allowance for Attending the Supreme Court as Cryer & Court Keeper.....£5,, ,, ,,			

“ d <sup>o</sup> his allow. <sup>cs</sup> for Firewood & Stationary for y <sup>e</sup> Supreme Court & Grand Jury Room & Supply <sup>s</sup> firewood for y <sup>e</sup> Church dur. <sup>e</sup> y. <sup>e</sup> French & Eng <sup>l</sup> Services 10,,12,,6			
“ d <sup>o</sup> for Attending the Quarter Sessions & for his Allowance for Firewood Stationary &c. <sup>a</sup> for said Court..... 9,,7,,6✓	25,, 0,, 0	25,, 0,, 0	
“ Daniel Gallwey Interpreter for Attending the Several Courts of Justice.....✓	30,,15,,0	30,,15,,0	
“ Zachary Thompson Captain of the Port his Disbursements and Contingencies.....✓	45,, 7,, 8	45,, 7,, 8	
“ John Maurez for half a year’s rent of a House at Montreal and the Furniture thereof for the use of the L <sup>1</sup> Governor ✓	37,,10,,0	37,,10,,0	
“ The Seminary at Montreal for half a years Rent of a Court house.....	11,, 5,, 0	11,, 5,, 0	
“ John B <sup>te</sup> Grand Maison for his half year’s Pension.....	8,, 4,, 3	8,, 4,, 3	
“ Thomas Dunn Esq. <sup>r</sup> for presents given to Friendly Indians in different parts of the Province by order of the L <sup>1</sup> Governor ✓	93,, 6,, 2	93,, 6,, 2	
“ The Post office for the Governments Letters.....✓	16,, 3,,10	16,, 3,,10	
“ John Fraser Schoolmaster for 6 months Salary and Schoolhouse Rent.....✓	13,, 7,, 6	13,, 7,, 6	
“ Nicholas Davis Messenger his allowance for 6 months and Disbursements.....✓	17,, 3,, 9	17,, 3,, 9	
“ For the hire of a Room for the Grand Jury for 6 months.....	10,, 0,, 0	10,, 0,, 0	
“ David Lynd Clerk of the Court of Common Pleas for the Dis. <sup>1</sup> of Quebec his Accompt of Disbursements✓	20,, 2,, 1	20,, 2,, 1	
“ Henry Dunn Carpenter, for Sundry Repairs done by him & other Workmen to the Chateau S <sup>1</sup> Louis, & building Galleries in y. <sup>e</sup> Chapel	47,, 7,, 8	47,, 7,, 8	
“ Nicolas Boisseau, one of the Clerks of the Court of Common Pleas for his Expences and Trouble in going the } “ Circuit thro’ the District of Quebec in the Month of July last.....✓	15,, 0,, 0	15,, 0,, 0	
“ Martial Vallet Cryer of the Court of Commons Pleas, for making the Fires & Cleaning the Court house the last 6 months ✓	4,,10,,0	4,,10,,0	
“ Louis Perthuis Indian Interpreter at Montreal for his Salary...from 25 <sup>th</sup> June to the 24 <sup>th</sup> Decem <sup>r</sup> 1771..✓	41,, 3,, 6	41,, 3,, 6	
“ S <sup>t</sup> Jean Rousseau Interpreter of the Outawas Language his Salary from...d <sup>o</sup> to ditto.....✓	11,, 5,, 0	11,, 5,, 0	
“ John Franks Overseer of the Chimnies having produced his Accompts from the 1 <sup>st</sup> November 1770 to the } “ 31 <sup>st</sup> October 1771, which were proved upon the Oath of his Assistant, by which it appears } “ to the Committee that his profits are nearly the same as the last year, And that } “ his Accompt, for Sweeping the Chimnies of the poor of whom he has taken nothing } “ Amounts to £128,,18,, 0 Halifax Currency. they are of opinion he ought to have an allowance } “ from Government of.....✓	50,, 0,, 0	50,, 0,, 0	
.Total Disbursem <sup>ts</sup> & Contingencies Sterling £	1234,, 2,, 0	£1234,, 2,, 0	.....

/Signed/ Hugh Finlay P. C.<sup>te</sup>

“Examined and Approved in Council. \_\_\_\_\_ . /Signed/ “H. T. Cramahé”\_\_\_\_\_

H T. Cramahé\_\_\_\_\_

At the Council Chamber, in the Castle of  
Saint Louis in the City of Quebec, on Tuesday the  
Thirtieth day of June 1772 \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé, Esquire, Lieutenant Governor  
William Hey C. J. }  
Hugh Finlay. } Esquires.  
Tho.<sup>s</sup> Dunn. }  
James Cuthbert. }  
Colin Drummond. }

His Majesty's  
Additional Instruct.<sup>n</sup>  
to grant Lands in  
Fief or Seigneurie,  
Sans justice.

Read an Additional Instruction from his Majesty  
to the Governor of this Province, revoking all his Majesty's  
former Instructions for granting Lands in the s.<sup>d</sup> Province,  
and empowering the Governor, with the Advice of the Council,  
to grant the Lands which remain subject to his Majesty's  
Disposal, in Fief or Seigneurie, as hath been practised  
heretofore, antecedent to the Conquest of Canada: omitting,  
however, in such Grants, the Reservation of the Exercise  
of such Judicial Powers, as hath been long disused  
within the said Province. \_\_\_\_\_

Refer'd to a Com<sup>m</sup>tee,  
who are to consider  
of the Fees on Grants  
of Land and to  
report their opinion  
thereon.

Ordered that the said Additional Instruction  
be entered in this book; that all the Members of this  
Board be appointed a Committee, to consider of the most  
effectual means for carrying his Majesty's abovesaid Instruction  
into Execution, and also to take into Consideration the  
Fees of the Officers of Government touching Grants of  
Land and to report their Opinion thereon.

Report & Survey  
of the State of  
the Publick  
Goal or Prison  
of this City.

Read a Report of the State and Condition of the  
Publick Goal of this City, agreeable to a Survey made by  
Lieu.<sup>t</sup> John Marr, Engineer, and also by divers Artificers,  
together with M.<sup>t</sup> Marr's Opinion of the Repairs wanted,  
and an Estimate of the Expences thereof. \_\_\_\_\_

A Com<sup>m</sup>tee appointed  
to contract with  
workmen for the  
Repairs thereof.

Resolved that the necessary Repairs be made to the s.<sup>d</sup> Goal  
And Ordered that M.<sup>r</sup> Finlay, M.<sup>r</sup> Dunn & M.<sup>r</sup> Drummond,  
and any other Member of this Board that chuses, be appointed  
a Committee to take into Consideration the said necessary Repairs;  
and that an Advertisement be published in the Quebec  
Gazette requiring any Person who is willing to undertake  
the said Repairs, to deliver in Proposals in writing to  
the Clerk of the Council, in order to be laid before the  
Committee, who are empowered to Contract for the  
Repairs of the said Goal. \_\_\_\_\_

Petition of  
Tho<sup>s</sup> Handfield  
for Lands  
upon the Nation  
River.

Read Petition of Thomas Handfield a Lieutenant  
in his Majesty's Army praying a Grant of 3 Leagues of  
Land in front by 3 Leagues in Depth upon the North  
side of the Great River S.<sup>t</sup> Lawrence, about 30 Leagues  
above Montreal, including the Nation River.

Petition of  
Felix O'Hara  
for Lands at  
Gaspee.

Read Petition of Felix O'Hara praying for an  
Addition of Two hundred Acres of land to a Grant  
of 1300 Acres formerly made to him and John M<sup>c</sup>Cord, at  
Gaspee, which s.<sup>d</sup> 200 Acres contain the Improvements  
he hath actually made, and praying also, in addition  
to his said Grant, the unlocated front between his  
said Improvements and the North West Cape, as  
described in his Petition. \_\_\_\_\_

Petition of  
Bazile Tremblay &  
Jerome Girard  
for a Seigneurie  
between Eboulements  
and Malbaye.

Read Petition of Bazile Tremblay and  
Jerome Girard of the Parish of Eboulements, praying a  
Grant of the unconceded Lands between the Seigneurie  
du Gouffre and the Seigneurie of Malbaye, containing  
about 3 Leagues in Front by four Leagues in Depth,  
which Lands the Petitioners propose to Settle with  
Inhabitants if granted to them as a Fief & Seigneurie  
with the Rights thereto belonging. \_\_\_\_\_

Read

Petition of  
Hugh Finlay &  
John Foxcroft  
for a Seigneurie  
upon the River  
S.<sup>t</sup> Francis.

Read Petition of Hugh Finlay Esq.<sup>r</sup> one of the  
Members of his Majesty's Council and Deputy Post master  
of this Province, and John Foxcroft Esq. Post master  
General for the Northern District of North America,  
praying a Tract of Land on the River S.<sup>t</sup> Francis  
sufficient for a moderate Seigneurie, to be the nearest  
to the last Concession in the said River, the said Land,  
to be granted to them on the Terms & Conditions on  
which Lands were formerly conceded in this Country  
under the French Government. \_\_\_\_\_

Petition of  
s.<sup>d</sup> M.<sup>r</sup> Finlay &  
Rob.<sup>t</sup> Arthur  
of Irvin, for  
Lands in the  
Bay of  
Chaleurs.

Read Petition of said Hugh Finlay, and  
Rob.<sup>t</sup> Arthur of Irvin, setting forth s.<sup>d</sup> M.<sup>r</sup> Arthur's intention  
to carry on an extensive Cod fishery in the Bay of Chaleurs,  
and praying for the Conveniency thereof, a Grant of thirty  
thousand Acres of Land in the Names of s.<sup>d</sup> Hugh Finlay  
& Rob.<sup>t</sup> Arthur, as near to a convenient Harbour as possible,  
either at Port Daniel, Paspebiac, Bonaventure or  
Cascopediac, on the Terms and Conditions on which  
Lands were formerly granted in Canada. \_\_\_\_\_

Petition of  
Rob.<sup>t</sup> Mallett  
Cooper for Lands  
on the River  
Chateauguay.

Read Petition of Robert Mallett formerly a  
Cooper in his Majesty's Service, setting forth his having  
prefer'd a Petition in 1768 for a Tract of Land on  
the River Chateauguay, and now having fixed on a  
Spot, he prays a Grant of One mile in front by one  
League in depth, situated upon the West side of said  
River, about 8 Leagues to the Southward of the Saw-  
-Mill on the Seigneurie of Lotbiniere, and subject to  
such Restrictions as his Majesty has been pleased  
to lay upon Lands granted in his Dominions in  
America. \_\_\_\_\_

The foregoing 6  
petitions refer'd  
to the Com<sup>m</sup>tee

Ordered that the Six foregoing Petitions for  
Lands, be filed and refer'd to the Committee for  
Grants of Lands. \_\_\_\_\_

Read



Petition of Stephen Moore to be reimbursed his expences in repairing the publick road between upper & lower town.

Read Petition of Stephen Moore, praying to be reimbursed the Sum of £14.10. 6 Halifax Currency, expended by him some time since in repairing the Publick Road between the Upper & Lower Town of this City. \_\_\_\_\_

To lye on the Table. Ordered to lye on the Table. \_\_\_\_\_

A Com̃mee appointed to examine the pub: Acco.<sup>s</sup> up to the 24 June 1772.

Ordered that M.<sup>r</sup> Finlay, M.<sup>r</sup> Dunn and M.<sup>r</sup> Drummond, be appointed a Committee to examine the Accompts and Claims against the Government of this Province, for the last half year ending the 24<sup>th</sup> Instant, And that any Member of this Board, that Chuses, may make One of the said Committee.

The Additional Instruction  
Viz<sup>t</sup>;

/Signed/ George R.

L.S.

Additional Instruction  
to Our Trusty and Welbeloved Guy Carleton Esquire Our Captain General and Governor in Chief in and Over Our Province of Quebec, in America. Given at Our Court at S<sup>t</sup> James's the Second day of July 1771  
In the Eleventh year of Our Reign.

Whereas it hath been represented unto us, that the Terms and Conditions, under which you are, by Our Royal Instructions to you, Authorised and directed to make Grants of Lands within Our Province of Quebec under your Government, have been found to be inconvenient and inadequate; And that it would be more for Our Advantage, and for the benefit of Our Subjects inhabiting in, and resorting to Our said Province, if the Antient mode of Granting Lands, which prevailed under the French Government before the

Conquest

Conquest and Cession of the said Province, was to be adopted; We therefore, taking the same into Our Royal Consideration, and being desirous to promote as far as in us lies, the Welfare and prosperity of Our said Province, have thought fit <sup>to</sup> revoke, and do hereby revoke and Annul all such parts of Our said Instructions to you, and every Clause, Matter and thing therein, which Contain any powers or Directions in respect to the granting of Lands within Our said Province; And it is Our Will & Pleasure and you are hereby Authorized and empowered to Grant; with the Advice of the Council of Our said Province, the Lands, which remain Subject to Our disposal, in Fief or Seigneurie, as hath been practised heretofore Antecedent to the Conquest thereof; Omitting however in such Grants, so to be made by you, the Reservation of the Exercise of such Judicial powers, as hath been long disused within Our said Province. And it is Our further Will and Pleasure, that all Grants in Fief & Seigneurie, so to be passed by you as aforesaid, be made Subject to Our Royal Ratification, and also be registered within Our said Province, in like manner as was practised in regard to Grants held in Fief and Seigneurie under the French Government. \_\_\_\_\_

/Signed/ G. R.

H T. Cramahé \_\_\_\_\_

At

At the Council Chamber, in the Castle of  
S.<sup>t</sup> Louis in the City of Quebec, on Wednesday the  
Twenty ninth day of July 1772. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H. T. Cramahé, Esquire, Lieutenant Governor.

William Hey C J.

Hugh Finlay

Thomas Dunn

James Cuthbert

Colin Drummond

} Esquires.

Petition of John  
Thompson Merch.<sup>t</sup> for  
20,000 Acres of Land  
in Chaleurs Bay.

Read Petition of John Thomson Merchant praying a  
Grant of Twenty thousand Acres of Land in Chaleurs Bay,  
contiguous to the ten thousand Acres petitioned for last Winter,  
with as much of it on the Sea Coast as possible for the benefit  
of fishing, and that it may be granted on the easiest terms  
to enable him to go on with Speed in his intended  
Settlement.

Petition of Conrad  
Gugy for a Grant  
behind the Seigneurie  
of Tonancour.

Read Petition of Conrad Gugy Esquire praying  
for a Grant of Two leagues of land in depth behind the  
Seigneurie of Tonancour as set forth in a Sketch annexed  
to the said Petition.

Petition of John  
Bruyeres for a  
Grant behind the  
Seigneurie of  
Becancour.

Read Petition of John Bruyeres Esquire praying a Grant  
of two leagues & a quarter in front by three leagues in depth  
back of the Seigneurie of Becancour. \_\_\_\_\_

Petition of Conrad  
Gugy for the Grève in  
front of the Fief Grosbois  
and from Grandpré  
to Riviere du Loup.

Read Petition of said Conrad Gugy Esquire Seigneur  
and Coseigneur of the Fiefs Grandpré and Grosbois praying  
a Grant of the vacant land in the front of the s<sup>d</sup> Fief Grosbois  
known by the name of the Grève or Shore from the Forest Trees  
to low water mark in Autumn, and also of the Grève from  
the upper Limits of the Fief Grand Pré up to the mouth of Riviere  
du Loup being somewhat more than half a league in extent, with  
the right of fishing and shooting along the banks of the s.<sup>d</sup> Grève.

The foregoing Four  
Petitions for land  
refer'd to the Com<sup>m</sup>tee.

Order'd that the four foregoing Petitions for Lands be refer'd  
to the Committee for Grants of Lands. \_\_\_\_\_

Petition of Rob<sup>t</sup>  
M<sup>c</sup>Cay Goaler at  
Montreal for an  
Addition to his Salary  
& to be supplied with  
money in advance  
to pay the Goal expences.

Read Petition of Rob<sup>t</sup> Mackay Goaler at Montreal,  
setting forth his incapacity to advance money for the  
Service and Expences of the s<sup>d</sup> Goal, praying an Addition  
to his Salary for the reasons therein set forth and that  
he may be furnished with money to defray the necessary  
Goal Expences. \_\_\_\_\_

Refer'd to a  
Committee.

Order'd that a Committee, composed of any three  
or more members of this Board, be appointed to take the  
above Petition into Consideration; and who are empower'd  
to contract for the furnishing the Goals of Quebec and  
Montreal with Wood, Straw and such other necessaries  
as they may find convenient. \_\_\_\_\_

Receivers General's  
Accompts produced  
and Sworn to.

The Hon<sup>ble</sup> Tho.<sup>s</sup> Dunn Esq.<sup>r</sup> Acting Receiver General  
produced his Accompts for the last half year commencing  
the 25 Dec<sup>r</sup> 1771 and Ending the 24<sup>th</sup> June 1772, which  
were examined in Council and compared with the  
Report of the Committee formerly approved by this board;  
And he was this day sworn to the Truth of His  
said Accompts in Council. \_\_\_\_\_

To be filed  
in the office.

Ordered that the Rec<sup>r</sup> General's Accompts  
be filed in the Council office. \_\_\_\_\_

Report of the Com<sup>m</sup>tee  
on the Pub. Acco.<sup>ts</sup>

Read the Report of the Committee on the  
Publick Accompts dated the 18<sup>th</sup> instant & this day.

Approved and  
ordered to be Enter'd.

Approved and Confirmed; and orderd  
that the said Report be filed and entered  
in this Book. \_\_\_\_\_

Present.

“The Hon<sup>#</sup>ble Hugh Finlay  
“ Thomas Dunn  
“ Colin Drummond } Esquires.

The Committee appointed to examine the Accompts & Claims ag<sup>#</sup>st the Government of this Province from 25<sup>th</sup> Decem.<sup>r</sup> 1771 to 24<sup>th</sup> June 1772.

<u>“Fees of Office</u>	Demands as per Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
	Sterling	Sterling	Sterling
The Deputy Secretary’s Accompt of Fees from the 25 <sup>th</sup> Decemer 1771 to the 24 <sup>th</sup> June 1772.....✓	101,,14,, 0	.....	101.14. 0
The Deputy Provost Marshal’s Acco. <sup>t</sup> for the Dis <sup>t</sup> of Quebec from d <sup>o</sup> ...to ditto.....✓	25,,14,, 8	.....	25.14. 8
The Deputy Provost Marshal’s Acco. <sup>t</sup> for the Dis <sup>t</sup> of Montreal from d <sup>o</sup> ...to ditto.....✓	10,, 7,, 6	.....	10. 7. 6
The Deputy Clerk of the Council’s Accompt.....from d <sup>o</sup> ...to ditto.....✓	110,,12,, 8	.....	110.12. 8
The Coroner’s Accompt for the District of Quebec from d <sup>o</sup> ...to ditto.....✓	8,, 6,, 0	.....	8. 6. 0
Total Fees of Office Sterling £	256.14.10	.....	£256.14.10
<u>Disbursements and Contingencies.</u> _____			
The Deputy Secretary’s Accompt of Disbursements and Contingencies .....from the 25 Decem <sup>r</sup> 1771 to 24 June 1772✓	53.14. 5	53.14. 5	
The Deputy Clerk of Enrolment’s Accompt.....from...d <sup>o</sup> ...to...ditto.....✓	16. 4.11	16. 4.11	
The Deputy Provost Marshal’s Accompt for the District of Quebec.....from...d <sup>o</sup> ...to...ditto.....✓	94. 6. 7	94. 6. 7	
The Deputy Provost Marshal’s Accompt for the District of Montreal.....from...d <sup>o</sup> ...to...ditto.....✓	99. 7. 0	99. 7. 0	
The Deputy Clerk of the Council’s Accompt of Disburse <sup>ts</sup> & Contingencies.....from...d <sup>o</sup> ...to...ditto.....✓	29. 4. 8	29. 4. 8	
The Clerk of the Peace’s Accompt for the District of Quebec.....from...d <sup>o</sup> ...to...ditto.....✓	4.12. 3	4.12. 3	
The Clerk of the Courts Accompt for the District of Montreal .....from...d <sup>o</sup> ...to...ditto.....✓	3.11. 3	3.11. 3	
The Coroner’s Accompt for the District of Quebec .....from...d <sup>o</sup> ...to...ditto.....✓	1.16. 0	1.16. 0	
The Coroner’s Accompt for the District of Montreal.....from...d <sup>o</sup> ...to...ditto.....✓	1. 9. 3	1. 9. 3	
The Hon <sup>#</sup> ble William Hey Chief Justice in lieu of all Fees at the rate of £200 Sterling per Annum..... £100. . . ✓			
Ditto his Expences going to Montreal and holding the Assizes there in February last..... <u>100.</u> . . ✓	200. 0. 0	200. 0. 0	
Henry Kneller Esquire Attorney General Attending the said Assizes.....✓	45. 0. 0	45. 0. 0	
Alexander Johnston Esq. <sup>r</sup> Clerk of the Crown Attending the said Assizes.....✓	27. 0. 0	27. 0. 0	
James Shepherd Prothonotary.....Attending.....ditto.....✓	22.10. 0	22.10. 0	
David Lynd Civil Clerk.....Attending.....ditto.....✓	22.10. 0	22.10. 0	
John Collins Esquire D <sup>y</sup> Surveyor Gen. <sup>l</sup> for half a year’s rent of an office allowed by the Treasury.....✓	25. 0. 0	25. 0. 0	
Carried forward £	646. 6. 4	646. 6. 4	116

Disbursements and Contingencies Continued	Demands as per Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
Bro <sup>t</sup> over £	646,, 6,, 4	646. 6. 4	
Brown & Gilmore Printers to the Government their half years Salary.....✓	50. 0. 0	50. 0. 0	
Robert Murray GoalKeeper at Quebec his Allowance for 6 months.....✓	9. 3. 0	9. 3. 0	
Robert M <sup>c</sup> Cay Goal Keeper at Montreal his Allowance for 6 months.....✓	9. 3. 0	9. 3. 0	
Timothy Devine his Allowance for Attending the Supreme Court as Cryer and Court keeper.....£5,, . . d <sup>o</sup> for his Allow. <sup>e</sup> for firewood & Stationary for y. <sup>e</sup> Supreme Court & Grand Jury room & Supplying firewood for y <sup>e</sup> Church dur. <sup>e</sup> the French & Eng <sup>h</sup> Services } 10. 12. 6			
d <sup>o</sup> for Attending the Quarter Sessions and for his allowance for Firewood Stationary &c. <sup>a</sup> for said Court..... 9. 7. 6✓	25. 0. 0	25. 0. 0	
Daniel Gallwey Interpreter for Attending the Several Courts of Justice.....✓	30.15. 0	30.15. 0	
Zachary Thompson Captain of the Port his Disbursements & Contingencies.....✓	18.19.10	18.19. 10	
John Maurez for half a years rent of a house at Montreal and the Furniture thereof for the use of y <sup>e</sup> L. <sup>t</sup> Gov. <sup>r</sup> ✓	37.10. 0	37.10. 0	
The Seminary at Montreal for half a years rent of a Court house.....	11. 5. 0	11. 5. 0	
John B <sup>te</sup> Grand Maison for his half year's Pension.....	8. 4. 3	8. 4. 3	
Thomas Dunn Esq. <sup>r</sup> for presents given to friendly Indians in different parts of y <sup>e</sup> Province by order of y <sup>e</sup> Lieu <sup>t</sup> Gov. <sup>r</sup> ✓	87. 2. 4	87. 2. 4	
The Post office, for the Governments Letters.....✓	13. 0. 4	13. 0. 4	
John Fraser Schoolmaster for 6 months Salary and Schoolhouse rent.....✓	13. 7. 6	13. 7. 6	
Nicholas Davis Messenger his Allowance for 6 months and Disbursements.....✓	13.19. 6	13.19. 6	
For the hire of a Room for the Grand Jury for 6 months.....	10. 0. 0	10. 0. 0	
David Lynd Clerk of the Court of Common Pleas for the district of Quebec his Acco <sup>t</sup> of Disbursements.....✓	5.11. 1	5.11. 1	
Henry Dunn Carpenter, for Sund <sup>y</sup> Small repairs done at y <sup>e</sup> Chateau S <sup>t</sup> Louis, & Chapel, & for fitting up the Court of Com <sup>n</sup> Pleas	81.14. 2	81.14. 2	
Nicholas Boisseau one of the Clks of the Court of Common Pleas for his Expences and trouble in going the Circuit thro' the District of Quebec in the Month of March last.....✓	15. 0. 0	15. 0. 0	
Marial Vallet Cryer of the Court of Commons Pleas for making the fires & Clean. <sup>e</sup> y <sup>e</sup> Court h. <sup>o</sup> for y <sup>e</sup> last 6 months✓	4.10. 0	4.10. 0	
Louis Perthuis Indian Interpreter at Montreal for his Salary from 25 Decem <sup>r</sup> 1771 to 24 June 1772	41. 3. 6	41. 3. 6	
S <sup>t</sup> Jean Rousseau Interpreter of the Outawas Language his Salary...from...d <sup>o</sup> .....to ditto.....✓	11. 5. 0	11. 5. 0	
Total Disbursem <sup>ts</sup> & Contingencies St <sup>tg</sup> £	1142.19.10	£1142.19.10	.....

/Signed/ Hugh Finlay Presed.<sup>t</sup> of the Com<sup>tee</sup> of Council

“Examined and approved in Council. \_\_\_\_\_ Signed H. T. Cramahé”\_\_\_\_\_

H T. Cramahé\_\_\_\_\_

At

At the Council Chamber in the Castle of  
Saint Louis in the City of Quebec, on Monday  
the Twenty fourth day of August 1772. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé, Esq.<sup>r</sup>, Lieutenant Governor.

W.<sup>m</sup> Hey. C J.

Hugh Finlay

Tho.<sup>s</sup> Dunn

Colin Drummond

Francis L'évesque

} Esquires.

Upon the departure  
of Hugh Finlay Esq.<sup>r</sup>;  
Fra<sup>s</sup> L'évesque  
Esq.<sup>r</sup>; appointed a  
Member of Council.

The Lieutenant Governor acquainted the Members  
of his Majesty's Council, that as after the Departure of  
Hugh Finlay Esquire, who is to embark in a few days for  
London, there will be only Four Members of this  
Board present in this Province; He has therefore  
thought fit to appoint Francis L'évesque Esq.<sup>r</sup> one of his  
Majesty's Justices of the Peace, to be a Member of his  
Majesty's Council. The Oath of Office of a Councillor,  
State Oaths and Declaration, were in Consequence  
administered to, and taken and subscribed by, him in  
Council, and he took his Seat accordingly.

Petition of W.<sup>m</sup>  
Grant, Merch<sup>t</sup> for  
Lands on the River  
Chaudiere.

Read Petition of William Grant, Merchant, dated the  
28<sup>th</sup> July 1772, praying a Grant of Lands in Fief, of 3 Leagues in  
front by 3 leagues in depth, in addition to a Seigniorie he is  
possessed of on the River Chaudiere, which he has purchased  
of Madame Aubert de la Chesnaye, being the uppermost  
Grant on that River. \_\_\_\_\_

Petition of John  
Bondfield for Lands  
behind the Seig<sup>ie</sup> of  
Villechauve. \_\_\_\_\_

Read Petition of John Bondfield, Merchant,  
dated the 31<sup>st</sup> July for a Grant of a Tract of Back  
Land, en Seignorie, between Villechauve on the  
River S.<sup>t</sup> Lawrence and Beaujeu's Grant on Lake Champlain,  
containing 1½ or 2 leagues in front by about 4 leagues in depth.

Read

Petition of Acklom Rickaby Bondfield, for a Seigneurie joining that of M. De Lotbiniere, called Villechauve.

Read Petition of Acklom Rickaby Bondfield Merch.<sup>t</sup> dated the 31<sup>st</sup> July last praying a Grant of a Tract of Land, en Seigneurie of Two Leagues in Front upon the River S.<sup>t</sup> Lawrence joining the Seigneurie of Villechauve, of equal Depth with that Seigneurie.

Petition of Geo: Allsopp for Lands on the River Yamaska. —

Read Petition of George Allsopp Deputy Secretary of the Province and Clerk to this Board, dated the 22<sup>d</sup> Aug.<sup>t</sup> instant, praying a Grant of a Tract of Land en Seigneurie on the River Yamaska extending towards the River Missiscoui.

Petition of Zach.<sup>y</sup> Thompson & others for Lands on the River Chateauguay.

Read Petition of Zachary Thompson Cap.<sup>t</sup> of the Port dated this day, praying a Grant of a Moderate Seigneurie, on the West side of the River Chateauguay, in behalf of himself and his Two Sons in Law, William Painter, Mariner, And John Painter Merchant, both of this City. \_\_\_\_\_

The 5 foregoing Petitions refer'd to the Com<sup>m</sup>tee

Ordered that the five foregoing Petitions for Land be refer'd to the Com<sup>m</sup>tee for Grants of Land. \_\_\_\_\_

Petition of Don.<sup>d</sup> M<sup>c</sup>Kay for expences in apprehend<sup>g</sup> & giv<sup>g</sup> evidence ag.<sup>t</sup> B Dufour convicted of the Murder of D. Morrison.

Read Petition of Donald M.<sup>c</sup>Kay of Berthier dated the 30 July 1772, praying an allowance from Government for his loss of time and expences in apprehending, and giving Evidence against Baptiste Dufour for the Murder of Donald Morrison in the Winter 1771. \_\_\_\_\_

To lye on the Table.

Ordered to lye on the Table \_\_\_\_\_

Ordinance for alter<sup>g</sup> Mich.<sup>s</sup> Term from 15.<sup>th</sup> Oct. to 6 Novem.<sup>r</sup>

Read Draught of an Ordinance for altering the first day of Michaelmas Term at the City of Quebec, in every year, from the 15 day of October to the 6<sup>th</sup> day of November. \_\_\_\_\_

To be translated and published.

Approved and orderd to be Entered. And that the said Ordinance be translated into French & published immediately. \_\_\_\_\_

An



## “ An Ordinance,

“For altering the first day of Michaelmas Term, at the  
“City of Quebec, in every year, from the fifteenth  
“day of October to the sixth day of November. \_\_\_\_

Preamble.

“ **Whereas** the Term of S<sup>t</sup> Micha<sup>e</sup>l,  
“commonly called Michaelmas Term, as heretofore  
“observed and kept by the Supreme Court in pursuance  
“of an Ordinance of this Province, bearing date the 26.<sup>th</sup>  
“day of July, in the year of Our Lord 1766, and  
“intituled, amongst other things, "An Ordinance in  
“Addition to an Ordinance of the 17<sup>th</sup>, of September, 1764,”  
“has given Occasion to much Inconvenience, Prejudice  
“and Loss, on the part of divers of his Majesty’s good  
“Subjects, and in particular of the Merchants and

Enacting Clause  
for altering the 1.<sup>st</sup>  
day of Michaelmas  
Term from the 15,<sup>th</sup>  
of October to the 6,<sup>th</sup>  
of November.

“Traders, of the City of Quebec: **Be it therefore**  
“**Ordained and Declared** by his Honor the  
“Lieutenant Governor and Commander in Chief of this  
“Province, by and with the Advice and Consent of the  
“Council of the same, And it is Accordingly Ordained and  
“Declared, by the Authority aforesaid, That so much of  
“the said Ordinance of the 26,<sup>th</sup> of July, 1766, as directs a  
“Term called Michaelmas Term to commence and be held  
“yearly in the said Supreme Court, on every 15,<sup>th</sup> day  
“of October, be annulled and made void and <sup>that</sup> in stead  
“thereof, for all Times to come, the said Term, called  
“Michaelmas Term, shall commence and be held, by  
“the said Supreme Court, at the City of Quebec, on the  
“6,<sup>th</sup> day of November yearly and in every year, and  
“# Continue from thence during the Ordinary and  
“Accustomed Time for holding any other Term of the said  
“Supreme Court, any Clause, Provision, Article or  
“Direction, in the aforesaid Ordinance of the 26,<sup>th</sup> July,  
“1766, or any other Ordinance or Ordinances, or any  
“Usage, Custom, or Practice, to the Contrary hereof in  
“any wise notwithstanding: And all persons who  
“stand bound by Recognizance to appear and Answer,  
“or to appear, prosecute and give Evidence, and all other  
“persons whatsoever, who have any thing to do at the  
“said Supreme Court as intended to be held on the 15,<sup>th</sup>  
“day of October next if this Ordinance had not been made,

Persons bound by  
Recognizance, &c.<sup>a</sup>  
to appear on any  
day of the Term as formerly  
held, dis= =charged from  
their appearance,

And ordered to attend  
as directed by this  
Ordinance.

