

Majesty, and his successors, all treasons and traitorous conspiracies which I shall know to be against him, or any of them.

Promise to maintain the Protestant succession to the crown, according to the act of settlement.

And I do faithfully promise, to the utmost of my power, to support, maintain, and defend the succession of the crown against the descendants of the said James, and all other persons whatsoever; which succession, by an act, intituled, "An Act for the further limitation of the crown, and better securing the rights and liberties of the subject," is and stands limited to the Princess Sophia, electress and duchess dowager of Hanover, and the heirs of her body, being Protestants.

Sincerity of all these declarations and promises according to the plain meaning of the words in which they are expressed.

And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make this recognition, acknowledgement, abjuration, renunciation, and promise, heartily, willingly, and truly, upon the true faith of a christian.

V. The DECLARATION against TRANSUBSTANTIATION,

Mentioned in the foregoing commission of Captain General and Governour in Chief;

And appointed by stat. 25 Car. II. c. 2. sect. 9.

I A. B. do declare, that I do believe that there is not any transubstantiation in the sacrament of the Lord's Supper, or in the elements of bread and wine, at or after the consecration thereof by any person whatsoever.

Five years after the appointment of this declaration against transubstantiation, to wit, in the 30th year of the reign of King Charles the Second, and A. D. 1679, another declaration against some of the principal errors of Popery was appointed to be taken on certain occasions, which is usually called *The Declaration against Popery*, and is as follows.

VI. The

VI. The DECLARATION against POPERY,

Appointed to be taken in certain cases by the stat. 30 Car. II. stat. 2.

I A. B. do solemnly and sincerely, in the presence of God, profess, testify, and declare, that I do believe, that in the sacrament of the Lord's Supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at, or after the consecration thereof by any person whatsoever: and that the invocation or adoration of the Virgin Mary, or any other saint, and the sacrifice of the mass, as they are now used in the church of Rome, are superstitious and idolatrous.

No transubstantiation of the elements of bread and wine in the sacrament of the Lord's Supper. The worship of the Virgin Mary and the saints, and the sacrifice of the mass, are superstitious and idolatrous.

And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by English Protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope, or any other authority or person whatsoever, or without any hope of any such dispensation from any person or authority whatsoever, or without thinking that I am, or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons, or power whatsoever, shall dispense with, or annul, the same, or declare that it was null and void from the beginning.

Sincerity of this declaration according to the plain meaning of the words in which it is expressed.

TRANSLATIONS of the foregoing Oaths and Declarations into the FRENCH LANGUAGE.

Les susdits Serments et Déclarations en François.

I. *Serment de Ligence, ou Fidelité.*

JE, A. B. promets & jure sincerement que je serai fidèle et garderai une véritable ligence envers sa Majesté le Roi George.

Ainsi DIEU me soit en aide.

II. Serment d'Abjuration à la Puissance du Pape.

ET je jure que j'abhorre du fond de mon cœur et que je déteste et abjure, comme étant impie et pleine d'hérésie, cette doctrine et maxime affreuse que les princes qui sont excommuniés, ou privés de leur royaumes ou territoires, par le Pape, ou par aucune autorité du siège de Rome, peuvent être détronés ou mis à mort par leurs sujets ou par d'autres personnes quelconques.

Et je déclare que nul prince, personne, prélat, état, ou potentat étranger a, ou devoit avoir, aucune juridiction, pouvoir, supériorité, prééminence, ou autorité ecclésiastique ou spirituelle dans ce royaume.

Ainsi DIEU me soit en aide.

III. Serment d'Abjuration du prétendu Fils du Feu Roi Jacques Second.

Reconnaissance du droit du Roi Georges III. aujourd'hui régnant, à la couronne de la Grande Bretagne.

JE, A. B. en toute vérité et sincérité avouée, professe, témoigne, et déclare, dans mon âme et conscience, devant Dieu et les hommes, que notre souverain seigneur le Roi Georges est Roi légitime et de droit de ce royaume, et de toutes les seigneuries et territoires qui y sont appartenants.

Déclaration que le prétendant n'a aucun droit ou titre à la dite couronne.

Et je déclare solennellement et sincèrement que je croi dans mon âme et conscience que la personne, qui prétendoit être Prince de Galles durant la vie du feu Roi Jacques Second, et qui depuis la mort de ce Roi a prétendu être, et a pris sur lui le sile et titre de, Roi d'Angleterre par le nom de Jacques le Troisième, ou de Roi d'Ecosse par le nom de Jacques le Huitième, ou le sile et titre de Roi de la Grande Bretagne, n'a point aucun droit ou titre quelconque à la couronne de ce royaume ou à aucune des seigneuries qui en dépendent. Et je renonce, refuse, et abjure tout ligençe ou obéissance envers lui.

Renonciation de toute fidélité, ou obéissance, envers lui.

Promesse de défendre le Roi Georges contre toutes conjurations et attentats de trahison ; et de lui révéler toutes conjurations de cette nature.

