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THE RELATIONS BETWEEN CHURCH AND STATE IN NEW FRANCE

1647 - 1685

by

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Thesis presented to the Institute
of History, University of Ottawa,
as partial fulfillment of the
requirements for the degree of
Doctor of Philosophy

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ABBREVIATIONS

The following abbreviations have been employed in the footnotes in referring to often quoted source material, whether manuscript, printed or microfilmed:

<u>A.A.Q.</u>	Archives de l'Archevêché de Québec
<u>A.C.</u>	Archives de Colonies, Paris
<u>A.J.M.</u>	Archives Judiciaires de Montréal
<u>A.N.</u>	Archives Nationales, Paris
<u>A.P.Q.</u>	Archives de la Province de Québec
<u>A.S.M.E.</u>	Archives du Séminaire de Missions Etrangères
<u>A.S.Q.</u>	Archives du Séminaire de Québec
<u>B.N.</u>	Bibliothèque Nationale, Paris
<u>B.R.H.</u>	Bulletin de Recherches Historiques
<u>B.S.S.P.</u>	Bibliothèque de Saint-Sulpice, Paris
<u>Collection MSS</u>	Collection de Manuscrits contenant Lettres, Mémoires et autres Documents
<u>Edits</u>	Edits, Ordonnances Royaux, Déclarations et Arrêts, etc
<u>Jugements</u>	Jugements et Délibérations du Conseil Souverain de la Nouvelle France
<u>Mandements</u>	Mandements, Lettres pastorales et Circulaires des Evêques de Quebec

Ordonnances

Ordonnances, Commissions, etc. des
Gouverneurs et Intendants de la
Nouvelle France

P.A.C.

Public Archives of Canada

R.A.P.Q.

Rapport de l'Archiviste de la Province
de Québec

R.H.A.F.

Revue d'Histoire de l'Amérique
Française

S.R.C.

Sacra Rituum Congregatio, Rome

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CURRICULUM STUDIORUM

Cornelius J. Jaenen was born at Manor, Saskatchewan, on February 21, 1927. He received his Bachelor of Arts (Honours) in May, 1947, and his Master of Arts in May, 1950, from the University of Manitoba. The title of his thesis was The Origins and Growth of the Pentecostal Movement in Western Canada. He also holds a Diplome de Fin d'Etudes of the University of Bordeaux which was granted at the successful conclusion of a summer semester in October, 1948. After a three-year term of service with the Ministry of Education of the Imperial Ethiopian Government he returned to the University of Manitoba to complete requirements for the degree of Bachelor of Education, which was conferred in May, 1958.

ERRATA

- p. 1 l. 14 appear to have cast off completely
p. 2 l. 18 confirmed tacitly or expressly
p. 3 l. 19 It can be understood better if
p. 4 l. 24 to obey them for this reason
p. 7 l. 14 a feat of some proportions
p. 7 l. 18 church legally to depose
p. 9 l. 4 to subject the church completely
p. 22 l. 17 it had been ascertained that
p. 36 l. 11 The Jansenist doctrine
p. 45 ll. 1-2 to distrust the Jansenists completely
p. 51 l. 5 so none rightly may resist
p. 54 l. 12 to suspend all Gallican
p. 56 l. 12 movement was greatly undermined
p. 70 l. 21 to visit the Jesuit chapel again
p. 80 l. 9 first concerns
p. 84 l. 8 and that by the determination
p. 94 l. 5 During his absence
p. 95 l. 18 who devoted their energies
p. 100 l. 12 because it destroys by its activity
p. 113 l. 12 the Governor, de Tilly, de la Ferté
p. 119 l. 12 The election of Le Mire was challenged
p. 123 n. 138 l. 6 ceux-ci se contrôlant
p. 128 l. 6 She, like the Jesuits, was certain
p. 134 l. 5 similar to the one concerning which they had
p. 145 l. 9 of the colony's morals
p. 149 l. 15 not the custom so to mingle
p. 151 l. 9 before this decided never to convoke
p. 151 l. 13 and quietly to suppress
p. 157 l. 5 reconstituted the Provost Court
p. 158 l. 7 neglected to enforce the ordinances strictly
p. 158 l. 17ff full knowledge of the mistreatment and imprisonment of Sieur Bogard, lieutenant of Frontenac's guards.
- p. 159 n. 26 Jousse, op. cit., pp. 90-149
p. 172 ll. 6-7 refused to define precisely
p. 174 l. 7 objections to calling d'Ailleboust
p. 179 l. 1 To have invited him immediately
p. 179 l. 23 that Laval had named two Officials,
p. 180 l. 6-7 or his assistant,
p. 184 l. 7 State which solicited the Iroquois
p. 187 l. 11 Saint-Sulpice to testify against him
p. 192 l. 12 so far as to warn
p. 199 l. 15 accusation that he had declared publicly
p. 208 l. 13 that I should be informed it was not so used
in France
p. 211 l. 20 meaning of the word equal,
p. 235 l. 17 not to complain publicly
p. 244 l. 4 At sea there were acrimonious

p. 261 l. 15	invited to debate the matter publicly
p. 262 l. 3	meetings to be held at the <u>presbytère</u>
p. 268 l. 6	he had Daniel Voil
p. 273 l. 18	honorary titles and rights
p. 274 l. 4	The officers of the royal contingents
p. 284 l. 18	appear before the Sovereign Council no pages 290 - 298 inc.
p. 302 l. 7	to receive incense and holy water
p. 305 l. 2	The whole matter was raised again
p. 307 l. 3	One might wonder why
p. 310 l. 2	between honorary presidency,
p. 311-1. 18	according to the King's declaration
p. 333 l. 18	and asked that captains
p. 370 l. 13	We find M. de Bernières wishing
p. 373 l. 8	limited to three-year terms
p. 384 l. 13	and that his explanation
p. 389 l. 5	in conformity to the proposed bulls
p. 395 ll. 12-13	for his predicament
p. 399A l. 12	sent by Laval with a letter of exchange
p. 419 l. 1	The Sovereign Council also sent the same comment to Colbert which it had received
p. 419 l. 2	from the King to the effect that the article
p. 427 l. 13	and he is reported to have written in this sense
p. 431 l. 19	had not been forwarded yet

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INTRODUCTION

The purpose of this study is to examine in some detail the relations between Church and State in New France during the period 1647 to 1685. An attempt will be made to determine the extent to which the Church and the State were complementary and or conflicting forces in the cultural, economic, political and military settlement of the Canadian colony. Such a study will be launched from the point of view of the manifestations of Gallicanism that could have influenced colonial development. As there is no recent and fully documented investigation of this important aspect of the early history of Canada this study seems amply justified.

The limiting dates of this study require some justification. In Canada 1647 marks the creation of a Council, on which the clergy was represented, to assist the Governor in the administration of the colony. The year 1658 had originally been selected but was abandoned in favour of an earlier date in order to study the situation prior to the arrival of the Vicar Apostolic, Mgr. de Laval. Paucity of documentation and lack of any issues which might be called characteristic of and unique to the earlier period determined the abandonment of any thought of beginning before 1647. Of course, this has not prevented references, for the sake of clarity or determination of origins, to this earlier period.

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The year 1685, as the point of termination, can be defended on grounds of the termination of administrations of Governor and Intendant, in terms of the resignation of the first Bishop, in terms of the revocation of the Edict of Nantes. In other words, this study commences with the period of colonial history for which there is ample documentation and terminates with what has been called the decline of the "great period" of the Age of Louis XIV. It is believed that the chains of events in Canada lend themselves readily to such circumscription.

The period studied includes the most brilliant period of the long reign of Louis XIV, the intendency of Talon, the first administration of Frontenac, the first Iroquois wars, and the episcopacy of Mgr. de Laval. It is, so far as the history of New France is concerned, one of the better known periods of history; nevertheless, there has been little investigation of the all-important relations between the civil and ecclesiastical powers in the colony during this period. The background of friction between church and state in France at the time lends a special urgency to a study of this type.

Perhaps it is necessary to state that there has been no hesitation to incorporate information about developments in France, in the French West Indies, and in the Thirteen Colonies when these developments have been of

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major importance in clarifying an idea or a situation arising in New France. Apart from a general survey of religious developments in France prior to 1685, no obligation was imposed to undertake any extensive treatment of parallel developments outside New France.

One of the difficulties of working at least part of the time away from the great depositories and libraries is the impossibility of consulting sources at the very moment one would wish to do so. Therefore, throughout this study the manuscript, transcript and printed sources consulted are cited as they were consulted. In most cases transcripts in Ottawa and Quebec were checked against each other. Microfilms from the Paris archives imposed no similar need for verification.

Throughout this study it becomes apparent that Louis XIV attempted to rule his kingdom himself, especially as his reign advanced. In his Councils he appointed few nobles and no clergy; most of the appointees were from the middle classes and owed him everything and therefore became instruments and tools of the monarchy. Nor could the upper clergy in France afford to incur the royal displeasure. The Canadian colony came under the jurisdiction of the Ministry of the Marine, which had no definite bureau of administration but which moved about with the Minister who tried to keep near to the King.

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This Minister of the Marine was responsible only to the King. Although he was the servant of an absolute despot, this Minister could do a great deal to help formulate royal policies. This was particularly true of Colbert because he applied himself to the details of administration and assumed much of the correspondence himself. While it is true that, in theory at least, Louis XIV made all decisions personally, in practice, his decisions might be inspired by a particularly forceful and well-informed Minister.

One of the keys to the study of colonial history is the information of the King's Minister. The colonial officials each year received royal communications from the King's ship which arrived at Quebec between late August and mid-October. The royal and ministerial communications outlined policy, answered questions that had been advanced, and entered into some of the most minute details of administration and police duties. The return despatches were to inform the Minister and the King of the measures taken in line with the royal will, the new problems that had arisen, and outline in some detail the possible solutions to these problems. It was also the practice for both the King and the Minister of the Marine to consult personally individuals conversant with the colonial situation. Moreover, they encouraged memorials from various non-official persons in the colony or who had been to the colony.

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Added to this great bulk of official correspondence, and the great volume of official acts and of local administrative decrees, there is also the private correspondence, particularly of the clergy, to guide one through the main events and details of the period.

CHAPTER 1

GALLICANISM : THE FRENCH BACKGROUND

The struggles between the ecclesiastical and the civil powers in New France were reflections of the struggle in the motherland between the Gallican party and the Ultramontane camp. And it is properly to these struggles that we must first turn therefore.

Gallicanism may be said to be rooted in Roman traditions and Gallo-Roman history insofar as it concerned itself with that area of ill-defined, ambiguous, unresolved interaction between the head of state and the priesthood where an intriguing fusion of incompatible elements survived. The early Catholic Church had been willing to grant to the Roman Emperors, in return for protection, a position of adviser and supervisor. But the Emperors do not appear to have completely cast off the divine character that paganism had attached to their office and so they tended to translate it into terms of the new religion which the Empire adopted. They continued to consider themselves as religious heads of state. Gallicanism in a sense revived this concept.

But Gallicanism drew also upon a clear and long-standing co-operation between Frankish kings and the Papacy. The conversion of Clovis to Roman Catholicism (496) marked

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the beginning of such an alliance which was strengthened under Pepin, Charlemagne and Hugh Capet. As there may be traced a line of succession in the church so there may be traced a line of succession in the kingship of monarchs willing to protect the church.¹ All these events built up the tradition of the French king as "eldest son of the Church".

Gallicanism has also been considered from what has been called its constitutional and doctrinal aspects, both of which were increasingly combined in the post-Reformation period. The dogmatic aspect went back to the early history of the Church and concerned the question of ecclesiastical government itself. It grew out of that movement in the Catholic Church which always held that the infallibility in the church resided in the Pope and bishops jointly. The Pope might express in the first instance, according to this view, but his judgments had to be tacitly or expressly confirmed by the bishops of the universal church before they had the force of law.

¹ F. Isambert et al.; Recueil général des anciennes lois françaises (Paris, 1822-1833), Vol. I, pp. 20, 36, 50, 66, 71, 72, 83, 264

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Constitutional Gallicanism arose out of the relations between church and state in France in the thirteenth century. It was a reaction against papal intervention in the temporal affairs of princes and against the papal claim to the right to depose kings. The "Gallican liberties" found expression in an ordinance of January 5, 1355.² The political implications of Gallicanism were the elevation of the monarch to the position of a bishop of external affairs, the secular arm in the service of God, the defender of the sacred canons, the head of political and ecclesiastical society.³

The two aspects of Gallicanism, doctrinal and constitutional, were inextricably united after the Reformation, especially through the writings and preaching of Edmond Richer (1559-1631). The Gallicans held steadfastly to the interpretation that the Bishop of Rome was only primus inter pares, the first among his peers, with no authority apart from the oecumenical councils outside his own immediate jurisdiction. It can be better understood if

² Isambert, op. cit., Vol. IV, p. 763

³ L. Groulx, " Le Gallicanisme au Canada sous Louis XIV", Revue d'Histoire de l'Amérique Française, Vol. I, No. 1 (June, 1947), p. 57

we see to what it stood in opposition. Ultramontanism was distinguished by two main theses: first, that the spiritual power is superior to the temporal; secondly, that sovereignty belongs to the people. By attempting to ensure the supremacy of the Papacy over the temporal power and by enunciating the principle of popular sovereignty (a basis for consent) the Ultramontane party justified the extirpation of heretics, for example, not only for the sake of morality but also for the sake of public peace.⁴ The Gallican party proclaimed the independence of temporal authority and denied the doctrine of popular sovereignty.

One of the better definitions of Gallicanism was given by Pierre Pithou in his book Libertés de l'Eglise gallicane published in 1594:

What our fathers called Liberties of the Gallican Church... will be found to depend upon two very related principles, that France has always held as certain. The first is that the Popes may order or command nothing, either in general or in particular, in what concerns temporal matters, in the countries and lands of the most Christian king: and if they command or legislate something there, the subjects of the king, even if they were clerics, are not held to obey them for this reason. The second, that though the pope be recognized as sovereign in spiritual matters, nevertheless in France the absolute and infinite power has no place, but is restrained and limited by the canons and rules of the ancient councils of the Church received in this kingdom.

4 W.J. Stankiewicz, Politics and Religion in Seventeenth-Century France (Toronto, 1960). pp. 88-89

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Upon these two principles, either conjointly or separately, depend several other individual ones which have rather been practised and executed than written by our ancestors, according to the occurrences and subjects which presented themselves. 5

Historically, then, Gallicanism may be equated with the principles of the independence of the French Catholic Church, particularly since the thirteenth century. This Gallicanism manifested itself as a resistance on the part of the state to the centralizing bias of Catholicism in Europe, a bias noticeable especially after the Council of Rheims (1049) which recognized the Bishop of Rome as "apostolic primate of the universal church". Gallicanism held that the tradition of the Church Fathers, the ancient customs and usages of the church and the decisions of general councils represented the highest doctrinal authority, apart from Holy Scripture itself, even above and beyond the bulls and decrees of the Popes.⁶ Bishop Bossuet. "the

5 Cited in Gustave Lanctôt, "Situation Politique de l'Église Canadienne sous le régime français", Rapport 1940-41. La Société Canadienne d'histoire de l'Église Catholique (Ottawa, 1942), p.36

6 The Codex Juris Canonici issued in 1918 made untenable in law the Gallican position regarding the status of oecumenical councils as superior to the papacy in authority. Canons 222 and 229 cover the matter of general councils; they make it clear that no council can be called except by the Roman pontiff. He has the right to preside in person or through others, to determine the matters discussed and their order on the agenda, to transfer, suspend or dissolve the council, and to confirm or not

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Eagle of Meaux", in defending the Gallican position pointed out what he believed to be a demolishing argument against objections raised by the Ultramontane party:

I say that the Holy See loses nothing in the explanation of France, because the ultramontane party even concedes that, in the case where it puts the council uppermost, one can proceed against the Pope in another manner, by saying that he is no longer Pope...⁷

Gallicanism became the rallying point for the rights of the French national church in the face of a struggle for supremacy with the Holy See. During the negotiations for Msgr. de Laval's papal bulls in 1674 one of the intermediaries at Rome was warned not to refer to the French church's claims as "privileges" but rather to avoid the amendment and derogation this term would call forth; they were only "the common law" in the usage of which the Church of France has maintained herself against all the enterprises of the Court of Rome, "which always

confirm its decrees. Canon 228 states that from the judgment of the Roman Pontiff there is no appeal to the council. The door has been effectively closed, according to the opinion of one Protestant observer, upon the appeal made again and again throughout the Middle Ages for a general council for the "correction of the church in head and members". Cf. V.A. Peterson, "The Development of the Canon Law since 1500 A.D." Church History Vol.IX (1940), pp. 241-2. From the Protestant point of view these rulings are stumblingblocks in the way of reunion of the historic liturgical Protestant churches with Roman Catholicism.

⁷ H. Massis, ed., Lettres de Bossuet (Paris, 1927), Bossuet to Cardinal d'Estrees, December 1, 1681, p. 144

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advances its authority and pushes it by imperceptible progress as much as it can.⁸ Gallicanism went further and affirmed the superiority of the state over the church not only in temporal matters but also in certain ecclesiastical matters. That was why Mgr. de Laval was anxious to examine the wording of his papal bulls: one contemporary report caught the importance of such a matter:

He is worried how they will have drawn up the bull and what terms they will have used to express the liberties of the Gallican church or under what equivocation they will have made them pass.⁹

Such a document had to meet the approval of the court of Rome and the court at Paris, a feat of some proportions.

In practice there were several important conclusions which followed from the basic premises of the Gallicans, It was held that it was impossible for the Church to legally depose a King of France even if he were an heretic or a backsliding Catholic. The Pope was held incapable of excommunicating Royal officials in the exercise of their duties or of dispensing them or absolving them from temporal duties.

⁸ S.R.C., Doc. XLV, No. 4, Gazil to Pallu, July 26, 1674, p. 341

⁹ S.R.C., Doc. XLV, No. 2 Gazil to Pallu, 1674, p. 339;

P.A.C., A.S.M.E., Vol. V. p. 310

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Gallicanism was an affirmation of the principle that all the the clergy remained subject to state law. The Pope was not recognized as exercising jurisdiction in criminal cases which were not totally religious. It was an assertion that the King possessed exclusive right to nominate clergy to the chief benefices and bishoprics. It affirmed the right of the King to call national councils to regulate matters of ecclesiastical discipline. Finally, it implied acceptance as canon law only those canons which were approved by the whole of the Catholic Church.

Few churchmen so eloquently defended the spiritual claims of the Holy See while stoutly resisting the encroachments of Rome in the temporal sphere as did Bossuet. He used to say that if the people believed the truth they would live well. The Gallicans were not heretics in the seventeenth century; they were Catholics who devoted their lives to teaching Catholic truth as they saw it. Of an address to the national clergy the learned bishop could report as follows to Cardinal d'Estrees:

I may say in general that the authority of the Holy See appeared to be very great to the whole audience. I took care to bring out its majesty as much as I could; and, in exposing with all the respect possible the ancient doctrine of France, I studied as much as to how to place limits on those who abused it as to how to explain it it self...10

10 Massis, op. cit., Bossuet to Cardinal d'Estrées, December 1, 1681, p. 141

Louis XIV at this time hoped to control affairs in Europe and also to make his own subjects absolutely submissive to his will and commands. Part of this plan to rule his kingdom alone was to completely subject the church to his will. In a sense he succeeded although it must be remembered that a multitude of men and factors intervened so that his paternal, direct rule was more of an appearance than a reality. In New France this was even more true, for although he left his colonial officials no complete and untrammelled authority, the weight of absolutism was lighter than sometimes suspected because in such a colony, remote from the court, the King not only was dependent upon his officials to execute his orders but also was dependent upon them for information and policy-making.

The basis for the struggles between church and state in France, and in New France too, was not the spiritual claims of Rome but the temporal claims of Rome. The quarrel was further engendered by the claims of the state in the spiritual sphere.¹¹

¹¹ Lanctôt, *op. cit.*, pp. 35-36. Lanctôt in his brief consideration of the historical principles of Gallicanism has come to much the same conclusions.

Bossuet stressed the advisability of emphasizing the spiritual message of Gallicanism and for a time complimented himself that in so doing he had even obtained papal approval of his statement of the Gallican propositions:

For what pertains to the Avertissement, I also took the liberty to send it to His Holiness, who did me the honour to write me, by his brief of 12 July 1679, that he had received this Avertissement, and even to give it much praise...After that, Monseigneur, I do not need to be troubled about the basis of my doctrine, because the Pope approves so clearly that we place the essential authority of the Holy See only in those matters about which all the catholics are in agreement, All one could say in strictest terms, is that it is not necessary to stir up so often these matters, and especially in the pulpit and before the people...12

The path was not to be all that smooth however. It was this papal brief to Bossuet that Cardinal d'Estrées used on October 2, 1682, in argument against Innocent XI that the Pope could not condemn the Gallican maxims. But the latter merely replied that part of Bossuet's writings had escaped his attention. "Ma se questo e scappato." 13

12 Massis, op. cit., Bossuet to Cardinal d'Estrées, December 1, 1681, pp. 143-144

13 Ibid., p. 321, Notes

Gallicanism found legal expression in two documents issued prior to the establishment of the colony of New France. The first of these was drawn up during the long and troublesome Council of Basel, which reasserted conciliar claims over "papal pretensions," and has been viewed in some quarters as representative of the supreme will of the nation because it was a joint act of the French clergy and the French monarch.¹⁴ This document, the Pragmatic Sanction of Bourges (1438), called for the suppression of annates in the realm, the assembling of decennial national synods and the maintenance of the "liberties of the Gallican church".¹⁵ The assembly of the French clergy also introduced an amendment whereby Charles VII and his successors might nominate bishops and abbots to vacant benefices, but on an irregular basis only:

The assembly sees no inconvenience if from time to time the King or the princes intervened in the elections by means of gentle petitions and benevolent recommendations.¹⁶

14 A. Galton, Church and State in France, 1300-1907 (London: 1907), pp. 18-19

15 Isambert, op. cit., Vol. IX, pp. 3-47

16 L. Madelin, France et Rome (Paris, 1913), p. 72

These "douces prières" and "bienveillantes recommandations" were the occasion for the development of a full-blown royal prerogative. Indeed, the proceedings at Bourges revealed a multiplicity of motives operating against "papal pretensions". The monarch and his ministers were concerned about the flow of gold out of France in costly appeals and annates; the upper clergy were alarmed at the number of lucrative charges given to Italians within the French domains; the Parlements decried appeals to Rome as a derogation of their powers; and the University of Paris wished to maintain its privileges and opportunities too. All seemed to find a common ground in the "Gallican liberties".

But the situation was far from settled yet. An assembly of the clergy at Chartres, perturbed by the accusation that the French Church was "schismatic", considered the possibility of a negotiated agreement with the Papacy until a forged Pragmatic Sanction of Louis IX was produced. Then in 1461, Louis XI renounced the Pragmatic Sanction of Bourges in a move that seemed to be a rapprochement with Rome.¹⁷ It soon became evident that by alternately withdrawing and modifying it he never sacrificed any royal powers, however much he might flatter the Pope.

17 Isambert, op.cit., Vol.X, pp. 393-396

Under petition and pressure from the clergy Charles VIII and Louis XII restored the Pragmatic Sanction.¹⁸ Then came Francis I, in need of money and not unhappy to have papal support in his Italian diplomacy, who was willing to take up Leo X's offer for a concordat.

It was this Concordat of Bologna (1516) that was the second great charter of Gallicanism.¹⁹ The Gallicans must have been perturbed by the chief clause that henceforward nominations to elective benefices would belong to the King and not to the chapters, and that canonical investiture would pertain to the Holy See. The terms made of the King the great elector of the realm:

The chapters and canons of these churches may not proceed to the election or the nomination of the future prelate...the King of France... will be held to present to us and name, and to our successors the Roman bishops, or to the said apostolic see there to be by us invested...²⁰

If the French clergy had shaken off any papal control it was only in order to assume a royal yoke.

18 Isambert, op. cit., Vol. XI, pp. 200-205, 333-379

19 Ibid., Vol. XII, pp. 75-97, 114-118

20 Isambert, op. cit., Vol. XII, p. 79

This placed in the King's grasp a considerable part of the wealth of the church and he could appoint to all higher ecclesiastical posts only those who would be obedient to his wishes. In particular, it enabled him to reward the loyalty and service of the great noble families by providing their younger members with lucrative sinecures.²¹ The results were not always salutary for the spiritual life of the Church.

The Gallican clergy could take some satisfaction from the provisions for the abolition of the grâces expectatives, by which the Papacy had once virtually disposed of many benefices before these fell vacant, for restraints on appeals to Rome, for provision for termination of ecclesiastical cases within the realm, and for the lifting of the non-intercourse rule with respect to excommunicated persons.²² The Pope had attempted to have the annates collected by virtue of a separate bull, but the Parlement of Paris in registering the royal letters-patent for the Concordat refused to register Leo X's bull.²³

21 J. Lough, An Introduction to Seventeenth Century France (London; 1954), pp. 90-91

22 Isambert, op. cit., Vol. XII, pp. 88-92

23 Ibid., Vol. XII, pp. 98-99

Leo X had in fact attempted to mollify the opposition by issuing an indult according to the French kings the right to nominate to the archbishoprics, bishoprics and other consistorial benefices in Brittany and Provence. ²⁴

The King had gained much by the Concordat. The Papacy had managed to have expunged all references to the conciliar principles enunciated at Basel, had reserved for itself the naming of successors to prelates who died while at the Roman court or nominees who were found canonically disqualified. Also monasteries and chapters which had enjoyed special papal privileges retained these. The spectre of schism which had haunted the French Church since 1438 was now dispelled. The French kings would not have to pass over into heresy in order to despoil the church (as the princes of Germany and kings of Scandinavia and England did); so French Catholicism was preserved from the Protestant upheavals that followed.

There were even a few Gallicans who professed to find in the Concordat a return to the ancient practices of the national church:

Since the Concordat passed between Pope Leo X and the King Francis I in 1515 the usage of Elections is abolished in France; our Kings have returned to the right which had been possessed in ancient times by their Predecessors to name to the Bishoprics and Abbeys of their Kingdom,

²⁴ Isambert, *op. cit.*, Vol. XII, p. 99

This was putting a bold face upon it, no doubt.

What were these "liberties" of the Gallican Church? The canons which the French took as their guide were the code approved by the Council of Chalcedon, the Ancien code des canons.²⁶ Although the French Church adopted all the doctrines of the Council of Trent it did not formally accept the discipline of that Council. But by 1625 the "reception" of Trent ceased to be a political question in France, however, and it was a matter of the passage of time before the prescriptions were practically executed in the French dioceses.²⁷ The same situation obtained in the colony of New France.²⁸ Among the rights claimed by the Gallican Church were the royal right to create new bishoprics and unite two old ones, to transfer a bishop from one diocese to another, to abolish the indulgences of cardinals, to provide for the administration of a vacant cathedral church, to define the rank and power of the Roman cardinals in France, and to regulate and confirm the

²⁶ Isambert, op. cit., Vol. I, pp. 34, 38-43, 46, 48, 52, 57, 60

²⁷ E. S. Chill, The Company of the Holy Sacrament, 1630-1666 (New York, 1960), p. 14

²⁸ Bishop Saint-Vallier instructed his clergy (circa. 1691): "Relisez les saints canons de la 14e session du Concile de Trent examinez les marques de contrition, etc." Mandements, Vol. I, p. 283

election of bishops and give coadjutors to such of them as from age or infirmity required assistance.²⁹

When Cardinal Bellarmine asserted papal authority and published a book against the defenders of the royal prerogative his book was banned by the royal Council. An English Protestant commented rather bitterly:

The Pope's Nuncio made very heavy Complaints against that Decree at Court, just as the Parliament were become Hereticks for asserting the rights and Prerogatives of their Sovereign, against unjust and tyrannical Usurpations of a vile Priest. The Government was then so weak, or rather the Queen-Regent had already so far prostituted the Honour and Dignity of the Crown of her Son to the Pleasure of the Courts of Madrid and Rome, that dreading the Resentment of this last she ordered that the Execution of the Decree of the Parliament should be superseded. 30

The struggle between Gallican and Ultramontane factions was well engaged.

Some five years later in the meeting of the Estates-General of France the Third Estate proposed an article

29 Isambert, op. cit., Vol. IV, p. 673; Vol. XIV, pp. 64, 381, 585; Vol. XVI, pp. 247, 266; Vol. XVII, p. 243

30 S.A. Laval, A Compendious History of the Reformation, and of the Reformed Churches in France (London, 1741), Vol. IV, Book VIII, pp. 534-535

stipulating "as an inviolable and fundamental Law of the Realm" the proposition that the King be acknowledged in France as Sovereign" and holding his Authority from God only, there is no Power upon Earth, either Spiritual or Temporal, who has a right of depriving him of his own Kingdom, or to dispense his Subjects or to absolve them for any Cause whatsoever of the Fealty and Allegiance they owe unto him." ³¹ They wanted all Frenchmen without exception to hold this law as "holy, true, and agreeable to the Word of God, without any Distinction, Equivocation, or Limitation soever."

It was not surprising, therefore, that the King should claim the full right to secularize a monastic church, to unite old and erect new parishes and other benefices, to provide for the government of hospitals, to fix the age of marriage, to dispense with such prohibitions in marriage as were the creation of human law or canon law (whenever impediments arose from civil law no ecclesiastic had the right to assume to remove it), and to fix the age at which monastic orders might be entered and holy orders conferred. ³²

³¹ Isambert, op. cit., Vol. XVI. p. 54

³² Isambert, op. cit., Vol. XIII, pp. 391, 471; Vol. XV, p. 305; Vol. XVI, pp. 227, 520

Missionaries leaving the kingdom first had to obtain a brevet from the King which not only acted as a measure of control like an exit visa, but also assured them the privileges of the French church and protection of the French crown wherever they laboured.³³ The King alone since 1498 could legitimize bastards and the Gallican Church went so far as to dispense with the rule prohibiting bastards from holding benefices, though the Pope had reserved this dispensation to himself since the eleventh century.³⁴ The French clergy accepted such an arrangement as a natural and proper division of powers:

Our privileges of the Gallican Church are nothing else but a just and necessary precaution against the Romans I am going to give you a few examples, a pope by his spiritual authority may dispense a professed religious from his vows, but he can not make him capable of inheriting, because that would trouble our laws, he may make a bastard entitled to possess a benefice but not entitled to inherit. Each authority has its limits. 35

Similarly, Louis XIV forbade the foundation of any monasteries without his previous consent and letters-patent,

33 P.A.C., A.S.M.E., Vol. II, fol. III, p. 437

34 Isambert, op. cit., Vol. XI, p. 353

35 P.A.C., A.S.M.E., Vol. V, fol. IV, p. 318

he set the rules within some of the religious houses, he decided what buildings might be erected by the religious, he insisted upon the residence of priests in their parishes, and even issued orders for the repression of so-called pilgrims who sheltered under holy actions to abandon their families and masters and wander about causing mischief. ³⁶ The controls may have been rigid but it must also be acknowledged they were beneficial in many instances.

No papal bulls, briefs or provisions were to be executed without the express permission of the King after 1647 and Louis XIV went further and stipulated that neither were the Parlements to acquiesce to such orders nor were any of them to be recognized until they were given by royal letters-patent under the Great Seal of the realm. ³⁷ Since 1538 it had been forbidden to publish indulgences without the permission of the King. ³⁸ The annates, the first year's income in respect of all sorts of benefices, were by the bull of Leo X (1516) payable in one lump sum to the Holy See, but the bull had never been registered by the Parlement and so had never passed into French law. ³⁹

³⁶ Isambert, op. cit., Vol. XVIII, pp. 94-99
435-438; XIX, p. 461

³⁷ Isambert, op. cit., Vol. XVI, p. 525;
Vol. XVII, p. 61; Vol. XIX, p. 251

³⁸ Ibid., Vol. XII, p. 551

³⁹ Ibid., Vol. XII, p. 98

An oath of fidelity on the part of bishops to the King had been customary since A.D. 872. ⁴⁰

The civil government insisted upon scrutinizing all papal documents and we shall find that in the question of the erection of a bishopric at Quebec it was from the King that Laval received his nomination, the letters-patent for his papal bulls and it was to the King that he had to swear fidelity. ⁴¹ This was because it was the duty of the civil power to see that the King's prerogatives were not threatened, that local liberties and settled customs were preserved, that the ancient laws of the church were protected because the state was the protector of the church. The argument employed was that the secular arm could not be used to carry out and enforce church decrees unless these were first ascertained to perpetuate internal peace, order and good government.

The French bishops jealously fought for original jurisdiction in all ecclesiastical causes in their own dioceses, without the interference of papal courts. Causes could only come to Rome by devolution, arising out of neglect of those whose business it was to have tried them.

40 Isambert, op. cit., Vol. I, p. 83

41 Edits, Vol. I, pp. 33, 35, 79, 84, 339

Ecclesiastical causes did not include questions relating to the possession of benefices and ecclesiastical tithes; these came before the King's judges, and the ecclesiastical judge was not permitted to hear these cases. From the ecclesiastical courts appeals were to come to the courts of Parlement, and in New France to the Sovereign Council of Quebec, a proceeding known as appel comme d'abus, the assumption being that the ecclesiastical judge had exceeded his powers. ⁴²

Decrees of Councils were not received without question or modification in France. The decrees of both the Councils of Constance and Basle, for example, were modified; the Pragmatic Sanction of 1438 was received only with modifications. No constitution from the Pope could be received in France until the King had by letters-patent ordered it to be put into execution; and such an order was not given until it had been ascertained nothing contrary to the rights and privileges of the Gallican Church were contained therein.

⁴² The Rolland case of 1677 was an example of appel comme d'abus and will be discussed in this work in the chapter dealing with Jurisdictional Problems. The ecclesiastical ordinance of 1695 by its 34th Article laid down the principle that cases which were entirely spiritual should come before a church court and not the secular judge.
Edits Vol. II, p. 163; Jugements, Vol. II, pp. 118, 121, 132

When the Papal Nuncio presented a Bull to the King, the latter called the bishops together and their acceptance was followed by confirmation by the Court and finally letters-patent were addressed to all the Parlements (and Sovereign Councils in many cases) ordering them to register the Bull to give it legal effect. Bossuet succinctly described the procedure: "We hold that these constitutions are not binding in a French diocese until (and unless) they have been published by the bishop." 43

The decrees of the Council of Trent were to receive no special treatment in France. A critic of the church described the attitude of the Estates-General of 1614-15 in these words:

The Cardinals and the most distinguished Prelates of the Assembly being sold to the Court of Rome, were more careful to consult the Pope's Nuncio than the Canons of the ancient Councils; so that Paul V who had found Mary of Medicis so complying and submissive to the Holy See during the time of her Regency questioned not but that the time was now very proper for obtaining the Publication of it in France, providede that the General States should be disposed to require it. The court of Rome and the Clergy had often times tried under the preceding Reigns to obtain that, but without success, as we have observed in its proper Place; they did not succeed better on this occassion.

43 G.H. Putnam, The Censorship of the Church of Rome (New York, 1907), Vol. II, p. 83

For though the Clergy, by their clamours, had quite enslaved the Nobility, and that these two Orders were in a strict Union together, they met with a noble resistance in the Commons. 44

Indeed the account goes on to demonstrate how the Third Estate managed to block the efforts of the Nobility and Clergy:

The generous Miron, Foreman of their Chamber, answered Polier Bishop of Beavais, who had been sent to them by the Clergy to desire their Concurrence with them for obtaining the reception of the said Council, that for sixty years together the Council of Trent had remained undecided in France, and that it was not proper now to take any pains to have it published. How many councils have we, which we have never published in France? And yet we do observe the wholesome Constitutions made by them ...45

This stand was reinforced by the Treaty of Loudun of May 6, 1616:

- (i) The King wishes and understands, following the examples of his predecessors, that the gallican church be preserved in its rights, franchises, liberties and prerogatives.
- (ii) What has been done by the clergy in the publishing of the Council of Trent has not been approved by His Majesty; also there has been no issue therefrom and it will not be permitted that anything be done hereafter, without or contrary to his authority. 46

44 Laval, op. cit., Vol. IV, Book VIII, pp. (637-638

45 Laval, op. cit., Vol. IV, Book VIII, pp. 638-639

46 Isambert, op. cit., Vol. XVI, p. 92

On the question of papal infallibility, which was still a very much debated proposition in the seventeenth century, the French Church made itself heard too. The first councils had made no mention of papal infallibility; indeed even Clement, Irenaeus, and Tertullian never contended that Peter the Apostle had been the first Bishop of Rome possessing any superior powers to the other Apostles. The Councils of Pisa, Constance and Basel declared expressly against papal infallibility. The French clergy were willing to take up the arguments of Marsiglio of Padua and William of Occam in the matter. In 1626 the University of Paris ordered a Dominican to retract in a written statement a thesis which he had propounded contrary to the Gallican principles.⁴⁷ The sixth article of the Declaration of the Faculty of Theology of Paris presented to the King on May 8, 1631, read as follows: "That it is not the doctrine or opinion of the faculty that the pope is infallible when he has not the concurring consent of the Church." 48

47 Isambert, op. cit., Vol. XVI, p. 198

48 C. Elliott, Delineation of Roman Catholicism drawn from the Authentic and Acknowledged Standards of the Church of Rome (New York, 1868), Vol. II, p. 350

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The financial needs of the monarchy were such that in 1621 the French clergy, willingly or unwillingly, made a first don gratuit of three million livres. The Assembly of the Clergy of 1650 went so far as to refuse, at least temporarily, the don gratuit. But in general there was a strong feeling of identification with royal power. The Archbishop of Toulouse in 1651 wrote to a friend:

Unions of the clergy with the nobility are worth nothing, and Estates would be very unseasonable. The clergy and the nobility must invariably be attached to the royal power...Those who do not wish a King do not want bishops or nobles. 49

At the beginning of the troubles of the Fronde the deep conviction of the French clergy was that "the absolute authority of a just and pious king is the surest guarantee of the liberty of the Church."⁵⁰ So by the 1660's the don gratuit to the monarchy had become an institution, le don gratuit coutumier. But we shall also see that by this time the royal subsidies to the colonial church had taken on a similar character.

49 P. Blet, "Le Clergé de France et la monarchie," Revue d' Histoire Moderne et contemporaine, Vol. IX (avril-juin 1962), p. 149

50 Ibid., p. 149

The terrible famine of 1662 drew a ready response from the French clergy and Colbert was grateful for the assistance given by the Company of the Holy Sacrament. This semi-secret cabale des dévots raised money and relief supplies for the starving and later in the hands of associations of "charitable ladies", organized and directed distribution of aid in stricken areas.⁵¹ But the Company of the Holy Sacrament engaged in other activities which were not so greatly favoured by Colbert. In 1658 Mazarin in correspondence with Colbert had made hostile references to the cabale des dévots and undertook a secret investigation of their activities. Francois de Harlay de Champvallon, Archbishop of Rouen, openly denounced the society to the administration as dangerous, alleging that it knew more about affairs in his province than he did.⁵² The Parlement of Bordeaux became particularly concerned about the net work of cells spreading over south-western France,

51 C.W.Cole, Colbert and a Century of French Mercantilism (New York, 1939), Vol. II, pp. 505-509

52 H. Beauchet-Filleau, ed., Annales de la Compagnie du St. Sacrement par le Comte René de Voyer d'Argenson (Marseille, 1900), p. 205; R. Allier, La Compagnie du Très-Saint-Sacrement de l'Autel; La Cabale de Dévots, 1627-1666 (Paris, 1902, p. 346; Chill. op. cit., pp. 240-241

and the Huguenots there would have even greater reason to distrust the dévots.

With the death of Mazarin the Company of the Holy Sacrament revived its activities. The Company had always emphasized good works, as we have already indicated (St. Vincent de Paul was among its members), and so it was perhaps natural for some of the dévots to be attracted to Jansenist teachings. The Company at Toulouse seems to have been the only one that became strongly Jansenist and there a secret "Aa", an inner circle within the society, sought to destroy all its charitable institutions and so discredit it. 53

The Company of the Holy Sacrament, which was to play a very important although somewhat undercover role in the religious establishment in New France, was not an ordinary religious confraternity as this would have required it to be subject to episcopal control as were all public canonical organizations. According to its constitutions the motive behind the secret association was to:

support all the good possible and banish all the evil possible in all times, in all places, and with respect to all persons, This is a great difference between the Company and all other

53 Chill, op. cit., pp. 247-249

bodies which are limited to localities in congregations and in works. The Company has no limits, measures, or restrictions but those given by prudence and discernment in particular tasks. It labors not only at ordinary works for the poor, the sick, prisoners and all the afflicted, but at missions, seminaries, the conversion of heretics, and the propagation of the faith in all parts of the world, to prevent all scandals, all impieties, all blasphemies, in a word to prevent all evils or to provide their remedies, to embrace all difficult, powerful, neglected, and abandoned works..." 54

Having set itself up as the chief instrument for the preservation of Catholic faith and morals in France the society proceeded to pay good heed to its method of attack. The Company decided not to act on its own authority as a body, but rather to act only through its individual members by addressing themselves to prelates, to their officers and superiors, to the Court, to the magistrates. In this way the Company of the Holy Sacrament preserved its secrecy which was its special characteristic. 55

The headquarters of the secret fellowship was at Paris. The Paris membership included Michel Gazil, François de Laval, Charles de Noailles, Jean Jacques Olier, François Pallu and Armand Poitevan, men of whom there shall be occasion to say more in the course of this study.

54 Beauchet-Filleau, op. cit., p. 196 as translated in Chill, op. cit., p. 71

55 Beauchet-Filleau, op. cit., p. 197

By the 1650's there were at least 56 provincial companies, each with numerous local cells attached to it - the ideal being to have a cell meeting every four or five miles apart throughout the countryside.⁵⁶ Of special influence upon the Canadian church was the Caen group which was dominated by Jean de Bernières-Louvigny. He had founded an Hermitage in the courtyard of the Ursulines of that city and he resided there with a number of other members of the inner circle "Aa" in a quasi-monastic state.⁵⁷ A large percentage of the secular priests who served in Canada under Laval had had associations with the society. At Caen the Company of the Holy Sacrament and the "Aa" remained distinct but co-operated in efforts to annihilate the Jansenists.

In February, 1660, five young men in disheveled and very distraught condition emerged from the Hermitage to pronounce ecstatic and emotional charges against the Jansenists of Caen. Of course the civil magistrates took prompt action. A few months later, groups of hysterical dévots at Argentan and Seez caused a great disturbance

56 Chill, op. cit., pp. 91, 94

57 Allier, op. cit., p. 151. M. Sourriau, La Compagnie du Saint-Sacrement de l'Autel de Caen (Paris: Perrin, 1913), pp. 214, 216-241 describes the membership in detail.

by shouting, singing, jumping about, disrobing and rolling about in ecstatic trances. They proclaimed themselves "the fools of Jesus Christ" and began urging the populace in loud voices to flee with them "to America to carry the treasure of the faith destroyed in France by the faction of Jansenists".⁵⁸ It goes without saying that this behaviour, very similar to the charismatic eruptions of frontier Protestant sects, called for a full-scale judicial inquiry. The ensuing investigations laid bare the Hermitage's work of espionage and "persecution" for the Company of the Holy Sacrament, divulged its close connection with the Paris headquarters of the society, disclosed its secret assemblies and its method of recruitment, and obtained proof of a tight linkage with the "Jesuit congregations".⁵⁹

58 Chill, op. cit., p. 250

59 Chill, op. cit., p. 251. After these troubles the society, which disbanded in 1666, represented a kind of expurgated Jansenism. It remained politically and doctrinally obedient and supported elaborate social projects while holding to a moral rigourism and condemning the libertine tendencies of the royal court.

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The method of recruitment and the close co-operation with Jesuit lay associations are of special importance to this study because they explain the manner in which laymen and religious came in contact with each other in France and pooled their efforts and resources for the Canadian missionary venture, and also explain the reason for the widespread conviction that the Jesuits wielded undue influence.

It is interesting that this religious zealotry coincided with the Fronde parlementaire of 1648, which fought to have the office of Intendant abolished and the rights and powers of the lesser officiers secured, and the Fronde princière headed by Conde, which attempted to drive out Cardinal Mazarin and acquire honours and sinecures for themselves and their families. Basically, what was behind these Frondes was middle and lower class anger at the ruinous level of taxation which was attributable to the requirements of foreign war and the depredations of the tax-farmers, and the reaction against absolutism and the desire for a return to a state of affairs wherein the power of the Crown was tempered by that of other bodies in the state. The remnants of the crushed Frondes joined the Jansenist ranks and even conspired abroad through their

agents to induce the banished Cardinal de Retz to start a new revolt. ⁶⁰ In these circumstances it can be appreciated that the Assembly of the French clergy in 1661 condemned Jansenist teachings.

This brings us to a second major consideration - the rise of Jansenism, or "warmed over Calvinism" as its enemies called it. This revival in an acute form of austere religiosity, of Augustinian theology, of simple pietistic appeals to God without the intervention of the priesthood and the neglect of the sacraments, was essentially a reaction to some tendencies of the time. The Fleming, Cornelius Jansenius, later Bishop of Ypres, and the Basque, Jean du Vergier de Hauranne, better known as the abbé de Saint-Cyran, were the guiding lights of the movement. They received their greatest help from the famous Arnauld family ⁶¹ and the abbess of the Cistercian convent of Port Royal near Paris, Mother Angelique. Port Royal became the centre of a religious revival at once ascetic and evangelistic;

60 Stankiewicz, op. cit., p. 150

61 Antoine Arnauld, bitter foe of the Jesuits, confessor of the Port Royal community and doctor of the Sorbonne, became the chief theologian of the movement.

it became also the nerve-centre of anti-Jesuit activities within the French church. As the Jesuits were leading lights in the Ultramontane school the possibility now presented itself of condemning Gallicanism as heretical by firmly establishing its relationship to Jansenist teachings.

Jansenism expressed itself as an opposition to formal religion and to the papal control of the national church, as well as an insistence upon a high standard of morality.

Jansenism was essentially the revival, in a particularly acute form, of the perennial struggle of the few austere and deeply religious souls whose standards of theology, as of morals, are absolute, and to whom compromise with mediocrity is impossible, against the great mass of the people whose standard is mediocrity and whose weight of inertia constantly tends to lower the spiritual level of the church. It was a reaction against everything for which the great majority of the people in the church stood at the time - hence its opposition to the Jesuits, who, in their attempt to lead and control the mass, were forced to adopt the principles of the mass. 62

Jansenism flourished in an age when the representative figure of orthodoxy was the cold and moderate Gallican, Bishop Bossuet. In reaction to spiritual coldness the Jansenists stressed the relation of the individual soul to God.

62 Wallace K. Ferguson, "The Place of Jansenism in French History", The Journal of Religion, Vol.VII, No. 1 (January, 1927), p. 17

Jansenism had appeal also to various types of minds who reacted unfavourably to the uncertainty and strain of the long civil religious wars. This was expressed also in a turning to the philosophers for comfort, and a reliance upon human reason as the ultimate sanction as opposed to the more Christian faith in revealed authority. They "christianized Stoicism and rationalized Christianity" and the result of this combination was a religion that was reasonable, strongly moral, yet coldly individualistic and self-righteous.

The religious interests of the age were largely practical. The finest charitable effort was the very practical work of Vincent de Paul. The religion of the masses was largely formal for they obeyed the church as they obeyed the laws of the land, and for the same reason we sometimes suspect. It would indeed have been most impolitic not to do so. The philosophy of the intellectuals and the laxity of the masses had alike to be condoned by religious orders wishing to retain widespread popularity. The Jesuits were accused of doing just this by their Molinism, their casuistry and their probabilism. The Jansenists stood squarely in opposition to these doctrines for they stood for pure Augustinianism. They held that man was, essentially wicked - so it was impossible to give him the benefit of the doubt. Secondly, the conception of an objective and

irresistible grace as the sole means of salvation, struck at the heart of the belief in the efficacy of human reason, as well as at the faith of the masses in their ability to achieve their own salvation by the conventional good works and the purely formal observance of the church's rules. The doctrine of irresistible grace implied that those who had received it would inevitably (almost in spite of themselves) lead exemplary lives. Conversely, those who were not leading exemplary lives could not have received it and so must be among the damned. This was dangerous exposition to make before the Court. The Jansenist doctrine of predestination introduced into religion an element of terror and it was this aspect of its philosophy that prevented it ever becoming the view of the masses or the state religion.

The elect of Jansenism formed a small group of religious aristocrats who would alone be saved, whereas the Jesuit doctrines admitted the mass of the people to salvation. The Jansenist saw religion as a purely personal matter between the individual man and his God. The Jesuit thought of religion in terms of society as a whole. 63

63 Ferguson, op. cit., p. 25

Caught up in this Jansenist controversy was the Company of the Holy Sacrament. The dévots attempted to establish a dead-centre orthodoxy between the conformism of the Jesuits and the quietist intransigence of Port Royal. But this made them increasingly unpopular among the sophisticated classes whose first allegiance was to the absolute monarchy.⁶⁴ The Jesuits, on their part, did all they could to bring the Jansenists into disrepute.

On July 1, 1649, Nicholas Cornet, syndic of the Faculty of Theology of the University of Paris and friend of the Jesuits, denounced seven "bachelor's propositions" commonly understood to have been drawn from Jansen's Augustinus. The Sorbonne was strongly infected with Jansenist opinion at this time but Cornet managed to pack the meetings of the Faculty with doctors of several religious orders and so got the propositions condemned. Such controversy ensued that the Parlement of Paris imposed silence on the matter. In 1650, some 85 bishops appealed to the Pope for a clear definition of faith with regard to five of the seven propositions. Pope Innocent X in the bull Cum occasione of May 31, 1653, linked the "five propositions" to Jansen's Augustinus and condemned them as heretical.

64 Chill, op. cit., p. 4

No group was happier with the decision than the Company of the Holy Sacrament whose annals record their jubilation:

It was received with great joy and respect, and a Te Deum... was said to give thanks to God that a dispute so important to the Church had been so happily terminated; and the bull was transcribed in full in the register of the Company in order to show its perfect submission to the Holy See and its decisions. 65

One wonders if the submission of the Company of the Holy Sacrament would have been as spontaneous if the papal decision had been in the other sense.

The Jansenists were now challenged to submit or become schismatics. They chose a course which seemed to obviate having to make a decision wholly in one sense or the other; they chose a compromise that seemed to offer them freedom to hold to their opinions while still permitting them to render formal submission to the Pope. This compromise, suggested by Antoine Arnauld, consisted in distinguishing between the power of the Pope to judge matters of right and of fact. The Jansenists said they joined with the Pope in condemning the "five propositions", but they also asserted that they had not found the said propositions in Jansen's writings and that indeed the Pope had never determined the fact of the authorship of the "five propositions".

65 Beauchet-Filleau, op. cit., p. 138

The real point at issue was not the "five propositions" themselves, but the moral challenge of Port Royal to the alleged moral laxity in Jesuit teachings. The Jansenists were posing a threat to Jesuit power and were in a sense rivals for the leadership of French Catholicism.

That there was now a real threat to Jesuit leadership cannot be doubted if one examines the various secular writings of the period. One anonymous commentator of the age made some particularly trenchant observations:

Since I spoke to you of the Jansenists, I must add this word, that the Jesuits did not take to hating them for having a few different sentiments from those of the Roman Church; But it was in the apprehension they had that this new sect come finally to efface them, as they had effaced all the other Orders. They had no other objective but to see them lost, knowing very well that once the Jansenists had secured a footing the disciples of Loyola would not have been worth giving to the dogs. Also they did not slumber, but they set every stone to work in order to stifle them from their birth, through the fear they had of being strangled themselves should the Jansenists ever grow strong. Properly speaking it was a political interest which divided, the growing Sect and the dominant Sect, for the exaltation of one could but mean the abasing and ruin of the other. The Jansenists went about it very well in the beginning; the appearances of their doctrine, of their virtue, and their probity were more touching than those of the Jesuits; they made appearance of great disinterestedness in all sorts of worldly affairs and intrigues; they did not appear starved for honours and possessions as were the Jesuits;

there was nothing for which to reproach them, neither in their actions nor in their morality. Through these means they won everyone over and preserved themselves through the politeness of their discourse and of their conversations..."⁶⁶

The struggle in France was for control over the national church.

But the Papacy still regarded the chief Jansenist threat as one of heretical teaching. The Pope in 1654 issued an even more comprehensive Bull than that of the previous year. Cardinal Mazarin had the Bulls receive royal sanction and so they were published in France. ⁶⁷ The Jesuits now turned to what might be called a smear campaign against the Jansenists; the latter were accused of neo-Calvinism. The anonymous commentator we have just cited published a letter purportedly sent to a certain Father Simon warning him of the great danger there was for the State in allowing Protestantism to flourish under a Jansenist cloak;

It must be, moreover, a fundamental point which you must always be careful to raise, that the Protestant Religion is contrary to Royal power, and that it tends to change Monarchical Governments into Republics. For although the Huguenots have sufficiently defended themselves on that point,

⁶⁶ Les Entretiens des Voyageurs sur la Mer (Cologne, 1704), Part II, Book II, pp. 151-152

⁶⁷ Isambert, op. cit., Vol. XVII, p. 318

and their reasons have been savoured, one must nevertheless always persist in this matter that one cannot be assured of the faith of heretics; that those who are unfaithful to God and to the Church cannot be faithful to the Princes their Sovereigns. 68

It was Blaise Pascal who came to the defence of the Jansenists in his Provincial Letters. In 1656 he took up his quill to come to the defence of Arnauld, who was being tried by the Sorbonne for heresy. He tried to minimize the whole affair and said the Jesuits were attempting to magnify it for their own gains:

But this is a part of your grand policy, to make people imagine everything is at stake, in an affair really about nothing; and to give it out to the great people who attend to your representations that your disputes refer to Calvin's most pernicious errors, and the most important principles of faith, for the purpose of inducing them to exert their zeal authority against your adversaries, as if the safety of the Catholics depended upon it! Whereas, if they came to know that the question relates merely to this insignificant point of fact, they would not proceed another step; but, on the contrary, regret extremely having made so many efforts to gratify their private passions, in an affair of no consequence to the Church. 69

68 Les Entretiens des Voyageurs sur la Mer (Cologne, 1704), Part II, Book III, P. 207

69 B. Pascal, The Provincial Letters (London, n.d.), p. 323. Pascal's work was ordered burned by the King's Council, Cf. Isambert, op. cit., Vol. XVII, pp. 380-382

In pointing out the Jesuits, who were the champions of the Papacy, as personal enemies of his school Pascal did much to identify the Jansenist cause with that of the Gallicans.

In 1661 a Jesuit maintained in the college of his order at Paris a thesis in which he inserted the proposition "Jesus Christ has granted to St. Peter and his successors, as often as they speak ex cathedra, the same infallibility which he had himself." From this premise he then went on to develop his conclusion:

... that there is in the Roman Church an infallible judge of controversies, even excluding a general council, as well in question of right as those of fact; and that since the constitutions of Innocent X and Alexander VII have been published, one ought to believe, as an article of divine faith, that the book which bears for its title The Augustinus of Jansenius is heretical, and that the five propositions taken out of this book belong to Jansenius, and are condemned in his meaning. 70

Shortly, thereafter, however, the author of the thesis published a brief explanation of his contention, saying that he did not acknowledge in the Pope the same personal infallibility which was in Christ but only as infallibility of assistance whereby the vicars of Christ are rendered infallible in their definitions. Secondly, he qualified his statement by saying that in extending

70 Elliott, op. cit., Vol. II, p. 350

this infallibility to questions of fact he had in mind only the facts joined to questions of faith.

Even with these riders the whole doctrine of papal infallibility created a great controversy between the Jesuits and the majority of the French clergy. A tract called The Frauds of the Jesuits in their Treatis immediately appeared. Later came a larger work called A defence of Liberties of the Gallican Church against the Theses of the Jesuits; this was addressed to all the Parlements of France. When the Jesuits persisted in their views an arrêt was sought against them. It was this move which resulted in a renewal of the declaration of the faculty of the Sorbonne, passed May 1661, and presented to the King by the Archbishop of Paris. This terminated in an arrêt of the Parlement of Paris, May 13th, 1663, which left no doubt as to the royal position in the ecclesiastical quarrel which had been raging:

That no one is ignorant of the efforts and artifices practiced by the partisans of the Court of Rome above thirty years, to advance the power of the pope by fictitious prerogatives, and to introduce into those parts of the world the new opinions of the ultra-montains. That the parliament, equally jealous of maintaining the royal authority, the rights of the crown, the liberties of the Gallican Church, and the ancient doctrine, to all which these opinions of the infallibility and superiority of the pope over the council, are directly opposite, has not failed to restrain these enterprises;

so that these monsters have been stifled in their Birth, and these attempts have been so far from meeting with any success, that they have served only more powerfully to confirm the truth, and to cover with shame the emissaries of the court of Rome....if the faculty does not believe that the pope is infallible, it must, by a necessary consequence believe that he may fall, or be seduced into error, and corrected by a superior power, which can be no other than that of a council and the universal church. 71

This did not aid the Jansenist position, however, They had earned for themselves the enmity of the court and Louis XIV. The occasion of the offense was the connection formed by the Jansenists with Cardinal de Retz and other leaders of the Fronde. After the arrest of Retz in 1652 and his escape to Italy in 1653, many Jansenists still defended him openly and demanded his restoration to the Archbishopric of Paris, a position in which he had proved useful to them. On March 17, 1657 the Assembly of the Clergy drew up a formulary incorporating a complete denial of Jansenism to be signed by all the national clergy. 72 In April, 1664, an edict was issued for the publication of the bulls of Innocent X and Alexander VII condemning the five propositions. 73

71 Elliott, op. cit., Vol. II, p. 353

72 Isambert, op. cit., Vol. XVIII, p. 32

73 Ibid., Vol. XVIII, p. 32

Louis XIV had now come to completely distrust the Jansenists. First, he feared their political influence because of their relations with Cardinal de Retz. Secondly, since he believed himself to be head of the Church any rebellion against it was equivalent to treason. Thirdly, he disliked their religious views, their otherworldly ecstasy and ascetism which stood in great contrast to his convention-ridden court. Finally, we might say that he disliked all individualism, religious or political.

In April, 1665, Louis XIV issued a declaration in the form of an edict further condemning the Jansenists and severely restricting the dissemination of their doctrine:

The design we have of seeing all our subjects reunited in the same belief in matters of faith and of religion, oblige us to incessantly watch to prevent the progress of all new ideas which might trouble the repose of consciences, and the peace of the church and the state, there is no care that we have not taken to have all contentions cease and to arrest the course of errors that could alter the purity of the faith which we have received from our ancestors. In this design, we have supported with our authority the decisions made by the popes, and accepted by the church, for the destroying of the new sect which has risen by reason of the doctrine of Jansenius... 74

Subscription to the formula of 1657 drawn up by the national clergy was made conditional to the holding of any benefice. The downfall of the Jansenists was not so much a triumph of the Jesuits as it was a triumph for the monarchy.

74 Isambert, op. cit., Vol. XVIII, p. 49

The most dramatic incidents between Rome and Paris revolved about the quarrel over the droit de régale, or the enjoyment by the King of the revenue from certain bishoprics until the time he presented and nominated to such benefices and the incumbents were installed. The procedure had been carefully set down in December, 1606, and was clarified in the Ordinance of 1667.⁷⁵ The Parlement of Paris had declared in 1608 that all dioceses were subject unless they had special exemptions and this Louis XIV re-affirmed by a declaration of February 10, 1673.⁷⁶ The Bishops of Pamiers and Aleth opposed the move and were soon supported by Innocent XI against the King. Louis XIV contended that it was the right of the King to enjoy all the fruits and revenues of vacant bishoprics, and to confer the prebendaries and all the benefices depending thereon, up till the time the new bishop took the oath of allegiance. Soon at least three papal briefs on the régale were circulating in France.

⁷⁵ Isambert, op. cit., Vol. XVIII, p. 125
Vol. XV, p. 311

⁷⁶ Isambert, op. cit., Vol. XIX, pp. 67-69

Some forty bishops met to discuss the "rebellion" of the bishops of Pamiers and Aleth: they protested against papal action, supported the King and decided to call a general assembly of the clergy on November 9, 1681, to ascertain the bounds of papal jurisdiction in France. A modification of the King's claims was agreed upon and an edict was issued by the King incorporating this compromise and was registered by the Parlement of Paris on January 24, 1682, ⁷⁷

On February 3, all the prelates signed an act consenting to the extension of the royal rights and a letter was dispatched to Rome asking the Pope for his apostolic blessings on the proceedings of the national council. ⁷⁸
The reply was another brief quashing and annulling the proceedings. Laval in Quebec was being kept informed of the developments:

The affairs of France with Rome are going very badly the pope remains very firm and the king likewise touching the régale and other differences: the pope has sent many briefs to which not only did they not obey but the parlement has given some grievous arrêts to the contrary...⁷⁹

The Parlement of Toulouse in particular was prepared to fight every ultramontane measure.

⁷⁷ Isambert, op. cit., Vol. XIX, pp. 374-376

⁷⁸ Ibid ., Vol. XIX, p. 377

⁷⁹ A.S.Q., Lettres N.No. 60, Dudouyt to Laval, June 22, 1681

The Assembly of the Clergy was held after Innocent XI had excommunicated two vicars-general named by the King in virtue of the right of régale. The Parlement of Paris on March 31, 1682, called for the immediate destruction of all copies of a brief issued by Innocent XI confirming the grand-vicars named to the chapter of the cathedral of Pamiers.⁸⁰ The attorney-general had interjected an appel comme d'abus against an election deemed prejudicial to the rights and privileges of the Crown. It was Bossuet who was given the delicate mission of preaching the opening sermon at the Assembly. Bossuet's conviction was that the royal power was given only for the public welfare and that great powers were created merely for the good of all mankind. Therefore, his sermon was a balanced expose of the papal jurisdiction and of the autonomy of the French church. The theologian Coquelin raised the question of the extent and limits of the papal authority but Bossuet was too engaged in controversy with Calvinists to allow the discussions to take this direction. He had the assembled clergy consider instead the propositions that the Sorbonne had already condemned in 1663, the contention that the Pope has authority over that of kings and can depose them, that he can release subjects from their oath of allegiance to a king,

⁸⁰ Isambert, op. cit., Vol. XIX, pp. 262-265

that he is not subject to rules of the church, that he can depose bishops, that he need not recognize decisions of general councils, that his decisions are infallible and independent of the church. The result was the drawing up of a document known as the Declaration of the Rights of the French Clergy which advanced the propositions that the church's authority was limited to the spiritual sphere, that only practices adopted by the universal church were binding on the French church, that no decrees could nullify the ancient and recognized liberties of the Gallican church. 81

The four resolutions of 1682 produced in France a situation in some respects parallel to the situation obtaining in England during the early days of the Henrician schism. The French bishops were asserting that in temporal matters the Pope had no jurisdiction over the King or his subjects, that the final source of authority in the church was the oecumenical council, that the ancient usages and rules in the national church should remain unchanged, and that the Pope while first bishop in Western Christendom was essentially equal to the other bishops who were also successors of the Apostles. It was no great wonder that Louis XIV ordered this declaration registered by all the

81 For full text of the Declaration see Appendix.

parlements and tribunals, universities and faculties of theology and canon law. Every one was forbidden to teach anything contrary to this Gallican doctrine; bishops had to order it taught in their dioceses; all professors of theology had to subscribe to it; no one could obtain a doctorate until in a thesis he had sustained this great charter of the liberties of the French church, as it was called. 82

Louis XIV based his claims on the theory of the divine origin of the monarchy and on the episcopal theory that each bishop was as much as the Pope the successor of the Apostles. The king was supported by the majority of the French bishops, by the Parlement of Paris, and by the legal profession generally, as well as by a good deal of popular feeling (insofar as it can be said to have existed) inspired by the usual conservative patriotic resentment of foreign interference. It was Bossuet who gave the Divine Right of Kings theory its complete definition and defence. He summarized the special attributes of the hereditary monarch under four headings: (i) The king is given greater reason than anyone else, he is not a mere man but a public person and the earthly image of God's majesty;

82 Isambert, op. cit., Vol. XIX, pp. 379-385

(ii) His person is sacred in that he is anointed at his coronation, therefore it follows that it is sacrilege and blasphemy to assail the person of the king or to conspire against him; (iii) His power is autocratic and absolute so many may rightly resist royal command; (iv) He is the father of his people and is expected to watch over their every activity and provide for their welfare.

Such claims did not pass unchallenged. The Sorbonne refused to accept the Declaration and although the Parlement of Paris registered the four propositions it is clear that many of the theologians at Paris were of a contrary opinion. In fact the Parlement of Dole and the Archbishop of Besancon advised Louis XIV not to insist upon registration of the Declaration of 1682 because the common people were much attached to the Holy See and such action might incite revolts. ⁸³ Eight doctors of the Faculty of Theology in Paris were exiled for vociferously upholding the infallibility of the Pope and many churchmen feared that such proceedings could only strengthen the positions of the Jansenists and the Huguenots. ⁸⁴ Cardinal d'Estrées informed Louis XIV that

⁸³ A.S.Q., Lettres N, No. 65, Dudouyt to Laval, June 19, 1682

⁸⁴ A.S.Q., Lettres N, No. 66, Dudouyt to Laval, June 27, 1682

the Pope had assembled 26 cardinals to discuss the French question and by a plurality vote they had declared the Assembly of the French Clergy schismatic.⁸⁵ The cardinal informed the King that no accommodation could take place so long as the assembly remained in session; there were observers who believed that there would be a settlement because the King had adjourned the assembly on July 1 by a lettre de cachet. The Bishop of Quebec was encouraged by his grand vicar in Paris to feel hopeful about a compromise settlement: "It is in the interest of the church and of the state, one cannot trouble religion without upsetting the state."⁸⁶

In reality of course the compromise did not come rapidly. Bossuet was among the first to warn against false hopes in such a direction:

I have a bit of difficulty in conceiving how you believe that the fourth article of our Declaration can agree with the doctrine of the ultramontane party; we did not have that design, although on the other hand we did see that though we taught at the speculative level, in practice it would always be necessary to come back to placing the last and irrevocable decision only in the consent of the universal church, to which alone we attach our faith in the creed.

⁸⁵ A.S.Q., Lettres N., No. 67, Dudoyn to Laval.
July 3, 1682

⁸⁶ ibid., No. 67, Dudoyn to Laval, July 3, 1682

I cannot imagine that a pope, so zealous for the conversion of heretics and the reunion of schismatics, wishes to place an eternal obstacle for a decision such as that with which they threaten us... 87

Bossuet found it difficult to believe that the Pope should have denounced some of the rulings of the Councils of Basle and Constance.

If Eugene IV did well in approving authentically these decrees how can one attack them? And, if he did wrong, then where was, they will say, this pretended infallibility. 88

It was the Protestants that Bossuet had in mind in making this observation.

Another observer was equally pessimistic about the turn of events:

The matters of the ^Legale are on the same footing and from what I can judge, from what I was able to learn from several politicians, I do not believe we will see the conclusion of it under this pontificate. The pope is in good health thank God although he is 73 years old but the years that he may have yet will not diminish his natural irresolution nor the little inclination he is said to have the affairs of France viseed.. 89

87 Massis, op. cit., Bossuet to Francois Duroys, October 28, 1682, pp. 147-148

88 Ibid., p. 146

89 B.N., Renaudot Correspondence, Bernou to Renaudot, June 15, 1683, fol. 17

This observer believed that Louis XIV should seize Milan and Genoa by force and set up for himself "a strong cabal at Rome".

Even the revocation of the Edict of Nantes in 1685 failed to appease the papacy. By 1689 there were 32 French dioceses vacant as the Pope refused to allow new bishops to be consecrated. In 1693 Louis XIV wrote to the new Pope, Innocent XII, offering to suspend exclusively Gallican teachings and stating that the French bishops had not decreed acceptance of the principles of 1682. A reconciliation now was possible, but it is important to notice that Louis XIV did not offer to suspend Gallican teachings nor did he state that his bishops rejected the Gallican principles. So it was that the French church remained predominantly Gallican; even the Jesuits taught the Gallican principles in their schools. The Jesuits of New France had escaped specific orders to teach only these principles, however. 90

The Jesuits represented more than any other large order the Ultramontane point of view. That was one of the reasons that throughout the colonial struggles between church and state this order bore the brunt of most of the attacks from the civil authorities.

90 A.S.Q., Lettres N, No. 62, Dudoit to Laval, May 31, 1682

They had for some time been accused of being devoted to Spain and disloyal to France. We find that even the Jesuit Relations admit that their society was originally not well received by the population at the post of Quebec. ⁹¹

Poutrincourt and Biencourt, men of the Gallican school, were under pressure to accept collaboration of the Ultramontane Jesuits and it was at this juncture that began the first struggles between civil and ecclesiastical powers in French North America. ⁹²

It would be logical to expect that the Jansenists, in view of their adherence to the Augustinian idea of the position of the bishops, should support the King in the quarrels over the régale. But they had little desire to see papal domination destroyed if it were only to be succeeded by royal domination. Their existence had been made rather unpleasant as much by the King as by the Pope. Indeed, Innocent XI was no friend of the Jesuits but was distinctly favourable to the Jansenists. In these new circumstances they gave their support to the papal side in the controversy over the régale, and by doing so forfeited

⁹¹ A.C. Thwaites, Jesuit Relations and Allied Documents (Cleveland, 1896), Vol. IV, pp. 180, 210

⁹² M. Eastman, Church and State in Early Canada (Edinburgh, 1915) pp. 1-3

their opportunity of reconciliation with Louis XIV.

The Jesuits later gained ascendancy over the elderly Louis XIV and exploited his ill-will towards the Jansenists as well as his remorse over the sins of his younger days. Father La Chaise, the King's Jesuit confessor, in his struggle with Mme. de Maintenon for the monarch's soul, was able to give his combat the complexion of a fight against Jansenist heresy. Then too, Fenelon, when condemned for dabbling in Quietism, saw an opportunity to retrieve his position with both Rome and the French court by attacking the Jansenists. Thus the movement was effectively crushed.

The next question one must consider is the transfer, if any, of this Gallicanism to the colony. New France need not automatically fall into the jurisdiction of the Gallican Church because it was a colony of French settlement. The Gallican Church, to begin with, did not include all the "Gauls". Those of the pays d'obéissance of Cologne, Trèves and Mayence received without distinction all constitutions and rescripts from Rome. Lord Brougham asserts that it is a principle of French law that all ordinances not registered are void. They only take effect from the date of their registration. The Four Articles of 1682 were never registered by the Sovereign

Council of Quebec, so it seems. Then was Gallicanism applicable to the colony?

It's first bishop was definitely Ultramontane in his views, and the Jesuits were long the predominant religious order in the colony. Five observations might be made on the matter. First, the droit commun ecclésiastique of France had full force in Canada without registration because it ante-dated the foundation of the Sovereign Council. Secondly, appel comme d'abus could, and did, go to the Sovereign Council from sentences rendered in the Officialité or the Bishop's court.⁹³ Thirdly, the Gallican principles formed the guide of the civil tribunals of Canada. It is true, nevertheless, that it was not until after the period with which this study concerns itself that the Intendant summarized the Four Principles as a working guide for the colony and ruled that the clergy were subject to the correction of the Sovereign Council because it held the same place as the Parlements did in the French provinces.⁹⁴ It is to be remarked that these were all

⁹³ It was used in the case of the canons of Quebec vs. Bishop, April 24, June 30, 1693; against the Vicar-General Deminiac, April 21, 1738; against the chapter of Quebec, June 30, 1750.

⁹⁴ Intendant's Dupuy's judgment of January 4, 1728

practices adhered to before any official pronouncement was made. Fourthly, the royal ordinance of April, 1667, under Title 15 definitely laid down Gallican principles for the colony in the matter of benefices and the régale.⁹⁵

It is true that the colonial officials observed in the margin that "On the said article, there will nothing be executed, seeing there is no benefice at all in the country. But the King by an edict of June, 1679, insisted that the previous order would be carried through over colonial objections: "Will be executed the fifteenth title of our said ordinance on procedures for possession of benefices, and on régales, according to its form and tenure, the case arising."⁹⁶ Fifthly, the instructions to the colonial officials indicate clearly that the Gallican principles were to be applied to New France. Frontenac's instructions in 1676 as an example, included this phrase:

With regard to the church my intention is that the rights and privileges of my crown and the liberties of the gallican church be observed in all that concerns the spiritual. ⁹⁷

Nothing could have been more explicit.

⁹⁵ Edits, Vol. I, p. 140

⁹⁶ Edits, Vol. I, p. 237

⁹⁷ P.A.C., Series B, Vol. VII, King to Frontenac, April, 1676 p. 38

There are numerous evidences that Gallicanism affected New France prior to 1685. In the matter of the erection of the bishopric clear evidence will be found. The Société of Notre-Dame at Montreal addressed a petition for a bishop to the King, expecting he would nominate a candidate who would be appointed by the Pope. The request for a Canadian bishop was made to the young Louis XIV's minister, Cardinal Mazarin. Once decided upon it was the King who made the formal request to Rome -- in other words, Mgr. de Laval was first nominated by the King.⁹⁸ When Laval was named Vicar Apostolic and bishop in partibus infidelium it was the King who again wrote the Holy See asking that his vicariate be raised to a full bishopric. Laval took the oath of allegiance to the monarchy on April 24, 1675 after he was raised to titular bishop of Quebec.⁹⁹ Talon had found it necessary during the negotiations leading to this step to warn the Jesuits that it was from the King alone that Laval would have to seek his favours. Support for the bishopric was afforded by benefices the King assigned to the diocese.¹⁰⁰

98 Edits, Vol. I, pp. 33, 35, 79, 84, 339

99 Ibid., p. 79

100 Ibid., p. 339

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Indeed, the King made some contribution towards the payment of Laval's bulls. ¹⁰¹ Again, upon the retirement of Mgr. de Laval in 1685 it was Louis XIV who nominated Mgr. de Saint-Vallier as successor.

The right to supervise and control the conduct of a prelate was another Gallican manifestation. Talon was warned in 1665 to hold a just balance between the two powers in the colony, the spiritual and temporal, and to see that the ecclesiastical power which resided in the person of the Bishop should remain inferior to the secular power. This also shall be seen in the consideration of the jurisdictional question.

Another evidence of Gallicanism in the colony was the fact that the King meddled in matters of canon law. He regulated the conduct of members of the chapter of Quebec, he decided which religious communities might go to the colonies and where they would settle and work when there. Louis XIV even allowed the Recollets to return to the colony in 1670 without consulting Mgr. de Laval and this action was apparently "against his desire and his will!" No religious communities in the colony could acquire houses, property, inheritances "if it be not in virtue of Our express permission." Laval required approbation to found a seminary in 1663 and so did the Sulpicians in 1673. As in

101 B.R.H., Vol.XXX, No.9 (September,1924)p.263

France, no extraordinary ecclesiastical assemblies could be formed without Royal sanction. There was state regulation of religious communities with regards numbers of members, dowries, nature of dress and nature of vows. This may originally have been to avoid excesses and abuses but it does indicate a Gallican attitude predominant in the colony as well as in the motherland. There could be a royal audit of the finances of religious communities at anytime. This also shall be examined in the consideration of the religious orders.

New parishes could not build a church or a presbyterial residence without the Intendant authorizing the assembly of contributors to draw up full plans and estimates for his approval before proceeding. Parish boundaries and tithes were fixed by the state officials and the Bishop and received state approval before execution. Does this not indicate a Gallican approach to church-state relations?

Another area of evidence that cannot be neglected concerns the matter of precedence in church, in processions, at formal gatherings and all occasions upon which honours and rank were marked. If there was church censorship of reading matter, plays and recreational activities, there was also state censorship and even the sermons of the parish clergy might be made the subject of

a judicial inquiry. Although church courts were recognized in New France the ordinance of 1667 required canon law to follow the civil law.

There is also the matter of the Protestants that shall be examined closely. Perhaps the early leniency towards Huguenots was in part attributable to the Gallicanism of some of the French traders and fishermen. It was undoubtedly Jesuit rigidity that chased the Huguenots who would not convert out of the colony, or into the far interior, or underground. Bossuet and several Gallicans differed from the Ultramontanes in that they pleaded for moderation and patience towards the "erring Protestants. 102

So we see that the evidences of Gallicanism in the colony were many. As to what effects it had on the colony, evaluation and assesement are difficult. There was a weakening of ecclesiastical discipline as quarrels multiplied themselves, jealousies, petty bickering, chicanes, rivalries and even feuds. There was a spirit of intrigue, informing and surveillance created as the Ultramontane Bishop and the Jesuits lined up against most of the Governors and Intendants on the question of

102 Reuben Sailens. The Soul of France (London, 1916), p. 116

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constitutional and dogmatic Gallicanism. There were frequent interventions in ecclesiastical affairs, even some by the King. The survey of the period indicates a time of great contests between the secular and spiritual authorities and bitter animosities between civil and ecclesiastical estates, but with occasional relief scenes when there was co-operation, mutual trust and genuinely a union between representatives of the altar and of the throne.

CHAPTER II

JURISDICTIONAL QUESTIONS, 1647-1671

The ill-defined sphere of ecclesiastical and of civil jurisdictions was a source of constant irritation in the colony. The Gallicanism of the civil officials had much to do with the perpetuation of friction. The two-power orientation of juridical thinking developed from the Gelasian assertion that the world was ruled by the sacerdotium and the imperium, the former being the superior power since it was the instrument of human salvation.

In the period prior to the creation of a Council at Quebec it was natural that the ecclesiastics should have figured prominently in the colony. It was a period of great missionary effort among the Indians, of the foundation of Montreal, and in France of the operations of the Company of the Holy Sacrament. The clergy in New France were largely responsible for Indian negotiations, they had penetrated as far inland as the most intrepid coureurs de bois, they were among the chief seigneurs of the St. Lawrence valley, and they represented the best organized segment of society in a period of colonial history that was generally disorganized or unorganized.

The clergy first exercised civil jurisdiction in their capacity as seigneurs.

The Jesuits, and later the Sulpicians, were entrusted with the administration of justice in the higher as well as lower jurisdiction. ¹ The question might well arise whether this constituted civil or ecclesiastical justice. The French customs, nevertheless, indicated clearly that such jurisdiction was secular, just as if it had pertained to laymen, and it was to be exercised on their behalf by a lay judge as ordered by Philip le Bel in 1287. ² In further clarifying the legal status of the servants and censitaires of ecclesiastics an arrêt of the Parlement of Paris (August 11, 1635) ruled that servants of ecclesiastics, or mercenaries working for them, were not obliged in civil matters to appear before the Officialité.³

Although not participating directly in the colonial administration prior to 1647, the ecclesiastics did wield a great influence. This was by virtue of the place accorded to them by both the chief administrators for the King and

¹ Jesuit right of Haute justice was withdrawn on October 22, 1707 not only at Sillery but also on fief at Three Rivers. Sulpicians at Montreal lost their right in 1693

² M. Lange, La Nouvelle Pratique Civile, Criminelle et Beneficiale (Paris, 1755), Vol. I, Part I, p. 3

³ Ibid., p. 3

the commercial enterprisers concerned in exploiting the region. The behaviour of the Governors was delineated by the instructions Louis XIII gave to Champlain:

...maintain the said country in my obedience making the people who are there live as conformably to the laws of my kingdom as you can, and having the care necessary for the catholic religion, in order that you draw upon yourself by this divine benediction... 4

As for the Community of Habitants which had assumed the trade monopoly of the Company of One Hundred Associates in 1645, they were required to "maintain in each Habitation the number of ecclesiastics required for the administration of the sacraments" and to pay their annual pensions which the Hundred Associates had been accustomed to give beginning the very day they came into possession of trading rights.⁵ Both seigneurial rights and financial support from the trade monopoly seemed to indicate that the clergy were in a special category, but neither factor afforded them any real share in the colonial administration.

Such a favoured position came about only in 1647.

4 Nouvelle France: Documents Historiques (Quebec, 1893), Louis XIII to Champlain, May 7, 1620, Vol. I, p. I

5 A. S. Q., Polygraphie IV, No. 3, Articles of agreement between Company of New France and deputies of Habitants, January 14, 1645, Article VIII, p. 6

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When a Council was established at Quebec for the administration of the colony, the Superior of the Jesuits was asked to sit with the Governor of the colony and the local Governor of Montreal.

To wit, that here shall be established a Council composed of the Governor of the said country, and until such time as there is a Bishop of the Superior of the house of the Jesuits which will be at Quebec, together with the local Governor of the isle of Montreal; And in the absence of the Governor of the said country and the local Governor of the said Montreal, of their Lieutenants: Which Council will be held in the communal House where is established the Magazine of Quebec. 6

This Council was to control commerce, police and war; to name the commis of the newly formed Community of Habitants; to audit Community accounts for the Company of New France which had leased the economic rights granted it by the charter of 1627; to supervise all activity necessary for the trade and welfare of the colony.

The Jesuits had not asked to be represented on this Council and they left the impression that they were not altogether happy at becoming involved in the activities of a colony which at that time was no more than a trading station, and a trading post in which there was

6 A.C., Series F3, Vol. III, fol. 233; P.A.C., Series C11A, Regulation of March 27, 1647, Vol. I, pp. 438ff.

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considerable friction between the local inhabitants and the metropolitan directors of the trading company.⁷ There was one advantage, however, and that was that they were assured considerable free freight allowances for their goods coming into the colony. Another provision for the establishment of good order called for additional representation from the colonial population:

The General of the said Fleet, and the Syndics of the inhabitants of Quebec, Three Rivers and Montreal will have entry and a seat on the said Council without having a deliberating voice, in order to make representations only regarding their charges, and the interests of their Communities.⁸

These syndics, elected annually by the chief habitans of their respective communities, made representations chiefly on commercial matters.⁹ The local Governor was responsible for maintaining peace, order and good government in his region. It is very difficult to make a case for clerical domination in civil matters, given these facts.

7 Journal des Jésuites (Quebec, 1871), p. 93

8 A.C., Series F3, Vol. III, fol. 234

9 To this system there would succeed, in Quebec at least, a short-lived (32 days) system of aldermanic rule which would re-appear strengthened from 1673 to 1677. At Montreal the syndics dominated local affairs until 1674 although from 1664 to 1667, five police judges complicated the picture. Three Rivers had an attorney-syndic from 1647 to 1674.

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In 1648 the Council of Quebec was re-organized in such a way as to provide for greater local membership. The royal warrant making the changes had been issued because of petitions coming from the colony, complaints from the inhabitants, and the report of Messrs. Laisne and Morangis, sent to Canada for the purpose of gathering information for the Crown. The arrêt of March 5 provided that the Council should henceforth consist of the Governor, the superior of the Jesuits ad interim pending the arrival of a Bishop, the former Governor, and two inhabitants of the country elected for three-year terms by the full Council including the syndics.¹⁰ The King established the Council by naming three, not two, councillors from the colonial oligarchy - Chavigny, Godefroy and Giffard. The Governor's term was now limited to three years, but the position and powers of the syndic remained unchanged. This re-organization was accompanied by a reduction of the free freight allowance made to the Governor and the Jesuits because of the alleged financial difficulties of the Community of Habitants. There appears to have been no question of hostility to the missionaries in this measure of economy.

¹⁰ A.C., Series F3, Vol. III, fol. 235; Also P.A.C., Series C11A, Vol. I, p. 446 and P.A.C., Series F3, Vol. III, pp. 182-3 give the Arrêt of March 5.

The first difficulty between the Jesuits and the colonial administration came in September 1648. The drummer of the Montreal garrison had been condemned of a "detestable crime" and had been sentenced to death by Maisonneuve at Montreal. But the Jesuits opposed this sentence and they petitioned for a new trial at Quebec and suggested to the condemned man that he offer his services as public executioner so as to escape the death penalty. ¹¹ Whatever may have been the reasons behind this intervention the appeal was successful, the drummer was sentenced to the galleys but was released when he accepted the position of hangman. For our purposes, the significant fact is that the Jesuits had succeeded in obtaining a retrial and a reduction of the sentence of an individual who for some reason was their protégé.

When Mr. de Lauzon arrived in Quebec to take up his gubernatorial duties he proceeded first to present his commission at the fort and receive the keys thereof, then he went to the Jesuit chapel where he was formally received and blessed at the door. A few days later he thought it politic to again visit the Jesuit chapel and to hear their pupils recite, as well as witness a few Indian dances and a prepared performance. ¹²

¹¹ Journal des Jésuites, p. 116:

¹² Ibid., p. 163

This would indicate the prestige the Jesuits enjoyed in the colony, if not actual power.

The de Lauzon administration was marked by increasing economic dissatisfaction in the colony, and the Jesuits were unwillingly caught up in these discussions. By 1653 the local traders were keeping $3/4$ of the beaver taken, rather than $1/2$ as previously provided, and the Tadoussac area had been set aside to meet the general expenditure of the colony.¹³ By 1656 these measures were unacceptable to the colonists and so Tadoussac was re-opened to all traders although the 25% levy was still exacted by the Community.¹⁴ The situation was one in which the Community of Habitants just managed to content its colonial investors, the planters of New France, but failed to please either the menus habitans or the Hundred Associates. The Jesuits were sorry now that their Superior was a member of the Council. In 1656 they appealed to the home administration to be relieved of all administrative responsibilities in New France, particularly of their Council seat, so as to pursue without distraction

¹³ P.A.C., Series C11A, Vol. I, pp. 493-497; Edits, Vol. III, p. 16

¹⁴ P.A.C., Series C11A, Vol. I, pp. 512-518

their missionary activities in the interior of the colony.¹⁵

Council membership did not enhance Jesuit influence in the colony because the local members of Council were among those who profited from the fur trade at the expense of the lesser colonists. The Jesuits were associated with the profiteers. Moreover, they were known to accept furs from the Indians, to use furs as currency and to transport trade articles into the interior. Consequently they were open to calumnies along with the leading traders, "the big six" of the Community of Habitants, who pursued their own profit while defrauding the Hundred Associates and creditors in France.

Already the objects of some suspicion on the part of the lesser colonists, the Jesuits found themselves received with coolness also by Governor d'Ailleboust. The blame for the cooling of relations reposes largely with the missionaries. Father de Quen neglected to transmit to d'Ailleboust, who was still interim Governor, certain presents and messages from the Onondagas. On October 20th, 1657 the Governor complained that the Jesuits had showed him a lack of respect and had slighted him as well as

¹⁵ Nouvelle France: Documents Historiques (Quebec, 1893), Vol. I, p. 104; C. de Rochemonteix, Les Jesuites et la Nouvelle - France au XVIIe Siecle (Paris, 1897), Vol. II, pp. 183, 198

failing to give the King's representative messages relative to the peace of the colony. Two days later the Jesuits presented d'Ailleboust with the wampum that had been forwarded for him.¹⁶ When numerous assemblies of the inhabitants were called to decide on Indian policy the Governor neglected to invite the Jesuits to send representatives.¹⁷

The following year it was possible to make a fresh attempt at improved relations as a new Governor arrived from France. D'Argenson's arrival in 1658 was the occasion for a warm welcome from the Jesuits: he was greeted by them and soon taken to dinner and following vespers was guest of honour at a special programme prepared by the Jesuits' pupils. All seemed to be going well and Mother Marie Marie de l'Incarnation remarked that the Bishop had made a good impression upon the inhabitants, that the colony enjoyed repose from disorders: "one lived in the simplicity, good faith and unity which approached very much what we so admired about the first Christians."¹⁸

16 Journal des Jésuites, pp. 221, 233

17 Ibid., p. 225

18 C. Martin, Lettres de la Vén. Mère Marie de l'Incarnation (Paris, 1681), p. 204; A. Jamet, ed., Les Annales de l'Hôtel-Dieu de Québec, 1636-1716 (Québec, 1939), p. 104

But the assertion that "we breathed only the spirit of devotion" was a completely idealistic dream in this period of Iroquois menace. The Jesuits were soon urging a crusade against the "little Turk of the New World" and even Laval, who at first opposed any aggressive policy, acknowledged the need to exterminate the Iroquois. The Jesuits, who had already suffered so much at the hands of the Indians, did not recoil at the thought of their "very good Christians" torturing captured Iroquois. ¹⁹

The Jesuits were no longer represented on the Council of Quebec; the re-organization of March 7, 1657 had named only the Governor, the director of the Company and four elected councillors. On May 24, 1661, the Bishop was added to the number. ²⁰ The good relations between Argenson and the Jesuits soon cooled too. The Governor not only quarrelled with them, but with the Sulpicians also. ²¹ The Sulpicians had sent out the abbé de Queylus hoping to have him named the first colonial Bishop. But the Jesuits supported the candidacy in France of Laval and they finally triumphed.

¹⁹ Martin, op. cit., p. 558; also Journal des Jésuites, pp. 95, 173

²⁰ P.A.C., Affaires Etrangères: Amérique, Vol. IV, fol. 485; Vol. V (I), fol. 20

²¹ A.C., Series F3, Memorial of de la Chesnaye, 1697, Vol. II, fol. 4

The famous colonial trader, de la Chesnaye, ²² said in his memorial drawn up for the French court some years later that it was the constant friction with Msgr. de Laval that so distressed d'Argenson, and indeed it was the Bishop's letter to President Lamoignon of the Company of New France that was a deciding factor in having him replaced by d'Avaugour. ²³

When Msgr. de Laval had first arrived in the colony he had received a cordial welcome from the Governor and had in fact written to the Governor's brother, who was a member of the Company of the Holy Sacrament and therefore of much the same religious bent as the Bishop, assuring him so.

I received at my entry into this country all the marks of extraordinary good wishes from Mr. your brother, I did my best to recognize him and rendered to him all the respect I owe to a person of his virtue and his merit joined to the office he holds, as his most true friend and faithful servant. ²⁴

²² Charles Aubert de la Chesnaye arrived in Quebec in 1655 and opened a shop. In 1663 he acquired the trade of Tadoussac, and from 1666 to 1674 held trading rights, of the Company of West Indies

²³ A.C., Series F3, Memorial of de la Chesnaye, 1697, Vol. II, fol. 4

²⁴ S.R.C., Doc. XIX, No. 2, Laval to Rene d'Argenson, October 20, 1659, p. 43; A.S.Q., Seminaire XV, No. 2B

Since Laval knew d'Argenson before coming to Canada it seems probable that this connection may have been through the Hermitage of Caen and the Company of the Holy Sacrament. There was every reason for cordial co-operation between the two.

D'Argenson did not always agree with the Bishop's judgment of men, however, Msgr. de Laval took Father Ragueneau of the Jesuits into his confidence, rather than Lalemant the Superior, and this distressed the Governor who believed a grave mistake had been made but would not indicate why to his correspondent "for reasons of fear that this letter should fall into other hands."²⁵ D'Argenson also reported that an habitant called Villeray was proceeding to France to clear himself of charges made against him by Messrs. the directors of the Company; Argenson believed that he possessed "a few fairly good qualities but one cannot have confidence in him".²⁶ This was not a good recommendation and yet this was one of the men that Msgr. de Laval sought to advance in the administration. Either the Bishop was a poor judge of character or else he possessed a very keen appreciation of

²⁵ A.S.Q., Seminaire XV, No. 2e, Letter of d'Argenson, October 21, 1659

²⁶ Ibid., No. 2e

colonial values and readily recognized the advantages of being allied to the colonial planters. Thirteen months later d'Argenson seemed to have changed his mind and described Villeray as "one of best inhabitants of this country and a very honest man..."²⁷ Since he gave his Councillors a fairly free hand it is possible the planter had had occasion to show special consideration and respect to the Governor.

There seemed to be complete co-operation between church and state in the colony. In fact, On August 3, 1659 a monitory was published at the parish church of Quebec regarding some 54 pounds of beaver stolen from the Company stores of that town.²⁸ This indicates smooth relations because a monitory was an order sent to a priest by the bishop on the request of a civil judge to be read from the pulpit by the curate. Monitories had for their objective the discovery of secret information "in order to arrive at a decision in a civil or criminal matter by obliging under penalty of excommunication those who had any

²⁷ A.S.Q., Seminaire XV, No 3b, Letter of d'Argenson, November 4, 1660. Louis Rouer Sr. de Villeray was a very prominent merchant in Quebec and seems to have been the first to initiate direct trade with the West Indies. La Mothe Cadillac in writing of his business acumen says that his home incorporated a butcher shop, his younger brother retailing the meat and his wife collecting the money.

²⁸ Journal des Jésuites, p. 262

knowledge of the matter to reveal what they knew to the courts." ²⁹ In other words, this was a case of the state utilizing the spiritual power for its own judicial purposes.

When a monitory was read it usually took the form of an order for all persons having knowledge of the crime or infraction to divulge such information to the secular authorities. Nine days later the curate from the pulpit pronounced excommunication, with the Bishop's authority, upon all who had withheld information by ringing a bell several times and dropping to the floor a lighted taper which he extinguished with his foot. This form of judicial pressure was employed with effect in the motherland too.

In 1661, Mgr. de Laval, upon the petition of the heirs of Ignace Sevestre, ordered all priests under his sight to publish from their pulpits on three successive Sundays or holy days a monitory ordering all persons knowing anything concerning the inheritance of the said Ignace Sevestre to inform the Bishop or his grand vicar of it within four days after the first publication. ³⁰ Again in 1669, this time at the request of the attorney-general, the Bishop issued a monitory regarding a murder

²⁹ B.R.H., Vol. XXX, No. 12 (December, 1924), p. 411

³⁰ Mandements, Vol. I, p. 35

which had taken place near Montreal. Those knowing the whereabouts of, or having any communication with, the accused were under pain of excommunication to report within three days. ³¹

In February, 1659 the inhabitants of Beupre presented a request to d'Argenson that an inquiry be launched into the life and morals of their priest, Mons. Guillaume Vaillant, who had served as their missionary since 1645. The Journal comments that "the request was sent back to the Officialité". ³² In other words, the Governor would not proceed in what was apparently a matter for the ecclesiastical court. On February 10, the following day that is, the priest asked the Governor to institute proceedings against the parishioners for calumny and defamation of character. The civil authorities were obliged to send a commissioner and recorder to interview eighty-three witnesses along the Beupre coast. The results was that when Argenson perused the evidence he sent the case back to the Officialité and ordered Vaillant to pay the costs. ³³

³¹ Mandements, Vol. I; p. 77

³² Journal des Jésuites, p. 250

³³ Ibid., p. 250

The Jesuit Superior was not satisfied with the information he had so in March he gathered what details he could from the secretary in order to set his won conscience at ease.³⁴ This is all the more remarkable as Vallant was a secular priest, not a member of the Society of Jesus. In any case his ministry at Beaupre was terminated on March 15 and on August 4 he sailed for France. ³⁵

Several questions arise out of this incident. The first regards the division between ecclesiastical and secular jurisdiction. As in France, there were two separate and distince powers, spiritual and temporal, by which the people were governed. The spiritual power resided in the hierarchy who held it "in part from God, similarly in part from the King", not as a fief but rather as a grace or privilege granted to the church by the temporal ruler. ³⁶ The ecclesiastical jurisdiction over spiritual matters proceeded from God, but the other which was concerned with proceeding "by judicial and contentious means to resolve the differences between ecclesiastics even in temporal

³⁴ Journal des Jésuites, p. 251

³⁵ C. Tanguay, Répertoire Général du Clergé Canadien (Quebec, 1868), p. 40

³⁶ Lange, op. cit., Vol. I, Part I, p. 2

matters, and those of laymen in certain cases only "was also granted to the ecclesiastics, not by God, but by the secular Princes" to whom belongs the management of the external policing of the Church."³⁷ In each diocese it was the duty of the Bishop to see to the establishment of an ecclesiastical court. The custom in France, except in the Archbishopric of Cambrai, was for the Bishop not to exercise the right himself but to leave it to an Official. The Bishop's right to judge contentious matters in the ecclesiastic sphere could not be delegated to any curate except the Official. The ecclesiastical judge could inflict suspensions, interdiction, excommunication, impose fasts, order prayers, deprive of rank in church, deprive of benefices and imprison, but in no case could he inflict penalties with effusion of blood.³⁸ The ecclesiastical judge could also levy a pecuniary fine, but it must always be payable to some charitable work because "a fine levied as such without designation would turn to the benefit of his Bishop; which would be abusive because the Church has no Exchequer, as have temporal lords."³⁹

37 Lange, op. cit., Vol. I, Part I, p. 2

38 Lange, op. cit., Vol. I, Part I, p. 13

39 Ibid., Vol. I, Part I, p. 13

The second question regards the personnel of the Officialité at Quebec in 1659. Msgr. de Laval arrived at Quebec on June 16, 1659 and was accompanied by Messrs. Charles de Lauzon-Charny, Philippe Pelerin, Henry de Bernieres, Jerome Lalemant and Jean Torcapel of the clergy. None of these were in the colony at the time of the Vaillant affair in March. Indeed, Msgr. de Laval did institute an Officialité or ecclesiastical court in the colony; but Charles de Lauzon-Charny ⁴⁰ was not named Official until September 27th. ⁴¹ Jean Torcapel was named promoteur of the court. ⁴² We are left to conclude that the ecclesiastical proceedings against Vaillant took place only after the arrival of the ships in June, or else that the Journal entry for March was written after the events of that summer and merely indicates the date at which the inhabitants of Beauport started proceedings against their missionary curate.

40 De Lauzon-Charny was the son of the former Governor Jean de Lauzon. He married a daughter of Robert Giffard of Beauport and after his wife's death went to France where he was ordained. He returned to Canada with Msgr. de Laval.

41 A.S.Q., Polygraphie XIX, No. 12 September 27, 1659

42 L.B. de Latour, Mémoires sur la Vie de M. de Laval (Cologne, 1761), Vol. I, p. 23

Another possibility is that the Officialité was that of the Archbishop of Rouen because the abbé Gabriel de Queylus did exercise his ministry as grand vicar of the Archbishop in the colony, and was at the moment accompanied by Francois d'Allet, his secretary. ⁴³

The year was further disturbed by an incident which strained relations between the Governor and Bishop, Msgr. de Laval removed a young girl from the home of a Mr. Denis, by whom she was employed as a domestic, and placed her in the Ursuline convent to receive further schooling. However commendable the act may have been from the educational point of view, there was also Denis's point of view to consider for he was deprived of a domestic whom he had brought from France at some expense. D'Argenson took no action for three days when he was informed of the incident hoping to avoid "the explosion of this affair." Father Jerome Lalemant ⁴⁴ was consulted and he also blamed the Bishop, but tried to settle the matter in such a manner

⁴³ Tanguay. op. cit., pp. 3, 43, 44

⁴⁴ Jerome Lalemant was the brother of Charles, (who attended Champlain in his dying moments) and the uncle of the martyr, Gabriel Lalemant. He was regarded as learned and wise theologian and was often consulted on controversial matters. He was the author of 3 volumes of the Jesuit Relations and from 1656 to 1659 was rector at the college of La Fleche.

as to avoid a great deal of publicity. ⁴⁵ It was therefore necessary for d'Argenson to take up the matter and he permitted Mr. Denis to recall his domestic from the Ursuline convent where she had been placed by the Bishop. Had Denis not been willing to go about matters quietly the Governor said he would have been placed in the difficult position of proceeding against the Bishop "with much scandal, and that by the determination of Mr. de Petree who says that a Bishop can do as he pleases." ⁴⁶ D'Argenson wrote his brother in France that the Bishop was completely unreasonable when crossed:

M. de Petree has such an attachment to his own ideas and a zeal which often carries him beyond the rights of his charge, that he has no difficulty in stepping on the authority of others and with such ardour that he listens to nobody...⁴⁷

It was not surprising therefore that there were further clashes over the use of fifes and drums at the presenting of the blessed bread by the soldiers, and over the benediction at mass. ⁴⁸

⁴⁵ S.R.C., Doc. XIX, No. 3, Argenson to brother, December 1660, p. 44; also A.S.Q., Séminaire XV, No. 3a

⁴⁶ S.R.C., Doc. XIX, No. 3, p. 44

⁴⁷ Ibid., Doc. XIX, No. 3, p. 44

⁴⁸ Ibid., Doc. XIX, No. 3, p. 45

D'Argenson's recall marked a triumph for the Bishop but did not mean he had established complete ascendancy in the colony.

The Baron d'Avaugour, the next Governor, showed himself a friend of the Jesuits from the beginning,⁴⁹ but he too became disenchanted with the ecclesiastics. On landing in Canada he refused a reception but did go to see the Jesuits. He did not wish a special service at church which the Bishop was willing to offer. It was behaviour of this type, besides the reputation of the Society of Jesus in France, which led the Minister of the Marine to conclude that the Jesuits had been largely instrumental in naming Laval as the first Bishop in the colony because he seemed to be their tool, and to conclude that the Jesuits had an influence in naming the Governors and having them recalled if they failed to fall into line with their policies overseas.⁵⁰

Only a few weeks after d'Avaugour's arrival in the colony a jurisdictional dispute broke out over the condemnation of certain men who had defied the Bishop.

49 Journal des Jésuites, pp. 302, 305

50 P.A.C., Series B, Instructions to Talon, March 25, 1665, Vol. I, p. 49

The Journal simply states there was a "great disagreement between the authorities on the subject of a sentence carried by Msgr. the Bishop against Daniel Voil!"⁵¹ The accused was charged with being a "relapsed heretical prisoner, blasphemmer and profaner of the sacraments". Towards the end of the year 1660 there was at a distance of one league from Quebec, at Giffard's seigneurie of Beauport, a certain miller who was suspected of being a sorcerer and magician; he was hanged in 1661 for the horrible blasphemies which he had pronounced, and for having by a simulated conversion from Huguenotism upon his arrival in Canada profaned the sacraments.⁵² There has been speculation that this miller was none other than Daniel Voil, and that he had tried, moreover, to win the affections of a young Barbe Halé whom he had sought to place under a curse after she rebuffed his attention.⁵³

51 Journal des Jésuites, p. 292

52 P. Ragueneau, La Vie de la Mère Catherine de St. Augustin (Paris, 1671), pp. 163-164

53 Journal des Jésuites, p. 289

In spite of Laval's appeals for state support there was no such action forthcoming and the Bishop had to content himself with forbidding all persons to have any relations whatever with the relapsed heretic. Eventually Voil and a companion were "hanged or rather arquebused" for illicit trading.⁵⁴ Whether it was by hanging or being shot that Voil perished matters little, except that hanging would relate the sentence to that imposed upon the miller. It is noteworthy that the crime indicated for this capital punishment was illicit trading and not sorcery or heresy. The records do not permit us to reconstruct further the unhappy events that drove a wedge between the secular and ecclesiastical authorities.

It is known, nevertheless, that in cases of minor heresy the church courts were to have jurisdiction according to an ordinance of November 19, 1549, and in cases of major heresy the royal courts were to have jurisdiction, according to the ordinance of June 27, 1551.⁵⁵ The problem was then who decided on the degree of heresy? In the case of Voil it seems that the Bishop

⁵⁴ Journal des Jésuites, p. 303. See the chapter on the Brandy Traffic where proof is advanced that the execution was for illicit trading and not for heresy or blasphemy.

⁵⁵ F. Isambert et al., Recueil général des anciennes lois françaises (Paris, 1829), Vol. XIII, pp. 134, 189

ordered the accused imprisoned and so it must have been a case of minor heresy. On the other hand it is not clear why the Bishop took such steps as it would have been more likely for the presiding judge of the Officialité to take the measures he deemed necessary.

Another possibility for the quarrel with the state officials is the fact that Voil could not be very severely punished for returning to Huguenotism. To be a Protestant was not a crime punishable by death at that time, and certainly there were several Huguenots living quietly in the colony. Indeed, the declarations of July 8, 1643 and of July 18, 1656 had reiterated the liberties accorded Protestants by the Edict of Nantes.^{55a} Nor could he have been executed on grounds of profaning the sacraments, or blasphemy, in 1661 because the laws then in effect provided only for fines and whippings.^{55b} Piercing of the tongue had been abolished.^{55b} Since he could not be put to death on these scores we can more readily understand why there was a great quarrel between the church and state officials and why Voil was executed for illicit trading.

55a Isambert et al., op. cit., Vol. XVII, pp. 32, 335

55b Ibid., Vol. XVI, p. 366; Vol. XVII, pp. 64, 260

In 1661 d'Avaugour placed Father Ragueneau, who unlike his colleagues was described by Rochemonteix as avid for administrative power,⁵⁶ at the head of a four-member Council which met daily. To the Prince of Conde he reported this decision in these terms:

I put at the head of a general council for the service of the king and the good of the country the reverend father Ragnaust who has the honour to be known by your Highness and with three others deliberates every day public affairs, by his merit I thought I could do nothing better, if the occasion presents itself I beg your Highness to authorize this conduct and to be altogether convinced that the Jesuits have worked the most for the country.⁵⁷

This was singular recognition of the role of the Jesuits in the opening up of the colony. It was even more singular that the Jesuit representative should preside over this Council and that the Bishop who had been in the country for two years should not be a member. The Jesuits were quite uneasy at the new developments,⁵⁸ and with very good reason.

⁵⁶ Rochemonteix, *op. cit.*, Vol. II, pp. 184, 197-8 Paul Ragueneau had been Superior of the Canadian mission from 1650 to 1653 and continued to serve in Canada until September 1666.

⁵⁷ *Ibid.*, Vol. II, p. 527

⁵⁸ *Journal des Jésuites*, p. 302

They were accused of exercising undue influence in administrative circles and their presence on a Council in which the Bishop did not figure only seemed to prove the popular contention. However, on May 24, 1661, the Council of State issued a brevet establishing the rule that Msgr. de Laval would have entry to a seat and a deliberating voice on, the Council of Quebec.⁵⁹ The Jesuits seem to have sensed the wisdom of appearing disinterested in political affairs and the Superior though urged several times by d'Avaugour to take a seat on Council declined to do so. The Journal entry gives the following version of the matter: Avaugour would listen to no excuse and "when the time came to avail myself of it he sent me his secretary to take me there; upon arrival there he established me there and in my absence such persons from among us as I should wish."⁶⁰

The colony was also the object of much dissatisfaction on the part of the investors in the fur trade. The Company of New France sent out Dumesnil to investigate the financial state of the Community of

⁵⁹ A.A.Q., Registre A, No. 236, p. 180
A.S.Q., Eveques, No. 220, Brevet of May 24, 1661

⁶⁰ Journal des Jésuites, p. 303

Habitants which was falling far behind in its annual payments to the associated merchants. Dumesnil soon accused the colonial oligarchs of fraud and embezzlement, and proceeded to collect extensive dossiers of information about their activities and the general wealth of the country's trade. ⁶¹ Dumesnil recommended, among other things, that an independent judiciary be elected by the inhabitants. This chancellor and vice-chancellor of justice he wanted to see named in such a manner following parish mass that "the governors, Bishops, and Jesuits, cannot intervene and insert themselves at all" and so that the Bishop would have care only "of spiritual affairs and of the church." ⁶² As one of Dumesnil's sons was d'Avaugour's secretary it is possible that the Governor's sympathies were with this special commissioner in the dispute that erupted between the Company and the planters. The clergy had staunch friends among the chief traders who were the potential supporters of the colonial church.

Friction also arose between d'Avaugour and the clergy out of the fact that he carelessly, if not arbitrarily, authorized his soldiers to cultivate a plot

61 Jugements, Vol. I, pp. 6,28

62 B.R.H., Vol. XXI, No. 7 (July, 1915), p. 196

of ground that belonged to the fabrique of Quebec which the church wardens had rented to an habitant.⁶³ In May 1662, discussions also commenced over the confessor of the Governor.⁶⁴ And at the Feast of the Corpus Christi there was an incident involving precedence and honours and d'Avaugour finally had his soldiers kneel bareheaded with the muzzles of their muskets touching the ground as the procession passed them.⁶⁵ All these created ill will and a store of misunderstanding.

The final exulceration was the sudden dismissal of the Council by Avaugour and the appointment of a new set of incumbents on his sole authority. Ten new members were named, five of whom would serve for four months and then the other five were to serve.⁶⁶ Very significantly the Jesuit superior was not named to this re-organized council. D'Avaugour had also taken the opportunity to disband the offices of syndics.

Msgr. de Laval decided to sail to France to seek

63 Jugements, Vol. I, p. 62

64 Journal des Jésuites, p. 308

65 Ibid., p. 303

66 Journal des Jésuites, p. 307

redress of the several grievances between the ecclesiastical and secular powers, most especially to rally support at Court for his ban on the liquor traffic which was meeting stiff opposition. In fact following Father Lalemant's intercession on the behalf of a widow accused of trafficking, Avaugour had declared the trade open to all the inhabitants.⁶⁷ This had come at the time when Laval was waging a losing battle to enforce prohibition by means of reserving absolution of brandy traffickers to himself. La Chesnaye's opinion was that Laval was not only unhappy about the trading arrangements in the colony, but also he had opposed Avaugour from the moment he set foot in Canada "through jealousy as he had not been consulted at all, and that only a small gratification had been made to facilitate the matter."⁶⁸ The Minister of the Marine was later to inform Talon that it had been the Jesuits who had complained bitterly against d'Avaugour and that eventually the King had decided to give them satisfaction.⁶⁹

⁶⁷ See chapter dealing with brandy traffic for details of d'Avaugour's embroilment with ecclesiastics on this topic.

⁶⁸ A.C., Series F3, Memorial of La Chesnaye, 1697, Vol. II, fol. 5

⁶⁹ P.A.C., Series B, Instructions to Talon, March 25, 1665, Vol. I, p. 54

This he did not only by recalling d'Avaugour, but also by leaving the choice of the next Governor to the Bishop and the naming of the new councillors to this Governor and the Bishop conjointly.

During the absence from the colony the Bishop of Petrée had left M. de Lauzon-Charny as his Grand Vicar and Official or ecclesiastical tribune.⁷⁰ De Bernieres and de Lauzon-Charny were joint-administrators of the Vicariate Apostolic. The Superior of the Jesuits also had the title and exercised the function of a Vicar General. All the Jesuit missionaries leaving on mission received letters from this Grand Vicar, and even secular priests, if they served in the Jesuit mission stations, became his subordinates. It seems, however, that the General of the Society of Jesus forbade his missionaries in Canada to exercise their powers as Vicars-General with regards to ecclesiastics not belonging to their order.⁷¹ This meant that the clergy appointed by the Bishop of Petree as Grand Vicars exercised full ecclesiastical jurisdiction in the colony during Msgr. de Laval's absence.

70 Jamet, op. cit., p. 128; Mandements, Vol. I, p. 98

71 Rochemonteix, op. cit., Vol. II, p. 345

Laval's visit to France coincided with a period of clerical ascendancy at Court, and he could not have failed to know that the grip of the clergy over the King had increased in recent months, owing in part to the financing of the Court by the Church and the illness of the Queen Mother which had caused a wave of piety to sweep through the Court.⁷² It was not very surprising then that Laval obtained his desire to see the brandy traffic officially banned, nor that he should personally obtain an important role in the new administration the King was planning for the colony. The Bishop also was successful in obtaining a new economic policy for the colony. It was very evident that the policy of the Company of New France, whose associated members now had fallen from 104 to 45, was unsuccessful. By transferring the trade of the colony to the inhabitants in return for an annual revenue it had in fact limited the trade to a few enterprising colonials who devoted their energies to accumulating furs and their attendant profits while neglecting to clear, cultivate, construct. Colbert, who had come to the Ministry of the Marine in 1661, recognized the limitations of Richelieu's

72 W.J. Stankiewicz, Politics and Religion in Seventeenth Century France (Toronto, 1960), p. 184

schemes but he decided to attempt to develop New France by means of a properly organized company, the Company of the West Indies. The King resumed full possession and seigneurie of the colony and erected it into a royal province, then decided to cede some of his rights to the new company. The economic disorders should not be repeated, therefore the Marquis de Tracy was specially commissioned to visit all French America with ample powers to remedy disorders, reorganize existing institutions and establish new ones.

Meanwhile, the charges that the investigator Dumesnil had made to the effect that the colonial oligarchs were guilty of fraud and corruption were ordered investigated further by Gaudais. Gaudais was also instructed not to disturb the church or trouble it during his investigations.⁷³ He was informed that the King had decided to give the Bishop of Petree all the assistance he required "for the conduct of his flock, and for the advancement of pious designs."⁷⁴ But, Gaudais was also instructed to proceed with great secrecy to gather information on the causes for the troubles between Laval

⁷³ P.A.C., Series B, Vol. I, Instructions to Sieur Gaudais, May I, 1663, p. 110; also Edits, Vol. III, pp. 23-27

⁷⁴ P.A.C., Series B, Vol. I, p. 110

and d'Avaugour, and to check on Laval's conduct "as much for the spiritual government of his church, as in the business of the country and the families where he is called." ⁷⁵ The church had to be limited to its own jurisdiction "but it is necessary that it be with prudence and discretion ...so that it does not appear that this order has been given to him." ⁷⁶ Finally, he was to observe the Jesuits and the actions of the new Governor.

The administration of the Royal province was placed in the hands of a Governor, the Bishop and a Sovereign Council consisting of the aforementioned officials, plus four councillors and an attorney-general to be nominated and appointed jointly, as we have already said, by the Governor and the Bishop,

⁷⁵ P.A.C., Series B, Vol. I, pp. 112-113

⁷⁶ Ibid., pp. 113-114

and to be required to swear allegiance entre leurs mains.⁷⁷

The personnel of the Council was to be changed or re-appointed annually at the will of the two chief officers.⁷⁸

The royal prerogative could be exercised to veto or amend any local ordinance. There was also provision for the naming of a clerk-secretary for the Council. ⁷⁹

77 P.A.C., Series C11A, Vol. II, pp. 16, 17; A.S.Q., Polygraphie IV, No. 54; Edits, Vol. I, pp. 38-39; In 1662 the King decided to set up a Sovereign Council in New France composed of the Governor, Bishop and a third councillor named jointly by the first two; these three first councillors should then name 6 other councillors, three of whom should come up for re-appointment each year, as well as name a secretary. However, the King changed his mind and left nomination of all the Councillors to Governor and Bishop. P.A.C., Series C11G, Vol. II, p. 253 also indicates that the edict of creation of the Sovereign Council and the revocation of the rights of the Company of New France were given on September 18, 1663.

78 But in 1664 Louis XIV ceded the colony to the Company of the West Indies with the right to name and dismiss Governors (article xxvi); in practice nothing was changed because the Company was not interested in political jurisdiction. Edits, Vol. I, p. 45. The Company contentd itself with the seating of its agent, Le Barroys, with precedence over the first councillor. Ibid., p. 35

79 Jean Baptiste Peuvret du Mesnu was appointed to the office of Clerk and Secretary of the Council, September 18, 1663. On May 1, 1666 he was nominated to the office of fiscal attorney at Quebec by the Company of the West Indies, and was duly appointed. He was dismissed by Mezy on September 19, 1664, but was reappointed by de Tracy on April 15, 1667, in his charge of clerk-secretary of the Council.

This Sovereign Council of Quebec was not a representative body, nor was it a colonial legislature, but rather it was a derivative of the French parlements, or law-registering bodies which gave local effect to Royal edicts and ordinances and which sat as a court.⁸⁰ There can be little doubt that the Sovereign Council in 1663 was given wide powers over the Church. The edict of its creation gave it the right "to judge in last resort according to the laws and customs of the realm." This constitutional phrase "customs of the realm" covered the subject adequately and meant that Gallicanism was to obtain in New France as in old France.

⁸⁰ Ordinances, which succeeded to the Capitulaires, came entirely from the royal prerogative and so can be contrasted with Customs, which were basically agreements between the sovereigns and the law-enforcement bodies. Customs existed for individual provinces (e.g. Quebec followed the Custom of Paris) but royal ordinances were binding on all the King's subjects and took precedence over custom law. Edicts and letters of chancery referred to legal enactments to which the King had personally affixed his seal and signature of his own volition. Declarations were royal letters by which the King expressed his will on the execution and interpretation of an ordinance or edict. Letters-patent of the King accorded graces, privileges, permissions and rights under the Great Seal. These letters were signed by the Secretary of State and then were registered by the Parlements or Sovereign Councils. All laws had to be observed from the date of publication, and were in force in all courts including Officialites, and were to be adhered to without interpretation. There were in addition to Customs, Ordinances, Edicts, Declarations and Letters-Patent four other types of written law in France. There were Canon law (and in a few provinces a Civil law), Statutes of communities, and universities, Pragmatic Sanctions and Concordats with the Papacy.

Omer Talon (1595-1652), advocate-general of the court of the Parlement of Paris, had dared to tell Louis XIV publicly that the greatness of the State was measured by the quality of those who obeyed it and that it was important to the King's glory that his subjects be free men and not slaves. His address illustrates the type of reasoning that won for the colony a Sovereign Council:

It is a very fortunate portent, say the auguries, to think to receive into one's house the rays of the sun...but it is perilous to think that this great heavenly body should enter there completely, because it destroys its activity what it encounters...

For that reason, Sire, the kings your predecessors deposited in the hands of their parlements not only the exercise of justice which they owe to their subjects, but even the registration of edicts and the knowledge of public affairs; it is the law of the State, the bond and assurance of royalty; it is a kind of seal, which imprints upon us the marks of his authority, without nevertheless communicating to us his substance. These ancient orders are not testimonies of weakness, but the results of political prudence, which reserves to the sovereign the occasions of rightly distributing graces himself and leaves to the inferior authorities the necessary function of justice... When we bring to Your Majesty's attention what are the functions of sovereign councils and the office of first officers of justice it is not to seek our own advantage and presume upon it... but to conserve to Your Majesty the general good-will of his peoples. to uphold them in an obedience not blind, but spontaneous and clear-sighted... 81

81 Andre Ducasse, Le XVIIe Siècle (Paris, 1946), pp. 81-82

The Sovereign Councils of France were the highest courts of appeal in provinces which had no Parlements. But in New France the Sovereign Council was more than this, taking on functions and administrative powers which had been exercised by the earlier Council of Quebec. The absence of an Intendant in 1663 also gave the Sovereign Council more extensive powers in the area of policing and financing. The Sovereign Council at Quebec registered royal edicts to give them the effect of law in the colony.⁸² The King regularly sent edicts for such registration, and granted the Quebec council a delay of one year in presenting its remonstrances because of its geographical isolation. We might ask then why some of the chief civil, criminal and commercial ordinances were not registered at Quebec.

⁸² In 1669 the King commented that "L'ordonnance du mois d'aout 1669 n'est point suivie en ce pays...parce qu'elle n'y a point estee envoyee ni enregistre." A.C., Series C11A, Vol. II, Reply on observations on certain Articles of Ordinance of 1667, 1669 and 1681, fol. 364ff. Similarly, on July 21, 1687 the Minister of the Marine instructed the Intendant to have two edicts, printed in a collection, registered so that they might be put into force in the colony. Jugements, Vol. III, pp. 176-177. There came a time when Louis XV would order the Council to register only edicts and letters which they were expressly directed to register, Edits, Vol. I, p. 588; II, 224

First, probably because some of these were in force before the creation of the Sovereign Council. Secondly, some were considered to be in force, particularly if they dealt with procedure, by mere provision in the edict of the creation of the Sovereign Council that it "proceed insofar as possible in the form and manner which is practiced and maintained in the competence of our court of the Parlement of Paris." ⁸³

Msgr. de Laval brought back to New France with him the candidate of his own choice for Governor. De Tracy was later to be informed that the King had wanted to please the Jesuits and on their petitions had replaced Avaugour with de Mezy, one of their devotees and a man dedicated to their interests, "the service of God and the propagation of the faith in those regions." ⁸⁴ Some of the religious in the colony seem to have believed that Laval had to be urged to chose the Governor and that he had hesitated long before accepting the honour. ⁸⁵ But the Bishop does not seem to have feigned this kind of humility when he believed

⁸³ Edits, Vol. I, p. 38

⁸⁴ P.A.C., Series C11A, Instructions to de Tracy, November 15, 1664, Vol. II, pp. 122-123

⁸⁵ Jamet, op. cit., p. 128

the interests of his church and the colony were involved.

Mezy was an outstanding convert from debauchery who had become a fanatical disciple of the Hermitage of Caen. It seemed that the Company of the Holy Sacrament was effectively establishing its control in the colony through the presence of a large number of clergy and laymen who had been among its initiates in France. The reason for the Jesuits and the Bishop choosing Mezy was of clear motivation: "he made profession to be devout and they no doubt believed that he would conduct himself according to their sentiments."⁸⁶ When he urged his debts as an obstacle to accepting the governorship the Bishop of Petree obtained a grant from the King to clear his accounts.⁸⁷

Since the Governor scarcely knew whom to appoint in the colony Laval's choices were all sworn into office. On quite a different score Mezy's governorship represented a veritable diminutio capitis because he shared his civil functions with a Sovereign Council. His position was also a transitional one from the rule of a

⁸⁶ Collection de Manuscrits (Quebec, 1883), Vol. I, p. 178

⁸⁷ M. Eastman, Church and State in Early Canada (Edinburgh, 1915), pp. 47-48

Company Governor to a royal Governor. The Intendant Robert s had not come out to Quebec, therefore the commissioner Dupont-Gaudais was asked to replace him temporarily on the Council until such time as an Intendant should be named. ⁸⁸ Dupont-Gaudais not only had a seat and voice on the Council but also he occupied the third seat after Governor and Bishop. ⁸⁹ He signed the Council's arrets and gave the commissions to the judges which were later named by the Governor and the Intendant. ⁹⁰ That is to say, he seems to have functioned in much the same manner as did an Intendant.

The other members of the Council, in order of precedence, were Bourdon, Villeray, La Ferte, Auteuil, Tilly and Damours, the first three of whom were probably guilty of defrauding the Company of New France and embezzling funds of the Community of Habitants, according to Dumesnil's findings. Msgr. de Laval may simply have been placing his friends above the reach of justice by assigning them places as sovereign judges of the colony. With the consent of both Mezy and the Bishop, the

88 Edits, Vol. I, p. 38

89 Edits, Vol. III, p. 23

90 Jugements, Vol. I, pp. 2, 33-34

Sovereign Council ordered the seizure of Dumesnil's papers; notwithstanding this astonishing procedure he was able to make good his return to France to report to Colbert, but without the documentation he had amassed in the colony and which was so necessary if he were to bring legal action against the colonial oligarchs. The men most deeply implicated in the charges of fraud and embezzlement had most loyally supported the procedures against Dumesnil. However, the Dupont-Gaudais memorial to Colbert, which is no way detracted from the general accusations made by Dumesnil, cleared the Church of any taint of corruption.⁹¹ The church's chief source of income was from charitable gifts and these were not part of the administrative accounts of the colony.

Governor de Mezy and Msgr. de Laval had scarcely landed at Quebec that they were called upon to act together in a question of jurisdictional rights involving the murder of an ecclesiastic by a layman. The crime had been committed at Placentia, Newfoundland, in 1662. The inhabitants of that fishing outpost had attacked three young, inexperienced but reasonably important gentlemen - the local Governor, his brother and the chaplain who had

⁹¹ P.A.C., Series C11A, Vol. II, pp. 90-92

been left to perform the divine office - as they were returning from a hunting expedition. The Governor and his brother were shot to death, but the armed priest fired upon his would-be assassins and made off into the woods. Not many days later he was driven by hunger to seek mercy from what were now crazed and drunken assassins, but his pleas went unheeded for they split open his skull with a hatchet and then cut off both his hands. ⁹² Justice fell upon the murderers in the summer of 1663, however.

It was none other than the Aigle d'Or, carrying M^sgr. de Laval and Governor Mezy, and the Jardin d'Hollande that came sailing into colonial waters that year. The suspects at Placentia were loaded on board the Jardin d'Hollande and brought to the port of Quebec to be tried by Captain Nicholas Gargot. Mezy had ordered on September 22nd that the fourteen accused be brought under the jurisdiction of the royal courts of New France. ⁹³ Two days later the Bishop joined the Governor in insisting that the case should be heard by the newly erected Sovereign Council. ⁹⁴

92 B.R.H., Vol. XXIX, No. 5 (May, 1923), pp. 137-140

93 Jugements, Vol. I, p. 6

94 Jugements, Vol. I, p. 6

But the maritime code seems to have prevailed because the naval tribunal consisting of the officers of both vessels tried and convicted one of the suspects of the murder of the chaplain at Placentia. This criminal had his hand severed at the wrist, was hanged and then burned, while his accomplice was forced to act as his torturer and executioner. To clearly establish the jurisdiction of the naval court this gruesome spectacle took place in full view of Quebec on a raft built for the purpose. Governor and Bishop and councillors appointed by them had failed to extend their jurisdiction to the sea because the trial and execution took place in the port, not the town, of Quebec.

In spite of this reverse, it was still true that the Bishop wielded a great deal of power. A notice for the revocation of land grants which had not been settled and cleared was issued both in the name of Mezy and Msgr. de Laval.⁹⁵ Again, when it was decided to establish a royal court at Montreal in October, 1663 the judge, attorney and clerk were named by the Governor and Bishop and received confirmation of their appointments from the Sovereign Council.⁹⁶

95 A.S.Q., Polygraphie XIII, No. 37, August 8, 1664

96 Jugements, Vol. I, pp. 33-34

The following month, Laval the Governor together named the new officers of justice. ⁹⁷

This introduced into colonial life the office of notaire, a position which remained of great importance in the legal history of the colony. Notaries, both royal and seigneurial, performed duties we would now associate with public notaries, common magistrates and justices of the peace. After 1669 all nominations of seigneurial notaries were made subject to the approval of the Intendant and the tendency was to restrict their number. ⁹⁸ All notaries kept registers of their acts which were in fact regulated by royal edict; these acts consisted of wills and testaments, collection of debts, business contracts, deeds and transactions, marriage contracts, bills of sale, inventories, chancery acts, papers of apprenticeship, registrations of gifts and donations, acts of supervision of minors, and so on. ⁹⁹

⁹⁷ Jugements, Vol. I, pp. 58-59. The original draft of Mezy's commission had given him this right but it was amended, possibly following clerical protests. Cf. P.A.C., Affaires Étrangères:Amérique, Vol. V (1), fol.39v

⁹⁸ R.A.P.Q., 1921-22, p. lff. The best treatise on the French notariat is P.G. Roy, Histoire du Notariat au Canada (4 vols, Levis, 1890) Notaries were paid on the basis of fees collected and the office was often sold at a very high price.

⁹⁹ Edits, Vol. I, pp. 372-5, 539-541, 611-612

All notarial acts were to be signed under oath by the parties concerned as well as by proper witnesses. The Church made its influence felt in this sphere too by obtaining that in the absence of a notary a missionary could perform notarial duties. According to the Custom of Paris curates and their vicars could receive wills but to do so was an unusual measure. 100

In France there was growing uneasiness at what appeared to be an encroachment of the spiritual powers in the colony on the jurisdiction of the civil secular power. The Viceroy de Tracy was particularly warned that the Jesuits had overextended themselves into the civil sphere by obtaining first of all the election of a Bishop favourable to themselves, and later by the appointment to vacancies among the secular clergy of individuals of the same mind as themselves.

100 Lange, *op. cit.*, Vol. I, Part I, p. 6
When ecclesiastics acted in this manner they were subject to secular authority and their mediation in no way brought matters into the jurisdiction of the ecclesiastical courts. Lange makes two situations very clear. First he says, "les contrats passés par les Ecclésiastiques sous le Scel Royal, saisissent la Justice Séculière, de même les actions héréditaires d'un Clerc héritier d'un Laïque, se doivent traiter devant le Juge Séculier." (p. 4) Then he adds, "le Juge d'Eglise ne peut aussi connoître d'une question de preséance, et d'un fait de possession, meme en matière spirituelle et entre des Ecclésiastiques."

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Their principles brought the Governors into clashes with them; among those so annoyed was the late M. d'Avaugour "who died of wounds".¹⁰¹ There was an area of secular life with which the state did wish the clergy to concern itself, on the other hand. The clergy were expected to strive to maintain the inhabitants in peace and unity, to encourage them to cultivate their lands and to carry on trade.¹⁰² The Viceroy was to retain as his working principle the maxim that his chief obligations and responsibilities were directly to the King, his correspondence with the Ministers of the council being only dependancies of the former.¹⁰³ Friction had time to develop in New France before the arrival of the Viceroy, who decided to visit the West Indian possessions first.

The distrust of the ecclesiastical power is again revealed in the replies given to the memorials of 1664 requesting that a money subsidy to help each family to become established in the colony be deposited with the merchants and account be made to the Governor and Council,

101 P.A.C., Series C11A, Instructions to de Tracy, November 15, 1664, Vol. II, pp. 121-122

102 Ibid., pp. 118-119

103 Ibid., p. 112

and that immigrants not be free to settle anywhere but be settled by the Council's direction wherever the interests of the colony dictated. ¹⁰⁴ The reply was an unequivocal negative to these two requests. Account of subsidies was to be rendered to the King alone and the merchants were not to receive the money for distribution. The reason given related entirely to the concept that the state should give no occasion to the ecclesiastical power to invade the secular domain:

For the reason that if they were accountable to the council of Kebec which is completely under the thumb of the Bishop and the Jesuit fathers it would be putting all the King's interests into the hands of the ecclesiastics who would not miss applying the money of His Majesty to the establishment of their authority and the augmentation of their Revenue. ¹⁰⁵

As for the question of the placement of immigrants the Council being, in the Minister's view, under the control of Msgr. de Laval and the Jesuits to give it the power of placement would be tantamount to allowing the ecclesiastics to distribute men according to their own convenience. ¹⁰⁶

104 P.A.C., Series C11A, Vol. II, pp. 106-111

105 Ibid., p. 103

106 Ibid., p. 104

There was little thought that their convenience and the interests of the colony might coincide. Towards the close of 1663 Mezy ran into difficulties with the councillors; Damours, Tilly and La Perte supported him, but Bourdon, Villeray and d'Auteuil made up what has been called the "Bishop's party". Villeray, "local lieutenant in the jurisdiction of Quebec" as his charge of first councillor entitled him to be called, ¹⁰⁷whom Dumesnil's report had charged with fraud and embezzlement, who indeed came to the colony as Governor de Lauzon's valet and rose in 23 years to become one of the colony's richest men, was Mazy's chief enemy and the staunchest supporter of the Bishop. On February 4, 1664 public notice was given by the Governor notifying parties who had petitions to present to the Sovereign Council to address themselves directly to him and not to anyone else. ¹⁰⁸ This notice reasserting the Governor's powers and rights was posted up "to the beat of the drum" by Major d'Angouville of Ft. St. Louis.

The principles believed to be engaged were clear enough.

107 B.R.H., Vol. V, No. 12 (December, 1899), p. 357

108 A.C., Series F3, Vol. III, folio 298

De Tracy was informed by the Minister of them:

The good understanding that was between them did not last very long, the Jesuits accusing him of avarice and violence. And he that they wanted to take in hand of the authority that had been committed to him by the King, in such a manner that there being only their creatures in the Sovereign Council all the decisions were made according to their sentiments...109

Mezy seemed to believe this was the situation too and he took action. On February 13, 1664, an ordinance signed by the Governor, Le Governor, de Tilly, Juchereau de la Ferté and Damours suspended Villeray and d'Auteuil from their functions as councillors on the charge that they had both worked with the Bishop to usurp the authority of the Governor and that they were guilty of sedition. 110 Mezy made it clear that he believed the Bishop's party was trying to rule the council in the interest of some individuals. Therefore they should be excluded until they had answered for their cabals and until the King's pleasure be known in the matter. 111 Mezy and the three remaining Councillors were the Sovereign Council for several weeks;

109 P.A.C., Series C11A, Instructions to de Tracy, November 15, 1664, Vol. II, p. 123

110 A.C., Series F3, Vol. III, folio 299

111 Jugements, Vol. I, p. 121, indicates the Bishop was presented with a fait accompli

the Bishop never failed to attend the Council meetings during this period however. ¹¹²

Ragueneau hastened to send a full report of these troubles to Colbert and also enclosed a statement from Villeray to the effect that de Mezy had attempted to increase his own remuneration by 5,000 livres. Ragueneau's version was that the Governor was attempting to make money for himself and that he was very short-tempered. During an illness of the Bishop, the Jesuit alleged, the Governor took advantage of the Council and attempted to have 21, 050 livres set aside for his appointments. ^{112a} According to this version of the troubles it was Villeray who had spoken out against the Governor's action and therefore the brunt of Mezy's wrath had fallen upon him. From the College of Clermont, the Jesuit father was also able to report to Colbert that there had been an ordinance most insulting to the person of the Bishop published in the colony.

What was the reaction to all this at Court? The king was later to explain to ~~M~~alon, when the latter was being sent to Canada to be its first Intendant, that Mezy

112 Jugements, Vol. I, pp. 121-135

112a P.A.C., Mélanges de Colbert, Vol. CXXIV, Paul Ragueneau to Colbert, October 18, 1664, fols. 356, 359

being such a devout individual the Jesuits had thought they could control him. However, Louis XIV explained that they had been quite mistaken in their estimation:

... but they found themselves short in their measures once he was in possession of command, because not only divers passions of anger and avarice which he had concealed in the beginning erupted as they say to the disadvantage of the service of the King and the colony, so that he suspended and restored on several occasions according as it pleased him the officers of the sovereign council... 113

Mezy who had a Jesuit confessor, ¹¹⁴ invited the Bishop to join in the election of new councillors but Msgr. de Laval refused to co-operate. Mezy then asked Father Lalemant for a written reply to an inquiry as to the course he should now pursue. In his letter the Governor complained of the conduct of the Bishop and of several ecclesiastics. He admitted his debt of gratitude to Msgr. de Laval for commending him to the King for appointment to the Governorship of the colony, but concluded that he was also bound by his solemn oath to the service of the King, and that this duty came before every other. ¹¹⁵

113 P.A.C., Series B, King's Instructions to Talon, March 25, 1665, Vol. I, p. 55

114 Journal des Jésuites, p. 323

115 A.C., Series F3, Vol. III, folio 300

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Lalemant was in a very difficult position, and although it would seem he sympathized with the Governor, he very diplomatically replied he could not express himself on the case of conscience propounded and went on to indicate he believed the Bishop's intentions were good. 116

On March 5th the Governor attempted to obtain from the Bishop, in Council, an agreement to a substitute for Bourdon, the attorney-general. But the Bishop replied that his conscience, honour and loyalty prevented him from replacing officials interdicted until they were proven guilty of the crimes charged against them. On the other hand, he would not attempt to prevent the Governor from doing as he saw fit, so long as it was made clear he did so on his own authority. 117

A week later Mezy announced that he had called the people to the Council chamber and by their advice had appointed Louis Chartier, sieur de Lotbiniere, as substitute attorney-general. ¹¹⁸ The Council in passing the resolution also complained against the Bishop for having opposed the creation of the office and declared that the inhabitants

116 A.C., Series F3, Vol. III, fol. 301

117 Jugements, Vol. I, pp. 127-128

118 Ibid., p. 129

had urgent need of such an officer for the ends of justice to be served and that they had persistently been calling for such a move. ¹¹⁹ The Bishop was being cast now in the role of obstructor of progress. Laval protested, and then on March 13th, three days after the announcement of Chartier's appointment, Bourdon himself sent a protest to the Council complaining of the suspension issued against him. ¹²⁰ But the Council after considering his letter of protest upheld the suspension order until such time as the King should have decided on the matter, and further proceeded to declare Bourdon's letter seditious. ¹²¹

On April 16th a reconciliation was effected between Mezy and the suspended Councillors. Mezy erased certain words from his ordinance of February 13, 1664, the substitute attorney-general Chartier resigned ¹²²

¹¹⁹ A.C., Series F3, Vol. III, fol. 302

¹²⁰ Ibid., fol. 303

¹²¹ Ibid., fol. 304

¹²² Jugements, Vol. I, p. 170 Chartier was not too long without official placement. On May 1, 1666 the Company of the West Indies, in virtue of the seigneurial rights conferred by its charter named him to the judicial position of Lieutenant, civil and criminal, of the district of Quebec. All causes of a civil and criminal nature arising in the Quebec district were to be tried by him in the first instance. He also had the right of revision of all minor causes which had been tried in the first instance in the local seigneurial courts. His opportunity came again in 1670 when the office of attorney-general was again vacant. He held the office then for four years and was named Councillor in 1674.

and a truce was in force. But it was no more than a truce.

There was a renewal of trouble over the election of syndics. On October 7, 1663, Mezy had ordered the election of a mayor and two aldermen for the town of Quebec, but on November 14th the Sovereign Council, auguing the issue of scantiness of population, abolished the town council and decided that a syndic would be a more appropriate official.¹²³ It may be that the ecclesiatics wished to prevent any administrative organs from detracting from the influence of the Bishop and Seminary, but no concrete and conclusive evidence of this has been found.¹²⁴ The election of a syndic was to have taken place within a week, but it was not until midsummer, 1664 that the matter was pursued.

On July 28, the attorney-general Bourdon had a syndic elected for Quebec in conformity with the arrêt of the previous November. Claude Charron, the Bishop's candidate as some inhabitants called him, was elected. There was a popular outcry as some inhabitants charged that Charron was a prosperous merchant so would favour a select

¹²³ Jugements, Vol. I, p. 57; Edits, Vol. II, p. 13

¹²⁴ R. DuBois Cahall, The Sovereign Council of New France (New York, 1915), p. 27 makes this accusation

group of merchants; with only 23 electors participating. ¹²⁵

Mezy was happy to intervene on the behalf of the population and called a second election but the response was so poor that it was nullified. ¹²⁶ Mezy accused the cabal in the Council of hindering the election of a syndic because they were opposed to any popular representation. The Bishop replied to the charges saying that the so-called cabal had never opposed the election, that in fact the Grand Vicar had on several occasions called for one.

Mezy called the leading "non-suspect" inhabitants together for a September 14 election at which Jean leMire was chosen for syndic. The Mezy election was challenged by the clergy on the grounds that only 60 inhabitants had participated and that after a 10 livres fine had been imposed for abstention. During this quarrel the whole matter of appointment of new councillors had also arisen. On August 25th the Governor asked the Bishop to agree to the naming of a new council and had offered him the

125 Cahall, op. cit., p. 34 gives the view that the Bishop and Seminary had opposed free elections because they wished to see the mercantile class remain leaderless in hope of so retaining the ban on the liquor trade. It seems instead that Charron was the clergy's choice.

126 A.C., Series F3, Vol. III, fols. 312-315

selection of a certain number of persons, provided none of them be of his own servants or Jesuits. ¹²⁷ To this Laval replied that he could not at the moment consent to the choice of new councillors to replace Villeray, La Ferté and Damours, the choice of an attorney-general to replace Bourden and the choice of a registrar to replace Peuvret. He said that the Viceroy de Tracy was expected before too long and he wished the matter deferred until the latter's arrival. ¹²⁸ Mezy persisted and since the Bishop would not yield from his position on December 6th the new Council was established as named by Mezy. ¹²⁹

But to return to the vexing questions of a syndic again, on September 17th LeMire presented himself before the Sovereign Council to be sworn in. The abbé de Lauzon-Charny, the grand vicar and Laval's representative, La Ferte and d'Auteuil opposed his acceptance so that a deadlock followed in council. ¹³⁰

¹²⁷ A.C., Series F3, Vol. III, fol. 311

¹²⁸ Ibid., folio 310

¹²⁹ A.S.Q., Polygraphie IV, No. 55; Journal des Jésuites, p. 352

¹³⁰ Jugements, Vol. I, p. 278

Mezy asked for an adjournment and two days later brought Le Mire to Council and on his own authority administered the oath to him. The vicar general de Lauzon-Charny asked that the proceedings be officially recorded. ¹³¹ This development would seem to indicate that the councillors were placemen and that the struggle was now one of control over nominations. The Bishop in opposing the naming of new councillors was protecting his own interests because the incumbents represented a pro-ecclesiastical majority. He could not readily abandon them now and allow them to return to the status of private citizens. Moreover, it was difficult to find other men so staunchly in support of the church's position as were many of these councillors. Besides, Mezy had won his popular support by his direct appeals to the people and by virtue of the widespread feeling at the time against the church's stand on brandy and on tithing.

On September 19th, Mezy declared four Council seats vacant. The councillors submitted but not Jean Bourdon, the attorney-general, who maintained that the Edict of the creation of the Sovereign Council was silent upon the

¹³¹ A.C., Series F3, Vol. LXXVIII, fol. 5

length of his term of office, only councillors being subject to annual appointments. ¹³² Mezy chased Bourdon from the Council chamber as well as the other councillors. He seized Bourdon by the throat, hit him on the head with his cane and then across the back several times with his sword. Outside the Council chamber he again set upon the attorney-general, beating him soundly and cutting his hand with his sword. ¹³³ Four days later Bourdon was embarking for France where he would carry news of the strange events in New France. ¹³⁴ Colbert later was to remark that Mezy showed enough good sense to send the attorney-general to the Court to give an account of his misconduct. ¹³⁵ But the King was to say that the crux of the issue was that on his sole authority the Governor had within 24 hours ordered Bourdon and Villeray to embark for France, violent conduct which he could not approve. ¹³⁶

¹³² Jugements, Vol. I, p. 278

¹³³ Journal des Jésuites, p. 328; A. C., Series F3 Vol. LXXVIII, fol. 6; Jugements, Vol. I, p. 280

¹³⁴ Journal des Jésuites, p. 328

¹³⁵ P.A.C., Series C11A, Instructions to de Tracy, November 15, 1664, Vol. II, p. 123

¹³⁶ Collection de Manuscrits, Vol. I, p. 178

On September 24th Laval did not attend the Council meeting because he was ill. Mezy on his own authority had re-appointed Damours and Tilly to the Council and now proceeded to replace Villeray, d'Auteuil and La Ferte, the members of the "cabal", by Denys, La Tesserie and Peronne Dumesnil. These new councillors held office for less than ten months, i.e. from September 24, 1664 to July 6, 1665. Bourdon and Villeray were out of the country so for the moment they were not stirring up opposition. Laval opposed the appointments and when the proclamations posted at the church doors made no mention of the dissenting voices he ordered the matter elucidated from the pulpits the following Sunday. ¹³⁷ If the overlapping of powers had been a deliberate move so as to set up a system of checks and balances necessitating recourse to the home government in cases with many ramifications, then the system was proving itself. ¹³⁸

¹³⁷ Journal des Jésuites, p. 328

¹³⁸ J. Delalande, Le Conseil Souverain de la Nouvelle-France (Quebec, 1927), p. 160: "Les incidents d'ailleurs étaient inevitables dans une colonie a ses debuts, ou il semble que le pouvoir royal ait pris plaisir - ait cru voir son propre interet, dit-on- a ne pas definir exactement les differents pouvoirs, afin que, ceux-ci se contrlant les uns par les autres, aucun ne prit une influence preponderante."

Governor Mezy was absent at Ste. Anne de Beaupre the Sunday that Laval's dissenting opinion was announced. But on his return to Quebec he heard that Pommier,¹³⁹ a priest from the Seminary, had published several things against the service of the King and in Council Tilly was appointed to carry out an investigation.¹⁴⁰ The following Saturday Mezy took yet further measures which the Jesuits recount as publishing to the roll of the drum a placard of insults to the Bishop and clergy misrepresenting the reasons for being refused absolution,¹⁴¹ The answer of the clergy was that God knew all the details of the dispute. The appearance of a comet in November may have frightened a few individuals into a more serious frame of mind too.¹⁴² As Governor, Mezy did have recourse against the ecclesiastical forces. He declared that the church would receive no funds whatever until he had had opportunity to declare his reasons to the King.¹⁴³

¹³⁹ Pommier, Hughes- came to Newfoundland in 1663 and on to New France the following year. After serving in Quebec he served on missions at Levis and Beaupre.

¹⁴⁰ Jugements, Vol. I, p. 283, but de Tracy had the entry pp. 278-280 struck out on May 31, 1666, indicating his leanings in the matter

¹⁴¹ Journal des Jésuites, p. 329

¹⁴² Ibid., p. 329

¹⁴³ Ibid., p. 329

The Bishop was more restricted in his means of reprisals but an opportunity did present itself before Christmas, 1664. On December 16th the Council authorized the syndic of Quebec to obtain a monitory or ecclesiastical citation with the object of revealing the identity of those who sequestered the goods of the merchants, but the Bishop refused absolutely on several occasions saying that it was not à propos for him to grant it and that the syndic had abundant means of justice at his disposal.¹⁴⁴ The judges of the Officialité normally provide the secular judge with a monitory, although it is the official as representative of the Bishop, not the secular judge, who employs the power of excommunication.¹⁴⁵ Msgr. de Laval was completely within his rights in refusing to grant a monitory.

However, on New Years Day the Jesuits came to salute the Governor as usual and he sent that same day word to Msgr. de Laval and the Jesuit fathers that an order for the payment of their allowances was being given.¹⁴⁶

144 Jugements, Vol. I, p. 309

145 Lange, op. cit., pp. 84-86, 90, Part II "Tous Juges memes Ecclesiastiques, et ceux des Seigneurs, pourront permettre d'obtenir Monitoires, encore qu'il n'y ait aucun commencement de preuves. ni refus de déposer par les temoins." Vol. I, Part II, p. 84. Granting a monitory was still left to the discretion of the Officialité, and refusal in this case was not on any of grounds mentioned above.

146 Journal des Jésuites, p. 330

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By now Mezy was an ill man and he no doubt thought better of his quarrels with the ecclesiastics. On April 26, 1665, he wrote to de Tracy:

I do not know nevertheless if I did not make a mistake in allowing myself to be too easily persuaded by the report that had been made to me. I leave however to your prudence and the good examinations you will make thereof the definition of this affair...147

At the beginning of March he had confessed and had received the communion; the reconciliation had been effected. His death followed in May. The best that can be said is that in life he had opposed the ecclesiastical powers in the colony; only in death did he come to terms with it. Clerical opinion was that he had made his peace with the church and that he was truly repentant of his sins, that is of his long struggles over jurisdictional rights.¹⁴⁸ The church had the last word because as in other incidents of similar character the institution lived on while individuals passed on.

The Mezy misunderstandings were not pursued further after his death. Talon informed Colbert of the moratorium

147 A.P.Q., Registre des Insinuations, Registre A, fol. 16 S.R.C., Doc. XXXIX, No. I, p. 127

148 Ragueneau, op. cit., pp. 250-261

that had been declared on the debt he left behind:

It was not judged proper to inform against M. de Mezy after his death, M. the Bishop and the other individuals whom he had hurt by his conduct making no solicitation any more for it; we believed, M. de Tracy, Courcelles and I, that His Majesty would not be angry if his fault were buried with his memory. 149

And in May, 1666 de Tracy ordered the striking from the records of certain actions taken during the Mezy-Laval quarrel. 150

Msgr. de Laval had been informed by Louis XIV in 1663 that de Tracy would be coming to the colony as lieutenant-General, and the Bishop had been encouraged to co-operate fully with this senior official and representative who would be relying heavily on the Bishop for information upon his arrival. ¹⁵¹ The arrival of de Tracy from the West Indies on June 30, 1665 was therefore hailed by the religious as the beginning of a new era. Actually his arrival in New France enabled the King to settle the jurisdictional dispute over the naming of new councillors because now the Lieutenant-general, the new Governor, and an Intendant would assume this responsibility. The Bishop had by this development lost

149 S.R.C., Doc. XXXIX, No. 2, p. 218

150 A.C., Series F3, Vol. III, fol. 57

151 A.S.Q., Lettres N. No. 12, Louis XIV to Laval, November 19, 1663

an important voice in civil administration.¹⁵² But this reverse for the ecclesiastical power was not immediately noticable.