“¶¶ are hereby discharged from their Attendance on the  
“said 15,<sup>th</sup> day of October next and are at their Peril required  
“to keep their day on the said 6,<sup>th</sup> day of November next, at the

said

Also all Writs & Process  
to have day to the  
Term as directed by  
this Ordinance.

“said Supreme Court, in the City of Quebec.

“ And be it further Ordained and Declared by  
“the Authority aforesaid, That all Writs and Process  
“made returnable at any Day of the said Michaelmas  
“Term, as heretofore held and kept, shall have day  
“to the said Michaelmas Term, as now directed to be  
“held by Virtue of this Ordinance; And all parties  
“to the said Writs and "Process shall then appear  
“and plead, and proceed thereon, to all Intents and  
“purposes, as if the said Writs and process had  
“been made returnable at the time and According  
“to the Directions of this present Ordinance.

“ Given by the Honorable Hector  
“ Theophilus Cramahé, Esquire,  
“ Lieutenant Governor and Commander in  
“ Chief of the Province of Quebec, ~~Sec. & Co.~~<sup>a</sup> in  
“ Council, At the Castle of Saint Lewis, in the  
“ City of Quebec, in the said Province, and  
“ passed under the Great Seal of the said  
“ Province, on the Twenty fourth day of  
“ August, in the Twelfth year of his  
“ Majesty’s reign, And in the year of Our  
“ Lord 1772.

By the Lieutenant Governor’s Command,  
Counts.<sup>d</sup> “Geo: Allsopp, D. C. C.”

(Signed) “ H. T. Cramahé”

H T. Cramahé\_\_

At

At the Council Chamber, in the Castle of Saint Louis in the City of Quebec on Friday the twenty ninth Day of January 1773. \_\_\_\_

Present

The Hon<sup>ble</sup> Hector Theophilus Cramahé Esq.<sup>r</sup> Lieut.<sup>t</sup> Governor  
William Hey \_ C. J. }  
Thomas Dunn } Esquires  
Colin Drummond }

John Collins }  
and } Esq.<sup>s</sup>  
Edw.<sup>d</sup> Harrison }  
appointed Members  
of this Board.

The Lieutenant Governor having called together the Members of his Majesty's Council now residing in the Province, which are reduced to Three, and signified to them, that there is a Necessity of swearing in two new Members He has therefore thought fit to appoint John Collins Esquire his Majesty's Deputy Surveyor General of this Province and Edward Harrison Esquire to be Members of his Majesty's Council in this Province **And** accordingly the Oath of Office \_\_\_\_ State Oaths and Declaration were administered to, and taken and subscribed by, them; And they took their Seats accordingly.

At the Council Chamber, in the Castle of Saint Louis in the City of Quebec the same Twenty ninth Day of January 1773. \_\_\_\_

Present

The Hon<sup>ble</sup> Hector Theophilus Cramahé Esq.<sup>r</sup> Lieut.<sup>t</sup> Governor  
William Hey C. J. }  
Thomas Dunn }  
Colin Drummond } Esquires  
John Collins }  
Edward Harrison }

A Com<sup>m</sup>tee appointed to examine the Pub Acco.<sup>ts</sup> up to the 24 December 1772.

Ordered that M.<sup>r</sup> Dunn, M.<sup>r</sup> Drummond and M.<sup>r</sup> Harrison be appointed a Committee to examine the Accounts and Claims against the Government of this Province, for the last half Year ending the twenty fourth of December last; And any other Member of this Board that shall chuse it, may unite himself with the said Committee.

H.T. Cramahé\_\_\_\_

At the Council Chamber in the Castle of S.<sup>t</sup> Louis in the City of Quebec on Monday the Eighth Day of February 1773. \_\_\_\_

Present

The Hon<sup>ble</sup> Hector Theophilus Cramahé Esq.<sup>r</sup> Lieut.<sup>t</sup> Governor  
William Hey C. J. }  
Thomas Dunn }  
Colin Drummond } Esquires  
John Collins }  
Edward Harrison }

Letter from Gov Tryon proposing to run the boundary Line between this Province & N York from the West side of Lake Champlain to the Riv S.<sup>t</sup> Lawrence

A Com<sup>m</sup>tee appointed to consider the said proposals & report thereon. \_\_\_\_\_

Read a Letter from Governor Tryon to Lieut.<sup>t</sup> Governor Cramahé dated New York the 21.<sup>st</sup> Decem.<sup>r</sup> 1772 and a Copy of Minutes of Council of that Province dated the 16.<sup>th</sup> of that Month, proposing to complete the boundary Line between this Province and that of New York from the West Side of Lake Champlain to the River Saint Lawrence in ~~th~~ the forty fifth Degree of North Latitude It is \_\_\_\_\_ thereupon ordered that M.<sup>r</sup> Hey, M.<sup>r</sup> Dunn, M.<sup>r</sup> Drummond and M.<sup>r</sup> Harrison be \_\_\_\_ appointed a Committee to take the same into Consideration, and report their Opinion to this Board.

List of Bailiffs for the Current<sup>year</sup> not made in time for want of Councillors, now order'd to be made out immediately.

A List of Bailiffs for the several Parishes of this Province having been omitted to be made out at the usual Time, for Want of a sufficient Number of Members in the Council, It is Ordered that a List be immediately made out by the Deputy Secretary for the current Year, and laid before this Board \_\_\_\_\_

Petition of Merch.<sup>ts</sup> concerning certain Chimnies dangerous on Acco.<sup>t</sup> of fire. A Com<sup>tee</sup> appointed to consider thereof & report their opinion

Read a Petition of Geo. Gregory, François Baby and others dated \_\_ the 31.<sup>st</sup> of December last regarding the Construction of certain Chimneys; Ordered that M.<sup>r</sup> Hey, M.<sup>r</sup> Dunn, M.<sup>r</sup> Drummond and M.<sup>r</sup> Harrison be appointed a Committee to take the same into Consideration, and report their Opinion to this Board.

Receiver General's Acco<sup>ts</sup> produced & sworn to. \_\_\_\_\_

The Honble Thomas Dunn Esquire Acting Receiver General produced his Accounts for the last half Year commencing the twenty fifth Day of June and ending the twenty fourth of December last, which were examined in Council and compared with the Report of the Committee formerly \_\_\_\_\_ approved by this Board And he was this Day sworn to the Truth of his \_\_\_ said Accounts in Council. \_\_\_\_\_

To be filed on the Office.

Ordered that the Receiver General's Accounts be fyled in the Council office. \_\_\_\_\_

Report of the Com<sup>tee</sup> on the Pub Acco.<sup>ts</sup>

Read the Report of the Committee on the public Accounts \_\_\_\_\_ dated the first and fifth Instant

Approved and order'd to be enter'd \_\_

Approved and confirmed, And Ordered that the said Report be fyled and entered in the Book

The Report  
Viz.<sup>t</sup>

Quebec the 1<sup>st</sup> & 5<sup>th</sup> February 1773  
Present  
The Honourable Thomas Dunn  
Colin Drummond } Esquires  
Edward Harrison }

The Committee appointed to examine the Accompts and Claims against the Government of this Province from the 25,<sup>th</sup> June to the 24,<sup>th</sup> December 1772. \_\_\_\_\_

Fees of office

Fees of Office.		Demands as per Accompts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
		Sterling	Sterling	Sterling
✓	The Deputy Provost Marshal's Accmpt for the District of Quebec from the 25 <sup>th</sup> June to the 24 <sup>th</sup> Decem <sup>r</sup> 1772	27,, 7,, 10½	.....	27,, 7,, 10½
✓	The Deputy Provost Marshal's Accmpt for the District of Montreal from ...ditto...to ...ditto.....	16,,12,, 3	.....	16,,12,, 3
✓	The Coroner's Accmpt .....for the District of Quebec from ...ditto...to ...ditto.....	22,, 7,, 6	.....	22,, 7,, 6
Total Fees of Office.....£		66. 7. 7½	.....	£66. 7. 7½
<b>Disbursements and Contingencies</b>				
	The Deputy Secretary's Accmpt of Disbursements and Contingencies from the 25 <sup>th</sup> June to 24 <sup>th</sup> Decem. <sup>r</sup> 1772✓	77,,17,, 6	77,,17,, 6	
	The Deputy Clerk of Enrolment's Accmpt.....from.....ditto to ditto.....✓	14,,14,, 1	14,,14,, 1	
✓	The Deputy Provost Marshal's Accmpt for the District of Quebec.....from.....ditto to ditto.....✓	63,, 7,, 1	63,, 7,, 1	
✓	The Deputy Provost Marshal's Accmpt for the District of Montreal...from.....ditto to ditto.....✓	103,, 2,, 1	103,, 2,, 1	
	The Deputy Clerk of the Council's Accmpt of Disbursem <sup>ts</sup> & Contingencies..from.....ditto to ditto.....✓	54,, 7,, 3	54,, 7,, 3	
	The Clerk of the Peace's Accmpt for the District of Quebec.....from.....ditto to ditto.....✓	4,,16,, 9	4,,16,, 9	
	The Clerk of the Courts Accmpt for the District of Montreal.....from.....ditto to ditto.....✓	8,,12,, 6	8,,12,, 6	
✓	The Coroner's Accmpt for the District of Quebec .....from.....ditto to ditto.....✓	4,, 3,, 3	4,, 3,, 3	
	The Coroner's Accmpt for the District of Montreal.....from.....ditto to ditto.....✓	0,,13,, 6	0,,13,, 6	
	The Hon <sup>ble</sup> William Hey Esquire Chief Justice in lieu of all Fees at the rate of £200 Sterling per Annum £100,,0,,0			
	ditto....his Expences going to Montreal and holding the Assizes there in September last <u>100,,0,,0</u> ✓	200,, 0,, 0	200,, 0,, 0	
	Henry Kneller Esquire Attorney General...Attending the said Assizes.....✓	45,, 0,, 0	45,, 0,, 0	
	Alexander Johnston Clerk of the Crown Attending the said Assizes.....	27,, 0,, 0	27,, 0,, 0	
	James Shepherd Prothonotary.....Attending.....ditto.....	22,,10,, 0	22,,10,, 0	
	David Lynd Civil Clerk.....Attending.....ditto.....	22,,10,, 0	22,,10,, 0	
	John Collins, Esquire Deputy Surveyor General for half a years Rent of an Office Allowed by the Treasury.....	25,, 0,, 0	25,, 0,, 0	
	Brown & Gilmore Printers to the Government their half years Salary.....	50,, 0,, 0	50,, 0,, 0	
	Robert Murray GoalKeeper at Quebec his Allowance for 6 months.....	9,, 3,, 0	9,, 3,, 0	
	Robert M <sup>c</sup> Cay GoalKeeper at Montreal his Allow <sup>ce</sup> for 6 months.....	9,, 3,, 0	9,, 3,, 0	
Carried over £		742. 0. 0	£742. 0. 0	120

Disbursements & Contingencies Continued	Demands as per Accompts	Allowed by the Committee & Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
Brought forward...£	742. 0. 0	742. 0. 0	.....
Timothy Devine, his Allowance for Attending the Supreme Court as Cryer and Court keeper.....£5,,0,,0,,			
d <sup>o</sup> his allow. <sup>ce</sup> for Firewood & Stationary for the Supreme Court & Grand Jury Room & Supply: <sup>e</sup> firewood for y <sup>e</sup> Church dur <sup>g</sup> y <sup>e</sup> Fren <sup>h</sup> & Eng. <sup>ish</sup> Services 10,,12,,6			
d <sup>o</sup> for Attending the Quarter Sessions and for his Allow. <sup>ce</sup> for Firewood Stationary &c. <sup>a</sup> for said Court..... 9,, 7,,6	25,, 0,, 0		
Daniel Gallwey Interpreter for Attending the several Courts of Justice.....	33,, 0,, 0	25. 0. 0	
Zachary Thompson Captain of the Port his Disbursements and Contingencies.....	44,,16,,10	33. 0. 0	
John Maurez for half a year's Rent of a house at Montreal and the furniture thereof for the use of the L <sup>t</sup> Governor.....✓	37,,10,, 0	44.16.10	
The Seminary at Montreal for half a year's Rent of a Court house.....	11,, 5,, 0	37.10. 0	
John B <sup>te</sup> Grand Maison for his half year's pension.....	8,, 4,, 3	11. 5. 0	
Thomas Dunn Esquire for presents given to friendly Indians in different parts of the Prov. <sup>ce</sup> by the Order of the L <sup>t</sup> Governor...✓	168,, 9,, 9	8. 4. 3	
The Post Office for the Governments Letters.....✓	15,, 2,,10	168. 9. 9	
John Fraser Schoolmaster for Six Months Salary and Schoolhouse Rent.....✓	13,, 7,, 6	15. 2.10	
Nicholas Davis Messenger his Allowance for six Months and Disbursements.....✓	14,, 8,, 0	13. 7. 6	
For the hire of a Room for the Grand Jury for six Months.....	10,, 0,, 0	14. 8. 0	
David Lynd Clk of the Courts of Common Pleas for the District of Quebec his Accompt of Disbursements.....✓	15,, 3,, 9	10. 0. 0	
Henry Dunn Carpenter for Sundry Repairs done by him & other workmen to the Chateau S <sup>t</sup> Louis, & other Public works done for Government ✓	170,, 5,,10	15. 3. 9	
Nicolas Boisseau, one of the Clerks of the Court of Common Pleas, for his Expences & Trouble in going the Circuit thro' } the District of Quebec in the Month of July last.....✓	15,, 0,,0	170. 5.10	
_____ Farquharson one of the Clerks of the Court of Common Pleas for the District of Montreal for his trouble in } going the Circuit thro' that District in the said Month of July.....✓	15,, 0,, 0	15. 0. 0	
Martial Vallet Cryer of the Court of Commons Pleas for making the Fires & Cleaning the Court house for the last six Months.✓	4,,10,, 0	15. 0. 0	
Louis Perthuis Indian Interpreter at Montreal for his Salary from 25 June to 24 Decem. <sup>r</sup> 1772.....✓	41,, 3,, 6	4.10. 0	
S <sup>t</sup> Jean Rousseau Interpreter of the Outawas Language his Salary from ditto to ditto.....	11,, 5,, 0	41. 3. 6	
John Franks Overseer of the Chimnies having produced his Acco <sup>ts</sup> from 1 <sup>st</sup> Novem <sup>r</sup> 1771 to 31 <sup>st</sup> October 1772 which were proved upon y <sup>e</sup> Oath of his } Assistant, by which it appears that his profits are nearly the same as y <sup>e</sup> last year, and that his Acco <sup>t</sup> for Sweeping y <sup>e</sup> Chimnies of y <sup>e</sup> poor, of whom } he has taken nothing, Amounts to £153,,4,,9 Halifax Cur <sup>y</sup> : they are of opinion he ought to have an allowance from Government of.....	50,, 0,, 0	11. 5. 0	
John Collins Esquire Deputy Surveyor General, for one half of the Disbursem <sup>ts</sup> , and his Allowance in running the Boundary Line from } the East side of Lake Champlain to Connecticut River, between this Province and <sup>that</sup> of New York.....✓	1445.12.3	1445.12.3	
	541. 3.8	541. 3.8	
Total Disbursem <sup>ts</sup> & Contingencies Sterling.....£	1986.15.11	£1986.15.11	

Examined and Approved in Council \_\_\_ /Signed/ H. T. Cramahé

/Signed/ Thom.<sup>s</sup> Dunn P. C.  
H. T. Cramahé

At the Council Chamber in the Castle of S.<sup>t</sup> Louis in the  
City of Quebec on Monday the twenty second Day of February  
1773 \_\_\_\_\_

Present

The Hon<sup>ble</sup> Hector Theophilus Cramahé Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor

William Hey C. J.	} Esquires
Thomas Dunn	
Colin Drummond	
John Collins	
Edward Harrison	

List of Bailiffs for  
the Current Year  
approved & order'd to  
be published.

Read the List of Bailiffs for the current Year \_\_\_\_

Approved and ordered to be published in the Quebec Gazette.

Petition of Merch<sup>ts</sup>  
concern<sup>g</sup> a new regulation  
of the Pilots. \_\_\_\_

Read a Petition of the Honble Colin Drummond Esquire and others  
praying a Regulation of the Pilots in the River S.<sup>t</sup> Laurence \_\_\_\_

A Com<sup>tee</sup> appointed  
thereon. \_\_\_\_

Ordered to be referred to M.<sup>r</sup> Hey, M.<sup>r</sup> Dunn, M.<sup>r</sup> Drummond, M.<sup>r</sup> Collins  
and M.<sup>r</sup> Harrison to report their Opinion upon it to this Board.

Report of the Com<sup>tee</sup>  
on Gov<sup>r</sup> Tryon's proposals  
to run the boundary  
between the Provinces  
from the West side of Lake  
Champlain to the R S<sup>t</sup> Law.<sup>ce</sup>

Read the Report of the Committee relating to the boundary Line between  
this Province and that of New York, from the West Side of Lake Champlain  
to a Point that shall intersect the River S.<sup>t</sup> Lawrence in the forty fifth  
Degree of northern Latitude \_\_\_\_

Approved & order'd to  
be entered \_\_\_\_

Approved and ordered to be entered in the Book \_\_\_\_

The Report  
Viz<sup>t</sup>

“Council Chamber February 20.<sup>th</sup> 1773.  
“At a Committee appointed to take into considera=  
“=tion the propriety of running a boundary Line  
“between the Provinces of New York & Quebec from Lake  
“Champlain westward to a point that shall intersect  
“the River Saint Lawrence in the 45,<sup>th</sup> degree of Northern  
“Latitude as recommended in a Letter from his Excellency  
“the Governor of New York. \_\_\_\_\_

“	Present	
“	The Hon <sup>ble</sup> William Hey	} Esquires.
“	Thomas Dunn	
“	Colin Drummond	
“	Edward Harrison	

“Who are unanimously of Opinion that it will be (when  
“Completed) a very useful and necessary Work and do  
“Accordingly recommend it to his Honor the Lieutenant  
Governor

“Governor and the Council, to give the necessary directions for  
“carrying it into Execution.

“ It appears to the Committee from the Information  
“of the Deputy Surveyor General and from a view of the Plans  
“produced by him that the distance from Lake Champlain to  
“the point of Intersection on the River Saint Lawrence, is much  
“less, (almost by one half) than that to <sup>^</sup>the Connecticut River which  
“was Surveyed and bounded last year. That the Ground through  
“which the Line remains to be run is in general more level  
“and of Course less difficult to work, that many of the Tools  
“and other Materials are already prepared and that the  
“Expence attending this Service will fall far short of that  
“incurred by running the Line Eastward to Connecticut River y.<sup>e</sup>  
“last year\_\_ Circumstances so peculiarly favourable to the  
“Proposition contained in his Excellency’s Letter and the  
“Minutes of the Council of New York, as to leave no doubt with  
“the Committee except in respect to the time for carrying it  
“into Execution. The Gentlemen of the Council of New York  
“seem to think the Winter or early in the Spring to be the  
“most convenient for that business, but the first is already too  
“far advanced, and we think it deserves some consideration  
“whether the Swell of the Waters early in the Spring may  
“not retard or otherwise Interrupt the Gentlemen in the  
“course of their Work.

“ We think it unnecessary to add our  
“Intire Approbation of the Service performed last year by  
“M<sup>r</sup> Collins in a very Masterly manner, by running the  
“Line Eastward, or to recommend him as the prosperest person  
“for carrying into Execution the present one.” \_\_\_\_\_

/Signed/ “W.,<sup>m</sup> Hey P.”  
H T. Cramahé\_\_\_\_\_



At the Council Chamber in the Castle of S.<sup>t</sup> Louis in the City of Quebec  
on Thursday the twenty second Day of April 1773.

Present

The Hon<sup>ble</sup> Hector Theo. Cramahé Esquire Lieutenant Governor  
 William Hey C. J.  
 Thomas Dunn  
 Colin Drummond  
 John Collins  
 Edward Harrison } Esquires

Report of the Com<sup>tee</sup> on Petition concerning  
Les Cheminées devoyées.

Read the Report of the Committee appointed to take into Consideration  
a Petition signed by several Merchants concerning the Construction of certain  
Chimneys.

Approved & the Att<sup>y</sup> Gen<sup>l</sup>  
order'd to prepare a dra.<sup>t</sup>  
of an Ord.<sup>ce</sup> in consequence  
thereof.

Approved of the Report, and ordered a Copy of it to be delivered  
the Attorney General, And that he be directed to prepare a Draft  
of an Ordinance agreeable thereto, to be laid before this Board  
so soon as possible.

The Report  
viz.<sup>t</sup>

“Council Chamber, April’s 21<sup>st</sup> 1773

“At a Committee appointed to take into consideration  
“a Petition signed by several of the principal Merchants  
“of Quebec, setting forth that there are in this Town divers  
“Chimnies of such a Construction as renders them in  
“capable of being swept and properly cleaned and of  
“course in almost continual danger of taking Fire,

Present

“The Hon<sup>ble</sup> William Hey  
 “ Thomas Dunn  
 “ Colin Drummond  
 “ Edward Harrison } Esquires.

“Who have inquired into the matter of the Petition and are  
 “Unanimously of Opinion that the Allegations contained  
 “in it are true, and very worthy the Interposition of \_\_\_\_\_  
 “Government. \_\_ The mischief complained of appears to be  
 “of a Modern date, introduced since the Conquest of this \_\_\_\_\_  
 “Country and carefully provided against under y<sup>e</sup> French Govern<sup>t</sup>.  
 “ It takes its rise from the Rapacity of Landlords who dividing  
 “their houses into different Tenements for the Occupation of \_\_\_\_  
 “different Families are obliged to furnish each of them with  
 “one of these false Chimnies the Construction of which is /no doubt/  
 “dangerous to the last degree. And no Regulations, short of\_\_  
 “an entire Prohibition, will ever make them otherwise.  
 “ The Committee are therefore of Opinion that the Attorney General  
 “should be directed to prepare an Ordinance to be laid before

the

“the Lieutenant Governor and Council upon the following heads.  
 “To prohibit the Building of any such Chimnies for the future.  
 “To Oblige the owners or Occupiers of every house wherein \_  
 “there are at present one or more of these Chimnies to stop  
 “up with Masonry the communication between them and  
 “the main Chimney either wholly to remove them by a  
 “given day, or in the meantime to light no fire or suffer  
 “any to be lighted in them. \_\_ The penalty may be left in  
 “blank to be filled up when the Ordinance comes to be debated  
 “in Council, the mode and manner of Levying them with  
 “the Appeal, the same as prescribed in the Ordinance of 1768.  
 “The Overseer of the Chimnies upon Oath of his Suspicion  
 “that the Ordinance is not complied with should with a  
 “Magistrates Warrant be Authorized to enter the house \_  
 “Suspected and upon Refusal the party refusing to be Subject  
 “to a Penalty\_ And that repeatedly day after day till he complies.  
 “ And this is the more necessary because without entering  
 “the house it cannot be known whether the Ordinance is or  
 “is not complied with.  
 “ He should always take a Mason with him when he  
 “Visits but perhaps it is not necessary to make a Special  
 “provision for it in the Ordinance. \_\_ He and all others\_\_  
 “Acting under the Authority of it should be protected in  
 “the usual way of pleading the general issue giving the  
 “Ordinance in Evidence and recovering treble Damages.  
 “ Some other Matters having Occurred to the Committee  
 “in the course of their Enquiry they think proper to Report  
 “them and Submit whether they should not make a part  
 “of the intended Ordinance.  
 “ They find it a practice in some houses to raise a  
 “Construction of wood upon some of the Chimnies (probably  
 “to prevent them from smoaking.\_\_ This they apprehend to be  
 “dangerous and not to be suffered. \_\_ They are of opinion  
 “that no other Materials but brick or stone with Iron \_\_  
 “where necessary, should be made use of in the \_\_\_\_\_  
 “Construction or Elevation of Chimnies.  
 “ That all Chimnies should be of the height of 5 feet above  
 “the roof of the house, and those that are not so, directed to  
 “be raised. \_\_ That the use of Shingles be discouraged as  
 “mush as possible. No houses hereafter to be Built  
 “to be covered with them, And old houses wanting an intire  
 “new roof or perhaps half of one, not permitted to use them  
 “except for the Lucarnes\_\_ An Ordinance of this kind we  
 “think would be attended with Salutary effects, and is indeed  
 “become necessary. All which is Submitted; &c.<sup>a</sup> &c.<sup>a</sup>”

/Signed/ W<sup>m</sup> Hey P”

At the Council Chamber in the Castle of Saint Louis  
in the City of Quebec, on Friday the Twenty first day of  
May 1773. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieutenant Governor.

William Hey C. J.	} Esq. <sup>rs</sup>
Hugh Finlay ....	
Tho <sup>s</sup> Dunn	
Ja <sup>s</sup> Cuthbert	
Colin Drummond	
John Collins	
Edw <sup>d</sup> Harrison	

Dra.<sup>t</sup> of an Ord.<sup>ce</sup>  
in aid of two former ord.<sup>ces</sup>  
for preventing Accidents  
by fire

Read the Draught of an Ordinance in Aid of and Addition  
to Two former Ordinances for preventing Accidents by fire.

Order'd to lye on  
the Table.

Ordered to lye on the Table for the Consideration  
of the Board till to morrow. \_\_\_\_\_

At the Council Chamber in the Castle of Saint  
Louis in the City of Quebec, on Saturday the Twenty Second  
day of May 1773. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq. Lieu<sup>t</sup>: Governor

W. <sup>m</sup> Hey C. J.	Colin Drummond	} Esq. <sup>rs</sup>
Hugh Finlay	John Collins	
Tho. <sup>s</sup> Dunn	Ed Harrison	
Ja. <sup>s</sup> Cutbert		

Dra.<sup>t</sup> of an Ord.<sup>ce</sup>  
in addition to two  
former ones for preventing  
Accidents by fire.

Read the Draught of an Ordinance intituled "An  
"Ordinance in Aid of and Addition to Two former  
"Ordinances for preventing Accidents by Fire."

To be entered, translated  
and published.

Approved and ordered to be Entered; And that the  
said Ordinance be translated into French & published  
immediately. \_\_\_\_\_

**An Ordinance**, In Aid of,  
and Addition to, Two former Ordinances for preventing  
Accidents by Fire.

Preamble.

**Whereas**, notwithstanding

the Ordinances of the Twenty third day of February, and the Third day of November, One thousand seven hundred and Sixty eight, for preventing Accidents by Fire, several Houses in the Towns of Quebec, Montreal, and Three Rivers, in this Province, have of late been in great danger of taking fire, and the whole of the said Towns exposed, and do still continue to be exposed, to that dreadful Calamity, as well from the evil and dangerous Construction of certain Chimnies heretofore known and described in the French Language by the Words, Les Cheminées devoyées, as also from the pernicious use of Shingles in covering the Tops of the said houses:

Be it Enacted, and it is hereby Enacted, by the Lieutenant Governor of this Province, by and with the Advice and Consent of the Council for the same, That from and after the Day of the Publication of this Ordinance, it shall not be Lawful for any person or persons, whatsoever, but the same are hereby expressly forbid, to build, raise, or construct, or suffer to be built, raised or constructed, within any house, or Outhouse, or Room in any house, in either of the Towns of Quebec, Montreal and Three Rivers, or the Suburbs thereof any such Chimnies as aforesaid, or to make, or cause to be made or constructed, any Fire place whatsoever, at a Distance from the main Chimney or Chimnies of any House, and Communicating therewith, in a winding direction, for the purpose of discharging the Smoke through the Flue of such main Chimney or Chimnies, and if any person shall offend in the premises, and shall be Convicted thereof, in the Manner herein after prescribed,

No false Chimnies called in French Les Cheminées devoyees to be built for the future in Quebec, Montreal, Three Rivers or the Suburbs there of;

nor fire places at a distance from the main Chimney.

he

Penalties on persons offending. he or she shall, for every Chimney or Fire place so built, made or constructed, forfeit and pay the Sum of Ten pounds of Lawful Money of this Province, and one Dollar per day, as long as such Chimney or Fire place shall be suffered to stand and remain: And every

Penalty on Masons or other Artificer employed in building such Chimnies. Mason or other Artificer that shall be employed in building such Chimnies, &c.<sup>a</sup> and shall be convicted thereof, in Manner herein after prescribed, he or they shall, on every such conviction, forfeit and pay the sum of Three pounds of like Lawful Money, which said penalties of Ten pounds, one Dollar per day, and Three pounds, shall belong one half to Our Sovereign Lord the King, and the other half to any one who shall sue for the same, by Information before any one Justice of the Peace for the District wherein such offence shall be committed, who is hereby Authorized and required to hear and determine such Information in a Summary manner, upon the Oath of one or more credible Witness or Witnesses, /being some other than the Informer himself/ and to levy the said Sums of Ten pounds, One Dollar *p* day, and Three pounds, together with the Costs of suing for the same, by a Warrant in writing under his hand and Seal, to seize and sell the Goods of the offender for that purpose.

Manner of Conviction and levying said Penalties.

All such Chimnies to be removed or Stopped up in Three Months. **And** all and every owner, Occupier, Lodger, Inmate or person resident in any House, Out house, or Room in any house, in either of the Towns of Quebec, Montreal or Three Rivers, or the Suburbs thereof, wherein there is at present any one or more of such Chimnies or Fireplaces as aforesaid, are hereby ordered and Commanded within Three months after the Publication of this Ordinance, to take down and remove or cause to be taken down and removed, all such Chimnies and Fireplaces as aforesaid, or other =wise Effectually to stop up the same with Masonry,

so

Penalty in Default.

so, as to prevent all communication between them and the main Chimney, upon <sup>pain</sup> forfeiting the sum of one Shilling for every day such Chimney or Fire place shall remain unremoved or not stopped as aforesaid. And farther, the sum of one Dollar for every time such Fire place shall be made use of contrary to the Directions of this Ordinance, the same to be Sued for, levied and disposed of as the other penalties herein before mentioned.

Manner of Conviction and levying the same as the former penalties.

Leave for the Overseer of the Chimnies for the time being with a Magistrate's Warrant to enter any Suspected house or Room in the said Towns or Suburbs in the day time and examine if any of these false Chimnies remain \_\_\_ unremoved or unstopped.

And for as much as without entering the Houses in the said Towns and Suburbs it cannot be known whether due Obedience is paid to the foregoing Clauses of this Ordinance and the Directions therein contained, Be it further Ordained by the Authority aforesaid, That after the Expiration of the said Three Months from the Publication of this Ordinance, it shall and may be Lawful for the Overseer of the Chimnies of this Province for the time being, together with one or more experienced person or persons, not exceeding the Number of three, such Overseer having first made Oath before some Magistrate of his Suspicion that the present Ordinance in this respect is not complied with, and being also Authorized with a Warrant for that purpose under the hand and Seal of such Magistrate, which Warrant he is hereby Authorized and directed to grant, to enter, together with such person or persons as aforesaid in the Day time, the House or Room suspected, and examine whether any such Chimnies or Fireplaces as are herein before described, remain unremoved, or unstopped, contrary to the Directions aforesaid.

Penalty on Persons refusing Admittance to the Overseer, being Authorized as within mentioned.

And farther, if any Owner, Occupier or person residing in any house, or Room of any house, shall refuse Admittance to the Overseer so Authorized as aforesaid, together with such person or persons as aforesaid, upon Demand from him, and Notice of the Intent for which he comes and not permit him and

them,

them, in the day time, to enter and view the house or Room suspected, every such person so refusing shall for such refusal, forfeit and pay the Sum of One Dollar, which Penalty shall be repeated from day to day, and the party offending is hereby made liable to the same, till he or she shall permit the said Overseer to enter and Examine the house or Room suspected; the same to be sued for levied and disposed of as the former Penalties herein before mentioned.

Chimnies raised with Wood or other Combustible Materials, dangerous on Account of Fire;

such Wooden or other Combustible Construction to be taken away in 40 Days,

And built up with Masonry, Iron, or other not Combustible Materials.