Et je jure que je garderai la fidélité et la véritable ligençe envers sa Majesté le Roi Georges, et que je le défendrai de tout mon pouvoir contre toutes conjurations et attentats de trahison qui seront formés ou entrepris contre sa personne, sa couronne, et sa dignité. Et je ferai tout ce qui sera dans mon pouvoir pour révéler et faire connoître à sa Majesté et à ses successeurs, toutes trahisons et toutes conjurations dans

lesquelles un dessein sera formé de commettre la trahison, que je sçaurai être entrepris contre lui ou aucun d'eux.

Et je promets fidèlement de soutenir, maintenir, et défendre de tout mon pouvoir la succession de la couronne encontre lui le dit Jacques et toutes autres personnes quelconques ; laquelle succession est établie dans la personne de la feuë Princesse Sophie, électrice et duchesse douairière d'Hanovre, et ses héritiers issus de son corps, tant qu'ils seront Protestants, par un acte de parlement, intitulé, " Un acte pour désigner jusqu'à de nouveaux degrés de succession les personnes qui devront succéder à la couronne, " et pour mieux assurer les privilèges et les franchises des sujets.

Et toutes ces choses j'avouë et je jure avec sincérité et bonne foi selon les termes exprés que je viens de prononcer, et selon le sens et l'acceptation ordinaires de ces termes, sans aucune interprétation équivoque, évasion mentale, ou réserve secrète quelconque. Et je fais cette reconnaissance, aveu, abjuration, renonciation, et promesse, de bon cœur, volontairement, et véritablement, sur la véritable foi d'un Chrétien.

Ainsi DIEU me soit en aide.

Tel étoit le serment d'abjuration du prétendu fils du feu Roi Jacques Second, qui est ordonné par la commission précédente de Capitaine Général et Gouverneur en Chef de la province de Québec faite au Général Murray, qui fut passée du vivant de ce prétendant. Depuis la mort de cette personne il a été nécessaire de faire quelque changement dans cette abjuration ; et par l'acte de parlement de la sixième année du regne de sa Majesté le Roi Georges III. aujourd'hui régnant, chapitre 53, on y a substitué le serment d'abjuration qui s'ensuit.

IV. Serment d'Abjuration des Descendants du Feu Roi Jacques Second ;

Prescrit par le statut du 6 de Geo. III. chap. 53.

JE, A. B. en toute vérité et sincérité, avouë, professe, témoigne, et déclare, dans mon âme et conscience, devant Dieu et les hommes, que notre souverain seigneur le Roi Georges est Roi légitime et de droit de ce royaume, et de toutes les seigneuries et territoires qui y sont appartenants.

Et ligençe.

Promesse de maintenir la succession à la couronne dans la ligne Protestante, selon l'acte de parlement qui n'a ainsi établie.

Sincérité de toutes ces déclarations et promesses selon le sens ordinaire des termes dans lesquels elles sont exprimées.

Déclaration que les descendants du feu prétendent à la couronne de l'Angleterre ou de l'Ecosse, ou de la Grande Bretagne, n'ont aucun droit à aucune des dites couronnes.

Renonciation de toute fidélité, ou obéissance, envers eux.

Promesse de défendre le Roi Georges contre toutes conjurations et attentats de trahison ; et de lui révéler toutes conjurations de cette nature.

Promesse de maintenir la succession à la couronne dans la ligne Protestante, selon l'acte de parlement qui a ainsi été établi.

Sincérité de toutes ces déclarations et promesses selon le sens naturel et ordinaire des termes dans lesquels elles sont exprimées.

Et je déclare solennellement et sincèrement que je croi dans mon âme et conscience, que pas aucun des descendants de la personne qui prétendit être Prince de Galles durant la vie du feu Roi Jacques Second, et qui après la mort du dit roi, prétendit être, et prenoit sur lui le surnom de, Roi d'Angleterre par le nom de Jacques le Troisième, ou de Roi d'Ecosse par le nom de Jacques le Huitième, ou le surnom de Roi de la Grande Bretagne, n'a aucun droit, ou titre, quelconque à la couronne de ce royaume, ou à aucune des seigneuries ou territoires qui en dépendent. Et je renonce, refuse, et abjure toute licence ou obéissance envers aucun d'eux.

Et je jure que je garderai la fidélité et la véritable licence envers sa Majesté le Roi Georges, et que je le défendrai de tout mon pouvoir contre toutes conjurations et attentats de trahison qui seront formés ou entrepris contre sa personne, sa couronne, et sa dignité. Et je ferai tout ce qui sera dans mon pouvoir pour révéler et faire connoître à sa Majesté, et à ses successeurs, toutes trahisons et toutes conjurations dans lesquels un dessein sera formé de commettre la trahison, que je sçaurai être entrepris contre lui ou aucun d'eux.

Et je promets fidelement de soutenir, maintenir, et défendre de tout mon pouvoir la succession de la couronne encontre les descendants du dit Jacques et toutes autres personnes quelconques ; laquelle succession est établie dans la personne de la feuée Princesse Sophie, électrice et duchesse douairière d'Hanovre, et ses héritiers issus de son corps, tant qu'ils seront Protestants, par un acte de parlement, intitulé, " Un acte pour désigner jusqu'à de nouveaux degrés de succession les personnes qui devront succéder à la couronne, et pour mieux assurer les privilèges et les franchises des sujets."