Mother Marie de l'Incarnation believed that the enemies of the church had now all been exposed and deprived of their offices. She like the Jesuits, certain that de Tracy was a chosen vessel of God expedited to bring peace to the colony.¹⁵³ Instead of an immediate settlement it was not until July 6 that the former councillors resumed their places and not until September 23rd that the old council was formally re-established and the council as set up by Mezy was officially dissolved.¹⁵⁴ The return of the abbé de Queylus to the colony he very much regretted, the Sulpicians he seemed to want to restrict to Acadia and the seigneurial rights of the Sulpicians at Montreal he¹⁵⁵ outraged by dismissing their local governor, Maisonneuve.

152 P.A.C., Series F3, Vol. III, p. 333ff

153 Martin, op. cit., pp. 239, 251, 600, 609, 622
Journal des Jésuites, pp. 347, 348, 350, 351

154 Jugements, Vol. I, p. 365 Journal de Jésuites,
p. 355

155 Faillon, op. cit., Vol. III, pp. 95, 110-111

On September 12th, the new Governor Courcelles 156 arrived. But it was the arrival of Talon as first colonial Intendant that was watched. His appointment seemed to augur well for the church in its struggle with the civil powers because he was believed to be a good son of the church. 157 It soon turned out that he was an even better patriot and imperialist. If he favoured all measures for the Christianization of the heathen and the conversion of the Huguenots it was more for the extension and consolidation of the power of the French monarchy than for the expansion of the church that he acted.

The King may have been willing to make concessions to the ecclesiastical party in the colony, but at the same time he was not altogether ignorant of the dangers of allowing them to gain the ascendancy. The instructions to Talon warned that the Jesuits had played a dominant role in the early colonization of the country, defined the

156 Daniel St. Remy, Knight, Seigneur de Courcelles was appointed Governor on March 23, 1665. His jurisdiction extended over Acadia and Newfoundland too.

157 His career has been given laudatory treatment in T. Chapais, Jean Talon, Intendant de la Nouvelle-France, 1665-1672 (Quebec, 1904), Laval spoke well of him as late as 1667 - P.A.C., Mélanges de Colbert, Vol. CLXXVI, Laval to Colbert, October 15, 1667, fol. II.

separation of powers, and warned the Intendant to guard against possible Jesuit encroachment on the civil power. The past services of the Jesuits to the colony should not blind the official to the fact that they had taken on authority "which goes beyond the boundaries of their true profession which should be concerned only with consciences."¹⁵⁸ There followed one of the clearest statements of the separation of powers dispatched to a colonial official by the King:

It is absolutely necessary to hold in just balance the temporal authority which resides in the person of the king and in those who represent him, and the spiritual which resides in the person of the said Bishop and the Jesuits in a way nevertheless that the latter be inferior to the former. The first thing which the said Sieur Talon will have to observe well, and about which it is good if he have upon leaving from here almost complete ideas, is to know perfectly the state in which these two powers are at present in the colony, and the state in which they ought naturally to be. In order to attain to this he will have to see here the Jesuit Fathers who have been to the said country and who have all correspondence thereof, as well as the Attorney General of the Sovereign Council established at Quebec, who is said to be completely devoted to the said Jesuits, from whom he will gather all that he can learn without however disclosing his intentions. 159

¹⁵⁸ P.A.C., Series B, Instructions to Talon, March 25, 1665, Vol. I, p. 49

¹⁵⁹ P.A.C., Series B, Instructions to Talon, March 25, 1665, Vol. I, pp. 50-51; A.P.Q., Ordres du Roi, Series B, Vol. I, p. 23

Such were the principles upon which the chief civil officials were to base their relations with the ecclesiastical powers in future.

Yet in writing to the Bishop, Colbert used very different terms. In 1666 he told Msgr. de Laval that he was pleased with the charity he showed to all and which brought upon him the blessings of people of substance and evidently the favours of heaven as witnessed in the great number of conversions of heretics.¹⁶⁰ By way of recognizing the benefits of his spiritual government in the colony the King was prepared to grant him a benefice and other means of maintaining the episcopal dignity and the colonial seminary. The following year, in acknowledging two letters from the Bishop, and in forwarding 6,000 livres to the Intendant for the purposes of the church, he again indicated that the Bishop's labours were appreciated, that he saw to the administration of the sacraments in the most remote parishes and settlements, that the children were being reared in the faith, and that good citizens were being raised up in the colony.¹⁶¹

159 P.A.C., Series B, Instructions to Talon, March 25, 1665, Vol. I, pp. 50-51; A.P.Q., Ordres du Roi, Series B, Vol. I. p. 23

160 A.S.Q., Lettres N, No. 19, Colbert to Laval, April 5, 1666

161 A.S.Q., Lettres N, No. 24, Colbert to Laval, April 5, 1667

Talon's first impressions were that the Jesuits remained fairly well within the bounds of their jurisdiction and did not seem anxious to meddle in public secular matters. This he called a reform of conduct on their part:

I saw that if in the past the Jesuits balanced the temporal authority with the spiritual, they have reformed their conduct and provided they keep it always as it appears to me today we will have no reasons to take precautions against it in future. I will watch over it in the meantime and will prevent as much as within me lies that it be prejudicial to the interests of His Majesty and I believe that in this I shall have no difficulty.¹⁶²

This was the conviction of a newly arrived, relatively inexperienced and optimistic Talon. The month in which he wrote these words also saw another earthquake shake some colonists into a more religious frame of mind. ¹⁶³

At first then, the Jesuits were as pleased with Talon as he was with them. The General of the order, Father Paul Silva, sent the Intendant a letter thanking him for his kindnesses, to which Talon replied with an expression of gratitude for their past services and an expression that he might be of service to them in future. ¹⁶⁴ There is no

¹⁶² P.A.C., Series C11A, Talon to Minister, October 4, 1665, Vol. II, p. 199

¹⁶³ Journal des Jésuites, p. 336

¹⁶⁴ Rochemonteix, op. cit., pp. 84-85

indication that the relations with the Bishop were as cordial, however. The Bishop's influence in Council was now declining and in fact the Intendant had assumed many of the functions hitherto ascribed to the Council itself. Talon regularly sat in Council, took a great share in the deliberations. The Bishop also attended regularly but his stand on the brandy traffic had made him less popular and two members of his "cabal", d'Auteuil and La Ferte, had been replaced in Council by Gorribon and La Tesserie. With the Sulpicians the Intendant enjoyed generally good relations although Father Remy who came out just before Talon's final return to France had too great a knowledge of jurisprudence and was too active in arbitrating disputes for Talon's liking. ¹⁶⁵

Just after Christmas, 1665, the Jesuits petitioned Talon on the matter of their lands at Notre-Dame de Bonsecours but they were frustrated in their intentions.¹⁶⁶ The Superior, Le Mercier, petitioned Talon again not to fulfill his plan to establish European-type villages on their seigneurie of Notre-Dame des Anges. Notwithstanding these communications Talon proceeded to expropriate some

¹⁶⁵ Faillon, *op. cit.*, Vol. III, p. 419

¹⁶⁶ *Journal des Jésuites*, pp. 337-340

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of their uncleared lands and ordered work to proceed. ¹⁶⁷
 He sent them a note in which he posed the ethical problem
 of a royal subject considering the welfare of the larger
 community above that of a smaller community in matters
 similar to the one they had communicated with him. To this
 the Jesuits, seeing that their cause was already lost as
 clearing of their former concession was already underway,
 replied by asking for a written statement that the act had
 been necessary for the service and satisfaction of the King
 in order that they might document the information they
 would need to forward to their own General.

The Jesuits were highly esteemed for their role
 in securing the Indian alliances. Governor Lovelace viewed
 the missionary activities among the Indians as motivated to
 do more for the advancement of the kingdom of France in
 English regions than for the progress of the kingdom of
 God. ¹⁶⁸ On August 19, 1665 de Salieres and four companies
 of troops had landed in the colony. ¹⁶⁹

¹⁶⁷ Chapais, op. cit., pp. 490-494 cites documents
 copied at Archives Nationale, Paris by de Rochemonteix

¹⁶⁸ Eastman, op. cit., p. 91

¹⁶⁹ Journal des Jésuites, p. 333

When these military forces under the general command of de Tracy came into the colony with their pockets full of cash they solved for the time being an acute currency shortage. The expedition into the Richelieu country was almost a crusade for not only did two Jesuits accompany the force but the soldiers wore the scapulary of the Blessed Virgin and were assured of an open heaven should disaster overtake them.¹⁷⁰ But the "holy war" was the occasion for another rift between clergy and civil authorities. Courcelles blamed the failure of the expedition on the Jesuits whom he accused both at Three Rivers and Quebec of having held back the allied Indians.¹⁷¹ De Tracy seems to have intervened and brought Courcelles back to the promise he had made earlier "not to quarrel at all with the Black Robes."¹⁷² At the end of March, 1666 both de Tracy and Courcelles went on a pilgrimage to Ste. Anne de Beaupre and it appears that this marked the end of their controversy. Then in 1667 Talon and Courcelles began quarrelling over the military jurisdictions of the Governor

170 Journal des Jésuites, p. 350; Also Martin, op. cit., p. 610

171 Ibid., pp. 342-343

172 Ibid., pp. 342-343

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M. de Salieres, colonel of the de Carignan regiment, complained to Falon that the Governor had arbitrarily listened to the complaints of a few individuals and had repatriated an officer called de la Frediere. ¹⁷³ M. de Salieres contended that outside France he alone was the colonel of the regiment and that no one else had the right to arrogate to himself such powers apart from receiving a specific order from the King. ¹⁷⁴ The quarrel did not result in any changes for Courcelles' commission clearly stated that he was to "command as well the people of the said countries as all our other subjects, ecclesiastics, nobles and men of war..." and to "maintain and keep the said peoples in peace, rest and tranquillity, and command on the sea and on land." ¹⁷⁵ He was commander-in-chief beyond any doubt and therefore had acted within his powers.

The royal communication to Falon in 1667 expressed pleasure with ecclesiastical efforts among the aboriginal population but again expressed a fear that the clergy might over extend their activities:

¹⁷³ A.C., Series F3, Vol. III, fol. 345

¹⁷⁴ Ibid., fol. 346

¹⁷⁵ Edits, Vol. III, pp. 31-33

But this consideration and these matters must also have their limits and extend themselves only to those matters which concern Ecclesiastical discipline and the shepherding of consciences, acquaintance with temporal affairs being naturally reserved to the officers and magistrates proposed by it in order to administer them. 176

Talon went into action once more, confident of the support of Colbert at home. First, he wished to send back to France one or two priests "of those who recognize the least this temporal authority and who by their conduct trouble the most the peace of the colony". These priests he wanted to have replaced by four ecclesiastics who would be authorized to administer the sacraments "without them being liable to being disquieted" by the Bishop. 177 Laval had by this time re-organized the Officialité, with Dudouyt as promoteur and Morin as clerk, 178 and it would seem that the matter should have gone to this court first.

Just what did these new disorders consist of? One report held that a Father Bardy preached at Quebec an inflammatory sermon against Courcelles and Talon in which

176 P.A.C., Series C11A, Colbert to Talon, April 5, 1667, Vol. II, p. 468

177 R.A.P.Q., 1930-31, Memorial of Talon, 1667, p.64

178 A.A.Q., Registre A, Nos. 32, 33, pp. 38-39

he called them "lately come pumpkins" and disturbers of the peace. He was reported to have incited the people to rebellion and to have said that the clergy had mastered better men before. ¹⁷⁹ Much more serious charges arose out of a kidnapping case involving a soldier called Champagne and his servant Langevin. Champagne was sentenced to death and Langevin when being confessed by Father Dablon was informed that a similar fate awaited him unless he followed a certain course. His deposition later ran as follows:

But if you are willing to say to Mr. de Tracy that she lived honorably with you and to so maintain in full Council, I will save your life. My father, said Langevin to him, I will say all you wish, but the truth is that my mistress having no husband, prostituted herself to all the soldiers, but since you wish me to lie I will do so to save my life. It is nevertheless true that she caused us to desert prostituting herself to us and three others. Ah you wretch, exclaimed Father Dablon, you will die if you talk like that to the Council. You must say that she lived honorably with you in the boat. Fine my father, Langevin said to him, I will say that she behaved well, but I thought one ought not to lie, especially before the judges or in the confessional. 179a

The effect of such charges upon Talon can be imagined.

179 P.A.C., Series K, Carton 1232, No. I, p. 49

179a Ibid., Carton 1232, No. I, p. 45; pp. 101-103

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Equally irritating to Talon was the Church's stand on the brandy traffic and so he hinted to the King and Colbert that the ecclesiastics were increasing their powers and pretensions. ¹⁸⁰ He lifted the prohibitory regulations against the negative voices of Tilly and Laval. ¹⁸¹

Two months after writing to complain about the extension by the church of its sphere of jurisdiction Talon wrote again to Colbert asking among other things for permission to allow the Sulpicians to take the Gospel to the Indians and establish schools, and to consider putting the brandy trade with the aborigines on the same basis as the regulation for Frenchmen. ¹⁸² Talon complained that the Bishop had caused some difficulty over the publication of ordinances from parish pulpits as provided for in the Custom of Paris. Louis XIV wrote to Msgr. de Laval desiring him to conform to "the usage which has always been practised in this realm" by ordering every priest in New France to read

¹⁸⁰ P.A.C., Series C11A, Vol. II, Talon to Colbert, August 26, 1667, p. 488

¹⁸¹ Jugements, Vol. I, pp. 534-536

¹⁸² P.A.C., Series C11A, Talon to Colbert, October 29, 1667, Vol. II, p. 530

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from the pulpit at the parochial mass all the acts of justice rendered by the officers of the Sovereign Council or by the ordinary judges. 183

Many activities came under state supervision. The King dictated an educational philosophy for the colonial schools at one point: "It has always been a certain experience that the laziness of the first years of life is the true source of all the disorders that cross it..." 184 The issuing of letters-patent to the Hospital Nuns depended upon Talon's recommendation that they were "useful to the King's service". 185 The state provided family allowances for families of ten or more children "living, born of legitimate marriage, not priests or in religious orders", and then went on to provide financial aid for early marriages and fines for late marriages. 186 In New France such family allowances and fines on bachelorhood were part of the policy of encouraging economic exploitation and agricultural settlement.

183 A.S.Q., Portier papers, Louis XIV to Laval, March 2, 1668 P.A.C. Affaires Étrangères:Amérique, Vol. V (1), fol. 243

184 P.A.C., Series B, King to Talon, March 25, 1665, Vol. I, p. 70

185 P.A.C., Series C11A, Talon's memorial, 1669, Vol. III, p. 50

186 P.A.C., Series C11A, Arret of April 3, 1669, Vol. III, pp. 6-7

Religious vocations had to be kept within bounds, according to such a policy, so that a proper balance would be maintained between the religious and the rest of the population.

It is necessary to prevent as much as possible the too great number of priests, religious men and women; it is sufficient if there is the number necessary for the needs of souls and the administering of the sacraments, 187

These instructions were being sent for a new and temporary appointee as Intendant, Bouteroue. 188

Although Bouteroue would be the Intendant for only one year it was still thought necessary to furnish him with detailed instructions. On the matter of the ecclesiastics he was given ample warnings:

With regard to the spiritual, the advice from that country has it that the bishop of Petree and the Jesuits establish too powerfully their authority by means of the fear of excommunication, and by the too great severity of life which they wish to maintain there. 189

187 P. Clement, Lettres, Instructions et Mémoires de Colbert (Paris, 1865), Vol. III, Pt. II, p. 405

188 A.S.Q., Lettres N, No. 28, Louis XIV to Laval, April 9, 1668 informed the Bishop of the administrative change

189 Clement, op. cit., Instructions for Bouteroue. April 5, 1668, Vol. III, Pt. II, p. 403

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Therefore, he was instructed to watch the Jesuits and the Bishop but to give them no occasion to feel they were under close surveillance. His recall, however, indicated that he had not been as zealous in these matters as Courcelles had wished. ¹⁹⁰

Talon, who was returning for another term, was advised to live peaceably and in good understanding with the clergy, to continue to guard against any extensions of the ecclesiastical power, and if there were irregularities to restrain them by "amiable and gentle means" and by informing the King, who alone should discipline an invasion of state rights. ¹⁹¹ And to assist in combatting the great influence of the Jesuits in the colony some Recollets were being sent out.

Just how the ecclesiastical power was believed to extend its influence is demonstrated in the matter of the appointment of an attorney-general for the Sovereign Council of Quebec. In 1668, in the absence of Jean Bourdon, Mouchy was named to act. Then the death of Gorribon in 1669 and the dismissal of Villeray by Courcelles for too

¹⁹⁰ Clement, op. cit., Colbert to Courcelles, May 15, 1669, Vol. III, Pt. II, p. 450

¹⁹¹ P.A.C., Series C11A, Vol. III, King to Talon, May 17, 1669, p. 24; also P.A.C., Series B, Vol. I, pp. 187-188

close liaison with the ecclesiastics resulted in the nomination of Dupont and Mouchy as councillors, and Chartier as substitute for the attorney-general. Patoulet,¹⁹² who was acting for Talon in the colony during the latter's absence in France, wrote to Colbert to make definite suggestions on the procedure to adopt in the matter so as to avoid undue ecclesiastical influence in appointments:

You had left to the disposition of M. Talon the nomination of the attorney-general of the Sovereign Council of Canada but if God had disposed of him, I know that we must ask you for this office, as it is essential to the service of the King (as M. Talon informed you in Paris) that it not be filled by a man who is tied in interests with the ecclesiastics, I believe it would be good if you referred the matter back to M. de Courcelles...¹⁹³

Patoulet was saying that to avoid extension of ecclesiastical influence the choice of colonial officials should be left to the higher officers of the Crown in the colony who could best make nominations that would counteract the infiltration of the Council by agents of the Church.

¹⁹² Patoulet went out in 1669 as Secretary to Talon during his second term as Intendant of New France. He acted for Talon until his arrival in 1670, and in the interval sent home a detailed report to which reference is here made. Patoulet went on to become Controller of the Marine at Rochefort and afterwards at Brest.

¹⁹³ P.A.C., Series C11A, Patoulet to Minister, November 11, 1669, Vol. III, p. 63

Colbert had already warned Courcelles that year of these very dangers:

On the subject of the too great authority that you find the Bishop of Petree and the Jesuits, or to express it better the latter under the name of the former take to themselves, I am going to tell you that it is necessary that you act with much prudence and circumspection in this matter seeing that it is of such a nature that when the country will increase in population assuredly the Royal authority will surpass the Ecclesiastical and will assume once again the true scale it ought to have...194

It was in financial matters that the state had a very real measure of control, or at least of expressing satisfaction or dissatisfaction with the activities of the ecclesiastics. in New France. Talon, upon his return to the colony, informed Colbert that the Bishop was working zealously at evangelizing the Indians, converting the Huguenots, and correcting "the vices and imperfections" which might bring discredit to the colony.¹⁹⁵ The Bishop had been especially pleased with the royal gratification and hoped to receive a similar gift the next year. Talon observed that the Church was in need of this assistance and Colbert wrote in the margin, "It is necessary to put this gratification in the

194 P.A.C., Series B, Minister to Courcelles, May 15, 1669, Vol. I, pp. 208-9; A.P.Q., Ordres du Roi, Series B, Vol. I, Colbert to Courcelles, May 15, 1669, p. 100

195 P.A.C., Series C11A, Talon to Colbert, November 10, 1670, Vol. III, p. 92

number of expenses to be made".¹⁹⁶ State financial assistance was a part of normal relations.

Talon informed Colbert that the Provincial of the Recollets would be able to acquaint him with the delicate negotiations the Intendant had had to undertake "with the Church to preserve the King's authority" on their behalf.¹⁹⁷ This was casting the Bishop and Jesuits once more in the role of usurpers of royal authority, puritanical guardians of the colony's and watchdogs of the civil power. The Jesuits had let the Bishop know that their order in Rome was working for the granting of the papal bulla and the erection of a bishopric of Quebec. Talon had therefore immediately asserted the predominant role of the state in the erection of the bishopric:

I let him know that he should await it from His Majesty who alone could accord it to him, and that it was in his own interest to hold all his institutions from him because upon him alone did he depend. He thereupon testified to me to receive well my advice, and then much gratitude.¹⁹⁸

In 1671 Colbert wrote Courcelles expressing

¹⁹⁶ P.A.C., Series C11A, Talon to Colbert, November 10, 1670, Vol. III, p. 92

¹⁹⁷ Ibid., p. 92

¹⁹⁸ P.A.C., Series C11A, Talon to Colbert, November 10, 1670. Vol. III, p. 93

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pleasure that friction between church and state had again declined. Courcelles was again reminded to behave himself in such a manner as to avoid charges of partiality. 199 On this note of uneasy co-operation between church and state his governorship came to an end.

In all this the King had refrained from readily giving any opinion which would have openly censured the church and at the same time he had secretly been urging his representatives to keep a wary eye on the ecclesiastics while he himself seems to have been more influenced by them than were his officers.

199 P.A.C., Series B, Minister to Courcelles,
March 11, 1671, Vol. III, pp. 84-85

CHAPTER III

JURISDICTIONAL QUESTIONS, 1672-1685

Relations between church and state, as we have seen to date, were marked by alternating periods of good understanding and of violent controversies. The arrival in New France of Louis de Buade, Count of Palluau and Frontenac, marked the beginning of another period of great strain and stress between the civil and ecclesiastical powers. The first term of Frontenac's governorship was of special importance. It may be said that Frontenac was an irascible character, a ruined gentleman seeking to regain his fortune and a rather incompetent military leader.¹ But, it is equally true that he played a singularly important role in colonial development, that many of his contemporaries admired him. He ranked much higher in the French aristocracy than most of the Governors sent to New France, and he represented, while in the colony, the aristocrat. He had been well chosen to lead the forces of Gallicanism. Moreover, he was to be seconded by the capable Talon as Intendant, and later to be prodded into a more extreme

¹ This is the thesis that was advanced first by W. Eccles, Frontenac, The Courtier Governor (Toronto, 1959), More useful for our purposes is the earlier work by Father Jean Delanglez, S.J., Frontenac and the Jesuits (Chicago, 1939)

position vis-à-vis the church by the insufficiently Gallican Duchesneau. His successors in the gubernatorial charge would show neither the brilliance nor the éclat he gave his stormy term of office; his successors were to solve none of the problems that he has been accused of having failed to resolve.

Among the first official acts of Frontenac was the convening of the Sovereign Council to assign to himself the presidency of that court ^{1a} and to proceed to administer oaths of allegiance to the councillors binding them to himself as the King's representative. Each councillor swore to faithfully serve the King, each in his own charge, under the authority which it pleased His Majesty to have given to Frontenac in this province. ²

A more daring move was the calling of a colonial Estates-General to administer in a colorful display of pomp and ceremonial the oaths to distinguished citizens representing four estates - clergy, nobility, justices and third estate or commoners. Frontenac, in his main address to the assembly, said that the Scriptures ordered every

^{1a} A.C., Series F3, Memorial of Sovereign Councillors, 1672, Vol. II, fol. 26

² Jugements, Vol. I, p. 691

man to obey his Sovereign and no power could loose one from this solemn obligation. The work of the missions, he continued, was to make the heathen at once subjects of the King and of God. In other words, he enunciated a neat policy of synergy between church and state - with the state always controlling and predominant. ³

The Jesuits were later to be praised for having offered him their new church of Notre Dame, without being asked, and for having decorated it appropriately for the meeting of the Estates-General. There had been only one difficulty with the clergy in the whole proceedings and no issue had come of that. Frontenac had requested the regular and secular clergy to be grouped together. The Jesuits had agreed at first, but later the Grand Vicar had objected that in France it was not the custom to so mingle secular and regular clergy. Frontenac did not press the matter. ⁴ The records do not indicate if anyone mentioned that it was not the custom in France, at least since 1615, to assemble an Estates-General.

³ P.A.C., Series C11A, Frontenac's address, October 23, 1672, Vol. III, pp. 320-324

⁴ P.A.C., Series C11A, Frontenac to Minister, November 2, 1672, Vol. III, pp. 327ff; Collection de Manuscrits (Quebec, 1883), Vol. I, p. 225

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The oath administered to the clergy does not at face value seem to imply any undue submission of the ecclesiastical estate to the civil authority.

You swear and promise before God to work with all your strength for the maintenance of the Catholic, Apostolic and Roman Religion, to promote it as much as you can through your example and care, by the purity of your doctrine and the proclamation of the Gospel, and to be faithful to the King as you are required under the authority of the charge which He has honoured you with in these provinces. You promise, besides, that if something comes to your knowledge which is contrary to His Majesty's service you will advise us thereof, and in case it were not remedied by us, you will inform His Majesty thereof. 5

The last clause almost appeared to require a violation of the secret of the confessional.

Frontenac informed Colbert that the ceremony had reflected some of the greatness of His Majesty's court in the colony, that the people had been very impressed with the ceremonies and, therefore, the occasion had had good effects for His Majesty's service.⁶

5 P.A.C., Series C11A, Frontenac to Minister, November 2, 1672, Vol. III, pp. 327ff; Collection de Manuscrits (Quebec, 1883), Vol. I, p. 226

6 A.C., Series F3, Vol. III, fol. 107, Frontenac to Minister, November 2, 1672

The ceremony in itself had little direct bearing on the relative positions of the two jurisdictions,⁷ but it did flatter the Governor's ego. He now proceeded to assume to himself the title of Haut et Puissant Seigneur.⁸ Colbert was not long in replying that the calling of three estates (he had misread the account of four estates) may have had a good effect for the time being, but the action had not been in accord with the King's views. Louis XIV had long before this ceased to convoke the Estates General in France, in the hope of erasing from public memory the ancient classification. Frontenac was instructed never to give this form to the inhabitants of the country as a body and to quietly suppress offices of syndics.⁹ This was not a severe reprimand, but it did indicate that Frontenac had assumed a quality not provided for in his Instructions. He sulked somewhat like a spoiled child. In a letter to Marshal de Bellefonds he complained he was misunderstood and calumniated.¹⁰

7 A.C., Series F3, Vol. III, fol. 105

8 Jugements, Vol. I, pp. 689, 707

9 A.C., Series F3, Minister to Frontenac, June 13, 1673, Vol. IV, fol. 121

10 R.A.P.Q., 1927, pp. 117-118

It has generally been assumed that Frontenac was severely chastised for calling the Estates-General in the colony. It has also been generally assumed that since the Estates General had not been convoked in France since 1614 that it was completely unprecedented for him to call such an assembly in the colony. But Frontenac was not acting without some precedent. M. Prouville de Tracy had received the oaths of allegiance of the citizens of Martinique in just such a manner on February 19, 1665.¹¹ The citizens of Martinique had been divided into four estates - ecclesiastics, nobles, Sovereign councillors and Third Estate - exactly as Frontenac seven years later denominated the citizens of New France. Each of the four estates in Martinique had sworn its own oath, and this too had been done in Quebec in 1672. Therefore, we must conclude that Frontenac in calling the colonial Estates General had the Martinique assembly, not the metropolitan parliament, in mind both as to purpose for assembling and procedure. This in no wise clears Frontenac of charges that it was pride and vainglory that motivated him too.

¹¹ M.L. Moreau de Saint-Mery, Les Loix et Constitutions des Colonies Françaises de l'Amérique sous le Vent (Paris, 1784), Vol. I, pp. 135-136

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In 1673 Frontenac took a step that savoured somewhat of representative government. He called a popular assembly of the people of Quebec in the Jesuit chapel in order to elect six aldermen. They were to examine the police regulation he had drawn up for the King's service.¹² The significant element in this situation is that the Governor on his own authority was deciding what was "good" for the King's service. When later reprimanded for irregular procedure, but not for the content of the regulations, Frontenac defended himself on the issue of jurisdictional rights:

Please do not believe that when I thought of making police regulations I had in mind to exceed the limits of the powers His Majesty has given me nor to diminish those of the Sovereign Council. 13

The clergy were not directly involved in this, except insofar as some Councillors might represent their interests or at least be very favourably inclined to the ecclesiastical point of view on public matters.

In his Indian policy the Governor co-operated with the Jesuits. He delegated Father Albanel to

¹² P.A.C., Series F3, Regulation of March 23, 1673, Vol. IV, pp. 109-118; R.A.P.Q., 1927, p. 27ff

¹³ P.A.C., Series C11A, Frontenac to Minister, November 14, 1674, Vol. IV, p. 146

counteract the influence of Groseilliers in the Hudson Bay region, after having received intelligence of the English activity on that bay from Father Nouvel of Sault Ste. Marie. The Jesuits also contributed to the success of the Governor's great Council with the Indians at Cataraqui (Fort Frontenac) during the summer of 1673. In his harangue to the Iroquois he enunciated a policy of state solicitude for the welfare of the clergy:

This God calls himself Jesus, and the black robes who are here his Ministers and interpreters will teach you to come to know him when you will so desire. I leave them among you and in your villages only to instruct you. Also I assume that you will prevent any of your youth from being so bold and rash as to offend them in the least thing and that you know I would take the offences you would give them to my own person and that I would punish it with the same severity. 14

The results were not altogether as unfavourable as Eccles maintains. One Jesuit missionary, Pierre Millet, who had been among the Iroquois since his arrival in the colony in 1667, reported in a letter to the Governor that the conference had had a very favourable effect on the tribes and that there should follow good results, particularly, he believed, a weaning away of trade from the English colonies. 15

14 P.A.C., Series C11A, Cataraqui conference, Vol. IV, pp. 55-56

15 A.C., Series F3, P. Millet to Frontenac, August 20, 1673, Vol. II, fol. 30

The Jesuits were, of course, expected to supply the civil authorities with interpreters and were also to act as informers in the matter of the Dutch-Indian negotiations of 1675. ¹⁶ Nevertheless, Frontenac asked Colbert for two Indian interpreters to avoid using the Jesuit intermediaries whom he believed were too greatly attached to their role in the interests of their Society. Frontenac may have been influenced by La Salle's brooding suspicion of the Jesuits and his accusation that the Jesuits were responsible for stirring up an Indian war. It was the fur trade that was at the roots of this ghicane.

The Governor further sought to secure his position by strengthening his control over the Sovereign Council. We have already seen that in 1665 the Lieutenant-General, the Governor and the Intendant together named the Councillors and that after the departure of de Tracy, the Governor and Intendant fulfilled the task. ¹⁷ During Talon's absence from the colony, Frontenac did the naming himself. ¹⁸

¹⁶ P.A.C., Series C11A, Frontenac to Minister, February 15, 1674, Vol. IV, p. 127

¹⁷ Jugements, Vol. I, pp. 366, 367, 540, 674

¹⁸ Jugements, Vol. I, pp. 707, 786-7

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Then suddenly towards the beginning of October the Company of the West Indies decided to exercise its right and nominated five regular councillors plus two new members, as well as an attorney-general, the last incumbent having been raised to the status of a councillor. These three last named members received royal letters of provision.¹⁹ In January 1675 the Governor decided to retain in their appointments the five councillors who had no such royal letters;²⁰ however, the King had already annulled the charter of the Company of the West Indies and had re-assumed personal possession of New France.²¹ He therefore reserved to himself the appointment of the Councillors.²² The reconstituted Superior Council represented a distinct move towards greater centralization and control from the centre in the metropolis. In one sense, however, the Sovereign Council had temporarily made a gain in its powers. The Provost court of Quebec established in May 1666 by the Company of the West Indies, and which was the court of first

19 Jugements, Vol. I, pp. 856, 857, 859

20 Jugements, Vol. I, pp. 889-890

21 P.A.C., Series C11G, Revocation of rights of Company of West Indies, September, 1674, Vol. VII, p. 254

22 Edits, Vol. I, pp. 83-84

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appeal for that district, had been disbanded in December 1674 when the King resumed possession of New France. The Sovereign Council was ordered to sit as the court of first instance for Quebec until May, 1677 when Louis XIV reconstituted the Provost Court of Quebec.

It was the fur trade that was at the origins of the Perrot and Fenelon affairs which so greatly disturbed the peace and tranquillity of New France, Frontenac quarrelled with Governor Perrot of Montreal, who was married to a niece of Talon, over the alleged illicit trade of the Montrealers and what Perrot called an attempt by Frontenac to replace him by "one of his creatures". In other words, another eruption of the long-standing hostility and rivalry between Quebec and Montreal and their respective administrations. Perrot was imprisoned in Quebec and we must therefore conclude that he was not provided with lettres d'état in his charge of local Governor.²³

²³ D. Jousse, Nouveau Commentaire sur les Ordonnances, etc (Paris, 1755), 135-151. An Ordinance of August, 1669 provided that lettres - d'état would be granted for limited periods of time to individuals in the royal service. These letters, given under the Great Seal, on the King's personal order, granted exemptions from all pursuits, legal proceedings and debt actions during the term of service defined. This applied to civil actions, not criminal.

His imprisonment also took place without the consent of the seigneurs of Montreal, the Sulpicians, who were well connected in France and were therefore able to bring strong influence to bear in matters which touched their interests.

Frontenac, in defending his actions some months later, maintained that Perrot was deeply interested in fur trade and had neglected to strictly enforce the ordinances against those who persisted in hunting and trading without licenses from the Governor and Intendant.²⁴ Frontenac accused Perrot of arresting the officers sent to check on the irregularities, and of resorting to violence. Perrot had come to Quebec, at the summons of Frontenac, but would have reason to regret this action. On January 30, 1674, the Sovereign Council issued an ordinance ordering the initiation of proceedings to obtain information, interrogations, examinations and confronting of witnesses in order to obtain full knowledge of the acts of violence and the imprisonment, attributed to Perrot upon the person of Sieur Bogard, lieutenant of Frontenac's guards.²⁵ It was absolutely binding upon Perrot to appear for according to the usage of France a defendant had to present himself within a fortnight

24 A.C., Series F3, Statement of Frontenac, February 16, 1674, Vol. IV, fols. 127-133

25 A.C., Series F3, Vol. IV, fol. 124

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to the Sovereign Council or be subject to a 100 livres fine, this having passed into legal enactment by an arrêt of the Council of State of 1663. Confrontation was also a part of civil and criminal procedure and was observed with great formality and attention to legal technicalities.²⁶ But Perrot would not readily comply with the orders of the Sovereign Council for the reason that he believed that his incarceration in the prisons of Quebec was illegal. On February 2nd he gave formal notice of his refusal to submit to further questioning.²⁷ Six days later the Sovereign Council decreed that he would be required to answer interrogation.²⁸

The abbé Francois de Salignac de Fénelon,²⁹ priest of St. Sulpice and brother of the illustrious Archbishop of Cambrai, began to work for the release of Governor Perrot and this brought him into the conflict too. Fenelon was a friend of Talon and also of Perrot. There is little doubt that he had been publicly humiliated when Perrot was

27 A.C., Series F3, Vol. IV, fols. 163-164

28 A.C., Series F3, Vol. IV, fol. 161

29 Fenelon arrived in the colony on June 27, 1667, was ordained a priest at Quebec on June 10, 1668 and immediately thereafter went with abbe Claude Trouve to labour along the north shore of Lake Ontario

arrested by Frontenac because the latter had called the Montreal governor to Quebec giving the impression of effecting a reconciliation. Instead of a reconciliation there had followed the arrest and imprisonment of Perrot. What upset Fénelon so much was the fact that it was he who had been used by Frontenac to induce Perrot to go to Quebec. While confined to a cell Perrot carried on "secret protests" which involved the abbé Fénelon. Perrot was in gaol for four months as he refused to recognize the competency or right of any court constituted to try him. ³⁰

As a matter of fact, the entire Sulpician community at Montreal was involved in the dispute with Frontenac. It is evident from the course of events that they did not enjoy the privilege of committimus. ³¹ They were disturbed on numerous scores. First, they were nettled by the sudden arrest of the local Governor of Montreal appointed by them. Secondly, they were irritated because Frontenac had

³⁰ Jugements, Vol. I, p. 806

³¹ D. Jousse, Nouveau Commentaire sur les Ordonnances, etc. (Paris, 1755) pp. 89-134. An Ordinance of August, 1669 granted the privilege of committimus to certain royal officers, dignitaries, nobles, religious communities to plead in first instance before the Grand Council and to bring before it appeals from all the parlements of the kingdom. When question arose of ecclesiastical privilege versus the right of committimus the ecclesiastical privilege of pleading before the Official in a purely personal case took precedence.

proceeded even further and had named sieur de la Naudiere to replace the arrested Perrot, this in contravention of the seigneurial rights of the Sulpicians to name the local Governor.³² Thirdly, without consulting the Sulpicians, who had also the right to name justices for the island, Frontenac gave a commission of judge to Gilles de Boyvinet, who was at that time the royal judge at Three Rivers, to act as royal judge for the island of Montreal.³³ This too was a violation of the seigneurial rights of the Company of St. Sulpice.

Another source of much annoyance to Montrealers was the sudden zealousness of Frontenac in pursuing the illicit fur trade and in enforcing the various ordinances relative to licensing and prohibition of trafficking brandy. Indeed, the whole quarrel with Perrot, as we have already stated, revolved about this matter. Frontenac, upon learning that at Montreal the coureurs-de-bois were preparing to leave for the hinterland, dispatched a sieur Bizard, lieutenant of his guards, to stop them. Perrot, who was as

³² A.J.M., Ordinance of Frontenac, February 10, 1674; Ordonnances, Vol. I, pp. 157-160

³³ E. Faillon, Histoire de la Colonie Française en Canada (Montreal, 1866), Vol. III, pp. 483-485

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guilty of enriching himself from the trade as was Frontenac (according to public opinion), publicly insulted Frontenac's envoy in the home of a leading merchant, Le Ber. ³⁴

Frontenac's interest in controlling the trade does seem to have been rather sudden and extraordinarily rigid in the light of his past winking at official ordinances. On February 12, 1674 he forbade the trading activities of the Montrealers ³⁵ who were apparently cutting into the profits of his own associates and favourites, especially the garrison at Fort Frontenac. On June 14th there followed an ordinance forbidding the merchants to come from Quebec to trade at Montreal ³⁶ On August 14th Frontenac forbade the use of violence against Indians to extract payment for goods and forbade the selling of brandy to them. ³⁷ On November 5th he forbade all trade without licenses. ³⁸

³⁴ Jacques le Ber conducted a trading establishment at the head of the island of Montreal near St. Anne's, and along with others in that region profited greatly from a more or less clandestine trade. He later became the possessor of the seigneurie of Senneville and received letters of nobility in 1696

³⁵ Ordonnances, Vol. I, pp. 163-164

³⁶ Ibid, Vol. I, pp. 166-167

³⁷ Ibid, Vol. I, pp. 168-169

³⁸ Ibid, Vol. I, pp. 171-173

Fenelon loudly denounced in Quebec the plot to arrest Perrot to which he had been an innocent and unsuspecting mediary. He tried to communicate with the imprisoned Perrot and earned the accusation from Frontenac that he had attempted to corrupt his guards "to have advise given".³⁹ Back in Montreal again some days later, the abbé compromised his position further by agreeing to requests from Mme. Perrot to go along the settlements of the island in order to collect certificates of good conduct from the inhabitants in favour of her husband imprisoned at Quebec.

The Sulpician Superior, abbé Francois Dollier de Casson,⁴⁰ was asked to appear before the Sovereign Council and this he did, in his words, "to obey to the great peril of life" on the way to Quebec and in spite of increasingly poor health. He was careful not to appear before the Council in regular session, but volunteered all information to a deputation sent from the Council to the Seminary of Quebec, where his state of health allegedly required him to remain.⁴¹

³⁹ P.A.C., Series C11A, Frontenac to King, 1674, Vol. IV, p. 181

⁴⁰ Dollier de Casson arrived in Montreal on September 7, 1666, and filled the offices of Superior of the Seminary, Vicar General of the diocese and curate of the parish of Montreal. He was the author of the Histoire de Montréal published in 1673

⁴¹ Jugements, Vol. I, p. 809

He gave the testimony desired and therefore the Sovereign Council reimbursed him 100 livres travel expenses. ⁴²

One fact that emerged very clearly was that Frontenac and his entourage, along with the volunteers who accompanied them, while en route to Lake Ontario in 1673, had seen at first hand the problem of suitably housing the garrison troops. In consequence, the Governor had requested an annual levy of 50 livres for billeting soldiers at Montreal. ^{42a} The Montrealers had then held a public assembly to discuss the matter and the decision arrived at was to raise such a tax, but to exempt the officers of justice, those with titles of nobility and the religious from payment. ⁴³ Dollier de Casson had been present at this assembly.

The most inflammatory development in the misunderstandings was occasioned by a sermon preached by the abbé de Fenelon on Easter Sunday, March 25, 1674, in the chapel of the Hotel-Dieu which was still serving as parish church in Montreal. For his message he developed the theme that a

42 Jugements, Vol. I, p. 812

42a A.J.M., Ordinance of June 27, 1673

43 A.J.M., Ordinance of Dailleboust for the calling of a public Assembly, November 28, 1673; A.J.M., Minutes of meeting of December 3, 1673; Cf. B.R.H., Vol. XXXVI, No. 1 (January, 1930), pp. 34-47

spiritual resurrection should do certain things in the life of a civil magistrate. De la Salle was in the congregation and paid special attention to the preacher's words - in fact, he caused a commotion by standing up during the sermon and waving his arms in protest at the message coming from the pulpit. He reported Fenelon's words as having been after the following tone and spirit:

The magistrate animated by the spirit of the resurrected Jesus Christ, manifests as much facility in pardoning transgressions against his person as he manifests inflexibility in punishing transgressions against the service of the Prince; filled with respect for the ministers of the altar, he shuns mistreating them when, through devotion to their duty, the latter attempt to reconcile enemies; he does not make for himself tools who praise him and does not oppress under special pretexts, persons clothed like himself with authority and who serving the same Prince, oppose his undertakings...43a

Montgaudon de Bellefontaine, the brigadier of the Governor's guards, the wealthy merchant Jacques Le Ber, and de la Nouguère, the new commandant at Montreal, were in the church too on that Easter Sunday and their reports of the sermon agreed substantially with La Salle's report. All the reports indicated that the abbé had carefully constructed a sermon that while referring to all civil magistrates and not to any

43a Translated from text given in Lionel Groulx, "Frontenac vs. l'Abbé de Fénélon", R.H.A.F., Vol. XII, No. 3 (December, 1958), p. 365

one in particular, nevertheless very clearly depicted the events that had transpired on the island of Montreal during the preceding two years. Was Frontenac a magistrate who forgave "transgressions against his person", who manifested "inflexibility in punishing transgressions" against the trading decrees, who shunned mistreating the clergy, who was innocent of betraying would-be peacemakers, who required no extraordinary levies, who respected the rights of other crown officials? The allusions were too clear to pass unchallenged.

Another version of the offending portion of the Easter sermon ran as follows:

He who is vested with authority should not harrass the peoples who are subject to him, but he is bound to regard them as his children, to treat them as a father would; he should not disturb the trade of the country at all by ill-treating those who do not give him a share of the profits they might make; he must be satisfied with gains from honest means; he should not trample upon the inhabitants nor harass them with extra corvées which benefit only his own interests; he should not provide himself with servile creatures to sing his praises everywhere, nor oppress under far-fetched pretexts persons who serve the same prince, when these oppose themselves to his personal interests...He has respect for the priests and the ministers of the Church. 44

Jacques Le Ber reported that the priest who was officiating at mass that Easter morning had come to see him later in the

44 A.C., Series F3, Vol. IV, fols. 165-176

day to say that the sermon of the abbe de Fénelon had appeared out of place to him and somewhat impudent. He confided to Le Ber that he had come very near cutting off the sermon by beginning to intone the Crédo.⁴⁵ There can be little doubt that the congregation upon hearing these words from the pulpit immediately thought of the drama of Perrot's arrest, Frontenac's vehemence against the Montreal traders and the heavy corvées of the previous year for the building of Fort Frontenac, allegedly more a trading post than a military base. It does not seem that Fénelon was a naive cleric caught up in a struggle which he did not understand. Had he been completely unaware of the implications of his sermon and the possible repercussions he would not have taken the trouble to have the original copy of his sermon initialed and certified by his colleagues at the Seminary of St. Sulpice.

The Sulpicians were quite embarrassed by the incident and in attempts to disassociate themselves from Fénelon's remarks they only seemed to prove beyond any doubt the real meaning of that Easter message. After they had found themselves implicated in the affair they sent

45 A.C., Series F3, Vol. IV, fol. 176

the brother of de la Salle, Cavelier, to speak to the trader and other aroused parishioners.⁴⁶ Dollier de Casson had not been at the Easter mass, being ill in bed at the time, but he and abbé Gabriel Souart went to see de la Nouguère and Le Ber that same afternoon to express their disapproval of Fénelon's action. Dollier de Casson said that he had decided not to allow Fénelon to preach again in Montreal although he was certain that he had spoken only in general terms and not in particular terms.⁴⁷

La Salle later contended that abbé Gilles Perot, curate of the parish of Ville-Marie since September 1665, had been the officiating priest and had shrugged his shoulders in surprise at what Fénelon was saying from the pulpit. But the Sulpician's own testimony is quite different from the trader's version. Perot said he had known of the general content of Fénelon's sermon since winter. He testified in these terms:

That if I made known during the said sermon some anxiety, it was not so much because of what was said in the pulpit as because M. de la Salle stood up looking at some chief members of the assembly as if to notify them to note well what the preacher was saying, condemning him by his bearing and animating others to do as much, because in his opinion he believed all was being said with a view

⁴⁶ R.A.P.Q., 1921-22, Informations and declarations made May 2, 1674, p. 130; P.A.C., Series F3, Vol. 178, pp. 352-379

⁴⁷ R.A.P.Q., 1921-22, Information and declarations made May 2, 1674, p. 130

to striking at Count de Frontenac as far as I could judge and as the events which followed showed, and after having looked here and there he turned towards me so I shrugged my shoulders at him to testify to him my surprise in seeing him attribute to a man of Frontenac's authority and mint what the preacher was saying Christians in general would not do at all.⁴⁸

All the Sulpicians hastened to affirm there had been no seditious plotting at their Seminary and that it was La Salle's behaviour, as much as the sermon, that had started the gossip that had since magnified the events of that Easter morning.

Frontenac demanded a copy of the sermon but reported that he was rudely refused twice.⁴⁹ Fenelon had guarded himself by replying in these terms: he would consider giving a copy of his sermon if he were first told what the charges against him were, and who had laid these charges.⁵⁰ By this time the syndic of the inhabitants of the island of Montreal, Louis Chevalier, had started to investigate the incident too.⁵¹

⁴⁸ R.A.P.Q., 1921-22, Declaration of G. Perot, May 16, 1674, p. 142

⁴⁹ P.A.C., Series C11A, Frontenac to King, 1674, Vol. IV, p. 182

⁵⁰ A.C., Series F3, Declaration of clergy of Montreal May 12, 1674, Vol. IV, fol. 181. This is also printed in R.A.P.Q., 1921-22, p. 149ff

⁵¹ A.C., Series F3, Examination of Louis Chevalier, May 11, 1674, Vol. IV, fols. 177-178

But Frontenac issued an injunction forbidding him to proceed further with his investigation and indeed forbidding him to exercise any of the functions of a syndic.⁵² On May 12, the Sulpician clergy made known that Frontenac and de Bernières, the Bishop's vicar general at Quebec, had written to the seminary requesting a copy of the Easter sermon, but that the abbé Fénelon had refused until the charges against him were clearly stated and then he would consider what course of action to follow.⁵³ Fénelon maintained at his trial that he was justified in this refusal because a congregation of some two hundred people had heard his sermon and they should be able to furnish the Governor with the information he desired.⁵⁴

In detailed statements from the Sulpician clergy of Montreal there were expressions of regret at Fénelon's sermon. Generally, there was admission that his words might be interpreted as applying to Frontenac, but also there was a conviction that he had spoken only in general terms

⁵² A.C. Series F3, Injunction of Frontenac, May 12, 1674, Vol. IV, fol. 179

⁵³ A.C., Series F3, Declaration of clergy of Montreal, May 12, 1674, Vol. IV, fol. 181

⁵⁴ Jugements, Vol. I, pp. 826, 832

without aiming at particular individuals.⁵⁵ Fénelon by this time had been driven out of the Seminary and had been forced to seek out lodgings among the inhabitants of the island. These inhabitants began to fear what might come upon them for harbouring a refugee from gubernatorial wrath.

On May 17th the commissioners of the Sovereign Council, Messrs. le Gardeur de Tilly and Dupont, called on Fénelon to produce the original of his sermon and the declarations he had gathered from various inhabitants.:

We have ordered and do order the abbé de Fénelon to remit this day to the secretary of the Sovereign Council the original copy of the sermon which he preached on Easter day last or a duly attested copy of the same, as well as the statements he gathered from the greater part of the inhabitants of this island of Montreal regarding the conduct and administration of the sieur Ferrot, governor of the said island...⁵⁶

Fénelon replied that he did not need to reply to the Sovereign Council "seeing that the Officialité of Quebec is charged with the matter in question as a result of a request I presented to it..."⁵⁷

⁵⁵ A.C., Series F3, Statements of Montreal clergy, May 16, 1674, Vol. IV, fols. 183-190

⁵⁶ A.C., Series F3, Ordinance of Messrs. la Gardeur de Tilly and Dupont, Commissioners of the Sovereign Council, May 17, 1674, Vol. IV, fol. 191. Also printed in R.A.P.Q., 1921-22, p. 151

⁵⁷ A.C., Series F3, Reply of Fénelon to Commissioners, May 17, 1674, Vol. IV, fol. 192

This opened up a completely new phase in the jurisdictional struggles. One of the ecclesiastical privileges of France was for a priest to appear before an ecclesiastical judge, except in the case of délit or flagrant misdemeanour, when he was tried in a joint civil-ecclesiastical court.

However, as late as 1675 Louis XIV had refused to closely define the délits privilégiés, so they remained in general all crimes committed against public peace and good order.⁵⁸

It may be presumed that the Fenelon offence fell within this classification. Sedition as a criminal offence does not seem to have existed in French law at the time; there was seditious libel and it is very probable that a charge of scandalum magnatum could be laid against Fenelon, but it would be much more difficult to prove seditious conspiracy to undermine the Governor's authority.

Fenelon did not remain on the defensive though. He now went on to assert that he knew very well why Frontenac wanted the original copy of his sermon and all the testimonials of the inhabitants of the island of Montreal on Perrot's behalf. It was a ruse by which he might obtain

⁵⁸ Lange, op. cit., Vol. I, p. 10. Lange also makes the following observations: "L'Écclésiastique caution d'un Laïque ne peut pas décliner la Jurisdiction Laïque, tant à cause de la connexité que pour éviter le conflit en contrariété de Jugemens..." p. 4

all the written evidence that could be used in the defence of Perrot. Fenelon expressed the hope that the King would teach the Sovereign Council not to "undertake anything except what belongs properly to their jurisdiction without trying to attribute to itself indifferently all sorts of matters."⁵⁹

The Sovereign Council on June 18th ordered the commissioners de Tilly and Dupont to interview once more the Sulpician superior, Dollier de Casson.⁶⁰ Fenelon was also ordered to appear in person before the Sovereign Council in Quebec, but his trial was later postponed to July 30th and then again to August 20th. All this time, of course, the Perrot case was still before the authorities. On June 13th Perrot had petitioned the Council and the language used was found offensive to Frontenac and de Tilly.⁶¹ Since he had been imprisoned at Quebec since January 26th and had not yet been tried we can imagine that he was a little less than polite in some of his remarks to the highest court in the colony. The Sovereign Council began to take action now in his case too.

⁵⁹ A.C., Series F3, Reply of Fenelon, May 17, 1674, Vol. IV, fol. 192

⁶⁰ R.A.P.Q., 1921-22, Ordinance of Sovereign Council June 18, 1674, pp. 152, 153.

⁶¹ A.C., Series F3, Petition of Perrot to Council, June 13, 1674, Vol. IV, fol. 221

The Sovereign Council decided to order the commissioners, notwithstanding Perrot's petition and his counter charges, to proceed to carry out an inquiry into the accusations made against him when he had first been arrested.⁶² The commissioners had him furnished with ink and paper and then they ordered him to present in writing his objections to calling d'Aillesbost and other witnesses in the customary manner, and in default of so doing then he was to be deprived of the privilege of doing so later on.⁶³

When Fénelon finally appeared before the Sovereign Council in August the Governor believed that he had the whole matter well in hand at last. Especially because the Bishop was then in France and the Intendant was also out of town. It was not an humble and penitent abbé from up country that came into the court that Tuesday, however, The abbé Fénelon came in and was going to take a seat when the Governor who was presiding asked him to remain standing. Fénelon nevertheless sat down at the far end of the Council table saying that he did not wish to derogate or detract from the privileges the King accorded the clergy in France,

62 A.C., Series F3, Vol. IV, fol. 222

63 A.C., Series F3, Vol. IV, fols. 225, 226

as in the motherland the clergy were allowed to speak while seated and covered.⁶⁴ Frontenac replied that a distinction had to be made in this matter between ecclesiastics summoned to give evidence and those arraigned in court on charges. Fénelon responded to this observation by pulling his hat down more firmly upon his head, strutting up and down the room saying that the alleged crime was but the product of the Governor's imagination and that the charges were lies. The Governor made answer for a third time that the Sovereign Council was not curtailing the rights and privileges of the clergy as these were observed in France, but that the defendant was being treated in the usual manner and according to prescribed procedure. Frontenac said the abbé should show respect for the Sovereign Council. The abbé once more pulled his hat down on his head in defiance, having, it seems, momentarily removed it, and replied that Frontenac should not lose proper respect for the clergy.

The proceedings continued in the manner of an opéra bouffe. Frontenac ordered the abbe Fenelon into an adjoining room while the Council deliberated the new developments. He was immediately recalled, however, but he

64 Jugements, Vol. I, pp. 817-818

still refused to observe the formalities prescribed, now having seated himself on a chair far removed from the Council table. The Governor ordered him to leave if he did not wish to stand as required, but the ecclesiastic now approached the end of the table to inquire if it was the Sovereign Council or the Count that so ordered. The Governor replied to this insolence by saying that the Council replied by his mouth when he presided.⁶⁵ Fenelon said he could not recognize the jurisdiction of the court; moreover, the Governor was personally involved in the case so he was forced to challenge his right to sit in judgment upon him. The Council again ordered Fenelon to retire and then decided to seize his temporal goods and hold him under house arrest at the brewery where he had secured lodgings. He was to be given permission to leave his place of residence only to say mass on feast days and Sundays.⁶⁶

Two days later Fenelon was back in the Council chambers no more repentant in spirit than before. He had come simply to deliver himself of a very pointed message which he had had two days to compose:

I appeared last Tuesday in Council, although I do not recognize it as my judge and I protested so several times, to declare that my case was pending

65 Jugements, Vol. I, pp. 818-819

66 Ibid., Vol. I, pp. 819-822

before the Officialité which had remanded me to appear before my bishop, as stated in the writ I have in hand, but as I was hindered by unforeseen incidents I was unable to make my declaration, I make it now under the same protests and without pretending to detract from the privileges of the ecclesiastics saying that I cannot and ought not to reply to the Council until I have been judged by my bishop and he has sent me back to the Council if the case so requires. I declare therefore that I do not recognize at all the Council as my judge in this matter, but my bishop, and all the Council has done and will do is of non-effect until such time as it be my competent judge, at which time I shall answer in proper form if I am required to observe others than those which I have held, and will give the reasons for which I have alleged that Mr. de Frontenac is a party to my dispute; This is my declaration and all I have to state on the matter in question of which I require this record. Done at Quebec this 23rd August, 1674. Signed: Salagnac Fénelon. 67

The Sovereign Council had been formally notified that the case had been given into the hands of the Officialité. The next move was to call in the vicar general and Official, to obtain information from him, But he was first assured that he would be treated with all manner of civility as was the custom in France when ecclesiastics were called before sovereign courts. 68

67 Jugements, Vol. I, pp. 819-820

68 Ibid., Vol. I, p. 820; Jousse, op. cit., Vol. II, p. 273 gives Article viii of the Civil Code of April, 1667; "Si le témoin étoit Ecclésiastique, il ne porroit être contraint que par l'amende de dix livres, et en cas de refus d'obéir, par saisie de son temporel. S'il est Religieux de quelque Ordre, les Supérieurs sont tenus de le faire comparoître sous les mêmes peines."

De Bernières refused on two occasions to appear to give any information on the grounds that written requests and not oral orders were necessary. A grand vicar had to be summoned in a manner befitting a representative of the Bishop.⁶⁹ Fénelon kept out of further trouble by pleading illness and keeping to his lodgings at the brewery; in any case he was still under "house arrest".⁷⁰

When the grand vicar de Bernières did appear before the Sovereign Council a whole new series of wrangles resulted over the proper recognition of the ecclesiastical rights. The grand vicar was politely told he could leave his hat on and was asked to be seated next to the substitute of the attorney-general. De Bernières protested that this was not his seat, but rather he should be given the seat normally reserved to the Bishop. It was pointed out that no ecclesiastic had ever claimed this right during the Bishop's absence since de Tracy had reconstituted the Council in 1666.⁷¹ De Bernières retired at once, but his point seems to have been well taken. One ecclesiastic at least could be expected to be on the bench when a priest was arraigned

69 Jugements, Vol. I, p. 821

70 R.A.P.Q., 1921-22, Ordinance of August 23, 1674,
p. 157

71 Jugements, Vol. I, pp. 822-823

before the court. To have immediately invited him to take the Bishop's seat on the council might also have removed some of the objections of Fenelon to the competence of the court.

Four days later the Grand Vicar again appeared before the Sovereign Council and offered to answer any questions without assuming to himself any place of honour though he still emphasized that he wished to protect the rights and privileges of the clerical estate.⁷² Frontenac asked why he had not previously asserted his rights and privileges. The question that really seems to have been raised was whether there was a recognized Officialité in the colony, and secondly, if there was an Officialite was it strictly constituted because Mgr. de Laval seemed to have established it before becoming titular Bishop of Quebec and so might have over-stepped the limits of his authority.

De Bernieres in his reply met all these doubts. He maintained that although Mgr. de Laval had been only a Vicar Apostolic the King had nevertheless intended for him to exercise all episcopal functions, including the establishment of an ecclesiastical court, and that he had indeed been accepted on these terms in the colony.⁷³ Furthermore, he said that Laval had named Officials,

⁷² Jugements, Vol. I, pp. 824-825

⁷³ R.A.P.Q., 1921-22, Replies of de Bernieres, August 29, 1674, p. 160

first de Lauzon-Charny and later de Bernieres. De Bernieres asserted that he had sworn fidelity to the bishop, who had in turn sworn fidelity to the King. The concept of devolution of authority was therefore complete in both spiritual and temporal requirements. De Bernieres went on to assert that in Canada, unlike in France, the Bishop himself, or his replacement, personally heard cases. This was because matters before the church court had been very few in number; it was he added in keeping with and parallel to early colonial practice whereby state cases were judged directly by the Governor of the colony in person.⁷⁴

On August 29th the abbé Fenelon was again ordered to produce the original copy of his Easter sermon. Events were still where they had been six months earlier.⁷⁵ The pattern of behaviour that the abbé would adopt would follow in some respects the steps taken by Perrot. Perrot had challenged the right of the Councillors to hear his case because their interests were involved; The Sovereign Council had accordingly named five alternative judges.⁷⁶

⁷⁴ R.A.P.Q., 1921-22, Replies of de Bernieres, August 29, 1674, p. 161

⁷⁵ R.A.P.Q., 1921-22, Proceedings of August 29, 1674, pp. 162-163

⁷⁶ Jugements, Vol. I, pp. 828-829; Jousse, op. cit., Vol. II, p. 404, indicates that the civil code of April, 1667 permitted the challenging of the entire bench and of attorneys.

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On September 3, Frontenac named Chartier, lieutenant-general of Quebec, Bazire, the agent of the Company of the West Indies, la Ferte, judge Martiniere of Notre-Dame des Anges, and Rageot, town clerk of Quebec. Perrot objected to these five but the Sovereign Council decided it would retain them in any event. However, when the new court of disclaimer met it was decided that the whole matter would have to be appealed to the King.⁷⁷ Fenelon by adopting similar tactics to Perrot's, would have his case too referred to the King. The fact that the court of disclaimer began discussing the matter of jurisdiction and separation of powers, instead of restricting itself to the question of the challenging of certain judges, made such appeal to Louis XIV likely.⁷⁸

On September 4th Fenelon again appeared before the Sovereign Council and he still refused to recognize its jurisdiction over him. His written statement protested that he still did not recognize any other judge except his ecclesiastical superiors "until such time as they shall send me back to the secular arm".⁷⁹

77 Jugements, Vol. I, pp. 830-838

78 Ibid., Vol. I, p. 831

79 Ibid., Vol. I, p. 832

The Sovereign Council was still of the opinion that the crime of which he was accused was one for which imprisonment or corporeal punishment was inflicted in France and was therefore a proper matter for the Sovereign Council, and not a proper matter for the church court. It was at this point that Fénelon adopted the delaying tactics so successfully employed by Perrot.

Fénelon again objected to Frontenac as his judge but refused to give his reasons until the Council had decided what the jurisdiction of the Officialité was in this case. He took exception to de Peiras and de Vitré giving his reasons.⁸⁰ First of all, he objected that they had been appointed by Frontenac. Secondly, neither of them had any legal training or experience but had come to their positions solely through their earlier services to the Governor. He added that de Peiras was an instrument of Frontenac's since he administered the 10% tax and had been his commercial representative at Fort Cataragui.

The Sovereign Council named Chartier and Boyvinet, lieutenants-general of Quebec and Three Rivers respectively, to sit as judges in the case of disclaimer against de Peiras and de Vitré.

⁸⁰ Jugements, Vol. I, p. 834

In this way another delay was gained.⁸¹ But on September 5th Fenelon objected to Chartier and Boyvinet too.⁸² The Sovereign Council decided to proceed unless Fénelon appeared immediately to state why he objected to the two new judges named. Fenelon asked for and received a delay in order to prepare his reply.⁸³

On September 7th he was advised that Villeray and Auteuil had been named to give their opinions on the judgment of the causes of disclaimer. Next day, Fénelon pressed his luck and asked that de Peiras and de Vitré not sit on the matter for which they were challenged and not sit for the case of the challenging of the Governor's right to sit in judgment.⁸⁴ On September 10th he indicated that he had nothing against the two gentlemen personally or against their qualifications, "only against the election which was made by Monsieur de Frontenac which renders them incompetent."⁸⁵ Frontenac was quite angry and declared that

81 Jugements, Vol. I, p. 836

82 R.A.P.Q., 1921-22, p. 165

83 Ibid., pp. 166-167

84 Ibid., p. 168

85 Jugements, Vol. I, p. 841

both his intentions and conduct had been grossly misrepresented. He defended himself in these terms:

...what he has done is to preserve the authority which the King has committed to him, to have His Majesty obeyed and the Ministers of Justice, to insure the Colony against the Enemies of the State which solicited the Iroquois to renew the war against us, and to protect the savage nations in their travels to come to trade, that no one may or ought to take him to task when it is a question of the King's Service or the public welfare...⁸⁶

The Sovereign Council had now decided to have the question of challenging the competency of judges decided in France, but in the meantime to proceed with the trial of the abbé Fénelon. It therefore declared "impertinent and unreasonable the declaration of apel comme d'abuz (sic.) made by the said sieur de Fenelon regarding the arrêts of the Council."⁸⁷ The Councillors also called in the abbé Pierre Remy, Sulpician, who was passing through Quebec and who was known for his great knowledge of jurisprudence. Then the abbé Pierre de Francheville, who had aided Fenelon in gathering petitions from the inhabitants, was also called in.

De Francheville objected greatly to appearing. His

⁸⁶ Jugements, Vol. I, p. 842

⁸⁷ R.A.P.Q., 1921-22, Arret of September 26, 1674, p. 175

reply of October 5th was that he did not believe he had to appear because of his character"since the holy canons of the church forbid him to do so and that the most severe laws cannot free him to do so seeing that an ecclesiastic may not testify in a criminal case without placing himself in evident danger of falling into irregularity" ⁸⁸ In a second reply of October 9th, Francheville refused to testify because he said an ecclesiastic could not testify in a case involving capital punishment and it was evident that the abbé Fénelon had been accused of "exciting the peoples of Montreal to sedition." ⁸⁹ On October 15 the Sovereign Council fined both Remy and de Francheville, the former 50 livres and the latter 10 livres, for refusing to testify. Two days later Remy issued a written statement saying it was improper for the Governor to accuse people in Council as that was the duty of the attorney-general, and that in any case the laws forbade him to testify against a colleague and the Governor might not legitimately force him to do so. ⁹⁰

⁸⁸ R.A.P.Q., 1921-22, Statement of de Francheville, October 5, 1674, p. 175

⁸⁹ Ibid., Statement of de Francheville, October 9, 1674, p. 177

⁹⁰ Jugements, Vol. I, pp. 817, 862, 866, 878

On September 17th Villeray rose to leave the Council session and Frontenac stopped him to ask why he was leaving. Villeray replied that he wished to retire because he had been suspected by the Governor and others of having given Perrot legal counsel.⁹¹ He contended that while he had had communication with Perrot he had not expressed himself on the merits of the case. So five days later the Sovereign Council decided that Villeray should remain a judge in the Fénelon trial but not in the Perrot trial.⁹²

Villeray had had enough and the other councillors seem to have become very tired of the tedious business which was getting nowhere. When on October 22nd Villeray was asked in his capacity of first councillor, to which he had been restored on October 3rd,⁹³ to preside over a hearing on the Fénelon case he asked for a dispensation not to serve at all.⁹⁴ He said that the Perrot and Fénelon cases were too closely related to each other and that being unacceptable to hear the one he should not hear the other either.

91 Jugements, Vol. I, pp. 845-846

92 Ibid., Vol. I, p. 850

93 Ibid., Vol. I, pp. 859ff

94 Ibid., Vol. I, p. 870

Frontenac had had enough too. On October 22 the Sovereign Council fined Fénelon 37 livres payable to the bailiff, Roger, for expenses incurred during the proceedings.⁹⁵ It decided not to pursue the matter any further but to send the abbé to France to stand trial. The royal decision was soon communicated to the colony:

I have blamed the action of the abbé de Fenelon and I have ordered him not to return anymore to Canada, but I must inform you that it was difficult to institute a criminal case against him or to oblige the priests of the Seminary of Saint-Sulpice him. It was mandatory to send him back to the hands of his bishop or the grand vicar to have him punished by ecclesiastical means or else to arrest him and then have him sent back to France by the first vessels. 96

For all the trouble it had caused the Governor and councillors it might have saved them much pointless activity to have sent Fénelon back to the Officialité at the beginning. But there was the matter of the supremacy of the state power to preserve and this fixation drove them on.

Fénelon had not escaped lightly, however. If the civil officers had proceeded in rather clumsy fashion against him, it nevertheless remained true that he had dared to intervene in a secular matter.

96 R.A.P.Q., 1926-27, Colbert to Frontenac, May 13, 1675, p. 83; P. Clement, Lettres, Instructions et Mémoires de Colbert (Paris, 1864), Vol. III, Pt. II, Louis XIV to Frontenac, April 22, 1675, p. 586

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The fact that the civil authority had assumed absolute power over the liberty of the abbé seemed to indicate a legal right to take cognizance of the case. The royal decision had upheld the authority of the civil magistrates in the colony. The clergy continued to be dissatisfied, some even complaining that their mail was being rifled.⁹⁷

Perrot also incurred the royal displeasure. The King informed Frontenac that he had examined all the evidence in the case and had decided to imprison him in the Bastille "for some time" so that when he would return to the colony not only would he act more circumspectly but also he would be "an example to restrain others!"⁹⁸ Shortly thereafter, Colbert wrote to say that the ten months imprisonment at Quebec had been excessive so Perrot had been detained only three weeks in the Bastille to make public reparation for violating the royal authority; since he was "related to persons I esteem very much" Colbert asked that Perrot be forgiven.^{98a}

97 A.S.Q., Polygraphie XVIII, No. 51 is an account of the trial written probably by abbe Gabriel Souart; B.S.S.P., Vol. I, Complaints of abbe d'Urfe to Colbert, p. 4

98 Clement, op. cit., Vol. III, Pt. II, Louis XIV to Frontenac, April 22, 1675, pp. 585-585

98a Ibid., Colbert to Frontenac, May 13, 1675, p. 590

Ten years later he returned to North America in no less capacity than as a representative of His Majesty.^{98b}

The question of separation of powers of church and state was much debated in the motherland at this time too. The superior of the Seminary of Foreign Missions in Paris, with which the Seminary of Quebec was associated, wrote to a close friend of Bishop Laval that the privileges of the Gallican Church were only a just and necessary precaution against the pretensions of the Ultramontane party.⁹⁹ He cited two interesting examples of this separation between the civil and ecclesiastical jurisdiction. First, the Pope could by his spiritual authority dispense a professed person from his vows but he could not again make that person liable to inheritance as this would trouble the state laws. Secondly, the Pope could grant the right to a bastard to possess a benefice but not to an inheritance. "Each authority has its limits", he wrote. The problem in Canada was to define these limits.

A repercussion of the struggle over jurisdictions was the restoration of Villeray as first councillor, the appointment of de Lotbiniere to Council and the naming of

^{98b} P.A.C., Collection Arnoul, Vol. 21309 (May 29, 1685), p. 363; Vol. 21331 (June 5, 12 & 25, 1685), pp. 227, 243, 271

⁹⁹ P.A.C., A.S.M.E., Gazil to Pallu, July 26, 1674, Vol. V, fol. 4., p. 318

Auteuil to the post of attorney-general in October, 1674.¹⁰⁰

Frontenac made known his opposition to these appointments:

it would be the same to have put on Council the father superior of the Jesuit fathers and the father minister as Messrs. de Villeray and d'Auteuil. 101

Villeray in particular he regarded as a threat to the civil power. The crowning accusation was that he was a member of lay group of the Jesuit order:

he is entirely devoted to the Jesuit fathers and it is even said commonly here that he is of the number of those who without wearing the habit of the order have nevertheless taken the vows...102

There are many who believed that Frontenac was simply accusing Villeray of being a member of the "Bishop's party", but he may have believed that the same lay membership as existed in France had been created in the colony. Saint-Simon makes very clear the role this Jesuit laity assumed:

The Jésuits constantly admit the laity, even married, into their company. This fact is certain. There is no doubt that Des Noyers, Secretary of State under Louis XIII, was of this number, or that many others have been too. These licentiates make the same vow as the Jesuits, as far as their

¹⁰⁰ Jugements, Vol. I, pp. 856-858; Clement, op.cit. Vol. III, Pt. II, Colbert to Frontenac, May 17, 1674, pp. 574-580

¹⁰¹ P.A.C., Series C11A, Frontenac to Minister, November, 1674, Vol. IV, p. 161

¹⁰² P.A.C., Series C11A, Vol. III, p. 375

condition admits: that is, unrestricted obedience to the General, and to the superiors of the company. They are obliged to supply the place of the vows of poverty and chastity, by promising to give all the service and all the protection in their power to the Company, above all, to be entirely submissive to the superiors, and to their confessor...But nothing must pass through their minds, and nothing must come to their knowledge that they do not reveal to their confessor; and that which is not a secret of the conscience, to the superiors, if the superior thinks fit. In everything, too, they must obey without comment, the superior and the confessors. 103

Frontenac's fears were not all imagined therefore. He never did become reconciled to the appointment of Villeray and just prior to his recall we read of him accusing Villeray to Seignelay as the source of all the divisions in the administrations that had preceded his own:

I do this not through any resentment towards him but solely to inform you of the truth, which is easy to justify, as much by arrêts of the sovereign council of Quebec, by which several Governors have been obliged on different occasions to take from him the charge of councillor...but the support which he has up to the present found by means of certain persons who have a great interest in protecting him, has not only guaranteed him against all punishment, but has procured advantages and gratifications to the exclusion of persons who here were the most zealous...104

Frontenac did not emerge from his engagements with

103 B. St. John, trans., The Memoirs of the Duke of Saint-Simon (London, 1900), Vol. III, pp. 17-18

104 P.A.C., Series C11A, Frontenac to Seignelay, November 2, 1681, Vol. V, pp. 246-247

the ecclesiastical powers unscathed. The King reprimanded him for having raised difficulties to the Vicar-general's occupying the seat of the Bishop on the Sovereign Council during the latter's absence in France, a contravention of the royal edict establishing the Council. He also expressed surprise at the illegal demand that itinerant priests and missionaries should carry passports issued by the Governor.¹⁰⁵ Furthermore, Frontenac was in future not to intercept letters of the clergy or to refuse them the liberty of correspondence. On this score, Frontenac suspected his opponents of rifling his mails too and therefore he went so far as warn the Provincial of the Recollets to send his letters addressed in care of Mme. de Frontenac.¹⁰⁶ As significant as anything which the King might say was the fact that he in no way reduced the budget of the religious in 1675 and this would indicate a fairly benevolent attitude towards them in spite of the jurisdictional strife.¹⁰⁷

¹⁰⁵ R.A.P.Q., 1927-28, King to Frontenac, April 22, 1675, p. 82

¹⁰⁶ M. Eastman, Church and State in Early Canada (Edinburgh, 1915), p. 410

¹⁰⁷ The 1675 budget items of expenditure towards the church included: Jesuit missions 5000 livres; Ursulines 500 livres; Quebec parish 1000 livres; seminary and church building programme 4000 livres; Hospital Nuns of Quebec 3000 livres; This was to be paid from 10% customs, the $\frac{1}{4}$ on beaver and revenues of Tadoussac trade. Collection de Manuscrits, Vol. I, pp. 233-235

On the other hand, one must not imagine that royal reprimands meant a complete lack of confidence in the Governor and his execution of the role of watchdog of the temporal power. Of this we may be certain because the ensuing mails brought Frontenac further encouragement in his unrelenting struggle with the ecclesiastics:

With regards the Church my intention is that the rights and privileges of my Crown and the liberties of the gallican church be observed for all that concerns the spiritual sphere, but as it is a difficult matter it will suffice for you to give me advice by return mails of what you observe in this business, and which you will deem contrary to my rights and to the welfare of my subjects.¹⁰⁸

The Governor might not be judged a competent person to draw the distinction between the spiritual and temporal spheres of jurisdiction but he was a very valuable representative of the Royal will and a useful informer.

The colonial clergy had reason to hope that its position would shortly be more favourable. It was known in the Paris Seminary of Foreign Missions that the King was appointing a new Intendant. They looked to the Intendant as a means of balancing the authority of the Governor:

I apprise you of some news, secret yet, namely that Mr. du Chesneau is appointed intendant for new France. That greatly rejoices monsieur of Quebec. ¹⁰⁹

¹⁰⁸ P.A.C., Series B, King to Frontenac, April, 1676, Vol. VII, pp. 38-39

¹⁰⁹ P.A.C., A.S.M.E., Gazil to Pallu, June 1, 1674, Vol. V. fol. 3, p. 276

The King too came to look more to the Intendant for on June 2, 1680, troubled by the abundance of cases of récusations in the colonies, he ordered that challenges in Sovereign Councils should be dealt with by the Intendant and any two councillors he might appoint. Appeal would lie with the King and his Council.¹¹⁰

The clergy had learned a useful lesson from the Fenelon troubles too. The Sulpician superior in Paris thought it worth while to send a special epistle to the Gentlemen of the Seminary at Montreal advising them to take care:

I exhort you all to profit by the example of Mr. de Fenelon. For having intrigued too much in the world and minding things which did not regard him he spoiled his interests and harmed those of his friends whom he had wanted to serve.¹¹¹

The lesson to be learned, said Tronson, was to be submissive to the civil powers, otherwise there was no telling how much harm might be done the company.

¹¹⁰ Saint-Mery, op. cit., Vol. I, p. 332; Article XVI of the Ordinance of 1667 provided that no president of a court could take part in any case in which he had been challenged. The Sovereign Council in the Fenelon affair had decided to ask the King if this also applied to the Governor and Lieutenant-General of New France; F. Isambert et al., Recueil générale des anciennes lois françaises (Paris, 1829) Vol. XIX, pp. 240-1

¹¹¹ B.S.S.P., Vol. I, Tronson to Seminary of Montreal, May 1, 1676, pp. 38-39

Upon his arrival in Canada Duchesneau was instructed that presentation of his credentials had to be made to the Governor and the royal commission was to be registered by the Sovereign Council. This would legally constitute assumption of office in the royal province. Then he was requested by the King to visit the Bishop and to give him the King's letter personally.¹¹² The new Intendant was warned that there had been much strife between the churchmen and the Governor and therefore in cases of dispute between them he would have to act as a mediator and moderate the differences by obtaining a situation wherein each power acted only within its own proper sphere.¹¹³

Duchesneau initially showed no desire to overstep his own sphere of authority and judiciously observed all correct procedure.¹¹⁴ The dispute over the separation of powers was still in full heat, of course. During a quarrel with the wardens and clergy of the Quebec parish in February and March, 1675, Frontenac had declared that the secular judge had the right, and the duty, to take

112 P.A.C., Series B, King to Duchesneau, June 7, 1675, Vol. VI, p. 88

113 Ibid., Vol. VI, p. 90

114 B.N., Bonaventure papers, Duchesneau's certificate, March 1, 1680

cognizance of the accounts of the churchwardens when there was reason to believe there had been some abuses committed.¹¹⁵

In France, any case arising out of commercial matters or temporal administration in which the clergy were involved was heard by the lay judge.¹¹⁶ Frontenac ruled that the attorney of the Provost Court of Quebec should be present at meetings for the auditing of the accounts of the fabrique. This gave rise to a dispute between the attorney Louis Boulduc and the warden Francois Hazeur who was strongly seconded by M. de Bernières. The trial at the Provost court went in favour of the churchwarden but in the appeal to the Sovereign Council, which dragged on for about a year before a decision was reached, it was decided that the attorney should be present at the audit and that he should have the second most honoured seat, that is immediately after the cure but that he should not be permitted to trouble in any way the checking of the accounts of the parish.¹¹⁷

Was this civil interference in the rights of the church? La Ferté said that it was an infringement of the liberties and immunities of the church, that it made church property fall into the hands of civil control.

115 Jugements, Vol. I, p. 911

116 Lange, op. cit., Vol. I, Part I, p. 3

117 Jugements, Vol. II, p. 512

Comporte said that it would remove the church from the Bishop's jurisdiction in fact. Frontenac replied to these arguments that interference was not intended. It was rather, in his words, protection of public order, following the French example, protection afforded only in cases of suspected irregularities. It was in no way intended to limit or restrict the jurisdiction of the Bishop; this was a right of the state in addition to the episcopal rights, not in lieu thereof. It was merely the secular arm lending its strength to maintain the good name and authority of the church.¹¹⁸

The arrest of the abbé Thomas Joseph Morel for refusing to comply with the Sovereign Council's decree regarding precedence also developed into a battle over the respective jurisdictions of the civil and ecclesiastical courts. Morel refused to appear before de Peiras, appointed by the Sovereign Council to investigate his case, and demanded instead to be tried by M. Henri de Bernieres, the grand vicar.¹¹⁹ In spite of opposition in Council from Auteuil, the councillors finally agreed to order the grand vicar to oblige Morel to appear before the commissioner.

118 Jugements, Vol. I, pp. 909-911

119 Ibid., Vol. I, pp. 924-934

De Bernieres replied that he was not required by the laws and customs of the realm to do so as he was the superior of the secular and not the regular clergy.¹²⁰ Frontenac and his supporters, by this time, were reproaching Auteuil for the uniformity which his conclusions bore to those of the Jesuits. The Sovereign Council next ordered both Dudouyt and de Bernieres to present the titles to their "pretended ecclesiastical jurisdiction" or a copy thereof to the Council.¹²¹ Dudouyt brought forward copies of the royal edict of 1659 which established the ecclesiastical jurisdiction of Laval. The Council gave no opinion on the validity of the documents.¹²² The rights of the ecclesiastical courts were defined in French law by the Declaration of 1571 which guaranteed the independence of the ecclesiastical jurisdiction, the Ordinance of 1629 which forbade civil judges or royal courts to intervene in purely spiritual cases, the Declaration of 1637 which forbade sovereign councils to interfere in a Bishop's direction over an Officialite.^{122a}

120 Jugements, Vol..I, p. 942

121 Ibid., Vol. I, p. 953

122 Edits, Vol. II, p. 63; Jugements, Vol. I, p. 960

122a Isambert, op. cit., Vol. XIV, p. 233; Vol. XVI, pp. 232-233, 481-482

The spheres of jurisdiction were to be better defined in 1678 and 1684. An edict of February, 1678, provided that Article 22 of the Edict of Melun (February 1580), concerning criminal charges brought against ecclesiastics, be adhered to in the realm and that the hearing of evidence be carried out jointly by church and royal judges with an injunction to the royal judges to give a full report of the proceedings to the seat of ecclesiastical jurisdiction.^{122b}

An explanatory declaration of July, 1684, required royal judges to inform the ecclesiastical judge of cases pending against the clergy, and required ecclesiastical judges to inform the royal judges of all cases pending before the Officialite so that joint action might be facilitated.^{122c}

But such legislation did not exist in 1677. The Morel case may have been complicated too by La Salle's accusation by publicly declaring one day, "I know a prostitute. I do not wish to name her but ~~that~~ there is her dog."^{122d} Nevertheless, the Sovereign Council decided to free Morel.

122b Isambert, op. cit., Vol. XIX, p. 177

122c Ibid., Vol. XIX, p. 451

122d P.A.C., Series K, Carton 1232, No. 1, p. 103

The Sulpicians were particularly careful to retain friendly correspondence with the civil authorities. On April 25, 1678, letters were sent by Tronson to both the Intendant and Governor in the colony informing them of the clergy who were returning to France for reasons of health, and of the return to the colony of Dollier de Casson.¹²³ It was considered quite essential that the civil officers be aware of all and any changes in the personnel of the missions and the reasons for any changes. An undated letter to Msgr. de Laval, and another of March 4th to Governor Perrot, were entrusted to Dollier de Casson; these two letters rehearsed the same information as given to the Governor and Intendant.¹²⁴ Dollier de Casson was himself reminded that all difficult problems which ought not to be made public should be shared in complete confidence with the Intendant.¹²⁵

One of the first concerns of the Seminary of St. Sulpice in Paris was that the Montreal community should be

¹²³ B.S.S.P., Vol. I, No. 54, Tronson to Intendant, April 25, 1678, p. 122; B.S.S.P., Vol. I, No. 55, Tronson to Frontenac, April 25, 1678, p. 123

¹²⁴ B.S.S.P., Vol. I, No. 56, Tronson to Laval, n.d., pp. 123-124; B.S.S.P., Vol. I, No. 57, Tronson to Governor Perrot, March 4, 1678, p. 124

¹²⁵ B.S.S.P., Vol. I, Memoire instructif to Dollier de Casson, July, 1678, article xlii

a model of good behaviour and discipline, because the civil authorities would pounce upon any irregularities. Dollier de Casson was, in accord with this line of thinking, warned that the residence of Sulpicians at the extremities of the island of Montreal was unwise, this because they were out of the regular community life there, there were too many temptations which presented themselves in the world.¹²⁶ The Sulpicians favoured the same type of close community living that Msgr. de Laval believed best for the Quebec clergy.

There may even have been a move on the part of Msgr. de Laval to have the Montreal Seminary removed from its close association with the Paris seminary for we read that he and Duchesneau had told LeFebvre that since the Montreal seminary was well established it was no longer necessary to mention in formal documents that he as Superior held his powers from the Superior of St. Sulpice in Paris.¹²⁷ If the Bishop at Quebec was attempting to bring the Montreal establishment more closely under his own jurisdiction, then the move failed because Tronson warned Dollier de Casson not to be misled by such entreaties but to hold firm to the

¹²⁶ B.S.S.P., Vol. I, No. 68, Tronson to Dollier de Casson, July 5, 1678, p. 129

¹²⁷ B.S.S.P., Vol. I, No. 68, Tronson to Dollier de Casson, July 5, 1678, p. 130

practices first adopted at Montreal. 128

It almost seems that there was as much to fear from the Bishop as from the civil authorities by way of encroachment upon the rights and privileges of the Sulpician community. Dollier de Casson's orders in 1678 were to always act under orders from the Superior of St. Sulpice and to be careful in his dealings with Magr. de Laval.

In all matters that will be of some importance and which might cause difficulties and have some sequel execute nothing only on spoken orders one might receive from M. the Bishop of Quebec but pray him to give it in writing so that we may have something wherewith to justify ourselves. And it would even be necessary to here send such order so as to be able to reply more effectively to those who should wish here to blame the course of action we followed in Canada. 129

That did not mean that the civil authorities did not require watching at all, of course.

On July 5, 1678, the Sulpicians thought it necessary to send a cautiously worded letter, full of rather flattering compliments, complaining to Frontenac about the treatment accorded the seigneurs of Montreal.¹³⁰ Tronson suggested

128 B.S.S.P., Vol. I, No. 68, Tronson to Dollier de Casson, July 5, 1678, p. 130

129 B.S.S.P., Vol. I, Articles sent to Dollier de Casson, July 9, 1678, art. i

130 B.S.S.P., Vol. I, Tronson to Frontenac, July 5, 1678, p. 131

that there had been many reports that he had set traps in which to ensnare individuals and accuse them of disobedience. He wondered if this had been the case with their seigneurial judge at Montreal whom Frontenac had rather arbitrarily replaced. This was in their capacity of seigneurs of the island and not primarily as a religious community that they were acting. The two characteristics of their colony were separate and it was to their advantage to keep them so.

He will take care not to confuse this office (Superior of the Seminary) with that of attorney of the Seigneurs which we have granted him by other letters dated 19 April, 1678, as it might some day be important for the good of this colony and even, of the Seminary to separate these two offices which we now unite in his person for special reasons. 131

The struggle between church and state was complicated by these internecine rivalries.

There was danger too that the new Intendant should remain too friendly with the Bishop and the Jesuits and so the interests of other religious communities and particularly of the state be injured. The King wrote to Frontenac to let Duchesneau know that he was too inclined to follow the advice of the Jesuits. This tactic had some effect in

131 B.S.S.P., Vol. I, Mémoire instructif to Dollier de Casson, 1678, p. 1, art.ii

setting the two officials at loggerheads with each other. Duchesneau was also told directly that there were two areas of clerical encroachment upon the civil authority to which he seemed to be blind:

I will tell you first of all that His Majesty is quite persuaded of the piety of all the ecclesiastics and of their good intentions for the success of the object of their missions, but His Majesty wishes you to take care that they undertake nothing so much upon his royal authority, as upon the justice and policing of the country and that you confine them within the limits of authority which ecclesiastics have in the Kingdom without allowing them to go beyond them in whatever sort or manner it may be and this general maxim must guide you in all difficulties of this nature which might supervene...132

The church was Gallican in its principles in France, therefore Ultramontanism would not be tolerated in the colony. The Intendant was not sufficiently aware of the struggle between these two factions and had to be enlightened somewhat on the proper role of a civil officer. Louis XIV wished him to read several authors who had written on church-state relationship, to observe carefully the clergy in the colony, and to send annual reports of developments. "Consider this matter as being very important, and to which you cannot apply yourself too much." 133

132 P.A.C., Series B, Vol. VII, Minister to Duchesneau, April 28, 1677, pp. 84-85.

133 Ibid., Vol. VII, pp. 84-85

One of the authors he would no doubt be expected to be familiar with was Bossuet. This great orator had given a clear definition of the role of the King as protector of the church in a letter to the King:

He protects religion in all things, and he knows, that in protecting religion that it is religion that protects him too, because it forms the strongest motive for the submission which so many people offer their princes. 134

This was the union of altar and throne the Intendant was expected to promote in New France.

Another letter from Colbert to Duchesneau dealt at some length with the position of the Bishop, Duchesneau was directed to observe and report the extent of Msgr. de Laval's powers and methods so that when the occasion should present itself he would be able to unite his efforts with those of the Governor to restrict the Bishop to the sphere of purely spiritual activities.¹³⁵ Laval was described again as a good and pious man, but also as one who assumed a domination far surpassing the jurisdictional powers of Christian bishops, especially those of France.

The Intendant did not have to wait long before the kind of incident Colbert had in mind did occur.

134 H. Massis, ed., Lettres de Bossuet (Paris, 1927) Bossuet to Louis XIV, 1675, p. 84

135 P.A.C., Series B, Vol. III, Minister to Duchesneau, May 1, 1677, pp. 106-107

The Roland case started as an infraction of the liquor regulations (and this we shall discuss in the chapter on the brandy traffic) and developed into a collision between the state and ecclesiastical authorities. To the civil power it took on the nature of protecting a parishioner against defamation of character by his curate. On February 3, 1677 Msgr. de Laval denounced the petition Holland had sent to the Sovereign Council as false and insulting to himself. ¹³⁶ Laval pleaded inability to attend the meeting of the highest colonial court in person but was sending M. de Bernieres to replace him. He expressed the hope that the Sovereign Council would do justice to the allegations presented by Roland, that he would be convicted of falsely accusing his parish priest of defamation of character for having refused him absolution as a result of his brandy trading activities.

Frontenac have a different interpretation of the events, however:

The Bishop pretending, although without cause, to have been offended by a request from the said Roland; asked justice of the Sovereign Council by a note, something which princes would not wish to undertake, and nevertheless sieur de Villeray, his partisan, opined that it was necessary to send him

¹³⁶ A.A.Q., Copies de Lettres, Laval to Duchesneau, February 3, 1677, Vol. I, p. 175

a delegation to find out what he desired. 137

There is no doubt at all that the Governor would like to see the Bishop get into difficulties; it was known, for example, that he withheld information from the Bishop. 138

The quarrel centred about an allegation by Roland that Msgr. de Laval had promised to reimburse his expenditures in having come to Quebec to lay charges against his parish priest if he would drop the matter. The problem was complicated by the fact that even after Laval had ordered the parish priest to grant Roland absolution, the conscientious curate felt he could not do so because his whole parish knew about Roland's trading activities.¹³⁹ When questioned closely about his claim Roland repeated that he knew that someone had made him such a monetary offer if he would drop the charges. He knew too that the Recollet, Father Custode, had been present at the interview with the Bishop and would be able to testify to the veracity of his statements. 140

137 P. Margry, Découvertes et Etablissements des Français dans l'Ouest et dans le Sud de l'Amérique Septentrionale (Paris, 1879), Vol. I, p. 310

138 A.S.Q., Lettres N, No. 48 (2), Dudouyt to Laval, 1677; B.S.S.P., Vol. I, No. 40 Tronson to Souart. April 7, 1678, p. 112

139 Jugements, Vol. II, pp. 97-98, 100, 102-105, 108-109, 118-119, 121-123, 132-133, give the account of the Roland case.

140 Jugements, Vol. II, p. 105

The Bishop had reason not to wish this case to develop and become an affaire célèbre in the fur-trading colony. Warning had been received from a friend in Paris that the Minister of the Marine took a very dim view of ecclesiastical interference with the economic matters. Dudouyt had obtained an interview with Colbert and reported the Minister's attitude:

He retorted that we exaggerated, that it was not necessary to make a reserved case of that, that if Mr. the Bishop excommunicated for that reason it would be appealed as an abuse, that he would ask the council to take it in hand and that I should advise you so that I should inform myself if it were no used in France, that the bishops did not do that, that if they did so they would always find the Royal authority opposed to it, etc. 141

With this information in mind the colonial bishop could not be anxious to have Roland make a great issue of his démêlé with abbe Etienne Guyotte of Lachine.

The Recollet, Custode, begged the court not to oblige him to testify against the Bishop. He said, first of all, that being a religious he was incapable of giving testimony. Secondly, he had only heard of the matter in the Bishop's office and so ought not to divulge confidential information. Thirdly, the sacred canons forbade a priest

141 A.S.Q., Lettres N, No. 48 (2), Dudouyt to Laval, 1677

to give evidence against his bishop. ¹⁴² He was almost admitting that to testify was to incriminate Msgr. de Laval, although some of his reasons for remaining silent were well taken legally. Roland, who now had few supporters and who was running short of funds to remain on in Quebec away from his business in Lachine, was ready to drop the lawsuit. The Sovereign Council now wanted to get to the root of the matter and offered to advance Roland the necessary funds in order to continue the case. ¹⁴³

Abbé François Lefebvre, third Superior of the Sulpician seminary at Montreal and deputy of the Officialité, tried to intervene too and have Roland appear before an ecclesiastical tribunal since it was a Sulpician priest he was accusing of having attacked his character and morals and refused him absolution contrary to the Bishop's orders. Roland would have none of this and on March 20th appealed to the Sovereign Council against what he called Lefebvre's abuse of authority. ¹⁴⁴ The Sovereign Council, ever ready to

¹⁴² Jugements, Vol. II, p. 107; Jousse, op. cit., Vol. II, p. 377

¹⁴³ Ibid., p. 108

¹⁴⁴ Ibid., p. 118

defend its rights, declared that the Sulpician Superior had proceeded "badly and abusively" and it forbade him and all the Sulpician clergy to take any further part in the matter.¹⁴⁵

Almost three months later, on June 21, 1677, the Council further pursued the matter by fining the habitant Jean Quesneuille, who at his curate's request had taken signatures at the church door against Roland, the sum of 100 sols.¹⁴⁶ The parish priest of Lachine and all other ecclesiastics were warned not to have read "in the churches or at the doors of these any writings except those which purely have regard to ecclesiastical matters."¹⁴⁷ Court orders were still required to be read from the church pulpits of course.¹⁴⁸ This was not censorship of reading matter or news, but state control of use of spiritual facilities for mundane purposes. The Council's ruling was posted in both Quebec and Montreal as a warning to any future desire to encroach upon the civil authority.¹⁴⁹

145 Jugements, Vol. II, p. 122

146 Jugements, Vol. II, p. 132

147 Edits, Vol. II, p. 77

148 The clergy were no longer required to read announcements from the pulpit after August 2, 1717. Edits, Vol. II, p. 376

149 Jugements, Vol. II, p. 133

The Council's action vindicated Frontenac's opinion that the chief disorders in the colony arose out of ecclesiastical extension of the spiritual power into the realm of secular activities.

Quasi all the disorders of New France find their source in the ambition of the ecclesiastics, who wishing to join to the spiritual authority an absolute power over temporal matters, cause to suffer and murmur all those who are not entirely submitted to them. 150

Frontenac said in his memorial on the clergy that they had always wanted to carve for themselves an Empire in North America where they would enjoy both power and wealth. He seemed to be casting them in his own image. The only way to prevent them from so doing, and frustrating them in their designs, was to challenge every encroachment upon the royal prerogative and civil power, no matter how small. He found just such an opportunity when the Jesuits published their dictionary.

In explaining, for example, the meaning of the word equal, they have put: "The black robe is equal to Onontio." They said to other savages that they are the masters and that Onontio or the governor holds the sword; they said also several times that all would go ill in the country until such time as the Ecclesiastics had the entire governing thereof. 151

150 B.N., Fonds Clairambault, Frontenac's memorial on Clergy, 1677, Vol. 1016, fol. 43ff; also printed in S.R.C., Doc. XLVII, p. 351

151 Margry, op. cit., Vol. I, p. 321

Frontenac was being a wary watchdog for the state.

Be that as it may, he did not confine his actions to defensive measures. He required the clergy to obtain passports when they went on long journeys and this measure he had sanctioned by the King in the spring of 1676. Louis XIV wrote to Frontenac as follows:

On the passports of the Ecclesiastics I let you know that you must not oblige them to take them when they travel only from one place to another in the extent of Canada but my intention is that they take them and that you know where they are going when they wish to go into the missions and outside the extent of the area where you command in my name. 152

Frontenac did not share this information with the clergy. The following year the Sulpicians in Paris were still wondering if the Governor had received royal orders requiring passports from the missionaries going into missionary areas. Not only did Tronson not know, but Laval's usual source of information in Paris, Ludouyt, was still of the opinion that the King had issued no such order.¹⁵³ One thing the Sulpician clergy had done to draw Frontenac's favour upon themselves - they had invited him to a gala

152 A.P.Q., Ordres du Roi, Series B, King to Frontenac, April 16, 1676, p. 29

153 B.S.S.P., Vol. I, Tronson to LeFebvre, April 5, 1677, p. 58

dinner at their Seminary upon his return from a visit to Port Frontenac. For this much the Paris house was pleased and reassured.

There followed a brief period of co-operation and good relations between the civil ecclesiastical powers in the colony. The King in France was led to believe that the clergy were at last restricted to their proper bounds.¹⁵⁴ Nevertheless, he warned that the Sovereign Council must carefully watch that the clergy did not over-step their limits or usurp judicial rights. The Minister of the Marine was likewise gratified by the church's aid in the war against the Iroquois; the Jesuits had informed on English activities among the Five Nations and the Recollets had reported developments in the Lake Ontario region.¹⁵⁵ Duchesneau reported that the clergy were very submissive and co-operative and adhered to all the practices adhered to in France.¹⁵⁶ In return for this assistance the civil authorities had shown themselves willing to enforce laws respecting cabaret closing hours, the requirements of certificates of good character and morals for all

¹⁵⁴ A.C., Series P3, King to Frontenac, May 12, 1678, Vol. V, fol. 50

¹⁵⁵ P.A.C., Series C11A, Frontenac to Minister, October 9, 1679, Vol. V, p. 5

¹⁵⁶ P.A.C., Series C11A, Duchesneau to Minister, November 10, 1679, Vol. V, p. 61

appointees to public office including the admiralty, and the protecting of the rights of lay patrons of parish churches.¹⁵⁷

But there were other difficulties besetting the colony and these were soon to result in the recall of both Governor and Intendant. In 1680 Colbert warned Frontenac and that he would have only one more year in New France and that he had not met the King's aspirations:

His Majesty sees clearly that you are not capable of taking on a spirit of unity and condescendence necessary to prevent all the divisions which occur in that country, and which are always the principal cause of the loss and ruin of new colonies. 158

Duchesneau had been warned in similar terms the previous year. Colbert had written him that he entertained himself with trifling matters and in his reasonings he seemed to invariably be wrong.

I cannot give you the advice you ask for because your mind is much too disturbed, and you are not in a state to make good use of it. Were it not for your last letters which show that you are somewhat more aware of your faults you would have been discharged from your office. 159

The clergy in Paris were aware of the dissatisfactions at

157 P.A.C., Series C11A, Vol. V, pp. 102-105, 126, 133; P.A.C., Series B, Vol. VIII, p. 130; P.A.C., Series F5A, Vol. III, pp. 95-96; Jugements, Vol. II, p. 336

158 P.A.C., Series B, Colbert to Frontenac, April 20, 1680, Vol. VIII, p. 38

159 A.C., Series F3, Minister to Duchesneau, April 25, 1679, Vol. V, fol. 227

court with the Canadian administrators and hurried to send information to the colony. Tronson wrote in code:

They are changing nothing in the government this year. They postponed everything to next year. It will be important to inform me of the details of everything. The disunity causes displeasure and they are pleased with no one. This will not last long... 160

He summed it all up with a warning to the Montreal community to "get along with everybody as well as you can", There were a few religious in Canada who were not displeased with Frontenac, however, and they even found him a kind and charitable man - of that category were the Hospital Nuns at Quebec. 161

Baron de Lahontan attributed the disorders to the clergy of course. The "infinity of disorders" he felt were not beyond reformation. The first step in such a reformation was to be "hindering the Ecclesiastics to visit the Inhabitants so often and to pry with such impertinence into the minutest affairs of the Family".¹⁶² But there were troubles of another nature brewing. Tronson was still trying

160 B.S.S.P., Vol. I, No. 133, Tronson to Dollier de Casson, May 25, 1681, p. 215

161 A. Jamet, Les Annales de l'Hôtel-Dieu de Quebec (Quebec, 1939), p. 205

162 R.G. Thwaites, New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. I, p. 391

to obtain information from Montreal about developments there so that the Sulpicians in Paris would be in a better position to protect their interests. In a coded message he advised: "One party and the other are strongly supported here but if the division continues you will surely see changes next year. May this be secret between the two of us." ¹⁶³ This had been preceded three months before by the information, again from Tronson, that "The Gentlemen of the Company have given to M. Colbert large memorials against Mr. Frontenac. I do not know yet what the success thereof will be..." ¹⁶⁴ Twenty days later there had been another note to the effect that it was not known yet how the Court would receive the charges against Frontenac. ¹⁶⁵ The Bishop of Quebec and the Jesuits were not the only intriguers.

The quarrel between Frontenac and Duchesneau, which the ecclesiastics so ably exploited for their own purposes, had come over titles in Council. The clerk Du Mesnu having decided to employ the titles demanded by Frontenac in order to avoid imprisonment, ¹⁶⁶ later took occasion to lay a

¹⁶³ B.S.S.P., Vol. I, No. 129, Tronson to Dollier de Casson, June 4, 1680, p. 213

¹⁶⁴ B.S.S.P., Vol. I, No. 96, Tronson to Dollier de Casson, March 1, 1680, p. 166

¹⁶⁵ B.S.S.P., Vol. I, No. 97, Tronson to Dollier de Casson, March 20, 1680, p. 166

¹⁶⁶ A.C., Series F3, Memorial of February, 1679, Vol. V, Fols. 169-172

formal complaint for having been imprisoned following some discord with Frontenac about the case of the wife of a certain Ignace Bonhomme, a case in which the Governor was personally interested.¹⁶⁷ This led to wrangling in the Sovereign Council too. Colbert had already warned Duchesneau about his insubordination towards the Governor:

You are wrong in thinking that you are almost the equal of the Governor, and that he cannot do anything without consulting you. The very contrary is what must prevail; he may or may not consult you, and you must always consult him, even in things which concern your own duties. When the Governor vetoes anything in Council, you have but to submit. The Council can only make representations to the Governor, and if he does not take heed to them, then refer them to the King. But even in such a case, you must first submit to the Governor all your complaints against him, that he may be in a position to answer them...¹⁶⁸

Even so, relations between Duchesneau and Frontenac grew more strained.

The rivalry erupted when Boisseau, one of Frontenac's guards, had a quarrel with the Intendant's son and his servant Vautier. Frontenac without listening to the explanations they tried to make to him struck and beat young Duchesneau mercilessly and some days later had him arrested, contrary to the promise he had made to the

¹⁶⁷ Jugements, Vol. II, pp. 266-267, 268, 274, 278

¹⁶⁸ A.C., Series F3, Minister to Duchesneau, April 25, 1679, Vol. V, fol. 225, 226

Bishop to drop the matter.¹⁶⁹ The chicanes reached the point on November 4, 1681, that Frontenac, in Council itself, threatened Duchesneau with arrest. The relations were so strained because the Governor was usurping, so it seemed, the Intendant's jurisdiction. Sometimes the Governor was asked to arbitrate in disputes between inhabitants. Courcelles' instructions had contained the clause "to take cognizance of, compose and accomodate all differences which might arise and be engendered in the said country".¹⁷⁰ This Colbert discouraged Frontenac from doing as it tended to set him up as a judicial figure.¹⁷¹ In other words the power of arbitration of disputes was not a pouvoir d'évocation. To Duchesneau it had been explained that although inhabitants might submit their disputes to the Governor as arbitrator, it was not the King's will that "by authority

¹⁶⁹ A.C., Series F3, Memorial of Laval, March 27, 1681, Vol. II, fols, 78-79

¹⁷⁰ Edits, Vol. III, p. 32. Lanctot cites Emiliën Petit's argument that this power had been intended only for de Tracy but that copyists had faithfully copied the clause into the instructions of others. Cf. G. Lanctot, L'Administration de la Nouvelle-France (Paris, 1929), pp. 37-38

¹⁷¹ P.A.C., Series B, Colbert to Frontenac, May 17, 1674, Vol. VI, p. 31

or permission the parties be reduced to submit themselves to his judgment." 172

One of the difficulties the royal officials faced in their attempts to carry out the royal instructions relative to the ecclesiastics was the growing influence over Louis XIV of his Jesuit confessor, Father la Chaise.¹⁷³ With the passage of time the King was given more and more to moments of religious piety when he repented himself of his ill-will to the clergy and even threatened to abandon some of his Gallicanism.

The Frontenac administration was also characterized by frequent direct appeals to the inhabitants. Thus in 1678 there was an assembly of the twenty chief inhabitants to

172 P.A.C., Series B, King to Duchesneau, June 7, 1675, Vol. VI, p. 94. In all disputes involving non-domiciled Indians and Frenchmen the Governor could impose his arbitrational jurisdiction. P.A.C., Series C11A, April 10, 1684, Vol. VI, Part 2, p. 325

173 St. John, op. cit., Vol. II, p. 76: "Pere la Chaise succeeded in 1675 to Pere Ferrier as Confessor of the King, and occupied that post thirty-two years. The festival of Easter often caused him politic absences during the attachment of the King for Madame de Montespan. One occasion he sent in his place the Pere Deschamps, who bravely refused absolution. The Pere La Chaise was of mediocre mind but of good character, just, upright, sensible, prudent, gentle, and moderate, an enemy of informers, and of violence of every kind. He kept clear of many scandalous transactions, befriended the Archbishop of Cambrai as much as he could, refused to push the Port Royal des Champs to its destruction, and always had on his table a copy of the New Testament of Pere Quesnel, saying that he liked what was good wherever he found it."

consider the sale of liquor to the savages,¹⁷⁴ and in 1680 the seigneurs assembled to fix the amount of the basic stipend to be allowed the parish clergy.¹⁷⁵ His administration was also characterized by an attempt to weaken the powers of the Sovereign Council. This was because the King had assigned to Fronterac the task of controlling it:

Besides although I do not doubt that all the ecclesiastics contain themselves within the limits of their power, I do not neglect to say to you that my Sovereign Council, over which you preside, must always give particular care that nothing is undertaken contrary to my authority, nor that of my justice. 176

There was the suggestion at one point of ousting the Bishop from the Sovereign Council. But this would have to be done cautiously so as not to arouse a storm of protest over infringement of the rights of the church.

As it seems that the Bishop is assuming a little too much independence and authority it would perhaps be well that he should not have a seat on the Council. You must seek and examine well every opportunity and every occasion practicable to wean him from the craving for attending the Council; but you must, however, act in this matter with great discretion and secrecy, taking great

174 P.A.C. Series F3, May 12, 1678, Vol. V, pp. 44-46

175 P.A.C. Series C11A, Duchesneau to Minister, November 13, 1680. Vol. V, p. 171

176 A.P.Q., Ordres du Roi, Series B, King to Duchesneau, May 1, 1677, Vol. V, fol. 20

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care that nobody at all discovers what I am writing you on this matter. 177

This attitude came as a result of the conviction that Msgr. De Laval affected an authority too independent of the royal authority, and for that reason his influence and presence on the Sovereign Council might be detrimental to the civil power.

Lahontan was certain that the Sovereign Council in the 1680's was still looking far too frequently to the ecclesiastics for guidance and advice. He wrote in warning tones:

When they have nice points under their consideration, they usually consult the Priests or Jesuits: And if any cause comes before 'em, in which these good Fathers are interest'd, they are sure not to be cast, unless it be so very black, that the cunningest Lawyer can't give it a plausible turn...178

This last phrase of Lahontan's must be a way of speaking for he knew that lawyers could not have got them out of difficult spots because in the colony there were no advocates or lawyers, only notaries, and so every man was expected to plead his own case.

If the Governor believed the Sovereign Council was proceeding in an irregular, outrageous and unjust manner,

177 A.C., Series F3, Minister to Duchesneau, May 1, 1677, Vol. V, fol. 20

178 Thwaites, op. cit., Vol. 1, p. 385

he was within his rights to intervene.¹⁷⁹ He could in emergencies impede the execution of arrêts of the Council in cases where they were "manifestly contrary to the orders and to the service of the King and to the public welfare of the colony."¹⁸⁰ In 1679 the King decided that the officers of the Sovereign Council and their widows were to plead in the first instance in the Provost Court of Quebec,¹⁸¹ and in 1685, that the Intendant and six judges of his choice should hear in last resort and without possibility of appeal cases which came before the Sovereign Council but in which councillors were interested parties.¹⁸² The King also granted Duchesneau the right to appoint the usher of the Sovereign Council and the clerk of the Marchesea of Canada.¹⁸³ The Intendant could, if he wished, bring almost any case before himself whether it had been cited before a seigneurial court, or royal court, or even the Sovereign

179 Lanctot, op. cit., pp. 34,35

180 Saint-Mery. op. cit., Vol. 1, p. 680

181 A.C., Series F3, October 23, 1679, Vol. V, fol. 329

182 Edits, Vol. 1, pp. 253-254

183 A.C., Series F3, May 29, 1680, Vol. V, fol. 353

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Council, Some intendants seem to have abused this right and de Meulles had to be reminded in 1684 that "he must not render himself sole judge of all cases."¹⁸⁴ Given this type of judicial overlapping, the clash of personalities, the intrigues of the fur traders and the clergy, and the encouragement of the home government to spy upon one's fellows, it was little wonder that Frontenac and Duchesneau quarrelled so much.

In these various cross currents the Recollets were caught up too. One contemporary account indicates their position in the complicated rivalries:

There are only Recollets in the fort of Frontenac, These Religious are strongly protected everywhere by the Count de Frontenac, Governor of the country, and because of that quite mistreated by the Bishop, because the doctrine of the Bishop and of the Jesuits is that the affairs of the Christian religion will not go well so long as the Governor is not the tool of the Jesuits and that the Bishop is not Governor.¹⁸⁵

In their quarrel with the Bishop over the building of an hospice in Quebec the Recollets maintained that the principal leaders and mystics of the Hermitage of Caen after being condemned in France were establishing their maxims in the colony and creating a situation in which the Franciscans

¹⁸⁴ P.A.C., Series B, Minister to de Meulles, April 10, 1684, Vol. XI, p. 33

¹⁸⁵ Margry, op. cit., Vol. I, p. 363

could not find peace for their practices were "contrary to the principles of conscience and of the State." 186

The Sulpicians, on the other hand, quietly went about their business in the colony. Tronson expressed the belief in 1677 that it would be no great loss to surrender their right of justice on the island of Montreal, because it was costly to maintain and unlike in France it was no source of great income.¹⁸⁷ It was not power they sought, but rather some source of income for their missionary work. Thus when the Quinte mission was closed the ferme was to be retained. This too required some careful planning in order to retain support of the civil powers:

They did well in not proposing to place persons who would not have been agreeable to the authorities with whom we have to get along. It might have embittered them and have disposed them unfavourably against those who would have gone and who would have found themselves in a state of not being able to do much good. 188

As for the matter of choosing a local Governor the Sulpician superior in Paris said that a Christian man was to be desired but the order should not become too involved openly in working towards that end:

186 Margry, op. cit., Vol. 1, p. 32

187 B.S.S.P., Vol. 1, Tronson to LeFebvre, April 5, 1677, pp. 55-56

188 B.S.S.P., Vol. 1, No. 150, Tronson to Trouve, June 1, 1681, p. 248

A Governor who is more moderate and more Christian could not be too greatly desired for the welfare of the island and for the repose of individuals. But it is up to God to provide him and it is from Him principally that we must ask for such a one. Meanwhile we will watch for what can be done on the part of men. 189

Already the complaints were mounting against Frontenac and Duchesneau, as we have seen. But as the two gentlemen quarrelled with each other there were further accusations that the clergy were partisans in this rivalry. The Sulpician superior informed the Recollet Commissary of one such charge made by the Governor:

They tell me too that Mr. the Count complains that M. Trouve had passed some papers of Mr. the Intendant against him. As for my part I assure you that I know nothing about it nor does Mr. Trouve, because informing me about other things he would have informed me of that; if he carried some package for Mr. the Intendant he could not have known what was inside nor should he have inquired about it. These wrangles of these gentlemen are full of bitterness on every side, May God grant his peace to this poor country. 190

The documentation available does not enable us to reach any conclusion as to the involvement, innocent or otherwise, of the clergy in the conducting of this mutual tale-bearing. If there was any bias at all, the Sulpicians must have

189 B.S.S.P., Vol. 1, Tronson to Dollier de Casson, June 16, 1681, p. 250

190 E. Reveillaud, ed., Histoire chronologique de la Nouvelle-France... par le Père Sixte le Tac, Récollet

(Paris, 1888), Dollier de Casson to E. Valentin le Roux October 29, 1681, p. 215

favoured the Intendant Duchesneau. On May 3, 1682, Tronson wrote him that his recall was coming and that his secretary had done all he could to explain his position but it had been useless. The dismissal had to be accepted "as from God's hand".¹⁹¹ However, we cannot assume they had the Intendant's interests solely at heart for a month later Tronson wrote in equally cordial terms to Frontenac¹⁹² and to Msgr. de Laval informing him of the changes pending.¹⁹³

One thing we do know the Sulpicians had at heart and that was the hope that under a new Governor their mission on the island of Montreal might be less troubled than in the past. The Sulpicians were not above using their influence to obtain favourable political appointments:

I believe that you will get along well with Monsieur de la Barre. Perhaps you will be listened to on the choice of a Governor for Montreal. If there were an opening to put in Mr. Prevost and that Mr. de Longueuil who seems very wise to me can fill the place of major of ~~Quebec~~ I would have much joy over it. You may show this article to Mr. Squart and tell him that the appointment of Mr. Major of Quebec would be more within reach of his nephew than the governorship of Montreal that according to the present disposition would not now be granted him. It is a piece of advise I believe I must give to be used according to the

¹⁹¹ B.S.S.P., Vol. 1, No. 169 Tronson to Duchesneau, May 3, 1682, pp. 284-285

¹⁹² B.S.S.P., Vol. 1, No. 169 Tronson to Frontenac, June 1, 1682, p. 296

¹⁹³ B.S.S.P., Vol. 1, No. 170. Tronson to Laval, June 4, 1682, p. 297

openings. 194

Several weeks later Tronson added a coded message saying that Prevost had sought support for the governorship of Montreal but his chances were poor because "they will not want to put in this charge anybody who was sacrificed to M. de Frontenac." 195

The end of the Frontenac regime was viewed by the ecclesiastics as the termination of a period of persecution. He was accused of creating aldermen, naming councillors, without the advice of the Bishop or other ecclesiastics; of solely assuming budgeting; of styling himself High and Mighty Lord; of arbitrarily arresting and dismissing judges; of overriding Council decisions; of demanding blind obedience of all officials, and so on. 196 On the other hand, Lahontan had nothing but praise for him and sympathy for the difficulties he met in the colony:

194 B.S.S.P., Vol. 1, No. 165, Tronson to Dollier de Casson, May 15, 1682, pp. 291-292

195 B.S.S.P., Vol. 1, No. 182, Tronson to Dollier de Casson, June 3, 1682, p. 309

196 A.C., Series F3, Vol. LXXVIII, fols. 1,2

In Canada the Politick, Civil, Ecclesiastical and Military Government, are all in a manner one thing, in regard, that the wisest Governours have subjected their Authority to that of the Ecclesiastics; and such Governours as would not Imbarque in that interest have found their Post so uneasie, that they have been recall'd in disgrace. I could instance in several, who for not adhering to the Sentiments of the Bishop and the Jesuits, and for refusing to lodge their Power in the hands of these infallible Gentlemen, have been turn'd out, and treated at Court like hot-headed Incendiaries. Mr. de Frontenac was one of this number, who had such an unhappy exist; for he fell out with Mr. Duchesneau, Intendant of that Country, who finding himself protected by the Clergy, industriously insulted the illustrious General; and the General was forced to give way, under the weight of an Ecclesiastical League, by reason of the Springs they set at work against him, in opposition to all the principles of Honour and Conscience. 197

Lahontan seemed to feel that in order to be popular with the ecclesiastics Frontenac would have had to attend mass twice daily and confess at least every twenty-four hours.

Duchesneau's successor, de Meulles,¹⁹⁸ was given instruction to live in harmony with the Bishop, mediate any quarrels that might arise among the clergy, aid the Jesuits but guard against any extension of their powers, see that the Recollets were given their rights, and distribute the

197 Thwaites, op. cit., Vol. 1, p. 381

198 Jacques de Meulles, a relative of Mme. Colbert, succeeded Duchesneau in October, 1682, his appointment dating from May 10, as did his Instructions. In 1685 he was ordered to visit Acadia.

subsidies in consultation with the Bishop. 199 Laval expressed satisfaction at the choice of Intendant:

The honour you make me in ordering M. de Meulles to live in perfect agreement with me in all matters and to give me every assistance which he might be able to render for this infant church leave me much indebted to Your Majesty. 200

The Bishop did not mention Frontenac, but what must really have pleased him was the recall of the Governor. De Meulles started off on the right foot, so far as the ecclesiastics were concerned, by giving permission to Father Pierre Raffeix, attorney of the college of the Jesuits, to proceed against debtors who refused to pay their dues at the seigneurie of La Prairie and to have them brought before Sieur Migeon de Branssat, judge of the bailiwick of Montreal. 201

The Sulpicians were among those who had taken the precaution to show hospitality and kindness to the new Governor and Intendant; the Sulpicians in Paris wined and dined both de la Barre and De Meulles. 202 They were wise

199 P.A.C., Series B, Instructions to de Meulles, May 10, 1682, Vol. VIII, pp. 87-96

200 A.S.Q., Lettres N, No. 68b, Laval to King, November 12, 1682

201 A.J.M., De Meulles ordinance, February 23, 1683; Ordonnances, Vol. II, pp. 17-18

202 B.S.S.P., Vol. 1, No. 182, Tronson to Dollier de Casson, June 3, 1682, p. 309

in their overtures for they faced many trials with the local Governor, Perrot. As we have already seen this relative of Talon made something like 50,000 crowns a year in the fur trade, according to Lahontan, but his activities had brought him into a clash with Frontenac which netted him 11 months in prison in Quebec and at least 3 weeks in the Bastille. Back in Montreal he quarrelled with the Sulpicians as he had before. It was Talon who supported him in all these events.²⁰³ In 1681 Perrot was accused of ruining trade by personally carrying on business in public through a shop in the village and an open store. His valets were said to accompany soldiers to the Indian encampments to trade, and he placed a guard to allow only traders friendly to himself through.²⁰⁴ Indians were forced to deal with him and the other traders secured what trade remained. He was also accused of trading in swords, sending furs to the English colonies, granting the coureurs de bois refuge, and mixing water with the brandy he traded.²⁰⁵

²⁰³AAS.Q. Polygraphie, III, No. 117, Nov. 8, 1675. Talon's charge d'affaires reminded him that besides looking after his property in the colony he had maintained Perrot for 10 months, and also his wife and family for a year. The steward wondered if such an expenditure had really been sanctioned by Talon.

²⁰⁴A.C., Series F3, Memorial on conduct of Perrot, 1681, Vol. II, fols. 76-77

²⁰⁵A.C., Series F3, Memorial on conduct of Perrot, 1681, Vol. II, fol. 78

In 1683 the disorders were so well documented that the King intervened:

His Majesty being ill satisfied with the conduct that the Sieur Perrot had shown towards the Priests of the Seminary of this Island, His Majesty has suspended and does suspend him of from the functions of his office. His Majesty prohibits the officers serving under his orders to recognize him in future in the said quality of governor. 206

The King informed the Governor-General that he was suspending Perrot and if his relations with the Sulpician seigneurs of Montreal did not improve he would name a replacement the following year.²⁰⁷ Talon did what he could to protect him and so the following year the King in suspending him at Montreal named him nevertheless Governor of Acadia,²⁰⁸ where he would continue his trading activities. The problem was that Perrot was allowed to remain in Montreal while drawing his salary as Governor of Acadia.²⁰⁹ The Sulpician Tronson protested but to no avail as Seignelay was away from Paris. The disorders in Montreal continued, climaxed by a quarrel between Perrot and the merchant Guillaume Berthier in June,

206 A.P.Q., Ordres du Roi, Series B, King to Governor of Montreal, August 3, 1683, p. 3

207 A.P.Q., Ordres du Roi, Series B, King to la Barre, August 5, 1683, p. 7

208 A.P.Q., Ordres du Roi, Series B, King to de Meulles, April 10, 1684, p. 20

209 A.P.Q. Lettres N, No. 79, Dudouyt to Laval, 1684

1685; Perrot kicked the said merchant before many witnesses on the public square and later fought a duel with Jacques le Moyne de Saint-Helene.²¹⁰ When Perrot finally left the island the Sulpicians breathed more easily.

Frontenac's successor, de la Barre, had received the usual Royal instructions to protect the Recollets, watch the Jesuits, and co-operate with the Bishop. Before long he showed his hostility to de la Salle, Frontenac's protege, and the Recollets were turned out of Fort Frontenac. But de la Barre was no instrument of the ecclesiastics. He informed Seignelay of the ambitions of the Bishop:

What will give us the greatest trouble in this country will be the spirit of M. the Bishop, who by all sorts of means wishes to maintain an authority in politics and civil affairs, as he possesses in the spiritual sphere, and he uses the one on every occasion to achieve the other. 211

De la Barre assured the Minister of the Marine that while respecting Msgr. de Laval, he and the Intendant would nevertheless keep on their guard together.

²¹⁰ Jugements, Vol. II, pp. 191, 441, 545, 700, 711. 832

²¹¹ S.R.C., Doc. XXVII, No. 16, de la Barre to Seignelay, November 12, 1682, pp. 177-178. Antoine Lefebvre de la Barre was an elderly man when appointed Governor in Canada. He had already served as Intendant in three different provinces, as Governor of French Guiana, as Lieutenant-General of the Antilles. The Marquis de Seignelay was the son of the great Minister of the Marine, Jean Baptiste Colbert.

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But we will go our way in public business. We have observed that he contributed a great deal to the division between M. the Count de Frontenac, M. Duchesneau and the Sovereign Council; and that M. Duchesneau fell into many traps they set for him. That will make both of us wary. 212

It is remarkable that in spite of differences between the civil officials, and marked personality clashes, they generally closed ranks against encroachments, real and imagined, from the spiritual power.

Dollier de Casson got into difficulties with the new Governor at their first meeting. This was because he exposed to the Governor the fact that the lettre de cachet for the recall of Governor Perrot of Montreal had been held up in Paris because of Sulpician manoeuvres. This so angered the Governor that Tronson had to write him assuring him that Dollier de Casson was "a good man who has left all to serve Our Lord." and that he knew as did all the Sulpicians how much they owed to persons of de la Barre's character and office for the good government and peace that now characterized the colony. 213

He succeeded to part of his father's functions in September, 1683 as Secretary of State for Maritime Affairs, which included the colonies and external trade. He was apparently assuming some of the functions of office in a sort of apprenticeship capacity before 1683.

212 S.R.C., Doc. XXVII, No. 16, de la Barre to Seignelay, November 12, 1682, p. 178

213 B.S.S.P., Vol. I, No. 209, Tronson to de la Barre, May 24, 1683, p. 341

As a matter of fact the lettre de cachet in question had not taken away Perrot's governorship, it had merely recalled him to France.²¹⁴ Furthermore, de la Barre seems to have upheld Perrot at Montreal.²¹⁵

The Bishop was called to heel once more by the King on the matter of difficulties he was raising to consecrating parish churches of wooden construction.

With regards consecration, it is up to you to examine when it is opportune to grant it but as for the blessing of these churches, and what must be done to put them in a state so that mass can be said there and the rest of the divine service, His Majesty does not doubt that you will bring the facility without which one would fall into great inconvenience in Canada through the difficulty of finding people who undertake to build churches of stone.²¹⁶

There was no attempt by the state to interfere in the spiritual resources regarded essential for the foundation of a parish church, but the material resources were a different matter and the state did attempt to moderate the Bishop's views on the minimum standards of building he would accept.

It was not long before complaints were coming in to the Court against the elderly de la Barre. The King was

²¹⁴ B.S.S.P., Vol. I, No. 210, Tronson to Dollier de Casson, May 25, 1680, p. 343

²¹⁵ B.S.S.P., Vol. I, No. 224, Tronson to Dollier de Casson, March 2, 1684, p. 354

²¹⁶ P.A.C., Series B, Minister to Laval, May 26, 1682, Vol. VIII, p. 117

particularly surprised that he should have condemned an inhabitant who deserted to the English to be hanged in effigy in Montreal, for example.

His Majesty was unable to understand that a man like you who knows the laws of the Kingdom wished to give himself a power of life and death in non-military matters...²¹⁷

The King wanted deserters to be judged before a Conseil de guerre, i.e. a court martial, but the Intendant was always to be present. De la Barre was also reprimanded for having returned to the British a ship captured on Hudson Bay by Radisson and Groseilliers for the King said this was tant-amount to recognizing the British claims to that northern bay.²¹⁸

The clergy in France knew that de la Barre was falling into disfavour at court. Dollier de Casson was warned in a coded letter not to publicly complain of de la Barre's mistreatment of ecclesiastical persons but to send the written evidence to Paris where Tronson could use it with greater effect. Tronson reported that "they complained of Mr. de Frontenac, presently they complain even more about Mr. de la Barre".²¹⁹

²¹⁷ A.P.Q., Manuscrits I, Minister to de la Barre, April 10, 1684, Vol. II, p. 573.

²¹⁸ Ibid., Vol. II, p. 574

²¹⁹ B.S.S.P., Vol. I, No. 256, Tronson to Dollier de Casson, April 20, 1684, p. 398

It was de Meulles in particular who complained that the Governor usurped every authority and that he had entered into a partnership with Du Lhut and some Quebec merchants in order to monopolize the trade of the western country.²²⁰ A few months later Tronson again reported in a coded letter that there were many complaints against de la Barre. "I do not know if these complaints will operate for next year. But they will give rise to the renewing of requests for the return of Mr. de Frontenac to Canada".²²¹ Tronson added that the Jesuits "will always be opposed to him and they are a strong party."

De la Barre seemed to be particularly hostile to the Montrealers, but Tronson told the Sulpician superior there how to counteract any moves from this quarter:

They told us here that Mr. de la Barre is extremely aroused against Montreal. Thus while he can decry it as much as he likes at court, you have great interest in treating with consideration your Governor, and to cultivate his friendship as much as you can. Because he will be believed at Court as much as the General, and what good he will report in your favour will cure all that can be reported from other quarters as disadvantageous to you.²²²

²²⁰ A.C., Series F3, de Meulles to Minister, June 6, 1684, Vol. II, fols. 163-;65

²²¹ B.S.S.P., Vol. I, No. 265, Tronson to Dollier de Casson, August 7, 1684, p. 402

²²² Ibid., Vol. I, No. 265, p. 402

The clergy were of necessity caught up in the intrigues but they seemed to have better communications than did some of the individual civil officials in the colony.

De la Barre was also falling down as a watchdog of temporal rights. The King reprimanded him for having given permission to use an old warehouse in Quebec for a chapel without first consulting him.²²³ The news of his recall was sent to the Sulpicians in a coded letter which the Honfleur fishermen brought out in the early spring of 1685 before the royal vessels arrived.²²⁴ He was being replaced by Denonville, a choice which made the clergy in Paris happy as he seemed to be a wise and very pious man. This new Governor was to sail in May, along with Msgr. de Saint-Vallier. The latter's first report to the King's confessor was that if they could obtain a Governor, and Intendant and a Bishop who would work together the whole face of the colony would soon be changed.²²⁵

A new Governor did not alter the royal policy towards the ecclesiastical power.

²²³ P.A.C., Series C11A, King to de la Barre, April 10, 1684, Vol. VI, p. 402

²²⁴ B.S.S.P., Vol. I, No. 268, Tronson to Dollier de Casson, February 15, 1685, p. 403

²²⁵ A.S.Q., Lettres P, No. 46, Saint-Vallier to la Chaise, 1685

The watchfulness required to prevent encroachment never ceased.²²⁶ The instructions to Denonville read like those of his predecessors in many respects on this score.²²⁷ The Jesuits required watching so the warnings on that topic were always repeated.²²⁸ It was considered part of the duties of the Governor, and to some extent of the Intendant too, to maintain harmony and a balance between the several religious orders, to check encroachments on civil power, to check the number of churches, their incomes, their services, the number of clergy, the functioning of charitable and educational institutions, and in general all matters related to the outward and temporal manifestations of

226 P.A.C., Series B, Instructions to Denonville, March 10, 1685, Vol. XI, p. 151

227 Frontenac believed to his last days that the odium theologicum against the temporal powers was "greater in this country than in any other location." A.A.Q., Eglise du Canada, Frontenac to M. de Lagny, November 2, 1695. Vol. VI, p. 56. By the end of the French regime the King was on better terms with the Jesuits - even to the extent of supporting them against Bishop Pontbriens. Cf. Peter Kalm, Travels in North America (London, 1771), Vol. III, pp. 143-144

228 A.S.Q., Polygraphie IV, No. 18, King's Instructions to Champigny, May 31, 1686. Lahontan felt very strongly about the replacement of de Meulles by Champigny. He wrote: "He comes to supply the place of Mr. de Meules, whom the King recalls upon the unjust complaints that are made of him. He is charg'd with preferring his private Interest to the publick Good; but the charge is false, and he may have carry'd on some underhand Commerce, but in so doing he injur'd nobody..." Thwaites, op. cit., Vol. I, p. 102

the church's activities.²²⁹ The Intendant in particular supported the church in such measures as Sunday rest, the payment of tithes, the ordering of ceremonial, and the enforcement of voluntary labour for the parish.²³⁰ The concept of the separation of powers was thoroughly Gallican.

The state felt justified in using force in certain cases against the ecclesiastics. This was particularly justified by the fact that in certain cases the church itself used force. Bossuet himself defended the church on this score:

I saw, in a letter you wrote to Mademoiselle de Vrillac, that the true church does not persecute. What do you mean by that, sir? Do you mean by that that the church itself never employs force? That is very true, because the church has only spiritual weapons. Do you mean that the princes, who are children of the church, must never use the sword which God has put into their hands to cut down these enemies?... And if you would not wish to permit the Christian princes to avenge such great crimes in that they are injurious to God, could they not avenge them in that they caused troubles and sedition with the State?"²³¹

²²⁹ P.A.C., Series B, Instructions to Denonville, March 10, 1685, Vol. XI, pp. 152-155

²³⁰ Edits, Vol. II, pp. 206, 295-296, 372, 484; Vol. III, p. 426

²³¹ Massis, op. cit., Bossuet to Pierre de Vrillac, April 3, 1686, pp. 180-181

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This was the full-blown doctrine of the secular arm coming to the defence and support of the mother church. It was a parallel kind of rationalization of administrators of Gallican persuasion that led them to justify the intervention of the secular arm in the internal affairs of the church when these seemed to be detrimental to the national interest, the royal prerogative and the general welfare and tranquillity of the inhabitants.

CHAPTER IV

THE QUESTION OF PRECEDENCE

Precedence was one of the fertile sources of pique and contention in the colony. This quarrel was more than strife for priority of place, or superiority of rank, in the conventional system of arranging the order of dignitaries in public ceremonies and in intercourse in private life. Let it be said, to begin with, that such wranglings were not a peculiarity of the colony at all. The memoirs of the seventeenth century are full of tedious accounts of disputes as to rank and place between the various grades of the social hierarchy. The aristocracy in particular attached tremendous importance to keeping up the dignity of their rank even in the most trifling details of everyday life.¹

Moreover, precedence was a matter of dispute at court. At one time the French monarch seated the members of his Council of State according to importance of position and some years later according to date of appointment to office. The expedient for preventing arguments over rank

¹ J. Lough, An Introduction to Seventeenth Century France (London, 1954), pp. 61, 62

in the Council was eventually to require all to remain standing during sessions. At the diplomatic level there were similar misunderstandings. In 1661, the Count d' Estrades, ambassador in London, engaged in a veritable battle with the Count of Vatteville, the Spanish ambassador, over precedence in the streets of the English capital. The following year, the Holy Roman Emperor broke off all personal correspondence with Louis XIV because the latter had neglected to give him the additional titles of King of Bohemia and of Hungary; only a Turkish war reconciled the two monarchs. There were long quarrels with Poland because Louis XIV refused to call that monarch "Majesty" since he was elected. To the kings of Sweden and Denmark he also refused the usual honours because he believed their states insignificant.

Since the king Gustav Adolph of Sweden got it into his head to pretend to equality among all the kings, because of the name and title they equally possess, and that it was necessary for other great interests to accomodate ourselves to his caprice and to this injustice, all the other kings following his example have pretended to the same thing. 2

Germanic kings he chose to ignore as their sovereignty was indirect, depending upon the Holy Roman Emperor. If the kings could not agree in these matters, then we can better

2 C.G. Picavet, La Diplomatie Française au temps de Louis XIV, 1661-1715 (Paris, 1930), p. 151

understand the attitudes of their subjects.

It was the quarrels over precedence at the French court, however, that had immediate bearing upon the Canadian colony. In the court of a Divine Right monarch it was only natural that precedence should have been regulated by an elaborate etiquette and protocol. Louis XIV desired, as we have indicated, a well-defined European hierarchy, and at his own court he expected the same good order. In his external relations he recognized no foreign sovereign as superior, a few as equals and most as inferiors; in other words, he purposed to achieve European supremacy in fact as well as theory. He never separated the reality from the appearance, and power from prestige, but seemed to judge them as inseparable.

Behind this formalism were living realities. The conflicts of precedence with Spain were the sign of a fundamental rivalry, as were the difficulties with the Holy Roman Emperor. In matters of etiquette and protocol the King's image seems to have been greatly exaggerated and yet Louis XIV showed sound political judgment in adopting such a course. The atmosphere of the motherland was recreated in good measure in New France.

Precedence was not a matter that had been ignored or neglected. Indeed, there was a large body of regulation extant. An edict of 1557 still regulated precedence in

public assemblies, another of April 1582 forbade all persons from taking precedence over officers of the Crown, and still another of March 1668 defined the rank of marine officials in public ceremonies.³ At sea there acrimonious quarrels over the right to fly ensigns, the observance of salutes and the use of beacons, therefore Louis XIV issued a règlement on December 3, 1669, governing precedence and honours to be observed at sea.⁴ The existence of regulations did not prevent further contentions from arising.

The most probable occasion for contentions which would involve the church was a procession. Whether the processions were processiones générales, ordinariae or extraordinariae there seems to have been occasion for dispute and rivalry. The Rituale Romanum laid down the rules governing processions and such matters - the cross and banners went ahead of the bare-headed faithful, walking two by two, in decent costume and with decent mien, clergy and laity, men and women, in that order. Nevertheless, the Sulpician superior found it necessary to remind the Montreal clergy that they ought to show more respect to God by

³ Isambert et al., Recueil des Anciennes Lois Françaises (Paris, 1829), Vol. XIII, p. 483; Vol. XIV, p. 513; Vol. XVIII, p. 192

⁴ P. Clément, Lettres, Instructions et Mémoires de Colbert (Paris, 1865), Vol. III, Pt. II, pp. 659-660

walking two and two and not in hurried groups when going to church, that they ought not to wear wooden shoes or white stockings to divine service, that cuffs should be put on to go to mass, and that they should especially avoid immodest posture in church, of which the inhabitants of the island had accused them.⁵

It is difficult for us now to imagine the relaxed and uninhibited atmosphere that must have prevailed during mass and especially during the sermons. Seventeenth century churches were public places of a highly gregarious, undisciplined population which loved all the pomp, ceremony, display and ritual but which generally made little place for what we today would term solemnity. If amidst the pomp of the royal chapel at Versailles a prince of the blood and a cardinal could verge on blows in a quarrel over seating, we can grasp the typical decorum of the parish church of Quebec or Montreal. The Montreal clergy were admonished not to blow their noses with their fingers and particularly to desist from doing so while at the altar and handling the Host; in future the clergy were to carry a kerchief at the belt for blowing the nose.⁶ They were warned not to take

⁵ B.S.S.P., Vol. I, Tronson to Montreal Seminary, March 17, 1676, p. 6

⁶ Ibid., p. 7

brandy with them when they went on tours or during processions:

And if the procession is a bit long and you need some refreshment you can have a few servants carry some bread and wine which would not set a bad example to the laity as does brandy for several reasons. 7

Such instructions enable us to catch a little of the spirit of the times.

The Council of Trent had regulated that the Bishop should appoint and govern processions and public prayers outside the church edifices. Even a cathedral church itself could claim some precedence because a decree of the Lateran Council forbade the ringing of church bells on Holy Saturday before those of the cathedral church had begun to peal.⁸ Similarly, the bell of the Quebec parish church was always the first to ring in its immediate locality.⁹ These facts would seem to confirm the observation that precedence was regarded as consequential.

The Jesuit Superior at Quebec learned in 1645 that the custom in the colony had been to give communion to the

7 B.S.S.P., Vol. I, Tronson to Montreal Seminary, March 17, 1676, p. 7

8 A.S.Q., Polygraphie VI, No. 5. No pagination in this series

9 C.H. Laverdière & H.R. Casgrain, Le Journal des Jésuites (Quebec, 1871), p. 135. Henceforth cited as Journal des Jésuites

Governor first, and he had neglected to do so. He was soon informed about local usage and fortunately the Governor made no issue of the matter.

Having been advised of the custom, I began with him the second time; but he himself having told me he was shocked at this, I since have done as I did the first time, and thus he communicates last at the first setting in his turn according to the seat where he sits. 10

That the Governor did not exact his rights and privileges is rather remarkable. Such behaviour did not apparently increase a Governor's popularity with the colonials, on the other hand, if we can believe La Chesnaye's report of de Lauzon's term:

I saw him only two years in Canada, where he was scarcely like because of the little care he took to maintain his dignity, living without a servant and eating only pork and peas like an artisan or manant. 11

For a time the relations between Governor and the missionaries seemed excellent. For the celebration of Conception Day in December, 1645 a cannon was fired at day-break and three more were fired at the elevation at high mass late that same evening. ¹² For the beginning of the

10 Journal des Jésuites, p. 12

11 A.C., Series F3, Vol. II, Memorial of La Chesnaye, 1697, fol. 4, p. 8

12 Journal des Jésuites, p. 17

Jubilee celebrations ordered by Pope Innocent X we find mention of the exposition of the Host at numerous locations, during which solemnities the people remained kneeling or standing. The Jesuits Superior specifically recorded that the Governor remained standing throughout the services. ¹³ We can well imagine that the Huguenots of the colony were also required to kneel, if anywhere in the vicinity, as were their coreligionists in the motherland. ¹⁴

The Jesuits were careful to give no occasion for offense to the Governor. On Candlemas Day, 1640 the Governor was given a taper and then 115 pieces of candle were given to the rest of the congregation so that each could have a lighted candle during the reading of the Gospel. The Superior entered in the Journal that "it is necessary to do thus, out of fear of falling into intrigues over precedence and preference." ¹⁵

¹³ Journal des Jésuites, p. 18

¹⁴ This matter had come up for debate in 1639 and came before the Royal Council which by a decree of October 23, 1640, confirmed the contentions of the Catholics that Protestants as Christians ought to kneel as the Sacrament passed in the streets. Fines of 500 livres, 1500 livres and 2000 livres (with possible banishment from the province) were provided for first, second and third offences respectively. S.A. Laval, A Compendious History of the Reformation (London, 1741), pp. 1026-1027

¹⁵ Journal des Jésuites, p. 31

The problem arose again two years later and the missionaries felt it was necessary to make it understood "that the people come to take candles according to the rubrics, not adhering to any order, except in the case of the Governor and those nearest the communion rail."¹⁶ A few weeks later, on Ash Wednesday, the ashes were given first to the clergy, then to the Governor and finally to the congregation "without ceremony as they came to the communion rail."¹⁷ The entry for Palm Sunday, 1649, indicates that palms were distributed to the Governor and two Councillors first, and then to the congregation in whatever order they happened to file up.¹⁸ In all these instances the Governor had been singled out for special attention.

Notwithstanding these precautions there were things that could go wrong. In the Corpus Christi procession of June, 1649, twelve soldiers marched ahead of the Host, heads covered too. The Jesuit Superior commented "which burdened me much, in consequence was not to be tolerated".¹⁹

¹⁶ Journal des Jésuites, p. 102

¹⁷ Ibid., p. 103

¹⁸ Ibid., p. 122

¹⁹ Ibid., p. 126

There was always the great care to observe the correct order and correct dress of those who participated in processions. For example, in the Corpus Christi procession at Quebec in June 1650 four of the Indians arrived too late to form up in the procession, and of the four men chosen to carry the dais one was "very badly dressed, to wit with an old blanket".²⁰

Another occasion for misunderstanding was the distribution of blessed bread.²¹ The distribution of this bread was a secular practice of the church to perpetuate the memory of the agape and so symbolize the participation of the whole congregation at the Divine table. The bread was offered by a parishioner or a group of parishioners to be blessed by the celebrant at mass and to be distributed to the faithful. The tradition of offering this bread seems to have been firmly fixed in French customs and so it was transplanted to the New World. In France a patron founder of a parish had the privilege of choosing the Sunday on which he preferred to make this offering.

²⁰ Journal des Jésuites, pp. 139-140

²¹ Isambert et al., op. cit., Vol. XIX, pp. 24, 25. The Parlement of Paris by arret of December 23, 1672 regulated the practice. Bourgeois merchants and artisans of Paris were forbidden to send their servants instead of their wives and daughters or other persons of equal social standing to fulfill the duties

Also certain fraternities and religious societies had the privilege of offering it on designated festivals. But each parishioner was held responsible for providing it in turn. In New France the custom had led to "preferences in distribution to which each pretended" and so was allowed to lapse.²² In 1645 it was revived at midnight mass.

It was not without some apprehension of the disorder it might create that the Jesuit Superior had decided to restore the custom at Quebec. To the daily journal he confided:

The renewing took place through the devotion of the toolmakers, who had the zeal to perform it at the midnight mass, and feelings were disposed to renewing this custom; Mons. the Governor received the morsel signifying that he was to offer it the following Sunday. What we did to obviate misunderstandings over pretended preference was to order that having presented some to the priest and to the Governor, it would be given to all the rest as they came and were found in the church, starting now at one side, and next at the other side. 23

Even so, there was a dispute the following week as to who should offer it after the Governor. It was finally decided that the two churchwardens, Giffard and des Chastelets, should offer it and that the distribution should be made one street at a time.²⁴ It was later added that each would be

22 Journal des Jésuites, p. 20

23 Ibid., pp. 20-21

24 Ibid., pp. 22-23

responsible for offering it in turn, the sequence to be determined geographically, house by house and street by street in turn. ²⁵

The following year another discussion arose out of the practice because certain individuals, when their turn arrived to supply the bread for the congregation, had taken it upon themselves to present it with great pomp and display, Mme. Marsolet, wife of the famous and relatively well-to-do interpreter, for example, arranged it with ribbons, bows and linen and even wanted to use some candles. The officiating priest took a very dim view of this and his determination expressed itself in no uncertain terms:

...but before blessing it I had all taken off, and blessed it with the same simplicity as I had done for preceding ones and particularly the one of Mons, the Governor, through fear that this change should bring in jealousy and vanity. ²⁶

This decision was wise not only from the moral point of view, but also from the economic point of view as few habitants could afford a lavish display when it fell to their lot to make the offering.

More difficulties ensued. In November 1657 the members of the Council of Quebec and the justices of the colony began quarrelling over rank in processions.

²⁵ Journal des Jésuites, p. 26

²⁶ Ibid., p. 29

The justices were particularly determined to receive the blessed bread first "contrary to the regulation to the other effect which had been kept until now." ²⁷ The custom which the colonials had apparently desired as a privilege was also becoming somewhat of a burden in some quarters. The right to have had become a duty to maintain and the secular arm was called in to enforce the religious custom. The habitants of Cap Rouge were called before the Governor in April 1658 to answer to charges of having refused to supply blessed bread. The Governor arbitrated the difficulty by requiring each family to pay a small sum annually to the churchwardens to supply the bread, and this solution was found acceptable. ²⁸

The arrival in the colony of the Vicar Apostolic did not bring these contentions to an end. Instead there developed a round of misunderstandings between Laval and the Governor. The soldiers of the garrison supplied the blessed bread at the Epiphany, 1660, but they distributed it with drums beating and fifes playing and this greatly shocked the Bishop of Petree. Nevertheless, he did give them two jugs of brandy and two pounds of tobacco when they brought him his portion. ²⁹ On Easter Sunday there

²⁷ Journal des Jésuites, p. 227

²⁸ Ibid., p. 233

²⁹ Ibid., p. 273

followed an altercation between Bishop and Governor because the latter insisted on the use of drums and fifes as he was furnishing the blessed bread. The compromise solution was that the bread would be presented before mass and distributed afterwards so as to avoid an interruption of the service.³⁰ The Jesuits were not altogether happy with the compromise and noted that there had been an error in precedence as the blessed bread had been offered to the Governor before the members of the choir in 1661.³¹ They were quite critical of the numerous liturgical slips made by clergy and noted that even the Apostolic Vicar made numerous mistakes.³²

The bitter quarrel between officials of church and state came into the open during the gubernatorial term of the Viscount d'Argenson. There was a contest over the location of the Governor's pew in church.³³ It was an accepted practice that a parishioner might buy a pew made to his specific instructions and placed at an advantageous site.³⁴ It was expected that the Governor would assert

³⁰ Journal des Jésuites, p. 280

³¹ Ibid., p. 295

³² Ibid., pp. 278, 289

³³ Ibid., p. 264; also S.R.C., Doc. XX, p. 46

³⁴ A.S.Q., Polygraphie XXII, No. 42, Charles Couillard did so in Notre-Dame Church, Quebec on May 12, 1669

his prerogative in this matter. At this period there were no stoves in the churches so the celebrant was permitted to keep a small water heater on the altar during the winter months. The parish church of Quebec was heated by means of tubs of water under which small wood fires were kindled, the smoke supposedly escaping up into the rafters and the steam heating the frigid building. Men and women wore great shawls as protection against the winter cold, but one of the marks of precedence accorded the Governor was the privilege of having his own heater in church. How far did these privileges extend? Could the Governor elect to have his pew within the choir stalls, for example?

The Governor thought he ought to be with the choir, but the Bishop insisted that he ought not to be there and that the right side of the choir being the one on which the Gospel is read it was therefore reserved for the highest dignitaries of the church.³⁵ D'Ailleboust finally offered himself as conciliator and the matter was agreed that "the bench of the Bishop would be within the railing, and that of the Governor outside the communion rail in the middle of

³⁵ Journal des Jésuites, p. 264; also S.R.C., Doc. XX, p. 46; Cf. M. Lange, La Nouvelle Pratique Civile, Criminelle et Beneficiale, 15th Edition (Paris, 1755), Vol. II, Pt. I, p. 336 for confirmation of this assertion.

the church."³⁶ Basically, the problem seems to have been that Laval found the Governor enjoying certain honours which he believed should never have been given to him. The situation only convinced the Vicar Apostolic that the delay in establishing a colonial diocese was responsible for the encroachments upon the church's rights. On the other hand, any changes in existing honours would be regarded by the Gallican party as an attack on the rights of the state.