Penalty on Persons offending therein.

Persons not Owners of the house or Room in which they live, may deduct all fair expences in removing or Stopping such false Chimnies as afores.<sup>d</sup>

And whereas a very Injudicious and dangerous practice has been lately introduced of raising several Chimnies in the Towns aforesaid, and Suburbs thereof, and making additions thereto, with and other Combustible Materials for the purpose of giving a free Draught to the Air and preventing their Smoaking below, It is hereby further Enacted by the Authority aforesaid, that in Forty days from and after the Publication of this Ordinance, every Owner or Occupier of any house in either of the Towns aforesaid or the Suburbs thereof, the Chimney or Chimnies of which house are raised with Wood or other Combustible Materials, shall be obliged to take down the part so raised and build up the same, if it shall be thought expedient to continue such Chimney or Chimnies at the height to which they were raised before said removal, with Masonry, Iron or other not combustible Materials. And if any person or persons shall neglect or refuse to take down the part so raised as aforesaid, and shall be convicted thereof in manner as herein before set forth, he, she, or they, so offending, shall forfeit and pay the sum of One Dollar per day, for each Chimney, so long as such Additional Construction of Wood shall be Suffered to remain; the same to be Levied and Disposed of in like Manner as the former Penalties in this Ordinance.

And all and every person and persons, Occupying or Residing in any house, or Room of any house,

or in raising up or taking down the main Chimnies as aforesaid, Out of the Rent they pay for the house or Room.

house, in either of the Towns or Suburbs aforesaid, not being the Owners thereof, shall and may Deduct the Expence they are at, in procuring such Chimnies and fire places as are described in the first and Second Sections of this Ordinance, to be removed or otherwise stopped up, or in taking down any part of a Chimney raised with wood or other Combustible materials, from the rent they pay for the said house or Room to the Owner or Owners thereof, who shall allow the same, provided there is no fraud or unjust Charge in the Account.

The danger of Shingle Coverings.

And whereas it has been found by Experience that the Method of late years pursued, in covering houses and other Building with Shingles in stead of Boards or <sup>other</sup> more Substantial Materials, is extremely mischievous in Cases of Fire, by \_\_\_\_\_ Communicating the same from House to house and frequently to Houses at a great distance from that in which the fire begins: To remedy therefore, and prevent as much as possible, the like Accidents for the Future, Be it further Ordained, by the Authority aforesaid, that from and after the Publication of this Ordinance, no Person or Persons whatsoever who shall build or cause to be built any one or more house Houses or Out houses, whether upon Old or new Foundations, in either of the Towns or Suburbs aforesaid, shall use, or cause to be made use of, Shingles for Covering the same, or any part thereof (such use of Shingles \_\_\_\_\_ being hereby, and by the Authority aforesaid, \_\_\_\_\_ expressly prohibited and forbid) except for covering the Windows upon the Roof, round the Chimnies, and where the covering boards Join the Gables or End Walls of such houses or Outhouses. And where the Shingled Covering of any such house already built, in either of the Towns or Suburbs aforesaid, is now, or shall hereafter be, so ruinous as to require to be new made, every Owner and

Prohibition from Covering with Shingles any part of a house or other Building to be Constructed here after in Quebec, Montreal, Three Rivers or the Suburbs there of,

except the Windows upon the Roof, round the Chimnies and Gable Ends of such Buildings.

Occupier \_\_\_\_\_



In cases where a Roof may be wanted for any house or other Building already built in the said Town or Suburbs, no Shingles hereafter to be used except as aforesaid.

Penalty on using Shingles Contrary to the Directions of this Ordinance.

Ladders fixed on Houses with Hooks made of Wood, to be taken down and refixed, or new ones to be put up, and Secured with Hooks made of Iron.

Occupier, or person interested in putting on such new Covering, shall be obliged, and he or they are hereby expressly directed and enjoined, to make use of Boards or other more durable and Substantial Materials only, and not otherwise to employ or make use of Shingles than as before excepted. And if any person or persons shall, after the Publication of this present Ordinance, presume to use, or cause to be made use of Shingles for covering any house, Out house, or part of any house or Out house hereafter to be built as aforesaid, or any house already built, the Shingled Covering of which requires to be new made, or shall otherwise offend in the Premises, every such person or persons so offending, shall pay and forfeit for such his Disobedience and Neglect the Sum of Ten pounds Lawful Money as aforesaid, and also one Dollar per day, so long as any part of such house or other Building, save as aforesaid, shall continue covered with Shingles; which said penalties of Ten pounds and one Dollar per day, shall be sued for, levied and disposed of, in the same manner as the former and other penalties already mentioned in this Ordinance.

And whereas there are frequently One or more Ladder or Ladders upon houses in the Towns and Suburbs aforesaid, fixed to the Roofs of such Houses, and Secured with Hooks made of Wood only, which often give way and endanger the Lives of those who have Occasion to make use of them. It is further Enacted, by the Authority aforesaid, that within Three Months after the Publication of this Ordinance, all and every Owner or Occupier of any house, whereon are one or more Ladder or Ladders, so fixed with hooks made of Wood only, shall be obliged to take down

and

Tenants to deduct the Expence of doing the same out of Rent they pay for the house or Room.

and afterwards to refix and Secure same, or put up new ones secured with strong Iron hooks; and no- Person for the future shall be permitted to make use of, or have upon his house, any Ladder but such as is fixed and Secured with Iron hooks under Penalty of Twenty Shillings for every Ladder so remaining as aforesaid after the day prescribed in this Ordinance. The Charge of taking down the Ladders, making the Iron hooks; and refixing the same, to be allowed by the Owner to his Tenant out of the Rent, in the same Manner as in the Clauses above mentioned with Respect to the Alteration or Removal of Chimnies.

Limitation of the Informations as appointed by this Ordinance.

And it is further provided, That the Information or Informations appointed by this Ordinance shall be Sued for within two Months after the Neglect or Offence against the same shall have been committed, and not after.

Persons convicted upon Such Informations, and thinking themselves Aggrieved thereby, may appeal therefrom to the next General Quarter Sessions of the Peace.

And further, if any person convicted in this manner before one Justice of the Peace, of any of the Neglects or Offences before mentioned, shall think himself Aggrieved by such Conviction, he may appeal therefrom to the next Court of Quarter Sessions of the Justices of the Peace of the District wherein such Conviction was had, where the Sentence of the Justice by whom he was convicted, and the Grounds upon which it was founded, shall be fully examined, and the said Sentence of the single Justice, either reversed or confirmed, According to the Opinion of the Major part of the Justices there Assembled. But in order to entitle himself to this Appeal, the Appellant shall first Deposite the money forfeited upon his first Conviction, together with the Costs awarded by the said Single Justice upon such Conviction, in the hands of the said Justice before whom he shall have been Convicted, and the said Justice shall at his Discretion, either keep the said Money in his own hands, or pay it to the Clerk of the Peace of the Court before

which

which the Appeal is brought, to be safely kept by him till the Determination of the said Appeal at the Quarter Sessions, and then shall either pay it as before directed if the Conviction is Confirmed or to the Appellant if it is reversed. And further, if the Conviction is confirmed, the Appellant shall pay to the Informer the Costs he shall have been put to by the Appeal which shall be levied upon the Goods and Chattels of the Appellant, by an Order of the Justices in their said Sessions.

General Issue.

And lastly, It is Ordained by the Authority aforesaid, that if any Action or Suit shall be \_\_\_\_\_ commenced against any person or persons, for any thing done in pursuance of this Ordinance, the \_\_\_\_\_ Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Ordinance and the special matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Ordinance; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants, and if the Plaintiff shall be none Suited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law. \_\_\_\_\_

Given by the Honorable Hector Theop.<sup>s</sup> Cramahé Esquire, Lieutenant Governor and Commander in Chief of the Province of Quebec, &c.<sup>a</sup> &c.<sup>a</sup> In Council, At the Castle of Saint Louis, in the City of Quebec, in the said Province, and passed under the Great Seal of the said Province, on the Twenty Second day of May, in the Thirteenth year of his Majesty's Reign, and in the year of Our Lord One thousand Seven hundred & Seventy three. \_\_\_\_\_

/Signed/ H. T. Cramahé\_\_.

By the Lieutenant Governor's Command,  
Counts.<sup>d</sup> Geo: Allsopp, ~~D.C.C.~~

At the Council Chamber, in the Castle of Saint Louis,  
in the City of Quebec, on Friday the Second day of  
July 1773. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq<sup>r</sup> Lieut.<sup>t</sup> Governor.

W.<sup>m</sup> Hey C J.,

Hugh Finlay,

Colin Drummond

Fra<sup>s</sup> Lévesque

Edw<sup>d</sup> Harrison

} Esquires.

A Com<sup>tee</sup> appointed  
to examine the Pub. Acco.<sup>ts</sup>  
up to the 24 June 1773.

Ordered that M.<sup>r</sup> Finlay, M<sup>r</sup> Dunn, M<sup>r</sup> Collins and  
M<sup>r</sup> Harisson be appointed a Committee to examine the Accounts  
and Claims against the Government of this Province, for the  
last half year ending the 24<sup>th</sup> of June last; And that any  
other Member of this Board that shall chuse it, may be of  
the said Committee. \_\_\_\_\_

Letter from the Treasury  
touching the Goals of  
Quebec & Montreal.

Read Extract of a Letter from the Sec<sup>y</sup> to the Lords  
of the Treasury to the L.<sup>t</sup> Governor dated the 26 March 1773,  
authorising him to draw upon the Board for such Sums  
as shall be wanted to make the necessary repairs to the  
Goals at Quebec, and directing an Estimate to be made  
of the Expen<sup>ce</sup> of building a New Goal at Montreal  
and to transmit the same to their Lordships. \_\_\_\_\_

A Com<sup>tee</sup> appointed  
thereupon.

Ordered that the above named Committee on the  
Publick Accompts, be also appointed to take into Consideration  
their Lordships said Directions in regard to the Goals at  
Quebec and Montreal, who are likewise impowered  
to receive Plans and Proposals for repairing and  
rebuilding the said Goals and to report their  
Opinion thereon. \_\_\_\_\_

At

At the Council Chamber, in the Castle of S<sup>t</sup> Louis,  
in the City of Quebec, on Thursday the Twenty fourth  
day of July 1773. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq<sup>r</sup> Lieu<sup>t</sup> Governor.

Hugh Finlay

Tho Dunn

Colin Drummond

Fra<sup>s</sup> Lévesque

John Collins

Edw<sup>d</sup> Harrison

} Esq.<sup>rs</sup>

Petition of the Inhabitants  
of Montreal concerning  
Sheds built in the Market  
place.

Read Petition of the Members of the Union Society and  
other Principal Inhabitants of the City of the Montreal, representing  
that divers Butchers of that City have constructed wooden  
Sheds in the Market place and others are about to do the  
same, which buildings have a dangerous tendency  
in case of Fire; and praying that they may removed,  
and no others of the like kind suffered to be erected in future.

A Com<sup>m</sup>tee appointed  
thereupon.

Ordered that M<sup>r</sup> Hey, M<sup>r</sup> Dunn, M<sup>r</sup> Drummond  
and M<sup>r</sup> L'Evesque, together with any other Member or Members  
of this Board that shall chuse it, be appointed a Committee  
to take the above Petition and Complaint into Consideration  
and report their Opinion to this Board what is best to be  
done in order to remedy the said Abuse. \_\_\_\_\_

Petition of the Citizens of  
Montreal praying a  
fixed Ferry to Longueuil.

Read Petition of Divers Citizens of Montreal praying  
for a fixed Ferry from that City to Longueuil, on the  
Opposite Shore, and to ascertain reasonable Rates of  
Passage at the same.

To lye on the Table.

Ordered to lye on the Table untill a Committee  
shall be appointed on the Publick Roads of this Province.

Presented

Petition for Lands Presented the following Petitions for Lands, Viz.<sup>t</sup>

- Duncan Anderson & W.<sup>m</sup> Smith Merch.<sup>ts</sup> Petition of 1 July 1772, for Lands near Gaspée  
For 1000 Acres at Point S<sup>t</sup> Peters, 2000 Acres at S<sup>t</sup> Pauls bay, 2000<sup>Acres</sup> at Piercé.<sup>viz.t</sup>  
and 1000 Acres on the Island Bonaventure. \_\_\_\_\_
- John Collins Dep Surv<sup>r</sup> Gen<sup>l</sup> Pet.<sup>n</sup> of 23 Octo<sup>r</sup> 1772, For a Seigneurie upon the  
River Connecticut of 3 leagues in front upon the Boundary Line  
between the Provinces of Quebec and New York, by 4 leagues in depth.
- George Allsopp Dep Sec & Clk of the Council, Pet. of the 29<sup>th</sup> October 1772,  
in explanation of a former Petition refer'd to the Commee the 24 Aug 1772,  
For a Seigneurie upon the River Yamaska of 5 Leagues in Front  
upon the boundary line above mentioned, and in depth to join the Seigniory  
Delorme or S.<sup>t</sup> Hyacinthe, by estimation 4 or 5 leagues. \_\_\_\_\_
- Edw<sup>d</sup> Antill Barrister at Law & Tho.<sup>s</sup> Valentine Land Surveyor, Pet. 14 Nov<sup>r</sup> 1772,  
For a Seigneurie upon the River Connecticut on the borders of this  
Province of 6 leagues in front by 4 leagues in depth. \_\_\_\_\_
- John Jenison Merchant. Pet. .... 16<sup>th</sup> Novem<sup>r</sup> 1772, For a Seigneurie upon  
the East side of Lake Mamragabak of 4 leagues in front by 4<sup>L.s</sup> deep.
- Mich.<sup>l</sup> Flanagin Merch.<sup>t</sup> Pet. 17<sup>th</sup> Nov 1772, For a Seigniory  
adjoining to that applied for by John Jenison, of 4 L.<sup>s</sup> by 4L.<sup>s</sup>
- William Govett Merch.<sup>t</sup> Pet.. 25<sup>th</sup> Nov 1772, For a Seigneurie  
upon the River Chateauguay of 3 Leagues in front by 3 depth.
- Geo Measam Merch.<sup>t</sup> for himself and two able Associates. Pet. 5 Dec<sup>r</sup> 1772,  
For a Seigneurie behind those of S.<sup>t</sup> Sulpice & M<sup>r</sup> De S.<sup>t</sup> Our's, of 6 L.<sup>s</sup> by 3 L.<sup>s</sup>
- Alex<sup>r</sup> M.<sup>c</sup> Culloch, Pet. 6 Decem<sup>r</sup> 1772, For a Seigniory adjoining to  
that applied for by Geo Measam, behind the Seigneuries of La Chenay  
and Terrebonne of 4 Leagues in front by 2 Leagues in depth
- Jenkin Williams Barrister at Law. Pet. 8 Decem<sup>r</sup> 1772, For a  
Seigneurie adjoining to that applied for by John Collins on the  
Eastern boundary of the Province, of 4 Leagues by 4 Leagues.
- François Cazeau Merch.<sup>t</sup> Pet. 10 Decem<sup>r</sup> 1772, For a Seigneurie  
between that of René Cartier & Colonel Christie's formerly  
Delery's on Lake Champlain. \_\_\_\_\_
- Robert Jackson Merch.<sup>t</sup> Pet. 12 Decem 1772, For a Seigneurie  
on the West side of Lake Mamragabak .....
- Francis Joseph Cugnet, Pet. 17 Decem<sup>r</sup> 1772, For a Seigneurie  
adjoining to that applied for by Jenkin Williams, of 4 L<sup>s</sup> by 4 L.<sup>s</sup>
- John Welles Merchant, Pet. 17 Decem<sup>r</sup> 1772, For a Seigneurie  
adjoining to that applied for by F J. Cugnet, of 4 L.<sup>s</sup> by 4 L.<sup>s</sup> \_
- James Price Merchant, Pet. 19 Decem<sup>r</sup> 1772, For a Seigneurie  
behind those of La Valtrie and La Nauray of 4 L.<sup>s</sup> by 3 L.<sup>s</sup> \_
- James Monro Attorney at Law. Pet. 19 Decem<sup>r</sup> 1772 ^ for a Seigneurie on the East branch  
of the River S.<sup>t</sup> Francis, adjoining ^ to those applied for by John  
Jennison & Mich<sup>l</sup> Flanagin on Lake Mamragabak. \_\_\_\_\_

John

- John Stenhouse, Merch.<sup>l</sup> Petition of 23 Dec<sup>r</sup> 1772, For a Seigneurie behind those of Dautray & La Nauray of 3 Leagues by 3 Leagues on the River Assomption.
- George Lauder, Quarter Master. Pet. 28 Dec<sup>r</sup> 1772, For a Seigneurie adjoining to that applied for by A M<sup>c</sup>Culloch and behind the Seigneuries of Terrebonne, Blainville & Dumont of 3 Leagues by 4 Leagues. \_\_\_\_\_
- Jos. Howard, Merch.<sup>l</sup> Pet. 30 Decem.<sup>r</sup> 1772, For a Seigneurie on the N E side of the River Yamaska between those of Tonancour & Barrow, & to extend to the Riv<sup>r</sup> S.<sup>t</sup> Francis.
- James Hanna, Pet. 9<sup>th</sup> January 1773, For a Seigneurie on the River S.<sup>t</sup> François of 4 Leagues or thereabouts in front, by 4 L.<sup>s</sup> deep
- Will.<sup>m</sup> Hazen, Pet. 29 Jan 1773, For a Seigniorie on the River S.<sup>t</sup> Francois of 3 Leagues squared in lieu of lands formerly applied for near S.<sup>t</sup> Regis, being out of the Province.
- Moses Hazen, Pet. 29 Jan 1773, For a Seigneurie of 6 leagues in front behind his own and other Seigneuries on Lake Champlain in depth to the River Yamaska adjoining to Delorme's Lands.
- Hugh Fraser & W<sup>m</sup> Wright discharged Soldiers, Pet. 3<sup>d</sup> February 1773, For a Seigneurie on the River Chateauguay of 3 Leagues in front by 4 L.<sup>s</sup> in depth, adjoining to Lands applied for by R Wallet.
- James Glenny Pet. 20<sup>th</sup> Feb. 1773, For a Seigneurie on the River Nicollet of 3 Leagues by 4 Leagues. \_\_\_\_\_
- Leonard Jarvis Pet. 20<sup>th</sup> February 1773, For a Seigneurie of 3 Leagues Square on the River Chaudiere. \_\_\_\_\_
- Charles Hay. Pet 22<sup>d</sup> Feb. 1773, For a Seigneurie of 3 Leagues in front on each side of the River Sartigan or Chaudiere.
- Udney Hay Pet 22<sup>d</sup> Feb 1773. For a Seigneurie upon the River Becancour of 3 Leagues by 4 Leagues. \_\_\_\_\_
- Hans Carden Pet 22<sup>d</sup> Feb 1773, For a Seigneurie upon the West Side of Lake S.<sup>t</sup> François of 4 Leagues in front by 4 in depth adjoining to that of M<sup>r</sup> De Longueuil. \_\_\_\_
- Mich<sup>l</sup> Blais & James Thompson Pet. 22 Feb 1773, For a Seigneurie upon the South River behind those of M Rigauville & La Naudiere of 3 Leagues in front by 4 in depth. \_\_\_\_\_
- Ralph Gray Pet. 22<sup>d</sup> Feb 1773, For a Seigneurie of 4 Leagues in front by 4 in depth behind the Seigniories of M S.<sup>t</sup> Ours and L'Assomption or thereabouts. \_\_\_\_\_
- W<sup>m</sup> M.<sup>c</sup>Carty Pet. 27 Feb 1773, For a Seigneurie between Delormes, and Col.<sup>o</sup> Christies & Hazens, on Lake Champlain. \_\_\_\_

Donald

Donald McKinnon, Pet 1<sup>st</sup> March 1773, for a Seigniorie on the River Matanne behind his own Seig.<sup>y</sup> of 3 L.<sup>s</sup> by 4 L.<sup>s</sup>

Henry Mounier, Merch.<sup>t</sup> Pet. 12 April 1773, For a Seigneurie in Chaleur Bay from Caskapebiac to Ruisseau L'Eplan.

Maurice Blondeau Merch.<sup>t</sup> Pet 6 April 1773, For a Seigneurie of 4 Leagues in front by 4 in depth upon the Westside of the River S<sup>t</sup> Lawrence adjoining to that of M De Longueuil or to any other petitioned for.

Joseph Perinault Merch.<sup>t</sup> Pet. 6 April 1773, For a Seigniorie between Lake Champlain & the River S.<sup>t</sup> Lawrence to the Eastward of Beauharnois or Villechauve.

Duncan Anderson & W.<sup>m</sup> Smith Merch.<sup>ts</sup> Pet. 24 April 1773, for a Grant at Gaspée, en Seigneurie, & for 4000 Acres Land at Bonaventure in Chaleurs bay. \_\_\_\_\_

Ph.<sup>p</sup> Jn<sup>o</sup> & Cha<sup>s</sup> Robin, Tho & Ja<sup>s</sup> Pipon, Ph.<sup>p</sup> P. DeGruchy & John Le Breton Pet. 15 May 1773, For a Grant of the Bank of Paspebiac with 2000 Acres adjoining and 4000 Acres of Land at La Nouvelle on the North side of Chaleurs bay. \_\_\_\_\_

George Measam. Pet. 24 June 1773, explaining his former Pet.<sup>n</sup> of 5 Dec 1772 for a Seig.<sup>ie</sup> behind S<sup>t</sup> Sulpice & S<sup>t</sup> Ours.

Laurent Ducharme Pet. 15 July 1773, For a Seigneurie upon the River Nicollet of 4 Leagues by two Leagues.

John Sunderland Pet. 21 July 1773, for the Lands allowed him (as a discharged Serjeant) by the King's Proclamation.

Jacques Perras Merch.<sup>t</sup> Pet 22 July 1773, for the Beach behind his House in the Lower Town to Low w.<sup>r</sup> mark.

Pierre Panet. Notary Publick & Barrister at Law <sup>Pet. 24 July 1773,</sup> for a Seigneurie behind La Prairie & Chateauguay at the end of René Cartier's & extending to the Grants on Lake Champlain. \_\_\_\_\_

Jacob Maurez, John Jones, Hen Donnelly, R<sup>d</sup> Weaver }  
 Tho<sup>s</sup> Ferral, Louis Geanvy, John Turner } Reduced  
 Jacob L<sup>s</sup> Buke, Chris Carson, W<sup>m</sup> Ashby } Serjeants,  
 Jn<sup>o</sup> Richardson..... }  
 W.<sup>m</sup> Peace, Jn<sup>o</sup> Standley, Chris<sup>r</sup> Hess... } Corporals,  
 W<sup>m</sup> Murray, Dan<sup>l</sup> Murray, W.<sup>m</sup> Dickerson }  
 Tho Curry, Tho<sup>s</sup> Busby, Dan Campbell } Private  
 Jn<sup>o</sup> M<sup>c</sup>Neal, Hugh Ferris, Rob<sup>t</sup> Gordon, } Soldiers  
 W<sup>m</sup> Davy, Geo Livingston,..... }  
 Petition of 24 July 1773, for the Lands allowed them as discharged Soldiers, by the King's Proclam.<sup>n</sup> at Chateauguay or at S.<sup>t</sup> Johns. \_\_\_\_\_



- Refer'd to the Com<sup>m</sup>tee upon Lands.                      **Ordered** that the Forty three foregoing Petitions for Lands, be filed and refer'd to the Committee upon Grants of Lands. \_\_\_\_\_
- Letter from L.<sup>d</sup> Dartmouth recommending the Pet.<sup>n</sup> of Robin, Pipon & Co.                      **Read** Copy of a Letter from Lord Dartmouth One of his Majesty's Principal Secretaries of State to the L.<sup>t</sup> Governor, dated Whitehall the 3 March 1773, inclosing and recommend<sup>g</sup> the abovementioned Pet.<sup>n</sup> of Mess.<sup>rs</sup> Robin Pipon & Co, for Lands in Chaleurs Bay. \_\_\_\_\_
- Refer'd to the above Com<sup>m</sup>tee.                      **Ordered** to be filed and referd to the Consideration of the above Committee upon Lands. \_\_\_\_\_
- Receiver General's Acco.<sup>ts</sup> produced and sworn to.                      **The Hon<sup>ble</sup> Tho<sup>s</sup> Dunn Esq.<sup>r</sup> Acting Receiver General** produced his Accompts for the last half year commencing the 25<sup>th</sup> day of December 1772, and ending the 24<sup>e</sup> day of June 1773, which were examined in Council and compared with the Report of the Committee formerly approved by this Board; And he was this day sworn to the Truth of his said Accounts in Council. \_\_\_\_\_
- To be filed in the Office.                      **Ordered** that the Receiver General's Accompts be filed in the Council Office. \_\_\_\_\_
- Report of the Com<sup>m</sup>tee on the Pub. Acco.<sup>ts</sup>                      **Read** the Report of the Committee on the Publick Accompts dated the 10<sup>th</sup> and 21<sup>st</sup> instant. \_\_\_\_\_
- Approved & order'd to be Entered.                      **Approved and Confirmed; and Ordered** that the said Report be filed and entered in this Book.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The

The Report  
Viz.<sup>t</sup>

Present  
The Hon<sup>#</sup>ble Hugh Finlay  
Thomas Dunn  
John Collins  
Edward Harrison } Esq<sup>ts</sup>

Quebec the 10<sup>th</sup> and 21<sup>st</sup> July 1773.

The Committee Appointed to examine the Accompts and Claims against the Government of this Province from the 25<sup>th</sup> Decem.<sup>r</sup> 1772 to 24<sup>th</sup> June 1773.

Fees of Office	Demands as per Accompts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Comm. <sup>s</sup> of the Treasury
	Sterling	Sterling	Sterling
The Deputy Provost Marshal's Accmpt of Fees, for the District of Quebec from the 25 <sup>th</sup> December 1772 to 24 June 1773.✓	19.10. 5	.....	19.10. 5
The Deputy Provost Marshal's Accmpt for the District of Montreal from ditto.....to.....ditto.....✓	17. 7. 0	.....	17. 7. 0
The Attorney General's Accmpt from the 25 <sup>th</sup> December 1771 to the 24 <sup>th</sup> June 1773.....✓	115.14.10	.....	115.14.10
The Coroner's Accmpt for the District of Quebec from 25 Decem <sup>r</sup> 1772 to ditto.....✓	<u>9.15. 6</u>	.....	<u>9.15. 6</u>
<b>Total Fees of Office, Sterling £</b>	<b><u>162. 7. 9</u></b>	.....	<b><u>£162. 7. 9</u></b>
<b>Disbursements and Contingencies.</b>			
The Deputy Secretary's Accmpt of Disbursements & Contingencies from 25 <sup>th</sup> December 1772 to 24 June 1773 ✓	✓ 53.18. 4	53.18. 4	
The Deputy Clerk of Enrolment's Acco. <sup>t</sup> from d <sup>o</sup> to d. <sup>o</sup> including the Cost of the Statutes of Great Britain, Coutumes de Paris & other Law books lodgd in this office✓	✓ 61. 1. 1	61. 1. 1	
The Deputy Provost Marshal's Acco. <sup>t</sup> for the District of Quebec.....from...ditto.....to ditto.....✓	✓ 68.13. 5	68.13. 5	
The Deputy Provost Marshal's Acco. <sup>t</sup> for the District of Montreal.....from...ditto.....to ditto.....✓	✓ 102.11. 6	102.11. 6	
The Deputy Clerk of the Council's Acco. <sup>t</sup> of Disbursements and Contingencies...from...ditto.....to ditto.....✓	✓ 27. 9. 4	27. 9. 4	
The Clerk of the Peace's Accmpt for the District of Quebec.....from...ditto.....to ditto.....✓	✓ 5. 1. 3	5. 1. 3	
The Clerk of the Court's Accmpt for the District of Montreal.....from...ditto.....to ditto.....✓	✓ 3. 0. 0	3. 0. 0	
The Coroner's Accmpt for the District of Quebec.....from...ditto.....to ditto.....✓	✓ 2.11. 9	2.11. 9	
The Hon <sup>#</sup> ble William Hey Esquire Chief Justice in lieu of all Fees at the rate of £200 Sterling per Annum....£100...✓			
Ditto his Expences going to Montreal and holding the said Assizes there in.....100...✓	✓ 200. 0. 0	200. 0. 0	
Henry Kneller Esquire Attorney General Attending the said Assizes.....✓	✓ 45. 0. 0	45. 0. 0	
Alexander Johnston Esq. <sup>r</sup> Clerk of the Crown Attending the said Assizes.....✓	✓ 27. 0. 0	27. 0. 0	
James Shepherd Prothonotary.....Attending.....ditto.....✓	✓ 22.10. 0	22.10. 0	
David Lynd Civil Clerk.....Attending.....ditto.....✓	✓ 22.10. 0	22.10. 0	
John Collins Esq. <sup>r</sup> Deputy Surveyor Gen. <sup>l</sup> for half a years rent of an office allowed by the Treasury.....✓	✓ 25. 0. 0	25. 0. 0	
Brown and Gilmore Printers to the Government their half years Salary.....✓	✓ 50. 0. 0	50. 0. 0	
Robert Murray GoalKeeper at Quebec his Allowance for six Months.....✓	✓ 9. 2. 0	9. 2. 0	
Robert M <sup>c</sup> Cay GoalKeeper....at Montreal his Allowance for six Months.....✓	✓ 9. 2. 0	9. 2. 0	
Timothy Devine his Allowance for attending the Supreme Court as Cryer and Court Keeper.....£5. 0. 0.			
do his allow <sup>cs</sup> for firewood & Stationary for y <sup>e</sup> Supreme Court & Grand Jury room & Supplying Firewood for y <sup>e</sup> Court dur. <sup>s</sup> the French & English Services ..10.12. 6			

d <sup>o</sup> attending the Quarter Sessions and for his allowance for Firewood Stationary &c. <sup>a</sup> for said Court.....9,7,6	✓ 25. 0. 0	25. 0. 0	
Daniel Gallwey Interpreter for attending the several Courts of Justice.....✓	✓ 28.10. 0	28.10. 0	
Zachariah Thompson Captain of the Port his Disbursements and Contingencies.....✓	✓ 19. 9. 9	19. 9. 9	
John Maurez for half a year's rent of a house at Montreal and the furniture thereof for the use of the Lieu <sup>t</sup> Governor....✓	✓ 37.10. 0	37.10. 0	
Seminary at Montreal for half a years rent of a Court house.....✓	✓ 11. 5. 0	11. 5. 0	
John Bap <sup>te</sup> Grand Maison for his half year's Pension.....✓	✓ 8. 4. 3	8. 4. 3	
Thomas Dunn Esquire for presents given to friendly Indians in different parts of the Government by order of the L <sup>t</sup> Gov. <sup>r</sup> ....✓	✓116. 3. 5	116. 3. 5	
The Post Office for the Governments Letters.....✓	✓ 18. 9. 2	18. 9. 2	
John Fraser Schoolmaster for Six Months Salary and Schoolhouse rent.....✓	✓ 13. 7. 6	13. 7. 6	
Nicholas Davis Messenger his Allowance for Six Months and Disbursements.....✓	✓ 27. 8.10	27. 8.10	
For the hire of a Room for the Grand Jury for Six Months.....✓	✓ 10. 0. 0	10. 0. 0	
David Lynd Clerk of the Courts of Common Pleas for the District of Quebec his Acco. <sup>t</sup> of Disbursements.....✓	✓ 20. 7. 9	20. 7. 9	
Henry Dunn Carpenter for Repairs at the Chateau S <sup>t</sup> Louis and inclosing the Ground behind the Garden.....✓	✓ 41. 7. 6	41. 7. 6	
Nicolas Boisseau one of the Clks of the Court of Com. <sup>n</sup> Pleas for his Expences & trouble in going the Circuit thro' y <sup>e</sup> Dis <sup>t</sup> of Quebec in y <sup>e</sup> M. <sup>o</sup> of March	✓✓15. 0. 0	15. 0. 0	
Farquharson one of y <sup>e</sup> Clks of the Court of Com. <sup>n</sup> Pleas for the Dis <sup>t</sup> of Montreal for his trouble & Expences in go. <sup>g</sup> the Circuit thro' that Dis <sup>t</sup> in d <sup>o</sup> Febry last	✓✓15. 0. 0	15. 0. 0	
Marial Vallet, Cryer of the Court of Commons Pleas for making the fires & Cleaning the Court house for the last six Months✓	✓✓ 4.10.0	4.10.0	
Louis Perthuis Indian Interpreter at Montreal for his Salary from 25 Decem <sup>r</sup> 1772 to 24 June 1773.....✓	✓ 40.19. 0	40.19. 0	
S <sup>t</sup> Jean Rousseau, Interpreter of the Outawas Language his Salary from ditto to Ditto.....✓	✓ 11. 5. 0	11. 5. 0	
Augustin Jourdain Mason, for building a Small house for a Shelter and Walling round the burying Ground....✓	✓227. 1. 1	227. 1. 1	
Peter Panet as Solicitor to the Iroquois Indians and taking care of their affairs by ord <sup>r</sup> of Governm. <sup>t</sup> for two years end <sup>d</sup> 24 June 1773 ✓	✓✓22.10. 0	22.10. 0	
John Collins Esq. <sup>r</sup> Deputy Surveyor General for one half of the Disbursements for Provisions and Advances to Hatchetmen and Chain bearers in order to run the boundary line between this Province and that of New York, from the West side of Lake Champlain to the River Saint Lawrence.....}	✓✓50.16. 8	50.16. 8	
Total Disbursements & Contingencies. Sterling...£	1498.15.7	£1498.15.7	

/Signed/ **Hugh Finlay** P of the Com.<sup>tee</sup>

Examined and Approved in Council. \_ Signed/ H. T. Cramahé

At the Council Chamber in the Castle of Saint Louis,  
in the City of Quebec, on Monday the Second day of August 1773.