Et toutes ces choses j'avoue et je jure avec sincérité et bonne foi, selon les termes exprés que je viens de prononcer, et selon le sens et l'acceptation ordinaires de ces termes, sans aucune interprétation équivoque, évafion mentale, ou réserve secrète quelconque. Et je fais cette reconnaissance, aveu, abjuration, renonciation, et promesse, de bon cœur, volontairement et véritablement, sur la véritable foi d'un Chrétien.

Ainsi DIEU me soit en aide.

V. Déclaration

V. Déclaration contre la Transsubstantiation, ou Présence réelle du Corps de Jésus Christ dans la Sainte Cène ;

Mentionnée dans la commission précédente de Capitaine Général et Gouverneur en Chef de la province ;

Et prescrite par un acte de parlement du 25 de Charles II. chapitre 2, article 9.

JE, A. B. déclare que je croi qu'il n'y a pas dans le sacrement de la sainte cène de notre seigneur Jésus Christ, aucune transsubstantiation des éléments de pain et de vin, ni dans le moment de leur consécration, ni après leur consécration, par quelque personne que ce soit.

En certains cas une autre déclaration contre d'autres erreurs de l'église de Rome aussi bien que celui de la présence réelle, c'est à dire, contre l'adoration de la Vierge Marie et des saints, et le sacrifice de la messe, est prescrite par un autre acte de parlement du même Roi Charles II. dans la 30 année de son regne. Elle est appelée ordinairement La Déclaration contre le Papisme ; elle est de la forme qui s'ensuit.

VI. Déclaration contre le Papisme,

Prescrite à certaines personnes par le statut du 30 de Charles II. stat. 2.

JE, A. B. professe, témoigne, et déclare, solennellement et sincèrement dans la présence de Dieu, que je croi que dans le sacrement de la Sainte Cène de notre Seigneur Jésus Christ il n'y a pas aucune transsubstantiation des éléments de pain et de vin en le corps et le sang de Jésus Christ. Et je jure que je ne croi pas que de Jésus Christ dans le tems, ou après le tems de leur consécration par quelque personne que ce soit ; et que l'invocation, ou l'adoration, de la Vierge Marie, et de tout autre saint, et le sacrifice de la messe, comme elles sont aujourd'hui pratiquées dans l'église de Rome, sont superstitieuses et idolatreuses.

Et

Notéité de cette
déclaration selon
le sens naturel
et ordinaire des
termes dans les-
quels elle est ex-
primée.

Et je professe, témoigne, et déclare, que je fais cette déclaration et chaque partie d'icelle, dans le sens naturel et ordinaire des mots qui m'ont été lus, comme ils sont entendus communément par les Anglois Protestants, sans aucune évasion, interprétation équivoque, ou reservation mentale quelconque, et sans aucune dispense déjà accordée à moi pour cette occasion par le Pape, ou par aucune autre autorité, ou personne quelconque, et sans aucune espérance d'obtenir une dispense pour cette occasion de par aucune personne, ou autorité quelconque, et sans penser que je suis, ou que je puisse être, devant Dieu ou les hommes, censé, libre de l'obligation de cette déclaration, ou que je puisse être absous d'icelle, ou d'aucune partie d'icelle, quoique le Pape, ou toute autre personne, ou personnes, ou puissance quelconque, m'en dispensât ou l'annullât, ou déclarât qu'elle a été nulle et de nulle validité depuis son commencement.

COMMISSION of VICE-ADMIRAL.

GEORGE the THIRD, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, To our beloved JAMES MURRAY, Esquire, our Captain General and Governour in Chief in and over our Province of Quebec, in America, Greeting :

WE, confiding very much in your fidelity, care, and circumspection in this behalf, do, by these presents, which are to continue during our pleasure only, constitute and depute you, the said James Murray, Esquire, our Captain General and Governour in Chief aforesaid, our Vice-Admiral, Commissary, and Deputy in the Office of Vice-Admiralty in our province of Quebec aforesaid, and territories thereon depending, and in the maritime parts of the same and thereto adjoining whatsoever; with power of taking and receiving all and every the fees, profits, advantages, emoluments, commodities, and appurtenances whatsoever due and belonging to the said office of Vice-Admiral, Commissary, and Deputy in our said province of Quebec, and territories depending thereon, and maritime parts of the same and adjoining to them whatsoever, according to the ordinances and statutes of our high court of admiralty in England.

Commission to
the Vice-Admiral,
Commissary,
and Deputy in
the office of
Vice-Admiralty
in the province
of Quebec.