It has been asserted that the struggle over precedence and honours was neither as petty or as personal as might appear on the surface, but rather that "the relative position of governor and bishop was symbolical of the relative authority of Church and State."³⁷ This we shall presently see is a sound judgment. But the matter went even deeper than that as the eloquent Bossuet aptly justified the King's concern with honours:

When he sustains his glory, he upholds at the same time the public welfare; for the glory of the prince is the ornament and the mainstay of the whole State.³⁸

³⁶ Journal des Jésuites, p. 264. F. Parkman, The Old Regime in Canada (Toronto, 1899), Vol. I, pp. 166-168 gives a good summary of the disputes between Laval and d'Argenson

³⁷ M. Eastman, Church and State in Early Canada (Edinburgh, 1915), p. 41

³⁸ H. Massis, Lettres de Bossuet (Paris, 1927), Bossuet to Louis XIV, 1675, p. 86

So then the Governor as the King's representative was expected to exact his rights and privileges. It was on such grounds that the Sovereign Council of Quebec (March 9, 1676) decided to allow the Governor to retire from Council during the absence of the Intendant as it did not befit the dignity of his office to preside over a council in which only minor officials sat.³⁹ Precedence was not a matter to be taken lightly in a colony where there were so few occasions to assert it.

Although a fervent Catholic, Viscount d'Argenson had a strong animus towards the Jesuits. They praised him in public but in their private letters they complained of his aloofness.⁴⁰ The Jesuits were in a difficult position in the quarrels between the Governor and the Vicar Apostolic because they were not willing to give offence to either party. That was why they decided to invite neither dignitary to a special St. Ignatius' Day dinner tendered to the leading citizens of Quebec. Instead, they offered Laval and d'Argenson a gift of salmon, hoping this would establish their neutrality in the quarrels between the two.⁴¹

39 Jugements, Vol. II, p. 49

40 Journal des Jésuites, p. 237

41 Ibid., pp. 269-285

It could be useful to be in the good graces of both parties. Moreover, Father Lalemant enjoyed a remarkable position in that he was the confidant of both the Governor and Father Ragueneau.

The illwill overflowed at the Christmas season because during the midnight mass the officiant offered incense to the Vicar Apostolic but sent a subordinate priest to offer it to the Governor, and that only after the choir had been incensed.⁴² The Governor demanded that he receive the incense from the celebrating priest immediately after the Bishop and before the clergy of the choir while Laval insisted that the clergy must receive incense before the Governor and his party. The Governor based his arguments on the Cérémonial des Evêques and Laval based his contentions upon the usage of France. D'Argenson went to consult Father Lalemant and then asked Laval to check his Cérémonial des Evêques.⁴³ D'Argenson wrote to his brother in France for advice on the matter as he felt certain he was within his rights in making the requests he had made:

42 A.S.Q., Seminaire XV, No. 3 No pagination in this series.

43 Journal des Jésuites, p. 270; C. de Rochemonteix, Les Jésuites en la Nouvelle-France au XVIIe Siècle (Paris, 1895), Vol. II, p. 288 also gives the account

I have given you orders to send by the first vessels the regulations I wanted concerning incensing in church, because M. de Petree pretends that the Governor must receive incense only after the choir, although the Cérémonial des Evêques settles the matter in the chapter on incensing and is based on existing practise...unless the custom is otherwise. He says he has found it was observed otherwise...It is my duty to have the matter regulated. 44

But Laval would not give place for one moment. At vespers he had the incense reserved for himself and declared that he would continue to so reserve it until news arrived from France on the matter. The Governor also resigned himself to awaiting a decision from home. "All one can gain," he wrote his brother, "although he saw himself condemned in his Cérémonial is that he alone will receive incense until such time as we receive news from France." 45 The Governor preferred to forfeit receiving the incense than to have the clergy in the choir precede him in the honours.

Was the Governor largely to blame in this contest? So pious and understanding an observer of human nature as Mother Marie de l'Incarnation attached much blame to the Bishop in a private letter sent to her son:

44 S.R.C., Doc. XIX, No. 3, p. 44

45 Ibid., p. 44. French law on disputes of this type was clear: "L'action pour les droits honorifiques se doit intenter devant le Juge séculier, même entre Ecclésiastiques", M. Lange, op. cit., Vol. II, Pt. I, p. 336. Only if there were a question of disturbing the service did the ecclesiastical judge hear the case, ibid., p. 25

Monseigneur our Prelate is such as I had told you in my previous letters, that is very zealous and inflexible. Zealous in having observed everything he believes to augment the glory of God; and inflexible in never yielding to what is the contrary thereto...It is not he who will to himself friends in order to advance himself or to increase his revenue; he is dead to all that. Perhaps (without blaming his conduct) if he were not so much so, everything would go better; because nothing can be done here without the help of the temporal power. But I may be wrong, each has his own way of approaching God. 46

Probably if Laval had been more capable of compromise many petty quarrels would have been avoided. The choice seemed to lay between short term gains in avoiding friction and long term gains in defending the privileges and immunities of the spiritual power.

Much fuel was added to the flames on November 28, 1660, when Laval declared that the Governor was no longer an honorary church warden. When d'Argenson presented himself two days later, in his capacity of honorary churchwarden of the fabrique of Quebec, at a meeting of the wardens the Vicar Apostolic challenged his right to be present.⁴⁷ The Governor replied that d'Ailleboust had always been present at such meetings by virtue of his office and that therefore

46 Sr. Marie-Emmanuel, Marie de l'Incarnation d'après ses lettres (Ottawa, 1946), p. 222

47 S.R.C., Doc. XX, Nov. 28, 1660, p. 49

a precedent had been set that the Governor was an ex officio member. Laval argued that d'Ailleboust had indeed held such a title "for the period only of his administration."⁴⁸ The title had not been continued to his successor and so it was wrong, according to Laval, to insist upon attending meetings of the Fabrique upon such grounds. When the Governor refused to be sent away Laval could only insult him publicly and decide to protect the independence of the churchwardens by not making the Governor a regular or honorary member.⁴⁹

When Laval issued his ordinance on rank of churchwardens he restricted rank to seniority of service and forbade the designations of first warden, second warden, and so forth.⁵⁰ Even so, all does not seem to have gone well for there were disorders when all the parishioners were invited to publicly debate the matter.⁵¹ Laval then issued a mandement restricting a deliberating voice and vote to

⁴⁸ S.R.C., Doc. XX, November 28, 1660, p. 49. This is confirmed by A.S.Q., Polygraphie III, No. 112, October 8, 1645, -"pour le tems seulement de son gouvernement, les autres Gouverneurs pouvant être privé de prendre le même titre."

⁴⁹ Abbé A. Gosselin, Henri de Bernières, premier curé de Quebec (Quebec, 1902), p. 185. This was later reversed by Bishop Saint-Vallier, who, willing to flatter Frontenac's pride, personally named him an honorary warden.

⁵⁰ A.A.Q., Registre A, No. 18, November 29, 1660, pp. 21, 22; also in Mandements, Vol. I, p. 28

⁵¹ A.A.Q., Registre A, No. 19, December 5, 1660. p. 22

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certain designated electors and former churchwardens.⁵² The regulations for the election of churchwardens called for all meetings to be held at the prebytere, only wardens and ex-wardens could participate in the elections, the voting was to be by voice and the parish priest would preside, a plurality vote would be required for election with no votes being given privately to the curate, and the first two churchwardens were to be elected from the merchants and the last two from the artisans so that in processions the middle class merchants might precede the skilled labourers.⁵³

Regulations notwithstanding, the colonials liked to seize upon every small opportunity to assert the importance of some minor office they might fill. As early as 1662 in the parish church of Montreal the people's syndic, Urbain Baudreau, acted as porte-verge during the divine service (a place of honour distinct from that of the regular bedeau, Honore Daunis), a privilege which entitled him to walk ahead of the priest and churchwardens in processions.⁵⁴

This was not the only incident that established Laval's determination to recast the colonial church

52 Mandements, Vol. I, December 5, 1660, p. 29

53 A.S.Q., Polygraphie IV, No. 75, undated

54 B.R.H., Vol. XXXIV, No. i (January, 1928), p. 62

according to his lights. Upon landing he had reversed the colonial rule of precedence somewhat by insisting on giving the sacraments to the Indian converts before doing so to the natural-born Frenchmen.⁵⁵ His regulations for burials and other services in the parish of Quebec did not meet with wholehearted approval either.⁵⁶

Then at the beginning of February an incident occurred which caused a great stir in the colony. At a solemn catechism held at the Jesuit's residence word had got about that the Governor would insist upon the children saluting him before they greeted the Bishop. The whole assembly broke up when word arrived that there was a fire in the lower town. Laval hurried down with the Host and some remarked that his timely arrival coincided with the appeasing of the blaze. A week later both Governor and Bishop were invited to return to the Jesuits to question the pupils.⁵⁷ To avoid contentions over which of the two visitors ought to be saluted first the Jesuits contrived to have the boys constantly occupied with their hands so as not to be required to salute either. But Charles Couillard and

55 A.R.C., Doc. XVIII, September 12, 1659, pp. 37-39

56 A.A.Q., Registre A, No. 20, July 10, 1661, pp.23-

57 Journal des Jésuites, p. 291

Ignatius de Repentigny saluted the Governor, as they had probably been coached to do by their parents, and this greatly offended Laval. The Jesuits tried to appease and pacify the much aroused Bishop and went so far as to have the two lads whipped the following day for disobedience.⁵⁸

The Jesuits were still on terms with the Bishop following this incident. In fact, Laval was pleased to order three annual processions to their church. On January 1 the clergy and laity at Quebec, after vespers, were to go processionally from the parish church to the Jesuit chapel for a special service, and were then to return in ceremonial recessional to the parish church. This was to be observed also on the feast of St. Francois-Xavier (December 3), and the feast of St. Ignatius (July 30).⁵⁹

But between Governor and Bishop the relations remained strained. On the feast of the Epiphany, 1660, the Vicar Apostolic was quite shocked to see the garrison troops coming with drums beating and fifes playing to offer the "blessed bread".⁶⁰ Then, on the eve of the

58 S.R.C., Doc. XX, February 8, 1661, p. 49; also Journal des Jésuites, p. 291

59 A.A.Q., Registre A, No. 12, January 15, 1660, p. 15

60 S.R.C., Doc. XX, p. 48

Purification when the Governor learned that he alone would receive a candle before the churchwardens he decided to absent himself from the service.⁶¹ Next, d'Argenson had some of his gentilshommes placed ahead of the churchwardens for the Palm Sunday procession; there followed such a deadlock that there was no procession whatever.⁶² Laval interdicted ad tempus all religious processions until the question was settled.⁶³ Substantially, this interdiction was in answer to a request from the churchwardens of Quebec to be upheld in their right to walk immediately after the Governor, a right which they believed had been violated on two occasions when other individuals took up places before them in processions.⁶⁴ As the matter was not settled by Palm Sunday the usual procession was omitted.⁶⁵ To aggravate matters somewhat a rather petty incident occurred on Holy Thursday. Two cushions had been placed as usual by the communion railing for the Governor and the Bishop, but the Governor in error went to kneel at the Bishop's place. Once his mistake was noticed he retired altogether from the church

61 Journal des Jésuites, p. 290

62 S.R.C., Doc. XX, p. 50; also Journal des Jésuites, pp. 291, 293; M. Eastman, op. cit., p. 43 also recounts the incident

63 Mandements, Vol.I, March 5, 1661, pp. 29-30

64 A.A.Q., Registre A, No. 217, March 5, 1661, p. 166; also S.R.C., Doc. XXIX, p. 181

65 Journal des Jésuites, p. 293

rather than move down to his own proper place.⁶⁶ The Governor's insistence upon the most minute details of recognition and ceremonial may seem, from the twentieth century viewpoint, very indicative of personal pride and haughtiness. But this does not logically follow, for at the French Court the King himself tediously insisted upon small points of etiquette and complicated ceremonial because these were believed to contribute to one great end - the exaltation of the Crown above the common herd.

On the other hand, Laval could be provocative too. When the Corpus Christi procession was held he asked the soldiers at the specially erected altar of the fort to uncover, and d'Argenson assented saying that this was proper for men in the King's uniform. Laval thereupon, perhaps

66 S.R.C., Doc. XX, p. 49; Journal des Jésuites, p. 279. The best known incident of this type is that of the prie Dieu in the Recollet church in Montreal, 1695. At a special ceremony that was to take place in the Recollet church both Msgr. de Saint-Vallier and Governor de Callieres were to be present. When the bishop noticed that the stall of honour had been reserved for the governor he ordered it removed from the church. De Callieres arrived on the scene shortly afterwards and ordered the prie Dieu put back in its former place. The Bishop retaliated by ordering the Recollets to close their church, to refrain from celebrating there any ceremonies or from administering the sacraments therein. The bishop issued three monitories relative to the incident and closed with a reference to the scandalous conduct of de Callieres with a reference to the scandalous conduct of de Callieres with the sister of the Superior of the Recollets. The matter was actually referred to Versailles. A.C., Series F3, Vol. VII, fols. 189-196

emboldened by this assertion of the superiority of the church's prerogatives, asked that the soldiers kneel as the procession passed them, but this the Governor adamantly refused to allow them to do. Consequently, the procession did not stop at the altar that had been erected at the fort.⁶⁷

Another incident reveals his aggressiveness. A death sentence was imposed on relapsed individual caught trading contrary to royal prohibitions. His religious views were undoubtedly more odious to the Bishop than was his commercial activity and the death penalty caused a "great imbroglio among the powers" because the Governor was opposed to the penalty while the bishop urged that it be executed.⁶⁸ If we can trust Marie de l'Incarnation's judgment, the Governor was generally supported by Father Lalemant and the mass of habitants held him in high esteem.⁶⁹ But under the burden of episcopal opposition, the Iroquois menace to the settlements, and his advancing age, d'Argenson was happy to retire from office and Laval was willing to do all he

⁶⁷ Journal des Jésuites, p. 298; also S.R.C., Doc. XX, p. 50

⁶⁸ Journal des Jésuites, p. 292

⁶⁹ C. Martin, Lettres de la Vén. Mère Marie de l'Incarnation (Paris, 1681), p. 204

could to fulfill this desire.⁷⁰

The next Governor, the Baron Dubois d'Avaugour, was a friend to the Jesuits.⁷¹ He seemed most co-operative with the church. He had the abbé de Queylus expelled from the settlement for challenging the Vicar Apostolic's authority, he had Daniel Will and another brandy trader whom d'Argenson had refused to have punished, executed. Then, he suddenly asserted himself at the occasion of the Pentecost procession by changing the order of the day "making the churchwardens walk first after the clergy, then the justices, then he with those of his house, next the inhabitants, then his garrison, and finally the women."⁷² If he had subjected his personal entourage to abasement on this occasion greater humiliation yet awaited the garrison troops. At the Corpus Christi procession (1662) he went so far as to have his soldiers kneel bareheaded with the muzzles of their muskets on the ground as the Sacrament passed them.⁷³

Shortly before d'Avaugour's arrival in the colony the King had remarked upon the absence of the Jesuit Superior

70 Journal des Jésuites, pp. 292, 299, 301

71 Ibid., pp. 302, 304

72 Ibid., pp. 308-309

73 Ibid., p. 309

from the Council of Quebec and had awarded the seat to the Bishop of Petrée. But upon arrival at Quebec d'Avaugour seems to have preferred the Jesuits to Laval and insisted that Father Lalemant attend Council meetings.⁷⁴ This political responsibility the wise missionary shunned and so Father Ragneneau was named to sit in Council. In a communication to the Prince of Condé, d'Avaugour said he had done this "For the service of the king, and welfare of the country".⁷⁵

The good relations did not endure. Soon d'Avaugour came into collision with the church. He authorized some of his soldiers to cultivate a plot of ground belonging to the fabrique and rented to an habitant. The church wardens of Notre Dame parish protested loudly.⁷⁶ There followed a quarrel over the relative position of seats in church and the case had to be referred to D'Ailleboust, a former Governor, for arbitration. Then the Governor dismissed the Council and appointed new members on his own authority, omitting Father Ragueneau now. This was a most controversial

74 Journal des Jésuites, p. 302

75 M. Eastman, op. cit., p. 45, citing Archives of St. Mary's College, Fonds Rochemonteix, Can. 13, f. 3486

76 Jugements, Vol. I, pp. 61, 62. On November 17, 1667, the Sovereign Council of Quebec excused the habitants from paying rental but permitted the churchwardens to recoup themselves with any grain they might find on the land in question.

policy because the Council was composed largely of members of the Community of Habitants, local oligarchs of the fur trade who were also the chief colonial supporters of the missions.⁷⁷ Moreover, the Company of New France had sent out its confidential agent, Dumesnil, to investigate what it believed to be wholesale fraud and embezzlement on the part of the Community of Habitants; d'Avaugour not only seemed sympathetic to Dumesnil but also had employed one of his sons as his secretary.

The church's battle was very effectively waged by Laval who sailed for France in August, 1662, there to plead his cause at court. Supported by Jesuit influence now, he insisted upon the Governor's removal and he obtained it. To crown this victory the Vicar Apostolic was asked to name the candidate for Governor when New France was raised to the status of a pays d'élection.

The introduction of Royal Government should have cleared the air somewhat. To begin with, the new Governor was none other than Saffray de Mezy, an outstanding associate of the Hermitage of Caen and a close acquaintance of the bishop of Petree.⁷⁸ The proviso that the Governor

⁷⁷ Edits, Vol. I, p. 28

⁷⁸ The well organized work of the Company of the Holy Sacrament in sending carefully selected individuals to the colony is revealed in R. Allier, La Compagnie du Très Saint-Sacrement de l'Autel (Paris, 1902).

and Bishop should together appoint the five sovereign councillors in the colony was designed to promote co-operation and avoid divisiveness in the colony. These councillors were to swear fidelity in the presence of both Governor and Bishop. Changes in the composition of the Sovereign Council of Quebec were to be approved by both officials, what was designed to promote harmony shortly became the source of renewed dissension and bitterness. Laval, in fact, chose the first five councillors - Villeray, La Ferte, d'Auteuil, Tilly and d'Amours. Within the new council itself precedence was later strictly defined. Sieur de Tracy was always to preside, and in his absence Governor de Courcelles was to preside, then the Intendant, and finally the councillors chosen from the colony "each according to his order".⁷⁹ The same commission might at the same time have contradicted itself because it then approved, validated and ratified whatever arrangements had been adhered to in this regard up to that time.⁸⁰

Certainly there was still room for doubt on questions of precedence outside the Council meetings because Talon,

79 P.A.C., Series B, Vol. I, March 23, 1665, p. 46

80 Ibid., p. 46; also A.P.Q., Ordre du Roi, Series B, Vol. I, pp. 21-22

the first Intendant, wrote for instructions to ascertain whether he might take the second place of honour in church when Governor Courcelles was present, and the first when he was absent.⁸¹ Viceroy de Tracy refrained from making any decision in this matter because he viewed his role as being primarily one of maintaining internal peace and stability. He did request, however, that the Bishop of Petree order the clergy to give incense to Governor Coucelles and Intendant Talon before the clergy received it "without this civility bearing any prejudice to the said clergy in future".⁸² The civil power had obtained a right, albeit only temporarily. In any case, all went well at the feu de joie of June 23, 1666, which was attended by the Bishop and all the clergy at Quebec. The Bishop handed the great wax taper to the Viceroy but the latter graciously returned it to the Bishop desiring him to light the great fire.⁸³

But we should not think of precedence and honours as being matters of concern only to the officers of the Crown. The trading company was also interested in

81 P.A.C., Series C11A, Vol. III, p. 137

82 A.A.Q., Registre A, No. 218, September 20, 1665, p. 166

83 Journal des Jésuites, p. 345

establishing its rights. On September 9, 1666, Le Barrois, the agent-general of the Company of the West Indies, made a written request to the Viceroy, Governor and Intendant for a clarification of the rights and privileges of the company servants. The twenty-eight request specifically asked that public prayers for the Company should follow immediately after those for the three chief Crown officials. The reply was that the Bishop would be instructed to order that previous practice be continued. The next request, which was agreed to, was that precedence in processions be accorded the Company's officials immediately after the three chief officers of the Sovereign Council, and that holy water, blessed bread, incense, the palms and benediction be given them, immediately after the clergy. The company also asked that the first pew adjoining the chapel of Ste. Anne in the Quebec parish church, as well as one pew in each parish church, be reserved to it. Finally, it was agreed that all honorary titles and rights accorded the gentlemen of the Company would continue to be observed. Thus the established customs of precedence in this sphere were reaffirmed. 84

84 Edits, Vol. I, pp. 51-60; also Ordonnances, Vol. I, pp. 33-34

The Jesuits also, under pressure from deTracy and Talon, offered a pew in their church to the officers of the Company of the West Indies.⁸⁵

The officers of the royal contingents in the colony were the next to demand special recognition. Their quarrels with the church wardens over respective ranking in processions and ceremonies came to the knowledge of the King.⁸⁶ On March 2, 1668, Louis XIV forbade the officers any special rank in church or in public processions.⁸⁷ The reprimands for "scandal" were phrased in legalistic terms but left no doubt about their intent. In all processions and other ceremonies, either in or out of church, whether cathedral or parish church of the colony, the Governor-General or the particular governor of the region should walk first, after him would come the justices, and then the church wardens "without the officers of the troops who are or might be hereafter in the said country being able to pretend to any rank in the said processions and other public ceremonies."⁸⁸ This regulation of March 2, 1668,

⁸⁵ Journal des Jésuites, p. 350

⁸⁶ A.F.Q., Collection de Pièces Judiciaires, Carton I, No. 63

⁸⁷ A.A.Q., Registre A, No. 383, p. 467; also A.A.Q., Eglise du Canada, Vol. VI, p. 2; also A.S.Q., Polygraphie V, No. 36, March 2, 1668.

⁸⁸ P.A.C., Series C11A, Vol. III, March 2, 1668, p. 1

and the edict of April 12, 1670, which repeated its provisions, were posted at Quebec by the bailiff Roger on March 10, 1675, at Three Rivers by Ameau on March 17, 1675, at Montreal on March 31, 1675, by the bailiff Bailly, and at Cap de la Madeleine and at Champlain in the 17th and the 18th of March, 1675.⁸⁹ We can see just how slow the executive machinery was in filtering down the royal commands in these matters.

The whole matter of precedence became an important issue during the first term of Frontenac's administration. Talon had departed with the feeling that the King could exalt him or absase him as it pleased him, but Frontenac was a man of very different temperament. This was primarily because he felt that he was the King's representative in the colony, and as such he was entitled to receive all the honours ordinarily reserved to a Marshal of France.⁹⁰ He was the hightst dignitary in the colony, in other words. He ought to receive, therefore, special military and

89 Jugements, Vol. I, p. 904

90 While it is true that there were governors in Acadia and Placentia (later also in Louisiana, Isle Royale) who remained quite independent of Quebec and treated directly with the Ministry of the Marine, nevertheless in theory they were supposed to keep in touch with the Governor-General at Quebec and render mutual assistance when required to do so.

ecclesiastical honours. He could claim first place at all public ceremonies, taking precedence over both the Bishop and the Intendant. Because he was the representative of the king, for example, he was entitled to a permanent pew or seat in all the churches of the colony. Personally, Frontenac may have been overpompous, proud and vainglorious, but in the matter of coming to blows with other officials in matters of precedence his counterparts in other colonies were like him.⁹¹ Some of his most controversial moves were dictated by the interests of the state. Shortly after his arrival in the colony as the King's representative, Frontenac took it upon himself to call an assembly of the principal personages. It would appear that the establishment of precedence was one of the motives in this assembling of the colonial Estates-General, as it has sometimes been called, on October 27, 1672.

What Frontenac did was make an elaborate and pompous ceremony out of the accustomed swearing of allegiance by the chief inhabitants. The motive for this he stated quite explicitly in his letter to Colbert: "in order

⁹¹ De Baas in the West Indies was one who "could get along with none and every day gave birth to new incidents", while de Blenac who succeeded him was so proud of his rank he wished to fly his own personal flag on board a man-o'-war. P. Clement, Lettres, Instructions et Mémoires de Colbert (Paris, 1864-5), Vol. III, Pt. II, pp. 628-629

to imprint further in the minds of the people the respect and veneration which they ought to have for His Majesty. ⁹² The leading citizens were to assemble in four estates (not in three as was customary in France) - clergy, nobility, justices and third estate. Frontenac further reported to the Minister of the Marine that he was extremely well pleased with the civility and honesty of the Jesuit fathers, and especially so because they had offered their new church for the ceremony and had it decorated as best they could for the occasion. Frontenac had decided to group the regular and secular clergy together for the ceremony and the Jesuits had agreed, but the Grand Vicar raised objections. The regular clergy said it was not the custom in France for them to be grouped with the secular clergy. Frontenac, in a mood which was to be quite rare to him, acquiesced "out of fear of offending one or the other." ⁹³

The ceremony seems to have been a success. Even the clergy found no reason to be distressed. The oath sworn by them in no way established inferior or superior status; they were, as the First Estate, bound to co-operate with the civil power to maintain the King's authority, as Frontenac

⁹² Collection de Manuscrits, Vol. I, Frontenac to Minister, November 9, 1672, p. 225

⁹³ Ibid., p. 225

pointed out.⁹⁴ Frontenac was very pleased with the ceremony, especially with the role he had been able to assume. When asked to repeat his address the following day for some Abenakis Indians who had missed the main performance he was extremely happy to do so for them.⁹⁵ Perhaps as significant was the absence of Talon who pleaded a slight indisposition.⁹⁶ The calling of this assembly may have been somewhat irregular certainly it was unusual-and so it had its effects on many of the habitants. Frontenac had enjoyed his hour of triumph, his share of the spotlight. Apart from feeding his own pride and vainglory, Frontenac had sought to impress upon the King's subjects the fact that he represented the King in the colony and that he more than any other official stood for the royal prerogative; or, as he betrayed himself in the Sovereign Council, that he was "Haut et Puissant Seigneur".⁹⁷

94 Collection de Manuscrits, Vol. I, Frontenac to Minister, November 9, 1672, p. 226; also found in RAPQ, 1927, p. 21 where it is dated November 2, 1672

95 P.A.C., Series F3, Vol. IV, pp. 105ff; The address is printed in Bulletin de Recherches Historiques, Vol. XXXIII, 1927, pp. 735-738; P.A.C., Series C11A, Vol. III, pp. 225-23231

96 It must have been a very slight indisposition! Talon seems to have been faithfully attending to other engagements at this period. Cf. Jugements, Vol. I, p. 700

97 Jugments, Vol. I, pp. 689, 707, 786, 889, 891, 908. The Governor seems to have forgotten the rules of protocol now and again himself as Colbert had to remind him that in future he should address correspondence to the King and not to the Minister of the Marine. On the other hand, Colbert found it unnecessary for the Governor to address

When the Governor travelled into any part of the colony his power superseded that of the local governors, that is his power went with him. The Governor of Montreal, for example, stood second to Frontenac in the administrative hierarchy, but his authority ceased when the Governor-General entered the Montreal jurisdiction. This was clearly demonstrated when the usual civilities were observed at Montreal when Frontenac passed there en route to Lake Ontario in June, 1673. He arrived at 5 P.M. on June 15th and was received by Perrot, the local Governor, to the thunder of cannon and musketry fire of the habitants who had been called up for the occasion in full arms. Then he was harangued by the principal officers of justice and the syndic and finally "by the clergy at the door of the Church where a Te deum was sung." ⁹⁸ We find a parallel here to the custom

him as Monseigneur - Monsieur would suffice. Collection de Manuscrits, Vol. I, Colbert to Frontenac, March 15, 1675, p. 232. As to the employment of the title "high and mighty lord" cf. abbé A. Couillard Després, La Noblesse de France et du Canada (Montreal, 1916), p. 12; "La qualification de très haut et très puissant seigneur appartenait aux princes du sang royal, et aux gentilshommes dont les maisons avaient eu des alliances avec le sang des rois. Celle de haut et puissant seigneur se donnait aux gentilshommes dont la noblesse pouvait se prouver depuis les premières années du XVIème siècle."

98 P. Margry, Découvertes et Etablissements des Français dans l'Ouest et dans le Sud de l'Amérique Septentrionale (Paris, 1879), Vol. I, p. 199

in France that on all occasions of royal travels or victories a Te Deum was sung in the churches.⁹⁹

The royal instructions to Frontenac made it quite clear that precedence was to be observed according to the edict and regulation of March 2, 1668. There was a special proviso: "But the Sovereign Council in a body must without difficulty precede all other bodies, or individuals, in Church, and everywhere else, with the exception of your person only."¹⁰⁰ Even so, this did not eradicate the possibility of quarrels over precedence within the Sovereign Council between representatives of church and state. During the Fenelon trial Mgr. de Laval was absent, so it was decided to ask the Vicar-General to represent the clerical interests in Council. This was so the accused priest might have all the guarantees of justice at his hearing. But the councillors were unable to agree on the place the Vicar-General should occupy in Council. On August 29, 1674, they refused to give him the Bishop's seat and honours in Council.¹⁰¹

99 P. Clement, op. cit., Vol. III, Pt. II, p. 70

100 P.A.C., Series B, Vol. VI, Minister to Frontenac. May 17, 1674, pp. 33, 34; also P. Clement, op. cit., Vol. III, Pt. II, p. 578

101 Jugements, Vol. I, pp. 821-9

De Bernieres, the Vicar-General in question, demanded the Bishop's seat in Council on the grounds that it had already been conceded that the chief ecclesiastic in the colony should occupy the Bishop's seat in Council during the latter's absence. But the councillors contended that this had been the practice in the Council of Quebec, but that no such regulation had been made by the Sovereign Council since its rehabilitation by De Tracy. Indeed, they contended, no claims had ever been advanced by an ecclesiastic to the Bishop's seat in Council during the latter's absences from the colony. ¹⁰² The King's declaration of June 5, 1675, clarified the whole issue by confirming the establishment of the Sovereign Council and its membership, including the seat of the Bishop "or in his absence from the said country and when he shall pass to this kingdom only, of his grand vicar. ¹⁰³

The royal declaration of June 5th had cleared up yet another question of precedence within the Sovereign Council. In the re-organized Council, made necessary by the dissolution of the charter of the Company of the West Indies, Frontenac decided to retain the former councillors. However, on ~~May~~ 29th, 1674, upon representations made by the Company

102 Jugements, Vol. I, pp. 822, 823

103 Edits, Vol. I, p. 82

of the West Indies, the King named Chartier, sieur de Lotbiniere, to the new charge of councillor. On October 2 he installed as the sixth councillor but he now demanded the first seat among the councillors on the grounds that he alone held his nomination directly from the King.¹⁰⁴ The other councillors now asked for letters-patent from the King confirming their appointments. The following day, Frontenac installed Villeray in the first councillor's seat, although he did not have lettres de provisions as yet from the Council of Dispatches as requested by Frontenac. By 1675 then, the whole council had been renewed; Chartier and Villeray, who held royal commissions, were not required to be officially reappointed..

This Council repeatedly ordered church wardens to give the proper honours in church to all those entitled to receive them. They asserted the duty of the civil power, as in France to see that the King's prerogatives were not menaced, that local liberties and settled customs were preserved, that the ancient laws of the church were protected because the state was also the protector of the church. How could the secular arm be employed to enforce church discipline if there were no prior assurance that the church

¹⁰⁴ Chartier de Lotbinière was in fact named first councillor in June, 1703, Cf. P.A.C., Series E, Carton 75, p. 3

practices were consistent with the established customs and were designed to promote peace, order and good government? It was the duty of the Marguilliers, the laymen or wardens who aided the priest in the administration of the temporal goods of the parish, to watch over the property of the fabrique.¹⁰⁵ But it was the duty of the Sovereign Council to see that the marguilliers faithfully discharged these duties.

This concept of responsibility is at the root of a number of unpleasanties over precedence which developed in 1675. In February of that year, Frontenac in Council accused the clergy and wardens of Quebec of lacking in proper respect for the Governor and civil administrators. They had failed to give out the candles purchased on Council orders, and in this act had violated the rule established in France that wardens must by majority vote only, and with the knowledge of their pastor, use donations for causes other than that for which it was originally designated.¹⁰⁶ He charged that the trustees were failing to fulfill their duties as stewards of the goods of the Fabrique. Frontenac also took the occasion to say that the bedeau needed to be reprimanded for it was his duty to see that civil officials

¹⁰⁵ This term may also be employed correctly to designate the parish committee consisting of the trustees or wardens and the parish priest.

¹⁰⁶ Jugements, Vol. I, pp. 908-9

were granted due honours and civilities on all feast days, in solemn processions, in receiving blessed bread, palms and candles, immediately after the clergy of the chantry.¹⁰⁷

Far more serious charges followed. On February 12th, Frontenac in Council declared that sometimes the church wardens were frightened by the audacity of the clergy and were afraid to perform their duties as they saw them. The ecclesiastics of the Seminary of Quebec had, of their own authority, exhumed the bodies interred in their little cemetery adjoining the lot on which their building stood and had made it into a garden. All this was done without consulting the proper authorities, he suggested. They had also built, so as to preclude processions, on a lot of ground given them by Sieur Couillard and his wife for the express purpose of facilitating processions around the church. Again, Frontenac said, the wardens had been afraid to remonstrate.¹⁰⁸ He ordered the churchwardens of Quebec to appear before the Sovereign Council. In his own words he was attempting to enforce "the practice and usage which is observed in all the churches of the Kingdom of France!"¹⁰⁹

107 Jugements. Vol. I, p. 908

108 Ibid., p. 908

109 Ibid., p. 909

There was no doubt in the Governor's mind that the practices and discipline of France had automatically been transplanted to the colony.

On March 18, 1675, the wardens appeared before the Sovereign Council to answer to these charges. Frontenac told them that they should demand the restitution of the lands being improperly used and built upon by the clergy. The church wardens of Notre-Dame replied that the two lots in question were in the outer enclosure of the Seminary and although walled in, as the Governor had alleged, two large gates had been left for processions.¹¹⁰ This explanation the Governor would not accept; he pointed out that these gates served no other purpose than to admit the passage of cordwood for heating and that in fact carts usually occupied the space required for processions. He concluded that the clergy were attempting to relegate to oblivion the intentions of the original grantees by not holding any processions for some time. Such an intention to discontinue processions was an affront to the state officials, a direlection of duty, an illegal departure from the conditions under which the land grants were received, Frontenac declared.¹¹¹ How could the church render to the civil officers the honours which the

¹¹⁰ Jugements, Vol. I, pp. 910, 911

¹¹¹ Ibid., p. 910-911

King wished rendered to them, both inside and outside the church, if the churchwardens did not constantly guard against clerical delinquency? Processions and like occasions for honours were intended but for one main purpose in the Governor's opinion: "...in order to teach the people by their examples to respect their persons and their ordinances and judgments, there being no more efficacious means of retaining them in the service of His Majesty than in imprinting on their minds respect for the Magistrates..." 112

Frontenac went on to declare that the secular judges had the duty and the right to make inquiry into the accounts of the church wardens, to watch over their stewardship and to protect the public order from abuses. Sieur de la Ferte, who was spokesman for the wardens and clergy on this occasion, expressed the opinion that this was an attack upon the liberties of the Church and that it had the effect of removing the affairs of the church from the jurisdictions of the Bishop.¹¹³ But this question need not concern us further in this context for it comes rather under the heading of division of powers. What the Governor was in substance maintaining was the assertion that the droit commun ecclésiastique of France had full force in the colony.

112 Jugements, Vol. I, p. 911

113 Ibid., p. 910

Although it had never been registered by the Sovereign Council at Quebec to give it force of law it did not seem to require this enactment because its use in the colony antedated the foundation of the Sovereign Council.

The church wardens next took the initiative. On the matter of precedence in processions they claimed for themselves the right to precede the councillors except when the Sovereign Council appeared in a body. The Council ruled that in every parish the justices should have precedence after the local Governor and seigneurs,¹¹⁴ and at Notre-Dame, Quebec, the justices and gentlemen of the Company were to enjoy it immediately after the Councillors.¹¹⁵ In cases of contravention of these regulations the secular power further provided for seizure of the temporal goods of a priest and a 200 livres fine for church wardens.¹¹⁶ Frontenac added insult to this injury. in the eyes of the clergy at least, by warning the ecclesiastics that in

114 A special arret was prepared for the churches of Montreal. A.S.Q., Polygraphie V, No. 27, March 4, 1675

115 A.S.Q., Polygraphie V, No. 28, March 26, 1675; also Jugements, Vol. I, pp. 914, 915. These problems were not confined to the Canadian colony. On February 3, 1681, we find that the Sovereign Council of St. Christopher recognized that the body of Councillors was so scattered that in every church a special pew would have to be reserved for the Sovereign Council. Moreau de St. Mery, Loix, Vol. I, p. 344. Almost the identical situation obtained in the Canadian colony; only in Montreal was a special pew reserved for the Governor and officers of justice.

116 Jugements, Vol. I, p. 921

future they were not to seek to evade the Council's orders by "subterfuges and explanations as injurious to its authority as those contained in their replies."¹¹⁷

On April 5, 1675, the Councillors further requested that they be recognized in their office by receiving the incense, the palms, the candles and the "blessed bread" from the hands of the officiating priest, and not from the bedeau, as had been the custom during the days of company rule. The Grand Vicar, M. de Bernières, replied that he saw no difficulty in according this and that he would act in accordance with the Council's wishes.¹¹⁸ But there were rumblings of dissatisfaction in other quarters. The seigneurie of Lauzon was in a state of virtual revolt against the decisions of the Council. The minutes of the Sovereign Council for April 22, 1675, record: "oppositions, violence and acts of disobedience which the priest, the church-wardens and the habitants of the said place brought to the publication, signification and posting of the arrêt of the said council of the fourth of March last."¹¹⁹ The priest, M. Thomas Morel, was ordered to explain his position; the Council on June 15th gave him only three more days in which to do so.¹²⁰

117 Jugements, Vol. I, p. 921

118 Ibid., p. 922

119 Ibid., p. 924

120 Ibid., pp. 934-5, 940-1,

The Vicar General raised some legal technicalities. He argued that Morel was on mission and was not therefore required to appear (he had appeared and had asked for a remand) until the Sovereign Council should decide if this were a privileged case, and if so he could only be questioned in such place as designated by the Officialité in conformity with the ordinance of Melun, article 22. Nor did de Bernières feel bound to order Morel to reply to the Council's demands because article three of the criminal code was binding in this respect only upon superiors of the regular clergy, not of the secular clergy.¹²¹ When Morel failed to appear the Sovereign Council was faced with a situation described in its minutes as a new situation in the colony. There was no doubt that Morel should be arrested but the detention of a priest presented some problems. It was important that the arrest be effected in such a way as to avoid any incident "which could bring scandal and injure the consideration which one should have for the order of the priesthood."¹²²

The Sovereign Council decided that the bailiffs should on June 26th present themselves at the Seminary of Quebec, where the said Morel resided, should ask to speak

121 Jugements, Vol. I, p. 942

122 Ibid., p. 948

with the priest concerned, should order him in the name of the King and of the Council to accompany them to the Governor's Palace. There was to be no force whatever employed. He was to be taken to a room in the Palace and there detained "in a place more decent and less incommodious than the ordinary prisons of the Council", and after being advised to remain there the bailiffs were to leave him and advise the Provost-Major, this latter officer to have been beforehand received by the Governor.¹²³ If Morel should refuse to come quietly the bailiffs were to take written testimony of such disobedience and were to make a full report of the same to the assembled Council. In case they were told the said priest was absent they were to request permission of the superior to make a full search of the Seminary. Were this permission refused, or should other individuals oppose such action, the bailiffs were "without employing any force or violence" to content themselves with taking down written testimony" of all that shall be done and said to them, for all to be reported to the said Council."¹²⁴ On June 28th, M. Jean Dudouyt, the priest of the Seminary whom the Council said called himself "promoteur in the pretended Officialité of Quebec", asked that Morel, detained in Chateau St. Louis,

123 Jugements, Vol. I, pp. 948-949

124 Ibid., pp. 948-949

should be turned over to the ecclesiastical court. ¹²⁵
Council unanimously rejected the request. On July 22 Morel was released "in the trust of sieurs de Bernieres et Dudouyt",, the case by now having become one of the jurisdiction of the civil courts over the clergy and not merely of precedence.

The Sovereign Council had failed to settle the question. But the King's will had been sought. A communication dated April, 1676, informed the colony what Louis XIV's mind was on the matter. The letter informed Frontenac that the honours he received in the cathedral church of Quebec were greater than those given Governors and Lieutenant-Generals in the provinces of France and that therefore he should content himself with these singular honours and should seek to agree with the Bishop. The King then went on to say that when the councillors went as a body to church on a high feast day they should precede the churchwardens, but that on ordinary church days the churchwardens should precede the councillors attending as individuals and not as the Sovereign Council in a body. Moreover, the King let it be known that he believed the differences were of such small consequence as not to merit any further definition on his part. ¹²⁵Indeed, the Governor

125 Jugements, Vol. I, 950-951

should in future see that the usual public prayers for the King's Majesty were said in all the churches of New France.¹²⁶ For all practical purposes the Sovereign Council had won its contention, and yet the clergy were not left without a small taste of victory too.

Colbert took the occasion to instruct the Intendant more fully on what his attitude and role ought to be in the matter. His interpretation of the issues involved merits our consideration.

With regard to the differences which exist between Mr. the count de Frontenac and Mr. the Bishop of Quebec, on the matter of honours in Church, His Majesty explains to the said count de Frontenac what he must do, and so he does not doubt that this difference will be terminated immediately. But as in this matter and in all others which may produce some division he esteems that nothing is more important and more necessary for the welfare and advantage of the colony than that all those who must act there in his name be among themselves in perfect understanding to act together, and each in his own functions; in all that may be for the welfare of his service he wishes not only that you avoid all these little contests, but also that you work with care to prevent them and to make them cease the moment they appear, without however prejudicing the precautions that are to be taken and the measure to observe to prevent the ecclesiastical power encroaching at all upon the temporal, a matter to which the ecclesiastics are quite given. As it is a delicate and important matter you must carefully read books which deal with it and the ordinances of the realm, and give me notice of all you believe done to the prejudice of the temporal power, in order to

126 P.A.C., Series B, Vol. III, King to Frontenac, April. 1676, pp. 36, 37

render account thereof to His Majesty...¹²⁷

There could have remained in Duchesneau's mind few doubts about the source of danger and the symptoms to watch for if similar troubles were to be avoided in future.

Father Paumier of Beauport maintained that the Bishop, were he present in the colony, would not suffer the seigneur to receive incense and holy water ahead of the church wardens. He said that these were usurpations begun in France which should not be introduced into a country where a church was being founded.¹²⁸ In other words, the claims of seigneurial precedence were of Gallican origin and would be resisted by the Ultramontane clergy.

Montreal too seems to have resisted. On December 24, 1674, Jean Obuchun, a church warden, was ordered to answer to charges of disobedience and rebellion against the orders of the King.¹²⁹ In March, 1675, the Sovereign Council ordered the King's orders posted in all the principal parishes once more to warn the people to govern themselves accordingly. In the case of Obuchun's resistance to the order that churchwardens should not be given precedence over the local

¹²⁷ Clément, *op. cit.*, Vol. III, Pt. II, Colbert to Duchesneau, April 15, 1676, pp. 605-606

¹²⁸ Margry, *op. cit.*, Vol. I, p. 311; also B.N., Fonds Clairambault, Vol. 1016, fol. 46, p. 6

¹²⁹ Jugements, Vol. I, p. 904

governors and officers of justice the Sovereign Council ordered anew that the justices should enjoy, next to the Governors or seigneurs, a pew or special seat in the most honored section of the church, and that whenever they were present at Divine Service, on ordinary occasions as well as high festivals, they should take precedence over the church wardens in receiving incense, the "blessed bread", benediction, offertory, candles, palms and other honours.¹³⁰ As soon as navigation was open and Obuchon had completed his spring seeding he was to appear before the Sovereign Council.

On March 21, 1677, the Sovereign Council ordered the suspension of all honours accorded the church wardens of Montreal until the arrival of the vessels from France. They were to remain kneeling during the incensing of the relics and anyone who brought to them the incense, the blessed bread, or the plate was liable to a fine of 100 livres, and each of the churchwardens accepting any such honours was liable to a fine of 300 livres. In receiving the palms or going forward for the adoration of the cross they were to be given no precedence but were to move "confusedly without precedence".¹³¹ Tronson reproved his Sulpician clergy saying that it was not the business of a priest to regulate

130 Jugements, Vol. I, p. 905

131 Ibid., Vol. II, pp. 116, 117

questions of rank between officers of justice and the church-wardens, or to decide on matters of precedence.¹³² He might have excused his clergy had they been acting in accordance with an episcopal mandate, but there was no evidence available to indicate this had been the case. He also warned the Montreal clergy not to attempt to excuse themselves by alleging that the royal orders hitherto given had had bearing only upon processions because there were many colonials ready to testify otherwise. From the events he could only deduce three lessons: the clergy ought to keep within their own jurisdiction; the clergy ought never to give way to anger in disputes; the clergy ought to support all their claims with documentation.¹³³ In any case Talon, the former Intendant, had been consulted and he had offered to write to Perrot, the Governor of Montreal, to have matters settled quietly. Tronson's advice was that the Sulpicians might be more self-effacing, and avoid quarrels with state officials tending to unfortunate conclusions "when one has to deal with a governor who can every day produce new documents and set traps in which it would sometimes be difficult not to be caught by surprise."¹³⁴ Such quarrels

¹³² B.S.S.P., Vol. I, No. 39, Tronson to Perrot, April, 1678, p. 110

¹³³ Ibid., p. 111

¹³⁴ B.S.S.P., Vol. I, No. 39, Tronson to Perrot, April, 1678, p. 112

over precedence were nothing new in France of course.¹³⁵

The whole matter was again raised in New France when one of the Montreal priests on Candlemas day refused to give the local judge candles before giving them to the churchwardens of the parish. The matter eventually was raised with Governor Frontenac who went to speak to Bishop Laval about the matter. The dispute could scarcely have taken a worse course for it now brought the Governor and the Bishop face to face again. As might be expected in these circumstances, the Bishop rebuked Frontenac saying he was interfering in an ecclesiastical matter. Frontenac went so far as to report that the Bishop had said his powers were greater than the Governor imagined and that he even had the power to excommunicate a Governor.¹³⁶ The Intendant Duchesneau

¹³⁵ Although Louis XIV was far from wishing to suffer that the officers of the Marine participate in any insolence while in church he expected them to be given proper honours. In an incident that occurred in the province of Aix an appeal was lodged with the King and Colbert had to write, to Rouille the Intendant, on April 16, 1677, that the King's advisors were of the opinion that the officers of justice had been insulted and therefore the naval officers sought to come to a full session of court to publicly excuse themselves. Cf. Clement, op. cit., Vol. III, Pt. I, p. 47. The letter makes it clear that both the officers and the justices might expect certain honours and that the fact the justices had been ill treated did not mean the officers had no honours they might also reasonably expect.

¹³⁶ Margry, op. cit., Vol. I, p. 311

received instructions that the Sovereign Council's contention that the Council as a body should receive incense before the clergy, and immediately after the Bishop, had no foundation in practice anywhere in the Kingdom.¹³⁷ If the Bishop gave the councillors incense during the Te Deum it should be received with thanksgiving, and if in other ceremonies he gave it to the clergy first, even if the Sovereign Council were attending as a body, it should be received with the same spirit of thanksgiving.¹³⁸ The royal communication seemed to contradict interpretations placed upon previous instructions. This might be interpreted as a victory for those who opposed an increase in the honours accorded the civil officers.

The vessels of 1679 brought a communication from Louis XIV touching upon the matter of precedence and in particular on the quarrel that had erupted between Bishop Laval and Governor Frontenac. The King observed that in no other part of his realm was there so much bickering.¹³⁹ He

¹³⁷ P.A.C., Series B, Vol. VII, Minister to Duchesneau, May 1, 1677, p. 107; also A.C., Series F3, Vol. V, fol. 17

¹³⁸ P.A.C., Series B, Vol. VII, Minister to Duchesneau, May 1, 1677, p. 108

¹³⁹ This remark could scarcely have been true. At the moment there were quarrels over precedence in the West Indies. The King on April 30, 1681, regulated those quarrels by decreeing that the Lieutenant-General was to enjoy honours above all others, that commander-in-chief of the

ordered the Governor and Bishop to resolve their differences, which after all were so small as to merit little attention.¹⁴⁰

One might well wonder why he had given the question all the attention he had on more than one occasion. The quarrelling might be tedious and very tiresome but there were principles involved which Louis XIV considered to be of great importance. This we may deduce also from the fact that the King ordered that in other matters the Governor was not to give place to the Bishop because "you represent my person in that country by the command that I give you there."¹⁴¹

The King wrote to the Intendant Duchesneau deploring the fact that a memoir had come to his attention indicating that the Bishop was supporting him in his pretensions to assume for himself equal honours with the Governor.¹⁴² This

forces was always to have first rank. The Intendant would have second place. In processions and other ceremonies the Lieutenant-General was to have the choice of walking alone or with his guards, and in such cases the Sovereign Council was to follow him, the Intendant being at the head of this body in his capacity of president; and if the Lieutenant-General chose to walk with the Sovereign Council then the Intendant would walk on his left. Moreau de St. Mery Loix, Vol. I, p. 349

¹⁴⁰ P.A.C., Series B, Vol. VIII, King to Frontenac, April 25, 1679, pp. 4-9; A.P.Q., Ordres du Roi, Series B, Vol. VIII, p. 9

¹⁴¹ Ibid., pp. 4-9 This corresponds somewhat with the phrase used later to the Governor in the Antilles, "l' autorite de Sa Majeste, qui reside au commandement des armes, est toujours la premiere et la plus excellente." Moreau de St. Mery, Loix, Vol. I, p. 349

¹⁴² P.A.C., Series B, Vol. VIII, King to Duchesneau,

the King not only deplored, for it seemed to indicate an ecclesiastical policy of nurturing divisions among the civil officials to be exploited for its own advantages, but also condemned in no uncertain terms - "vous avez tort en tout". Shortly thereafter, the King communicated with Laval and ordered him to accord the Governor the same honours in the cathedral of Quebec as the Governor-General of Picardy received in the cathedral of Amiens.¹⁴³ An edict of the honours given in the cathedral church of Amiens to the Governor General of Picardy was appended to the royal instruction, "my intention is that you execute punctually the contents of the said arrêt with regard to the said Count de Frontenac".¹⁴⁴ It was apparent that Frontenac had complained to Versailles of the lack of respect shown to His Majesty's representative.

May 8, 1679, pp. 12, 13. Memoir of Sovereign Council minutes favourable to Frontenac is found in A.C., Series F3, Vol. V, fols. 139-165 inc.

143 P.A.C., Series C11A, Vol. V, King to Bishop, May 24, 1679, p. 3

144 P.A.C., Series B, Vol. VIII, King to Bishop, May 24, 1679, p. 129; A.P.Q., Ordres du Roi, Series B, Vol. VIII, p. 79

Duchesneau hastened to reply to the accusations levelled at him. He maintained that he had never had the presumption to pretend to a position of equality with the Governor with regards to honours accorded in church, and that in fact he had never been present in church with the Governor but to do him honour.¹⁴⁵ His remonstrances were so impassioned that he might have been accused of attending church more with the intention of honouring the King's representative than of honoring God. He gently reminded His Majesty of his commendations for having avoided petty disputes and affirmed that he had always sought to keep the royal warning to prevent the ecclesiastical powers from intervening in temporal affairs.¹⁴⁶

One might wonder what basis in fact existed for such bickering and vituperation. The Edict confirming the Sovereign Council (June 5, 1675) indicated that the Intendant should preside. Nevertheless, Duchesneau's commission of the same date.¹⁴⁷ said clearly that he would preside only in the absence of the Governor. It is reasonable to

¹⁴⁵ P.A.C., Series C11A, Vol. V. Duchesneau to King, October, 1679, p. 32

¹⁴⁶ Ibid., p. 34. Memoir of Sovereign Council minutes favourable to Duchesneau is found in A.C., Series F3, Vols V, fols. 101-138 inc.

¹⁴⁷ Edits, Vol. III, p. 42

suppose that there existed a distinction in the King's mind between honorary presidency, which consisted in sitting at the head of the assembled council, and effective presidency, which consisted of directing the business of the day. There is little wonder that quarrels followed when official instructions were so badly phrased.

When we examine the minutes of the Sovereign Council we see that for February 20, 1679, the Governor is styled "head and president thereof" and the Intendant as "also carrying out the functions of president following the King's declaration of June fifth 1675".¹⁴⁸ This Frontenac was later to claim was a restoration of the original styles and titles based on the prerogatives granted by royal decrees of April 22, 1675; April 15, 1676; May 12, 1678; and May 24, 1678.¹⁴⁹ Duchesneau based his case in the declaration of June 5, 1675, and the customs followed in France.¹⁵⁰ The clergy supported the claims of the Intendant

148 Jugements, Vol. II, p. 277. The February 6 minutes omit the phrase "suivant la déclaration du cinq juin, 1675". Ibid., p. 276

149 Ibid., Vol. II, pp. 294-295

150 Edits., Vol. I, p. 84. This Declaration gave him third place in order of rank as presiding officer of the Council and was to give him the privileges of first presidents of French courts. Looking back over the Intendant commissions it seems Talon was to preside in the absence of de Tracy and Courcellis. Bouteroue's commission said he was to preside in the absence of Courcelles and Duchesneau's instructions said he was to preside in the absence of Frontenac. Edits. Vol. III, pp. 34, 39, 42

and opposed those of the Governor.

It was clear that an Intendant shared with the Governor basic executive powers in the colony, and it was well established that he was charged with independent jurisdiction over police, finances and justice. But beyond such general assertions nothing was precise. That Governor and Intendant might serve as checks upon each other was a contrivance intended to secure an efficient colonial administration and a balanced apportioning of powers in which all matters beyond compromise at the local level would be appealed to the King.

Such a quarrel broke out in the Sovereign Council on February 27th, 1679. The Intendant asked for explanations for changes made in style accorded him in the minutes and was informed by the clerk that the Governor had so ordered. Frontenac interjected that he had only given instructions that the Intendant be styled as "also filling the office of president according to the King's declaration of 1675", and himself as "chief and president of the Council", but nothing else.¹⁵¹ The clerk assented to this explanation, but no further business was transacted that day.

On March 3rd the Council met to re-consider the

¹⁵¹ Jugements, Vol. II, p. 279; A.C., Series F3, Vol. V, fols. 167, 168

matter and Frontenac explained that three weeks before the outburst in the chamber he had asked to see the registers and minute books for signing. Duchesneau had questioned his right to the title head and president of the Council at that time. Frontenac now asked that his commission be read before the Council, after which reading the Intendant protested that he had never questioned the Governor's quality as "head of the Council."¹⁵² He maintained that since September 30, 1675, the occasion of his third sitting in Council, he had agreed with the Governor that although the Declaration of June 5th did not give the Governor the title "head of Council" they would nevertheless so call him in the minutes and that he, the Intendant, would content himself with an adjustment of his title to "also filling the office of president, etc." His first report to the Minister of the Marine and Colonies, dated November 10th, so advised the home government, and since September 23, 1675, the Intendant had conceded that the Governor was "head of the Council", but he did not understand this new claim now to be "president of the Council" as well.¹⁵³ The Intendant phrased the issue clearly when he challenged Frontenac to tell the Council what "new function he wishes to perform"

152 Jugements, Vol. II, pp. 279-280

153 Ibid., Vol. II, p. 280

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and indicate if he were not satisfied with the "precedence that the declaration gives him."¹⁵⁴

Frontenac's reply was that there were many errors and inaccuracies in styles and titles used in the minutes and that if his claim now seemed to be an innovation it was because he had not checked the minutes for such matters on previous occasions. Peuvret the clerk testified that the Intendant had sent him with a note to the Governor saying that the latter would be styled simply as head of the Council, that the Governor thereupon had been most dissatisfied and had sent him back to the Intendant. Following numerous such interchanges, Peuvret had to sail to France to attend to some personal business and therefore he could give Council no further details of the quarrel. The Council met again the following day to continue the discussion. The Governor contested views which would relegate him to an honorary position on the Council. But the Intendant clearly demonstrated that the minutes were so varied in the matter of styles and titles that it would be quite impossible to use them for establishing any precedent.¹⁵⁵

On March 20th, with de Bernieres sitting as chief councillor, the Sovereign Council again met on the matter.

154 Jugements, Vol. II, p. 280

155 Ibid., Vol. II, pp. 281-288

It was decided to ask both Governor and Intendant to defer their arguments until the King's pleasure might be expressed; meanwhile the principals were to be styled simply as Governor and Intendant in Council.¹⁵⁶ The following day Duchesneau accepted the proposition, but Frontenac once more made lengthy allegations. The Council therefore asked the attorney-general to investigate the Governor's charges and report back to Council. The attorney-general would not give his report with Frontenac present, and when the latter refused to retire the councillors in body rose to go. Frontenac ordered them to remain, which they did in absolute silence until it was time to adjourn.¹⁵⁷ An impasse had been reached. The Governor refused to allow the Council to discuss the matter freely and the attorney-general refused to present his statement on the situation so long as the Governor did not allow full freedom of debate.¹⁵⁸

On April 17th the dispute took on yet graver tones as the clerk of the Council complained that Frontenac had threatened to have him executed if he did not bring him the minutes every day - the Governor had now decided not to attend any Council meetings but he still wished to see if he

156 Jugements, Vol. II, pp. 298, 299

157 A.C. Series F3, Vol. V, fols. 203-205

158 Ibid., Vol. V, fols 173-178, fols. 179-198

were being properly addressed in the minutes. The clerk asked for the protection of the Intendant and asked for a complete written declaration of the Intendant's position.¹⁵⁹ The councillors recorded their opinion that the Governor was denying them freedom of deliberation; De Bernieres signed the statement on the behalf of the clergy.¹⁶⁰

On July 4th, Frontenac took what seemed to be very high-handed action. He ordered Villeray to retire to the island of Orleans until such time as he could get passage to France. The attorney-general d'Auteuil was exiled to Sillery and the second councillor Tilly was ordered to retire to his brother-in-law's at Beauport.¹⁶¹ The councillors admitted that the King had in confidential correspondence to the Governor addressed him as "chief and president of the Council" but inasmuch as this ran counter to the ordinances they concluded that they could not set aside a registered royal order in consequence of a private letter, especially as the terms were susceptible to various meanings.¹⁶²

On July 7th there was another unofficial meeting of the councillors where it was decided to petition Frontenac

159 A.C., Series F3, Vol. V, fols. 207-208

160 Ibid., Vol. V, fols, 209-212

161 Ibid., Vol. V, fols. 270, 271, 272;
Jugements, Vol. II, p. 310

162 Ibid., Vol. V, fols. 273-277

to render Villeray, Tilly and d'Auteuil their liberty until their departure for France in order that a full Council might deal with other urgent matters on its agenda.¹⁶³ But Duchesneau and two councillors could only report that as a result of their efforts to see the Governor at Chateau St. Louis a guard had informed them that the Governor had gone to the house of a Mademoiselle Denis and that he could therefore not attend any council meeting.¹⁶⁴ It was decided to confer with the three banished councillors to arrange with them terms which might be submitted to Frontenac so that the Council might be reconstituted and get on with pressing cases and business on its agenda.

D'Auteuil was not faring very well in exile and he would bring charges of his own to Colbert's attention.

Some few days later I received the written order to retire to my house which I have ten leagues from here to wait the departure of the vessels and passage to France in order to render account to His Majesty of my conduct, and he sent similar ones to Messieurs de Villeray and de Tilly, one to go to the county of St. Laurent, to the house of Mr. Bertholet, a distance of six leagues from the city, and the second to that of Sieur St. Denis, two leagues off. I obeyed and the two others too, and this obedience perhaps will cost me my life because I was for a long time far removed from medical treatments which has resulted in my illness being notably increased. 165

163 A.C., Series F3, Vol. V, fols.281-285

164 Ibid., Vol. V, fols. 287-288

165 B.R.H., Vol. XXIX, No. 1 (January 1923),
d'Auteuil to Colbert, November 10, 1679, p. 45

And indeed he expired only seventeen days after writing those words.¹⁶⁶

It was de la Ferte who sent a letter to Frontenac on July 22nd informing him that the three exiled councillors vowed to deal with nothing else but private business in Council if allowed to return; he had even obtained the sanction to have the titles desired by Frontenac accorded him so long as any protests from the Intendant were also registered.¹⁶⁷ Frontenac's reply was that the councillors need not have taken the trouble to make such statements and that as soon as they desisted from their pretensions the work of the Council could proceed.¹⁶⁸

When the mails arrived from France there was news that Louis XIV had won some advantages in his peace negotiations with the Holy Roman Empire.¹⁶⁹ This seemed to be a signal for rejoicing in the colony - and therefore for a truce. Of course, Frontenac's letter from the King had also carried intelligence of the King's displeasure with the quarrels over precedence.¹⁷⁰ Laval had been told to grant

166 Jugements, Vol. II, p. 341

167 A.C., Series F3, Vol. V, fol. 290

168 A.C., Series F3, Vol. V, fol. 291

169 A.P.Q., Ordres du Roy, Series B, Vol. VIII, King to Frontenac, April 25, 1679, p. 9

170 Ibid., p. 9

proper honours to the Governor in the cathedral, on the other hand.¹⁷¹ Tronson had written to Dollier de Casson that Frontenac had been within his rights in protesting over several slights made to his office.¹⁷²

The exiled councillors were called back and the full council met on October 16th, Frontenac wanted to read the correspondence but Duchesneau insisted upon knowing first of all how the clerk had commenced the minutes. It turned out that he had written again that the Council had assembled "the Governor as head and president of the Council being present." Duchesneau objected and some debate followed. Frontenac and Duchesneau both retired while the councillors debated the issue. Finally, it was decided to omit all names and on this understanding both Frontenac and Duchesneau returned and the minutes were made to read "the council having met" with no further elaboration.¹⁷³

The problem was finally solved in 1680 by Louis XIV. He simply forbade either official to assume the title of president of the Council in future, but he conferred

¹⁷¹ A.P.Q., Ordres du Roy, Series B, Vol. VIII, King to Laval, May 24, 1679, p. 79

¹⁷² B.S.S.P., Vol. I, No. 75, Tronson to Dollier de Casson, May 1679, p. 137

¹⁷³ A.C., Series F3, Vol. V, fol. 324-325; Jugements, Vol. II, pp. 318-319

upon the Intendant the duty of presiding at the meetings, that is of acting as the chairman.¹⁷⁴ The Governor retained the honorific post but in the practice the Intendant had the effective presidency, and in his absence the first councillor replaced him in this function.¹⁷⁵ It had been demonstrated that friction could arise because of the common or overlapping duties of these two officials. This was very much the case when their personalities clashed, when both were men of spirit and independence. It was also possible for individuals or groups to play one off against the other to discredit either or both. In June of the same year Louis XIV sent orders to the West Indies to a Governor and Intendant there to cease their quarrels over precedence; the royal orders made it much clearer than did the correspondence with Frontenac that the Governor was to have the preponderance.¹⁷⁶

Frontenac's rebuke accused him of being the only individual in the realm who had presumed to be styled "chief and president of the council similar to that established in Canada." 177

174 Edits, Vol. I, p.239

175 Jugements, Vol. III, pp. 64-66

176 M.L. Moreau de Saint-Mery, Les Loix et Constitutions des Colonies Françaises de l'Amérique sous le Vent (Paris, 1784), Vol. I, pp. 339-340

177 P.A.C., Series C11A, Vol. V, King to Frontenac, April 29, 1680, pp. 189-190

The exile of the two councillors and the attorney-general was condemned as an abuse of a Governor's powers. Frontenac was further blamed for failing to deal with the problem of the coureurs-de-bois and was bluntly told "you favour those who carry on this occupation"; moreover, he was reprimanded for arousing the hostility of the Bishop and clergy, the Jesuits and the Sovereign Council.¹⁷⁸ In other words, there was little in his conduct that merited praise.

The King let it be known that the Intendant had been the source of information in these matters and that Frontenac should now not blame this official, but rather should mend his ways. The attorney-general and the Sovereign Council were later to substantiate the accusations made by the Intendant.¹⁷⁹ An arrêt of May 29, 1680, followed up this communication. The Council of State ruled that neither Governor nor Intendant should assume superfluous titles "in all the acts and minutes of the said Council, the Count Frontenac will have the title of Governor and lieutenant-general of His Majesty" and as for Duchesneau he would have that of "Intendant of justice, police and

¹⁷⁸ P.A.C., Series C11A, Vol. V, King to Frontenac, April 29, 1680, pp. 191-193

¹⁷⁹ A.C., Series F3, Vol. 78, pp. 7-8

finances also in the said country only,¹⁸⁰ The King's mandement on the arrêt repeated the injunction forbidding anyone from assuming "other titles and qualities than those granted by our provisions and commissions."¹⁸¹ These were all duly received and registered by the Sovereign Council of Quebec on October 24, 1680.¹⁸² Frontenac had lost his battle over precedence. This did not prevent him from writing to Seignelay only a few days later to complain that the Bishop and the Intendant had not consulted him in drawing up, a plan for the parish organization of the colony.¹⁸³ Following this quarrel between Governor and Intendant over the presidency of the Sovereign Council it is not surprising to find that the commission of de Meulles differed in one essential point from that of his predecessors: he was the first Intendant of New France to be precisely instructed "to preside in the Sovereign Council, ask the opinions, count the votes and pronounce the arrêts."¹⁸⁴ And as for matters of honours he too had the right when making official

¹⁸⁰ P.A.C., Series C11A, Arrêt of May 29, 1680, Vol. V, pp. 205-207; also A.C. Series E3, Vol. V, fol. 354

¹⁸¹ Edits, Vol. I, p. 239

¹⁸² Jugements, Vol. II, pp. 423-424

¹⁸³ P.A.C., Series C11A, Vol. V, Frontenac to Seignelay, November 2, 1680, p. 259

¹⁸⁴ Edits, Vol. III, pp. 46-47

visits in the colony to be accompanied by a party of archers.¹⁸⁵

What is indeed remarkable is that the colony did not have more of this formidable apparatus of etiquette and more fawning upon officials. Perhaps the frontier environment was working against the type of bitter quarrels raised in the mother country. Seating order in a Sovereign Council was every bit as indicative of the maintenance of proper rank as the seating order at a concert at Versailles. Admission to such solemn rites as the King's rising, his private prayers, his toilet, his changing of clothes and footgear upon returning from an excursion, or his retiring at night, were after all regulated by one's place in the court hierarchy. Louis XIV lived in a veritable atmosphere of worship. If Frontenac seemed to wish to impose protocol that would make the King, and his personal representative, stand above all the subjects he was betraying a sentiment common to the courtiers. La Bruyere pointed out that in the royal chapel the nobles formed a vast circle at the foot of the altar and stood with their backs to the Host, the altar and the priest in order to face the King as he kneeled on a tribune. To him, this represented a hierarchy as the people seemed to adore the prince, and the prince adored God.¹⁸⁶

¹⁸⁵ P.A.C., Series B, Vol. XI, King to de Meulles, March 10, 1685, p. 199

¹⁸⁶ Lough, op. cit., p. 163

In the communications of 1680 one other matter of precedence was regulated. The matter of rights of lay patrons of parish churches was defined, the regulations for the colony following the rules set forth by the Parlement of Paris on January 28, 1603, for the churches of France.¹⁸⁷ Patron founders who would endow a church and sustain the costs of its construction should have the right of presentation and should also enjoy other honorific rights. The provisions ran as follows:

He who will contribute the fund from which the parish church will be constructed, and will besides meet all the costs of the building, will be patron founder of the said church, will present to its cure, whenever vacant...and will enjoy both he and his heirs in direct or collateral line, in whatever degree they be, to the right of presentation as well as to other honorific rights which belong to patrons, even if they have neither residence nor goods in the parish, and without being required to contribute anything for the endowment. 188

This might conceivably conflict with the social pattern already established in the seigneurial system, therefore provisions were made that the seigneur of the fief on which the church was built should enjoy preference in becoming a patron founder. In such cases the social prestige of the seigneur was guaranteed by the provision that the patronage

187 Lange, op. cit., Vol. II, Pt. I, p. 336

188 P.A.C., Series C11A, Vol. V, Edict of May, 1679, pp. 102-105

rights would remain attached to the principal manor of the fief and would fall to its possessor, even if not of the founder's family. These rights were granted only to seigneurs who would endow the church, underwrite the costs of its construction, and who would with the censitaires undertake the building and furnishing of a presbyterial residence and the maintenance of a cemetery.¹⁸⁹

This settlement did not satisfy the Bishop, however, and he urged that endowments at fairly high rates be required too. But he was informed that Colbert insisted that patronage rights should be accorded without requiring founders to provide a minimum endowment of 900 livres.¹⁹⁰ Dudouyt in Paris called upon Mgr. de Heliopolis, the clergy of the Seminary of Foreign Missions, d'Argenson, and others interested in the welfare of the Canadian church, and all strongly recommended to avoid any recourse to Rome in the matter. To appeal to Rome would be a most unwise course they believed because the King "seeing that we wished to lean upon Rome, contrary to his ordinances, would become angry and would do everything contrary as has happened

¹⁸⁹ P.A.C., Series C11A, Vol. V, Edict of May, 1679, pp. 104-105

¹⁹⁰ R.A.P.Q., 1922-23, Dudouyt to Laval, May 12, 1677, p. 121

lately in the case of a monastery near Paris." The proper course was to appeal directly to the King, and towards that end Father La Chaise would see Colbert and Louis XIV and Tronson would also use his good offices with Colbert and Seignelay.¹⁹¹ To Dudouyt's mind, the appeals were ill founded because "the canon law says positively in several places that the right of patronage is given to those who build churches without obliging them to endow them..."¹⁹²

There was another method of restricting the number of patron founders in the colony, and that was to proceed to make the requirements for building churches more rigorous. It was in this that Laval now proceeded to restrict the numbers of patrons. Dudouyt concurred fully with Laval in this approach:

It is necessary to oblige those who will wish to be patrons to build stone churches like those of the Beupre coast; and as the expense will be considerable, few persons will undertake it. The first provision belongs to the Bishop and one must not admit those presented by the patrons if they are not worthy; that is all that can be done, because obtaining support from the direction of Rome is not to be thought of, it would be in vain and would spoil everything; that is the sentiment of those who are the most enlightened and most involved...¹⁹³

¹⁹¹ R.A.P.Q., 1922-23, Dudouyt to Laval, March 9, 1681, p. 121

¹⁹² Ibid., Dudouyt to Laval, May 10, 1681, p. 121

¹⁹³ Ibid., Dudouyt to Laval, June 2, 1681, p. 122

Laval in this way sought to hold off a loss of his right to name to the various parish charges.¹⁹⁴

Special honours could be, and sometimes were, granted to deserving and pious parishioners. Thus, for example, Jean Pare and his wife endowed the church at Lachine with a fund yielding an annual income of 7 livres 10 sols to be used for an annual procession on the Feast of the Assumption from the parish church to an outdoor altar on their property. They had, in addition, ordered a banner of the Blessed Virgin Mary from France and had given precise instructions to Dollier de Casson, Grand Vicar at Montreal, for the type of ceremony they wished perpetuated.¹⁹⁵

Much of the blame for these quarrels over precedence has been placed by modern writers on Frontenac. We have seen that from the records available there is little in his conduct to recommend him. On the other hand, we have also seen Duchesneau and Laval each pursuing his own interest. The fact remains that Frontenac was not without admirers in his day. Lahontan said that Frontenac completely mastered the Sovereign Council and that during his administration

194 Saint-Vallier by an arrêt from the Council of State dated May 27, 1699, obtained the right for himself to construct stone churches on the understanding that the patronage rights would also be attached to the bishopric.

195 A.S.Q., Fonds Verreau, Vol. XIII, No. 59, June 5, 1687

"he laughed at the pretended Precedency of the Intendants; nay he used the Members of the Assembly as roughly as Cromwell did the Parliament of England."¹⁹⁶ But, we have to consider the validity of such a judgment when we consider such observations as the following:

The Sovereign Council hears appeals from all the other courts of Canada and Adjudicates sovereignly in all matters; it is composed of ten or twelve completely ignorant and wretched judges. Everyone pleads his own case there, for no lawyers or attorneys are recognized...The Governor, the Intendant and the Bishop sit there, with great dissensions over precedence, each wishing to preside there;¹⁹⁷ also these three personages are nearly always to be seen quarreling among themselves each with his own faction and cabal, and all their dissensions are stirred up by the Jesuits who have so extensive a power in that country that the majority of Governors General (with the exception of Count Frontenac) have, so to speak, ceded their authority to them and begged their protection. ¹⁹⁸

At best, Lahontan was attacking a danger to the civil power that might have existed thirty or forty years earlier. The Chevalier de Baugy had no better opinion of the Sovereign Council than did Lahontan.¹⁹⁹

¹⁹⁶ R.G. Thwaites, New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. I, pp. 44-45

¹⁹⁷ Laval never seems to have pretended to be president of the Council. There is no reason to suppose the Church unduly sought to advance its influence in the Sovereign Council.

¹⁹⁸ G. Lanctot, ed., The Oakes Collection: New Documents by Lahontan concerning Canada and Newfoundland (Ottawa, 1940), p. 47

¹⁹⁹ B.R.H., Vol. XXIX, No. 10 (October, 1923), de Baugy to his brother, November 22, 1682, p. 294

Chauveau in his Introduction to the Jugements et Délibérations du Conseil Souverain de la Nouvelle France says that the pomp with which Frontenac inaugurated his first term of office, the "speech from the throne", the impressive ceremony of homage, and the solemn procession en corps to the church of Notre-Dame de Quebec to celebrate the military victories of Louis XIV, and indeed the protocol observed in the meetings of the Sovereign Council itself indicate a need on the part of the Governor to affirm his authority. This, of course, raises in our minds the question as to why he felt compelled to constantly affirm this authority. Was it threatened, and if so from what quarter? Was he imagining himself in a situation comparable to that of the rule of the Company of New France in the colony when indeed the Jesuits held almost a monopoly in the religious sphere, when they were represented on Council, when the fur trade was carried on largely in their Huronia mission territory and when even the coureurs-de-bois had to behave themselves reasonably well for the trade routes were well travelled and controlled? If he did, he was living in the past because the "mystic period" had passed even before the arrival of Msgr. de Laval in the colony. He was arming himself for a threat which could have been real forty years before.

Even Lorin, the admirer à outrance of Frontenac

admits that the Governor had overstepped the limits of his prerogative and that this was the real cause behind his recall in 1682. Lorin believed that the Governor was obsessed by the idea that he was the direct representative of the King and so the guardian of the royal prerogative.²⁰⁰ On the other hand, Delanglez in reviewing the same events, takes the view that Frontenac's obsession was that he was a "High and Mighty Lord" and that as a disobedient, pompous royal servant he became the embodiment of the "encroachment of the sovereign authority,"²⁰¹ That many churchmen should have felt this way is altogether understandable. But they were not unanimous in their opposition to him. As late as 1678 Tronson wrote to Dollier de Casson in Montreal: "I do not know if I told you that in writing to Mr. de Frontenac you ought to put Monseigneur. One must not give him reason to complain for so small a matter..."²⁰²

The use of the terms esquire and monsieur involved questions of precedence. The Bishop was entitled to be called Monsieur de Quebec, of course, following the forms

200 H. Lorin, Le Comte de Frontenac (Paris, 1895), p. 153

201 J. Delanglez, Frontenac and the Jesuits (Chicago, 1939), pp. 19-20

202 B.S.S.P., Vol. I, No. 65 Tronson to Dollier de Casson, July 2, 1678

of address used in France for the episcopate. The Councillors used the title sieur before their names and after 1680 they took the title maître as well.²⁰³ But unlike the practice in France they did not appear in Council dressed in black robes. Among the colonial leaders there were some who appropriated the title écuyer without having the right to do so; the Council of State on April 10, 1684, issued a decree forbidding the inhabitants of the colony, other than gentlemen entitled to do so, to assume the title of esquire in public documents under penalty of a 500 livres fine.²⁰⁴

The question of Frontenac's responsibility cannot be set aside without considering the impression he left on the colonials. Ramezay reported to the Minister of the Marine in glowing terms in 1704:

The Count Frontenac, whose background and merit are known, having arrived in Canada, governed it with so much wisdom that he won the admiration and respect of all the people. One cannot imagine the cabal intrigues and the calumny which the Jesuits have used in court in order to abuse his first administration in which he never wished them to share, no more so than in his last term. I can say ardently how very difficult it would be for anyone to do so much good for the country and govern it so well. The only fault which he had was to seek honours with too much boldness. 205

203 In 1703 this was in turned replaced by messieurs. Cf. Jugements Vol. IV, p. 815

204 A.C., Series F3, Vol. VI, fol. 104

205 P.A.C., Series C11A, Vol. XXII, Ramezay to Minister, November 19, 1704, p. 121

While we may not agree with this appraisal of the Governor's weakness being "the only fault", it was certainly a prominent fault and one from which even Colbert suffered very much.²⁰⁶

Did the quarrels over precedence cease with the recall of Frontenac? The fact that these quarrels existed in France and the other French colonies would tend to make us believe that they did not have their entire origin in the personality of one man. And therefore it is no surprise that the quarrels continued, if not so vehemently at least as persistently. Louis XIV warned Governor de la Barre in 1684 that he was to abandon all pretence to the title of president of the Sovereign Council and was to be content with those of Governor and Lieutenant-General.²⁰⁷ The King also ordered that the members of the Officialité be given special rank in the cathedral church. The dress of the canons was to

206 D'Ormesson, a contemporary of Colbert had left us a delightful account illustrating the Minister's desire to give himself the illustrious background he lacked: "Le Mardy 19 juin (1669), je fus disner au Temple avec Mr. le Grand Prieur. C'estoit le jour de la chosture de son chapitre, dans lequel Mr. Colbert avoit faict recevoir chevallier de Malthe un de ses enfans. et, quoyque sa maissance soit cogne, il n'a pas laisse de faire paroistre les plus belles preuves de noblesse de la France; il se faict descendre d'Escosse. C'est l'aveuglement ordinaire a tous les gens eslevés." A. Cheruel, De l'Administration de Louis XIV d'après les Mémoires Inédits d'Olivier d'Ormesson (Paris, 1850), p. 154

207 A.C., Series F3, Vol. VI, King to de la Barre, July 31, 1684, fol. 128

conform to that of Notre Dame in Paris. Some retrenchment was necessary on processional and recessional because of the cold winters and the absence of many canons on rural missionary charges, but otherwise the customs of France were imposed on the colony.²⁰⁸ Following Denonville's administration the King again found it necessary to regulate the matter of honours accorded to the Governor and Intendant.²⁰⁹ There were no essential changes made in the regulations - the Governor would receive incense immediately after the Bishop and before the chapter, in his absence the Intendant would enjoy these honours, in processions the Intendant would walk on the left of the Governor, and so on - but they had to be reaffirmed constantly.

In Montreal a dispute erupted again over the rights of the officers of justice. The Sulpician Superior found it necessary to write to one of the judges on the island and in his letter expressed grave doubts as to the decisions that had been taken there already:

I am astonished that you tell me that the Major of Quebec goes after the judge that being contrary to the usage of the country here and contrary to several arrets which give the right to the Major in the ceremonies. Thus I do not think you ought

208 A.S.Q., Chapitre LXXX, Année 1684, no pagination

209 A.C., Series F3, Vol. VI, Regulations of May 31, 1686, fol. 256

to contend with the one of Montreal. The most intelligent people in these matters do not believe you are well founded. 210

He went on to admonish him to have a ~~pow~~ set up for the seigneurs in the church, but to have it done in such a way as to give offense to none. To re-inforce his directions he also wrote to the Sulpician Superior at Montreal instructing him to inform the judge of the right of precedence of the Major over the officers of justice.²¹¹ It was eventually necessary for Champigny to issue an ordinance to prevent further quarrels between the officers of justice at Montreal and the churchwardens; he confirmed the earlier decisions that the judges should take precedence over the churchwardens in honours, both within and without the church, in regards receiving blessed bread, collections, tapers and palms.²¹² Even in Newfoundland the townspeople of Placentia complained that the captains of vessels took away all honours from them. The Governor there also complained and asked captains be allowed to walk behind the Sacrament with him but not be allowed to carry the dias.²¹³ The issue of honours never

210 B.S.S.P., Vol. I, No. 203, Transon to Migeon, May 20, 1683, p. 338

211 Ibid., No. 210, Transon To Dollier de Casson, May 25, 1683, p. 348

212 A.C., Series F3, Vol. VI, fol. 318

213 A.C., Series F3, Vol. LIV, fols. 262-263

completely disappeared.

Questions of precedence had been regulated with respect to the chief officers of the Crown, the military, the justices, the seigneurs, the churchwardens and the Councillors. The royal will henceforth expressed itself principally to confirm the settlements previously arrived at.²¹⁴ The greatest struggles were now over in this sphere of relations between church and state. New France was falling into line with the pattern imposed on the other French colonies.²¹⁵

²¹⁴ A.S.Q., Polygraphie V, No. 29, May 31, 1686; Edits, Vol. II, pp. 154, 157, 212, 275, 365, 373, 433, 465, 537, 553, 576

²¹⁵ Moreau de Saint-Méry, op. cit., Vol. I, pp. 394-395; On December 5, 1683, the following orders were sent to the West Indies, "Sur l'avis que nous a été donné des contestations survenu dans l'isle de Marie-Galande, tant pour la distribution du Pain béni que pour le Rang que les Officiers de milice et de Justice doivent tenir à la Procession; nous, après avoir examiné les Règlements qui ont été faits à ce sujet, avons ordonné et ordonnons que le Pain béni sera premierement presente au Pretre celebrant et aux Ecclesiastiques qui assisteront au service, aux Gouverneurs, et en leur absence aux Commandans, aux Marguilliers et aux Officiers de Justice qui auront un banc qui leur sera particulièrement destiné, hors lequel ils ne pourront prétendre aucunes distinctions et à l'égard de tous les Habitans, soit Capitaines, Lieutenans ou autres Officiers de Milice, le Pain béni sera distribué suivant la situation où chacun se trouvera, sans observer aucun Rang, et sans que lesdits Officiers de Milice en puissent prétendre aucun; et sera l'ordre ci-dessus observé dans la marche de la Procession. Signé Bégon."

CHAPTER V

ESTABLISHMENT OF A VICARIATE

Juridically speaking, the Canadian church was born on March 20, 1618, when a patent was issued by the papal nuncio, Guy de Bentivoglio, in the name of the Sovereign Pontiff to the Recollets who were sailing to New France.¹ The Gallicans led by Msgr. Francois I de Harlay, claimed New France as part of the archdiocese of Rouen, and in spite of the disapproval of the General of their order the Jesuits admitted and accepted this claim.² Rouen logically became the source of spiritual jurisdiction for New France because of the trade carried on from there. Furthermore, civil jurisdiction over the colony had been exercised from Rouen. The royal edict creating the Company of New France was not registered by the Parlement of Paris, but was registered by the Cours des Aides of Rouen.³ This was

1 C.M. Morin, "La Naissance de l'Eglise au Canada", Revue d'Histoire de l'Amerique francaise, Vol. I, No. 2 (September, 1947), p. 340

2 Journal des Jésuites, pp. 93, 115, 185-187; C. de Rochemonteix, Les Jésuites en la Nouvelle-France au XVIIe Siècle (Paris, 1895), Vol. II, pp. 189-191, 207; E. Gosselin, Documents authentiques et Inédits pour servir a l'Histoire de la Marine normande et du Commerce Rouennais pendant les XVIe et XVIIe Siècles (Rouen, 1876), pp. 14-20

3 Edict du Roy pour l'Establissement de la Compagnie de la Nouvelle France avec Arrest de verification de la Cour des Aydes de Rouen (Paris, 1633)

because since the time of Francis I, New France had been placed under the jurisdiction of the Parlement of Normandy for all criminal and religious matters. Even Champlain's orders in 1612 had been that unruly subjects in the colony were to be brought to justice in Normandy, not at Paris.⁴ Finally, Rouen had a special religious status in France - it was a primatial or patriarchal church dating from the beginning of the sixth century when St. Remy had been named bishop of the kingdom of Clovis.^{4a}

On June 22, 1622, a papal bull authorized the formation of a new congregation to be added to the Roman Curia, to be known as the Sacred Congregation for the Propagation of the Faith (Propaganda Fide), and gave it charge of the rapidly expanding missionary work. This new congregation naturally was interested in the missions of North America, as well as those of South America and the Orient. The Recollets, who at that time were the missionaries in New France, did not press for the erection of a bishopric in Canada. But the Propaganda desired to see a

4 Edits, Vol. III, p. 12

4a de la Roque, Mémoires de l'Eglise (Paris, 1693), pp. 198, 200. When Gregory VII in 1079 named the Archbishopric of Lyons the first among the churches and the Gauls, the archbishop of Rouen protested and refused to accept this primacy; in 1558 the archbishopric of Rouen was ~~was able~~ to obtain formal exemption from recognizing the primacy of Lyons by special letters from the legate of Pope Calixtus III

diocese erected in North America and it proposed that a Recollet of the province of Aquitaine be sent to Canada as first bishop. ^{4b} The Recollets opposed the idea and before long their mission in Canada was abruptly terminated by an Anglo-Huguenot interlude.

Following the foundation of Montreal in 1642 by members of the Company of the Holy Sacrament there was renewed hope for a Canadian bishopric. The associates of the Montreal colony planned a secular clergy for the colony, with one of their own number as the first bishop. Accordingly, in 1643, the company of Montreal wrote directly to the Holy See nominating the abbé LeGauffre. ⁵ This was a highly irregular move because the episcopal candidates in France were named by the King. To obviate any hesitations they decided to endow the bishopric themselves, so a M. Thomas LeGauffre subscribed 30,000 livres and others gave smaller amounts. When Mazarin was approached they were able to say that the proposed bishopric would be a financial burden to

^{4b} E. Réveillaud, ed., Histoire chronologique de la Nouvelle-France... par le Père Sixte le Tac, Recollet (Paris, 1888), p. 168; P. Margry, Découvertes et Etablissements des François, etc (Paris, 1879), Vol. I, p. 15

⁵ "M. Legauffre, évêque nommé de Nouvelle-France", Le Canada Français, Vol. XII, no. 3 (November, 1924), pp. 198-203

neither the people nor the King.⁶ The Jesuits had agreed to LeGauffre as candidate.

But when the negotiations were resumed by the company of Montreal, and the Assembly of the French clergy also approved the plan,⁷ the Jesuits suddenly changed their attitude and began to oppose themselves.⁸ They now began to see a threat to their virtual monopoly over spiritual offices in New France and viewed with distaste the possibility of a Franciscan bishop. The Montreal colony, on the other hand, would welcome any decrease of domination by Quebec. The rivalry for the bishopric grew in part out of this under-current of feeling between Quebec and Montreal. The Montrealers had learned from experience that although the Jesuits served as curates of Ville-Marie for 15 years they paid little attention to the development of this settlement.⁹

6 B.R.H., Vol. III, No. 2 (February, 1897), p. 26

7 M. Eastman, Church and State in Early Canada (Edinburgh, 1915), p. 32; C. de Rochemonteix, op. cit., Vol. II, p. 278

8 A. Maheux, "Sur la nomination de deux évêques; Laval et Briand", Le Canada Français, Vol. XXVIII, No. 7 (March, 1941), p. 679

9 Dollier de Casson, Histoire du Montréal, 1640-1672 (Montreal, 1927), p. 18; M. Eastman, op. cit., p. 32

In any case the plans came to nought when LeGauffre was struck down with paralysis and died suddenly in 1646. In 1656 the negotiations for a colonial bishop were again taken up. The Jesuits do not seem to have wished the Bishopric for themselves though. They refused a suggestion of the Company of New France that Charles Lalemant be named.¹⁰ So two candidates were put forward, abbé de Queylus who was backed by the associates of Montreal and Cardinal Mazarin and the abbé Francois de Laval de Montigny backed by the Queen Mother, the Jesuits and the clergy associated with the Hermitage of Caen and the Company of the Holy Sacrament.^{10a}

One might almost say that the candidates represented the Gallican and Ultramontane parties respectively. It was on the question of the nature of the episcopacy that the Gallicans and Ultramontanes differed greatly. They agreed that the bishops exercised double powers - powers of order and of jurisdiction. They also agreed that the bishops were by divine right superior to presbyters as regards the power of order by which they confirmed neophytes and

¹⁰ Alfred de Ramé, Documents inédits sur le Canada (Paris, 1867), Vol. XII, p. 255
C. de Rochemonteix, op. cit., Vol. II, p. 195

^{10a} P.A.C., A.S.M.E., Vol. CCCLXV, Pt. I, fol. i, p. 3

ordained priests. But they disagreed on the power of jurisdiction or government within the church. The Council of Trent had made only guarded statements on this subject because the French and Spanish bishops wanted to establish the divine right of the episcopacy, meaning thereby that the bishops derived both their office and their power immediately from Jesus Christ. The Ultramontane party wanted to maintain a distinction between their order and jurisdiction, holding that their order was derived from Christ but their jurisdiction from the Pope. The Jesuit party was therefore anxious to press the case of the ultramontane abbé de Laval.

The claims of the Archbishopric of Rouen were reaffirmed by the dispatching of the abbé de Queylus to Canada as Grand Vicar.¹¹ Special powers were also conferred by Mgr. Francois II de Harlay de Champvallon, archbishop of Rouen, to the priests Souart and Galinier.¹² Both of these priests had accompanied Queylus to Montreal (arrived at Quebec on July 29, 1657) to found there a house of the Sulpicians. Dominique Galinier went to work among the

11 A.S.Q., Evêques, No. 172A, Letters of Vicar-General from Archbishop of Rouen to abbe de Queylus, April 22, 1657, This is the original consulted.

12 A.A.Q., Registre A, loose pages unnumbered, Letters to abbés Souart and Galinier, April 22, 1657

Indians and Gabriel Souart was the first curate of Montreal.¹³
 Mgr. Francois I of Harlay had given the Hospitalieres of
 Quebec their obedience in 1639 and he had reserved to himself
 the jurisdiction over the Hôtel-Dieu at Quebec. It was fitt-
 ing therefore that his successor and nephew should have
 furthered the claims of the archbishopric in the new world.
 The abbé de Queylus upon arrival in the colony gave the habit
 to one of the Hospital Nuns, received the vows of another,
 and presided over a convent election and blessed the chapel
 of the Hôtel-Dieu.¹⁴

The Jesuits may have resented these claims over the
 colony but they nevertheless recognized them. The first
 indication of a questioning of jurisdictional rights in the
 colony arose at the time of the creation of the Council of
 Quebec in 1647. The Jesuits sent one of their number to the
 mother country to inquire about "the affairs of the
 Ursulines, Hospital Nuns, Iroquois, and validity of the
 sacraments of marriage".¹⁵ In 1653 the missionaries requested
 a jubilee and it was of the Archbishop of Rouen they

¹³ C. Tanguay, Répertoire Générale du Clergé
 Canadien (Quebec, 1868), p. 43

¹⁴ A. Jamet, Les Annales de l'Hôtel-Dieu de Québec,
 etc (Quebec, 1939), p. 97

¹⁵ Journal des Jésuites, p. 93

received their petition. The Journal entry is most revealing in this instance:

His mandement must be preserved in the Archives, as an authentic document of the continuation of possession which the aforesaid Seign. Archbishop has already taken by some other acts of the spiritual government of this country. This publication however of the Jubilee under his name and authority is the first act which has appeared patently in this country; and is all the more authentic, in that it was made in the presence of the Governor...¹⁶

Father Vimont was told in France, and some said also from Rome, that the colony was indeed under the jurisdiction of the Archbishop of Rouen.¹⁷

To return to the events in France again, it was the King that would nominate the future bishop.^{17a} Accordingly, early in 1657 Louis XIV communicated with Pope Alexander VII nominating the abbé de Laval as Bishop for New France.¹⁸ Actually, the Propaganda had proposed him for a bishopric in Tonkin, but the Portuguese had objected so strenuously

¹⁶ Journal des Jésuites, p. 185

¹⁷ Ibid., p. 186

^{17a} F.A. Isambert, Recueil général des Anciennes Loix Françaises (Paris, 1829), Vol. XIV, p. 382

¹⁸ A.S.Q., Evêques, No. 168, Louis XIV to Alexander VII, January 26, 1657; Also S.R.C., Doc. IX, pp. 16-18, and A.S.Q., Fortier Papers, 1657 for a copy of Arch. Vat., Principi, vol. 81, fol. 4

his name had been withdrawn.¹⁹ Louis XIV in recommending him to the Pope said that "unless God had wanted him for New France he would have gone to Tonkin". He added that he was personally following the example of his predecessors by founding churches in heathen lands and among pagan tribes. The Pope was impressed with the recommendations, if not with the King's claims to a share in evangelization, and sent the matter to the Congregation of the Propagation of the Faith for further action.²⁰ The Jesuits in Rome also warmly endorsed Laval's candidature.²¹

At this stage, however, numerous difficulties arose. The Pope seemed willing enough to proceed to the erection of a bishopric in New France, according to some current reports in Rome, but the Propaganda had encountered several obstacles.²² The Count of Brienne wrote to Louis XIV that

¹⁹ S.R.C., Doc. VI, Rhodes to Innocent X, November 5, 1653, p. 5; In 1652 Father de Rhodes, Jesuit missionary in the Far East, was invited in France to submit names of candidates for a vicariate-apostolic in the Orient; he submitted Laval's name for Tonkin, with highest recommendations. S.R.C., Doc. VII, February 28, 1654, pp. 14-15: While waiting for and in preparation for final confirmation of this nomination to Tonkin, Laval resigned his archdeacons office at Evreux. But the appointment failed to come through

²⁰ A.S.C., Fortier Papers, 1657, Gueffier to Brienne, March 19, 1657. This is a copy from British Museum, Harley, 4541 A. ff. 57-58

²¹ Ibid., Brienne to Gueffier, April 28, 1657. This is a copy from Archives of Propaganda, Scritt. Orig, Rif. nei Cong. Gen., v. 317, ff 103-104

²² Ibid., Gueffier to Brienne, May 15, 1657. This is a copy from British Museum, Harley, 4541 A, f. 82

it was impossible to proceed further "not being able to do anything touching the first commandement, if it is not known here to what order the one Your Majesty named belongs...."²³ The problem was that the King had styled his nominee "Father Francois de Laval de Montigny", so the officials in Rome were intrigued by the title "father" and wondered to what religious order he belonged, because the secular clergy were styled abbé. Matters were further delayed by the illness of Cardinal Bichi, the King's intermediary at court. There was also a suspension of the meetings of the Congregation for several months because an epidemic had broken out in Rome.

On July 17, 1657, the proceedings for the appointment of a Bishop in New France got moving again as the papal nuncio in Paris, Msgr. Piccolomini, made a resume of information about the abbé Laval for the Propaganda's consideration. These proceedings should not have been necessary as a full canonical inquiry into the health, background, education, training and proficiency of the abbé had once been conducted in connection with the proposed Tonkinese appointment, but these documents had apparently been lost in the Roman archives.

Thirteen questions were put by the papal nuncio to

²³ S.R.C., Doc. XI, (1), Brienne to Louis XIV, May 15, 1657, p. 57

numerous referees and the results of the inquiries proved very favourable to the abbé.²⁴ He had indeed risen very rapidly in the ranks of the church since the time he entered the college of LaFleche in 1631 at the age of eight - the time at which he received the tonsure and clerical garb.²⁵ On September 25, 1637, Msgr. Francois Pericard, bishop of Evreux, granted him full rights to a cononicate and prebendary under the seal of the bishopric, and young Laval was put in possession two months later.²⁶ By the end of 1639, Laval had resigned his canonical charge which he had received two years earlier with the view of being conferred another benefice.²⁷ The Bishop of Evreux had immediately named him clerk of the diocese of Chartres, which was one of the eight original prebends of the cathedral of Evreux.²⁸

24 A.S.Q., Evêques, No. 183, July 17, 1657

25 This may surprise us now, but the practice was in keeping with the decrees of the Council of Trent and of numerous national councils held in France. Olier, founder of the Sulpicians, received the tonsure at the age of 12, and Bossuet at the tender age of eight

26 A.S.Q., Séminaire VI, No. 73a, no pagination in this series; also S.R.C., Doc. I, p. 2

27 S.R.C., Doc. II, December 24, 1639, p. 3

28 S.R.C., Doc. III, December 24, 1639, p. 3; also A.S.Q., Séminaire VI, No. 73g, and A.S.Q., Fortier Papers, 1639

In 1647 Laval took his licentiate in canon law and was ordained a priest; by October he had resigned his former benefice as again something better had been offered him. On December 7, Msgr. Jacques de Perron, Bishop of Evreux, conferred upon him the charge of archdeacon of the cathedral church.²⁹ Laval, under the direction of the Jesuit director Jean Bagot, entered into a secret compact with five other devout men, which association became known as the Société des Bons Amis. A few years later, Laval retired to a solitary life of meditation and works of charity and self-renunciation at the Hermitage of Caen, which so greatly recommended him for the Canadian appointment in the estimation of the Jesuits.³⁰

Jesuit interest in the colonial bishopric was in good measure responsible for the delay in the abbé's appointment.

²⁹ S.R.C., Doc. IV, Resignation of October 10, 1648, p. 4; S.R.C., Doc. V, Nomination as Archdeacon, December 7, 1648, p. 4; A.S.Q., Seminaire VI, No. 73h also gives the chronology, as does A.S.Q., Fortier Papers, 1648, with copies of the relevant documents.

³⁰ L.B. de La Tour, Mémoires sur la Vie de M. de Laval, Premier Evêque de Québec (Cologne, 1761), p. 8 has left a striking account of the abbé's exercises of self-mortification. He had even been observed in hospitals, while performing the most menial and disgusting tasks, to take the bandages and pins holding swabs covered with pus and blood in his mouth and slowly suck in the matter while keeping his hands occupied at some purposeful work and feigning not to notice what he was doing with the bandages. He often took long pilgrimages barefooted, scantily clothed and begging his meals as he went so as to miss none of the abuse normally reserved for such persons.

This was because they suddenly opposed the creation of a colonial bishopric; they wanted a vicariate apostolic instead the latter being a jurisdiction usually directly dependent upon the Holy See. If in the mission theory the Pope reserves to himself the supreme direction of all missions, then it is all the more explicit that a vicariate apostolic can be regarded as an extension of the diocese of Rome. The Jesuits were seeking, in other words, an apostolate that would be exercised in the name of the Sovereign Pontiff in a region where an ordinary hierarchy had not yet been established. To take this point of view was, of course, to deny the claims of the Archbishopric of Rouen. It would seem that since Vicars Apostolic did not swear allegiance to any Prince the Jesuits were anxious to see Laval go to New France in this capacity.³¹

Once the King was willing to accept a Vicar Apostolic instead of a Bishop for New France the proceedings at Rome continued. Even so, it was a slow procedure because Gueffier,

³¹ de La Tour, op. cit., p. 12

A modern view sees nothing so politically significant in the manoeuvre: "La Propagande, en attribuant au chef ecclésiastique cette forme juridique exceptionnelle, n'avait d'autre but que de donner une administration temporaire à une Eglise, qui ne paraissait pas encore mûre pour un siège épiscopal régulier." Achille Cournoyer p.m.e., Le Vicaire Apostolique aux Origines de L'Eglise du Canada (Rome, 1949), p. 201

the King's representative at Rome, who had shown such impatience with the procrastinating cardinals a few months earlier, dragged his feet in the matter. The Propaganda had even considered establishing five bishoprics for the North American territory. Then too the quarrels in Canada did not go unreported. Father de Quen of the Jesuits and the abbé de Queylus, vicar general of the Archbishopric of Rouen, had a serious misunderstanding. Queylus soon came to install himself at Quebec and took charge of the parish, making all he could of the documents supplied by the Archbishop of Rouen.

In Rome again, Gueffier saw the Pope in an audience in January, 1658 and the matter of the Canadian bishopric went before the Propaganda again. The problem this time was that the congregation wanted to know if Laval would have sufficient revenues. The Queen-Mother Anne had established a 1000 livres annual income for the vicar apostolic and so the case could proceed.³² On February 18th the Propaganda recommended that Laval be named Vicar Apostolic of New France and a bishopric be created later "when the country will show itself capable thereof."³³

³² A.S.Q., Seminaire XI, No. 3, December 12, 1657

³³ A.S.Q., Fortier papers, 1658, Report and rescript of the Propaganda, February 18, 1658; A copy from Arch. Prop., Acta. v. 27, f. 94

Events began to move along at a relatively rapid pace thereafter. On April 11th the Sacred Congregation of the Propagation of the Faith published the decrees naming new bishops for several mission fields, including the names of two close friends who were named Vicars Apostolic - Pallu of Heliopolis, and Laval of Petree.³⁴ On April 13th the Pope confirmed the decree of the Propaganda and on May 6th named a consistory. Brienne was pleased to report success at last to his royal master:

I shall begin this letter by the notice that I am obliged to make you that I so pressed the matter of Mr. de Montigny, that I finally obtained for it the decree approved by the Pope...³⁵

Then Brienne went on to complain that if there had been undue delays, Laval himself was somewhat to blame because he had done nothing to facilitate matters, he had never even bothered to write once to Brienne, but had just remained in mystical retreat at the Hermitage. Once he was named Bishop of Petree in partibus infidelium, Msgr. de Laval became active and with Francois Pallu and Pierre Lamothe-Lambert, who had also been named vicars-apostolic in

34 E. Faillon, Histoire de la Colonie française (Montreal, 1856-66), Vol. II, pp. 318-318; Gustave Lanctot, "Servitudes de l'Eglise sous le regime Francais", Société Canadienne d'Histoire de l'Eglise Catholique, (1940-41), pp. 35-56; Mandements, Vol. II, p. 474

35 S.R.C., Doc. XI, No. 2, Brienne to Louis XIV, May 6, 1658, p. 27

missionary territories, asked papal permission to found in Paris a Seminary of Foreign Missions where all missionaries for heathen lands might first go to prove their vocation and prepare for their new labours.³⁶

The defeated rival, abbé de Queylus, had preceded Laval to the colony, as we have already indicated. Queylus and two other Sulpicians had gone to Montreal in 1657, whereas Laval was to arrive in Quebec only in June, 1659. Governor d'Argenson learned from the Jesuit Superior in the colony that the Archbishop of Rouen was sending the abbe de Queylus back to Montreal (for he had come to Quebec to take charge of the parish there) although at first he did not seem to believe the letters so ordering him to do.³⁷ Argenson said the church in the colony was at last in a spirit of unity although there had been great quarrels between Queylus and the Jesuits; he ordered Queylus to exercise his charge of grand vicar on the island of Montreal, and the Jesuit Superior his charge at Quebec, "without either one or the other of the two grand vicars undertaking anything whatsoever in the other territory without the consent of the other grand vicar."³⁸

³⁷ A.S.Q., Seminaire XV, No. 2, Argenson to Baron Chevrier de Pancan, September 5, 1658

³⁸ L.B. de La Tour, op. cit., p. 17; A. Gosselin, Henri de Bernières, premier curé de Québec (Quebec, 1902), pp. 360-361

The Archbishop of Rouen had obviously been under some external pressure himself to send this type of communication to the abbé of Queylus. The Pope had been anxious to break down the claims of Rouen to the colony, and in France it was the Queen Mother that was the agent used in bringing the young Louis XIV to the point of prohibiting the Archbishop of Rouen to press his claims in the New World on the grounds that these claims were not well founded "seeing that he has no brief from the Holy See for such a jurisdiction, and has acquired it in order to send there, as he says, priests of his own Diocess."³⁹ The Congregation for the Propagation of the Faith, which was responsible for all missionary work, had expressed surprise that he should pretend to any such jurisdiction in New France without the Congregation having knowledge thereof or having concurred in such measures.⁴⁰

In any case, on September 5, 1658, Pope Alexander VII granted Laval full privileges in his new Vicariate Apostolic.⁴¹ The Archbishop of Rouen had issued a circular

³⁹ A.S.Q., Fortier papers, 1658, Gueffier to Brienne, December 10, 1658; A copy from British Museum, Harley, 4541A, ff. 420-421

⁴⁰ Ibid., Fortier papers, 1658, Gueffier to Brienne, December 10, 1658

⁴¹ A.S.Q., Polygraphie XXII, No. 38a, September 5, 1658. This is the original document

letter to the French clergy, dated April 11, 1658. stating that the Holy See was intruding upon his jurisdiction and violating the rights of the Gallican Church, and on these grounds the Parlement of Paris had issued an arrêt in December forbidding Laval to exercise his functions as a Vicar Apostolic.⁴² The Queen Mother reassured the papal nuncio that all would go as hoped in New France and that if necessary she herself would dispatch a letter or else obtain an arrêt of the King's Council.⁴³ Piccolimini reported too that the Archbishop was attempting to delay Laval in France for another year, and was attempting to bring demands from the French court for the erection of a titular bishopric of Quebec in place of the Vicariate Apostolic. The nuncio said he had countered these tactics by saying that it would be necessary first to execute the commission already granted to Laval, and the question of a bishopric could then be opened afterwards.⁴⁴

42 A. Gosselin, op. cit., pp. 384-386

43 A.A.Q., Eglise du Canada VII, Piccolimini to Antonio, February 21, 1659, pp. 93-94

44 Ibid., pp. 93-94. No one seems to have raised in the correspondence of the period the possibility that Lisieux, Nantes, St. Malo, Bordeaux, Bayonne or Vannes could have claimed jurisdiction in New France, as well as Rouen, on the grounds of commissioning clergy to serve there.

The Bishops of Bayeux and Ardue were to consecrate the new vicar apostolic, but the Bishop of Bayeux declined to participate in deference to the wishes of his Archbishop and the Bishop of Ardue was forbidden to participate.⁴⁵ The outcome of this development was that the abbé de Laval had to go to Paris where he was consecrated by the papal nuncio Piccolimini, assisted by two other prelates, in the church of St. Germain-des-Près, which was a church exempt from the jurisdiction of any of the Gallican bishops.⁴⁶ The agent-general of the French clergy, abbé Toreau, informed Cardinal Mazarin of the unusual proceedings connected with the consecration of Laval and repeated the claim of the Archbishopric of Rouen, stating that the Holy See had violated the liberties of the Gallican Church in proceeding without consulting the Archbishop of Rouen out of whose see the new vicariate apostolic had been created.⁴⁷ The Parlement of Paris expressed the opinion that the creation of a Vicariate Apostolic, rather than a bishopric, was a move to increase the jurisdiction of the Propaganda and Roman Curia while diminishing the jurisdiction of a French Archbishopric.⁴⁸

45 de La Tour, op. cit., p. 12

46 Ibid., p. 13

47 A.S.Q., Fortier papers, 1658, abbe Toreau to Mazarin, December 10, 1658: A copy from Archives du Ministère des Affaires Etrangères de Paris, Corr. Politique, Rome, 133, f. 559

48 Eastman, op. cit., p. 33

The Parlement of Rouen also raised objections.

The papal nuncio Piccolomini considered such clamour an insult to himself and to the Holy See. He wrote to the Propaganda that the claims of the Archbishop of Rouen were without solid legal foundation. On the other hand, a more difficult objection to set aside had now been raised. This was the declaration that since the Concordat of 1516 no Vicar Apostolic was to be sent to regions conquered by France without violating the Gallican liberties.⁴⁹

Piccolimini urged the Propaganda to keep insisting that the Archbishop of Rouen could not have exercised rights in so distant a region, although the French clergy and hierarchy would likely be unimpressed by such assertions.

On December 16, 1658 the Parlement of Paris issued an arrêt censuring Laval for having violated the rights of the Gallican church.⁵⁰ He was accused, with some

49 A.A.Q., Eglise du Canada, Piccolimini to Propaganda, December 13, 1658, Vol. VII, p. 95

50 A.S.Q., Fortier Papers, 1658, Arrêt of the Parlement of Paris, December 16, 1658; H.G. de Champris, "Jean de Bernières et Mgr. de Laval", Le Canada Français, Vol. X, No. 4 (May, 1923), p. 306 gives a commentary on the associations of Laval with the various groups of "mystics" and the unfavourable impression this association had left upon the civil authorities. The rights of the Archbishop of Paris in the suburb of Saint-Germain were fully restored on April 8, 1669, but this jurisdiction did not even then extend to the abbot, the religious, the priory and convent, and all the domestic staff of the Abbey of St. Germain des Pres. P.A.C., A.S.M.E., Vol. V, fol. i, pp. 3, 7-9

jurisdictions, of having accepted and consented to being consecrated in the church of St. Germain-des-Pres as an exempt site "without the authority of the King and permission of the monastic order or its grand vicars." There was a further claim that papal bulls were being given suite in France without first obtaining the royal sanction. Therefore, it was required that the Vicar apostolic now obtain royal letters-patent. Cardinal Antonio reported to the papal nuncio in Paris that the action of the Parlements of Paris and Rouen had been very displeasing to the Pope. The nuncio was ordered to do what he could to obtain a suspension of the arrets.⁵¹ The Propaganda felt that it was at the request of Louis XIV that Laval had been named and so it was the King's duty to see that further objections, arising seemingly out of private interest, should be quashed.

The matter seemed settled when Louis XIV issued a royal declaration in the form of letters-patent to Laval confirming the fact that he had nominated him, that he accepted his appointment as a vicar apostolic and Bishop in partibus infidelium with the right to carry out "all episcopal functions in the breadth of New France", and finally that he accepted the papal bulls which had been

51 A.S.Q., Eglise du Canada, Antonio to Piccolimini, January 21, 1659, Vol. VII, p. 94

dispatched.⁵² The King wished him to be recognized in his new episcopal charge by all his subjects (including presumably the party of the Archbishop of Rouen). However, there was inserted a clause in the letters-patent which proved objectionable to the papal nuncio and the Ultramontane party. The clause was worded as follows:

And that only while awaiting the erection of a bishopric the titular holder of which shall be suffragan to the archbishopric of Rouen, upon the consent of which we have accepted the disposition of the Holy Father the Pope. 53

In a letter to the Governor of New France the Queen Mother corrected the aforementioned Gallican phrase and affirmed that the Vicar Apostolic was to be obeyed throughout the colony and no other ecclesiastic was to exercise there any jurisdiction whatsoever.⁵⁴

On April 17, 1659 Laval, accompanied by Father Charles Lalemant of the Jesuits, sailed for the colony arriving at Quebec on June 16th. On the way the ship had

52 S.R.C., Doc. XIII, Royal declaration of March 27, 1659, pp. 28-30; A.S.Q., Chapitre, No. 263, Letters-patent of March, 1659; A.S.Q., Evêques, No. 184, Letters-patent of March 27, 1659

53 S.R.C., Doc. XIII, Royal Declaration of March 27, 1659, p. 30

54 A.S.Q., Lettres N, No. I, Anne of Austria to Argenson, March 31, 1659; A.S.Q., Registre A, No. 184, Anne of Austria to Argenson, March 31, 1659; p. 140; S.R.C., Doc. XIV, pp. 31-32

stopped at Acadia and there the vicar apostolic had confirmed 140 neophytes.⁵⁵ The Jesuits welcomed the new bishop warmly: "We received in procession Mr. the Bishop on the river bank and in the church of Quebec."⁵⁶ Lalemant reported that there was general jubilation, especially that the Governor had behaved himself well and was taking action to have Laval's claims recognized and those of the Archbishop of Rouen discounted.⁵⁷

The Vicar Apostolic had no episcopal palace awaiting him in the colony; rather, he resided for a few days with the Jesuits, then spent about three months in private apartments at the Hotel-Dieu, followed by three months at the Ursuline boarding school for Indians, and finally took up residence with some of the other clergy in a house left for that purpose by Mme. de la Peltrie.⁵⁸ This itinerating may have had something to do with the religious communities switching their loyalty and obedience from the representative of the Archbishop of Rouen to the Bishop of Petree. The religious had been quite disturbed because

55 H. Lalemant, Lettres envoyées de la Nouvelle-France (Paris, 1660), p. 49

56 Journal des Jésuites, p. 258

57 A.S.Q., Seminaire XV, No. 2c, Lalemant to Argenson, October 2, 1659

58 de La Tour, op. cit., pp. 22-23

Queylus's letters from Rouen were quite clear and he had been recognized as the first ecclesiastic of the colony. Many people ventured the opinion that he was superior in rank and jurisdiction to the Vicar Apostolic.⁵⁹ Mother Juchereau's report is illustrative of the perplexity that faced the community:

Meanwhile he had scarcely landed but that there were numerous discussions to see to whom the community would give obedience, and we found ourselves quite embarrassed, as M. the abbe de Queylus had powers from Mgr. the Archbishop of Rouen, who had been recognized up to this time as the superior of the country...⁶⁰

The religious sought advice from the "most enlightened", or the Jesuits, and so they decided to give their obedience to Laval.⁶¹ The Jesuits, they believed, knew what had transpired at Paris and at Rome and their advice in so political a matter was bound to be sound counselling.

In September, 1659, the abbé de Queylus was on the point of leaving for France, but when the mails arrived from France he decided to press his case once more. The Jesuits reported that he "lifted his mask and wanted to have

59 Jamet, op. cit., p. 105

60 J. F. Juchereau de St. Ignace, Histoire de l'Hôtel-Dieu de Québec (Montauban, 1751), p. 116

61 C. Martin, Lettres de la Vén. Mère Marie de l'Incarnation (Paris, 1681), p. 197

himself recognized as grand vicar", but Laval was not reticent in asserting his authority.⁶²

Another factor of consequence was the intervention of the King on the behalf of Laval. The colonial Governor, Argenson, received very precise instructions dated May 14, 1659:

Presently I write you not only to recommend to you the person of the said Bishop once again, but also to tell you that if the vicars of the Archbishop of Rouen should wish to take upon themselves the performance of any jurisdictional function, you should prevent them and tell them that whatever letters I may have given to the said Archbishop, my intention is that neither he nor they on his authority exercise ~~it~~ until such time as the authority of the church decide if the said Archbishop is within his rights to pretend that New France falls within his diocese. For apart from not conceding that it was under his authority or that of his predecessors that religion was carried into these regions, and even if one remained convinced that this had acquired for him this right, our Holy Father the Pope is not persuaded of it and it would be a scandal if in a nascent church the jurisdiction of the one whom God had established as head of the universal church should come to be contested. I know very well that it is desired to involve my authority and that under pretext of maintaining it an attack is made on the Pope's, but I shall do what I need to in

⁶² Journal des Jésuites, p. 264. E. Faillon, op. cit., II, p. 346 says, "M. de Petrée disposa tout souverainement à Quebec et à Montreal." But the original text in the Archives of the Seminary of Quebec reads, "mais Mons. de Petrée n'ayant plus suiet de s'y fier, disposa de tout icy bas & à Montreal souverainement pour le spirituel."

maintaining my own while not injuring the other. ⁶³ The Archbishop of Rouen had sent another letter to the abbé de Queylus confirming his appointment as his Vicar General as well as a letter from the King allowing him to exercise this charge in the colony. ⁶⁴ The Queen Mother had been violently opposed to this and so three days later obtained from Louis XIV a promise to write to Argenson and have the powers of Queylus restricted. The letter just cited was the outcome of this pressure brought to bear on the King. The King also wrote to Chartier, who was a councillor and lieutenant-general of justice for the colony, asking him to see that the Vicar Apostolic was recognized throughout the colony. ⁶⁵ On September 27th, the King issued an ordinance requesting all the inhabitants of New France to recognize the authority of the Bishop of Petree to the exclusion of all other claimants. ⁶⁶

⁶³ A.S.Q., Lettres N, No. 2, Louis XIV to Argenson, May 14, 1659; Nouvelle France: Documents Historiques, Correspondance échangée entre les Autorités françaises et les Gouverneurs et les Intendants (Québec, 1893), Vol. I, p. 4; A.A.Q., Registre A, No. 272, King to Argenson, May 41, 1659, p. 232

⁶⁴ S.R.C., Doc. XV, Harlay to Queylus, May 11, 1659, p. 32

⁶⁵ A.S.Q., Polygraphie IV, No. 6, King to Chartier, May, 1659

⁶⁶ A.S.Q., Evêques, Nos. 184-210, September 27, 1659

Argenson could soon report a return to peaceful conditions. Even Queylus was behaving rather well, according to the Governor:

Mr. the abbé behaved himself well because he contented himself with discussing everything with Mr. of Petree and afterwards was unwilling to give any indication of his authority. 67

There is no reason to believe that queylus raised further objections or that he had to be forced to leave the colony. 68 Laval had earlier indicated to Pope Alexander VII that the struggle with the Queylus was a bitter one but that he hoped to eventually triumph, also that the Jesuits were proving most co-operative. 69 To the Propaganda he reported in much the same terms, adding that he was counting upon the support of the Curia to restrict the pretensions of the Archbishop of Rouen. 70

Louis XIV sent out further orders forbidding Queylus to leave France without his express permission, in an effort to prevent a recurrence of jurisdictional disputes in the colony. 71

67 A.S.Q., Seminaire XV, No. 2e, Argenson to brother, October 5, 1659; S.R.C., Doc. XIX, No. I, same

68 S.R.C., Doc. XX, p. 47, note 1

69 A.A.Q., Copies de Lettres I, Laval to Alexander VII, July 31, 1659, pp. 1-4; A.A.Q., Eglise du Canada, Laval to Alexander VII, July 31, 1659; Vol. VII, p. lff

70 A.A.Q., Copies de Lettres I, Laval to Congregation, 1659, pp. 21-23

71 A.A.Q., Registre A, No. 234, February 27, 1660, p. 179

To Laval he wrote a few weeks later that when the time would be right to erect a bishopric in the colony "I shall gladly make representations for it to our Holy Father the Pope and will name you to His Holiness to be provided therewith..."⁷² To the Governor the King wrote that he was still receiving reports that some inhabitants were attempting to create a schism by pretending there existed a spiritual jurisdiction quite independent of the Bishop of Petree's; therefore, the Governor was ordered both to prevent unspecified "disorders" and all actions prejudicial to the propagation of the faith.⁷³ The Governor was not only to favour the establishment of the Bishop's authority, but also to take action against any who opposed this authority. Laval was referred to as having been "established the chief upon my insistence by His Holiness."⁷⁴ A lettre de Cachet was also sent to Argenson on the same matter.⁷⁵

⁷² A.S.Q., Polygraphie XI, No. 22, Louis XIV to Laval, March 13, 1660; A.S.Q., Lettres N, No. 4 same

⁷³ A.S.Q., Lettres N, No. 3, Louis XIV to Argenson, March 13, 1660

⁷⁴ A.S.Q., Lettres N, No. 3, Louis XIV to Argenson, March 13, 1660

⁷⁵ A.A.Q., Registre A, No. 335, Lettre de cachet to Governor Argenson, March 14, 1660, p. 179

Letters of encouragement came to the Bishop of Petree from numerous persons of quality, including communications from the papal nuncio, Queen Maria-Theresa, and the Queen Mother Anne of Austria.⁷⁶

On August 3, 1660, Laval issued a mandement requesting all the clergy and laity of his vicariate to recognize his jurisdiction.⁷⁷ This ordinance bore the signatures of all the secular priests in the colony at the time and indicated that M. de Lauzon-Charny was the Official or president of the ecclesiastical court. To the papacy the report went that the abbé de Queylus was back in France and so the questions of Laval's jurisdictional rights over the vicariate had subsided.⁷⁸

Victory had been proclaimed prematurely. For although the Queylus had returned to France in October, 1659, following the King's order that he was to exercise no

76 A.S.Q., Lettres N, No. 6, Cardinal Piccolomini to Laval, September 11, 1660; A.S.Q., Lettres N, No. 7, Cardinal Piccolomini to Laval, January 14, 1660; A.S.Q., Lettres N, No. 8, Queen Maria-Theresa to Laval, April 15, 1662; A.S.Q., Lettres N, No. 9, Anne of Austria to Laval, April 23, 1662

77 A.A.Q., Registre A, No. 16, Mandement of August 3, 1660, p. 18; Mandements, Vol. I, p. 16

78 S.R.C., Doc. XXIII, No. 4, Laval to Alexander VII, October, 1660, p. 88.

authority or rights in the colony, he had not been idle while in Europe. In 1660 he had gone to Rome and from the Dataria had obtained letters erecting the parish of Montreal with himself as parish priest. These letters had been obtained without the knowledge of either the Sacred Congregation for the Propagation of the Faith or the papal nuncio in Paris.⁷⁹ Notwithstanding prohibitions from Louis XIV to return to Canada, the Queylus had sailed from France, armed with a letter from the Archbishop of Rouen asking the Vicar Apostolic of New France to put him in full possession of his titles to Montreal parish, arriving at Quebec at the beginning of August, 1661. Laval, on the spot, sent a written communication to the abbé informing him that his presence in Montreal would be harmful (at least until arrival of the ships from France bringing royal communications on the matter) to the church, and in view of his determination to go there in spite of all prohibitions "we forbid you to leave Quebec".⁸⁰

⁷⁹ S.R.C., Doc. XXIII, No. 5, Laval to Propaganda Fide, October 21, 1661, p. 89; S.R.C., Doc. XXIII, No. 6, Laval to Alexander VII, October 21, 1661, p. 89

⁸⁰ A.A.Q., Registre A, No. 185, Laval to Queylus, August 4, 1661, p. 140; S.R.C., Doc. XXIX, No. 1, Laval to Queylus, August 4, 1661, p. 182

Laval tried to enlist the aid of the secular power. He sent a written communication to the Governor informing him that he had ordered Queylus to remain in Quebec until the arrival of the vessels from France and added "in case that he should not wish to submit thereto, we beg you to take it in hand according to the orders which you have from the King, in order that we may maintain peace in our Church."⁸¹ The following day Laval sent another appeal, his third to the Governor, asking for state support for the church, emphasizing once more that the King's orders had been very explicit in this matter.⁸² The King had commanded from Aix on February 27th of the previous year that Queylus was not to return to Canada. The very fact that Laval had to make repeated appeals to Argenson would indicate that the Governor was loathe to provide the support desired from the secular arm.

On August 5th the Bishop went a final warning to the Sulpician abbé warning him not to go to Montreal "under

81 A.A.Q., Registre A, No. 186, Laval to Argenson, August 4, 1661, p. 140;
S.R.C., Doc. XXIX, No. 2, Laval to Argenson, August 4, 1661, p. 183

82 A.A.Q., Registre A, No. 187, Laval to Argenson, August 5, 1661, p. 141;
S.R.C., Doc. XXIX, No. 3, Laval to Argenson, August 5, 1661, pp. 183-184

pain of disobedience and of suspension ab officio sacerdotis, incurred ipso facto."⁸³ The following day he learned that Queylus had gone to Montreal under cover of darkness the previous evening and once more sent an order commanding the abbé to return immediately to Quebec.⁸⁴ However, once in Montreal, Queylus took care not to exercise his pastoral duties. He left for France on October 22nd, 1661 on orders received from Avaugour.⁸⁵ The colonial bishop had expressed to the Pope another concern - namely, the uncertainty about the right of patronage to the church of Montreal as claimed by the Sulpicians.⁸⁶ If they had this as advanced in letters from the Archbishop of Rouen were fairly well founded.

The Propaganda soon took action in the Queylus affair and had the bull of the Dataria annulled, a measure which Laval twice gratefully acknowledged.⁸⁷ It would seem

⁸³ A.A.Q., Registre A, No. 188, Laval to Queylus, August 5, 1661, p. 141

⁸⁴ S.R.C., Doc. XXIX, No. 4, pp. 184-185

⁸⁵ S.R.C., Doc. XXIII, No. 6, Laval to Alexander VII, October 22, 1661, p. 89

⁸⁶ A.A.Q., Copies de Lettres I, Laval to Alexander VII, October 22, 1661, p. 27

⁸⁷ S.R.C., Doc. XXIII, No. 13, Laval to Propaganda, October, 1665, p. 103;
S.R.C., Doc. XXIII, No. 14, Laval to Propaganda, November, 1665, p. 103

that Queylus had not left without some show of force and that the Jesuits had been instrumental in having the abbé escorted by troops from the Montreal garrison on board ship.⁸⁸ Laval was able to report to the Propaganda that unless some definite action to exclude the Sulpician vicar general from the colony were taken there would be no end to the confusion and distress that might follow.⁸⁹ The repatriation of the abbé, it was hoped marked the end of any effective intervention in the colony on behalf of these jurisdictional claims of the Archbishopric of Rouen.

Laval was caught up in quarrels with the civil officials over matters of precedence, the authority of the Officialité, and particularly the attempted ban on the brandy traffic, which eventually necessitated his return to France. The appeals to Rome for the raising of the Vicariate Apostolic to the rank of a full bishopric were therefore temporarily relaxed. Therefore, at this juncture in our rehearsal of the events leading up to the establishment of a titular bishopric and cathedral chapter of Quebec we might with considerable justification consider several allied matters.

⁸⁸ A.S.Q., Fortier papers, 1663; A copy of "Memoire de M. d'Allet", Ouevres d'Arnaud, Vol. XXXIV, p. 74

⁸⁹ S.R.C., Doc. XXIII, No. 5, Laval to Propaganda, Fide, October 21, 1661, p. 89

Why had Laval been chosen in the first place for the Canadian appointment? What special qualification aided his nomination and appointment? As a student in Paris he had been a member of a religious society known as the Amis de la Rose Blanche, founded by the Jesuit teacher, Bagot.⁹⁰ Years later Frontenac was to refer scornfully to Bagotisme whose adepts differed from the Jesuits only in that the latter wore bands and the former did not, he said.⁹¹ Later Laval had retired to the Hermitage of Caen, as we have already said, a school of mystical self-perfection presided over by the abbé de Bernieres, uncle of the Henry de Bernieres, who became first curate of Quebec, a life-long friend of Laval, author of the "Chretien interieur", counsellor of Mother Marie de d'Incarnation, and the so-called "angel" of Mme. de la Beltrie.⁹² Laval and his colleagues in the seminary work in Canada (Maizerets, Dudouyt, Morel, de Bernieres),

90 R. Allier, La Cabale des Dévots (Paris, 1902), p. 150

91 Eastman, op. cit., p. 34

92 de La Tour, op. cit., pp. 8-9: "Un élève de M. de Bernieres ne pouvait manquer d'avoir beaucoup de goût pour la théologie mystique. L'abbé de Montigni la porta en Canada, et l'inspira à tous les Prêtres qui l'y suivirent, dont plusieurs avoient été formés par le même maître. Il la trouva déjà établi depuis plusieurs années et y vivoient comme des Saints, chez les Hospitalières venues de Dieppe, conduite par la Mère S. Augustin...et chez les Ursulines..."

the pious founders of Montreal, the religious, and some of the first civil officers had all had this common apprenticeship in France. It was little wonder the Quebec seminary was later referred to as the Hermitage transported to the banks of the St. Lawrence.⁹³ And it was not by accident or chance that the various pious founders of the colony met each other, co-ordinated their efforts and gave generously of their material substance and health; if one takes the more pious interpretation that they were "led of God", one must still give much credit to the organizational ability displayed on the part of his human instruments.⁹⁴

The enthusiasts of the Hermitage of Caen, which had intimate connections with the semi-secret Company of the Holy Sacrament, upon hearing of the charitable works of Mme. de la Peltrie in Canada had started a noisy march through the streets of Argentan shouting, "Follow Jesus Christ! The faith is leaving France, let us go to Canada!"⁹⁵

⁹³ P.A.C., A.S.M.E., Vol. IV, fol. 3, pp. 13-14; Vol. CCCXLV, Pt. I, fol. 1, pp. 1-3; A. Gosselin, op. cit., pp. 8, 15, 16, 111

⁹⁴ E.R. Adair, "France and the Beginnings of New France", The Canadian Historical Review, Vol. XXV, No. 3 (September, 1944), pp. 246-278

⁹⁵ L. de la Sicotière, L'Emigration Percheronne au Canada pendant le XVIIe Siècle (Alençon, 1887), p. 35

Their attacks against the Janenists, and all who showed coolness towards the Jesuits, brought them into difficulties with the civil authorities, as did popular gossip about the excesses of their self-inflicted penance, and so the ecclesiastical courts checked their activities.⁹⁶ Some of the sealots of the Company of the Holy Sacrament, whose membership seems to have included such well-known seventeenth century persons as Olier, Vincent de Paul and Bossuet marched to Rome bare-footed to offer themselves to the Propaganda for foreign missionary work..Laval was among the devotees described in the revivalistic terms of the period. "They went there on foot practicing the counsels of the Gospel."⁹⁷ We find M. de Berneres wishing Mme. de la Peltrie and Mother Marie de l'Incarnation the most cruel martyrdom when they left for New France and to the pious sister he gave as a last gift a spiny silver cross which she wore the rest of her life on her back as an instrument of penitential suffering.⁹⁸ This was the extent of the religious zeal and the moral fibre of these devout pioneers.

96 Allier, op. cit., pp. 347-349

97 P.A.C., A.S.M.E., Vol. IV, fol. 3, pp. 15, 18

98 H.G. de Champris, "Jean de Bernières et Msgr. de Laval" Le Canada Français, Vol. X, No. 4 (May, 1923), p. 298

There is no question but that Laval was generally regarded as a pious man. The correspondence of the colonial officials, the Ministers of the Marine and the King all bear this out. His self-mortification has been the subject of astonishment ever since the beginnings of the colony.⁹⁹

Pierre Boucher, the Governor of Three Rivers, said that the bishop was so poor that his life contrasted favourably with that of the wealthier abbé de queylus.¹⁰⁰ Laval had not been born into poor circumstances of course. There has been much controversy about the true extent of his poverty even after he had renounced his family wealth and taken up residence at Quebec. Frontenac in 1677 set out Laval's income at the sum of 40,000 livres per annum, a figure which undoubtedly is much exaggerated. He listed the Bishop's seigneuries:

The seigneuries of Mr. the Bishop are increasing, to wit: the seigneuries of Beaupre, Sainte-Anne and Deux Moulins - 4000 livres; the one of Isle Jesus, at 1200 livres; that of Baie St. Paul, at 900 livres.¹⁰¹

Another report had it that the Bishop had been named at Rome by the Jesuits, that he annually reaped 40,000 livres

⁹⁹ H.G. de Champris, "Le Premier Eveque de la Nouvelle-France: Francois de Montmorency-Laval", Le Correspondant Vol. 291 (1923), pp. 441-466

¹⁰⁰ P. Boucher, Histoire Véritable et Naturelle du Canada (Montreal, 1882), avant-propes

¹⁰¹ Margry, op. cit., Vol. I, p. 305; S.R.C., Doc. XLVII, Memorial on Clergy, 1677, p. 354

income from royal pensions, simple benefices in France and his farms in Canada, not including the amount collected in tithes. There were also more serious charges:

Besides that open merchandizing is carried on at his place, and even meat and wooden shoes are sold there, so that he is very rich and he is having built, on a rise commanding Quebec, a palace which will cost four or five hundred thousand livres. 102

Another charge was that the King gave him annually 6,000 livres and from the two abbeys annexed to the Canadian bishopric he made at least another 6,000 livres annually. To this Laval said that the income was largely taken up for repairs to the two abbeys, but there was doubt in many quarters that this was so.¹⁰³ Lahontan was one of the most severe critics of the ecclesiastics and his comment on the bishop's income probably closes the matter:

The Bishop's Incomes are so small, that if the King were not graciously pleased to add to his Bishoprick some other Benefices in France, the Reverend Prelate would be reduced to as short Commons as a hundred of his Character are in the Kingdom of Naples. 104

Laval's relative poverty not only contrasted favourably with the comfort of the abbé de Queylus, but even more so with the remunerative charges of Governor and Intendant.

102 Margry, op. cit., Vol. I, pp. 369-370

103 B.N. Fonds Clairambault, Vol. 1016, fol.44, p. 5

104 R.G. Thwaites, ed., New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. I, pp. 382-383

Laval's strength at the French court was an important factor, as we have already had occasion to see, in his episcopate. He was, to begin, with of high birth; then, he was widely reputed to be a holy and self-effacing zealot; finally, he had the support of the Jesuits. In the colony he enjoyed added advantages: he had the support of the Jesuits here too; his position was a permanent one whereas the Governors were limited to three-year terms: he controlled the training of the clergy and held their appointments in his own hands. His reputation was further enhanced by the success of his journey to the court in 1662-63 and the administrative changes which immediately followed. At no stage was he unaware of the struggle between the secular and the ecclesiastical power.

During his journey to France and his visit to the Court the Vicar Apostolic received new assurances from the King that he would be nominated titular bishop of Quebec, that he would receive continued full support for the maintenance of his jurisdictional rights in New France and that an endowment would be established in order to sustain his episcopal office.¹⁰⁵ Louis XIV, who was much aware of the papal concern with the financing of new churches, affirmed to the Pope that he would make a gift of the abbey

¹⁰⁵ A.S.Q., Lettres N, No. 10, Louis XIV to Laval, April 30, 1662

of Maubec, in the diocese of Bourges, to be united to the bishopric of Quebec when it should be erected.¹⁰⁶ the Cistercians opposed the plan.¹⁰⁷ But the King would thereby lose his right of nomination to a living as it would be extinguished and so he asked for compensation for himself. Louis XIV asked in exchange for this nomination "from the present date and forever to the said Bishopric of Canada when a vacancy shall occur through death, resignation or otherwise."¹⁰⁸ Laval did not waste any time in informing the Propaganda of this royal decision; he petitioned that "for the greater piety and greater zeal of religion" the request be presented to the Pope as a unanimous plea.¹⁰⁹

The Propaganda was pleased with Laval's reports of progress, the King's generosity in providing an endowment, and so was disposed to have the bishopric erected before long. In the meantime the Vicar Apostolic was given the right to choose his successor and to institute in conformity with the canonical sanctions parish cures revocable at pleasure.¹¹⁰

106 Wilfrid H. Paradis, "L'Erection du diocèse de Québec et l'opposition de l'Archevêque de Rouen, 1662-1674", Revue d'Histoire de l'Amérique Française, Vol. IX, No. 4 (March, 1956), p. 466

107 P.A.C., Series V7, Carton 414, fol. 1,

108 Paradis, op. cit., p. 466

109 Ibid., p. 466, citing Laval to Propaganda, October 26, 1663

110 Ibid., p. 467 citing Propaganda to Laval, March 12, 1662

Back in the colony again, Laval reported to the Propaganda that he had brought out with him a Governor of his own choice, that a Sovereign Council, which was amenable to the church's interests had been created, and that the King was willing to do whatever was necessary for the erection of the bishopric.¹¹¹ In a second letter he informed the Propaganda that one of his grand vicars, M. Poitevin, had been charged with providing all the necessary information to facilitate and expedite the matter.¹¹²

But the business of the Canadian bishopric was shelved when French affairs at Rome received a setback as a result of the clash which had occurred in 1662 between the Pope's Corsican Guard and the French ambassador's suite at the Palazzo Farnese. The Duke of Crequy exaggerated the incident to the point that Louis XIV refused all attempts at apology or settlement, invaded Avignon and even threatened the Papal States with war.¹¹³ The incident ended with the signing of the Treaty of Pisa by which the humiliated Alexander VII agreed to have erected in Rome

¹¹¹ S.R.C., Doc. XXIII, No. 8, Laval to Propaganda, October 24, 1663, pp. 92-93

¹¹² A.A.Q., Copies de Lettres I, Laval to Propaganda, October 29, 1663, p. 42

¹¹³ F.L. Carsten, ed., The New Cambridge Modern History (Cambridge, 1961), Vol. V, p. 134

a pyramid marking his acceptance of the French demand that Corsicans would never again be employed by the Holy See. The Propaganda got its revenge by deciding that the time was not opportune to consider the Canadian bishopric. Instead, it instructed Laval to collect more information on the conditions of his proposed diocese.¹¹⁴ Louis XIV wrote directly to Alexander VII asking him officially to grant Laval the necessary bulla and apostolic provisions, suggesting that he would meet with more success in the colony if he were diocesan bishop suffragan to Rouen.¹¹⁵ In his letter to his cousin the French ambassador extraordinary of Rome, the Duke of Crequy, the King repeated the instructions to initiate the necessary measures to obtain papal bulls and letters of apostolic provisions for Laval as diocesan bishop of Quebec and suffragan to the Archbishop of Rouen.¹¹⁶ He also informed the ambassador of his resolution to unite the abbey of Maubec, diocese of Bourges, to such a bishopric as soon as it should be created. The Pope when granting an audience to the Duke of Crequy received this information

114 Paradis, op. cit., p. 468, citing Propaganda to Laval, June 30, 1664; Cf. Faillon op. cit., Louis XIV, to Crequy, June 28, 1664, Vol. VIII, p. 427

115 A.S.Q., Lettres N. No. 16, Louis XIV to Alexander VII, June 28, 1664

116 A.S.Q., Lettres N. No. 15, Louis XIV to Duke of Crequy, June 28, 1664

favourably and raised no questions about procedure or advisability of erecting such a bishopric in New France.¹¹⁷ Therefore, Louis XIV thought the Dateria would take immediate action, and his ambassador at Rome assured him that the matter would be pursued forthwith.¹¹⁸

In the meantime, Msgr. de Laval had formally erected the parish of Quebec and conferred it to Henry de Bernierses.¹¹⁹ For the next two years, the Vicar Apostolic and his attorney in Rome, Lesley, kept the matter alive. Jesuit assistance was sought but the General of the Society, Oliva, cautiously replied that certain assurances had to be taken before pressing the matter.¹²⁰ But Lesley assured Laval that all was going well and shortly the desired bulls would be issued.¹²¹ The delays were now blamed on Poitevin, Laval's vicar-general in Paris, because he had failed to send on a mémoire instructif and because he had sent on the King's letters in rather careless fashion so that one arrived without inscriptions and another somewhat mutilated

¹¹⁷ Paradis, op. cit., p. 469, citing Crequy to Louis XIV, September 23, 1664

¹¹⁸ Ibid., p. 469, citing Louis XIV to Crequy October 17, 1664

¹¹⁹ A.S.Q., Chapitre, No. 221, September 15, 1664

¹²⁰ C. de Rochemonteix, op. cit., General Oliva to Laval, January 6, 1665. Vol. II, pp. 518-519

¹²¹ P.A.C., S.S.M.E., Vol. CC. fol. i, Lesley to Seminary, July 16, 1664, p. 27

and the seal missing.¹²²

In spite of this carelessness on the part of the vicar general in Paris matters moved along with the promise that some action would be taken in February 1665 when the Congregation for the Propagation of the Faith met with the Pope.¹²³ Six weeks elapsed and there was nothing forthcoming yet so the attorney had to rationalize that "the business of M. de Petree drags along still because it is of such great consequence, and it is necessary to report it before the Pope."¹²⁴ One of the reasons Lesley found it difficult to understand the delays was that he had been out of touch with the Duke of Crequy, the ambassador, and had not learned of the conditions imposed by Louis XIV for the erection of the bishopric. He seems to have been quite ignorant of the struggle to establish the Gallican principles in opposition to the Ultramontane principles in this matter. It seems that it was only four years later that he learned of the nature of the King's demands:

I wrote to Mr. de Rhodes and to Mr. Poitevin telling them in what state is the matter of the erection of Quebec which suffers from great difficulty by reason

¹²² P.A.C., A.S.M.E., Vol. CC, fol. VII, Bourges to Gazil, December 23, 1664, p. 344

¹²³ P.A.C., A.S.M.E., Vol. CC, fol. VIII, Lesley to Gazil, February 17, 1665, pp 414

¹²⁴ P.A.C., A.S.M.E., Vol. CC, fol. VIII, Lesley to Gazil, March 30, 1665, p. 457

of the determination in which is found the court of France that this new bishopric should be dependent on France, in order that it might enter into the body of the gallican church, and that of the court of Rome that it be dependent only on the Holy See so as not to become a part of the gallican church. That is the secret that Mgr. de Bourlemont uncovered to me yesterday. 125

It seems strange that he should not have thought that the question of the Gallican liberties would be involved in the erection of a diocese in New France.¹²⁶ The presence and advices of the Bishop of Heliopolis seemed to fill him with unrestrained confidence. It was fortunate for him that he had not revealed his Ultramontane leanings earlier or he would certainly have been recalled.¹²⁷

Laval tried to hurry along matters by conjuring up vague but ominous threats to his infant church before the cardinals of the Propaganda, and the Pope. He wrote about a society of commercialists threatening to send out their own priests (Talon was to so threaten) and erect parishes as they saw fit. Canadians believed they could appeal to the Archbishop from the decisions of a mere Vicar Apostolic, and some went so far as to say there was no legal basis for tithing. There were three things he wished done by the

125 P.A.C., A.S.M.E., Vol. CCI, fol. i, Lesley to Pallu, October 22, 1669, p. 231

126 P.A.C., A.S.M.E., Vol. CCI, fol. i, Lesley to Seminary, September 14, 1667, p. 29

127 Paradis, op. cit., pp. 472-473

Holy See immediately: first, that he be raised to the status of a titular bishop of the colony; secondly, that pending such action the parish of Quebec be confirmed by diploma until he could do so as its metropolitan; thirdly, a brief erecting in perpetuity the Seminary of Quebec under the direction and in association with the Seminary of Foreign Missions of Paris be issued.¹²⁸ The Vicar Apostolic also asked that the union of the Seminary with the parish of Quebec be confirmed, and that the foundation of his petit séminaire for the education of young boys be approved.¹²⁹ The mails from France that summer had brought Msgr. de Laval expressions of satisfaction from the King and so he felt encouraged to press his claims.¹³⁰ The appearance of comet in the colony in November, 1664, and an earthquake in October the following year had also helped to create a more religious atmosphere in New France.¹³¹

Another difficulty had arisen in France, however,

128 P.A.C., A.S.M.E., Vol. CC, fol. XII, Lesley to Gazil, October, 1666, p. 619; Paradis, op. cit., p. 474, citing Laval to Propaganda, October 24, 1665

129 A.A.Q., Copies de Lettres I, Laval to Propaganda, November 7, 1665. pp. 45-46

130 A.S.Q., Lettres N, No. 11, King to Laval, March 23, 1665

131 Journal des Jesuites, pp. 329, 336

It was learned that the Sulpician community was opposed to the elevation of Laval to full episcopal rank. The Seminary of the Foreign Missions in Paris wrote to warn their attorney in Rome of these intrigues, but his reply was most discouraging:

...as for the matter of the Gentlemen of St. Sulpice I am very glad for the intelligence you give me as they will be very useful...but I will have difficulty in undeceiving the Holy Congregation of their undertaking with regard to the good Mr. de Petree, in which matter they testify too much zeal...132

Apparently, a good deal of harm had already been done. Certainly the Roman court cannot be accused of having considered the matter of the Vicariate Apostolic of New France lightly. Every bit of testimony against the erection of a bishopric seems to have been weighed carefully. There were indications, already, that the erection of a bishopric would be a much more difficult and discouraging task than the establishment of the colonial vicariate had proved to be

132 P.A.C., A.S.M.E., Vol. CC, fol. xii, Lesley to Seminary, October, 1666, p. 618

CHAPTER VI

ERECTION OF THE BISHOPRIC

In the year 1666 the matter of the erection of a bishopric in New France was taken into hand once more. On February 8 of that year, the Congregation reviewed all the arguments pro and con the erection of this bishopric and took into consideration the claims of the Archbishop of Rouen as well. The result of all this deliberation was the naming of a special commission of four cardinals to study the matter still further and to recommend definite measures to be adopted.¹ Colbert believed that everything was at last moving along well. He wrote to Laval that the King would grant him a benefice and other means "to sustain the episcopal dignity" and meet the expenses of the Seminary.²

By the end of 1666 the committee of the four cardinals, appointed to investigate the matter of a proposed bishopric of Quebec, decided that the bishopric should indeed be created, that the bishop should be named by the King of France in his quality of donor of the abbey of Maubec which had formerly been under royal patronage.³

1 W.H. Paradis, "L'Erection du diocèse de Québec et l'opposition de l'Archevêque de Rouen, 1662-1674", Revue d'Histoire de l'Amérique française, Vol. IX, No. 4 (March, 1956), p. 474

2 A.S.Q., Lettres N, No. 19, Colbert to Laval, April 5, 1666

3 Paradis, op. cit., p. 475; P.A.C., A.S.M.E. Vol. CC, fol. xii, Lesley to Pallu, no date, p. 584

This was an ingenious attempt to get around the Gallican claims without offending the King's pretensions. The papal nuncio was required to observe that the liberties of the Gallican Church were scarcely suitable to an external church such as that of New France, and as to the claims of the Archbishop of Rouen no concessions were to be made. So once again, the Propaganda by raising the question of the Gallican liberties and the jurisdiction overseas of the Archbishopric of Rouen saw negotiations come to a stalemate.

Louis XIV became equally intransigent on his part and refused to consider any bishopric at Quebec other than with the jurisdiction, privileges and rights as defined for the other bishops of his realm. That was why, in writing to Laval, he expressed pleasure with his work but carefully avoided mentioning the question of the bishopric.⁴

Mgr. de Pallu, Bishop of Heliopolis and close friend of Laval, attempted to effect a compromise settlement by insisting that the misunderstanding between Rome and Paris arose out of the interpretation of the text of the donation of the abbey of Maubec. He said that the French original gave a very limited meaning to Gallican liberties,

⁴ A.S.Q., Lettres N, No. 17, Louis XIV to Laval, April 1, 1666, No pagination in this series

whereas the Italian translation made it appear that much was granted.⁵ Pallu argued that Louis XIV claimed the right of nomination in the colony only on the grounds of the union of the abbey to the bishopric. The cardinals were also impressed by the assertion that in the matter of other Gallican claims Laval would be in the same position as any bishop, there being no essential difference between bishops and vicars apostolic in this matter. So the matter proceeded to the Consistory, which was responsible for the erection of dioceses and the definition of episcopal powers.⁶ It was not noticed at this point that Pallu's views had no basis in fact, that they did not have the support of the French court, and that his explanation completely avoided the claims of the Archbishopric of Rouen.

There were other individuals too who tried to give assistance to Laval. The Jesuit General offered what assistance he could, and there is reason to believe that the Society of Jesus was not without influence in Rome in 1666.⁷ The former papal nuncio, now a cardinal, Piccolomini, also supported Laval's cause and the French cardinal d'Estrees

⁵ P.A.C., A.S.M.E., Vol. CCI, fol. i, Lesley to Seminary, September 14, 1667, p. 29

⁶ Ibid., p. 29

⁷ C. de Rochemonteix, Les Jésuites en la Nouvelle France au XVIIe Siècle (Paris, 1895), Vol. II, Oliva to Laval, March 16, 1666, p. 520

did likewise. Laval himself kept up his insistence that a bishopric must be created to obviate all types of disorders in the colony.⁸ He seemed to believe that the Sulpicians were blocking his plans and that they were trying to obtain control of the parishes of Quebec and Montreal for themselves to the exclusion of all others. In the meantime, he was exercising his spiritual authority in the colony, he had become deeply involved in struggles over court jurisdictions, the levying of tithes, the restriction of brandy sales, the creation of a resident clergy and the administration of the educational and evangelistic work of the church. On his own authority he had retrenched certain festivals (as it was complained there were too many days of obligation) and he had required all clergy going to new mission fields to acquire lettres de mission endorsed by himself.⁹ He had also given the Blessed Virgin Mary special honours in the colony, a policy which was very much in line with royal practice as Louis XIV had declared the Virgin the special protectress of his realm and had enjoined all sovereign

⁸ S.R.C., Appendici Doc. A, No. 1, Laval to Clement IX, August 29, 1667, pp. 960-962

⁹ A.A.Q., Registre A, No. 61, December 3, 1667
Mandements, Vol. I, pp. 69-72, 73-77

councils to attend special processions annually in her honour.¹⁰

One begins to wonder why the affair of the bishopric was delayed so long. One explanation is that the French court had not been diligent in pressing the matter.¹¹ However, with the appointment of a new ambassador in Rome things got moving once more and a model bull was sent from the Propaganda for Louis XIV's consideration.¹² Several advisers, including Denis Talon, examined the bull and commented on it to the King, all these comments apparently restricting themselves to minor details.¹³ Laval himself once more had taken matters in hand too and had reopened correspondence with the Pope and the Propaganda. To Clement IX he said that it was absolutely necessary to have the bishopric erected so that he could proceed with erecting regular parishes and so that he might enforce tithing for

10 M.L. Moreau de Saint-Mary, Les Loix et Constitutions des Colonies Françaises de l'Amérique sous le Vent (Paris, 1784), Vol. I, pp. 40-41

11 Paradis, op. cit., p. 479, note 50, says: "Nous avons methodiquement et completement depouille les archives du Quai d'Orsay pour toute cette epoque sans rien trouver."

