



Portrait of Pierre de Rigaud de Vaudreuil de Cavagnial,
Marquis de Vaudreuil, last Governor of New France,
1753-1755
CA ANC C-14536

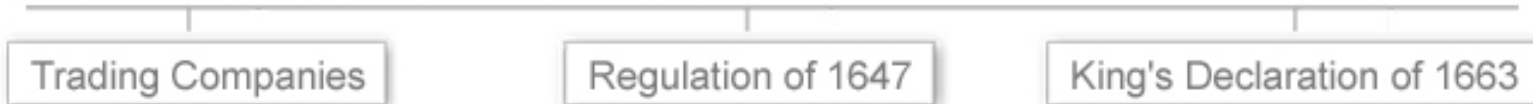


Administration

From Francis I to Henry IV, the feudal system of delegation allowed the King to save money by assigning to a private individual the responsibility—at his own expense—of governing, organizing and defending the conquered territories. This person, initially appointed as Lieutenant-General to the King, was after 1578 given the title of "viceroy", following the Spanish and Portuguese example. In exchange for trade privileges, private companies subsequently undertook to populate the colony and, in collaboration with the King's representatives, to administer it and enforce justice. In 1663, Louis XIV took back control of France's activities in North America by making New France a province in its own right, modelled on those of the home country, complete with a Governor, Intendant and Sovereign Council. The Governor and Intendant, who essentially controlled the colony, administered but did not govern: they received regular and detailed instructions from Versailles. There were two particular governors in Montréal and Trois-Rivières, and three law courts, which had the seigneurial courts under their jurisdiction, as well as a chief road officer. In principle, the Governor of Acadia was subordinate to the Governor of Québec; in fact, he was independent and answered directly to the home country. Over the years, various administrative offices and positions came into being: admiralty courts, a comptroller's office answerable to the Secretary of State for the Marine, an office of agents for the treasurers-general under the general control of finance, an administrator of the royal domain, a director of shipbuilding, an inspector of fortifications, and a captain of the port of Québec. Attached to these various offices were all the necessary support staff, including writers, registrars, clerks and quartermasters.

