The History of the conquest seminars: Expert Group #1

**James Murray**

* Born in 1719 into Nobility
* He entered the army in 1740, as a second lieutenant in Wynyard's Marines
* A military governor at Quebec in 1764
* First British civil Governor general of the colony
* Murray was guided by the proclamation and high ranking officials in France in all his decisions
* Commanders for Wolfe when the British army sailed up the St Lawrence in 1759 with the objective of taking Quebec City.

**The thesis**

Though Murray was to take orders from others and enforce them, he instead established his own way of governing and was recalled because of this.

**Proclamation of 1763**

* With advice and consent of the members of council summon and call general assemblies within the said governments
* Power to said Governors, with consent of said councils and representatives of the people
* Governor guided by royal proclamation 1763 and various instructions from authorities
* Proclamation withdrew privileged status of Catholic Church and ended French civil law
* Difficulties included that British settlers and merchants used to a representative government and frustrated w policies that kept them from going into aboriginal lands

**Instructions**

* You shall with the advice of our council, summon and call a general assembly of the freeholders in our said province. Looking after pressing affairs and give all possible attention to carrying out this job.
* However if it is an inconvenient time to do so, you should establish rules and regulations by the advice of our council. Whatever is necessary for peace, order, and good government of our said province.
* Yet anything passed con not affect life, limb, liberty of subject
* All rules/regulations passed to “us” after passed for approval or disallowance
* statutes and ordinances passed by you with advice and consent of our said council and assembly
* Demands included that the existing civil code replaced by English common law necessary b/c argued to protect British rights and business interests and the house of assembly be formed and French speaking catholic Canadians be excluded
* No French Canadians legally allowed to hold position of authority

**Murray’s Response**

* We want to establish that the protestant religion may be promoted, established, and encouraged in our province under your government.

**Murray’s Struggle with Merchants**

* English merchants petitioned to have Murray removed from power due to his unfair treatment to the merchants and the Majesty
* The Majesty felt betrayed by Murray’s actions in New France
* England felt that Murray had completely neglected the Protestant religion because of the lack of attendances to services
* The lives lived in New France by the British subjects was seen as unbearable and unfair, thus creating reason for them to be removed

**Murray’s Thoughts**

* Murray believed that “nothing will satisfy these licentious fanatics trading here but the expulsion of the Canadians”
* He believed it was his “duty to acquaint your (the majestys) Lordship that the first of these men is a notorious smuggler and a turbulent man, the second a weak man of little character and the third a conceited boy.”

**Carleton**

**Background:** Sir Guy Carleton was born in Strabane, country Tyrone, Ireland. He was an Anglo-Irish soldier. He was a friend of James Wolfe and during the siege of Quebec was one of his right hand men. Carleton was wounded in the battle of the Plains of Abraham. He was appointed lieutenant-governor of Quebec in 1766 and then governor in 1768. Carleton played a key role in passing the Quebec Act.

Guy Carleton came over to Quebec because the English were not impressed with Murray’s “favouritism” towards the French. Carleton ended up following Murray’s footsteps and favouring the French as well. The English merchants wanted full use of British law in Quebec.

**Thesis:** Carleton decided that the French Civil Law was needed in Quebec and that “British rights: were not very important towards Quebec. Carleton stated that the seigneurial land system, French Civil Code, Catholic religion and the mandatory tithes needed to become a permanent part of the province.

On the matter of law Carleton said that if you impose the British common law in civil cases it will only end with confusion and discontent of the French.

**Francis Masères:** He was a French Protestant attorney-general of Quebec. He objected to Carleton’s proposal. His three arguments to his objection were that it would be difficult for the English to enforce justice in Quebec if the French Civil Code were to stay, the French will then always remember their previous government making it difficult for them to follow the British common law and it will discourage the English from coming over to settle in Quebec.

**Carleton’s Rebuttal:** Carleton’s rebuttal to Masères argument was that the present superiority of Quebec was French and if anything they were likely to increase in numbers. He stated that the English were not in favour of the harsh winters and they would be more likely to find the weather of the 13 colonies more hospitable.