12 Ibid., p. 479, citing Duke of Chaulnes to King, June 18, 1668

13 P.A.C., A.S.M.E., Vol. V, fol. iv, Gazil to Pallu, July 26, 1674, p. 317; also S.R.C., Doc. XLV, No. 4, p. 342

the support of his clergy.¹⁴ He insisted too that the curates named to the parishes would need to remain subject to recall at pleasure. Of the Propaganda he asked for a renewal of the special powers granted him in 1659.¹⁵

But the bishopric was not to be erected yet. The proposed bulla had made a reference to the canons of the Council of Trent, which had never been officially accepted in France. The French comments were not appreciated in Rome and the Propaganda could not accept the French proposals for changes in the wording of the bull because of what was regarded as an inadmissible pretention of the Archbishopric of Rouen over the colony. Instead of erecting a bishopric the Propaganda decided to renew Laval's powers as Vicar Apostolic, as he had requested, and to inform him that negotiations would be continued for the future erection of a bishopric on suitable terms.¹⁶ The Pope also wrote according new powers and privileges to Laval.¹⁷ The Vicar Apostolic

14 A.A.Q., Eglise du Canada, Laval to Clement IX, October 26, 1668, Vol. VII, pp. 5-6; A.A.Q., Copies de Lettres, Vol. I, Laval to Clement IX, October 26, 1668, p. 121

15 S.R.C., Doc. XXIII, No. 24, Laval to Propaganda, October 26, 1668, p. 119

16 A.S.Q., Lettres N, No. 30, Cardinal Barberini to Laval, April 13, 1669

17 A.S.Q., Polygraphie XXII, No. 39, Clement IX to Laval, May 2, 1669

submitted to this situation (there was nothing else he could do, except perhaps to resign) and declared himself willing to accept dependence upon the Archbishop of Rouen, whom he nevertheless regarded as the chief cause for the delays.¹⁸ He was so anxious to see a bishopric created that he declared he would consent to a temporarily humiliating and unsatisfactory solution in order to see the Canadian diocese constituted:

... I have heard it is not because of you (Cardinals) that the chief concern of this church, namely the elevation thereof to the rank of a bishopric, has failed to be achieved. It is said that the delay arises from the protests of the Archbishop of Rouen, who maintains that the bishopric in Canada should be subject to his Archbishopric. And, indeed, if nothing more than this is involved, and your Eminences deem that this should be done, I willingly agree thereto; and, for fear any impairment be caused to the order and liberty of the church, it would be expedient perhaps that this arrangement should be made only for a time, that is to say, for so long as he is the incumbent...¹⁹

Laval was so anxious to see a bishopric erected that he was willing to have it subject to Rouen as metropolitan until such time as it should become the metropolitan seat itself in the colony.

By this time Colbert had become interested in the

18 A.A.Q.? Copies de Lettres, Vol. 1, Laval to Propaganda, September 30, 1669, pp. 89-90

19 A.A.Q., Copies de Lettres, Vol. I, Laval to Propaganda, September 30, 1669, pp. 89-90

matter too: To the embassy in Rome he wrote:

New France being at present in my department as you know, I beg you to let me know if you have made any efforts for the Erection of a Bishopric in that country, in conformity with the proposed bulls which Mr. de Lionne sent you. And as this matter is of consequence to the repose of the People of that Country and to the satisfaction of His Majesty I beg you in case you have begun some negotiations to reboable your efforts...²⁰

This communication had been addressed to the abbé de Bourlemont, the interim replacement for the Duke of Chaulnes. The King reassured Laval that everything necessary was being done in the matter.²¹ But the one thing necessary - that he, or else the Cardinals, change the stand taken on the dependence upon the Archbishopric of Rouen - was not done.

Louis XIV sent instructions to Bourlemont indicating precisely what he wanted said to the Consistory. He wanted the title of Vicar Apostolic changed and the phrase "immediately dependent upon the Holy See" deleted.

His Majesty desires that the said abbé represents to M. the cardinal Rospigliosi that this country has always been directed as regards the spiritual by the Archbishop of Rouen...His Majesty desires that the abbé insists strongly to obtain from His Holiness

²⁰ P.A.C., 500 de Colbert, Vol. CCIV, Colbert to abbe de Bourlemont, June 28, 1669, fol. 159

²¹ P.A.C., Series B, King to Laval, May 17, 1669, Vol. I, p. 186; This support of the state was now considered essential, Cf, P.A.C., A.S.M.E., Vol. CGI, Gazil to Pallu, October 22, 1669, fol. 1, p. 222

that the said Bishop of Quebec be suffragan to the Archbishop of Rouen until such time as the country becomes more populated so His Holiness can establish a metropolitan and diverse other bishoprics...²²

Although the population figures show there were about 3,918 Frenchmen in Canada at the time, Louis XIV claimed there were between twenty and thirty thousand natural born Frenchmen and only some 200 domiciled Indians, therefore the Canadian church could not be considered one of converted pagans "and this makes us desire that the bishop be suffragan to the Archbishop of Rouen in order not to change anything in the order of the church of the French."

The King was not alone in desiring to see the jurisdiction of the Gallican church extended to the colony. The new bishoprics of Manila, Lima, Goa and Santo Domingo had all been made directly dependent upon the Holy See but only one voice was raised in France for a similar arrangement for Quebec.²³ But when Bourlémont sounded out the reaction of the cardinals most favourable to France he learned that never would Rome consent to Quebec being suffragan to Rouen.²⁴

²² A.C., Series F3, King to Bourlémont, August 30, 1669, fol. 394; also P.A.C., Series B, Vol. I, pp. 224-226

²³ Paradis, op. cit., pp. 485-487

²⁴ P.A.C., A.S.M.E., Vol. V, fol. iv, Gazil to Pallu, July 26, 1674, p. 317

On November 1, 1669, the French Court took a momentous decision so far as the Canadian church was concerned - it decided to abandon the insistence upon the dependence of any Quebec bishopric upon Rouen. Colbert personally informed the Archbishop of Rouen of this decision and of the reasons given by Rome in these terms:

They say first of all that you could not have taken any rights in that country, besides that you sent there ecclesiastics to preach the Gospel although the Pope alone has the right to send into all manner of barbarian nations. But to speak the truth to you, this reason appear very weak to us and (it appears) that the real truth is they hope to separate this church from the Clergy of France, which they do not wish to fortify and that is what will prevent them according this condition. Let me know please your feelings on these lines...²⁵

Colbert also instructed Bourlemont in Rome to suspend negotiations while awaiting the reply of the Archbishop of Rouen.

A week later, de Harlay's reply prompted Colbert to instruct the French chargé d'affaires in Rome to re-open negotiations for Laval's bulls "with the condition of immediate dependence upon the Holy See until such time as there be archbishops established in that country."²⁶ Colbert seems to have been anxious to have the matter cleared up

²⁵ P.A.C., 500 de Colbert, Vol. CCIV, Colbert to Archbishop of Rouen, November 1, 1669, fols. 288-289

²⁶ Ibid., Vol. CCIV, Colbert to Bourlemont, November 1, 1669, fol. 286; Colbert to Bourlemont, November 8, 1669, fol. 300; Colbert to Bourlemont, November 15, 1669, fol. 305

completely, but the untimely death of Clement IX occasioned another delay in proceedings.

With the accession of Clement X the French court decided to go back on its concessions and to press once more for its original claims. Bourlemont was instructed to obtain bulls by which the colonial bishop would be "suffragan to the archbishopric of Rouen until there is occasion to establish an archbishopric in that country."²⁷ Bourlemont proceeded to sound out the cardinal again but found little to encourage the belief that the Holy See would accept any "extension" of the boundaries of the archbishopric of Rouen.²⁸ Lesley, who was also supposed to be reporting on the progress of the negotiations to the Seminary of Foreign Missions in Paris, seems to have got out of touch with events in the Roman capital and he believed that all was going well.²⁹ The Seminary clergy were afraid that royal intervention might

²⁷ Paradis, op. cit., pp. 488-489 citing Minister to Bourlemont, July 11, 1670, and Minister to Bourlemont, August 8, 1670

²⁸ P.A.C., A.S.M.E., Vol. V, fol. iv, Gazil to Pallu, July 26, 1674, pp. 316-318

²⁹ P.A.C., A.S.M.E., Vol. CCL, fol. ii, Gazil to Mgr. de Berite, January 27, 1670, p. 321; Vol. CCL, fol. iii, Gazil to Seminary, September 9, 1670, p. 403; Vol. CCL, fol. iv, Gazil to Bezart, September 22, 1670, p. 410

harm the negotiations: "It would harm our business to make appear an intervention of the authority of our Great King who is much liked and even feared a little."³⁰

Laval, in Quebec, had come to place more hope in the good offices of the Jesuits, whose General had written that all was being done to remove the objections of the Archbishop of Rouen so that negotiations could proceed.³¹ Laval must have spoken openly of his hopes because the Intendant Talon became concerned that the Vicar Apostolic was looking to the Jesuits for assistance rather than to the civil power. He wrote to Colbert,

...the Jesuit fathers had him understand that their Company was working at Rome to have his titles granted, I made him know that he should await them from His Majesty who alone could have them granted to him, and that it was in his interests to hold all his institutions of Your Majesty because to you alone was he responsible for them. Upon this matter he testified to receive my advice well, and afterwards showed much gratitude.³²

The Jesuit assistance was not desired by the state.

The official correspondence of 1670 to Laval made no mention of his case in Rome. Only the Propaganda tried

³⁰ B.A.C., A.S.M.E., Vol. CCL, fol. ii, Gazil to de Brisacier, August 5, 1670, p. 337

³¹ Rochemonteix, op. cit., General to Laval, April 8, 1670, Vol. II, p. 523

³² P.A.C., Series CIIA, Talon to Colbert, November 10, 1670, Vol. III, p. 93

to reassure him that he should be patient because the case was being processed and a favourable outcome was certain unless there came some unfortunate French diplomatic move.³³ Laval took the opportunity to congratulate Clement X on his recent elevation and after giving a lengthy report on the problems of his vicariate asked for his case to be rushed.³⁴

At its general meeting of June 17, 1670, the Propaganda reviewed the whole matter again, including Laval's consent to remain suffragan to Rouen, and then left the decision up to the Consistory.³⁵ The latter, on October 2nd, gave its permission to erect the bishopric under the immediate dependence of the Holy See. Bourlemont sent the decree to Paris where there was no immediate or great objection, the French court hoping that the matter would soon be closed. Finally, all seemed to be clear. Gazil asked that Poitevin, send "some good gold to pay for our lead stamp, our parchment and our rights of anus de componende, rights of erection and other troublesome words the explanation of which tends towards the purse."³⁶

³³ A.S.Q., Lettres N, No. 71, Cardinal Barberini to Laval, July 7, 1670

³⁴ A.A.Q., Copies de Lettres, Vol. I, Laval to Clement X, August 27, 1670, pp. 64-65

³⁵ Paradis, op. cit., p. 491. citing Bourlemont to Minister, October 2, 1670; Minister to Bourlemont, November 21, 1670; Minister to Bourlemont, December 19, 1670; Minister to Bourlemont, January 23, 1671

³⁶ P.A.C., A.S.M.E., Vol. CC1, fol. iv, Gazil to Seminary, November 4, 1670, pp. 414-415

Furthermore, at the beginning of 1671 Mgr. de Harlay of Rouen, the champion of the Gallican liberties, was nominated by the King to the Archbishopric of Paris and in less than three months he was installed in his new charge. It appeared that at last Msgr. de Laval's appointment would come through.

The great problem now was that while the Archbishop of Rouen had had no problem in paying for his affairs, the case of Msgr. de Laval was very different. He had renounced his personal fortune in favour of his younger brother and now he could not pay for his bulls, and the colony of New France could not provide the sum required. Communications from Rome were all cordial and indicated sympathy for his predicament but none of them were really helpful communications.³⁷ Therefore, he determined to return to France to see what could be done, Talon informed the Minister of the Marine of the new turn in events:

Your letters, monseigneur, had the effect that I had thought they would upon Mr. the Bishop of Petrée and Mr. the abbé de Queylus. The former having received letters from Rome which alarm him somewhat on the question of his titles is passing over to France to raise some family assistance or help from elsewhere so that he can pay the annates which they are asking of whom, when the King will

³⁷ A.S.Q., Lettres N, No. 32, Cardinal Altieri to Laval, February 3, 1671;
A.S.Q., Lettres N, No. 33, Cardinal Altieri to Laval, November 15, 1672

have judged the matter reasonable. But I believe that the greatest assistance he expects is of the liberality of His Majesty from whose goodness he awaits the accessories together with the principal which he received with the nomination of the bishopric. If he remains in the sentiments which he witnessed to me on all that regards the service and intentions of His Majesty he will be able to be usefully grateful for the favour he will receive...³⁸

Since Louis XIV had already conceded that the colonial church depended upon the Holy See it seemed logical that Rome itself should assume the charges. Laval did receive some financial assistance from the Company of the West Indies. They made him a gift of 1000 livres and also relieved him of one-half the seigneurial dues on the properties granted to him, which amounted to about another 625 livres.³⁹

The French court proposed to "suppress the monastic manse of Maubec" in order to pay all the costs of the papal bulls and to assist in the founding of canonries in the

³⁸ P.A.C., Series C11A, Talon to Colbert, November 2, 1671, p. 215; A.A.Q., Eglise du Canada, Talon to Colbert, November 2, 1671, Vol. VI, p. 71. The annates of first-fruits that Laval was to pay were probably servitia communia or payments made by all French bishops prior to 1789 into the papal treasury when the bishop was first inducted. The annates amounted to one year's revenue of his new benefice, generally.

³⁹ A.S.Q.; Polygraphie XXII, No. 24, Directors of Company of West Indies to Laval, April 19, 1671

cathedral church of Quebec.⁴⁰ But Bourlémont warned from Rome that the secularization of the monastery would prove to be a great stumbling block in the path of negotiations.⁴¹ Indeed, the Benedictines in France soon began to make their objections known. From New France came a further warning from Frontenac that Laval had never had registered the royal declaration issued for his bulls of Vicar General.⁴² In other words, if careful inquiries were made into the proceedings it would be found that several legal technicalities had not been satisfied. In the case of disputes these deficiencies could prove embarrassing.

Rome was encouraging but adamant on the question of payment of the various fees.⁴³ Laval was troubled not only by the financial difficulties which had been raised, but also by the wording his bulls might receive and the reaction these would create at the French court. He tried to obtain some satisfaction from the Court but had to report to the

40 P.A.C., Series B, Colbert to Talon, June 4, 1672, Vol. IV, p. 77

41 P.A.C., A.S.M.E., Vol. CCI, fol. v, Lesley to Seminary, August 18, 1671, p. 485

42 P.A.C., Series C11A, Frontenac to Minister, 1672, Vol. IV, p. 186

43 A.S.Q., Lettres N, No. 34, Nerly to Laval, September 9, 1673

papal nuncio that he had not been very successful in this enterprise:

...I spoke to the King about the sending of the bulls for the erection of the bishopric of Quebec. His Majesty did me the honour to reply that he would give his orders for the dispatching thereof, without explaining himself further to me on the manner in which he wished to ask for them to be drawn. I spoke confidentially also with several of his ministers, who are no more frank with me. 44

Laval addressed his appeals directly to the pope once more, stating that he had received the decree of the Consistory dated October 9, 1670, by which an episcopal seat at Quebec had been erected but he was still waiting for the necessary diploma and the bulls.⁴⁵ He stated, in plain terms, that he found it impossible to pay the chancery costs because as a Vicar Apostolic in New France he had lived in circumstances approaching poverty. But he still hoped that this would not retard the issuing of his bulls. To the Propaganda he betrayed even more clearly his depression of circumstances and of spirits: He had decided to resign his title of Vicar Apostolic of New France and not to return to the colony if he could not obtain his bulls free.⁴⁶ He said

44 S.R.C., Doc. XXIII, No. 31, Laval to Cardinal Nerly, nuncio, September 8, 1672, p. 123

45 A.A.Q., Copies de Lettres, Vol. I, Laval to Clement X, 1672, pp. 66-68

46 A.A.Q., Copies de Lettres I, Laval to Propaganda, n.d., 1672, p. 70

that the missions of New France were expanding rapidly and there was every prospect of a flourishing nation there in the future; he hinted that he would be delighted to serve these people as their first bishop if the Propaganda could facilitate the acquiring of his requisite documents. In another letter to the cardinal secretary of the Propaganda he repeated that the only remaining hindrance was the payment of the chancery fees and he hoped to have these dispensed with by the Congregation.⁴⁷ He also wrote to cardinal Caraffa asking him to make representations on his behalf that he might obtain his credentials gratuitously.⁴⁸ Cardinal d'Estrees, formerly ambassador at Rome, also wrote to Cardinal Lantgravio of the Sacred Congregation for the Propagation of the Faith asking him to do what he could to have Laval's bulls expedited free of further charges.⁴⁹

Eventually Laval borrowed from two unnamed individuals and sent Mr. Astel to see the papal nuncio with 1000 écus (3,000 livres) for the charges of his bulls.

47 A.A.Q., Copies de Lettres I, Laval to Secretary of Congregation, n.d., 1672, p. 75;
S.R.C., Doc. XXIII, No. 36, Laval to Secretary of the Propaganada, n.d., 1672, p. 130

48 S.R.C., Doc. XXIII, No. 35, Laval to Cardinal Caraffa, n.d., 1672, p. 129

49 S.R.C., Doc. XXXVI, No. 8, Cardinal d'Estrees to Cardinal Lantgravio, n.d., 1672, p. 204

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But he was informed of the differences in currency. He asked the nuncio to use his good offices in securing agreement from the Pope, Cardinal Altieri and the Consistory in accepting this amount:

I beg you, Monseigneur, if any difficulty were made in the court of Rome on this point, to use your authority and credit in order that I may receive the dispatch of my bulls for this amount, having nothing to hope for from the court of France now in the unhappy contingencies of war. 50

There eventually followed acceptance of the 3,000 livres sent by Laval in a letter of exchange of 272 Spanish doublons.

By an arrêt of April 20, 1673, Louis XIV assigned to Laval the Cistercian abbey of Ste. Marie d'Estrees in the diocese of Evreux and then suppressed his annual grant of 2,000 francs.⁵¹ Laval decided immediately to attach the monastic manse to his bishopric and without waiting for his titles and bulls to come through proceeded to demolish certain buildings at the abbey to the great consternation of the Cistercians. Cardinal Altieri ordered the papal nuncio Spada to carry out a thorough investigation into the charges that the Cistercian Order had made in Rome against

50 S.R.C., Doc. XXIII, No. 38, Laval to Nerly, n.d., 1673, p. 130

51 S.R.C., Appendici B, No. 1, Cardinal Altieri to Spada, February 13, 1674, p. 968

Laval.⁵² Meanwhile, the business of the other abbey proceeded well and Mgr. de Montpezat de Cason, Archbishop of Bourges, united that abbatial manse of Maubec to the bishopric of Quebec and the priories dependent upon it to the Seminary of Quebec.⁵³ Laval ordered that a notice be posted immediately on the church doors of the cathedral of Bourges so that all formalities would be performed and he would be able to leave for the colony: "The season presses me for this effect and I do not want to leave unless I take with me all these papers ..."⁵⁴

But Laval was not to receive his bulls without further difficulties. D'Estrees could not forward the bulls until he received letters from the King.⁵⁵ A quarrel broke out between Rome and Paris over the régale. The French Crown had long received the régale temporelle, that is the revenues of the bishoprics and archbishoprics of his realm (except Metz, Toul, Verdun) during vacancy and until such time as

⁵² S.R.C., Appendici B, No. 1, Cardinal Altieri to Spada, February 13, 1674, p. 969

⁵³ A.S.Q., Polygraphie XV, No. 15i, 15j, June 25, 1674

⁵⁴ A.S.Q., Polygraphie XXII, No. 15, Laval to Mgr. Bigot, August 6, 1674

⁵⁵ P.A.C., Mélanges de Colbert, Vol. CLXVI, d'Estrees to Colbert, October 3, 1673, fol. 38

the new incumbent had sworn allegiance to the King.⁵⁶ By a declaration of February 10, 1673, Louis XIV asserted this claim to all the bishoprics and archbishoprics of his realm, lands and countries without exception.⁵⁷ He also put forward a new claim to the régale spirituelle or the right to nominate, while a see was vacant, to certain convents and to benefices without cure of souls. It was quite clear that Louis XIV should want the same administrative unity characteristic of his kingdom to extend to the colonies.

At this juncture Louis XIV and his ministers, especially de Pomponne, conspired to re-open the matter of the dependance of the proposed Canadian bishopric upon a French archdiocese. The King communicated with the Duke d'Estrees:

After having examined the memorial that you sent me on the difficulties that arose in the dispatching of the bulls for the erection of the Bishopric of Quebec, I have judged it proper to order you not to insist any longer on the request which you made that the said Bishopric should depend upon the archbishopric of Rouen or of some other in my kingdom. My plan is that you should renew the petitions to His Holiness which you have already presented on this subject without attaching yourself to this condition if His Holiness continues to dwell on it. 58

56 M. Lange, La Nouvelle Pratique Civile, Criminelle et Beneficiale (Paris, 1755), Vol. II, Part I, p. 253

57 Ibid., Vol. II, Part I, p. 259

58 Paradis, op. cit., pp. 496-497, citing King to Duke d'Estrees, December 15, 1673

According to this Rouen still retained a certain priority but other archdioceses might also be considered. Since de Harlay had been named to Paris, it seemed possible that he might renew his claims over New France for his new archdiocese.

Laval had been in France three years working on the matter of the bishopric and now decided almost in despair to return to the colony without them.⁵⁹ Indeed in July, 1673 he left for La Rochelle to catch shipping to New France - he was depressed and suffering from a pulmonary infection: "if he were not so necessary for his church he might risk his life, but in the state he is in he would be sinning against prudence through over zealousness" by sailing, was the opinion of the clergy of the Seminary of the Foreign Missions in Paris.⁶⁰

The Seminary of the Rue du Bac did what it could to aid the harried Laval. They urged matters on as diplomatically as possible, without appearing too interested in Rome; and they also tried to gather all the information they could from the secretaries of the leading cardinals and

59 P.A.C., A.S.M.E., Gazil to Pallu, March 15, 1675, Vol. V, fol viii, p. 558

60 P.A.C., A.S.M.E., de Brisacier, Pallu & Fermanel to Mgr. Pallu of Heliopolis, July 21, 1673, Vol. VII, p. 435. Distinction is made between the priest Stephen Pallu and Mgr. Francois Pallu, bishop of Heliopolis

ambassadors in the papal city.⁶¹ Sevin and Pallu, who were acting for the Seminary, received instructions from Gazil to rush along the Quebec business.⁶² This was necessary in Gazil's words because the whole matter had become "a competition for jurisdiction". He saw many resemblances to the keen race for jurisdictional rights between several of the religious orders working in the Far East.

The papal nuncio Spada had also taken a special interest in Laval's problems by 1674 and he presented a tightly argued defence for the Vicar Apostolic to the Propaganda.⁶³ He also sent a similar memorial to the Consistory.⁶⁴ Laval once more prepared, in his own very difficult hand, a personal statement explaining his circumstances,⁶⁵ The papal nuncio also collected favourable testimonials from the Bishop of Evreux to support Laval's cause.⁶⁶

61 P.A.C., A.S.M.E., Vol. V, fol. ii, Sevin to Pallu, March 2, 1674, pp. 233-235

62 IBID., Vol. V, fol. ii, Sevin to Pallu, March 9, 1674, p. 237; Gazil to Pallu, April 20, 1674, p. 252; Gazil to Pallu, April 26, 1674, p. 257

63 S.R.C., Appendici B, No. 2, Spada to Cardinal Altieri, March 16, 1674, pp. 969-970

64 Ibid., No. 3, Spada to Consistory, March 16, 1674, pp. 970-971

65 Ibid., No. 4, Laval to Propaganda, n.d., pp. 972-974

66 Ibid., No. 5, Spada to Altieri, March 16, 1674, p. 974

It was well that he had for charges were made against Laval which could have disrupted seriously the negotiations for the erection of the bishopric of Quebec. Gazil informed Pallu in Paris of the turn in events:

Mr. de Quebec has already informed you about what he answered the Cardinals touching the lies of Father Malgoery. He complained to the king who has it in for the said father. 67

Cardinal Altieri informed both the nuncio Spada and Laval that the charges that had been made against him were utterly without foundation and therefore the desired bulls would shortly be dispatched.⁶⁸ On May 25, Gazil, using double sheets from Pallu's previous letters in order to economize on expensive stationery, informed Pallu in Rome that Laval was delighted with the recent news and that if the bulls came through quickly enough he would leave for New France.⁶⁹ By the end of June, Gazil was less optimistic and opined that "without the bad offices of father Malgoeres, to whom God grant pardon, he would have had his bulls" and he could have sailed on the vessels in the harbour of La Rochelle.⁷⁰

67 P.A.C., A.S.M.E., Vol. V, fol. ii, Gazil to Pallu, April 20, 1674, p. 254

68 Ibid., Vol. V, fol. ii, Sevin to Pallu, March 2, 1674, p. 235; S.R.C., Appendici B, No. 6, Cardinal Altieri to nuncio Spada, May 1, 1674; pp. 975;976, A.S.Q., Lettres N., No. 36, Cardinal Altieri to Laval, May 1, 1674

69 P.A.C., A.S.M.E., Vol. V, fol. iii, Gazil to Pallu, May 25, 1674, p. 271; also S.R.C., Doc. XLV, p. 339

70 P.A.C., A.S.M.E., Vol. V, fol. iii, Gazil to Pallu, June 25, 1674, p. 289

By the end of July the picture was still less promising.

On July 18, Laval had gone with Gazil to see the nuncio Spada about two matters. First, Laval had thought of returning to New France without his bulls, but then the ships had all gone for that season, and furthermore he would have to register his bulls in chancery and take the oath of allegiance required of all French bishops. Secondly, since the Cistercians had made such complaints against him and there was difficulty about the abbey d'Estrees he had resolved to renounce his claims to it if necessary.⁷¹

Laval's wishes to submit to all the desires of the Holy See greatly pleased the nuncio and Gazil believed that Laval left the interview reassured that all would be well soon.

In fact, better news did come through thereafter and Gazil reported Laval's reactions in these terms:

M. de Quebec was never so happy as to learn that he is being recommended. A joyous look has spread over his face which makes him look ten years younger. You can imagine what it will be like when he receives his bulls. He is worried how they will draw up the bull and what terms they will have employed to express the liberties of the Gallican Church and under what equivocation they will have made them pass. 72

71 P.A.C., A.S.M.E., Vol. V, fol. iv, Gazil to Pallu, July 20, 1674, pp. 311-313; also S.R.C., Doc. XLV, No. 3, p. 339

72 S.R.C., Doc. XLV, No. 2, Gazil to Pallu, n.d., 1674, p. 339

On July 26 it became definitely known that the Holy See would not consider making Quebec suffragan to Rouen because of the great distance between the two points, the impossibility of rapid communication between Normandy and New France, and the possibility that Quebec itself should one day become a metropolitan see. Although Laval complained that insufficient care had been taken to guarantee the Gallican liberties to the satisfaction of the French court, Gazil contented himself with warning Pallu that the term "Gallican liberties" was not to be used henceforth but the phrases "common rights of the French church" and "legitimate observances and customs of the national church" ought to be employed because these indicated there was merely right and custom involved and not any privileged position.⁷³

Laval left early in September to visit the abbey of Maubec.⁷⁴ By this time he had received 10,000 livres from the Seminary in Paris for his Canadian seminary.⁷⁵ In Rome matters were moving towards completion at last. Gazil's

⁷³ P.A.C., A.S.M.E., Vol. V, fol. iv, Gazil to Pallu, July 26, 1674, pp. 316--318; also S.R.C., Doc. XLV, No. 4, pp. 341-342

⁷⁴ P.A.C., A.S.M.E., Vol. V, fol. iv, Gazil to Pallu, September 1, 1674, p. 355; Vol. V, fol. iv, Gazil to Pallu, September 6, 1674, p. 357

⁷⁵ Ibid., Vol. V, fol. iv, Gazil to Pallu, October 2, 1674, p. 386

nephew wrote to say that he had personally had a share in hurrying matters along:

Although they thought the matter almost completed when I arrived here, it did not prevent giving us much activity yet, but now we are almost at the end of it, God be thanked. 76

The attempt to form the bishopric had been sabotaged for many years by the French policy of intimidation and the use of force with regards the Holy See. The Vicar Apostolic had been caught in the cross currents of the Gallican-Ultramontane struggle.

On October 1, 1674 four papal bulls were issued: one erecting the Bishopric of Quebec; another naming Laval a titular bishop; a third appointing Laval the bishop of Quebec; and a final one uniting to the bishopric of Quebec the monastic manse of Maubec.⁷⁷ The mandement establishing the bishopric summarized the chief provisions of the papal bull:

This Parochial Church, the title and description of parochial church being suppressed and extinguished for all time, we do erect and form into a Cathedral Church, directly subject to the Apostolic See, with

76 P.A.C., A.S.M.E., Vol. C011, fol. i, E. Pallu to Msgr. Pallu, November 29, 1674, p. 10

77 A.A.Q., Registre A, No. 84; A.S.Q., Lettres N, No. 37; 38; A.S.Q., Seminaire V, Nos. 10, 11; A.S.Q., Polygraphie XXII, No. 3; Edits, Vol. I, p. 79ff

the appointment to the said church of Quebec of a Bishop who shall preside over the same with full episcopal rights and dignity, and shall discharge in the same and in its diocese all and sundry those matters to be enumerated below, that belong to the jurisdiction and dignity of the episcopal order and the exercise of the pastorate, and that bear upon and pertain to the summoning and holding session of the diocesan synod. 78

When the Consistory issued the bull for the erection of the bishopric there was another unfortunate delay because the agent who was to send them on declined to pay the 20 pistoles required to obtain their release.⁷⁹ The parsimonious agent was severely reprimanded by the Seminary of Foreign Missions:

Mr de Quebec and we with him are surprised that you did not advance the twenty pistolles which remained to be paid for the dispatching of his bulls which he has been waiting to receive for three years. An agent can do very little if he cannot give twenty pistolles without advice when it is a question of terminating a matter of supreme importance, this being said for any similar occasion because in retarding the dispatching of these bulls by two months one risks not having them for a long time. The length of life of a Pope who is 86 years old is more than precarious. 80

Laval had had more than he could take and he now resolved never to return to France.⁸¹ He went for a last trip to the

78 Mandements, Vol. I, p. 82

79 P.A.C., A.S.M.E., Vol. V, fol. vi, Gazil to Pallu, December 14, 1674, p. 445

80 Ibid., Vol. V, fol. vi, Gazil to Pallu, December 14, 1674, p. 445

81 Ibid., Vol. VII, fol. iv, Fernandel to Pallu, January 6, 1679, p. 277

property of l'Estrees, where he hoped the bulls would be sent, before catching a fishing vessel out of La Rochelle in January for the New World.⁸² At least, such were his plans.

But this was not the end of the matter yet. It seemed that still another payment was required in Rome before the completed bulls could be released. This amount was a "customary gift", but it was nevertheless expected before the transaction could proceed. The priests of the Seminary in Paris had 500 crowns in Rome and they decided to employ this and to obtain another thousand crowns from a banker they dealt with there.⁸³ Laval's reactions to these delays were very human ones:

M. de Quebec growls at M. Pallu and M. Marbant and the Court of Rome, and if he dared manderebbe tutti alla casa del diavolo, because he does not have his bulls after three full years. 84

82 P.A.C., A.S.M.E., Vol. V, fol. vi, Besard to Pallu, November 2, 1674, p. 417; Vol. V, fol. vi, Besard to Pallu, November 16, 1674, p. 433

83 Ibid., Vol. V, fol. vi, Besard to Pallu, November 23, 1674, p. 437

84 Ibid., Vol. V, fol. vi, Gazil to Pallu, January 4, 1675, p. 499; also S.R.C., Doc. XLV, No. 7, p. 343

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The correspondence of the period abounds with references to Laval's impatience and disappointment.⁸⁵

Two further setbacks were encountered at this point; first, the Governor was very active in the colony curtailing the privileges of the church; secondly: The Jesuits who had given invaluable support were in danger of being driven from Rome themselves following quarrels over missionary jurisdictions in the Far East.^{85a} Gazil had come to the conclusion that Rome was trying to impress the French Court with its dependence upon the Holy See by holding up Laval's bulls and raising difficulties in erecting a diocese in the West Indies.^{85b}

⁸⁵ P.A.C., A.S.M.E., Vol. V, fol. vi, Besard to Pallu, November 2, 9, 1674, pp. 417, 429; Vol. V, fol. viii, Gazil to Pallu, January 11, February 7, March 1, March 24, April 6, 1675, pp. 502, 534-535, 551, 560, 565

^{85a} Ibid., Vol. V, fol. vii, Gazil to Pallu, January 4, 1675, p. 499; fol. viii, Gazil to Pallu, February 23, 1675, pp. 541-542

^{85b} Ibid., Vol. V, fol. vii, Gazil to Pallu, January 18, 1675, p. 517; fol. vii, Gazil to Pallu, January 29, 1675, p. 527

By March 1, 1675, Laval was still waiting, but as Gazil said he was waiting to be "bullified" soon and until such time he endured the martyrdom of longevity.⁸⁶ By mid-March he was 20,000 livres in debt although he was "careful, sober, saving, had no mistress, and is neither a ladies' man nor a dupe".⁸⁷ The cardinals wrote him that they had advanced his business with great care, but as yet he had no proof in hand of their solicitude.⁸⁸ By Good Friday he was expecting his bulls on Easter Monday, and when they did come he had to pay another 20 pistolles, a fact which upset him very much although Gazil took it as being the custom. On April 23, Laval went to swear fidelity to Louis XIV at the Royal Chapel at Versailles. Following mass, the new bishop presented himself to the King. He was robed in his episcopal vestments with stole and mitre, and after the Domine, non sum dignus of the mass, the Grand Almoner presented him the Missal which he kissed, and then Laval placing his right hand on the Gospel and his left

⁸⁶ P.A.C., A.S.M.E., Vol. V, fol. viii, Gazil to Pallu, March 1, 1675. p. 551

⁸⁷ Ibid., Vol. V, fol. viii, Gazil to Pallu, March 15, 1675. pp. 558-559

⁸⁸ A.S.Q., Lettres N., No. 40, Cardinal Altieri to Laval, April 1, 1675; No. 41, Cardinal Nerly to Laval, April 3, 1675. No pagination in this series

hand on his breast swore to the King, "I shall always be a faithful subject and servant" according to the prescribed formula.⁸⁹ This oath of *fidelity* was required of all French bishops upon their induction and was quite distinct from the oath of canonical obedience given by a Bishop to the Papacy.

Laval did not leave immediately after the necessary ceremonies at Versailles. He waited until he had collected 8,000 livres owed him, of which total 4,000 livres was a cash subsidy or grant from the King, bringing to 12,000 livres the amount he had been able to collect in a three-year period.⁹⁰ Already Laval was speaking of founding a cathedral chapter at Quebec, and so the King from the

89 A.S.Q., Seminaire XI, No. 8, Oath of Allegiance, April 24, 1670; A.M.Q., Registre A, No. 96, Attestation of the Grand Almoner, April 24, 1675, p. 82; S.R.C., Doc. XLV, Gazil to Pallu, April 26, 1675, p. 345; A.S.Q., Evêques, No. 174, April 20, 1675. The first mention of an oath of canonical obedience taken by men in Holy Orders is in the eleventh Council of Toledo (675) and then it was a matter of expedience in order to maintain discipline. Bishops renouncing heresy and coming over to the Catholic Church also were required to take an oath of canonical obedience. The oath of canonical obedience was a promise to "defend and maintain the Papacy and royalties of St. Peter against all men". It was quite distinct them from the oath of fidelity to the temporal prince. It ought to be noticed that the terminology called for swearing fidelity (allegiance) but not to do homage.

90 P.A.C., A.S.M.E., Vol. V, fol. ix, Gazil to Pallu, May 19, 1675, p. 596

military camp at Luting, near Namur, sent another 1,000 livres for ornaments for the cathedral of Quebec and for the maintenance of the choir boys.⁹¹ Armed with these material assets, the Bishop sailed for New France with the Intendant Luchesneau.⁹²

Upon arrival in the colony, one of the first acts of the Bishop was the naming of a new Officialité with powers to take cognizance of all the cases normally falling within the jurisdictions of an ecclesiastical court in France.⁹³ This was a necessary step as there seems to have been much popular superstition, as well as disorders, to deal with at this time.⁹⁴

Laval, now titular bishop of Quebec, wished to erect a cathedral chapter as provided for in the apostolic letters of October 1, 1674. This cathedral chapter, endowed by the King, was to consist of a dean, a grand chanter, an archdeacon, a theologian, a grand penitentiary and twelve canons. Of course, there were few parishes with fixed

91 A.P.Q., Ordres du Roi, Series B, June 4, 1675, Vol. VI, p. 67

92 P.A.C., A.S.M.E., Vol. V, fol. x, Gazil to Fallu, June 30, 1675, p. 660

93 A.S.Q., Seminaire XV, No. 13, September 11, 1675; Mandements, Vol. I, pp. 98-99

94 P.A.C., A.S.M.E., Vol. V, fol. xii, Gazil to Fallu, September 20, 1675, p. 720

curates and the right of appointing to these livings varied. The Superior of the Seminary of Quebec had the right of naming the parish priest of Quebec as well as a few others. The Sulpician Superior at Montreal had the right of appointment on the island. The right of naming to the rest of the parishes as well as to the canonries in the cathedral, when these were created, belonged to the Bishop. The Bishop requested assistance from Cardinal Spada for the founding of the chapter.⁹⁵ The request was repeated to Cardinal Nerly with a special plea for revenues.⁹⁶ To Clement X a letter was also addressed indicating that the income of the bishopric was insufficient for the maintenance of a chapter therefore His Holiness was asked to supply special support.⁹⁷

By the bulls for the erection of the bishopric the parish of Quebec had been suppressed and the chapter was to be charged with the care of the faithful. On November 14, 1674, the Bishop erected once more the cure and united it to

95 S.R.C., Doc. XXIII, No. 41, Laval to Cardinal Spada, November 5, 1675, p. 132-133

96 A.A.Q., Copies de Lettres I, Laval to Cardinal Nerly, November 5, 1675, p. 169;
A.S.Q., Polygraphie XXII, No. 30B, Laval to Cardinal Nerly, November 5, 1675;
S.R.C., Doc. XXIII, No. 43, Laval to Cardinal Nerly, November 5, 1675, p. 134

97 A.S.Q., Polygraphie XXII, No. 30, Laval to Clement X, November 13, 1675;
S.R.C., Doc. XXIII, No. 42, Laval to Clement X, November 13, 1675, pp. 133-134.

the Seminary. He did possess the right, of course, to the cure of souls in the parish of Quebec.

The Father Assistant of the Jesuits foresaw a long period of waiting before the Bishop should be able to establish a chapter.⁹⁸ Besides the matter of the benefices assigned to Laval had not been entirely clarified. The Council of State advised him that since the Cistercians had caused a stir in Rome over the abbey of d'Estrees it was probable that the bulls for this matter would not soon be obtained, and therefore the bishop ought to name a steward to administer the abbey for the benefit of his diocese.⁹⁹ The Cistercian abbey was in a state of sad disrepair, however, There had been a very poor crop from the vineyards and so the farmer was keeping horses to provide fertilizer for the vines. He was also going to see Colbert to ask that the small subsidy for the development of the property be continued. In 1677, Laval sent Dudouyt to Paris as his deputy in the matter of the abbeys so that he might finance the erection of a chapter at Quebec.¹⁰⁰

98 A.S.Q., Lettres N, No. 48b, Boucher to Laval, February 17, 1676

99 A.S.Q., Seminaire XV, No. 14, Council of State to Laval, March 20, 1676

100 P.A.C., A.S.M.E., Vol. VI, fol. v, Gazil to Pallu, February 5, 1677, p. 418

The Seminary of Foreign Missions in Paris tried to find a suitable person to look after the affairs of the abbey of Maubec too.¹⁰¹ The bull for the union of the abbatial residence of Maubec to the bishopric of Quebec made an express reserve of the monastic residence. The priories were reputed to make up this monastic residence because at their establishment they were to be filled by the monks. It was argued that bishops might according to the canons of the Council of Trent unite sinecures to a seminary, but it was observed too that they were allowed to so proceed only when the Holy See had made no special reserve of these sinecures. There were involved debates, but the long and the short of it was that the Benedictine monks would not agree to the settlement offered them.

Similarly, the Cistercians of d'Estrees would agree only to a union of one-third of their abbey to the bishopric of Quebec, claiming that the remaining two-thirds was necessary for the living of the monks and the repairs to the buildings. The Seminary in Paris was therefore of the opinion that, while the matter of a chapter was essential, it was of more immediate consequence to settle the disputes

¹⁰¹ A.S.Q., Lettres N, No. 42, Bertholet to Laval, March 25, 1676; Also A.S.Q., Polygraphie XXII, No. 32

over the abbeys first.¹⁰² There was a consensus of opinion that the bishopric of Quebec should be self-supporting and Dudouyt had been convinced of this; nevertheless, Laval was considered to be somewhat of a dreamer when it came to these financial questions.¹⁰³ In fact, he seemed at times to even neglect to express his gratitude to those who had aided him in his tortuous negotiations and he was upbraided for this.¹⁰⁴

The choice of Dudouyt as vicar general in Paris for the affairs of the Bishopric of Quebec was not without its drawbacks. The Seminary of Foreign Missions found him a difficult person to deal with. Gazil was particularly cool towards him:

I do not have much to do with M. Dudouyt, agent of Mgr. de Quebec. There has been some coolness between

¹⁰² P.A.C., A.S.M.E., Vol. VI, fol. vii, Gazil to Pallu, April 23, 1677, p. 490

¹⁰³ P.A.C., A.S.M.E., Vol. VI, fol. vii, Gazil to Pallu, April 23, 1677, p. 491

¹⁰⁴ Ibid., Vol. VI, fol. ii, Gazil to Pallu, February 28, 1676, p. 42: Laval neglected to write to Cardinal d'Estrees and to the ambassador, to the embarrassment of the seminary of Foreign Missions. They sent word by the Sulpician priest Amy, who was returning to Canada, to correct this oversight. Laval did write to the Propaganda upon receipt of this admonition. His letter is S.R.C., Doc. XXIII, No. 47, Laval to Propaganda, May 30, 1678. But no letter to Cardinal d'Estrees had been found dealing with this matter.

this prelate and ourselves. He is very susceptible to mistrust, and one must not meddle in his business without very good cause. The erection of his Chapter could take at least ten years...¹⁰⁵

Dudouyt was not altogether an asset in Paris it would appear.

Dudouyt learned that Mgr. de Harlay, now of Paris, proposed to have the Quebec diocese made suffragan to the province of Paris. The archbishop's decree confirming the King's letters-patent and the arrêt of the Parlement of Paris seemed to give him a new contact with the colonial bishopric. Dudouyt also realized that the fact that the Custom of Paris was held in the colony strengthened such an arrangement, so he asked M. de St. Josse, another ecclesiastic who had been watching colonial developments with great interest, to speak to the Archbishop about the matter.¹⁰⁶ Dudouyt also informed Laval that he still had to obtain lettres de déclarations for his bulls so they might be registered by the Parlement of Paris.

Then, there was renewed difficulty to be anticipated from the Sulpicians. Dudouyt reported on this too:

Although the Gentlemen of St. Sulpice having shown us great regard and wishing to preserve peace, I

¹⁰⁵ S.R.C., Doc. XLV, No. 17, Gazil to Mgr. Francois Pallu, March 5, 1677, p. 246; also P.A.C., A.S.M.E., Vol. VI, fol. vi, p. 452

¹⁰⁶ A.S.Q., Lettres N, No. 48 (b), Dudouyt to Laval, n.d., 1677

suspect nevertheless that they still have some view to having someone who is secured to them succeed you and that by this means they may have the principal direction of the church of Canada much as they do not take into great account the Seminary of Foreign Missions and perhaps ours and will easily believe they will not survive. This is only a conjecture but it is not without foundation seeing the efforts that were made to prevent the union of the Seminary of Paris and that of Quebec two years ago. 107

And there were still a few legal technicalities unsatisfied. Colbert informed Frontenac that he had informed Dudouyt that the bulls for the erection of the bishopric had to be registered by the Parlement of Paris on letters-patent which would then be sent to the colony to be registered also by the clerk of the Sovereign Council of New France.¹⁰⁸ These were obtained by June, 1681 and then Dudouyt started working on having the oath of allegiance registered by the Chambre des Comptes in Paris.^{108a} But the colonials had their own opinions on certain metropolitan regulations. On article 15 of the Ordinance of 1667 treating of benefices and régale the Sovereign Council commented that the article would not be observed in the colony as there were no benefices in the

107 A.S.Q., Lettres N, No. 48 (a), Dudouyt to Laval, n. d., 1677

108 P.A.C., Series B, Minister to Frontenac, May 18, 1677, Vol. VII, pp. 167-168

108a A.S.Q., Lettres N, No. 60, Dudouyt to Laval, June 22, 1681; Ibid., No. 61, March 9, 1682

colony.¹⁰⁹ The Sovereign Council also sent the same comment from the King that the article must be executed as drawn up originally.¹¹⁰

But the great question now was that of a cathedral chapter. In the early Catholic church the priests and deacons of an episcopal city made a corps or college which governed the whole diocese under and with the Bishop. They were the priests and pastors of all the parishes in that city. This clergy began to take on a form approaching that of chapters and the bishops established seminaries where the clergy lived in community. From this loose community the bishops drew their curates to serve the parishes outside the episcopal city. At that time the title canonicus was given to all ecclesiastics as all were inscribed in the canon or register of the church and all lived according to the canon law or rules established by the Councils.¹¹¹ It was this type of primitive community that Msgr. de Laval seems to have had in mind in erecting the Seminary at Quebec and then the chapter and the parish.

109 A.C., Series F3, Observations of Sovereign Council on Ordinance of 1667, November 7, 1678, Vol. V, fol. 89

110 A.C., Series F3, Sovereign Council to Colbert, November, 1678, Vol. V, fol. 92

111 de la Roque, Memoires de l'Eglise (Paris, 1693), p. 206

When Laval was named titular bishop in October, 1674, he was required to create a chapter, as we have already said. Dudouyt advised from Paris that it was necessary to proceed rapidly with this measure in order to retain favour in Rome and it might be useful to have the Intendant and Councillors in the colony sign a statement of the financial difficulties involved in such a measure.¹¹² Dudouyt proposed that the revenues of the two monastic manses be attributed to the chapter's subsistence while the abbeys themselves remain attributed to the bishopric otherwise it would be difficult to prevent the King from naming to the canonries and dignities. The plan was designed to retain for the Bishop powers which would otherwise lapse to the Crown. Laval was ready to proceed with the naming of three dignities - a dean, a cantor and an archdeacon together with ten canons but canon law and the decrees of the Council of Trent required that the dignitaries and one-third of the canons be Doctors in Theology.¹¹³ There was no university in the colony so Dudouyt advised Laval to ask

112 A.S.Q., Lettres N, No. 48 (b), Dudouyt to Laval, n.d., 1677

113 P.A.C., A.S.M.E., Gazil to Mgr. Pallu of Heliopolis, June 25, 1677, Vol. VI, p. 532

the Papacy for the power to confer doctorates on qualified ecclesiastics. According to Gazil, only a Pope was empowered by the Council of Florence to decide on such a question. Innocent XI readily granted the privilege by a rescript of August 23, 1677, to name canons at Quebec without the usual theological degrees.¹¹⁴ The following year, Laval asked the Papacy to ratify the union of the parish of Quebec with the Seminary.¹¹⁵ And in January, 1679, he asked the Papacy for definite constitutions for the cathedral chapter and for immediate union of the monastic manses of Maubec and d'Estrees with the episcopal manse of Quebec.¹¹⁶ Meanwhile, matters were moving as slowly as ever in Rome according to the intelligence received by the Seminary in Paris:

The results of the congregation that was held recently for the affairs of Monseigneur de Quebec are that articles would be drawn up to gather information from each of the two abbeys under the direction of the Bishops of Bourges and Evreux. Monseigneur my lord holds that the assuredly the matter will not be resolved so rapidly, but at least in the manner which determined to grant him this success; but they wish it to be according to correct procedure, and that takes time.

114 A.A.Q., Registre A, No. 171, Rescript of Innocent XI, August 23, 1677, pp. 128-130

115 S.R.C., Doc. XXIII, No. 48, Laval to Innocent XI, November 13, 1678, p. 136

116 Ibid., Appendici A, No. 2, Laval to Innocent XI, January 27, 1679, pp. 962-964

When these articles are drawn up we will send you a copy. 117

There seemed to be no way to speed up the official machinery.

Frontenac reported to Colbert that the cathedral chapter of Quebec was a farce, for, he said, there were no more services than before and all the revenues remained in the hands of the Bishop, just as in a convent of the religious.¹¹⁸ He believed that the King ought to remedy some of the irregularities, decide on the conferment of prebends, and regulate all honours bestowed. But the Bishop wrote with a certain pride and sense of achievement to Cardinal Cibo saying that a chapter of four dignities had been established with 12 canons and 4 vicars; the new seminary buildings had also been completed and now housed 40 students.¹¹⁹ However, what Laval really wanted was action from Rome in the matter of the two abbeys so that their revenues might underwrite the upkeep of the new chapter.

It was largely financial problems that continued to plague the bishopric. The Seminary in Paris continued to offer assistance: in 1677 it advanced 7,2000 livres to Laval

117 P.A.C., A.S.M.E., Vol. CCII, fol. ii, Raudot to Seminary, March 29, 1679, pp. 202-203

118 P.A.C., Series C11A, Frontenac to Colbert, November 6, 1679, Vol. V, p. 24

119 A.A.Q., Copies de Lettres, Vol. I, Laval to Cardinal Cibo, November 30, 1680, p. 203

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on the security of his property and certain Jesuit holdings. The Bishop of Heliopolis advised Laval to write to Mgr. Favoriti, the secretary of the Consistory, in order to obtain financial assistance because "he is the simplest and most faithful channel that you can use to obtain what you hope for."¹²¹ When the memorial on the business of the two abbeys requested by the commission of cardinals was sent on to the Holy See it proved to be most favourable to Laval.¹²² This no doubt facilitated his business. To the King's Jesuit confessor, Father La Chaise, Laval confided that he would like him to aid in having a community established in the abbey of d'Estrées in order to discharge the bishopric of Quebec of the great expenses the property entailed.¹²³

Innocent XI had no solution to offer to the quarrel with the Benedictines and the Cistercians over the two abbeys attached to Laval's bishopric.¹²⁴ He promised help

¹²⁰ P.A.C., A.S.M.E., Vol. VI, fol. viii, Besard to Mgr. Pallu, July 30, 1677, p. 547; Vol. VII, fol. ii, Besard to Mgr. Pallu, August 15, 1678, p. 98; Vol. VII, fol. iii, Fermanel to Mgr. Pallu, December 23, 1678, p. 257

¹²¹ A.S.Q., Lettres N, No. 50, Mgr. Pallu to Laval, April 26, 1679

¹²² SSR.C., Doc. XXXVII, No. 9, Memorial on abbeys of Maubec and d'Estrees, 1679, p. 204

¹²³ A.A.Q., Copies de Lettres, Vol. I, Laval to La Chaise, May 22, 1680, p. 195

¹²⁴ A.A.Q., Eglise du Canada, Vol. VII, Innocent XI to Laval, August 6, 1681, p. 25

but no more. The Seminary observer in Rome was almost in despair and wrote back to Paris that "it requires other pursuits than mine to set it in motion, and I am at a loss to know if anything can be hoped for."¹²⁵ Cardinal Favoriti, instead of proving to be of assistance, had made charges that Laval had deprived the religious in one of the abbeys of their superior and of the normal religious services. The growing body of opinion in Rome was that the requests of Paris and Quebec would be turned down because the monasteries in question were in France whereas the bishopric in question was in North America. Doubts had been expressed about the future of New France. Also it was felt that some very bad examples had been set already which ought not to be taken as precedents in the erection of colonial bishoprics. The best that could be hoped for was that some of the revenues of the two abbeys in question be assigned to the bishopric of Quebec for a limited period "to see if this colony will survive"; beyond that there was little hope of satisfaction.¹²⁶

¹²⁵ P.A.C., A.S.M.E., Vol. CCII, fol. ii, Sevin to Fermanel & Fallu, July 2, 1681, p. 419

¹²⁶ P.A.C., A.S.M.E., Vol. CCII, fol. iii, Sevin to Fermanel & Fallu, July 9, 1681, p. 422

In any case, more serious difficulties were now looming on the horizon. The quarrel between Paris and Rome over the régale remained unsettled. In June, 1681, Louis XIV decided to call a General Assembly of the French Clergy for October of the same year. Archbishop Harlay and Colbert seem to have had most of the responsibility for the preparations for such a meeting, but it was Bossuet who set the tone at the opening of the Assembly for accommodation and compromise on either part. His opening sermon praised both the Gallican liberties and the unifying authority of the Holy See, thereby setting the stage for the French clergy to act as arbiters between the King and Pope. The first major consideration of the Assembly was the question of the régale, and although Louis XIV agreed to modify somewhat his claims there was no agreement reached with Rome. In 1683 matters on this question were still as unsettled as before:

Those of the Regale are on the same footing as before and by what I can judge from what I was able to learn from several politicians, I do not believe we will see its solution under this pontificate. The pope is well, thank God, in spite of his 73 years, but the years which may follow will not diminish his lack of resolution nor the little inclination he is said to possess to have the affairs of France sealed...127

127 B.N., Bernou-Renaudot Correspondence, June 15, 1683, fol. 17

It was even suggested that the solution for Louis XIV was to seize Milan and Genoa and set up for himself "a strong cabal in Rome".

The Assembly then turned its attention to the articles touching papal infallibility and the extent of papal power in France. Bossuet drafted the famous Four Articles which had much in common with the Six Propositions put forward by the Sorbonne in 1663.¹²⁸ What was really new was that the Assembly published these Four Articles in the name of the French Church and Louis XIV ordered them to be made an integral part of all theological teaching by an order of March 1682. There was, however, no immediate move to have the Sovereign Council of Quebec register these decisions.¹²⁹ The Parlement of Paris registered the Gallican Principles, but those of Dole and Besancon warned of possible popular outbreaks if registration were enforced throughout the realm.¹³⁰

The Sorbonne refused to accept the Gallican Principles; eight doctors were exiled, Dudouyt wondered what the repercussions in Rome would be, and what effect these

128 See the Appendix for full texts of these documents

129 A.S.Q., Lettres N, No. 62, Dudouyt to Laval, May 31, 1682

130 Ibid., No. 65, Dudouyt to Laval, June 19, 1682

reactions would have on the matters touching Quebec.¹³¹ The Pope called an assembly of 26 cardinals and by a plurality vote this assembly declared the Assembly of the French Clergy a schismatic assembly.¹³² The Pope refused to have any matters relating to France dealt with until the Assembly of the French Clergy should be dissolved, a move which Louis XIV undertook by lettre de cachet on July 1. As late as April, 1685, delegates from the Seminary of Foreign Missions were coldly received in Rome by the Secretary of the Propaganda. Louis XIV's special envoy to Rome, Cardinal d'Estrees, was certain that nothing more could be done for the Bishop of Quebec touching the matter of the abbeys as the clergy were quite adamant on this point, and he wrote in this vein to the King.¹³³

The business of the chapter moved along fairly well in spite of these disturbing developments in France. Dudouyt warned Laval not to accept a proposal to accept an abbey of Port Royal in place of d'Estrees, because the latter would not decrease in value in time as it was over 400 years old

¹³¹ A.S.Q., Lettres N, No. 66, Dudouyt to Laval, June 27, 1682

¹³² Ibid., No. 67, Dudouyt to Laval, July 3, 1682

¹³³ P.A.C., A.S.M.E., Vol. CCIII, fol. ii, Fermanel to Seminary, April 23, 1685, pp. 37-38

and had a solid endowment.¹³⁴ It was also learned that the King had decided to name the abbé de Saint-Vallier as Laval's coadjutor.¹³⁵ Then on November 6, 1684 were issued the letters-patent for the erection of a chapter in the cathedral church of Quebec.¹³⁶ The chapter was installed at a solemn service on November 12th, Governor de la Barre and Intendant de Meulles being present:

The hymn Veni Creator having been sung, M. Pierre de Francheville read the letters of erection of the chapter and each of the titulars came to pronounce before the bishop a public confession of the Catholic faith, and having kneeled and having received from the Bishop's hands the book of the Holy Canons answered Amen, bowing down. Then all of them, still repeated the words of the prescribed oath. The bishop then vested them in the canon robes, that is to say in a supplice and black hood, with a bonnet of the same colour. After the recitation of the Pater, of several verses and a prayer, the bishop had them touch the psalter, and after having kissed his hand, he embraced them all, led them to the choir where he assigned to each his stall according to his rank and dignity, and the whole proceedings were terminated by the singing of the Te Deum and the pealing of the bells. 137

This was a fitting conclusion to a long and frustrating period of negotiation.

¹³⁴ A.S.Q., Lettres N, No. 70, Dudouyt to Laval, May 9, 1683

¹³⁵ A.S.Q., Lettres N, No. 79, Dudouyt to Laval, n.d., 1684

¹³⁶ A.C., Series F3, Letters-patent, November 6, 1684, Vol. VI, fol. 150

¹³⁷ A.S.Q., Chapitre, No. 102, November 12, 1684; Also P.G. Roy, La Ville de Quebec sous le Regime Francais (Quebec, 1930), Vol. I, pp. 449-450

This chapter, which was quite restricted in numbers, would have to operate under great difficulties, it would seem. Many of the canons would be occupied in preaching missions. Chantry service in the colony seemed incompatible with parochial care. Therefore, the day after its installation, the chapter presented a petition to Laval asking that he accept its resignation of the cure of souls at Quebec.¹³⁸ The chapter did request the right to retain the privilege of baptizing during the Easter fortnight, and to officiate in a body at funerals. They requested also that the priests who were not already canons be named honorary canons.

Laval accepted the resignation for it seemed to enable him to further his centralizing policy in the colony. On November 14, 1684, he re-united the cure of Quebec to the Seminary of Quebec. He did not stipulate that the cure would be held in common by the Seminary priests, however. Instead, he ruled that the responsibility should devolve upon a designated individual, a "member of the Seminary and chosen by the Superior and the directors with the canonical institution of the Bishop".¹³⁹

¹³⁸ A.S.Q., Chapitre, Nos. 71, 130, 42, November 13, 1684

¹³⁹ P.A.C., A.S.M.E., Vol. CCCXLV, fol. vi, p. 71

Complete control had once more passed into the hands of a few intimate ecclesiastics and the Bishop. Mr. de Bernieres, who had held the cure for 24 years, was enabled to continue his ministry. He could not resign his benefice except by pure and simple resignation to the hands of the Seminary, a stipulation which was to be attacked as scarcely compatible with canon law as received in France.¹⁴⁰ Furthermore, the bishop had reserved himself and his successors three gold crowns and a pound of beeswax, payable annually at the Feast of the Immaculate Conception, and this was to be called an unwarranted tribute. Finally, there had been some legal deficiencies in the transactions. The legal requirements for the union of benefices were that an inquiry de commodo et incommodo be carried out. This also had been completely ignored in 1684.¹⁴¹ The union of the cure of Quebec to the Seminary provided fertile ground for future quarrels.

The clergy at Quebec do not seem to have left an altogether unfavourable impression upon visitors. One account ran as follows:

There are six churches in the High City; the Cathedral consists of a Bishop, and twelve Prebendaries, who live in common in the Chapter-House, the Magnificence and Architecture of which are truly wonderful. These poor priests are a very good sort of People; they content themselves with bare

140 P.A.C., A.S.M.E., Vol. CCCXLV, fol. vi, p. 71

141 Ibid., p. 72

Necessities, and meddle with nothing but the Affairs of the Church, where the service is performed after the Roman way. 132

The only surprising fact about this eye-witness description is that its author is none other than the baron de Lahontan, a man whose sympathies were seldom with the ecclesiastics.

In 1685, Laval informed the King of his desire to resign his office; Louis XIV did not seem unduly perturbed, but accepted the resignation immediately and assigned him 2,000 livres from the royal treasury, a gift which he supplemented with a pension of another 2,000 livres when a successor was sent to the colony.¹³³ The King appointed one of his chaplains, the abbé de Saint-Vallier, as Laval's successor. Because of the long-standing dispute between Rome and Paris over the régale and related matters it was decided not to request the papal bulls for the consecration of a new Bishop of Quebec at this time.¹³⁴ In any case, Laval's resignation, which had been submitted to the King only, had not yet been forwarded to the Holy See. Therefore, Laval enjoyed full jurisdiction in his diocese and it was

142 R.G. Thwaites, Travels of the Baron de Lahontan, Vol. I, p. 42, Letter III, May 15, 1684

143 P.A.C., A.S.M.E., Vol. IX, fol. xi, p. 596

144 Ibid., Vol. CCCXLV, Pt. I, fol. vii, p. 78

agreed that he should name Saint-Vallier as his Vicar general and charge him with the administration of the diocese ad tempus in this capacity.¹⁴⁵ Laval and Saint-Vallier spent some time together at the Seminary of Foreign Missions on the rue du Bac, and it would seem that Laval was well satisfied with the choice of successor.¹⁴⁶

It was decided also that Saint-Vallier should proceed immediately to New France without initiating the negotiations for his consecration as bishop.¹⁴⁷ Some involved and fruitless negotiations were engaged in so that he might take with him several young priests, some of whom did not meet the canonical requirements for ordination and required special dispensations from the Holy See.¹⁴⁸ Saint-Vallier left from La Rochelle, as did the new Governor, in May 1685.¹⁴⁹ His purpose in going to the colony at this

145 B.S.S.P., Vol. I, No. 268, Tronson to Dollier de Casson, February 15, 1685, p. 403

146 S.R.C., Doc. XLVI, No. 21, Brisacier to Pallu, April 20, 1685; Also P.A.C., A.S.M.E., Vol. IX, fol. viii, p. 579

147 P.A.C., A.S.M.E., Vol. IX, fol. vii, Brisacier to Lefebvre, March 9, 1685, p. 551

148 Ibid., Vol. IX, fol. viii, Dudouyt to Lefebvre March 25, 1685; p. 565; Brisacier to Lefebvre, March 26, 1685, p. 568; Brisacier to Lefebvre, April 30, 1685, p. 583 fol. X, Pallu to Lefebvre, May 21, 1685, p. 610; fol. x, Brisacier to Lefebvre, May 28, 1685, p. 612; Pallu to Lefebvre, June 11, 1685, p. 621

149 Ibid., Vol. IX, fol. viii, Brisacier to Lefebvre, April 2, 1685, p. 573; Vol. IX, fol. xi, Dudouyt to Lefebvre, July 1, 1685, p. 634

time was to make a survey of the parishes and to report in detail to the King on the state of affairs in the colony.¹⁵⁰

He did not remain long in Canada because Tronson sent urgent messages for his return to France in order that the matter of his nomination and appointment might be concluded.¹⁵¹

Saint-Vallier had completed his survey of the colonial parishes and arrived back at La Rochelle in January, 1687. While Saint-Vallier had been in the colony Laval had expressed a great desire to return to his diocese but there had been court opposition to such a move. Laval complained bitterly to Father La Chaise that Seignelay was responsible for blocking a return to Canada on the grounds that such a journey would result in stirring up much trouble in the colony.¹⁵² Father La Chaise replied to Laval's charges that Seignelay was not so much opposed as was the King himself.¹⁵³ Laval complained that rumours were circulating, particularly in Canada, that he was being held

¹⁵⁰ P.A.C., Series F5A, Memorial on Missions of Canada, May 19, 1685, Vol. III, pp. 278-280

¹⁵¹ B.S.S.P. Vol. I, No. 300, Tronson to Saint Vallier, March 15, 1686, p. 435; No. 299, Tronson to Dollier de Casson, March 25, 1686, p. 434

^{152A} S.Q., Lettres N, No. 89a, Laval to La Chaise, June 9, 1687

¹⁵³ Ibid., No. 89c, La Chaise to Laval, May 26, 1687

under surveillance.¹⁵⁴ Meanwhile, the papal nuncio had undertaken to pursue the matter of Laval's resignation and Saint-Vallier's nomination with the Pope himself.¹⁵⁵ All that had been obtained by June, 1686, was a continuation of Laval's powers and privileges for a period of ten years beyond the period stipulated in his letters of provision - and even this concession had to be revised as the wording was such that the 10 year extension would have gone into effect at a date 15 years anterior to the date of issue.¹⁵⁶

It has already been stated that Saint-Vallier was the choice of the court to succeed Laval. Not only was he the favourite of the King, but the Assembly of the French Clergy had voted him a 2,000 livres pension for the colonial church.¹⁵⁷ It was in financial matters that he clashed with Laval. In May, 1685 Saint-Vallier donated 42,080 livres to form a capital fund for the maintenance of six missionaries among the hinterland tribes of Canada.¹⁵⁸

¹⁵⁴ A.S.Q., Lettres N, No. 89d, Laval to La Chaise, May 26, 1687

¹⁵⁵ P.A.C., A.S.M.E., Vol. IX, fol. xi, Dudouyt to Lefebvre, July 23, 1685, p. 656

¹⁵⁶ Ibid., Vol. CCIII, fol. iv, Fermanel to Seminary, June 10, 1686, p. 256

¹⁵⁷ P.A.C., A.S.M.E., Vol. IX, fol. xi, Dudouyt to Lefebvre, July 23, 1685, p. 656; fol. xii, Brisacier to Lefebvre, July 30, 1685, p. 667

¹⁵⁸ Ibid., Vol. CCCXLV, Pt. 1, fol. vii, p. 79

This arrangement was altered in May, 1687 to provide for the care of four Seminary priests, the recipients to be chosen by the Bishop, and of six children, to be selected by the superior or director of the Quebec Seminary. Saint-Vallier also gave his furniture and his library to the Seminary at the same time. The problem that arose out of these generous acts was that the expenses of Saint-Vallier's trip to Canada in 1685-86, the amounts necessary to pay for his papal bulls and for the acts of union of the abbey d'Estrees to the bishopric, were to be deducted from these donations, and they in fact exceeded the amount contributed.¹⁵⁹ The Seminary of Quebec was indebted for 15,600 livres in France and more than 7,000 livres in the colony. Brisacier was willing to lend it 8,000 livres to pay for letters of exchange, but no more. There followed acrimonious debate between Laval and Saint-Vallier.¹⁶⁰ Laval tried to have Saint-Vallier either consent to resign or else accept an appointment to another bishopric in France if the King would agree. Father La Chaise, Tronson and the Duke of Beauvilliers came to Laval's support in the disagreement. The Jesuits did what they could to calm the greatly aroused Saint-Vallier and it must be remembered that Father La Chaise probably held a trump card in the fact that he might

159 P.A.C., A.S.M.E., Vol. IX, fol. viii, p. 90

160 Ibid., Vol. CCCXLV, Pt. 1, fol. viii, pp.90-

prevent negotiations with Rome for the necessary papal bulls.¹⁶¹ Meanwhile, Laval wrote to the Seminary at Quebec asking them to immediately replace de Bernieres, about whose age and health Saint-Vallier had expressed some concern during his tour of inspection of the colony. This he did so as to prevent Saint-Vallier naming someone from outside the Seminary to the cure of Quebec.¹⁶² It was not until January 24, 1688 that Laval resigned canonically in favour of Saint-Vallier, who was consecrated the following day in the Church of St. Sulpice in Paris.

The closing years of Laval's episcopate were also troubled by new claims to jurisdiction in North America advanced by the Recollets and the Archbishop of Rouen. On May 24, 1684, the abbé Jean Cavelier and Francois Chefdeville obtained from the Archbishop of Rouen the necessary powers to exercise ecclesiastical jurisdiction "in those regions of North America in which there is neither bishpp nor vicar-general".¹⁶³ On November 27th, of the same year, the Provincial of the Recollets in Paris applied to Rome for faculties for his subordinates from the Province of St. Denis who had left on an expedition into

161 P.A.C., A.S.M.E., Vol. CCCXLV, fol viii, pp. 92-93

162 Ibid., fol. viii, p. 95

163 Margry, op. cit., Vol. II, p. 476

the interior of North America.¹⁶⁴ When he received no reply to his petition he renewed it. The Propaganda decided on January 8, 1685 to place the Recollets missionaries under the jurisdiction of the Bishop of Quebec but the Provincial objected that this was impractical as the Mississippi country and Louisiana were far from Quebec. Therefore, the Recollets were awarded the status of apostolic missionaries.

In all this Laval saw a renewal at the close of his episcopate of the problem that had plagued its inception and had been everlastingly with him. In a memorial to the Seminary priests at Quebec he warned that it was necessary for his successor to uphold the episcopal authority over all areas subject to the French and in all areas where the French traded - indeed over all North America until the Papacy otherwise directed.¹⁶⁵

Dudouyt continued to work to have the region of the Mississippi remain an integral part of the diocese of Quebec. He wrote to the abbé Pallu, agent for the Seminary of Foreign Missions and nephew of the Bishop of Heliopolis, asking him to speak about the matter to the Propaganda. Indeed, the abbé went to discuss the matter with Cardinal

¹⁶⁴ J. Delanglez, Some La Salle Journeys (Chicago, 1938), p. 51

¹⁶⁵ A.S.Q., Seminaire V, No. 10, Memorial of Laval to the Seminary, 1685

d'Estrees in January, 1685.¹⁶⁶ Saint Vallier was as interested in maintaining the rights of the bishopric as was Laval. It is not at all surprising, therefore, that the Archbishop of Paris and Father La Chaise studied the matter closely and reported to Louis XIV that since in the papal bulls granted Laval he had been given jurisdiction over "all lands of this continent which shall belong to the King" that right ought to be upheld.¹⁶⁷ They concluded that missionaries might not receive powers which detracted from that jurisdiction except from the King. The King was flattered as well as convinced.

Saint-Vallier obtained a promise from Louis XIV that dispatches would be sent to Cardinal d'Estrees in Rome requesting that the letters of provision granted the Recollets in the Mississippi country would be revoked.¹⁶⁸ The Cardinal was no great supporter of Recollet claims and acquiesced willingly.¹⁶⁹ If Rome had refused to revoke the special powers granted the Recollets in North America, then

166 Delanglez, *op. cit.*, pp. 51-52

167 *P.A.C., A.S.M.E.*, Vol. IX, fol. xi, Pallu to Lefebvre, May 8, 1685, p. 596

168 *Ibid.*, fol. x, Pallu to Lefebvre, May 14, 1685

169 *Ibid.*, Vol. CCIII, fol. ii, Lefebvre to Seminary, May 9, 1685, p. 46

it is likely that the King would have given the order personally that their rights were subject to the jurisdiction of the Bishop of Quebec, inasmuch as they exercised these special powers in territory that was subject to the French Crown and the Gallican Church.¹⁷⁰ It was more the insolence of derogating to his own jurisdiction that aroused Louis XIV than the detracting from the powers of the colonial bishopric.

Dudouyt was certain that the phrase "over all places discovered by the French in the continent of Canada and which are under the domination of the King" would be adequate for the papal documents.¹⁷¹ If more precise wording were desired Louis XIV would make his wishes known. The King had decided, with the advice of the Archbishop of Paris and his confessor, that since missionaries still entered by way of the St. Lawrence route they ought to receive their powers from the Bishop there. As no precise geographical limits had as yet been defined for the diocese, the Bishop of Quebec had by virtue of the bulls of erection complete jurisdiction over the lands discovered, settled and exploited by the French.

¹⁷⁰ P.A.C., A.S.M.E., Vol. IX, fol. xi, Dudouyt to Lefebvre, July 1, 1685, p. 634

¹⁷¹ Ibid., Vol. IX, fol. xi, Dudouyt to Lefebvre, July 8, 1685, p. 639

Thus ended the dispute over the rights of the bishop. Through many delays and debates a colonial bishopric had at last been created and its jurisdictional rights successfully defended.

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THE RELATIONS BETWEEN CHURCH AND STATE IN NEW FRANCE
1647 - 1685

Cornelius John Jaenen

VOLUME TWO



ERRATA

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CHAPTER VII

FRENCHIFICATION OF THE INDIANS

The difficulties which beset the erection of a bishopric in North America have been traced. Was this bishopric to be an Indian diocese, a diocese of transplanted Frenchmen, or a diocese of Franco-Indians extending over the greater part of the North American continent? This question was answered very early in the seventeenth century when missionary work was commenced among the tribes of the St. Lawrence valley and Acadia.

The Recollets were the first to begin missionary work among the Indians inhabiting the St. Lawrence entrance to the continent. They decided very early in their experience with the natives that the hope of evangelizing them depended in good measure upon the success of efforts by the church and state to induce the Indians to adopt a sedentary way of life. The Recollets decided to found fixed settlements and invite the Indians to settle about these mission stations. They planned to intersperse French families of virtuous Catholic background in these bourgs. They may be credited with establishing the method of evangelization in New France; the Jesuits and Sulpicians who came after them only modified these techniques slightly. Laval's assertion, some years later, that the Jesuits

initiated this approach is quite inaccurate.¹

The Recollets showed a good deal of insight in their appraisal of the difficulties involved in Indian missions. Jamet, as early as 1615, held little hope of a rapid conversion of the North American natives because of their barbarous state. The nomadic way of life of the Algonquins and Montagnais he believed to be an almost insurmountable obstacle to evangelization; of the Hurons settled in villages he was more hopeful.² Jamet also saw some difficulty occasioned by the presence of the few Frenchmen in the colony who were, in his words, "great swearers of the holy name of God".³ The Recollets founded a seminary for Indian children in the belief that education was the keystone to effective evangelization of whole tribes, but this enterprise they had to abandon because of lack of sufficient funds.⁴ By 1626 the Recollets had induced only three or four native families to settle near their monastery.

1 R. Preston & L. Lamontagne, Royal Fort Frontenac (Toronto, 1958), Laval to Trouve & Fenelon, September 15, 1668, pp. 85, 283

2 P.A.C., 500 de Colbert, Vol. CDLXXXIII, Brother Denis Jamet to Cardinal de Joyeuse, July 15, 1615, fols. 581-2

3 Ibid., fol. 582

4 C. LeClercq, First Establishment of the Faith in New France, (New York, 1881), Vol. I, pp. 144, 251

In 1627, the royal edict establishing the Company of New France attempted to stabilize the situation for the missionaries by providing a common citizenship for natural-born Frenchmen and converted-assimilated Indians. It also provided for the bringing to the colony of priests for each settlement at company expense, and the exclusion of the Huguenots.⁵ These measures were more than offset by the advent of Huguenot piracy culminating in the Anglo-Huguenot conquest of Quebec in 1629. An account of 1637 indicates just how meagre were the results of these initial Recollet efforts:

In the year 1618 they had two savages who were educated, and one of these, brought to France, baptized and put in boarding at the college of Calleville, was very well educated. They raised others too and baptized several, of whom one is still alive. 6

We would say that there was little assimilation. It may of course be doubted that the Indians had reached a stage of development which enabled them to recognize and appreciate what was superior in the French way of life. On the other

5 Edict du Roy pour l'establissement de la Compagnie de la Nouvelle-France (Paris, 1657), Articles II, III, XVII, pp. 5, 6, 13; also A.S.Q., Polygraphie III, No. 2, no pagination in this series

6 P. Margry, Découvertes et Etablissements des Français dans l'Ouest et dans le Sud de l'Amérique septentrionale (Paris, 1879), Vol. I, pp. 5-6

hand, it may be argued that there was not always the cultural chasm between Indian and Frenchman in the seventeenth century that is imagined today to have existed then. For example, the Indian superstitious practices were repellant to Frenchmen and yet in Paris there was an attenuated survival of Druidical sacrifices as basketfuls of live animals were thrown into the "fire of St. John".

The Indians were not despised by the Europeans. De Creux has left us a very penetrating commentary upon the views of the period:

...contrary to the prevalent opinion in Europe they are far from dull; their minds are keen and their judgment is sound, though in other respects the Indians differ very much from ourselves. That they possess intelligence could be seen from the skill with which they do everything, from their natural eloquence which finds scope in their meetings, and councils, from their shrewdness in daily intercourse, from the vigorous memories they possess in childhood, and from their ready apprehension of the facts and mysteries of the Faith. 7

In other words, the Indians were in no wise biologically or intellectually inferior, but culturally they differed from the French - such was one intelligent observer's conclusion. In fact, there was a possibility of Indian superiority in some respects because "those who have lived among them report that as a rule they excell our peasants in both

7 F. Du Creux, The History of Canada, or New France (Toronto, 1951), Vol. I, p. 92

respects" - in ability and in sound judgment.⁸ Certainly there was no colour bar, to employ a modern phrase, and Du Creux remarked that the Indian complexion would be very attractive "were it not that the natural sheen of their faces is ruined by the application of oil and fat".⁹

It might be remarked too that from the beginning of their contact with the Indians the French were careful not to appear to be deliberately dispossessing the native. While the French may not have recognized any Indian proprietary rights, as did the English, because the Indians were not classified as members of the "family of nations", it must be said that they never regarded them as savages reserved for liquidation. Instead, they tended to regard them as proper subjects for assimilation, absorption and civilization. There is much truth in Parkman's dictum: "Spanish civilization crushed the Indian; English civilization scorned and neglected him; French civilization embraced and cherished him".¹⁰

⁸ F. Du Creux, The History of Canada, or New France (Toronto, 1951), Vol. I, p. 99

⁹ Ibid., Vol. I, p. 99

¹⁰ F. Parkman, The Jesuits in North America in the Seventeenth Century (Toronto, 1899), Vol. I, p. 131

With the return of the French to Quebec in 1632 and the arrival on the colonial scene of the Jesuits with their superior financial resources, their unequalled missionary fervour, and their uninhibited techniques of evangelization, the dream of a vast French Catholic Empire in North America seemed more attainable. The first step in mission work was the learning of the native languages. The Jesuits employed what would now be called the "direct method" of language study - they took up residence in the native encampments, painstakingly began learning the dialects which bore no resemblance to European vernacular or classical tongues, and reduced their knowledge to vocabularies, grammars and eventually a catechism. It was little wonder that all these early missionaries, with the possible exceptions of de Noue and Noel Chabanel, showed superior ability in linguistics.¹¹ Once the missionaries had acquired one or more native languages they became extremely valuable to the state as interpreters, and later as political agents. As early as 1643 Father Jogues had warned Governor Montmagny

¹¹ R.G. Thwaites, ed., The Jesuit Relations and Allied Documents (Cleveland, 1896-1901), Vol. XXIX, p. 26; XXV, p. 150

that the Iroquois objective was to annihilate the Huron peoples.¹² It was Father Druillettes who visited New England as political agent for the colonists of New France in 1650 in an attempt to secure an inter-colonial nonaggression pact - and this at a time when Jesuits were not very welcome or safe on English soil.¹³

The Jesuits saw education, we have indicated, as the means whereby the French and Indian peoples might form a North American amalgam. All missionary labour among primitive peoples is of necessity educational as Christianity is a religion of the literate. The Jesuit programme began in earnest with the arrival of Father Paul Le Jeune as Superior in July, 1632. Besides sending some carefully selected Indians to France it was decided to proceed with the establishment of schools where Indian children would be brought into close contact with European customs. The Company of New France gave the Jesuits the property at Notre Dame des Anges which had belonged to the Recollets, and no stipulations were attached as to the use to be made of the property. Le Jeune wrote to France for alms in order to

¹² B.R.H., Vol. XXXVI, No. 1 (January 1930),
Jogues to Montmagny, June 30, 1643, pp. 48-49

¹³ Collection de Manuscrits (Quebec, 1883), Vol. I,
p. 127

build a Seminary for Indian boys - a policy much in line with earlier Recollet thinking.¹⁴

Le Jeune wanted a seminary for the training of the boys, and also a girls' school conducted by mistresses from France. He was firmly convinced of the need to separate the children from the Indian village environment. The school of 1635 opened with only six pupils, and by the end of the first year most of these had left.¹⁵ The few who had come had arrived frightened, homesick, under-nourished and practically naked. Very soon they found the routine of school too much for them and they began to act like "wild asses' colts". The cultural conflict was too great for them to bear. More recruits came in 1637 but they all ran away by the following spring.¹⁶ More children came the next year but disease severely thinned their ranks.¹⁷

Le Jeune had earlier spoken of the dry rot in the "old stumps" and had maintained that the hope of the missions was in the youth; now he began to write about the

14 Thwaites, op. cit., Vol. V, p. 196; VI, pp. 150-152; VII, p. 265

15 A.S.Q., Fonds Verreau XIII, No. 27a, no pagination; Thwaites, op. cit., Vol. VI, p. 242; VIII, p. 226; IX, pp. 284, 298; XII, pp. 44, 48

16 Ibid., Vol. XII, p. 42

17 Ibid., Vol. XIV, p. 242; XVI, p. 187

power of God to renew life in the old wild trunks.¹⁸ There was to be a shifting of emphasis to the preaching to adults. Father Lalemant so deplored the bad conduct of the "teenagers" that he decided the only way to reach them was to convert whole families, so that the young people might be raised to know discipline and the teaching of converted parents.¹⁹

A few Indian children were still sent to France to be raised in a completely European environment. The idea of rearing native converts in a European environment was, of course, Jesuit policy in Paraguay too. The largest group of natives sent to France was in 1636 when five youths were sent for education.²⁰ It may be doubted that Le Jeune placed very much hope in the experiment because one young man taken to France by the Recollets had apparently succeeded well in his studies abroad but upon his return he proved a disappointment to the clergy. He reverted to complete barbarism.²¹

18 A.S.Q., Fonds Verreau XIII, No. 27c, no pagination; Thwaites, op. cit., Vol. XV, p. 108

19 Ibid., Vol. XVI, p. 250

20 Thwaites, op. cit., Vol. XI, p. 94

21 H. Harrisse, Notes pour Servir à l'Histoire, à la bibliographie et à la cartographie de la Nouvelle-France et des Pays adjacents, 1545-1700 (Paris, 1872), p. 71

Indian children were also removed to Notre Dame des Anges, as seen earlier, but the Jesuits evaluation of this experiment was that it was insufficiently rewarding and that it was not a sound principle upon which to hope to erect a French Indian Catholic Empire. It was admitted that "one saw no notable fruit among the savages, beginning the instruction of a people by the children"²² and more significantly, considering the mystical quality of these early missions. "God has confounded our thoughts and upset the foundations".²³ The experiment had been conducted with Huron children, so Algonquin and Montagnais children were also invited to attend but by 1640 it was clear that the failure lay with the method and not just a particular tribe. The chief obstacles seem to have been that the parents were unwilling to part with their children, the children once at school were unhappy in their new environment and longed for the freedom of the encampments, and the training that was given to those who did manage to remain at school for a couple years seemed very impractical upon return to the former environment.

In his wanderings among the Indians in 1633-1634,

22 Thwaites, op. cit., Vol. XXIV, p. 102

23 Ibid., Vol. XXIX, p. 192

Le Jeune had become convinced that empty stomachs rendered Indian ears dull to hearing the gospel. He was convinced that sedentary life was more conducive to missionary success than nomadic life. Since the effort to convert the Hurons through education of young men at a seminary had been largely abandoned by 1640, Le Jeune resolved to try to settle Indian families at Sillery and Three Rivers where the converts would be isolated cells nurtured for the planting of a new Israel - isolated and insulated from the evil influences of both the Indian encampments and the French posts.

Noel Brulart de Sillery, who at the age of 54 retired from public life and entered religion, gave 32,000 livres for the programme and settled the first two families to launch the experiment.²⁴ This settlement was first called a "reserve" in an ordinance issued by Governor Pierre Boucher of Three Rivers in 1653 by which he forbade soldiers and settlers from trading with these domiciled Indians.²⁵ Hurons took up residence here a full decade before their great dispersion.²⁶ Atticamegues, Algonquins, and Hurons

²⁴ Thwaites, op. cit., Vol. XIV, pp. 124-126; A.S.Q., Fonds Verreau XIII, No. 8; No. 28b

²⁵ B.R.H., Vol. XXXII, No. 3 (March 1926), p. 188

²⁶ Thwaites, op. cit., Vol. LXX, p. 207

began to be attracted by the scheme and even referred to the settlers at Sillery as "the true believers". By 1645 there were 167 domiciled Christian Indians there.²⁷

The zeal of such a small group of Indians should not blind one to the fact that the masses remained untouched. Jesuit perserverance seems to have left many unimpressed. One accusation has it that a Jesuit missionary upon not receiving much response to his efforts set up a stage in the middle of the village and while preaching began flagellating himself. The spectacle is supposed to have driven away his hearers.²⁸ His next tactic, according to the same allegation, was to form a fraternity known as the Order of the Calumet. Membership would entitle each Indian to wampum, which he described as equivalent to a title of nobility for a Frenchman, and to which he also attached a louis d'or. This approach was supposed to provide him with an audience as they gathered round him to smoke blessed tobacco from pipes which had also been blessed.²⁹ But this too failed. Father Allouez commented that "to convert the savages one does not

27 Journal des Jésuites, p. 24

28 P.A.C., Series K, Carton 1232, No. I, p. 54

29 Ibid., No. I, p. 55

need so much knowledge as holiness." He added that "a too ardent zeal spoils everything; their natural coldness and indifference does not wish to be so greatly pressed." 30

Of those who submitted to baptism many did so only upon their death-beds. The gains, measured in terms of numbers of converts, were largely for the Church Triumphant and not for the Church Militant, although Father Lalemant did estimate that about 10,600 converts were made in a forty-year period.³¹ Death-bed baptisms gave rise to the Indian belief that baptism was the cause of death. Another problem was that some of the converts were attracted by the "loaves and fishes". In October 1645 there was a good deal of concern over some Hurons who came to stay at the hospital at Quebec, where they received rations of wheat and eels, and so took up the places required for the sick.³² Close

30 Margry, op. cit., Vol. I, p. 72

31 N. Pouliot, Étude sur les Relations des Jésuites de la Nouvelle-France (Montreal, 1940) calculated that there were 16,014 Indian converts between 1632 and 1672, p. 233 His table (p. 308) distributes them as follows: 1633-5; 1634-8; 1635-36; 1636-115; 1637-300; 1638-250; and each year thereafter 450, 1000, 115, 220, 200, 100, 184, 224, 600, 1300, 2700, 3000, 100, 100, 20, 756, 407, 6, 200, 6, 200, 582, 130, 46, 324, 284, 574, 654, 700, 816. Of this number 1,948 are known to have died immediately following receipt of baptism.

32 Journal des Jésuites, p. 10

relationships with the French also made the Indians aware of the weaknesses in the French character. The Algonquins of Sillery undertook rigorous penance for their drunkenness but they also complained that the clergy were less exacting when Frenchmen became drunk and became abusive.³³ Another problem for the missionaries was the fact that although the domiciled Indians were supposedly settled permanently to take up agriculture, they still persisted in their quasi-nomadic ways.³⁴

There were other signs of cultural conflict. In September 1647 the Governor felt obliged to release to the domiciled Indians a captured Iroquois, an unfortunate whom they soon tortured to death. French consciences were somewhat set at rest by the fact that an opportunity had been given the prisoner to accept baptism before facing the ordeal.³⁵ Again, in April 1650, the Jesuits held a consultation before deciding to agree to a Huron request that some of them be granted concessions on the Jesuit lands at Beauport. The five ecclesiastics agreed only upon the condition that those who should settle there "be the

³³ Journal des Jésuites, p. 14

³⁴ Ibid., pp. 36, 42-44

³⁵ Ibid., p. 95

choicest families".³⁶

In the zeal to multiply the converts, catechumens were treated much as they had been in the primitive church. There were some departures from regular church practices, such as admitting converts to baptism earlier than usual,³⁷ although after 1650 the waiting periods was increased but other requirements were reduced. Public penance was required in many cases because the missionaries believed it was essential in a mission church that the pagans should realize that the sins of the converted proceeded from their human weaknesses and not from their newly adopted religion.³⁸ There were occasions when the Indians showed excessive zeal. At Tadoussac in 1645, the missionaries had to intervene to terminate scenes of spontaneous public penance accompanied by bloody self-flagellation.³⁹ The Relation of 1672 tells of the desire of the converts at Lorette to mingle their blood with their tears during the observances of Holy Week, and particularly on Good Friday.⁴⁰

36 Journal des Jésuites, p. 136

37 Thwaites, op. cit., Vol. XXX, p. 112

38 Ibid., Vol. XXIX, p. 80; XXVII, p. 146; Also J.F. Lafitau, Moeurs des Sauvages Américains comparées aux mœurs des premiers temps (Paris, 1724), Vol. IV, p. 181

39 Thwaites, op. cit., Vol. XVIII, p. 198

40 Ibid., Vol. IV, p. 276

There is another aspect of the sedentary mission that must not be ignored. Unless the Indians were settled near the French centres there was no means by which the indispensable collaboration of the nuns could be obtained. It was quite out of the question for the nuns to have gone to live in the Huron villages, although a few of them might even have been willing for this. The religious played a significant role in the education of Indian girls. As early as 1636 several Indian families had given over their daughters to be raised with French families at Quebec.⁴¹ The Jesuits contemplated sending a few Indian girls to France but in 1639 Mme. de la Peltrie and the Ursulines arrived at Quebec and they took charge of the education of such Indian girls. The girls may have been more docile than the boys, nevertheless the nuns did not seem very optimistic of the results their efforts might achieve.⁴² Mother Marie de l'Incarnation has left us a description of the sad plight in which these little girls arrived:

When they give them to us they are as naked as a worm, and it is necessary to wash them from head to foot, because of the grease with which their parents anoint them over their entire body; and whatever care we take and although we often change their linen and clothes, it is a long time before

41 Thwaites, *op. cit.*, Vol. IX, p. 102

42 *B.R.H.*, Vol. XXXII, No. 9 (September 1926), pp. 557-9

we can rid them of vermin because of the abundance of this grease. One sister spends part of the day at this. It is a task which each one desires ardently. 43

In November 1659 a Huron girl called Genevieve was given the religious habit the day before her untimely death and she pronounced her religious vows to the abbé de Queylus just a few hours before her death.⁴⁴ There were none who imitated her in life, however, Another young convert, Cecile Gannendairis, so impressed the Bishop that he ordered all the bells of Quebec to toll on the occasion of her death, an event which drew the Jesuit comment "which is not done ordinarily at the death of Savages." 45

The young Frenchmen who roamed the woods left a bad influence on the mission Indians, whatever other contributions they made to the colonial economy. These coureurs de bois gave the Indians a pretext for refusing to accept the Gospel.⁴⁶ Mother Marie de l'Incarnation defended the policy of segregating the converted Indians by

43 Andre Rayez, "Marie de l'Incarnation et le climat spirituel de la Nouvelle-France", R.H.A.F., Vol. XVI, No. 1 (June 1962), p. 15

44 Journal des Jésuites, p. 224

45 Thwaites, op. cit., Vol. LII, p. 244

46 Ibid., Vol. V, p. 291

asserting that the neophytes were not ready to assume "the honest liberties of French life".⁴⁷ The liberties of Indian life assumed by the furtraders complicated matters.

It was the generosity of French men and women that made possible this missionary work and this programme of Frenchification of the Indians.⁴⁸ The Relations did much to keep alive an interest in the Canadian missions.⁴⁹ They were frankly propaganda pieces, whereas the personal letters written by the missionaries were not - the result was that the Relations elaborated any measures of success and the personal letters related the difficulties and opposition in detail.⁵⁰ Benefactors such as M. de la Dauversière, the Duchess of Aiguillon, and Mme. de la Peltrie were indispensable to the project. Anonymous donors made possible the Huron mission. After 1660 there were few large gifts;

47 C. Martin, Lettres de la Vén. Mère Marie de l'Incarnation (Paris, 1681), p. 387

48 Ayers Collection, No. 108, "Lettre de la Reverende Mere Superieure des Religieuses Hospitalieres de Kebec en la Nouvelle France, Octobre 3, 1666". This letter contains lists of donations, drugs and other supplies sent to the colony by various individuals in March and April of 1666, pp. 15-16

49 Pouliot, op. cit., p. 7

50 C. de Rochemonteix, Les Jésuites en la Nouvelle-France au XVIIe Siècle (Paris, 1905), Vol. I, Doc. XVI, Claude Boucher to Bagot, August 27, 1663

that of Antoine de Barillon, seigneur de Morangis, King's councillor, was for 1000 livres annually for 20 years, but it was to be shared with missions in Scotland, Greece, Syria and the Far East, for example.⁵¹ The enthusiasm generated in the period between 1630 and 1660, notably by dedicated societies such as the Company of the Holy Sacrament, tended to wane rapidly.⁵²

To establish an Indian settlement of the proportions dreamed of by Le Jeune was impossible without the support of wealthy benefactors. Fortunately, as had been noted already, Sillery was willing to dedicate his considerable fortune to this work.⁵³ He not only donated funds for the buildings required and the chapel but also sent 20 workmen to prepare the fields for the Indians, then provided an endowment yielding 1500 livres annually during his lifetime and 20,000 livres upon his death.⁵⁴ The Jesuits introduced the principle of elective chieftains, two of whom were specifically directed to "keep the young people in their duties", at Sillery.⁵⁵

51 P.A.C., A.S.M.E., Vol. II, fol. iv, p. 455

52 R. Allier, La Compagnie du Très-Saint Sacrement de l'Autel: La Cabale des Dévots (Paris, 1902), pp. 10-17

53 Thwaites, op. cit., Vol. XIV, p. 204

54 Ibid., pp. 212-214

55 Ibid., Vol. XVIII, pp. 100. 102

One of the chieftains became the "captain of prayers". So great became the religious fervour that intolerance raised its head and not only did the Christians out-vote the pagans on every issue but they decided to exclude the heathen from the settlement. By 1646 they seemed to have taken some interest in agriculture, but the situation must have deteriorated rather suddenly because in the winter of 1649 the only two residents were Europeans.⁵⁶

Father Le Jeune went to France to obtain support in order to save the mission. Father Lalemant in 1650 appealed for funds. Then in 1651 the Company of New France was sufficiently interested to grant the seigneurie to the Indians, placing everything absolutely under the control of the Jesuits.⁵⁷ The Company had also conceded the fishing rights in the St. Lawrence adjacent to the lands included in the grant. This transfusion proved to be of temporary assistance only and by 1647 the hospital was removed to Quebec and later the chapel and mission houses were destroyed by fire. Although rebuilt the mission never became very prosperous. The Abenakis later took up the lands vacated by

56 Journal des Jésuites, pp. 43-44, 131

57 A.S.Q., Fonds Verreau XIII, No. 28b; A.S.Q., Polygraphie XIII, No. 22, February 6, 1652

the Algonquins and others.⁵⁸ When the Jesuits later tried to retain their title to Sillery the attorney-general Rouette d'Auteuil was to argue that the lands had been granted for the purpose of an Algonquin settlement and since the Indians had not been in occupation for above thirty years their claims were without foundation.⁵⁹ This gives some indication of the singular lack of success of the policy embraced with regards domiciled Indians.

In 1647 Governor de Lauzon also granted the Jesuits a tract of land on the south shore of the St. Lawrence river extending from St. Helen's island to the Lachine rapids or Sault St. Louis. But Iroquois threats prevented the settlement of this concession until 1667, that is twenty years later. Prairie de la Madeleine started as a small French settlement but soon Christian Indians approached it and because silent onlookers in the church of the Frenchmen during mass. By 1671 there were some 20 Indian families there, and three years later their numbers reached 180.⁶⁰

58 Thwaites, op. cit., Vol. XXXI, pp. 182-6; LXII, p. 108

59 P.A.C., Series F5A, Vol. II, p. 8

60 Thwaites, op. cit., Vol. LIV, p. 282; LVIII, p. 250

In 1676 they moved to Sault St. Louis on their own "reserve".⁶¹

Champlain had told the Hurons that if they accepted the Catholic religion the French would gladly go to live among them, marry their daughters and teach them their arts and trade.⁶² The commissioner-general of the Company of New France in 1635 had reproached the Indians in the vicinity of Three Rivers for marrying only within their tribe and avoiding alliances with Frenchmen.⁶³ This early policy of inter-marriage seems to have had little issue. Lahontan was to charge later that the Jesuits opposed integration.

He wrote:

The Savage Women like the French better than their own Countrymen, by reason that the former are more prodigal of their Vigour, and mind a Woman's Business more closely. In the meantime the Jesuits use all Efforts to prevent their keeping Company with the French: They have superannuated Fellows placed in all the Huts, who, like Faithful Spies, give an Account of all that they see and hear... The Jesuits never offer to check the Young Savages for keeping company with girls; for if they offered to censure their conduct, and use them with the same liberty as they do the French, they would tell them roundly, that they're sorry the Fathers have a mind to their Mistresses...⁶⁴

⁶¹ R.A.P.Q., 1926-27, Frontenac to Louis XIV, November 6, 1679, p. 110

⁶² Phwaites, *op. cit.*, Vol. X, p. 26

⁶³ *Ibid.*, Vol. IX, pp. 216-218

⁶⁴ R.G. Phwaites, New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. II, p. 455

But it is readily seen that he was not really speaking about racial inter-marriage but about illicit sexual relations. The Jesuits did to some extent encourage inter-marriage. In April 1660, Father Albanel was moved from his mission at Tadoussac because he had performed a marriage between Francois Pelletier and a converted Montagnais sqaw "without publication of banns, nor advice given beforehand to the relatives, not to Mons. the Bishop, nor Mons. the Governor."⁶⁵ The mention of both Bishop and Governor does suggest that an inter-racial marriage was considered as unusual. However, when Laurent DuBoc married a Huron in September, 1662, the Jesuits gave them 500 livres to establish their household. A week later Jean Durand married a young Huron girl and the Jesuits gave them 260 livres.⁶⁶

The Iroquois attack upon Heronia brought about unexpected Indian settlers near Quebec and Three Rivers. A convoy of 61 Frenchmen had brought the refugees safely from the scenes of devastation in the interior.⁶⁷ The refugees settled on the island of Orleans and were joined there by

⁶⁵ Journal des Jésuites, p. 281; Thwaites, op. cit., XLV, p. 148

⁶⁶ Journal des Jésuites, p. 312

⁶⁷ Thwaites, op. cit., Vol. XXXV, pp. 23, 75, 197-199, 207; XXXVI, p. 59; XXXVII, p. 180

Hurons from Sillery and together these five or six hundred natives remained until June, 1656.⁶⁸ By the end of September 1651, news reached Quebec that thirty-six canoes of Hurons were coming from the west to join the settlement.⁶⁹ They seem to have arrived safely.⁷⁰ Then, in April 1654, those Hurons who had taken up residence at Three Rivers for four years joined those at the island of Orleans,⁷¹ but this was not altogether a fortunate move because the following month some Mohawks attacked the island and killed or captured 71 Hurons. It was therefore decided to move back to Quebec while suing for peace with the Mohawks. But the Mohawks would not come to terms unless the Hurons promised to settle in their country.⁷² The clan of the Cord refused to leave the safety of Quebec, but the others in 1657 left for the Mohawk country where they were soon reduced to abject slavery.⁷³ The few

68 Thwaites, op. cit., Vol. XXXVI, p. 117; XXXVII, p. 168; XLI, p. 137; XLV, p. 243; LXX, p. 207

69 Ibid., Vol. XXXVI, p. 143

70 Ibid., Vol. XXXVI, p. 189

71 Ibid., Vol. LXX, pp. 205-207

72 Ibid., Vol. XLIII, p. 117; Vol. LXX, p. 207; Vol. XLIII, p. 187

73 Ibid., Vol. XLIII, pp. 49, 187, 191, 207; Vol. XLIV, pp. 69, 73, 155, 165, 189, 191, 205, 217

who remained under cover of the defences of Fort St. Louis were more fortunate.⁷⁴ It was from this settlement that forty or so Hurons accompanied Adam Dollard and his youthful adventures when they made their fateful and desperate stand at the Long Sault.⁷⁵ There was little room for rejoicing over the success of the programme to date.

Nevertheless, when Bishop Laval arrived in the colony in the summer of 1659 he was very enthusiastic about the possibilities of the Indian work and wrote to Pope Alexander VII, a month after his landing, in such a vein. The Pope was pleased.⁷⁶ Laval had already indicated his great interest in the Indian work shortly after landing in the New World by reversing one of the colonial rules of precedence, or at least so it is pictured in Lalemant's Relation:

...in giving publicly Confirmation to the French in the parishes, he wanted to commence all the ceremonies with a few savages; that he did with a great joy, seeing at his feet and laying his hands upon

74 D'Ailleboust had a "fort des Hurons" built and it can be seen on the plan of Quebec in the Report of the Canadian Archives, 1905, Part V, facing p. 4

75 Thwaites, op. cit., Vol. XLV, pp. 157, 245; Journal des Jesuites, p. 284; Ontario Archives Report, 1908, p. 453

76 S.R.C., Doc. XXIII, No. 1, Laval to Alexander VII, July 31, 1659, pp. 74, 76. A.S.Q., Lettres N, No. 5, Alexander VII, to Laval, April 3, 1660

peoples who never since the birth of the church had received this sacrament. But his joy was much greater still, when later he confirmed the whole elite of our two Algonquin and Huron churches. 77

It was in this first enthusiasm for the Indian work that we must set his opposition to the colonial plan to launch a "crusade" against the Iroquois if we wish to understand it. He was not too long in changing his mind on the matter; he agreed to an all-out effort to exterminate the enemies of the missions and the agricultural settlements. Indeed, he urged the destruction of the "infidels" so that a Christian state could be reared - to further this design he blessed the men going off on Iroquois raids. 78

If Laval was at first optimistic and enthusiastic, the Jesuits were still depressed following the Huron reverses. The Relations gave such a bleak description of the colony that it has been asserted that they were instrumental in causing the cessation of colonization. 79 This was certainly not their aim, nor was their aim solely to attract

77 S.R.C., Doc. XVIII, Relation of September 12, 1659, pp. 37-9; Thwaites, op. cit., Vol. XLV, pp. 30-45

78 Ayers Collection, Lalement: Lettres envoyées de la Nouvelle-France (Paris, 1660), pp. 15, 19; Also Martin op. cit., pp. 557, 558

79 B. Sults, "Pierre Boucher et son livre" Mémoires de la Société Royale du Canada, 1896, p. 101

benefactors to the Canadian missions. The Jesuits attempted to arouse what we today would call "public opinion" against the Iroquois.⁸⁰ The motherland was not insensible to the dangers that faced the colony. The Council of State authorized Guenet and company, merchants of Rouen, to send two shiploads of wheat and other provisions in 1660 in order to relieve the colonists who had been unable to either sow or reap their crops.⁸¹

After the Dollard episode and Radisson's heroic running of the Iroquois blockade of Montreal, the Jesuits seem to have taken fresh courage and again undertook comprehensive evangelization. They had the confidence of the Abenakis who hunted between the south bank of the St. Lawrence and the Atlantic. Raddisson and Groseilliers had closely linked the Sioux and Crees of the West to the French trade. Even the northern tribes were favourably disposed. The Tobacco nation had settled among the allies to the south-west of the Great Lakes. New efforts were made to convert these peoples.⁸²

The year 1661 was filled with threats from the

80 Pouliot, op. cit., p. 264

81 A.C., Series F3, Vol. III, fol. 271

82 Thwaites, op. cit., Vol. XLVI, p. 67

Iroquois and the thoughts of the colony were on survival rather than expansion. By 1663 the colony was raised to a pays d'élection and a Governor of the Bishop's choosing was dispatched. Troops were also promised and arrived in 1665. De Mezy, the Governor, proved to be a difficult man and he soon laid charges that the Jesuits were trying to exempt the Indians from being governed by the laws of France.⁸³ This was manifestly untrue because in 1664 the Sovereign Council of Quebec had warned all the Indians that in future they would be subject to the full penalties of French law in case of any infringement of the laws observed in the colony.⁸⁴ This decision had arisen out of the trial of an Indian called Robert Hache for the rape of Martha Hubert; he had pleaded ignorance of and immunity from the penalties provided for natural born Frenchmen. De Mezy had also boldly asserted that the policy of Frenchification had been a complete failure due to Jesuit duplicity:

Is the religion of the Indians quite imaginary? Are they Christians only through policy, and because of the gratifications which are given them? And apart from that, are they all in their error as before- which one may see them practicing every day? 85

83 Ordonnances, Vol. I, p. 29

84 Journal des Jésuites entry for February 1, 1664 also indicates the French were guilty of supplying liquor

85 Ordonnances, Vol. I, p. 30

The failure of the policy of Frenchification he might with reason proclaim, but the extent of ecclesiastical culpability was a very different matter.

The next Governor, Courcelles, was encouraged to urge the Indians to take up agriculture. There was an awareness by this time of the Indian distaste for manual labour:

His Majesty knows that the males among these peoples wish to give themselves to no tilling of the soil but only to the chase of animals of which they sell the skins to Europeans, in exchange for cloth and notions, but His Majesty knows also that the Indian females are very hard-working and especially so for the growing of maize which is their food. 86

The instructions to Talon, who came to the colony as the first Intendant, were also to induce the Indians to take up sedentary agriculture and to introduce manual labour early in the educational programme of the children because the King believed that laziness in children was the cause of later traits of weakness. 87

The English conquest of New Holland and New Amsterdam seemed to mean that relations with the Iroquois might be improved insofar as New France and the missions were concerned. Paul Ragueneau wondered however if the

86 Collection de Manuscrits, Vol. I, p. 175

87 P.A.C., Series B, Vol. I, p. 70

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English might not use the Iroquois against the colony in the same way as the Dutch had. What greatly troubled him was the fact that Groseilliers had gone over to the English and was capable of anything:

He is a man capable of anything, audacious, tireless, strong-minded in what he undertakes, one who knows the country, and who has been everywhere, to the Hurons, to the Ottawas, and who has demonstrated animosity towards the French. 88

Here was an excellent example of the military value of keeping both missionaries and coureurs de bois happy and loyal. The Jesuits were great diplomats and informers, their policy of Frenchification might attach the Indians to the French cause, but on the other hand if the coureurs de bois were driven into the arms of the enemy they could also be of incalculable harm.

The treaty of peace signed with the Iroquois in December, 1665 provided that two missionaries, as well as a gunsmith and a surgeon, were to be sent to the Iroquois country.⁸⁹ Clause six of the treaty provided for the domiciling of Iroquois among the French:

To render the desired union of the Iroquois nations and the French nation stronger and more solid...there will be sent from each of the four upper nations to

88 P.A.C., Melanges de Colbert, Vol. CXXV, Ragueneau to Colbert, November 7, 1664, fol. 181

89 A.C., Series F3, Vol. II, fol. 18

Montreal, to Three Rivers and to Quebec two of the chief Iroquois families, to whom will be given fields and French and Indian corn besides the right to hunt and of common fishing which will be accorded them... 90

The clause remained inoperative. But the thinking behind it was clear.

The premise upon which Frenchification rested was that the Indians who saw the material advantages of French civilization would seek to emulate the Europeans. This was a serious fallacy because the Indian did not consider himself inferior. Indeed, had he not taught the French how to survive, how to travel, how to fight in the wilds of North America? The Indian saw emulation on the part of the Frenchman, and also witnessed a steady drain of the young men of the colony to the freedom of Indian life in the woods and away from the restraints of the supposedly superior culture.

The state refused to accept this verdict and blamed the French failure upon the half-hearted and inadequate support accorded it by the clergy. By 1666, the Jesuit Superior, Le Mercier, was petitioning Talon not to establish bourgs on the Jesuit seigneurie of Notre-Dame des Anges. Talon could not understand this Jesuit disillusionment with the policy of Frenchification. The Jesuits

90 B.R.H., Vol. XXXVI, No. 9 (September 1930), p. 533; No. 10 (October 1930), pp. 605-606; No. 11 (November 1930), pp. 678-680

had now come to look towards a long-range programme which would be effected over several generations of slow, patient and probably difficult labour. But the Intendant believed that the teaching of French to the Indians would solve the whole problem.⁹¹ The matter was as simple as that to Talon. By stressing the teaching of the French language to all the Indians, and presumably by use of that medium in preaching to the unconverted tribes, the French and Indians would be brought to "constitute one people and one race". Colbert and Talon were completely agreed on the matter and were quite convinced that the missionaries were not applying themselves sufficiently in this area.⁹² The state would dictate policy and the church would be expected to implement it. Peter Kalm was later to opine that the Indians were "too proud to learn French".⁹³ That the Indians might possibly resist any attempts at assimilation did not seem to occur to the bureaucrats. The English do not seem to have been more successful in their attempts to assimilate the

91 P.A.C., Series C11A, Vol. II, Talon to Colbert, November 13, 1666, p. 332

92 P.A.C., Series C11A, Vol. II, Colbert to Talon, April 5, 1667, pp. 476-477; Talon to Colbert, October 27, 1667, p. 518

93 A.B. Benson, ed., Peter Kalm's Travels in North America (New York, 1937), Vol. II, p. 526

Indians and educate them; in 1665 there eight Indian youths at Harvard, only one of whom was ready to enter college, and there were six settlements in New England of domiciled and converted Indians.⁹⁴

Talon now "borrowed" from the Jesuits land at Notre-Dame des Anges for three new European-type village communities near Quebec.^{94a} He was genuinely and primarily interested in agricultural settlement and does not seem to have been motivated by any ill-will towards the Jesuits. This is evident from a number of actions. He favoured leaving to the Jesuits the title to the seigneurie on which his village experiment was carried out along with the right to the dues accruing from it. He quite willingly associated himself with their work by such actions as laying the keystone to the entrance of their second chapel and church.⁹⁵ Colbert on the other hand seems to have felt that the plan was too generous to the clergy. The Jesuits regretted the European-type village experiment, but Talon made up for their loss by obtaining from Governor Courcelles authorization for

94 N.B. Shurtleff, Records of the Governor and Company of Massachusetts Bay in New England (Boston, 1854), Vol. IV, Pt. II, pp. 198-199

94a Talon to Colbert, November 13, 1666, p. 325

95 A.S.Q., Fonds Verreau XIII, No. 10, Mr. Le Barrois, agent general of the Company of the West Indies, also identified himself with their work in like manner

them to cultivate their concession at Prairie de la Madeleine, opposite Montreal. To Colbert, Talon reported:

I do not know how I stand with the Jesuit Fathers since I caused them to lose the hope they had that the seigneurie of the lands I employed to form these villages would turn to their profit, but I know I am assured that they were sick at heart over it. Nevertheless they are prudent enough to show no indication of it. 96

Colbert replied that it was necessary to restrict the activities of the Jesuits, that the establishment of three villages would aid the development of the colony and that the ecclesiastics must be continually pressed with a programme of assimilation of the Indians. The concession made to the Jesuits across from the island of Montreal was too extensive, in Colbert's opinion, but the King would confirm it with letters-patent if the Jesuits engaged themselves to bring out fifty men between the ages of 16 and 30 and twenty women of the same ages annually.⁹⁷ This was asking the church to assume a burden which neither the monopoly companies nor the state had hitherto been able to bear.

Colbert also seems to have been unaware that the Jesuits had encouraged inter-racial marriages, or that the

96 Talon to Colbert, October 27, 1667, p. 500
P.A.C., Series C11A, Vol. II

97 R.A.P.Q., 1930-31, Colbert to Talon, February 20, 1668, p. 96

missionaries personally toiled in the fields.⁹⁸ Probably more knowledge of such matters would have altered the instructions to continually press forward with a programme which had proved itself impractical. All Talon did under the pressure from France was reply that the process of Frenchification would be pressed. The result was that Colbert continued to blame the missionaries for slow progress and to urge Talon to accelerate the programme of assimilation of the native population.⁹⁹ The Jesuits promised to apply themselves to the task and said they would begin by teaching the Indians French. Louis XIV sent a letter to Bishop Laval expressing his disappointment with the slow pace of assimilation and suggested that if the adults resisted at least the Indian children might be given a French and Catholic education.¹⁰⁰ Colbert gave Laval similar advice at about the same time.¹⁰¹ These instructions would seem almost

⁹⁸ R.A.P.Q., 1930-31, Colbert to Talon, February 20, 1668, p. 95; J. Delanglez, Frontenac and the Jesuits (Chicago, 1939), pp. 42-43 cites evidence from the Jesuit Archives in Rome that the society was among the first to advocate inter-racial marriages in Canada and that it continued to do so long after the state had changed its policy in the matter

⁹⁹ P.A.C., Series C11A, Colbert to Talon, April 5, 1667, Vol. II, p. 477

¹⁰⁰ P.A.C., Affaires Étrangères: Amérique, Louis XIV to Laval, March 2, 1668, Vol. V, 243

¹⁰¹ A.S.Q., Lettres N, No. 27, Colbert to Laval, March 7, 1668,

to indicate a complete ignorance of the Jesuit missionary methods and their reasons for abandoning their initial plan. Be that as it may, Laval seems to have proceeded to emphasize this work as directed by the King and the Minister of the Marine.¹⁰² Of course, at about the same time, Laval had received a royal communication to the effect that reports from de Tracy and Talon indicated he was fulfilling his duties faithfully and that his efforts to provide a good education for the children of the colony were particularly worthy of praise.¹⁰³ It was characteristic of royal admonitions that they were usually tempered with words of encouragement in spheres where the royal policy had been carried through.

It was at this point that the settled Hurons of Quebec, apparently convinced that the Iroquois threat was dissipated, moved to Beauport for a year. This new settlement of 1668 was in the woods $1\frac{1}{2}$ leagues from Quebec. Here they hoped to cultivate their land in peace, and commence a new village where they could be self-supporting.¹⁰⁴ This site, known henceforth as Notre-Dame des Neiges, belonged

102 Thwaites, op. cit., Vol. LII, p. 47

103 A.S.Q., Lettres N, No. 22, Louis XIV to Laval, April 9, 1667

104 Thwaites, op. cit., Vol. LXX, pp. 206, 229

to the Jesuits and it is evident that the society was still deeply interested in the Indian settlement.¹⁰⁵

The Intendant had now enlisted the support of the Sulpicians in the work of Frenchification.¹⁰⁶ The Sulpicians were enthusiastic at the prospects of the programme and offered to teach and "francize" Indian children in accordance with royal instructions provided they were not "traversed or disquieted in these exercises of charity by those who claim to be the sole directors of the said Indians."¹⁰⁷ M. Souart, their Superior, pledged himself to the work. A school was opened in 1668 for which M. de Queylus, the new Superior, was much congratulated.¹⁰⁸ The civil authorities were aware of the Sulpician-Jesuit rivalry and determined to exploit it to the full.

105 Jesuit missionaries to the Hurons at Quebec were Pierre Chaumonot, 1650-5; 1658-62; 1663-5; 1665-92. Leonard Garreau, in 1652. Pierre Raffeix, in 1666, and in 1699. Martin Bouvart, 1674-6. Francois Vaillant de Gueslis, 1675-7. Claude Chauchetiere, in 1678. Nicolas Potier, 1679-83. Pierre Choleneq, 1683-88. This list is found in Ontario Archives Report, 1908, pp. 456-7

106 When applying for permission to return to France Talon asked that Sulpicians be allowed to "carry the Gospel to the Indians and instruct them in all places." Talon R.A.P.Q., 1931, pp. 84,85

107 P.A.C., Series F3, Vol. III, p. 353

108 A.C., Series F3, Vol. III, Souart to de Tracy, October 7, 1667, fol. 353

The Jesuits were not alone in expressing the opinion that experience had proved the Royal policy of assimilation difficult and prone to failure. Mother Marie of the Incarnation wrote with conviction on the subject, and it is noteworthy that the Ursulines had by 1668 succeeded in getting one Indian girl to speak French fluently and had married 7 or 8 more of their pupils to Frenchmen.¹⁰⁹ Mother Marie wrote as follows to a correspondent in France, betraying a little less than enthusiasm:

If His Majesty wills it, we are ready to do so, by the obedience we owe him...Nevertheless, it is a very difficult thing, not to say impossible, to gallicize or civilize them. We have more experience in the matter than any one else, and we have remarked that out of a hundred who have passed through our hands we have civilized scarcely one. 110

The Relation of 1668 affirms that between 1665 and 1668 more than two hundred Iroquois came to the Huron mission at Quebec and received instruction, of whom 60 were baptized. It is not stated explicitly that they joined the colony; on the contrary, from the wording of the passage it would appear that they were transient visitors remaining, nevertheless, long enough to receive some instruction.¹¹¹ The smallpox

109 Delanglez, op. cit., p. 47

110 Martin, op. cit., p. 627

111 Thwaites, op. cit., Vol. LIII, p. 19

epidemic of 1669-70 would have done little to encourage the efforts which Mother Marie had already described as very discouraging.

Bishop Laval also felt that the task was a difficult one. To the curé of St. Josse in Paris he wrote an apology of the clergy:

As the King told me that he hoped we would attempt to raise in the manner of life of Frenchmen the little children of the savages in order to discipline them little by little, I formed expressly a seminary where I took in a number with this in mind; and in order to succeed better I was obliged to include some young French children from whom the savages can learn more easily both the customs and the language by living with them. 112

This the Bishop found was very difficult for the Indian children to become accustomed to; and the Indian parents did not make matters easy either for they were much attached to their children and they also were anxious to have them at home with them for they regarded them as a source of support when they should reach their old age. Therefore, it was not surprising that few of the native children remained long in the French environment under the new discipline.¹¹³

But the metropolitan administrators did not readily

112 H. Têtu, Biographies de Msgr. de Laval et de Msgr, Plessis (Montreal, 1913), Laval to Poitevin, November 3, 1668, p. 35

113 A.A.Q., Lettres, Vol. I, Laval to Poitevin, November 8, 1668, p. 128

renounce their policy. Talon's successor, Bouteroue, in his instructions was given another clearly enunciated statement of Colbert's policy on the matter.¹¹⁴ Colbert summarized the colonial developments by saying that Jesuits policy seemed to have been to resist bringing the indigenous peoples into the settlements of the French. They showed this resistance to the policy of assimilation on three counts, according to the Minister of the Marine. Firstly, by not encouraging inter-marriage. Secondly, by not granting lands to Indians in French settlements. Thirdly, by not educating Indian children in the same schools as French children. Colbert warned the new Intendant that the clergy would argue that segregation aided the maintenance of better religious standards among the Indians because contact with French life tended to corrupt these simple peoples. The Minister of the Marine warned the new Intendant that such ecclesiastical arguments were far removed from good sense. Instead of listening to such reasoning as offered by the clergy the Intendant was to promote racial integration by encouraging misgenation and de-segregated education. However, there was one word of caution:

114 P.A.C., Series B, Instructions to Sieur Bouteroue, April, 1668, Vol. I, p. 82; A.P.Q., Ordres du Roi, Series B, Instructions to Bouteroue, April 5, 1668, Vol. I, p. 39

...it is necessary to act slowly to make them change, and to employ all the temporal authority to attract the said savages among the French, which can be done through marriages and through the education of their children. 115

The habitants should likewise be encouraged to build their houses close together in bourgades, the European - type of village community, the Minister suggested.¹¹⁶ The Intendant was to be vigilant and do all in his power to disseminate these views in the colony, and especially so among the leading families. The Bishop received similar instructions reminding him of the King's desire to see the Indian children educated among the French, with much stress being placed on the mastery of the French tongue. The Indian children should be raised in French manners and customs for nothing would more rapidly augment the welfare of the colony. Above all, once the Indians had decided upon the married state in preference to celibacy, they were to be encouraged to join the colonists in marriage alliances.¹¹⁷

Queyus received official confirmation of the Royal pleasure with the Sulpician efforts at Montreal; the King was particularly pleased with the Sulpician emphasis on the

115 P.A.C., Series B, Instructions to Bouteroue, April 1668, Vol. I, p. 83

116 Ibid., Vol. I, p; 83

117 A.S.Q., Lettres N, No. 27, Colbert to Laval, March 7, 1668

education of Indian children "in the maxims of our religion and in the civil life of the French".¹¹⁸ Colbert communicated to him the King's intention to send Talon back to the colony for a second term as Intendant and also the King's intention to send out more settlers. Once again the Minister of the Marine took occasion to expound the Frenchification policy as assimilation of the Indians "in order to compose but a single people if it be possible."¹¹⁹ The letter ended with a flattering salutation and an indication that it would be much appreciated if an avenue of communication should be kept open with the colony: "you will oblige me very much by letting me know what is going on throughout the extent of that colony..."¹²⁰

On the same day as this letter of commendation was addressed to Queylus another communication was addressed to Governor Courcelles informing him that Talon was receiving fresh orders from the King to communicate to the Bishop and Sulpician superior on the matter of assimilation of the Indians, "in order to render them capable of joining themselves to the French and in the obedience of those who

¹¹⁸ P.A.C., Series B, Minister to Queylus, May 15, 1669, Vol. I, pp. 216-218

¹¹⁹ Ibid., p. 217

¹²⁰ Ibid., p. 218

possess the legitimate authority of His Majesty." 121

No letter of commendation seems to have gone to the Jesuits, however.

Louis XIV on several occasions congratulated the Bishop for the efforts made towards Frenchification of the Indians and provided a gratuity to aid in the raising of more Indian children in a French environment.¹²² Colbert's letter to Laval indicated the gratuity amounted to 6,000 livres and was to be spent on various expenditures of the colonial church according to the Bishop's discretion, but "particularly that of the education of the children of the savages." 123 A second letter from Colbert urged the bishop to press the Frenchification policy in order to "join them in the common life of the French", as the phrase now ran.¹²⁴

What was not yet known in France was that Laval's efforts were proving as barren as had those of the Jesuits three decades earlier. On October 9, 1668, the feast of St. Denis, the Bishop had opened a Petit Seminaire for the

121 P.A.C., Series B, Monseigneur to Courcelle, May 15, 1669, Vol. I, p. 208; also A.P.Q., Ordres du Roi, Series B, Vol. I, Colbert to Courcelle, May 15, 1669, p. 99

122 P.A.C., Series B, Vol. II, King to Laval, April 10, 1670, p. 67; King to Laval, May 15, 1669, p. 212; also A.P.Q., Ordres du Roi, Vol. I, King to Laval, May 17, 1669, p. 89

123 P.A.C., Series B, Vol. II, Colbert to Laval, April 10, 1670, pp. 67-68

124 Ibid., Colbert to Laval, May 15, 1669, p. 212

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rearing of Indian boys along with some French boys. Talon had urged Laval to open such an institution. Laval himself wrote:

As the King has indicated to me that he wished we try to raise in the French way of life the little children of the Savages, to discipline them little by little; I have organized expressly for this a Seminary, where I have taken in a number for this purpose; and to better succeed I have been obliged to add some little French boys, from whom the Savages will learn more readily both customs and language by living with them. 125

Laval's school was to provide complete board, room, and tuition at no cost to the parents. However, the students went to the Jesuit school for their lessons, so in fact there had been no new school founded - only a lodging for students. By way of technical and vocational training the boys learned sculpturing and they executed some of the ornaments for the Seminary chapel. 126 Only one of the Indian boys remained more than one year; by 1673 not a single Indian child of the initial group remained. Thereafter, no more Indian boys were accepted, with the exception of an Iroquois lad who came for a few months only in 1679. 127 A half-breed boy was also enrolled in 1679 but he was sent home almost immediately as being totally unsuited to the school's environment. The

125 Thwaites, op. cit., Vol. LII, p. 46

126 P.A.C., A.S.M.E., Vol. CCCXLV, Pt. I, Histoire du Seminaire de Quebec, fol. 3, p. 27

127 Ibid., p. 28

original aim of the institution seemed to have been altered considerably.

A school which had begun as primarily an Indian school was in a decade closed to the natives. Was there in fact a policy of discrimination against the Indians now? This would be difficult to prove. Certainly there were no Indians at the Petit Séminaire in 1680. It might also be added that there seem to have been no Indian boys admitted to Laval's model agricultural and trades school at St. Joachim.¹²⁸ Another indication that some discrimination was practiced against Indians in subtle ways was the fact that there were no record of the Indians possessing horses in the period prior to 1685, yet the numbers of these animals was multiplying rapidly on the seigneuries. The laws of New York in 1670 forbade Indians to possess horses, and it may be that discrimination accomplished in New France what legislation sought to accomplish in New York.¹²⁹

The failure of Laval's efforts to educate Indian boys made it imperative that he give other outward evidences of compliance with the royal wishes regarding Frenchification of the natives. Two such opportunities presented

¹²⁸ P.A.C., A.S.M.E., Vol. CCCXLV, Pt. I, Histoire du Séminaire de Québec, fol. 3, p. 28

¹²⁹ Second Annual Report of the State Historian of the State of New York (Albany, 1897), p. 166

themselves in 1670 and 1671. At the end of July 1670 delegates from the Iroquois, Algonquin and Huron tribes met three times at Quebec with Governor de Courcelles to settle their tribal rivalries. The highlight of the meetings was not these political negotiations but the conversion of the Onondaga chieftain, Garakontie. In August he received both baptism and later confirmation at the hands of Laval. Courcelles was godfather at the baptism, and the Intendant Bouteroue's daughter was godmother. The publicity and pomp with which this event was celebrated seemed to meet the approval of Laval. Probably he approved in the hope that it might aid the slow task of Indian conversion.¹³⁰ The funeral of the Huron chieftain Ignatius Saouhenhohi at the Quebec parish church, at which the local clergy, the Bishop and the leading civil magistrates were present, on February 22, 1671, was another occasion on which Laval was able to make much of the Indian flock in his vicariate.¹³¹

As soon as Talon returned to the colony in 1670 he made a progress report to the Minister of the Marine. Laval was still attempting to raise Indian boys at the Petit

¹³⁰ P.G. Roy, La Ville de Québec sous le Régime Français (Québec, 1930), pp. 381-382

¹³¹ Roy, op. cit., pp. 385-386

Seminaire at this time. Talon's impressions were not altogether unfavourable:

Upon my return I found the number of little savages that the Bishop and the Fathers were raising greatly diminishes; but I must inform you that their enthusiasm for this charity is awakening and they are going to seek new subjects to raise them in our ways, our language and our teachings. It would be good to sustain this inclination which they demonstrate for this work by two or three lines expressing your approbation. 132

In keeping with Talon's suggestion, Colbert again sent an exhortation to the Bishop to press forward with the work of Indian education and made a promise of further royal subsidies for the work.¹³³ These annual subsidies were a means of expressing approval or disapproval of the progress made. To Talon the instructions were that he should continue to apply the pressure.

Always work by all sorts of means to excite all the clergy and the religious who are in the aforesaid country to raise among themselves the greatest number of the said children possible in order that being instructed in the matters of our religion and in our ways they might compose with the inhabitants of Canada a single people and by that means fortify that colony. 134

This official policy of assimilation and acculturation was

132 Margry, op. cit., Vol. I, Talon to Colbert, November 10, 1670, p. 92

133 P.A.C., Series B, Vol. III, Minister to Laval, March 11, 1671, pp. 87-88

134 Ibid., Vol. III, Instructions to Talon, February, 1671, p. 67

to have particular military or imperialistic connotations. When the Sulpicians at Montreal were again commended for their efforts in this particular area it was their attempt to instruct Indian children with the objective of rendering them capable of being admitted into the common everyday life of Frenchmen "in order that they might compose a single people and by that means fortify all the more the colony" that was singled out for special praise.¹³⁵

However, Frenchification was beset by yet another problem - the Indians' dissatisfaction with their settlements. In 1669 we find the sedentary Hurons leaving Beauport for Cote St. Michel, Notre-Dame de Foy, a distance of one league from Quebec. Here some 210 of them remained for another four years.¹³⁶ This settlement was apparently in the midst of a French settlement a factor of some importance in the process of cultural exchange. In 1673 they again made plans to transplant their colony elsewhere because there were insufficient lands and forests for their increasing numbers. Moreover, a number of Mohawks were now joining them.¹³⁷ They re-settled at Old Lorette, about one

¹³⁵ P.A.C., Series B, Vol. III, Colbert to Queylus, March 10, 1671, p. 74

¹³⁶ Thwaites, op. cit., Vol. LIV, p. 287; LVIII, p. 131

¹³⁷ Thwaites, op. cit., Vol. LVII, p. 25; Vol. LVIII, pp. 131, 147, 149

and a half leagues from their previous settlement and at least three leagues from Quebec. With Iroquois additions their numbers at Notre Dame de Lorette grew to some three hundred.¹³⁸

Another approach was to increase the numbers of Europeans settled in the St. Lawrence valley. Perhaps the most romantic scheme to promote an increase in the numbers of natural-born Frenchmen was that policy usually associated with the Intendant Talon, the importation of the "brides". But even this scheme does not appear to have been an unqualified success. In a letter addressed to the Archbishop of Rouen, dated February 27, 1670, Louis XIV remarked that the "filles" sent the previous year to Canada had come from the "hopital general" and they were not too well suited to the rugged life and climate of the colony. He believed it would be better to send some fifty or sixty country girls able to withstand the rigours of harsh agricultural life on the frontier.¹³⁹ He directed the Archbishop to employ the credit of his diocese and the authority he exercised over his thirty or forty parishes to induce one or two suitable young ladies in each parish to volunteer to emigrate to the

¹³⁸ Thwaites, op. cit., Vol. LIX, p. 81; Vol. IX, pp. 26, 145

¹³⁹ P.A.C., Series, B, Vol. II, King to Archbishop of Rouen, February 27, 1670, p. 30

colony. Sieur Guenet, merchant of Rouen, would be in charge of their passages and he would call on the Archbishop to receive his orders on the matter.¹⁴⁰ On the same day, a letter was dispatched to the merchant Guenet of Rouen enclosing a copy of the letter sent the Archbishop, an outline of the plan to recruit the "brides" in the parishes of the archdiocese of Rouen, and a commission to him to transport the young ladies so recruited to New France.¹⁴¹ It seems that the plan proposed was that Guenet should use the credit he had on the priests of some 30 or 40 parishes to transport these "King's daughters".

There was great enthusiasm in the colony as more settlers, particularly young women, arrived. Marie of the Incarnation estimated that some 5,000 immigrants came to New France but the registers would indicate that only some 1,200 actually came out. Why did the devout sister exaggerate? It does not seem reasonable to suppose that she wittingly falsified statistics. That she failed to estimate correctly we may be certain. In a colony as small and weak as New France the arrival of a thousand or so immigrants represented a tremendous percentage increase -- in fact,

140 P.A.C., Series B, Vol. II, King to Archbishop of Rouen, February 27, 1670, p. 31

141 Ibid., Vol. II, Colbert to Guenet, February 27, 1670, pp. 32-33

the most important period of immigration of the entire French regime. The Mother Superior's mistake derived from the social climate of the colony and as such is most valuable in that it affords an insight into the psychological effect of this immigration on the colony. Mother Marie of the Incarnation captures some of the emotional atmosphere of the time and as such her statistical error has far more documentary value today than it would have had were it a mathematically precise and accurate figure.

It had also been decided to send some Recollets to the colony once again. Colbert informed Talon in 1671 that the Bishop and the Jesuits would welcome the return of these missionaries since they would work on the same plan and with the same objectives of converting the aborigines.¹⁴² It would be a means of stirring up more zeal and more competition in the work of conversion. The policy of assimilation of the Indians was again enunciated:

Always labour by all sorts of means to excite all the clergy and religious who are in the said country to raise among themselves the greatest number of said children that will be possible, so that being instructed in the matters of our religion and in our customs they may comprise with the inhabitants of Canada a single people and fortify by this means the colony there. 143

142 P.A.C., Series B, Vol. III, Colbert to Talon, February, 1671, p. 65

143 Ibid., p. 67

A few weeks later the Minister of the Marine wrote also to the Sulpician superior to say he had received a favourable report on Sulpician efforts among the Indians. The King was therefore certain everything would be done to advance at the Sulpician seigneurie and seminary the royal policy " to instruct the children of the savages and render them capable of being admitted into the common life of the French, in order to compose a single people and strengthen so much the more by this means the colony."¹⁴⁴ This seems to have become by now a royal idée fixe.

The religious orders do not seem to have been alarmed by the frank acknowledgment on the part of the temporal power that competition was expected. Indeed we are able to obtain some of our clearest impressions of the measure of success of the Indian policy because of the constant pressure on the several religious orders and communities to justify their work and hence their right to subsidies. A Sulpician missionary reported (in 1671) that the conversion of the natives was extremely slow and that few were ever genuinely converted. The Algonquins he singled out as particularly given to drunkenness and the Hurons equally given to disorders of drunkenness and immorality "whatever care or

¹⁴⁴ P.A.C., Series B, Vol. III, Colbert to Queylus, March 10, 1671, p. 74

whatever precaution the Jesuit Fathers who govern them take to prevent these." 145 His report was probably quite unbiased, because he added that the Iroquois were no better objects of evangelisation as his own particular religious order had found out during two years of missionary work along the shores of Lake Ontario. If the Jesuits made more converts than did the other orders, he said, it was nevertheless true that they proposed too many mysteries to the Indian mind and that the Indians faced with what they could not comprehend simply gave assent and were baptized while retaining their old pagan way of life.¹⁴⁶

A friend of the abbé de Galinée recorded that the Sulpicians were no more successful than the Jesuits, because the latter had spread a rumour that they were Jansenists and priests of the Antichrist. He believed they saw as many genuine conversions as did the Jesuits, but they baptized fewer Indians because they had fewer material rewards to offer converts. Moreover, they demanded more preparation prior to receipt of the first sacrament.¹⁴⁷ Tronson kept insisting that a work of evangelization had to be judged by the quality of its converts, not the quantity; he suggested

145 A.A.Q., Eglise du Canada, Report of a missionary, 1671, Vol. VI, p. 9

146 Ibid., p. 10

147 Margry, op. cit., Vol. I, p. 372

that the proper measuring rod for the success of a mission was not its immediate results but rather the results it might yield in the future.¹⁴⁸ This was not the language of a successful mission.

The Sulpicians were in good odour with the civil administrators though. Talon recommended that Queylus be granted permission to found a hospital in Montreal for the ill and aged Indians.¹⁴⁹ The Sulpicians were willing to provide an endowment of 10,000 livres and the Hospital Nuns said they would furnish the required nursing personnel. What may be significant in all this was that the Intendant was proposing a segregation of the aged along racial lines, without imputing qualities of inferiority or superiority to any group.

The arrival in the colony of Frontenac as Governor reopened the arguments of Frenchification. Upon his arrival he professed to be very perturbed that the Indians at Notre-Dame de Foy did not speak much French; he decided on the spot to imitate the English and to deal with the Indians only through the medium of the European language.¹⁵⁰ This was a

148 B.S.S.P., Vol. I, No. 1, Tronson to LeFebvre, April 25, 1675

149 A.A.Q., Eglise du Canada, Vol. VI, Talon to Colbert, November 11, 1671, p. 8

150 P.A.C., Series C11A, Vol. III, Frontenac to Colbert, November 2, 1672, p. 365

wise move on his part as he knew no other languages. Frontenac also expressed the opinion that the Indians ought to be attracted to a sedentary life in the parishes, that the real way to make them Christians was to "make them become men". What he seemed to be advocating was the maxim that integration would make the Indians aware of their acceptance, of their equality and of their human dignity.¹⁵¹ In his address to the colonial Estates-General in October, 1672, Frontenac informed the clergy that they could expect greater favours when they showed more zeal for assimilating the Indians. The duty of the clergy, according to Frontenac, was to inspire the Indians to learn French, to abandon their customs and way of life "which is as contrary and opposed to the spirit of Christianity as it is to the sentiments of a truly reasonable person."¹⁵²

It was not long before Frontenac informed Colbert that the Jesuits were not really interested in the policy of Frenchification. In code he expressed his convictions:

But whatever face they put upon it, they do not wish to hear this talk at all, and to speak more frankly to you, they think as much about the conversion of beaver as of that of souls, for the greater part of their missions are ~~pure~~ mockeries, and I should not think one ought to permit them to extend them further until one sees somewhere a

151 Margry, op. cit., Vol. I, p. 247

152 P.A.C., Series C11A, Vol. III, Address of October 23, 1672, pp. 323-324

church of these natives better formed...153

These were hardly charges he would make directly to the Jesuits. To them he gave advice on how to carry through the King's policy, ignoring completely their long experience in the colony. In so doing he was faithfully reproducing Colbert's ideas. Colbert considered the Indians as intelligent human beings capable of living according to French social conventions after a short period of apprenticeship or tutelage.¹⁵⁴

During the summer of 1673 Frontenac met a delegation of Indians at Cataragui. During the course of the ceremonial exchanges he decided to show up the missionary lack of zeal for Frenchification. Frontenac asked the Indians to send him some of their children to be reared in French manners and customs. Colbert was to be informed by Frontenac that the state was as successful as the church in the work of converting the Indians.¹⁵⁵ Frontenac even accused the Jesuits of wishing to keep the Indians perpetually under tutelage for fear they should become too independent and demand to share in the Jesuit lands that were granted for

153 P.A.C., Series C11A, Vol. III, Frontenac to Colbert, November 2, 1672, pp. 365-366

154 R.A.P.Q., 1926-27, Colbert to Frontenac, June 13, 1673, p. 26

155 P.A.C., Series C11A, Vol. IV, Frontenac to Colbert, November 14, 1674, pp. 197-198

their conversion. Frontenac believed the Indians were impressed by his speech but one report has it otherwise:

Thus Mr. de Frontenac speaking one day too long to some delegates on matters on which they had to reply, they felt their memories sufficiently taxed and they said to him, if you continue to speak we will forget everything you have told us up to now. 156

Frontenac's invitation to send him children to be reared at his expense was not enthusiastically received by the Indians. First, they said, they would come to see how those already at Quebec were progressing. Another report maintains that the Indians impertinently replied that the Governor must not think the Indian women would part with their offspring as readily as the French who seemed like porcupines in respect to lack of much maternal instinct in caring for the young.¹⁵⁷ The Indians did send children eventually, but it was only girls who were sent at first.

In any case, it was the Ursulines who cared for the 4 girls that arrived, - with the 6 Hurons they already had, they now had a total of 10 Indian girls. They decided therefore to commence an Indian school.¹⁵⁸ But this was far from being an Indian tribe that was being assimilated. It

156 P.A.C., Series K, Carton 1232, No. 1, p. 9

157 P.A.C., Series K, Carton 1232, No. 1, p. 12

158 P.A.C., Series C11A, Vol. IV, Frontenac to Colbert, November 14, 1674, pp. 163-164

was only ten Indian youngsters who were being educated. Moreover, Frontenac himself had but little to do with their education.

Inter-racial marriages were never numerous after the arrival in the colony of the "King's daughters" from France. The clergy made inter-racial marriages matters for special consideration. Thus, when the Vicar General Dudouyt gave permission to a Nicholas Pelletier to marry a Montagnais widow it was only on condition that they live in a French settlement, not in the woods, and that they raise their children in the French language and customs.¹⁵⁹

But Frontenac took it upon himself to supervise the Indian work very closely. To Father Chaumonot, in charge of the sedentary tribes at Notre-Dame de Foy who were planning a new village at Lorette, he gave orders that the Indians were to build their houses to resemble French houses complete with chimneys. He went so far as to inform Colbert that he was learning some Huron and he hoped to prove himself as good a missionary as any of the ecclesiastics in the colony.¹⁶⁰ To La Salle at Fort Frontenac the orders

159 A.A.Q., Registre A, No. 90, June 22, 1673, p. 77

160 R.A.P.Q., 1926-27, Frontenac to Colbert, November 13, 1673, p. 39

included the following duty:

...To attract there the greatest number of savages possible, to give them land to build villages and to farm, to teach them trades and bring them to lead a life more in conformity with ours, as the proposer has done with some success during the time he has been in command...161

There is no doubt that Frontenac considered his role with some satisfaction. But Colbert's letter of May, 1674, gave him little praise for his efforts.¹⁶²

In 1674 the Iroquois, to the surprise of the Jesuits if we can believe Frontenac's account, came in solemn assembly to Montreal to bring Frontenac eight of their children to be educated, four of whom were boys.¹⁶³ Two of the boys Frontenac placed in a boarding school and two he kept in his household sending them daily to the Jesuits for instruction. Again the Governor complained that the Jesuits would not apply themselves to the task of civilizing the natives unless absolutely constrained thereto, but the Recollets he felt would soon reap success in their mission. Colbert's reply to this letter praised the Governor for his efforts - but in restrained terms. It also cautioned him that the King thought it proper to excite the clergy to

161 Margry, op. cit., Vol. I, pp. 279, 280

162 R.A.P.Q., 1926-27, Colbert to Frontenac, May 17, 1674, pp. 55-60

163 R.A.P.Q., 1926-27, Frontenac to Colbert, November 14, 1674, p. 75

take charge voluntarily of Indian children but it was not feasible to adopt a policy of imposing them upon them.¹⁶⁴

However, Frontenac felt it was necessary to press the Frenchification policy intensively. Had this not been the Royal will as expressed in numerous communications prior to this time? He therefore expressed himself clearly on the matter in 1677:

And, in effect, it will be useless to baptize them for so long as they retain their customs and live with other savages they will at the first suggestion, as we have seen so many times already, abandon by the divorces common among them their true wives, their homes, the missionaries and religion itself, a thing which would not happen if they were to become accustomed to our language, our way of life, our laws and our customs...¹⁶⁵

When word reached the Court of Frontenac's success in obtaining more Iroquois children to educate there was general satisfaction. Louis XIV was certain nothing would do more to advance the welfare of religion in the colony and augment the strength of the colony. The King defined Frenchification as the process of diminishing the number who lived as savages, "to reduce them to civil life, and render them capable of all the functions of an honest life, each one according to the condition in which God has placed

¹⁶⁴ R.A.P.Q., 1926-27, Colbert to Frontenac, March 15, 1675, p. 79

¹⁶⁵ Margry, op. cit., Vol. 1, pp. 319, 320

him at birth".¹⁶⁶ The Sovereign Council of Quebec took a step in that direction in the police regulations of May, 1676 which provided that the Indians would be subject to the same penalties as imposed upon Frenchmen by the laws and ordinances against theft, murder, rape, drunkenness and other misdemeanours.¹⁶⁷ A somewhat disturbing statement had been the fourth clause of the decision of the University of Toulouse on the brandy problem; the University had said that although the domiciled Iroquois and Hurons were capable of leading well-regulated lives, it was noticeable that conversions were no more frequent among them than among the tribes given to alcohol.¹⁶⁸

In 1679 the King thought it necessary to remind Duchesneau to stir up the religious to take in more Indian children to be raised in French manners and customs.¹⁶⁹ The Intendant boasted that he was raising Indian children along with his own, and that the Ursulines, the Hospital Nuns and the Sisters of the Congregation were all making good use of

166 Collection de Manuscrits, Vol. I, King to Frontenac, April 22, 1675, pp. 235-236

167 Jugements, Vol. II, p. 70

168 E. Reveillaud, ed., Histoire chronologique de la Nouvelle-France (Paris, 1888), p. 189

169 P.A.C., Series B, Vol. VIII, King to Duchesneau, May 8, 1679, p. 12

the sums allotted to them, that the instruction of French and Indian girls was proceeding satisfactorily.¹⁷⁰

Colbert instructed Frontenac to relent somewhat in applying pressure towards Frenchification. While it was advantageous, he said, to attract entire Indian villages within the French settled area, it was much better to mix Indians in small numbers with Frenchmen, such as the ratio of one Indian to every 7 or 8 Frenchmen in the settled communities.¹⁷¹ This suggestion gave some indication of a knowledge of the process of assimilation and the conditions under which it can proceed. More and more, there were those who came to realize that Frenchmen more readily adopted Indian ways than did Indians adopt French ways. To realize this was simply to realize that the French in Canada lived in the same environment as did the Indians, in many respects, and that the Indian mores had arisen from or been transformed by that North American environment. This has been quite appropriately called the "revenge of America".¹⁷²

The difficulties of maintaining a Christian Indian

¹⁷⁰ P.A.C., Series C11A, Vol. V, Duchesneau to Colbert, November 10, 1679, pp. 82-83

¹⁷¹ R.A.P.Q., 1926-27, Colbert to Frontenac, May 8, 1679, pp. 100-101

¹⁷² E. Salone, La Colonisation de la Nouvelle-France (Paris, 1906), p. 255

settlement in the interior away from the French settlements is clearly illustrated by the history of the Sulpician mission at Quinte. The rector of St. Sulpice in Paris, M. de Bretonvilliers, and some other well-to-do members of the seminary, financed the mission. They paid for such equipment as grindstones, agricultural implements, furniture and household utensils; moreover, they assumed the expenses involved in sending to Quinte some lay workers to till the land and carpenters to build the wooden mission house and the farm buildings. The aim was to make the mission self-supporting so cattle, swine and poultry were sent out too. Talon contributed the sum of 500 livres to its establishment.¹⁷³

The Quinte mission was dealt its death blow by Frontenac, who decided to build his military base at Cataraqi instead of at Quinte. Then, he entrusted the mission at Cataraqi to the Recollets and forbade the missionaries to go from one mission to the other without his written permission. While the Sulpicians had seen few conversions at Quinte, they had managed to see some Indians take up agriculture. The presence of the military post so near at hand meant that most of their Indians deserted farming for the more remunerative and appealing fur trade. The

173 Preston & Lamontagne, op. cit., p. 9

Sulpicians were uncertain what steps to take. 174

Dollier de Casson was absent at the time, so LeFebvre acted as Superior at Montreal and he decided to call a council of the brothers to discuss the Quinte problem. There ensued a stormy session in which the deserted mission, the high expenses and the meagre results were freely discussed and it was decided to abandon Quinte without awaiting permission from Paris. As soon as Tronson, who succeeded Bretonvilliers in 1676, learned of the decision he attempted to forestall it:

I see by the particulars you have sent me that the mission of Kente is tottering. The disgust of M. Frouve, the ruined buildings, the lack of proper order seen there, the frequent journeys, the dissipation of individuals, and the instability of the Indians, are strong reasons for convincing us that this establishment will not last. But I cannot believe them sufficient for abandoning it if means can be found to keep it going. 175

Tronson particularly feared the loss of royal favour if the mission were abandoned.