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieu<sup>t</sup> Governor.

William Hey C J	} Esquires
Hugh Finlay __	
Tho Dunn __	
Colin Drummond	
Francis L'Evesque	
John Collins	
Edw <sup>d</sup> Harrison	

Letter from the Gov.<sup>r</sup>  
of New York, dated from  
Montreal, touching the  
immediate running  
of the Western  
boundary Line.

Read a Letter from His Excellency the Governor of  
New York to the Lieut.<sup>t</sup> Governor of this Province, dated  
Montreal the 25 July 1773, Advising that he had transmitted  
a former Letter before he left New York, proposing a  
Meeting with the Lieutenant Governor at Montreal,  
in order to concert Measures for expediting the immediate  
running at the Western Boundary Line between the two Provinces.

A Committee  
appointed  
thereupon.

Ordered in Consequence, that M.<sup>r</sup> Hey, M.<sup>r</sup> Finlay,  
M.<sup>r</sup> Dunn, M.<sup>r</sup> Drummond, M.<sup>r</sup> L'Evesque and M.<sup>r</sup> Harrison,  
be appointed a Committee to take the above business into  
Consideration, and to Report their Opinion thereun to this  
Board on Wednesday next. \_\_\_\_\_

At the Council Chamber in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec, on Wednesday the fourth day of August 1773.

Present

The Honble H. T. Cramahé Esq Lieu.<sup>t</sup> Governor.

William Hey C J	Colin Drummond	} Esquires
Hugh Finlay	Fra <sup>s</sup> L'Evesque	
Tho. <sup>s</sup> Dunn	John Collins	
Ja. <sup>s</sup> Cuthbert	Edw <sup>d</sup> Harrison	

The

Letter from the  
Gov<sup>r</sup> of New York  
inclosing Minutes  
of Council touching  
the boundary between  
the two Provinces.

The Lieutenant Governor laid before the Board a Letter rec.<sup>d</sup>  
by this days Post from his Excellency the Governor of New York,  
dated Fort George the 5.<sup>th</sup> July 1773, inclosing the Minutes  
of his Majesty's Council for that Province of the 26 June last,  
earnestly recommending the immediate running of the  
Western Boundary or Partition Line between this Province  
and that of New York, to expedite which is the Object of  
his Excellency's Visit to this Province. \_\_\_\_\_

Report of the  
Committee of Council,  
ordered last Council  
day, upon the  
above business,

Which Letter and Minutes of Council <sup>being read,</sup> together with  
the Report of the Committee appointed the 2<sup>d</sup> Instant, to  
consider the Expediency of carrying into immediate Execution  
a former Order of Council for running the s<sup>d</sup> Boundary Line  
from the Western side of Lake Champlain, in the 45<sup>th</sup> Degr e  
of Northern Latitude, till the same shall intersect the  
River of Saint Lawrence \_\_\_\_\_

Approved, and  
the s.<sup>d</sup> boundary line  
ordered to be run out  
with all convenient  
Dispatch.

Approved the said Report, and ordered the same to be  
filed in the Office and entered in the Book; And that  
the Deputy Surveyor General of this Province be directed,  
in Conjunction with the Surveyor on the part of New York,  
to run the said Boundary Line with all Convenient Dispatch.

The Report  
Viz.<sup>t</sup>

“ Council Chamber, Quebec, August 4.<sup>th</sup> 1773.  
“At a Committee appointed the 2<sup>d</sup> instant to take into  
“consideration the Expediency of carrying into immediate  
“Execution an Order of Council of the 22<sup>d</sup> of February last,  
“for running the Western boundary Line between this  
“Province and that of New York, which Service was  
“suspended by the inability of the Surveyor of New York  
“to attend that business on Account of his ill state of health.

“Present

“The Hon~ble William Hey C J.	} Esq. <sup>rs.</sup> _____
“ Hugh Finlay	
“ Thomas Dunn	
“ Colin Drummond	
“ Francis L'Evesque	
“ Edward Harrison	

Who

“Who after taking the whole of the proceedings with respect  
“to this Matter into their Consideration are Unanimous  
“in reporting;

“ That the Suspension of this Service by the Illness  
“of M<sup>r</sup> Valentine and the steps, of necessity taken in \_\_\_\_\_  
“consequence of that suspension, have created difficulties  
“in carrying that Work into immediate Execution, which  
“they know not well how to reconcile, and made it not  
“an easy matter to determine upon either the Prudence  
“or propriety of recommending it. Difficulties arising  
“from an Accidental Circumstance, as little expected as  
“agreeable to us, who have treated and will continue to treat  
“upon this Subject, with all good faith and a sincere desire  
“of perfecting, what we think, both an useful and \_\_\_\_\_  
“necessary work; At the same time that we must confess we  
“do not discover the necessity of that precipitation with  
“which it is urged on the part of the Government of New York.

“ The Council will remember, and the Government  
“of New York will do us the Justice to Acknowledge, with \_\_\_\_\_  
“what readiness we embraced, and with what good will we  
“persisted in the Execution of, the measure, originally proposed  
“by them, for running the Line of the Eastern boundary,  
“tho’ we did not look upon our Interest in that business  
“to be near so large as theirs, and we had neither funds of  
“our own to defray them, nor particular directions for charging  
“Government at home with the Expences Attending it.

“ With the same sincerity, and the same desire  
“of seeing it carried into Execution, we gave the necessary  
“Directions for running the present Line to the Westward  
“this Spring, when, M<sup>r</sup> Valentine’s ill state of health not  
“permitting him to attend the service, we considered  
“it as of necessity suspended till another year, and the  
“Deputy Surveyor General was ordered, as we understand, upon  
“an other not less interesting and important Service, the  
“Surveying and marking out a Road through this  
“Province to the Settlements upon the Kennebec River. \_\_\_\_\_

“ In this Situation we find ourselves called upon to renew  
“ our Operations and finish this business in the  
“course of this year, by the personal Interposition of his

Excellency

“Excellency the Governor of New York, to whose station and  
 “Character we bear the highest Testimony of Esteem and  
 “Respect, and whose earnest Solicitations upon this Subject,  
 “we would chearfully gratify at the Expence of every thing  
 “but our duty to the Publick; but admitting that the \_\_\_\_  
 “many other difficulties, which the unavoidable Suspension  
 “of this Service has thrown in our way, could be as readily  
 “removed as it is our wish they should, we must still  
 “beg leave to observe that we have good reason to  
 “hope that his Majesty’s Ministers may think this  
 “no unseasonable opportunity for reconsidering the  
 “whole of Our boundary Line as settled by the \_\_\_\_  
 “Proclamation in 1763. We are not without hopes that  
 “they may be induced by such representations as have  
 “or may be made upon that Subject, to make other  
 “Arrangements more favourable and better adapted to the  
 “Circumstances and Situation of this Province; And  
 “how far our taking such a step as this, which they  
 “may consider as decisive upon Our part, may have  
 “an influence to obstruct or wholly frustrate any such  
 “measure, deserves to be well considered: And we  
 “must forever Reproach ourselves if any in  
 “considerate Step of Ours, under what respectable  
 “Recommendation so ever it is urged, should  
 “interrupt or prevent a Measure which we have  
 “reason to think will be adapted upon \_\_\_\_  
 “Principles either of Publick Policy or private Right.

“ Yet we are upon the whole inclined  
 “to think, that as this Matter must finally remain  
 “for His Majesty’s Determination, and it must  
 “Depend upon his Majesty’s Pleasure to \_\_\_\_  
 “adopt this, or direct the running of any  
 “other different Line of Division between the  
 “Two Provinces, and Considering also that the  
 “Provisions and all other necessaries are \_\_\_\_  
 “already purchased, and the people to be  
 “Employed upon the Service ready at the  
 “place where the operations are to Commence,

Your

“ Your Honor may safely give the \_\_\_\_  
“necessary directions for going on with the  
“Service immediately, under the following \_\_\_\_  
“Reservations, which we consider as the only  
“Expedient for resolving the many Difficulties  
“which have Occurred, and, without which, we  
“must find Ourselves under the necessity of  
“deferring the proceedings till another year.

“ That every thing shall remain between  
“the Two Provinces exactly in the same Situation, as  
“well with regard to Jurisdiction as Property, after the  
“Line is run as it does now, until his Majesty’s pleasure  
“upon that Subject shall be known.

“ That his Excellency the Governor of New York  
“will engage not to pass any new Grant or Grants  
“of Land to the Southward of the Line the property  
“of which is now, or has at any time been Claimed,  
“under any Title, from the Crown of France.

“ That we do not by our Consent to the  
“running of this Line, give up, or in any manner  
“recede or depart from, any right or claim to Lands  
“to the Southward of the Line, which have at any time  
“been, or now are, disputed between the two Provinces;  
“but the whole shall be submitted to his Majesty’s \_\_\_\_  
“Pleasure, without prejudice, or Advantage of any  
“kind to be taken of this instance, which we are willing  
“to shew, tho’ at some hazard, of Our desire of a good  
“Correspondence at all times with the Province of New York.

/Signed/ “W.<sup>m</sup> Hey P. C.”



At the Council Chamber in the Castle of Saint Louis,  
in the City of Quebec, on Thursday the twelfth day of August 1773.

Present.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Lieu:<sup>t</sup> Governor.  
W.<sup>m</sup> Hey C J  
Hugh Finlay  
Colin Drummond } Esquires.  
John Collins  
Edw<sup>d</sup> Harrison }

The Chief Justice having  
rec.<sup>d</sup> his Majesty's leave  
of Absence,

Dra.<sup>t</sup> of an Ordin.<sup>ce</sup>  
establishing a Court  
of Appeals &c, during  
his absence,

read at the board,

A Com<sup>m</sup>tee of the  
whole Council  
appointed thereupon.

Pet.<sup>n</sup> of J G Beek  
D Clerk of the Market  
at Montreal,

To lye on the Table.

The Lieutenant Governor having informed the Council  
that the Chief Justice had received his Majesty's Royal Leave  
of Absence from this Province for the space of Twelve months,

A Draught of an Ordinance, intituled "An Ordinance  
"for establishing a Court of Appeals during the Absence of  
"the present Chief Justice, and for ascertaining the Powers of  
"the Commissioners for executing the Office of Chief Justice."

Was read at the Board. \_\_\_\_\_

This Board resolves itself into a Committee of the  
whole Council to take the above Draught of an Ordinance  
into Consideration, & to meet thereupon on Friday next the 20<sup>th</sup> inst.<sup>t</sup>

Read Petition of John Gerb.<sup>d</sup> Beek Deputy Clerk  
of the Market for the City of Montreal, praying an Establish-  
-ment of Regulations and Fees for the s.<sup>d</sup> office.

Ordered the Petition to lye on the Table

At

At the Council Chamber in the Castle of Saint Louis,  
in the City of Quebec, on Friday the twentieth Day of  
August 1773. \_\_\_\_\_

Present.

The Hon<sup>ble</sup> H T. Cramahé Esq<sup>r</sup> Lieu.<sup>t</sup> Governor.  
William Hey C J., Hugh Finlay,  
Thomas Dunn, Fra<sup>s</sup> LEvesque  
and Ed<sup>d</sup> Harrison Esq.<sup>rs</sup>

\_\_\_\_\_As a Committee of the whole Council\_\_\_\_\_

Dra.<sup>t</sup> of the Ord.<sup>ce</sup>  
for establish<sup>g</sup> a  
Court of Appeals  
during the Absence  
of the Chief Justice &c<sup>a</sup>,

Read the Draught of an Ordinance, intituled;  
“An Ordinance for establishing a Court of Appeals during  
“the Absence of the Present Chief Justice &c<sup>a</sup>”

The Com<sup>m</sup>tee (of  
the whole Council)  
defer the further  
consideration thereof  
till the 23 inst.<sup>t</sup>

The Board approve of an Amendment therein concerning  
the intended Sitting of the Court the first day of every month  
from November to April, and to hold one Sessions only in  
the Summer, namely; in the Month of August. \_\_\_\_\_  
Deferd the further Consideration of this Ordinance ‘till  
Monday next the 23<sup>d</sup> Instant. \_\_\_\_\_

At the Council Chamber in the Castle of Saint Louis,  
in the City of Quebec, on Monday the Twenty third  
day of August 1773. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H T. Cramahé Esq<sup>r</sup> Lieu.<sup>t</sup> Governor  
W<sup>m</sup> Hey C J.  
Hugh Finlay  
Tho<sup>s</sup> Dunn  
Colin Drummond  
Fra<sup>s</sup> L'Evesque  
Ed Harrison

} Esquires

In

## In Council.

Dra<sup>t</sup> of a Commission  
appointing Commiss.<sup>ts</sup>  
to execute the Office of  
Chief Justice,

Read a Draught of a Commission appointing Commissioners  
for executing the Office of Chief Justice during M<sup>r</sup> Hey's  
Absence from the Province.

Ordered to be engrossed.

Approved and ordered to be Engrossed.

Pet.<sup>n</sup> of Ed Antill  
for Lands.

Read Petition of Edward Antill Esq<sup>r</sup> Attorney at  
Law, of the 7. instant, desiring to withdraw a Petition  
for Lands in the joint names of Tho<sup>s</sup> Valentine & himself  
presented the 24<sup>th</sup> July Last, for so much as the said Pet.<sup>n</sup>  
concerns him, and praying a Grant in his own name  
for a Seignory of Nine Superficial Leagues in lieu  
thereof.

Referred to the  
Com<sup>m</sup>ee upon  
Lands.

Ordered that the above Petition be filed in the Office,  
and referred to the Com<sup>m</sup>ee on Grants of Lands. \_\_\_\_\_

The Board  
The Com<sup>m</sup>ee order  
the Ordinance for  
establishing a Court  
of Appeals &c<sup>a</sup>,

sits As a Committee of the whole Council on an  
Ordinance intituled; "An Ordinance for establishing a  
"Court of Appeals during the Absence of the present Chief Justice,  
"and for ascertaining the Powers of the Commissioners for  
"executing the Office of Chief Justice."

to be laid before  
the Chief justice  
for his examination.

Which ordinance being read a third Time, Ordered  
that xxxxxxxx a fair Copy be laid before the Chief  
Justice for his Examination. \_\_\_\_\_

At

At the Council Chamber in the Castle of Saint Louis, in the City of Quebec, on Wednesday the First day of September 1773. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H T. Cramahé Esq Lieu.<sup>t</sup> Governor.

Hugh Finlay

Tho.<sup>s</sup> Dunn

James Cuthbert

Colin Drummond

Edw.<sup>d</sup> Harrison

} Esquires.

The Ordinance for establishing a Court of Appeals during the Absence of the present Chief Justice, &c.<sup>a</sup>

The Lieu.<sup>t</sup> Governor laid before the Board a fair Copy of the Ordinance intituled “An Ordinance for establishing a Court of Appeals during the Absence of the present Chief Justice, and for ascertaining the Powers of the Commissioners for executing the Office of Chief Justice.”

Approved and orderd to be translated and published.

Approved and orderd to be translated & published. and also to be Entered in this Book.

A List of Bailiffs for the ensuing year,

Read the List of Bailiffs for the ensuing Year and an Advertisement to be inserted in the Gazette, requiring the New Bailiffs to qualify themselves for entering into Office the 29.<sup>th</sup> instant.

Approved & orderd to be published.

Approved and orderd to be published in the next Gazette.

Pet.<sup>n</sup> of Major Henry Caldwell for Lands,

Read Petition of Major Henry Caldwell for the Lands that may be found unconceded within the Continuation of the Lines of his Seigneurie of Point Levy 4 Leagues more in depth.

Pet.<sup>n</sup> of George Allsopp for a Lot of ground,

Read Petition of Geo Allsopp for a Lot upon the Beach of the Lower Town adjoining to that applied for by M<sup>r</sup> Perras \_\_\_\_\_

Referd to the Com<sup>m</sup>ee upon Lands.

Orderd to be filed and referd to the Committee upon Grants of Lands. \_\_\_\_\_

An

**An Ordinance,** for  
Establishing a Court of Appeals during  
the Absence of the present Chief Justice, and  
for Ascertaining the Powers of the Commissioners  
for Executing the Office of Chief Justice. \_\_\_\_\_

Preamble.

**Whereas** it is become necessary during the absence of the present Chief Justice of this Province to establish an other Court of Civil Jurisdiction for hearing and determining such appeals from the Courts of Common Pleas as in and by an Ordinance of this Province bearing date the Seventeenth day of September One thousand seven hundred and sixty four are directed to be, and Accordingly have been hitherto sued and prosecuted before the Chief Justice in the Supreme Court, and also to ascertain the Powers intended to be vested in the Commissioners for Executing the Office of Chief Justice by virtue of their Commission. **Be it Enacted,** and it is hereby Enacted by the Lieutenant Governor of this Province by and with the Advice and Consent of the Council for the same, that from and after the day of the Publication of this Ordinance, and for so long time as the said Office of Chief Justice shall Continue to be Executed by Commissioners and no longer, the Governor and Lieutenant Governor for the time being, or in their absence the Eldest Member or President of the Council (not being one of the Judges of the Court of Common Pleas) together with every other Member of his Majesty's Council in this Province shall be, and they are hereby and by the Authority aforesaid Constituted and Appointed a Court of Civil Jurisdiction for the purpose of hearing and determining all such Appeals from either of the Courts of Common Pleas in this Province as have been heretofore heard and Determined before the Chief Justice of the Province in the Supreme Court, and

The Governor and Council appointed a Court of Civil Jurisdiction for hearing and determining such appeals as have heretofore been brought before the Supreme Court.

for

for no other purpose whatsoever.

No Judge of the Courts of  
Common Pleas, being a  
Member of Council, to sit  
as Judge in this Court. \_

Provided always and it is hereby  
further Enacted and Ordained that no Judge  
of either of the Courts of Common Pleas, being  
at the same time a Member of His Majesty's  
Council shall sit as Judge in this Court, or have  
any voice in, or give his Opinion upon any  
part of the proceedings, or otherwise interfere  
in the business thereof, than by stating to the  
Court the Nature of the Proceedings in the Cause  
together with the Grounds and reasons of his  
Judgement in the Court below, which he shall  
be at Liberty to do whether called upon by the  
Court for that purpose or not, and all other  
the Judges of the Courts below not being  
Members of the Council shall and may do  
either in person or by writing under their  
hands if thereto Called upon and required by  
the Court and not otherwise.

The Court to hold a  
Session once in every  
Month during the Six  
Winter Months,

And that all unnecessary delay may  
be avoided and speedy Justice done to the Parties,  
It is further Enacted by the Authority aforesaid  
that for and during the time that this Court  
shall Continue to Exercise its Jurisdiction by  
Virtue of this Ordinance it shall and may  
And it is hereby and by the Authority aforesaid  
required to sit and hold a Session once in  
every Month during the six Winter Months,  
that is to say the months of November, December,  
January, February, March and April, and the  
Second day of November next ensuing the Publication  
of this Ordinance, and the first day of every other  
of the said Months as aforesaid, not being Sunday  
or some other great Festival, shall be and be Called the  
first day of the Session of the Court of Appeals,  
from which day it shall continue to sit by  
Adjournments from day to day till every appeal

before

before them is finally determined, and no adjournment shall be made for any longer time than till the next day (except where Sunday or some great Festival intervenes) without the special direction of the Court, and except in the case of such appeals as may be thought to require a more full and Solemn Deliberation, which may be Adjourned from Court to Court as the President in his Discretion shall think prudent or necessary.

and in the Month  
of August.

But there being reason to apprehend that the continued sitting of this Court during the Summer months may prove detrimental to the commercial Interest of this Country, It is further enacted and Ordained that there shall be Vacation and no Court shall sit on or be Adjourned to any day, during the Months of May, June and July, but upon the last day of every Session to be held in the Month of April, and before the rising of the Court, the same shall be adjourned over to the first day of August (not being Sunday or other great Festival as aforesaid) next ensuing, on which day the Court shall again meet and continue to sit during all the said Month of August, or so much of it as shall be sufficient for the dispatch of all the business then before the Court, and in like Manner upon the last day of the Session of the Court for the Month of August aforesaid, and before the rising of the same, the Court shall be again Adjourned to the Second day of November next ensuing, and no Court shall sit during the Months of September and October.

The Governor and five  
other Members of the  
Council to Constitute a  
Court.

And in all cases of Appeals from either of the Courts of Common Pleas in this Province during the absence of the present Chief Justice or untill the Arrival of some other in his place the Governor and Lieutenant Governor for the time being, and in their absence the Eldest Member of

the

the Council or President of the Court together with Five other Members of the Council, shall be and Constitute a Court for the hearing and determining the same, and their proceedings shall be as Effectual and their Determinations as final and conclusive as if every Member of his Majesty's Council was present and gave his voice in the same.

The Governor to have two Votes.

Process to Issue in the Kings names, tested by the Governor only, in or out of Session.

And where it shall happen at any time that the Court is divided in Opinion and there shall be the same number of voices for reversing as for confirming the Judgement of the Court below, in such case the Governor, Lieutenant Governor or President of the Court over and above his Vote already given by virtue of which such equality has been formed shall have one other Vote or Casting voice by which the Event of the Appeal shall be finally determined. It is further Ordained by the Authority aforesaid that as well the Original Writ for removing the Record out of the Court below, as all Subsequent Process shall be and issue in the name of the King Tested by the Governor Lieutenant Governor or President of the Court only, and by no other, and such original Writ may issue at any time upon the Application of the Party and bear date as well out of Session as in, returnable if out of Session on the first or some other day of the next Session, and if in Session on some day in the same or the first day of the next Session as the Governor Lieutenant Governor or President of the Court shall think proper.

And that the Court may proceed to try the real Merits of every Appeal, and not be Confined Solely to the Examination of Errors upon the face of the Record, it shall be Lawful for, and by the

Authority



The Court may order up all written Evidence and a List of the Witnesses, to be reexamined, if they think proper.

Authority aforesaid Power is hereby given to this Court to issue Process to bring up not only the Original Record but all papers and written Evidence of every kind produced by either of the Parties in the Court below, and the Judges of the Court below shall also send up a List of the Witnesses who have been examined viva voce, in the cause in order that the Court may re-examine them if they think proper and finally determine upon the true merits of the case.

The Court Authorized to give such Judgement and award such Costs, as upon the face of the proceedings, and re-examination of the Evidence appears just. \_\_\_\_\_

And if the Court shall be of Opinion that the Judges of the Court of Common Pleas have mistaken either the Law or the Fact, and given Judgement for the Defendant in Error when in truth they ought to have given it for the Plaintiff, in such case it shall be Lawful for the Court and they are hereby Authorized and Impowered not only to reverse such Judgement of the Court below, but also to give such other Judgement and award such Costs as upon the whole face of the proceedings and Examination of all the Evidence it appears to them ought to have been given and warded by the Judges of the Court of Common Pleas.

Judgement of this Court to be final where the Matter in dispute shall not exceed £500. Sterling.

And it is further Enacted and Ordained that Judgment in this Court upon the appeal where the matter in dispute shall not exceed the sum of Five hundred Pounds Sterling shall be final and conclusive to all Parties without further Examination revision or Appeal whatsoever, and Execution shall issue thereupon to enforce the same out of this Court, without remanding the Record upon any Occasion or sending it back to the Court below to issue Process of Execution even in cases where the Judgement of the Court below shall be confirmed.

Execution to issue out of this Court without remanding the Record to the Court below.

And whereas it is conceived to be neither necessary nor expedient to vest the full power and

Preamble to the Clause for Ascertaining the Power of the Commissioners.

Authority

The whole Criminal Jurisdiction of the Chief Justice to be Executed during his absence, by Commissioners to be appointed under the Great Seal of the Province.

Authority of the Chief Justice of this Province together with the whole Civil Jurisdiction as exercised by him in the hands of Commissioners, and it is of great Importance as well to the Commissioners themselves as to the Publick in General that the full extent of their powers should be known and the same ascertained with Clearness and precision, It is hereby further Enacted and Ordained by the Authority aforesaid that from the day of the Publication of this Ordinance and until the Chief Justice shall return into the Province, or some other be appointed to succeed him, the whole Criminal Jurisdiction belonging to that office shall be vested and reside in such Commissioners as are or shall be thereto appointed by a Publick Instrument or Commission under the Broad Seal of the Province, and such Commissioners so appointed as aforesaid are hereby Authorized Impowered and required to execute all and every part of the said Criminal Jurisdiction in as full and ample a manner as has or at any time ought to have been executed by any Chief Justice since the Establishment of Civil Government in this Province.

Magistrates, Provost Marshals, &c.<sup>a</sup> to pay due Obedience to the said Commissioners, in Executing all Criminal Process &c.<sup>a</sup>

And all inferior Magistrates, Provost Marshals, Coroners, Bailiffs, Keepers of his Majesty's Goals and others are hereby and by the Authority aforesaid Authorized and required to pay due obedience to the Acts of such Commissioners to Execute all Criminal Process to them or any of them directed, to return all such Writs as shall from time to time be awarded under the hand and Seal of one or more of the said Commissioners and otherwise to do and execute in their respective offices all such things as shall be Legally Demanded of them or any of them and as they have been used to do and execute in the time of any Chief Justice

whatsoever

whatsoever upon pain of being Proceeded against for the Contrary by Attachment or such other \_\_\_ Summary mode of Proceeding as has been usually adopted in the Supreme Court, and the Court shall think proper to direct.

Preamble to the Clause for Limiting the Civil Authority of the \_\_\_ Commissioners.

They are empowered to Issue Original Process for bringing in the Defendants Body,

to mark the same for Bail,

to perfect such Bail in Court,

for want of Bail to commit the Defendant to Prison,

to Supersede and Discharge Out of Prison all persons intituled thereto, and to Admit and record the Surrender of the Principal and discharge the Bail, &c.<sup>a</sup>

But for as much as the peculiar Circumstances and Situation of this Province seem to require that the Civil Authority of the said Commissioners should be Limited and restrained, the Proceedings in all causes already instituted in the Supreme Court either removed out of the said Court or Suspended, and others which may hereafter be Commenced not suffered to proceed beyond a certain extent, It is further enacted and Ordained and Power is hereby given to the said Commissioners for Executing the Office of Chief Justice to issue all such Original Process for bringing in the Defendants Body as has usually issued in the time of any Chief Justice whatsoever, to mark the same for Bail upon the proper Affidavit, in cases where such Bail has commonly been allowed, to Justify and perfect such Bail in Court, or otherwise upon the Return of a Capi Corpus to grant a Rule or Rules for bringing in the Defendants Body, and for want of procuring such Bail to commit the Defendant to Prison, to Supersede and discharge out of Prison all persons intituled to their Supersedeas, to admit and record the Surrender of the Principal and in consequence thereof to discharge the Bail, and otherwise to do and execute all and all manner of things necessary to be done and executed for the institution and Commencement of a suit in the Supreme Court, and for securing to the Plaintiff his Debt and Costs if upon the Return of the present Chief Justice or the coming of some other person in his place such Plaintiff shall think proper to proceed in his Action and shall afterwards

recover

recover in the same by Judgement of the Court.

Bail being perfected in Court or the Defendant in Custody for want of it, the power of the Commissioners to cease till the Chief Justice's return.

No advantage to be taken by the Defendant for want of filing a Declaration, &c.<sup>a</sup>

but the Plaintiff may at any time within the first term after the Chief Justice's Return, file his Declaration, &c.<sup>a</sup>

Proceedings in all causes already instituted in the Supreme Court to be Stayed untill the Chief Justice's Return,

Provided that the Plaintiff in any Cause now depending not being at issue may discontinue the same without payment of Costs and Commence a new Action in the Court of Common Pleas, or being at Issue may remove the Record into the said Court.

And such Bail as aforesaid being perfected in Court or the Defendant in Custody for want of finding Bail, the power of the Commissioners shall cease and all further proceedings be stayed till the return of the present Chief Justice into the Province or the coming of some other in his place, and no advantage shall be taken by any Defendant for want of filing a Declaration or the discontinuance of any Process whatsoever by lapse of time or otherwise, but the Plaintiff shall be at Liberty at any time within the first Term to be held after the return of the present Chief Justice or the coming of some other, to file his Declaration and otherwise proceed in the Cause as if Bail had been perfected as of the Term in which the said Declaration shall be filed, any Law, Usage, Practice or Custom of the Supreme Court to the Contrary hereof in any wise notwithstanding.

And in like manner the Proceedings in all causes already instituted in the Supreme Court shall be stayed without prejudice to either party and the same shall be and remain in the same situation in which they shall be left at the Departure of the present Chief Justice untill his return or the coming of some other person in his place, at which time the parties shall be at Liberty to proceed in the same manner as if there had been no interruption or stay of Proceedings whatsoever.

Provided always that the Plaintiff or Plaintiffs in any cause now depending in the Supreme Court not being at issue shall be at Liberty to discontinue the same without payment of Costs and commence a new Action or Actions in the Court of Common Pleas, or being at Issue and ready for Trial by a Jury may remove the Record unless he or they shall think proper to discontinue as

aforesaid

aforesaid, as it stands upon the Pleadings into the Court of Common Pleas who are hereby Authorized and required to receive the same and try such issue by a Jury and give Judgement and award Execution thereupon in the same manner as if the cause had Originated and been brought to issue in their own Court.

The Commissioners upon Consent of parties may Refer matters to Arbitration, and make such Reference a rule of Court,

They may examine Witnesses upon Interrogatories,

enter up Judgement, &c.<sup>a</sup>

And issue Writs of Execution upon the same.

And provided also that it shall and may be Lawful for the said Commissioners upon the Consent of Parties to refer Matters to Arbitration and also to make such reference a Rule of Court, and afterwards proceed thereon in case of disobedience to or contempt of such Rule in such manner as has at any time, or might have been done by the Chief Justice himself. And also to examine upon Interrogatories (in cases where such examination has usually been taken) Witnesses Aged, Infirm or under a necessity of leaving the Province, to enter up Judgement or Judgements upon an old Warrant or Warrants of Attorney together with all Judgements already pronounced by the Court and not entered, and to issue in such Writ or Writs of Execution upon the same as the Parties would have been intitled to if the Chief Justice had been present.

Before any Commissioner shall issue a Bailable Writ the Plaintiff to procure two persons as pledges for prosecuting his Suit.

And that no person or persons may be Arrested and held to Bail upon frivolous and vexatious pretences It is Lastly Enacted and Ordained by the Authority aforesaid that before any Commissioner shall Issue a Bailable Writ in any case whatsoever, the Party suing out such Writ shall besides making the usual Affidavit of the Debt procure the names of two respectable and substantial persons as his Pledges for Prosecuting his Suit, which names shall be entered upon Record and the persons so named shall become liable to the Defendant and shall Answer to him the whole Costs of the Suit in case the

Plaintiff

Plaintiff shall fail in his Action, Discontinue, be Non Suited or the Defendant in any manner become intitled to the same, and the same shall be awarded him by the Judgement of the Court.