And we do hereby remit and grant unto you, the aforesaid James Murray, Esquire, our power and authority in and throughout our province of Quebec afore-mentioned, and territories thereof, and maritime parts whatsoever of the same and thereto adjacent, and also throughout all and every the sea-shores, public streams, ports, fresh-water rivers, creeks, and arms as well of the sea as of the rivers and coasts whatsoever of our said province of Quebec, and territories dependent thereon, and maritime parts whatsoever of the same and thereto adjacent, as well within liberties and franchises as without; to take cognizance of, and proceed in, all causes civil

To what places
the vice-admi-
ral's jurisdiction
shall extend.

to what causes,
and

and maritime, and in complaints, contracts, offences, or suspected offences, crimes, pleas, debts, exchanges, accounts, charter-partys, agreements, suits, trespasses, injuries, extortions, and demands, and business civil and maritime whatsoever, commenced or to be commenced between merchants, or between owners and proprietors of ships and other vessels, and merchants or others whomsoever with such owners and proprietors of ships and all other vessels whatsoever employed or used within the maritime jurisdiction of our vice-admiralty of our said province of Quebec, and territories depending on the same, or between any other persons whomsoever, had, made, begun, or contracted for any matter, thing, cause, or business whatsoever, done or to be done within our maritime jurisdiction aforesaid, together with all and singular their incidents, emergencies, dependencies, annexed or connexed causes whatsoever or howsoever; and such causes, complaints, contracts, and other the premises above said, or any of them, which may happen to arise, be contracted, had, or done, to hear and determine according to the rights, statutes, laws, ordinances, and customs anciently observed.

And moreover, in all and singular complaints, contracts, agreements, causes, and businesses, civil and maritime, to be performed beyond the sea, or contracted there, howsoever arising or happening; and also in all and singular other causes and matters, which in any manner whatsoever touch or any way concern, or anciently have and do, or ought to, belong unto the maritime jurisdiction of our aforesaid vice-admiralty in our said province of Quebec, and territories thereon depending, and maritime parts thereof and to the same adjoining whatsoever; and generally in all and singular all other causes, suits, crimes, offences, excesses, injuries, complaints, misdemeanours, or suspected misdemeanours, trespasses, regrating, forestalling, and maritime businesses whatsoever, throughout the places aforesaid within the maritime jurisdiction of our vice-admiralty of our province of Quebec aforesaid, and territories thereon depending, by sea or water, or the banks or shores of the same, howsoever done, committed, perpetrated, or happening.

To enquire by a jury of such matters as of right, and by ancient laws and usages, ought to be enquired of;

And also to enquire by the oaths of honest and lawful men of our said province of Quebec, and territories dependent thereon, and maritime parts of the same and adjoining to them whatsoever, dwelling both within liberties and franchises and without, as well

of

of all and singular such matters and things which of right, and by the statutes, laws, ordinances, and customs anciently observed were wont and ought to be enquired after, as of wreck of the sea, and of all and singular the goods and chattels of whatsoever traitors, pirates, manslayers, and felons howsoever offending within the maritime jurisdiction of our vice-admiralty of our province of Quebec aforesaid, and territories thereunto belonging, and of the goods, chattels, and debts of all and singular their maintainers, accessaries, counsellors, abettors, or assistants whomsoever.

and of wreck of the sea, and the goods of traitors and felons;

And also of the goods, debts, and chattels of whatsoever person or persons felons of themselves, by what means or howsoever coming to their death within our aforesaid maritime jurisdiction, wheresoever any such goods, debts, and chattels, or any part thereof, by sea, water, or land in our said province of Quebec, and territories thereon dependent, and maritime parts of the same and thereto adjacent whatsoever, as well within liberties and franchises as without, have been or shall be found forfeited, or to be forfeited, or in being.

and of the goods of felons of themselves.

And moreover, as well of the goods, debts, and chattels of whatsoever other traitors, felons, and manslayers wheresoever offending, and of the goods, debts, and chattels of their maintainers, accessaries, counsellors, abettors, or assistants, as of the goods, debts, or chattels of all fugitives, persons convicted, attainted, condemned, outlawed, or howsoever put, or to be put, in exigent for treason, felony, manslaughter, or murder, or any other offence or crime whatsoever; and also concerning goods waived, flotsom, jetsom, lagon, shares and treasure found or to be found; deodands, and of the goods of all others whatsoever taken or to be taken as derelict, or by chance found, or howsoever due or to be due; and of all other casualties, as well in, upon, or by the sea and shores, creeks or coasts of the sea or maritime parts, as in, upon, or by all fresh waters, ports, public streams, rivers, or creeks, or places overflown whatsoever within the ebbing and flowing of the sea or high water, or upon the shores and banks of any of the same within our maritime jurisdiction aforesaid, howsoever, whensoever, or by what means soever arising, happening, or proceeding, or wheresoever such goods, debts, and chattels, or

Also of goods waived, flotsom, jetsom, lagon, deodands, derelicts, and other casualties, upon the sea, or sea-coast, or fresh-water rivers as far as the tide flows.

other the premises, or any parcel thereof, may or shall happen to be met with or found within our maritime jurisdiction aforesaid.

Also of anchorage, luffage, ballast, and fishes royal.

And also concerning anchorage, luffage, and ballast of ships, and of fishes royal, namely, sturgeons, whales, porpoises, dolphins, kiggs, and grampusses, and generally of all other fishes whatsoever which are of a great or very large bulk or fatness, anciently by right, or custom, or any way appertaining or belonging to us.

Power to receive and preserve to the King's use all the profits above-mentioned; and all fines imposed by any court of admiralty held in this province, and recognizances forfeited therein.