At the Seminary in Montreal considerable controversy was engaged in over the question of working from a central location or else dispersing the brotherhood over the entire Indian territory. The apparent failure of the Quinte mission

174 Preston & Lamontagne, *op. cit.*, de Bretonvilliers to Sulpicians at Quinte, May, 1675. pp. 93, 291

175 *B.S.S.P.*, Vol. I, Tronson to LeFebvre, April 5, 1677, p. 54

made some of the Sulpicians fear for the future of the new mission station at the nearby Lake of the Two Mountains. In 1671 eight warriors and their families had come to settle on this mountain slope near Montreal and five years later a small mission was started at the village. What was very extraordinary about this mission was its multi-tribal complexion: there were Hurons, Algonquins, Pawnees, Sioux, Fox and Iroquois in the settlement. The Sulpicians were not sure they could supervise the settlement adequately.¹⁷⁶

Tronson reminded various members of the Company that all important decisions should be shared with the community in Paris, that there should be no hasty acceptance of donnés at the mission stations until their behaviour and morals had been ascertained, that the missionaries should not over-extend the activities of the Company.¹⁷⁷

Tronson informed LeFebvre that if the two chief missionaries along the north shore of the Great Lakes, Trouve and Urfe, were returning to France, the mission of Quinte would have to be abandoned altogether.¹⁷⁸ There was no hope

¹⁷⁶ B.S.S.P., Vol. I, No. 11, Tronson to Ranuyer, April 5, 1677, p. 78

¹⁷⁷ Ibid., No. 10, Tronson to Remy, April 5, 1677, p. 73; No. 16, Tronson to Mariet, May 10, 1677, p. 85

¹⁷⁸ Ibid., No. 23, Tronson to LeFebvre, May 20, 1677, p. 99

of raising either men or money to keep the station open and since the Indians had left, except for a few aged folk, the decision to remain on would make little sense.¹⁷⁹ A few weeks later Tronson again wrote the Montreal Superior in a more distressed frame of mind. Colbert had just granted the Sulpicians 1000 livres so they might keep the Quinte mission open and retain their missionaries along the north shore of the lakes. Colbert had specified that the money was to be employed for the education of Indian children: "That clause embarrasses me", wrote Tronson,¹⁸⁰ The Sulpicians had no Indian children in their care, they did not believe themselves capable of continuing the Quinte mission, and they did not have the funds to undertake full-scale education of Indian youth. The only solution was to dissimulate a bit:

Perhaps among the savages whom we give help to, there are some children who could take the place of those it is hoped we will educate and to the maintenance of which it is thought we contribute. 181

Dollier de Casson was returning to the colony and he would have to decide what policy to adopt.¹⁸²

¹⁷⁹ B.S.S.P., Vol. I, No. 24, Tronson to LeFebvre, June 2, 1677, p. 100

¹⁸⁰ Ibid., No. 32, Tronson to LeFebvre, June 6, 1677, p. 106

¹⁸¹ Ibid., p. 106

¹⁸² Ibid., No. 48, Tronson to Mariette, April 23, 1678, p. 118

But Colbert insisted that the Sulpicians take in hand the matter of educating Indians. Tronson warned Dollier de Casson that "he had it very much in his heart that we work at it so see what we could do to make him happy".¹⁸³ It was necessary to please Colbert and on the other hand it was impractical to undertake the programme he envisaged. Dollier de Casson came up with the proposal that primary schools be started for Indian children and this was warmly received by Colbert.¹⁸⁴ The Sulpicians had decided to establish a school at the rapidly growing settlement of the Mission of the Mountain, which was near to their Seminary at Montreal.¹⁸⁵ Tronson had been won over completely to the policy of abandoning the interior missions and concentrating upon the French of Montreal and the Indians at the nearby Mission of the Mountain.¹⁸⁶ There was even a suggestion that the northern mission field might be assigned to the Recollets or Jesuits if they wished it, and if the Bishop approved of it.

183 B.S.S.P., Vol. I, No. 60. Tronson to Dollier de Casson, May 20, 1678, p. 125

184 Ibid., No. 71, Tronson to Dollier de Casson, March 14, 1679, p. 133

185 Ibid., No. 72, Tronson to Dollier de Casson, March 16, 1679, p. 134

186 Ibid., No. 73, Tronson to Dollier de Casson, May 1, 1679, p. 134; No. 107, Tronson to Mariet, April 12, 1680, p. 195; No. 118, Tronson to Dablon, April 30, 1680, p. 205

Trouve had been unhappy at leaving the interior, but Tronson reminded him that the objective there had been "that the savages approach the French to accomodate themselves bit by bit to our customs and polish themselves more easily", and that the surest means of achieving that objective now was at the Mission of the Mountain.¹⁸⁷ It was not long before Tronson warned the clergy that their whole missionary effort among the domiciled Indians might be jeopardized by over-zealousness and mystical piety. It would seem that the proximity of the French settlement had already had some effect upon the Indians at the mission station and drunkenness was becoming a problem. Tronson insisted that the Sulpicians should not be too exacting in hearing confessions and that they should not withhold the sacraments.¹⁸⁸ If they did, the Indians would give obtuse confessions and would withdraw from the sacrament. Tronson believed that Dollier de Casson would be able to see that there was no compromise of evangelical principles in order to gain a numerical following. Frontenac was pleased with

187 B.S.S.P., Vol. I, No. 105, Tronson to Trouve, April 10, 1680, p. 193

188 Ibid., No. 106, Tronson to Bailly, April 12, 1680, p. 195

the results obtained at the Mission of the Mountain, but Duchesneau was not very impressed.¹⁸⁹

The fact that the 6,000 livres grant had been given in 1680 for the education of Indian children greatly perturbed the Sulpician Superior in Paris. The Superior did suggest to Dollier de Casson that while great care had to be taken as to how the money was spent, he could not in conscience refuse to use some of it for alms and the care of poor inhabitants.¹⁹⁰ Already there were accusations in France that the Sulpicians were employing the fund to give entertainments costing from 700 to 800 livres. To refute such scandalous rumours Tronson required precise and detailed accounts from Montreal.¹⁹¹ The arrival of Belmont in Montreal brought the mission another modest gift of 1,000 livres.¹⁹²

By 1680, the reports of disorders at the Mission of the Mountain had reached the Sulpicians in Paris.¹⁹³

¹⁸⁹ B.S.S.P., Vol. I, No. 116, Tronson to Frontenac, April 20, 1680, p. 203; No. 117, Tronson to Duchesneau, April 24, 1680, p. 204

¹⁹⁰ Ibid., No. 129, Tronson to Dollier de Casson, June 4, 1680, p. 211

¹⁹¹ Ibid., p. 212

¹⁹² Ibid., No. 130, Tronson to Belmont, June 12, 1680, p. 213

¹⁹³ Ibid., No. 98, Tronson to Dollier de Casson, 1680, p. 173

The predictions that proximity of any Indian "reserve" to a trading town would bring about eventual immorality, illicit trade and disorders seemed to have been correct. Tronson was particularly upset that, at a time when the venture in the petites écoles proved so favourable at Court, reports should have reached him of extravagant claims concerning witchcraft at the mission.¹⁹⁴ Such incidents could completely destroy the favour the Sulpicians were enjoying at Court because of their successful Frenchification programme. The Sisters of the Congregation were beginning to teach the Indian girls at Montreal and this aided the programme greatly.¹⁹⁵

The Sulpicians did not really put much effort into teaching Indian children, however, Consequently, they were in some difficulty to account for the expenditure of the 6,000 livres subsidy from the King. Tronson informed Dollier de Casson that among the legitimate expenses to be charged to this fund were allowances made to parents to send their children to school, the expenses of the clergy employed at the Mission of the Mountain, and the costs of

194 B.S.S.P., Vol. I, No. 98, Tronson to Dollier de Casson, 1680, p. 168

195 Ibid., No. 149, Tronson to Belmont, May 30, 1681, pp. 288-289

building the chapel at the mission.¹⁹⁶ Tronson even suggested that the money spent by Mr. de Belmont for the education of his children might be taken from this fund too. The Sulpicians were aware of the need to give account of their employment of the subsidies and on the other hand they found some difficulty in finding legitimate disbursements which might be attributed without too great a stretch of the imagination to this fund. There could have been no clearer indication of the unsatisfactory state of the programme of Frenchification.

Frontenac was now engrossed in his squabbles with the Sovereign Council and the Intendant; the brandy controversy was raging once more; Frontenac's Indian wards had proved themselves as recalcitrant as those of the missionaries. In such unpleasant circumstances the "fighting Governor" began to send reports to France of disobedience and resistance on the part of the religious communities in the colony. The Governor charged, for example, that Father Fremin, superior at Prairie de la Madeleine, instead of redoubling efforts was abandoning the Frenchification efforts; therefore Frontenac felt justified

¹⁹⁶ B.S.S.P., Vol. I, No. 151, Tronson to Dollier de Casson, June 16, 1681, p. 261

in refusing to give the Jesuits the title to their lands obtained from Duchesneau upon his arrival in the colony until the King's pleasure had been made known.¹⁹⁷ Frontenac attacked the Jesuits for beginning, as he said, to segregate Indian and European children on the grounds that "communication with the French corrupted them (Indians)".¹⁹⁸ He asserted that for no less than three years, that is since 1676, the Jesuits had disobeyed "what I declared to them to be the intentions of Your Majesty".

There were other communications reaching the King, however, and Louis XIV was prepared to grant the Jesuits the concession of land they requested at Sault St. Louis, near Prairie de la Madeleine, for settlement of converted Iroquois. Frontenac was therefore advised that the King not only would grant the land to the Jesuits, but also was convinced their venture was most advantageous to royal policy. The King did not blame the Jesuits for neglecting the Indian work but he did blame Frontenac for failing to take action in the matter of the coureurs-de-bois. The King's comments to Frontenac merit our consideration:

I have accorded to the Jesuit Fathers the concession which they asked for at the place

197 P.A.C., Series B, Vol. VIII, King to Duchesneau, May 8, 1679, p. 12

198 P.A.C., Series C11A, Vol. V, Frontenac to Minister, November 6, 1679, p. 25

called the Sault...for the establishment of the Iroquois, and I added to this gift the conditions they asked me because I esteem that this establishment is advantageous not only for their conversion and maintenance in the Christian religion, but even to accustom them to the mores and ways of living of the French and although you may have known that the conversion of the savages in all their habitations was not advantageous because they easily returned to their idolatry, nevertheless when entire villages come to live within the settlement which are inhabited by my subjects their establishment can only be advantageous, and you must always encourage them to it, and favour their establishment by the protection you must and can give them. 199

Colbert now also showed a little agreement with Frontenac's accusations, and like the King, his replies made no mention of the alleged Jesuit disregard of Royal orders.²⁰⁰

Meanwhile, in the interior of the continent, La Salle who was in reality Frontenac's agent, was able to invoke the royal programme to his benefit. In appealing to Seignelay for financial assistance for what was ostensibly the settlement of the Mississippian region, he wrote:

"Firstly, the service of God may be established there by the preaching of the Gospel to numerous docile and domiciled Indians who will be found more willing to receive it than those of other parts of America upon account of their

199 P.A.C., Series C11A, Vol. V, King to Frontenac, April 29, 1680, p. 193

200 R.A.P.Q., 1926-27, Colbert to Frontenac, April 20, 1680, p. 112

greater civilization."²⁰¹

In May, 1680, the Jesuits came into possession of their new concession at Le Sault, designed to replace the Prairie de la Madeleine grant which had proved to be too humid and marshy. The Jesuits had obtained an agreement that the seigneurie, which had two leagues frontage on the river, should belong to them when in future the Iroquois abandoned it.²⁰² Frenchmen were now forbidden to raise cattle on these lands and more significantly they were forbidden to establish any cabaret in the environs.²⁰³ The Jesuits seemed to have won their contention that segregation was essential if the Indians were to be Christianized and francized in a sedentary agricultural community.

By this time the Jesuits had a staunch friend in the Intendant Duchesneau and he tried to detract attention from the assimilation policy by pointing out that the Iroquois at Sault St. Louis were virtually prisoners and that their presence had saved the colony from wholesale slaughter at the hands of the Five Nations. He maintained that there were now about 960 Indians living in the bourgades, or village communities, and that in 1681 the

201 French, op. cit., p. 7

202 P.H.C., Series F5A, May 29, 1680, Vol. II, pp. 12, 13

203 Ibid., p. 14

Sulpicians added another 56 to this number.²⁰⁴ Frenchification was progressing slowly but steadily, he believed, at Sillery, at Lorette, at Prairie de la Madeleine and at the new Mission of the Mountain. It would seem that even Frontenac was mellowing somewhat, whether it was the example of the Intendant or the reprimands that had come from France that so disposed him we cannot be certain; But he was mellowing for he now took a much more positive line in his comments. He praised the Sulpicians and mentioned similar progress in the "other missions," not exactly a complimentary way to refer to the Jesuits but at least an admission that they did not lag behind the Sulpicians in their efforts and success.²⁰⁵

When La Barre arrived as Governor in New France he was impressed with the settlements of domiciled Indians at Sault St. Louis and the Mission of the Mountain. However, he was soon aware too that these settlements were well located to become entrepôts for an illicit beaver traffic between Montreal and Albany. The so-called "Mission Indians" could escape some of application of regulations against

204 P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1680, p. 175

205 R.A.P.Q., 1926-27, Frontenac to Louis XIV, November 2, 1681, p. 129

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what was still termed disorders,²⁰⁶ because there was a strong desire to retain them in the settlements. The Governor observed that one aspect of the policy of Frenchification had been especially neglected - the promotion of inter-racial marriages. To the Minister of the Marine he wrote:

You placed 3,000 livres at my disposal in the list of gratuities of 1682 for the marriages of Indian girls. This has been a mistake, none of them marrying; and this fund having always been employed for the marriage of French girls, it is necessary, if you think well to do so, to correct its destination in the estimate we have made, and to apply it to the support of two Hospital Nuns. 207

While the civil officials complained about the clergy the clergy complained about the administrators. Dudouyt pictured the dispatch of a new Governor in 1682 as a likely means of promoting the evangelization of the colony.²⁰⁸ Belmont, was not too hopeful of success in assimilating the Indians; his visit to Montreal had left him with a deep impression of the numerical insignificance of

206 Ordonnances, Vol. II, Ordinance of La Barre, June 12, 1683, pp. 38-40

207 E.B. O'Callaghan, ed., Documents Relative to the Colonial History of the State of New York (Albany, 1883-87), Vol. IX, La Barre to Seignelay, November 4, 1683, p. 207

208 P.A.C., A.S.M.E., Vol. VIII, fol. iv, Dudouyt to Mgr. Pallu, May 8, 1682, p. 393

the French colonists. He commented:

There are so many miserable wretches that it should not be difficult to find people with which to populate new colonies, but it is scarcely the genius of the French to renounce their homeland. 209

There was more reason to complain about official policies after La Barre's unsuccessful expedition against the Iroquois. The intended attack upon the Five Nations having to be converted into a parlay at Ft. Frontenac did little to engender Indian confidence in the French administration. La Grande Gueule's reply to the Governor's address made this clear:

Listen, Onnontio - I am not asleep; my eyes are open and the sun, which gives me light, discovers to me, at the head of a band of soldiers, a great captain who speaks in his sleep. He says that he only came to this lake to smoke the great calumet with the Onandagas, but Garangula sees the contrary, and that it was to knock us on the head, if sickness had not prevented the French from doing so. I see Onontio dreaming in a camp of sick men, whose lives the Great Spirit has saved by visiting them with this sickness...When they (Five Nations) buried the hatchet within the Fort of Cadarackui, in the presence of your predecessor, they planted on the same spot the tree of peace, to be there carefully nourished...Take care that in future so great a number of soldiers as appear now enclosed in that little fort do not choke the tree. It would be a pity that after taking root so favourably, its growth should be checked, and prevent its covering with its branches both your country and ours. 210

209 B.N., Villermont Papers, fol. 161, Belmont to Villermont. July 22, 1684

210 J. Halkett, Historical Notes respecting the Indians of North America (Edinburgh, 1825), pp. 76-77

The Intendant de Meulles, who came to the colony at the same time as did La Barre, also had some reservations in his mind about the success of the policy of assimilation. He reported that the Sulpicians taught the Indians some Latin, French, stock-raising and agriculture; the Jesuits he noted emphasized the mother tongue to the neglect of both French and Latin. The education which the Indian girls received at Montreal he believed to be most practical and useful. The classical training offered by the Ursulines at Quebec he deplored:

The house named des Islets may be used as a manufactory, where the Indian girls may learn to live after the fashion of the French peasants, whereas at the Ursulines they learn only to say prayers and to speak French. 211

It would seem that he would at least have praised them for teaching the Indians to speak French.

These reports brought new recommendations from the King in due course. In 1684 the King sent 500 livres for the Indian girls being raised at the Mission of the Mountain.²¹² Instructions were also not to place Indian girls in future in the care of the Ursulines. Instead lay

211 O'Callaghan, op. cit., De Meulles to Seignelay, November 12, 1682, Vol. IX, p. 199

212 P.A.C., Series B, King to De Meulles, April 10, 1684, Vol. XI, p. 28

teachers were being sent from France to teach handicrafts.

The King's will was clearly expressed:

His Majesty does not wish that they be placed with the Ursulines, and His Majesty has given orders to have three women sent to teach them knitting, and three others to teach them to spin, and to make lace, in order to introduce these manufactures in the country which will be advantageous for the Colony. 213

These orders had come in response to De Meulles' complaints.

The King was pleased to learn that some Indian women were to marry Frenchmen.²¹⁴ As for the Iroquois, he did not believe they would peacefully come into a French Indian Empire so the best policy was to wage vigorous warfare against them in order to capture as many warriors as possible and send the strongest and most robust of these to France to be used as galley slaves.²¹⁵ The King had been confirmed in this sentiment by letters sent by Bishop Laval in which a dismal picture of the colony had been painted: Laval had maintained that the colony was on the brink of annihilation at the hands of the Iroquois unless something were done quickly to save the scant population over-extended over such

213 P.A.C., Series B, Vol. XI, King to de Meulles, April 10, 1684, p. 28

214 P.A.C., Series C11A, Vol. VI, King to La Barre, April 10, 1684, p. 401

215 Ibid., Vol. VI, King to La Barre, July 31, 1684, p. 466

a large area.²¹⁶ When Saint-Vallier made a tour of the colony in 1685 to report to the King on colonial conditions he expressed optimism only if many more missionaries and much more money were forthcoming.²¹⁷

Saint-Vallier was of the opinion that it was a wise policy to segregate the Christianized Indians on "reserves" apart from the French because in closer contacts between the two communities it had been observed that both elements suffered. The French were more susceptible to adopt Indian ways than were the Indians to adopt French manners and customs. It was not until Denonville sent his first despatch to the Court that a Governor condemned the traditional state policy and confirmed the contentions of the ecclesiastics on the matter of assimilation. Denonville's opposition to the policy of Frenchification was unqualified:

It was believed for a very long time that approaching the savages to our habitations was a very great means of accustoming these peoples to live like us and to become instructed in our religion. I notice, Monseigneur, that the very opposite has taken place because instead of accustoming them to our laws, I assure you that they communicate very much to us all they have that is the very worst, and take on likewise all that is bad and vicious in us...²¹⁸

216 A.S.Q., Lettres N, Nos. 84,85, Laval to Seignelay, Louis XIV, June 4, 1684

217 A.S.Q., Lettres P. No. 47, Saint-Vallier to Louis XIV, 1685

218 P.A.C., Series C11A, Vol. VII, Denonville to Minister, November 13, 1685. pp. 46-47

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It had taken a long time for an administrator to reach the same conclusions as the clergy had arrived at through their experiences. No phase of the work of the church in Canada illustrates better the reluctance with which the civil power accepted the evidence of the environment when this was identified with a policy of the ecclesiastics.

It was at last conceded that cultural contact had not resulted in a Frenchification of the Indians, but had resulted in a weakening of the moral fibre of the French. Each race had tended to absorb the worst rather than the best features of the other's culture. Was the policy at last going to be abandoned on the grounds maintained by the clergy that it was an impractical approach to the Indian problem, and also on Denonville's warning that it led to a barbarization of the French? Denonville held that the freedom of Indian life held more attraction to the independent and self-reliant Canadians than did the constraints of Catholic civilization to young Indians:

I could not, Monseigneur, adequately express to you the attraction which the young men feel to this savage way of life which consists of doing nothing, in being restrained by nothing, in pursuing all one's urges, and placing oneself beyond possibility of correction. 219

219 P.A.C., Series C11a, Vol. VII, Denonville to Minister, November 13, 1685, pp. 45-46

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At this point the state was prepared to leave the matter of Frenchification alone and to leave the Indian problem in the lap of the church.

But what would the church do now? The church had by 1685 abandoned the policy of racial integration, misgenation, and cultural blending for one of gathering the Indians into separate and reserved villages where they were taught the rudiments of agriculture and the catechism. Here the teaching and preaching was conducted in the vernacular tongue as well as in French. The objective was to convert the Indians and fit them for useful employment in a segregated society. They were not regarded as inferior or second-class citizens, although the principle of segregation seems to imply such a gradation. The rationale of this policy was that if the Indians were restricted to these hot-house types of "reserves" both Indians and French would avoid the evils of the cultural clash, and the Indians could then develop in a society where they were equal to but separate from Frenchmen.

Why had all efforts to assimilate the Indians failed? Primarily, because the Indians were greater in number than the French, and that the French depended upon them for a supply of furs, for allies in war-time and for their own safety and convenience. Generally, the people to be absorbed, assimilated and completely swamped must be

inferior in numbers to the conquerors. It is clear that the French were hardly conquerors in North America. Nor did the French way of life appear to the Indian to be very superior, apart from its material benefits which he rapidly adopted and turned to his own purposes. In a frontier, one-staple economy such as Canada's some features of the French culture appeared as gross and evil as did the worst features of the aboriginal culture. The demographic weakness of the French was accentuated by the failure to achieve their objectives through a failure to contribute enough men or materials.

Neither church nor state provided enough money or men to clothe and house all the Indians in European fashion, or to provide educational facilities for all the native children. These were unthinkable notions in the seventeenth century. But they were also the logical requisites of a policy of Frenchification such as enunciated for the colony. Failure to provide these meant failure of the policy.

It may also be said that the policy of assimilation failed because the Indians had a will to survive, and they possessed a strong sense of their own identity. They were a self-reliant, independent, self-sufficient and well-adjusted people in the North American wilderness. Assimilation is accelerated when a culture has but a weak sense of its own identity and worth. The Indians were slow, it has been noted, to confide a few of their children to the French to be

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education. They came to settle near the French settlements in small numbers only, and usually after some serious military defeat which threatened them with extinction at the hands of some powerful rival tribe, or again because of the upsetting of their traditional economy. What superiority the French enjoyed over the English colonists in North America they attributed to greater French accommodation to the Indian community.

These observations place the explanation for lack of success of the policy of Frenchification upon deeper considerations than the failure of church and state to make the correct decisions. The whole seventeenth century environment, the social and economic factors at play in the colony, militated against the policy of assimilation. In no other aspect of relations between church and state did royal absolutism reveal itself more incompetent. There was little evidence of efficient and constructive thinking about the problem. The annual dispatches came out regularly urging the officials to maintain the established policy and get on with the royal programme. There seemed to be a conviction that the colony could change its nature and its problems in order to fit into a pre-determined scheme, because this policy came from the Crown.

CHAPTER VIII

THE RELIGIOUS COMMUNITIES

One of the principal means employed by the state to maintain control over ecclesiastical activities was to encourage a restricted amount of rivalry between the various religious communities, between the women's communities, and between the regular and secular clergy. Never was this rivalry allowed to proceed to a point where it would bring widespread discredit upon the church itself or would encourage civil disorders and popular agitation. Rather, rivalry and friction was permitted, perhaps encouraged at times, to promote evangelical zeal within the church, to increase the dependence of the several communities upon civil bodies and personalities, and to foster a currying of favour by the ecclesiastics. The state policy was to exploit existing rivalries for its own ends; this was an extension of the policy of divide and rule. The main lines of such a policy emerge into clear view only if the several communities in Canada are considered one by one from their colonial beginnings.

The Recollets were the first religious community to engage in missionary work in New France. Champlain, with the aid of Louis Houel, controller of the salt works at Brouage, opened negotiations for missionaries for New France with

the Superior of the Province of Aquitaine in 1613.¹ The Provincial of the Recollets asked Pope Paul V for the exclusive right to this mission.² During the meeting of the Estates-General in Paris in 1614, Champlain, Houel and the Recollets were able to win the approval of the Prince of Conde for their project, and they were able to raise 1,500 livres for the venture. In February 1615, Champlain went to Rouen where the associated merchants interested in the Canadian fur trade promised to help the clergy and so the first four Recollets came to Canada.³

At the first general assembly of the clergy in Canada, at which Champlain and 6 laymen were present, a four-point programme was adopted: French-type villages would be adopted and agriculture encouraged; nomadic Indians would be encouraged to settle in villages; a seminary would be built for the education of young Indians; all Huguenots would be excluded from the colony.⁴

1 E. Réveillaud, ed., Histoire chronologique de la Nouvelle-France ou Canada (Paris, 1888), pp. 89-90

2 A.A.Q., Eglise du Canada VII, Provincial of Recollets to Paul V, November 7, 1617, p. 97

3 Réveillaud, op. cit., p. 90

4 Ibid., pp. 176-178

Father Jean Dolbeau celebrated their first mass in Canada on June 25, 1615. The royal letters-patent confirming their establishment were not issued until June 14, 1618 and it was not until June, 1620 that they laid the foundations of their monastery at Notre Dame des Anges.⁵ In a fifteen year period the Province of St. Denis sent out 10 priests and 8 lay helpers.⁶ In 1624 Father Irenee le Piat, on his return to the mother country, asked the Society of Jesus to join the Recollets in the work of evangelizing the natives. At first he did not have much support for his plan but eventually he carried the day. A Recollet memorandum of 1637 gives the following version:

...then afterwards, having proposed the matter, he had it agreed to by the superiors of the Recollectz, who even solicited on their (i.e. Jesuit) behalf among the merchants who did not want them, and the Recollectz managed this business so well, that the Jesuit Fathers and they crossed over on the first sailing. 7

But the co-operation between the two communities did not last long. The first signs of rupture appeared on the ocean crossing when, according to a Recollet account, it was

5 A.S.Q., Polygraphie VII, No. 83. no pagination

6 Reveillaud, op. cit., pp. 173-176

7 P. Margry, Decouvertes et Etablissements des Francais dans l'ouest et dans le sud de l'Amerique septentrionale (Paris, 1879), Vol. I, p. 8; also Reveillaud, op. cit., p. 125

discovered that the Jesuits had met with representatives of the fur trade monopoly and had obtained support for their two missionaries on the understanding that only four of the six Recollets then being maintained by the monopoly-holders would be continued in this support.⁸

The merchants in Canada refused to accept the Jesuits, refused to lodge them or feed them, so the Recollets took them in and together they lived for over two years "even contrary to the will of the merchants and the French".⁹ The Recollet accounts have it that had it not been for their intervention the traders would have prevailed upon the Jesuits to abandon the colony. It was not long before the Recollets felt that the Jesuits were making inroads into their missions and were seeking exclusive control of the missions:

That is what is haughtily practiced by the Society of Jesus which prefers that for its own temporal interests an infinity of savage nations remain in obscurity to the faith and be miserably lost rather than allow that the Recollets who seek solely the salvation of souls be involved. 10

8 Reveillaud, op. cit., p. 126

9 A.S.Q., Polygraphie III, No. 74, no pagination; also Reveillaud, op. cit., p. 126

10 Reveillaud, op. cit., p. 137

More specifically, the Recollets accused the Jesuits of having made a pompous and ostentatious ceremony of the baptism of an Indian sent to France by the Recollets; the Jesuits seem to have taken all the credit for his conversion.¹¹

Jesuit accounts, on the other hand, seem to indicate that they were not without friends in the colony too.¹² Champlain chose the Superior of the mission for his personal confessor; Ventadour gave them a grant of land. Before long the Recollets found themselves growing less popular - even Champlain's enthusiasm for their work seemed to cool considerably. They blamed the Jesuits.

But the Jesuits were running into a waning of enthusiasm for their work too. In 1625 the Assembly of the French Clergy showed itself quite hostile to them; Cardinal Richelieu was not very well disposed towards them; the Parlement of Paris was even more critical than usual. The matter of financial support gave them much concern. The first five members of the Society to come to Canada had come as individual evangelical workers and had not possessed the right to found a community. Article 277 of

11 Reveillaud, op. cit., pp. 137-138

12 R.G. Thwaites, ed., The Jesuit Relations and Allied Documents (Cleveland, 1896-1901), Vol. IV, pp. 180, 210, 216, 218, 226

the Custom of Paris and article 131 of the Ordinances of 1539 prohibited monetary gifts to such individual missionaries.¹³ Their hopes were fastened, therefore, on the promise of the Marquis de Gamache, whose son had entered the Society of Jesus, to provide 6,000 gold crowns for the building of a college and seminary in New France.¹⁴ There was also the reverse of 1629-1632 when the colony was in Anglo-Huguenot hands.

In 1632 Richelieu approved the return of the Jesuits to Canada, although he had originally decided to assign the Canadian mission field to the Capuchins.¹⁵ A fund was established by Richelieu for their mission and blame had been assigned to the Jesuits for the refusal to allow the Recollets to return too.¹⁶ Jean de Lauzon, president of the Company of New France, was hostile to the Recollets and regarded them as detractors from the Jesuit labours and unsuitable for an infant colonial church because of their

13 A.S.Q., Polygraphie VIII, No. 60

14 Ibid., No. 60

15 F. Martin, ed., F.J. Bressani: Relation Abrégée de Quelques Missions des Pères de la Compagnie de Jésus dans la Nouvelle-France (Montreal, 1852), Appendix C, p. 295

16 M. Eastman, Church and State in Early Canada (Edinburgh, 1915), pp. 11-15

vow of apostolic poverty.¹⁷ From 1631 onwards he promised them that they might return, but each year the matter was postponed, until in 1633 he finally agreed but only after the departure of the last vessels for Quebec.¹⁸ Any enthusiasm they might show seemed weak indeed compared to the Jesuit motivation which approached a welcome of martyrdom.¹⁹

It was during this period that the Jesuits became entrenched in the colony and wielded a great influence - the type of situation that Colbert and Frontenac were later to fear continued to exist in the colony. The Jesuits were able to obtain Champlain's furniture according to the terms of his will (in spite of the efforts of lawyers in Paris to void the terms), and were able to influence the civil authorities to punish blasphemy and drunkenness.²⁰ It was this kind of influence that earned for them the hostility of numerous civil administrators.²¹

¹⁷ H. P. Biggar, The Early Trading Companies of New France (Toronto, 1901), p. 279

¹⁸ Margry, op. cit., Vol. I, p. 11

¹⁹ Thwaites, op. cit., Vol. XI, p. 60

²⁰ A.S.C., Polygraphie XIII, No. 10, Arret of March 15, 1639; Journal des Jésuites, pp. 25, 53, 106

²¹ Lord Baltimore in Maryland discovered a movement among the Jesuits to make themselves independent of the Proprietors' authority. The Jesuits claimed the right to accept gifts of land directly from the Indians, and claimed exemption from all lay jurisdiction.

How did the Jesuits obtain this favourable position? In France, the Society was even feared by some individuals. Saint-Simon relates that the first surgeon of Louis XIV told him that Father La Chaise, when getting old, had advised the King to find a new confessor but had also warned him it would be wise to choose him from among the Jesuits for reasons of personal safety "because the company contained many sorts of minds and characters which could not be answered for, and must not be reduced to despair".²² This the confessor was alleged to have told the King in wishing to protect his life for "in fact an unlucky blow is soon given, and had been given before then". This seemed to be an allusion to the circumstances of the assassination of Henry IV. Saint-Simon comments that Louis XIV did not forget this warning or "expose himself to the vengeance of the company by choosing a confessor out of their limits. He wanted to live, and to live in safety".²³ But fear was not a positive source of Jesuit influence.

Lord Baltimore eventually obtained a renunciation of these claims, as well as complete jurisdiction over marriages and wills, from Father More, the Jesuit Provincial in England. W.W. Sweet, Religion in Colonial America (New York, 1953), pp. 171, 173

22 B. St. John, The Memoirs of the Duke of Saint-Simon (London, 1900), Vol. II, p. 78

23 St. John, op. cit., Vol. II, p. 78

Such influential and generous individuals as the Marquise de Guercheville, the Duke of Ventadour, the Duchess d'Aiguillon, the Marquis de Gamache and Commander de Sillery were initial supporters of the Jesuit missions in Canada. In July 1651 their letters-patent granted them the right to establish themselves in all regions of North America "with all the rights and privileges contained herein and in the same manner as they enjoy in this realm".²⁴ They obtained generous land grants for building and for farms at Quebec, Three Rivers, Tadoussac and near Montreal.²⁵ In 1678 and in 1684 their lands were declared exempt from tithes and this was even registered by the Chambre des Comptes in Paris.²⁶

The Jesuits also made for themselves friends in the rising colonial oligarchy, the planters who became the controllers of the Community of Habitants. In 1645 the Jesuits sustained the case of the colonial oligarchs for local control of the fur trade before the dowager-queen and

²⁴ P.A.C., Series F5A, Vol. II, pp. 5-6. These letters-patent were registered on March 11, 1658 only

²⁵ P.A.C., Series C11A, Vol. V, p. 184; P.A.C., Series F5A, Vol. II, pp. 2, 5-7, 112-114; A.A.Q., Eglise du Canada II, pp. 3, 5; A.A.Q., Eglise du Canada III, p. 73; A.S.Q., Fonds Verreau XIII, Nos. 6, 13, 18, 28c; A.S.Q. Polygraphie XIII, No. 42

²⁶ A.A.Q., Eglise du Canada III, p. 73; P.A.C., Series F5A, Vol. III, pp. 97-101, 102-103

won for themselves the gratitude and protection of many of the planters.²⁷ The Community of the Habitants was required to "maintain in each habitation the number of ecclesiastics required for the administration of the sacraments", to pay the annual stipends which the Company of New France had customarily paid, and to assume the debts of the associated merchants in favour of the religious communities.²⁸

Both women's communities, the Ursulines and the Hospital Nuns, found their first spiritual advisors among the Jesuits. They served in many parishes, and notably at Montreal before the arrival of the Sulpicians. When Bishop Laval arrived in the colony he quickly associated himself with their work. They seem to have been fortunate also in the choice of individual sent to the mission field, there being record of only one person, a Jean Francois Elie, who in 1667 left the Society and hastened away, almost secretly, in lay clothes.²⁹

When Jean de Lauzon, president of the trading company and long standing friend of the Jesuits, became

²⁷ Journal des Jésuites, p. 3; Eastman, op. cit., pp. 17-18

²⁸ A.S.Q., Polygraphie IV, No. 3, Agreement of January 14, 1645. Articles, viii, ix, pp. 6-7

²⁹ Journal des Jésuites, p. 357

Governor, it was natural that a Jesuit should sit on the Council of Quebec.³⁰ In 1658 Father Ragueneau could report that at Montreal they were liked by all, at Three Rivers by nearly all, and at Quebec by the greater number.³¹

But their most influential defender in the colony was the Bishop. Shortly after his arrival at Quebec he expressed his recognition of their usefulness to their Superior, to the Propaganda office and to the Pope.³² The Jesuits were not slow in expressing their gratitude for these sentiments of approbation.³³ Toward the close of his episcopate, Laval again expressed the belief that the success of the Canadian missions was due in large measure to the Society of Jesus.³⁴

³⁰ A.S.Q., Polygraphie IV, No. 9, Arret of March 27, 1647

³¹ C. de Rochemonteix, Les Jésuites en la Nouvelle-France au XVIIe Siècle (Paris, 1895-96), Vol. II, pp. 176, 180

³² S.R.C., Doc. XVI, Laval to Nickel, August 1659, pp. 34-35; Doc. XXIII, No. 2, Laval to Propaganda, June 13, 1660, pp. 76-78; Doc. XXIII, No. 3, Laval to Alexander VII, October 29, 1660, p. 78

³³ S.R.C., Doc. XVII, No. 1, de Quen to Laval, 1659, p. 36; No. 2, Ragueneau to Laval, 1659, p. 36; No. 3, Le Mercier to Laval, 1659, p. 36; A.S.Q., Lettres N, No. 80, Fontaine to Laval, April 18, 1684; A.S.Q., Lettres N, No. 81, de Noyelle to Laval, April 18, 1684

³⁴ A.S.Q., Polygraphie VII, No. 52, Laval to Letellier, October 25, 1687

When the Seminary of Quebec was erected, royal permission first having been obtained and then royal subsidies secured, the Jesuits joined in an act of association with the secular clergy of Laval's institution.³⁵ This was in itself a remarkable move because elsewhere the seculars and regulars were inclined to distrust each other. But Laval wanted absolute unity, a single front, in his diocese.³⁶

Without going into details about the Jesuit efforts, the eight mission fields of the Society should be mentioned. The Acadian work commenced with the efforts of Fathers Daniel and Davost in Cape Breton in 1633. From 1610 onwards the Jesuits made occasional visits to Tadoussac and this area developed into a second mission field extending northwards into the Lake St. John area. The Huron mission lasted only 15 years, from 1634 to 1649, but it was the most

³⁵ P.A.C., A.S.M.E., Vol. IV, fol. 7, p. 190; P.A.C., Series C11A, Vol. III, p. 46; A.S.Q., Seminaire I, No. 19 December 21, 1665; L.B. de La Tour, Mémoires sur la Vie de M. de Laval, Premier Evêque de Québec (Cologne, 1761), p. 41

³⁶ A.A.Q., Copies de Lettres I, Laval to Nickel, August, 1659, pp. 5-7; also A.S.Q., Manuscrits XVII, p. 25, and A.S.Q., Fortier papers, 1659 for Laval to Nickel, 1659; S.R.C., Doc. XXXVIII, No. 1, Laval to Nickel, October 22, 1665, p. 212. The spiritual union of the Sulpician Seminary at Montreal with the Seminary of Quebec on February 28, 1688, would leave only the Recollets isolated; A.S.Q., Seminaire I, No. 20

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promising undertaking of all and engaged at one time 24 priests, 24 brothers and over 50 donnés or lay helpers. Its eventual failure resulted from lack of military protection, not lack of missionary zeal.

The fourth and most difficult mission was among the Iroquois. Jogues went to them in 1642 and again in 1646. Bressani was mutilated there and Poncet de la Riviere tortured. From 1654 to 1658, a period of comparative peace, there were seven Jesuits in the Iroquois villages and in 1668 there was a mission station in each of the five cantons with a total of 11 priests working among them. It was for the several hundred converts of these missions that a settlement was founded on the banks of the St. Lawrence.

The Abenakis, inveterate enemies of the English, were first visited by the Jesuits in 1612. In 1646 Father Druillettes travelled with these nomads. Later they too came to settle in several hundreds along the St. Lawrence. A sixth mission area was the pays d'en haut visited first by Fathers Garreau and Menard. This region was claimed at imposing ceremonies at Sault Ste. Marie on June 14, 1671, and the missionaries Allouez and Nicholas Perrot marked the occasion by addressing the assembled Indians in nine or ten languages.

Still another mission field developed among the Illinois. Father Dablon and Allouez were probably the first

missionaries in this area and in 1673 Father Marquette visited the area too. An eighth mission field developed in the Hudson Bay region. Father Albanel led an expedition to James Bay and took possession of the territory in July, 1671 for the French King. Albanel was captured the following year by the English and it was not until after 1686 that frequent visits were made to this northern field by the Jesuits.

When the Jesuits complained about the great cost of maintaining these far-flung missions, Governor Courcelles suggested that they retain the difficult Iroquois mission and give the Ottawa region to the Sulpicians. This he proposed would also diminish the too great authority of the Jesuits among the Indians and would limit their role as diplomats and middlemen for the civil power.³⁷ Lahontan was not sure in his own mind if the Jesuits exercised this role of diplomats among the Indians on account of their wisdom and devotion to the King's interests or on account of their mastery of the native languages and knowledge of the country.³⁸

³⁷ P.A.C., Mélanges de Colbert, Vol. CLIV, Courcelles to Colbert, March 1671, fol. 226

³⁸ R.G. Thwaites, New Voyages to North America by Baron de Lahontan (Chicago, 1905), Vol. I, p. 385

The distrust of the Jesuits among the civil powers was never greater than during the administration of Frontenac. Frontenac's instructions had definitely told him to favour the Sulpicians at Montreal and the Recollets at Quebec, and told him to beware of the Jesuits everywhere and at all times because they sought to extend the ecclesiastical power beyond its reasonable limits.³⁹ In order to break Jesuit influence in temporal affairs the Governor was to enlist the aid of the other religious communities and to advance their projects. La Barre's instructions were substantially the same in 1682.⁴⁰

Jesuit influence in France had slipped badly by the middle of the seventeenth century. This is another factor that must be considered in attempting to place the official correspondence of the period in its proper light. Their devotion to ultramontane interests made them unpopular, and the church in general was possibly losing its hold over many people with the growth of a libertine spirit. It has been suggested that the Jesuits determined upon a policy that would restore their leadership by making themselves

³⁹ P.A.C., Series B, Vol. IV, Instructions to Frontenac, April 4, 1672, pp. 50-51

⁴⁰ P.A.C., Series B, Vol. VIII, Instructions to La Barre, May 10, 1682, pp. 65-67

indispensable to the people and which would, at the same time, reconcile the people to the church. They decided to compromise with the spirit of the times, to give the people a moral system and a doctrine that would allow them more freedom without advocating or condoning license. A

Protestant critic has observed:

The natural result of the Jesuit policy was to make confession as easy as possible. All they needed was a doctrine which would justify the confessor in adopting the most lenient interpretation of the degree of sin. From this necessity grew the practice of casuistry, with the nearly allied doctrine of probabilism. Casuistry, which consists in establishing cases of conscience to be used as precedents by confessors, is as old as the penitential system. The Jesuits, however, developed it to a refinement of subtlety hitherto unequalled. They took as a premise the definition of sin as the conscious violation of the will of God. If in any case it could be shown that the sinner had sinned without full consciousness of his sin as such, they held that the confessor was justified in granting absolution to all similar cases. The doctrine of probabilism afforded the penitent an additional chance. Inasmuch as authorities disagree as to the extent of sin in any given case, the confessor is justified in following the most lenient interpretation to be found in any reasonably good authority, whether he himself agrees with it or not...In all cases the penitent was given the benefit of any possible doubt...41

Even if this is a fair exposition of the Jesuit position in France at the time it does not follow that the situation in

41 W.K. Ferguson, "The Place of Jansenism in French History", The Journal of Religion, Vol. VII, No. 1 (January 1927), pp. 21-22

the colony was the same, or even similar. In New France the Jesuits were rigorists and, as shall be seen, the Recollets were the community accused of making undue allowances in granting absolution and in assigning penance.

Does the fact that the Jesuits were rigorous and severe in the confessional, whereas the Recollets were not, indicate that Jesuit influence had not slipped in the colony as it had in the mother country? It has been suggested that the cessation of the publication of the Relations after 1672 indicated a Jesuit reverse in both France and Canada. The Jansenist Arnauld attributed the suspension of publication to Rome's disgust with the inaccuracies in the letters, the Sulpicians attributed the order to Governor Courcelles, Harrisse has cited Talon as the probable instigator, and recently Pouliot seems to attribute it to an order of the state and a measure of Jesuit prudence.⁴² The cessation of publication came as a result of obedience to the papal encyclical Crediteae nobis caelitus of April 6, 1673, which prohibited all missionary publications without special permission from the Sacred Congregation for the Propagation of the Faith - this action coming, it is clearly stated, in

42 L. Pouliot, Étude sur les Relations des Jésuits de la Nouvelle-France (1632-1672) (Montreal, 1940), pp. 10-13

order to put an end to the bitter controversy over Chinese rites in which the Jesuits were deeply involved.⁴³ It is possible that there would have been difficulties raised in France if permission had been sought for continuation of the Relations. The Parlements would likely have suppressed any work that appeared in the realm with the stamp of approval of the Propaganda on the grounds that this was a violation of the liberties of the Gallican Church to impose such a requirement.

For that matter, French law closely regulated the religious communities themselves. An edict of June 7, 1659, forbade the establishment of any religious communities, seminaries, or fraternities, without the King's permission.⁴⁴ Such foundations also required the approval of the diocesan bishop. An edict of December 1666 stipulated that no colleges, monasteries, religious houses, or lay institutions under the name of hospices, might be organized without

⁴³ The question of the controversy over the Chinese rites and its solution is well documented in A.S.Q., Polygraphie VII, Nos. 47 - 80 inc.

⁴⁴ F.A. Isambert et al., Recueil général des anciennes lois françaises (Paris, 1833), Vol. XVII, pp. 369-370

royal approval.⁴⁵ An ordinance of 1667 required the keeping of detailed registers of all tonsures, novitiates, vows and professions.⁴⁶ The legal position was that no individual might dispose of his person or liberty except through royal permission "and following the rules which it pleases His Majesty to establish". Thus, the King could prevent women living in religious communities from taking vows in 1671. Three matters had to be considered in these cases: the liberty of the individual; the engagement of this liberty in a community authorized "by the two powers, ecclesiastical and secular"; the personal sanctification of the individual involved.⁴⁷ On the first point, it was held that it concerned the royal prerogative alone which controlled the right of subjects "to change their state, dispose of their liberty, their persons or their goods, only on the conditions at the age and at the place which it esteems convenient for the benevolent utility of its kingdom".⁴⁸ The second matter

45 Isambert, op. cit., Vol. XVIII, p. 94; Cf. A.S.Q., Polygraphie III, Nos. 46, 47

46 P.G. Roy, Inventaire des Régistres de l'Etat Civil (Beauceville, 1921), pp. xiv-xv

47 P.A.C., Series F5A, Vol. II, pp. 90-93

48 Ibid., p. 91

related to both temporal and spiritual powers, therefore the vows were to be made in communities whose rule of life, discipline and constitution had been authorized by the state as well as by the church. The decrees of the church in these matters were to be confirmed by letters-patent of the realm. The third matter left to the ecclesiastical authorities the duty to judge what personal spiritual qualities were required of postulants. On this latter point, there is the example in New France of the Jesuit Superior examining Anne Bourdon and certifying her spiritual and intellectual acceptability for entry into the Ursuline community.⁴⁹ The Bishop's consent was also required before young women could enter a convent.⁵⁰

The state might exercise its powers to control the number that entered upon a religious vocation. It is known that Colbert had strong opinions about the over-abundance of religious. In a letter addressed to the King on May 15, 1665, he expressed his sentiments:

The monks and nuns not only avoid the work which would accrue to the common welfare, but also deprive the public of all the children they could produce to serve necessary and useful functions. For this reason, it would perhaps be good to render vows of religion a little more difficult and to

49 A.S.Q., Polygraphie III, No. 40, September 15, 1660

50 A.S.Q., Documents Faribault, No. 112, October 8, 1659

retard the age for their validity, even to cut back the usage of dowries and pensions for nuns. ⁵¹

He wanted to retard the taking of vows by women to 20 years of age and by men to 25 years of age. By this relatively late age he hoped that many would have reconsidered and decided to marry instead. But the Jesuits complained loudly and were able to offset any such legislation.⁵² In fact, a good deal of discussion ensued among jurists on the question of the King's right to set the age for the taking of vows. When the papal nuncio remonstrated against Colbert's proposals, Louis XIV abandoned the scheme which had been presented to him as advantageous for demographic and commercial expansion.⁵³

In Canada there was little reason to complain about a superfluity of religious. In 1660 there were 16 Ursulines and 15 Hospital Nuns at Quebec, and only 3 Hospital Nuns at Montreal.⁵⁴ The census of 1666 revealed that the Ursulines had 18 members (excluding Mme. de la Peltrie) and 21 boarders ranging in age from 5 to 13, as well as 7 hired

⁵¹ A. Cheruel, De l'Administration de Louis XIV (1661-1672) d'après les Mémoires inédits d'Olivier d'Ormesson (Paris, 1850), p. 115 note 1

⁵² Ibid., pp. 137-138

⁵³ Cheruel, op. cit., p. 139

⁵⁴ S.R.C., Doc. XXIII, No. 4, Missions report to Alexander VII, October 1660, p. 88

male servants; the Hospital Nuns had 21 members and 8 male servants.⁵⁵ These were adequate communities for a colony of slightly more than 3,000 Europeans. In the mother country parents too frequently sent their daughters into a convent for purely selfish reasons without consulting their feelings and desires. Canadian girls were not readily sacrificed to the career of a brother or the dowry of an elder sister. This meant also that the spiritual qualities could be given more consideration.

The evangelization of New France required missionary volunteers, treasures of charity and self-denial, and educational and social service institutions. The clergy in France were a privileged class because, among other reasons, they were charged with maintaining colleges, schools, hospitals, orphanages, hostels, retreats and asylums. The church in New France, without forming a privileged class, assumed the same responsibilities. In 1639 the first Ursuline sisters, in the company of their benefactress, Madeleine de Chauvigny (better known as Mme. de la Peltrie), arrived at Quebec.⁵⁶ Here they founded the forty-second

55 A.P.Q., Manuscripts II, Vol. III, p. 1485

56 A.S.Q., Fonds Verreau XII, No. 65, June 1, 1639

daughter house of the Religieuses de Ste. Ursule of Bordeaux which had been founded in 1606 by the famous teacher, Mother Françoise de la Croix.⁵⁷ They were received in the colony by Montmagny; the Governor examined their letters from the Archbishop of Tours and then officially welcomed them on behalf of the administration.⁵⁸ But no other preparations had been made for their arrival in the colony. They lodged in a house, located near the fort and overlooking the harbour, rented from the Company of New France. This provided them with two rooms, a cellar and an attic, and soon they had a wall of sorts constructed to provide them with a cloistered walk.⁵⁹ A year later they were still without their own house or lands, but the population was well disposed towards them and the Indians appreciated their small hospice opened at Sillery.⁶⁰

Du Creux's comment on the special task of the Ursulines is a fair observation:

57 A.S.Q., Polygraphie III, No. 37, no pagination

58 A.S.Q., Documents Faribault, No. 25, September 28, 1639

59 A.S.Q., Lettres Q, No. 103, Extract from a letter of an Ursuline, 1639; A.S.Q., Polygraphie XXII, No. 57, Vimont to Superior of Hospital at Dieppe, September 1, 1640

60 H. Cahingt, ed., Documents sur le Canada, 1639-1660 (Rouen, 1913), Doc. xii, LeJeune to Mother Elizabeth, September 2, 1640, p. 21

The special task of the Ursulines is the training of young girls and to their schools of religion, which are a kind of public schools, little girls are sent from all the communities of the country. The Ursulines also receive some pupils as boarders, who occupy a separate part of the convent, to be trained in religion and good manners. 61

There were elements of both a popular education and a finishing school for the élite here. Mother Marie de l'Incarnation summed up the attitude of her order in 1668; "After we have done what we can we must believe ourselves to be unprofitable servants and mere specks of dust in the foundations of the edifice of this new Church".⁶² There was never any question about their piety. Indeed, there were criticisms that some of them tended too much to mysticism.⁶³ The Jesuits advised that in sending out new sisters greater care should be given to dowry, linguistic ability and state of health; this was essential in selecting candidates suitable for the challenges of the colony.

Their work was by and large dependent upon the generosity of a few wealthy patrons and benefactors. In

61 F. Du Creux, The History of Canada, or New France (Toronto, 1951-52), Vol. I, p. 268

62 A. Rayez, "Marie de l'Incarnation et le climat spirituel de la Nouvelle-France", Revue d'Histoire de l'Amérique Française, Vol. XVI, No. 1 (June 1962), pp. 35-36

63 A.S.Q., Polygraphie III, No. 2. Extracts of the life of an anonymous sister, pp. 23. This is apparently in the handwriting of Mme. de la Peltrie.

addition properties were acquired in the colony to help support their work. They were granted the seigneurie of Cap Ste. Croix, having one league of river frontage and ten leagues in depth, through the efforts of Jean de Beauvais, commissioner of the Marine.⁶⁴ In 1650 Mme. de la Peltrie and the Ursulines signed an agreement providing for the transfer to France of all their goods and chattels in the event of having to terminate their work in the colony. The Jesuit Superior was of the opinion that such a legal contract was unnecessary because none of the Ursulines had signed the original act of foundation. Nevertheless, the nuns thought it wise to protect their establishment and eight of them signed the contract, as did their benefactress.⁶⁵

Two months later, on December 30, a little after midnight, a fire broke out in the convent's bakery. The flames spread rapidly through the establishment destroying all the buildings and allowing the nuns and their founder to escape with little more than their very lives. The Jesuits rescued a few ornaments from their chapel. The loss amounted to about 60,000 livres and the Ursulines thought

64 A.C., Series F3, Vol. III, September 12, 1646, fol. 136

65 A.S.Q., Lettres O, Nos. 150, 151; A.S.Q., Documents Faribault, No. 86, October 14, 1650

of returning to France, but the Jesuits prevailed upon them to remain in the colony and re-commence their work, a decision that resulted in Mme. de la Peltrie providing the funds for a new building.⁶⁶

The Ursulines were now in need of immediate assistance. They were accorded the monopoly of the eel fisheries along the shore of the St. Lawrence river from Quebec to Sillery, a right which had previously belonged to the parish of Quebec and the Jesuits.⁶⁷ In 1652, Mme. de la Peltrie gave them the house she inhabited at Quebec with the adjoining two arpents of land, and also two farms at Côte Ste. Genevieve, one of 75 arpents and the other of 24 arpents.⁶⁸ The Governor gave 320 arpents from his seigneurie of Lauzon; their chaplain (abbé Guillaume Vignal) gave an arpent of land within the town of Quebec.⁶⁹ But no one did more than Mme. de la Peltrie. In 1660, she set up an endowment fund for the education of six poor girls and

66 B. Sulte, ed., Lettres Historiques de la Vénérable Mère Marie de l'Incarnation sur le Canada (Quebec, 1927), pp. 61-63, 73

67 A.S.Q., Polygraphie III, No. 31, July 10, 1653; A.C., Series F3, Vol. III, October 26, 1651, fol. 243

68 A.C., Series F3, Vol. III, March 2, 1652, fol. 245

69 A.C., Series F3, Vol. III, May 4, 1654, fol. 251; A.S.Q., Polygraphie III, No. 38, October 4, 1655

provided dowries for two religious; in 1669 she provided an endowment for the chaplaincy of the convent; in 1669 she confirmed all her earlier gifts in a last will and testament.⁷⁰

There were a few other sources of help. They received some relics of St. Castor, authenticated by Anthony Cardinal Barberini, for their chapel, but this scarcely put them on a more secure temporal basis.⁷¹ They bought property themselves.⁷² From the Intendant Talon they received two mares and a stallion in 1667, the understanding being that the animals were loaned to them by the state so long as they cared for and fed them and returned the colts.⁷³ They also received a small revenue from the 10% liquor surcharge: in 1681 this amounted to a total of 2,037 livres Canadian currency, of which the Ursulines received 150 livres. The breakdown of the allocations in 1681 gives

⁷⁰ A.A.Q., Registre A, No. 17, September 29, 1660, pp. 18-21; A.S.Q., Polygraphie III, No. 42, August 14, 1667; No. 43, April 8, 1669; No. 44, July 18, 1669

⁷¹ A.S.Q., Polygraphie III, No. 33

⁷² Ibid., No. 39, September 18, 1665

⁷³ A.S.Q., Polygraphie XVII, No. 9, September 29, 1667; B.R.H., Vol. VI, No. 7 (July 1900), pp. 218-220

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some indication of the relative importance attached by the Intendant to the various religious communities:

Seminary of Quebec	420 <u>livres</u>
Jesuits	420 <u>livres</u>
Sulpicians	350 <u>livres</u>
Hospital Nuns (Quebec)	320 <u>livres</u>
Hospital Nuns (Montreal)	211 <u>livres</u>
Ursulines	150 <u>livres</u>
Recollets	108 <u>livres</u>
Congregation Sisters	58 <u>livres</u> ⁷⁴

The financial difficulties of the Ursulines was clearly demonstrated on the occasion that Mme. de la Peltrie decided to move to Montreal to assist Jeanne Mance in her hospital work. This apparent desertion left even Mother Marie de l'Incarnation on the verge of despair. In a private letter she wrote:

This great change has put us in a bad way because M. de Bernieres who is in charge of our affairs tells me he cannot manage with the small endowment we have, which is only 900 livres. The Hospital Nuns of Quebec have 3000 livres income, and Mme. the Duchess d'Aiguillon, their founder, helps them greatly; even so, they have difficulty in surviving. That is why M. de Bernieres tells me we must resolve, unless God helps us further, to dismiss our seminary students and workers.... moreover,

74 A.S.Q., Polygraphie VI, No. 44, May 10, 1681

says he, if your founder leaves you, as I see strong evidence of happening, you will have to return to France unless God raises up another person who will support you. 75

Fortunately for the Ursulines, Mme. de la Peltrie was not long in returning to Quebec and their assistance. But the incident clearly demonstrated the great weakness of the pious foundations, their complete dependence during their formative years upon the generosity of one or two individuals. The Ursulines were at least fortunate in having their benefactress with them in the colony, sharing their hardships and problems. When benefactors were in France, therefore to a large extent ignorant of colonial conditions, their support was apt to diminish with the passage of time.

When the occasion required, the Ursulines could show themselves independent and strong-willed. This was very evident when Bishop Laval changed, or attempted to change, some of the rules of their community.⁷⁶ He wanted the mistress of the novices elected for a three-year term, and wanted the Superior of the convent to break the seal on all incoming letters. But, the real source of the difficulties

75 C. Martin, Lettres de la Vén. Mère Marie de l'Incarnation (Paris, 1681), Vol. I, p. 158

76 Mother F. Juchereau de St. Ignace, Histoire de l'Hôtel-Dieu de Québec (Montauban, 1751), p. 131; S.R.C., Doc. XXI, No. 3, October 13, 1660

was the fact that the first nuns had come from Tours, whereas later nuns came from both Tours and Paris. In 1646, Father Lalemant had given the convent a constitution based upon the traditions of both the Tours and Paris houses. This solution pleased neither group. Mother Marie de l'Incarnation steadfastly resisted Laval's attempts to intervene and she complained to the Mother Superior in Tours, in a letter dated September 13, 1661:

Monseigneur our prelate has some desire to change or at least alter our constitution. He has had an abridged version drawn up in accordance with his own ideas. Leaving the details he cuts back what explains and facilitates the practice. Then he has added what pleased himself, so that this adridgement, which would be more fitting for Carmelites or sisters of Calvary than for Ursulints, in fact ruins our constitution. He has given us eight months to a year to think about it, but the matter is already all thought out and the decision taken: we will not accept it, unless it be at the last extremity of obedience. Nevertheless, we shall not say a word, so as not to embitter matters: because we have to do with a prelate who, being of a very great piety, if he is once convinced that the glory of God is involved, never will change his mind; and it would be necessary to come to that, which would cause a great prejudice to our observances. It took very little for our singing to be restricted. As for high mass he wants it to be sung in one part only having no regard for what is done at either Paris or Tours, but only for what suggests itself to his own mind as being best....I attribute all this to the zeal of this very worthy prelate; but as you know, my dearest Mother, in matters of regulations, experience must carry the day over speculation. When one is well off, it is necessary to stay that way. 77

77 P.F. Richaudeau, ed., Vie de la Rév. Mère Marie de l'Incarnation, Ursuline (Tournai, 1874), pp. 370-371

These comments indicate that the Ursuline Superior had no intention of being dictated to by the Bishop. It also clear that she was a diplomatic individual and willing to compromise in order to retain the elements she regarded as basically essential. If Laval's actions were high-handed, they were not entirely unwarranted.

They were not unwarranted because in France at this period the convents displayed extremes running from religious fervour to worldliness, from simple piety to ostentatious indifference, from mystical self-abnegation to crude self-interest and indulgence. Laval was acting according to the best principles of the reforming bishops of the mother country.⁷⁸ In view of his own austerity and other-worldliness it was no surprise that he should be concerned that no abuses should creep into the colonial church. Music may have seemed a harmless enough embellishment to the divine service, yet one can imagine that Laval had in mind such abuses in France as the hiring of local musicians, actors and dancers to perform in convents. In any case, the question of the Ursuline rules was settled in 1681 by the

⁷⁸ J. Lough, An Introduction to Seventeenth Century France (London, 1954), p. 98. In 1664, for example, Bossuet was sent to reform a convent in Metz which was the scene of dancing and gaming, concerts and various disorders, yet it took 16 years to overcome the resistance of the aristocratic Mother Superior and bring about necessary reforms

acceptance of the constitutions of the Paris house.

The state also had an interest in the religious communities. It was Frontenac who in 1674 asked Colbert to obtain royal approval for the establishment of a new Ursuline school.⁷⁹ It has already been indicated that the religious received state subsidies and that these were of great importance to them. However, such support also meant close royal supervision of their activities, particularly of their expenditures. The royal orders to Duchesneau in 1680 contain a phrase which is typical of the attitude of the state towards the religious:

I am sending you an account of all the gratifications which I have ordered for the communities and individuals of Canada so that being informed thereof you can see to it that they make use of it according to the terms of these gratifications. 80

In passing it might be noted that the Hospital Nuns were required, by the terms of their grant of 1646, to provide a complete statistical report only every twenty years.⁸¹ But the orders of 1680 seemed to imply more careful control.

79 P.A.C., Series C11A, Vol. IV, Frontenac to Colbert, 1674, p. 165

80 Ibid., Vol. V, King to Duchesneau, June 2, 1680, p. 199

81 Ibid., Vol. V, Letters-patent of June, 1680, pp. 208-214

The Intendant exercised wide supervisory powers. The Governor was also expected to watch over the religious institutions, particularly the hospitals which took in military personnel.

The Jesuits seemed to favour the Hospital Nuns above the Ursulines.⁸² In 1647 the Ursulines complained that the Jesuit Superior had said mass for and had visited the Hospital Nuns but had ignored the Ursulines; the following year the Jesuits took care to visit both orders.⁸³ If there was any rivalry between the two women's communities it was well suppressed when the Ursulines lost their convent in a fire in December 1650. Marie de l'Incarnation's account ran as follows:

These good sisters, with whom we were always closely tied, were more greatly moved by our state than we were ourselves. They dressed us in their grey habits, and gave us linen, and of all other necessities, to all fifteen of us that we were, with admirable cordiality, because having nothing we needed everything. As we lived like them and ate at the same table, we kept the same rule of life; in a word, we were in their house as if we had been their sisters. 84

Dudouyt, the Bishop's agent and informant in Paris, did not favour the Ursulines more than did the Jesuits. In 1677 he

82 A.S.Q., Polygraphie XXII, No. 57, Vimont to Superior of Hospital of Dieppe, September 1, 1640

83 Journal des Jesuits, pp. 94, 116

84 Sulte, op. cit., p. 72

seemed happy that their plans to send reinforcements to Canada were giving way to a project in the West Indies, and again in 1682 he expressed relief that a certain Ursuline who had planned to come to Canada had been refused permission - "her spirit seemed to me a bit too haughty" he confided.⁸⁵

In 1639 the Hotel-Dieu of Quebec was founded by three members of the Congrégation des Hospitalières de la Miséricorde de Jésus, commonly known as the Hospital Nuns. Their benefactress was a niece of Cardinal Richelieu, Marie de Wignerod, Duchess d'Aiguillon. She was influenced to give financial support for the establishment of a Canadian community by the Jesuit missionary Father leJeune and a Carmelite nun, whose uncle - Brulart de Sillery, commander of the Order of Malta, ambassador of Louis XIV and friend of François de Sales and Vincent de Paul - had become interested in the missions of New France. The Duchess gave the Hospital Nuns of Dieppe 22,400 livres for the foundation of their convent in Quebec in 1637, and another 18,000 livres in 1640.⁸⁶ According to the contract signed

⁸⁵ A.S.Q., Lettres N, No. 48 (2), Dudouyt to Laval, 1677; No. 61, Dudouyt to Laval, March 9, 1682

⁸⁶ A.A.Q., Registre A, No. 363, pp. 387-392; A.A.Q., Registre B, pp. 13-19; A.C., Series F3, Vol. III, April 15, 1639, fol. 192, and January 31, 1640, fols. 202-208

between the benefactress and the nuns the money could be invested in property or in annuities in France in favour of the Hospital Nuns, so long as the revenue were employed for the work to be commenced in the colony.⁸⁷

Another niece of Sillery, Mme. Claude de Bullion, widowed in 1640 and left with an immense fortune, gave generous support too. The Recollet, Father Archange Rapine, brought a religious young lady with ambitions of serving in some capacity in Canada, Jeanne Mance, into touch with Mme. de Bullion in January 1641. The Jesuits, B.B. de Saint-Jure and Charles Lalement, convinced her that her future lay in the Montreal community which was being organized by a group of zealous laymen.

There were gifts in the colony too. The Hospital Nuns received 12 arpents of land in Quebec for their convent, another thirty on the outskirts of the town, 200 arpents just beyond the limits of the settlement, and the seigneurie of Grandines. Talon and the agent of the Company of the West Indies saw to it that they were put in possession of these lands and their letters-patent of 1680 stipulated that they might not be dispossessed of any of

87 A.C., Series F3, Vol. III, fols. 137-147

these holdings for which they received privileges and exemptions.⁸⁸ A Francois Bouin, an incurable paralytic, gave all his possessions to the community on the understanding that they would care for him the remainder of his days.⁸⁹ A Sieur de Rouveray also gave them land at the foot of Cape Diamond in recognition of their assistance.⁹⁰

At first they established themselves among the Indians at Sillery, where they believed their costs for clearing land and for building were rather high, but which costs the Jesuits believed were moderate compared to the prevailing rates in the town of Quebec.⁹¹ They were, moreover, all kinds of unexpected and incidental expenditures such as the importing of 7 or 8 pots of wine to pay their notary, and the manufacturing of special heavy overclothing. In 1646 they moved into the town of Quebec; the few Indians and the Jesuits deplored the decision, the latter probably on the grounds that it tended to indicate

⁸⁸ P.A.C., Series C11A, Vol. V, Letters-patent of June, 1680, pp. 208-214

⁸⁹ P.A.C., Series F50, Dossier 3, No. 44, January 27, 1675

⁹⁰ P.A.C., Series F50, Dossier 3, No. 45, February 7, 1682

⁹¹ A.S.Q., Polygraphie XXII, No. 57, Vimont to Sister de St. Francois, Superior at Dieppe, September 1, 1640

that the policy of Indian assimilation was a failure.⁹²

The community at Quebec soon had one Indian religious, a young Huron of only 15 years of age called Genevieve Skannd'haron, who on November 1, 1656, was received into the religious community, and two days later (just prior to her death, in fact) took her final vows.⁹³ The event merits recording because while indicating some measure of success, it points up the fact that no Indian member gave her life in the community in this period. Similarly, the missionaries found that numerous Indians would receive baptism at the point of death but refused in lifetime to be identified with them.⁹⁴

Du Creux's observation that the Hospital Nuns "always have a hospital attached to their convent and give themselves entirely to the sick"⁹⁵ was the reason that they received state support in the colony. Montmagny had personally welcomed them to the colony.⁹⁶ The royal

⁹² A.S.Q., Documents Faribault, No. 163, September 20, 1649; No. 164, December 28, 1651

⁹³ P.G. Roy, ed., La Ville de Québec (Quebec, 1930), p. 227

⁹⁴ On the other hand the Recollets and Sulpicians were criticized for making so few converts because they would not baptize before lengthy and thorough instruction. P.A.C., Series K, Carton 1232, No. 1, p. 50

⁹⁵ Du Creux, op. cit., Vol. I, p. 268

⁹⁶ A.S.Q., Documents Faribault, No. 23, September 15,

gratifications of 1669 provided that 2,600 livres, a little more than 6% of the subsidies, should be allocated to them, of which sum 2,000 livres would be used by the Quebec house; in 1681 the subsidy was 1,000 livres for the Hospital Nuns, and another 2,000 livres directed to them for the purchase of medical supplies; by 1684 the King was still willing to direct the use of 3,000 livres for the special assistance of two members of the community, in addition to the regular 1,900 livres subsidy to the house.⁹⁷ This state support may not have been very liberal, nevertheless it was indispensable.

A community of Hospital Nuns was anxious to found a hospital at Montreal. The original endowment for the Religieuses Hospitalières de Saint-Joseph was lost in 1649 when their pious lay patron, la Dauversière, found himself in financial embarrassment, But Jeanne Mance, in Maisonneuve's absence, attempted to save the project by taking 22,000 livres from the funds of the community organized for the foundation of Montreal, a course of action highly approved of at a later date by the Bishop.⁹⁸

97 P.A.C., Series B, Vol. I, pp. 140-144; P.A.C., Series C11A, Vol. VI, King to La Barre, April 10, 1684, pp. 401-402; B.S.S.P., Vol. I, Copy of Ordinance for Expenditures of Canada, 1681

98 A.S.Q., Polygraphie III, No. 18, This appears to be Jeanne Mance's account with marginal notations by Laval

When three nuns of the community at La Flèche landed at Quebec both the state and the church gave them assistance.⁹⁹

When Laval arrived in the colony as Vicar Apostolic he was asked to approve their project too.¹⁰⁰ This he did only reluctantly because he wanted only one congregation of Hospital Nuns in the colony. He had proposed that the three sisters who had arrived in 1659 join the Quebec convent, but they had refused and so he had given them permission to go on to Montreal rather than lose their valuable services to the colony. By 1666 the Montreal community had obtained pontifical approval by a brief ad perpetuam from Pope Alexander VII, Laval was unhappy about the independence of these nuns and wrote to the Propaganda in Rome to complain about the constitutions of the order and to obtain information about the rescript they had obtained.¹⁰¹

Laval appointed three ecclesiastics to administer the affairs of the new community; Jeanne Mance expressed

99 A.S.Q., Polygraphie III, No. 16, Grant by Maisonneuve, March 4, 1665; Nos. 23 & 24, Contract of March 29, 1659 with registration; No. 22, Obedience accorded Hospital Nuns, October 2, 1659

100 Ibid., No. 17, no date; Cf. No. 10, Hospital Nuns to Laval, August 30, 1660

101 S.R.C., Doc. XXIII, No. 21, Laval to Propaganda, September, 1667; pp. 113-116; also A.A.Q., Copies de Lettres I, Laval to Propaganda, September, 1667, pp. 58-59

her appreciation of this recognition.¹⁰² The Hospital Nuns had drawn up their own constitution, based on the one approved by the Bishop of Bayeux for the various houses of Hospital Nuns in France, and then had submitted it to Laval for his approval.¹⁰³ He insisted that there be a separation made between the goods of the Hotel-Dieu at Montreal and those of the poor of the institution. He issued a mandement setting aside one-third of the assets for the poor and leaving two-thirds for the religious community itself; the nuns were ordered not to employ any of the portion set aside for the poor for their own uses.¹⁰⁴ The state became concerned too: it certified the vows of the nuns, and then the Sovereign Council named a commissioner in 1664 to inquire into the finances and character of the community.¹⁰⁵

These inquiries into the affairs of the Hospital Nuns at Montreal did not retard their development. In 1666 they successfully claimed, as the heirs of la Dauversiere,

102 A.S.Q., Polygraphie III, No. 12, no date

103 Ibid., Nos. 20, 21, 21a

104 Mandements, Vol. I, pp. 47-49

105 A.S.Q., Documents Faribault, No. 103, October 15, 1658; No. 105, April 15, 1659; A.C., Series F3, Vol. III, fol. 295

a sum of 7, 986 livres from the Community of Habitants.¹⁰⁶

In 1669 they received letters-patent from the King granting them full rights and privileges as a recognized and registered religious community with the permission to accept all and any gifts, donations, legacies and benefactions.¹⁰⁷ Talon had very strongly recommended this recognition because he said they were "useful to the King's service". Moreover, he had ascertained that they had an endowment sufficient for the subsistence of their own community.¹⁰⁸

The state was expected to do a good deal by way of assisting the religious communities. The nuns might appeal to the Governor and Intendant, for example, to prohibit a merchant from erecting a two-storey building with windows opening onto their private yard.¹⁰⁹ The religious also expected the state to finance sea passages for new recruits. One commissioner of the Marine at La Rochelle wrote:

106 P.A.C., Series C11A, Vol. II, Liquidation of debts of Community of Habitants, June 25, 1666, p. 375

107 P.A.C., Series F5A, Vol. II, Letters-patent of April, 1669, pp. 97-99; also A.C., Series F3, Vol. III, fols. 383-384

108 P.A.C., Series C11A, Vol. III, Memorandum of 1669, p. 50. The Sulpicians had made additional grants of land in 1666 and in 1668; A.S.Q., Polygraphie III, No. 4, January 23, 1668; No. 5, July 27, 1666

There is also the matter of the passage of three Hospital Nuns which falls upon me. And I believe that it is serving His Majesty to help these women because they are serving very usefully. 110

In 1683, Governor La Barre believed that the Hospital Nuns in Montreal were in desperate financial circumstances; he was most indignant that the Bishop had urged them to build when they were in debt and that he had urged them to bring more nuns from France. He maintained that, worse still, Laval had forbidden them to receive any more patients. This was an over-extension of episcopal powers, to his mind; the bishop was attributing to himself the quality of sole director of a public service institution.¹¹¹ The church might operate the schools, orphanages and hospitals but it did so as a public service and was obliged to maintain the services to the satisfaction of the Crown so long as royal subsidies were granted. La Barre even contemplated placing the Hotel-Dieu at Montreal under the direct management of the Intendant, that is making it a state institution employing the Hospital Nuns to provide the nursing services.

Not all the religious communities were sources of

110 P.A.C., Mélanges de Colbert, Vol. CLXXVI, de Terron to Colbert, April 14, 1670, fol. 92

111 E. B. O'Callaghan, ed., Documents Relative to the Colonial History of the State of New York (Albany, 1853-1887), Vol. IX, La Barre to Seignelay, November 4, 1683, p. 207; also Eastman, op. cit., p. 205

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unmixed satisfaction to the state officials. Colbert de Terron encountered an unsavoury individual in his efforts to arrange passages for the "King's daughters" to New France. He related:

The sister of St. Joseph who has the care of fifteen young girls is a wretch who retarded the departure of the vessel by two days because not wishing to leave, she had stolen the goods of her girls which she had locked away at the Jacobins; It took some care and some time to untangle all that and settle it. 112

On the whole, the nuns were dedicated individuals and even so severe a critic as the Baron de Lahontan was impressed by them. In his last will and testament he directed that 365 livres be given the parish church of Montreal, and 200 livres to the hospital. 113

In 1653 a lay association known as the Sisters of the Congregation undertook a ministry of teaching at Montreal under the leadership of Marguerite Bourgeoys. They organized themselves along the same pattern as the Filles de la Charité in France. Vincent de Paul described their particular role as follows:

You will go then, my dear sisters, find such and such persons and, if you are taken to see the

112 P.A.C., Mélanges de Colbert, Vol. CLXIV, de Terron to Colbert. May 29, 1673, fol. 339

113 G. Lanctôt, ed., The Oakes Collection: New Documents by Lahontan concerning Canada and Newfoundland (Ottawa, 1940), p. 61

Bishop of the country, you will ask for his blessing; you will testify that you wish to live completely under his obedience and that you give yourselves completely to him for the service of the poor, and that you are sent for that purpose. If he asks you who you are, if you are religious you will tell him no, by the grace of God that it is not that you do not esteem very much the religious, but that it would mean saying 'goodbye to the service of the poor'. Tell him that...you are dedicated to God for the service of the poor. 114

These associations, for there were several of them founded in France and the Low Countries in the seventeenth century, did not take religious vows apart from simple vows which even laymen were encouraged to take. Vincent de Paul had instructed sisterhoods of this nature on the matter of vows:

If they ask you 'Do you take vows of religion?' tell them 'Oh! no, Sir, we give ourselves to God to live in poverty, chastity and obedience, some forever, others for a year'. 115

The beginnings of their work in Montreal were not particularly spectacular, according to the report that has been left by Marguerite Bourgeoys herself:

...4 years after my arrival Monsieur de Maisonneuve wanted to give me a stone stable to make a house to lodge those who would teach school. I had a chimney built and what was necessary to lodge the children there...116

114 Vincent de Paul, Correspondence, Entretiens Documents (Paris, 1920), Vol. IX, p. 533

115 Ibid., Vol. IX, p. 534

116 Y. Charron, "Itineraire spirituel de Marguerite Bourgeoys", Revue d'Histoire de l'Amérique Française, Vol. II, No. 3 (December, 1948), p. 365

The courses of study were not likely very exceptional as Marguerite Bourgeoys herself had had little formal education. The school project became caught up in such other activities as caring for the needy, a kindergarten and nursery school, and a study circle for adolescent brides. The task became too great for Marguerite Bourgeoys and her part-time assistant, Marguerite Picard. Jeanne Mance, who a year earlier had fractured her arm and sprained her wrist and was unable to carry on with nursing for the moment, planned to return to France to obtain medical supplies and fresh recruits for the Hospital Nuns. Marguerite Bourgeoys became her travelling companion and she employed the opportunity to recruit young women at Troyes to teach in the colony.¹¹⁷ Jeanne Mance meanwhile claimed to have been miraculously healed through the intercessions of M. Olier of St. Sulpice. The return to Canada was made on a converted hospital ship on which the germs of the dreaded plague still lurked - many of the passengers perished, including two Huguenots who made their peace with the Catholic Church before expiring.¹¹⁸

117 Charron, op. cit., p. 369

118 Ibid., p. 370

Marguerite Bourgeoys contracted the epidemic too but recovered.

Back in the colony Marguerite Bourgeoys gave much time to instructing the "brides" sent by the King. But her own community at Montreal began to complain of her absences. Then they quarrelled over new quarters. The teachers wanted to move to a new and larger stone building, and eventually won their point, but their founder regretted leaving the humble stable. In 1669 Bishop Laval gave the Sisters of the Congregation a mandat which authenticated the society for service in the entire colony, an approbation which brought much joy to Marguerite Bourgeoys.

By this time she was already moving towards the mystic life of intense meditation.¹²⁰ Again she went to France and obtained support from the Sulpician Superior in a request for letters-patent for her society. Colbert seemed well disposed towards her work in the colony. The result was the receipt of the desired letters-patent in May, 1670, and their registration by the Parlement of Paris

119 Charron, op. cit., p. 373

120 It was in 1690 that the Congregation sisters began to believe in nocturnal visits from souls in purgatory, a development which caused a good deal of concern in ecclesiastical circles

a month later. ¹²¹ The letters had been granted not solely on the basis of her impression upon the King; Governor Courcelles had praised her work and Colbert had been convinced of the merit of the Congregation sisters:

As for the establishment of the congregation of women and girls which is being formed at Montreal to teach persons of the same sex to read, write, and do some handwork, the King finds it good that you apply yourself to fortify it, these works of piety being able to contribute much to the augmentation of the cult of our religion. ¹²²

Those were the instructions to Talon.

The granting of the royal letters-patent occasioned a lengthy consideration of the matter of vows. The King does not seem to have been anxious for the women to become members of a religious community, and the prevalent legal opinion was that the liberty of the subjects belonged to the King, not to any institution in the state. The King could allow or refuse the founding of communities and he could regulate the question of vows. Once the King had given his permission, then only the ecclesiastical authorities might decide whether individual candidates possessed the necessary qualities of character and

¹²¹ P.A.C., Series F5A, Vol. II, Letters-patent of May, 1671, pp. 61-63; A.A.Q., Registre A, No. 369, Registration of June 20, 1671, pp. 410-412

¹²² P.A.C., Series B, Vol. III, Colbert to Talon, February, 1671, p. 67

disposition to find holiness in a religious vocation.¹²³ The King established the Montreal congregation of women to live a secular life only and so they could not, without royal permission, change their status or their rule of life by taking vows of religious, whether simple or solemn.¹²⁴ Marguerite Bourgeoys was not content with the arrangement and there followed a good deal of agitation to have the community become a religious order.¹²⁵ The community faced a crisis of a different order in 1683 when a fire razed the buildings and took the lives of two of the inmates.¹²⁶ In the face of all difficulties, the community persevered and filled a useful role in the colony.

Popular piety found an additional outlet through various devotional organizations for laymen. The religious orders had been planted in the colony during what is sometimes called the "mystical period" of the seventeenth century, that period when there was a brief revival of

¹²³ P.A.C., Series F5A, Vol. II, Consultations of May, 1671, pp. 63-65

¹²⁴ This position was upheld again in 1708: P.A.C., Series F5A, Vol. II, p. 94

¹²⁵ Charron, op. cit., Vol. II, No. 4 (March, 1949), p. 529

¹²⁶ B.S.S.P., Vol. I, No. 265, Tronson to Dollier de Casson, August 7, 1684, p. 402

religion among the masses.¹²⁷ An example of the zeal and devotion of some of the men and women of this period is to be found in the life of Barbe de Boulogne, the wife of Governor Louis d'Ailleboust. Their marriage had been celebrated only after her husband had solemnly sworn to allow her to keep her youthful vow of perpetual chastity. Even after his death, she is believed to have refused attractive offers of marriage from both Governor Courcelles and the Intendant Talon.¹²⁸ On two occasions she commenced her vocation with the Ursulines at Quebec but came to the conclusion that her calling in life was not in a religious community.

Probably the best known of the lay organizations was the Third Order of St. Francis. Two members of this society gave all their possessions at Beauport to the Recollets in 1678. Since their chattels, worth about 2,500 livres, could not be accepted "seeing that the said Reverend Recollet Fathers by virtue of their profession may not and wish not to own any goods themselves",

¹²⁷ The King's "conversion" was a gradual process of the early 1680's and resulted in what has sometimes been called a conversion of the court; at best the court took on an external attitude of religiosity, but little more. The real religious revival at the lower levels of society had come early in the century.

¹²⁸ R.G. Roy, La Ville de Québec sous le Régime Français (Québec, 1930), Vol. I, p. 190

Frontenac was instructed, in his capacity of syndic of the Third Order in the colony, to sell the goods and from the proceeds to spend up to 1500 livres for the erection of a chapel where members of the society might be buried.¹²⁹

There were numerous allegations that the Jesuits also had a lay society and that Bishop Laval was in some way intimately linked with the Society of Jesus. The existence of a Jesuit lay association was well-known to the Duke of Saint-Simon. Of this association in France he said:

The Jesuits constantly admit the laity, even married, into their company. This fact is certain. There is no doubt that Des Noyers, Secretary of State under Louis XIII, was of this number, or that many others have been too. These licentiatees make the same vows as the Jesuits, as far as their condition admits: that is, unrestricted obedience to the General, and to the superiors of the company. They are obliged to supply the place of the vows of poverty and chastity, by promising to give all the service and all the protection in their power to the Company, above all, to be entirely submissive to the superiors and to their confessor...But nothing must pass through their minds, nothing must come to their knowledge that they do not reveal to their confessor; and that which is not a secret of the conscience, to the superiors, if the superior thinks fit. In everything, too, they must obey without comment, the superior and the confessors. 130

It is not certain what association Saint-Simon had in mind

129 Reveillaud, op. cit., pp. 194-195

130 St. John, op. cit., Vol. III, pp. 17-18

as there existed several organizations which might have fitted his description.

By means of lay congregations and confraternities clustered around their schools and novitiates, the Jesuits were able to attract a large following of prominent auxiliaries. In about 1630 the Jesuits of Paris founded the Congrégation de la Sainte Vierge which admitted both clergy and laymen on equal terms. On February 2, 1673, during a visit to France, Laval formally entered this Congregation and signed his name to their register.¹³¹ Here was one close connection he had with the Jesuits apart from his training among them and his close association with them. Laval as a student at Lafleche and later at Clermont had been active also in the Assemblées des Bons Amis, which was the nucleus for the formation of the Société des Missions Etrangères. This secret and obscure group, commonly known as the "Aa", seems, to have been founded in Paris in 1646 by the theologian Jean Bagot who was particularly interested in organizing the secular clergy. There was a close association, possibly what could be called an inter-locking directorate, with the Company

131 B.R.H., Vol. XXXVI, No. 5, (May, 1930), pp. 305-306

of the Holy Sacrament.¹³²

Laval, Pallu, Gazil, Poitevin, of the "Aa" entered into the inner circle of the Company of the Holy Sacrament in the 1650's and became active in combatting Jansenism, building seminaries, expanding foreign missions and attempting to restrict Huguenot activities.¹³³ Apart from combatting Jansenism, these activities were the role of Laval in the colony. The Company of the Holy Sacrament did not aim at challenging existing social ranks and distinctions; it tried merely to reproduce what it believed to be the spirit of the primitive church, the model of self-abnegation and fraternal concord. It was this Utopia that Laval wished to create in New France. But the cohesiveness of the movement had led to an aura of secrecy, and this in turn to curiosity and suspicion on the part of external forces and individuals.

One of the great campaigns of the Company of the Holy Sacrament was the building of general hospitals. This was in fact an attempt to assimilate charity to police. for

¹³² H. Beauchet-Filleau, ed., Annales de la Compagnie du St. Sacrament (Marseille, 1900), pp. 234, 266; E.S. Chill, The Company of the Holy Sacrament, 1630-1666 (New York, 1960), p. 211

¹³³ R. Allier, La Compagnie du Très Saint-Sacrement de l'Autel: La Cabale des Dévots (Paris, 1902), pp. 150-151

originally the hospitals had been almshouses, shelters for the sick, infirm, aged, orphans, widows and pensioners; the thinking behind the hôpital-général was that of voluntary and forced incarceration of all lower-class indigents in quasipenal houses of correction and treatment. In 1656 the Company of the Holy Sacrament tried to have all the poor of Paris confined in a General Hospital.¹³⁴ The appointment of lieutenants-general of police and the posting of fire and building regulations to check disorders in the larger towns were also measures supported, if not altogether inspired, by the Company. These measures were adopted in the colony too. Queylus and Sister Marie Renée de la Nativité planned a hospital at Montreal.¹³⁵ Eventually, Frontenac, Laval and Duchesneau submitted a joint petition for a General Hospital at Quebec; it was quite clear that they wanted a correctional institution to deal with the lazy, the beggars, and the troublesome, as well as with the sick and infirm.¹³⁶

Another effect of the religious revival in France

¹³⁴ Beauchet-Filleau, op. cit., p. 239; Chill, op. cit., p. 154

¹³⁵ A.C., Series F3, Vol. III, fol. 97; P. Clément, Lettres, Instructions et Mémoires de Colbert (Paris, 1864), Vol. III, Pt. II, Colbert to Talon, June 4, 1672, p. 542

¹³⁶ A.S.Q., Polygraphie XVIII, No. 45

was the increase of private devotional practices. There was a tremendous expansion throughout the seventeenth century of the cult of the Blessed Virgin Mary. Quebec had its Marian congregation from 1657 onwards, and quite a number of the nuns, including Catherine de Saint-Augustin and Marie de l'Incarnation, took vows as "slaves of Mary". Among the Jesuits there was a growing devotion to the Sacred Heart of Jesus and Marie de l'Incarnation wrote of the Sacred Heart of Mary.¹³⁷ The local militia organized at Montreal in 1663 was known as the Milice de la Sainte Viège.¹³⁸ In 1657 special services were held in St. Joseph's chapel of the parish church of Quebec for the Confraternity of the Scapulary of Our Lady of Mount Carmel.¹³⁹ This confraternity was formally established and recognized by the Bishop in August, 1665.¹⁴⁰

The Recollets had consecrated Canada to St. Joseph in 1624, and the Jesuits and other communities who followed them, all honoured St. Joseph as the patron and

¹³⁷ Thwaites, op. cit., Vol. XXXV, p. 142; R.A.P.Q., 1929-30, pp. 7, 9, 11, 40, 41; Richaudeau, op. cit., Vol. II, p. 199

¹³⁸ A.J.M., Arrêts, Ordinance of Maisonneuve, January 27, 1663

¹³⁹ A.S.Q., Documents Faribault, No. 100, May 10, 1657

¹⁴⁰ Mandements, Vol. I, pp. 66-67

protector of the colony. Moreover, he became "Patriarch of the Hurons", patron of the residence at Sillery, "perpetual prefect" of the Marian congregation at Quebec.¹⁴¹

In April, 1657 the master carpenters in the colony had asked for recognition of the Fraternity of Ste. Anne and for a special pew in the church at Quebec for their members.¹⁴² Their regulations were based on those of the Paris association. All fraternities were supposed to be under the jurisdiction of the diocesan bishop, who alone could authorize, approve and canonically erect them. Clement VIII had ruled in the bull Quoecumque of December 7, 1604 as follows:

To be a member of a Confraternity it is necessary to be received by the directing priest, appointed to this end, and to be enrolled in the catalogue of the Confraternity. Admission must be free.¹⁴³

The Fraternity of Ste. Anne obtained Laval's sanction and blessing in 1678. With such canonical erection the members could benefit from the indulgences commonly accorded the fraternity.

¹⁴¹ A. Rayez, "Marie de l'Incarnation et le Climat spirituel de la Nouvelle-France", Revue d'Histoire de l'Amérique Française, Vol. XVI, No. 2 (June, 1962), p. 28

¹⁴² A.S.Q., Documents Faribault, No. 96, April 8, 1657

¹⁴³ Récueil d'Ordonnances synodales et épiscopales du Diocèse de Québec (Québec, 1859), p. 285

The most notorious association was the Confraternity of the Holy Family which obtained the favour and protection of the Bishop in 1665. Laval's decree said, in part:

...we permit, allow and approve the said assemblies to be held at Quebec and all other places within our jurisdiction, to be the said assemblies united to those of our principal residence, under the conduct of ecclesiastics fulfilling the curial functions, or others of our choice...144

The regulations were drawn up by the Bishop himself and called for such devotional practices as erecting a statuette of the Virgin Mary in each home, daily recitation of the rosary by the family, daily attendance at mass, attending the fortnightly meetings of the society, observing a special festival on each January 23rd, reading approved devotional books and such corporal works of mercy as visiting the sick and giving to the poor.¹⁴⁵

There was no lack of zeal among the members. Indeed, there were soon complaints that this feminine circle, presided over by Mme. Bourdon, wife of the Councillor, and assisted by Mme. Charron, was becoming a menace to the

144 A.A.Q., Registre A, No. 37, March 14, 1665, pp. 41-43; also S.R.C., Doc. XLI, No. 1, Decree of March 14, 1665, pp. 224-225; Mandements, Vol. I, pp. 51-53

145 S.R.C., Doc. XLI, No. 2, pp. 225-227; also Mandements, Vol. I, pp. 56-66

domestic peace of many households and by its inquisitorial methods had become a band of gossips and spies in the employ of the Bishop and the Jesuits. La Salle has left a particularly venomous account of these women:

There is in Quebec a Congregation of women and girls which they call the Holy Family in which vows are taken on the Holy Gospels to tell all that one knows of good or ill about persons one knows...The Company assembles every Thursday in the cathedral behind closed doors and there they tell each other what they have learned. It is a kind of Inquisition against all the persons who are not united with the Jesuits. These persons are accused of keeping secret what ill they learn about persons of their party and of not having the same discretion for others. 146

Some particularly lurid accounts were circulated about what had taken place during the last days of the carnival of 1667 - it was probably just before Lent. Resentment was so aroused against the Confraternity that the Sovereign Council appointed two commissioners to investigate the disorders and determine also if the meetings of the women were prejudicial to the intentions of the King, contrary to the practices of old France, or harmful to the establishment and development of the colony.¹⁴⁷ There was a censuring of the Confraternity but it was not forced to

146 P.A.C., Series K, Carton 1232, No. 1, pp. 43-44; also printed in Margry, op. cit., Vol. I, p. 370

147 P.G. Roy, ed., Inventaire des Ordonnances des Intendants de la Nouvelle-France (Beauceville, 1919), Vol. III, pp. 242-243

abandon its activities. Papal indulgences were granted its members in 1665, 1674, 1678 and 1685.¹⁴⁸ There was some question if the Bishop might appoint a special festival for the society - some arguing that only the Pope could do so since 1642 - and Laval's right seems to have been upheld.¹⁴⁹

The coming of the Gentlemen of the Company of St. Sulpice, a company of seculars founded in 1642 by the abbé J.J. Olier of the parish of St. Sulpice in Paris, complicated the Canadian scene and tended to detract from the role of the Jesuits. Olier had been with Jerome de la Dauversiere, the Baron de Faucamp and two anonymous supporters, the founder of the Society of Notre-Dame of Montreal. His Sulpician clergy were proud of their status of secular clergy. To fortify a member of the Company at Montreal, whose brother was a member of the Capuchins and who had tried to convince him to join an order of "regulars", the Sulpician Superior wrote in these terms:

It is good that he see by your example that without being a religious one can be as separated from worldly possessions and as abandone to Divine Providence as a Capuchin, and that to a soul having faith the Gospel, without vows, suffices for it to be convinced that God will never fail him in his needs. 150

148 A.S.Q., Seminaire XXXIV, No. 149, no pagination

149 S.R.C., Doc. XLI, No. 6, pp. 233-247

150 B.S.S.P., Vol. I, No. 195, Tronson to Remy, April 22, 1683, p. 330

The first rift between these secular priests and the Jesuits developed soon after the arrival in New France of the abbé Queylus, Vicar-General of the Archbishop of Rouen.

To begin with there was the matter of queylus's residence. He had arrived on the twenty-ninth of July, 1657, and on September 12 of that year had been named curate at Quebec. But he found himself without a presbytère. In 1645 the Jesuits had been given the choice of building a residence out of their own funds or of building on the property of the parish of Quebec with a 6,000 livres gift from the Community of Habitants. Now, Queylus insisted that either the Jesuits should give him their house or else they should re-imburse the 6,000 livres to the parish. Since the Jesuits had not accepted the gift from the Community of Habitants but had built from their own funds, the Governor ordered on March 23, 1658, that the Community of Habitants pay 6,000 livres towards the building of a residence for the parish priest of the town. D'Argenson seemed to think this terminated the troubles and wrote to Father Lalemant:

I arrived in Quebec on July 6 and I found all your company in great unity with Monsieur the abbé Queylus although some time before the said abbé had some proceedings on the subject of your house against the Father Superior, which had been sone at the instigation of the churchwardens and afterwards they were unable to sustain their case. 151

151 A.S.Q., Seminaire XV, No. 2a, d'Argenson to Lalemant, September 5, 1658

But less than three weeks later there was a further indication of the under-current of ill-will and rivalry.

On September 23, Queylus preached a strong sermon seemingly directed at the Jesuits. On October 2 and October 3 there were visits which seemed to point to a

152 pacification. Then three letters written by the Jesuits fell into the hands of Mme. d'Ailleboust, who showed them to her husband and to Queylus. The abbé was particularly aroused by the contents of two of these communications which submitted that he "waged against us a warfare more grievous than that of the Iroquois".¹⁵³ Queylus mounted his pulpit on October 21 to satirize those who came to church to hear him preach so that they might catch him in his words. For his text he chose the account of the Pharisees coming to catch Jesus in His words. He likened himself to the Master:

Gentlemen, before saying a word to you touching the Gospel, I will give you a warning. There are some persons who come to church not to apply to themselves what they hear, but to check on what I say and to explain my intentions. It would be better if they remained at home with a good quartan fever. 154

Or, so at least was the Jesuit rendition of his sermon.

The following month, Queylus showed his authority

152 Journal des Jésuits, pp. 220, 226, 227

153 Ibid., p. 222

154 Ibid., p. 222

by upsetting the Jesuit schedule and announcing from his pulpit that in future evensong would be celebrated every Thursday, and also on Saturdays during Advent in honour of the Blessed Virgin.¹⁵⁵ The Jesuits could only submit. However, the end of the year found Queylus ill, and so the Jesuit Superior went to visit him on New Year's Eve; the following day another member of the Society called upon him to bring him their good wishes.¹⁵⁶ This did not mean that a reconciliation had taken place. As soon as the Jesuit Superior received letters in August 1658 confirming the granting to him of powers of Vicar-General he came to inform Queylus, who left for Montreal a fortnight later.¹⁵⁷

So it was that Gabriel de Queylus, Gabriel Souart, Dominique Galinier, and the deacon Francois d'Allet, formed the first Sulpician community at Montreal, where a settlement had been founded in 1642 by an association of devout persons intent upon converting the Indians of the region.¹⁵⁸ The Montreal experiment had not proved very healthy financially and this lack of success may have been one of

155 Journal des Jésuits, p. 227

156 Ibid., pp. 229, 232

157 Ibid., pp. 238, 239

158 A.C., Series F3, Vol. III, fol. 215, Articles of association, March 21, 1650, which give names of members of the society

the factors determining the decision to cede by contract on March 9, 1663, the seigneurie of the island of Montreal to the Sulpicians.¹⁵⁹ Undoubtedly, one of the strong motivations was the fact that the Sulpician founder had been closely associated too with the foundation of Montreal. The financial outlook of the Sulpicians was not very promising either because their revenues at Montreal amounted only to 3,545 livres in 1663.¹⁶⁰ By their grant the seigneuries and farms were to remain inseparably united to the property of their Seminary, the hospital contracts of 1644 and 1648 were to be honoured, and Maisonneuve was to remain Governor and captain of the island, occupying the throughout his lifetime the seigneur's residence and enjoying half the mill fees. Bishop Laval and Governor Mezy were anxious to impose a royal seneschalship upon the island; the Sulpicians resisted such a move and so the plan was dropped until 1693.¹⁶¹ In 1667 the Sulpicians obtained from the King's privy council an order preventing Laval from forcing them to give an account of their finances in the presence of the Intendant, and

159 P.A.C., Series F5A, Vol. II, pp. 32-40, 42-54; A.C., Series F3, Vol. V, fols. 4-9; Edits, Vol. I, p. 93ff.

160 B.S.S.P., Vol. I, Memorandum to Serancour, p. 1

161 A.P.Q., Insinuations, Vol. II, March 1693, pp. 313-314. In 1693 it was agreed the royal judge would remit all judicial revenues to the Sulpicians

when the matter was pursued by the Bishop they were able to obtain a further restraining order against his pretended authority.¹⁶² They were also able to establish their claims to property in the lower town of Quebec, for which no formal documents were available, upon the strength of sworn statements from Jeanne Mance and Mme. d'Ailleboust.¹⁶³ It was evident that they were a factor not to be lightly set aside in the colony.

This was again evident in June 1667 when the Iroquois sent a delegation to Montreal asking for missionaries. Although it was already agreed that the Sulpicians might work among the Cayugas, they decided not to enter upon such a venture until after the arrival in Montreal of their new Superior. In the fall of 1668 Queylus proceeded to designate Trouve and Fenelon for the Cayuga mission. The two went to Quebec to obtain a concession of land on the Bay of Quinte and then proceeded to their field of labour where they were well received and baptized about 50 children during the course of their first winter there.¹⁶⁴ The Bishop

162 A.S.Q., Polygraphie III, No. 8, May 8, 1667; No. ii, October 11, 1667

163 Jugements, Vol. I, pp. 414-415, 446

164 R.A. Preston & L. Lamontagne, Royal Fort Frontenac (Toronto, 1958), pp. 7-8

in giving them his blessing had also given them some careful instructions, which exhorted them to imitate the Jesuits:

When need arises, let them write to the Jesuits who are engaged in the Iroquois missions for the resolution of their doubts and the receipt from their long experience of the necessary enlightenment for their conduct. 165

The Bishop hoped to unite the Sulpicians with the Jesuits in this missionary effort.

What was the the attitude of the state at this point? Royal policy seems to have been to avoid disorders in the colony, and to officially promote harmonious co-operation between the various religious communities. On the other hand, unofficially and surreptitiously rivalries were promoted and perpetuated whenever these seemed to work to the advantage of the Gallican concept of church-state relations. Bouteroue's orders in 1668 were that he should work incessantly to avoid divisions and rivalries, that he was to encourage the Sulpicians at Montreal to remain in a spirit of unity with the Bishop and the Jesuits.¹⁶⁶ The following year Talon was instructed to offer his full protection and assistance to Queylus so that the Montreal

165 P.A.Q., Registre A, No. 68, September 15, 1668; pp. 65-67; No. 69, Instructions of 1668, p. 67

166 P.A.C., Series B, Vol. I, Instructions to Bouteroue, April, 1668, pp. 77, 87

community might expand. The important question was to control the Jesuits through limited inter-community competition, that is by **using** the Sulpicians and Recollets as a counter-balance to Jesuit influence:

These two ecclesiastical bodies must be considered also in order to moderate the too great application of the Jesuits to preserving an authority which is perhaps too extensive and which they have given themselves...¹⁶⁷

Talon replied the following spring that the Sulpicians were making a reputation for themselves in the colony and that they were acquitting themselves "with dignity and utility for the King's service by means of the discoveries they are making".¹⁶⁸ The work of the Sulpicians in extending the geographical knowledge of the continent was particularly appreciated by Talon and drew a special commendation from Colbert.¹⁶⁹

With the coming of Frontenac, good relations between the state officials and the Sulpicians declined sharply. This came as a result of the misunderstandings between Perrot and Frontenac and between Fenelon and Frontenac,

¹⁶⁷ P.A.C., Series C11A, Vol. III, King to Talon, May 17, 1669, p. 25

¹⁶⁸ P.A.C., Series C11A, Talon to Colbert, August 18, 1670, p. 93

¹⁶⁹ P.A.C., Series C11A, Vol. III, Memorandum of 1670, p. 70; P.A.C., Series B, Vol. III, Colbert to Queylus, March 10, 1671, p. 74

disputes which have already been considered in another context. It is worth noting at this juncture, nevertheless, that Frontenac had a deep-seated suspicion that the Jesuits were in some way responsible for the quarrels, or else he attempted to employ the ministerial suspicion of the Jesuit influence to cover up his own rashness. Frontenac wrote:

There is only the Jesuits who have not appeared in all this, although they have perhaps as much part as the others. But they are more able to cover up their little game, their Superior being a very wise and prudent man, not muddled...170

All in all, the Sulpicians emerged from the quarrels of the first Frontenac administration untarnished and uninjured.

Although the Sulpicians were in the favour of the civil authorities in 1676, their own Superior in Paris felt that the Montreal community was disorderly and less disciplined than ought to have been the case.¹⁷¹ Bretonvilliers had reported an absence of pious practices among them, so Tronson reminded them that spiritual exercises were even more necessary to a secular clergy than to a regular clergy.¹⁷²

¹⁷⁰ P.A.C., Series C11A, Vol. IV, Frontenac to King, 1674, p. 189

¹⁷¹ B.S.S.P., Vol. I, No. 3, Tronson to Sulpician seminary, March, 1676, pp. 4-5

¹⁷² Ibid., Vol. I, Tronson to Seminary, June 1, 1677, p. 92

In March 1677 the Sulpicians petitioned Colbert for royal letters-patent confirming their possession of the island of Montreal, and for a promise that the royal subsidies for their fourteen priests would be continued.¹⁷³ It seemed advantageous to have letters-patent but Tronson warned that it might be well to procrastinate accepting the letters of provision from the Bishop in case he should attempt to name the Superior himself and attempt to secure the right to dispose of the missionary appointments of the Sulpicians. He wrote:

The letters of M. de Quebec would be useless to us if we do not have those from the King; and if we have the King's, the others will not be lacking and we will receive them with all the more surety. 174

The Paris community believed that in case of pressure from Laval for an immediate decision the Montreal clergy ought to say they were waiting for orders from Paris. In any case, the royal letters-patent were granted in May and letters were sent to Duchesneau and Frontenac the following month ordering them to have the Sovereign Council register these letters.

¹⁷³ B.S.S.P., Vol. I, Placet presented to Colbert, March 20, 1677, p. 1

¹⁷⁴ Ibid., Vol. I, Tronson to Lefebvre, April 5, 1677, pp. 50-51

Laval was also informed of the proceedings.¹⁷⁵

What would be the Sulpician attitude if other religious communities became established in Montreal? In 1677 Tronson warned the Montreal company that either the Jesuits or Recollets might become established in Montreal. If there was such an establishment his advice to the Montreal company was to "live in Canada with them as we live with them in France, that is to say in great unity".¹⁷⁶ On the other hand, he thought it necessary to warn that trouble could be expected with the Jesuits over Indian policy, especially if the Indians began to leave Prairie de la Madeleine to settle nearer to Montreal at the Sulpician Mission of the Mountain.¹⁷⁷ On the other hand, Frontenac believed that the Sulpician mission was a model which would oblige "those who either through self-interest or other cause to imitate them".¹⁷⁸ Dollier de Casson, who was

175 A.S.Q., Polygraphie III, No. 48, Letters-patent of May, 1678; B.S.S.P., Vol. I, No. 29, Tronson to Duchesneau June 3, 1677, pp. 104-105; No. 30, Tronson to Frontenac, June 3, 1677, pp. 105; No. 31, Tronson to Laval, June 4, 1677, pp. 105-106

176 B.S.S.P., Vol. I, Tronson to LeFebvre, April 5, 1677, p. 58

177 Ibid., p. 55

178 P.A.C., Series C11A, Vol. V, Frontenac to Minister, November 6, 1679, p. 26

returning to Canada as Superior in 1678, was instructed to consult the Intendant in any difficulties that might arise with other ecclesiastics.¹⁷⁹

His instructions went on to warn him not to accept the charge of spiritual adviser to either the Hospital Nuns or Sisters of the Congregation at Montreal. There seemed to be a desire not become involved with other communities. Tronson thought it wise to inform the Jesuit Superior of the appointment of a new Sulpician Superior at Montreal, and took the occasion to express gratitude for the past kindnesses and hope for future co-operation.¹⁸⁰ That this may have been prompted by a fear of impending friction between Jesuits and Sulpicians, rather than by a desire for good fellowship with all communities, is gathered from the nature of the instructions with regards the Recollets. Dollier de Casson was instructed not to offer hospitality readily to Recollets who passed through Montreal, nevertheless, "for the Jesuits it would be more difficult to refuse them seeing in what manner they treat us at Quebec".¹⁸¹

¹⁷⁹ B.S.S.P., Vol. I, Instructions to Dollier de Casson, 1678, Article 13

¹⁸⁰ Ibid., Vol. I, No. 64, Tronson to Dablon, July 2, 1678, p. 127

¹⁸¹ Ibid., Vol. I, Instructions to Dollier de Casson, 1678, Article 20

The golden rule had now become "As others do unto us, so do we unto them". If others wished to settle at Montreal, with the approval of the civil authorities, there could be no objections raised.

The Sulpicians, as has been seen, had moved into the interior missions too. What were once considered well located missions now proved to be otherwise. The building of Fort Frontenac, in particular, had altered the situation and the Sulpicians were willing to consider abandoning their mission at Quinte, a move which the Jesuits hoped they would make and so restrict themselves to Montreal.¹⁸²

Although the Sulpicians had acquired more lands surrounding the island of Montreal, they were in serious financial difficulties; the Bishop was attempting to recover 22,000 livres which he alleged they ought not to have received; their Superior was opposed to their receiving small bequests for fear that some people might believe "that we begin to do at St. Sulpice as in some other communities which attract to themselves everything they can".¹⁸³

¹⁸² B.S.S.P., Vol. I, No. 103, Tronson to Barthelemy, April 2, 1680, p. 190; A.S.Q., Lettres N, No. 64, Dudouyt to Laval, June 10, 1682

¹⁸³ A.C., Series F3, Vol. V, Grant of August 29, 1679, fol. 292; A.S.Q., Lettres N, No. 69, Dudouyt to Laval, April 28, 1683; B.S.S.P., Vol. I, No. 161, Tronson to Remy, April 16, 1682, p. 281; No. 11, Tronson to Ranuyer, April 5, 1677, p. 78

They pursued their policy of not becoming embroiled with the Jesuits. In 1681 the missionaries were warned not to pursue what appeared to be a legitimate grievance:

What was published abroad among the Savages that you were not Black Robes can only have come from a strange temptation. You did very well not to come to complete investigations and not to allow the authors of it to be made known. Because it would not have been healed readily. Nothing must be preferred before unity and the peace which you preserved by this charitable means. All other conduct would perhaps have caused an eternal disunity. 184

It is evident that a doubt had been planted in Indian minds about the validity of Sulpician ministrations. Furthermore, it is apparent that the Sulpicians had declined to assert themselves. Possibly, the Jesuits would stand to reap more benefits than would the Sulpicians if there had been an open conflict.

The Indian missions near Montreal were a cause of further friction in 1682. Tronson rationalized:

The trouble which the savages of the mission of the Sault, who turn aside the others from going to Montreal, cause you is a harshness which you must resolve to suffer in peace without making any complaints which would shock the Jesuit Fathers...These good Fathers act according to their lights and their grace and you according to yours and according to the work God has confided to you...185

184 B.S.S.P., Vol. I, No. 150, Tronson to Trouve, June 1, 1681, p. 246

185 Ibid., No. 176, Tronson to Belmont, June 6, 1682, p. 301

This was certainly putting a charitable interpretation upon the events. Lahontan sensed the feeling between the various communities and his comments that the Sulpicians did not wish the Jesuits or Recollets to come to Montreal but "at the long run they'll be forc'd to consent to it" accurately gauged the situation. 186

In the face of such feelings the Bishop continued to utter platitudes about unity and collaboration. "We will preserve a great union with the Seminary of Montreal which is filled with good and virtuous ecclesiastics..." 187

Possibly there was more co-operation between Tronson and Dudouyt in Paris than there was between the clergy in the colony. Laval commended Dudouyt for what he designated as his efforts to restore good relations with the Sulpicians:

What you have done with regard St. Sulpice and of the openings you have made there will be useful and will have good effects on spirits. I believe the matter must not be pushed forward any more, God will derive glory from it. 188

By 1686 the Sulpicians on their part were not unhappy that there had been an ouverture de coeur with the Bishop, but this did not mean they were prepared to capitulate all along the line. They determined to jealously guard the rules

186 Thwaites, op. cit., Vol. I, p. 55

187 A.S.Q., Polygraphie IX, No. 103D, Laval to Dudouyt, November 6, 1683

188 Ibid., Laval to Dudouyt, November 6, 1683

governing the internal order of their Seminary at Montreal in the face of all episcopal pressure.¹⁸⁹ The price of communal independence, like the price of individual liberty, was eternal vigilance.

The return of the Recollets to the colony illustrated this truth in a still more forceful manner. It was Talon's plan that they should be allowed to return to minister to the people whose consciences were troubled by the Jesuits, and it was the Minister's will that they be re-established in their former property and allowed to serve the entire colonial population.¹⁹⁰ It is important to note at this point that the Recollets were to return to the property they had once occupied outside the town of Quebec; their residence was not imposed upon them by Bishop Laval. Secondly, it is also important to note that they were expected to "administer the Sacraments to all who will have need of them and will have recourse to them". Both of these points were to be much disputed shortly. The King informed Talon that the Recollets were being sent to the colony to counterbalance the great Jesuit influence, for as Lahontan remarked later "the Jesuits and Recollets agree as ill as

¹⁸⁹ B.S.S.P., Vol. I, No. 297, Tronson to Dollier, February 21, 1686, p. 432

¹⁹⁰ P.A.C., Series C11A, Vol. III, Memorandum of 1669, p. 48; P.A.C., Series B, Vol. I, Colbert to Laval, May 15, 1669, p. 214; King to Allard, May 15, 1669, pp. 179-180

the Molinists and the Jansenists".¹⁹¹

Laval had suppressed as much as possible news of the popular demand in the colony for a return of the Recollets, but in the end the Court had become aware of the demands and had given clear directions that everything was to be done to help these religious become re-established in the colony.¹⁹²

Laval contended that their property at Notre Dame des Anges was suited to a cloistered and contemplative community and he would willingly have restricted them to just such a role. He saw them not only re-established at Notre Dame des Anges but also was required to grant them letters of provision to serve in his vicariate.¹⁹³ The extent of the Bishop's opposition to Recollet activities can be estimated from the fact that he felt it necessary in 1672 to explain to the Propaganda in Rome that it was not through malice that he deprived the Recollets of the offerings made at masses which they said.¹⁹⁴

¹⁹¹ P.A.C., Series B, Vol. I, King to Talon, May 17, 1669, p. 188; Thwaites, op. cit., Vol. I, p. 383

¹⁹² P.A.C., Series B, Vol. II, King to Courcelles, April 4, 1670, pp. 73-74; King to Laval, April 4, 1670, pp. 71-72

¹⁹³ Ayer Collection, No. 528, Concession of October 23, 1670; S.R.C., Doc. XLIII, No. 1, Letters of November 10, 1670

¹⁹⁴ S.R.C., Doc. XXIII, No. 33, Laval to Propaganda, 1672, p. 127

The Recollets had returned to Canada armed with great zeal and apparently little else, according to their Superior:

The religious which you asked for from the Father Provincial of the Recollets for Canada have by God's grace safely arrived at La Rochelle and are ready to cross the sea with all the zeal imaginable without any other surety from their mission than the promise of Your Excellency. 195

And this support they required from Colbert they seemed to be assured of. Talon was quick to praise them for the warm welcome they received from the colonial population and to keep alive Colbert's idea that they might act as a counterpoise. The Recollets were able under such favour from the state to extend their activities to Isle Percée.¹⁹⁶ In 1671 Colbert wrote to the Intendant that he was pleased the Bishop and Jesuits had warmly welcomed the Recollets and expressed the belief that their common objective of converting the Indians had made this possible.¹⁹⁷ This should not be interpreted as meaning that Colbert believed there had been any genuine changes of heart; in fact, he went on to say that the return of the Recollets to the colony would result in stirring up new zeal, in creating more

195 P.A.C., Mélanges de Colbert, Vol. CLIV, Allart to Colbert, 1669, fol. 7

196 B.N., Fonds Clairambault, Vol. 1016, fol. 323

197 P.A.C., Series B, Vol. III, Minister to Talon, February, 1671, p. 65

activity among the other communities. To demonstrate the King's interest in such competitive zealousness a gratification of 1,200 livres was being sent the Recollets.¹⁹⁸ A later gift of 500 livres was sanctioned for a shipment of utensils, ornaments and furnishings for their chapel.¹⁹⁹

When Talon planned to visit Acadia he decided to take along a Recollet priest because he had heard there was only one "very debauched Cordelier there".²⁰⁰ From a communication sent to Frontenac in 1673 we learn that the Recollets had sent two more priests in June and that the Minister of the Marine had asked that two more "among the strongest types" be sent.²⁰¹ Colbert wanted no slackening off of this new enterprise:

I shall keep seeing to it that every year a few are sent out, in order to be able to balance by this means the too great authority that the Jesuits have assigned themselves in that country.²⁰²

This support from the Minister of the Marine was reinforced in the colony by the patronage and championship of numerous

¹⁹⁸ P.A.C., Series B, Vol. III, Minister to Talon, February, 1671, p. 66

¹⁹⁹ Ibid., Vol. III, Order to Bertillot, p. 119

²⁰⁰ P.A.C., Series C11A, Vol. III, Memorandum of November 2, 1671, p. 179

²⁰¹ P.A.C., Series B, Vol. V, Colbert to Frontenac, June 13, 1673, pp. 27-30

²⁰² Ibid., p. 35

important individuals.

When the Superior Eustace Maupassant arrived from France he found that the Recollet chapel was quite inadequate. However, Frontenac undertook, at his own expense, to erect a building 60 feet long and 21 feet wide, the upper portion of which he left to the Recollets for a dormitory, a choir and nine cells for the religious. In the lower section the Governor reserved apartments where he and some seigneurs could come to make ten or fifteen-day retreats at each of the five great festivals of the year.²⁰³ At Beaubassin in Acadia the Recollets found a patron in M. de la Vallière who gave them six arpents of land on his seigneurie, a grant was formally accepted by Frontenac in his capacity of Apostolic Syndic.²⁰⁴ When Recollet reinforcements failed to arrive from France as the Minister of the Marine had predicted Frontenac showed some concern and was not at a loss to find a ready explanation:

I cannot prevent myself from believing that some artifice has been used to turn them aside or to retard them and make them miss the departure of the vessels. Strange strategy is at work here...²⁰⁵

²⁰³ C. LeClercq, First Establishment of the Faith in New France (New York), 1881), p. 95-96

²⁰⁴ Ibid., p. 97

²⁰⁵ B.R.H., Vol. XXXVII, No. 11, (November, 1931), p. 677

Frontenac said that 15 or 16 Recollets could easily be occupied in the colony and indicated he would write to the Minister of the Marine to send orders to Laval to allow the Recollets to serve in the parishes, "to work in the Lord's vineyard whence they would like to give you no great part".

In a letter to Father Hyacinthe Lefebvre, who in a few months would be elected Provincial of the Recollets at Paris, Frontenac stressed the need to refuse any restrictive contemplative role and the need to send out the best candidates available to work in the Indian missions and among the settlers so as to silence the criticism of the Bishop's party.²⁰⁶ The Recollets were not long in learning that friendship with the Governor almost implied enmity with the Seminary and Jesuits. The Recollet Superior thought it necessary to clarify the position for Colbert's information:

We receive very great charities and very strong protection from Monsieur the Count de Frontenac. While waiting for the Religious who were to come to us from France he has had built for us small lodgings at his own expense. I am not sure if the honour he does us by liking us has not brought upon us the jealousy of certain people, but we have noticed that those who have the direction of the Church do under cover whatever they can to discredit our ministers and try to render us useless in the country. When several opportunities came up to give us employment in missions either for the savages or for the Colony they raised a

206 P.A.C., Mélanges de Colbert, Vol. CLXXI, Frontenac to Lefebvre, November 10, 1674, fols. 54-56

thousand difficulties although we have enough grace to believe that God wishes to use us there, and when they could not prevent giving us some charge they had false rumours circulated to take away the confidence people may have placed in us... If I had wished to enter into the Cabals which were made against the respect we owe the Governor I should have found much favour among the people who dispose of a lot of power in the country. But I am too good a servant of the King to depart however little from the obedience which I owe to him who represents his person here. 207

The Recollets could not have been cast more completely in the role of Gallicans.

They seem to have exploited their favour to the utmost. The Provincial at Paris wrote to Colbert in March, 1675, to inquire how many Recollets should be sent to the colony that year.²⁰⁸ Five days later he sent a memorandum on the state of the Recollet work in the colony. This report indicated that there were six priests and 1 brother in the colony: the priests were at Isle Percee, Three Rivers, Cataragui, Port Royal, and at Quebec there were two priests and the brother. The order was also indebted to the amount of 1249 livres 10 sols for its buildings, and there were 2,000 unpaid tiles in their possession.²⁰⁹ In other words,

207 P.A.C., Mélanges de Colbert, Vol. CLXXI, Maupassant to Colbert, November 12, 1674, fol. 57

208 Ibid., Vol. CLXXI, LeFebvre to Colbert, March 4, 1675, fol. 21

209 Ibid., Vol. CLXXI, LeFebvre to Colbert, March 9, 1675, fol. 52

this was scarcely a large or prosperous missionary effort.

Their efforts were rewarded with the patronage of La Salle at Cataraqui and with land grants at Isle Percee, Three Rivers and Fort Frontenac.²¹⁰ The fact that a Claude Pelletier, native of Ste. Anne de Beaupre, took the habit of St. Francis on February 3, 1679, and one year later on February 5 took his final vows, did a good deal to increase the popularity of the order.²¹¹ The Recollet Provincial had to seek out Colbert to obtain an order insisting that the Bishop grant the Recollets unrestricted rights to administer the sacraments in the colony. Such a move had been made necessary by the fact that the Bishop refused to use the Recollets and that the Seminary clergy attempted to sow doubts in people's minds about the validity of the sacraments administered by the Recollets. The growing popularity of the Recollets with the common people only increased the animosity the Bishop's party felt towards them. The Recollet Provincial commented that "it is very important to the glory of God, to the service of the King, and to the salvation of these peoples" that the colonists be instructed how "they must conduct themselves in the

²¹⁰ Margry, op. cit., Vol. I, pp. 280-298; Reveillaud, op. cit., pp. 191-196; A.C. Series F3, Vol. V, fols. 36, 37

²¹¹ B.R.H., Vol. I, No. 2 (February, 1895), p. 27

difficulties which appear".²¹² Frontenac supported the Recollets and added that a woman at Charlesbourg had been refused communion by the Jesuits on the grounds she had confessed to a Recollet.²¹³

It would appear that the Bishop and the Jesuits feared that the Recollets would become the predominant order in the colony. Dudouyt, who tried to keep Laval informed of all significant developments in Paris, wrote in what were encouraging terms for the Bishop:

It is necessary as much as possible to preserve unity with them...I believe they will moderate the fervour they had of wishing to establish themselves in every part of Canada. Brother Luke told me that Colbert's sentiments were that it was necessary to firmly establish the Quebec house and be content with that, and that they would build a residence at Isle Percee only of which he was drawing the plan to send it by way of La Rochelle...²¹⁴

Thirty-four of the principal inhabitants of Montreal had signed a petition asking for a Recollet establishment in their town and the Recollets had opened negotiations with the Sulpician house in Paris.²¹⁵ Tronson wrote to

²¹² P.A.C., Mélanges de Colbert, Vol. CLXXI, LeFebvre to Colbert, April 5, 1675, fol. 164

²¹³ B.N., Fonds Clairambault, Vol. 1016, fol. 46

²¹⁴ A.S.Q., Lettres N, No. 48 (2), Dudouyt to Laval, undated, 1677, n.p.

²¹⁵ A.S.Q., Fortier Papers, 1678, Petition of 1678; also Reveillaud, op. cit., pp. 193-194, 210

discourage the Intendant Duchesneau from agreeing to such a proposal:

I do not know what they will do about this matter. The poverty of the inhabitants appears to me to present a considerable difficulty to this undertaking because they will have to feed them, and it always will be a care for them. But if they ask to come themselves, if Monsieur the Count de Fronterac supports them, if the Court wishes them on the island, if Monsieur de Quebec consents to it, there will be no apparent reason for refusing them a place to settle. 216

There was of course another hurdle which Tronson did not need to draw to an Intendant's attention, and that was that the Sulpicians were the seigneurs of the island and any Recollet land grant would have to come from them.

Tronson asked Dollier de Casson to report the reaction of the Sulpicians at Montreal to the foundation of a Recollet house in that town "with the agreement of the authorities, the consent of the people and the permission of the Bishop of Quebec".²¹⁷ In a second letter he asked the Montreal company to attempt to persuade the Recollets to take over the Lake Ontario mission the Sulpicians were abandoning, but he expressed little hope they would accept as they seemed to wish to remain in the towns.²¹⁸

216 B.S.S.P., Vol. I, No. 117, Tronson to Duchesneau, April 24, 1680, p. 205

217 Ibid., Vol. I, No. 122, Tronson to Dollier de Casson, May 23, 1680, p. 208

218 Ibid., No. 123, p. 208

When the Sulpicians decided to allot the Recollets a small plot in Montreal they turned to delaying tactics, asking on two occasions that Recollet plans be delayed until the Sulpicians had completed their own building project.²¹⁹

But it was Laval himself that the Recollets believed to be their greatest opponent. They were certain he wished to keep them isolated at their monastery outside Quebec, that he did not want them to administer the sacraments to the inhabitants, that he would be happy to see them leave the colony.

He has had two aims in this writing: one to gain time and to press his case at Court this year in order to obtain a revocation of the concession from the King; we know from a good source that he is going to put into operation every means in order to get what he wants...The other aim in which he entrenches himself again is to make us lose our desire for the establishment by making it almost useless for our usage and for the service of the people. 220

This they had alleged because Laval opposed their request for a small hospice in the upper town of Quebec. The Recollets said they required such a sanctuary to carry out the services requested of them by the towns people. Their vow of poverty obliged them to solicit alms in the town. They wished a place to hear confessions, to counsel the

219 Reveillaud, op. cit., pp. 211-215

220 S.R.C., Doc. XLIII, No. 6, Memorandum of 1681, p. 267

troubled, to treat the infirm. They alleged that at the present they were forced to hear confessions in corners of rooms or to arrange secret meetings. When laymen came to their convent at Notre Dame des Anges there were always those who saw them going there and who reported their doings to the secular clergy of the Seminary and to the Jesuits.

Then too, there were more specific charges laid by the Recollets against the other clergy.

...it even happens that the priests of the Seminary and the Jesuits make inquiries of their usual penitents in order to find out if they have not come to us when they missed going to them to confess. 221

In these cases the penitent either lied about having been to the Recollets or admitted having been there. If the latter were the case the penitent became the object of scandal and was told that the sacrament of penance had probably been invalid. This was the "troubling of consciences" the inhabitants became so concerned should be settled.

The Recollet Provincial in Paris was greatly disturbed by these reports and the advice Dudouyt volunteered was that he ought to replace his Superior in Quebec. 222

221 Reveillaud, op. cit., p. 203

222 A.S.Q., Lettres N, No. 52, Dudouyt to Laval, March 9, 1681

Dudouyt had been greatly disturbed, it seems, by the fact that the Recollets were in a position to obtain the granting of a concession within the town proper.²²³ But the Recollets obtained a location in the upper town from the King "to retire when nightfall and bad weather overtake them in the duties of their institute" - it represented no great sacrifice on the part of the Crown for it was "a place useless for our service" where the seneschal court had once stood.²²⁴

The Intendant received his instructions to put the Recollets in full possession of their grant on July 29 when the "Mouton Blanc" docked at Quebec; he asked the Recollet Superior to call on him the following day so that they might take possession of the lot. The Recollet diplomatically suggested that since the Bishop was out of town visiting the parishes they should wait until his return to Quebec. When Laval did return to Quebec he avoided any action by pleading illness, but after a few days he did see the Recollet Superior and gave him oral permission to proceed. Accordingly, on September 19 the Superior and the Intendant

²²³ A.S.Q., Lettres N, No. 59, Dudouyt to Laval, June 16, 1681

²²⁴ A.S.Q., Polygraphie III, No. 52; Reveillaud, op. cit., p. 197; P.A.C., Series C11A, Vol. V, King to Duchesneau, April 30, 1681, p. 339

had the lot surveyed and formal possession was taken of it.²²⁵

Meanwhile, a rumour had started to circulate that the Recollets had been given the choice by the King of either the lot in the upper town or a warehouse in the lower town. The people in the lower town began to clamour for a Recollet establishment among them. Laval became very concerned and called in the Recollet Superior in order to determine the facts of the case. In spite of reassurances the Bishop proceeded to order that an altar be erected in the old warehouse and asked the Recollet Superior to agree to a ceremony of the planting of the cross at the upper town site. On September 25, de Bernieres officiated at the ceremony: Laval was ill again, as on so many occasions which were particularly unpleasant to him.²²⁶ That same day, the vessel "Saint Francois" arrived from France with the letters-patent of the Recollets which dissipated all rumours about a Recollet establishment in the lower town. But Laval's precipitous action in taking possession of the old warehouse was not well received in France. Seignelay told Dudouyt that the Bishop had usurped authority, that the state had had to employ the

225 S.R.C., Doc. XLIII, No. 6, Memorandum of 1681, p. 265; Reveillaud, op. cit., p. 204

226 S.R.C., Doc. XLIII, No. 6, Memorandum of 1681, p. 265; Reveillaud, op. cit., p. 205; Margry, op. cit., Vol. I, p. 27; LeClercq, op. cit., pp. 99-100

Governor's guards to prevent unwarranted appropriation of Crown property, Dudouyt advised Laval to visit the new Governor and new Intendant being sent to the colony and obtain permission from them if the property was still desired.²²⁷

On October 27 the royal letters-patent were registered by the Sovereign Council, and the same day the Bishop issued his letters also. But his letters were restrictive in the powers and privileges they granted the Recollets and therefore became the source of further agitation. His letters of provision were worded in this fashion:

We permit you when you will have a house built on the said location and when some of your religious will be detained there through illness to have mass celebrated by one of your religious in private, and when the infirm members are convalescing to celebrate it then themselves until such time as they are in a state of health to be able to return to the said monastery.²²⁸

Naturally the Recollets were incensed at the idea of not being allowed to say mass publicly.

To this restriction, and the irritation of not being given the collections from the masses which they said, was added yet another annoyance. They were hampered in taking

²²⁷ A.S.Q., Lettres N, No. 61, Ludouyt to Laval, March 9, 1682

²²⁸ S.R.C., Doc. XLIII, No. 4, Letters of October 27, 1681, p. 259; Reveillaud, op. cit., pp. 208-209

funeral services, even when the families of the deceased requested that one of the Recollets sing the requiem mass. Thus, for example, when an inhabitant of Quebec called Becquet died, the Bishop attempted to prevent the Recollets from officiating but Frontenac, aware that the deceased had been a loyal supporter of the building fund for the Recollet chapel and a faithful member of the Third Order of St. Francis, also that by his last will and testament Becquet had directed that he be buried by the Recollets, intervened and upheld the Recollets against the Bishop.²²⁹

This crisis was barely over that another began. A Recollet, Father Adrien Landau, took it upon himself to inform the people of Quebec of the nature of this "persecution" which his order suffered at the hands of the Bishop, the clergy of the Seminary and the Jesuits. He took advantage of the Advent sermons he had been asked to preach at the cathedral to put forward his case. He was at his fourth sermon when the Bishop compelled him to desist on the grounds that the sermons of December 7 and December 14 had spoken of divisions, acts of partiality and cabals, all of which were matters which would scarcely excite the people to greater piety. Laval could not hail him before

229 Margry, op. cit., Vol. I, p. 25

the Officialité because he was a member of a religious order; nevertheless he was still subject to the Bishop's authority.²³⁰

A colloquy was called for December 19 at which Laval expressed the opinion that private disputes ought not to be aired in the pulpit; he added that if there had been differences it was for the King to settle the matter, not the populace. In this way he seemed to imply that the Recollet had shown some dangerous democratic tendencies. Landau defended himself at some length, kneeling frequently to emphasize his submission; Laval persisted that internal submission would have to replace such external manifestations. Then Landau insisted upon his freedom to preach and added that he could not in good conscience "forbear preaching against the partialities which reign for so long a time in the colony", and also that some secular clergy had told him that as a result of these troubles "scarcely any good confessions were heard in the country".²³¹ He continued to say that he was divinely commissioned to speak the truth as he saw it, and that he would abandon the

²³⁰ M. Lange, La Nouvelle Pratique Civile, Criminelle et Bénificiale (Paris, 1755), Vol. I, Pt. I, p. 15

²³¹ A.A.Q., Registre A, No. 270, Colloquy of December 19, 1681, pp. 229-231; S.R.C., Doc. XLIII, No. 5 pp. 260-262

pulpit before refraining from speaking the truth. Frontenac intervened and asked the Superior of the Recollets, LeRoux, to furnish him in writing, over his signature and that of the priests of his community, a statement of all that had taken place leading to the Bishop's prohibition of any further sermons being preached by Landau.²³² Frontenac was of the opinion that there had been some discussion of the relations between church and state during the colloquy and that "strange views", views of which Louis XIV ought to be informed, had been propounded by the Bishop and seminary priests. Laval for his part was assured later by Dudouyt that everything would be done in Paris to prevent a certain Recollet who had carried tales of the troubles in Canada from ever returning to the colony.²³³

The Recollets continued to hear confessions without the Bishop's permission so Dudouyt called on the Recollet Provincial in Paris. His overtures met with the tart reply that if the Governor in Canada wished the services of the Recollets the colonial Bishop would not be suffered to interfere.²³⁴ The only positive advice Dudouyt could give

²³² A.C., Series F3, Vol. VI, Frontenac to LeRoux, December 1681, fol. 18

²³³ A.S.Q., Lettres N, No. 62, Dudouyt to Laval, May 31, 1682

²³⁴ A.S.Q., Lettres N, No. 61, Dudouyt to Laval, March 9, 1682

Laval after this rather severe rebuff was to prepare a sworn statement of all Recollet "infringements" which might be presented to the Court at an opportune moment.

Following the recall of Frontenac and Duchesneau the Recollets found themselves enjoying less official support in the colony although the sentiments at Versailles remained the same. Duchesneau had been instructed to see to it that the Recollets were granted their full rights and privileges.²³⁵ The instructions to Governor La Barre were even more precise:

He must similarly give protection to the Recollets established at Quebec, and observe that in this regard that as the said Bishop has testified in several encounters a great deal of animosity towards them, he must with prudence and without compromising himself with the said Bishop uphold them by his authority, these Religious being very necessary in that country for the spiritual help they have given up to now to the inhabitants. 236

But initially both Governor and Intendant were willing to listen to the Bishop rather than to the Recollets. Dudouyt's appraisal of the situation seems to have been an accurate one:

I do believe the Recollets will be more submissive then they have been seeing they will not be upheld

²³⁵ P.A.C., Series B, Vol. VIII, Instructions to De Meulles, May 10, 1682, pp. 90-91

²³⁶ Ibid., Vol. VIII, Instructions to La Barre, May 10, 1682, p. 68

as they have been by Monsieur de Frontenac. 237

The Recollets seemed to be somewhat discredited now and the Sulpicians even doubted the veracity of their claims to discoveries in the Mississippi region, not to mention their feeling that they would be unwelcome neighbours in Montreal. ²³⁸

Meanwhile construction, characterized by exorbitant wages paid to semi-skilled labourers, had been started on the Recollet hospice in the upper town of Quebec. It was a modest effort by any standards:

...a frame building 64 feet long by 18 wide placed on a stone foundation, raised about 2 feet above the ground, covered only with planks ready to have shingles put on, consisting of a chapel, three small rooms or cells, a refectory and a kitchen, where there is a stone fireplace, along the length of which building on one side thereof runs a board-walk and all around the said lot a picket fence...²³⁹

The sight of the construction must have irked Laval; it was a visible symbol of his defeat. The Recollets started erecting a bell-tower on May 25 and May 26; the Bishop sent his Grand Vicar and another priest to order the workmen to stop this building on June 2. Because the Recollets ignored

237 A.S.Q., Lettres N, No. 67, Dudouy to Laval, July 3, 1682

238 B.S.S.P., Vol. I, No. 189, Tronson to Dollier de Casson, February 22, 1683, p. 324; No. 195, Tronson to Remy, April 22, 1683, p. 329

239 Reveillaud, op. cit., p. 221

these verbal orders the Bishop sent a letter the following day ordering the workmen to stop construction of the bell-tower; the Bishop said that the royal letters-patent provided only for a retreat and refuge in case of inclement weather or illness, not for facilities for saying public mass, therefore no outward signs of a religious establishment should be erected. The most offensive part of the directive read: "we expressly beseech and order you to obey and have removed from above the body of the building the bell-tower that you have started there".²⁴⁰

In the monastery, half a league from the town, the seven Recollets held a special assembly and decided to send a reply which sounded fairly submissive but which, in point of fact, made no concessions. They noted that normally all hospitals and chapels had belfries attached to them; they reaffirmed their intention to say mass there privately and not for the general public; they promised not to hold any public services without the Bishop's express permission. Nevertheless, they maintained that their bell-tower was not a public belfry or campanile à Campanâ, but it was merely a ten or twelve foot spire on the roof of a small frame

240 A.C., Series F3, Vol. VI, Laval to LeRoux, June 3, 1683, fol. 36; also A.A.Q., Registre A, No. 257, p. 203; also S.R.C., Doc. XLIII, No. 8, pp. 270-272

building, itself only eight feet high, that is a private campanabilium à Campanulâ. They observed that some chateaux had larger bell-towers. They intended to use it to record for their visitors and patients the hours of the day, and to toll for the service of the dead. But more than this they would not concede.²⁴¹

Laval was extremely disturbed when he met with this resistance. He ordered the immediate demolition of the whole tower. When he heard that the Recollets planned to say their first mass there on Trinity Sunday he forbade any masses to be said, private or public, in that structure. Furthermore, he addressed himself solely to the Superior of the Recollets saying that he had drawn his colleagues into the inbroglio; by this means he sought to reduce the quarrel to one of personalities, when in reality it was a misunderstanding involving the entire Recollet community which was attracting a good deal of public sympathy.²⁴² The Recollets had a full statement of the dispute drawn up and deposited it with a royal notary for future use. They repeated their previous

²⁴¹ A.C., Series F3, Vol. VI, Recollets to Laval, June 4, 1683, fols. 37-38; also S.R.C., Doc. XLIII, No. 9 pp. 272-275

²⁴² A.C., Series F3, Vol. VI, Laval to LeRoux, June 12, 1683, fol. 39; also A.A.Q., Registre A, No. 257, p. 204; also S.R.C., Doc. XLIII, No. 10, pp. 276-277

contentions and added that they had no intention of establishing a new monastic residence in the upper town.²⁴³ They also had two roofers make a sworn statement on June 16 concerning the state of the construction, indicating in particular that no work had been done since May 26 and that the unfinished state of the tower would result in very considerable damage to the building from rains.²⁴⁴

These matters stood until the arrival in the autumn of 1683 of a new Superior, Father Henry Leroy. This was the opportune moment for Laval to resume his pressure on the order. He informed the new Superior that the Recollets had deliberately disobeyed his orders - by now, the accusation ran that they had built a tower, then a chapel beneath it, and that finally they had opened their doors daily to the public for prayers.²⁴⁵ Leroy seemed to agree with the Bishop at first, then he said he would have to consult authorities in the mother country before he could make any decisions. Meanwhile, the Recollets said a daily mass in the hospice, heard confessions, and some alleged they administered

243 S.R.C., Doc. XLIII, No. 11, Recollet statement of June 15, 1683, pp. 278-279; also Margry, op. cit., Vol. I, pp. 28-30

244 Reveillaud, op. cit., p. 224

245 A.A.Q., Registre A, No. 258, Laval to Leroy, October 3, 1683, p. 206; also S.R.C., Doc. XLIII, No. 12 pp. 290-294

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communion there. Laval contended that Mlle, d'Ailleboust had received communion there but the Recollets countered by saying they had actually refused to confess her or to give her communion there.²⁴⁶ Leroy promised the Bishop that any disobedience of the episcopal order to hold no religious services in the hospice would be halted immediately; but nothing seems to have been done. Laval then forbade any laymen to approach their property in the upper town and threatened to suspend the functions of the Recollets if they persisted in saying masses at their hospice. The Recollets continued to ignore the Bishop's fulminations; Laval reiterated his threat to suspend them of their functions, but took care now to exempt the Superior from any such reprisals.²⁴⁷ During the previous months he had directed his attack principally against the Superior, now he was directing his attack against the priests.

Laval asked the Minister of the Marine to have the Recollets put out of the upper town and explained, in language indicating his own emotional involvement, that if they so much as retained their hospice they would find an

²⁴⁶ A.A.Q., Registre A, No. 268, Memorandum of Laval, November 10, 1683

²⁴⁷ A.A.Q., Registre A, No. 260, Laval to Leroy, October 24, 1683, p. 211; also S.R.C., Loc. XLIII, No. 13 pp. 295-296

opportunity "to consummate their designs".²⁴⁸ He warmly supported a scheme, first proposed by de Meulles, whereby the Recollets would be bought out: De Meulles had suggested 6,000 livres as a reasonable price and had added that they might be better occupied in parishes offering low stipends.²⁴⁹

Laval also wrote to Louis XIV, to the Archbishop of Paris, and to Father La Chaise, the King's confessor, to enlist support.²⁵⁰ Dudouyt reported that from these various communications a memorandum was being drawn up, although the King still seemed quite undecided.²⁵¹ Dudouyt arranged an interview with Leroy, the former Recollet Superior in Canada, and reported that this gentleman still seemed very angry at Laval's actions, and claimed that he had been treated rudely and shamefully by the Bishop. Dudouyt added that he had gone to visit the Recollet Provincial, who when informed of the incidents by Dudouyt called in Leroy and reprimanded him on the spot.²⁵²

248 A.S.Q., Lettres N, No. 74 (2), Laval to Seignelay, November 10, 1683

249 S.R.C., Doc. XLIII, No. 14, de Meulles to Seignelay, November 4, 1683, pp. 298-299

250 A.S.Q., Lettres N, No. 73, Laval to Louis XIV, November 10, 1683

251 Ibid., No. 77, Dudouyt to Laval, March 11, 1684

252 Ibid., No. 77, Dudouyt to Laval, March 11, 1683

The Bishop seemed to be rallying strong forces to his side in the mother country.

A few days later, Ludouyt again wrote to Laval to inform him that Seignelay had granted interested parties in the Recollet affair an audience, during which he had expressed the King's displeasure at the disturbances in Canada.

However, he deplored Laval's refusal to employ the Recollets in the parishes and missions because they seemed willing to serve for lower stipends than the other ecclesiastics as much as he deplored the disturbances in the upper town of Quebec.²⁵³ A memorandum of 1684 charged that the Bishop had

deliberately sent the Recollets to Notre Dame des Anges in order to keep them out of the town of Quebec as much as possible;²⁵⁴ this we have already seen to be incorrect, but the train of events did indicate that Laval attempted to keep them at Notre Dame des Anges once they had decided to re-settle there. Another charge that had come to the attention of the Court ran as follows:

...it manifestly appears that he prefers to see a part of his flock without spiritual help, and several years without performing their Easter duties, children die without baptism and adults without confession, several exposed to committing sacrileges, rather than send them Recollets in

²⁵³ A.S.Q., Lettres N, No. 78, Ludouyt to Laval, March 16, 1684

²⁵⁴ S.R.C., Doc. XLIII, No. 17, Memorandum of 1684, p. 314

whom the people have a singular confidence. 255

There were Recollets serving in some parishes by this time. It was the fact that they so served that had given rise to the troubling of consciences about the validity of the sacraments the Recollets administered.²⁵⁶

In May, 1684, Dudouyt spoke to Tronson, who had had another interview with Seignelay, and he learned that Laval would have to content himself with an order to demolish the bell-tower and to have mass said privately because any further demands would create a mauvaise affaire at Court.²⁵⁷

The tone of Dudouyt's letter indicates that Laval and his friends were hoping for much more than this. No further proof is required that Laval had hoped to expell the Recollets from Quebec. A few days later, Dudouyt again wrote to Laval to inform him that the matter would be settled according to the terms of the letters-patent. The Provincial of the Recollets was sending orders too that the belfry be torn down and that masses be restricted to private ones for inmates only.²⁵⁸ Dudouyt's information was correct, and

255 Margry, op. cit., Vol. I, p. 22

256 Ibid., Vol. I, pp. 24-25

257 A.S.Q., Lettres N, No. 83, Dudouyt to Laval, May 2, 1684

258 Ibid., No. 79, Dudouyt to Laval, May 14, 1684; also S.R.C., Doc. XLIII, No. 20, p. 332

the communication to La Barre was of the nature he had anticipated.²⁵⁹

But the King had not been so displeased with the Recollets as Ludouyt would have liked to believe. The instructions to La Barre indicated that it was absolutely ridiculous for the Bishop to attempt to restrict the Recollets in performing their ecclesiastical duties. The Governor was to put an end to the Bishop's restrictions.²⁶⁰ The King's instructions to the Intendant stressed the need to keep the Recollets to the terms of the royal letters-patent:

They may not say mass in this retreat except when there are actually some of their fathers ill, in which case he may say it in a private chapel with doors closed, it being understood that they may not keep more than one or two of their fathers in this house to care for them. 261

The communication to the Bishop urged him to use the Recollets in Indian missions and especially called for their employment in ministering to the needs of the settlers, including those in Acadia.²⁶² The King had spoken.

On October 5 the Governor informed the recollets of

259 P.A.C., Series C11a, Vol. VI, King to La Barre, April 10, 1684, p. 402

260 Ibid., p. 403

261 P.A.C., Series B, Vol. XI, King to De Meulles, April 10, 1684, pp. 26-27

262 Ibid., Vol. XI, King to Laval, April 10, 1684, pp. 71-74

the royal decision and the following day six Recollets held a consultation and drafted a reply to the Governor. They indicated complete submission to the royal will but protested that they had never built their belfry contrary to episcopal orders. On November 14 they sent a letter to the Intendant saying they would demolish the belfry if the King so ordered specifically.²⁶³ Laval for his part also accepted the royal decision and promised to restore the Recollets to the full enjoyment of their rights and privileges if they would comply with the King's instructions.²⁶⁴ The Governor seemed to believe that the matter had been settled to the satisfaction of all parties:

The return of the Recollets to submission which they owe to their prelate brings peace to the church in this country and gives occasion to our Bishop to go to Paris to seek remedies for a serious indisposition which attacks him. I have much joy that this domestic war is finished, although late, but nevertheless with fairly good grace. ²⁶⁵

This was the kind of unity that Dudouyt and Laval had in mind - a submission of all the orders to their grand plan for the colony. Dudouyt, writing about a reconciliation

²⁶³ Reveillaud, op. cit., pp. 227-228

²⁶⁴ A.A.Q., Registre A, No. 260, Laval to La Barre, October 18, 1684, p. 212; also S.R.C., Doc. XLIII, No. 21, p. 332

²⁶⁵ S.R.C., Doc. XLIII, No. 23, La Barre to Seignelay, November 14, 1684, p. 335

between the Jesuits and other missionaries in the Far East, commented upon Laval's views:

He knows from experience of what importance it is for Bishops, missionaries and Jesuits to be perfectly united: all the good that is done in his church proceeds principally from the unity which reigns among the Evangelical workers. 266

Were matters really settled on this basis though?