Provost Marshals &c.<sup>a</sup>  
required to Execute  
all Writs and Process,  
&c.<sup>a</sup>

And in the Execution of all Writs and Process to them sent under the hand and Seal of one or more of the Commissioners the Provost Marshals of the Province of Quebec as well as all other Ministerial Officers of Justice are hereby Authorized and Required to use all due diligence and make such Returns as they have at any time been accustomed to use and make in the time of any Chief Justice whatsoever, as they will Answer the Contrary \_\_\_ thereof at their peril.

**Given** by The Honorable,  
Hector Theophilus Cramahé  
Esquire, Lieutenant Governor and  
Commander in Chief of the Province  
of Quebec, &c.<sup>a</sup> &c.<sup>a</sup> In Council, at the  
Castle of Saint Louis, in the City of  
Quebec, in the said Province, and passed  
under the Great Seal of the said Province  
on the first day of September, in the  
thirteenth year of his Majesty's Reign  
And in the year of Our Lord One \_\_\_  
thousand seven hundred and Seventy three.

/Signed/ H. T. Cramahé

By the Lieu<sup>t</sup> Governor's Command,  
Counts.<sup>d</sup> Geo: Allsopp D. C. C.

At the Council Chamber in the Castle of Saint Louis in  
the City of Quebec, on Friday the Eighth day of October  
1773. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esquire, Lieutenant Governor.  
Thomas Dunn }  
Colin Drummond } Esquires  
Fra.<sup>s</sup> L'Evesque }  
Ed. Harrison }

John Carden  
Esq<sup>r</sup>; appointed  
a Member of  
his Majesty's  
Council.

by the  
Lieu<sup>t</sup> Gov<sup>r</sup>



The Lieutenant Governor informed the Members of Council present, that by the Absence of divers Members of this Board with leave, and the Deputy Surveyor General being employed in running the Boundary Line between the Provinces of Quebec and New York, there remain only Four Councillors in the Province, he has therefore thought proper to appoint John Carden Esquire, a Member of this Majesty's Council for this Province: The Oath of a Councillor and likewise the State Oaths and Declaration were tendered to and taken and subscribed by him, and he took his Seat at the Board Accordingly.

At the Council Chamber in the Castle of Saint Louis  
in the City of Quebec on Friday the said Eighth day of  
October 1773.

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor.  
Tho<sup>s</sup> Dunn }  
Colin Drummond } Esquires.  
Francis Lévesque }  
Edw.<sup>d</sup> Harrison }  
John Carden }

Read

Petition of the Merch.<sup>ts</sup> &c.<sup>a</sup> concerning a new Quay building by Johnston & Purss in the Cul de Sac.

Read Petition of the Merchants, Owners and Masters of Vessels of the City of Quebec representing that Messieurs Johnston and Purss have begun to build a Quay in the Harbour of the Cul de Sac adjoining to the King's Wharf, which contracts the Street and Harbour, stops up the Passage of Carriages, hinders the discharge of Coasting Vessels and Chaloupes, and will, the Cul de Sac being already too small, be very prejudicial to the Trade of the Province; and praying therefore that a Stop may be put to the said Undertaking. \_\_\_\_\_

The said Quay ordered to be discontinued and the Materials removed; or the Lessees to be prosecuted.

The Board having taken into Consideration the said Petition, together with the lease of the King's Wharf to the said Johnston & Purss bearing date the 30<sup>th</sup> day of July 1770, are of Opinion that they the said Johnston and Purss have no right or Authority to erect any Quay or other building upon the Spot in Question in virtue of the said Lease, but are obliged, by the Tenor thereof, to keep the Additional Space included in the said Lease, free of all Rubbish, Stones or Rocks, and all other things dangerous to Navigation, And in Consequence do advise the Lieutenant Governor to signify to the said Lessees by the Clerk of the Council, That they are required to remove all the Materials of the Wharf they have begun to build without delay, And in failure thereof that the Attorney General will be directed to prosecute them for the same.

At the Council Chamber in the Castle of Saint Louis, in the City of Quebec, on Monday the first day of November 1773.

Present

The Hon<sup>ble</sup> H T. Cramahé Esq<sup>r</sup> Lieutenant Governor.  
Tho.<sup>s</sup> Dunn, John Collins,  
Colin Drummond, Edw<sup>d</sup> Harrison, } Esquires  
Fra.<sup>s</sup> Lévesque, John Carden, }

The L.<sup>t</sup> Gov.<sup>r</sup> & Members of Council take the Oaths as President and Members of the New Court of Appeals.

The Lieutenant Governor took An Oath as President of the Court of Appeals established by the Ordinance of the 1<sup>st</sup> September last, together with the State Oaths and Declaration: And the Members of his Majesty's Council, not being Judges of the Court of Common Pleas, took also the Oath of Members of the said Court of Appeals with the State Oaths and Declaration according to Act of Parliament. \_\_\_\_\_



At the Council Chamber in the Castle of Saint Louis,  
in the City of Quebec, on Monday the Sixth day of December 1773.

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieutenant Governor.

Tho. Dunn	}	Esquires.
Colin Drummond		
Fra. <sup>s</sup> Lévesque		
John Collins.		
John Carden		

Petitions of his  
Majesty's Antient  
Subjects for a  
House of Assembly.

Read Two Petitions of His Majesty's Antient Subjects, the Freeholders, Merchants, Traders and other Inhabitants of this Province, praying the Lieutenant Governor with the Advice and consent of Council, in Virtue of his Majesty's Proclamation of the 7.<sup>th</sup> October 1763 and of the Power and Authority granted by his Majesty's Letters Patent to his Governors, to summon and call a General Assembly of the Freeholders and Planters within this Government in such manner as shall be judged most proper.

To be translated  
& left on the  
Table.

Ordered that the abovementioned Petitions be translated into French and left on the Table for the Consideration of the Members of this Board. \_\_\_\_\_

dated 30 Nov<sup>r</sup> 1773

Petition of  
Jos. Launier  
for Lands

Read Petition of Joseph Launier <sup>r</sup> for a Grant of a Seigniorship upon the River Chaudiere adjoining to the Representatives of Aubin Delisle, of 4 Leagues in front on both sides the River by Two Leagues in Depth. \_\_\_\_\_

Refer'd to the  
Com<sup>m</sup>tee

Ordered to be filed and refer'd to the Committee upon Grants of Lands. \_\_\_\_\_

At the Council Chamber in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec on Saturday the Eleventh day  
of December 1773.

Present

The Hon<sup>ble</sup> H. T. Cramahé, Esq.<sup>r</sup> Lieutenant Governor  
Tho Dunn  
Colin Drummond  
Fra<sup>s</sup> Lévesque  
John Collins  
John Carden

} Esquires.

The L.<sup>t</sup> Gov.<sup>r</sup> with  
the Advice of this  
Board, return an  
Answer to the  
Petitions for  
a Gen.<sup>l</sup> Assembly.

The Board having taken into Consideration, The Two  
Petitions of the Freeholders &c.<sup>a</sup> of this Province, laid before  
Council the 6 instant, praying the Lieutenant Governor,  
with the Advice & consent of Council, to summon and call  
a General Assembly ; do advise the Lieutenant  
Governor to return the Petitioners the following  
Answer. to wit; \_\_\_\_\_

The Answer.  
Viz<sup>t</sup>;

“Gentlemen,

“The Subject of your Petitions is a  
“ Matter of too much Importance, for his Majesty’s Council  
“ here to advise, or me to determine upon, at a Time  
“ that, from the best Information, the Affairs of this  
“ Province are likely to become an Object of Public  
“ Regulation; The Petitions and my Answer  
“ shall be transmitted by the first Opportunity to  
“ His Majesty’s Secretary of State.” \_\_\_\_\_

(Signed) “H. T. Cramahé.”

“Quebec, 11.<sup>th</sup>  
Decem.<sup>r</sup> 1773.”

At the Council Chamber in the Castle of S<sup>t</sup> Louis,  
in the City of Quebec, on Friday the thirty first day of  
December 1773.

Present.

The Hon<sup>ble</sup> H T. Cramahé Esq.<sup>r</sup> Lieut.<sup>t</sup> Governor.  
Tho: Dunn . \_  
Colin Drummond }  
Fra<sup>s</sup> Lévesque. } Esq.<sup>rs</sup>  
John Collins }  
John Carden }

A Com<sup>m</sup>tee appointed to examine the Pub. Acco<sup>ts</sup> up to the 24 Dec<sup>r</sup> 1773. Ordered that M<sup>r</sup> Dunn, M<sup>r</sup> Drummond & M<sup>r</sup> Carden, together with any other Member or Members of this Board that shall chuse it, be appointed a Committee to examine the Accompts and Claims against the Government of this Province, for the last Year ending the 24 Instant.

dated 30 Nov 1773

Petition of Sam Jacobs for Lands. Read Petition of Sam<sup>l</sup> Jacobs for a Seigniorie of 3 Leagues in front by 3 leagues in Depth upon the North East Branch of the River Yamaska, adjoining the Lands of M<sup>r</sup> Delorme and those petitioned for last year by M<sup>r</sup> Allsoop.

Referd to the Com<sup>m</sup>tee. Ordered to be filed and refer'd to the Committee upon Grants of lands.

At the Council Chamber in the Castle of Saint Louis in the City of Quebec, on Wednesday the twelfth day of January 1774

Present

The Hon<sup>ble</sup> H. Theo<sup>s</sup> Cramahé Esq. Lieu.<sup>t</sup> Governor.  
Tho Dunn —, John Collins, }  
Colin Drummond, John Carden, } Esq.<sup>rs</sup>  
Fra<sup>s</sup> L'Evesque, .....

Rec.<sup>r</sup> General's Acco.<sup>ts</sup> produced and sworn to, The Hon<sup>ble</sup> Tho Dunn, Acting Receiver General, produced his Accompts for the last half year, commencing the 25.<sup>th</sup> June and ending the 24 Dec<sup>r</sup> 1773 wich were examined in Council, and Compared with the Report of the Committee formerly approved by this Board; And he was this day Sworn to the truth of his said Accompts in Council.

To be filed in y.<sup>e</sup> office. Ordered that the Receiver General's Acco.<sup>ts</sup> be filed in the Council Office.

Report of the Com<sup>m</sup>tee on the Pub. Acco.<sup>ts</sup> Read the Report of the Committee on the Publick Accompts dated the 3<sup>d</sup> and 7 Instant. \_\_\_\_\_

Approved and order'd to be Ent.<sup>d</sup> Approved and Confirmed: and Ordered that the said Report be filed and Entered in this Book.

The

Quebec the 3<sup>d</sup> and 7<sup>th</sup> January 1774.

Present  
 The Hon<sup>#</sup>ble Thomas Dunn  
 Colin Drummond } Esquires.  
 John Carden }

The Committee Appointed to examine the Accompts and Claims ag<sup>#</sup>st the Government of this Province from the 25<sup>th</sup> June to the 24<sup>th</sup> December 1773.

Fees of Office	Demands as p Accompts.	Allowed by the Committee & Approved in Council.	Submitted to the Right Honble the Lords Com <sup>#</sup> of the Treasury
	Sterling	Sterling	Sterling
The Deputy Provost Marshal's Accompt of Fees for the District of Quebec from 25 <sup>th</sup> June to the 24 December 1773....✓	31,,16,, 8	.....	31,,16,, 8
The Deputy Provost Marshal's Accompt for the District of Montreal....from d <sup>o</sup> ....to...ditto.....✓	18,, 4,, 6	.....	18,, 4,, 6
The Coroner's Accompt for the District of Quebec .....from d <sup>o</sup> ....to...ditto.....✓	19,,10,, 8	.....	19,,10,, 8
<u>Total Fees of Office Sterling £</u>	<u>69,,11,,10</u>	.....	<u>£69,,11,,10</u>
<b>Disbursements and Contingencies</b>			
The Deputy Secretary's Accompt of Disbursements and Contingencies from the 25 June to 24 december 1773.✓	77,, 8,, 8	77,, 8,, 8	
The Deputy Clerk of Enrolment's Accompt.....from d <sup>o</sup> to ditto.....✓	21,, 4,, 2	21,, 4,, 2	
The Deputy Provost Marshal's Accompt for the District of Quebec.....from d <sup>o</sup> to ditto.....✓	98,, 4,,	98,, 4,,	
The Deputy Provost Marshal's Accompt for the District of Montreal.....from d <sup>o</sup> to ditto.....✓	99,,12,, 5	99,,12,, 5	
The Deputy Clerk of the Council's Accompt of Disbursements & Contingencies.....from d <sup>o</sup> to ditto.....✓	53,, 0,, 9	53,, 0,, 9	
The Clerk of the Peace's Accompt for the District of Quebec.....from d <sup>o</sup> to ditto.....✓	5,, 1,, 3	5,, 1,, 3	
The Clerk of the Court's Acco. <sup>l</sup> for the Dis <sup>l</sup> of Montreal, & for firewood Supplied the Church there <sub>&amp;c</sub> from d <sup>o</sup> to ditto.....✓	16,,16,, 5	16,,16,, 5	
The Coroner's Accompt for the District of Quebec.....from d <sup>o</sup> to ditto.....✓	13,,14,, 8	13,,14,, 8	
The Hon <sup>#</sup> ble W <sup>m</sup> Hey Esq. <sup>r</sup> Chief Justice in lieu of all Fees at the rate of £200 Sterling p Annum....£100.....			
ditto his Expences going to Montreal & holding the Assizes there in September last..... <u>100. . .</u> ✓	200,, ,,	200,, ,,	
Henry Kneller Esq. <sup>r</sup> Attorney General Attending the said Assizes.....✓	45,, ,,	45,, ,,	
Alexander Johnston Clerk of the Crown Attending the said Assizes.....✓	27,, ,,	27,, ,,	
James Shepherd Prothonotary.....Attending.....ditto.....✓	22,,10,,	22,,10,,	
David Lynd Civil Clerk.....Attending.....ditto.....✓	22,,10,,	22,,10,,	
John Collins, Esq. <sup>r</sup> Dep Surveyor General for half a years rent of an Office, allow'd by the Treasury.....£25.....			
d <sup>o</sup> for Surveying and making Plans of the Indian Lands at Caughnawaga, resurveying the King's Lands at the City of Montreal and other Government work as per Accompt.....} <u>47,,2,,0</u>	72,, 2,,	72,, 2,,	
Brown & Gilmore Printers to the Government their half years Salary.....✓	50,, ,,	50,, ,,	
Robert Murray GoalKeeper at Quebec his Allowance for 6 months.....✓	9,, 3,,	9,, 3,,	

Robert M <sup>c</sup> Cay Goal Keeper at Montreal his Allowance for 6 Months.....	✓ 9,, 3,, ,,	9,, 3,, ,,	
Thimothy Devine his allowance for attending the Supreme <sup>Court</sup> as Cryer and Court keeper.....£5,, ,, ,, d <sup>o</sup> his allow. <sup>cc</sup> for firewood & Stationary for y <sup>e</sup> Supreme C <sup>l</sup> & Grand Jury Ro <sup>m</sup> & Supply. <sup>s</sup> firewood for y <sup>e</sup> Church dur <sup>s</sup> y <sup>e</sup> Fren <sup>h</sup> & Engl <sup>sh</sup> Services..10.12.6			
d <sup>o</sup> Attending the Quarter Sessions and for his Allowance for firewood Stationary &c for said Court.....	9,, 7,, 6		
Daniel Gallwey Interpreter for attending the Several Courts of Justice.....	✓ 25,, ,, ,,	25,, ,, ,,	
Zachar. <sup>a</sup> Thompson Captain of the Port his Disbursements and Contingencies.....	✓ 33,, ,, ,,	33,, ,, ,,	
John Mauriz for half a years Rent of a house at Montreal and the furniture thereof for the use of the Lieu <sup>t</sup> Governor.....	✓ 43,, 9,, ,,	43,, 9,, ,,	
The Seminary at Montreal for half a years Rent of a Court house.....	✓ 37,, 10,, ,,	37,, 10,, ,,	
John B <sup>te</sup> Grand Maison for his half year's Pension.....	11,, 5,, ,,	11,, 5,, ,,	
Thomas Dunn Esq. <sup>r</sup> for presents given to friendly Indians in different parts of the Province by ord <sup>r</sup> of the L <sup>t</sup> Governor	8,, 4,, 3	8,, 4,, 3	
The Post office for the Governments Letters.....	✓ 142,, 8,, 11	142,, 8,, 11	
John Fraser Schoolmaster for six Months Salary and Schoolhouse Rent.....	✓ 12,, 19,,	12,, 19,,	
Nicholas Davis Messenger his allowance for 6 months and Disbursements.....	✓ 13,, 7,, 6	13,, 7,, 6	
For the hire of a Room for the Grand Jury for 6 months.....	✓ 20,, 11,, 6	20,, 11,, 6	
David Lynd Clerk of the Courts of Common Pleas for the District of Quebec his Accompt of Disbursements.....	10,, ,,	10,, ,,	
H <sup>t</sup> Dunn Carpenter, for Pub <sup>l</sup> work done by him & other Workmen at y <sup>e</sup> Chateau & C <sup>l</sup> house, cover <sup>s</sup> y <sup>e</sup> house at y <sup>e</sup> bury. <sup>s</sup> ground, pav <sup>s</sup> & Wall. ground y <sup>e</sup> Bason &	✓ 12,, 1,, 10	12,, 1,, 10	
D. <sup>d</sup> Lynd one of y <sup>e</sup> Clks of ye C <sup>t</sup> of Com <sup>#</sup> on Pleas for his Expences & trouble in going y <sup>e</sup> Circuit thro' y <sup>e</sup> Dis <sup>t</sup> of Quebec in the Month of July last	✓ 107,, 1,, 11	107,, 1,, 11	
The Clk of D. <sup>o</sup> for y <sup>e</sup> Dis <sup>t</sup> of Montreal for his Trouble & expences in going y <sup>e</sup> Circuit thro' that Dis. <sup>t</sup> in the said Month of July	✓ 15,, ,,	15,, ,,	
Martial Vallet Cryer of y <sup>e</sup> Ct of Com <sup>#</sup> on Pleas for the Dis <sup>t</sup> of Quebec for making y <sup>e</sup> fires & Clean. <sup>s</sup> y <sup>e</sup> C <sup>t</sup> house for the last 6 Months...	✓ 15,, ,,	15,, ,,	
Louis Perthuis Indian Interpreter at Montreal for his Salary...from 25 June to 24 Decem <sup>r</sup> 1773.....	✓ 4,, 10,,	4,, 10,,	
S <sup>t</sup> Jean Rousseau Interpreter of the Outawas Language his Salary from d. <sup>o</sup> to ditto.....	✓ 41,, 3,, 6	41,, 3,, 6	
Hans Carden for his Expences &c. <sup>a</sup> in repair <sup>s</sup> y <sup>e</sup> Old road from La Prairie to S <sup>t</sup> Johns on Lake Champlain by ord <sup>r</sup> of Governm. <sup>t</sup> as per Account	✓ 11,, 5,,	11,, 5,,	
Fras. <sup>s</sup> Jos. Cugnet for Extra Services in draw. <sup>s</sup> up Observations on y <sup>e</sup> forms of Proceed <sup>ss</sup> in Appeals formerly bro. <sup>t</sup> before y <sup>e</sup> Superior Council in this Province	✓ 63,, 19,, 1	63,, 19,, 1	
John Franks Overseer of y <sup>e</sup> Chimnies having produced his Accompt from 1 <sup>st</sup> November 1772 to the 31 <sup>st</sup> October 1773, which has been proved upon the Oath of his Assis, <sup>t</sup> by which it appears to the Committee that his profits are nearly the same as last year, and that his Acco. <sup>t</sup> for Sweeping the Chimnies of the poor of whom he has taken nothing Amounts to £150. Halifax Currency or thereabouts; they are of Opinion that he ought to have an Allowance from Government of.....	1,, 9,, 3 ✓ 60,, ,,	1,, 9,, 3 60,, ,,	
John Collins Esq. <sup>r</sup> D Surv <sup>r</sup> Gen. <sup>l</sup> for one half of the Disbursem. <sup>ts</sup> and his allowance in running y <sup>e</sup> Boundary Line between the Provinces of Quebec & New York from the West side of Lake Champlain towards the River S <sup>t</sup> Lawrence as p <sup>r</sup> Acco <sup>t</sup> .....£235.4.10	1531,, 16,, 1	1531,, 16,, 1	
From which Deduct £50.16.8 Ster <sup>l</sup> for Advances for Prov. <sup>s</sup> & wages Inserted in the last Report of y <sup>e</sup> Com <sup>#</sup> mee on y <sup>e</sup> Pub: Acco. <sup>s</sup> dated 21 July 1773.....	50.16.8 ✓ 184. 8. 2	184. 8. 2	
Total Disbursem <sup>ts</sup> & Contingencies Sterling... £	1716,, 4. 3	£1716,, 4. 3	
		/Signed/ Thom. <sup>s</sup> Dunn P.C.	

Examined and Approved in Council. /Signed/ H. T. Cramahé\_\_\_\_\_

At the Council Chamber, in the Castle of  
Saint Louis, in the City of Quebec, on Monday the Thirtieth  
day of May 1774.

Present,

The Hon<sup>ble</sup> H. T. Cramahé Esq<sup>r</sup> Lieutenant Governor,  
Thomas Dunn  
Colin Drummond  
John Collins  
Edw.<sup>d</sup> Harrison  
John Carden

} Esquires.

Eighty one Acadians  
arrived in Chaleurs  
bay from France,  
last from Jersey:

The Lieutenant Governor informed the Council of certain  
Intelligence which he had received of the Arrival of divers Acadian  
Families, Emigrants from Old France, consisting of Eighty one persons,  
in the Bay of Chaleurs, last from the Island of Jersey, with a View  
to settle in this Province; and who had accordingly offered to take the  
Oaths of Allegiance to his Majesty: but that M<sup>r</sup> Charles Robin a part  
Owner of the Two Vessels that brought them, had been obliged by M.<sup>r</sup>  
Smith Deputy Collector of the Customs at Bonaventure, at the instance  
of M<sup>r</sup> Van felson a Justice of the Peace there, to give a Bond of £500  
Sterling to abide by the Determination of Government in regard  
to those Lettlers, before he could be permitted to land them.

The Oath of Allegiance  
order'd to be admi=  
=nistered to them.

This Board is of Opinion that neither M<sup>r</sup> Smith, nor  
M<sup>r</sup> Van felson were authorized to prevent the Acadians from landing;  
And therefore the Bond given by M<sup>r</sup> Robin to M<sup>r</sup> Smith ought to  
be cancelled: That the Acadians lately arrived in Chaleurs bay,  
or any that hereafter arrive, be permitted to settle in that or any  
other part of the Province, upon all the Men, of the Age of  
Sixteen years and upwards, taking the Oath of Fidelity to his  
Majesty; and that M<sup>r</sup> Smith be commisioned to administer  
the same. \_\_\_\_\_

Letter from Col: Jones  
complaining of  
Encroachments on  
the Fortifications,  
and King's Wharf  
of this City,

Read a Letter from Colonel Jones, commanding the Northern  
District, to the Lieutenant Governor, dated this day, together with a  
Report from the Overseer of the King's Works in the Absence of an  
Engineer, setting forth that a Building was erected upon the Glacis  
of the Fortifications in this City: That One Vezina was also  
about to rebuild a house on the outward Wall of the said Fortifications  
in S.<sup>t</sup> John's Suburbs: And that Messieurs Johnston and Purss were  
laying a foundation of Masonry against the Gable end of the

Provision

Provision Store on the King's Wharf, in order to erect thereon a Granary for Wheat, which foundation is upon the Space of Ten feet reserved to his Majesty in the Lease of the said Wharf to the said Johnston and Purss, and which is thought necessary to be kept open for the King's Service.

A Com<sup>m</sup>tee appointed to report thereon,

The Attorney Gen.<sup>l</sup> orderd to attend the Com<sup>m</sup>tee.

An application to Governm.<sup>t</sup> for assistance to an Eng: Protestant School at Montreal

A Benefaction of 100 dollars ordered to be paid by the Receiver General.

Ordered that M<sup>r</sup> Dunn, M.<sup>r</sup> Collins, M<sup>r</sup> Harisson and M.<sup>r</sup> Carden be appointed a Committee to take the above Encroachments on his Majesty's Lands into Consideration, and to report thereon:

Ordered also, that the Attorney General do attend the said Com<sup>m</sup>tee and give his Opinion on the Titles of the respective Claimants who have already built or are now about to build upon the said Lands, as above mentioned. \_\_\_\_\_

The Lieutenant Governor having laid before the Board An Application made to him by divers Gentlemen at Montreal, praying some Assistance from Government for the Encouragement, of an English Protestant School lately set on foot there by private Subscription;

Ordered thereupon, that a Warrant be directed to the Receiver General, for the payment of One hundred Dollars to Jacob Jordan Esq.<sup>r</sup> as a Benefaction from Government to the above Undertaking. \_\_\_\_\_

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis, in the City of Quebec, on Monday the Twenty seventh day of June 1774. \_\_\_\_\_

Present,

The Hon<sup>ble</sup> H T. Cramahé Esq.<sup>r</sup> Lieutenant Governor,  
 Thomas Dunn  
 Colin Drummond  
 John Collins  
 Edw.<sup>d</sup> Harrison  
 John Carden

} Esquires.

Read

Petition of Ann Taylor for a Slip of Ground, and two or 3 small runs of water issuing out of the Rocks, opposite the King's forge.

Read Petition of Ann Taylor, praying a Grant of the Vacant Slip of Ground lying directly opposite and equal in Length to the building called the King's Forge; and praying leave to conduct two or three Small runs of Water issuing out of the Rocks of Cape Diamond opposite to the said Forge, to a Spruce Distillery she has erected near that place.

Memorial of John M.<sup>c</sup>Cord concerning a Passage behind his house leading to the Barracks.

Read Memorial of John M.<sup>c</sup>Cord setting forth that it would be convenient and proper to enlarge a Lane or Passage between his Lot and the King's Wood yard leading to the Barracks; That he consents to give up five feet of his Ground for that purpose, provided that Government will grant and allow him and his Heirs to have a common right to the said Passage, and order the Surveyor General to mark it out in conformity. \_\_\_\_\_

The above petition & memorial refer'd to the Com<sup>m</sup>tee upon Grants of Lands.

Ordered, that the Two Petitions above mentioned be filed, and refer'd to the Committee upon Grants of Lands. \_\_\_\_\_

A Com<sup>m</sup>tee appointed to examine the publick Acco.<sup>ts</sup> up to the 24<sup>th</sup> June 1774.

Ordered, that M<sup>r</sup> Dunn, M<sup>r</sup> Collins, M<sup>r</sup> Harrison and M.<sup>r</sup> Carden, together with any other Member or Members of this Board that shall chuse it, be appointed a Committee to examine the Accompts and Claims against the Government of this Province, for the last half year ending the 24.<sup>th</sup> instant. \_\_\_\_\_

Memorial of John Burke Clk of the Courts for an allowance for going the Circuits thro' the District of Montreal.

Read Memorial of John Burke, Clerk of the Courts for the City and District of Montreal, praying to be reimbursed his Expences for his Assistant french Clerk attending the Circuit of the Court of Common Pleas twice a year for three years past; and that this Board would be pleased to grant him a certain yearly allowance for defraying his Expences on the said Circuit for the time to come. \_\_\_\_\_

Refer'd to the Com<sup>m</sup>tee on the pub: Acco.<sup>ts</sup>

Ordered to be refer'd to the Committee on the Publick Accompts. \_\_\_\_\_

Report of the Com<sup>m</sup>tee on the Encroachments upon the Fortifications and King's Wharf.

Read the Report of the Committee appointed the 30.<sup>th</sup> Ult.<sup>o</sup> and held the 1.<sup>st</sup> 11<sup>th</sup> and 13<sup>th</sup> instant, on divers Encroachments upon the Fortifications of this City and the King's Wharf.

Order thereupon.

Approved the said Report and Ordered that the same be entered in the Book: Resolved, That Messieurs Johnston and Purss be directed to take away the Masonry and other Materials which they have laid upon the Space of ten feet reserved <sup>by Lease</sup> on the Northern side  
or



or Gable end of the Store house on the King's Wharf, and that the ground be made level as it was before they began to build thereupon.

“ Quebec the 13<sup>th</sup> June 1774.

The Report,  
Viz.<sup>1</sup>

“ At a Committee of the Council appointed the 30<sup>th</sup> Ult.<sup>o</sup>  
“ and held the 1.<sup>st</sup> 11<sup>th</sup> instant and this day, in order to take into  
“ Consideration divers Encroachments upon the Fortifications  
“ of this City and the King's Wharf, as set forth by Colonel  
“ Jones in his Letter of the 30.<sup>th</sup> Ult.<sup>o</sup> and in the Report of  
“ the Overseer of the King's Works therein referred to;

“ Present,

“The Hon <sup>ble</sup> Thomas Dunn,	} Esquires;
“ John Collins,	
“ Edw <sup>d</sup> Harrison	
“ John Carden	

“ Who having Reviewed the several Premisses in  
“ question, examined the Titles of the Claimants and consulted  
“ his Majesty's Attorney General thereupon; do agree to Report  
“ to your Honor and the Council as follows;

“ That the building upon the Glacis opposite to S.<sup>1</sup> John's  
“ Gate has been lately erected by one Lyonnois a Black Smith as a  
“ Shop for carrying on his business, and may be easily removed  
“ in case of need, being composed intirely of Wood: It is built  
“ upon part of a Lot formerly belonging to one Peter Deguise dit  
“ Flamand, who obtained a written Permission from Governor  
“ Murray to rebuild his house dated the 10<sup>th</sup> March 1761,  
“ after it had been destroyed by Command of s.<sup>d</sup> Gov<sup>r</sup> Murray  
“ in the Spring 1760 for the Security of the Garrison.  
“ It appears to the C<sup>om</sup>mee that his Title is good, for, by the Register  
“ of Lands held under his Majesty dans la Censive de Quebec,  
“ signed by M. Bigot late Intendant, said Deguise dit  
“ Flamand was, on the 2 December 1758, in possession of a  
“ Lot of Ground of 18 feet in front by 50 feet deep, and a house  
“ build thereon, situate in the Suburbs S.<sup>1</sup> John, which he had  
“ acquired of Jean Langlais his Father in law the 1<sup>st</sup> March  
“ 1745 (tho' it appears by the Register of Aveux et Denombremens  
“ page 708, that said Langlais was, on the 12 December 1739, possessed  
“ of a larger Lot, namely; of 35 feet by 60 feet) and that the  
“ Cens et Rentes were regulated by the said Intendant at 5 Sols 6 den.<sup>rs</sup>

per

“ per Annum for the Lot of 18 feet by 50 feet above mentioned.

“That the last end of the Foundation of the House about  
“ to be rebuilt by Vezina is in a line with the Outwall or Counterscarp  
“ of the Fortifications opposite S.<sup>t</sup> John’s Gate, and the North  
“ East Angle of the Lot encroaches upon the King’s Highway:  
“ But it appears to Commee that his Titles are good and authentic  
“ for the said Lot of Ground, as being sold to Jacques Vezina  
“ (his Wife’s father) the 6<sup>th</sup> November 1736, by Joachim Girard  
“ who obtained a Grant of that and other lands from the Nuns  
“ of the Hotel Dieu (who hold the same under the Crown) the 31.<sup>st</sup>  
“ March 1722 and 3<sup>d</sup> May 1724, which two Grants were reduced  
“ into one the 1<sup>st</sup> June 1740: It further appears by the Register  
“ of Lands in the Censive of Quebec before quoted, that the  
“ said Jacques Vezina was, on the aforesaid 2<sup>d</sup> December 1758,  
“ in possession of a Lot of 40 feet in front in S.<sup>t</sup> John’s Suburbs,  
“ whereon a house was then standing, and for which the  
“ Cens et Rentes were regulated at an annual Rent of  
“ 5 Sols 6 deniers: but the said house was destroyed in like  
“ manner and for the same purposes as that of Flamand  
“ before mentioned. \_\_\_\_\_

“ Both these Houses were standing at the Conquest of  
“ Quebec, and it is evident that the Proprietors received no  
“ Consideration for them from the French Government prior  
“ to the 28 december 1758; nor does it appear to the  
“ Com<sup>~</sup>mee that they have received any Recompence for the  
“ said houses since that time. \_\_\_\_\_

“ That the Committee have examined the Lease of the  
“ King’s Wharf to Messieurs Johnston and Purss and do find that  
“ the Granary of which the Lessees have laid the Foundation on the  
“ Northern side or Gable-end of the King’s Store-house, is evidently  
“ upon the space of ten feet reserved to the Crown by the lease  
“ and ought to be kept free and open: Consequently the  
“ said Lessees have no right or Authority to build within  
“ the ten feet so reserved, and should therefore take away  
“ the Masonry and other Materials they have laid there,  
“ and leave the Ground in the same state they found it.