And to ask, require, levy, take, collect, receive, and obtain for the use of us, and to the office of our high admiral of Great Britain aforesaid for the time being, to keep and preserve the said wreck of the sea, and the goods, debts, and chattels of all and singular other the premises, together with all and all manner of fines, mulcts, issues, forfeitures, amerciaments, ransoms, and recognizances whatsoever, forfeited, or to be forfeited, and pecuniary punishments for trespasses, crimes, injuries, extortions, contempts, and other misdemeanors whatsoever, howsoever imposed or inflicted, or to be imposed or inflicted, for any matter, cause, or thing whatsoever in our said province of Quebec, and territories thereunto belonging, and maritime parts of the same and thereto adjoining, in any court of our admiralty there held, or to be held, presented, or to be presented, assessed, brought, forfeited, or adjudged; and also all amerciaments, issues, fines, perquisites, mulcts, and pecuniary punishments whatsoever, and forfeitures of all manner of recognizances, before you or your lieutenant, deputy, or deputies, in our said province of Quebec, and territories thereunto belonging, and maritime parts of the same and thereto adjacent whatsoever, happening, or imposed, or to be imposed or inflicted, or by any means assessed, presented, forfeited, or adjudged, or howsoever, by reason of the premises, due or to be due in that behalf to us, or to our heirs and successors.

and to take recognizances and bonds, either for the King's use, or that of private subjects:

And further, to take all manner of recognizances, cautions, obligations, and stipulations, as well to our use as at the instance of any party's, for agreements, or debts, or other causes whatsoever, and to put the same into execution, and to cause and command them

them to be executed; and also to arrest, and cause and command to be arrested, according to the civil and maritime laws and ancient customs of our said court, all ships, persons, things, goods, wares, and merchandizes, for the premises, and every of them, and for other causes whatsoever concerning the same, wherefoever they shall be met with or found throughout our said province of Quebec, and territories thereunto belonging, and maritime parts thereof and thereto adjoining, as well within liberties and franchises as without; and likewise for all other agreements, causes, or debts, howsoever contracted or arising, so that the goods or persons may be found within our jurisdiction aforesaid.

and to award execution upon them; and to arrest ships, goods, and persons for causes arising within the maritime jurisdiction:

And to hear, examine, discuss, and finally determine the same, with their emergencies, dependancies, incidents, annexed and connexed causes and businesses whatsoever; together with all other causes civil and maritime, and complaints, contracts, and all and every the respective premises whatsoever above-expressed, according to the laws and customs aforesaid, and by all other lawful ways, means, and methods, according to the best of your skill and knowledge.

and to hear and determine the said causes, with all the matters incident thereto:

And to compel all manner of persons in that behalf, as the case shall require, to appear and to answer, with power of using any temporal correction, and of inflicting any other penalty, or mulct, according to the laws and customs aforesaid.

and to compel persons to appear and answer:

And to do and administer justice according to the right order and course of the law, summarily and plainly, looking only into the truth of the facts.

And to fine, correct, punish, chastise, reform, and to imprison, and to cause and command to be imprisoned, in any gaols, being within our province of Quebec aforesaid, and territories thereunto belonging, the parties guilty, and the contemners of the law and jurisdiction of our admiralty aforesaid, and violaters, usurpers, delinquents, and contumacious absenters, masters of ships, mariners, rowers, fishermen, shipwrights, and other workmen and artificers whatsoever, exercising any kind of maritime affairs, according to the

and to fine and to imprison, in any of the gaols of the province, the parties that shall be found guilty:

and to deliver and discharge from prison persons imprisoned for the same, when they ought to be so discharged:

the rights, statutes, laws, and ordinances, and customs anciently observed; and to deliver and absolutely discharge, and cause and command to be discharged, whatsoever persons imprisoned in such cases, who are to be delivered.

and to preserve public streams, ports, and rivers.

And to preserve, or cause to be preserved, the public streams, ports, rivers, fresh waters, and creeks whatsoever, within our maritime jurisdiction aforesaid, in what place soever they be in our province of Quebec aforesaid, and territories thereunto belonging, and maritime parts of the same and thereto adjacent whatsoever, as well for the preservation of our navy royal, and of the fleets and vessels of our kingdom and dominions aforesaid, as of whatsoever fishes increasing in the rivers and places aforesaid.

And also to keep, and cause to be executed and kept, in our said province of Quebec, and territories thereunto belonging, and maritime parts thereof and thereto adjacent whatsoever, the rights, statutes, laws, ordinances, and customs anciently observed.

And to do, exercise, expedite, and execute all and singular other things in the premises, and every of them, as they by right, and according to the laws and statutes, ordinances and customs aforesaid, should be done.

and to reform nets that are too close, and other unlawful engines for catching fish;

And moreover, to reform nets too close, and other unlawful engines or instruments whatsoever for the catching of fishes where-soever, by sea, or public streams, ports, rivers, fresh waters, or creeks whatsoever, throughout our province of Quebec aforesaid, and territories depending thereon, and maritime parts of the same and thereto adjacent, used or exercised within our maritime jurisdictions aforesaid where-soever.

and to punish those who make use of them:

And to punish and correct the exercisers and occupiers thereof, according to the statutes, laws, ordinances, and customs aforesaid.

and to pronounce sentences in all causes relating to the sea, and put the same in execution:

And to pronounce, promulge, and interpose all manner of sentences and decrees, and to put the same in execution; with cognizance

cognizance and jurisdiction of whatsoever other causes, civil and maritime, which relate to the sea, or which any manner of ways respect or concern the sea, or passage over the same, or naval or maritime voyages, or our said maritime jurisdiction, or the places or limits of our said admiralty, and cognizance aforesaid, and all other things done or to be done.