Denonville's instructions in 1685 contained the usual warning about encroachment of ecclesiastical power into the affairs of the state and instructed him to keep peace between the several communities.²⁶⁷ The fact that the Recollets were sending out an aged Superior who disliked squabbles seemed to indicate too that peace would return to the colony.²⁶⁸ But Laval had not forgotten the incidents with the Recollets nor had he forgiven them. He continued to show rancour by advising the clergy of the Seminary of Quebec to do everything they could to obstruct any expansion by the Recollets and to prevent their serving in the parishes outside Quebec because "they admit to the sacraments the most scandalous people!"²⁶⁹

266 P.A.C., A.S.M.E., Vol. VIII, Duclouyt to Pallu, May 8, 1682, fol. iv, p. 392

267 P.A.C., Series B, Vol. XI, Instructions to Denonville, March 10, 1685, pp. 151-153

268 A.S.Q., Lettres M, No. L, Duclouyt to Seminary of Quebec, April 26, 1685

269 A.S.Q., Seminaire V, No. 10, Memorandum of Laval, 1685

On the other hand, Saint-Vallier, his successor, made overtures of friendliness to the Recollets: while it is true that one member of the order displeased him the Superior soon had him returned to France.²⁷⁰ The effect of the long quarrels with Laval seemed to strengthen the Recollet conviction that they were being persecuted. One contemporary account put it in these terms:

I know it is an inconceivable thing in France that some Jesuits, seminary priests and women's communities cross the seas in order to band together their zeal to destroy a small community of Religious of St. Francis. It is nevertheless what is being done under the best appearances of friendship in the world. A Bishop, a Governor, an Intendant act in unanimity, and work ceaselessly to upset and bring down these poor Religious. That is what they have done for twenty years since the Recollet Fathers have returned and that is still what they continue to do every day to the great scandal of all the people of Canada who cannot help respecting and helping these oppressed persons. And what is admirable about them is that they are attacked and do not defend themselves at all, they are made the object of injustices and they do not complain at all.²⁷¹

The Recollets had harmed their own cause too. The King did not think it advisable to found a house in Montreal, in spite of the earlier favourable comments about such a scheme by Frontenac, and forbade it in 1684.²⁷²

270 Reveillaud, op. cit., p. 231

271 Ibid., pp. 6-7

272 P.A.C., Series B, Vol. XI, King to De Meulles, April 10, 1684, pp. 26, 28

Tronson had warned the Sulpicians that the Recollets might prove to be a thorn in their flesh if they were allowed to come to Montreal.²⁷³ The Sulpicians, Dudouyt and Laval all reacted very negatively when they learned that La Salle proposed to take Recollets with him to the Gulf of Mexico;²⁷⁴ The King approved their service in the fisheries of Acadia because they were an order which made few material demands: "religious who live on little will be able to serve more usefully" had become one of his maxims.²⁷⁵

Did a purely contemplative order qualify for "usefulness" in the King's service? In 1684 the Carmelites applied to Laval for permission to send eight mendicants from Orleans to found a monastery in Canada. They proposed to retain the strictly meditative nature of their primitive order and not to enter into missionary work: "our design is to speak to God about men, while others speak to men about God".²⁷⁶ Dudouyt advised Laval that although they had

²⁷³ B.S.S.P. Vol. I, No. 256, Tronson to Dollier de Casson, April 20, 1684, p. 396

²⁷⁴ B.S.S.P., Vol. I, No. 256, Tronson to Dollier de Casson, April 20, 1684, p. 393; A.S.Q., Lettres N, No. 79, Dudouyt to Laval, May 14, 1684; B.N., Renaudot Correspondence, Bernou to Renaudot, January 20, 1685, fol. 191

²⁷⁵ P.A.C., Series C11A, Vol. VI, King to La Barre, April 10, 1684, p. 401

²⁷⁶ A.S.Q., Lettres N, No. 76, Father Angelique to Laval, February 10, 1684

little endowment their mother house would support them and that the youth of the members proposed for the Canadian monastery could be easily set aside.²⁷⁷ Dudouyt urged that a Capuchin be granted the right to minister to the Acadian fishermen too.²⁷⁸ There was delay in coming to any decision on the Carmelite request because it was difficult to see how they could fit into the pattern of "usefulness to the King's service" in so young and so small a colony. Moreover, the episcopate of Laval - at least in its active sense - was drawing to a close and such matters would have to be decided by Saint-Vallier.

So it was that in the matter of religious communities it was the policies of the state as much as the needs and resources of the church that were considered. Rivalries between the several communities could become particularly acrimonious when and if some state officials chose to intervene on the behalf of one of the parties. The role of the state is better seen, however, in the question of the regulation of tithing and of the delimiting of the parishes - aspects of church-state relations which grew out of the activities of the various communities in the colony.

²⁷⁷ A.S.G., Lettres N, No. 79, Dudouyt to Laval, June 3, 1684, and May 24, 1684

²⁷⁸ Ibid., Dudouyt to Laval, May 24, 1684

CHAPTER IX

TITHING AND FIXED CURES

Prior to the establishment of New France as a Royal province in 1663 there was no regular state support for the colonial church. Apart from generous private legacies - and some of these were indeed generous for this was a period of religious revival in France - the funds of the orders engaged in the evangelization of the country, and royal gratifications, there was little provision for permanent revenues. In 1627, when the colonization and administration of New France passed into the hands of the Company of New France, the articles and conventions included a clause that the directors of the associated merchants could from the profits "employ in alms and pious works up to the sum of five hundred livres each year".¹ When the Sulpicians were given a concession of the greater part of the island of Montreal in 1640 a stipulation was included that the grantees might engage in the fur trade "for their use and for the necessity of their persons only".² Among their rights was also that of receiving inheritances: "make and receive pious legacies and foundations for the upkeep of the poor savages as well as of the clergy,

1 Edits, Vol. I, p. 15

2 Ibid., p. 22

regular or secular, who are there which it will suit to maintain in greater number in the future."³

In 1646 the Company of the Holy Sacrament pressed ahead with its plans to found a seminary in the colony and the King, on the advice of the Queen Mother, granted the cleric Ventadour the right to collect the denier de Dieu in all markets, fairs, houses of exchange and other places where business was conducted and contracts drawn up in the realm.^{3a} The money so collected was to be used in New France. The following year Louis XIV decided that in the place of tithes one-sixth of all lands granted in New France should be reserved to the clergy, in addition to advantageous locations for the erection of churches.^{3b} No other official provisions were made for the organization of a colonial church.

When Laval arrived there were few settlements and no roads in the colony. There was no parish organization and

³ Edits, p. 25. Under the 289th article of the Custom of Paris missionaries were incapable of receiving wills, though fixed curés could. This prohibition was not removed until 1722, but to wills so received there had to be three male witnesses, 20 years of age or over; mention had to be made in the testament that it had been dictated by the testator and afterwards read and re-read to him. So great were the precautions against fraud.

^{3a} R.H.A.F., Vol. IX, No. 4 (March, 1956), p. 509

^{3b} P.A.C., Affaires Etrangères: Amérique, Vol. IV, Louis XIV to Ventadour, November 7, 1647, fol. 383

indeed not even a single church edifice on the island of Orleans and the entire south bank of the St. Lawrence.⁴ Quebec had four places of worship, all of them stone edifices - the parish church, as it became, the Jesuit chapel, the Ursuline chapel and the chapel of Hotel-Dieu. The wardens of the Quebec church had decided in 1645 that a new building and presbytery should be erected for the former church had been destroyed more than five years previously.⁵ Two miles from the town there was a wooden chapel at Ste. Foy, near Jean Bourdon's house and farther down still was the Jesuit church at Sillery for the Huron refugees. At Montreal, in 1659, the wooden chapel of the Hotel-Dieu was the colonist's church.⁶ At Three Rivers the Jesuits had built a wooden church. Apart from this, there were stone churches at Tadoussac and at Chateau-Richer, serving this vast field Laval found 25 priests, of whom nine were secular priests and 16 were members of the Jesuit society.

Into this vast and sparsely populated area Laval was to attempt to bring some organization and control. The Council of Trent had clearly enunciated the supervisory

4 Ivanhoe Caron, "Mgr. de Laval et la Colonisation de la Nouvelle-France" Le Canada Français, Vol. X, No. 4 (May, 1923), pp. 321-332

5 A.S.Q., Polygraphie III, No. 112, October 8, 1645

6 Carson, op. cit., p. 321ff

authority of a bishop, or the local ordinary, in regard to all administration in the diocese with the right of an annual accounting from administrators.⁷ Msgr. de Laval, although he was only the Apostolic Vicar and the colony had not been erected into a diocese, proceeded to establish a firm foundation for the growth of a new church. His attention to details is exemplified in the regulations he instituted for burials at the colonists' church at Quebec. In a special mandement, dated July 10, 1661, he warned the faithful of two dangers in the burial practices he found at Quebec: first, the insufficiently deep graves dug on the rock created a grave danger of pestilence; secondly, the parish had difficulty in collecting necessary burial fees because many people wanted pompous services for their deceased "more by vanity and ambition than by devotion".⁸ Laval therefore ordered that there would be no burials performed from the Quebec church until graves of the proper depth had been opened and paid for in advance; the rate for opening a grave was set at 120 livres, and it was commanded that payment be made in advance for extra services such as those of a bellringer.⁹ Laval had appropriated to himself the

⁷ Alexander Sigur, Lay Co-operation with Ecclesiastical Jurisdiction (Washington, 1954), p. 12

⁸ Mandements, Vol. I, pp.

⁹ A.A.Q., Registre A, No. 20, pp. 23, 24

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regulation of such minute details because he believed that in so doing he was erecting the foundations for the church he hoped to see expand.

On March 26, 1663, Bishop Laval issued his letters for the erection and establishment of a Seminary at Quebec.¹⁰ The mandement declared that the erection of a seminary was very necessary in a nascent church, that it was in accord with the rulings of the Council of Trent which had been concerned about the proper education and guidance of the secular clergy, and that it was most useful for the reformation of the clergy. The Bishop's plan called for superiors chosen by and directly answerable to himself, the eventual creation of a cathedral chapter with the King's approval, the supplying of priests for all the parishes of the colony from this Seminary, the collection by the Seminary of all the tithes of the colony in return for the support and care of the parish curates and the "evangelical workers, as well in health as in sickness, be it in their appointments or in religious communities."¹¹

How could Laval justify this unusual arrangement whereby the Seminary received all the tithes and became responsible for the temporal as well as spiritual care of

¹⁰ Edits, Vol. I, pp. 34, 35

¹¹ Ibid., p. 35

the colonial clergy? He stated that he wanted the Seminary to be a continual school of virtue, a reserve of well-trained and disciplined priests, which would supply the spiritual needs of the colony in both parishes and mission stations. More important, from the administrative point of view, he included the clause which gave the Apostolic Vicar complete control over the appointment, tenure and disposition of the clergy:

The power to revoke all appointments which shall be imparted and delegated to ecclesiastics in the parishes and other places, at any time and whenever it will be judged necessary, without one becoming titular holder or attached particularly to one parish, wishing on the contrary that they be in full right, removable, revocable and subject to dismissal at the will of the bishops and the seminary by their orders, in conformity with the holy practices of the early centuries which are followed and preserved at present in several dioceses of this kingdom. 12

The influence and power of the Seminary was further buttressed by a provision that surplus revenues should be spent on the building of parish churches and on works of charity as these were designated by the Bishop and four Seminary officials, a committee which should in fact administer the colonial church.

It was not intended by these provisions to remove from congregations the responsibility for building and

12 Edits, Vol. I, p. 34

maintaining their own parish churches. To provide for continuous and regular financial support all the tithes, of whatever nature they might be and by whatever means these might be collected throughout the colony, were to become the possession in common administered by the Seminary "following our orders and under our authority".¹³ Laval saw in such a move more than a necessary centralization of power in a nascent church, but also a return to an apostolic primitiveness where "they had all things common".¹⁴

The tithe was an ecclesiastical tax levied on the land of every parish in order to provide for the maintenance of a priest and church and the assistance of the poor. It was levied upon on all land in France, irrespective of the rank of the owners. Despite its name, it was seldom levied at the rate of 1/10th of the crop. A rough estimate of the average amount over the whole kingdom was 1/13th, and it was this average rate that Laval suggested for the colony. The agricultural products which were subject to the tithe varied greatly too. It was always levied on cereals in France, and in certain districts also on cattle, sheep and vineyards.¹⁵ In other words, the burden of the tithe fell

¹³ Edits, Vol. I, p. 34

¹⁴ Acts IV: 32 would seem to refer to a temporary expedient confined to Jerusalem

¹⁵ John Lough, An Introduction to Seventeenth Century France (London, 1954), p. 89

unevenly upon the French population.

The method of collecting the tithes was also a source of grievances to the French peasants. Since it was a first charge on the crop it was necessary to inform the collectors in advance of the day when it was to be harvested. Until the collectors arrived the peasant was forbidden to remove his crop for threshing. When the tithe collectors did come they too often proceeded to take the pick of the harvest and sometimes even carried off the straw which the peasant prized very much. In New France the complaints would be that the colonists were not always honest in declaring their crops, that some paid off their other debts before the tithe was fixed, that some moved away and some paid only on a portion of the fields which they had planted.¹⁶

In April, 1663, when Louis XIV issued an edict creating the Sovereign Council of Quebec, royal letters-patent were issued confirming a clergy which would remain "removable, revocable and subject to dismissal", a tithe at the rate of 1/13th of the fruits of human labour and production of the soil for the support of the Seminary and its clergy,¹⁷ a committee of four Seminary officials to

16 A.S.Q., Polygraphie V, No. 11, no pagination

17 "Tant de ce qui nait le travail des hommes, que de ce que la terre produit d'elle meme." F. -J. Cugnet, ed., Extraits des Edits (Quebec, 1773), p. 2

administer the revenues of the establishment, and the right of the Seminary to enjoy "all civil effects" as did other ecclesiastical communities of the realm "to acquire all domains, rights and shares, receive all donations of living persons or through death, wills, legacies and other dispositions which may be made in its favour."¹⁸ The Seminary was to enjoy the totality of tithes and this was carefully spelled out as "large and small, ancient and new, of all fruits generally whatsoever and without any distinction, which will come from all the lands in the said country of New France or Canada".¹⁹

In October, the Sovereign Council examined and registered both the letter of erection and establishment of Bishop Laval (signed by Laval and sealed with his arms) and royal letters-patent signed by the King and Le Tellier and sealed with double ribbons of red and green silk and green wax, so that they might have the full force of the law in the colony.²⁰ The establishment of the Seminary was confirmed by the Holy See and letters-patent of Monseigneur

Laval's letter made no mention of precise nature of nor method of collection of the tithe, but royal letters-patent had added this definition.

18 Edits, Vol. I, p. 36

19 Ibid., p. 37

20 Jugements, Vol. I, p. 18

Chigi, the papal legate in France, on August 11, 1664.²¹ The acte d'insinuation of its patents was expedited in Latin on the 29th day of the same month.²² The archives of the Seminary of Foreign Missions in Paris record that Mr. de Montigny de Laval gave the sum of 666 livres, 13 sols, 4 deniers for the work of the new Seminary.²³ The scheme had been safely launched and had received both royal and papal approval.

The tithe had been set by the King at the rate of 1/13th, or as the edict said de Treize une.²⁴ However, the there was a vast difference between the amount officially levied and amount the habitants in the colony would pay. The colonists simply refused to pay the tithe at the average rate of the motherland, if for no other reason because they did not receive the regular services provided by the church at home. Bishop Laval began to make concessions, on a local and special basis at first but very soon on a general footing. On October 26, 1663, he issued an ordinance exempting the habitants of Petit Cap from paying the full tithe to

21 P.A.C., A.S.M.E., Vol. II, folio i, p. 41

22 Ibid., fol. i, p. 41

23 P.A.C., A.S.M.E., March 21, 1665, Vol. III, Folio 3, p. 41

24 Edits, Vol. I, p. 36

the Seminary; they were permitted to pay at the reduced rate of 1/20th for a period of six years only.²⁵ Jean Picard, in his authorization to receive the tithes of Petit Cap, was instructed to employ them directly for the upkeep of the local church.²⁶ In other words, not only was there a retrenchment of the rate but also there was a concession that the tithe would be used only and immediately in the region where it had been levied.

On the first day of November, 1663, the accounts for the colonists' church at Quebec were rendered by Jean Juchereau Laferte and these indicated that the church was running into a deficit.²⁷ Ten days later the Bishop issued an ordinance reducing the tithe at Quebec to the rate of 1/20th for a period of six years.²⁸ Moreover, the Seminary relinquished the tithes for the year 1662-63 "except those

25 A.S.Q., Polygraphie V, No. 3, October 26, 1663

26 A.A.Q., Copies de Lettres, Vol. I, p. 105

27 A.S.Q., Polygraphie XXII, No. 51. The accounts for 1662-63 showed the following income:

Rents	258 livres
Collections	584 livres
Donations	654 livres

Yet the expenses exceeded this income of 1,496 livres by 33 livres, 4 sols, 7 deniers.

28 A.S.Q., Polygraphie IV, No. 4

of the cote de Lauzon and those of the tip of the island of Orleans which will be employed to build parish churches for the said places." ²⁹ Again, these represented departures from the original plan that all tithes be paid into the central seminary, and that the rate be maintained at 1/13th of the produce of land and labour. Even so, the church warden's report at Quebec for 1663-64 showed an even greater deficit than the previous year. ³⁰ The mandement of November 10 seems to have been taken throughout the colony as confirmation of a general reduction of the tithing rate. ³¹

Laval in a further pronouncement on the question of the tithe, dated February 1, 1664, made it known that popular opposition to the rate of 1/20th for the first six years only had induced him to offer to levy the tithe at 1/20th for his entire episcopacy. This had still not been acceptable so he had agreed to withhold a final decision until the return of the vessels from France in 1665 in order to bring the matter to the attention of the Crown. In the

²⁹ A.A.Q., Registre A, No. 34, p. 40, S.R.C., Doc. XXXVIII, No. 1, p. 195

³⁰ A.S.Q., Polygraphie XXII, No. 52, Report of Damours on November 23, 1664 showed an income of 2754 livres, 5 sols, 30 deniers, of which 500 livres came from Sovereign Council; expenditures totalled 2923 livres, 5 sols; deficit was still 169 livres,

³¹ Mandements, Vol. I, p. 47

meantime, religious services were to be offered without any impediment.³²

The situation in the colony was very different from that obtaining in the motherland. In France the amount paid to the church could exceed the amount paid in direct taxes to the state. Such a heavy tithe was a common grievance of the French peasant for he found it represented a very considerable drain on the income he derived from the land.³³

In the colony the habitants paid no direct taxes to the state and they were unwilling to accept much tithing. The reduced tithe has been blamed on both the bad disposition of the civil authorities and the poverty of the habitants.

Neither seems to be at the root of the matter. It was in the interest of the home government to increase the tithe in the colony in order to reduce royal subsidies required to make up the deficit of the colonial church. The explanation is simply that the habitants refused to accept more although they were devout Catholics. They were better fed, housed and perhaps even better clothed, than the French peasants, but they were also independent frontiersmen. The civil authorities, faced with the task of colonization, did not

³² A.A.Q., Registre A, No. 35, pp. 40, 41; S.R.C., Doc. XXXIII, No. 2, pp. 195, 196

³³ Lough, op. cit., p. 90

give the church unqualified support in maintaining a sufficient level of tithing because they were also anxious to show New France as an attractive place where the control of the clergy was not so great. Laval complained about the lack of co-operation of the colonists, particularly of the laziness and lack of religious zeal of those coming from the La Rochelle area, so Colbert promised to send colonists from northern France and Normandy in particular.³⁴

In 1664 the parishioners at Three Rivers were accused of refusing to build a presbytery for the Jesuit fathers, who served them, and to pay tithes. They prepared a formal declaration in defence of these accusations, in which they stated that they had never authorized anyone to make such statements on their behalf.³⁵ They did not say they disagreed with the statements which purportedly had been made. They re-affirmed their gratitude to the Jesuits for their hitherto free services and said they hoped these services would be continued at Three Rivers. They promised

³⁴ A.S.Q., Lettres N, No. 14, Colbert to Laval, March 18, 1664. Colbert also promised the expedition of soldiers to the colony now that the Italian question had been settled.

³⁵ A.S.Q., Polygraphie XIII, No. 34, February 15, 1664. The signatures on this document are particularly interesting; ten habitants signed with marks.

to build a Presbytery and to support a priest to the best of their ability. Again they avoided promising to pay the tithe. So that if the tone of the declaration were conciliatory they had refrained from making any concessions or committing themselves irrevocably.

By this time the rumour was circulating throughout the colony that the tithe would be levied on all products of human labour, and not just on the fruits of cultivation as was certainly the case generally in France.³⁶ Laval thought it wise, in order to avoid further demonstrations of popular rebellion, to issue a mandement appeasing the population.

You are warned that certain persons having misunderstood a word which is contained in the establishment of the tithes, have sown in the minds of the people false rumours and calumnies, saying that we wished to exact the tithe on eggs, cabbages, planks, cordwood, and generally all sorts of manufactures, which is opposed to the truth of the said establishment, contrary to universal custom, and contrary to the intention of the Church. For the word the labour of men (le travail des hommes), of which mention is made in the act of establishment does not mean anything else than the cultivation of the soil." 37

This was indeed a wise course to chart pending the arrival of the King's decision.

Meanwhile, the parish of Quebec (Notre Dame), was

36 A.A.Q., Registre A, No. 36, p. 41

37 Mandements, Vol. I, p. 161

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formally erected on September 15 and M. Henri de Bernieres, a faithful member of the Hermitage of Caen and lately of the Seminary at Quebec, was nominated its first curate.³⁸ Two months later Bishop Laval issued an ordinance for the election of church wardens for the parish of Ange-Gardien; he approved the election of the first three wardens³⁹ and provided that each year thereafter new wardens should be named by the three active and three retired wardens in the presence of and with the full consent of the parish priest.⁴⁰ Financial accounts would have to be rendered annually before the retirement of the churchwardens and also upon visitation by the Bishop.

The Jesuit concessions and mission stations had been exempted by Laval from tithing. The question of the validity of such an exemption was deliberated with M. Hericourt, a King's counsellor in Paris, and the opinion of the Seminary of the Foreign Missions was sought on the matter. On March 6, 1664, the opinion was given that such an exemption should stand.⁴¹ Two types of tithes were

³⁸ A.A.Q., Registres A, No. 39, September 15, 1664, pp. 43-45

³⁹ A.A.Q., Registre A, No. 40, November 5, 1664, pp. 45-46

⁴⁰ Mandements, Vol. I, p. 51. The parish was not canonically erected until November 4, 1684, Cf, A.S.Q., Raroisses diverses, No. 17, Bishop's register A, p. 200

⁴¹ P.A.C., Series F5A, Vol. III, pp. 111-115

distinguished by the jurists and these had been defined in the royal letters-patent as ancient tithes, whose attached to the foundation of a benefice or religious community, and tithes newly established in nascent churches. A bishop might not set aside an ancient tithe, but he might exempt from the payment of new tithes in mission churches. The second type of tithe might be used for the education of recent converts and for the administration of the sacraments without these tithes being attached to titles of benefices. It was believed that missionary bishops such as Laval were in the same position as all the bishops of the Latin Church before there were endowments and tithes attached to the churches, when all the diocesan tithes and other revenues were remitted to the Bishop who used part for himself and employed the remainder for the maintenance of parish churches, the care of the poor, and for the supply of priests serving various congregations in the diocese. The King's counsellor was of the opinion that there was no doubt that a Bishop had the power to exempt some communities from paying tithes because he was within his jurisdictional rights even in assigning to them the tithes from some cantons.⁴²

The warning was added that it was true that the

42 P.A.C., Series F5A, Vol. III, pp. 111, 112

Bishops were administrators and not the proprietors of these tithes, that they were to use their prerogative with moderation and were expected to grant exemptions only when the welfare of the church required it and when it worked no great prejudice to the secular clergy. This was believed to be the situation in New France. The councillor, therefore, ruled that the Bishop of Petree was completely within his rights because the Jesuit fathers had cleared the land exempted from tithing, they had acted as the apostles of the New World, they had been also the first to serve in the parishes. To exempt them from tithing was "less a favour than a mark of recognition."⁴³

In 1665 with the troops from France came also instructions to the new Intendant, Talon, to implement the tithing system which the Bishop had been willing to accept. The instructions were that while tithing had been established by royal edict, at the instigation of the Bishop who had worked with much zeal and fervour for the advancement of Christianity in New France, the rate of 1/20th should now be accepted throughout the colony for the support of its seminary and the clergy.⁴⁴ The royal will was that the

⁴³ P.A.C., Series F5A, Vol. III, p. 114

⁴⁴ P.A.C., Series B, Vol. I, Instructions to Talon, 1665, p. 71

Lieutenant-General, the Governor and the Intendant observe carefully the effects of such a levy, that they determine whether this were still too onerous a burden for the colony; if a change of policy were required they were to request a change of policy and His Majesty would consider increasing his support for the Seminary.⁴⁵ This was tantamount to inviting a request for increased subsidization should the population generally become aware of the tenor of the instructions. It has been considered a reflection on the colonial economy that there was an immediate scaling down of the tithe and that within four years it was half of its original figure.⁴⁶ It might be more accurate to say that it was a reflection upon the productivity of the colonial economy, for certainly the agricultural potential was much greater than the actual development indicated, as all the Intendants throughout the French regime testified.

The royal instructions were not a final policy statement but were rather a directive for action with a stipulation that the Intendant's duties as controller of finances included an obligation to keep the King informed of the effects of the tithing regulation. The instructions

⁴⁵ P.A.C., Series B, Vol. I, Instructions to Talon, 1665, p. 72

⁴⁶ Rene Belanger, ptre., La Dime ecclésiastique (Ottawa, 1939) p. 53

concluded with the injunction:

Furthermore the said Sieur Talon must be very careful to inform the King of all that will take place in the aforesaid country and to send to His Majesty the observations which he will have made concerning the present instruction. 47

This is an indication that royal policy was formulated, in general, only on the basis of advice and consultation.

Talon's census of 1666 revealed a population of 3,418 souls in the colony of whom 1,399 (i.e. 39%) were men between the ages of 16 and 50, fit for military service, and of whom 1,600 (46.7%) lived in the three chief towns.⁴⁸ The following year there were 749 families with a total population of 4,312, and in 1668 the number of families had risen to 1,139 and the population to 5,870.⁴⁹ Yet this population was served by only 9 secular priests in 1667, necessitating the assistance of the Jesuits and Sulpicians in serving the settlements.⁵⁰ It was little wonder that in drafting regulations for the administration of justice and the police of the colony de Tracy and Talon included a recommendation that resident priests be established to

47 P.A.C., Series B, Vol. I, Instructions to Talon, 1665, p. 75

48 P.A.C., Series B, Vol. I, Abridged report of Talon, p. 136

49 Ibid., pp. 138, 139

50 "Memoire sur l'Etat Present du Canada", Collection de Memoires et de Relations sur l'Histoire ancienne du Canada (Quebec, 1947), p. 3

administer the sacraments and preach the Gospel. They believed that the habitants not only would support the church more willingly but also would be regular in attending divine service if in every village, or two villages, there were a church and a resident pastor.⁵¹ The habitants complained that in some cases they were dependent upon the services of a priest who was as far distant as three or four leagues. Bishop Laval wrote to Pope Alexander VII in the same vein, expressing the sentiment that the habitants were refusing to pay the tithes under pretext that there were no regular parishes established in the colony.⁵² Laval had no complaint so far as the state authorities were concerned. As for the lack of regularly constituted parishes it was true that although all the churches had been blessed only two had been consecrated. On July 11, 1666, Laval had consecrated the church at Quebec under the title of the Immaculate Conception and relics brought from Rome were placed therein with great honours; similarly in 1667 the church of the Ursulines, built at the expense of Mme. de la Peltrie, was consecrated.⁵³

51 P.A.C., Series C11A, Vol. II, Draft regulations, January 24, 1667, p. 556

52 A.A.Q., Copies de lettres, Vol. I, Laval to Alexander VII, October, 1666, pp. 52, 53

53 B.R.H., Vol. I, No. 6 (June, 1895), pp. 90, 91

By this time Laval had started agitating for the collection of the tithe at the original rate of 1/13th of the production of labour and land, the rate stipulated in the royal edict of 1663.⁵⁴ The sudden increase in colonial population, in secondary industries under the leadership of Jean Talon, and in the standard of living, coupled with the fact that the clergy depended largely upon the tithes for revenue made the question imperative. Laval had written to the Pope requesting favourable consideration of the erection of a bishopric because of the influx of immigrants into the colony, and especially because there was being formed "a society of merchants" who wished to usurp the rights of the church by "pretending to erect parishes and place priests in them" under pretext that there was no ordinary bishop in New France.⁵⁵

There was a great popular outcry against the Bishop's proposal to restore the tithe at 1/13th - so much so that the Sovereign Council ordered the syndics and capitaines de quartier to sound out popular opinion. There was an overwhelming demand that the tithe be reduced further, rather than be increased. The three state officials

54 P.A.C., Series F5A, Vol. III, p. 85; also Ordonnances, Vol. I, p. 71

55 A.A.Q., Copies de lettres, Vol. I, Laval to Alexander VII, November 8, 1665, p. 48

de Tracy, Courcelles and Talon, decided to draw up an ordinance which would at once satisfy the majority of the colonists and also make provision for future adjustments. General agreement was expressed with the policy that the tithe should be computed at the rate of 1/13th, or even at the rate exacted in the viscounty of Paris, but that for the present it should be held at 1/26th.⁵⁶ It was recommended that a heavier imposition not be levied in any case for twenty years and then if by the King's command or by "the common consent of the peoples of the aforesaid country".⁵⁷ This reduced the tithe and left its future rate in the hands of the populace; economically and politically this might be questionable policy. There was a marginal notation on the de Tracy - Courcelles - Talon plan to the effect that the tithe should not extend to manufactured goods and to the fishery.⁵⁸

Each habitant's tithe was to be decided by two

56 P.A.C., Series F5A, Vol. III, p. 87; A.S.Q., Polygraphie V, No. 6, August 23, 1667; A.A.Q., registre A, No. 56, pp. 54-57; A.A.Q., Eglise du Canada, Vol. III, p. 62

57 P.A.C., Series F5A, Vol. III, p. 88

58 Ibid., p. 87; Ordonnances, Vol. I, p. 72, note (1). "Bien entendu que les termes employes dans la presente ordonnance...ne pourront s'estendre sur les manufactures, ou les pesches, mais seulement sur les productions de la terre, aydees par le travail ou l'industrie de l'homme."

habitants chosen de main commune approximately ten days before harvesting, the tithe to be paid in threshed grain and not in sheaves and to be delivered to the priest's residence or to the mill. Lands newly granted to immigrants were exempted from tithes for the first five years of cultivation.⁵⁹ The colonial environment was making itself felt. The ordinance of the three state officials concluded with a clause providing that until full tithes could be collected and until tithes provided sufficient revenues to maintain a resident clergy the church was not bound to do more than provide missionary service to the population, unless the King or the Company of the West Indies proceeded to provide further for the foundation of parishes.⁶⁰

Two days after the publication of the colonial ordinance respecting tithing, Talon wrote to the Minister of the Marine explaining that de Tracy would elaborate in detail on the reasons for the new regulations when he returned to France. Talon took care to claim no special skill in drawing up a document of this nature, so he apologized for any errors there might be. The Bishop, he also indicated, had fallen into general agreement with the terms of the ordinance:

59 P.A.C., Series F5A, Vol. III, p. 89

60 P.A.C., Series F5A, Vol. III, p. 89

The Bishop has fallen into accord on the behalf of his clergy that if in the essentials there were something which did not please his Majesty that the said act should have no issue. I beg you therefore very humbly to indicate to me if you find it agreeable or not. 61

Colbert replied that it was the Intendant's duty to assemble the principal inhabitants of the colony to discuss with them the terms of the ordinance and if they were agreeable to its main provisions to enforce it "and abolish the ancient usage by the introduction of this new one." 62

On August 28 de Tracy left on the "St. Sebastien" for France. It has been contended that the Ordinance of 1679 in ascribing the date of the tithing regulation to September 4 erred therefore.⁶³ It was long maintained in the colony that after de Tracy's departure it had been agreed at a public assembly of the chief inhabitants that the tithe would be computed only on cereal crops. This matter was to be raised as late as 1705-1706 and at that time the Sovereign Council maintained that there had been a September regulation which was quite distinct from the August regulation, and that in fact the September regulation had been the one observed because the August regulation

62 R.A.P.Q., 1930-31, Colbert to Talon, February 20, pp. 95, 96

63 B.R.H., Vol. XXXV, No. 3 (March, 1929), pp. 148-149

seemed to have disappeared.^{63a}

The problem of the colony was geographic and demographic; Sparse and scattered settlement made the erection of parishes almost impossible. In France there was a different impression. It is believed that settlement must have proceeded fairly rapidly as a result of the royal expedition of soldiers, brides and livestock. It was also believed that there was too much emphasis on the religious vocation in the colony. Colbert expressed surprise in 1668 to learn that there were only 4,314 inhabitants on the census rolls. In the instructions to the Intendant Bouteroue he encouraged the marriage of boys at 18 or 19 years of age and of girls at 14 and 15; he also discouraged religious vocations.

It is necessary to prevent as much as will be possible the too great number of priests, religious men and religious women, ~~it~~ is enough that there be the number necessary for the needs of souls and the administration of sacraments. 64

Talon's memorandum indicated that there was little danger of an over-population of the religious - the colony was

63a Jugements, Vol. V, pp. 211, 230; R.A.P.Q., 1922-23. Memorandum on tithes, May 30, 1707, pp. 32-36; P.A.C., A.S.M.E., Vol. CCCXLV, Pt. 1, fol. iii, p. 37, fol. iv, p. 37; P.A.C., Series F5A, Vol. III, pp. 114-124

64 P.A.C., Series B, Vol. I, Instructions to Bouteroue, April, 1668, p. 86

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still served by only one bishop, 13 or 14 priests at the Seminary, 10 or 12 Jesuits fathers and as many brothers at Quebec, three fathers and 2 brothers at Sillery and 3 fathers and 3 or 4 brothers at Cap de la Magdeleine. There were 18 or 20 Hospital Nuns and the same number of Ursulines. There were also 9 Sulpician priests and 5 Hospital Nuns at Montreal.⁶⁵ Scarcely over-population.

Resistance continued to tithing regulations even as modified by the state officials. On March 20, 1668, the Sovereign Council heard the case of Nicholas Roussin, a tenant of Michel Esnault, who was pursued by "the officers of Mgr. Francois de Laval" for his refusal to pay tithes on his holdings, contending that when he entered into contract he was not obliged to pay any tithe and had he known in future he required to do so he would have bargained for more favourable terms. The question was really whether tithes could be collected on the fruits of contracts signed prior to the establishment of tithing in the colony. The Sovereign Council gave a decision that not only was binding on the disputants but also was binding as a precedent in all future cases:

The council has ordained and does ordain that the proprietor and the farmer will pay the tithes in

65 P.A.C., Series C11A, Vol. III, Memorandum of Talon on Canada, 1669, pp. 20, 21

proportion to what each gains, be it in grain or in money, and that in future differences in like matters be decided on this basis, if it were not otherwise agreed upon in the lease contracts or by some other convention between the interested parties. 66

There were other troubles too. Some habitants refused to pay tithes on lands on which they did not reside, but all the council judgments went against them, and the ruling invariably was that they must obey "the usage which is practiced in this country, and the regulations of the superior council made on this subject."⁶⁷

On the other hand, the clergy were dissatisfied with the arrangements and let it be known that it was impossible to erect fixed cures unless tithing was increased and strictly enforced. Laval again communicated with Pope Clement IX requesting the speedy erection of an episcopal seat in Quebec in order that regular parishes supported by tithes might be created throughout the diocese. In his letter to the Pope he insisted that these parish appointments must remain ~~ir~~ removable.⁶⁸ That Laval should have insisted

66 Edits, Vol. II, p. 45; also Jugements, Vol. I, pp. 480, 481

67 Edits, Vol. II, pp. 435, 484-5

68 A.A.Q., Eglise du Canada, Vol. VII, Laval to Clement IX, p. 5; A.A.Q., Copies de Lettres, Vol. I, Laval to Clement IX, October 26, 1668, p. 121

upon tithing as the basis for the organization of colonial parishes was quite natural because tithes were a main source of income for the French church. Considerable wealth was also derived in France from property owned by the church in the towns and some income, though less than widely imagined, was derived from agricultural land. The income of the French clergy was by no means equitably distributed among the various sections of the clergy. The regular clergy was wealthier than the secular clergy and the income of the high ranks was out of all proportion to the meagre pittance earned by the parish priests. In New France this gross inequality was to be avoided. Two other abuses were to be avoided in the colony. Tithes, after their relinquishment by the Seminary, were not to be collected by a wealthy chapter or abbey instead of going to the poor curé and to keep the local church in a proper state of repair. Secondly, tithes did not go to laymen (i.e. dîme inféodée) as was sometimes the case in France.

Before pressing the case for parish subsistence on the basis of tithing the Bishop found it necessary to tighten up on parish administration. By a mandement of August, 1670, he announced that the church accounts in many communities had been found in great disorder. In future no accounts were to be rendered without the signature of the priest and the churchwardens being duly registered in the

parish records. Inventories were to be taken of all the church ornaments, plate and furnishings, one copy to be retained by the first churchwarden and the second by the curate. An inventory of all the titles, contracts and documents of the parish, signed by the curate and the trustees, was to be shown to the Bishop upon the occasion of his pastoral visit.⁶⁹

The year of 1674 brought important changes in the colony. The royal edict revoking the seigneurial rights of the Company of the West Indies meant among other things that the King assumed more direct charge of the spiritual and perhaps even more responsibility for the maintenance and repair of churches and supply of clergy.⁷⁰ Furthermore, the papal bulls had been issued creating the Bishopric of Quebec with Laval as first titular bishop. The Seminary would no longer receive all the tithes but fixed cures would definitely be based upon tithing henceforth.⁷¹

At this time there were few parishes with fixed cures and the right of appointing to these living varied. The Superior of the Seminary had the right to name the

⁶⁹ Mandements, Vol. I, August 9, 1670, pp. 78-9

⁷⁰ A.S.Q., Polygraphie IV, No. 5; Edit du Roy portant Révocation de la Compagnie des Indes Occidentales (Paris, 1675), p. 7

⁷¹ Cugnet, op. cit., May 1676, p. 6

parish priest of Quebec as well as five or six other livings. The Superior of the Seminary of Montreal had the right of appointment for the parish of Ville-Marie and five others on the island. The right of naming to the rest of the parishes as well as to the canopies in the cathedral belonged to the Bishop.⁷² There were numerous villages which, unable as yet to support a parish priest, were served as missions, two or three joining together and supporting the missionary from the tithes which they regularly collected. This was in contrast to the well settled areas, such as the island of Orleans, where there were already four parishes. In 1676, one stone church had been completed here, two others were well advanced in construction and a fourth was to be completed the following year.⁷³ Such situations were very much the exception, of course.

Meanwhile, pressure was kept up for the collection of tithes. The Grand Vicar Dudouyt persuaded Duchesneau that the clergy could not carry on without regular supply through tithing. Accordingly, the Intendant issued an ordinance in December 28, 1675, ordering the habitants to pay and deliver their tithes.⁷⁴ The warning went unheeded.

⁷² J.G. Shea, ed., First Establishment of the Faith in New France (New York, 1881), p. 95

⁷³ P.A.C., Series B, Vol. VII, pp. 76-77

⁷⁴ Ordonnances, Vol. I, pp. 177-178

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Duchesneau wanted to please the Bishop in this matter, and knowing how the Sovereign Council stood on the question of tithing, he took it upon himself to issue another ordinance on the payment of tithes and the manner of estimating them on the spot.⁷⁵ Two elected estimators were to set the amount of the tithe of crops ten days before harvesting, with the proviso that in case of damage from hail, fire, rain or the like there be a re-evaluation. The tithe was to be paid in threshed grain, not in sheaves as it appears some of the habitants had been wont to maintain. The Intendant not only recalled the provision that new lands were free of tithes for the first five years, but he added a clause that "Sieur the Bishop be obliged to place fixed cures in each quarter."⁷⁶

Dudouyt by this time was in Paris and in a public audience he was accorded by the Minister of the Marine he was informed (May 11, 1677) that it was contrary to the laws of the realm to make cures amovibles. Dudouyt informed Bishop Laval that he had promised Colbert that as soon as conditions permitted fixed cures would be established in the colony, The promise seemed to satisfy Colbert but Dudouyt warned Laval:

⁷⁵ A.J.M., Ordinance of Duchesneau, July 25, 1677; also A.S.Q., Polygraphie V, No. 8

⁷⁶ Ordonnances, Vol. I, p. 215

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I can see very well that they will not suffer anything which does not conform to the **most** common usage of France and which is not the most favourable to politics.⁷⁷

There were several complaints from the habitants that the Bishop drew up the boundaries of parishes on his own authority and that resident priests were not given to some of the settlements although the tithes were sufficient to support them. Although there is evidence that the inhabitants were not particularly good or industrious farmers they would not tolerate any infringement of what they considered to be their basic rights and privileges.^{77a} The King did not take a happy view of this colonial independence, this self-expression and assertion. He reminded the Governor, Frontenac, that all questions touching tithes and parishes were within the jurisdiction of the Bishop.⁷⁸ Nevertheless, he instructed Frontenac to quietly investigate the inhabitant's complaints without encroaching upon the Bishop's authority or arousing his suspicions.

The basis of the complaints was that Laval refused

77 A.S.Q., Lettres N, No. 48(2), Dudouyt to Laval, 1677

77a P. Clement, Lettres, Instructions et Memoires de Colbert, (Paris, 1865), Vol. III, Pt. II, p. 704; also B.R.H., Vol. XXXVI, No. 1, (January, 1930), p. 22

78 P.A.C., Series B, Vol. VII, King to Frontenac, April 28, 1677, p. 152

resident priests until tithes sufficient to guarantee an annual minimum stipend of 600 livres to incumbents was forthcoming from any single settlement. The habitants were certain this was a method of postponing the creation of a residential clergy for the colony free from the immediate control of the Bishop and the Seminary. Dudouyt had spoken to Colbert about the subsistence of the clergy during his interview but Colbert had interrupted the priest's account to observe that the King had given Laval two abbeys to meet his financial needs. Dudouyt countered that scarcely 2,000 livres per annum accrued from the abbeys as repair costs were so high; thereupon Colbert riposted that other individuals would be very happy to have the abbeys in question, and he dismissed Dudouyt.⁷⁹ It was very obvious that Colbert was most displeased with Laval's actions and the conduct of the Canadian clergy. Dudouyt did manage to obtain a second interview but all he could report to Laval was that the Minister had received him coldly and had said that he did not know what to say on the matter of tithing and fixed cures.⁸⁰

Duchesneau also came in for a reprimand for his role

79 A.S.Q., Lettres N, No. 48(2), Dudouyt to Laval, 1677

80 Ibid., Dudouyt to Laval, 1677

in supporting the Bishop. The Minister informed him that he had overstepped his functions, that he had set up justices in Acadia without permission, that he had supported the Bishop and issued ordinances on tithing which were not within his powers to issue - indeed, "if it does not appear next year that you have changed your conduct the King can not retain you in this employment."⁸¹ Of interest to us at the moment is the infraction of ecclesiastical power. The royal orders were explicit:

... with regards to these tithes, it is well that you know that removable cures are directly contrary to the canons of the Councils, to the laws ordinances and usages of the Realm and so every^{time} the inhabitants will pay their tithes well and they will find priests to administer them the sacraments in a certain area of the country suitable to a priest, it is necessary that you make the required representations to the Bishop to establish some there...⁸²

The King felt strongly about the instability of ecclesiastical appointments and he decided to assign to the Sovereign

⁸¹ P.A.C., Series B, Vol. VII, King to Duchesneau, May 15, 1678, p. 200

⁸² P.A.C., Series B, Vol. VII, King to Duchesneau, May 15, 1678, p. 199

Council the regulation of tithing.⁸³ Actually there was no new royal policy. Whole passages from the dispatches of previous years are repeated in the correspondence and policy is limited to approval and rejection of measures adopted in the colony. However, never did it appear that there was no solution. When King and Minister were obviously at a loss to know what to reply then the general policy seems to have been to restate in emphatic, almost threatening, terms the difficulties enumerated and order the officials to set their energies to carrying out the royal will. Sometimes decisions were avoided by repeating decisions of previous years; and once a decision was given it tended to become a formula repeated over and over again.⁸⁴

83 Edits, Vol. I, p. 231

84 A.P., Documents in Colonial History: London Archives, Vol. I, Memorial of Bishop of London, July 17, 1677, pp. 93-95 Some of the problems facing New France existed in the British colonies to the south. The Bishop of London complained that the King's right of patronage and presenting to all benefices and cures of souls was not duly observed, that instead of permanent resident ministers there was "hiring" for a year or even a single sermon, that the clergy were ill provided for temporally, that many regions had no regular services, that vestries quarrelled with ministers and that marriages were not always properly solemnized. This memorial could well have been written about New France; it demonstrates that the problems arose not so much out of personalities or practices but rather out of the environment and attendant circumstances of the New World.

Of onething we are now certain - that is that the King, in so far as he held an opinion that was his own and not merely that of his Minister of the Marine, opposed the Bishop's proposal without having anything very definite to replace it with. Laval's argument that a priest could not live on less than 600 livres in the colony, to which the grand vicar Ludouyt had added another 200 livres, seemed very unsound because there were more than four thousand priests in France at the time who received stipends of less than 200 livres.⁸⁵ The King had also been informed by Frontenac (1677) of the usual tariff of charges made by the Canadian clergy for various services and these must have seemed excessive by metropolitan standars - a low mass cost 20 sols, a high mass cost 10 livres, each priest at a funeral cost 20 sols, a marriage for the poor cost 3 livres, opening a grave cost 30 livres, for a child and 60 livres for an adult.⁸⁶ Besides, there were other clerical revenues such as special offerings, baptisms, collections, and so on. The colonial officials were, therefore, expected to reconsider the problem and provide His Majesty with a sound policy.

Accordinly, a conference was called between the

85 P.A.C., Series B, Vol. VII, King to Duchesneau, May 15, 1678, p. 199

86 Margry, op. cit., Vol. I, p. 305. Jolliet's funeral, for example, cost 53 livres.

Governor, Bishop and Intendant. On the morning of October 7, 1678, the three leaders met at the Bishop's residence to pay plans for the parish organization.⁸⁷ The Bishop again maintained that a parish priest would require 600 livres if he boarded with an habitant and at least 800 livres if he set up his own residence. The very term portion congrue implies that the stipend is adequate for the needs of the recipient.⁸⁸ Laval's intention was to bring the stipend back to its original intention and use. When the three leaders reconvened their session after dinner they brought in certain leading seigneurs - de Varennes, de Saurel, Berthier, St. Ours - who were in Quebec at the time for consultation on the matter. The seven men agreed that a priest would require 300 livres for food, and another 200 livres for maintenance, as a minimum stipend; this amount

87 A.A.Q., Copies de lettres, Vol. I, p. 181, Proces-verbal of October 7, 1678; A.S.Q., Polygraphie V, No. 7, Original copy of above proces-verbal - also a copy thereof catalogued as No. 1; A.J.M., Proces-verbal of October 7, 1678 (Duchesneau)

88 In many cases country churches in France had been founded by monasteries, or had later been placed under their control. In this manner the curé did not himself collect the tithes, which had originally been destined for the payment of his stipend and the upkeep of the parish church. Agents often collected the tithes for the monastery and out of them paid the priest a mere pittance called his portion congrue. That it was a pittance is also seen in the modern meaning of the idiomatic expression réduire quelqu'un à la portion congrue which corresponds to "put someone on short commons".

of 500 livres should be furnished through tithes collected by two parishioners "named to this effect by a public meeting of the other inhabitants of the areas united to compose the said parish."⁸⁹ Laval may not have been entirely happy with the amount of the stipend but he was very careful in his memorial of the day's proceedings to stress that the parish clergy should be supported by tithing from the parish itself, and that this had been decided upon in consultation with some of the leading citizens and laymen of the colony.⁹⁰

In the matter of delimiting the parishes it is quite evident that the island of Montreal had shown great progress because three parishes were erected there - Ville-Marie, Lachine and Pointe-aux-Trembles - all to be served by the Sulpicians. Three Rivers with Nicolet and the seigneurie of Godefroy made another parish; Cap de la Magdeleine, Becancourt and Gentilly made another; the area around Quebec and between the town and Cap Rouge formed the parish of Ste. Foy; on the coast, Beaupre, Chateau-Richer, l'Ange-Gardien and Ste. Anne du Petit Cap formed another parish; finally, on the south bank, two parishes were mapped out from Lotbiniere to Beaumont, and from Beaumont to Riviere du Loup.^{90a}

89 Ordonnances, Vol. I, p. 244

90 A.A.Q., Copies de lettres, Vol. I, Memorial on tithing, p. 185; A.S.Q., Polygraphie V, No. 2, Laval's memorial, October, 1678

90a A.A.Q., Registre A, pp. 43, 197-202

For the clergy to adequately serve such large areas was physically impossible.

This erection of parishes brought in its train many problems. Originally concessions to parish churches consisted of land for the church itself, the presbytery and cemetery, and to it was joined a tithe on the produce of the land, and the whole was then invested in a minister who should serve the parish. How could this be continued as successive priests served the parish? Had he received the rights in his own person they would have passed upon his death to his family and creditors, but the law wisely provided that the priest like the King never died.⁹¹ In this way all original rights were guaranteed to his successors as they were attached to the office and not to his person.

The fabrique was to look after the administration of the church's goods, particularly funds or property intended for repairs, decoration and maintenance of public worship. It administered the income from pew rentals, offertory collections, special offerings. Hence it was actually an ecclesiastical institution or a "moral person", to which all the temporal goods and rights of the parish church were accredited and by whom they were managed.⁹²

91 A.S.Q., Polygraphie VIII, No. 60

92 A.O. Sigur, Lay Co-operation with Ecclesiastical Jurisdiction (Washington, 1954), p. 24

The wardens were bound by the obligation of an annual accounting and sometimes the secular power intruded seriously and demanded accounts or the acceptance of a civil "procurator" to administer various funds. The church had strict rules for the conducting of congregational meetings and for the election of wardens. All meetings were to be held at the presbytery. When general parish affairs were discussed the former wardens and the leading habitants were to join the incumbent wardens and the parish priest in deliberating.⁹³ At the elections for churchwardens, only wardens and former wardens were to be present; honorary wardens were excluded; the priest presided and the voting was by voice. A plurality vote would be required for election. Special prohibition was made of giving votes privately to the priest or of according the priest two votes. The priest was in all circumstances to show a good example in his conduct and by his wisdom. Upon his appointment to the parish this had been impressed upon him and his parishioners by a special service of installation conducted by a grand vicar or other high ranking ecclesiastic.⁹⁴

93 A.S.Q., Polygraphie IV, No. 75, undated

94 B.R.H., Vol. II, No. 1 (January 1896), p. 9

The situation now was such that in the opinion of some of the clergy in Quebec it would be better not to continue the close relationship between the Seminary and the parishes, that is, in the matter of temporal goods. Earlier it had been useful to maintain such a close relationship but now there was a danger that the parish clergy might be too attracted by the security the Seminary offered with respect to temporal goods. There was also a danger that parish priests would be tempted to obtain all they could from the Seminary for their own charges. Moreover, there was a tendency in the close relationship that had hitherto prevailed for the clergy to lose the habit of carrying out charitable acts and making self-sacrifices. Finally, the Seminary had become convinced that its chief task was to concern itself with spiritual renewal.⁹⁵ The Bishop, however, had not forgotten the pioneer work of the Seminary. Already, on December 6, 1670, he had exempted it from tithes on the lands he had granted it.⁹⁶ Now, he gave it exemption for its many other properties.⁹⁷

95 A.S.Q., Seminaire V, No. 15, no date but probably by de Maizerets written after 1678

96 A.S.Q., Seminaire I, No. 25a, December 6, 1670

97 A.A.Q., registre A, November 23, 1682, p. 183; A.S.Q., Seminaire I, No. 26, November 23, 1682. This document makes no mention of the previous exemption of 1670 and also includes 20 wooded acres which the other document of the same date omits.

Laval could do no less for the missionary priests and the women's congregations who had also pioneered the colony. On November 6, 1678, he granted the Hospital Nuns at Montreal and at Quebec exemption from tithes in consideration of the public services rendered the poor and sick, both French and native, and the great expenses they had been obliged to make to put their lands into production.⁹⁸ The following day the Ursulines were granted a like privilege.⁹⁹ Six years later the Jesuits were granted exemption too.¹⁰⁰

In May 1679, the King issued an edict regulating the question of tithes as the basis of subsistence of the parish clergy.¹⁰¹ The preamble of the edict praised God for France's recent military victory and cast the King in the role of protector of the holy canons of the Church in the sense that the early Christian emperors had assumed that position. The edict consisted of eight points.

⁹⁸ P.A.C., A.C., Series F5A, Vol. III, pp. 116-117, 120-121; A.S.Q., Polygraphie III, No. 19; Polygraphie XVIII, No. 46, No. 47 A.A.Q., Eglise du Canada, Vol. III, p. 79; A.A.Q., Copies de Lettres, Vol. I, p. 193

⁹⁹ P.A.C., A.C., Series F5A, Vol. III, pp. 118-119; A.A.Q., Eglise du Canada, Vol. III, p. 80; A.S.Q., Polygraphie XVIII, No. 48

¹⁰⁰ A.S.Q., Polygraphie XVIII, No. 49, November 12, 1684

¹⁰¹ P.A.C., A.C., Series B, Letters-patent in form of Edict, May, 1679, Vol. VIII, p. 130

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First, it was provided that tithes, except oblations and church dues, were to belong entirely to the resident, permanently established parish priest who would now replace the itinerants who had served the settlements hitherto. Secondly, tithes were to be collected according to the regulations of September 4, 1667.

The next three clauses dealt with tithes. The third term of the regulation stipulated that each priest could decide either to levy the tithes himself or farm them out to individual habitants of the parish. Excluded specifically from directly or indirectly collecting the tithes were the seigneurs of the fief on which the church was situated, or gentlemen, officers or habitants as a body. Fourthly, if the revenues were insufficient for the maintenance of the priest the additional amount required was to be approved by the Sovereign Council and supplied by the seigneur of the fief and the habitants, the attorney-general to see that the full amount was raised. Fifthly, in the case of subdivision of parishes because of increased population the tithes in areas pertaining to new parishes should go to the priest of that new parish without compensation to the priest of the old parish. It is clear that the intent of the regulation was to return to the original practice with respect to tithing. Originally all tithes belonged to the parish church but in France various religious orders had

taken parishes and then later "hired" secular priests to serve them on the basis of payment of a minimum stipend.

The sixth and seventh clauses were concerned with patronage of parish churches. It was provided that whoever endowed the parish church and paid all construction costs would be its patron founder with all honours due patron founders accorded to him and his successors. The seigneur of the fief was to have the preference in becoming patron founder; in such cases the right of patronage would remain attached to the principal manor of his fief falling always to the possessor of the fief even if not of the founders family. Patronage was thus introduced into the colony. It must be understood that although patronage granted laymen the privilege of presenting a cleric for office it did not carry rights of either approving or investing such a cleric.¹⁰² Patronage allowed the seigneur to enjoy special honours both in life and in death but it did not exempt him from the necessity of possessing proper titles and letters, as provided for by the Parlement of Paris on January 28, 1603, nor did it grant him such rights as those of hastening or retarding, or in any way interfering with, the order of

102 Canon 25 of the Fourth Lateran Council (1139) decreed "...laymen, no matter how devout they may be, have no authority to dispose of ecclesiastical property".
Sigur, op. cit., p. 10

divine service.¹⁰³ The colonial practice was based on that of France.

Francis I had granted special privileges and honours to patron founders of churches in Brittany and the custom and usage had spread throughout France and indeed became the subject of much litigation. Three regulations governed the practice imported to New France; an arrêt of the Parlement of Paris of August, 1620 ruled that patronage could not be sold, ceded or alienated to another layman and that it was not necessary to be a seigneur justicier or feudal of the parish to be a patron; another of February 13, 1621 ruling that legitimate children always preceded bastards in honours and that noblesse de race preceded those de lettres; and another of May 20, 1623 providing for the burial under the choir of the founder.¹⁰⁴

The last provision of the royal plan was that a presbytery was to be built and a cemetery maintained at the expense of the seigneur of the fief and of the habitants thereof. These orders were to be executed "nonobstant all other letters-patent, edicts, declaration and other acts

103 M. Lange, La Nouvelle Pratique Civile, Criminelle et Benéficiale ou le Nouveau Praticien Francois (Paris, 1755), Vol. II, Pt. I, p. 336

104 Ibid., p. 335

to the contrary."¹⁰⁵ The royal edict followed through the earlier royal contention that people who paid tithes should expect regular administration of the sacraments. It also disposed of Laval and Duchesneau's contentions that an itinerant clergy could best cope with the problems of colonial churching. Permanently appointed parish priests were now to live off the tithes of their parishes; this was a derogation of the ordinance of 1663 by which the Seminary of Quebec, had received all the tithes. The King had consented to the Bishop's right to nominate to all cures:

...we reserve for ever and to succeeding Bishops of the said country as also to the said seminary by our orders, and of the said Bishops, the power to revoke all ecclesiastics who will be sent and delegated to the parishes and other locations whenever and as often as may be judged necessary. ¹⁰⁶

Now this had been abrogated. The royal edict of 1679 calculated to usher in a new age in the history of the colonial church. Whether it would succeed in doing so the events of the years which immediately followed would reveal.

The royal letters-patent in the form of an edict concerning tithing and fixed cures was examined by the Sovereign Council of Quebec on October 23, 1679.¹⁰⁷

¹⁰⁵ P.A.C., Series B, Vol. V, Edict of May, 1679, p. 105; A.S.Q., Polygraphie XVII, No. 3

¹⁰⁶ Mandements, Vol. I, p. 45

¹⁰⁷ P.A.C., Series F5A, Vol. III, pp. 91-94

The Council immediately decided to assemble again on the Tuesday of the following week in order to consider clause four of the edict which required additional grants be made in various parishes in order to provide a minimum stipend for the resident priest.¹⁰⁸ A petition was presented to the Council by the ecclesiastics of the Seminary of Quebec on October 31st. Also a certified copy of the Intendant's proces-verbal of October 7, 1678, was tabled, along with the attorney-general's conclusions of the 27th instant. The seigneurs and habitants of the colony would receive communication of these documents in their parishes and they would have opportunity to make known their reactions in the spring of 1680.¹⁰⁹

Immediately there began a popular resistance to some of the articles of the royal edict. To begin with the edict gave the patron founders very meagre honours in return for onerous burdens. Besides providing the endowment fund they were expected to assume construction costs. Furthermore, it was provided that in case of insufficient income from tithes to support the curate the seigneur and habitants of the fief should furnish the difference and even see to

108 Jugements, Vol. II, p. 322

109 Ibid., p. 336; P.A.C., Series F5A, Vol. III, pp. 95, 96

the construction and maintenance of the cemetery and the presbyterial residence. The patron had the right to presentation to the cure, he and his heirs in direct or collateral line, but this was simply a right of presentation and not one of nomination with the assent of the bishop. Although the edict did seem to imply that the Bishop could not dismiss a cleric who fulfilled all the canonical conditions it did not give any power, and but little honour, to the patron founder. Although some seigneurs may have aspired to becoming patron founders the hard facts were that they were not in the financial position to assume its responsibilities.¹¹⁰

A most interesting resistance developed on the part of the Sulpicians who served the island of Montreal. Two years prior to the Edict on Tithing the superior of the Seminary of St. Sulpice in Paris warned members of the Montreal community to avoid accepting sedentary postings to the parishes served by their community on the upper and lower parts of the island of Montreal. Although the parishioners might be pleased with such a move and "we would gladden very much Mgr. of Kebec who desires it" it was unwise because it would entail more expenses, might induce

110 This lack of enthusiasm on the part of the seigneurs to become patron founders forced Louis XIV to retrace his steps in 1699 and he assigned the patronage rights to the Bishop who was to see to the erection of stone churches. Edits, Vol. I, pp. 279-280

further irregularities and break up the religious community of the Sulpicians.¹¹¹ Bretonvilliers had earlier warned about the dangers for the Gentlemen of St. Sulpice in accepting regular charges in the parishes. Just how great were the fears of scandal and disorders can be seen from the fact that the Sulpicians who assumed responsibility for services on the island were usually required to return to the seminary before nightfall. Naturally, those who tried to bring the sacraments and services of the church to the island communities complained of such restrictions and were given permission from Paris to spend a night in the parishes they served before returning to the Seminary in Ville Marie.¹¹² Laval had already divided the island into three parishes hoping that more regular services might be afforded its inhabitants.¹¹³

The instructions to Dollier de Casson from his Superior in Paris were to the effect that he should postpone as long as possible the matter of permanent curates on the island:

As we have as yet few subjects to attach them to the places they serve and make of them sedentary priests he will remove them from time to time to

¹¹¹ B.S.S.P., Vol. I, Fronson to Le Febvre, April 5, 1677, p. 52

¹¹² B.S.S.P., Vol. I, Fronson to Remy, April 5, 1677, p. 66

¹¹³ B.S.S.P., Vol. I, No. 15, Fronson to Perrot, May 8, 1677, p. 82

have them practice the exercises and regulations of the community for which they would unconsciously lose all thought if he were not to recall them to them. and if M. of Quebec finds it bad that he acts in this manner he can present to him the reasons which oblige him to do so, and if these do not satisfy he will add that he cannot go beyond the orders which were given him at St. Sulpice. 114

The great objection to assuming permanent appointments for members of the community was that once permanently appointed by the Bishop to a parish they would presumably be beyond recall by their Superior at Montreal. Furthermore, there was the difficulty that the Sulpicians were the seigneurs of Montreal and in order to avoid any difficulties in distinguishing between their spiritual ministration and their seigneurial role it was better to refuse permanent cures:

Is it not much better that other priests be placed there so that the liberty of consciences be greater and that it no longer be said that we want to make ourselves masters of the people and tyrannize souls? 115

The advice from Paris, therefore, was to abandon the design to ask for the right to name to the cures of Lachine and Pointe aux Trembles.¹¹⁶ On the other hand, since the rumour was circulating in Paris and court circles that a minimum

114 B.S.S.P., Vol. I, Memorandum to Dollier de Casson, 1678, Article 15

115 B.S.S.P., Vol. I, No. 75, Tronson to Dollier de Casson, May, 1679, p. 142

116 Ibid., p. 143

stipend of 500 livres was to be upheld by the King it would be in order to allow Sulpicians to serve the island parishes so long as definite word were obtained that they would be removable every two or three years at the pleasure of the Superior.¹¹⁷

The court was not long in receiving its first word about colonial reaction to the royal edict. Duchesneau informed the Minister of the Marine that the edict, his proces-verbal of the previous year, and the petition of the priests would be submitted to the inhabitants for consideration.¹¹⁸ Was this not almost a treasonable action that the divine right monarch's orders should be submitted to popular consideration? Hardly so in the circumstances since they were to provide the necessary basis for the establishment of the fixed tithes. Duchesneau reported that the secular clergy were concerned about making their livings stable and assuring the finances of the parish, but the regular clergy, which the church did not seem to favour in parish appointments, still regarded evangelization of the Indians as their primary task.¹¹⁹

¹¹⁷ B.S.S.P., Vol. I, No. 75, Tronson to Dollier de Casson, May, 1679, p. 146

¹¹⁸ P.A.C., Series C11A, Vol. V, Duchesneau to Minister, 1679, p. 81

¹¹⁹ P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 10, 1679, p. 60

Frontenac informed Colbert that there had been some remonstrances at the time of the assembly in October, and that six ecclesiastics in particular had complained about the arrangements decided upon in France. Frontenac described his role as having been one of peacemaker; he reported that he had informed the Sovereign Council that the chief inhabitants would also have to be heard on the matter because the supplemental levies would fall upon them.¹²⁰

Frontenac accused the Bishop, the Seminary of Quebec and the Jesuits of opposing fixed cures and attempting to arouse wide-spread resistance throughout the colony against the royal plan. Laval wished to retain direct control over the parishes, according to the Governor, and therefore withheld titles or provisions from the clergy serving in the parishes. His report to Colbert is one of the clearest statements of the period on the subject of the secular power's struggle with the church over parish delineation:

The Regulation, Sire, which your majesty has made for the Patronage of cures, gives joy to the seigneurs of the lands of this country, who thereby recognize the goodness your majesty has for them, and which will induce them no doubt to build churches, but they are not very reassured with the priests which were given them last year because

120 P.A.C., Series C11A, Vol. V, Frontenac to Minister, November 6, 1679, pp. 15, 16

some of them were changed this year, and there are some who by some stubbornness with which they are imbued want to be missionaries still, and who prefer, according to what I am told, returning to France to being attached to one location.

M. the Bishop could at the time he was delineating the parishes with us have sent them to the parishes with titles but there is reason to fear that he is putting off giving them any through the repugnance he has always shown. 121

Frontenac may possibly be held responsible for first suggesting the recall of the disobedient clergy to France by indicating that this was the extent of the recalcitrant spirit of the priests. It is interesting too that in a later letter he accused the Bishop of not having consulted him on the division of parishes whereas in this communication he speaks of the Bishop as having worked "with us" in the matter.

There is evidence that some of the clergy were most unhappy when relegated to isolated parish charges. Seguenot was very unhappy at being posted at the lower end of the island of Montreal, for example, far from his community, faced with many dangers, temptations and discouragements. He was informed, on the other hand, that he could still come to the Seminary at Montreal from time to time for refreshing although it was reported that even at the Seminary there were disorders. Tronson cautioned the discouraged cleric:

121 P.A.C., Series C11A, Vol. V, Frontenac to King, November 6, 1679, pp. 23, 24

TITHING

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I will write a word about this to Mr. Dollier and will speak about the regulation in general without speaking to him about you so that he see that it be observed, and that in any case he not suspect you of having written me about it. 122

Louis XIV was quite displeased with resistance to his edict of 1679. The Intendant Duchesneau was warned to take care that the edict on tithing was punctually put into execution, and he was reminded that the priests of France in all the provinces beyond the Loire did not enjoy a stipend of 200 livres all told, and that those north of the Loire received less than 300 livres. Therefore, so it seemed to the King, the proposal to fix the stipends in Canada at 800 livres was extraordinary and would result in no permanent cures whatever being established. The Intendant's course was demarcated for him:

Thus you must prevent the Sovereign Council from obligating the seigneurs of fiefs and inhabitants to give this sum of 800 livres and as by this edict the tithes are accorded them so long as the number of inhabitants increases the increase in cultivation of the soil will proportionately augment these tithes so that they will become more abundant. And this will provide greater means of finding priests, but he (i.e. Intendant) may leave all that is to be done on this point to the will of the seigneurs and inhabitants who will gladly come to an agreement with the curates when they will want to see resident ones. 123

122 B.S.S.P., Vol. I, No. 100, Tronson to Seguenot, April 12, 1680, p. 184

123 P.A.C., Series C11A, Vol. V, King to Duchesneau, June 2, 1680, pp. 202, 203

In this temper the King asked the Intendant to give a strict account of how the 4,000 livres granted the Seminary of Quebec and its clergy was spent.

Duchesneau was able to reply by the return vessels that he had discussed the King's communication with the Governor and the Bishop and that they had also heard the opinions of the chief seigneurs of the colony on the matter.¹²⁴ They had concluded that the food alone of a priest in Canada cost about 374 livres, not including his maintenance. Therefore, a priest required a stipend of 300 livres for board, 200 livres for maintenance, plus a canoe in summer and a servant in winter to carry his packs, until such time as presbyterial residences should be built. This would not afford the clergy a luxurious standard of living; rarely would the Canadian clergy be able to afford wine, for instance. Costs in the colony were very high and the country was very hard on clothing, the latter being also exorbitantly expensive. The general conclusion was that a priest would scarcely be able to manage on a stipend of 500 livres, which in any case was the equivalent of only 375 metropolitan livres, the currency in which the King and Minister of the

124 P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1680, pp. 170-172

Marine had undoubtedly been computing.¹²⁵ Although there was general agreement with the King's contentions, the seigneurs and inhabitants were unable to afford a stipend of 800 livres which colonial conditions, which differed so vastly from conditions in the motherland that comparisons were misleading, made impossible to assume. Such was the tone of the Intendant's reply.

But Frontenac wrote that the amount should do quite well because the clergy of France got along on considerably less. The Governor, who was not above capitalizing upon the situation to bring favour upon himself, wrote that the request for 800 livres was excessive, that 500 livres was quite adequate by way of minimum stipend "because the pensions congrues in France are much less, the priests here as elsewhere make some profit within the churches, and according to the canons all priests must have an endowment."¹²⁶

There is evidence that the Governor's views were further removed from the actual state of affairs in the colony than were the conclusions submitted to the Court by the Intendant. The Sulpician Perrot, for example, was much disturbed by the poverty of his parishioners and yet he

¹²⁵ P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1680, pp. 170-172

¹²⁶ P.A.C., Series C11A, Vol. V, Frontenac to Minister, November 6, 1679, p. 16

himself was barely surviving and was unable to alleviate the want of his flock. The only consolation the Superior of the community in Paris offered was a reminder that poverty was the common lot of the colonial clergy and that even the income of the seigneurie of Montreal did not suffice for the upkeep of that colonial venture.¹²⁷ As a matter of fact, the Sulpician superior instructed the Montreal community to cut back its budget in 1678 avoiding what was termed excessive spending. Henceforth missionaries from the community should be allowed only 8 deniers for each meal taken away from the Seminary, instead of 25 deniers as previously allowed - this in spite of the fact that the Bishop's clergy in Quebec were allowed 16 deniers.¹²⁸ The community was reminded of the need to insist on tithes being paid up in full and was reprimanded for having allowed timber to be cut down on the seigneurie and then left in piles to rot. It is evident that there was little largesse in ecclesiastical budgets.

Soon there were more developments in the colony to report to the mother country. Bishop Laval in a "Memorial on the state of the clergy, 1680" described the creation in 1678 of 25 fixed cures following an agreement on the part

¹²⁷ B.S.S.P., Vol. I, No. 15, Tronson to Perrot, May 8, 1677, p. 82

¹²⁸ B.S.S.P., Vol. I, No. 68, Tronson to Dollier de Casson, July 5, 1678, p. 129

of the habitants to furnish in tithes the sum of 574 livres for the support of the resident priests. The royal edict meant that from 1680 onwards the seigneurs and habitants were obligated by law to furnish this subsistence to their parish clergy, but in practice the law was not observed for the inhabitants protested they were unable to assume such a heavy burden. Therefore, Laval asked the King to supply the difference between the amount raised by the colonials and the amount required to provide minimum stipends.¹²⁹

The Intendant, on the other hand, informed the home administration that the royal plan had not been given a fair trial in the colony. To begin with, many seigneurs and censitaires now wanted to pay tithes on grain only and then only at the rate of 1/26th for a period of six years.¹³⁰

In addition, the priests did not wish to collect the tithes themselves because that would have taken up most of their time in the widely scattered settlements they served.

Duchesneau's suggestion was that if the King would accord a gratification of 4,000 livres the pressure would be relieved in the parishes and where tithes were insufficient to consider retaining a resident pastor it would be wise to

¹²⁹ A.A.Q., Eglise du Canada, Vol. I, Memorial on state of the Clergy, 1680, p. 106

¹³⁰ P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1680, p. 173

continue mission service.¹³¹

Pierre Francheville, speaking as a priest and an attorney for the clergy, made a representation to the Sovereign Council to the effect that the clergy were unable to collect the tithe themselves because of the pressures of their work and to the effect that the habitants were not interested in collecting it. Therefore, he requested that in each parish the tithes be collected by two or more parishioners, elected by the habitants a week after the official posting of an edict to this effect on the church doors.¹³²

But this had required state participation in order to secure enforcement. The priest in the parish of Sorel, for example, wrote to Duchesneau asking him to force a certain Crevier de St. Francois to pay his tithe and the Intendant complied with the request by issuing an ordinance to that effect.¹³³ The problem here had not only been one of an habitant refusing to pay the full tithe because he lived a great distance from the church and its facilities but also a case in which the priest was unable to collect the tithe because the grain was stored and only threshed in

¹³¹ P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1680. pp. ,74, 175

¹³² Edits, Vol. II, pp. 86, 87

¹³³ A.S.Q., Fonds Verreau XIII, No. 51, Claude Volant, priest to Duchesneau, October, 1680

March, a time of the year scarcely conducive to the clergy appearing to claim its just share. On October 29, 1680, Duchesneau was able to obtain an agreement from the seigneurs and habitants of Contrecoeur, Lavaltrie and Vercheres that they would provide 500 livres stipend through tithing for a resident cure who would no longer be itinerant but have tenure and residence among them.¹³⁴ This was running contrary to the King's contention that the French clergy subsisted on much less and their example should be followed in the colony.¹³⁵

The result of all this was that Duchesneau obtained from the Sovereign Council an ordinance respecting tithing dated December 23, 1680. The Sovereign Council's decision ran as follows:

The Council had ordered and orders that the tithes of the areas joined together to compose a parish will be farmed out to the highest and last bidder by the seigneurs of the fiefs and inhabitants thereof...after having been advertised at the door of the parish church, following high mass...if no farmers are found, the said seigneurs of the fiefs and inhabitants will choose and name by plurality vote one or more persons to take the declarations from each individual as to what amount they might owe in tithes, and oblige them to take them to the locations designated to them...In default on the part of the seigneurs and inhabitants to name

134 A.S.Q., Polygraphie V, No. 12, Ordinance of October 29, 1680

135 A.S.Q., Polygraphie V, No. 13

persons for the collection of the said tithes, some will be named to this office by the nearest judge...¹³⁶

This did not solve the problem of collection however and it did not change Laval's opinion that the Seminary control of all the tithes had been an advantageous system in the colony.¹³⁷

Frontenac informed Seignelay, Colbert's successor, that Bishop Laval continued to create difficulties for the erection of fixed cures.¹³⁸ This was not altogether a truthful representation of the facts of the matter for at that moment Laval in conjunction with Luchesneau was drawing up a plan for the parishes of the colony. Frontenac reported that some of these parishes would extend thirty or forty leagues, that they would be so vast as to preclude the rendering of proper spiritual care by the missionary - priests and that the contention would still remain that the tithes of such an area would not suffice for the subsistence of a resident priest. What particularly annoyed Frontenac was the fact that he had not been asked to assist in the mapping of the parishes, a slight which his report readily betrays:

...they regulated the matter between the two of them, without making me party to it, although it had pleased

¹³⁶ Edits, Vol. II, p. 87; A.S.Q., Polygraphie V, No. 10, Edict of December 23, 1680

¹³⁷ A.S.Q., Lettres II, No. 51, Laval to Cardinal Cibo, 1681

¹³⁸ P.A.C., Series C11A, Vol. V, Frontenac to Seignelay, November 2, 1681, p. 258

His Majesty to order me three years ago to do it in conjunction with them...¹³⁹

If he had been left out in the process of delimiting the boundaries it was nevertheless evident from his detailed knowledge of the plan that he had been completely informed about the proceedings.¹⁴⁰

The general correspondence for the year 1681 contains a letter about the clergy which might well have been written by the Governor; this letter states forthrightly that the establishment of fixed cures did not depend upon financial ability but entirely upon the Bishop's willingness, or rather unwillingness, to erect parishes.¹⁴¹ Laval is accused of raising so many questions because he hoped to prevent the establishment of fixed cures which would no longer be directly dependent in every detail of their charge to him. The charge was that the Bishop would continue to offer wordy objections and observations in order that the whole question might be kept on the level of negotiation and not of action. The unsigned letter suggests that

¹³⁹ P.A.C., Series C11A, Vol. V, Frontenac to Seignelay, November 2, 1681, p. 259

¹⁴⁰ The Governor and Intendant continued throughout the Ancien Regime to work with the Bishop in delimiting parishes and making appointments thereto. Cf. Edits, Vol. I, p. 243; P.A.C., Series B, Vol. XCV, King to Duquesne, May 15, 1752, pp. 68-69

¹⁴¹ P.A.C., Series C11A, Vol. VI, Part II, p. 138

the Bishop would create one or two parishes as a front with no intention to really carry through the King's orders motivating such token action. This indicated that the King should take a tough line of action, that the Bishop should simply be ordered to create parishes for the entire colony within a year, and that all this could be made most effective by threatening to withdraw the gratification made to the Seminary of Quebec if compliance were not immediate and satisfactory. The letter concluded with the thought that if resistance should be greater than anticipated then the King should threaten to send from France priests who would be content to live on a stipend of four or five hundred livres per annum. 142

That the Bishop could take very independent action when opposed we are not left to doubt. But that he deliberately planned to obstruct royal policy in erecting parishes may be doubted. It is true, for example, that Laval could take swift and effective action against seigneurs who proved difficult. 143

142 P.A.C., Series C11A, Vol. VI, Part II, p. 139

143 B.R.H., Vol. I, No. 9 (September 1895), p. 129. seigneur Couillard of Beaumont complained that the Jesuits who were the directors of conscience of his mother had pressed her to sell a piece of land to extend the enclosure of the bishopric and that Laval had refused to pay 4000 livres although the sale had been agreed to at a ridiculously low price. The seigneur charged that Laval had avenged himself on him by depriving his seigneurie,

On the other hand, it would seem reasonable that geographic and demographic factors being favourable the order of hierarchy would demand that there be resident titular priests in each parish. The Bishop was informed by Dudouyt in Paris that the Sulpicians Tronson had had an interview with the Minister of the Marine, Seignelay, and that no definite decision had yet been taken in France on the matter of tithing. Dudouyt had seen Father La Chaise, the King's confessor, and had had him speak to Colbert. It soon developed that the matter was closed for the moment, that the tithes would have to suffice for the upkeep of the colonial clergy so far as the King was concerned, at least for another year.¹⁴⁴ It was suggested to the Bishop that he might try agitating for a return to the rate of 1/13th and a removal of exemptions on newly cleared lands by having tithes payable from the first harvest onwards.

Although the state officials did not accuse them of it, the Sulpicians were not at all anxious to see permanent appointments to cures. The Superior at Montreal received precise instructions on the subject from the Paris house in 1681:

population 50, of all religious services. This was still a missionary region.

144 A.S.Q., Lettres N, No. 58 Dudouyt to Laval, June 2-6, 1681

For us it would be advantageous if they were for no more than three years, and there would be much to fear if they were forever. You could even show him (Bishop) the consequences thereof which he will understand sufficiently, and which have finally determined me to follow your advice. 145

To this was added the instruction that the spending of income for alms and charities be left in control of the Superior and not of the parish priests of the island. In a letter sent to Laval Tronson informed the Bishop that he had seen Seignelay and had expressed the opinion that New France was not developed to the point where tithes could support a parish clergy. The matter had been raised with the King and again in the Council but there had been no sign of any backing down from the stand taken.¹⁴⁶ No mention was made of the reluctance to have Sulpicians named as permanent parish curates although Tronson did say that he was refraining from naming a successor to the late Father Perrot as the Montreal Superior would nominate the new incumbent for the Bishop's consideration.¹⁴⁷

That Dudouyt and Tronson had correctly reported the King's mind on the matter can be seen from the communication sent to Luchesneau which maintained that it was absolutely

145 B.S.S.P., Vol. I, No. 151, Tronson to Dollier de Casson, June 16, 1681, p. 287

146 B.S.S.P., Vol. I, No. 152, Tronson to Laval, June 18, 1681, p. 271

147 Ibid., p. 271

necessary to see to the establishment of parishes with fixed cures to ensure regular services and regular attendance at mass.¹⁴⁸ It was unwise, said the royal instructions, to raise allowances of such priests to five or six hundred livres annually because the inhabitants could not afford to pay such a large stipend. The solution was the one suggested so often before, continued the King - enlarge the parishes to a size that can be tithes alone support a resident priest. There was stubborn refusal to believe that a priest in Canada could not live well in a stipend of 500 livres. Therefore, the Intendant was again exhorted to see to the execution of the King's will:

You must therefore do the impossible to execute upon that score my intentions which are still that the tithes must suffice for the establishment of cures. 149

This Canadian law, which corresponded with the regulations for tithing given to the West Indian possessions on April 30, 1681,¹⁵⁰ was based on numerous earlier proposals and

148 P.A.C., Series C11A, Vol. V, King to Duchesneau, April 30, 1681, pp. 337, 338

149 Ibid., p. 338

150 Moreau de St. Mery, Loix, Vol. I, King to Governor of West Indies, April 30, 1681. The Governor was ordered to examine with the Intendant "les moyens qui se pourront pratiquer pour porter les Habitans à établir les Dixmes sur les fruits de la terre, pour donner aux Curés les moyens ordinaires de désservir les Cures, et de leur administrer les Sacrements." p. 353

passed into actual enactment before similar measures were rigidly defined for the motherland.¹⁵¹

Duchesneau in November, 1681, sent the Minister of the Marine a copy of the circular letter sent to the seigneurs and censitaires of the proposed parishes as drawn up by himself and the Bishop. The plan was based on the proposition that every parish should by its tithes be able to maintain its priest; it was submitted to the inhabitants so that they might consider whether the proposed boundaries created parishes too large or too small for such self-sufficiency.¹⁵² The inhabitants had replied that if the parishes were any larger the people would be neglected and would hear mass only once a month as was the case hitherto, and that in such circumstances the inhabitants would certainly refuse to pay their tithes. They would pay tithes only in proportion to the services received from the church. Tithing carried the obligation to provide regular services.

151 An ordinance of January 1629 had set the portions congrues in France at 300 livres but this did not become common usage. Three further declarations of the King - August 17, 1632; December 18, 1634; March 30, 1666 - which were registered in the Grand Conseil but never by the Parlement de Paris followed. Then on January 29, 1686 a Declaration fixing stipends at 300 livres in the entire kingdom was registered by the Parlement on February 11, 1687. Cf. Lange, Praticien Francois, Vol. II, Pt. I, p. 286

152 P.A.C., series C11A, Vol. V, Duchesneau to Minister, November 13, 1681, p. 272

No services, no tithes - the matter was as simple as that! The priests objected too by saying that they were already overworked undertaking long canoe trips and treks on snowshoes to bring the sacraments and comforts of the church to the scattered colonists. If the parishes were enlarged the priests would be unable to assume the increased burdens.¹⁵⁴ To these assertions the habitants had replied that they believed the priests should live simply like them and that they should dress simply and so within their incomes. Some seigneurs were reported to be willing to board the priest but the Intendant cautioned that this being a voluntary offer it could not be relied upon to be continued and in any case was something quite apart from the matter of tithing. The Bishop continued to feel that the priests should receive at least 800 livres stipend in a country where a domestic servant was necessary.¹⁵⁵ The Governor ranged himself with the Court view that larger parishes were the solution.¹⁵⁶

In order to strengthen his observations the Intendant furnished statistics for the home government.

¹⁵⁴ P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1681, p. 273

¹⁵⁵ P.A.C., Series C11A, Vol. VI, p. 139

¹⁵⁶ Ibid., p. 141

These statistics indicated a considerable difference in costs of living as between the mother country and the colony. Clothing was about twice as expensive in the colony as it was in France. A valet or servant in the colony received 50 écus in wages while in France he received between 10 and 15 écus for the same term of employment. Wood was in France scarcely an item of expense for a priest but in New France it cost a livre a cord, and in Quebec as high as 6 livres the cord.¹⁵⁷ Laval visited many of the south shore points that were without regular services and came to the conclusion that something had to be done immediately. This visitation has sometimes been over played as an act of slow martyrdom on the part of the first Bishop of the colony, but it should be recalled that the Intendant travelled just as extensively throughout the colony seeing to the needs of the inhabitants. It is true that the Intendant probably enjoyed better health than the Bishop and so his perigrinations are the less remarkable.

The problem of financing the parishes was a basic one. There were a number of private legacies, as in the "mystical period" prior to the formation of the Sovereign

157 P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1681, p. 274

Council, and these aided greatly. But these did not entirely meet the needs of the church and indeed tended to become less numerous and less generous with the passing of time. Baron Lahontan's donation is a good example of the type of support required. This traveller gave 365 Canadian livres to the parish of Ville Marie, 200 livres to the Hospital in Montreal, in order that prayers be recited for the repose of his soul.¹⁵⁸

Another welcome source of assistance was the Crown itself. In 1681 the Intendant Duchesneau received the sum of 1500 livres "to be employed for the building of the Church of Montreal".¹⁵⁹ This did much to assist the parishioners. Yet it immediately springs to mind that few parishes were thus privileged. To the general lack of subsidies and bequest specifically designated to rural parishes we must add the fact that income from tithes was not very high. It becomes apparent that the rural areas suffered much more than did the larger centres in this respect. Little wonder then that voices were raised intimating that the Bishop's exemption of the domains of the Seminary of Quebec and the lands of the

158 "Donation of Lahontan", The Oakes Collection: New Documents by Lahontan Concerning Canada and Newfoundland (Ottawa, King's Printer, 1940), p. 61

159 B.S.S.P., F-397, "Copie de l'Ordonnance du Roy pour une gratification de quinze cent livres en faveur de l'Eglise de Montreal", May 3, 1681

Jesuits from tithes were responsible for narrowing the base for computing the tithe. Since the Jesuits held some of the finest land in the colony, a tribute to both their wisdom in making their original choice of acreage and their interest and effort to develop their concessions, they came in for the greatest measure of abuse.

The question of becoming a patron founder of a parish aroused a good deal of controversy in the colony. Duchesneau reported in 1681 that everyone aspired to becoming a patron, that everybody hoped to be able to endow a church and build a solid stone structure to present to the fabrique. But, in the Intendant's opinion, these individuals were incapable of assuming such a responsible role:

All the people here are filled with a great vanity and there is not a single one who does not pretend to be patron, and each one wants a curate on his land, and all those people, with a single exception, are heavily indebted and in dire poverty, and that one exception is even poorer than the others because he is in sordid avarice..." 160

The reason they aspired to becoming patron founders was that in France lay patrons were entitled to special honours in church. They also retained the right of presentation for themselves and their successors to the cure. Few seigneurs, however, acquired this right in the colony. The seigneurs

160 P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1681, p. 274

of the Beauport coast were notable exceptions; they had given the endowment fund and had built in major part at their own costs the stone churches of St. Joachim, Ste. Anne, Chateau-Richer, L'Ange Gardien and St. Francois de l'Isle-Jesus, and therefore for quite some time enjoyed the right of presentation (but never of nomination) in these parishes.¹⁶¹

The coming predominance of wealth over birth was as visible in the colony as in the motherland. As in France, the aim of the parvenus was not to abolish the aristocracy but to raise themselves and their families into this higher class. Becoming a patron founder or a churchwarden was a status symbol. La Bruyere in his Caractères depicted many of these social climbers from the bourgeoisie enriching themselves in trade, obtaining a sinecure and being raised to some lay office in the church while their wives became the objects of the attentions of many of the clergy.

Bishop Laval opposed giving the patronage of a church to persons who constructed the building without also furnishing an endowment fund on the grounds that in time patronage might fall into the hands of persons unable to support the church and so the clergy might be drawn from among individuals unworthy of such high office. Laval

161 J.E. Gignac, ptre., "La Nomination et l'institution des curés", Semaine Religieuse de Québec, Vol. XXXV, 1922-23. p. 252

suggested an endowment of no less than 300 livres. Dudouyt warned the Bishop that numerous high ranking churchmen in France were of the opinion that the best way to obtain action on this subject was by way of appeal to Rome.¹⁶² Dudouyt reminded Laval that canon law merely said that builders of churches, without mention being made of providing an endowment, were patrons. There was some division of opinion on the matter in France and it would be wise to consult Father La Chaise, the King's confessor, before pursuing the matter any further. The interview with the Jesuit confessor of the King brought confirmation of what had been feared all along that the King would not consider such an arrangement.¹⁶³

Indeed, the royal communications did warn the Intendant that the agitation about endowments was quite unnecessary so long as his fundamental directives were complied with, that is that parishes should be chartered so that tithes would suffice for the maintenance of the parish church and its priest.¹⁶⁴ Dudouyt reported to Laval that although there was no ruling on patronage at the moment in the sense they desired it that there was still the possibility of obliging the people who aspired to becoming patron

162 A.S.Q., Lettres N, No. 57, Dudouyt to Laval, May 10, 1681

163 A.S.Q., Lettres N, No. 58, Dudouyt to Laval, June 2-6, 1681

164 P.A.C., Series C11A, King to Duchesneau, Vol. V, April 30, 1681, p. 338-9

founders to build costly stone churches and so avoid numerous instances of lay patronage.¹⁶⁵ Dudouyt had now become convinced that it was better not to resort to an appeal to Rome for support as this would alienate the support of many intelligent and well-meaning people in France. Indeed, it would be preferable to consider raising the tithes to the rate of 1/13th payable from the very first year of harvesting in the colony.¹⁶⁶

Laval proceeded to act on this advice. In 1681, following a visit to the areas along the south coast, he decided to erect chapels at regular intervals to meet the need for religious services in this region where a royal highway was still largely in the planning stage.¹⁶⁷ Only nine priests held provisions for their charges from the Bishop at this time, and another 16 priests held no such letters from the Bishop although they were in their parishes¹⁶⁸. Among those who received letters of provisions from Louis Ango Desmezerets, great archdeacon and vicar-general of the Bishop, was Etienne Boulard appointed to Beauport parish, a "parish establishes on tithes". But even here

¹⁶⁵ A.S.Q., Lettres M, No. 58 Dudouyt to Laval, June 2-6, 1681

¹⁶⁶ Ibid., Dudouyt to Laval, June 2-6, 1681

¹⁶⁷ P.A.C., Series F5A, Vol. III, pp. 12-15

¹⁶⁸ Ibid., Vol. III, pp. 16,17

Laval reserved to himself and his successors the right to nominate the successor in case of vacancy. The parishioners were obliged to furnish all the ornaments and other necessities for divine services, while the priest was to enjoy all tithes and oblations made at mass as well as "other curial rights". There were no objections raised aloud "in the French idiom" when these conditions were announced during the formal service of induction.¹⁶⁹

Duchesneau reported that there were only seven parish churches in the country, apart from the stone church of Quebec, and he opined that the Bishop refused to consecrate wooden and board constructions erected at the expense of the holders of fiefs and their censitaires because he judged they would not be lasting structures.¹⁷⁰ That few individuals could meet the Bishop's requirements for patron founders is demonstrated in the Intendant's inquiry if it would be permissible for a seigneur to build the choir of the church, while the habitants built the nave, and still be accounted its patron founder.¹⁷¹

Duchesneau was correct in observing that few churches were

169 P.A.C., Series F5A, Vol. III, pp. 18, 19

170 P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 13, 1681, p. 275

171 Ibid., p. 276

given resident curates. From an ecclesiastical point of view it might have been observed that parishes were not canonically erected by the Bishop in most cases until many years after their foundation. One small by-product of this practice was that a few of them were given new patron saints, although these did not always succeed in displacing the patron saints originally designated by the missionaries or seigneurs.

Another aspect not touched upon in the Intendant's letter was the fact that although Laval had decided that chapels should be built at regular intervals along the south shore the inhabitants had quarrelled among themselves as to where these chapels should be located. Eventually Laval had to resort to a mandement issuing from his episcopal authority fixing the locations and so ending rivalries.¹⁷² This March mandement was not heeded therefore a second ordinance was issued in June forbidding the construction of any chapels without prior permission from the Bishop as to locality of construction and plan of edifice.¹⁷³

The Intendant's reports were almost certainly

172 Mandements, Vol. I, March 10, 1683, pp. 111-113

173 Ibid., June 11, 1683, pp. 113-114

responsible for the tone of the royal communications of the spring of 1682. Laval was reprimanded for refusing to consecrate parish churches which were not constructed of stone. The Minister of the Marine made it clear that although the Royal intention was not to intervene in the Bishop's right to determine what spiritual requirements should be met before the blessing of a new church, nevertheless the material welfare of the King's subjects was very much His Majesty's concern and within the sphere of state jurisdiction:

His Majesty has been informed that you raise some difficulty in consecrating churches which are not constructed of stone, with regards to consecration it is up to you to examine when it is appropriate to grant it but for what regards the blessing of these churches, and what must be done to put them in a state where mass can be said therein and the rest of the divine service performed, His Majesty does not doubt at all that you will bring about this facility without which they would fall into a great inconvenience in Canada through the difficulty of finding people who undertake to build churches in stone. 174

This was not the type of reprimand that was easy to accept and Laval was not the type of individual who would meekly submit when he believed he had been misrepresented.

He wrote back to Seignelay that he was most surprised to learn he had been accused of forbidding the saying

174 P.A.C., Series B, Minister to Bishop, Vol. VIII, May 26, 1682, p. 117

of mass in wooden churches.¹⁷⁵ Such accusations could only have proceeded from ill-informed, not to say malevolent, sources because it was public knowledge in the colony that mass was said in all sorts and conditions of buildings, provided these were separated from the habitants' houses and were clean. He did not mention the fact that the state officials were having a very difficult time in their attempts to execute the royal policy in the parishes.

A royal order establishing parishes on the basis of tithes was a very different matter from actual execution of such a proclamation. The habitants of the Batiscau-Champlain parish simply refused to appoint two collectors as provided for in the edict and they even refused to pay tithes.¹⁷⁶ The clergy were quite unable to force them to conform to the royal edict and so the strong secular arm was called upon. The Sovereign Council thoroughly investigated the matter and ordered the inhabitants to pay their tithes to their parish priest, to regularly attend divine services too. The Sovereign Council ordained that two men appointed by the curate Dupre and two elected by the parishioners were to see to the initial evaluation of the tithe and also to its

¹⁷⁵ A.S.Q., Lettres N, 68a, Laval to Seignelay, November 12, 1682. This is the original

¹⁷⁶ Jugements, Vol. II, pp. 793-4, 808, 812

collection. Any who refused to comply were threatened by the highest court in the colony with a fine of 100 livres and corporal punishment in case of continued obstinacy.¹⁷⁷ But it took this show of state authority and a baring of temporal fangs to bring the unwilling habitants to obedience.

The colony had received a new Intendant, de Meulles, and he replied to the proddings from the home government in much the same manner as had his predecessors. His first impressions were that the Bishop was extremely reasonable to deal with, that it was co-operation between church and state that would speedily deal with the question of parishes. He noted that the great distances and the rigorous climate and the sparse population worked a great handicap in implementing immediately the desired programme, however ideal it might be.¹⁷⁸ Soon he was to familiarize himself with the impracticability of the royal policy. Laval had conferred with him about the establishment of fixed cures but he had requested more time in which to investigate the whole matter.¹⁷⁹ He did promise to accompany a priest in

177 Jugements, Vol. II, pp. 812-819

178 P.A.C., Series C11A, Vol. VI, De Meulles to Minister, November 12, 1682, p. 115

179 A.S.Q., Lettres N, No. 68a, Laval to Seignelay, November 12, 1682

May of the following year to the various parishes in order to make a detailed survey of the situation.¹⁸⁰ Such a survey seemed necessary as very contradictory information was coming to the ears of the Court by this time.

De Meulles did agree to a basic minimum stipend of 400 livres, metropolitan currency, pending completion of his investigations.¹⁸¹ He had been informed that many parishes would require a subsidy over and above the tithes they were able to raise locally in order to meet such a target. The Bishop, on the same day, wrote to Seignelay thanking him for the royal gratification of 1500 livres to be used for a new belfry at Quebec where fire had destroyed much of the church, and requesting continuation of the subsidy of 6,000 livres for the clergy.¹⁸² Survival of the church depended upon this subsidy according to the bishop. Indeed, this very matter was under revision in France and Seignelay had expressed the opinion that the colonial clergy should no longer require this royal subsidy for its subsistence.¹⁸³ Dudouyt, in an interview with the Minister of

180 P.A.C., Series C11A, Vol. VI, De Meulles to Minister, November 12, 1682, p. 116

181 loc. cit.

182 A.S.Q., Lettres N, No. 68a, Laval to Seignelay, November 12, 1682

183 A.S.Q., Lettres N, No. 61, Dudouyt to Laval, March 9, 1682

the Marine, had countered this observation with the argument that since the Crown had resumed the rights formerly held by the Company of the West Indies the King had in some measure also resumed responsibility for the support of the colonial clergy. The answer that Seignelay had given to this was that in such circumstances the tithes in Canada should be raised to the rate of 1/13th in order that they might meet the expenditures of the clergy. Dudouyt's parting reply was that the habitants could not pay such a sum.¹⁸⁴ It might have been just as accurate to have said that the Canadian habitants would not pay so much.

The church had made little headway in its fight for a firmer basis upon which to build the parochial system. It did have an Intendant who seemed to approach the question in an impartial and open-minded manner. Perhaps as significant was the recall of Frontenac, long suspected of being the evil genius in this little intrigue, and the appointment of a friend of the Jesuits, de la Barre, as the next Governor General.¹⁸⁵ Word of De Meulles' plans circulated in Paris and the Sulpician Superior there noted with satisfaction that the Intendant planned to delimit the parishes again,

¹⁸⁴ A.S.Q., Lettres N, No. 61, Dudouyt to Laval, March 9, 1682

¹⁸⁵ A.S.Q., Lettres N, No. 62, Dudouyt to Laval, May 26, 1682

but he expressed the hope that the matter of minimum stipends would not be neglected. His own community at Montreal had made an alternative proposal in the matter of collection of tithes which did not appeal to him:

The expedient which you propose of public granaries and of the sale of cereal crops is an expedient which would not easily be listened to if it were proposed only by the Church. 186

It was a wiser course to simply press for tithes which would enable the subsistence of the clergy at a decent standard of living.

Frontenac, back in Paris now, was justifying himself in every quarter and was gaining a goodly following, especially in his allegations that the crux of his quarrel with Bishop Laval had been on the matter of fixed cures which the Bishop tried by all means to avoid establishing.

M. de Frontenac is still in Paris he works on and talks to every one as if he had conducted himself very well in his government, that they were very pleased with him at Court and that they wish to give him consideration and recompense him and he indeed believes this himself. 187

It was on the matter of fixed cures that he gained his greatest support and therefore Dudouyt advised Laval to prepare and have published a full account of all the various matters

186 B.S.S.P., Vol. I, No. 210, Tronson to Dollier de Casson, May 25, 1683, p. 345

187 A.S.Q., Lettres N, No. 69, Dudouyt to Laval, April 28, 1683

of disagreement between himself and the Governor. Tronson had told Dudouyt that the Sulpicians would be asked to submit written accounts of the colonial disagreements "and even the Recollects to remove all jealousy."¹⁸⁸ So far as the French court was concerned it appeared that nothing would be done about Canada that spring because Seignelay had followed the King on his travels and had neglected to take along the extraits regarding the colony.¹⁸⁹

De Meulles in Canada, meanwhile, was travelling also. He was visiting all the settlements in the company of Laval's grand-vicar. His movements and conclusions were of great concern to individuals in Paris as well as in the colony. Tronson had written to the Intendant urging him not to overlook the basic matter of clergy stipends in relation to parochial delimitation:

The thought you exposed to me of setting boundaries to the cures, of settling the curates and of giving them an honest subsistence would no doubt be of great help to the country and I hope with all my heart that it will be gone into, as well as in the matter regarding your lodgings. ¹⁹⁰

One of the Intendants's first reactions was to the vast geography of the colony - the fact he travelled over it

¹⁸⁸ A.S.Q., Lettres N, No. 71, Dudouyt to Laval, May 28, 1683

¹⁸⁹ A.S.Q., Lettres N, No. 72, Dudouyt to Laval, June 11, 1683

¹⁹⁰ B.S.S.P., Vol. I, No. 208, Tronson to de Meulles, May 24, 1683, p. 340

made him aware of this as nothing else could have - and to the hardships imposed by it upon the clergy. He was convinced that the extensive parishes ought to be subdivided.¹⁹¹

It would seem that the Bishop did not draw the same conclusions from this experience as did the Intendant. Laval reported to Seignelay that the Governor and Intendant had worked all year on the problem of fixed cures and with him had drawn up the memorial being submitted for the Minister's information:

Mr. the Intendant has in person travelled over the majority of habitations of this country in order to better know to what figure the tithes might go, and he employed himself everywhere with success in pacifying the differences and remedying the disorders. 192

But the Intendant seemed to have come to very different conclusions from the views of the Bishop. To begin with, he accused Laval's seminary priests of lodging with their parishioners instead of living cheaply by themselves. Secondly, to be controlled and even clothed by the Seminary of Quebec he found an expensive system. Therefore, de Meulles suggested the sending out from France of energetic

191 A.P.Q., Manuscripts Nouvelle-France, Series II, Vol. IV, de Meulles to Seigneley, November 4, 1683, p. 2081; S.R.C., Doc. XLIII, No. 14, de Meulles to Seignelay, November 4, 1683, p. 297

192 A.S.Q., Lettres N, No. 74 (2), Laval to Seignelay, November 10, 1683

young priests who would be willing to serve in the rural parishes. Regular clergy accustomed to the rigours and restrictions of monastic life could live quite well on the income to be had in Canadian parishes.¹⁹³

As an example of what he had in mind, de Meulles cited the case of the Recollet, Father Sixte at Three Rivers, who had managed to live comfortably on his stipend of 300 livres per annum. This worthy father, he reported, had not only managed on this income to build himself a very nice little house but had managed to send about 100 livres each year to his convent.¹⁹⁴ This was obviously the type of regular clergy the colony needed, he reasoned. The Sulpicians allowed more than this for their priest who assumed parish charges; Belmont, Souart and de la Colombiere were each allowed 400 livres a year.¹⁹⁵ The records show that in 1683 only six parishes, exclusive of Quebec, collected 500 livres in tithes; eleven parishes collected 300 livres or less; and for 23 parishes outside Quebec the average was about 340 livres.¹⁹⁶

193 S.R.C., Doc. XLIII, No. 14, de Meulles to Seignelay, November 4, 1683, p. 297

194 Ibid., p. 298

195 B.S.S.P., Vol. I, No. 210(b), Tronson to Dollier de Casson, May 27, 1683, p. 350

196 P.A.C., Series F5A, Vol. III, pp. 4-11

While the Intendant made the suggestion that the Canadian clergy could manage on lower stipends than proposed by Laval, the Bishop was requesting more funds and four more priests for the diocese. He observed that it would cost no less than 400 livres for the trip from Paris to La Rochelle to Quebec alone, and said that the Canadian church could not assume such heavy financial burdens although the clergy were desperately needed.¹⁹⁷ Laval pleaded especially for the needs of the Port Royal parish in Acadia and pointed out that it was important to maintain loyalty to the King in an area of such close proximity to the English colonies. Seven years earlier M. Louis Petit had been sent to Acadia as grand vicar and two years later the cure of Port Royal had been erected.¹⁹⁸ Laval reconstituted the parish now. A religious Penitent was dispatched to the sedentary fishery there and by 1685 there were three priests, Petit, Thury and Trouve, at Port Royal.¹⁹⁹ It would seem that the immediate reaction by way of sending clergy to this area came in response to the foreign threat. The other news from France

197 A.S.Q., Lettres N, No. 74 (2), Laval to Seignelay, November 10, 1683

198 A.S.Q., Eveques, No. 170; Missions I, No. 7, October 30, 1678, September 5, 1676

199 A.S.Q., Lettres N, No. 79, p. 8; A.S.Q., Lettres M, No. 1, April 26, 1685

had not been so encouraging for the Bishop, however.

Both the Governor and the Intendant were instructed to see to it that the Bishop proceeded more rapidly with the establishment of fixed cures. The bitterest pill of all was the news that although the King was sending 6,000 livres gratification to provide for endowments this was the last year he would be granting such a subsidy.²⁰⁰ Indeed the following year the threat seemed on the point of being carried through. Tronson reported to the Montreal community that the royal gratifications were not immediately forthcoming. In 1683 the Queen had died and Council business had fallen behind schedule; also since the passing of Colbert the whole financial structure seemed to be under review.²⁰¹ He informed the Sulpicians at Montreal that he had in these circumstances taken action on their behalf, and on the behalf of the entire colony, by writing to Seignelay and recommending once again to his attention the needs of the Canadian parishes and the inadequacy of the existing methods of support.²⁰²

200 P.A.C., Series B, King to La Barre, August 5, 1683, Vol. X, p. 8; P.A.C., B, Vol. X, August 3, 1683, Minister to Laval, p. 23

201 B.S.S.P., Vol. I, No. 224, Tronson to Dollier de Casson, March 2, 1684, p. 354

202 B.S.S.P., Vol. I, No. 227, Tronson to Seignelay, (n.d), 1684 pp. 356-357

De Meulles' reports were resulting in a much stiffer attitude being adopted by the home government. Governor de la Barre was among those who came in for a reprimand for being too amenable to the church's point of view. He had come to the conclusion that the Bishop was beginning to compromise on the question of a minimum stipend of 800 livres and therefore he had agreed in principle to a portion congrue of 500 livres for permanent residential curates. The King's comment was that this action was "very prejudicial" to the best interests of the colony.²⁰³ It was by implication prejudicial to the career of the Governor too. Louis XIV said he believed the Bishop had propagandized his clergy into believing that they must have at least 700 livres a year. Therefore, the colonial church would have to be taught to manage its financial affairs in accordance with its resources. The gratification of 6,000 livres would be reduced this year to 4,000 livres and in two or three years would be taken away altogether. In this manner he proposed to teach the colonial church to live within its budget, although this was a feat the royal treasury was having some difficulty with at home.

The Intendant received communications from both Tronson and the King. The Sulpician father informed him

203 P.A.C., Series C11A, Vol. VI, King to de la Barre, April 10, 1684, p. 400

that Seignelay was travelling again but that in any case it was now clear that royal aid to the church was being reduced and would be reduced yet further in future.^{203a} The Sulpicians believed this would not affect their clergy on the island of Montreal too directly. The King's letter indicated that he intended to implement the suggestion that regular clergy willing to work on lower incomes be employed in the Canadian parishes. He would use the Recollets in the outlying missions and in all the parishes where the priests from the Seminary at Quebec thought they could not subsist.²⁰⁴

This grew out of the Intendant's suggestion, it is true, but the Intendant's proposal had grown out of a situation that developed during the governorship of Frontenac and the absence of the Bishop from the colony. The post commander at Fort Frontenac, the seigneur of Isle Percee and of St. Francois had requested that Recollets serve them but the grand-vicars in the colony had opposed it and only yielded after Frontenac had brought some pressure to bear in their favour.²⁰⁵ When Laval returned to the colony he did not think it advisable to recall these Recollets but he

^{203a} B.S.S.P., Vol. I, No. 225, Tronson to de Meulles, May 10, 1684, p. 387

²⁰⁴ P.A.C., Series B, Vol. XI, King to de Meulles, April 10, 1684, p. 26

²⁰⁵ Margry, op. cit., Vol. I, Memorandum of 1684, p. 23

seems to have done much to discourage them so they would return to their monastery and leave the parish appointments for others.

The Bishop seems to have placed obstacles in the way of the Recollet missionaries in the most arbitrary fashion:

When Monsieur the Bishop has given this permission to an individual religious, it is forbidden to him that he exercise his functions and even celebrate mass in the district of a priest, which is sometimes from twenty-five to thirty leagues in extent, without having first sought out and found the priest in this stretch of territory and receiving from him a second permission: he further limits as it seems good to him as to places and persons. 206

Permission to preach or celebrate mass did not include the right to hear confessions and this required a separate permission. There were those who regarded such treatment of the Recollets as akin to the treatment accorded heretics. The upshot of this was that the Recollets started hearing confessions secretly and so were termed "rebels" and their penitents were termed "libertines."

The seigneurs and the inhabitants often asked for Recollets who offered themselves to serve in the capacity of missionaries for one-fifth of the amount a priest makes from tithes and the altar in his district, but Monsieur the Bishop always opposed this, regardless of the insistence the governors and intendants made to him on the matter...207

So ran one of the accounts of the period. As many

206 Margry, op. cit., Vol. I, "Memoire instructif, 1684", p. 21

207 Ibid., p. 22

as ten priests might be kept in a state of inactivity while the need in the rural parishes was so great. These reports did not fail to reach the ears of the Minister of the Marine. He told Ducoyut that he had received proof that twenty persons had died in Canada without the rites of the church and so had decided that the Bishop would have to use the Recollets in the parishes. Dudouyt warned Laval to prepare a well documented defence and expedite it by the return mails in order to clear himself of these charges.²⁰⁸

The communications addressed to Bishop Laval indicate that the royal disfavour was very real indeed. The portion congrue agreed upon with Governor de la Barre was described as far too high and it was ordered that the 500 livres minimum stipend be reduced immediately to 400 livres per annum.²⁰⁹ The royal subsidy, at the moment still 4,000 livres, would be reduced also in future. Although the King was reprimanding the colonial church for not living within its income the granting of a subsidy was in some measure an admission that the cost of living in the colony was much higher than in metropolitan France. Laval was specifically instructed not to prevent the Recollets from going on

²⁰⁸ A.S.Q., Lettres N, No. 83, Ducoyut to Laval, May 2, 1684

²⁰⁹ P.A.C., Series B, Vol. XI, Minister to Laval, April 10, 1684, p. 71

missionary journeys among the Indians. On the contrary, he was to encourage the regular clergy to take parish charges.²¹¹ The Recollets in Acadia, in particular, he was to support.

A second letter on the same matters addressed to the Bishop sent three months later repeated these injunctions. If the clergy from the Seminary at Quebec would not serve for an annual stipend of 400 livres then the Bishop should engage the services of the regular clergy, presumably meaning the Recollets, in these rural charges.²¹² The royal means of combatting what appeared to be a stubborn resistance was to call upon a rival religious community. The King threatened to send parish priests from France if the colonial clergy would not comply with his wishes. In any event religious services must be afforded regularly and at minimum cost to the colonial inhabitants.

In the colony itself the developments were not hopeful from the clergy's point of view. When tithe-collection had been put up for tenders there were no applicants in many parishes. The costs of collection were feared to outweigh the total tithes. Laval complained to the Seminary priests that the tithe paid on wheat and other cereals

211 P.A.C., Series B, Vol. XI, Minister to Laval, April 10, 1684, p. 71

212 P.A.C., Series B, Vol. XI, Minister to Bishop, July 31, 1684, pp. 102, 103

represented a very variable and unpredictable income.²¹³

In fact, the erratic pattern of wheat prices in the colony indicates this.²¹⁴ While it is true that even in years when some regions were hit by plagues of caterpillars or an over-abundance of rainfall, there was no famine in one section of the colony and super-abundance in another, nevertheless the economy was not conducive to the long-range planning the Bishop would have preferred.

Laval moved to consolidate his position. On November 12, 1684, he issued letters confirming the exemption of Jesuit lands from tithes. He defended this position once again by stating that they had been the first martyrs of the Canadian church as well as being the first successful seigneurs in the state.²¹⁵ These letters, sealed with the seal of his episcopal arms on red wax, were then registered with the Chambre des Comptes in Paris.²¹⁶ On November 6th, Laval also issued a mandement declaring that the apostolic letters of October 1, 1674, providing for the erection of a cathedral chapter at Quebec had taken effect.²¹⁷

213 A.A.Q., Copies de Lettres, Vol. I, Laval to Messrs of Seminary, May, 1685, p. 267

214 J. Hamelin, Economie et Société en Nouvelle-France (Quebec, 1960), p. 61

215 P.A.C., Series F5A, Vol. III, p. 98

216 P.A.C., Series F5A, Vol. III, pp. 102, 103

217 A.A.Q., Registre d'Insinuation U, fol. 235

Finally, he sent in his resignation to Louis XIV.

That Laval was under great financial pressures at the end of his episcopate is indicated in an incident recorded for us by the Intendant de Meulles. The Intendant, having been accorded the sum of 9,000 livres by Colbert for the building of an Intendant's Palace at Quebec, approached the Bishop with an offer of 300 livres for the site of the cemetery of the upper town. But the Bishop refused to consider any sale for less than 10,000 livres.²¹⁸ Laval warned the seminary at Quebec that the royal subsidies would most likely soon be cut off and he expressed the opinion that without special assistance numerous parishes would be unable to support their clergy and this would throw additional burden upon the Seminary.²¹⁹ Dudouyt wrote them in the same sense from Paris:

It is necessary that the Seminary sustain the priests as much in spiritual matters as in temporal matters by all means possible and although it appears that the Court does not will to continue to furnish a subsidy for their subsistence one must not rebuke them for that, Our lord will see to it, provided we are faithful in our duty. One must not fear He leave us lacking the necessary things. 220

218 Eastman, op. cit., p. 208

219 A.S.Q., Seminaire V, No. 10, Laval to Seminary, 1685

220 A.S.Q., Lettres M, No. 1, Dudouyt to Seminary, April 26, 1685

Laval had a practical plan to strengthen the spiritual resources that might come to their assistance. He suggested that the Seminary get a sawmill operating at Baie St. Paul because he had learned while at La Rochelle there was a good market for lumber in France.²²¹

The King informed Denonville in 1685 that since it was most important to have religious services continued in the colony he had decided to grant for one more year a subsidy of 4,000 livres.²²² It was most important, he warned, to get the colonial church to become self-supporting, to have tithing well established to provide for the material needs of the parishes, and to dispell forever the myth that it was impossible for tithes to meet the expenditures of a colonial church. Nevertheless, the information feeding in from the colony was making some dent upon his stubborn determination and he now suggested that if the inhabitants could bear the burden the tithe might be restored to its original rate of 1/13th.²²³ The Governor was warned not to give ear to the contention that it required at least 500 livres metropolitan currency for the subsistence of a priest

221 A.S.Q., Seminaire V, No. 10, Laval to Seminary, 1685

222 A.P.Q., Ordres du Roi, Series B, Vol. XI, Instructions to Denonville, March 10, 1685, p. 94

223 Ibid., p. 95

because the parish clergy of France managed on 200 livres. To the Intendant de Meulles he sent a communication indicating some disappointment that this Intendant, along with La Barre the former Governor, were beginning to imagine difficulties in the matter of establishing a parochial system based on tithing.²²⁴

The King indicated that he had accepted the resignation of Laval, presumably not without some hope that a new bishop might prove more amenable to the royal policy for he said that the abbé de Chevrières whom he had nominated to the vacancy would probably rid himself of such prejudices as were detrimental to the success of the colony.²²⁵ The clergy were favourably impressed with Saint-Vallier too:

They say the successor is a man of means, you can easily become one of his friends and persuade him to establish some fixed cures...²²⁶

The situation that Saint-Vallier inherited was a substantially better one than awaited Laval in 1659. The country was still very much an under-developed mission field but the foundations of a parochial system had at least been laid and tithing introduced as a means of supporting in part the

224 A.P.Q., Ordres du Roi, Series B, Vol. XI, King to de Meulles, March 10, 1685, p. 110

225 A.P.Q., Ordres du Roi, Series B, Vol. XI, King to de Meulles, March 10, 1685, p. 110

226 B.N. Renaudot Correspondence, Bernou to Renaudot, February 24, 1685, fol. 202

colonial clergy.

Louis XIV hoped to see 50 parishes in New France in 1685. Instead, according to the report of Laval there were 36 parishes in the colony with a supplement of 8,000 livres metropolitan currency, 40 priests in the entire colony and the income of the parishes which as yet had no permanent resident curates was employed for the needs of the 4 priests in Acadia.²²⁷ Saint-Vallier reported that there were only 30 resident priests in the colony.²²⁸ The tithes collected amounted to 6,196 livres in 1685. If one calculates that 50 priests drawing a stipend of 400 livres each required a sum of 20,000 livres it is evident that the deficit to be met was still 13,804 livres.²²⁹ That was the reason that moved Saint Vallier to set the figure at approximately 16,000 livres over and above the 4,000 gratification awarded.²³⁰ Saint Vallier was soon taking the same position

227 A.S.Q., Polygraphie XXII, No. 22, Report on material welfare of clergy, 1686; A.A.Q., Copies de lettres, Vol. I, Laval to Saint Vallier, February 15, 1686, p. 315; A.A.Q., Copies de lettres, Vol. I, p. 431, Laval to Brisacier, n.d., P.A.C., Series F5A, Vol. III, p. 22

228 A.A.Q., Copies de lettres, Vol. II, Saint Vallier to La Chaise, November 13, 1685, p. 29

229 L. Groulx, "Le Gallicanisme au Canada sous Louis XIV", Revue d'Histoire de l'Amérique Française, Vol. I, No. 1, (June, 1947), p. 74 sets required sum at 20,400 livres and deficit at 14,206 livres

230 A.A.Q., Copies de Lettres Vol. II, Saint-Vallier to La Chaise November 13, 1685, p. 29

as had Laval-Saint Vallier not only supported all the arguments advanced by his predecessor but added the observation that the priests who had recently come over from France found it difficult to adjust to the Canadian environment and found it exceedingly difficult to become acclimatized.²³¹

This seemed to anticipate the King's latest threat that if the clergy of Canada would not serve on stipends of 400 livres he would send out clergy from France who were accustomed to living on much less.

The views expressed by the churchmen seem to have been dictated in large measure by the frontier community. The views of the Court, the state officials upon arrival in the colony, and of the Minister of the Marine seem to have been formed largely on the basis of their acquaintance with the conditions of the church in France. The redeeming feature was that given this disparity of views there was usually compromise and concession as the overwhelming evidence, though not unanimous evidence let it be said, from the colony made itself felt in the motherland.

²³¹ A.P.Q., Manuscripts, Nouvelle-France, Series II, Vol. IV, de Meulles to Seignelay, September 28, 1685, p. ??

CHAPTER X

THE CLERGY IN THE FUR TRADE

If tithing and fixed cures, which were questions arising out of agricultural development and settlement, provided areas of friction between church and state it would seem imperative to examine the relationship between the two powers in the realm of trade and commerce. The essence of the colonial commerce was the beaver trade, of course. Before the 1600 the French had looked upon beaver as little more than another fur.¹ But thereafter it was a much sought after commodity. It was Sweden that had set the style in beaver hats in Europe at a time when her rise to "great power status" naturally resulted from startling victories in the Thirty Years' War. The cavalier's hat of Sweden, the broad brim of which was based upon the shape-holding qualities and resilience peculiar to beaver felt, became very fashionable in France. The introduction of Swedish felting techniques into France greatly stimulated the Canadian beaver trade.² Canadian beaver began to drive two domestic sources of furs, the hare and the rabbit, from the French market.

1 H.A. Innis, The Fur Trade in Canada (Toronto, 1956), p. 11

2 J.F. Crean, "Hats and the Fur Trade", Canadian Journal of Economics and Political Science, Vol. XXVIII, No. 3 (August, 1962), pp. 378-379

However, the beaver trade laboured under several difficulties. First, there was the problem of international rivalry both on the high seas and in the interior of North America among the Indian suppliers. Secondly, there was the long haul across the dangerous ocean. Thirdly, there was the uncertainty as to both the quantity and the quality of the furs that would be forthcoming each year. Finally, there was the question of the great variations in price of the pelts to the haters which drove some of them to use other furs with beaver in felting, a practice known as secretage or ³carroting. After 1660 there was also the question of over-production to contend with. But on the whole, the beaver trade was a very lucrative business enterprise.

By 1608 more than 80 vessels were reported off the coasts of Canada engaged in this trade.⁴ Champlain was to complain that while they came to enrich themselves they did little for the development of the colony. From the very beginning of the fur trade in the colony the clergy showed an interest in it. The Jesuits were anxious to question

³ Crean, op. cit., p. 380. Salts of mercury diluted in nitric acid were used to deteriorate the pelts so they would felt easily, a process somewhat similar to the combination of aging and Indian perspiration in the making of castor gras. The malevolent effects of contact with mercury probably gave rise to the saying "mad as a hatter".

⁴ E. Reveillaud, Histoire Chronologique de la Nouvelle-France ou Canada par le Pere Sixte le Tac, Recollet (Paris, 1888), p. 72

Champlain about this commerce and Father Coton and Mme. de Guercheville even urged them to buy de Mont's charter rights in Acadia.⁵ They were soon in open partnership with Biencourt and his associates in Acadia and it was this situation which prompted Jacques Michel, a Huguenot pilot, to accuse the Jesuits in 1629 of coming to Canada to convert beavers rather than savages.⁶ It was an expression that seemed to become well known and it was often repeated throughout the seventeenth century.

It was out of the obstacles raised by the Huguenots, who dominated the early trade in Acadia, that the Catholic missionaries developed a practice of engaging in commercial enterprises. The contract of association in the Acadia fur trade and fishery made between Fathers Pierre Biard and Edmond Maçé, "as much on their behalf as that of the Province of France in the said Company of Jesus", and Thomas Le Vasseur and Rene Bense, agents of Thomas Robin and Charles de Biencourt, indicates that without such an association there would have been no opportunity of

5 E. Réveillaud, Histoire Chronologique de la Nouvelle-France ou Canada par le Père Sixte le Tac, Récollet (Paris, 1888), p. 75

6 C. H. Laverdière, Oeuvres de Champlain (Quebec, 1870) citing from Les Voyages de la Nouvelle France Occidentale, 1603-1629 (Paris, 1632), Vol. II, pp. 253-261

overcoming Huguenot intrigues to keep them out of Acadia.⁷ The clergy, in order to obtain passage, had to pay half of the 7,600 livres costs of the cargo; furthermore, they paid in advance their share of the costs and advanced a loan of 730 livres to the merchants. Robin and Biencourt were to enjoy the profits of the venture although the terms of the contract do not indicate that only laymen might enjoy such profits.

The Recollets said that Mme. de Guercheville in 1611 equipped a vessel at Dieppe and left there in mid-winter for Acadia with the Jesuit Gilbert du Thet on board charged to look after her interests.⁸ This Jesuit not only became involved in bitter quarrels with Biencourt but when he returned in 1613 on an armed vessel, said by some to have belonged to the Jesuits, he became involved in a skirmish with some English and was taken prisoner to Virginia.⁹ The Recollets accused the Jesuits of openly engaging in the fur trade for no higher motives than commercial gain:

This proposition is captious because it is sure that although the Jesuit Fathers are very wealthy and receive large gifts to give to the Savages, they however never give to them anything of their goods not even the alms they have received to distribute unless they make them pay six times as much

7 A.S.Q., Polygraphie XIX, No. 6, January 20, 1611, no pagination; also Reveillaud, op. cit., p. 81

8 Reveillaud, op. cit., p. 83

9 Ibid., p. 87

as the value of the merchandise they distribute to them upon the return from their hunt. This is something the Recollet Fathers would not have done for they run not after Furs nor after possessions. 10

Such accusations would not pass unnoticed by the state officials. However, it must be remembered that the Jesuits had obtained from the Pope a license to trade in all parts of the world with those heathen nations whom they attempted to convert "in order to lessen the expenses of their establishments".¹¹ For the clergy to engage in such commerce still ran counter to accepted usage though.

Although this development in Acadia seems to lie well before the period of this study it is nevertheless essential to consider it briefly because it was the source of many of the misunderstandings, fears, accusations and rivalries that developed later in the century in New France. There were many who maintained that in the Acadian situation the Jesuits had given proof of an intolerant and inopportune zeal, had attempted to meddle in matters quite foreign to missionary work, had engaged in commerce, and had even attempted to direct the colonial venture while still ignorant of both

10 Reveillaud, op. cit., pp. 123-124

11 J. Halkett, Historical Notes respecting the Indians of North America (Edinburgh, 1825), p. 34

Indian languages and the methods of the fur trade.¹² The rumours were that the Jesuits had traded Honduras woods, vermillion and French wines, for wolf, and deer and beaver skins, and that this trade was even negotiated from armed vessels.¹³ If it were true that "all Mount Royal and La Rochelle attest this fact", then it might be observed that they had anticipated Colbert and Talon's triangular trade.

Because the Jesuits came in for the severest criticism did not mean they were alone in engaging in commercial activities. The other religious communities were caught up in trade too. In fact the Recollets found it necessary to defend themselves against charges:

...what is a scandal in one country is not so in another and what is forbidden here is permitted there; also necessity knows no bounds; they (Jesuits) so wished it themselves and they constrained our fathers to do so by giving them nothing.¹⁴

Their defence did not deny the reliance upon the trade to supply their immediate needs but merely indicated it was an imposition of the environment. Montmagny certified and d'Ailleboust declared in 1647 that the Jesuits did not

12 G. Marcel, Factum du Procès entre Jean de Bien-court, Sr. de Poutrincourt et les Pères Biard et Masse, Jésuites (Paris, 1887), p. vii

13 Ibid., p. vii

14 A.P.Q., Manuscrits II, Vol. I, January 18, 1622, p. 31

engage in trade.¹⁵ Nevertheless, Father Le Jeune thought it necessary to explain in 1636 that peltry was the most economic means of exchange in the colony.¹⁶ It was the coin of the country. The Company of New France, which had been granted the monopoly of trade in 1627, allowed every one to employ this currency upon the condition that all the skins should finally reach its warehouses and cross the ocean on its ships.

It would appear that the Jesuits also received furs as presents from the Indians among whom they laboured. It was also common for them to accept furs by way of penance from their converts.¹⁷ This was much the same as receiving money payments because peltries were used as the chief medium of exchange.¹⁸ La Chesnaye, in his memorial on colonial conditions, recorded the opposition of the chief trading families to Montmagny. He alleged that the entire fur trade came through the port of Dieppe and to the central market of Rouen and that the Jesuits, who had replaced the

15 A.S.Q., Documents Faribault, No. 75, October 21, 1647, no pagination

16 R.G. Thwaites, The Jesuit Relations and Allied Documents (Cleveland, 1896-1901), Vol. IX, pp. 171-181

17 Ibid., Vol. XXV, p. 269; Vol. XXVI, p. 83

18 Thwaites, op. cit., Vol. IX, p. 173

Recollets in Canada, were interested in it.¹⁹

When the Company of New France granted most of the island of Montreal to a company of zealous associates on December 17, 1640, "in full property, justice and seigneurie," they thought it prudent to include a clause that the recipients and their successors who came to cultivate or inhabit the concession might not trade in peltries with the savages or with any other persons whatsoever except it be "for their own use and for the necessity of their persons only".²⁰ Even in such cases, the associates were required to remit all furs to the agent of the Company paying the levy required by the company's letters of incorporation. Failure to comply with these regulations, which in effect forbade the clergy to engage in the fur trade for profit but allowed them to use furs as a medium of exchange, would bring confiscation of peltries as well as a fine arbitrated by the Governor at Quebec.

On December 1, 1643, the directors and associates of the Company of New France declared that the Jesuits were not associated with the Company, that they did not hold seats in the directorate, and that they had "no part in the traffic

¹⁹ A.C., Series F3, Vol. II, fol. iii, p. 8; also Collection de Manuscrits (Quebec, 1883), Vol. I, p. 249

²⁰ Edits, Vol. I, p. 22

of merchandise which is carried on by it."²¹ It was felt necessary to make such a declaration in view of charges that the Jesuits were engaged in the fur trade and that they were associated with the Hundred Associates. It might be recalled that the charter terms did give Cardinal Richelieu a controlling interest in the monopoly company, but this did not ipso facto indicate clerical involvement in the company. Article 22 of the charter did provide, of course, that each of the hundred-odd associates could on his part "associate another who seems good to him, who nevertheless will not have a vote and may not ask anything of the said society."²² Even the Relation of 1643 makes it quite apparent that the Company directors merely cleared the Jesuits of the charge of participating actively and directly in the Company's business efforts, but it did not establish the fact that the Jesuits were not to some extent involved in the fur trade.²³

Under the impulsion of the Jesuit counsellors the dowager-queen insisted that the Company of New France should abandon control of the fur trade to the Community of Habitants in 1645. This represented a victory for the local

²¹ Thwaites, op. cit., Vol. XXV, p. 77; Halkett, op. cit., p. 35

²² Edits, Vol. I, p. 15

²³ Thwaites, op. cit., Vol. XXV, p. 77

traders, over the metropolitan investors.²⁴ There is little doubt from the evidence of the adjustments made that the Jesuits were involved, in a commerce that at once provided them with a regular source of revenue and a means of securing their influence among the natives. The Community of Habitants would contribute 5,000 livres annually to the Jesuits and would transport gratis 30 tons of supplies for them. When in the autumn of 1645 the colonists were forbidden to trade, the Jesuits were reassured their activities would not be interfered with so long as they were conducted in secret.²⁵

The rumour had started circulating in November of 1645 that all trade between the French and Indians at Quebec and Three Rivers was to be forbidden and the Jesuits immediately showed great concern for their position. Father Vimont made inquiries of the General manager of the Community of Habitants who told him that the society should continue supporting itself in the usual way but must do so quietly in order not to arouse antagonism. Vimont was told to communicate the information to Father Buteux of Three Rivers.²⁶

In 1647 the Community of Habitants confiscated 260

24 A.C., Series F3, Vol. II, fol. iii, p. 5; also Collection de manuscrits, Vol. I, p. 250

25 Thwaites, op. cit., Vol. XXVII, p. 99

26 Journal des Jésuites, p. 13

pounds of beaver pelts registered in the name of the chaplain of the Ursulines.²⁷ He had boasted of his trading activities on the behalf of the nuns and of the good price he would hold out for at the company warehouse, but his efforts only brought about his repatriation.²⁸

The incident may have been one of numerous which brought about a consultation at the Jesuit residence at Sillery on the propriety of the ecclesiastics engaging in the fur trade. If beaver trading was illegal to individuals could the clergy, as confessors of the habitants, ignore the ban? The meeting behind closed doors was of the opinion that if prices at the warehouse of the Community of Habitants were reasonable the missionaries were bound not to divert trade elsewhere.²⁹ But, if the prices were exorbitant then the clergy might "with conscience dissimulate, the habitants having the right by nature and from the King to trade".³⁰ There seems to have been no disagreement on the respectability of the trade itself. This goes a long way in explaining the assurance Father Ragueneau gave the General of the Order that in spite of an increase in their

27 Thwaites, op. cit., Vol. XXX, p. 183

28 Journal des Jésuites, pp. 90, 95

29 Ibid., pp. 91-92

30 Thwaites, op. cit., Vol. XXX, p. 187

numbers in the colony the Jesuits would not require any increased pecuniary assistance.³¹

In October 1647 Father Lalemant, superior of the Jesuit missionaries in the colony, began an inquiry into the charge that the members of the clergy had tried to send a case of furs to France for Noel Juchereau, sieur de Chatel-ets. It turned out that the habitant had 100 pounds of beaver which he did not want to sell through the company and so he had got the Jesuits to buy them giving him a letter of exchange entitling him to receive in France the sum of 400 livres.³² Needless to say, the superior was not happy by the revelation of such transactions. It was now quite evident that the Community of Habitants was running into financial difficulties and it began to default in its annual payments of 1000 choice beaver pelts to the Company of New France. Consequently, the Company sent out an investigator from La Rochelle but, if we may believe La Chesnaye's account, he very soon associated himself with the Jesuits and limited his remedial actions to the creation of a new Council of Quebec.³³

31 A. Carayon, Première Mission des Jésuites au Canada (Paris, 1864), March 1, 1649; also cited in M. Eastman, Church and State in Early Canada (Edinburgh, 1915), p. 85

32 A.S.Q., Documents Faribault, No. 76, October 21, 1647

33 Collection de Manuscrits, Vol. I, pp. 249, 250

Following the Huron massacres it was necessary to re-organize the Jesuit missionary programme in the colony. The clergy cared also for many Huron refugees on the island of Orleans. By 1651 they had spent about 5,000 livres in this relief work and were expecting a further contingent of refugees. Ragueneau, the Superior, said this would be financed through the sale of peltries brought from the Huron country during the previous season, a trade amounting to at least 20,000 livres to them for that single season.³⁴

Faillon, who has been as generous as any writer in his treatment of this subject, suggests that perhaps the lay helpers, the donnés, brought the furs, and not the Jesuits themselves.³⁵ The seventeenth century Jesuits do not seem to have had the scruples about engaging in the fur trade that later commentators would attribute to them. They traded to support themselves and openly admitted the fact. The King also permitted them to fish on all their lands and forbade the inhabitants to either fish or hunt on the lands granted the clergy.³⁶ There was no precision of the hunting and trapping rights of the Jesuits in the royal letters, however.

34 Thwaites, op. cit., Vol. XXXVI, p. 250

35 E.M. Faillon, Histoire de la Colonie française en Canada (Montreal, 1856-66), Vol. II, p. 94

36 Collection de Manuscrits, Vol. I, pp. 130-131

The Jesuits carried numerous trade articles into the Indian country; this they justified as necessary for barter in order to defray the costs of expensive inland missions "to win those people to Jesus Christ and to restore peace among them".³⁷ It was alleged that the Jesuits, in return for a share in the profits of illicit trading, protected some traders who remained in the "upper country" beyond the reach of the law and monopolists.³⁸ The Jesuits used their position in the hinterland to justify their trading activities and said it was the sole means of paying "expenses for the preservation of the country", the costs of acting as effective intermediaries in Indian affairs.³⁹

The Jesuits' role as diplomats and intermediaries for the French government among the North American tribes was one that worried the English colonists. In June, 1650 Massachusetts forbade French, Dutch and other foreigners, as well as "any English living amongst them, or under them", to trade with the Indians within the boundaries of the colony.⁴⁰ In May, 1653, the prohibition was extended to the

37 Thwaites, op. cit., Vol. XLIII, pp. 169-171

38 E.B. O'Callaghan, Documents Relative to the Colonial History of the State of New York (Albany, 1853-87), Vol. IX, p. 120; also Margry, op. cit., Vol. I, pp. 303, 322-324

39 O'Callaghan, op. cit., Vol. IX, pp. 5-7

40 N.B. Shurtleff, Records of the Governor and Company of the Massachusetts Bay in New England (Boston, 1854), Vol. IV, Pt. I, pp. 21-22

carrying of any supplies into the French colony; four months later licences were required for trading with the French or their allies.⁴¹ The French administrators on their part were also attempting to control the trade with the Indians.

Pierre Boucher, governor at Three Rivers, attempted to eradicate private trading by means of ordinances dated January 7 and July 26 of 1653.⁴² He finally contented himself by setting forth a long barter schedule on July 31, 1654, which seems to have been aimed at bringing some order and uniformity of rates into a trade he was powerless to prevent.⁴³

The Jesuits were not always cast in the role of villains. It would seem that they took up the defence of the humbler habitants in resisting the exploitation of the Community of Habitants. The Community directors were rapacious - explaining the eventual bankruptcy of the Community whereas the chief members personally built up their fortunes and they levied a toll of 50% on all furs at first. In 1653, under pressure, they reduced it to 25%, and the following year they retaliated by refusing to the religious the usual rights of free freight.⁴⁴

41 N.B. Shurtleff, Records of the Governor and Company of the Massachusetts Bay in New England (Boston, 1854), Vol. IV, Pt. I, pp. 120, 153

42 B.R.H., Vol. XXXII, No. 3 (March, 1926), p. 188

43 Ibid., p. 190

44 Journal des Jésuites, p. 3

By this time General Nickel of the Society of Jesus felt obliged to investigate the charges that his society was carrying on fur trading in Canada. In October 1656 he wrote Cellot, Provincial in Paris, inquiring into the charges; Father Le Jeune replied that the accusations were false and groundless.⁴⁵ But the missionaries in the field do not seem to have shared this view. They expressed the opinion that they might quite legitimately engage in some trade on a small scale to defray "immediate expenses"; they did however deny the calumnies of the Community of Habitants.⁴⁶ Father Chaumonot assured the Iroquois that the Jesuits were not primarily interested in the fur trade.⁴⁷ Nevertheless there is evidence that they owed the merchant Sevestre 8,000 livres and an equal quantity of beaver pelts in 1657; the merchant in turn owed the Company warehouse 15,000 livres and the Jesuits pleaded that they could not pay him immediately.⁴⁸ Here was strong motivation for interest in the fur trade.

Father de Quen assured the General of the Society of

45 F. Martin, ed., Mission du Canada: Relations inédits des Jésuites, 1672-1680 (Paris, 1861), Vol. II, p. 244. Also cited in Eastman, op. cit., p. 85

46 Relations des Jésuites dans la Nouvelle-France (Quebec, 1858), Vol. II, p. 16. Also cited in Eastman, op. cit., p. 86

47 Ibid., p. 17

48 Thwaites, op. cit., Vol. XLIII, p. 73

Jesus that the missionaries employed furs only as current coin in Canada. The Provincial in Paris sought to allay the fears and doubts of the General of the order by promising to warn all his missionaries to abstain from every appearance of the fur trade in order to remove even possibility of suspicion.⁴⁹ But it would appear that these assurances were given little suite. In the Journals it is clear that Albanel's expedition, for example, up into the Ottawa country was financed from the fur trade, or at least was attempted on that basis for the record says that the costs of the voyage exceeded the value of the beaver obtained by 800 livres.⁵⁰ Missionary expeditions were expected to be self-supporting ventures.⁵¹

The Hospital Nuns were also discovered to be involved to some extent in the trade. The matter was revealed only in 1658, but they had been fur-trade partners of the merchant Lespine for a number of years. Their contract with the prominent merchant was annulled because it had been entered into by "persons, like the Nuns" who were not qualified to engage in the trade.⁵²

49 C. de Rochemonteix, Les Jésuites en la Nouvelle-France au XVII^e Siècle (Paris, 1895-96), Vol. II, pp. 176-177

50 Journal des Jésuites, pp. 287, 300

51 Thwaites, op. cit., Vol. XLVII, p. 307

52 Ibid., Vol. XLIV, p. 93

This then was the situation prior to the arrival of the Apostolic Vicar in the colony. Coin was always scarce in the colony due to the unfavourable balance of trade, and also to the reluctance of the mother country to send over specie in case of loss in war or shipwreck. The common circulating medium was therefore restricted to the bills of trading companies, to bills of exchange and even peltries. It was inevitable that the clergy, the religious, become involved in some trade as we have already indicated. It is this situation which explains an ordinance such as that issued by de Lauzon on May 12, 1656, forbidding all persons to trade with the Indians established on the Jesuit estates.⁵³ That the trade was of paramount importance to the colony was a fact soon impressed upon Laval; he arrived in Montreal in 1660 just in time to witness the arrival of Groseillier's fur brigade, a convoy of some 60 canoes carrying furs worth about 200,000 livres, a truly triumphal procession.⁵⁴ He must have wondered how the clergy could possibly pursue the fur trade for their own interests because an arret of the Council of State had recently regulated that all the Canadian trade was to pass through the monopoly Company's

53 A.S.Q., Polygraphie XIII, No. 27, no pagination

54 P. Margry, Découvertes et Etablissements des Français dans l'Ouest et dans le Sud de l'Amérique septentrionale (Paris, 1879), Vol. I, p. 55

warehouses and official representatives.⁵⁵

Be that as it may, it was not very long before Laval became aware of charges that the clergy were continuing to engage in the trade forbidden to the religious. The Jesuits by 1658 had become afraid that the Community of Habitants might fail to pay the 5,000 livres agreed to in 1647 and that the lands conceded them might even be taken from them. On the advice of the Queen Mother, always a powerful supporter of the Jesuits at court, letters-patent were issued granting the Jesuits special fishing rights, along with renewed orders that no persons were to be permitted to hunt or fish on Jesuit lands.⁵⁶

The coureurs-de-bois could always be made the object of executive action, and Laval soon added his efforts to those of the Governor to prohibit these individuals from pursuing their uninhabited commerce in the hinterland.⁵⁷ They were accused of continuing their trade with the **aborigines** to the great prejudice of public peace and order, and the general welfare. Laval decided, furthermore, after

55 Nouvelle France: Documents Historiques (Quebec, 1893), Vol. I, Arrêt of March 7, 1657, p. 106

56 M.L. Moreau de St. Mery, Les Lois et Constitutions des Colonies Françaises de l'Amérique sous le Vent (Paris, 1784), Vol. I, pp. 71-72

57 P.A.C., Series C11A, Vol. IV, pp. 14-15

failing to obtain a complete and effective ban of the liquor traffic in the colony, to plead his case at the French court itself. The appearance of a meteor over Montreal frightened several opponents into making their peace with the church, then came the earthquakes of 1663, followed by extreme drought and finally torrential rains. All this was widely interpreted as an infallible sign of a supernatural intervention on the behalf of the church.

But the following year the accusations against the clergy were renewed. In June, 1664, an illiterate habitant was condemned to make reparations to the Jesuits for having made false accusations against them with respect to their trading privileges and practices. All the offensive statements made against the Jesuits were ordered expunged from the records of the Sovereign Council.⁵⁸ Nevertheless, on November 26, the Jesuits' attorney, Martin Boutet, appeared before the Sovereign Council to make the assertion that the Jesuits were not in the fur trade business but that they held the right to trade to meet their immediate requirements. He affirmed that if the society had further obligations to meet it would have to make payment in wines, brandy, or local currency.⁵⁹ The superior of the order had previously

58 Jugements, Vol. I, pp. 195, 196

59 Ibid., pp. 300, 301

admitted that they accepted furs from Indians at the time of confession.⁶⁰ The following year, when Father Fremin was made the superior of the mission of the Magdeleine, where the temporal was reported in good state, the Journal states that he was freed from "all responsibility for the trade", which amounted to an admission that trade was still an important aspect of the administration of that station. Father Albanel seems to have been put in charge of this aspect of the station's activities.⁶¹

The religious were also involved in the bitter quarrel that erupted between the Company of New France and oligarchs of the Community of Habitants who was accused of defaulting in their payments and obligations towards the Company, while nevertheless managing to individually amass sizeable fortunes. On September 7, 1660, Jean Peronne Dumesnit landed in Quebec as controller-general, intendant of the Company, and sovereign judge, with the express mission to investigate alleged irregularities in the operations of the fur trade. D'Avaugour and the Council of Quebec refused to recognize his commission, but he managed to obtain

60 H. Lallemant, Lettres envoyées de la Nouvelle France, (Paris, 1660), Second letter, October 10, 1659, pp. 25, 29-30. This letter was consulted in the Ayer Collection, Newberry Library

61 Journal des Jésuites, p. 333

warrants for the accounts of the former receivers of the Community of Habitants, all of whom were leading citizens in the colony, and as it soon developed were close friends of the Apostolic Vicar. It did not take long to discover the irregularities in their book-keeping and to raise suspicions that the Council, the Jesuits and perhaps even the Bishop were parties to the colonial misrepresentations.⁶²

Dumesnil started things moving by ordering an exact audit of some three or four million francs given at various times by Cardinal Richelieu, the Duchess of Aiguillon, commander de Sillery, and the founders of Montreal.⁶³ It was not long before Dumesnil charged that between 1652 and 1653 an habitant named Rene Maheu had traded 20,000 livres worth of furs with Father Ragueneau, and that in 1657 the Jesuits had taken 6,000 livres over and above their regular grant "and this in one year according to the accounts besides what is not entered in these".⁶⁴ This would indicate that the ecclesiastics were involved in the commerce of the country but it did not lay them open to the charges of fraud and speculation which fell upon the colonial oligarchs.

So clearly did the investigation indicate that there

62 B.R.H., Vol. XXI, No. 6 (June 1915), p. 161

63 Ibid., p. 161

64 Ibid., p. 172

had been fraud and embezzlement that action was taken against Lumesnil. The Sovereign Council, in its second meeting of September 20, 1663, became quite concerned that he had allegedly forced open the window of a trader's study in order to obtain some incriminating evidence.⁶⁵ Villeray was commissioned to seize all Lumesnil's papers, put them in a strong box and seal them with the royal seal.⁶⁶ In a memorandum to the King, Lumesnil was to report that Villeray and Bourdon, with two sergeants, a locksmith and 10 archers looted his bureau one evening, carried off the evidence he had accumulated and presented it to the Sovereign Council for safe-keeping.⁶⁷ The chain of events can only indicate that the Councillors felt themselves being exposed by the investigation.

It was only at great risk to himself that Lumesnil was able to get out of the colony alive; he later accused three colonial oligarchs - Repentigny, Besancourt and Bourdon - of having beaten his son to death in broad daylight in Quebec.⁶⁸ His bitterness was particularly directed against Bourdon, whom he also accused of receiving an annual

65 Jugements, Vol. I, p. 4

66 B.R.H. Vol. XXI, No. 6 (June, 1915), p. 162

67 Jugements, Vol. I, p. 135

68 B.R.H., Vol. XXI, No. 6 (June, 1915), p. 166

pension of 2,500 livres from the Jesuits and being so much in their counsels that he had taken up residence with them.⁶⁹ Once he arrived in France, Dumesnil busied himself with gathering up what evidence he could to substantiate the charges he prepared to make at Court. The Commissioner of the Marine at La Rochelle wrote to Colbert:

It is very important that you be informed about the things that this man knows, and the speculation he is preparing to prove notwithstanding the loss of his papers..as the matter is very longwinded and it is good to spare the Jesuits a bit, who find themselves very interested in the business of that good fellow, I think that you ought to commit the hearing to some maitre de requêtes who is very discreet, to report then to you all that will have been learned from him. 70

It was obvious that the charges to be made were of such a nature and so extensive that the matter had to be handled cautiously. The whole question was being investigated by Dupont-Gaudais in the meantime. But Ferron was soon to charge that it was this second investigator who had had Dumesnil's papers seized then destroyed, a procedure which to Ferron's mind left "no doubt that in these papers there were things of which it was absolutely desired to suppress any knowledge."⁷¹

69 B.R.H., Vol. XXI, No. 6 (July, 1915), p. 198

70 P.A.C., Mélanges de Colbert, Vol. CVI, Colbert de Ferron to Colbert, March 9, 1663, fol. 539

71 P.A.C., Mélanges de Colbert, Vol. CXIX, Colbert de Ferron to Colbert, February 8, 1664, fol. 181

Gaudais-Dupont was hardly an impartial investigator however. To begin with, he was related to some of the individuals accused of deceit and dishonesty. Secondly, he had destroyed the evidence already accumulated by his predecessor. But even so, it did appear that while there were individuals who made considerable gains from the fur trade in the colony the official monopoly company seemed to be going bankrupt.⁷² Also, Gaudais-Dupont did not praise Bourdon and Villeray but contented himself with the observation "they were obliged to employ those men" because they could not find more capable ones.⁷³

Where did the clergy stand in the matter? First, if the Sovereign Council was composed of the men who were chiefly involved in the frauds then it did not speak well for the choice of officers that had been exercised principally by Bishop Laval. Bourdon, Villeray, La Ferte and Auteuil were the Bishop's choices and they were implicated in the scandals. But if these "aristocrats of the beaver" were brought to trial would the church also suffer? This injury might come by way of an exposure of its trading activities or by removal simply of the financial support of the leading colonial

72 P.A.C., Mélanges de Colbert, Vol. CXIX; Colbert de Terron to Colbert, January 7, 1664, fol. 41; Colbert de Terron to Colbert, March 5, 1664, fol. 732

73 B.R.H., Vol. XXI, No. 8 (August, 1915), p. 231

families. It is truly remarkable that while the Community of Habitants did not prosper some of its individual members had prospered greatly; it is even more remarkable that when these individuals were questioned about their activities the Apostolic Vicar should emerge as a staunch supporter. It must be remembered that the Bishop could always rationalize that the Company which had given Dumesnil his authority was by 1663 defunct. Eastman concludes that Laval placed his friends out of reach of justice by assigning them seats as sovereign judges of the colony.⁷⁴ There is no conclusive evidence that this was the case but there is collaborating evidence from Governor Mezy.

On May 9, 1666, the Jesuit superior in the colony, Francois Le Mercier, presented a petition to De Tracy, Courcelles and Talon requesting an inquiry into the charges purported to have been made against the Jesuits by the late Governor Mezy.⁷⁵ The Governor had charged that the Bishop and the Jesuits used an adroit and secret means of enriching themselves. They traded, he alleged, in alcoholic beverages and furs with the Indians but forbade the ordinary citizens to trade with the Hurons or Algonquins.⁷⁶ Le Mercier said

74 Eastman, op. cit., p. 53

75 Ordonnances, Vol. I, pp. 28-31

76 Rochemonteix, op. cit., Vol. II, p. 528

that Mezy had also spoken of the captivity of the habitants and their fear to speak out against this oppression and illicit trade because they were enslaved by their directors of conscience. This would not be the last occasion upon which the clergy were accused of using the power of the confessional to enforce a silence with respect to their activities. The Jesuits did not wish to pursue the case against Mezy's heirs, they said they would be satisfied if the Council would clear them of all these accusations.⁷⁷

The Council stood by the church now. On May 31 it was decided to stroke from the registers all the minutes of the clerk of the Council for February 13, 1664; September 19, 1664; October 1, 1664; and October 5, 1664.⁷⁸ Any other passages tending to create friction and ill-will were similarly to be erased from the records. The reason was to eliminate from the records all information that would be controversial, or as the ordinance put it "an inevitable source of new contests and quarrels, wishing for the peace of the country so useful to the people of New France to retrench the seeds of such divisions and even to efface the marks and vestiges of those which have gone before..."⁷⁹

⁷⁷ Ordonnances, Vol. I, p. 31. De Tracy influenced the Jesuits not to pursue the matter against Mezy's heirs.