(Signed) “Thom<sup>s</sup> Dunn P. C.”

At

At the Council Chamber, in the Castle of  
Saint Louis, in the City of Quebec, on Saturday the Ninth  
day of July 1774. \_\_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq<sup>r</sup> Lieu<sup>t</sup> Governor.  
H Finlay, Tho<sup>s</sup> Dunn, F Levesque }  
J. Collins, Ed Harrison, Jn<sup>o</sup> Carden } Esquires

The Petitions for Lands the form of Grants & Fees thereupon, recommended to the Considerat.<sup>n</sup> of the Council,      The Lieutenant Governor recommended to the Board to take into Consideration the Petitions for Grants of Land more especially those at Gaspey and Chaleurs Bay; to point out the mode and forms of the Grants agreeable to an Order of his Majesty in Council bearing date the 2<sup>d</sup> July 1771 Entered in the Minutes of Council the 30 June 1772, & to regulate the Fees of the Officers of Government upon Grants of Land in this Province.

A Committee appointed upon that business.      Ordered that M<sup>r</sup> Finlay and the whole or any three Members of Council do form a Committee upon the above business, who are to report thereon as soon as possible. \_\_\_\_\_

Petition of Sam Holland Esq. for Lands      Read Petition of Samuel Holland Esq. Surveyor Gen<sup>l</sup> of Lands praying a Grant of a Seigneurie of 4 L.<sup>s</sup> in front by 4 L.<sup>s</sup> in Depth upon the River S.<sup>t</sup> Francis, to be marked out by the Dep Surv<sup>r</sup> General.

Petition of Geo Durbage for Lands.      Read Petition of George Durbage praying a Grant of a Tract of Land as above \_\_\_\_\_

Petition of P DuCalvet for Lands.      Read Petition of Peter Du Calvet Esq. Proprietor of the Seigneurie called The River David, at Yamaska, praying an Addition to his said Seigneurie as therein set forth.

Petition of D C Delisle James Price and others, Petitioners for Lands, that their Grants may be made out.      Read Petition of David Chabrand Delisle, James Price, and others who have heretofore presented Petitions for Grants of Lands in this Province, praying that their respective Grants may be made out as soon as the other Affairs of the Province will permit, having laid themselves out to settle and improve the Lands petitioned for. \_\_\_\_\_

Referd to the Commee upon Grants of Lands      Ordered that the four Petitions above mentioned be referd to the Committee appointed this day upon the Land business.

At the Council Chamber, in the Castle of S<sup>t</sup> Louis  
in the City of Quebec, on Wednesday the Twentieth day of July  
1774.

Present.

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieuten<sup>t</sup> Governor.  
H Finlay, Tho.<sup>s</sup> Dunn, F.<sup>s</sup> Levesque }  
Jn<sup>o</sup> Collins, Ed Harrison, Jn<sup>o</sup> Carden } Esq.<sup>ts</sup>

Receiver General's  
Acco.<sup>ts</sup> produced  
and sworn to,

The Hon<sup>ble</sup> Tho Dunn Acting Receiver General produced his Acco.<sup>ts</sup>  
for the last half year commencing the 25 Dec<sup>r</sup> 1773 and ending the 24.<sup>th</sup>  
June 1774, which were examined in Council, and compared with  
the Report of the Committee formerly approved by this board; And  
he was this day sworn to the Truth of his said Accompts in Council.

To be filed in  
the Office.

Ordered that the Receiver General's Accompts be filed  
in the Council Office. \_\_\_\_\_

The Report of the  
Com<sup>tee</sup> on the  
pub: Acco.<sup>ts</sup>

Read the Report of the Committee on the Publick Acco.<sup>ts</sup>  
dated the 13. 16 and 19 instant. \_\_\_\_\_

Approved and  
order'd to be  
enter'd.

Approved and Confirmed: and Ordered that the  
said Report be filed and entered in this Book. \_\_\_\_\_

Letter from the  
merch.<sup>ts</sup> at Mont.<sup>l</sup>  
praying the King's  
Pardon to the  
Accomplices who  
shall discover the  
persons who set  
fire to that City.

Read a Letter from divers Inhabitants of the City  
of Montreal, to the Lieutenant Governor, dated the 12 instant,  
representing that some evil minded persons attempted to set  
fire to that City in the Night of the 9<sup>th</sup> instant; that the  
said Inhabitants have offered a Reward of two hundred dollars  
for the Discovery of the Offenders, and praying his Majesty's  
Pardon to the Accomplices that shall give Evidence to the  
Conviction of the said Offenders. \_\_\_\_\_

An Adv: to be  
published promising  
Pardon, and 200  
dollars reward  
for discovering  
the Incendiaries.

Ordered that an Advertisement be inserted in the  
Quebec Gazette, promising his Majesty's most gracious Pardon  
and a Reward of Two hundred Dollars from Government, to be  
paid by the Receiver General, over and above the Sum  
offer'd by the Inhabitants of Montreal, for the  
Discovery of the Offenders. \_\_\_\_\_

The

Quebec the 13<sup>th</sup>, 16<sup>th</sup> and 19<sup>th</sup> July 1774.

Present

The Report  
viz.<sup>t</sup>

The Hon<sup>#</sup>ble Thomas Dunn  
John Collins  
Edw<sup>d</sup> Harrison  
John Carden } Esquires.

The Committee Appointed to examine the Accompts and Claims against the Government of this Province from <sup>ye</sup> 25 Decem<sup>r</sup> 1773 to 24<sup>th</sup> June 1774.

Fees of Office.	Demands as per Accompts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Commissioners of the Treasury
The Deputy Provost Marshal's Accompt of Fees for the District of Quebec from 25 <sup>th</sup> Decem <sup>r</sup> 1773 to 24 <sup>th</sup> June 1774..	✓ 7,,18,,10	.....	7,,18,,10
The Deputy Provost Marshal's Accompt.....for the District of Montreal from...ditto.....to ditto.....	✓ 11,,10,, 3	.....	11,,10,, 3
The Coroner's Accompt.....for the District of Quebec .....from...ditto.....to ditto.....	✓ 9,, 4,, 6	.....	9,, 4,, 6
<u>Total Fees of Office Sterling £</u>	<u>28,,13,, 7</u>		<u>£ 28,,13,, 7</u>
<b>Disbursements and Contingencies.</b>			
The Deputy Secretary's Accompt of Disbursements and Contingencies from the 25 <sup>th</sup> Decem <sup>r</sup> 1773 to 24 <sup>th</sup> June 1774	✓ 57,,10, 0	57,,10, 0	
The Deputy Clerk of Enrolments Accompt.....from ditto.....to ditto...	✓ 15,,18,, 9	15,,18,, 9	
The Deputy Provost Marshal's Accompt for the District of Quebec.....from ditto.....to ditto...	✓ 73,,15,, 8	73,,15,, 8	
The Deputy Provost Marshal's Accompt for the District of Montreal.....from ditto.....to ditto...	✓ 108,, 5,, 4	108,, 5,, 4	
The Deputy Clerk of the Council's Accompt of Disbursements & Contingencies..from ditto.....to ditto...	✓ 38,,14,, 8	38,,14,, 8	
The Clerk of the Peace for the District of Quebec Acco. <sup>t</sup> of ditto.....from ditto.....to ditto...	✓ 5,, 5,, 9	5,, 5,, 9	
The Clerk of the Courts.....Acco. <sup>t</sup> for the Dis. <sup>t</sup> of Montreal.....from ditto.....to ditto...	✓ 7,, 1,, 0	7,, 1,, 0	
The Coroner's.....Acco. <sup>t</sup> for the District of Quebec.....from ditto.....to ditto...	✓ 4,,16,, 6	4,,16,, 6	
The Honble William Hey Esquire Chief Justice in lieu of all Fees at the rate of £200 Sterling per Annum.....	✓ 100,, 0,, 0	100,, 0,, 0	
The Three Commissioners for theirs Expences going to Montreal and holding the Assizes there in Febr <sup>#</sup> y last £50. each	✓ 150,, 0,, 0	150,, 0,, 0	
Henry Kneller Esquire Attorney General.....Attending the said Assizes.....	✓ 45,, 0,, 0	45,, 0,, 0	
Alexander Johnston Esq. <sup>r</sup> Clerk of the Crown.....Attending the said Assizes.....	✓ 27,, 0,, 0	27,, 0,, 0	
James Shepherd Prothonotary.....Attending the said Assizes .....	✓ 22,10,, 0	22,,10,, 0	
David Lynd Civil Clerk.....Attending Ditto.....	✓ 22,,10,, 0	22,,10,, 0	
John Collins Esq. <sup>r</sup> Deputy Surveyor General for half a year's rent of an office, allowed by the Treasury	✓ 25,, 0,, 0	25,, 0,, 0	
Carried over £	703,, 7,, 8	£703,, 7,, 8	148

Disbursements & Contingencies      Continued	Demands as per Accompts.	Allowed by the Committee and Approved in Council.	Submitted to the Right Honble the Lords Com. <sup>ns</sup> of the Treasury.
Brough over.....£	703,,7,,8	703,,7,,8	
William Brown Printer to the Government his half year's Salary.....	✓ 50,, 0,, 0	50,, 0,, 0	
The Goal Keeper at Quebec his Allowance for Six Months.....	✓ 9,, 2,, 0	9,, 2,, 0	
Rob <sup>t</sup> M <sup>c</sup> Cay Goal Keeper at Montreal his Allowance for six Months.....	✓ 9,, 2,, 0	9,, 2,, 0	
Timothy Devine his Allowance for Attending the Supreme as Cryer & Court Keeper.....£5,,0,,0			
d <sup>o</sup> his Allow. <sup>ce</sup> for firewood & Stationary for the Supreme Court & Grand Jury Room, & Supplying firewood for y <sup>e</sup> Church dur. <sup>g</sup> the French & English Services 10.12.6			
d <sup>o</sup> Attending the Quarter Sessions and for his Allowance for firewood Stationary &c. <sup>a</sup> for said Court..... 9,,7,,6	✓ 25,, 0,, 0	25,, 0,, 0	
Daniel Gallwey Interpreter for Attending the several Courts of Justice.....	✓ 28,,10,, 0	28,,10,, 0	
Zach. <sup>a</sup> Thompson Captain of the Port his Disbursements and Contingencies.....	✓ 21,, 6,, 10	21,, 6,, 10	
Jacob Maurer for half a year's Rent of a House at Montreal and the furniture thereof for the use of the Lieutenant Governor....	✓ 37,,10,, 0	37,,10,, 0	
The Seminary at Montreal for half a year's rent of a Court house.....	11,, 5,, 0	11,, 5,, 0	
Jean B <sup>te</sup> Grand Maison for his half year's pension.....	8,, 4,, 3	8,, 4,, 3	
Thomas Dunn Esq. <sup>r</sup> for presents given to friendly Indians in different parts of the Province by order of the L <sup>t</sup> Governor..	✓ 123,, 2,, 2	123,, 2,, 2	
The Post Office for the Governments Letters & divers Expresses from Montreal with the English and New York Mails..	✓ 34,, 6,, 3	34,, 6,, 3	
John Fraser Schoolmaster for Six Months Salary and Schoolhouse rent.....	✓ 13,, 7,, 6	13,, 7,, 6	
Nicholas Davis Messenger his Allowance for Six Months and Disbursements.....	✓ 15,,10,, 9	15,,10,, 9	
For the hire of a Room for the Grand Jury for Six Months.....	✓ 10,, 0,, 0	10,, 0,, 0	
David Lynd Clerk of the Court of Common Pleas for the District of Quebec his Accompt of Disbursements.....	✓ 11,,13,,10	11,,13,,10	
Henry Dunn Carpenter & <sup>thrs</sup> Workmen for Repairs at the Chateau Garden, Court house & Bury <sup>g</sup> Ground & for mend <sup>g</sup> the Road between y. <sup>e</sup> upper & lower Town &c <sup>a</sup>	✓ 73,, 5,, 7	73,, 5,, 7	
Nicolas Boisseau, one of the Clks, of the Court of Common Pleas for his Expences & trouble in going the Circuit thro' the Dis <sup>t</sup> of Quebec in y <sup>e</sup> M. <sup>o</sup> of Febry last	✓ 15,, 0,, 0	15,, 0,, 0	
Jn. <sup>o</sup> Burke Clk of Ditto for the District of Montreal for his Expences & trouble in going the Circuit thro' that Dis <sup>t</sup> .....in s. <sup>d</sup> M. <sup>o</sup> of Febry last	✓ 15,, 0,, 0	15,, 0,, 0	
Martial Vallet, Cryer of the Court of Common Pleas for the District of Quebec for making the fires & Clean. <sup>g</sup> the Court house for y <sup>e</sup> last six M <sup>os</sup> ..	✓ 4,,10,, 0	4,,10,, 0	
Louis Perthuis Indian Interpreter at Montreal for his Salary...from 25 <sup>th</sup> Decem. <sup>r</sup> 1773 to 24 June 1774.....	✓ 40,,19,, 0	40,,19,, 0	
S <sup>t</sup> Jean Rousseau Interpreter of the Outawas Language his Salary...from ditto... to ditto.....	✓ 11,, 5,, 0	11,, 5,, 0	
James Shepherd Clerk of the Court of Appeals for nine Months allow. <sup>ce</sup> at £100 Sterling p Annum.....£75,,0,,0			
And for nine Months rent of an Office.....at £20.....p Annum.....15,,0,,0	✓ 90,, 0,, 0	90,, 0,, 0	
Total Disbursements & Contingencies Sterling £	1361,, 7,,10	1361,, 7,,10	

/Signed/ Thom.<sup>s</sup> Dunn P. C.”

Examined and Approved in Council.    /Signed/ H T. Cramahé \_\_\_\_\_

At the Council Chamber in the Castle of Saint Louis, in  
the City of Quebec on Wednesday the tenth day of August 1774. \_\_\_\_

Present

The Hon<sup>ble</sup> H. T. Cramahé Esq Lieu<sup>t</sup> Governor.

H. Finlay	} Esq. <sup>rs</sup>
Tho Dunn	
Ja <sup>s</sup> Cuthbert	
Jn <sup>o</sup> Collins	
Jn <sup>o</sup> Carden	

M<sup>r</sup> Finlay &  
M<sup>r</sup> Cuthbert  
take the oath of  
Members of the  
New Court of  
appeals

The Hon<sup>ble</sup> Hugh Finlay and James Cuthbert Esq.<sup>rs</sup> took the Oath  
of Members of the Court of Appeals established by the Ordinance of  
the 1<sup>st</sup> September 1773. they took also the State Oaths and made  
and Subscribed the Declaration according to Act of Parliament.

Petition of P.<sup>r</sup>  
Napier for a  
Town Lot,

Read Petition of Peter Napier praying a Grant of a Lot  
of Ground at the end of Champlain Street in Quebec. \_\_\_\_

Petition Hen  
Kneller Esq for  
a Seigneurie,

Read Petition of Henry Kneller Esq<sup>r</sup> Attorney General  
praying a Grant of a Seigneurie of 3 Leagues in front by 4 Leagues in Depth  
upon the River S.<sup>t</sup> Francis, to be laid out by the D Surveyor General. \_\_\_\_

Pet. W Vanfelson  
for an addition  
to his former Grant  
to form a  
Seigneurie

Read Petition of William Van Felson praying a Grant of the  
Lands round and adjoining to his former Grant at Bonaventure to form  
into a Seigneurie or Manor. \_\_\_\_\_

Refer'd to the  
Committee.

Ordered that the Three foregoing Petitions be filed and referd  
to the Committee upon Grants of Lands. \_\_\_\_\_

Petition of the  
Coheirs Brouague  
to be repossessed  
of their Father's  
Lands,

Read Petition of the Coheirs of the late M<sup>r</sup> Brouague deceased  
praying to be restored to the repossession of a Tract of Land formerly granted  
to their Father upon the Coast of Labrador, or for a New Grant of  
the Premisses as to the Board shall seem meet and right. \_\_\_\_\_

To lye on the  
Table till the  
New Act of Par.<sup>t</sup>  
shall take place.

Ordered to Lye on the Table for the Consideration of  
the board, and until the New Act of Parliament for regulating the  
Province shall take place. \_\_\_\_\_

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis,  
in the City of Quebec, on Tuesday the Eleventh day  
of October 1774.

Present,  
His Excellency Guy Carleton, Governor.  
The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor.  
Thomas Dunn  
Colin Drummond  
Fra.<sup>s</sup> L'évesque  
Edw.<sup>d</sup> Harrison  
John Carden } Esquires.

Read Two Acts passed in the last Session of  
Parliament, Intituled,

The  
Act for making more  
effectual Provision for  
the Government of  
the Province of Quebec  
&c.

and An Act to  
establish a Fund &c.<sup>a</sup>

“ An Act for making more effectual Provision for the  
“ Government of the Province of Quebec in North  
“ America,” And

“ An Act to establish a Fund towards further  
“ defraying the Charges of the Administration of Justice,  
“ and Support of the Civil Government within the  
“ Province of Quebec, in America;”

To be translated  
into French.

Ordered, that the said Acts of Parliament be translated  
into the French Language, and the Translations laid before  
this Board.

Four other Acts  
relative to  
America,

Read also; Four other Acts passed in the said last  
Session of Parliament, Intituled as follows.

“ An Act for further continuing Two Acts, made in the  
“ Sixth and Ninth Years of His Majesty’s Reign, for  
“ punishing Mutiny and Desertion, and for the better  
“ Payment of the Army and their Quarters, in his  
“ Majesty’s Dominions in America.”

“ An Act to continue for a further Time an Act,  
“ made in the Eight year of his present Majesty’s Reign,  
“ intituled, An Act to continue and amend an Act  
“ made in the Fifth year of the Reign of his present

Majesty



“ Majesty, intituled, An Act for Importation of Salted  
 “ Beef, Pork, Bacon, and Butter, from Ireland, for a  
 “ limited Time, and for allowing the Importation of  
 “ Salted Beef, Pork, Bacon, and Butter, from the  
 “ British Dominions in America, for a limited Time.”

“ An Act for further continuing so much of Two Acts  
 “ made in the Sixth and Thirteenth Years of the Reign of  
 “ his Present Majesty, as relates to the opening and  
 “ establishing certain free Ports in the Island of  
 “ Jamaica.” And

“ An Act for the better providing suitable Quarters  
 “ for Officers and Soldiers in his Majesty’s Service  
 “ in North America.”

To be filed in  
 the Council office.

Ordered, that the Four foregoing and last mentioned  
 Acts be filed in the Council Office. \_\_\_\_\_

The Bailiffs to  
 continue in office  
 until further orders.

Ordered, that the Deputy Secretary do cause an  
 Advertisement to be published in the Quebec Gazette,  
 directing the Bailiffs and Sub-Bailiffs of this Province  
 to continue in Office until further Orders.

At the Council Chamber, in the Castle of S.<sup>t</sup> Louis  
 in the City of Quebec, on Friday the Fourth day of  
 November 1774.

Present,  
 His Excellency Guy Carleton, Governor.  
 The Hon<sup>ble</sup> H T Cramahé <sup>Esqr</sup> Lieut<sup>t</sup> Governor,  
 Tho Dunn  
 Colin Drummond  
 Fra<sup>s</sup> Lévesque  
 John Collins  
 Edw.<sup>d</sup> Harrison  
 John Carden } Esquires.

Read

Translations of the  
Two Quebec Acts

Read Translations of the Two Acts of Parliament viz.<sup>t</sup>  
“ An Act for making more effectual Provision for the  
“ Government &c.<sup>a</sup> “ and “ An Act to establish a Fund &c.<sup>ab</sup>”

Refer'd to a Com<sup>m</sup>tee

Compared with the Originals and Referred to the further  
Examination of the L.<sup>t</sup> Governor, M<sup>r</sup> Duncan and M<sup>r</sup> Drummond  
who with any other Member or Members of this board that  
chuse it, are appointed a Committee for that purpose. \_\_\_\_\_

At the Council Chamber, in the Castle  
of Saint Louis, in the City of Quebec on Friday  
the Twenty fifth day of November 1774. \_\_\_\_\_

Present

His Excellency, Guy Carleton, Governor,  
The Hon<sup>ble</sup> H T Cramahé Esq<sup>r</sup> Lieut.<sup>t</sup> Governor,

Tho Dunn  
Fra<sup>s</sup> Levesque  
Jn.<sup>o</sup> Collins  
Edw.<sup>d</sup> Harrison  
John Carden } Esq.<sup>r</sup>

Translations of the  
Two Quebec Acts

Read the Translations of the Two Acts of Parliament  
intituled, “ An Act for making more effectual Provision for the  
“ Government &c.<sup>a</sup> ” and “ An Act to establish a Fund &c.<sup>ab</sup>”  
as they stand corrected and revised by the Committee.

reexamined in Council

Reexamined the same in Council and \_\_\_\_\_

The said Acts to  
be enterd in the book  
and published in  
both Languages in  
the Gazette.

Ordered that the said Acts of Parliament be Entered  
in the Council Book and published by Proclamation, in  
both Languages, in the Quebec Gazette. \_\_\_\_\_

Ordered also; that Three hundred Copies be printed  
off for the Use of the Magistrates and Officers of  
Government. \_\_\_\_\_

Anno

Anno Decimo Quarto  
Georgii III. Regis.

**CHAP. LXXXIII.**

An Act for making more effectual Provision for the Government of the Province of Quebec in North America.

Preamble.

The Territories, Islands,  
and Countries, in North  
America, belonging to  
Great Britain,

Whereas His Majesty, by His Royal Proclamation, bearing Date the Seventh Day of October, in the Third Year of His Reign, thought fit to declare the Provisions which had been made in respect to Certain Countries, Territories, and Islands in America, ceded to His Majesty by the definitive Treaty of Peace, concluded at Paris on the Tenth Day of February, One thousand seven hundred and sixty three : And whereas, by the Arrangements made by the said Royal Proclamation, a very large Extent of Country, within which there were several Colonies and Settlements of the Subjects of France, who claimed to remain therein under the Faith of the said Treaty, was left, without any Provision being made for the Administration of Civil Government therein; and certain Parts of the Territory of Canada, where sedentary Fisheries had been established and Carried on by the Subjects of France, Inhabitants of the said Province of Canada, under Grants and Concessions from the Government thereof, were annexed to the Government of Newfoundland, and thereby Subjected to Regulations inconsistent with the Nature of such Fisheries : May it therefore please Your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Territories, Islands, and Countries in North America, belonging to the Crown of Great Britain, bounded on the South by a Line from the Bay of Chaleurs, along the High Lands which Divide the Rivers that empty themselves into the River Saint Lawrence from those which fall into the Sea, to a Point in Forty-five Degrees of Northern Latitude, on the Eastern Bank of the River Connecticut, keeping the same Latitude directly West, through the Lake Champlain, until, in the same Latitude, it meets the River Saint Lawrence; from thence up the Eastern Bank of the said River to the Lake Ontario; thence through the Lake Ontario, and the River Commonly called Niagara; and thence along by the Eastern and South-Eastern Bank of Lake Erie, following the said Bank, until the same shall be intersected by the Northern Boundary, granted by the Charter of the Province of Pennsylvania, in case the same shall

shall be so intersected; and from thence along the said Northern and Western Boundaries of the said Province, until the said Western Boundary strike the Ohio : But in case the said Bank of the said Lake shall not be found to be so intersected, then following the said Bank until it shall arrive at that Point of the said Bank which shall be nearest to the North-western Angle of the said Province of Pennsylvania, and thence, by a right Line, to the said North-western Angle of the said Province; and thence along the Western Boundary of the said Province, until it strike the River Ohio; and along the Bank of the said River, Westward, to the Banks of the Mississippi, and Northward to the Southern Boundary of the Territory granted to the Merchants Adventurers of England, trading to Hudson's Bay; and also all such Territories, Islands and Countries, which have, since the Tenth of February, One Thousand seven Hundred and Sixty-three, been made Part of the Government of Newfoundland, be, and they are hereby, during His Majesty's Pleasure, annexed to, and made Part and Parcel of, the Province of Quebec, as created and established by the said Royal Proclamation of the Seventh of October, One thousand seven hundred and sixty-three.

annexed to the \_\_\_  
Province of Quebec.

Not to affect the  
Boundaries of any  
other Colony;

Nor to make void  
other Rights formerly  
granted.

Former Provisions  
made for the Province  
to be null and void  
after May 1, 1775.

Provided always; That nothing herein contained, relative to the Boundary of the Province of Quebec, shall in any-wise affect the Boundaries of any other Colony.

Provided always, and be it enacted, That nothing in this Act containing shall extend, or be construed to extend, to make void, or to vary or alter any Right, Title, or Possession, derived under any Grant, Conveyance, or otherwise howsoever, of or to any Lands within the said Province, or the Provinces thereto adjoining; but that the same shall remain and be in Force, and have Effect, as if this Act had never been made.

And whereas the Provisions, made by the Said Proclamation, in respect to the Civil Government of the said Province of Quebec, and the Powers and Authorities given to the Governor and other Civil Officers of the said Province by the Grants and Commissions issued in Consequence thereof, have been found, upon Experience, to be inapplicable to the State and Circumstances of the said Province, the Inhabitants whereof amounted, at the Conquest, to Above Sixty-five Thousand Persons professing the Religion of the Church of Rome, and injoying an established Form of Constitution and System of Laws, by which their Persons and Property had been protected, governed, and Ordered, for a long Series of Years, from the first Establishment of the said Province of Canada, be it therefore further enacted by the Authority aforesaid, That the said Proclamation, so far as the same relates to the said Province of Quebec, and the Commission under the Authority whereof the Government of the

said Province is at Present administered, and all and every the Ordinance and Ordinances made by the Governor and Council of Quebec for the Time being, relative to the Civil Government and Administration of Justice in the said Province, and all Commissions to Judges and other Officers thereof, be, and the same are hereby re-vo- ked, annulled, and made void, from and after the First Day of May, One thousand seven hundred and seventy-five.

Inhabitants of Quebec may profess the Romish Religion, Subject to the King's Supremacy, as by Act I Eliz.

And, for the more perfect Security and Ease of the Minds of the Inhabitants of the said Province, it is hereby declared, That his Majesty's Subjects, professing the Religion of the Church of Rome of and in the said Province of Quebec, may have, hold, and enjoy, the free Exercise of the Religion of the Church of Rome, Subject to the King's Supremacy, declared and established by an Act, made in the First Year of the Reign of Queen Elizabeth, over all the Dominions and Countries which then did, or thereafter should belong, to the Imperial Crown of this Realm; and that the Clergy of the said Church may hold, receive, and enjoy, their accustomed Dues and Rights, with respect to such Persons only as shall profess the said Religion.

And the Clergy enjoy their accustomed Dues.

Provision may be made by His Majesty for the Support of the Protestant Clergy.

Provided nevertheless, That it shall be Lawful for his Majesty, His Heirs or Successors, to make such Provision out of the rest of the said accustomed Dues and Rights, for the Encouragement of the Protestant Religion, and for the Maintenance and Support of a Protestant Clergy within the said Province, as he or they shall, from Time to Time, Think necessary and Expedient.

No Person professing the Romish Religion obliged to take the Oath of I Eliz;

Provided always, and be it enacted, That no Person, professing the Religion of the Church of Rome, and residing in the said Province, shall be Obligated to take the Oath required by the said Statute passed in the First Year of the Reign of Queen Elizabeth, or any other Oaths substituted by any other Act in the place thereof; but that every such Person who, by the said Statute is required to take the Oath therein mentioned, shall be obliged, and is hereby required, to take and subscribe the following Oath before the Governor, or such other Person in such Court of Records as his Majesty shall appoint, who are hereby authorised to administer the same; *Videlicet*,

but to take, before the Governor, &c., the following oath.

The Oath.

I. A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to His Majesty King George, and him will defend to the utmost of my Power, against all traiterous Conspiracies, and attempts whatsoever, which shall be made against his Person, Crown, and Dignity; and I will do my utmost Endeavour to disclose and make known to his Majesty, His Heirs and Successors, all Treasons, and traiterous Conspiracies, and attempts, which I shall know to be against Him, or any of them; and all this I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardons and Dispensations from any Power of Person whomsoever to the Contrary.

So help me God.

Persons refusing the Oath to be Subject to the Penalties by Act I Eliz.

And every such Person, who shall neglect or refuse to take the said Oath before mentioned, shall incur and be liable to the same Penalties, Forfeitures, Disabilities, and Incapacities, as he would have incurred and been liable to for neglecting or refusing to take the Oath required by the said Statute passed in the first Year of the Reign of Queen Elizabeth.

His Majesty's Canadian Subjects (religious Orders excepted) may hold all their Possessions, etc.

And be it further enacted by the Authority aforesaid, That all His Majesty's Canadian Subjects, within the Province of Quebec, the Religious Orders and Communities only excepted may also hold and enjoy their Property and Possessions, together with all Customs and Usages relative thereto, and all other their Civil Rights, in as large, ample, and beneficial Manner, as if the said Proclamation, Commissions, Ordinances, and other Acts and Instruments, had not been made, and as may consist with their Allegiance to his Majesty, and Subjection to the Crown and Parliament of Great Britain; and that in all Matters of Controversy, relative to Property

and in Matters of Controversy, Resort to be had to the Laws of Canada for the Decision.

and Civil Rights, Resort shall be had to the Laws of Canada, as the Rule for the Decision of the same; and all Causes that shall hereafter be instituted in any if the Courts of Justice, to be appointed within and for the said Province, by His Majesty, His Heirs and Successors, shall, with respect to such Property and Rights, be determined agreeably to the said Laws and Customs of Canada, until they shall be varied or altered by any Ordinances that shall, from Time to Time, be passed in the said Province by the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, by and with the Advice and Consent of the Legislative Council of the same, to be appointed in Manner herein - after mentioned.

Not to extend to Lands granted by His Majesty in Common Soccage.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Lands that have been granted by his Majesty, or shall hereafter be granted by His Majesty, His Heirs and Successors, to be holden in free and common Soccage.

Owners of Goods may alienate the same by will., &c.

Provided also, That it shall and may be lawful to and for every Person that is Owner of any Lands, Goods, or Credits, in the said Province, and that has a Right to alienate the said Lands, Goods, or Credits, in his or her Life-time, by deed of Sale, Gift, or otherwise, to devise or bequeath the same at his or her Death, by his or her last Will and Testament; any Law, Usage, or Custom, heretofore or or now prevailing in the Province, to the Contrary hereof in any-wise notwithstanding; such will being executed, either according to the Laws of Canada, or according to the Forms prescribed by the Laws of England.

if Executing according to the Laws of Canada.

Criminal Law of England to be continued in the Province.

And whereas the Certainty and Lenity of the Criminal Law of England, and the Benefits and Advantages resulting from the Use of it, have been sensibly felt by the Inhabitants, from an Experience of more than Nine Years, during which it has been uniformly administered; be it therefore further enacted by the Authority aforesaid, That the same shall continue to be administered, and shall be Observed as Law in the Province of Quebec, as well in the Description and Quality of the Offence as in the Method of Prosecution and Trial; and the Punishments and Forfeiture thereby inflicted to the exclusion of every other Rule of Criminal Law, or Mode of proceeding thereon, which did or might prevail in the said Province before the Year of our Lord One thousand seven hundred and sixty four; any thing in this Act to the Contrary thereof in any Respect notwithstanding; subject nevertheless to such Alterations and Amendments as the Governor, Lieutenant-governor, or Commander in Chief for the Time being, by and with the Advice and Consent of the legislative Council of the said Province, hereafter to be appointed, shall, from Time to Time, cause to be made therein, in Manner herein-after directed.