With power also to proceed in the same, according to the statutes, laws, ordinances, and customs aforesaid anciently used, as well of mere office mixt or promoted, as at the instance of any party, as the case shall require and seem convenient: and likewise with cognizance and decision of wreck of the sea, and of the death, drowning, and view of dead bodies of all persons how-soever killed, or drowned, or murdered, or which shall happen to be killed, drowned, or murdered, or by any other means come to their death in the sea or public streams, ports, fresh waters, or creeks whatsoever, within the flowing of the sea and high-water mark throughout our aforesaid province of Quebec, and territories thereunto belonging, and maritime part of the same and thereto adjacent, or elsewhere within our maritime jurisdiction aforesaid.

Together with the cognizance of mayhem in the aforesaid places, within our maritime jurisdiction aforesaid, and flowing of the sea and water there happening; with power also of punishing all delinquents in that kind according to the exigences of the law and customs aforesaid.

And to do, exercise, expedite, and execute all and singular other things which in and about the premises only shall be necessary or thought meet, according to the rights, statutes, laws, ordinances, and customs aforesaid.

With power of deputing and surrogating in your place for the premises one or more deputy or deputies, as often as you shall think fit; and also with power from time to time of naming, appointing, ordaining, assigning, making, and constituting whatsoever other necessary, fit, and convenient officers and ministers under you for the said office and execution thereof in our said province

vince of Quebec, and territories thereunto belonging, and maritime parts of the same and thereto adjacent whatsoever.

Saving the right of the high court of admiralty, and of the judge and registrar thereof; and saving the right of appealing therefrom any sentence of the court of vice-admiralty at Quebec.

Saving always the right of our high court of admiralty of England, and also of the judge and registrar of the said court, from whom, or either of them, it is not our intention in any thing to derogate by these presents; and saving to every one who shall be wronged or grieved by any definitive sentence or interlocutory decree which shall be given in the vice-admiralty court of our province of Quebec aforesaid, and territories thereunto belonging, the right of appealing to our aforesaid high court of admiralty of England.

Provido that the vice-admiral shall yearly certify under the seal of his office the proceedings had in his court to the judge of the high court of admiralty:

Provided nevertheless, and under this express condition, that if you, the aforesaid James Murray, Esquire, our Captain General and Governour in Chief, shall not yearly (to wit) at the end of every year, between the feasts of St. Michael the archangel and All Saints, duly certify, and cause to be effectually certified (if you shall be thereunto required) to us, and our lieutenant official, principal, and commissary general and special, and judge and president of the high court of our admiralty of England aforesaid, all that which from time to time by virtue of these presents you shall do and execute, collect, or receive in the premises, or any of them, together with your full and faithful account thereupon, to be made in an authentic form, and sealed with the seal of our office remaining in your custody, that from thence and after default therein these our letters patent of the office of vice-admiralty aforesaid, as above granted, shall be null and void, and of no force or effect.

and upon default made herein these letters patent shall be void.

All officers, civil and military, and all other subjects whatsoever, are enjoined to be assisting to the vice-admiral and his deputies in the execution of this office.

Further we do, in our name, command all and singular our governours, justices, mayors, sheriffs, captains, marshals, bailiffs, keepers of all our gaols and prisons, constables, and all other our officers and faithful liege subjects whatsoever, and every of them, as well within liberties and franchises as without, that in and about the execution of the premises, and every of them, they be aiding, favouring, assisting, submissive, and yield obedience in all things as is fitting to you, the aforesaid James Murray, Esquire, our Captain General and Governour in Chief of our province of Quebec aforesaid,

said, and to your deputy whomsoever, and to all other officers by you appointed, and to be appointed, of our said vice-admiralty in our province of Quebec aforesaid, and territories thereunto belonging, and maritime parts of the same and thereto adjoining, under pain of the law, and the peril which will fall thereon.

Given at London in the high court of our admiralty of England aforesaid, under the great seal thereof, the nineteenth day of March in the year of our Lord one thousand seven hundred and sixty-four, and of our reign the fourth.

(Signed) GODF. LEE TARRANT,
Registrar.

N U M B E R XII.

C O M M I S S I O N

O F

L I E U T E N A N T G O V E R N O U R .

G E O R G E R .

GEORGE the THIRD, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, and so forth, To our trusty and well-beloved GUY CARLETON, Esquire, Greeting :

Appointment of
Guy Carleton,
Esq. to be Lieuten-
ant Govern-
our of the pro-
vince of Quebec
during the
King's pleasure.

WE, reposing especial trust and confidence in your loyalty, integrity, and ability, do, by these presents, constitute and appoint you to be our Lieutenant Governour of our province of Quebec, in America; to have, hold, exercise, and enjoy the said place and office during our pleasure, with all rights, privileges, profits, perquisites, and advantages to the same belonging or appertaining.