⁷⁸ Ibid., p. 32

⁷⁹ Ibid., p. 32

The ordinance accomplished its objective, but went much further and wiped from the records the evidence, which must have been quite unfavourable to the religious, in the matter of the fur trade,

The Jesuits sought to consolidate their position yet more by launching their own attacks against Mezy. They accused him of avarice, violence and misuse of public funds. First, they said he had retained for his personal use the funds allotted to the garrison of Quebec and he had asked the Sovereign Council to furnish the soldiers with the equipment his predecessors had always supplied themselves.⁸⁰ Secondly, they charged that he had appropriated to his own purposes goods worth 600 livres left by d'Avaugour's lieutenant, as well as presents worth 1300 livres given by the Indians which should have been added to the Council's revenues. Thirdly, the King had paid Mezy's debts in Caen and his passage to Canada, nevertheless, he had obliged the Sovereign Council to pay him 1000 livres for his alleged expenses. To substantiate their charges the Jesuits pointed out that in his last will and testament he disposed of over

⁸⁰ Dumesnil had charged that d'Argenson had collected the wages for a non-existent camp volant. If the charges against Mezy are true, it seems he was following an established administrative practice. B.R.H., Vol. XXI, No. 6 (June, 1915), p. 172

8000 livres, besides personal effects, which represented an unusually substantial accumulation for 20 months residence in the colony. The Jesuits were defending themselves by taking the offensive now. Le Mercier wrote:

If in order to be criminal it suffices to be accused then there are no innocent parties who might not be guilty; that is why in all justice the accuser must prove what he says, failing which he must be accounted a calumniator, and merits to be treated as such according to the rigours of the law, and that in proportion to the gravity and consequence of his accusations. 81

The entry in the minutes of the Sovereign Council would seem to indicate that Mezy's defence had been well broken down by May, 1665 because important papers which he had prepared for the information of the Lieutenant-General de Tracy were sequestered, torn and burnt. Furthermore, since Mezy's death, those in charge of them boasted that they would never be found.⁸² Once again the views of the opposition had been effectively silenced.

In 1662 the Bishop had intervened on the behalf of his clergy at Montreal, an habitant called Le Ber was stopped on his way to Montreal to give an account of what goods he was carrying for the missions and he was levied a duty of 2 sols on each pound value of the goods he

81 Ordonnances, Vol. I, p. 30

82 Jugements, Vol. I, p. 346

transported for the subsistence of the ecclesiastics. Laval wrote to the Governor asking for an immediate rescinding of the Council's decision because it was an infringement upon the rights and privileges of the church. Something which has not to the present been practiced in this country and which is against all the rights of the church.⁸³ It could not be tolerated as a measure of inspection either.

By 1669 a new view was being taken of the trade in the colonies. Hitherto the nobility had been excluded from commerce, but by an edict from the King it was proclaimed that it was possible to engage in commerce without derogating nobility. Actually the Company of the West Indies had permitted the nobility to engage in commerce but they by the terms of the edict the King now officially desired "to omit nothing which might be advantageous to excite our subjects to engage in commerce".⁸⁴ No mention was made of the clergy and this was natural enough.

Indeed, Colbert had just received confirmation of the papal bull which prohibited the clergy from engaging in commerce. To his correspondent he replied:

You pleased me to send me the bull prohibiting all religious to engage in any commerce. The sovereignty

⁸³ A.A.Q., Registre A, No. 24, Laval to d'Avaugour, June 13, 1662, p. 26

⁸⁴ Moreau de St. Mery, op. cit., pp. 182-183

which the Jesuits possess in Paraguay in southern America is not included in this prohibition insofar as commerce consists of buying and selling, and they only sell in that country everything which comes from their possessions which are very great. 85

It seemed to imply that the prohibition most definitely applied to North America. Nevertheless, an anonymous memorandum, probably written in 1669, indicates that conditions continued much as they had been in New France. Jesuit missionary work among the Indians was described as:

...a work worthy of their zeal and piety if it is free of the mixture of self-interest of which they are said to be susceptible by the fur trade which one is assured they carry on with the Ottawas, and at Cap de la Madeleine, which I do not know for certain. 86

Certainly the English were wary of Jesuit influence among the Indians and Governor Lovelace described it as "they pretend it is no more but to advance the Kingdom of Christ, when it is to be suspected it is rather the Kingdom of His Most Christian Majesty".⁸⁷

The Intendant Talon does not appear to have been much concerned with the problem of the clergy in the fur trade; his chief concerns were in settling the seigneuries,

85 P.A.C., 500 de Colbert, Vol. CCIV, Colbert to abbe Borlemont, November 1, 1669, fol. 286

86 Collection de Mémoires et de Relations sur l'Histoire ancienne du Canada (Quebec, 1927), p. 3

87 A.P.Q., Documents on Colonial History: London Archives Vol. I, Lovelace to Entriques, October 3, 1670, pp. 60-65

increasing agricultural production, discovering and exploiting mineral resources, initiating secondary industries and attracting more immigrants. The church co-operated in his plans for settlement and the increase of colonial productivity. There was also joint action against certain categories of fur traders; in 1670 the unmarried traders were particularly the object of Talon's remonstrances and his comments to the Minister of the Marine illustrate his concept of the church's role in colonization. He wrote to Colbert:

I will again study some new expedient to stop these vagabonds who are in part ruining the Christianity of the Indians and the trade of the French who are working in their residence to extend the colony. It would be good if His Majesty were to order me by a lettre de cachet to fix these wanderers in some locality where they would take part in the labours of the community. 88

Settlement, evangelization and pursuit of the fur trade were all inter-related aspects of colonization and there was no place in such a colony for individuals or institutions which did not advance the development of Canada.

a report from a missionary, probably a Sulpician, written in 1671 indicated considerable pleasure with Talon's policies - particularly the hope that prohibition would be good for the brewery, in preventing Indian disorders and in

88 P.A.C., Series C11A, Vol. III, Talon to Colbert, November 10, 1670, pp. 114, 115

relieving the poverty of the families of drunkards. On the other hand, the report indicated that there remained much to do yet in restoring order in the colony, particularly in the matter of forbidding the clergy to traffic in peltries. The anonymous missionary suggested that all goods for the trade carried by the clergy should be seized, particularly furs, because it was common knowledge that the Indians did not trade furs for nothing so the religious caught transporting trade goods were obviously engaged in commerce.⁸⁹

As soon as Frontenac arrived in the colony as Governor he took up the cry that the clergy were waxing wealthy on the returns of the fur trade. In a coded message to Colbert he reported that he had spoken to the Jesuits about intensifying their efforts in the direction of Indian evangelization but it was obvious that their first interests were elsewhere:

But whatever face they put upon it, they do not want to hear this talk, and to speak frankly to you, they think as much about the conversion of Beaver as of that of souls, for the majority of their missions are pure mockeries and I should not think one should permit them to extend them farther...⁹⁰

Two years later he again wrote to the Court that the Jesuits

⁸⁹ A.A.Q., Eglise du Canada, Vol. VI, pp. 8, 9

⁹⁰ A.P.Q., Manuscripts II, Vol. II, Frontenac to Colbert, November 2, 1672, p. 647; also Margry, op. cit., Vol. I, p. 248

were not intensifying their efforts as commanded but were still primarily interested in the "conversion of the beaver"⁹¹.

When the royal dispatches were being sent out in 1676 it was clear that the Court had received further intelligence of the accusations. Therefore the King made his orders explicit:

On the subject of commerce and the trade, I am very happy to inform you that you must in no wise suffer any person constituted in ecclesiastical dignity, either secular or in community, to carry on any under any pretext whatsoever, nore even any trading in furs and I do not believe it necessary to say that in order to show the example, you must not suffer any one of your servants or other person to employ your name or your authority to carry on any trade, and I even forbid you to ever give any leave or permission for the trade. 92

Ostensibly the clergy were being reprimanded for their trading activities, but the tone of the letter leaves no doubt that it was equally illegal for the Governor to have his own party and friends trading on his behalf.

The following year the King wrote again to Frontenac that he was surprised that notwithstanding his orders the ecclesiastics were continuing to engage in the fur trade with the Indians. He indicated that his intention was that

91 R.A.P.Q., 1927, Frontenac to Colbert, November 14, 1674, p. 75

92 A.P.Q., Ordres du Roi, Series B, Vol. VII, King to Frontenac, April, 1676, p. 30

Frontenac should work for its eradication by making it known that in pursuing it they were contravening the King's orders and that if they persisted in such disobedience the full weight of the royal authority would be brought to bear upon them to bring a speedy remedy.⁹³ The responsibility for applying whatever measures were deemed necessary to halt the illicit trade was the Governor's now. Had not the royal orders of 1676 been definite about this?

Upon what you say about the facility with which the regular and secular ecclesiastics have to carry on the fur trade by the means of the missions, you must examine with the Sieur du Chesneau the means of preventing it, which must be easy for you by means of establishing markets, and other police regulations, and in case you require my authority by sending me your advice I shall give the orders that I deem necessary for this effect.⁹⁴

Two observations may be permitted at this point. First, it is to be noted that although Frontenac was certain the clergy were engaged in the fur trade the illicit trade was not an open one which was readily observed. Had it been so the King's order to check it by controlling the markets, warehouses, shipping orders and customs would have brought it to an end. Secondly, if the Governor had uncovered incriminating evidence against the clergy, the Jesuits in particular,

⁹³ P.A.C., Series B, Vol. VII, King to Frontenac, April 28, 1677, p. 153

⁹⁴ P.A.C., Series B, Vol. VII, King to Frontenac, April, 1676, p. 44

why did he not employ it in his bitter quarrels with them?

It has been suggested that Frontenac sought to incriminate the religious in this commerce so as to keep the authorities off the scent of his own trading activities in the New World. No one repeated the charges made against the clergy with the same ill-will as did Frontenac, with the possible exception of Lahontan and he had other reasons (as did Frontenac) for hating them. Lahontan said that the Governor gave twenty or thirty trading permits annually to anyone who desired to go trading among the Indians, but in addition to this there were others who went into the Illinois country:

as if for the maintenance of the Jesuit missionaries, who care less for the salvation of all these poor barbarians than for increasing the revenues of their houses by the prodigious number of canoes of beaver which they send to Quebec under the name of Tiber and Gautier. 95

We can understand to what extent the Ministry of the Marine entered into every phase and detail of the life of the colony and to what extent the reports of informers were utilized to formulate some general policy for the colony.

In 1676 the Intendant Duchesneau had been informed that the King had ordered Frontenac to grant no more leaves

95 Gustave Lanctôt, ed., "Instructive Summary of the Affairs of Canada", The Oakes Collection: New Documents by Lahontan Concerning Canada and Newfoundland (Ottawa, 1940), p. 25

whatsoever for trading in the woods. The Intendant was instructed to report to the King if there were any disobedience on the part of the Governor.⁹⁶ The administrative technique was to have one official serve as a check on the other. Should either Governor or Intendant undertake to do anything contrary to the King's authority and office, the other was required to inform the Minister of the Marine. Although the instructions constantly urged the officials to live and work in harmony, a little friction from time to time never seemed to disturb the Court because it was certain there was no collusion in abusing power and in the diversion of the finances.

That the Court was just as wary of its officials as it was of the clergy in the matter of trade is very clearly demonstrated in much of the correspondence of the time. Colbert had been warned as early as 1673 of the self-interest which motivated the Chevalier de Grandfontaine in Acadia; his correspondent made the remark that it was difficult to find "subjects who have in them the moderation and good sense necessary to nourish and raise up these new colonies".⁹⁷

⁹⁶ P.A.C., Series B, Vol. VII, King to Duchesneau, April, 1676, p. 57

⁹⁷ P.A.C., Mélanges de Colbert, Vol. CLXIII, Colbert de Terron to Colbert, February 16, 1673, fol. 251

A letter from Talon's steward who administered his properties in the colony after that Intendant's return to France indicates the extent to which an official could become involved in setting up a local industry which was supposed to alleviate the liquor problem, in supplying the hops for such a brewery, in exploiting potash, in renting a seigneurie, two mills, property in town, and so forth.⁹⁸ Duchesneau was told that the King did not want him "to meddle in or carry on any buying of pelts, nor any goods of the kingdom, nor engage in any commerce on his own account".⁹⁹ Frontenac was told that although the King did not believe the charges that he had engaged in the fur trade on his own account, he should give no occasion for any accusations of the kind in future.¹⁰⁰ Similarly, when La Salle was given letters-patent to explore the Mississippi region he was prohibited to engage in trade with the Ottawa Indians.¹⁰¹

In 1677 Frontenac made his great accusations against the Jesuits and the Bishop. He accompanied these with alleged

98 A.S.Q., Polygraphie III, No. 117, Letter of November 8, 1675

99 P. Clément, Lettres, Instructions et Mémoires de Colbert (Paris, 1864-65), Vol. III, Pt. II, Instructions to Duchesneau, May 30, 1675, p. 600

100 Ibid., Colbert to Frontenac, May 30, 1675, p. 600

101 A.C., Series F3, Vol. V, fol. 41

proofs. That the clergy were active in the fur trade he sought to demonstrate by submitting that Father Fremin had made a profit of 4,000 livres in the Magdeleine and Sault St. Louis neighbourhood, that Father Chaumonot had promised the Lorette Indians all sorts of merchandise in the Jesuit store. That Father de Lamberville had told La Salle how to send beaver out by way of New Holland so as to avoid the French controls, that the missionaries among the Ottawas were acting as suppliers of trade goods. The accusations did not stop at this. Frontenac declared that an Indian woman Marie Felix declared that Father Chaumonot had forbidden the Indians in his classes to buy trade goods elsewhere so long as the Jesuits' stores carried a full line of supplies, that a fellow called Denison, then in Paris, had surprised two canoes belonging to the missionaries loaded with tobacco, that another trader called Allain had similarly surprised 5 canoe loads of furs for the priests at Prairie de la Magdeleine, that Father Bruyon had written to a sieur d'Allerais to invite him to enter into trade with New York.¹⁰²

Other charges were added to these. The Jesuits were accused of having chased away their valet Robert because he divulged the extent of this forbidden trade.¹⁰³ It was

102 B.N., Fonds Clairambault, Vol. 1016, fol. 44, p. 3, also Margry, op. cit., Vol. I, p. 303

103 Margry, op. cit., Vol. I, p. 364

common knowledge in the colony that Father Albanel engaged in extensive trade, and that Brother Joseph was the contact man in Quebec.¹⁰⁴ The colonists also believed that the Jesuit college had been financed in part by returns from the fur trade; indeed it was held that when the British captured a French ship carrying furs it had been a Jesuit who negotiated with Colonel Andros for the restoration of the cargo.¹⁰⁵ A new version of the Huron massacres gained some currency in the colony: according to this version the Jesuits had built trading posts and forts rather than mission stations, had thereby invited Iroquois attack against such economic centres and had also determined to preach among the Indians of a given locality only so long as the beaver supply lasted.

It is not since a year or two that the clergy have wished to build for themselves an absolute empire in Canada. It seems that they formed the design almost as soon as they entered it. They thought first of all of making themselves powerful by two means - by their wealth and by their credit. 106

The charges continued that although the country itself seemed poor, the clergy built up their wealth by utilizing all the royal subsidies they could obtain, the charitable donations and concessions of land as well as "the commerce which they still continue notwithstanding the prohibition that the

104 Margry, op. cit., Vol. I, p. 364

105 Ibid., p. 365

106 B.N., Fonas Clairambault, Vol. 1016, fol. 43,

King was obliged to make".¹⁰⁷

The decision of the University of Toulouse on the brandy question had contained a very discrediting statement to the effect that it was the ecclesiastical interest in the trade and commerce of the colony that had given rise to the whole situation of the church protecting some individuals while refusing the sacraments to others.¹⁰⁸ Although there is no indication from the lists of the provisions imported by the Sulpicians,¹⁰⁹ that they engaged in extensive trade with the Indians, they were particularly careful to prohibit any trade in the strictest terms possible. It might mean the abandonment of their mission on Lake Ontario but this they felt prepared to do if necessary:

Our servants must cease to trade from now on. After what the Intendant has told you there is no longer any discussion on the matter. The fact that there is an order from the court prohibiting it is sufficient reason for tolerating it no longer. It will mean a considerable increase in expenditures and I wonder if we will be in a position to carry it on for very long. 110

The Sulpicians were further harrassed by the claims of some Indians that Dollier de Casson had taken a porcelain collar

107 B.N., Fonds Clairambault, Vol. 1016, fol. 43,
p. 3

108 Reveillaud, op. cit., p. 189

109 B.S.S.P., Vol. I, Tronson to Guenet, March 10,
1677, p. 49

110 Ibid., Tronson to LeFebvre, April 5, 1677, pp.
54-55

from one of the natives.¹¹¹ But the greatest charge was that the Sulpicians, like the Jesuits, were sending furs to France under assumed names. The Superior in Paris did not hesitate to condemn any such transactions which might, or might not, have occurred:

They tell me that some of our Gentlemen under borrowed names send peltries to this city, and that money is then sent back to them. I do not know for certain if that is true, but I have a very good basis for suspecting so by the rumours which circulate about it. Now you can judge how harmful this could be to us and how much the work of God would suffer if they began to imagine that we were trading as they surely would be persuaded both among the people and at court if we were so to continue...¹¹²

Tronson ordered that not a single pelt be sent to France by the Gentlemen of St. Sulpice, either under their own name or in some assumed name. He held that although other religious communities might tolerate such a practice the Sulpicians ought not to do so for the matter could mean a great deal to their prestige and estimation at the Court.¹¹³ He seemed to have gained his information at La Rochelle. It is of more than passing interest that there was complete assurance that the Jesuits did engage in the fur trade by devious means.

¹¹¹ B.S.S.P., Vol. I, Tronson to LeFebvre, June 2, 1677, p. 101

¹¹² B.S.S.P., Vol. I, No. 34, Tronson to LeFebvre, June 20, 1677, pp. 107-108

¹¹³ Ibid., p. 108

But Frontenac's chief accusations were launched at Bishop Laval rather than at the Jesuits. Laval began to feel persecuted and wrote that Providence was leading his church "by very trying and crucifying paths as well in spiritual matters as in temporal".¹¹⁴ Frontenac accused the Bishop of accumulating an annual revenue of 40,000 livres and of building a lavish four-storey Seminary.¹¹⁵ However, Laval had renounced his family fortune before coming to Canada and the annual income guaranteed to him by his brother in 1672 was not more than 150 livres, and the income guaranteed to the Seminary of Quebec by his brother in 1688 was less than 670 livres a year.¹¹⁶ Laval's bequests to the Seminary on April 12, 1680, included the Petit Seminaire, the seigneuries of Beaupre, Isle-Jesus and the Petite-Nation near Montreal, as well as furniture, books, ornaments and some cash.¹¹⁷ While it is apparent that Laval did not live in apostolic poverty, as some writers have alleged, it is also clear that he did not enjoy the opulence or affluence ascribed to him by Frontenac. His personal mortification, of course, was another matter and did not even accord with his

114 S.R.C., Doc. XXXVII, No. 2, Laval to Henri Boudon, November 6, 1677, p. 207

115 Eastman, op. cit., p. 155

116 P.A.C., A.S.M.E., Vol. II, fol. ii, p. 95; fol. v, pp. 539-540

117 Ibid., Vol. CCCXLV, Pt. I, fol. v, p. 54

modest estate. Lahontan, who was not given to flattering the clergy, did not consider Laval to be inordinately wealthy:

The Bishop's Incomes are so small that if the King were not graciously pleas'd to add to his Bishoprick some other Benefices in France the reverend Prelate would be reduced to as short commons as a hundred of his character in the Kingdom of Naples. 118

At the same time, he noted that the Governor enjoyed a sizeable salary and various "presents" and exemptions, and that likewise the Intendant had a good income "but the Lord knows what he makes otherwise". 119

Another accusation was that the Bishop attended even the most unimportant meetings of the Sovereign Council in order to thereby advance the powers of the clergy. But the registers indicate that Frontenac attended more frequently than Laval did.¹²⁰ Laval confided to a friend that it had been illness that had kept him relatively inactive:

I was incommoed and forced to stay in my room all winter because of fluxions and other incommoities. They applied a cauterant to see if that would not change the course of things, but it has had no great effect. 121

118 R.G. Thwaites, New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. I, pp. 382-383

119 Ibid., p. 382

120 Jugements, Vol. II indicates that Laval was present 19 times in 1676 and 10 times in 1677 to 18 and 20 times for Frontenac

121 S.R.C., Doc. XXXVII, No. 2. Laval to Henri Boudon, November 6, 1677, pp. 207-208

He might have been thankful that comparative isolation in the colony saved him from some of the medical treatments imposed in the mother country at this period.

The opinion of the Seminary of Foreign Missions in Paris was that the Canadian clergy should avoid all publicity in the matter of the charges made and that an investigation should be avoided at all costs. Dudouyt tried to reassure the French Seminary that Laval was "taking great care to remove all suspicions" that the ecclesiastics had been involved in illicit commerce.¹²² There was no denial that there had been involvement though.

By this time the matter of granting leaves for trade was causing some disagreement in the colony. Dudouyt went to see Colbert to obtain that the Governor's prerogative in the matter should not extend to requiring visas for clergy going on mission.¹²³ If they wished to return to France they would require a special leave. Dudouyt felt that this discouraged many priests going to the colony knowing there were such handicaps to returning to the motherland.

The Governor's power to issue leaves arose out of the circumstances of the fur trade. But the leave system was

122 P.A.C., A.S.M.E., Vol. VI, fol. vi, p. 485

123 A.S.Q., Lettres N, No. 48(2) Dudouyt to Laval

not proving a success. The King wrote to the Intendant in 1678 that trade was not open and free to all, nevertheless there appeared to be a general disregard in New France of the ordinance of 1676 forbidding the habitants to go into the woods to trade. Now, therefore, the officers of justice were to be constantly on the alert, and the provost was to be "continually on horse-back to seize and arrest those who contravene it".¹²⁴ The King's decision had by now become a formula. Be that as it may, there was a great outcry in the colony against this restriction and a demand that hunting be permitted if a Governor's license were obtained. Therefore, in April, 1679, the King issued another ordinance, repeating whole passages from the previous year's dispatches, which forbade hunting beyond the limit of one league of the cleared and inhabited lands to all those who did not possess a special leave from the Governor. These hunting licenses permitted to go into the woods between January 15th and April 15th each year. The provisions were so worded as to forbid wholesale trade with the Indians by the inhabitants:

and nevertheless permits to Sieur de Frontenac, Governor and Lieutenant-General for His Majesty in the said country, to give permissions to hunt from the fifteenth of January to the fifteenth of April of each year, on condition that those who

124 P.A.C., Series B, Vol. VII, King to Duchesneau, May 15, 1678, p. 198

will obtain them will be home by the said fifteenth of April, and that they will be allowed to carry whatsoever no trade goods, exact payment of whatsoever debts from the Indians, and that action will be taken against them in case of contravention following the rigour of this ordinance...¹²⁵

The ordinance had the effect of permitting the inhabitants to hunt for themselves, to provide themselves with food and hides, but the April 15th cut-off date had the effect of preventing them from bringing down large fur brigades for at this early date the streams were not yet open to navigation from the hinterland. Another ordinance of the month of May forbade the carrying of liquor to the Indians. The clergy would find it much more difficult to engage in trade in these circumstances and no provision was made for them to hunt.

These regulations were quite ineffective in certain regions. This is particularly evident from the accounts of happenings in the region of Montreal. The Sovereign Council reported in its minutes that on the island of Montreal there was "great abuse of liberty by the coureurs-de-bois who pursuing their own interests and finding themselves contravening the King's orders on one point would not hesitate to disobey on all points".¹²⁶

¹²⁵ P.A.C., Series C11A, Vol. V, Royal Ordinance of May 24, 1679, p. 112

¹²⁶ Jugements, Vol. II, p. 658

The coureurs-de-bois went so far as to circulate rumours among the Indians that there was a serious pestilence in the three towns and that therefore its merchandise was poisoned. The Ottawas did not come down with their furs in 1681 and the colony was in economic difficulties as a result. The attorney-general asked that the Sovereign Council forbid the dissemination of such rumours, the penalty for the "destroyers of the colony" to be a sound beating.¹²⁷ The Bishop did not speak to this measure because on that day he was absent from the Council meeting; the minutes say that the Intendant informed the assembly that Laval had sent him a message that morning regretting his inability to be present for the registration of the King's latest edict. The bishop had during the night been struck down, so he said, by a strange ailment, "a painful and perilous malady".¹²⁸ There is no doubt that Laval would have found it most unpleasant to be present at the formal registration of Royal orders granting an amnesty to the coureurs-de-bois.

The new edict represented a substantial loss of ground for the ecclesiastical party for it brought pardon to the coureurs-de-bois who had continued to make their long journeys into the Indian country, there to remain two

127 Jugements, Vol. II, p. 659

128 Ibid., p. 644

or three years in debauchery, trading brandy for furs and slowly amassing a wealth of peltries.¹²⁹ The stiffer penalties for the habitants who broke the restrictive hunting regulations - the lash and branding iron for the first offense and condemnation to the galley fleet for repeaters - the church favoured, but hardly so the amnesty granted to those who had openly disobeyed the orders of both church and state and lived in dishonourable defiance.¹³⁰ Particularly disturbing to the ecclesiastics was the clause which made it mandatory for all charges against them to be dropped and for their complete restoration to the rights and privileges of colonial society without exception:

We desire and it pleases us that they be re-established in all their privileges, liberties, franchises, immunities and rights which they enjoyed peacefully and which they have the right to enjoy, without their being troubled in the future that the judgments which may have been handed down against them for whatsoever reason be revived, these being of no effect, and that the said contraventions of our ordinances be pardoned, extinguished and abolished, as by our special favour, full power and complete royal authority we pardon them, extinguish and abolish, imposing a perpetual silence upon our attorneys-general, their substitutes and all others. 131

The matter ostensibly was now closed. At least the church

129 Eastman, op. cit., p. 200

130 Edits, Vol. I, pp. 248, 249

131 Ibid., p. 250

would not choose to enjoin the battle on these grounds for Dudouyt had warned from Paris that the rumour was circulating there that the Bishop and Jesuits were anxious to keep absolute prohibition in the colony so they themselves could carry on the trade unimpeded.¹³² Frontenac was responsible for spreading such calumnies, according to Dudouyt.

It was the Intendant Duchesneau who came to the aid of the church, though he probably did not do so out of a desire to advance the ecclesiastical power. He came to disagree with Frontenac and began to criticize him most severely in his correspondence. The battle between Governor and Intendant began with the discovery that La Salle was acting as Frontenac's agent in procuring furs in the interior. The occasion for the revelation of this misuse of the gubernatorial office was the shipwreck of a vessel called the Saint-Pierre, off Isle-Percée in 1679, carrying a cargo of furs for La Salle.

It is believed that he has an understanding with M. de Frontenac, who tries to carry on his business by all means and who under various pretexts sends out to the woods, which is most expressly forbidden since the peltry trade has been let out, it being permitted only to the Company to go out and trade in the woods. M. Duchesneau Intendant has...had them arrested according to the orders he had. M. de Frontenac who was then in Montreal returned to

¹³² A.S.Q., Seminaire XV, No. 22 Dudouyt to Laval, June 15, 1681

Quebec to set them at liberty by his absolute authority. 133

The battle between the two officials was now joined.

Duchesneau wrote to the Minister of the Marine, as he was required to do when differences arose between himself and the Governor, charging that Frontenac was engaging in illicit trade. The judge at Montreal had collected some evidence for the Intendant.¹³⁴ Duchesneau's report let it be known that the Governor had a select group of favourites who monopolized the trading privileges in the colony:

Duluth, chief among the disobedient ones and who has always been a correspondent of Monsieur the Governor entertains a commerce in letters with him and gives him part in the profits he makes as well as to Sieur Barrois, his secretary who has a canoe among his..¹³⁵

It was pointed out by the Intendant that Duluth's brother-in-law was an officer in Frontenac's guards and that the Governor had furs passed under the names of various merchants for his own account. Indeed, Duchesneau asserted that Frontenac had gone down to Montreal in July, 1679, not on official business at all but rather to protect his own interests there in the fur trade.¹³⁶ The Indians had

133 Margry, *op. cit.*, Vol. II, Massiac de Sainte-Colombe, Marine engineer, to Nicolas Thonard, December 4, 1679, p. 27

134 A.J.M., Ordinance of Duchesneau to Migeon de Branssat, August 25, 1679

135 A.P.Q., *Manuscripts I*, Vol. II, Duchesneau to Colbert, November 10, 1679, p. 354

136 *Ibid.*, p. 354

complained that there were too many Frenchmen in the upper country engaged in trade, a situation which could not have occurred had there been conformity to the regulations then in force, but Frontenac had grown very annoyed at these complaints presented to him at Montreal and had sternly rebuked them.¹³⁷

Duchesneau attempted to enforce the law on this point but ran into difficulties. A trader called La Taupine, who was believed to be trading on Frontenac's behalf among the Ottawas, bought up no less than 900 beaver pelts in two days at one village alone. He also left two men to trade with Duluth. The Intendant had La Taupine arrested but the latter produced a congé signed by Frontenac for himself and two companions "for the execution of secret orders". Duchesneau's men had to release them and did so none too soon for a platoon of soldiers had been sent from the garrison to obtain their release by force if necessary.¹³⁸ Duchesneau complained bitterly that the Governor kept soldiers to "protect" the Indians coming to trade at Montreal so that his agents might obtain the choicest furs.¹³⁹ Colbert felt obliged to warn the

¹³⁷ A.P.Q., Manuscripts I, Vol. II, Duchesneau to Colbert, November 10, 1679, p. 355

¹³⁸ Ibid., p. 355

¹³⁹ Ibid., pp. 360-361

Governor that "it is necessary that you completely change the conduct you have had up until now".¹⁴⁰

Frontenac was now on the defensive and it had not been the clergy which had produced the charges and evidence against him. The accusations he had made against the clergy were now coming to bear upon him. However, he did not immediately heed the Minister's warning. Duchesneau reported again in 1680 that there were further disturbances caused by the coureurs-de-bois, and that the Governor was shirking his duty in restoring order because he was personally interested in the activities of the illicit traders. Duchesneau repeated the charges that Frontenac was in constant communication with Duluth and that La Taupine continued his activities among the Ottawas.¹⁴¹

Apart from his personal interest in the returns of the fur trade, Frontenac as Governor was willing to protect the coureurs-de-bois because they advanced trade, they explored new lands and they initiated contacts with new tribes in the interior. Duchesneau, as Intendant, also had an interest in seeing the trade advance, but he had an interest as well in the advancement of settlement,

¹⁴⁰ Clement, op. cit., Vol. III, Pt. II, Colbert to Frontenac, December 4, 1679, p. 644

¹⁴¹ P.A.C., Series C11A, Vol. V, Duchesneau to Colbert, November 13, 1680, pp. 145, 149

agricultural production and the fisheries. Since he found it necessary to stand for a restriction of trading activities he was, time and again, thrown into the opposition camp with the clergy. The extension of the church's missionary work into the interior and the extension of trading activities into the same region brought conflict there. It is of some importance to notice that the amnesty granted the coureurs-de-bois in 1681 was posted not only in the chief settlements but also at Nipissing, Sault Ste. Marie, St. Ignace and the Lake Huron communities. Bishop Laval did not become immediately involved in the Frontenac-Duchesneau quarrel over the fur trade because he was back in France again attempting to gain a favourable ruling on the matter of the brandy traffic.

In the circumstances, Frontenac put as bold a face upon it as he could. He wrote to the Minister of the Marine, the day after Duchesneau had composed his letter, that he had informed the Minister of the fact that a revocation of leaves to trade would result in disturbances in the colony.¹⁴² He complained of the unrest in the colony and indicated that there were none who seemed to care for the welfare of the state, apart from himself of course. In these

142 P.A.C., Series C11A, Vol. V, Frontenac to Minister, November 14, 1680, p. 141

circumstances he had decided what course to pursue: " I shall not trust Intendant, or Bishop or clergy anymore..."¹⁴³ He also decided to tighten up the controls in the Montreal area and so force rival traders out of business. He issued an ordinance for Governor Perrot of Montreal, Commander de la Forrest of Fort Frontenac and Migeon the bailiff of Montreal, ordering them to forbid trading in Lakes Ontario and Erie and the supplying of trade goods to Fort Frontenac without the express permission of the commandant of the post.¹⁴⁴ This ordinance, which on the face of it seemed designed to curb the illicit traders, was to be publicly read and posted at both Montreal and Lachine. Actually, the move was designed to protect the activities of La Salle and curb the trade of the traders not of the Governor's following.

The return mails from France indicated that the Governor's conduct had met with great displeasure.¹⁴⁵ Frontenac would have to take a different course of action and show himself more obedient to the King's orders. Frontenac was told to act with gentleness and moderation

¹⁴³ P.A.C., Series C11A, Vol. V, Frontenac to Minister, November 14, 1680, p. 141

¹⁴⁴ A.J.M., Ordinance of Frontenac, September 6, 1681, no pagination

¹⁴⁵ P.A.C., Series C11A, Vol. V, King to Frontenac, April 30, 1681, p. 351

towards the people. There was a special warning about his relationships with the clergy. The King's message was that he should show himself less suspicious, obstreperous and malevolent; in the severest terms he was commanded to "strip yourself of all kinds of particular animosities which up to now have been almost the only motive for all your actions."¹⁴⁶ He was not given the opportunity to show himself obedient to these orders for in 1682 the King recalled both Frontenac and Duchesneau.

La Barre, the next Governor, was instructed carefully about colonial conditions. Agriculture was described as being in a bad shape because of the fur trade. Intendant and Governor were to grant leaves to 25 canoes annually to visit the interior in pursuit of the lucrative trade. Laval was privately informed from the Seminary in Paris that the King's will was that the Governor and Intendant should assure to themselves no trade whatever, either directly or indirectly.¹⁴⁷

La Barre was able to get along with the clergy much better than his predecessor. The chief reason for this was probably the external threat to the colony. The Bishop, the

¹⁴⁶ P.A.C., Series C11A, Vol. V, King to Frontenac, April 30, 1681, p. 355

¹⁴⁷ A.S.Q., Lettres N, No. 62. Dudouyt to Laval, May 26, 1682

Superior of the Sulpicians and representatives of the Jesuits met with the Governor and Intendant and some of the leading citizens of the colony on October 10, 1682, to close ranks and plan the defence of the colony.¹⁴⁸ In the motherland things were not going so well, however. Dudouyt reported to Laval that calumnies were being spread throughout Paris against the Jesuits. It must be remembered that Frontenac would not be spreading any good reports about the society. The rumour was going the rounds at Court that letters had been seized in the colony establishing the fact that the Jesuits were actively engaged in the fur trade. It was also rumoured that they had been responsible for turning the Iroquois onto the Illinois in war and that they traded furs by way of Albany.¹⁴⁹ It was said that fifty-two articles of accusation against the Bishop, the Jesuits and the former Intendant would soon be published.

In 1683 the King informed the Governor of his pleasure at receipt of the news that the Bishop had decided

148 O'Callaghan, op. cit., Vol. IX, pp. 194, 195

149 A.S.Q., Lettres N, No. 61, Dudouyt to Laval, March 9, 1682 These calumnies most likely originated with Frontenac. He was himself in large measure responsible for the Iroquois attack upon the Illinois for he had refrained from giving these tribes support when first threatened by the Five Nations; in this way the Iroquois came to control the interior trade as middlemen

to end the quarrel over the brandy traffic.¹⁵⁰ Nevertheless, there was less than pleasure at the thought that the clergy were still supporting exploratory journeys which seemed closely related with fur trading:

I am persuaded as you are that the discovery of Sieur de la Salle is very useless, and it is necessary in future to prevent such enterprises which only debauch the inhabitants through the spirit of gain and the diminishing of the beaver trade. ¹⁵¹

The clergy who had shown interest in La Salle's ventures were the Recollets. But the Sulpicians had been working for some time to prevent any further extension of the fur trade into the Far West. Dollier de Casson had provided the Intendant with secret information about the trading activities of the Montreal region.¹⁵² They had definite proof that Perrot had engaged extensively in the fur trade, that he had sold some 100,000 pounds of beaver pelts in France and that he had sent letters of exchange worth over 20,187 livres in 1683 on his account.¹⁵³ His only defence was that since the colony had little specie he had to resort to using beaver

¹⁵⁰ P.A.C., Series B, King to La Barre, August 5, 1683, p. 2

¹⁵¹ P.A.C., Series B, Vol. X, King to La Barre, August 5, 1683, p. 10

¹⁵² B.S.S.P., Vol. I, No. 151, Tronson to Dollier de Casson, June 16, 1681, pp. 248-249

¹⁵³ Ibid., No. 189, Tronson to Dollier de Casson, February 22, 1683, p. 313; No. 210, Tronson to Dollier de Casson, May 25, 1683, p. 345

as currency.¹⁵⁴

Duluth had gone to France to defend himself against the charges made by Luchesneau that he was a leader of a rebellious faction of coureurs-de-bois. While in Paris he asked Seignelay for permission to trade among the Sioux and asked that a seigneurie be granted him among them.¹⁵⁵ The Sulpicians refused to give him letters of recommendation to the Court and they feared he would be all the more troublesome to them upon his return to the colony.¹⁵⁶ However, he did not receive the grant he wished from the King and this was so some satisfaction to the Sulpicians.¹⁵⁷

By this time the Court was receiving complaints from De Meulles against the Governor, La Barre. The Intendant asserted that La Barre had entered into partnership with Duluth and some Quebec merchants and they were attempting to capture much of the trade for themselves.¹⁵⁸ Lahontan observed that the Governor usually came up to Montreal when the fur brigades came down in the spring "in order to share

154 A.C., Series F3, Vol. II, fol., 97

155 Margry, op. cit., Vol. VI, pp. 35-36

156 B.S.S.P., Vol. I, No. 165, Tronson to Dollier de Casson, May 15, 1682, p. 290

157 Margry, op. cit., Vol. VI, p. 37

158 A.C., Series F3, Vol. II, De Meulles to Minister, June 6, 1684, fols. 163-165

the profit, and receive Presents from that People".¹⁵⁹ After La Barre's dismal failure to engage the Iroquois and defeat them decisively there were increasing charges that he had merely used the military expedition to cover up his trading activities - a charge which Lahontan thought was quite false.¹⁶⁰ But Lahontan had seen two canoes loaded with furs at Chambly which were alleged to belong to the Governor, and he noted that these pelts were certainly not destined for the warehouse of the farmers of the trade in 1685.¹⁶¹ It seemed inevitable that in the face of both military ineptitude and commercial disorders the Governor's terms would be a brief one.

The Sulpician Superior was not satisfied with the position of his clergy in the colony and sent a fresh warning in 1682 about leaving themselves open to accusations of engaging in the fur trade. He was now convinced that the mission station at Quinte ought to be abandoned. One of the reasons he supplied for such a withdrawal was that "so long as we keep young men there people will be persuaded we share with them the profits of the trade".¹⁶² The behaviour

159 Thwaites, New Voyages, Vol. I, p. 54

160 Ibid., Vol. I, p. 86

161 Ibid., Vol. I, p. 91

162 B.S.S.P., Vol. I, No. 165, Tronson to Dollier de Casson, May 15, 1682, p. 288

of the tenants also seemed to reflect unfavourably upon the Sulpicians.¹⁶³

That there were many occasions for irregularities in trade there is little doubt. Radisson, for example, was told in Paris that if he wished to engage in trade in the Hudson's Bay he should associate himself with La Chesnaye.¹⁶⁴ After conferring for two days with La Chesnaye he returned to England to try to persuade his wife to come to France. Upon returning to Paris he found that La Chesnaye had returned to Canada but he was not left in doubt as to how to proceed:

I went to take my leave of Monsieur Colbert, acquainting him of my design, whereof he approved very well. He wished me a good voyage, advising me to be careful. I went to visit the Society of the Jesuits at Paris, as being also concerned with De La Chesnaye in the beaver trade. They gave me some money for my voyage. 165

De Meulles also protected La Chesnaye's trade and issued an ordinance permitting his associates to place a ship off Isle Percée to receive the shipments of furs coming from the Hudson's Bay region and trans-ship them to Holland or Spain from this point outside the area of the "farm of Canada"

163 B.S.S.E. Vol. I, No. 151, Tronson to Dollier de Casson, no date, p. 251

164 A.T. Adams, ed., The Explorations of Pierre Esprit Radisson (Minneapolis, 1961), p. 165

165 Ibid., p. 166

which had been granted for the Canadian trade.¹⁶⁶ It was little wonder that charges were later made that ships were loaded with furs in this region for shipment to foreign ports. But De Meulles did try to prevent infringements. For example, in October, 1683, a captain called Dalloi was fined and his cargo of beaver and elk skins confiscated for attempting to avoid the colonial duties and restrictions.¹⁶⁷

Also two canoes belonging to La Chesnaye were looted by Iroquois. They defended their action by saying that the previous winter La Barre had authorized them to seize any cargoes which did not have regular leaves to cover them.¹⁶⁸ The problem was that the Iroquois began to raid all French canoes, whether the traders were in possession of valid documents for trade or not.¹⁶⁹ By 1684 La Barre had to instruct an envoy to Governor Dongan of New York that the French were taking action against the Indians. Governor Dongan, while making a point of the fact that the Iroquois had traded with the English for forty years, gave the opinion "as for my dispute about them I suppose your people

166 A.C., Series F3, Vol. VI, fol. 45

167 Ibid., Vol. VI, fol. 48

168 Collection de Manuscrits, Vol. I, p. 552

169 Margry, op. cit., Vol. II, pp. 338-344

and ours trade amongst them without any difference." 170 The French government felt otherwise. Seignelay sent three ordinances to Intendant de Meulles to deal with the question: first, there was a general prohibition to all inhabitants of New France to take any moose-hides or beaver pelts, as well as any other furs, to the foreigners; secondly, there was a prohibition for foreigners to trade in New France and even French merchants had to carry passports indicating they were returning to French ports; thirdly, all traders, except those in Acadia, were ordered to deliver all their furs at Quebec and there pay the 25% dues. 171

Denonville, who took up his duties as Governor in 1685, did not comment favourably about the Canadian youth. He wrote to Seignelay:

The young people of Canada are so badly raised that from the moment they can carry a musket their fathers dare say nothing more to them. As they are not accustomed to work and they are poor, they have no other means of making a livelihood than to run the woods where they perpetrate an infinity of disorders. 172

The Minister of the Marine noted in the margin of the letter

170 A.P.Q., Documents in Colonial History; London Archives, Vol. I, Governor Dongan to Governor de la Barre, 1684, p. 182

171 New France: Documents Historiques, Vol. I, Seignelay to de Meulles, April 10, 1684, p. 216

172 Ibid., Denonville to Seignelay, November 12, 1685, p. 225

that it was the Governor's duty to set things in order and that his wisdom and application in these matters would be most beneficial to the colony. The Governor had also reported that the Canadian noblesse were good-for-nothings and that in multiplying their number one would add only to the idle elements of the population, as the councillors sons were no more given to work than other young people. Seignelay commented that there should be no augmentation whatever of the numbers who acquired titles of nobility.¹⁷³ The coming predominance of wealth over birth was as evident in the colony as it was in the motherland at the time. As in France, the aim of the bourgeois parvenus was not to abolish the aristocracy but to raise themselves and their families into this higher class. It was, generally speaking, in the interests of the church to avoid alienating the rising middle class, but in the colony this was exceedingly difficult as the means of enrichment was not tax-collection, the law or manufacturing, but the pursuit of the fur trade.

The clergy themselves continued to fall under condemnation for dealing in letters of exchange. In principle ecclesiastics were not to engage in commerce; this interdiction was based upon the principle nemo militans Deo

¹⁷³ New France: Documents Historiques, Vol. I, Denonville to Seignelay, November 12, 1685, p. 226

immiscent se negotiis saecularibus and on numerous conciliar decisions. The Royal ordinance of 1673 dealing with letters of exchange was binding on all persons handling them, presumably ecclesiastics included.¹⁷⁴ Since the trade in letters of exchange was considered a profane undertaking forbidden to churchmen we find that what might otherwise be called letters of exchange written by bishops and other clergymen to their intendants farmers and receivers were called rescripts. The religious communities, notably the Jesuits, made wide use of this device.¹⁷⁵ Colonial policy was in line with the metropolitan practice; on March 5, 1685 an ordinance was issued at Quebec forbidding the carrying or employment of letters of credit and bills of exchange in the fur trade.¹⁷⁶ This may have been designed chiefly to regulate the trade, nevertheless it was a measure completely in line with home policy.

There is ample evidence that in spite of the legal prohibitions the religious communities in New France became involved in the use of letters of exchange in their business transactions. The Ursulines made out letters of exchange

174 Henri Levy-Bruhl, Histoire de la Lettre de Change en France aux XVIIe et XVIIIe Siècles (Paris, 1933), pp. 45, 46

175 Ibid., pp. 46, 47

176 Ordonnances, Vol. II, pp. 89-91

under the signature of their Mother Superior.¹⁷⁷ The Jesuits received letters of exchange quite regularly.¹⁷⁸ The Sulpicians received letters of exchange too and they sent some to France as well.¹⁷⁹

Besides being a useful instrument for payments and charges, the letters of exchange escaped the charge of usury because they were considered as contracts of sale and not as loans; the church approved of profits made by bankers or individuals from such contracts.¹⁸⁰ It is also significant that the state officials who accused the church of dabbling in the fur trade did not accuse the clergy of usury; the reason for such abstention may have been that the employment of letters of exchange avoided the export of metropolitan currency and precious metals.¹⁸¹

French merchants tended to differentiate between

177 A.S.Q., Fonds Verreau XIII, No. 29, Mother St. Ignace to Father Vauthier, September 10, 1686; Ibid., September 27, 1686

178 Ibid., Father Mace to Sr. St. Ignace, March 18, 1686. In the eighteenth century the Jesuits were again to be accused of engaging extensively in trade in Canada. Cf. Plaidoyer pour les Jésuites de France dans l'Affaire du Père de la Valette (Paris, 1762)

179 B.S.S.P., Vol. I, No. 120, Tronson to Belmont, May 10, 1680; No. 130, Tronson to Belmont, June 12, 1680, No. 297, Tronson to Dollier de Casson, February 12, 1686, p. 432

180 Levy-Bruhl, op. cit., p. 22

181 Ibid., p. 24

interest and change, or the charges for exchanging currencies and letters and bills of exchange. The profit made from changing foreign currency, bank drafts, and the like, was deemed a reasonable bank charge and not usury.¹⁸² Outright interest on money borrowed was called usury and was still forbidden by a royal Declaration of December 1665.¹⁸³ However, it is known that government investments carried an interest rate of eight per cent at the time. In any case the clergy tried to avoid being either the drawer or payee on a letter of exchange. Gentlemen could engage in trade and commerce without being considered to have acted unworthily but the clergy were still expected to abstain.¹⁸⁴

The evidence as to the extent of their involvement in the fur trade in Canada is contradictory. There is no doubt they became involved, but there is room for much difference of opinion as to the extent of that involvement.

182 D. Jousse, Nouveau Commentaire sur les Ordonnances (Paris, 1755), p. 138

183 Ibid., p. 140

184 P.A.C., Series C11G, Vol. II, fol. 256; also A.C., Series F3, Vol. VI, fol. 214

Father Albanel was accused of making 500% profit on moose-hides and beaver pelts in the 1660's. The Jesuits could be accused of holding the best lands, trading goods directly at their missions and excommunicating those who traded brandy while "they themselves trade it with the Savages".¹⁸⁵ On the other hand, Lahontan had seen no proof of any extensive trade and commented, "if it be so, they must have Correspondents and Factors that are as close and cunning as themselves; which can never be".¹⁸⁶ The greatest problem arising from the fur trade was that of the brandy traffic and it is properly on that subject that attention must now be concentrated.

185 P.A.C., Series K, Carton 1232, No. I, p. 109

186 Thwaites, New Voyages, Vol. I, p. 386

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THE RELATIONS BETWEEN CHURCH AND STATE IN NEW FRANCE

1647 - 1685

Cornelius John Jaenen

VOLUME THREE



VOLUME III:

p. 810	l. 11	Accordingly, the Council of Quebec
p. 824	l. 6	such violence and forebodings
p. 825	l. 10	savages of one or the other sex
p. 845	l. 9	Before examining this case
p. 853	l. 16	Colbert observed that they had
p. 900	l. 5	to investigate the matter again
p. 903	l. 14	which were renewed
p. 925	l. 14	Frontenac was accused of having
p. 932	l. 25	neither before God nor before men
p. 942	l. 12	The disorders persisted.
p. 945	l. 20	replaced another it continued
p. 956	l. 20	men of religious
p. 974	l. 11	he had the added misfortune
p. 992	l. 1	cases of legitimate commission.
p. 997	l. 18	was a known bigamist,
p. 1039	l. 16	to display <u>fleurs-de-lys</u> banners
p. 1039	n. 5	cited by Dodge, <u>op. cit.</u> , pp. 29-30
p. 1042	l. 12	but forbade them to sing
p. 1080	l. 14	undermined by the bureaucracy and weakened by
p. 1098	l. 23	take precedence over that

CHAPTER XI

THE BRANDY TRAFFIC PRIOR TO 1669

It has been seen in the previous chapter that it was commonly held that the man who made his living by commerce could only with difficulty please God. It has also been seen that there were practical qualifications of the theoretical judgments passed on usury and trade due to the need of money - a need often as keenly felt by the clergy as by the laymen. In fact the whole view that money-making was socially degrading and morally and religiously dangerous was being questioned. The problem of the brandy traffic in Canada affords one of the most interesting and illuminating case studies of this area of conflict of ideas.

It is necessary to indicate that in the matter of the brandy traffic a different problem from that of engaging in illicit trade was involved. It has been observed that the consilia evangelica, the higher morality of the gospels, bound the regular clergy to abstain from the evils attendant upon commerce, but the praecepta evangelica, the natural-law type of morality expected of the secular clergy and the laity, took account of the many weaknesses of the flesh. It would seem logical to conclude that any defective performance of the precepts of the Gospel could be compensated for by sacramental grace, and if this were commonly believed there would be a tendency for lay morality to take

on a certain casualness. Could the colonials take such a view towards trafficking intoxicants to Indians? On the other hand, the presence of third orders in the colony (a factor which has already been considered) would seem to indicate an attempt to take the higher morality generally associated with the cloister to the colonial laity.

The role of the brandy trade in the colony involved church and state in alternating demonstrations of coercion and contest, of collaboration and contention. The pernicious, yet persistent, trade affected both the French settlers and the indigenous population. Views relative to the merit or malignity of this phase of commerce depended largely upon whether one took a long-range view of the problem or simply a short-range view of the immediate returns; these views can also be described as a moralistic view opposed to a materialistic view.

The Jesuits claimed, at one point, that the Protestants had introduced the accursed trade into Canada between 1629 and 1632, that is during the period of Anglo-Huguenot occupation of Quebec.¹ If this were true, it might provide

¹ C. de Rochemonteix, Les Jésuites en la Nouvelle-France au XVIIe siècle (Paris, 1895), Vol. II, pp. 314-315; also E.M. Faillon, Histoire de la Colonie Française en Canada (Paris, 1866), Vol. III, pp. 25ff.; also M. Eastman, Church and State in Early Canada (Edinburgh, 1915), p. 26 citing Mercure François Vol. XIX, p. 841

an interesting fact to substantiate the thesis that there is an intimate link between Calvinism and capitalism. However, prior to the Huguenot assault on Champlain's microscopic settlement, the French (perhaps they were Huguenots in majority) had introduced the Indians of the Acadian coastline to alcoholic beverages and to the excesses of imbibing.²

Father Biard affirmed that liquor was the cause of great disturbances among the French and also among the natives, the latter he described as loving it to greater excess than did the Europeans.³ He made it clear that it was the arrival of French ships that was the occasion for the beginning of such debauchery. It is worth remarking that the brandy trade was introduced as a corollary of the fur trade.

It would seem sound to maintain that man has always sought for gain in a rationalized manner. What is called the acquisitive spirit is an inborn instinct. If so, it would seem incorrect to say that this spirit was introduced into the French colonies because Huguenots were among the first to frequent them; rather it would seem more reasonable to say that Huguenots, as well as Catholics, came to the

² M. Lescarbot, History of New France (Toronto, 1911), p. 336

³ F. Biard, Relation de la Nouvelle-France (Lyon, 1616), pp. 14, 31, 69

colonies because there was an opportunity for gain. Moreover, there is another social factor that must be kept in mind. It would appear that during the seventeenth century there was an important change in attitudes towards the duties and role of the man of business. There was a change in the conception of a "station" or "calling" from an antipathy against covetous ambition to a more comfortable attitude towards wealth. This probably came as a result of the growing strength of an independent spirit of enterprise.

Lafitau observed that although the Indians were quite reasonable people, in some matters more so than the French, they were easily victimized.⁴ Furthermore, he wrote, although grapes grew everywhere in America the natives did not cultivate them and were still quite ignorant of the secrets of brewing.⁵ Therefore they should not be held responsible for the evils of drunkenness brought to them by the Europeans.⁶

To the dismay of Champlain, liquor was traced to the Indians through a trapdoor at Tadoussac as early as 1608.⁷ If any further evidence is required of the origins of the

4 J. F. Lafitau, Moeurs des sauvages (Paris, 1724), Vol. I, p. 97

5 Ibid., (Amsterdam, 1702), Vol. III, p. 101

6 Ibid., Vol. III, p. 103. The Central Americans knew how to brew

7 C. H. Laverrière, ed., Oeuvres de Champlain (Quebec, 1870), Vol. III, p. 153

liquor traffic among the North American Indians we have it from the Recollet missionary, Sagara, who recounts the drinking bouts of the Indians, and the terrible atrocities which followed, in the most minute detail.⁸ The liquor traffic in New France dates from the very first establishment of trading in the country. It was commercial, mercantile and materialistic in origin. In other words, the antipathy between these motives of intercourse and the missionary motives would provide a basis for many controversies.

This traffic in intoxicants became an alarming problem in the 1640's and 1650's. By that time brandy was regularly given in exchange for peltries at LaCousse station. It was not long before even the most remote tribes of the hinterland were receiving French intoxicants, as the missionaries woefully testified.⁹ The traffic was denounced and forbidden by Champlain, Montmagny, d'Alilleboust, de Lauzon and Maisonneuve in turn, but these prohibitions notwithstanding it continued to flourish through the length and breadth of the colony. The Indian chieftains had implored Champlain to stop the sale of intoxicants and he had

⁸ G. Sagard-theodat, Histoire du Canada (Paris, 1665), pp. 105, 179, 255, 677

⁹ Belmont "Histoire de l'eau-de-vie en Canada", Collection de mémoires et de relations sur l'Histoire ancienne du Canada (Quebec, 1840), p. 9

forbidden Frenchmen to furnish the Indians with them. Natives accused of drunkenness were required to divulge the source of supply so that the traders and suppliers might be punished.¹⁰

This was dealing with the problem at its very roots. Father Le Jeune praised the efforts of Champlain, and the Company of New France, for attempting to enforce the prohibitions.¹¹

Montnagny took the strongest stand possible against the brandy traffic and won the warm admiration of the clergy.¹² During his term of office there were many cases of Christianized Indians needing to do penance for drunkenness.¹³ He did everything in his power to arm the church with secular power in this struggle. By his ordinance of July 9, 1644, he forbade all persons in the colony to sell or trade or give in exchange to natives, whether pagan or Christianized, such items as arquebuses, pistols, other firearms of any description, powder, lead, wine, brandy, hard liquors, beer or other intoxicants, the penalty for disobedience to be confiscation

¹⁰ H.G. Thwaites, The Jesuit Relations and Allied Documents (Cleveland, 1896-1901), Vol. VI, p. 253; Vol. IX, p. 203

¹¹ Relation des Jésuites dans la Nouvelle France (Quebec, 1858), Relation of 1654, p. 32; Relation of 1656, pp. 43, 55

¹² Thwaites, op. cit., Vol. LXII, p. 241

¹³ Claude Martin, Lettres de la Vén. Mère Marie de l'Incarnation, (Paris, 1681), pp. 382, 432

of the trade articles and a fine of 50 livres.¹⁴ The combination of weapons and strong drink in this gubernatorial ordinance is very significant.

This basic ordinance was followed by a series of ordinances designed to implement the policy enunciated in the first; the frequency of the pronouncements indicates the continuation of the traffic unabated by ordinances or clerical censure. On September 6th, the Governor again prohibited individual inhabitants from trading with the Indians.¹⁵ In May of the following year he ordered all inhabitants to take their beaver and other pelts to the Three Rivers stores before the first of June.¹⁶ This ordinance, while indicating the westward movement or progression of the fur market, also indicates the attempt to use the monopoly as a means of control. The order seems to have been disregarded because Montmagny repeated his order on September 21st giving the people ten days in which to comply.¹⁷ There is record of one inhabitant, a fellow called Lafontaine, being fined for trading liquor with the Indians, but even he had 20 of the 30

14 A.S.C., Documents Faribault, No. 40A, Ordinance of July 9, 1644

15 A.S.C., Documents Faribault, No. 42, Ordinance of September 6, 1645

16 A.S.C., Documents Faribault, No. 46, Ordinance of May 16, 1646

17 A.S.C., Documents Faribault, No. 58, Ordinance of September 21, 1646

livres he had been fined returned to him for having confessed immediately to his error.¹⁸ In any case these regulations did not reach beyond the immediate area of the St. Lawrence valley.

The disorders were more widespread than the immediate area of the St. Lawrence valley. By 1634 drunkenness was fairly common among the Montagnais Indians. Also private traders along the Gaspé coast were able to continue their remunerative traffic unmolested and unchallenged. In 1642 some Micmacs from the Bay of Chaleurs arrived at Quebec to ask that the liquor traffic be prohibited in their region. However, another party of Indians arrived from Tadoussac with barrels of brandy and instead of a conference on the liquor traffic being held the Relations inform us that there followed grave disorders.¹⁹ The interpreter Marsolet prepared a lengthy report on the Indian disorders at Sillery in which two natives had been found suffering from serious knife wounds following a drunken brawl. The incident seems to have resulted in the European suppliers being prosecuted for a woman named Jeanne Felletier (née Roussy) was fined

18 A.S.Q., Documents Paribault, No. 60, Condemnation of Lafontaine, July 19, 1647

19 Phwaites, op. cit., Vol. XXII, pp. 241, 243

100 livres.²⁰ Little wonder that Pierre Boucher of Three Rivers was to write by 1663 that the situation was most pessimistic: "all the savages who are close to the Europeans are becoming drunkards."²¹

Does this imply then that many, far too many, of the Europeans were drunkards? This would seem to be the conclusion, The Journal des Jesuites bears testimony of the disorders common among the Frenchmen. At Christmas 1645, two drunken Frenchmen caused a great commotion just before midnight mass. In fact the disorders were so notorious that the Indians complained that they had to do penance for drunkenness but no similar action seemed to be taken against Frenchmen. Such complaints may have had some bearing upon the outcome of the case, for the two guilty fellows were exposed on the wooden horse during a terrible north-easterly windstorm.²²

In the spring of 1647 a French sailor at Tadoussac, upon being refused more brandy because he had already consumed four mugfuls, threw himself into the sea.²³ Toward the end of July of that same year an unrepentant drunkard

²⁰ A.S.G., Documents Faribault, Nos. 72, 73, September 12, 13, 1647

²¹ P. Boucher, Histoire Véritable (Montreal, 1882), p. 118

²² Journal des Jésuites, p. 25

²³ Ibid., p. 92

was burnt to death in a fire which broke out in an old warehouse in Quebec where several men resorted to smoke.²⁴ He was refused burial in consecrated ground. In April, 1648, four or five Frenchmen were again fastened to the wooden horse for drunken disorders during the Easter season.²⁵ One of the worst tragedies came to light on New Year's Day, 1649, when it was learned that three soldiers imprisoned at Three Rivers for drunkenness, blasphemy and mutiny had suffocated in gaol from the fumes of brandy and the coal heaters.²⁶

The missionaries did what they could to discourage the trade in the vicinity of their mission stations. In 1642-43 the missionary to the Montagnais was instructed to do all he could to prohibit the traffic and was authorised to levy a fine of three beaver pelts on drunken Indians.²⁷

Then, who furnished the Indians with these intoxicants, and for what reasons? The fur traders furnished the liquor to the aborigines because they soon discovered the predilection of the tribes for the intoxicants and also realized the great opportunities for exploitation, even of outright swindle and theft, which this commerce offered them.

24 Journal des Jésuites, p. 92

25 Ibid., p. 106

26 Ibid., p. 119

27 Thwaites, op. cit., Vol. XLIV, p. 143; Vol. XLV, p. 187

The Relations record that in 1648 the ships from France brought out so much strong liquor to sell secretly to the aborigines that the disorders to which it gave rise were exceedingly deplorable and even more nefarious than usual.²⁸

The relations give us a frightening view of the evils incumbent upon the traffic:

There have been some (Indians) whose mania was so extravagant that, after stripping themselves of everything for liquor they sold even their own children to obtain the means of intoxication. Children, too, when they were overcome with drink, beat their parents without being punished for it; young men used it as a philter, corrupting the girls after making them drunk; those that have any quarrels pretend to be intoxicated in order to wreak vengeance with impunity. Every night is filled with clamours, brawls, and fatal accidents, which the intoxicated cause in the cabins. Everything is permitted to them for they give as an excuse that they were bereft of reason at the time. One cannot conceive the disorders which this diabolical vice has caused in this new Church.²⁹

and the French traders furnished more and more of the commodity because it brought them the easy profits they sought. No wonder it seemed to the missionaries that the eagerness of the French for profits had the same effect upon them as drunkenness had upon the Indians.

The general reports were that the Indians drank only

²⁸ Phwaites, op. cit., Vol. XXXIII, p. 49

²⁹ Ibid., Vol. XLVI, pp. 102-104. Further descriptions are to be found in Vol. V, p. 230; Vol. XIII, p. 240; Vol. XLIV, p. 142; Vol. XLVIII, p. 62; Vol. LXII, p. 224

to become drunk and when they obtained a container of brandy they gave it to one man rather than share it in order that at least one individual might become well inebriated. Lahontan said that brandy was of itself "murdering stuff" and was greatly adulterated when sold to the Indians yet it was powerful enough to "extinguish their natural heat", to throw them into a state of "consumption" and eventually bring death to many.³⁰ Du Creux described the evil physical effects of brandy upon the Indians too:

...in addition to the drunkenness which it causes there come many grave and dangerous diseases, for their vitals are scorched by the brandy and injured by the quantities of wine and unfamiliar dainties with which they gorge themselves for several days at a time each year, on the arrival of the ships from France. 51

Belmont was undoubtedly referring to cirrhosis of the liver when he warned the savages that brandy would turn their liver black.³²

The craze for liquor was due to several factors. There was a racial susceptibility, or lower "level of tolerance", because the aborigines of North America were

30 R.G. Thwaites, New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. II, p. 466

31 P. Du Creux, The History of Canada, or New France (Toronto, 1951-52), Vol. I, p. 90

32 Belmont, op. cit., p. 25

among the few peoples in the world who did not know the art of brewing. Chronic feasting was already a part of Indian culture and so consumption of alcohol found easy acceptance into their culture. As with other peoples the vicious circle of habit was set in motion by the consumption of intoxicants. Finally, some medical authorities have suggested that the absence of salt in Indian diet possibly reduced their resistance to brandy and its ravages.

On July 19, 1640, Montmagny had attempted to cut off the sources of supply by forbidding the transport of beaver below Quebec and also forbidding the inhabitants of Quebec to board ships without permission.³³ This seems to have been aimed at more than preserving the monopoly of the Company of New France. In 1645 the order forbidding the boarding of ships without permission of the Company clerk was re-issued.³⁴ There must have been continued infringement because twelve months later the ordinance was repeated.³⁵ In June 1647 another order was given prohibiting all persons from boarding ships in harbour without express permission from the Governor and the agent of the Company.³⁶ These efforts to

33 N.S.Q., Documents Faribault, No. 51, July 19, 1640

34 Ibid., No. 41, Ordinance of August 15, 1645

35 Ibid., No. 53, Ordinance of August 12, 1646

36 Ibid., No. 69, Ordinance of June 25, 1647

not seem to have produced the desired effects.

Governor d'Ailleboust consulted the Indian chiefs on the brandy question and they unanimously wanted the traffic stopped. The Jesuits were much impressed with the decision of the chieftains and hailed it as the most important public act of jurisdiction ever performed by the savages of the New world. The Governor and the chiefs agreed to impose penalties upon all who would sell, buy or drink in excess brandy and like intoxicants.³⁷

On the other hand, concessions had to be made to the French themselves. Accordingly, the Council of Quebec granted, on September 19, 1648, a liquor license to Jacques Boisaon, an appropriate name for an innkeeper, which permitted him to keep a cabaret under certain conditions:

2nd. That he would suffer whatever no scandal or drunkenness, ~~or~~ blasphemies, swearing nor game of chance in his home.

3rd. That on Sundays and feast days, during high masses, vespers, sermons and catechisms, his house would be emptied of all strangers and be closed.³⁸

In return for accepting such conditions he received the exclusive right to operate an inn in the town of Quebec and was entitled to reduced rates on the liquor he imported from

³⁷ Du Creux, *op. cit.*, Vol. II, pp. 498-499; also Thwaites, *op. cit.*, Vol. XXXIII, p. 49

³⁸ F.G. Roy, *La Ville de Québec* (Québec, 1930), Vol. I, p. 185; B.R.H. Vol. IV, no. 4 (April 1898), p. 116

France.

Other centres soon issued licenses for cabarets too. But a certain section of public opinion was soon marshalled against excesses that were associated with these establishments. La Potherie, at Three Rivers, opened up his establishment in 1658, offering two jugs of wine for winter beaver pelts and one for summer pelts. But his neighbours' consent had been obtained prior to setting up his business. Even so, when it was found that drunkenness was thereby encouraged the weight of public opinion forced him to seek an official ruling on the continuation of his occupation.³⁹ D'Ailleboust ordered complete suppression of the traffic and La Potherie was forbidden to sell intoxicants to the Indians; nevertheless, he seems to have remained in business.⁴⁰

Official prohibitory orders continued to be issued with a regularity that denotes their ineffectiveness. In 1653 Pierre Boucher at Three Rivers added threats of corporal punishment to his ordinance of the previous year.⁴¹ The Montreal colonists agreed to the desirability of placing

39 Thwaites, op. cit., Vol. XLIII, p. 77

40 Le Journal des Jésuites (Quebec, 1871), p. 228

41 A.J.M., Documents Divers, Vol. I, No. 2, Ordinance of January 14, 1658

some controls upon the liquor trade.⁴² Indeed, a trader called Jean Lubuchon, later to be fined 600 livres and ordered deported on grounds of adultery, was fined 50 francs for a first contravention of the prohibitory regulations.⁴³ A royal edict was obtained prohibiting the selling of liquor by the crews of vessels arriving from France, but these orders were repeated for three years.⁴⁴ Maisonneuve issued ordinances forbidding the unloading of liquor from barges or launches at Montreal.⁴⁵ The multiplicity of regulations leaves the impression of the complete inadequacy of legislation in dealing with such a social problem.

Where did the clergy stand in the matter? Queylus had originally declared the selling of liquor to the Indians permissible,⁴⁶ but he had later decided that the liquor traffic in the colony constituted a mortal sin.⁴⁷ Similarly,

42 Faillon, op. cit., Vol. III, pp. 27, 31

43 N.J.M., Documents Divers, Vol. I, No. 7, Arrest of Jean Lubuchon, May 30, 1657; No. 15, Sentence of June 17, 1660

44 Jugements, Vol. I, p. 8 for Arrest of March 7, 1657; also N.J.M., Documents Divers, Vol. I, No. 21 for the repetitions of July 7, 1658, and of October 6, 1659

45 N.J.M., Ordonnance of March 18, 1658; Ordonnance of July 9, 1658, no pagination

46 Phwaites, op. cit., Vol. XIV, p. 93

47 Journal des Jésuites, p. 233

the recollets had tended to view it as a pernicious obstacle to evangelization and assimilation.⁴⁸ The Jesuit opposition to the brandy traffic requires no further elucidation. When Laval arrived in the colony in 1659 they formed a common front with him against the traffickers. In order to attack systematically the evils of the trade it was decided to urge rigid application of the state regulations and to threaten excommunication to all obstinate offenders. Absolution would be reserved to the Bishop in cases of continued trafficking of brandy.⁴⁹ It seems that the Jesuits were certain that the bishop would be able to do what the civil authorities had hitherto been unable to accomplish.⁵⁰

One of the immediate results of these decisions was a widening breach between some of the traders and merchants on the one hand, and the clergy on the other hand. The traders no longer welcomed the missionaries at many of their outposts.⁵¹ A new element was also interjected, by 1660, into this whole problem. The traders, greedy but practical

48 C. LeClerq, New relation of Gaspesia (Toronto, 1910), p. 411

49 Thwaites, op. cit., Vol. XLIV, p. 121

50 Ibid., Vol. XLVI, p. 105

51 Ibid., Vol. XLV, p. 159

in their outlook, had fallen upon a reasonable argument, they believed, by maintaining that to refuse brandy to the Indians was to drive the fur trade into the hands of the Dutch who supplied whiskey. The Relation of 1662 actually indicates the Dutch were beginning to supply the Iroquois cantons.⁵² This was to be an argument wielded with telling effects in the years to come. But at the time the clergy brushed it aside as ineffective rationalization.

The clergy had made their plans shortly after the arrival in the colony of the Apostolic Vicar. Two months after Laval's arrival at Quebec he held a conference at the Jesuit headquarters in Quebec, then a second consultation within another week, and finally a third conference at his own place of residence.⁵³ By a mandement of May 5, 1660, Laval made known to the colony the penalties to be imposed by the church upon those who continued to deal in intoxicants. Since state regulations had failed to bring the colonial population and itinerating traders to heel the full weight of ecclesiastical censure was now thrown into the fray. The mandement forbade the liquor traffic in no uncertain terms and at the greatest risks to traffickers;

⁵² Relations des Jésuites (Quebec, 1858), Vol. I pp. 2, 10

⁵³ Journal des Jésuites, pp. 268, 269

We make very express prohibition and interdiction under penalty of excommunication in so facto incurred to give in payment to the natives, sell, trade, or give freely and through kindness be it wine or be it brandy in any way or manner and under whatever pretext it may be, of which excommunication we reserve to ourself alone the absolution. 54

The mandement went on to specify that this did not preclude the giving of small amounts on long journeys, but whatsoever no intoxicants were to be traded for furs, leather or hides and skins. The mandement was given added weight when Laval obtained from the Governor the death penalty for persistent offenders.⁵⁵

Here we might well believe the matter would have ended. Who would risk incurring excommunication, or in case of repeated conviction even the death penalty? Surely the economic motivation would give way to less aggressive methods now. Or even were these threats so harsh that neither the church nor the state would dare carry through its fulminations?

There is little doubt that the church wished, and intended, that the restrictions be applied to the very letter

54 H. Fétu & C.O. Gagnon, Mandements (Quebec, 1887), Vol. I, pp. 14-5; also A.S.Q., Evêques No. 171, p. 2; A.S.Q., Registre II, No. 15, pp. 16, 16; S.N.C., Doc. XLVII, No. 1, pp. 147, 148

55 Journal des Jésuites, p. 282, 295, 303

of the law. The church took the stand that its whole missionary enterprise was threatened by the evil traffic. But the colonial traders took the view that the restrictions seriously hampered them in their competition with the Dutch and the English. They were not slow to realize the possibilities of this argument in the framework of seventeenth century colonial policy - were colonies held principally to facilitate the conversion of the heathen, or were they primarily held for economic reasons? The point of view of the religious has been recorded succinctly for us by a contemporary:

The Missionaries seeing the invention that the Devil had found to ruin their labours which had already had a happy commencement, did not fail to have recourse to Monseigneur de Laval, Bishop of Quebec, who strongly attacked Brandy by his censures. There were found persons who undertook defence and establishment. These people having formed vast designs of an immense fortune, which was to make them masters of all the Commerce of the newly discovered world, and of that which was still unknown, were able to win to their party the Governor of Canada, and the Company of the West Indies, thus, there came to be two parties: the one composed of Monseigneur the Bishop and the Missionaries: the other of the Governor and the Company. This quarrel divided the church and the people, the temporal and spiritual power, the sacerdoce and the Civil Government, with an animosity which grieved all good people; each having maxims and reasons, merces and means proper to the support of his cause. 56

Relations of cordiality and understanding were now to be

56 Belmont, op. cit., p. 9

severely taxed. The quarrel was touching upon the very survival of the economy as well as upon the survival of the evangelization of the New World.

On April 18, 1661, Laval informed the colony that he intended to carry through his threats by pronouncing the sentence of excommunication upon an inveterate trader convicted of supplying the Indians with brandy, a Pierre Migron.⁵⁷ Migron had actually been granted absolution the first time he was convicted of trading and had promised solemnly before God never to return to his former ways. He had, however, resumed the trade more assiduously than ever before and when caught again and cited before the Bishop had refused to submit to the public penance required for fresh absolution.⁵⁸ He was therefore excommunicated. Not so fortunate were two other traders, Daniel Voil and La Violette, who were shot for illicit activities.⁵⁹ A third man of their party was whipped for his trading activity.

⁵⁷ Mancements, Vol. I, pp. 50-52; also A.A.G., Registre A, Fo. 240, p. 186

⁵⁸ H.G. de Champris, "Mgr. de Laval et la traite de l'eau de vie", La revue Hebdomadaire, Vol. VI, (1923), pp. 557-552

⁵⁹ Journal des Jésuites, p. 503. The original document was checked at the Archives of the Seminary of Quebec. For further comment see the chapter of Jurisdictional problems.

D'Avaugour seems to have been willing to carry through this execution of the church's decision but not very long afterwards he reversed his stand. The occasion for his decision not to longer enforce the prohibition against intoxicants was Father Lalemant's intercession on the behalf of a Quebec widow caught selling brandy to the Indians.⁶⁰ The Governor decided that the ban was applicable to all or it was applicable to none; he took the stand that justice must be impartial and that the law could not be enforced at all if one were to begin respecting persons. Therefore, Governor d'Avaugour lifted his ban on the brandy traffic and gave full license once more to vendors. The disorders were renewed, or at least so reported the Jesuits.⁶¹ It would rather seem that they had continued in spite of the authorities.

There were two important exceptions to the ban that should be noted. First, the farmer of the Tadoussac domain had been authorized to sell liquors and out of the revenues of this farm were paid the salaries of the Governor and the Councillors at Quebec. Secondly, La Chesnays maintained that "in those unpleasant days", on the pretext of poverty certain people had permission to trade, but they were warned

⁶⁰ L.B. de Latour, Mémoire sur la Vie de M. de Laval (Cologne, 1761), p. 79

⁶¹ Thwaites, op. cit., Vol. XLVIII, p. 62

not to intoxicate the Indians.⁶² Lumesnil went beyond that in his charges against the clergy.

He accused Laval of taking over the council on trade without calling in Governor d'Avaugour. Thus with his grand vicar Chérny and Father Hagueneau, who had not been re-named by the King to the Council, on November 7th, 1661 it was decided to break the lease on the quarter on beaver pelts when this contract still had two years to run.

Lumesnil charged that the clergy made another lease to a close relative of the grand vicar for 45,000 livres, a sum representing a loss of 15,000 livres to the public fund.⁶³

Lumesnil alleged that there were many excommunications and public beatings except for favourites. In his papers he claimed to have details concerning some 25 or 30 cases. The Bishop was attempting to control the traffic himself and to this purpose had appointed a commis at a salary of 500 livres per annum.⁶⁴ This is not quite the report left us by Mother Marie of the Incarnation:

He (Laval) employed all his ordinary gentleness to turn away Frenchmen from this commerce so contrary to the glory of God and to the salvation of the savages. ⁶⁵

⁶² Lastman, op. cit., p. 73

⁶³ B.R.H., Vol. XXI, No. 7 (July, 1915), p. 198. The Mémoire concernant les affaires au Canada of Jean Peronne Lumesnil is printed in Nos. 6 and 7 of this bulletin, pp. 166-173, 193-200

⁶⁴ Ibid., p. 199

⁶⁵ Martin, op. cit., Vol. II, p. 221

Such reports only serve to indicate how involved everyone in the colony became in the brandy question.

The Governor was now very much on the side of the traders. Some Indian chiefs, the religious communities, and individuals such as Pierre Boucher of Three Rivers supported the Vicar Apostolic.⁶⁶ Popular reaction expressed itself in protests and demonstrations approximating the violence of riots.⁶⁷ Some traffickers did humbly repent in public.⁶⁸ But many others simply refused and were excommunicated. Still others carried on their illicit traffic in secret, avoiding the missionaries as much as possible and doing everything to discourage the missions in the interior. Of this latter category were certain traders from LaCoussec who refused to transport two Jesuit missionaries to that post from Quebec.⁶⁹

Laval was forced to give way before such determined opposition; in October 1661 he suspended his excommunication order.⁷⁰

The heavens themselves now seemed to intervene against the traffickers, or at least so thought the clerical

⁶⁶ Martin, op. cit., Vol. II, p. 571; Boucher, op. cit., pp. 93-96, 116

⁶⁷ Journal des Jésuites, p. 305

⁶⁸ Ibid., pp. 268, 282, 295

⁶⁹ Ibid., p. 285

⁷⁰ A.A.W., registre A, No. 216, p. 163; also S.H.C., Doc. XXVII. Po. 6, p. 149

party. Father Le Jeune drew a very gloomy picture of colonial life but felt certain that Providence had intervened in the brandy quarrel with frightening natural warnings appearing in the heavens and the prowling Iroquois making the settlements unsafe.

The earthquakes which took place this winter at Montreal, made the inhabitants tremble in advance, it caused the unfortunates who followed this prognostication to fear. The lamenting voices which made themselves heard in the air above Three Rivers, was perhaps that of the poor captives who were kidnapped by the Iroquois; and the canoes which appeared all in flame flying through the sky in the environs of Quebec, was merely a light but true portent of the enemy Canoes that preyed along our coasts this summer...⁷¹

To the believers there was no doubt that the comet above Montreal, the earth tremors, the defeat of the French and Algonquin allies by the Iroquois before Three Rivers, and the death of the senechal M. de Lauson were Divine warnings to the colonists that they must repent of their evil ways and heed their bishop.⁷² The strange happenings were still the talk of the colony years later and Charlevoix made mention of them.⁷³ The passage of time may have added a few

⁷¹ Thwaites, op. cit., Vol. XLVI, p. 200

⁷² ibid., p. 200

⁷³ P. Charlevoix, Histoire et description générale de la Nouvelle-France (Paris, 1774), Vol. I, p. 348

embellishments to the accounts but they seem substantially the same in most sources. Certainly the Iroquois pressure was regarded as a heaven-sent punishment; nevertheless, the Relations in dealing with the menace also called on Frenchmen to unite in their efforts to launch a crusade against "this little Turk of New France".⁷⁴

An epidemic of whooping cough had also struck the colony. The rumour got going that this was because of witchcraft and even the doctors seem to have encouraged this belief. However, there were skeptics even in the seventeenth century and it is their reaction to this rumour capable of unleashing an orgy of witch trials that indicates to us the fact that not everyone accepted the clerical interpretation of the recent phenomena. The Sovereign Council of Quebec was to come out definitely in the near future against attributing such events to diabolical interventions.⁷⁵ Perhaps we are justified in assuming that if the leading citizens refused to accept the popular theory of diabolical intervention they would also refuse to accept the clerical theory of angelic intervention.

In the meantime the validity of the reserved case

74 Phwaites, op. cit., Vol. XLVI, p. 290

75 R.D. Séguin, La Sorcellerie au Canada Français du XVIIe au XIXe siècle (Montreal, 1961), p. 56

and the use of excommunications against brandy traffickers was being deliberated by the Sorbonne. The learned doctors of theology, P. Cornet and M. Grandin, gave their carefully considered opinions on February 1, 1662. In general they upheld Laval's position on the question. They were of the opinion that a bishop not only had the right, but also the moral obligation, to excommunicate obstinate and inveterate liquor traffickers in the colony.⁷⁶ They worked from the premise that the civil governor had been unable to maintain order and peace in the colony. In such circumstances it seemed to them that the church would have to bolster the legislation of the state, and the Indians were to be regarded as minors under tutela e. Selling intoxicants in an infant church to newly converted tribal peoples was indeed a mortal sin, in their opinion, and consequently the Vicar apostolic might reserve to himself the granting of absolution for trafficking.

Even before this decision could be made known in the colony Laval had again taken stern action against the

⁷⁶ Mandements, Vol. I, p. 41; also A.S.Q., registre 1, No. 23, pp. 25, 26; S.R.C., Doc. XLVII, No. 2, pp. 148, 149; A.S.Q., Evêques No. 171, p. 2

traders.⁷⁷ We have already seen that in October 1661 he had suspended his excommunication order of May 1660 upon receiving the promise of the state officials that order would be enforced. But the disorders had multiplied instead, so that even in the town of Quebec there were murders, several cases of rape and rumours had it that the Indians at the mission stations were abandoning their new religion. Faced with such violence and foreshadowing of collapse of the missionary work the Vicar apostolic decided to protect his infant church. He mounted the pulpit to declare:

The suspension of the said excommunication is removed, and this excommunication is put back into force and effect, against all those who will give in whatsoever form it may be intoxicating beverages to the said savages, apart from one or two drinks to French workmen, or two small glasses of wine.⁷⁸

This took place on February 24, the feast of St. Matthias.⁷⁹

It seems that not only had Laval addressed his flock in person but he had mounted the pulpit in full regalia bearing all the symbols of his episcopal character. This was probably to silence those who said he was not named bishop of

⁷⁷ Journal des Jésuites, p. 505; "there was a great quarrel over the permission for intoxicants to savages which Mons. the Governor gave; nothing was forgotten in opposing it excepting excommunication".

⁷⁸ A.A.G., registre II, No. 213, p. 163; also S.R.C., Doc. XXVII, No. 3, pp. 149-150

⁷⁹ Journal des Jésuites, p. 505

quebec and so could not exercise full episcopal powers while only a Vicar apostolic. Also, it was known that the Governor did not believe the Vicar apostolic had the right to "hurl excommunications" against citizens for doing what brought prosperity to the state.⁸⁰

Laval began exacting heavy penance from traffickers. One fellow named Blondeau had to pawn his musket before he could obtain absolution, according to Lumesnil's account.⁸¹ But the episcopal threats worked no better than the civil threats. Therefore, two months later, on April 30, Laval found it necessary to renew the decree in still plainer terms:

we declare concerning our aforesaid excommunication heretofore published that only those who will supply hereafter to the savages intoxicating beverages to be by them transported will fall as before under our said excommunication, but in addition all those who by their delinquency will be the cause of the drunkenness of said savages of ~~of~~ or the other sex by furnishing them with said intoxicating drinks.⁸²

The Indian disorders, Laval attributed to two causes: first, there was the "unbounded avarice of quite a few Frenchmen, for the most part rascals, who find in it an unfortunate

⁸⁰ Faillon, op. cit., Vol. III, p. 28

⁸¹ B.R.H., Vol. XXI, No. 7 (July 1915), p. 199

⁸² A.H.Q., registre A, No. 214, p. 164; also B.R.C., Doc. XXVII, No. 4, p. 151

profit"; secondly, there was the "weakness of the savages" craving for alcohol and so easily inebriated.⁸³

Threaten as much as he would Laval was unable to charge the majority of the traders. Mother Marie de l'Incarnation noted that the Bishop was not the type of individual who would readily accept such a defeat, especially if he believed the welfare of the colonial church at stake. It was the lack of state support that decided the Bishop to return to France to ~~place~~ his case before the Court, according to Mother Marie de l'Incarnation.⁸⁴ It has been seen, however, that the state had also attempted to restrain the traffic. However, it was true that there had been little cooperation between church and state in the matter since Laval's arrival to the colony.

Natural phenomena again intervened to strengthen the bishop's efforts. The Jesuits reported with some concern that the despicability of the excommunication order had continued "and there having followed little amendment God appeared to wish to set off these insults."⁸⁵ They were alluding to

⁸³ A.N.S., registre A, No. 214, p. 164

⁸⁴ Martin, op. cit., p. 571. Father Magueneau also returned to France to support the Bishop, Journal des Jésuites, p. 310

⁸⁵ Journal des Jésuites, p. 316

severe earthquakes which shook the St. Lawrence lowlands during the spring of 1603. Mother Juchereau reported the effects in much the same way:

This earthquake produced several good results, it moved the consciences of the most hardened sinners, and made them think seriously about their salvation: never were more sincere confessions made, nor accompanied by so many evidences of true contrition; everything preached repentance, each was touched with guilt, and thoughts were only upon the judgment of God, and peoples prepared as having soon to appear there; several took communion as if it were the first time in their lives, and Lent was never observed in more holy fashion, because people saw themselves on the point of being swallowed up, and the general fear made every one look to himself. 86

Even Governor d'Avaugour noted the spiritual effects of these upheavals in nature:

The fifth of February we had an earthquake which lasted close to half of a quarter-hour, strong enough to engage us in a good act of contrition. It continued from time to time for nine days and was felt until the last day of the month but always diminishing in strength. 87

If these uncommon events worked no change, what would?

It was important to strike while the iron was hot, to take full advantage of the salutary effects of the upheavals upon the hearts and consciences of the colonials. The arguments advanced against the sale of the intoxicants

86 P.A.H., Vol. LXX, No. 9 (September, 1923) citing Mother J. -F. Juchereau de St. Ignace, Histoire de l'Hôtel-Dieu de Québec (Montreal, 1751), p. 281

87 A.P.Q., Manuscripts I, Vol. I, Memorandum of Dubois d'Avaugour, August 4, 1603, p. 29

are particularly relevant to this study. The great argument was of course that intoxication led to disorderly conduct, especially among the aboriginal peoples who had been ignorant of the art of brewing.

...apart from the natural effects which it produces among all men, it makes such strange ones among the savages from the beginning, that we were not long in perceiving that the drunkenness of the savages was of a different type from that of the Europeans; for, the savages having found a beverage so quick acting and efficacious in warming up their coldness, in enabling them to come out of themselves, and through it to gain the strength and impurity which they were seeking after, we were not long, I say, in seeing drunken men killing each other; husbands burning their wives; wives dishonouring their husbands; fathers putting their children to soil in cauldrons...⁸⁸

The missionaries instructed the Indians that the holy spirit would depart from them when they became drunken, that the Devil would enter into them, so that they jeopardized their salvation; they told them that brandy nourished the flames of hell, that its use encouraged the ravages of plagues, pests, wars and famines.⁸⁹

Such other-worldly arguments seem to have carried little weight with the majority of hearers so the missionaries turned to more worldly and physical arguments. Use of brandy would weaken health, shorten the life span, expose

⁸⁸ Belmont, op. cit., p. 8

⁸⁹ Ibid., p. 25

individuals to the dangers of being killed in brawls or being crowded, would make them the lurching stocks of their communities, would reduce their prestige and esteem in the sight of Europeans, would expose them to being robbed, and would finally deprive them of their wealth and probably completely impoverish their families.⁹⁰ The Indian reply to this, according to one contemporary report, often ran as follows:

But, the Frenchmen get drunk too; they taught us to drink; they sell us brandy; Frenchmen are however very wise men who have their place in Paradise, they are the first Christians; we shall therefore be as happy in Heaven if we do like them.⁹¹

The missionaries undoubtedly felt that there was good logic, albeit poor morality, in this counter-argument.

The same reporter, probably an ecclesiastic, produced much more convincing arguments for the home government. The use of brandy was condemned on medical grounds. The vapours and fumes affected the mind, clouded the eyes, he alleged; the biting strength of the liquid dried out the throat and stomach. But the worst of all was the effect of the vapours - for it was the fumes which caused vertigo and accounted for the staggering and falling of those who indulged in it. The results of repeated and continued use were

⁹⁰ Belmont, op. cit., p. 26

⁹¹ Ibid., p. 28

truly frightening to contemplate:

When drunkenness from Brandy is very frequent and heavy, it makes proportionately greater disorders. The liver cools off through the absence of vital spirits which animate the nervous fibres; from this issues forth dysenteries, then hydropsy and pulmonary ailments; attenuations, from which come rarefying fevers, and the brain sending forth spirits only feebly, paralysis ensues. 92

Given this medical opinion, it is little wonder that when corpses were viewed with dark wounds, this coloration of the wounds and entrails was attributed to the use of brandy.⁹³

Laval was favourably received at the French court and there he obtained satisfaction on most of the points raised by him on behalf of the colonial church.⁹⁴ The court decided to forbid the sale of intoxicants in the colony and to recall the Governor, d'Arroux, who had opposed the bishop on the brandy question. The Vicar Apostolic was instructed to proceed with the organization of parishes, to proceed with his plans for the foundation of a seminary and to provide for the regular collection of tithes in the colony, as we have already seen. There was also a reiteration of the promise made to Pierre Boucher, governor of Three Rivers, who had made appeals in his own right to

92 Belmont, op. cit., p. 5

93 Ibid., p. 6

94 P.A.C., Mélanges de Colbert, Vol. LXV, Laval to Colbert, May 25, 1663, fol. 1160; Laval to Colbert, May 30, 1663, fol. 1200

the Court, that military and civil assistance would be sent immediately to the colony. Provisions were made for the erection of the colony into a pays d'élection, for the cancellation of the existing trade monopoly, and for the creation of a sovereign Council. Laval's victory seemed complete and he was not ungrateful.

Nevertheless, in the colony the notion persisted that there had been great contestations in France on the subject of the brandy trade.⁹⁵ The colonials were soon to receive other indications that there was sympathy in some quarters for the brandy traffic. The royal instructions to the special investigator Gaudais, sent to look into the affairs of the Company of New France, the quarrels with its colonial partner and the Lanesnil case, indicate the primary concern was with success of colonization while not altogether ignoring the economic basis:

The King wants the said sieur Gaudais, to inform himself particularly of the means of retaining to the profit of His Majesty the said trade making known to the inhabitants that it is their welfare and that it intends to draw no utility at all from the said country and on the contrary that it wishes to employ there a considerable amount each year to maintain it, support it and populate it.⁹⁶

Those who were aware of the economic basis of the argument

⁹⁵ Belmont, op. cit., pp. 48-59

⁹⁶ L.H.V., Oracles du roi, series B, Vol. I, King to Gaudais, May 1, 1663, p. 49

for the brandy traffic were to use the argument in future days that Indian disorders attributable to drunkenness actually resulted in neglect of hunting and trapping.

The establishment of Royal Government could be expected to reduce the strength of the party supporting the brandy traffic. The administration was passing into the hands of people appointed by the Court and not by the monopoly company. Moreover, the first Governor was known to be acceptable to Laval, and the first councillors on the Sovereign Council were to be appointed jointly by the Bishop and Governor. There was at first no Intendant.

One of the first acts of the Sovereign Council of Quebec was a restoration of the state ban on the liquor traffic. The arrêt restated the general prohibitions "because of the fury in which these peoples find themselves when drunk, and because it is certain that they wish to drink only to become drunk."⁹⁷ The Sovereign Council issued a complete order of prohibition with regards to the Indians, "not even one drink", and imposed a 300 livres fine for a first offense, of which 1/3 was to go to the treasury, 1/3 to the person denouncing the guilty party, and the remaining 1/3 to the hospital. Whipping and even banishment from the

⁹⁷ Edits, Vol. II, 6-7; also A.C., series F5, Vol. III, fol. 305

colony were threatened for cases of relapse into trading.

The minutes of the Sovereign Council for September 28, 1663, indicate that the Jesuits were consulted in drawing up the ban.⁹⁸ The controversy was reported in Council to have increased in gravity during the years 1662 and 1665 because of the relaxation by d'Avaugour of punishments against traffickers. The council was very obviously influenced by the ecclesiastical point of view because the usual arguments that the traffic was the cause of disorders, of abandonment of the faith and neglect of the hunt were again advanced. A particular triumph for the Bishop was the Sovereign Council's acknowledgement that the evils of the trade were in large measure due to the non-enforcement of the royal decree of 1657. The severity of the action now taken would seem to confirm the fact that the salutary effects of the earthquake had already worn quite thin!

Did the new "tough policy" work? At least it was implemented. In fact, the provisions were quickly applied to French suppliers of brandy as the records of the Sovereign Council demonstrate. Co-operation between the civil and ecclesiastical powers was most effective in enforcing conformity. Two cases illustrate well this effective repression.

⁹⁸ Jugements, Vol. 1, pp. 8, 9; also A.S.A., polygraphie IV, No. 22

Gilles Esraid, a non-resident of the colony who could plead ignorance of the law, was apprehended trafficking in intoxicants with the Indians and was lucky to get off with no more than a 50 livres fine and a warning.⁹⁹ Pierre Fichel, a domestic who was much given to drinking and consequently to the neglect of his duties, was fined 10 livres and ordered to make reparation for work days lost at the rate of 4 livres a day.¹⁰⁰ This was, in other words, application of the ban on excessive drinking to Frenchmen.

The co-operation between church and state in suppressing the brandy traffic soon broke down, however. Early in 1664 Governor Mezy began to quarrel with the Bishop.¹⁰¹ One can imagine the effect this had upon the traffickers who now enjoyed the prospects of friction between the civil authority and the ecclesiastics, most likely a refusal on the part of the state arm to support the church in banning the trafficking. In the Sovereign Council, Bourdon, Villeray and d'Auteuil supported Laval against Mezy in arguments over the brandy traffic and tithing. On February 15th, while Laval was attending a meeting of the Sovereign Council at the

⁹⁹ Jugements, Vol. I, p. 64

¹⁰⁰ Ibid., Vol. I, pp. 77, 78

¹⁰¹ The story is recounted in Louis XIV's instructions to Talon, March 27, 1665. This is printed in N.S.P.Q. 1930-31, p. 6

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Chateau St. Louis, the Governor's secretary informed him of the dismissal of Bourdon, Villeray and d'Auteuil. Mezy asserted these men were tools of the Bishop who had tried to assume control of the government contrary to the interests of the King and of the public welfare. Laval observed dryly that the dismissal had no value in law without his consent, the edict of creation of the Sovereign Council requiring joint action on such matters.¹⁰² Three assemblies were held in rapid succession to name councillors but each time new difficulties were raised. By September 24 Villeray and Bourdon had been ordered to France to answer there for their conduct and Mezy had decided on a new slate of officials.¹⁰³ The quarrel had no further issue as Mezy died in May, 1665 before the return of Bourdon and Villeray from France. Moreover, Ragueneau observed that the arrival of well-behaved troops and a conciliatory leader in the person of de Tracy had restored peace and order to the colony.¹⁰⁴

By an edict of August 1536 it was established judicial practice in France not to accept drunkenness as an excuse for crimes committed by an individual when in such a

102 Edits Vol. II, p. 5

103 Jugements, Vol. I, pp. 268, 278-281

104 P.A.C., Mélanges de Colbert, Vol. CVI, Paul Ragueneau to Colbert, September 7, 1665, fol. 617

state.¹⁰⁵ In April 1664 the Sovereign Council at Quebec decided to extend the penalties of the laws of France for rape and murder to the Indian population.¹⁰⁶ An Indian, Robert Hache, was arrested for the rape of a Frenchwoman, but he managed to escape from the prisons. At his trial the chiefs of the Quebec Algonquins, the Tadoussac aborigines, the Nepissirinians, the Iroquois and the Abenakis, were summoned before the Sovereign Council to be informed, through the well-paid interpreter Nicholas Marsolet, that according to the laws of France rape was punishable by hanging and strangulation.¹⁰⁷ Hache had pleaded that he was drunk when the crime in question had been committed.

Hache had his sentence, handed down in absentia, commuted, but the assembled chieftains agreed to inform their peoples that in the future the full severity of French law would fall upon them too. The Sovereign Council did not record the usual Indian contention that a crime committed while drunk could not by definition be a crime of volition. The chief of the Algonquins made the point that if the Indian youth did not always behave itself correctly the French youth

105 F.A. Isambert et al., Recueil général des anciennes lois françaises (Paris, 1829), Vol. XII, p. 525

106 Journal des Jésuites, p. 323

107 Jugements, Vol. I, pp. 174-175

had been guilty of giving it a very bad example too.¹⁰⁸

On April 17, 1664, the Sovereign Council renewed its ban on the giving of any intoxicants to the Indians and repeated the threats of confiscation of property, banishment from the colony and whipping for those who still dared to traffic brandy.¹⁰⁹ The attorney general had informed the Council that the inhabitants of Cap Rouge, St. Francois-Xavier de Sillery were still failing to observe the regulations.¹¹⁰ The prohibition orders were to be read for three consecutive Sundays following high mass in the churches of the Quebec area and publication was also to be made at Three Rivers, Cap de la Magdeleine and Montreal,

The Council took further steps. It was apparent that continuing delinquency could not be blamed upon ignorance of the Council's rulings. Therefore, a special magistrate would have to be appointed to deal with drunken Indians and French suppliers. On April 23rd, Jean le Vasseur was named to the position created; his duty appears to have been to obtain from the Indians the names of the suppliers of brandy so that the vendors might be fined and the illicit trade

108 Jugements, Vol. I, p. 174

109 A.S.Q., Polygraphie IV, No. 23, April 17, 1664, arret of Sovereign Council against brandy traffickers

110 Jugements, Vol. I, pp. 170-1

attacked at its sources.¹¹¹ All citizens were enjoined to lend a hand in arresting offenders and a penalty of 10 livres was imposed upon all who showed insufficient zeal and loyalty by refusing to co-operate in the apprehending of the lawbreakers. Every citizen was proclaimed to be a constable and responsible for arresting drunkards and obtaining from them the names of the suppliers of intoxicants. Three days after the Council's decision was taken, Le Vasseur posted the edict in the usual public places at Quebec.¹¹²

Almost in contradiction to this desire to hunt down the traffickers we read in the Council minutes that two days later the churchwardens of Three Rivers appealed to the Sovereign Council for payment of a sum of 1400 livres, plus interest, owed them by four leading citizens of the town.¹¹³ La Potherie, de Herisson, Lefebvre and le Maistre had been permitted by a former Governor, d'Argenson, to open a liquor outlet in the town on the condition that they make a stated contribution to the construction of the parish church. Now that the church was under construction, the wardens wanted - not the prohibition of the liquor business - the payment of the promised sum from the profits of their

111 Jugements, Vol. I, p. 181

112 Ibid., p. 181

113 Ibid., p. 182

business. The Council asked the Governor and Bishop to accomodate the Three Rivers dispute.¹¹⁴

We can understand that a settlement satisfactory to both parties was not reached because early in 1665 a general assembly of the inhabitants of the settlement drew up a petition to the Sovereign Council, and Louis Pinard, elected a syndic of the inhabitants of Three Rivers, presented it on their behalf.¹¹⁵ The citizens complained that the liquor traffic was still producing great disorders, the source of irregularities now being the extensive sale of beer and a home-brewed bouillon to the Indians. Governor Mezy was of the opinion that these milder intoxicants should also be banned and that the practice of lodging Indian traders in the homes of Frenchmen be prohibited. The Council ordered that this be observed, setting the penalty for a first offence at 500 livres, an indication in itself that the offenders were likely to be already prosperous traders, even some of the leading citizens. One-third of the fine was applicable to the informer. The decision was to have effect only until the arrival in Quebec of the Lieutenant-General of all North America, de Tracy, at which time it would pass

114 Jugements, Vol. I, p. 182

115 Ibid., pp. 340-1

under review again.¹¹⁶

Still there was resistance at Three Rivers and at Cap de la Magdeleine which the Council regarded as approaching sedition and rebellion. The troubles were now constant, were due to divisions between the principal officers of the Crown itself and the malicious intent of several influential citizens to league together and collectively resist the orders.¹¹⁷ At this point there occurred an incident reminiscent of the episode between Father Lalemant and Governor d'Avaugour. The Governor's illness ruled out a bitter contest between church and state in this incident. The Sovereign Council had assembled to interrogate several natives arrested for contravention of the edict of the previous year; the Council hoped to obtain the names of the suppliers of liquor.¹¹⁸ The Jesuit, Father Chaumonot appeared, to the surprise of the Council, to intercede for a squaw called Genevieve, asserting she was a good Christian, that she had not really been drunk but that the soldiers who had arrested her had been drunk themselves. The Council granted the request that she not be kept in strict

116 On July 15, 1665, de Tracy confirmed the Edict of April 29, 1664, and ordered it publicly posted if not already done. Jugements, Vol. I, p. 340

117 Ibid., pp. 353-4

118 Jugements, Vol. I, pp. 337-8

confinement of the gaol but merely be kept under surveillance. However, she eluded her gaoler on the excuse of going out to relieve herself and made good her escape. No outburst against the Jesuit missionary seems to have followed, but the incident was not soon forgotten.

Following Governor Mezy's death in the spring of 1665, his lieutenant La Potherie provided a special investigating Commission, named by the Sovereign Council, with some troops to go down to Three Rivers and thoroughly investigate the disorders. The Commission had power to question, arrest and imprison any person on grounds of, even suspicion of, assassination, sedition, riot and trafficking in intoxicants.¹¹⁹ The judge, du Herisson, had alleged that he had been threatened with assassination. The Commission was also empowered to proceed to Cap de la Magdeleine. Indeed, at Cap de la Magdeleine several individuals were arrested and charged with debauching Indian girls and women through providing them with alcoholic beverages.¹²⁰ The Sovereign Council's edicts against the brandy traffic were read and posted at the church doors to

119 Jugements, Vol. I, pp. 354-5

120 A.P.Q., Archives des Trois-Rivières, Documents Divers, Vol. I, July 14, 1665, pp. 47-48

warn the parishioners.

The Council had also arrested two Indians, Tawiskaron and Anakawabemat, and interrogated them at length in an effort to find out the names of the liquor traffickers. The Sovereign Council decided to imprison them in an effort to extort the desired information from them; the Indian love of liberty soon asserted itself and the two malefactors were released after having named a soldier called Rouvray as the source of supply.¹²¹

When de Tracy visited the colony he confirmed the measures taken against the traffic. He had been informed, or perhaps misinformed is a more appropriate term, that the Bishop and Jesuits had prohibited the liquor traffic and that the ban "is so exactly observed that no Frenchman dared offer a glass of brandy to an Algonquin or Huron. That has no doubt a sound principle, but which is very ruinous to commerce..."¹²² The incidents we have recited indicate that this was not a precise appraisal of the situation then obtaining in New France. Be that as it may, de Tracy proceeded soon after his arrival to confirm the prohibition

¹²¹ Jugements, Vol. I, pp. 188-9

¹²² A.P.Q., Manuscripts I, Vol. I, Memorial to de Tracy, November 15, 1664, p. 42

ban of 1664 by one of his own.¹²³ The following year, on December 6, 1666, the penalty for a first offence was again set at 500 livres and three hours on the wooden horse.¹²⁴ Warnings were sent in writing to all the tribes by way of the Jesuit missionaries. This might, on the face of it, indicate growing harshness; in reality, it indicated continuing disorders as the renewal itself admitted for it used the phrase "the disorders have always continued". De Tracy might have taken some comfort, had he been aware of it, that the English were having similar problems with their aborigines in the colonies to the south of New France.¹²⁵

123 Jugements, Vol. I, p. 340

124 Jugements, Vol. I, pp. 268-9; also Collection de Manuscrits (Quebec, 1883), Vol. I, pp. 186-7

125 In 1666 Governor Nicolls of New York and his Council took action against traffickers in that colony: "Whereas divers Complairts have been made y't notw'withstanding ye peralties in ye Law sett forth, severall persons doe presume to sell Liquors to ye Indjans, whereby often times great disorders are committed. But what is done by them in that kind is acted so privately that seldom any other proof thereof can be made, than by some of ye Indjans themselves. It is therefore Ordered that although ye testimony of heathens against Christians may not altogether be allowed, yet when It meets with the apparent circumstances, such as may be sufficient to convirce a Jury, In such cases ye Indyan testimonyes shall be admitted as good proofes against ye person accused." Second Annual Report of the State Historian of New York (Albany, 1897), Vol. I, pp. 158-9

Although at this period Laval was present at most of the meetings of the Sovereign Council that body seems to have become less and less enamoured of its role in enforcing the prohibition. The growing laxity on the part of the state officers was exemplified in a test case involving 18 individuals arrested in the Three Rivers region, six of the accused being traders and 12 being Indians alleged to have obtained liquor from the traders and having become drunk therefrom.

Before examining this case the actions taken during the early months of 1667 ought to be reviewed. De Tracy had reaffirmed stiffer penalties in December 1666, and the Sovereign Council had followed this up with a ban including "all savages of whatever tongue or nation they be from trading the same liquors on penalty of arbitrary fine, and for those who shall inebriate themselves therewith to be put on the wooden horse for three hours".¹²⁶ This had probably come in response to the Jesuit observation that drunkenness among the Algonquins was greater than ever before.¹²⁷ On January 5, 1667 the Sovereign Council, by what the Jesuits described as "a strong ordinance", forbade the sale of any liquor to any Indians.¹²⁸ On January 10, it undertook the investigation

¹²⁶ Jugements, Vol. I, p. 368

¹²⁷ Journal des Jésuites, p. 353

¹²⁸ Jugements, Vol. I, p. 406; Journal des Jésuites, p. 353

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at the seigneurie of Lauzon "there having been committed numerous disorders because of the trade in said liquors".¹²⁹ On April 26 a similar investigation was launched at Three Rivers at the insistence of the royal judge there.¹³⁰ Then in June came what seemed to be the real test case with the arrest of the 6 traders and 12 Indians whose guilt was very easy to prove. The severity of the law does not seem to have been applied for none of the offenders received the maximum penalties provided for in the edicts of prohibition. One trader was fined 200 livres, two were fined 150 livres and the three others were fined 50 livres - none was required to pay, the 500 livres called for in the edicts. The twelve Indians were each fined 50 livres or one month in prison with exposure for one hour each day on the wooden horse during the last fortnight of their incarceration.¹³¹ It would seem that the law was in effect bearing down rather heavily upon the Indians, for few of them would be able to pay off the fines on the spot as did the French suppliers.

There are other indications that the crimes were too frequent in the colony, and committed by people of worth in the community, to call forth application of the law in its

129 Jugements, Vol. I, p. 370

130 Ibid., p. 388

131 Ibid., pp. 407-409

full rigour. Two persons who while inebriated killed a soldier were sentenced to be flogged and branded; but at this same time the crimes of incendiarism, theft, forgery and rape were punishable by death or banishment.¹³² Another incident, which quite inappropriately occurred on the eve of Good Friday, 1667, seems to indicate a leniency, or a breaking down of the determination, of the Sovereign Council. Three soldiers from Sillery were apprehended trying to sell a barrel and a jug of brandy to the Indians. Two of the soldiers acknowledged their guilt and the third was cleared of all charges. What is truly amazing is that not one of them was fined, imprisoned or flogged.¹³³ The brandy was confiscated and the profits were given to the two inhabitants who had denounced the soldiers to Captain d'Auteuil.

And so the evidence can be collected to prove this winking by the civil authorities at the penalties their own edicts required them now to impose. Less than a month after the incident just cited at Sillery, two further cases came to the Sovereign Council. Lavallée from the island of Montreal was fined a mere 20 livres for selling brandy to the Indians on not just one but on two occasions and having been

132 Journal des Jésuites, pp. 361, 337, 354, 357

133 Jugements, Vol. I, pp. 410-411

apprehended.¹³⁴ Of course he had had to come to Quebec at his own proper costs to stand trial. Then, a Gilbert Martin was found guilty of selling liquor to the Indians and his accomplice Jean Crevier of acting as translator in these forbidden dealings; both were fined 50 livres payable to Jeanne Mance's hospital work at Montreal.¹³⁵

The Bishop personally gave battle once more. On August 6, 1667, he issued an ordinance against the disorders growing out of the liquor traffic among the Ottawas.¹³⁶ This came four days after he had obtained a similar ruling from the civil authorities on the grounds that the Christianized Indians were reverting to paganism, notably that they were resorting to pagan festivities in their drunken stupours.¹³⁷ De Tracy ordered the Indians to give proof of their good conduct to the missionaries who laboured among them. Meanwhile, the system of paying informers was producing long lists of traders even if these were not being punished.¹³⁸

Talon seems to have played very little role, if any

134 Jugements, Vol. I, p. 422

135 Ibid., p. 423

136 Mandements, Vol. I, p. 68; also A.A.Q., Registre A, No. 53, pp. 53-54

137 A.A.Q., Registre A, No. 54, August 2, 1667

138 A.P.Q., Documents Divers, Vol. II, Nos. 98, 100

in these attempts to deal with the brandy traffic. He held the view that the Indians would become completely assimilated if they were treated in all respects like Frenchmen. Talon was interested in the production of beer at his brewery, and the growing of hops on his seigneurie, and insisted that beer was the answer to the brandy craze. The production of beer would check the importation of brandy and wines from France, would absorb the surplus grain production, would restore a more favourable balance of trade with the mother country, and would drive Dutch beer from the West Indian markets.¹³⁹ It was made to appear as a solution to both economic problems and the vexing one of the brandy traffic.

The clergy rallied to the idea of promoting beer as the colonial beverage in the hope that it might also prove to be the means of diminishing the demand for brandy. Once Talon's brewery went into production the brandy imports were restricted to 400 casks a year for each importer.¹⁴⁰ Whether this worked more to the advantage of Talon or of the opponents of the brandy traffic it is difficult to say. Mother Marie de l'Incarnation was convinced that Talon was

¹³⁹ B. Sulte, Mélanges historiques (Montreal, 1913), Vol. I, pp. 70-78 has an informative summary of alcoholic beverages used in the colony

¹⁴⁰ Edits, Vol. II, pp. 43-45; also Jugements, Vol. I, p. 477

acting principally to end the brandy traffic and said that if God inspired him to root out this commerce it would complete the immortalizing of his memory in the New World.¹⁴¹

In the long run, the attempt to introduce milder beers to supplant the strong liquors failed. Duchesneau, in drawing up an inventory of the property belonging to Talon in the colony, commented (1680):

Making beer was discontinued five or six years ago because the farmers had sent in large quantities of wine and brandy which the inhabitants liked better.¹⁴²

The law of supply and demand seems to have re-asserted itself.

Laval felt obliged to make another public pronouncement in view of the new developments. On February 9, 1668, he said that there were indications that it had been unwise to remove the ecclesiastical penalties against the obstinate and contumacious rebels.¹⁴³ But he had been forced into a position of not pressing the disobedient too much because the state officials had taken what seemed to be remedial action, because state action was to be preferred to

141 Martin, op. cit., p. 645

142 A.C., Series F3, Vol. II, Memorandum of November 13, 1680, fol. 67

143 Mandements, Vol. I, pp. 72-73; also A.A.Q., Registre A, No. 215, p. 164; S.R.C., Doc. XXVII, No. 6, p. 153

ecclesiastical action in this case, and because the church was desirous of obtaining the full support of all members of colonial society, including those who had engaged in trade. One thing was certain - there had been little if any improvement in the situation.

The Bishop warned the faithful that although the threat of excommunication had been lifted all Catholics were still risking committing a mortal sin if they persisted in trafficking brandy:

...it might have been thought consequently that all prohibition under penalty of committing mortal sin had also been lifted although notwithstanding this was never our intention. 144

A warning had been given. Laval went on to define the position:

We declare hereby to all persons employed in the salvation of souls, French as well as savage, that We forbid them as well for all quantity sufficient to intoxicate as well as for all quantity over and above that, given the nature and intentions of the savages...We judge that rarely there may be found reasons which may reasonably oblige one to grant a dispensation...145

And so the clergy were advised not to be too lenient with drunkards and confessors were required to show proper strictness. Certainly the account, as given by the Jesuits, of the death by drowning of sieur Bondy while inebriated suggests

144 Mandements, Vol. I, p. 72

145 Mandements, Vol. I, p. 73; also A.A.Q., Registre A, No. 215, p. 165; S.R.C., Doc. XXVII, No. 6, p. 154

that the clergy showed the desired firmness: "He was buried like a dog near our mill".¹⁴⁶

Laval had been confirmed in his opinion that a frontal assault on the brandy trade might bring harmony and peace to New France during his visit to Tadoussac. To his friend the curate of St. Josse in Paris he wrote:

We saw what a blessing it can be to these new Christians to find themselves without opportunity to take intoxicating beverages, which because of the weakness they have for them cause many excesses of disorders among them which grieve us for those who are the cause of it. This Church of Tadoussac, exempt from this evil, is in a state of really solid and Christian piety; we there gave confirmation to one hundred and forty-nine well disposed to receive the effects of this sacrament. ¹⁴⁷

If the state officials did not agree with him entirely there was one governor, albeit a Britisher, who shared Laval's faith in the beneficial results of the missionary work:

Commenting on an Iroquois chieftain's complaints about the disorders, Governor Lavelace wrote:

In answer, you will learn that I have adopted every possible precaution, and shall continue, by very certain fines, to restrain and prevent the supplying of the Indians with any excess, and I am very glad to learn that such virtuous thoughts proceed from Heathens to the shame of many Christians; but such is to be attributed to your pious instructions; you who are well versed in strict discipline have

¹⁴⁶ Journal des Jésuites, p. 355

¹⁴⁷ A.A.Q., Lettres, Vol. I, Laval to Poitevin, November 8, 1668, p. 126

given them the example of mortification both by precept and practice. 148

This must have gratified the Jesuit missionaries.

From their own Minister of the Marine they were to receive no such praise, however. Colbert participated in the issue by asserting that if prohibition were strictly enforced it would harm the fur trade. He added what was supposedly a religious motive for relaxing pressure: he observed that the Dutch gave the Abenakis and Iroquois brandy and that Protestant missionaries were able to make converts among these tribes. To him the situation was clearly one in which the Bishop and the Jesuits were opposed to the brandy trade but all the principal inhabitants of the colony favoured it.¹⁴⁹

This was not quite a correct view. Certainly such councillors as Villeray, Bourdon and Gorribon were of the Bishop's party on this question. Colbert observed that ^{they} had once stated that the Indians could not hold their liquor, that it made them indolent in agriculture and in trade. Quite to the contrary, he continued, he had been informed that many principal traders held that the desire for alcohol stimulated

148 E.B. O'Callaghan, ed., Documents relative to the Colonial History of the State of New York (Albany, 1855), Vol. IX, Gov. F. Lovelace to Fr. Pierron, November 18, 1668, p. 883

149 P.A.C., Series B, Vol. I, Instructions to Bouteroue, April, 1668, p. 84

and motivated the Indians to hunt and trap "with more application". Therefore, the Intendant should examine these two opinions and then submit his reasoned conclusions to the King on the matter.¹⁵⁰ Colbert was certain that the ecclesiastics were too severe and narrow-minded in their appraisal of the situation:

The advice from that country would have it that the Bishop of Petree and the Jesuits establish there too firmly their authority through the fear of excommunications and through the too great severity of life which they wish to maintain. 151

Bouteroue was warned to watch the clergy without openly taking part against them, to restrict their activities while appearing to concede their claims.

But the disorders continued. On February 28, 1668, numerous inhabitants complained to the Council that the same trade engaged in by soldiers and civilians continued to flourish at Montreal, Three Rivers, Champlain, Cap de la Magdeleine, Batiscan and Ste. Anne.¹⁵² The Indians were observed to be "perpetually drunk and in the last disorders which drunkenness can produce"; trade declined because the

150 P.A.C., Series B, Vol. I, Instructions to Bouteroue. April 1668, p. 84

151 Ibid., p. 81

152 Jugements, Vol. I, pp. 474-476; also A.J.M., Documents Divers Vol. I, Petition of February 28, 1668

natives failed to pursue the chase properly. Furthermore, creditors complained that they had made large loans to the Indians for supplies and ammunition and that the natives were now failing to bring back the furs to pay off their debts, but rather were spending everything on brandy which they obtained from traders in the woods. This was a far cry from the advantages that Colbert pretended to see in the traffic.

The Sovereign Council made its usual denunciation of the brandy traffic but far from increasing the penalties or imposing greater surveillance it permitted each trader who went into the woods for more than one week to take with him a jug of brandy.¹⁵³ Since more state regulation had not provided the answer to the problem, perhaps less state intervention and control might be the way to solve the question. On October 30, Jean Le Mire, syndic of the inhabitants, made a request before the Sovereign Council that the colonial trade be left unhindered by probitionary regulations.¹⁵⁴

On November 10, 1668, the Sovereign Council by a majority vote (Tilly and Laval dissented) decided that the Indians should be permitted to buy intoxicants and that the

¹⁵³ A.S.Q., Polygraphie IV, No. 24, Ordinance of February 29, 1668; also Jugements, Vol. I, p. 476

¹⁵⁴ Jugements, Vol. I, pp. 525-526

fur trade be free to all inhabitants, this while awaiting the Royal Will on the matter.¹⁵⁵ The arguments was that if the Indians were treated in every respect like Frenchmen they would associate openly with the better disciplined traders, they would more readily become assimilated into the French community, and they would less likely fall victims to the illicit traders who roamed the woods peddling their brandy and making off with the furs that should come to the settlements to pay off the suppliers of credit to the Indians.

The decision was a blow to the clerical party. Nevertheless Laval and one of the councillors who stood against the measure must have found it difficult to abstain from supporting a decision couched in the language of loyalty to the King:

To put into execution the intentions of His Majesty who desires and intends that the said savages live with his natural-born subjects in a spirit of peace and union to foment the promised alliance between them and cement it more and more through their continual commerce and intercourse.¹⁵⁶

The French could now sell any liquors to Indians who wished to purchase them. The only restrictions remaining were

¹⁵⁵ A.C., Series F3, Vol. III, fols. 357-358; also A.S.Q., Polygraphie IV, No. 25. Orainance of November 10, 1668

¹⁵⁶ Jugements, Vol. I, p. 535

against drunken disorders: disorderly Indians were subject to a fine of two fine beaver pelts and two hours in the pillory or wooden horse, while Frenchmen were subject to similar treatment.

It was a particularly bitter defeat for Laval, and it almost seemed that the Intendant Talon had urged this solution as a taunt to the clergy on the occasion of his return to France.¹⁵⁷ However, the clergy were not ready to submit to such a policy. They continued to forbid the liquor traffic under their own authority. This gave rise to numerous incidents. The trader Roland was placed under interdiction for trading brandy. The priest Martial was refused absolution by one of his colleagues because he had not withheld absolution from Governor Varennes of Three Rivers. Absolution was refused to M. de la Valterie, to his domestic servant and to Du Lhut's servant.¹⁵⁸ One trader, La Paille, was refused absolution for two or three years and died without benefit of clergy, the final outcome being that he was buried on a rubbish heap instead of in

157 H.G. Champris, "Mgr. de Laval et la traite de l'eau de vie", Revue hebdomadaire, Vol. VI, No. 32 (1923), pp. 543-544

158 B.N., Fonds Clairambault, Vol. 1016, fol. 46, p. 7

consecrated ground.¹⁵⁹

The Ordinance of 1668 had resolved nothing. It had given occasion to numerous incidents and proved to be but a milestone in the struggle over the brandy traffic.

p. 8 159 B.N., Fonds Clairambault, Vol. 1016, fol. 49,

CHAPTER XII

THE BRANDY TRAFFIC, 1669 - 1685

It has already been indicated that the settlement of 1668 provided no lasting solution to the problem of brandy trafficking. The most subtle argument in favour of the traffic was that its prohibition would mean a loss in trade detrimental to the interests of religion; if the Indians and coureurs-de-bois were to go to the English colonies to trade they would also imbibe English heresies. This argument insisted upon the wisdom of following a middle course of toleration of the liquor traffic while attempting at the same time to deal with the most disturbing abuses.¹ Colbert informed Laval that the matter was of great consequence to the economic development of the colony.

After having examined everything that may concern the commerce of Canada, His Majesty has resolved, following the report which I made to him on the subject, to leave it open to all Frenchmen. So I can only hope that this freedom may be able to contribute much yet to encourage them to trade, which will attract abundance to the country, and

¹ The problem remain unresolved until the end of the French Regime, to be succeeded by the problem of the rum trade in the Illinois country and the whiskey traders in Western Canada. The last bishop of the French Regime, Mgr. de Pontbriand, his clergy and the Sorbonne were still plagued by the brandy problem at the time of the British Conquest. P.A.C., Series C11A, Vol. LXXVIII, Bishop to Minister, August 22, 1742, pp. 407-409; also Report on Canadian Archives, 1904 (Ottawa, 1905), pp. 304-305

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by means of this prosperity the multiplicity of population. ²

The mercantilist equation of trade, prosperity and population had been enunciated once more.

Faillon blamed the troops for the disorderly conduct and drunkenness.³ But it has already been indicated that there were plenty of disorders before the arrival of the regiments. It is also instructive to note that the servants of the Compagnie Orientale de France, which was responsible for colonizing Madagascar and parts of India, purchased brandy and wines at cheap rates from the company stores in order to re-sell these at inflated rates to the natives and colonists.⁴ Although the soldiers may not be blamed for introducing the pernicious trade into the colony, they did play a part in maintaining it. Officers like La Freydiere obtained concessions at the upper end of the island of Montreal and then carried on a clandestine trade with the Indians.⁵ It was of such conduct that Talon had complained.

² P. Clément, Lettres, Instructions et Mémoires de Colbert, (Paris, 1865), Vol. III, Pt. II, Colbert to Laval, May 15, 1669, p. 542

³ E.M. Faillon, Histoire de la Colonie française en Canada (Montreal, 1866), Vol. III, pp. 383-391

⁴ Clément, op. cit., Vol. III, Pt. II, Memorandum of state of Compagnie Orientale de France, March 8, 1669, p.416

⁵ Faillon, op. cit., Vol. III, p. 440; also Clément, op. cit., Vol. III, Pt. II, Memorandum on liquor traffic sent to Colbert by Luchesneau, May 24, 1678, p. 635; R.A.P.C. 1930-31, Talon to Colbert, October 27, 1667, p. 85

There were some attempts to curtail disorders, it has been seen. Not only were leading habitants, and humble servants, refused absolution for trading brandy, but even the clergy fell under severe restrictions when they disobeyed the Bishop's orders.⁶ In February, 1669, a Huron woman was sentenced to one hour in the pillory for drunkenness and false accusation against a Huron brave of attempted assault; her husband was similarly pilloried and fined two moose-hides.⁷ A Montreal churchwarden who became involved in a fight and was killed was refused burial in consecrated ground because it was alleged he had died duelling.⁸

It has also been seen that among the Indians themselves there were those who opposed the brandy traffic. There was a great public assembly among the Mohawks on the question. Following the advice of Father Pierron the chiefs petitioned Governor Lovelace of Manhattan against the liquor traffic. The Governor replied that in future the Indians would not receive liquor in excessive quantities.⁹

6 P. Margry, Découvertes et Établissements des Français dans l'Ouest et dans le Sud de l'Amérique Septentrionale (Paris, 1879), Vol. I, p. 313

7 Jugements, Vol. I, pp. 544-545

8 Margry, op. cit., Vol. I, p. 314

9 M. Eastman, Church and State in Early Canada (Edinburgh, 1915), p. 131

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In New York colony the commission appointed by the Governor to investigate the matter took resolute action:

And they doe hereby strictly enjoyne all persons not to utter or sell to any Indyan or Indyans such quantities as shall make them drunk upon the Penalties following; vizt. ffor the first Offence the person soe selling is to pay ffive pounds, for the second Offence Ten pounds, and for the third Offence to suffer Banishm't out of this Towne...¹⁰

The problems, and solutions proposed, differed but little in the English and French colonies.

The clergy stood firmly behind the Bishop as he spoke out against the traffic. The Sulpicians were no less outspoken than the Jesuits in condemning the brandy trade as a diabolical bait put out to enslave all the savages in the proximity of the French settlements.¹¹ Talon did admit that every now and again some brute in drunken madness cracked another's skull,¹² but Bouteroue still contented himself by issuing a local ordinance prohibiting inn-keepers from serving liquor during church hours.¹³ In any case, this was a safe piece of legislation as there were ordinances in

¹⁰ Second Annual Report of the State Historian of the State of New York, 1896 (Albany, 1897), pp. 271-272

¹¹ Dollier de Casson, Histoire de Montréal, 1640-1672 (Montreal, 1871), p. 114

¹² Collection de Manuscrits (Quebec, 1883), Vol. I Talon to King, November 2, 1671, p. 211

¹³ A.J.M., Ordinance of Bouteroue, April 2, 1669, no pagination

France against the serving of alcoholic beverages in inns during the hours of divine service. In France, Colbert was convinced that the brewery would solve the brandy problem in New France as beer gradually displaced the imported and stronger beverages, and he therefore ordered that the merchants "take there only the smallest quantity of intoxicants possible".¹⁴

As it became clear that the ordinance of 1668 had in no way alleviated the situation the bishop prepared to take further action on his own initiative. It has already been indicated that he had warned the faithful that while the threat of excommunication had been lifted the clergy were still instructed to treat brandy trafficking as a mortal sin. Once more he brought the full weight of his ecclesiastical authority to bear in the struggle against the demon brandy. The mandement of April 21, 1669, requires little interpretation:

Cases reserved to the Bishop:

1. To give to the savages intoxicants in sufficient quantity to make them drunk, whether they carry it away or drink it on the spot.
2. To abuse girls and women of the savages before or after drinking in any manner whatsoever.

We reserve to ourselves the sin there is in inebriating the savages and in selling them alcoholic

¹⁴ A.P.Q., Ordres du Roi, Series B, Vol. I, Colbert to de Terron, April 16, 1669, p. 76

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beverages to transport in quantity sufficient to make them drunk, unless there has been a moral assurance that they or other savages will not become drunk therewith. So also for those who abuse the young girls and women of the savages before or after drinking and in any manner whatsoever.

Francis, bishop of Quebec. 15

In no case now involving the selling of brandy could an ordinary confessor grant absolution without first consulting the Bishop. This is what the directive meant in practice. The clergy waxed bold once more to attack the traffic from their pulpits.¹⁶

Even so, the people seem to have taken their chances of running into difficulties with the clergy and continued their trade with the Indians.¹⁷ The reserved case was one that could cause much differences of opinion, even in theological circles. In the question of reserving absolution to the Bishop the Jansenists and Jesuits had fought particularly bitter battles in France, and even Pascal had used the casuistical teachings associated with the Jesuits to make them a laughing stock of the general public. In the colony, on the other hand, the confessor was faced with a

¹⁵ Mandements, Vol. I, p. 77; also A.A.Q., Registre A, No. 75, p. 69; S.R.C., Doc. XXVII, No. 7, p. 155

¹⁶ L.B. de La Tour, Mémoires sur la Vie de M. de Laval, Premier Evêque de Québec (Cologne, 1761), p. 82

¹⁷ J. Du Bois Cahall, The Sovereign Council of New France (New York), 1915), p. 41; J. Delalande, Le Conseil Souverain de la Nouvelle-France (Quebec, 1927), p. 163

very difficult problem. How serious was it to refuse absolution and so perhaps cut off the means of grace to the individual who needed it very desperately? Just how much indication of genuine repentance and amendment of life should a confessor require in order to absolve? The standard must fall between complete sanctity on the one hand and something better than continuance in abandoned licentiousness on the other hand.

In the motherland it was the Jesuits who were accused of attempting to be indulgent towards their penitents. Some sins, it was alleged, were so defined as to make it extremely unlikely that they could ever be committed. Others were got rid of by "equivocation", whereby perjury was avoided by using language of double meaning. Finally, some were set aside through the doctrine of probability which made it possible for a confessor to follow any one of numerous solutions.¹⁸ This is what caused Pascal to write in August, 1656 in rather bitter vein:

It is not necessary that the confessor should be convinced that his penitent will execute his good determination, nor even that it is probable; but it is sufficient that he thinks the general purpose exists in his mind at the moment, though in a very little time he is likely to relapse.¹⁹

¹⁸ E.S. Chill, The Company of the Holy Sacrament, 1630-1666 (Ann Arbor, 1960), p. 213

¹⁹ B. Pascal, The Provincial Letters (London, n.d.), pp. 156-157

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The problem in the colony was precisely that the Jesuits and Seminary priests would not accept such a position, as described by Pascal, when dealing with brandy traffickers. Had the clergy behaved as it was alleged many of them did in France they would have avoided a collision with the traffickers and state officials in the colony. In New France only the Recollets, and perhaps a few Sulpicians, might have been accused of employing casuistical teachings in order to indulge their penitents.

By attempting to combat the nefarious traffic through the sacrament of penance Laval ran into much difficulty. The Council of Trent had defined contrition as sorrow and detestation which the mind feels for past sins, with a purpose of sinning no more. Traffickers, no doubt, when they came to confession were truly grieved for their sins, probably hated them and the evil effects these had on the colony, and resolved and purposed to forsake them. Such an attitude met all the requirements for absolution: Laval seems to have recognized that the disorders continued because of a deficiency in this method of bringing a whole frontier society into line; sorrow and hatred of sin, good purposes of amendment of life, and absolution and penance, in this situation, did not entirely equate with forsaking sin. Indeed, the inhabitants did not forsake trafficking in spite of frequenting the confessionals. There was a difference between doing

penance for sin, and repenting by forsaking sin. To Laval there seemed to be a deficiency of grace among the habitants. Laval decided to impose a situation which might bring about with greater facility an actual change of mind and will on the part of the traffickers, and the method he chose to adopt was a renewal of the reservation of the granting of absolution in such cases to himself. Such a course of action might also raise the question of the propriety of employing information gained in the confessional against penitents.²⁰

The results speak for themselves. The disorders of the winter 1668-69 decided the Sovereign Council to reconsider the whole matter once more in June, 1669.²¹ It was now argued that the Indians were neglecting the fur trade and that the habitants were neglecting agriculture.²² Once again Frenchmen were forbidden to go into the woods to trade or to carry liquor to the Indians.²³ The penalties were set at 50

20 G. Van Belleghem, L'Usage illicite des connaissances acquises en Confession (Quebec, 1942), pp. 55-56

21 Jugements, Vol. I, pp. 558-559

22 W.A. Riddell, The Rise of Ecclesiastical Control in Quebec (New York, 1916), p. 61 makes a comment typical of his thesis on the social effect of the loss of young men to the woods: "The removal of this young, restless, and radical element in the population, while a direct loss economically and socially to the settled communities and to the Indian communities of the Upper Country, nevertheless, left in the home parishes a more fertile soil for the abnormal growth of absolute authority of church and state."

23 A.S.Q., Polygraphie IV, No. 26, June 28, 1669; also A.C., series F3, Vol. III, June 26, 1669, fol. 387

livres for the first offense and corporal punishment for repetitions. The Intendant was also given power at this time to repatriate the disobedient to France.²⁴ However, just a few weeks before the Intendant had been allowed to import 220 barrels of brandy for his own use and for the troops.²⁵

The Indians were specially warned once again.

Intoxicated Indians were to be fined two fine beaver pelts and to be pilloried for two hours. The men were told to warn their squaws to refrain from drinking because drunkenness among the women would henceforth mean the punishment of the husbands as well as of the guilty wives. And once again there was the warning that the full rigours of French laws applied to the Indians.²⁶ At the same time, the concession of 1668 was retained and extended somewhat - a man going into the woods to hunt for a week might take a jug of brandy with him, if he went for a fortnight he might take along two jugs, and so forth.²⁷

The Sovereign Council was approaching the problem

24 A.C., Series F3, Vol. III, King to Talon, May 15, 1669, fol. 393

25 P.A.C., Mélanges de Colbert, Vol. CLI, Colbert to Terron to Colbert, April 22, 1669, fols. 740-741

26 Jugements, Vol. I, pp. 558-559

27 Ibid., p. 559

from a very different angle. It was checking profits accruing to those who traded in the woods. The leading citizens and traders were skilfully protecting their interests we may assume. The debts of the Community of Habitants owed to creditors in France were being paid off progressively through a general import tax of 10%. Now the Sovereign Council ruled that this should be levied only on tobacco and liquors imported into the colony.²⁸ What might in one sense be interpreted as a concession to the colonials might also be considered as a measure of control on the liquor and tobacco trade. This was planned at a time when the brewery was beginning its successful operations and when most of the inhabitants grew their own tobacco. The councillors, who had no little interest in the commerce of the country and who were among the leading families that had been involved in the Community of Habitants, were at one and the same time able to defraud their overseas creditors, able to encourage colonial industry and able even to appear to be in favour of temperance in the colony. This was a diplomatic stroke of genius.

In Acadia, meanwhile, trade was quite free and unrestricted, Governor Grand'fontaine was instructed to allow full and entire liberty to Frenchmen "to go and to

28 Jugements, Vol. I, pp. 637, 638

come and to make such trade as they shall wish."²⁹ Consequently in the space of only seven years, the situation so deteriorated that Dudouyt could have to report the Acadian churches, being abandoned due to brandy.³⁰ It was not until 1685 that the Intendant de Meulles by ordinance again forbade the carrying of liquor to the Indians of Acadia.³¹ The presence of troops in the colony was another source of trouble. An ordinance for the wages of six companies of infantry being dispatched to Canada in 1670 indicates that the temptation to engage in bootlegging must have been great in order to augment the allowances of 7 livres, 10 sols to a private, 9 livres to a lance-corporal, 10 livres 10 sols to a corporal, 15 livres to a sergeant, whereas the monthly wage given a captain was 75 livres, a lieutenant 30 livres, and an ensign 23 livres 10 sols.³² Even the more favoured personal guard of Frontenac in 1676 (composed of 17 carabins) were paid only 27 livres a month.

The Company of the West Indies should have been disturbed at the turn of events in the colony. The directors

29 Collection de Manuscrits Vol. I, Instructions to Grand'fontaine, March 5, 1670, p. 194

30 A.S.Q., Lettres N, No. 48 (2) p. 5

31 A.S.Q., Polygraphie IV, No. 29, August 13, 1685

32 A.P.Q., Ordres du Roi, Series B, Vol. VII, p. 37

did express their concern to the colonial Bishop but they made no suggestion of prohibition or the means of enforcing it.

We learn with much displeasure the bad effects which are produced by the liquors that are traded to the savages. We should wish to bring some very pressing remedy and render the use of them as innocent as it is necessary for their subsistence...³³

They were aware of the relationship between the fur trade and brandy traffic; their pronouncement revealed their awareness of the moral and the commercial issues at stake.

The pattern of behaviour along the shores of the St. Lawrence remained unchanged. An ordinance of June 5, 1672, again condemned certain habitants who "without Christianity, without sacraments, without religion, without priests, without laws, without magistrates, sole masters of their actions and the application of their wills" left their homes to rove the woods to trade.³⁴ Not only did they neglect agriculture and their family responsibilities but also they took intoxicants with them to trade to the Indians. Ought not the system of granting only 25 annual leaves restrict ~~the~~ this illicit trafficking? It is clear that when lawbreakers were brought to justice the monetary

³³ A.S.Q., Polygraphie XXII, No. 24, Directors of Company of Indes Occidentales (Bibaud, Brunet, Landais) to Laval, April 19, 1671

³⁴ Ordonnances, Vol. I, Ordinance to Talon, June 5, 1672, pp. 107-109

penalties exacted were usually ridiculously low considering the remunerative returns of the trade. No case better illustrates this than that of the arrest and negligible fines imposed upon Dutartre, Bazinet and Prevost for trading without leaves at Riviere Creuse.³⁵ It was widely accepted that trading ought not to be seriously controlled. The economic value of the trade is again well illustrated when the Ministry of the Marine had to compensate La Chesnaye for cancelling a trip to the West Indies so that he could offer passage for Frontenac to New France on his vessel and passage home to Talon and Courcelles. Colbert de Terron suggested to his brother in the Ministry that 50 or 60 barrels of brandy might be a reasonable consideration.³⁶

Meanwhile, the barrage of legislation continued and the executive offensive proved to be as ineffective as ever. Non-resident merchants, and other non-residents of the island of Montreal, were forbidden to sell liquor at Montreal by an ordinance of May 21, 1672, published and posted the following day by Basset.³⁷ D'Ailleboust had given

³⁵ A.P.Q., Collection Pièces Judiciaires, Carton II, No. 97, no pagination

³⁶ P.A.C., Mélanges de Colbert, Vol. CLIX, de Terron to Colbert, June 10, 1672, fol. 262

³⁷ A.J.M., Ordinance of d'Ailleboust, May 21, 1672

the privilege of the retail trade to the syndic and twelve inhabitants of the town, In the fall of that year the local Governor, Perrot, issued an ordinance forbidding non-residents to sell liquor either by the container or with meals.³⁸ On September 27, 1672, Frontenac issued an ordinance for the whole colony in which he rehearsed the misdeeds of the coureurs-de-bois; he forbade anyone to go off trading without a cong  on penalty of flogging or even the galleys.³⁹ Any voyage beyond 24 leagues from home would be considered a violation of the Governor's orders unless a leave could be produced. Yet despite all these precautions and warnings the Jesuits reported in 1673 that their Algonquin missions were ruined by the brandy traffic. Only the mission at Prairie de la Magdeleine seemed to have escaped the scourges of brandy and the Jesuits boasted that there dissolute Indians would find neither the type of women nor of beverages they sought.⁴⁰

Frontenac's motives in restricting the activities of

38 A.J.M., Ordinance of Perrot, November 12, 1672

39 Ordonnances, Vol. I, Ordinance of Frontenac, September 27, 1672, pp. 11-113

40 F. Martin, ed., Mission du Canada: Relation in dites de la Nouvelle-France. 1672-1679 (Paris, 1861), Vol. I, pp. 166, 184

the coureurs-de-bois may be, and have been, questioned.⁴¹ Did he genuinely wish to see the liquor traffic restricted? Or was he merely attempting to bring the fur trade more completely under his personal supervision? At the time he was beginning his attack on the wood rovers and illicit traders he was also writing to France for six Recollet priests, was complaining about the too great union between Bishop and missionaries, was accusing the Jesuits of tormenting the consciences of the people and of exceeding their authority in reserving the absolution of those who had traded brandy. In fairness to Frontenac it must be admitted that he also permitted freedom of movement to the Jesuit missionaries. One congé of this period is of particular interest for it linked the travels of a Jesuit missionary with those of four traders:

Be it known that we have permitted and do permit Reverend Father Crespin, Jesuit, and Sieurs La Montagne, Hacquard, Dautray and Pelletier, all four sent by the Gentlemen of the Company of the West Indies to trade with the savages to the profit of the said Company to winter at Lac Saint-Jean...⁴²

There is nothing in the document to indicate the Missionary

⁴¹ Eccles attributes motivation to desire to recoup his family fortunes while in the colony. Delanglez stresses the egocentric qualities of the Governor's character

⁴² Ordonnances, Vol. I, Trading permit granted by Frontenac, September 22, 1672, pp. 113-114

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was associated with or interested in the commercial enterprise hereby sanctioned.

On June 5, 1673, at the military camp of Vossen between Brussels and Louvain, Louis XIV issued an ordinance in favour of Frontenac:

His Majesty being informed that some inhabitants established in the country of Canada or New France, make themselves vagabonds in the woods under pretext of hunting or trading furs with the savages, which is entirely contrary to the establishment of the colony of the said country; His Majesty had made very express inhibition and prohibition to all Frenchmen inhabiting the said country domiciled or non-domiciled, to leave or abandon their houses and wander in the woods more than twenty-four hours without the express permission of the governor and lieutenant-general of the said country, on penalty of death. 43

This placed the granting of leaves or congés entirely in the hands of the Governor. Frontenac himself granted the first 24 leaves to go off into the woods, and when the system of 25 annual leaves was brought in he still granted 13 and the Intendant could designate traders for the other 12.⁴⁴ Thus it would appear that Frontenac was entirely within his jurisdictional rights in retaining for himself control of

43 Edits. Vol. I, p. 73

44 This system was abandoned in 1696, only to be restored in 1716. However, when restored it was decided that the Governor alone would grant the leaves, that each would be counter-signed by the Intendant. The Intendant eventually had no voice in deciding who should receive leaves for trading. P.A.C., Series F3, Vol. IX, Pt. II, Declaration of April 28, 1716, pp. 496-498

leaves, and that Perrot was quite at fault. If one considers the methods used by Frontenac, and the motives behind his actions, the conclusions must be quite different.

The bitterest conflict that developed between the civil officials themselves in the matter of the fur trade revolved around the activities of Frontenac's friends above Montreal and near Fort Frontenac.⁴⁵ The Sulpicians advised their local governor to refrain from becoming involved in the trade but he turned on Dollier de Casson and rebuked him saying that he represented the King's authority on the island and would answer only to the King for his conduct.⁴⁶ Charles Le Moyne and Jacques Le Ber protested against the actions of Perrot's chief trading agent, a fellow called Antoine Lafrenaye de Brucy. This local in-fighting gave way in the autumn of 1673 to a bitter conflict between Perrot, Governor at Montreal, and Frontenac. Frontenac sent three of his guards with a lieutenant J. Bizard to arrest the

⁴⁵ Chief agent for Frontenac at one time was La Salle. He had entered the Society of Jesus in 1658 at the age of 15, but in March 1667 had left the College at Lafleche after the General Oliva gave him permission to do so. He came to Montreal where he had a brother in the Sulpician community and before long the Sulpicians granted him vast unoccupied lands and erected them into the seigneurie of Lachine. B.R.H., Vol. II, No. 10 (October, 1896), p. 154

⁴⁶ Faillon, op. cit., Vol. III, pp. 446-538 gives a detailed account of these disorders and rivalries, and the extent of Sulpician involvement

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notorious trader Carion and keep him at the home of Le Ber overnight. Perrot sent some of his own men to intervene and they imprisoned Bizard overnight; the local Governor seems to have realized how dangerously he had overstepped his jurisdiction, however, and the following morning the lieutenant of Frontenac's guards was released. But Bizard took the care to draw up a resumé of the events at Montreal and had his account witnessed by Le Ber and La Salle. Perrot's next move was to have Le Ber arrested for having given hospitality to Bizard.

The basic problem was that Perrot, Lafrenaye de Brucey, Carion, Maurel and Berthe had captured the fur trade for themselves and they traded brandy with the Indians. Indeed, on March 14, 1674 the Sovereign Council ordered the imprisonment of Lafrenaye de Brucey and two servants for illicit brandy trading.⁴⁷ On April 6, Carion was arrested on charges of aiding the coureurs-de-bois in contravention of the laws, was released on caution, and finally was fined two hundred livres on September 24 - 150 livres for having equipped the coureurs-de-bois with merchandise and 50 livres for having favoured their evasion.⁴⁸ Lafrenaye de Brucey was

47 Jugements, Vol. I, p. 816

48 Ibid., Vol. I, pp. 800, 802-3, 849, 863

found guilty on October 23, and fined 200 livres for "contravention of the ordinances, having given shelter to deserters and coureurs-de-bois, and having carried on commerce with one and the other."⁴⁹ In 1681 Lafrenaye de Brucy was again to appear before the Sovereign Council but his case was dismissed because the court had such a backlog of work and a royal order had pardoned the coureurs-de-bois. Thomas and Yvelin were also arrested and on June 23 the Sovereign Council condemned Thomas to be hanged and Yvelin to be present at the execution.⁵⁰ Such disorders had elicited from the authorities a further ordinance prohibiting the receipt of any goods whatever from the aborigines in exchange for intoxicants; the ordinance was designed specifically for the Three Rivers area.⁵¹

The King's reply to Frontenac's observations concerning the brandy trade and the role of the religious must have been on the whole, a source of satisfaction to the Governor. Frontenac was instructed to add two more members to the Sovereign Council, was informed that acceding to his

49 Jugements, Vol. I, pp. 851, 869-874

50 Ibid., Vol. I, pp. 800, 814-815, 840, 849, 863; A.J.M., September 15, 1667- Jean Thomas is probably the same individual as Le Breton, a soldier in the company of La Freydiere stationed at Montreal

51 A.P.Q., Documents Divers, Vol. II, No. 120, Ordinance of February 12, 1674

request for Franciscan clergy the Provincial of the Recollets had promised to send out four more missionaries, and generally he was upheld in his measures to maintain order and the King's peace in the colony.⁵² On the matter of the brandy traffic Frontenac was reminded of his initial instructions:

As for the brandy traffic, it is a matter of police which depends upon the ordinary judge, and the Sovereign Council, but it is difficult to enter into the secret of confessions.⁵³

This should have been a warning to the Governor that while police matters pertained to the royal courts and the Intendant it was not a wise policy for state officials to intrude into theological debates. The Bishop had declared a reserved case and his clergy had to obey him; whether the cause of brandy trafficking was a weighty one such as heresy, simony or assault on the clergy, and so within the category of matters that might be reserved, was scarcely a competent matter for a Governor to decide. Frontenac may have been tempted to challenge the Bishop on the question of the enormity of the transgression involved in trafficking brandy, but Colbert warned that it was dangerous and unfamiliar ground to enter into the intricacies of penance and absolution.

⁵² P.A.C., Series B, Vol. VI, Minister to Frontenac, May 17, 1674, pp. 23-44

⁵³ Ibid., p. 33

The Minister of the Marine continued to press for implementation of the policy of assimilation of the Indians as a means of dealing with the brandy traffic and other problems. Colbert believed the Indians should be taught to live like Frenchmen; one aspect of such assimilation was to learn to use alcoholic beverages with moderation. But when the Jesuits ceded part of their seigneuries to habitants they exacted an agreement that no traffic in strong drink should take place upon these lands or with the Indians of neighbouring missions. Such an agreement when challenged in the Sovereign Council was upheld by the court and the censitaire was bound to observe the contract terms made with the Jesuits.⁵⁴ So in practice there was no great accommodation to the principles espoused by Colbert.

Early in 1675 the University of Paris (Sorbonne) and the University of Toulouse handed down their judgments on the merits of the reserved case which Laval had submitted to their consideration. The six professors of the Sorbonne, in their decision of March 8, employed almost the terms of the memorandum submitted to them against the sale of brandy to aborigines in a missionary area. After reciting the abuses of the trade, the theologians declared that not only might a Bishop make a reserved case in the circumstances

54 Jugements, Vol. I, pp. 1004-1006

but also "he is obliged in conscience to employ to this effect the most efficacious means".⁵⁵ Cornet and Dufresne were later rewarded with a legacy of 1000 crowns by a priest at the Seminary of the Foreign Missions, so great was the enthusiasm with which they and Laval received this decision by Cornet and his colleagues.⁵⁶

The reply of the University of Toulouse was a different matter altogether. Here too the economic factors had been given much publicity; a contemporary account puts the case in this manner:

Those are reasons which were exposed in the consultations held at the University of Toulouse in 167- reasons which are so slightly truthful that it is evident that there are many savages, among the Iroquois, who would come to make themselves Christians, groaning as they do under the tyranny of drunkards; but the Dutch of Orange, who have every desire in the world to restrain them, do not fail to tell them that they are still greater drunkards at Montreal.

2. It is certain that a number of savages have gone off, seeing themselves incapable of ever paying off the debts they have contracted for brandy...⁵⁷

Unlike the Sorbonne, the learned theologians at Toulouse were not too greatly influenced by the opinions of the colonials.