Organizational Chart

New France before 1663



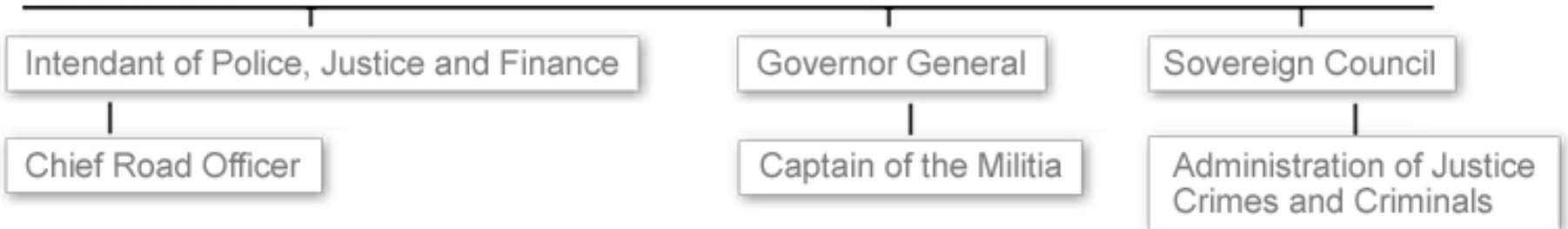
New France from 1663 to 1760

France

KING of France

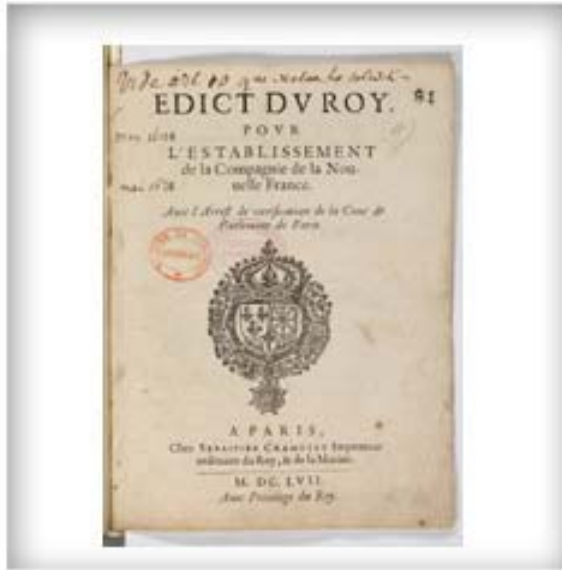


New France



Trading Companies

Like several other European countries, France relied on private companies to colonize new territories. In exchange for commercial privileges, these companies assumed certain obligations. In 1627, after several unsuccessful ventures, Armand-Jean Du Plessis, Cardinal Richelieu, founded a royal company, the Compagnie de la Nouvelle-France, also known as the Compagnie des Cent-Associés. Holder of seigneurial rights over a vast territory that included the St. Lawrence Valley and Acadia, the company was granted various trade monopolies. In exchange, it was expected to administer the colony and its justice system, under the King's authority, and also to augment the population with 4,000 new settlers over a period of 15 years.



Edict du Roy pour l'establissement de la Compagnie de la Nouvelle-France [Edict from the King concerning the founding of the Compagnie de la Nouvelle-France], printed in Paris by Sebastien Cramoisy, Printer in ordinary to the King and to the Marine, May 1628
FR CAOM COL C11A 1 fol. 91-98v°



New France
NEW HORIZONS

The Regulation of 1647

The population of Canada contested the administration of the Communauté des Habitants, a company controlled by Canadian interests, which in 1645 had inherited the fur trade monopoly of the Compagnie des Cent-Associés. The main points of dispute concerned the company's financial management and its operation of the fur trade. In 1647, to correct the situation, the Crown ordered the establishment of the Council of Québec, whose mandate was to examine the accounts of the Communauté and to adopt fur trade regulations, and any other regulations necessary for the good of the country. In a major innovation, representatives elected by the colony's inhabitants attended council meetings (in an advisory role only) whenever it discussed matters relating to the Communauté des Habitants.



Regulation to remedy certain abuses committed in Canada and establishing a Council composed of the Governor General, the Governor of Montréal and the Superior of the Jesuits, March 27, 1647
CA ANC MG18-H65



New France
NEW HORIZONS

The Declaration of the King

In 1663, New France, whose rights of ownership, justice and seignery had been held since 1627 by the Compagnie des Cent-Associés, was declared by Louis XIV to be once more part of the royal domain. As the Compagnie was no longer able to support and defend the sparsely populated colony, constantly under threat from Iroquois attack, the King reassumed possession to ensure its development and security. He introduced an administrative structure modelled on that of the French provinces, which included a Governor General, an Intendant and a Sovereign Council.



Declaration from the King, reassuming possession of New France, March 1663
FR CAOM COL C11A 2 fol. 5-7



New France
NEW HORIZONS



Presumed portrait of Charles de Beauharnois de la Boische, Marquis de Beauharnois, Governor of New France from 1726 to 1747, oil on canvas, ca. 1748
CA ANC C-141180

The Governor General

The Governor General of New France was appointed by the King by means of temporary letters of provision (rescindable at any time) and was under detailed instruction from the monarch. He resided in the Château Saint-Louis, in Québec. Solely responsible for military matters (army, militia, forts) in New France, he was invariably a member of the old nobility. As the King's personal representative, he could establish treaties and alliances with England's North American colonies and the various Aboriginal nations. Although in the legal realm he had far fewer responsibilities than the Intendant, he could impose a sovereign decision in times of crisis. In the financial domain, his authority was limited to establishing military expenditures and participating in the drawing up of the annual budget. He and the Intendant shared responsibility for the police, aid and religion. The governments of Trois-Rivières and Montréal had particular governors. Each of the three governors was assisted by a king's lieutenant and Staff.