Authority to
exercise the
powers contain-
ed in the com-
mission of Go-
vernour in Chief
in case of the
death, or during
the absence of,
the governour.

And further, in case of the death, or during the absence, of our captain general and governour 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 captain general and governour 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.

Command to all
officers, mini-
sters, and other
subjects to yield
due obedience to
him.

And we do hereby command all and singular our officers, ministers, and loving subjects in our said province, and all others whom

whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Given at our court at St. James's, the seventh of April 1766, in the sixth year of our reign.

By his Majesty's command.

(Signed) H. S. CONWAY.

Guy Carleton, Esquire, Lieutenant Governour of Quebec.

Entered as follows.

Entered at the Treasury.

(Signed) THO^S. TOMKYNS.

Entered in the office of the Lords Commissioners for Trade and Plantations.

(Signed) S. BRADBURY.

N U M B E R XIII

The KING'S MANDATE to the Governour, or
Commander in Chief, of the Province of QUEBEC,
requiring him to appoint WILLIAM HEY, Esquire,
Chief Justice of the said Province.

JANUARY 11 (1766)

GEORGE R.

TRUSTY and well-beloved, we greet you well. Whereas we have taken into our royal consideration the loyalty, integrity, and ability of our trusty and well-beloved William Hey, Esquire, we have thought fit, hereby, to authorize and require you forthwith to cause letters patent to be passed under the seal of our province of Quebec, in America, constituting and appointing him, the said William Hey, our chief justice of, and in our said province, to have, hold, exercise, and enjoy the said office unto him the said William Hey, for and during our pleasure and his residence within our said province, together with all and singular the rights, profits, privileges, and emoluments unto the said place belonging, in the most full and ample manner, with full power and authority to hold the supreme courts of judicature at such places and at such times as the same may and ought to be held within our said province. And for so doing this shall be your warrant. And so we bid you farewell.

Given at our court at St. James's the third day of February
1766, in the sixth year of our reign.

By his Majesty's command.

(Signed) H. S. CONWAY.

*To our trusty and well-beloved James Murray, Esquire,
our Captain General and Governour in Chief in and over
our province of Quebec, in America; and, in his absence,
to the Commander in Chief of our said province for the
time being.*

COMMISSION

COMMISSION of the CHIEF JUSTICE.

QUEBEC ff.

GEORGE the THIRD, by the Grace of God, of Great Britain,
France, and Ireland, King, Defender of the Faith, and so forth;
To our trusty and well-beloved WILLIAM HEY, Esquire,
Greeting:

KNOW ye, that we, having taken into our royal consideration your loyalty, integrity, and ability, have assigned, constituted, and appointed, and we do hereby assign, constitute, and appoint you, the said William Hey, our Chief Justice of and in our province of Quebec, in America, to enquire, by the oaths of honesty and lawful men of the province aforesaid, and by other lawful ways, methods, and means, by which you can or may the better know, as well within liberties as without, of whatsoever treasons, misprisions of treason, insurrections, rebellions, murders, felonies, homicides, killings, burglaries, rapes of women, unlawful congregations and assemblies, words spoken, misprisions, confederacies, false allegations, trespasses, riots, routs, escapes, contempts, falsities, negligencies, concealments, maintenances, oppressions, champarties, deceits, and other misdoings, offences, and injuries whatsoever; as also of the accessaries thereto within the province aforesaid, as well within liberties as without, by whomsoever and howsoever had, done, perpetrated, or committed, or which hereafter may happen to be done, perpetrated, or committed, and by whom, to whom, when, where, and how, and of all other articles and circumstances the premises, or any of them, any wife concerning: and the said treasons and other the premises to hear and determine, according to the laws and customs of that part of Great Britain called England, and of our said province of Quebec hereafter to be made.

Commission to be chief justice of the province of Quebec.

Power to inquire of all treasons, felonies, and other offences.

and the same to hear and determine, according to the laws of England and the ordinances of the province hereafter to be made.

Therefore we command, that at such certain days and places as you shall appoint, you make diligent inquiry of the premises; and all and singular the premises you hear and determine; and the same do

do and fulfil in form aforesaid, doing therein that which to justice doth belong or appertain, according to the laws and customs of that part of our kingdom of Great Britain called England, and of our said province of Quebec hereafter to be made; saving to us our americiaments and other things thereby to us belonging: for we will command all and every our sheriffs and provost-marshal of our province aforesaid, that at such certain days and places as you, our chief justice, shall make known to him, them, or any of them, they cause to come then and there before you such and so many honest and lawful men of our said province, as well within liberties as without, by whom the truth of the matter may be the better known and inquired of.

Power to deliver
gaols of prison-
ers therein com-
mended.

And further know ye, that we have assigned, constituted, and appointed, and by these presents do assign, constitute and appoint you, the said William Hey, our gaol of our province aforesaid of the prisoners therein hereafter to be to deliver. And therefore we command you that, at such certain days and places as you shall appoint, you come to our court-house of our said province the gaol in our said province of the prisoners hereafter therein to be to deliver, doing therein what to justice doth, or may, belong or appertain, according to the laws and customs of that part of our kingdom of Great Britain called England, and of our said province of Quebec hereafter to be made; saving to us our americiaments and other things thereby to us belonging; for we will command all and every our sheriffs and provost-marshal of our said province of Quebec, that, at such certain days and places as you, our said chief justice, shall make known to him, them, or any of them, they cause to come then and there before you, our said chief justice, all the prisoners of the same gaol and their attachments.