His Majesty may appoint a Council for the Affairs of the Province;

And whereas it may be necessary to ordain many Regulations for the future Welfare and good Government of the Province of Quebec, the Occasions of which cannot now be foreseen, nor, without much Delay and Inconvenience, be provided for, without intrusting that Authority, for a certain Time, and under proper Restrictions, to Persons resident there : And whereas it is at present inexpedient to call an Assembly: be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Warrant under his or their Signet or Sign manual, and with the Advice of the Privy Council, to constitute and Appoint a Council for the affairs of the Province of Quebec, to consist of such Persons resident there, not Exceeding Twenty-three, nor less than Seven-teen, as His Majesty, His Heirs and Successors, shall be pleased to appoint; and, upon the Death, Removal, or absence of any of the Members of the said Council, in like Manner to Constitute and appoint such and so many other Person or Persons as shall be necessary to supply the vacancy of vacancies; which Council, so Appointed and nominated, or the Major Part thereof, shall have Power and Authority to make Ordinances for the Peace, Welfare, and good Government, of the said Province, with the Consent of His Majesty's Governor, or, in his Absence, of the Lieutenant-governor, or Commander in Chief for the Time being.

which Council may Make Ordinances with Consent of the Governor,

The Council are not empowered to lay Taxes.

Provided always, That nothing in this Act contained - shall extend to Authorise or empower the said legislative Council to lay any Taxes or Duties within the said Province, such Rates and Taxes only excepted as the Inhabitants of any Town or District within the said Province may be Authorised by the said Council to Assess, levy,

Publick Roads or build-  
-ings excepted.

Ordinances made to be  
laid before His Majesty  
for his Approbation.

Ordinances touching  
Religion not to be in  
Force without His  
Majesty's Approbation

When Ordinances are  
to be passed by a Ma-  
-jority.

Nothing to hinder his  
Majesty to constitute  
Courts of Criminal, Civil,  
and Ecclesiastical Juris-  
-diction.

All Acts formerly made  
are hereby inforced with-  
-in the Province.

levy, and apply, within the said Town or District, for the Purpose of making Roads, erecting and repairing publick Buildings or for any other Purpose respecting the local Convenience and Economy of such Town or District.

Provided also, and be it enacted by the Authority afore-  
-said, That every Ordinance so to be made, shall, within six Months be transmitted by the Governor, or, in his Absence, by the Lieute-  
-nant-governor, or Commander in Chief for the Time being, and laid before His Majesty for His Royal Approbation; and if His Majesty shall think fit to disallow thereof, the same shall cease and be void from the time that His Majesty's Order in Council thereupon shall be promulgated at Quebec.

Provided also, That no Ordinance touching Religion, or by which any Punishment may be inflicted greater than Fine or Imprisonment for Three Months, shall be of any Force or Effect until the same shall have received His Majesty's Approbation.

Provided also, That no Ordinance shall be passed at any Meeting of the Council where less than a Majority of the whole Council is present, or at any Time except between the First Day of January and the First Day of May, unless upon some urgent Occasion, in which Case every Member thereof resident at Quebec, or within Fifty Miles thereof, shall be personally summoned by the Governor, or, in his Absence, by the Lieutenant-governor, or Commander in Chief for the Time being, to attend the same.

And be it further enacted by the Authority aforesaid, That nothing herein Contained shall extend, or be construed to extend, to prevent or hinder His Majesty, His Heirs and Suc-  
-cessors, by his or their Letters Patent under the Great Seal of **Great Britain**, from Erecting, constituting, and appointing, such Courts of Criminal, Civil, and Ecclesiastical Jurisdiction within and for the said Province of Quebec, and appointing, from Time to Time, the Judges and Officers thereof, as His Majesty, His Heirs and Successors, shall think necessary and proper for the Circumstances of the said Province.

Provided always, and it is hereby enacted, That nothing in this Act contained shall extend, or be construed to extend to repeal or make void, within the said Province of Quebec any Act or Acts of the Parliament of **Great Britain** heretofore made, for prohibiting, restraining, or regulating, the trade or Commerce of His Majesty's Colonies and Plantations in **America**; but that all and every the said Acts, and also all Acts of Parliament heretofore made concerning or respecting the said Colonies and Plantations, shall be, and are hereby declared to be, in Force, within the said Province of Quebec, and every Part thereof.

Finis.



Anno Decimo Quarto  
Georgii III. Regis.

**CAP. LXXXVIII.**

An Act to establish a Fund towards further defraying the Charges of the Administration of Justice, and Support of the Civil Government within the Province of Quebec, in America.

Preamble.

Certain Duties imposed by his most Christian Majesty upon Rum, Brandy, etc. imported into Quebec,

after April 5, 1775, to be discontinued with-  
in the Province,

And in Stead of which the following Duties to be paid to His Majesty.

The Rates.

Whereas certain Duties were imposed, by the Authority of his most Christian Majesty, upon Wine, Rum, Brandy, Eau de Vie de Liqueur, imported into the Province of Canada, now Called the Province of Quebec, and also a Duty of Three Pounds per Centum ad Valorem, upon all dry Goods imported into, and exported from, the said Province, which Duties subsisted at the Time of the Surrender of the said Province to Your Majesty's Forces in the late War : and whereas it is expedient that the said Duties should cease and be discontinued; and that in Lieu and in stead thereof, other Duties should be raised by the Authority of Parliament, for making a more adequate Provision for defraying the Charge of the Administration of Justice, and the Support of Civil Government in the said Province : We, your Majesty's most Dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Kings most Excellent Majesty, by and with the Advice and consent of the Lords Spiritual and Temporal, and Commons, in this Present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of April, One thousand seven Hundred and Seventy-five, all the Duties which were imposed upon Rum, Brandy, Eau de Vie de Liqueur, within the said Province, and also of Three Pounds per Centum ad Valorem, on dried Goods imported into, or exported from, the said Province, under the Authority of his Most Christian Majesty, shall be, and are hereby discontinued; and that in Lieu and in stead thereof, there shall, from and after the said fifth Day of April, One thousand Seven Hundred and Seventy-five, be raised, levied, collected, and paid, unto His Majesty, His Heirs and Successors, for and upon the respective Goods herein after mentioned, which shall be imported or brought into any Part of the said Province, over and above all other Duties now Payable in the said Province, by any Act or Acts of Parliament, the Several Rates and Duties following; that is to say,

For every Gallon of Brandy, or other Spirits, of the Manufacture of Great Britain, Three pence.

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any of his Majesty's Sugar Colonies in the West Indies, Sixpence.

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any other of His Majesty's Colonies or Dominions in America, Nine Pence.

For every Gallon of Foreign Brandy, or other Spirits, of Foreign Manufacture, imported or brought from Great Britain, One Shilling.

For every Gallon of Rum, or Spirits, of the produce or Manufacture of any of the Colonies or Plantations in America, not in the Possession or under the Dominion of his Majesty, imported from any other Place, except Great Britain, One Shilling.

For every Gallon of Molasses and Syrups, which shall be imported or brought into the said Province, in Ships or Vessels belonging to his Majesty's Subjects in Great Britain or Ireland, or to His Majesty's Subjects in the said Province, Three-pence.

For every Gallon of Molasses and Syrups, which shall be imported or brought into the said Province, in any other Ships or Vessels, in which the same may be legally imported, Sixpence and after those Rates for any greater or less Quantity of such Goods respectively.

Rates deemed Sterling  
Money of Great Britain;

how they are to be levied, &c.

to whom they are to  
be paid.

And it is hereby further enacted by the Authority aforesaid, That the said Rates and Duties, charged by this Act, shall be deemed, and are hereby declared to be, Sterling Money of Great Britain, and shall be collected, recovered, and paid, to the Amount of the Value which such nominal Sums bear in Great Britain, and that such Monies may be received and Taken according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver and that the said Duties, herein-before granted, shall be raised, levied, collected, paid, and recovered, in the same Manner and form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, except in such cases where any Alteration is made by this Act, as any other Duties payable to his Majesty upon Goods imported into any British Colony or Plantation in America are or shall be raised, levied, collected, paid, and Recovered, by any Act or Acts of Parliament, as fully and effectually, to all Intents and Purposes, as if the Several Clauses, Powers, Directions, Penalties, and Forfeitures, relating thereto, were particularly repealed and again enacted in the Body of this present Act; and that all the Monies that shall arise by the said Duties, (except the necessary Charges of raising, collecting, levying, recovering, Answering, paying, and Accounting for the same,) shall be paid by the

Collector of His Majesty's Customs, into the Hands of His Majesty's Receiver-general in the said Province for the Time being, and shall be applied, in the first Place in making a more certain and adequate Provision, towards defraying the Expences of the Administration of Justice, and of the Support of Civil Government, in the said Province; and that the Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any Three or more of them for the Time being, shall be, and is or are hereby impowered, from Time to Time by any Warrant or Warrants under his or their Hand or Hands, to cause such Money, to be applied out of the said Produce of the said Duties, towards defraying the said Expences; and that the Residue of the said Duties shall remain and be reserved in the Hands of the said Receiver-general, for the future Disposition of Parliament.

And it is hereby further enacted by the Authority aforesaid, That if any Goods Chargeable with any of the said Duties herein-before mentioned shall be brought into the said Province by Lands Carriage, the same shall pass and be Carried through the Port of Saint John's, near the River Sorrel; or if such Goods shall be brought into the said Province by any inland Navigation, other than upon the River Saint Lawrence, the same shall pass and be carried upon the said River Sorrel, by the said Port and shall be there entered with, and the said respective Rates and Duties paid for the same, to such Officer or Officers of His Majesty's Customs as shall be there appointed for that Purpose; and if any such Goods coming by Land Carriage, or inland Navigation, as aforesaid, shall pass by or beyond the said Place before named, without Entry or Payment of the said Rates and Duties, or shall be brought into any Part of the said Province, by or through any other Place whatsoever, the said Goods shall be forfeited and every Person who shall be assisting, or otherwise concerned in the bringing or removing such Goods, or to whose Hands the same shall come; knowing that they were brought or removed contrary to this Act, shall forfeit Treble the Value of such Goods, to be estimated and Computed according to the best Price that each respective Comodity bears in the Town of Quebec, at the Time such Offence shall be committed; and all the Horses, Cattle, Boats, Vessels and other Carriages whatsoever, made use of in the Removal, Carriage, or Conveyance of such Goods, shall also be forfeited and lost, and shall and may be seized by any Officer of His Majesty's Customs, and prosecuted, as herein-after mentioned.

And it is hereby further enacted by the Authority aforesaid, That the said Penalties and Forfeiture by this Act inflicted, shall be sued for and Prosecuted in any Court of Admiralty, or Vice Admiralty, having Jurisdiction within the said Province, and the same shall and may be recovered and divided in the same Manner and Form, and by the same Rules and Regulations, in all

Respects, as other Penalties and Forfeitures for Offences against the Laws relating to the Customs and Trade of his Majestys Colonies in America shall or may by any Act or Acts of Parliament be sued for, Prosecuted, recovered, and divided.

Any Person keeping a House of Public Entertainment to pay £1.,16 for; a Licence

And be it further enacted by the Authority aforesaid, That there shall, from and after the fifth Day of April, One thousand Seven hundred and Seventy-five be raised, levied, collected and paid, unto His Majesty's Receiver-general of the said Province, for the Use of His Majesty, His Heirs and Successors, a Duty of One Pound Sixteen Shillings, Sterling Money of Great Britain, for every Licence that shall be granted by the Governor, Lieutenant-governor or Commander in Chief of the said Province, to any Person or Persons for Keeping a House or any other place of Public Entertainment, or for the Retailing Wine, Brandy, Rum, or any other Spirituous Liquors, within the said Province, and any Person keeping any such House or Place of Entertainment, or retailing any such Liquors without such Licence, shall Forfeit and pay the sum of Ten Pounds for every such Offence, upon Conviction thereof; one Moiety to such Person as shall Inform or Prosecute for the same, and the other Moiety shall be paid into the Hands of the Receiver-general of the Province, for the Use of His Majesty.

Penalty of £10 for every Offence.

Not to make void French Revenues, etc., reserved at the Conquest.

Provided always, That nothing herein Contained shall extend, or be construed to extend, to discontinue, determine, or make void, any Part of the territorial or Casual Revenues, Fines, Rents, or Profits whatsoever, which were reserved to, and belonged to, His most Christian Majesty, before and at the time of the Conquest and Surrender thereof to His Majesty the King of Great Britain but that the same, and every of them, shall remain and be continued to be levied, collected, and paid, in the same Manner as if this Act had never been made; any Thing therein contained to the Contrary notwithstanding.

In Suits brought pursuant to this Act.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in Pursuance of this Act, and if it shall appear to the Court of Judge where or before whom the same shall be tried, that such Action or Suit is brought for any Thing that was done in Pursuance of and by the Authority of this Act, the Defendant or Defendants shall be indemnified and acquitted for the same; and if such Defendant or Defendants shall be so acquitted; or if the Plaintiff shall discontinue such Action or Suit, such Court or Judge shall award to the Defendant or Defendants Treble Costs.

Defendants to have Treble Costs.

Finis.

At the Council Chamber,  
in the Castle of Saint Louis, in the City of Quebec,  
on Wednesday the fourteenth day of December 1774.

Present

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> H. T. Cramahé Esq.<sup>r</sup> Lieu<sup>t</sup> Governor.

Tho. <sup>s</sup> Dunn...	} Esquires.
Colin Drummond	
Fra. <sup>s</sup> L'évesque	
<sup>2</sup> Edw. <sup>d</sup> Harrison	
<sup>1</sup> John Collins	
John Carden	

Petition of Johston  
& Purss for a Lease of  
the Storehouse on the  
King's Wharf.

Read Petition of Johnston & Purss praying a Lease of  
the Storehouse on the Kings Wharf in addition to their Lease  
of the s<sup>d</sup> Wharf and offering, in Consideration thereof, to furnish  
good and Sufficient Storage for the Kings Provisions that may  
be Ordered for Transportation up or down the River S<sup>t</sup> Lawrence.

Petition of Tho<sup>s</sup> Aylwin  
for a Grant of the  
s.<sup>d</sup> Store house.

Read Petition of Thomas Aylwin, praying a Grant  
of the s<sup>d</sup> Store house on the King's Wharf with the land thereunto  
belonging, under such restrictions as shall seem meet.

Petition of M. De  
Tonnancour for  
Lands.

Read Petition of Joseph Godefroy De Tonnancour  
praying a Grant of 19 Arpents of land <sup>in front</sup> or thereabouts Two  
Leagues deep between the Fiefs Seigneurette & Normanville  
belonging to the Petitioner, which said 19 Arpents have been  
in possession of himself and Ancestors One hundred and four  
years but the Title is supposed to have been lost out of the  
Archives of Quebec. \_\_\_\_\_

Refer'd to a  
Committee.

Ordered that the three Petitions abovementioned be filed  
in the Office and that the L.<sup>t</sup> Governor, M<sup>r</sup> Dunn, M<sup>r</sup> Drummond,  
M<sup>r</sup> Collins and M<sup>r</sup> Carden, together with any other Member or  
Members of this board that shall chuse it, be appointed a  
Committee to take the s<sup>d</sup> Petitions into Consideration and to  
report thereon. \_\_\_\_\_

At the Council Chamber in the Castle of S.<sup>t</sup> Louis  
in the City of Quebec, on Tuesday the Third day  
of January 1775. \_\_\_

Present

His Excellency Guy Carleton, Governor.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Lieu<sup>t</sup> Governor.

Hugh Finlay  
Tho<sup>s</sup> Dunn  
Colin Drummond  
John Collins  
Edw<sup>d</sup> Harrison  
John Carden

} Esquires.

2 Petitions of the Judges  
of the C. Pleas for their  
expences going the  
Circuits, \_\_\_

Read Two Petitions of the Judges of the Courts of Common  
Pleas of the 19 Jan<sup>y</sup> 1773 to the Lieu.<sup>t</sup> Governor, and of  
this date to the Governor, setting forth that they have made  
Two Circuits annually thro their respective Districts since the  
Year 1770 and praying an allowance for their Travelling  
Charges for the time past, and to establish such for the  
future as may be though fit and reasonable. \_\_\_

Memorials of J Burke Clk  
of the C Pleas for his Exp<sup>s</sup>  
going the Circuit in the  
Dist of Montreal,

Read Memorial of John Burke Clerk of the Courts in the  
City and District of Montreal dated \_\_\_ October 1774 praying  
to be allowed his Expences in going every Circuit thro' that District  
as Clk of the Court of Common Pleas from June 1770 to July 1773  
inclusive. \_\_\_\_\_

Petition of Is Werden  
Coroner for his Fees of  
Office,

Read Petition of Isaac Werden late Coroner of the District  
of Quebec, by his Attorney<sup>s</sup> R<sup>d</sup> Murray, W<sup>m</sup> Gill and Jn<sup>o</sup> Aitkin,  
praying Payment of his Fees of Office from 11 Aug<sup>t</sup> 1765 to  
the 24 June 1770. \_\_\_\_\_

Petition of J Burke  
Coroner for his Fees  
of Office,

Read Petition of John Burke Coroner of the  
District of Montreal praying payment of his Fees of  
Office as Coroner from the 23 of December 1764 to the  
24.<sup>th</sup> Decem<sup>r</sup> 1774, amounting to £100.18.3 Sterling \_\_\_

Referd to the Com<sup>m</sup>tee  
on the Pub Acco.<sup>ts</sup>

Ordered that the above Petitions and Memorial  
be filed and referd to the Committee on the  
Publick Accompts. \_\_\_\_\_

Petition of Jac Rowe  
D P Marshal for his  
Fees of Office &c.

Read Petition of Jacob Rowe Deputy Provost Marshal  
for the District of Quebec, praying Payment of his Fees of  
Office from the 25<sup>th</sup> June 1772 to the 24<sup>th</sup> Decem.<sup>r</sup> 1774, and for  
such further allowance for executing the s.<sup>d</sup> Office for Seven  
years and upwards as shall be adequate to his Services.

To lye on the Table.

Ordered that the above Petition do lye on the Table.

A Com<sup>m</sup>tee appointed  
to examine the Publick  
Acco.<sup>ts</sup> up to the  
24 Decem<sup>r</sup> 1774.

Ordered that the Lieu<sup>t</sup> Governor, M<sup>r</sup> Finlay, M<sup>r</sup> Dunn,  
and M<sup>r</sup> Drummond, together with any other Member or  
Members of this board that shall chuse it, be appointed a  
Committee to examine the Accompts and Claims against the  
Government of this Province, for the last half year ending  
the 24 December 1774. \_\_\_\_\_

At the Council Chamber in the Castle of  
Saint Louis in the City of Quebec on Wednesday  
the Eleventh day of January 1775. \_\_\_\_\_

Present.

His Excellency Guy Carleton, Governor.

The Honble H T Cramahé Esq<sup>r</sup> Lieu.<sup>t</sup> Governor.

Hugh Finlay	} Esquires.
Tho. <sup>s</sup> Dunn	
Colin Drummond	
Fra Lévesque	
John Collins	
John Carden	

Receiver General's  
Acco.<sup>ts</sup> produced &  
sworn to.

The Hon<sup>ble</sup> Tho<sup>s</sup> Dunn Act<sup>g</sup> Receiver General produced his  
Accompts for the last half year commencing the 25 June & ending  
the 24 Decem<sup>r</sup> 1774, which were examined in Council, and compared  
with the Report of the Com<sup>m</sup>tee formerly approved by this board  
and he was this day sworn to the Truth of the s.<sup>d</sup> Acco.<sup>ts</sup> in Council.

To be filed in the  
Office

Ordered that the Receiver General's Accompts be filed in  
the Council Office. \_\_\_\_\_

Read

Report of the Commee  
on the Pub Acco.<sup>ts</sup>

Read the Report of the Committee on the Publick Accompts dated the 6<sup>th</sup> & 9<sup>th</sup> Instant

Approved & order'd  
to be Entered

Approved and Confirmed: and ordered that the s.<sup>d</sup> Report be filed and entered in this Book. \_\_\_\_

Quebec 6<sup>th</sup> & 9<sup>th</sup> January 1775

The Report  
Viz.<sup>t</sup>

Present

The Hon<sup>#</sup>ble Theophilus Cramahé Esq.<sup>r</sup> Lieu<sup>t</sup> Gov.<sup>r</sup>

Hugh Finlay  
Thomas Dunn } Esquires.  
Colin Drummond }

The Committee appointed to examine the Accompts and Claims against the Government of this Province from y.<sup>e</sup> 25 June to 24<sup>th</sup> Decem<sup>r</sup> 1774.

<u>Fees of Office.</u>	Demands as p Accompts.	Allowed by the Committee & Approved in Council.	Submitted to the Right Honble the Lords Com <sup>rs</sup> of the Treasury.
The Attorney General's Accompt of Fees .....from the 25 June 1773 to 24 <sup>th</sup> December 1774.....✓	129,,18,, 0		129,,18,, 0
The Deputy Provost Marshal's Acco. <sup>t</sup> for the Dis <sup>t</sup> of Quebec from 25 June 1774 to ditto.....✓	46,,15,, 7		46,,15,, 7
The Deputy Provost Marshal's Acco. <sup>t</sup> for the Dis <sup>t</sup> of Montreal from ditto.....to ditto.....✓	9,,13,, ,,		9,,13,, ,,
Total Fees of Office Sterling £	186,, 6,, 7		186,, 6,, 7
<b>Disbursements and Contingencies.</b>			
The Deputy Secretary's Accompt of Disbursements & Contingencies..from 25 June to 24 Decem <sup>r</sup> 1774...✓	78,,13,, 1	78,,13,, 1	
The Deputy Clerk of Enrolments Accompt.....from d. <sup>o</sup> to ditto ....✓	16,, 9,, 9	16,, 9,, 9	
The Deputy Provost Marshal's.....Accompt for the Dis. <sup>t</sup> of Quebec.....from d. <sup>o</sup> to ditto ....✓	115,,14,,11	115,,14,,11	
The Deputy Provost Marshal's .....Accompt for the Dis. <sup>t</sup> of Montreal.....from d. <sup>o</sup> to ditto ....✓	100,,19,, 2	100,,19,, 2	
The Deputy Clerk of the Council's Accompt of Disbursement & Contingencies....from d. <sup>o</sup> to ditto ....✓	56,, 9,, 1	56,, 9,, 1	
The Clerk of the Peace's accompt for the District of Quebec.....from d. <sup>o</sup> to ditto ....✓	5,,10,, 3	5,,10,, 3	



The Clerk of the Courts Acco. <sup>l</sup> for the Dis <sup>l</sup> of Montreal and for firewood Supplied the Church there.....from d <sup>o</sup> to ditto	✓ 15,,19,,11	15,,19,,11
The Hon <sup>#</sup> ble William Hey Esq. <sup>l</sup> Chief Justice in lieu of all Fees at the rate of £200 Sterling <i>p</i> Annum.....	✓ 100,, 0,, 0	100,, 0,, 0
The Three Commissioners for their Expences going to Montreal and holding the Assizes there in Septem. <sup>r</sup> last at £50. each.....	✓ 150,, 0,, 0	150,, 0,, 0
Henry Kneller Esquire Attorney General.....Attending the said Assizes.....	✓ 45,, 0,, 0	45,, 0,, 0
Alexander Johnston Esq. <sup>r</sup> Clerk of the Crown...Attending the said Assizes.....	✓ 27,, 0,, 0	27,, 0,, 0
James Shepherd Prothonotary.....Attending.....ditto.....	✓ 22,,10,,0	22,,10,,0
David Lynd Civil Clerk.....Attending.....ditto.....	✓ 22,,10,,0	22,,10,,0
John Collins, Esq. <sup>r</sup> Deputy Surveyor General, for half a year's rent of an Office allowed by the Treasury.....	✓ 25,, 0,, 0	25,, 0,, 0
W. <sup>m</sup> Brown Printers to y. <sup>c</sup> Governm. <sup>l</sup> his half years Salary £50 and for Extraordinary business Printing & bind <sup>s</sup> up 300 of y <sup>e</sup> two Quebec Acts for the Officers of Governmt &c <sup>a</sup> £40	✓ 90,, 0,, 0	90,, 0,, 0
Thomas Wilmot Goal Keeper at Quebec his Allowance for six Months.....	✓ 9,, 3,, 0	9,, 3,, 0
Robert M <sup>c</sup> Cay...Goal Keeper at Montreal his Allowance for six Months.....	✓ 9,, 3,, 0	9,, 3,, 0
Timothy Devine his Allowance for attending the Supreme Court as Cryer and Court Keeper.....£5,, ,, ,,		
d <sup>o</sup> his allow. <sup>co</sup> for firewood & Stationary for the Supreme Court & Grand Jury Room & Supply <sup>s</sup> firewood for the Church dur <sup>s</sup> y <sup>e</sup> French & English Services 10.12.6		
d <sup>o</sup> Attending the Quarter Sessions and for his Allowance for Firewood & Stationary &c. <sup>a</sup> for said Court.....9,,7,,6	✓ 25,, 0,, 0	25,, 0,, 0
Daniel Gallwey Interpreter for Attending the Several Courts of Justice.....	✓ 33,, 0,, 0	33,, 0,, 0
Zach. <sup>a</sup> Thompson Captain of the Port his Disbursements & Contingencies.....	✓ 52,,11,,1	52,,11,,1
William Grant for half a years rent of a house at Montreal for the use of the Governor.....	✓ 36,, 0,, 0	36,, 0,, 0
The Seminary at Montreal for half a Year's rent of a Court house.....	11,, 5,, 0	11,, 5,, 0
Jean Baptiste Grand Maison for his half years Pension.....	8,, 4,, 3	8,, 4,, 3
Thom. <sup>s</sup> Dunn Esq. <sup>r</sup> for presents given to friendly Indians in different parts of y <sup>e</sup> Province by ord <sup>r</sup> of y <sup>e</sup> Gov <sup>r</sup> & Lieu <sup>t</sup> Governor	✓ 215,,17,,11	215,,17,,11
The Post office for the Governments Letters, and divers Expresses from Montreal with the English & New York Mails.....	✓ 44,,12,,7	44,,12,,7
John Fraser Schoolmaster for Six Months Salary and Schoolhouse rent.....	✓ 13,, 7,, 6	13,, 7,, 6
Nicholas Davis Messenger his Allowance for Six Months and Disbursements.....	✓ 19,, 0,, 6	19,, 0,, 6
For the hire of a Room for the Grand Jury for Six Months.....	10,, 0,, 0	10,, 0,, 0
David Lynd Clerk of the Court of Common Pleas for the District of Quebec his Accompt of Disbursements.....	✓ 13,, 8,, 8	13,, 8,, 8
Henry Dunn Carpenter and other Workmen for Repairing the Chateau, Chapel, &c. <sup>a</sup> making a new flight of Steps to the Recollet's Church, Walling in the Reservoir in the Market place, repairing the Canal in S <sup>t</sup> Lewis Street, mend <sup>s</sup> the Roads, &c <sup>a</sup> .....	✓ 208,,16,,10	208,,16,,10
David Lynd Clk of y <sup>e</sup> Court of Common Pleas for his Expences & trouble in going y <sup>e</sup> Circuit thro' the Dis <sup>l</sup> of Quebec in the Month of July last	✓ 15,, 0,, 0	15,, 0,, 0
John Burke Clk of Ditto for the Dis <sup>l</sup> of Montreal for his Expences & trouble in going the Circuit thro' that Dis <sup>l</sup> in the s. <sup>d</sup> Month of July last.....	✓ 15,, 0,, 0	15,, 0,, 0
Martial Vallet Cryer of the Court of Com <sup>#</sup> on Pleas for the Dis <sup>l</sup> of Quebec for making the fires & Cleaning the C <sup>t</sup> house for y <sup>e</sup> last six Months	✓ 4,,10,, 0	4.10.0
Louis Perthuis Indian Interpreter at Montreal... for his Salary from 25 June to 24 <sup>th</sup> December 1774.....	✓ 41,, 3,, 6	41.3.6
The Indian Interpreter for the Outawas Languages...for his Salary...from ....ditto to....ditto.....	✓ 11,, 5,, 0	11.5.0
James Shepherd Clerk of the Court of appeals his allowance & office rent from ditto to....ditto at £120 Sterl <sup>s</sup> <i>p</i> Annum...	✓ 60,, 0,, 0	60.0.0
John Franks Overseer of the Chimnies having produced his Accompts from the 1 <sup>st</sup> Novem. <sup>r</sup> 1773 to the 31 <sup>st</sup> October 1774 which has been proved upon the Oath of his Assistant, by which it appears to the Com <sup>~</sup> mee that his profits are Something more than the last year, And that his Accompt for Sweeping the Chimnies of poor persons of whom he has taken nothing Amounts to £102.19.6 Halifax Currency or thereabouts; They are of Opinion he ought to have an allow <sup>co</sup> from Government of	✓ 60,, 0,, 0	60.0.0
John Collins Esq. <sup>r</sup> D <sup>y</sup> Surveyor General for one half of the Disbursements and his allowance for Compleating the Boundary line between the Provinces of Quebec & New York from the West side of Lake Champlain to the River S <sup>t</sup> Lawrence as <i>p</i> Acco <sup>t</sup>	✓ 94,, 3,, 4	94.3.4
Carried over..... £	1882. 8. 4	£1882. 8. 4

## Disbursements and Contingencies Continued

	Demands as per Accompts	Allowed by the Committee and Approved in Council	Submitted to the Right Honble the Lords Com. <sup>rs</sup> of the Treasury	
<b>Brought over.....£</b>	1882.8.4	1882.8.4		
<p>The Committee having taken into consideration the following Memorials refer'd to them Do agree to Report thereon as follows. The Judges of the Courts of Common Pleas, in their Memorial of y<sup>e</sup> 19<sup>th</sup> January 1773 to the Lieu<sup>t</sup> Governor and of the 3<sup>d</sup> instant to the Governor, pray for such Allowance for the time past for their Travelling charges in going the Circuit, a Journey of Four hundred Miles &amp; upwards; thro' their respective Districts, twice in every year, since the Year 1770. And to establish such Allowance for the future as shall be thought fit and reasonable.</p> <p>The Committee are of Opinion that each of the four Judges should be allowed One hundred pounds Sterling for the time past prior to the 24 June 1774, And Thirty pounds Sterling should be paid to each of them for the last July Circuit, which said sum of Thirty pounds Sterling should be continued to be paid to every one of y<sup>e</sup> s.<sup>d</sup> Judges who shall go y<sup>e</sup> Circuit in future } ✓ 520. 0. 0      520. 0. 0</p> <p>John Burke Clerk of the Court of Common Pleas for the District of Montreal by Memorial dated October 1774 prays to be Allowed the Sum of Fifteen pounds Sterl<sup>s</sup> for his Expences in going every Circuit thro that Dis.<sup>t</sup> from June 1770 to July 1773 inclusive } ✓ 60. 0. 0      ✓ 60. 0. 0</p> <p>The Committee are of Opinion that he should be put on the same footing as the Clerk of Quebec District, and should therefore be paid the sum of Sixty pounds Sterling for the four Circuits, for which no allowance has been yet made by Governm.<sup>t</sup> } ✓ 60. 0. 0      ✓ 60. 0. 0</p> <p>Isaac Werden Late Coroner for y<sup>e</sup> Dis<sup>t</sup> of Quebec by Memorial of his Att.<sup>ys</sup> dated 3<sup>d</sup> Jan<sup>ry</sup> 1775 prays the paym<sup>t</sup> of his Fees of Office from 11 Aug<sup>o</sup> 1765 to 24 June 1770 } 132.17. 7      .....</p> <p style="text-align: right; margin-right: 20px;">Amounting to</p> <p>As follows...From y<sup>e</sup> 11<sup>th</sup> August 1765 to 24<sup>th</sup> December 1766.....£61.9.2.      Including £5.4.6 disallowed in Council the 11<sup>th</sup> April 1767.</p> <p style="padding-left: 40px;">27<sup>th</sup> February 1767 to 24<sup>th</sup> December 1767....28.11.11</p> <p style="padding-left: 40px;">25<sup>th</sup> December 1767 to 24 June 1768.....13.17.0</p> <p style="padding-left: 40px;">25<sup>th</sup> June 1768 to 24 December 1768.....15.11.8      Deducting £36. his Disbursements allowed him in Coun.<sup>t</sup> y<sup>e</sup> 17<sup>th</sup> Jan<sup>ry</sup> 1769</p> <p style="padding-left: 40px;">25<sup>th</sup> December 1768 to 24 June 1769.....15.10.9</p> <p style="padding-left: 40px;">25<sup>th</sup> June 1769 to 24 December 1769.....13.3.2</p> <p style="padding-left: 40px;">25<sup>th</sup> December 1769 to 24 June 1770.....25.18.5</p> <p style="padding-left: 80px;">£174. 2. 1</p> <p style="padding-left: 40px;">For which Deduct.....41., 4., 6</p> <p style="padding-left: 40px;"><u>Remains due.....£132. 17.7</u></p> <p>For all which several sums his Accompts have been produced to former Committees stated by them in the respective half yearly Publick Accompts and refer'd to the Lords Commissioners of his Majesty's Treasury.</p> <p>The Committee duly considering that their Lordships have been pleased to order payment of the Fees of Office of M<sup>r</sup> Werdens Successor } .....</p> <p><u>John Dyer Mercier</u>, are of Opinion that the prayer of M<sup>r</sup> Werdens Attornies should be granted } 132.17.7</p> <p>John Burke Coroner of the District of Montreal by Memorial dated the 3<sup>d</sup> Jan<sup>ry</sup> 1775 prays payment of his Fees of Office as Coroner from the 23<sup>d</sup> Decem<sup>r</sup> 1764 to 24<sup>th</sup> Decem.<sup>r</sup> 1774, Amount.<sup>s</sup> to £100.18.3½ Sterl.<sup>s</sup> viz.<sup>t</sup> From the 23 December 1764 to 24 Decem.<sup>r</sup> 1766..£22.12.1½</p> <p style="padding-left: 40px;">From 1<sup>st</sup> January 1767 to 24 Decem.<sup>r</sup> 1774.....78. 6. 2</p> <p style="padding-left: 80px;">£100.18.3½</p> <p>The Committee find the first Article stated in the Report of y<sup>e</sup> Com<sup>m</sup>tee Approved in Council 11<sup>th</sup> April 1767.....£22.12.1½</p> <p>They also find three other several Sums £7.19. 7. £13.16.1 and £10.1.6 together.....31.17. 2</p> <p>Inserted in the Report passed in Council the 1<sup>st</sup> August 1768 &amp; 15<sup>th</sup> February 1770, which said Sum of £31.17.2 together with an Error or Over charge of £4.15.2 being deducted from the Acco.<sup>t</sup> last produced Amounting to £78.6.2 will leave.....41., 13.10 } 96.3.1</p> <p>And for the reasons set forth in the preceding Article touching the allowance of M<sup>r</sup> Werden's claim they are of Opinion that } .....</p> <p>Mr Burke's Accompt should also be paid..... } 96.3.1</p> <tr> <td style="text-align: right; padding-right: 20px;"><u>Total Disbursements &amp; Contingencies Sterling</u> £</td> <td style="text-align: right;">2691.9.0</td> <td style="text-align: right;">£2691.9.0</td> <td></td> </tr>	<u>Total Disbursements &amp; Contingencies Sterling</u> £	2691.9.0	£2691.9.0	
<u>Total Disbursements &amp; Contingencies Sterling</u> £	2691.9.0	£2691.9.0		

Examined and Approved in Council ~ /Signed/ Guy Carleton.