New France
NEW HORIZONS



A View of the Intendants Palace, by Richard Short, 1761
CA ANC C-360

The Intendant

The Intendant, who was usually chosen from among the *noblesse de robe* (hereditary nobles who acquired their rank through holding a high state office), or from the upper bourgeoisie, was appointed by the comptroller general of finance. Although the Intendant was lower in rank than the Governor General, his powers were more sweeping. He had exclusive and supreme authority in the realm of justice: he supervised the judges and the courts, was fully acquainted with cases related to state security, to the levying of taxes (25 percent on beaver, 10 percent on moose, the revenues from the Tadoussac trading post, 10 percent on merchandise imported from France, and later only on wine and spirits) and to disputes between seigneurs and tenants. He also served as president of the Sovereign Council. He was solely responsible for financial matters, including the supervision of assets, provisions, munitions and public works, and the issuing of card money. Since there were no municipal authorities, he was also in charge of administering the towns and cities. He shared with the Governor, however, the tasks of overseeing public morals, maintaining law and order, the upkeep of roads, and support of trade and industry. The first Intendant of New France, Jean Talon arrived in Québec in 1665. There was a regular exchange of instructions, letters and reports between Québec and the French court.



Seal of the Sovereign Council, January 30, 1742
CA ANQ-Q TL5/6 Collection Pièces judiciaires et notariales
dossier 1280

The Sovereign Council

The Sovereign Council was a judicial body similar to those that were established in the French provinces from the end of the Middle Ages. Established by an edict dated April 30, 1663, the Council acted essentially as a court of appeal, but it also had the power to register and examine (right of remonstrance) regulatory documents issued by the monarchy, ordinances, letters patent, and edicts, before putting them into effect throughout New France. In fact, the Council's involvement in various matters was determined by the Intendant and the Governor. Like the other sovereign councils established in France to oversee Louis XIV's territorial conquests (Alsace, Artois, Roussillon, etc.), it operated according to the rules of the Coutume de Paris, although it was not possible to purchase a position as councillor and there were no lawyers. The Council consisted of, in order of precedence: the Governor; the Bishop; the Intendant; the councillors, initially appointed jointly by the Governor and the Bishop, but after 1675 by the King alone; an attorney general; and a registrar. Although ranked only third in the hierarchy, the Intendant, as president of the council, was responsible for sounding opinion, gathering votes and announcing decisions.



New France
NEW HORIZONS



Public notice from the bailiff Clesse announcing the auction of the seigneurie of François Bonhomme, May 8, 1729
CA ANQ-Q TP1 S37/3 Fonds Conseil supérieur de Québec
Série Registres divers et pièces détachées pièce 105

The Administration of Justice

After 1664, the only legal code employed in the colony was the Coutume de Paris. Each of Canada's three governments, Québec, Trois-Rivières and Montréal, had its own royal court. The principal law officers of these lower courts were the civil and criminal lieutenant general (royal judge), the special lieutenant (assistant royal judge) and the King's prosecutor. In Québec there was also the *Amirauté*, a court for judging maritime issues; and the *Officialité*, the Bishop's court, which heard civil and criminal cases involving members of the Church. Appeals relating to all these courts were heard by the Sovereign Council, the highest court in the colony. Some seigneuries had courts that delivered verdicts on minor cases, and their judgements could be appealed to the royal court of the government under whose jurisdiction they came. After 1713, France began sending new settlers to Île Royale (Cape Breton Island), and the King established lower courts there; appeals to judgements made by these courts were heard by the Superior Council in Louisbourg.



New France
NEW HORIZONS

Crimes and Criminals

In Canada during the 17th and 18th centuries, as in France, people accused of crimes were presumed guilty, and judges used interrogation and, in the case of serious crimes, torture to obtain confessions. The situation was different in England and its North American colonies, where the accused was considered innocent until proven guilty. Furthermore, Canadians accused of crimes did not have access to lawyers to defend them, because the King prohibited lawyers from practising in order to avoid "squabbles." About half of the criminals in Canada were accused of crimes against persons: verbal violence, such as abuse or slander; or physical violence, including assault and battery, infanticide, duelling and murder. The justice meted out was harsh, but the number of criminal trials was relatively low, possibly because there was less social tension than in France and society was more tolerant, or because living conditions were somewhat easier.