Power to hear
and determine
all civil suits
and actions,
whether real,
personal, or
mixed, either be-
tween the King
and a subject, or
between subject
and subject.

And further know ye, that we have assigned, constituted, and appointed, and by these presents do assign, constitute, and appoint you, the said William Hey, our Chief Justice of our supreme court of judicature of our said province of Quebec, to inquire, by the oaths of honest and lawful men of the province aforesaid, and by other lawful ways, methods, and means by which you can or may the better know, as well within liberties as without, of all civil pleas, actions, and suits, as well real and personal as mixed, be-
tween

tween us and any of our subjects, or between party and party, by whomsoever had, brought, sued, and commenced, and of all other articles and circumstances the premises, or any of them, any wise concerning: and the said pleas, actions, and suits, and every of them, to hear and determine in manner and form aforesaid, doing therein that which to justice doth belong and appertain, according to the laws and customs of that part of our kingdom of Great Britain called England, and the laws, ordinances, rules, and regulations of our said province of Quebec hereafter in that behalf to be ordained and made.

Therefore we command you, that, at such certain days and places as you shall appoint, you make diligent inquiry of the premises; and all and singular the premises to hear and determine in manner and form aforesaid; doing therein that which to justice doth belong or appertain, according to the laws and customs of that part of our kingdom of Great Britain called England, and the laws, ordinances, rules, and regulations of our said province of Quebec hereafter in that behalf to be made; for we will command all and every our sheriffs or provost-marshal of our province aforesaid, that at such days and places as you, our said chief justice, shall make known to him, them, or any of them, they cause to come then and there before you such and so many honest and lawful men of our said province, as well within liberties as without, by whom the truth of the matter may be the better known.

General com-
mand to inquire
into, hear, and
determine the
premises.

To have, hold, and exercise the said office of our chief justice of and in our said province of Quebec, for and during our royal will and pleasure and your residence within our said province; together with all and singular the rights, profits, free privileges, and emoluments to the said office belonging, * in as full and ample manner as any other chief justice of any of our provinces in America hath heretofore held and enjoyed, or of right ought to have, hold, or enjoy, the same, with full power and authority to hold the supreme

This office to be
held during the
King's pleasure
and the chief
justice's resi-
dence in the
province.

* Quere, Whether it would not have been better to leave out these words, "in as full and ample manner as any other chief justice of any of our provinces in America hath heretofore held and enjoyed, or of right ought to have, hold, or enjoy, the same," which refer to all the provinces in America without specifying any one in particular, as being too vague and general, and tending to produce confusion rather than certainty.

courts of judicature at such places and times as the same may or ought to be held within our said province.

In testimony whereof we have caused these our letters to be made patent, and the great seal of our said province of Quebec to be hereunto affixed, and to be entered on record in one of the books of patents in our register's office of inrollments of the said province.

Witness our trusty and well-beloved the honourable Guy Carleton, Esquire, our Lieutenant Governour and Commander in Chief in and over our said province of Quebec, and the territories thereon depending in America, at our Castle of St. Lewis in our city of Quebec, the twenty-fifth day of September in the year of our Lord one thousand seven hundred and sixty-six, and in the sixth year of our reign.

L. S. (Signed) GUY CARLETON.

By the lieutenant-governour's command.
(Signed) J. GOLDFRAP,
D. Secretary.

FIAT of the within Commission.

Recorded in the Register's Office at Quebec the 25th day of September 1766.

(Signed) J. GOLDFRAP, D. Registrar.

NUMBER XIV.

COMMISSION of ATTORNEY GENERAL.

QUEBEC ꝰ.

GEORGE the THIRD, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith; To all to whom these Presents shall come, Greeting:

KNOW ye, that we, having taken into our royal consideration ^{Appointment.} the loyalty, integrity, and ability of our trusty and well-beloved Francis Maseres, have constituted and appointed, and by these presents do constitute and appoint him, the said Francis Maseres, our Attorney General of and in our province of Quebec, in America, in the room of George Suckling, Esquire:

To have, hold, exercise, and enjoy the said office unto him, the ^{Habendum.} said Francis Maseres, during our pleasure, together with all and singular the rights, fees, profits, privileges, and advantages there- ^{Fees and Advantages.} unto belonging or appertaining, in as full and ample manner as the said George Suckling hath held and enjoyed the same, or as any other attorney general in our Leeward Caribbee Islands doth hold and enjoy the said office.

Provided always, that the said Francis Maseres shall be actually ^{Proviso.} resident within the said province, and shall execute the said office in his own proper person, except in case of sickness or incapacity.

In testimony whereof we have caused these our letters to be made patent, and our great seal of our said province of Quebec to be hereunto affixed, and the same to be entered on record in one of the books of patents in our register's office of inrollment of our said province.