/Signed/ H. T. Cramahé P<sup>t</sup> Com.<sup>t</sup>

At the Council Chamber, in the Castle of  
Saint Louis, in the City of Quebec, on Wednesday  
the Twenty fifth day of January 1775. \_\_\_

Present.

His Excellency, Guy Carleton Governor.

The Honble H T Cramahé Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor.

Colin Drummond	} Esq. <sup>rs</sup>
John Collins	
Edw <sup>d</sup> Harrison	
John Carden	

Oath of President of  
the Court of Appeals  
taken by the Governor.

When His Excellency the Governor took the Oath of  
Office as President of the Court of Appeals, established  
by an Ordinance of the 1 September 1773. \_\_\_\_\_

At the Council Chamber in the Castle of Saint  
Louis in the City of Quebec on Thursday the Twenty  
third day of March 1775. \_\_\_\_\_

Present

His Excellency Guy Carleton Governor.

The Hon<sup>ble</sup> H T Cramahé Esq.<sup>r</sup> Lieu.<sup>t</sup> Governor.

Hugh Finlay	} Esquires.
Tho <sup>s</sup> Dunn	
Colin Drummond	
Fra <sup>s</sup> Levesque	
John Collins	
John Carden	

The board considering that  
the Act for raising a Duty  
of £1.16.0 Sterl<sup>g</sup> on Publick  
ho. licences, is to take  
place the 5<sup>th</sup> of next  
month,

This Board taking into Consideration that the  
Act intituled “An Act to establish a Fund towards further  
“defraying the Charges of the Administration of Justice &c<sup>ab</sup>”  
which takes place on the 5<sup>th</sup> day of April next; Enacts  
that a Duty of One pound sixteen shillings Sterling shall  
be paid to his Majestys Receiver General for the Use of

his

his Majesty, for every Licence granted to Publicans or Retailers of Spirituous Liquor within this Province, after that time, the Board thinks is needful to give fresh notice thereof, notwithstanding the Publication of the said Act in the Month of December last, It is in Consequence

Order a Proclamation to be published requiring all persons in that Profession to conform to the Act & apply at the Secretary's Office for that purpose.

Ordered that the Attorney General do prepare a draught of a Proclamation advertising the said Publicans and Retailers of the Penalties for selling Liquors without licence, as set forth in the Act above referred to, and requiring all Persons, who intend to continue in the said Profession, to apply to the Secretary's Office for Licences, on or before the s.<sup>d</sup> 5.<sup>th</sup> of April next \_\_\_\_\_ which Proclamation is to be translated and immediately published throughout the Province as usual. \_\_\_\_\_

The Report of the Committee  
on the Publick Accompts, Viz.<sup>t</sup>

Present  
The Hon<sup>#</sup>ble H T Cramahé Esq<sup>r</sup> Lieut<sup>t</sup> Governor  
Hugh Finlay }  
Tho<sup>s</sup> Dunn } Esquires.  
John Collins }

Quebec the 16<sup>th</sup> September 1775.

The Committee appointed to Examine the Accompts and Claims against the Government of this Province from y<sup>c</sup> 25 Dec.<sup>r</sup> 1774 to y<sup>c</sup> 30 April 1775.

Fees of Office	Demands as P Accompts	Allowed by the Com <sup>#</sup> mee
The Attorney Generals Accmpt of Fees from the.....25 December 1774 to the 30 April 1775.....✓	58.14. 0	
The Provost Marshals Accmpt for the District of Quebec from...Ditto.....to.....Ditto.....✓	20. 1. 4	
The Provost Marshals Accmpt for the District of Montreal from Ditto.....to.....Ditto.....✓	24. 1. 9	
<u>Total Fees of Office Sterling £</u>	<u>102.17. 1</u>	
<b>Disbursements and Contingencies.</b>		
The Deputy Secretary's.....Acco. <sup>t</sup> of Disbursements and Contingencies.....from the 25 Dec <sup>r</sup> 1774 to the 30 Ap. <sup>l</sup> 1775✓	59. 9. 5	59. 9. 5
The Deputy Clerk of Enrolment's.....Acco. <sup>t</sup> of Ditto.....from D <sup>o</sup> .....to.....D <sup>o</sup> .....✓	22.11. 3	22.11. 3
The Provost Marshal's.....Acco. <sup>t</sup> of Ditto for the District of Quebec.....from D <sup>o</sup> .....to.....D <sup>o</sup> .....✓	40. 4.10	40. 4.10
The Provost Marshal's.....Acco. <sup>t</sup> of Ditto for the District of Montreal...from D <sup>o</sup> .....to.....D <sup>o</sup> .....✓	86. 7. 2	86. 7. 2
The Deputy Clerk of the Council's.....Acco. <sup>t</sup> of Ditto.....from D <sup>o</sup> .....to.....D <sup>o</sup> .....✓	35.17.11	35.17.11
The Clerk of the Peaces.....Acco. <sup>t</sup> of Ditto for the District of Quebec.....from D <sup>o</sup> .....to.....D <sup>o</sup> .....✓	3. 7. 6	3. 7. 6
The Clerk of the Court's.....Acco. <sup>t</sup> of Ditto for the District of Montreal...from D <sup>o</sup> .....to.....D <sup>o</sup> .....✓	5. 4. 11	5. 4. 11
The Coroner for the District of Quebec...Acco. <sup>t</sup> of Fees and Disbursements.....from 25 June 1774 to the 24 Dec <sup>r</sup> 1774...✓	21. 0. 7	21. 0. 7
The Coroner for the District of Montreal Acco. <sup>t</sup> of D. <sup>o</sup> .....from 25 Dec <sup>r</sup> 1774 to the 30 Ap. <sup>l</sup> 1775✓	14.14. 4	14.14. 4
The Honble W. <sup>m</sup> Hey Esq. <sup>r</sup> Chief Justice in lieu of all Fees at the rate of £200 Sterling p Annum.....from D <sup>o</sup> ...to.....D <sup>o</sup> .....✓	69.11. 9	69.11. 9
The Three Commissioners for theirs Expences going to Montreal and holding the Assizes there in February last at £50. each....✓	150. 0. 0	150. 0. 0
Henry Kneller Esq. <sup>r</sup> Attorney General.....attending said Assizes.....✓	45. 0. 0	45. 0. 0
Alexander Johnston Esq. <sup>r</sup> Clerk of the Crown.....attending.....Ditto.....✓	27. 0. 0	27. 0. 0
James Shepherd Prothonotary.....attending.....Ditto.....✓	22. 10. 0	22. 10. 0
David Lynd Civil Clerk.....attending.....Ditto.....✓	22. 10. 0	22. 10. 0
Carried over..... £		160

Disbursements and Contingencies Continued	Demands as p accmpts	Allowed by the Com <sup>r</sup> me
Brough over.....£	625. 4. 8	625. 4. 8
John Collins Esq. <sup>r</sup> Deputy Surveyor General for 127 days rent of an Office allowed by the Treasury.....✓	17. 7. 11	17. 7. 11
William Brown Printers to the Government for 127 days Salary at £100 <i>p</i> Annum.....✓	34. 15. 10	34. 15. 10
Tho. <sup>s</sup> Wilmot Goal Keeper at Quebec for 127 days Allowance.....✓	6. 7. 0	6. 7. 0
Robert M <sup>c</sup> Kay Goal Keeper at Montreal for Ditto.....✓	6. 7. 0	6. 7. 0
Thimothy Devine his Allowance for Attending the Supreme Court as Cryer & Court Keeper for 127 days.....	} 17. 7. 11	17. 7. 11
D <sup>o</sup> his Allowance for firewood & Stationary for the Supreme Court & Grand Jury room & Supplying firewood for y <sup>e</sup> church during y <sup>e</sup> French & English Services		
D <sup>o</sup> Attending the Quarter Sessions & for his Allowance for firewood and Stationary &c. <sup>a</sup> for said Court.....		
Daniel Gallwey Interpreter for attending the Several Courts of Justice.....✓	28. 10. 0	28. 10. 0
Zachariah Thompson Captain of the Port his Disbursements and Contingencies.....✓	5. 6. 0	5. 6. 0
Will <sup>m</sup> Grant for 127 days rent of a house at Montreal for the use of the Governor at £72 Sterling <i>p</i> Annum.....✓	25. 1. 0	25. 1. 0
The Seminary at Montreal for D. <sup>o</sup> of a Court house.....at £22.10 / D. <sup>o</sup> .....	7. 16. 7	7. 16. 7
Jean B. <sup>te</sup> Grand Maison for 127 days pension.....at 1/ halifax Cur <sup>y</sup> per diem.....	5. 14. 4	5. 14. 4
Tho. <sup>s</sup> Dunn Esq. <sup>r</sup> for presents given to Friendly Indians in different parts of the Province by order of the Governor.....	121. 16. 10	121. 16. 10
The Post Office for the Governments Letters and divers Expresses from Montreal with the English & New York mails...✓	33. 19. 3	33. 19. 3
John Fraser School master for 127 days Salary and Schoolhouse rent at £ 26.15 / <i>P</i> Annum.....✓	9. 6. 2	9. 6. 2
Nicholas Davis Messenger his Allowance for 127 days and Disbursements.....✓	14. 6. 3	14. 6. 3
For the hire of a Room for the Grand Jury for 127 days at £ 20 <i>P</i> Annum.....	6. 19. 0	6. 19. 0
David Lynd Clerk of the Court of Common Pleas for the District of Quebec his Acco. <sup>t</sup> of Disbursements.....✓	11. 16. 0	11. 16. 0
Henry Dunn Carpenter for Repairs to the Chateau S <sup>t</sup> Louis to the Government house at Montreal Prisons &c. <sup>a</sup> .....✓	54. 17. 11	54. 17. 11
Nicolas Boisseau one of y <sup>e</sup> Clks of y <sup>e</sup> Court of Common Pleas for his Expences & trouble in going the Circuit thro the District of Quebec in y <sup>e</sup> month of Feb <sup>y</sup> last _	✓ 15. 0. 0	15. 0. 0
John Burke Clk of Ditto for y <sup>e</sup> Dist. <sup>t</sup> of Montreal for his Expences & trouble in going y <sup>e</sup> Circuit thro that Dist. <sup>t</sup> in the said month of February last	✓ 15. 0. 0	15. 0. 0
Martial Vallet Cryer of the Court of Common pleas for the District of Quebec his Allowance for making the Fires & cleaning the Court house...✓	4. 10. 0	4. 10. 0
Louis Perthuis Indian Interpreter at Montreal for his Salary for 127 days at a dollar <i>p</i> day.....✓	28. 11. 6	28. 11. 6
S. <sup>t</sup> Jean Rousseau Interpreter of the Outawas Language for his Salary for D. <sup>o</sup> at £22.10/ Sterling <i>p</i> Annum.....✓	7. 16. 7	7. 16. 7
James Shepherd Clk of the Court of Appeals his Allowance and Office rent for D. <sup>o</sup> at £120 Sterling D. <sup>o</sup> .....✓	41. 15. 0	41.15 0
John Franks overseer of the Chimnies having produced his Acco. <sup>t</sup> from 1 Nov. <sup>r</sup> 1774 to 30 April 1775 being 6 Months wherein his profits appear to the Committee to be a very inconsiderable Sum and that his Acco. <sup>t</sup> of Sweeping the Chimnies of the poor of whom he has taken nothing amounts to £89.3.6 They are of opinion he should be allowed the Sum of.....	} 30. 0. 0	30. 0. 0
The Four Judges of the Courts of Common pleas their Allowance for travelling charges in going y <sup>e</sup> Circuit thro their respective Dist. <sup>s</sup> in y <sup>e</sup> Month of Feb <sup>y</sup> last at £30 Ster <sup>l</sup> ea.	✓ 120. 0. 0	120. 0. 0
Henry Kneler Esq. <sup>r</sup> His Majesty's Attorney General having laid before the Committee his Acco. <sup>t</sup> of Fees since his exercising that Office amounting to whose several Acco. <sup>t</sup> produced to and examined by former Committee are as follows.	528. 16. 11	
From the 29 Septem. <sup>r</sup> 1769 to the 24 Decem. <sup>r</sup> 1771. . £224.10.1		



Council book

B	{ 23 Dec 1764 to 24 June 1766 ✓ 225 { 25 June 1766 to 24 Sep 1766 —✓ { 25 Sep 1766 to 24 Dec 1767 —	20. 7. 0¾	—	20. 7. 0¾	} 22. 12. 1½
		2. 5. 0¾	—	2. 5. 0¾	
		0. 0. 0	—	0. 0. 0	
224	25 Dec 1766 to 24 June 1767 —	0. 0. 0	—	2. 4. 2	
C					over under
2	{ 25 June 1767 to 24 Dec 1767 ✓ 24 { 25 Dec 1767 to 24 June 1768 ✓	7. 19. 7	—	7. 13. 6	0.6. 1
		13. 16. 1	—	13. 5. 10	0.10. 3
42	25 June 1768 to 24 Dec 1768 —	0. 0. 0	—	7. 16. 6	omitted to be delis <sup>d</sup> in
63	25 Dec 1768 to 24 June 1769 —	0. 0. 0	—	0. 0. 0	
83	25 June 1769 to 24 Dec 1769 —✓ 54. 9. 3½	10. 1. 6 & disb 45.12.6	—	15. 13. 0	5.11.6 69. 5. 1 t
95	25 Dec 1769 to 24 June 1770	<del>XXXXX</del>		2. 12. 2	
99	25 June 1770 to 24 Dec 1770	July E <del>March</del>		5. 4. 4	
104	25 Dec 1770 to 24 June 1771	E <del>March</del>		5. 4. 4	
112	25 June 1771 to 24 Dec 1771	E <del>July</del>		2. 12. 2	
116	25 Dec 1771 to 24 June 1772	dib.t 1. 9. 3 E <del>March</del>		10. 15. 10	
120	25 June 1772 to 24 Dec <sup>r</sup> 1772	E <del>July M July F</del>		2. 12. 2	
131	25 Dec 1772 to 24 June 1773	E <del>March M Feb. F</del>		0. 0. 0	
144	25 June 1773 to 24 Dec <sup>r</sup> 1773	E <del>July M July Clk</del>		2. 12. 2	
148	25 Dec 1773 to 24 June 1774	E <del>Feb. M Feb</del>			
10. 13. 8	25 June 1774 to 24 Dec 1774	J Burke			78. 6. 2
<u>2. 12. 2</u>					
13. 5. 10					
(fo 158)					

6.1	5.11. 6			
<u>10. 3</u>	<u>.16. 4</u>	78. 6. 2		
	4. 15. 2	<u>4. 15. 2</u>	22. 12. 1½	
		73.11. 0	<u>73. 11. 0</u>	
			96. 3. 1½	
	31. 17. 2	78. 6. 2		
	<u>4. 16. 2</u>	<u>36 12 4</u>		
		41.		
			13.	
				10



## **Les projets d'ordonnances au Conseil de Québec, 1764-1775**



N <sup>o</sup>	Projet d'ordonnance	Instructions royales	Ordre Résolution	Pétition Mémoire	Comité	Rédaction procureur	1 <sup>er</sup> lecture	Étude procureur	2 <sup>e</sup> lecture	3 <sup>e</sup> lecture	4 <sup>e</sup> lecture	Traduction	Sanction	Révocation - Approbation
1	Ordinance relating to the assize of Bread, and for ascertaining the Standard of weights and measures in the Province of Quebec		(1) 28-08-1764										(2) 03-09-1764	
2	Ordinance for Regulating and Establishing the The Currency of the Province			(1) 10-09-1764			(2) 14-09-1764						(3) 14-09-1764	
3	Ordinance for regulating and Establishing the Courts of Judicature Justices of the Peace Quarter Sessions Bailifs and other Matters Relative to the Distribution of Justice in this Province					(1) 20-08-1764 + Juge en chef	(2) 17-09-1764						(3) 17-09-1764	
4	Ordinance for Ratifying and Confirming the Decrees of the several Courts of Justice established in the Districts of Quebec Montreal and Trois-Rivieres, prior to the Establishment of Civil Government throughout this Province, upon the 10th day of August 1764		(1) 17-09-1764										(2) 20-09-1764	
5	Ordinance for the better Discovering & suppressing unlicensed Houses		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764	(4) 03-11-1764				(5) 03-11-1764	(6) 19-04-1766 Révocation
6	Requiring the New Subjects, and those who have purchased from them, to Register in the Secretarys Office, all the lands they are possessed of, in virtue of Grants or concessions, made by the french Government before the Conquest		(1) 24-09-1764				(2) 31-10-1764	(3) 31-10-1764						
7	An Ordinance to Prevent forestalling the markets & frauds by Butchers		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764	(4) 03-11-1764				(5) 03-11-1764	
8	To prevent Frauds and Perjuries		(1) 24-09-1764											
9	Ordinance Relating to Soldiers and Seamen, for preventing Desertion and Imprisonment of their Persons for Debt, or pretence thereof, and for Liberating Soldiers now in Prison for Debt To prevent the sale of Slop Clothing & Soldiers Cloths & desertion among the seamen and soldiers		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764	(4) 31-05-1765				(5) 31-05-1765	
10	For publishing to the new Inhabitants for their information the English Laws relating to Treasons and felonies		(1) 24-09-1764											
11	For preventing Trespass and diminishing & limiting the number of Stallions in this Province &c.		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764						
12	For preventing disorderly riding with Slays & other carriages &c. in the Towns of Quebec Montreal & Trois Rivieres		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764	(4) 06-11-1764				(5) 06-11-1764	
13	For obliging the Inhabitants of the Garrisons of Quebec & Montreal to carry Lanthorns as they Pass thro' the said Towns by night, to prevent disor Roberys & other disorders that may happen.		(1) 24-09-1764											
14	For preventing the public housekeepers &c. from encouraging the Troops to get Drunk		(1) 24-09-1764											
15	For prevent Persons leaving the Province without a Pass		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764	(4) 08-11-1764				(4) 08-11-1764	
16	For Limitation of Actions & avoiding Suits of Law		(1) 24-09-1764											
17	Ordinance for regulating petit Juries		(1) 24-09-1764				(2) 13-12-1764	(3) 13-12-1764						
18	To prevent Gaming		(1) 24-09-1764											
19	An Ordinance for Registring Conveyances, Grants &c. concerning Lands &c. in this Province.		(1) 24-09-1764				(2) 06-11-1764						(3) 06-11-1764	
20	To prevent importing into this Province disabled and other infirm or useless Persons		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764						
21	For the better observation and keeping of the Lords day		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764	(4) 06-11-1764				(4) 06-11-1764	(5) 19-04-1766 Révocation

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22	For regulating the rates and price of Carriages and Boats & measurement of the Roads &c.		(1) 24-09-1764											
23	For ascertaining damages on protested Bills of Exchange		(1) 24-09-1764				(2) 22-10-1764	(3) 22-10-1764	(4) 08-11-1764	(5) 10-11-1764			(6) 10-11-1764	
24	For preventing Fires in the great Towns in this Province		(1) 24-09-1764											
25	Ordinance for Quieting Possession & fixing the Age of Maturity		(1) 24-09-1764				(2) 31-10-1764	(3) 31-10-1764	(4) 06-11-1764				(4) 06-11-1764	
26	Ordinance declaring what shall be deemed a due publication of the Ordinances of the Province of Quebec		(1) 03-10-1764										(2) 03-10-1764	
27	Regulating the Measures of Cord Wood & to prevent Frauds therein		(1) 25-10-1764	(2) 27-10-1764			(3) 08-11-1764							
28	Troops be Billeted on the Housekeepers in this Province					(1) 25-10-1764	(2) 12-11-1764	(3) 18-11-1764					(4) 18-11-1764	(5) 19-09-1765 Abrogation (6) 19-04-1766 Révocation
29	Ordinance for amending and explaining an Ordinance of his Excellency the Governor and Council of this Province made the Twentieth day of September last, Intituled, An Ordinance for ratifying and confirming the Decrees of the several Courts of Justice, established in the Districts of Quebec, Montreal and Trois Rivieres prior to the establishment of Civil Government throughout this Province upon the 10.th Day of August 1764; and for enlarging the Time for lodging Appeals from the Decrees of such Courts therein mentioned					(1) 27-10-1764	(2) 12-11-1764	(3) 18-11-1764					(4) 18-11-1764	
30	Ordinance for registering Births Christenings and Burials						(1) 08-11-1764	(2) 08-11-1764						
31	Ordinance for establishing the Method of Appeals						(1) 08-11-1764	(2) 08-11-1764						
32	Ordinance for explaining and amending the Ordinance of the 12:th Instant for Quartering his Majesties forces in this Province						(1) 29-11-1764						(2) 29-11-1764	
33	Ordinance for preventing Rum and other Strong Liquors being sold to the Indians						(1) 03-12-1764						(2) 13-12-1764	
34	Ordinance for the Rules and Regulations of the Courts of Common Pleas in this Province.					(1) 18-01-1765								
35	Ordinance for preventing the Effects of Absentees out of this Province from being taken away without being first liable to the Payment of their several Creditors in this Province					(1) 26-02-1765	(2) 06-03-1765		(3) 09-03-1765				(4) 09-03-1765	
36	Ordinance directing that all Grand and Petty-Juries, hereafter to be summoned to serve at any Court of Record, Court of Assize and General Goal Delivery in this Province, shall be summoned and returned from the Body of the Province at Large, without Distinction or Regard to the Vicinage of any particular district within the same					(1) 06-03-1765	(2) 09-03-1765						(3) 09-03-1765	(4) 22-01-1767 Rappelé par résolution du Conseil.
37	Ordinance for explaining an Ordinance, for the better discovering and suppressing unlicenced Houses												(1) 26-04-1765	
38	Ordinance for preventing Fishermen and others from throwing over the Offals of Fish on the Fishing Banks in this Province						(1) 30-04-1765						(2) 30-04-1765	
39	Ordinance in addition to an Ordinance of the fourth Day of October 1764 for regulating and establishing the Currency of this Province						(1) 15-05-1765						(2) 15-05-1765	
40	Ordinance for Adjourning Trinity Term next and every succeeding Trinity Term and for hearing and determining certain offences at the Town of Trois Rivieres in this Province						(1) 03-06-1765						(2) 03-06-1765	
41	Ordered that the Members of the Council consider of a proper Method to		(1) 27-06-1765					(2) 27-06-1765						

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	furnish Carriages Battoes &c.o transport Provisions and necessarys for his Majestys Troops by next Council Day and that the Heads of an Ordinance be prepared to give to the Attorney general for that Effect													
42	An Ordinance for regulating and Establishing the Admeasurement of Firewood exposed to Sale in this province						(1) 13-11-1765						(2) 13-11-1765	
43	Ordinance For the better and more regular providing Firewood for the Use of His Majestys Forces in garrison in this province, And for declaring that all Power and Authority of any Captain or other officer of the Militia, established in this Province befor the Conquest thereof, and afterwards continued untill the Establishment of British civil Government within the same, was thereby abolished and taken away						(1) 28-11-1765						(2) 28-11-1765	
44	Ordinance for repairing And Amending the Highways in this province			(1) 20-11-1765	(2) 27-11-1765 (3) 24-03-1766		(4) 27-03-1766						(5) 27-03-1766	
45	Ordinance for quartering His majestys Troops			(1) 04-02-1766		(2) 04-02-1766 + Juge en chef								
46	Ordinance in Consequence of His Majestys Instruction read last Council Day to alter And Amend an Ordinance of His Excellency The governor and His Majestys Council of this province passed the 17.th Day of September 1764	(1) 30-06-1766	(2) 30-06-1766				(3) 01-07-1766						(4) 01-07-1766	
47	Ordinance for Adjourning the term of the Court of Common pleas for the District And City of Montreal in this province to the Eleventh of September next			(1) 30-06-1766		(2) 30-06-1766	(3) 01-07-1766						(4) 01-07-1766	
48	Ordinance to regulate the Currency of the Province	(1) 30-06-1766			(2) 01-07-1766 (5) 03-07-1766	(3) 01-07-1766	(4) 03-06-1766		(6) 05-06-1766 Transmis au Board of trade					(7) 10-11-1767 Rejeté
49	Ordinance to regulate the granting Licences to the Retailers of Spiritous Liquors				(2) 03-07-1766		(1) 03-07-1766		(3) 05-07-1766 Lecture du rapport du comité				(4) 05-07-1766	(5) 10-11-1767 Révocation
50	Ordinance for regulating the Pilotage in the River St Laurence			(1) 18-06-1766 (3) 16-06-1766	(2) 19-06-1766 (4) 18-06-1766 (7) 21-08-1766	(5) 08-08-1766 (11) 05-05-1768 (préambule)	(6) 20-08-1766		(8) 22-08-1766 Transmis au Board of trade	(10) 05-05-1768			(11) 05-05-1768	(9) 10-11-1767
51	Ordinance in Addition to the Ordinance of the 17.th September 1764			(1) 25-07-1766		(2) 26-07-1766	(3) 28-07-1766						(3) 28-07-1766	
52	Ordinance For regulating the times of Sessions of the Supreme Court		(2) 30-08-1766	(1) 30-08-1766	(3) 02-12-1766									
53	An Ordinance repealing a former Ordinance of this Province concerning the Summoning of Grand & Petty Jurys					(1) 22-01-1767	(2) 27-01-1767						(3) 27-01-1767	
54	Ordinance to oblige all the Inhabitants in the Towns of Quebec Montreal and Three Rivers to have the chimneys					(1) 19-10-1767								
55	Ordinance which may effectually regulate the Reparations of Streets & Highroads			(1) 05-12-1766	(2) 04-06-1767	(4) 29-08-1767	(3) 29-08-1768 Lecture du rapport du comité							
56	Ordinance for Licensing public Victualling houses					(1) 10-11-1767	(2) 25-01-1767		(3) 04-02-1768	(4) 23-02-1768		(5) 23-02-1768	(6) 23-02-1768	
57	Ordinance for preventing Accidents by fire in the towns of Quebec and Montreal and the Suburbs thereof						(1) 25-01-1768		(2) 04-02-1768			(?)	(3) 23-02-1768	
58	Ordinance to Amend a former Ordinance of this province relating to the Assize of Bread		(2) 16-02-1768	(1) 16-02-1768			(3) 28-03-1768					(4) 05-04-1768	(5) 05-04-1768	

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59	Ordinance repealing a Clause in a former Ordinance of this province dated the 15.th Day of May 1765 concerning the currency		(1) 12-05-1768 Amendement par résolution				(2) 28-03-1768					(3) 05-04-1768	(5) 05-04-1768	
60	Ordinance concerning Bakers of Bread in the Towns of Quebec, Three Rivers and Montreal			(1) 05-05-1768	(2) 07-05-1768 (7) 18-05-1769 (9) 22-05-1769	(4) 29-08-1768	(3) 29-08-1768 Lecture du rapport du comité (5) 26-05-1769		(6) 07-05-1769	(8) 22-05-1769 + Lecture du rapport du comité	(10) 30-05-1769	(11) 30-05-1769 (En comité)	(12) 03-05-1769	
61	Ordinance to amend and enforce a former Ordinance for preventing Accidents by Fire						(1) 14-10-1769		(2) 01-11-1768	(3) 03-11-1768		(4) 03-11-1768	(5) 03-11-1768	
62	Ordinance to restrain the said Publick house keepers from giving Credit for Liquors consumed in their houses beyond a certain small Sum.			(1) 10-04-1769	(4) 23-05-1769	(2) 10-04-1769	(3) 22-05-1769		(5) 30-05-1769 + Lecture du rapport du comité			(6) 30-05-1769 (En comité)	(6) 30-05-1769	
63	Representation from Hugh Finlay, Esquire, Post Master, of Divers Complaints made of and by the Persons who keep Post Horses and Carriages to hire, between this place and Montreal and proposing a new Ordinance to remedy the present Inconveniencies.			(1) 02-05-1769										
64	Ordinance for the more effectual Administration of Justice and for regulating the Courts of Law in this Province				(1) 18-08-1769 (5) 10-01-1770	(3) 14-09-1769	(2) 14-09-1769 Lecture du rapport du comité		(4) 10-01-1770	(6) 01-02-1770 + Lecture du rapport du comité		(7) 14-02-1770	(8) 14-02-1770	
65	Ordinance for altering the first of Michaelmas Term at the City of Quebec, in every year, from the 15 day of October to the 6th day of November						(1) 24-08-1772						(2) 24-08-1772	
66	In Aid of and Addition to, Two former Ordinances for preventing Accidents by Fire.			(1) 08-02-1773	(2) 21-04-1773	(4) 08-02-1773	(3) 22-04-1773 Lecture du rapport du comité		(5) 21-05-1773	(6) 22-05-1773			(6) 22-05-1773	
67	Ordinance "for establishing a Court of Appeals during the Absence of "the present Chief Justice, and for ascertaining the Powers of "the Commissioners for executing the Office of Chief Justice				(2) 20-08-1773 (comité plénier) (4) 23-08-1773 (comité plénier)		(1) 12-08-1773		(3) 20-08-1773	(5) 23-08-1773 Transmission au juge en chef pour examen			(6) 01-09-1773	