Case of Marie-Anne Gendron, sentenced to be hanged and strangled for having "destroyed and murdered her child,"
April 19, 1732
CA ANC MG8-A5



New France
NEW HORIZONS

The Chief Road Officer

The chief road officer was responsible for the construction and upkeep of the streets, roads and bridges, and for establishing building lines in the towns. In the early decades of the colony, the St. Lawrence and its tributaries were the principal means of communication. After completion of the *chemin du roi* [the King's road] in 1737, the Québec-Montréal trip could be made in four days.



Commission of chief road officer, granted by the Compagnie des Indes Occidentales to René Robineau de Bécancour, first chief road officer of New France, March 29, 1667
FR CAOM COL F3 3 fol. 342-343



New France
NEW HORIZONS



Commission of captain of the 12th Company of the Montréal Militia, granted to Pierre Guy, by Charles de Beauharnois de la Boische, Governor of New France, July 30, 1743
CA ANC MG23-GIII28

The Captain of the Militia

Officially established in 1669, the militia was composed of every man between the ages of 16 to 60 years able to bear arms. The militia companies were divided by parish in the country, and by neighbourhood in the towns. Every company was headed by a captain appointed by the Governor General of the colony. It was the captain's responsibility to communicate orders and put them into effect throughout his territory, whether they were issued by the military or civil administrations. In this way, he was the local representative of the Governor and the Intendant. Although militia captains were not paid, they enjoyed considerable prestige and benefited from a number of privileges attached to the position.

Petitions to the Secretary of State for the Marine

In France, from 1669 on, responsibility for the colonies fell to the Secretary of State for the Marine. He settled affairs related to New France on behalf of the King, and it was to him that individuals and institutions (including religious communities) addressed written requests known as *placets* [petitions]. The majority of these documents concern requests for pensions, increases in the salaries attached to official appointments, bonuses or letters of naturalization, together with appeals for intervention on legal matters.



Petition from Marie-Charlotte Legardeur, widow of Pierre Robineau de Bécancour, Baron de Portneuf, addressed to Secretary of State Jean-Frédéric Phélypeaux, Comte de Maurepas, requesting a pension, 1729
FR CAOM COL C11A 51 fol. 10



New France
NEW HORIZONS

Canada's Expenditures

Canada's expenses were paid from two sources. The royal funds allotted to the colonies covered the largest share of the costs. The other source was domestic revenues derived from the royal domain, such as customs duties on imports and exports. Costs were high, because they included upkeep of the forts and other public buildings; salaries of the administrators, officers and soldiers; and contributions to the various religious communities to help maintain the hospitals and educational establishments. In fact, Canada's expenditures were higher than its revenues. This was especially true in the final years of the regime, when military spending was very high.



État des payemens que le Roy veut et ordonne être faits par Mr Jean Baptiste Jacques Boucher, Trésorier Général des Colonies, pour les Depenses cy après mentionnées, faites et à faire pour le Service de Sa Majesté en Canada pour Lannée 1751 [Statement of the payments that the King wishes and orders to be made by Mr. Jean Baptiste Jacques Boucher, Treasurer of the Colonies, for the Expenses listed below, incurred and to be incurred in the Service of His Majesty in Canada for the Year 1751],
June 1751

FR CAOM COL C11A 119 fol. 431-444vo



New France
NEW HORIZONS



Plan to introduce capitation in Canada, 1754
FR CAOM COL C11A 99 fol. 529-533vo

The Capitation Plan

In France, an additional tax called capitation was imposed in 1695 and remained in effect until the Revolution. Taxpayers were divided into 22 classes based on their income and were required to pay taxes ranging from 1 to 2000 *livres*. The inhabitants of New France did not have to pay income tax, except on occasion for specific purposes, such as the building of Montréal's ramparts. A plan to impose capitation in Canada was drawn up in 1754, but it was never implemented.



New France
NEW HORIZONS