55 A.A.Q., Registre A, No. 98, Reply of the Sorbonne, March 8, 1675, pp. 83-87; also A.S.Q., Polygraphie IV, No. 27; S.R.C., Doc. XXVII, No. 9, pp. 158-161; Mandements, Vol. I, p. 91

56 P.A.C., A.S.M.E., Vol. II, fol. ii, p. 122

57 Belmont: Histoire du Canada", Collection de Mémoires et de Relations sur l'Histoire ancienne du Canada (Quebec, 1840), p. 23

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They declared brandy to be an indifferent merchandise, comparable to swords, which might be used well or wrongly. As it was permitted to sell swords in France, and wine the same, "nil interrogantes propter conscientiam", so brandy could not in itself be an evil beverage.⁵⁸

The key to their reply was that while the sale of intoxicants was legitimate, the abuse of intoxicants was not. They did observe that the abuses which grew out of the traffic were not remedied by making a reserved case of absolution of confessed traffickers, therefore the reserved case was not justified since it did not prevent abuse. As to the question of giving brandy to Indians the professors distinguished first of all between two classes of Indians: (a) those who were subjects of the French king; and (b) those, such as the Iroquois, who were enemies or potential enemies and obtained liquor from the English and Dutch traders. The University of Toulouse ruled that the former should probably be placed under prohibition but the latter had to be supplied with brandy if any trade were to be transacted with them. The Bishop had no legal right, said their decision, to make a reserved case of the sale of

⁵⁸Belmont: Histoire du Canada", Collection de Mémoires et de Relations sur l'Histoire ancienne du Canada (Quebec, 1840), p. 10

~~the sale of~~ intoxicants to Indians not subject to the French for "one can and one must tolerate a lesser evil in order to avoid a greater one."⁵⁹ Trade had to be encouraged because it was the means of attracting the Indians to the French who civilized them and polished their manners. In any case the civilized Indians should be expected to fortify themselves against the cold with a bit of brandy as did the French. Furthermore, since the English and Dutch supplied alcoholics it was impossible not to supply certain tribes with intoxicants without risking their becoming heretics and enemies of France. Some drunken disorders were a lesser evil than the prospect of war or a shutting off of missionary enterprises south of the St. Lawrence river;

Two university decisions had given two different views of the controversy. Now the whole question was further embittered by the unfortunate circumstances surrounding a case that came before the Sovereign Council for judgment. It seems that when Frontenac had been en route to Cataraqui in 1673 to meet with the Iroquois delegations he found his

⁵⁹ S.R.C., Doc. XXVII, No. 10, Reply of the University of Toulouse, June 28, 1675, pp. 162-164. This document was copied from the Departmental Archives of Seine-et-Oise, Versailles and is found in carton Recollets H. It is probably significant that while the Archives of the Seminary of Quebec have the original of the Sorbonne reply and the Archives of the Archbishopric have a copy, neither archives has a copy of the Toulouse reply.

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own Indians in great disorder near the shores of Lake St.

Louis:

the Savages were making a disorder as a result of having become drunk at the home of an inhabitant of Montreal, he (the Governor) was obliged to set foot on the ground in order to punish the Savages and a fellow called Roland who had given them drink contrary to the prohibitions which had been made and repeated to him, and to whom he gave the order to follow him in the journey...⁶⁰

The journey seems to have gone fairly well because the Indians shot the rapids so rapidly and efficiently that each evening Frontenac had supplies of brandy and tobacco issued to his party.⁶¹

At the Cataracqui conference Frontenac harangued the Indians, to the extent that one can harangue anyone through interpreters, urged them to become Christians, to accept Jesuit missionaries in their villages, to send him some of their children to be raised as Frenchmen. He also pleaded with them to stamp out drunkenness among the youths because, he affirmed, it was the principal cause of great disorders among them.⁶² So far as the brandy problem was concerned the disorders among the Hurons on the inbound journey, and the apprehension of Roland, were still matters to be dealt with.

60 Margry, op. cit., Vol. I, p. 201

61 Ibid., p. 202

62 Ibid., p. 203

An assembly of the chief inhabitants of the island of Montreal was called on October 20, 1675 to discuss the effects of the brandy traffic upon that region.⁶³ The meeting seems to have been called at the instigation of some of the chief traders themselves. On October 22 the chief inhabitants decided to petition the Intendant for an ordinance forbidding all non-residents of the island from selling liquor to the Indians there. They also requested that all trading or bartering be restricted to the three chief towns of the colony and that the entire Ottawa valley region should have its trade channelled solely through the Montreal outlet.⁶⁴ This was a local reaction against a growing illicit trade carried on at the perimeter of the trading centres and permitting the carrying of furs to the English colonies.

Then, in December 1676 Roland was brought before the Sovereign Council. But he did not come to answer for the irregular behaviour of 1673; rather he came to press charges against the Sulpician confessor.⁶⁵ He said that when he had gone about to perform his Easter duties his curate, the

63 A.S.Q., Fonds Verreau, Cahier D, p. 156

64 A.J.M., Act of Assembly of Montreal inhabitants, October 22, 1675, no pagination

65 Jugements, Vol. II, pp. 97-100

Sulpician M. Guyotte, had refused to grant him absolution. Roland held that Bishop Laval had given permission to absolve him but still his confessor had refused to absolve him saying that he knew he was selling brandy in excessive quantities to the Indians. There was no definite rule concerning the examination of conscience. It was difficult to know when this examination was sufficiently accomplished; and yet if it were not sufficient, then the sins that were forgotten through carelessness and not properly recalled, were not pardoned. In other words, it was possible for a confession to be imperfect but valid, and also for a confession to be invalid because of its imperfection. There was plenty of room here for a "troubling of consciences".

Roland went to consult the Jesuit Father Fremin at Magdeleine and the latter wrote a letter in Roland's favour to Father Guyotte. But the Sulpician curate still declared publicly that Roland was excluded from hearing mass; this he did when fully vested and standing at the foot of the altar. But Roland replied loudly in church that he had gone to confession and that no one had the right to exclude him from a building which was dedicated to the use of all Christians. The priest then called for volunteers to throw Roland out of the church. The churchwardens seem to have replied willingly to this request:

dragged him by the hair like an excommunicated

person out of the Church, giving him several blows with a scandal and affront as unheard of and unbearable as had yet been seen...⁶⁶

The Sovereign Council decided to send de Lotbiniere, one of its number, to Montreal to investigate what had actually taken place in the Lachine church on the last Sunday in November.

The following month the Roland case was again before the Council.⁶⁷ The Bishop had requested Roland not to pursue the matter any further and had given him to understand that if he dropped all charges his expenses in coming to Quebec to fight his case would be taken care of. However, Father Guyotte and a churchwarden involved in the November disturbances had now asked the people of Lachine parish to sign a report against Roland.⁶⁸ Moreover, the Jesuit priests to whom Bishop Laval had directed Roland for future confessions were somewhat hesitant to become involved in this case. When the Council considered the case on February 3, 1677, the Bishop challenged the truth of the statements he had allegedly made to Roland and under questioning Roland drew back somewhat for it was now a question of his word against that of the Bishop.⁶⁹

66 Jugements, Vol. II, pp. 99, 100

67 Ibid., p. 103

68 Ibid., pp. 104, 105

69 Ibid., pp. 104-105

Roland in pressing the Bishop to honour the promise he had verbally made to him called upon Father Custode, a Recollet, who had been present throughout the conversation between Roland and the Bishop, and who could corroborate any evidence given. But when the Recollet father was called upon to testify he refused to speak against his bishop. He held that as a religious he could not be compelled to give the information desired. Legal opinion was to be contrary to such a stand, but at the moment he was able to extricate himself by this plea from what would seem to have been an embarrassing position. Legal opinion was to hold that a religious ought to give evidence:

The Religious may be heard like other people in the making of depositions, although they are civilly dead, because in such cases their function is regarded as necessary, especially if it were a question of a fugitive from justice, or of some other fact which would have taken place in a house and of which they had knowledge. 70

Custode's refusal to testify only served to strengthen the conviction in many quarters that Roland had been telling the truth and that the Bishop had compromised his position. Thereafter the case became one of contested jurisdictions and because the civil authority opposed what it believed to be an encroachment by the ecclesiastical courts upon the

70 D. Jousse, Nouveau Commentaire sur l'Ordonnance Civile du mois d'Avril 1667 (Paris, 1767), Vol. II, p. 377

civil power the Sovereign Council finally ruled in favour of Roland.⁷¹

At this point the Intendant, the Governor, the Sovereign Council and the clergy were acting in unision against the brandy trade. The clergy were particularly determined not to give in on any point. When an obdurate trader Lapaille, to whom they had refused to grant absolution, suddenly died without receiving the sacraments, they decided to refuse his corpse burial in consecrated ground.⁷² According to the Roman Ritual ecclesiastical sepulture was to be denied pagans, Jews, infidels, heretics, apostates, schismatics, persons publicly excommunicated, manifest and public sinners, suicides, duellists, un-baptized infants, and those who had not received the sacrament of confession once in the year and so died without any sign of repentance. The refusal of burial in consecrated ground to unrepentant brandy traffickers was, according to the Ritual, manifestly well founded. It was an important ecclesiastical censure because denial of burial in a blessed plot meant that the dead were denied such considerations as the prayers offered there for the repose of souls, deliverance of their bodies

71 Jugements, Vol. II, pp. 108, 118, 122, 132

72 Margry, op. cit., Vol. I, p. 315; also Eastman, op. cit., p. 189

from the power of the demons, and committal to the patronage of the saints of that place.

The Sulpician clergy at Montreal had received instructions from Paris that since the Bishop had received the resolutions of the Sorbonne there was no further need of debate on the matter of the trade - they should simply conform to the prohibitions.⁷³ Tronson went so far as to warn the Montreal community not to sell wine, except in cases of great necessity, particularly to avoid retailing it and giving drinks to visitors at the Seminary for fear the civil authorities reproach them for selling liquor and keeping what amounted to a common cabaret.⁷⁴

The Indians near Montreal were also very conscious of the evils attendant upon the liquor trade, so when a delegation of their number asked the seigneurs of Montreal for land on the island they inserted a most revealing third clause in their petition:

3. Prevent the French from coming to trade brandy with us, that they come not to bring it into our cabins and solicit our youth to trade with them nor give them credit; because if any of us were to become drunk he would be truly damned, nor would there be anyone who could take him from his evil estate where the French would have tempted him to fall...⁷⁵

⁷³ B.S.S.P., Vol. I, Tronson to Seminary of Montreal, March 17, 1676, p. 7

⁷⁴ Ibid., p. 34

⁷⁵ A.S.Q., Polygraphie IV, No. 20

Governor Perrot had met the delegation in his own home, had promised them a welcome to the island but had taken a very negative view of their request for control of French traders coming into their village. Perrot simply replied that as far as brandy he was not the master thereof and "it is up to you to guarantee yourselves against the French" and to guard against fraud, pillage or harm through its indulgence; if the French did the Indians any harm" you have only to come and lay charges".⁷⁶ The Indians could only reply that they knew only too well that the French would soon come with their jugs of brandy to corrupt their people. Perrot's view was entirely punitive in nature rather than preventive.

Duchesneau contented himself with an ordinance forbidding all sorts of persons from keeping cabarets without his permission.⁷⁷ This measure was destined chiefly for enforcement at Charlesbourg. On May 11, 1676, he issued his famous police regulations for the chief towns of the colony prohibiting the sheltering of men and women of low morals, Protestant assemblies, vagrancy, and begging within towns without a certificate from a parish priest. Tavern keepers were forbidden to loan money or to give credit to young

⁷⁶ A.S.Q., Polygraphie IV, No. 20, no pagination

⁷⁷ Ibid., No. 59; also Ordonnances, Vol. I, pp. 180-181

men of quality, to soldiers and domestic servants. No drinks were to be served after nine o'clock at night, on Sundays, or during the hours of divine service. Drunkenness was punishable by law; no inn-keeper was to serve liquor to masons, carpenters, cabinet-makers- during working hours and no workman or artisan was to leave his work during regular working hours. The liquor code was actually combined with the labour code. Every inn had to advertise clearly the regulations governing days of rest, prohibitions against drunkenness and blasphemy. These police regulations were approved and posted in Quebec by the orders of the Sovereign Council⁷⁸ and were also given enforcement at Montreal and Three Rivers.⁷⁹ Duchesneau obtained from the Sovereign Council an order forbidding the seasonal visiting merchants from "trading or carrying on commerce with the savages directly or indirectly on penalty of confiscation of goods and of Five hundred livres fine." 80

The clause in the police regulations of the colony which was particularly restraining to the brandy traders was the sixteenth article which read as follows:

78 Jugements, Vol. II, pp. 63-73. The clauses dealing with the brandy trade are numbers 16 to 20

79 Ordonnances, Vol. I, pp. 190-205; A.J.M. Police regulations, of May 11, 1676

80 Jugements, Vol. II, p. 56

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And because under pretext of running a Cabaret sometimes persons of ill repute in order to have occasion to keep up and entertain their debaucheries allow in their houses public scandals; it is forbidden to all persons to run a cabaret and serve meals at home except to those whose probity is know. And who will have permission in writing upon presentation of a certificate of good behaviour and morals. 81

This clause was particularly objectionable to Colbert, when he saw it, and was an infringement in his opinion of the freedom of choice of occupation.

Colbert's communications with Luchesneau indicate that the Minister of the Marine felt the Canadian Intendant was arrogating far too wide powers to himself. Duchesneau was reproved for having defended the Bishop in the argument that the brandy traffic was a cause of grave disorders in the colony. The Minister wanted to know if the Intendant had checked on the exact number of murders, fires and other outrages directly attributable to the sale of alcoholic beverages before making such a sweeping generalization.⁸² He doubted the Intendant's assertions because the testimony of Talon, Bouteroue and Frontenac gave a very different impression. Colbert argued that Laval's contentions were unsound and would result in breaking down the commercial value of

81 Ordonnances, Vol. I, p. 194; also Jugements, Vol. II, pp. 65, 66

82 P.A.C., Series B, Minister to Duchesneau, May 1, 1677, Vol. VII, p. 103

the colony and disrupt the Indian alliances. On the other hand, Colbert said that if proofs could be given that the Bishop was correct then the King would forbid all liquor trading in the colony.⁸³ It would be unjust to uphold an evil which brought profit to a restricted commercial class in the colony. But the Minister of the Marine did not believe that to be the situation in New France.⁸⁴

The Intendant's regulations were challenged in the colony too. Ten tavern keepers petitioned against the ordinance which reduced the price of wine from 20 sous to 16 sous a jug. They said that such a measure would ruin them: "if this ordinance survives, they would undoubtedly fall into complete ruin." Three days later, on January 14, 1677, a general assembly of the inhabitants met at the provost's "palace" under the presidency of two councillors, Villeray and Vittray. The decision of the Sovereign Council, based on the information gathered in the consultations with the chief inhabitants was to continue to enforce the standing regulations until the arrival of the vessels from France

⁸³ P.A.C., Series B, Minister to Duchesneau, May 1, 1677, Vol. VII, p. 104

⁸⁴ It is most interesting that the laudatory work Colbert et le Canada (Paris, 1879) avoids references to the brandy problem and the Minister of the Marine's policy.

with further orders.⁸⁵ In September, 1678, the dealers again complained and asked for permission to sell wine at prices their quality would command, but the Sovereign Council replied that the retailers should obey the price-fixing ordinances and that the wholesale price had to stay in line with the Company agent's price of 50 livres the hogshead for wine.⁸⁶ However, the very next day, the Sovereign Council, in consideration of a petition from Jean Juchereau de la Ferte, representing those who had an interest in the Royal Domain, decided to rescind its price tariff and pegged the wholesale price at 60 livres the hogshead until the arrival of the other ships expected from France.⁸⁷ It was evident that there was a good deal more outlet for commercial expression on legislation than has hitherto been recognized as being the case in New France.

The clergy by this time were in a great turmoil. Tronson thought it wise to remind the Sulpicians at Montreal not to give bread and brandy to visitors without the permission of the Superior, or in his absence of the

85 Jugements, Vol. II, pp. 109-110

86 A.C., Series F3, Vol. V, Ordinance of September 5, 1678, fol. 69

87 Ibid., Vol. V, Ordinance of September 6, 1678, fol. 70

steward, in order to avoid the accusation of serving alcoholic beverages to the natives.⁸⁸ Laval had taken active measures to deal with the situation too, His vicar general, Dudouyt, had been sent to France to appear at Court to present the ecclesiastical arguments against any continuation of the brandy traffic. However, Dudouyt's reception by the Minister of the Marine can not be described as having been pleasant.

The Minister's attitude was one of coolness towards the clerical party, but the conversation soon took on heated qualities as Dudouyt admitted in his communication to the Bishop of Quebec:

He replied to me in a very loud and severe tone (which is not done in public audiences) that we were people who wanted to meddle in what did not regard us: that because we were far from the Sun we wished to encroach upon authority, that we were to concern ourselves only with preaching, confessing and exhorting. I replied that we concerned ourselves only with what regarded our ministry.⁸⁹

There was some truth in Colbert's statement that the isolation of the colony, the removal far from the brilliance of the court of the Sun King, tended to breed neglect and encroachment upon the radiance of the royal prerogatives. The interview was far from a happy one. Dudouyt raised

⁸⁸ B.S.S.P., Vol. I, No. 22, Tronson to Seminary of Montreal, June 1, 1677, p. 98

⁸⁹ A.S.Q., Lettres N, No. 48(a), Dudouyt to Laval, undates, 1677

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the decision of the six professors of the Sorbonne, and Colbert countered that he was aware of their findings but that had been ten years before. The Minister closed the interview abruptly by observing that the Bishop of Quebec ought to content himself with spiritual matters and that he would hear the clergy no further on the subject.

Dudouyt's impressions of this initial encounter with Colbert were that the clergy in New France would have to pursue a less aggressive line.

I think it would be good to avoid again this year as much as will be possible to resort to excommunication with regards traders until full information is given and the matter decided upon so as not to irritate Mr. C. because this point is one of those upon which he seemed to me to be the most opposed and to press for the lifting of the reserved case. 90

He had picked up the information from M. de Bellinzany, however, that his audience with Colbert had not gone for nothing but that the Minister of the Marine had been told a few things which made him want to check his previous information. A few days after the audience granted to Dudouyt, Colbert called in two respected lawyers and with them rehearsed the whole matter of the trade, re-read the communications dealing with the matter, read the decision of

90 A.S.Q., Lettres N, No. 48(a), Dudouyt to Laval, 1677

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the Sorbonne on the reserved case. The conclusion of the matter was that Dudouyt should be called in for another interview. Meanwhile, Dudouyt informed Laval that the Archbishop of Paris had given little encouragement even after being shown the memorandum on trade on two separate occasions⁹¹

After a fortnight's waiting period, Dudouyt was granted another interview with Colbert at Sceaux. He spent three-quarters of an hour in the drawing room alone with the Minister, who this time listened patiently and quietly. When Dudouyt mentioned the reserved case Colbert observed that the Canadian church was too perfectionist, that some things had to be tolerated as they were in other localities. Dudouyt made his case revolve upon the differences between Indians and Europeans and to this Colbert said that the Indians disorders had been grossly exaggerated as his first-hand information from gentlemen who had been in the colony indicated. Dudouyt argued that those who had personal interest in the fur trade and brandy traffic were the only individuals who so argued. The lawyers whom Colbert had consulted had concluded that trade in the colony should be as free as it was in Europe.

From this interview Dudouyt concluded that the

91 A.S.Q., Lettres N, No. 48(a), Dudouyt to Laval, undated, 1677

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matter would not be the subject of a royal decision that year. Colbert was anxious that trade should be unhampered in the Indian villages but he had resolved to consult others, especially the Intendant Duchesneau, before coming to a firm conclusion. The blame for the Minister's conviction of the necessity of the brandy trade he attributed to Talon:

M. Talon rendered a bad service to the church in the testimony he gave in conformity to his old impression. M. de la Chesnaye freely told the truth to Mr. de Bellinzany who reported it to Mr. Colbert.⁹²

Consultation would not clarify the situation so long as the testimonies conflicted.

The relation of the events which transpired at Paris as recorded by Dudouyt were repeated by Colbert in his letter written a week after the last interview. The instructions sent to Frontenac were very precise. Colbert said that the Bishop had sent by the hand of his grand vicar, Dudouyt a decision of the Sorbonne, which, if its facts were correct, would indicate that the administration was morally bound to close down all liquor outlets in the colony. But, the letter continued, the Minister had informed himself from Talon, Bouteroue and others who had been to New France and he had come to the conclusion that the clergy were passing in their arguments from evidence in few isolated cases to

⁹² A.S.Q., Lettres S, No. 93, Dudouyt to Laval, May 12, 1677

general conclusions applicable to the entire population and colony: "I found that these facts were extremely exaggerated and that from what happened to a few savages, general conclusions are drawn."⁹³ Therefore, Colbert ordered the Governor and the Intendant to again investigate the matter, always keeping in mind the possibility that the disorders might not be any greater than the drunkenness of the Bretons or Germans.⁹⁴ It was better not to engage in acrimonious encounters with the clergy, but it was wise to quietly prevent them from extending their authority by interfering in the police regulations. It was the Governor's duty to protect the royal prerogative.⁹⁵ This must have sounded like music to Frontenac's ears for here was a royal command to take the necessary measures to assert the superiority of the state over the church, the superiority of the royal power over any other authority.

The letter to Duchesneau was of a less amicable tone. To begin with, the Intendant was reprimanded: "you are too attached to following the sentiments of Mr. the

⁹³ P.A.C., Series B, Vol. VII, Minister to Frontenac, May 18, 1677, pp. 164-5

⁹⁴ Ibid., p. 165

⁹⁵ Ibid., p. 166

Bishop of Quebec." ⁹⁶ The Intendant was reprimanded for having presumed to know what was the "sufficient" amount to allow Indians to buy from vendors. If there were crimes in the colony then the police duties were being neglected because crimes decreased, according to the Minister of the Marine, with the severity of the punishment, and if they did not decrease then the Bishop's viewpoint must be correct. ⁹⁷

The King could only conclude that the Intendant was adopting views unknown throughout the rest of the Christendom and that this came as a result of too ready acceptance of Laval's views and a too critical attitude towards Governor Frontenac.

The means for dealing with the problem remained the same in the colony. On May 20, 1678 Frontenac issued an ordinance enjoining local Governors, judges, seigneurs and commanders of posts to have the royal ordinance of April 15, 1676, observed and indeed to inform against delinquents. ⁹⁸ This had been found necessary because the trade continued unabated in the Ottawa country. Many inhabitants spent the winter in the woods trading in violation of the edicts. Worse yet no efforts had been made to stop the movement of trade goods into the Indian country. The penalty imposed by

⁹⁶ P.A.C., Series B, Vol. VII, King to Duchesneau, May 15, 1678, p. 195

⁹⁷ Ibid., p. 196

⁹⁸ A.J.M., Frontenac's Ordinance of May 20, 1678

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Frontenac was now set at 200 livres, half of the sum applicable to the King and the other half to the hospital at Quebec.

The Intendant's ordinances fell into line with the Governor's actions and were merely continuations of the previous policy. Frontenac had complained that the inhabitants were ignoring the ordinance of April 15, 1676; Duchesneau resolved to strengthen it. He not only renewed the prohibition of going into the woods and villages of the Indians to trade but he added a clause making it mandatory upon all citizens to lend a hand in the apprehending and conviction of traders:

...we enjoin besides all persons living in this Country of whatever rank they may be to lend a strong hand upon penalty of Answering in their own proper and private names for the disobedience which might be occasioned to justice. 99

Five days later he issued a special ordinance for the inhabitants of Cap de la Magdeleine forbidding the inhabitants there to keep taverns and sell intoxicants.¹⁰⁰ Five or six people out of a population of some seventy were still disobeying the Governor's prohibition. Since it was essential to prevent the corrupting of the morals and health of the

99 A.J.M., Ordinance of Duchesneau, September 17, 1678; also Ordonnances, Vol. I, p. 238

100 Ordonnances, Vol. I, pp. 238-240

Indians the fines provided for in the previous ordinance would be increased to 300 livres. This we will recall was the settlement of which Father Fremin had once been able to boast that there was no disorder because of the enforcement of prohibition since 1634.

At this point one might also interject the observation that Talon's experiment to replace wine and brandy by beer was not proving to be the success that had been anticipated. By 1679 the Talon brewery was almost in ruins and the King bought it from him, except for the copper boilers because Denonville and Champigny were to advise against their purchase. There was still the official belief that the inhabitants should brew their own beer in the colony and it was hoped that La Chesnaye might be persuaded to make use of the huge boilers from the brewery.

Account has been given of the colonial regulations which were renewed and strengthened to deal with the problem. The question that remains to be answered is whether these were enforced or not? There is record that Frontenac arrested and had imprisoned Pierre and Louis Lemieux for trading with the Indians of the Temiskaming region in contravention of the King's orders during one of his visits to Montreal.¹⁰¹

101 Jugements, Vol. II, p. 247

They were arrested on October 10, 1678 and were tried by the Sovereign Council on November 2nd, were found guilty, had all their furs confiscated and were fined 2000 livres each.¹⁰² It was this type of enforcement, as every school child recalls, which had driven Radisson and Groseilliers to seek elsewhere for rapid profits.

There is also La Salle's record that indicates how important a part brandy played in his commercial ventures:

we give them a pint of brandy per beaver and counting that we would sell only two and a half barrels, allowing the remainder for the expenses of the fort and to pay the soldiers and sailors, to whom we sell it 100 sols the jug, the ten barrels we traded to the Indians, at the rate of 100 jugs the barrel and four beavers per jug, will yield 4000 beaver at 4 livres a piece, or the value in other furs, which would make 16,000 livres and counting 15,000 livres profit.¹⁰³

By this time some action was forthcoming from France. First, the Minister of the Marine had twice interviewed M. Tronson and the Sulpician had promised to find out all he could for the Minister about the true state of affairs in the colony. Tronson in a letter to Dollier de Casson was insistent:

Thus it is important that you declare to us if it is to be feared that the savages go to the Dutch if the French give them no more brandy. If you believe that ruins trade. What disorders you have knowledge of.¹⁰⁴

¹⁰² Jugements, Vol. II, pp. 260-261

¹⁰³ Margry, op. cit., Vol. II, p. 18

¹⁰⁴ B.S.S.P., Vol. I, No. 59, Tronson to Dollier de Casson, May 16, 1678, p. 125

Tronson wanted to know from other members of the Sulpician community if the savages really bought brandy only to get drunk, if it were not sold to them would the Dutch really be in a position to supply them with it, and if so with what economic consequences. He asked one of the missionaries of St. Sulpice to write him "not what others say about it but what you yourself think about it."¹⁰⁵ It was from this type of information, as well as that to be gathered through more orthodox methods, that the Court would reach its final conclusion.

Secondly, the King and his Council ordered Frontenac and Duchesneau, in conjunction with the officers of the Sovereign Council, to call an assembly of the twenty chief inhabitants of New France to discuss the brandy question.¹⁰⁶ Careful minutes were to be taken of the deliberations and these were to be forwarded to the King, signed by the Councillors attending the meeting. There should also accompany this memorial a list of all the crimes committed in the colony during the past six years together with details of the circumstances under which each had been committed.¹⁰⁷

¹⁰⁵ B.S.S.P., Vol. I, No. 61, Tronson to Ranuyer, May 22, 1678, p. 125

¹⁰⁶ P.A.C., Series B, Vol. VII, pp. 208-212; also A.S.Q., Polygraphie IV, No. 28; A.C., Series F3, Vol. V, Arret of May 12, 1678, fol. 51

¹⁰⁷ P.A.C., Series B, Vol. VII, Arret of May 12, 1678, p. 212

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The colonials would also be sent a summary of all the arguments advanced pro and con the brandy trade to act as a guide in their deliberations.¹⁰⁸

Duchesneau was warned about being too attached to the clerical arguments against the trade:

In the matter of intoxicating drinks, you are too attached to following the sentiments of Mr. the Bishop of Quebec and when you say that it must be forbidden to give it to the savages in a quantity sufficient to make them drunk, you must say at the same time how this term sufficient quantity is to be described, what extent it will have, and who will be the judge thereof; but to tell you the truth more strongly such a sentiment ought not to come into the mind of an Intendant and your true function was to enter into the facts raised by the Bishop of Quebec in making his reserved case...¹⁰⁹

Nine days later Colbert sent another letter to Duchesneau once more taking up the argument that to trace brandy in the colony ought not to be forbidden. He offered four arguments against prohibition. First, since it was not sinful elsewhere it would be unwise to call it so in Canada because it might lead to a general disregard of other church regulations, it being obvious that prohibitory regulations were resisted by the inhabitants. Secondly, the examples of the outrages attributed to drunkenness were not general cases.

¹⁰⁸ P.A.C., Series B, Vol. VII, Arret of May 12, 1678, pp. 246-249

¹⁰⁹ A.C., Series F3, Vol. V, Minister to Duchesneau, May 15, 1678, fol. 55

and in most cases had been committed by unconverted Indians. Thirdly, trade was absolutely necessary in order to draw the Indians to the colony where, in Colbert's mind, means of acquiring first glimpses of the faith were afforded. Fourthly, if the chief desire of the Indians was really to become drunk they would do so on foreign liquor if French sources of supply were cut off.¹¹⁰

One important aspect of the problem was neglected by both parties in the dispute. Yet this was an aspect that had already caused a good deal of dissension. Difficulties had arisen in the matter of confession, particularly because it was known that a guilty trader generally had partners. If the trader confessed his sin so as to accuse another he was committing an additional sin; on the other hand, if he did not implicate his partners he could not, in many cases, give a full confession of the circumstances which determined the precise nature and enormity of his own transgression. Here was another occasion for a "troubling of consciences". Some confessors, it would seem, were anxious to obtain as much information as possible through the confessional; others advised their penitents to omit the details; and still others thought it more prudent to advise the guilty trader to

¹¹⁰ Clement, *op. cit.*, Vol. III, Pt. II, Colbert to Duchesneau, May 24, 1678, pp. 656-637

find himself another confessor.

Pending the decision of the assembly of the chief inhabitants and the final decision of the King it was decided to enforce the previous prohibitions. It was forbidden to sell, trade or transport wines and brandies in the Indian areas, it was forbidden to supply intoxicants to Indians in their villages or in settlers' homes, and it was provided that appropriate penalties be exacted by the Sovereign Council against offenders.¹¹¹ The King's ordinance of May 12, 1678, forbade settlers from going more than one league distance from the cleared fields on penalty of a fine of 2,000 livres.¹¹² The regulations were explicitly issued for Acadia too.¹¹³ Duchesneau found it necessary to re-issue the terms of the royal ordinance in two new ordinances dated September 17, 1678 and October 21, 1679.¹¹⁴

On October 10 the Sovereign Council met to designate the twenty leading inhabitants who should attend the assembly of notables ordered by the King.¹¹⁵ On the day appointed

¹¹¹ P.A.C., Series C11A, Vol. IV, Royal Ordinance of May 12, 1678, p. 289; also A.P.C., Ordres du Roi, Series B, Vol. VII, p. 104

¹¹² A.C., Series F3, Vol. V, fols. 39-40

¹¹³ Ibid., fol. 38

¹¹⁴ Ibid., fols. 71-72

¹¹⁵ Ibid., fol. 75; also B.N., Fonds Clairambault, Vol. 1016, fol. 378; Margry, op. cit., Vol. I, pp. 405-420

for the meeting, October 26, it was learned that Messrs. Boucher, d'Ailleboust and St. Pierre had not come to Quebec as they had been requested to do. So they were replaced by Messrs. de Dombourg, La Prade and La Salle.¹¹⁶ They assembled at nine o'clock in the morning, and after a noon recess re-assembled at 2 P.M. to hear the opinions of each of the seigneurs. A memorandum was drawn up and on November 7 the Sovereign Council charged Messrs. Dupont and de Peiras, who were going to France on their own accounts, to transmit the findings of the assembly to Colbert.¹¹⁷ A regularly constituted legislative assembly could have done no more than this method achieved.

The comments of the leading habitants were most revealing. Berthier and Sorel ventured the observation that the Dutch used brandy to erode the French trade. They believed there was little drunkenness in the sedentary missions such as Lorette, Magdeleine or Montreal. Temperance here was really due to the influence of the missionaries, the vigilance of the Christian chieftains, and to the absence of cabarets. There had been no crime in these missions for six years they said. The Sillery Indians might

116 A.C., Series F3, Vol. V, fol. 76

117 Jugements, Vol. II, p. 262; also B.R.H., Vol. I, No. 6 (June, 1895), pp. 89-90

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go to Orange to live if prohibition were enforced, on the other hand.

Repentigny and Becancourt blamed the coureurs-de-bois for the disorders. But Crevier argued that the Ottawa tribes who did not use alcohol were just as disorderly and barbarous as any other tribe. Several mentioned the pull of the English trade. La Prade felt that regulations were quite useless and only gave rise to further contentions. Vercheres believed that brandy was essential to the trade and that the disorders had been greatly exaggerated. La Salle came out squarely in favour of complete freedom to transport liquor into the interior and maintained that laymen should finally decide the issue, not the clergy. Jolliet argued to have the carrying of brandy into the woods stopped but he believed in its free sale in the chief towns and in the homes of the settled inhabitants.

The comments of Duplessis Gastineau are worthy of being quoted:

...no brandy must be traded to the savages inasmuch as this trade ruins Religion for we have seen them (Indians) assiduous in prayers and in frequenting the sacraments and now they live like atheists and commit all sorts of crimes which proceeds from the continuous drunkenness in which they are. That the said trade puts the savages and French in a state of damnation. Some day by the despial they show for the orders of the Church and the others because they only drink to become drunk. That this trade ruins commerce because the savages indebt themselves on every side in order to drink and that one of them spends more on drink in two months than

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he would spend in two years for the upkeep of his family.¹¹⁸

Most of the comments were unfavourable to the role of the church and of religion however.

Some of the habitants believed that excommunication and the refusal to grant absolution were dangerous precedents as a number of people were already out of the church and they seemed to be quite content to remain there. The loss of the fur trade to the Protestant colonies to the south, which would follow automatically upon any abandonment of furnishing brandy, might also mean the loss of the Indians to heresy.¹¹⁹ These were all arguments designed to impress the King that the brandy traffic was really in the best interests of the church too. All twenty habitants consulted agreed that brandy was the best article of commerce with the Indians and the only one in which the French enjoyed a superiority over the English. Fifteen of them voted for unrestricted trafficking but Duplessis, Le Vallon, Jolliet, Le Ber, and Dombourg were of the opinion that there ought to be state restriction and probably prohibition.¹²⁰

118 B.N., Fonds Clairambault, Vol. 1016, fol. 382

119 P.A.C., Series C11A, Vol. IV, pp. 311-312

120 A.C., Series F3, Vol. V, fols. 77-83

Some writers have supposed that the decision to call an assembly of leading citizens was quite unprecedented in the reign of Louis XIV, that the Sun King did not usually consult his parlements or his subjects in matters of public order and administrative policy. The memoirs of Cardinal du Retz indicate otherwise:

The kings who were wise and who knew their own interests rendered the parlements depositaries of their ordinances, particularly to unburden themselves of a part of the envy and hatred that the execution of the most holy and even the most necessary produced sometimes. They did not believe they were abasing themselves in so binding themselves, similar to God who always obeys what he has once commanded...

There is only God who can survive by himself alone. The most settled monarchies and the most authoritarian kings only maintain themselves through the assembly of arms and of laws; and this assembly is so necessary that the one cannot maintain themselves without the other...121

It certainly had been customary to call assemblies of notables in the New World to discuss controversial public matters and to solicit popular support for administrative projects. Never was there a hint that these were Etats Generaux or that the assembly of the notables was a legislative body rather than a consultative gathering. The "Brandy parliament" had brought little hope to the clerical party and was certain to bear great weight with the French court when a decision was

121 Andre Ducasse, Le XVIIe Siècle: Pages Choisies des récits et des mémoires les plus curieux de ce temps (Paris, 1946), p. 102

finally made there.

Laval had once again returned to France to combat the influences of the colonial traders. When interviewed by the King he advanced three arguments against the unrestricted sale of intoxicants. First, there was a special temperamental factor to consider: the Indians presented an exceptional problem in susceptibility to the evils of the traffic. Secondly, the bishop had the right to make a reserved case of any factor that caused the ruin of his diocese and the brandy traffic was such an element in the bishopric of Quebec. Thirdly, there were some 80 priests in the colony and all of them were of the opinion the trade should be prohibited. In his opposition to the trade the Bishop said he was speaking for all his clergy, expressing the opinion of the doctors of theology of the Sorbonne, Cornet and Grandin, whom he had first consulted in 1662. Laval had also prepared a written statement refuting the arguments advanced for the continuation of the trade.¹²²

In defending the reserved case Laval said that several Popes had withheld arms from infidels if these were prejudicial to the church and so it seemed correct for a bishop to withhold brandy from the Indian tribes. Moreover,

¹²² Mandements, Vol. I, p. 149

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in 1676, Governor Andros of New York had prohibited the liquor trade but had later rescinded his prohibition when he learned of the continuation of the trade by the French. The laws of Boston against the "execrable sin" were also severe.¹²³ The Bishop advanced the thesis that the Holy Catholic Church could do no less than the heretics in such matters.

But the clergy in France were not enthusiastic supporters of Laval's reserved case. Laval's sudden arrival back after having said that he would never return indicated to them that he meant to press his case at Court. The Seminary of the Missions Etrangères believed he should have consulted the Pope before launching into a quarrel with the state officials. One of Laval's colleagues wrote to the Bishop of Heliopolis, another close friend of Laval's, in these terms:

However the interest of the commerce of the Colony seems to require from politics that this distribution that M. of Quebec has forbidden under penalty of excommunication and of which he has made a reserved case he permitted.¹²⁴

While there were those who disagreed with Laval there were others who were being influenced by his untiring efforts.

¹²³ A.S.Q., Polygraphie IV, No. 21

¹²⁴ P.A.C., A.S.M.E., Gazil to Mgr. d'Heliopolis, January 6, 1679, Vol. VII, Folio 4, p. 277

Tronson kept the Montreal community of Sulpicians informed on the Bishop's activities. "They have settled nothing yet for the brandy question. Mgr. of Quebec had thoroughly engaged M. Colbert about it." ¹²⁵ A couple months later Tronson reported that Governor Perrot of Montreal had said in Paris that the Sulpician clergy had refused to hear his confession and it was being commonly reported in the capital that the clergy refused to confess any who engaged in the trade.¹²⁶ If such were the case in the colony, he opined that the course was an unwise one to pursue: Tronson requested clarification of the colonial situation and the furnishing of facts so he might sort out rumour from truth.

The cause of the continuing discussions in France, and of the delay in obtaining a royal decision, was that not everyone at Court would accept the Bishop of Quebec's views. There were many who countered his description by saying that the disorders were not really so widespread as he maintained they were, and that in any case the brandy trade was essential to the colonial economy. The whole matter had been reported to Louis XIV for a decision before May 20th but he

125 B.S.S.P., Vol. I, No. 71, Tronson to Dollier de Casson, March 14, 1679, p. 133

126 B.S.S.P., Vol. I, No. 75, Tronson to Dollier de Casson, May, 1679, p. 147

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sent it back to the Archbishop of Paris and his confessors, Father la Chaise, for consideration.¹²⁷ Tronson observed that the argument he had heard used to justify the clergy's stand in the colony was quite futile - it might be true that Emperors had been put out of the church in the past, but the seventeenth century clergy had to come to terms with their own society and take into account the spirit of the age and the personalities with whom they had to deal.

And it was precisely this kind of spirit that seems to have prevailed finally in Paris. The Archbishop of the city and the King's confessor after examining the whole matter, and after a conference with Laval, recommended a solution to the King which was in reality a compromise. Colbert had wished to divorce religion from commerce and to separate the moral and economic aspects of the brandy traffic. To make his point he had had the colonial officials call in the leading citizens and laymen of the colony - the planters whose fortunes depended in some measure on the success of the trade. What he had in effect said was let these colonial gentlemen, who were in any case not living in the Indian encampments where the worst orgies took place, weigh the moral and economic arguments and decide. Now it

¹²⁷ B.S.S.P., Vol. I, No. 81, Tronson to Perrot, May 20, 1679, p. 152

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was the chief metropolitan of France and the King's Jesuit confessor who were making the decision, and they too had weighed the economic and moral factors.

The Edict of May 24, 1679, forbade all Frenchmen to carry brandy to the bourgades of the Indians remote from the French habitations under penalty of 100 livres for a first offence, 300 livres for a second offence, and corporal punishment for a third infringement.¹²⁸ The Minister of the Marine immediately wrote Frontenac to inform him of the decision and made it clear that the Archbishop of Paris, the King's confessor and Laval had had a voice in drafting the compromise: "They assured His Majesty that he (i.e. Bishop) would reduce his reserved case in conformity with this ordinance."¹²⁹ To the Intendant the Minister explained that it was the Archbishop of Paris and Father La Chaise who had suggested the terms of the new edict which forbade Frenchmen to carry liquor to the dwellings of the Indians.¹³⁰ The Sovereign Council of Quebec registered the royal edict on October 16, 1679, and so it became law operative in the

128 Edits Vol. I, pp. 235-6

129 P.A.C., Series B, Vol. VIII, Minister to Frontenac, May 24, 1679, p. 21

130 P.A.C., Series B, Vol. VIII, Minister to Duchesneau, May 24, 1679, p. 19

colony.¹³¹

What is significant about this solution is that it did not provide for absolute prohibition. It was rather in the nature of a compromise between the opposing views. The Indians could legally obtain liquor in the French settlements, either retail or wholesale. For this reason the compromise could not have pleased either the Governor or the Bishop; the former found it hampered freedom of trade and the latter deplored the lack of absolute prohibition. There still remained two great loopholes in effective control: first, the coureurs-de-bois were still as much beyond the arm of the law as before; secondly, the soldiers in garrison were so poorly paid that illicit trade was a great temptation for them.

There was nothing the Bishop could do but accept the situation. Tronson, the Superior of the Sulpicians in Paris, in a seven-page coded message to Dollier de Casson, the Superior at Montreal, indicated that Msgr. de Laval had decided to yield to the advice of the Archbishop of Paris— which advice was that he suspend his reserved case for a one-year trial period.¹³² Duchesneau's report to the

131 Jugements, Vol. II, p. 320

132 B.S.S.P., Vol. I, Tronson to Dollier de Casson, June 1, 1679, p. 149; also S.R.C., Doc. XXVII, No. 15, same, pp. 175-6

Minister of the Marine besides indicating that the royal edicts had been registered in the colony added the information that the grand vicar of the Bishop had been willing to reduce the reserved case.¹³³ But Duchesneau had also taken the precaution to have the police regulations tightened up somewhat by the provision that the attorney-general be empowered to fine any tavern keepers serving drinks in contravention of the regulations.¹³⁴

Was the new policy, including the lifting of the reserved case for one year, successful in resolving the disorders? The continuing need for official action would indicate that the policy was no more successful in coping with the problems than were previous efforts in the same direction. Duchesneau was still complaining that the clearing of land for agriculture was making little headway because the farmers were too easily enticed away by hunting, fishing and roving the woods. The Intendant opined that the evil would never be remedied so long as Frontenac countenanced it. He could see no amelioration so long as the Governor retained his present attitude, and there was little

¹³³ P.A.C., Series C11A, Vol. V, Duchesneau to Minister, November 10, 1679, p. 66

¹³⁴ P.A.C., Series C11A, Vol. V, Abridged regulations for Administration of Justice, 1679, p. 126

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hope he would change his ways for he was most difficult a man to deal with.¹³⁵

Three months later Duchesneau followed up this attack upon the Governor by another letter to Colbert in which he reported that it was impossible to hold back the coureurs-de-bois, that there was general disobedience for no less than 500 men were currently roving the woods. "These disorders", he said, "have taken place because the said Sr. de Frontenac tolerates them and profits with the majority of the coureurs-de-bois."¹³⁶ Du Lhut he singled out as the ringleader of the Governor's agents in the western country. He also deplored the trading activities of the officers of the troops.

Duchesneau was doing more than complaining to the Minister of the Marine. He was keeping up a barrage of ordinances against brandy traffickers and brought some law-breakers to justice. Migeon de Branssat was commissioned at Montreal to inform against persons who dealt with the coureurs-de-bois and furnished them with trade articles. In spite of the earlier legislation "the number of persons who go to the said trade augments every day" said the

¹³⁵ A.C., Series F3, Vol. II, Duchesneau to Minister, August 22, 1679, fol. 59-60

¹³⁶ A.C., Series F3, Vol. II, Duchesneau to Minister, November 10, 1679, fol. 62

commission.¹³⁷ This was because in the environs of Montreal they found not only eager buyers of their furs but willing furnishers. As the illicit trade in the Ottawa country continued the Intendant issued an ordinance on October 21, 1679 informing the inhabitants that since during the last fortnight many more young men had taken to the woods all unlicensed traders would henceforth be subject to seizure of all their goods and imposition of a 1000 livres fine.¹³⁸ The inhabitants of the Montreal area were warned that they were liable to legal action too if they supplied or bought furs from the coureurs-de-bois.

The Sovereign Council did take action when cases came before it, but these cases were outstanding because of their rarity. Two cases stand out in the Council records in this period. On November 17, 1678, Hertel, tried in the Provost court, had his appeal come to the Sovereign Council, where it was found that he was guilty of trading illegally into Hudson's Bay and so he was fined 2000 livres.¹³⁹ However, the sting was removed completely because the superior court

137 A.J.M. Commission of August 25, 1679 to Migeon de Branssat

138 A.J.M., Ordinance of October 21, 1679. This was registered at Montreal on November 19, 1679

139 Jugements, Vol. II, pp. 263-264

returned all his confiscated furs.¹⁴⁰ A year later, on November 29th, Pierre Noel Le Gardeur was fined 200 livres for illicit trade, but he did not have his confiscated merchandise returned to him.¹⁴¹ This would seem to indicate a determination to apply the rigours provided for in the law.

A Claude de Bermen went off to trade with the Indians but upon arriving at Sault Ste. Marie he was convinced by the Jesuits to abandon his selfish designs and join them in their efforts "coming and going from the Missions without having had any wages or making any profit". For his original intentions the Sovereign Council decided to punish him when he was arrested, but the penalty exacted in this case was set at 100 livres only, not the usual 2000 livres, "seeing that he has carried on no trade."¹⁴² Probably the chief value of the record of this case is not that the Sovereign Council considered the circumstances in assessing its fines, but that the missionaries in the interior of the continent were attempting to discourage the trade.

The clergy were not without some interest in the liquor traffic of course. The religious orders all received

140 Jugements, Vol. II, pp. 263-264

141 Ibid., Vol. II, pp. 343-344

142 Ibid., Vol. II, pp. 594-595

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financial support from the "duties on wine and brandy" and they held the shareholders of the Company of Canada to their obligations by means of arrêts obtained from France.¹⁴³

When the Company replaced its agent Boisseau at Quebec by a fellow called Durand, the directors thought it proper to write the Bishop informing him of the changes and expressing hopes for a complete agreement between the company and the ecclesiastics. The directors promised to support the clergy and hospitals from the income of the tax on wines and brandies.

You will learn Monseigneur from Mons. Dudouyt your grand vicar to whom has been given in favour of your clergy, and of the hospitals of Canada on the matter of duties from wines and brandies for the provision of their houses; we believed we could do no better than to commence the gestation of our new company by this regulation which we believe must be agreeable to you. 144

Previous to this there had been some ill-will among the religious communities in the colony towards the liquor imports. The Sulpicians, in particular, felt that they were being discriminated against. The Paris Superior of the community wrote to Dollier de Casson in these terms:

As for the entry of liquors, I believe as you do that the communities at Quebec dissimulate and do not pay them. I did not give you any orders because

143 A.S.Q., Polygraphie III, No. 50, May 12, 1681

144 A.S.Q., Polygraphie III, No. 51, Company d directors to Laval, May 12, 1681

I did not know yet whether this article had been well decided. ¹⁴⁵

What worried the Sulpician Superior in Paris even more was the reservation of absolution. One of the Sulpicians serving in the parishes he warned that his practice of withholding absolution from penitents and not informing them was most extraordinary procedure and not at all approved by their Paris seminary. He indicated that if traders came forth to confess new transgressions sincerely believing they had previously been absolved they did so in good faith and therefore the confessor should hear their fresh confessions.¹⁴⁶ This was practical advice on one of the aspects of the "troubling of consciences" already mentioned.

Possibly the most important event of the year 1680 related to the brandy traffic was Duchesneau's formal statement against Frontenac and the officers of the garrisons and posts.¹⁴⁷ The Intendant formally laid charges before the Ministry of the Marine that Frontenac's servants and soldiers kept shops and traded within the enclosure where

¹⁴⁵ B.S.S.P., Vol. I, No. 98, Tronson to Dollier de Casson, undated, 1680, p. 173

¹⁴⁶ B.S.S.P., Vol. I, No. 176, Tronson to Belmont, June 6, 1680, p. 304

¹⁴⁷ A.C., Series F3, Formal statement against officers, August, 1680, Vol. II, fol. 65

the Ottawa Indians held their fair. To this Frontenac replied that there was nothing to prevent the people of the garrison from engaging in so petty and transitory a traffic, and that as for his servants the accusation was false. Frontenac had gone so far as to declare that he had had little respect for Duchesneau's judgment in the past but in future he would have none at all.

This formal accusation against the Governor was followed up the next year by a memoir from the attorney-general at Quebec which was even more critical of Frontenac and his proteges.¹⁴⁸ Among other things, he was accused of having prevented de la Martiniere from carrying out the orders of the Sovereign Council to proceed against the coureurs-de-bois. Frontenac was accused, having gone personally to Montreal to protect certain individuals interested in the illicit trade. In particular, the Governor had been guilty of protecting a Sieur Boisseau who was also accused of blasphemy and atheism.

It was not surprising that Frontenac was soon recalled to France. However, there were those in the colony who continued to hold him in high esteem as a "fighting governor" and there were a number at Court who looked upon

148 A.C., Series F3, Memoir of Attorney-General of Sovereign Council of Quebec, 1681, Vol. 78, fol. 7v

him as an effective and gifted military leader who had been sacrificed to the intrigues of the clergy.¹⁴⁹ Lahontan summarized his first term of office in Canada in these words:

...(he) preserved peace between the Iroquois and the French in such a way that trade and good friendship were mutual between the two nations; while the Jesuits, the Bishop and the Intendant stirred up the various complaints, which could only tend to raise the country against him. He had therefore much difficulty in defending himself against his enemies, and in the end the King recalled him. 150

The experiences of the colony under the direction of La Barre and Denonville tended to implant the feeling that Frontenac's administration had indeed been "the good old days".

It was the problem of the coureurs-de-bois, the prospect of a leakage of the remunerative fur trade to the English colonies, that moved the Court to take some stand on the brandy traffic. Tronson informed the Montreal

149 The researches of Delanglez, Fregault and Eccles have tended to reduce Frontenac to his proper stature. Nevertheless, from the point of view of this study what his contemporaries thought of him is of greater importance than what historians today think of him, or even of greater importance than the actual role played by him. Saint-Simon in praising him adds that Louis XIV thought him too attractive to Mme. de Montespan. A. de Boislisle, Memoires de Saint-Simon (Paris, 1879-1913), Vol. VI, pp. 166, 169

150 G. Lanctot, ed., "Instructive Summary of the Affairs of Canada", The Oakes Collection: New Documents by Lahontan concerning Canada and Newfoundland (Ottawa, 1940), p. 31

community that the air in Paris was charged with anticipation, that the complaints against the disorders in Canada were so numerous that some action would be taken. But the question, as Tronson put it, was "on whom the storm may fall".¹⁵¹

The King's decision must have come as a complete surprise to many individuals. He declared an amnesty for all coureurs-de-bois who had left their homes and fields to pursue the fur trade and barter with the Indians.¹⁵² The King ordered that those who had violated the ordinances of April 15, 1676 and of May 12, 1678 but who now returned to the settlements were not to be troubled, prosecuted and brought to question for their past activities by the law officers or any other citizens. This did not mean that the King proposed to condone the brandy traffic. He issued a new prohibition against any further going into the woods to traffic with the Indians.¹⁵³ This meant that although past offences were forgiven by the Crown new infringements would not be tolerated.

What did this do to the clergy's contentions? Did

¹⁵¹ B.S.S.P., Vol. I, No. 98, Tronson to Dollier de Casson, 1680, p. 173

¹⁵² P.A.C., Series C11A, Vol. V, Letters-patent of May 2, 1681, pp. 333-334; A.C., Series F3, Vol. VI, fols, 8-9

¹⁵³ A.C., Series F3, Vol. VI, Edict of May 12, 1681, fols, 5-6; also P.A.C., Series C11A, Vol. V, pp. 335-336

the letters-patent granting an amnesty to the coureurs-de-bois forbade confessors to exact heavy penance for trading brandy to the Indians under the provision that a moratorium was declared on any penalties imposed for "judgments that may have been rendered against them for any reason whatever"¹⁵⁴. Dudoigt had gone immediately to protest the policy of granting an amnesty but had been told the penalties for contravention of the prohibitory edict of May 12, 1681, would be flogging, branding with the fleur de lys, and in cases of repeated disobedience perpetual galley service.¹⁵⁵ Dudoigt had been reassured that this approach was experimental and that it would be tried for one year, and if it proved unsuccessful in restoring order in the colony then stiffer regulations would be re-imposed.

The Sovereign Council at Quebec registered the letters-patent granting an amnesty and the new edict of prohibition, then proceeded on its own initiative to extend explicitly the amnesty to traders among the Sioux and Assiniboine Indians.¹⁵⁶ The necessity of such a measure indicates the extent to which the traders had now spread

154 Edits, Vol. I, p. 250

155 A.S.Q., Lettres N, No. 57, Dudoigt to Laval, May 10, 1681; Edits, Vol. I, pp. 248-249; A.C., Series F3, Vol. VI, fol. 10

156 Jugements, Vol. II, p. 624; 690-691; also Edits, Vol. I, p. 249

their activities.

The clergy were certain that the Court in arriving at its decision had not been fully aware of the terrible injustices imposed upon the Indian population. Tronson was aware that the question of brandy trafficking was still very much an open question but he did not feel optimistic that a remedy could be found.

As to the bad treatment accorded the Savages, I doubt that they are well informed about them here, because certainly they would not suffer it. But the difficulty is to have proofs of it. A simple exposé does not convince enough. 157

However, the Sulpicians at Montreal were able to produce some concrete evidence of weight against Perrot. Evidence was given in writing to the Intendant's secretary that Perrot had pillaged furs from an Indian called Assarie and two others of "the nation of the Wolves". He had also taken 45 jugs of brandy and had distributed them to his own garrison troops. One of his soldiers even ran through an Indian with his sword and when Father Belmont of the mission at the Two Mountains went on several occasions to protest to Perrot he was scarcely given a hearing. Dollier de Casson also accused Perrot's cook of negotiating with the Indians and he had been seen at nine and ten o'clock at night

157 B.S.S.P., Vol. I, No. 150, Tronson to Trouve, June 1, 1681, p. 246

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drinking with notorious coureurs-de-bois.¹⁵⁸

Before leaving the colony Frontenac ordered the twenty-five heads of families to whom he had granted leaves to trade in the interior to have their canoe-men stop at Montreal and supply Governor Perrot with their names, places of domicile and any other information he should desire.¹⁵⁹ The ordinance was read and publicly posted following mass at the church of Villemarie. The Intendant Duchesneau co-operated by issuing his own ordinance four days later providing that all traders before going off into the woods to trade should make a full declaration of the goods carried.¹⁶⁰ The officers at Montreal were to see to putting this into effect and to apprehend contrabanders and send them to the royal prison at Quebec. And as a parting salvo the Intendant issued an ordinance forbidding the giving of brandy to people going to trade with the Indians and for good measure incorporated a clause in the same ordinance forbidding all Frenchmen to carry furs to the English.¹⁶¹

There was little reason for satisfaction on the part

158 B.S.S.P., Vol. I, No. 150, Tronson to Trouve, June 1, 1681, p. 246; Memorandum to Seignelay on conduct of Perrot, 1681, no pagination

159 Ordonnances, Vol. I, p. 300

160 Ibid., Vol. I, pp. 312-313

161 A.J.M., Ordinance of Duchesneau, August 27,

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of the Bishop. He indicated his concern to the Minister of the Marine:

There took place several great evils this year arising out of the trading of intoxicants to the savages, but I hope that Monsieur our new Governor and monsieur the Intendant will have observed exactly in future the ordinances on this point and that you will have the goodness to have yourself kept informed with all the care that the importance of this affair merits. 162

The new Governor and Intendant seemed at first to be willing to uphold the prohibitions. It soon became evident that the task was an impossible one as the royal judge at Montreal, Migeon de Branssat, issued ordinances on October 9, 11 and 19 in an effort to prevent large numbers of habitants from going to the woods for this was about the time of year they would be preparing to leave.¹⁶³ Laval and the clergy could only rejoice in the fact that Duchesneau before leaving for France had drawn up a lengthy memorandum in which he spoke out clearly against the brandy traffic.¹⁶⁴ But fine phrases

162 A.S.Q., Lettres N, No. 68a, Laval to Seignelay, November 12, 1682

163 A.C., Series F3, Vol. VI, Ordinance of La Barre and de Meulles, October 1, 1682, fol. 25; A.J.M., Ordinance Branssat, October 11, 1682; A.C., Series F3, Vol. VI, Ordinance of La Barre and de Meulles, October 13, 1682, fol. 26; A.J.M., Ordinance of Branssat, October 19, 1682; A.C., Series F3, Vol. VI, Ordinance of La Barre and de Meulles, October 19, 1682, fol. 27

164 P.A.C., Series C11A, Vol. V, Memorandum on Indians, November 13, 1681, p. 304

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attacking the evils of the traffic did nothing to bring a practical solution.

However gruesome the reports of the Indian disorders it was evident that the King and his advisers would not abandon the conviction of the economic necessity of brandy in trade. The clergy had become convinced of this fact. It was a matter of economics and not one of morality that perpetuated the problem; even in Paris:

They are convinced enough here that drunkenness caused by the brandy trade causes great disturbances in Canada, but they are at the same time persuaded that it is necessary for commerce. Thus one must not expect that the King will prohibit it. 165

The clergy in Canada were more concerned with such immediate problems as confession of known traffickers. Even the Sulpician Superior in Paris was of the opinion that the concern over brandy traders was more important than saying daily masses to the intention of the Canadian missions. To one of the Sulpicians serving as a parish priest he wrote:

For you could follow no other rules for confession than those given you by Monsieur the Bishop of Quebec. If the Recollet Fathers depart from them we are not the cause thereof, and you will need to answer neither before ^{God} nor before men for those to whom they grant absolutions when you will have done your duty. 166

165 B.S.S.P., Vol. I, No. 189, Tronson to Dollier de Casson, February 22, 1683, p. 320

166 B.S.S.P., Vol. I, No. 195, Tronson to Remy, April 22, 1683, p. 329

La Barre spent the summer of 1683 in Montreal, which was now the centre of the brandy traffic, and his opposition to the brandy trade commended itself to Laval and the Sulpician clergy of the island.

Monsieur the Governor spent the entire summer at Montreal, where he knew à fond the disorder which the trade in intoxicating drink causes among the Savages. Which obliged him to make very severe ordinances, which arrest the evil, provided they are put into execution. 167

Laval had touched the keystone of the whole system of control through legislation - "provided they carry them out".

What were these "very severe ordinances" of which Laval was so proud? The Quebec merchants had complained of the competition of non-resident traders.¹⁶⁸ So in January 1683 de Meulles had issued a ten-point regulation forbidding non-resident merchants to sell goods retail before August 1 or after October 31, and had extended these prohibitions to those who travelled up and down the river between Quebec, Three Rivers and Montreal in order to increase their trade.¹⁶⁹ Persons living above the island of Montreal were not to prevent the Indians from proceeding with their furs and peltries to the annual fair at Montreal. De Meulles also

167 A.S.Q., Lettres N, No. 74 (2), Laval to Seignelay, November 10, 1683; also A.C., Series F3, Vol. VI, fol. 73

168 A.C., Series F3, Vol. VI, fol. 134

169 Ibid., fols. 30-32

attempted to restrict the trade to married heads of families. On May 12 La Barre strengthened the measures by ordering that no brandy was to be taken into the Indian encampments and set the penalty at 50 livres for contravention of what was by now an oft-repeated and oft-ignored executive order.¹⁷⁰ On the 16th of the same month he had issued an ordinance to deal with certain individuals at Quebec who "through libertinage and a mind to abandon the working of the land" had become accustomed to carrying firearms and hunting in close proximity to the town itself.¹⁷¹ On May 22 he forbade the transport of brandy towards the western extremity of the island of Montreal where certain traders were meeting the Indians before they reached the fur market of the town and where they purchased, or swindled them of, their peltries. The justices were ordered to confiscate any brandy and any canoes of goods thus engaged.¹⁷² On June 12 the Governor issued an ordinance saying that all Indians found drunk and committing indecent acts would be imprisoned on the spot and that the Frenchmen who had supplied them with liquor would be fined.¹⁷³ These were the "very severe

170 Ordonnances, Vol. II, p. 35

171 A.S.Q., Seminaire XXXV, No. 22A, Ordinance of May 16, 1683

172 Ordonnances, Vol. II, pp. 37-38

173 A.J.M., Ordinance of La Barre, June 12, 1683

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ordinances" which Laval seemed to believe would be efficacious in ending the brandy traffic.

La Barre was striking at a group of traders who during the Frontenac administration had enjoyed gubernatorial protection, and possibly encouragement. La Salle became a particular enemy of the new Governor. In May La Barre ordered him to appear before him to give a full account of his "pretended discoveries" because his previous commission had now run out. La Salle, as it will be recalled, had been a favourite of Frontenac and a bitterly critical opponent of the Jesuits. It was a great blow to him to find now that his men were ordered to return home and that the Governor would no longer support his not too clearly defined activities in the upper country.¹⁷⁴ Two months later, the Governor ordered the seizure of La Salle's goods at Fort St. Louis in the Illinois country in order to pay the 4,000 livres loan made to him for passage to France. These moves delighted the Jesuits.

The impression this made in France was that the situation was at last completely under control, the disorders had ceased. The King seemed to be pleased according to his secretary's communication:

He has been very gld to learn that one no longer hears speak of disorders of which you had complained

174 Ordonnances, Vol. II, p. 33

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as arising from the sale of intoxicating drinks, and He desires that you maintain things in the state in which they were when the letters of this year were written. 175

The severity of La Barre's stand did drive some of the obdurate and inveterate traders to join the English where they attempted to continue their activities.¹⁷⁶ On April 19, 1683, La Barre issued an ordinance against deserters; this move was precipitated by receipt of intelligence of a raid by Villeroy and five other deserters from upper New York to capture the French fur brigades coming down from the Ottawa country.¹⁷⁷ All Frenchmen were encouraged and commanded to attack the party of deserters and show no mercy whatever should the raid be attempted.

La Barre, let it be said, was not opposed to moderate imbibing; it was the disorders caused by drunkenness that he had resolved to eradicate. On an expedition against the Iroquois he provisioned his "crusade" with thirty hog-head of brandy, among other things. Again, at the Long Sault he paid the Iroquois Christians in brandy if they would take his largest boats and canoes through the

175 A.P.Q., Ordres du Roi, Series B, Vol. X, King to Laval, August 3, 1683, p. 15

176 A.P.Q., Documents in Colonial History: London Archives, Vol. I, Brucy to Major Baxter, August 18, 1683, p. 203

177 Ordonnances, Vol. II, pp. 26-27

treacherous rapids, and the reward offered was sufficiently great to motivate the natives to take every single vessel through without any loss.

Apart from the coureurs-de-bois, the inn-keepers were one of the most troublesome groups of individuals with which he had to deal firmly. In August 1683 he issued a new ordinance forbidding all cabaret owners to lend or sell liquor on credit and he renewed the 50 livres fine for contravention of the ordinance.¹⁷⁸ The necessity of renewing the ordinances at frequent intervals speaks volumes about their efficacy. La Barre in his new ordinance wished to strike a blow at the Montreal tavern-keepers who gave liquor on credit, sometimes even on the security of the harvests, and so caused many families to suffer hardships. It is of some interest to note that the fines payable were to be placed in a fund for the building of a new parish church in Montreal. The inn-keepers might find their business profitable enough to write off regular fines as contributions. Ten inn-keepers carried on most of the ~~the~~ business and did nothing else for a living; in other words, these cabaret owners were able to live on the profits of 40 barrels of brandy which each was allowed to import annually.¹⁷⁹

¹⁷⁸ Ordonnances, Vol. II, pp. 43-45; also A.J.M., ordinance of August 24, 1683

¹⁷⁹ Belmont, op. cit., pp. 21-23

Their trade with the Indians was greatly to be condemned for five reasons according to one contemporary:

1. They sell much more dearly than to Frenchmen.
2. They add salt water: which we know from a soldier's deposition, who lived for three years with one of the most notorious, and that from half a barrel they always made a full one.
3. There are Savages who assure one that they saw urine being added. There was a workman who used to go to drink at one of these joints (bouchons); this drink having made him sick to his stomach, the mistress said immediately to the serving-girl, "Did you serve from the barrel of the Savages?"
4. They keep the goods of the Savages as security, and as the Savages do not remember any more where they drank, they alienate their said goods or change their appearance.
5. They rob and despoil the drunk Savages; they take their money from their packs, and their goods. 180

To add to the confusion and disorder the cabaret keepers began to quarrel among themselves. Quebec vendors, who were losing out on the best profits now, invaded the Montreal territory and began to sell liquor to the Indians during the summer months. In this way the Indians sometimes deserted the suppliers at Montreal who had carried them on credit throughout the winter. The debtors of the Montreal cabaretiers too often carried their ready cash to the strangers from Quebec. Sieur de Ponty addressed a complaint to Seignelay on October 30th, 1685, asking that the non-resident merchants, who escaped the usual charges of lodging

180 Belmont, op. cit., pp. 21-23

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and transporting troops at Montreal, be excluded from carrying on any business in Montreal.¹⁸¹ Callieres, the local Governor, had already been requested to enforce the regulations against cabaret owners but he had not complied. On March 10, 1685, the King instructed de Meulles to revoke the Governor's decree against the cabaret owners because it was ultra vires of the Governor's jurisdiction. The Royal Ordinance of May, 1679, still stood and it forbade only the carrying of liquor to the Indians in their dwellings, not the sale of liquor in regular outlets in the towns.

As to the disorders in the Montreal area there can be little doubt. One source lists, for a five-year period, 8 drownings, 2 deaths by freezing, 3 deaths from wounds suffered during brawls, and all these were directly attributable to intoxication.¹⁸² Lahontan has left us an account of the type of behaviour one could expect when the Indians came into Montreal with their peltries and obtained liquor in the quantities they desired:

'Tis a comical sight, to see 'em running from Shop to Shop stark naked with their Bow and Arrow. The nicer sort of Women are wont to hold their Fans before their eyes, to prevent their being frightened with the view of their ugly Parts. But these merry Companions who know the brisk She-Merchants as well as we, are not wanting in making an offer, which is sometimes accepted of, when the Present is of good Mettle. If we may credit the

181 Eastman, op. cit., p. 226

182 Belmont, op. cit., p. 15

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common Report, there are more than one or two of the Ladies of this Country, whose Constancy and Vertue has held out against the Attacks of several Officers, and at the same time vouchsaf'd a free access to these nasty Lechers. 'Tis presumed their Compliance was the effect of Curiosity, rather than of any nice Relish; for, in a word, the Savages are neither brisk nor constant. But whatever is in the matter, the Women are the more excusable upon this Head, for such Opportunities are very infrequent. 183

Father Beschefer reported that the once flourishing mission at Sillery had been so scourged by intemperance that only a few wretched Algonquins remained in 1683 and even they were scattered in the woods. These Algonquins were now having to be replaced by Abenakis.¹⁸⁴ So ran the tale of the decimating effects of the brandy traffic.

In 1684 the Sovereign Council, in the absence of the Governor and Intendant but with the presence of the Bishop, took upon itself the fixing of the price of wines and brandy. On August 14 the Council took action against a certain merchant from La Rochelle, Samuel Bernon, who seemed to have gained control over all the stocks and wine in the port.¹⁸⁵ The local merchants complained about what such a cornering of the supply might do to their prices so the

183 R.G. Thwaites, New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. I, pp. 94-95

184 Rochemonteix, op. cit., Vol. III, p. 225

185 Jugements, Vol. II, pp. 953-955; also A.C., Series F3, Vol. VI, fol. 135

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Sovereign Council set the ceiling price on a cask of wine at 55 livres, and on a hogshead of brandy at 150 livres local currency.¹⁸⁶ The innkeepers petitioned the Council to forbid importers to charge excessive prices and asked that all individuals who had no permanent shops in the town be forbidden to retail alcoholic beverages.¹⁸⁷ On August 21, De Meulles called the Council together and expressed his astonishment that they should have so proceeded in his absence. He made no great issue of the matter; on the contrary, on August 22, he issued his own ordinance granting all peddlers and settlers the right to sell wines, brandy and tobacco at the prices they could command.¹⁸⁸ The royal communications the following year reprimanded the Council for its actions and upheld the Intendant in his contention for freedom of trade.¹⁸⁹

The method of attempting to deal with the brandy problem did not change, and we are left to conclude that since there was no end of regulation there was also no end

¹⁸⁶ Jugements, Vol. II, pp. 957-960; A.C., Series F3, Vol. VI, fol. 131

¹⁸⁷ Jugements, Vol. II, pp. 959, 964

¹⁸⁸ A.C., Series F3, Vol. VI, fol. 141

¹⁸⁹ Jugements, Vol. II, p. 1,021; A.P.Q., Ordres du Roi, Series B, Vol. XI, p. 126

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of disorders and infringements. On December 20, 1684 a really "tough" ordinance was issued for the Montreal area forbidding all trading without license.¹⁹⁰ A fine of 2,000 livres was to be levied on all merchants caught furnishing equipment and provisions to coureurs-de-bois, and this fine could be levied without having to apprehend the interlopers so supplied. Those who knew of such activities, or who allowed trade goods to remain on their property, or who supplied canoes were to be fined 100 livres. Those who were caught supplying beaver to English buyers, or convicted of ever having done so, were to be fined up to 2,000 livres.

Still the ^{dis}orders continued.

On February 26, 1685, parents were forbidden to furnish merchandise to their children who traded with the Indians.¹⁹¹ This would seem to indicate that supplies had been granted under the guise of aiding relatives, that it was young men who went off to the woods to trade. The penalty was set at confiscation of goods and a fine of 2,000 livres, one-third applicable to the King, one-third to the Hotel Dieu and one-third to the denouncers. A special clause was inserted stipulating that if the

190 A.J.M., Ordinance of December 20, 1684; also Ordonnances, Vol. II, p. 84

191 A.J.M., Ordinance of February 26, 1685; also Ordonnances, Vol. II, pp. 86-89

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denouncer were a member of the party of traders which he incriminated he was to suffer neither fine nor confiscation "as if he had not been refractory". On May 17 the canoe-men were forbidden to disembark on the island of Montreal elsewhere than at Villemarie;¹⁹² On August an ordinance followed forbidding the carrying of intoxicants to the Indians of Acadia;¹⁹³ another ordinance required all captains and masters of ships to make their declarations within 24 hours after arrival in port;¹⁹⁴ still another ordinance of August 24 interdicted all traffic with the Indians elsewhere than at Montreal, Three Rivers and Quebec;¹⁹⁵ Denonville attempted to control the trade at the interior military posts through one or two designated captains;¹⁹⁶ De Meulles tried to restrict trade in Acadia in February, 1686.¹⁹⁷

In fact La Barre had run into difficulty in his attempts to control the brandy traffic in the upper country.¹⁹⁸

192 Ordonnances, Vol. II, pp. 107-108

193 A.S.Q., Polygraphie IV, No. 28, Ordinance of August 13, 1685

194 A.C., Series F3, Vol. VI, Ordinance of August 12, 1685, fol. 237

195 Ibid., Ordinance of August 24, 1685, fol. 238

196 Ibid., Ordinance of September 8, 1686, fols, 270-271

197 Ibid., Ordinance of February 1, 1686, fol. 247

198 Ibid., Ordinance of October 5, September 28, 1684, fols. 142-143

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The King reported to the Intendant that the Governor's attempts to restrain the activities of the innkeepers was also outside of the realm of his authority and the Intendant was instructed to annul any such regulations.¹⁹⁹

There was some belief in France that the problem had at last been solved. La Barre was informed of the King's pleasure:

I am very happy for the assurance you give me that the bishop of Quebec has at last resolved to have the difficulties which has raised up to the present cease on the matter of the intoxicating beverages, and I am writing him in the sense that I hope this affair which has lasted for so long will finally terminate itself completely. 200

Dudouyt wrote Laval that the troubles might easily be renewed with increased vigour because Frontenac was doing all he could to return to the colony as Governor, and dissatisfaction with La Barre was growing because of "the great number of canoes which are in the woods".²⁰¹

La Barre was in fact replaced by Denonville. The latter did not commit himself to any open stand on the question until he had been in the colony for more than two

199 B.R.H., Vol. XXXVI, No. 4 (April, 1930), King to de Meulles, March 10, 1685, p. 238

200 B.R.H., Vol. XXIX, No. 7 (July, 1923), King to La Barre, August 5, 1683, p. 217

201 A.S.Q., Lettres N, No. 79, Ducouyt to Laval, May 14, 1684

years. Then he spoke out in unmistakable terms:

All the savages are fond of it and when they have drunk it they become mad and enraged, howling and biting like dogs and wanting to kill everybody. Good regulations have been made but their execution is found every day to be more and more difficult because of the deceit of the vendors and buyers. The Intendant has some experience of the difficulty in the journey that he made here last year. With that, Monseigneur, it is pointless to speak of discipline or police or of being able to live with the savages so long as it can be sold or traded to them, especially when they are so numerous. 202

This was the situation as the clergy had described it to be.

The compromise of 1679 still stood. The disorders continued and the controversy remained unsolved at the end of the episcopate of Laval. It was not soon to be expunged from the pages of colonial history. Indeed, as one generation replaced them and continued the activities in the interior. Cadillac sold brandy at Michilimackinac during Frontenac's second term and just as La Salle had been the great trader at Cataragui so Cadillac became the chief trader at Detroit. In 1711 the Intendant was still trying to get the taverns of Montreal and Three Rivers to sell beer and cider instead of brandy. Ten years later Begon would renew the prohibitory ordinances and punish obdurate traders. But still the clandestine trade flourished. The

202 P.A.C., Series G11A, Vol. X, Denonville to Seignelay, August 10, 1688, p. 126

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King, Louis XV, now, would express annoyance at the continued disorders at Michilimackinac but brandy was always available at his own royal post at Tadoussac. The next decade would see no change either. In fact the church would re-impose its "reserved case" and the state officials would resist saying that such a measure would surely drive the Indians to sell their peltries at Oswego. These events are beyond the limits of this study but they illustrate that the problem which remained unsolved throughout the period prior to 1685 would find no permanent solution thereafter. The names of individuals and places changed - to that extent there was an element of change - but the problems and suggested solutions remained the same - to that extent there was a factor of permanence,

The imputation of motive falls upon a graduated scale ranging from definite probability to bare credibility. It was quite probable that Frontenac and La Salle wished to make profits for themselves, that the leading citizens wished to make rapid profits too but were not happy at the prospect of arousing the ecclesiastics, and that the Intendants were greatly influenced in their policies by the demands of the colonial oligarchy for freedom of trade. It is barely credible that the Jesuits wished to reap rapid financial benefits and so they opposed the merchant monopoly of the trade, or that Laval acted principally out

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of personal animosity towards the Governors and some of the merchants.

The brandy traffic was undoubtedly an unmitigated curse to the aborigines. No one seemed to completely deny this. Du Lhut, who spent much of his life among the Indians and did not hesitate to employ large quantities of fire-water in his commerce, admitted when he was no longer active in the woods that this was the case:

I the undersigned certify...I never saw brandy traded but that great disorders followed even to seeing the father kill his son and the son throw his mother into the fire, and I maintain that morally speaking it is impossible to trade brandy in the woods and in the foreign missions without exposing oneself to falling into these misfortunes. 203

Historically speaking, his testimonial would have been of greater importance had it been given in 1678, not in 1688.

The brandy traffic did provide a few economic gains. It was responsible for large, immediate returns from the fur trade and rendered possible the scandalous exploitation of the aborigines. The prospect of large profits attracted numerous vessels to Canada and this did help to reduce the otherwise exceedingly high prices in the colony. These gains were also offset by evident economic losses. Much of the profits were drained off in debauchery and there was

203 S.R.C., Doc. XXVII, No. 17, p. 180

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seldom any increase in the wealth of the majority of the habitants. There was also the draining off of the young men from the seigneuries and barracks, attracted as they were by the exciting gains and sensual indulgence.

There were many people in the seventeenth century who regarded brandy as the key to the Indian alliances. Henry de Tonty's memorial of a skirmish with the Iroquois in 1686-7 highlights this role:

We made canoes on our journey, and coasted along Lake Erie to Niagara, where we made a fort below the portage to wait there for news. On our way we took 30 more Englishmen, who were going to Missilimackinac, commanded by Major Gregory, who was bringing back some Huron and Outawas slaves, taken by the Iroquois...The English, from the great quantity of brandy which they had with them, would have gained over our allies, and thus we should have had all the savages and the English upon us at once. 204

As to the precise role played by the English rivals only the French sources have been quoted. Before leaving the subject ~~one~~ one English communication which is very relevant and revealing might be cited:

You desire the Duke would get the French of Canada not to trade with the Indians nere or towards the side of New Yorke; but this is judged here wholly impracticable for the French will never forbid their people a beneficial trade. But you are to use your best prudence and endeavours with the advice of yr. Council soe as not to shock ye Govr of Canada, nor give him just cause of complaint against you, to discourage the trade of

204 Collection of the Illinois State Historical Library, (Springfield, 1903), Vol. I, pp. 151-152

the French wth our Indians by all the arts and encouragements on yr. part to the Indians, to trade rather with us then wth whom we must endeavour to out trade...205

In spite of this commercial rivalry the Jesuit missionaries had often found that the English attempts to deal with the liquor traffic and Indian disorders had worked to their advantage in the southern missions. Father Dablon wrote to thank Colonel Dongan, to whom the preceding letter quoted had been written shortly before, for his efforts:

I also know that your protection extends even to trying to shelter them from a thousand kinds of outrages to which they are exposed especially during drunken bouts which constitute one of their greatest torments; in one word, they have let me know that you do not spare yourself in order to procure to them the rest necessary for the exercise of their functions thus giving them the means of sending quite a few souls to Paradise.206

This he wrote to express gratitude for English efforts to control the liquor traffic which redounded to the benefit of the Jesuit missionaries.

Both church and state were powerless to really control the brandy traffic in New France. The assembly of notables of 1678 showed that popular opinion held that

205 A.P.Q., Documents in Colonial History: London Archives, Sir John Werden to Col. Dongan, December 4, 1684, Vol. I, p. 115

206 A.P.Q., Documents in Colonial History: London Archives, Father Dablon to Col. Dongan, undated, 1685, Vol. I, p. 202

successful repression would deflect the fur trade to the English. The royal policy had been one of slow moderation and it was this policy that triumphed again in the compromise of 1679. The compromise never did solve the problem of disorders, nor did it diminish the friction between the clerical party and the hardened traders. It was possible that many leading citizens in the colony deplored the evil consequences of the traffic as much as did Laval, the Jesuits and the Sulpicians, but they also felt inextricably bound to the profit-motive. It was better for poor Catholics to make the profits than for heretics to reap the gains. If the Indians were bound to have their liquor, and they were, let them go to perdition on French brandy rather than English rum.

CHAPTER XIII

COLONIAL MANNERS AND MORALS

The Church in New France received much co-operation and little opposition from the state in the enforcement of its code of morality. The colonial church was expected to be the handmaiden of the state in imbuing the inhabitants with a proper respect for civil authority, with loyalty and devotion to the King, and with a proper reverence and respect for all those in authority as powers "ordained of God". It was only natural that the church should have looked to the state to provide the enforcement necessary at times when the inhabitants proved disobedient, unco-operative and singularly independent-minded.

The church's first responsibility was to maintain a close control over its ecclesiastics and over the women in religious communities. The church in France had its rules of life for the various orders, the vows, the finances, and even the dress and fields of operation closely supervised by the state. This of course could prove to be an asset to the church because it guaranteed to it the support of the secular arm in cases of disciplinary infractions, evasions or gross misconduct.¹ This concept

¹ J. Lough, An Introduction to Seventeenth Century France (London, 1954), p. 92

of church-state relations passed over to the colony.

By way of comparison, the clergy of the Canadian colony were a select lot and few of them would misbehave as did so many of the aristocratic clergy of the motherland. Flechier described the higher clergy of Auvergne in most unflattering terms:

One saw them running off to comedies with ladies, the moment they had got out from the sermon, and make a mixture of the vanity of the world with the external piety which their state imposed upon them. ²

Nevertheless, the Canadian scene was not without its problem clergy. Upon the petition from the inhabitants of Beaupre, Governor d'Argenson, who was a deeply religious man, appointed a commission to enquire into the alleged misconduct of Father Vaillant. The Governor's commission heard 83 witnesses before concluding that the inhabitants had been justified in protesting the ill conduct of their curate. Vaillant was fined the court costs and reprimanded.³

The Jesuits, zealous guardians of the colony's morals, had their Superior carry out his own private investigations and soon Vaillant thought it wise to leave the

² Fléchier, Mémoires sur les grands jours d'Auvergne en 1665 (Paris: A. Cheruel, 1856), pp. 110-111, cited in J. Lough, op. cit., p. 96

³ Journal des Jésuites, Vol. I, pp. 237, 250-1, 262

country.⁴ In matters of this sort the Minister of the Marine commended the state officials for supporting the church unequivocally:

...you have given a good example in sending back that libertine priest to his Bishop and in condemning him who kept him as an indentured servant to a heavy fine applicable to pious works... 5

The policy was clearly demarcated. Church discipline would be upheld by the state officials. Fines when levied were to be made payable to the church's charitable foundations.

The colonial environment sometimes necessitated certain adjustments to the rules governing the public behaviour of the clergy. In Canada the clergy were expected to travel by dog-team, on snowshoes, by canoe - they were also permitted therefore to sleep out as did the aborigines and to adopt whatever native customs were essential to survival and the advancement of their missionary labours. One of the rules strictly enforced in France was that the clergy were not to bear arms. In the colony, when pressed by Iroquois attack, certain liberties, indeed precautions,

⁴ Journal des Jésuites, Vol. I, pp. 251, 262: Relations des Jésuites dans la Nouvelle-France (Quebec, 1858), Vol. I, p. 17

⁵ P.A.C., Series C11A, Instructions of November 15, 1664, Vol. II, p. 125. If these are instructions to Viceroy de Tracy then it is possible the incident referred to took place in the West Indies and that the Bishop mentioned was a Spanish bishop having jurisdiction in the Antilles.

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were expected. Accordingly, in August 10, 1653, Governor de Lauzon issued an Ordinance for the defence and security of the inhabitants of Quebec which contained the following clause:

We have begged the said Jesuit fathers to fortify their Quebec house, there to make loopholes and protrusions in order to flank it in a manner that one can defend oneself against the attack of enemies. Even to have there some broken stones and other small stones in order to defend oneself. 6

It would almost seem that de Lauzon was suggesting that since the clergy might not bear arms, surely in case of an Iroquois attack the canons allowed them to hurl stones upon their attackers.

We have already indicated the disrupting influence of many of the traders and the coureurs-de-bois on the community. The latter left a bad influence and provided the Indians with a pretext for refusing the gospel preached by the Black Robes.⁷ However, there were some traders who left a good example and of these we hear less often. There were traders such as Normanville and David Le Moyne who were a credit to the missionaries and who had a beneficial effect

6 B.R.H., Vol. XXXII, No. 6 (June, 1926), p. 369; Vol. XXXII, No. 9 (September, 1926), p. 530

7 R.G. Thwaites, ed., The Jesuit Relations and Allied Documents (Cleveland, 1896-1901), Vol. V, p. 291

on the morals of the Indians. Even Radisson and Groseilliers are believed to have baptized some three hundred Indian children during their journey into the regions north of the Great Lakes.⁸ There were a number of young men who gave several years of their lives as voluntary labourers for the missions. These donnés did much for the missions. In 1661, of eighteen Frenchmen captured by the Iroquois only one was killed because it was discovered that the others were much respected donnés. The most celebrated lay worker of this type was Guérin, who baptized close to two hundred children in Wisconsin. Another well-known donné was Jean de la Lande. The state drew profit from the clergy in the fact that it was missionaries who explored much of the interior, the Great Lakes region in particular having been mapped through their efforts.⁹

The state realized the benefits to be derived from the co-operation of the church. Ordinances were proclaimed, published and posted following mass as this was the only place the traders could be expected to appear fairly regularly when not in the woods - unless the ordinances were read

⁸ R.G. Phwaites, ed., The Jesuit Relations and Allied Documents (Cleveland, 1896-1901), Vol. XLII, p. 296

⁹ P.A.C., Series C11A, Vol. III, p. 53

in the numerous taverns. The church was used to make the inhabitants acquainted with the law. But it was also used to enforce those laws. As early as October 28, 1657, we find Queylus at high mass pronouncing excommunication on all those who had set fire to the house of a Mr. Denis; this monitory, designed to strengthen the hand of criminal investigators, was published on three successive Sundays at high mass.¹⁰ The use of a monitory had been defined by the Declaration of April 16, 1571, but there remained some doubt about the necessity imposed upon informers to declare the names of guilty persons under threat of spiritual reprisals upon themselves. The Criminal Ordinance of 1670 was to require the Officialité to grant judges' requests for monitories and was to require the clergy to proclaim such monitories.^{10a} Individuals might not be named in a monitory, however. Later, it was decided to issue monitories only when the desired information could not be obtained by other means,

If the state was to remain the strong arm of the church it was important that the officials be men[†] religious

10 Journal des Jésuites, p. 224

10a F.A. Isambert et al., Recueil général des anciennes lois françaises (Paris, 1829), Vol. XIV, Declaration of April 16, 1571, p. 236; Vol. XVIII, Criminal Ordinance of August, 1670, p. 384; Vol. XX, Edict of April, 1695, p. 251

conviction. The ecclesiastics were quite pleased with the appointments of men such as de Mezy, Courcelles, Talon, Duchesneau, a number of the councillors, all of whom they believed to be very devoted to the church. In most of these men they were to be disappointed. The clergy were never able to come to terms with Frontenac and it was during his first administration that some of the greatest disorders reigned. So concerned were the clergy about the matter of appointments that by 1679 they obtained a ruling that all nominees for positions in Provost courts and admiralty jurisdiction were to furnish among their three references at least one ecclesiastic "to depose if the bearer were Apostolic Roman Catholic, of Christian life and had done his Easter duties."¹¹ These were to remain the essential qualifications for office for local candidates: a certificate of good character and morals from one's priest, and a certificate of religious conformity. As for church control over the appointment of officials from the mother country this had to be exercised judiciously through persons of rank and prestige at Court. The Jesuits were particularly well versed in bringing their influence to bear in this quarter.

There is little doubt that the clergy would have

¹¹ P.A.C., Series C11A, Formalities for Administration of Justice, 1679, Vol. V, p. 133

liked to keep a tight rein on the habitants whenever possible. But there is every reason to doubt that they were any more successful in this sphere than in their attempts to impose tithes, restrict the brandy traffic, or retard the creation of permanent parishes. The records of the Sovereign Council alone give ample evidence of the number of infractions brought before that high court. Pierre Boucher indicates this watchfulness over the colonials with the comment "because it is known how to hang in Canada as well as in France."¹² Free expression was by no means encouraged. As in France, it was forbidden to hold any assemblies without previous permission being obtained from the proper state officials. In New France it was even forbidden, without the Governor's permission, to solicit signatures to any requests or petitions whatever their nature might be.¹³

Mother Marie de l'Incarnation defended the Jesuits in particular for they were the butt of most attacks that there was no liberty or freedom in the colony. Her opinion was that because of their watchfulness the inhabitants of

¹² G. Coffin, ed., Pierre Boucher: Histoire Véritable et Naturelle des Moeurs et Productions du Pays de la Nouvelle-France (Montreal, 1882), p. 155

¹³ Ordonnances, Ordinance of de Meulles, June 8, 1685, Vol. II, p. lll

Canada lived in "holy liberty of mind."¹⁴ Bishop Laval admitted that there were numerous criticisms of the Jesuits but he maintained that invariably these attacks were made by people who in his opinion were too much attached to temporal goods.¹⁵

Frontenac, whose soirées and other lavish entertainments the Bishop, the Jesuits and the clergy of the Seminary deplored, accused the Jesuits in particular of trying to grasp the whole authority over the country, of exalting their own authority over the civil power, of hiring spies and of abusing the confessional. He was certain they used the information gained in the confessional to tell husbands what their wives had confessed and to tell mothers the weaknesses of their daughters.

Both Frontenac and Lahontan depicted the clergy of the colony as harsh and puritanical in their views; it must be remembered that both gentlemen wrote to attract attention to themselves and to gain pecuniary rewards. On the other hand, the allegations they made about the colonial clergy would not seem so startling to readers in the mother country. Vincent de Paul in his declining years

¹⁴ C. Martin, ed., Lettres de la Vén. Mère Marie de l'Incarnation (Paris, 1681), p. 198

¹⁵ Alfred de Ramé, Documents inédits sur le Canada, (Paris, 1867), Vol. XII, p. 259

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lamented the "ugliness" and the diversity in the ceremonies in France: " I once remarked seven or eight priests who all said Mass differently".¹⁶

Another commentator, Adrien Bourdoise was even more critical:

At that time it was asking a good deal of a priest to require that he should know how to read and write and have a little knowledge of plainsong... At that time...the cassock was never even mentioned; and there were plenty of priests to be seen administering the sacraments of the church dressed in a doublet, and celebrating Mass with the vestments put on over their jerkins and sometimes over a footman's overcoat. 17

One can imagine then the dress of the Canadian missionary. It must also be remembered that Canadian churches were scarcely heated and that the cold necessitated allowing men and women to keep their heads covered during mass. The movement in France to reform the secular clergy had been linked with the movement to solemnify church ceremonial. An anonymous Sulpician viewed the Canadian clergy and Canadian inhabitants with a good deal of sympathy and concluded that "Frenchmen in truth lead a more regulated life ordinarily

16 P. Coste, The Life and Works of Saint Vincent (Westminster, Md., 1952), Vol. I, p. 247 cited by E.S. Chill, The Company of the Holy Sacrament, 1630-1666 (Ann Arbor, 1961), p. 116

17 Coste, Vol. I, pp. 246-247 cited in Chill, op. cit., p. 117

in that country than they do in France."¹⁸

Lahontan complained bitterly of the restrictions he found in the colony and described it as clerically dominated. Writing from Montreal in June, 1685, he lamented:

...here we cannot enjoy ourselves, either at Play, or in visiting the Ladies, but 'tis presently carried to the Curate's ears, who takes publick notice of it in the Pulpit. His zeal goes so far, as even to name persons; and since he refused the Sacrament of the Holy Supper to Ladies of Quality, upon the most slender pretences, you may easily guess at the other steps of his Indiscretion. ¹⁹

Lahontan asserted that they excommunicated all those who took part in masked balls, but it would seem that dancing was not forbidden in the colony. As early as June 18, 1645, at the wedding of a soldier from Montpellier five soldiers had danced a kind of ballet.²⁰ Two years later, on February 27, 1647, there is record of another ballet at the warehouse but the Jesuits were careful to record that none of the priests or nuns had seen fit to attend this function.²¹

The first ball was not held in New France until

¹⁸ A.A.Q., Eglise du Canada, Vol. VI, p. 10

¹⁹ R.G. Thwaites, ed., New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. I, p. 89

²⁰ Journal des Jésuites, p. 52

²¹ Ibid., p. 78

1667. On February 4 of that year, Louis-Pheandre Chartier de Lotbiniere, who had recently been named and installed as civil and criminal lieutenant of the Provotship of Quebec, decided to celebrate his good fortune by giving a formal ball. The Jesuits were very annoyed by this social development and in their Journal recorded they hope it would not result in consequences.²² Thereafter, the holding of balls was not commented too much. But masquerades were loudly denounced. Lahontan complained:

They excommunicate all the Masks, and wherever they spy 'em, they run after 'em to uncover their Faces, and abuse 'em in a reproachful manner: In fine, they have a more watchful eye over the conduct of the Girls and married Women, than their Fathers and Husbands have. They cry out against those that do not receive the Sacrament once a month; and at Easter they oblige all sorts of Persons to give in Balls to their Confessors. 23

Masquerades smacked too much of the licentiousness of Marly and Versailles; Saint-Simon himself admitted that at some of the Old World balls none of the guests left until eight o'clock the following morning.²⁴

The clergy were wary of other public celebrations as well. In March, 1650, the Jesuit Superior was asked to light

22 Journal des Jésuites, p. 353

23 Thwaites, New Voyages to North America by the Baron de Lahontan, Vol. I, p. 89

24 B. St. John, ed., The Memoirs of the Duke of Saint-Simon (London, 1900), Vol. I, p. 157

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the bonfire for the celebrations on the Eve of the feast of St. Joseph, the Governor being indisposed and unable to be present to officiate, and so he complied but recorded, "I did so; but with a great repugnance".²⁵ On the next occasion he excused himself, not wishing to establish a tradition; nevertheless, the following March 1651 he again obliged the populace.²⁶

Smoking, though very common among the habitants, was not regarded with much respect by the clergy and perhaps by some of the leading inhabitants because it was engaged in somewhat furtively at first.²⁷ In the mother country the Company of the Holy Sacrament had led a campaign against tobacco because of "the great disorders which it occasions".²⁸ Du Creux gives us more precise information on informed opinion of the period:

This tobacco has a wonderful effect in drying up the brain, as European explorers were the first to learn; today both Europeans and Canadians use it to produce intoxication. The Indians will not go anywhere without the longish pipe through which they inhale the smoke, generally to inebriation, for the smoke affects the brain and finally

25 Journal des Jésuites, p. 134

26 Ibid., pp. 141, 149

27 Ibid., p. 92

28 Chill, op. cit., p. 98

produces an intoxication like wine...29

Use of tobacco and brandy were regarded as dangerous physically and spiritually.

Was clerical control in reality as close and restrictive as Lahontan pictured it to be? The Sulpician correspondence would seem to indicate that their clergy were not always aware of events taking place in their parishes. On one occasion the Superior in Paris wrote to a Sulpician who was serving as a parish priest on the island of Montreal:

As for the fifth point it is not just that they hide from you the things that take place in the Parish, and that you be the last to know about marriages of which you ought to be the first informed. 30

In the three largest towns supervision might have been somewhat easier than in the seigneuries. But the Sulpician Superior was not so much concerned with visits made by young officers like Lahontan to the ladies as he was concerned about the conduct of his own ecclesiastics. He advised his clergy not to give too much time to pénitentes "for speaking to them in too tender a manner, for engaging them at hours when they ought to have been at home" were hardly

29 F. Du Creux, The History of Canada, or New France (Toronto, 1951), Vol. I, p. 108

30 B.S.S.P., Vol. I, No. 15, Tronson to Perrot, May 8, 1677, p. 83

edifying practices.³¹ Such "amusements", he advised, were to be avoided as too dangerous for young people.

As has already been suggested, the large towns afforded the best occasions for watchfulness. Lahontan hated Montreal but found Boucherville more to his liking. He wrote:

I have been here fifteen days, and in all appearance shall live more happily than in the Town, abating for the solitude; for at least I shall have no other opposition to encounter in the case of Balls, Gaming, or Feasting, but the zealous Freaks of a silly Priest. ³²

Such card games as ombre and lansquenet, associated chiefly with the soldiery at this period, were prohibited by the clergy. However, one may wonder how effective such a prohibition would be in view of the fact that the Court at Marly and Versailles allowed gaming and lotteries.³³ In the colony the clerical opposition was upheld by the state. In 1672, two inhabitants of Cap de la Madeleine, Duvernay and Baillarge, were arrested on charges of gambling and the local judge in rendering sentence said "...gaming if it were allowed in all excess could cause the ruin of families".³⁴

³¹ B.S.S.P., Vol. I, No. 22, Tronson to Seminary of Montreal, June 1, 1677, p. 97

³² Thwaites, op. cit., Vol. I, p. 98

³³ St. John, op. cit., Vol. I, p. 383, Vol. III, pp. 25-26

³⁴ A.P.Q., Documents Divers, Cahier I, February 15, 1672, no pagination

The state supported the church, but the motivation seems to have been social rather than narrowly religious.

Lahontan also raised the cry that the clergy prohibited "the reading of Romances and Plays". In the matter of the theatre the French church had not sought to forbid all dramatic performances. The letters-patent of 1559 regulating the conduct of comedians, the police ordinance of November 12, 1609 and the Declaration of April 16, 1641, forbidding indecent language and behaviour on stage probably guided colonial conduct.³⁵ Plays seem to have been staged frequently in New France. On New Year's Eve, 1646-47 three Jesuits attended a dramatic production, out of consideration for the Governor and the Indians who loved the theatre they said, but "all went off well and there was nothing that might not edify".³⁶ In April 1652 Corneille's "El Cid" was performed at Quebec.³⁷ On February 7 and February 9, 1668, "Le Sage Visionnaire" was very well received according to the Jesuits.³⁸ Short Latin religious dramas were more to their liking, however. In the mother country it was Moliere's "Tartuffe", which was ostensibly aimed at the

³⁵ Isambert, op. cit., Vol. XIV, p. 29; XV, p. 359; XVI, p. 536

³⁶ Journal des Jésuites, p. 75

³⁷ Ibid., p. 166

³⁸ Ibid., p. 358

false dévots, that caused a good deal of clerical opposition. Although it was published by Molière in 1669 there was no attempt for 25 years to have it staged in the colony. Frontenac was patron of a proposed showing of it in 1694 but the parish priest preached a sermon against it and Bishop Saint-Vallier issued a mandement condemning it as "absolutely evil and criminal" and warning that "one cannot attend them (performances) without sinning".³⁹

Lahontan had also charged the clergy with burning all books which were not devotional in character. There was undoubtedly censorship in the colony, but the nature of that censorship merits some attention. First of all, books were scarce in the colony and this of itself imposed restrictions. The Sulpician library at Montreal was one of the larger depositories but the clergy there were warned not to lend books to anyone; in fact, they were told that it would be a good practice not to allow any books to leave the library, not even to be taken by priests to their rooms.⁴⁰

Then there was royal censorship and control. Since 1565 royal permission to print had been granted under the Great Seal and required that each book bear the names of

³⁹ Mandements, Vol. I, p. 304; also P.A.C., Series F3, Vol. VII, p. 270; B.R.H., Vol. II, No. 9 (September, 1896), p. 136

⁴⁰ B.S.S.P., Vol. I, No. 22, Tronson to Seminary of Montreal, June 1, 1677, p. 98

the author and printer.⁴¹ However, certain authors evaded this control by securing privileges from the royal court or the Parlements. These controls were renewed by edicts in 1612, 1624 and 1626.⁴² The Code Michaud of 1629 established a regime of censorship under which the Chancellor designated a reader for each new book.⁴³ By this time there can be little doubt that many of the censors of the Sorbonne and the French Academy were members of the Company of the Holy Sacrament which waged a determined fight against pornography and eroticism, indecent songs and lampoons.⁴⁴ The Company succeeded in 1662-63 in having two authors burned at the stake, but these incidents were very much the exceptions.⁴⁵ The state controls were renewed again in 1674 and 1682.⁴⁶ It is true that there was no printing press in New France but it is scarcely necessary to remark that such control in France meant control of the reading material available in the colony. It ought not to be imagined that censorship was a Catholic phenomenon at this time; it was very much in the

41 Isambert, op. cit., Vol. XIV, p. 150

42 Ibid., Vol. XVI, pp. 26, 146, 164

43 Ibid., Vol. XVI, p. 238

44 Chill, op. cit., pp. 98, 107

45 Ibid., pp. 219-220

46 Isambert, op. cit., Vol. XIX, pp. 135, 306

order of things in the seventeenth century.⁴⁷

Church censorship was exercised in several ways. There was direct papal prohibition "under the authority of the blessed Apostles Peter and Paul" of offensive works. But this censorship inevitably fell back upon the bishops for implementation. The bishops themselves might exercise rights of censorship and those of Louvain and Paris were particularly zealous in this matter. The Sorbonne also published a list of prohibited books from time to time. The various Congregations at Rome also censored books dealing with their area of competence. In 1622 Gregory XV instituted the Congregation for the Propagation of the Faith and gave it the task of examining, and when necessary prohibiting, books in Oriental and other "exotic" tongues. In 1674 Clement X issued a brief prohibiting the printing "even by Jesuits and other Orders" of any works relating to the missions except with the stamp of approval of this Congregation.⁴⁸ The Index was regularly distributed to nuncios and bishops, but in France the Roman prohibitions were of none effect until formally confirmed and registered

47 N.B. Shurtleff, Records of the Governor and Company of the Massachusetts Bay in New England (Boston, 1854), Vol. IV, Pt. II, p. 141 gives the censorship laws of that colony in 1664

48 G.H. Putnam, The Censorship of the Church of Rome (New York, 1907), Vol. II, pp. 35-48, 69, 77

by royal authority.⁴⁹

When the first Jesuits arrived in Canada a pamphlet entitled "Anti-Coton" accusing them of regicide was circulating furtively from house to house in Quebec.⁵⁰ A copy of the pamphlet was burned on the public square of Quebec by the hangman in October, 1626.⁵¹ Under what authority the state had been enlisted to take this action it is not clear, although it would appear that it was merely on grounds of ecclesiastical displeasure. Lahontan was of the opinion that clerical censorship was annoyingly effective:

When I think of this Tyranny, I cannot but be inrag'd at the impertinent Zeal of the Curate of this City. This inhumane Fellow came one day to my Lodging, and finding the Romance of the Adventures of Petronius upon my table, he fell upon it with an unimaginable fury, and tore out almost all of the Leaves. This book I valued more than my Life, because 'twas not castrated; and indeed I was so provok'd when I saw it all in wrack, that if my Landlord had not held me, I had gone immediately to that turbulent Pastor's House, and would have pluck'd out the Hairs of his Beard

49 G.H. Putnam, The Censorship of the Church of Rome (New York, 1907), Vol. II, p. 83

50 Coton had been confessor to Henry IV and after the King's assassination he thought it necessary to publish a "Lecture Declaratoire" denying rumours implicating the Jesuits in the crime. The pamphlet "Anti-Coton" was a refutation of this "Lecture Declaratoire" and accused the Society of Jesus of regicide. Coton had also been active in getting permission for the Jesuits to come to Acadia.

51 B.R.H., Vol. I, No. 3 (March, 1895), p. 45

with as little mercy as he did the Leaves of my Book. These animals cannot content themselves with the studying of Men's Actions, but they must likewise dive into their Thoughts...52

It hardly needs stressing that Lahontan's own writings had to find a publisher outside France.

Louis XIV expected the observance of the externals of the Catholic religion by his subjects as he himself accepted them. Saint-Simon indicates the external nature of the King's religiosity:

During all his life, the King failed only once in his attendance at mass. It was with the army; during a forced march; he missed no fast day, unless really indisposed. Some days before Lent, he publicly declared that he should be very much displeased if any one ate meat or gave it to others, under any pretext. He ordered the grand prevot to look to this, and report all cases of disobedience. But no one dared to disobey his commands, for they would soon have found out the cost. They extended even to Paris, where the lieutenant of police kept watch and reported. For twelve or fifteen years he had himself not observed Lent, however. 53

These observances were enforced by the civil arm in the colony as they were in the motherland. Numerous clerical complaints were registered, however, to the effect that the people did not participate in processions and that at some services the attendance was so poor that it was scarcely worth having a sermon. 54

52 Thwaites, op. cit., Vol. I, pp. 89-90

53 St. John, op. cit., Vol. III, p. 27

54 Journal des Jésuites, pp. 272-273

Rigorous fasting was generally observed but in time eggs, cheese and butter were permitted during Lent.⁵⁵ A further concession was made after the Faculty of Medicine of Paris declared juridiquement that beaver was a fish, not meat. Basing itself on this ruling the Faculty of Theology declared that one could eat beaver flesh on fast days, a welcome decision in the colony, particularly to the evangelized Indians.⁵⁶

When an uninfluential habitant named Gaboury was found guilty of eating meat during Lent without asking for a special dispensation he was condemned to pay in expiation of his crime one cow plus a year's profit on the said animal. Furthermore, he was to be attached to the public pillar for three hours and to kneel with hands clasped and head bared in front of the chapel of the island of Orleans to ask forgiveness of God, the King and the justices, as well as pay a fine of 20 livres applicable to works of charity in the same parish. To this seemingly tremendous penalty one must add the costs of the judicial investigations.⁵⁷ When the case was appealed the penalties were barely reduced.

55 Journal des Jésuites, p. 275

56 B.R.H., Vol. II, No. 3 (March, 1896), p. 47

57 Jugements, Vol. I, p. 642

There was a time when the courts did not dare to punish inveterate brandy traffickers so harshly.

In 1670 the Sovereign Council decreed that all the inhabitants were required to supply blessed bread to the church where they performed their Easter duties.⁵⁸ The Jesuits already made a practice of considering those who failed in their Easter duties, as defined by the Lateran Council, as virtually excommunicated.⁵⁹ In February 1685 the Intendant was asked to issue an ordinance to compel an habitant called Francois Linctot to supply blessed bread to the church at Boucherville; he was willing to issue such an injunction.⁶⁰ It seems that the settler had claimed he lived far from the church and really belonged to the parish of Cap Varennes, but the archdeacon had ruled otherwise and had ordered him to attend the church at Boucherville and support it. The Intendant in upholding the church's ruling also imposed a 10 livres fine on the settler.

Attendance at mass was difficult to enforce, but there seems to have been some contemplation of obtaining state ordinances in that sense because Saint-Vallier warned

58 Jugements, Vol. I, pp. 591-592

59 Journal des Jésuites, pp. 106-107

60 A.S.Q., Polygraphie IV, No. 63, Ordinance of February 23, 1685

in 1686 that the secular arm would be called upon if regular attendance did not improve.⁶¹ In April, 1663 the priest Souart brought a complaint to Governor Maisonneuve at Montreal against a Jean Le Duc who had been apprehended hauling wheat for the militia on a Sunday and employing his oxen and wagons for the purpose. The habitant was fined 10 livres for having worked without the priest's permission but his indiscretion did not prevent him from attaining to the respected position of churchwarden a few months later.⁶² It was quite different for another colonist, Daniel Bialle. But he had^{de} added mis^ffortune to be a Huguenot. It seems that he had had unloaded some goods from a vessel on a Catholic feast day, "in despisal of our religion" as said the charge, but on a day which had no religious significane to him. The judge fined him 100 livres.⁶³ This seemed quite excessive compared to the 10 livres fine that had been imposed on the Catholic Le Duc four years before. Besides a difference in religion there was a difference in occupation, Le Duc having been a censitaire it seems and Bialle a merchant.

61 E. Réveillaud, ed., Histoire chronologique de la Nouvelle-France ou Canada (Paris, 1888), Saint-Vallier to Joseph Denys, September 4, 1686, p. 235

62 B.R.H., Vol. XXXVI, No. 12 (December, 1930), pp. 709-710

63 Jugements, Vol. I, p. 442

Bialle appealed to the Sovereign Council but seems to have decided not to pursue the case after some delays.⁶⁴ In any event, his business career thereafter was marked with endless, and probably fruitless, attempts to collect outstanding debts and avoid unwarranted and excessive imposition by the Company of the West Indies.⁶⁵ It would not be surprising if his religious persuasion had something to do with these difficulties. The state supported the church in these matters because uniformity was regarded as essential to unity.

In 1672 all bailiffs and sergeants were reprimanded by the Sovereign Council for not attending church services and these minor officials were ordered to remedy this negligence and bad example in future.⁶⁶ The warning does not seem to have been well obeyed because three years later it was again brought to the attention of the Sovereign Council that some of the bailiffs and other officers of justice were pursuing their own duties on Sundays and holy days; therefore, the Council decreed that no official business might be transacted on such days subject to all

64 Jugements, Vol. I, pp. 446, 447

65 Ibid., pp. 451-455, 522-523, 557-558, 576-577, 579, 581-584, 636, 667-671, 675, 677-683, 695-702, 707, 735, 740-741, 768

66 Ibid., Vol. I, p. 695

proceedings being declared null and void.⁶⁷ The police regulations of May 11, 1676, repeated the injunction that all habitants were to be faithful in attending divine services, that no business was to be contracted on Sundays and other feast days, and especially that cabarets were to be closed during all hours of religious ceremonies.⁶⁸

In 1679 an ordinance of Boyvinet respecting manual labour on Sundays made it clear that the earlier prohibitions were to extend to servants and domestics too.⁶⁹ That people complained of the rigidity of the regulations and their enforcement is evidenced in a letter from the Sulpician Superior in Paris to a parish priest on the island of Montreal, dated 1684, in which he reminds the curate that the people were complaining that his sermons were much too long and his masses were held too late in the day so that there was little left of Sunday after mass was over.⁷⁰ The remedy, said Tronson, was to start mass earlier because the people tended to judge the length of the service

67 Jugements, Vol. I, p. 890

68 A.S.Q., Polygraphie IV, No. 35, Police regulations of May 11, 1676

69 A.P.Q., Collection Pièces Judiciaires, Carton II, No. 134

70 B.S.S.P., Vol. I, No. 246, Tronson to Remy, April 27, 1684, p. 382

by the time they got out of church and had completed their duties for the week. In any case, it was the state that prosecuted those who were negligent in their weekly attendance at mass. The Parlement of Paris had decided in 1620 that an ecclesiastical court was not competent to try a layman accused of violating the sabbath.⁷¹

One aspect of the problem of absenteeism from church was the liquor traffic. The habitants were much too fond of alcohol. For example, the midnight mass of 1662 fell rather short of expectations as on Christmas eve the choir members had been given their usual rations of liquor by both the Jesuits and the church-wardens, consequently when the time arrived for the mass to commence the Jesuits had to report that the libations "gave a cold to Amador, who could no longer sing the service, also the other musicians..."⁷² Not infrequently there was loud talking in the church and some inhabitants remained at the rear of the church standing rather than coming forward to sit in the pews and participate fully in the service.

Duchesneau lashed out against drunken disorders and forbade all inn-keepers to serve liquor during the hours of

71 M. Lange, Le Nouveau Praticien Francois (Paris, 1755), Vol. I, Part I, p. 4

72 Journal des Jésuites, p. 315

divine service. Still there were drunken disorders, all-night parties and blasphemies as the tavern-keepers ignored the ordinances. Drunks raided gardens, tore up fences and palisades, and generally caused disturbances. In 1680 Duchesneau renewed his prohibitions and restrictions of 1676; the occasion for this action was the complete ruin of a priest's garden by some drunken men bent on retaliating for censures they had been addressed.⁷³ Duchesneau imposed a 100 livres fine on another inhabitant who refused to "lend a strong hand to justice" but rather raised impediments and encouraged "rebellions".⁷⁴ De Meulles had a good deal of trouble with the garrison troops and eventually forbade the giving of intoxicants to soldiers without the permission of their officers. This was because inn-keepers along the coasts where the soldiers were stationed continued to keep their shops open after prescribed closing hours, during hours of divine service and on feast days- all of which constituted disobedience of the law, promoted drunkenness and disorder, and encouraged the evasion of religious practices.⁷⁵

But these disorders ought not to blind us to the basic religiosity of the inhabitants. If comparison is made

73 Ordonnances, Vol. I, pp. 275-277

74 Ibid., pp. 262-263

75 Ibid., Vol. II, pp. 123-125

with the Court in France at this period it is readily seen that the religion of the habitant was not nearly so external as that of the courtier. Saint-Simon describes at some length the King's ignorance of spiritual matters, his love of pomp and conformity, and his great concern while at mass to have the courtiers observe the smallest details of the liturgy.⁷⁶ Pascal attacked the superficiality of religion of the Court by having one of his characters declare that two halves of a mass heard simultaneously presented many advantages "because the attention may be given to both at the same time, and two half masses make one whole one."⁷⁷

Saint-Simon took to task the noblemen who believed all Crucifixions had been painted by the artist Inri, or that Moses had been the author of the Lord's Prayer. But were the colonials so ignorant of their religion? The outward signs of their religion were certainly present. There were wayside shrines, family prayers were practiced, pilgrimages were well attended, and even the rough soldiery met daily in the morning and at night for the recital of prayers. It is likely that the knowledge of the fundamentals of their religion was greater than what Saint-Simon said was the

⁷⁶ St. John, op. cit., Vol. III, pp. 27-28

⁷⁷ B. Pascal, The Provincial Letters (London, n.d.), p. 149

wisdom of some courtiers. The habitants lived in a missionary milieu, their wives at least were well educated in a religious doctrine and practices, and there had been the Huguenot leaven to stimulate religious information. There was music in their churches long before the arrival of Laval- in any case he did not show much appreciation of church music. There were no less than nine years of jubilee- 1618, 1645, 1648, 1653, 1657, 1683, 1685, 1693, 1694 - in New France in the seventeenth century.⁷⁸

The seventeenth century saw not only a growth of the libertine spirit in France but also the development in the early years of the century of a puritanical crusade against vice and irreligion. For example, the Company of the Holy Sacrament urged the parish clergy to combat the ribaldry associated with carnivals, to enforce Lent more strictly, to discourage the immodest dress of women in church.⁷⁹ The objectives of the semi-secret society were clearly defined:

And because God is greatly dishonoured in our age by atheists, deists, libertines, heretics, and schismatics, oathtakers, and blasphemers of the holy name of God...We will seek to bring them back to the path of virtue by charitable remonstrances and good examples, and should they prove

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⁷⁸ P.G. Roy, La Ville de Québec sous le Régime Français (Quebec, 1930), Vol. I, pp. 61-62

⁷⁹ Chill, op. cit., pp. 98-101

incorrigible threaten them with punishment and even inform the magistrates. 80

The problem, however, arose as d'Argenson said when the state did not support the church: "For if the magistrates do not support the good intentions of a secret Company which acts only by excitation, it is impossible for it to succeed in its enterprises".⁸¹ State support for the enforcement of the religious code was peculiar neither to the French colonies nor to the Catholic Church in the seventeenth century. In 1647 Peter Stuyvesant in the New Netherlands attempted to restrict the sale of liquor and forbade drinking on the Sabbath during hours of religious services. He also required the clergy to preach twice on Sundays and ordered the population to attend.⁸² Similarly in the New England colonies the legislators were quite hard put to suppress dancing, cock-fighting, horse-racing, histrionic entertainments and blasphemy.

But the piety of the Canadian colonists cannot be doubted. Pilgrimages were already a part of their way of life and numerous miracles were attributed to the

80 H. Beauchet-Filleau, ed., Annales de la Compagnie du St. Sacrement (Marseille, 1900), p. 112

81 Chill, op. cit., p. 104

82 L.B. Wright, The Cultural Life of the American Colonies (New York, 1957), p. 86

intercession of Ste. Anne de Beaupre.⁸³ As in more advanced civilizations the cost of dying was great and the rates levied for internments amounted to about 240 livres, so many of the habitants agitated to be allowed to be buried in their own gardens.⁸⁴ The basic piety of the inhabitants is well illustrated on the occasion of one of the several fires of the lower town of Quebec. The Bishop was attending a catchism session at the Jesuit residence but when he was informed about the fire he hastily organized a procession and proceeded towards the scene of the conflagration bearing aloft the Host. Observers believed that the flames began to diminish almost immediately.⁸⁵ This simple and sincere piety was engendered by a deeply consecrated clergy. The extent of the self-mortification practiced by some of these pioneer missionaries can be judged from the eighth rule which Father Ennemond Masse set for himself:

8th. If you let escape from your mouth some word which shocks however little charitable you will secretly pick up with your tongue the spittle and phlegm which has come from the mouth of others. 86

83 A.S.Q., Polygraphie XIII, No. 2, List of miracles no pagination; A.S.Q., Polygraphie XIV, No. 18. Letters of March 12, 1670

84 B.R.H., Vol. XXI, No. 7 (July, 1915), p. 199

85 Ibid., Vol. XXXI, No. 3 (March, 1925), p. 72

86 Ibid., Vol. XXXI, No. 4, (April, 1925), p. 113

This exercise in self-mortification equals that of the bishop who ate his meat when it was wormy, or the mother superior of the convent who brought herself even to swallow a caterpillar. It was fitting that from such a disciplined and self-denying atmosphere prayers should ascend for the salvation of the wicked court in the motherland, particularly for the King's mistresses: "And as if the vows of the new world were more agreeable to God than those of the old, they had offered at Quebec the propitiating sacrifice for sins committed at Paris..."⁸⁷

Not were the colonists in the seventeenth century illiterate, superstitious, ignorant peasants and backwoodsmen. Educational facilities for the children of most of the habitants were comparatively good, the educational background of the parents (particularly the mothers) was better than average; care was taken to procure good lay teachers as well as clergy,⁸⁸ Mathematicians and surveyors trained in the colony were quite competent.⁸⁹

87 B.R.H., Vol. I, No. 5 (May, 1895), p. 78

88 A.S.Q., Vol. VI, No. 31, *Methode pour faire les Ecoles*, 1680; B.S.S.P., Vol. I, No. 102, Tronson to Souart, April 12, 1680, p. 189; Ibid., No. 224, Tronson to Dollier, March 2, 1684, p. 354; Ibid., No. 231, Tronson to Dollier, April 18, 1684, p. 369

89 B.N., *Fonds Clairambault*, Vol. 1016, fol. 396; B.R.H., Vol. I, No. 2 (February, 1895), p. 18; Ibid., Vol. I, No. 6 (June, 1895), pp. 95-6

These observations do not allow one to conclude that there was no poor problem in the colony. Such a problem did arise in 1672 when four or five destitute women came into Quebec to live by alms. It must have been an attractive means of gaining a livelihood because by 1676 there were an estimated 300 individuals who asked for assistance at Quebec.⁹⁰ To understand the methods used to deal with these unemployed and mendicants it is necessary to understand the social attitudes in the mother country on this question. Vagabondage, as unemployment was generally called, caused a good deal of concern to both state and church in the mother country because peasant movements, jacqueries, indiscipline and violence by the populace were closely linked. During the early seventeenth century the Company of the Holy Sacrament played a prominent role in campaigning against blasphemy, prostitution, mendicancy, vagabondage and journeymen's organizations; this action was an extension of its own puritanism and asceticism, a utilitarian concern for public order and positive loyalty to the King.⁹¹ The projects for controlling beggars and vagabonds which were part of the

⁹⁰ Jugements, Vol. II, p. 31

⁹¹ Chill, op. cit., pp. 2-3. Chill somewhat under-rates the positive aspects of the reform programme of the Company of the Holy Sacrament

religious programme also found sympathetic support from the mercantilists.

To mercantilists such as Colbert, begging and idleness were vices attributable to monastic almsgiving for alms were all too often "without reason or any knowledge of indigence". Colbert had particularly strong views about "the host of beggars and idlers to be found in the neighbourhood of the monasteries" and about the religious "who give alms blindly without making any distinction between individual cases".⁹² In the Company of the Holy Sacrament's campaign against idleness the mercantilists soon saw a scheme for compulsory work which would increase the wealth, thus the power, of the state. The religious reformers regarded the exercise of judicial powers as a means of establishing righteousness; the mercantilists regarded it as a means for providing society with labour and revenue under particularly advantageous conditions. The point to note is that both believed in the employment of judicial methods in dealing with mendicants.

Article 33 of the police regulations of May 1676, drawn up by the Governor and Intendant, ordered itinerants out of town of Quebec and article 34 stipulated that begging

⁹² P. Clément, Lettres, Instructions et Mémoires de Colbert (Paris, 1861-73), Vol. II, p. 714

was permitted only if the individual possessed a poor certificate signed by the priest or judge.⁹³ This was after the nature of legislation in France. But the Sovereign Council then proceeded to order all able-bodied beggars back to their lands. However, a decade later we read that their miserable hovels outside Quebec were still an eyesore and "place of scandal and disorder".⁹⁴ Their numbers were added to by the great fire of Quebec in 1682.⁹⁵ Pillory and whip did not solve the problem. The King's Council refused the suggestion that a General Hospital be established as had been done in Paris (on the suggestion of the Company of the Holy Sacrament).⁹⁶

The suggestion that the plan adopted in Paris be used in the colony is an interesting one. Paris in particular was the receptacle of swarms of military deserters, declassed nobles and bourgeois, unemployed artisans and many displaced peasants who perpetuated a state of near anarchy after nightfall. The church was involved in the problem of vagabondage if only for the reason that mendicancy was a sanctified calling symbolising, a few believed,

93 A.S.Q., Polygraphie IV, No. 35, Ordinance of May 11, 1676; also Ordonnances, Vol. I, pp. 190-205

94 Edits, Vol. II, p. 102

95 A.S.Q., Lettres N, Nos. 69, 130, no pagination

96 Ibid., No. 62

the Christian virtues of humility and dependence, offering possibilities for the practice of charity, and reminding the great men of the world of their precarious tenure. When such views prevailed it was not easy to bring popular pressure to bear upon mendicancy as a social problem and rally support and approval for the policing ideas of the statist.⁹⁷ French repressive legislation aimed at immobilizing the poor in their native parishes, and it was this parochial responsibility of the poor that had been invoked in New France too. Royal policy tended to fluctuate between severe but sporadic repression and various forms of public assistance.

In Paris the Bourgeois of the city had assumed some financial responsibility for the General Hospital which served both as a charitable and punitive institution. In Canada, in 1688, the Sovereign Council agreed to allow the leading merchants of Quebec set up a committee to look after poor relief under lay administration. Funds were collected through special offerings, door-to-door canvassing, royal subsidies and payments from court fines. Three categories of people were dealt with in this relief centre: the old and sick were given money, food and shelter; the unfortunate were given employment and temporarily food and shelter;

97 Chill, op. cit., pp. 147-148

the lazy were whipped and punished.⁹⁸ This system remained in operation until Bishop Saint-Vallier placed it under religious administration in 1692. The attempt in Quebec was precisely the same as in Paris - to distinguish between the prevaricating and the deserving poor, to distinguish between professional beggars and victims of circumstances. Nevertheless, it was difficult to so distinguish between the two categories and the tendency was to regard all the unemployed as moral offenders, as gens oisifs, sans aveu and fainéants. The poor were either ascetic Christians, or fomentors of disorders - perhaps both. In any case the state did not care to encourage them and therefore imposed a fine of 10 livres on any citizen of the colony who would presume to give any food or provisions to beggars.⁹⁹ Idlers and beggars were treated in much the same way in Massachusetts and were to "be committed to that house for correction and reformation".¹⁰⁰

The church sanctioned the systems of slavery and indentured labour and the clergy took their share of slaves and engagés. Jacques Savary in his "Le Parfait Negociant" (1675) went out of his way to defend slavery, a fact which

98 Jugements, Vol. I, p. 871

99 Ibid., p. 871

100 Shurtleff, op. cit., Vol. IV, Pt. II, pp. 394-

would seem to indicate that already it was a system that was under attack. In defending the slave system he argued:

This commerce appears inhuman to those who do not know that these poor people are idol worshippers or mahometans, and that the christian merchants, by buying them from their enemies, take them from a cruel slavery, introduce them not only to a gentler servitude, but even the knowledge of the true God and the way of sálvation. 101

Slavery was introduced into New France in 1632 when the Couillard family came into possession of a young Negro slave left behind by the anglo-Huguenots who had occupied Quebec.¹⁰² No effort was made to change the young man's social status, although he was given a very rudimentary education and continued to work for the Couillards. In 1638 he was given rather summary justice by being condemned to 24 hours in chains for having accused, probably with a good degree of truth, the interpreter Nicolas Marsolet of having treated with the English during the military occupation.¹⁰³ It was not the place of slaves so to speak of their social superiors.

Indian slavery was commenced in the colony in 1671 when Courcelles accepted two slaves from the Iroquois. He

101 Lough, op. cit., Vol. I, pp. 139-140

102 A.S.Q., Documents Faribault, No. 17, August 20, 1638

103 Ibid., August 20, 1638

placed them with the Sisters of the Congregation to be reared in the manners of the Europeans. Then, in 1674 Jolliet had also received an Indian slave. These were the beginnings of "Paris slavery" in the colony.¹⁰⁴ In 1678 Daniel Du Lhut received three slaves from some Indian friends.¹⁰⁵ Apart from these rare cases only two or three other slaves are known in the colony prior to 1685. The Code Noir (1685) was not intended for New France but its provisions were nevertheless followed in the colony. The Code Noir provided that all slaves were to be baptized and instructed in the Catholic religion, that no other religion might be publicly exercised among them, that all the foremen who worked with them had to be professed Catholics, that slaves were not to be worked on Sundays and holy days of obligation and that no slave was to be denied burial in consecrated ground.¹⁰⁶ If slaves were treated somewhat as chattels they were nevertheless recognized as full Christians by the terms of the Code Noir.

Neither Indian nor Negro slavery was extensively

104 M. Trudel, L'Esclavage au Canada Français (Quebec, 1960), p. 11

105 P. Margry, Découvertes et Etablissements des Français dans l'Ouest et le Sud de l'Amérique septentrionale (Paris, 1879), Vol. VI, p. 21

106 Isambert, op. cit., Vol. XIX, pp. 494-504

practiced in Canada in the seventeenth century. The attorney-general of the Sovereign Council of Quebec did inform the King that some farmers intended to bring in Negroes to work on their lands but the King, while consenting to importation of slaves from the West Indies, observed that the scheme should be attempted gradually as the rigorous climate might be fatal to many of the slaves.¹⁰⁷ It is difficult to say whether the motive behind such advice was more economic than humanitarian. It was not until 1709 that an Intendant's ordinance gave full legal recognition to slavery in the colony under the terms of the Code Noir.¹⁰⁸

In the matter of usury the church took a more positive stand. The putting out of all money to profit from interest, even if the rate were not extortionate, was condemned as usury. In 1667, Etienne Bouchard was required to pay back rental on a plot of land he rented from the parish of Ville-Marie for a 6 year term as well as 5% interest. Similarly, in 1668, Marin Heurtebise who bought 4 bushels of wheat from the stores of the parish church was required to compute interest at the rate of 5% when paying off his indebtedness.¹⁰⁹

107 A.C., Series F3, Vol. VI, fol. 329

108 Edits, Vol. II, Ordinance of Raudot, April 13, 1709, p. 271. Hocquart on September 1, 1736, outlined the procedure for the emancipation of slaves. Fugitive slaves were declared Crown property on July 25, 1742

109 B.R.H., Vol. XXXIV, No. 7 (July, 1928), p. 440

These were deemed cases¹¹⁰ of legitimate commission. On the other hand, in March 1681, the Sovereign Council annulled a contract drawn up by a notary on the grounds that it provided for usury and the court forbade any such contracts, contrary to the church's teaching on usury, to be drawn up in future.

Marriage was a matter which caused much difficulty in the relations between church and state. The Council of Trent had declared at its twenty-fourth session (November 11, 1563) that "whoever shall affirm that matrimonial causes do not belong to the ecclesiastical judges: let him be accursed."¹¹¹ As for the canons laid down governing marriages most of them were accepted in France. Henry II by edict of February, 1556 had declared children who married without parental consent incapable of inheriting and this ruling had been repeated by Henry III in 1579.¹¹² He also expected the clergy to make careful inquiries before granting the blessing to marriages. The Edict of Melun, 1580, further recalled the clergy to their obligation to

¹¹⁰ Jugements, Vol. II, pp. 496-498

¹¹¹ C. Elliott, Delineation of Roman Catholicism drawn from the authentic and Acknowledged Standards of the Church of Rome (New York, 1842), Vol. I, pp. 483-4

¹¹² A.C., Series F3, Vol. III, fols. 93, 94

secure parental consent before marrying young people.¹¹³ Then in 1579 the Ordinance of Blois incorporated into civil law the prescription of the Council of Trent that marriages were to be celebrated before a priest and two witnesses on pain of being declared null and void.¹¹⁴ There were several ways of avoiding the edict, the most popular one gaining some foothold in the colony being marriage à la gaumine, i.e. by the couple exchanging their vows as the priest gave his benediction at mass.¹¹⁵

On November 26, 1639, Louis XIV issued a declaration regulating marriages and allied matters. The royal declaration enjoined a strict and precise observance of the laws against clandestine marriages and required conformity to the publishing of banns. Consent for marriages was required of parents. It was again stipulated that children of clandestine affairs might not inherit and a warning was given that no more letters-patent would be issued for rehabilitating subjects otherwise incapable of inheriting. All marriages were to be performed in public. There was finally a prohibition forbidding "all Judges, even those of the Church,

113 A.C., Series F3, Vol. III, fol. 94

114 B.R.H., Vol. III, No. 2 (February, 1897), p. 30

115 This practice was finally stopped in 1717 by a mandement of Bishop Saint-Vallier. Mandements, Vol. I, p. 493

to receive proofs through witnesses of promises of marriage."¹¹⁶
 An ordinance of April, 1667, required proper registration of marriages after the nuptial mass. The clergy were warned that they must observe all proper cautionings, publication of banns and other formalities on penalty of privation of their benefices and even banishment.¹¹⁷ Colbert reminded Frontenac that it was necessary to keep careful record in the colony of all marriages and births and that memorials thereof certified by the Bishop and some of the other ecclesiastics were to be forwarded annually.¹¹⁸ Thus the same state regulations incumbent on the French clergy were applicable in the colony.

Marriages required four steps; the reciprocal consent of the two contracting parties; the consent of parents or guardians if contracting parties were minors, or residents at the home of their parents if over 25 years of age; the presence and benediction of the parish priest at the exchange of the marriage vows; the publication of banns,

116 L. Moreau de Saint-Méry, Les Loix et Constitutions des Colonies Françaises de l'Amérique sous le Vent (Paris, 1784), Vol. I, 46-48

117 Edit du Roy Concernant les formalitez qui doivent estre observées dans les Mariages (Paris, 1697) gives a review of all changes made to Ordinance of 1639

118 A.P.Q., Ordres du Roi, Series B, Vol. V, Colbert to Frontenac, June 13, 1673, p. 18

except for adults with no living parents.¹¹⁹ In the colony where immigration was but a trickle it was necessary to encourage a high birth rate, and therefore early marriages. In 1666 Louis XIV had already adopted the ancient Greek and the contemporary Burgundian practice of granting special privileges and bonuses to fathers of 10 or 12 living offspring. This was extended to the colony in April, 1669, but the paternal allowances were considerably reduced from the rate in the mother country.¹²⁰ There is no indication that the grants so made were ever very substantial as there were few families with more than 10 living children none of whom were in religious orders.¹²¹

The sending of King's daughters from the orphanages of France, then from the rural parishes where the women were more robust in constitution, to become brides for the soldiers and other unmarried habitants is a well-known episode. The correspondence of the officials mentions shiploads of women, maids and ewes for the colony; running through the communications is a mercantilist view of life

119 Lange. op. cit., Vol. I, Pt. I, p. 336

120 P.A.C., Series C11A, Vol. III, Arrêt of April 3, 1669, pp. 6-7; also A.C., Series F3, Vol. IV, fol. 7; Clement, op. cit., Vol. III, Pt. II, p. 657

121 P.A.C., Series C11A, Vol. III, pp. 16, 19; P.A.C., Series F3, Vol. III, fol. 90

wherein methods of propagating human beings and cattle were regarded as roughly on the same plane.

Lahontan was to suggest later that the young women sent to the colony were little better than common prostitutes. He visited the colony only 15 years after the arrival of the greatest numbers of these young women therefore his accounts of the transactions are based upon later accounts.¹²² That some of the same comments were made in the 1660's may be deduced from the fact that the Sovereign Council forbade anyone to raise objections to the young women marrying when they arrived in the colony.¹²³ Colbert also made comments about the immigrants from La Rochelle being "deceivers, debauched, blasphemers" and contemplated recruiting Catholics from the Swiss cantons.¹²⁴ Mother Marie de l'Incarnation could not have been too favourably impressed with the quality of some of the immigrants either because she thought that devout Portuguese would make better colonists.¹²⁵ Lahontan was to later express some wonder that

122 Thwaites, op. cit., Vol. I, pp. 36-37

123 Jugements, Vol. I, p. 68

124 R.A.P.Q., 1930-31, Colbert to Falon, April 5, 1667, p. 69

125 Martin, op. cit., p. 98

Huguenots had not been settled in the colony after 1685.¹²⁶ Such a comment displays his ignorance of both the political motives for the Revocation of the Edict of Nantes and the economic character of the Huguenot dispersion.

In 1670 Talon asked Colbert to have all "brides" coming to the colony bring with them certificates from their clergy indicating they were free to marry.¹²⁷ Several irregularities had been discovered, numerous rumours were circulating in the colony, and the Jesuits themselves were unwilling to marry the immigrants unless they had clear proof of their eligibility and good character.¹²⁸ The Jesuits had in fact sent one of their priests to France in 1647 to obtain a clarification on the matter of impediments in marriage.¹²⁹ But now the problem was still more acute. The fact that enemies of the Jesuits accused them of showing favouritism in performing marriages also bore some weight. It was alleged that the Jesuits protected their miller who was^r known bigamist, that they had paid Father Morel at Beauport 100 pistoles to break up the marriage of one of their bitter critics, and that they had annulled the

126 Thwaites, op. cit., Vol. I, pp. 392-393

127 P.A.C., Series C11A, Vol. III, Talon to Colbert, 1670, p. 88

128 Journal des Jésuites, pp. 53, 78, 93

129 Ibid., p. 93

marriage of a certain Fournier on grounds of impotence and yet ten months after he had married another woman a son had been born to them.¹³⁰ That there were such disorders is known by the fact that in March 1676 the Sovereign Council arrested a man who was known to have a family in La Rochelle and had a second family in Quebec.¹³¹

Much attention has been paid to the fact that in the period of 1621 - 1661 only one illegitimate birth was recorded in New France, and that in the period 1661-1690 there was only one more in the Quebec area. There is in the baptismal records of the Montreal area no record of a single illegitimate birth for the period 1642 to 1685.¹³² This would seem to be a truly remarkable record given the frontier conditions, the alleged disorders and a population which included a fairly large percentage of garrison troops, sailors, travellers and new colonists. However, the statistics may be very misleading in this matter because they do not take into account half-breed children, who seem to have been fairly numerous, and they also ignore the numerous cases of adultery.

After Laval had returned to France in 1672 his Grand

130 P.A.C., Series K, Carton 1232, No. 1, pp. 45-46,
105

131 Jugements, Vol. II, pp. 52-53

132 B.R.H., Vol. XXXVII, No. 1, (January, 1931), pp.
49-50

Vicar ran into difficulties with Frontenac over several marriages. To begin with a special dispensation had been granted to Louis Maheux and Genevieve Bissot allowing them to marry in spite of a fourth degree of consanguinity.¹³³ Then the Grand Vicar had proceeded to rehabilitate a marriage without consulting the Sovereign Council. A Pierre Picher had married in the colony and raised a family after receiving news from France that his first wife there had died. However, he later learned that his first wife was alive, had had his second marriage annulled and had proceeded to France to bring his first wife to the colony. En route she died and so his second marriage had been rehabilitated. But Frontenac insisted that the procedure had been highly irregular and that the customs and usages of France had been violated. The Sovereign Council eventually approved the Grand Vicar's action but Frontenac appended a signed statement:

And it is maintained that the Grand Vicar of Sieur the Bishop of Petree, Vicar Apostolic in this country, be advised by the said Substitute to await the decisions of the Council to rehabilitate any persons by the sacrament of marriage, in similar cases. 134

133 A.A.Q., Registre A, No. 89, pp. 76-77

134 Jugements, Vol. I, pp. 769-770

It was the Sovereign Council's decision that was the legally binding one in such a case, and the Church's restoration of a marriage might follow a civil ruling, never precede it.

State officials sometimes showed a personal interest in marriages of consequence in the colony. Thus Duchesneau did what he could to persuade a Sieur Catignan of the troops to marry the daughter of one of the leading colonial families although it was objected that the young man held no royal commission.¹³⁵ Permission also had to be obtained from the soldier's commandant.¹³⁶ When Laval saw that those who asked for dispensations lived honestly, did not trade brandy to the Indians and were regular in church attendance he made it a rule not to refuse their requests.¹³⁷

The quarrels between Frontenac and the Seminary priests over dispensations seems to have had some effect upon the Sulpician clergy of Montreal. They became very careful not to infringe upon the prerogatives of the state and a Father Seguenot became very disturbed when one of his

¹³⁵ P.A.C., Series C11A, Vol. V, Duchesneau to Colbert, November 10, 1679, p. 69

¹³⁶ By 1716 there had been lapses on the part of the clergy in observing this rule so it was forbidden to priests to celebrate the marriage of a military man without the authorization of the Governor. P.A.C., Series C11A, Vol. XXXVI, p. 126

¹³⁷ A.A.Q., Copies de Lettres, Laval to Dollier de Casson, January 12, 1684, Vol. I, p. 251

parishioners on the island of Montreal reported he had been told he could be married after banns had been published only twice. Tronson wrote from Paris:

Mr. Dollier, although a Grand Vicar, must not dispense with third banns, without very good reason, and in any case he should inform you beforehand. 138

One might expect that the objections raised at banns of marriage would be a matter for the ecclesiastical court and not for the civil authorities. But this was not so in New France, which followed the practice of the motherland. In one case of opposition raised to an intended marriage the Sovereign Council ruled that the parties were free to marry and that the objections raised were invalid.¹³⁹ In another case, after the publishing of the banns for the first time of asking several people objected that the intended groom suffered from epileptic fits. The Vicar General had been told that the man should be required to return to France because of the grave dangers he faced in a country such as Canada when a fit overtook him. Epilepsy did not constitute a canonical impediment to marriage so the priest had thereupon decided to consult the civil authorities in the matter. The Sovereign Council decided that the defendant

138 B.S.S.P., Vol. I, No. 233, Tronson to Seguenot, April 24, 1684, p. 368

139 Jugements, Vol. I, p. 256

could marry, but if he should continue to suffer from seizures he and his bride would be required to return to France.¹⁴⁰

As there were few chancelleries in the colony the Sovereign Council was on numerous occasions called upon to register marriage contracts which made disposition of the goods and chattels of the contracting parties. The Sovereign Council never refused such a request to register a marriage contract and testament.¹⁴¹ On at least one occasion a widow had difficulty in establishing her rights to property bequeathed to her by her deceased husband because her marriage contract had not been signed by the witnesses. The Sovereign Council ruled that the contract was valid because the intent had been present and the witnesses had been present also although they had neglected to affix their signatures or marks.¹⁴² This one would expect to be the normal jurisdiction of the courts and not of the church.

Lahontan believed that one of the reasons for unhappy marriages in the colony was the lack of any opportunity for social intercourse between young people before entering into a permanent union. He did not think much of

¹⁴⁰ Jugements, Vol. I, p. 114

¹⁴¹ Ibid., Vol. I, pp. 241, 456; Vol. II, pp. 159, 160, 208, 209

¹⁴² Ibid., Vol. I, p. 461

the manners of the women of the colony but he was always ready to excuse the laxity of the troops. Lahontan deplored the insufficient dowries of the eligible young ladies and accused some of them of deliberately accusing their suitors of scandalous conduct so that the clergy intervened and made the soldiers "swallow the bitter Pill and take the very same Girls in Marriage".¹⁴³

The puritanical attitude of the clergy enraged him:

After a man has made four visits to a young Woman, he is oblig'd to unfold his mind to her Father and Mother; he must then either talk of Marriage, or break off all Correspondence; or if he does not, both he and she lies under a Scandal. In this country a Man can't visit another Man's Wife without being censur'd, as if her Husband was a Cuckold. 144

One of the popular outbursts which annoyed the clergy was the custom of the charivari. Even Duchesneau had been enlisted into issuing an ordinance forbidding them, but his action was reprimanded by Colbert:

To go into details, the ordinance which you gave against charivaris cannot be upheld. If this event took place between domestic servants of Frontenac and garrison troops it is up to him to give such an order and not you; if it is by inhabitants of the town of quebec it is up to the ordinary judges and the Sovereign Council; thus, no matter how it happens you ought not to have issued this ordinance. 145

143 Fhwaites, op. cit., Vol. I, p. 387

144 Ibid., p. 388

145 Clement, op. cit., Vol. III, Pt. II, Colbert to Duchesneau, May 15, 1678, p. 633

When a widow remarried three weeks after the death of her first husband the populace gave itself up to a particularly noisy charivari. Laval condemned the "impious actions which constitute a complete derision of the mysteries and truths of our Christian religion and the most wholesome ceremonies of the Church".¹⁴⁶ The pranksters probably pontificated on appropriate texts relative to marriage, had probably even produced an actor to represent the spirit of the lately departed first spouse and asked for masses for the repose of his soul, and so forth. The bishop forbade all the faithful to attend such merrymakings in future. His attempts to enlist the secular arm only drew more attention to his fulminations and he threatened excommunication.

The Bishop was more successful in breaking the growing custom of retarding the baptism of children. By a mandement of March 29, 1664, Laval ordered all children to be baptized as soon after birth as possible.¹⁴⁷ All the clergy of New France were to make known at the weekly announcements in church the obligation of parents to christen their children early and the prohibition to sprinkle

146 A.A.Q., Registre A, No. 173, p. 131; also Mandements, Vol. I, p. 114

147 A.A.Q., Registre A, No. 38, p. 43; also Mandements, Vol. I, pp. 100-101; S.R.C., Doc. XXXV, p. 198

(ondoyer) them at home unless in danger of death. The majority of the inhabitants must have complied for the records are silent on the matter until the year 1684, at which time a Jean Dumets and his wife from the parish of Cote de Lauzon were reprimanded by the Bishop himself for having refused to obey three admonitions to have their month-old child christened in accordance with the mandement of 1664 and the ordinance of February 5, 1677.¹⁴⁸ The parish priest Ballet, the grand vicar and the priest Morel had all gone to speak to them and had failed to break their resistance, so the Bishop threatened that unless the child were christened within a week the parents would face interdiction to enter the church or receive the sacraments.¹⁴⁹

Both church and state had much trouble with women of ill repute. Official regulation against prostitution, gambling and drunkenness was of long standing in France. As early as 1256 all men convicted of frequenting taverns and bordellos and gaming houses were deprived of their rights as citizens; in 1254 all prostitutes had been ordered out of the cities and those who sheltered them were warned of severe punishment.¹⁵⁰ An ordinance of 1560 had closed the

148 Mandements, Vol. I, pp. 104-5

149 Ibid., p. 105

150 Isambert, op. cit., Vol. I, pp. 276, 273

brothels in Paris but it was noticed by several writers that the crime of infanticide increased and that hospitals were taking in increasing numbers of foundlings and syphilitics. Then in the seventeenth century there came another wave of legal action. The Company of the Holy Sacrament waged unrelenting warfare on prostitution, usually with the tacit approval of the state authorities. Olier personally seized and had imprisoned on a bread and water diet some prostitutes in Paris.¹⁵¹ The clergy watched the arrival of ships at Quebec in much the same way as zealous members of the Company of the Holy Sacrament watched the arrival of river boats and coaches in Paris. Pimps and procuresses were especially hunted down. An edict of 1635 condemned men involved in this traffic to the galleys for life; women and girls were to be shaved, whipped and banished for life - and most of these sentences were handed down with the bare semblance of a trial.¹⁵² Ordinances were renewed in 1639, 1660 and 1670 against vagabonds, loiterers, prostitutes and idlers, until in October 1684 prostitutes in the Versailles area were threatened with having their nose and ears cut off.¹⁵³ Threats of mutilation were not the only approach to

151 Chill, op. cit., p. 139

152 Isambert, op. cit., Vol. XVI, p. 424

153 Ibid., Vol. XVI, p. 509; Vol. XVII, p. 389; Vol. XVIII, p. 374; Vol. XIX, p. 464

the problem. The commissioner of the Marine at Rochefort proposed to deal with the problem of prostitution by building athletic and recreational facilities for the sailors, a move which seems very advanced in its conception.¹⁵⁴

Popular license was in the seventeenth century stalked by the spectre of open violence.

Was the situation in New France any better? Was it possible to keep all men and women of evil reputation out of the colony? The frontier environment, the preponderance of males in the population, the scourge of the brandy traffic, and the annual visits to the towns of the coureurs-de-bois when they spent their enormous profits in riotous debauchery were factors which invited a certain laxity of morals. Article 32 of the police regulations of May 11, 1676 indicated that the full weight of French laws regards prostitution would be applied in the colony:

Prohibited to all persons to give shelter or assistance to prostitutes, panders or procuresses under pain of punishment, in conformity with the ordinances by which the said prostitutes, panders and procuresses will be chastised with the severity there set out. 155

Within a decade the Governor was to remark that two further

154 P.A.C., Collection Arnoul, Vol. 21.333, Arnoul to Seignelay, March 5, 1686, pp. 132-133

155 A.S.Q., Polygraphie IV, No. 35, no pagination

measures would facilitate control. Denonville suggested that the seigneurs be given the power to hire and dismiss tavern-keepers "according to his good and bad conduct, and the Seigneur would be responsible for him".¹⁵⁶ He also complained that while imprisonment seemed the usual punishment handed down to offenders the facilities in the colony were inadequate:

Nothing is so necessary to maintain discipline as the punishment of evil living. I am surprised that there is no provision for such a purpose, there being neither prison nor dungeon. It is essential to have such places, at least in Montreal, Three Rivers and Quebec; those which are there now are not really prisons. This is an expense it is necessary to undertake, Monseigneur. ¹⁵⁷

It would seem that most small sentences had been of a monetary nature.

Had there been any great disorders in the colony which called forth the police regulations of 1676? In August 1675 it was reported that another group of prostitutes had arrived on the vessels from France. The Sovereign Council appointed Dupont to investigate the charges, empowering him to take whatever remedial action he believed necessary in order to deal with the situation.¹⁵⁸ Two weeks

¹⁵⁶ P.A.C., Series C11A, Vol. VII, Denonville to Minister, September 13, 1685, p. 50

¹⁵⁷ Ibid., pp. 67-68

¹⁵⁸ Jugements, Vol. I, pp. 966, 967, 973

later he held a public hearing and as a result of his investigations two women were banished on charges of depraved morals, and three men and several women were acquitted after being warned. But this did not please certain individuals. A few days later defamatory signs directed against the Sovereign Council were displayed in public places. Dupont resumed his investigations a week after having adjourned, and as a result of these new questionings a woman known as "La Coruble" was imprisoned because of her "scandalous life, and to draw from her the knowledge she may have of the said signs".¹⁵⁹ Her neighbours had informed the attorney-general of her scandalous conduct with a number of young men during the absence of her husband. But she was set free from the prison on the orders of the lieutenant of the Provost Court, Lotbiniere, and therefore the Sovereign Council felt obliged to suspend him on his duties for two months in 1676.¹⁶⁰ It would seem that some Councillors were unwilling to see her severely punished. Even when it was learned by the court that she was now pregnant no investigation was ordered in the matter. The Sovereign Council finally banished her from Quebec and three leagues roundabouts for three years, and one of her lovers was fined 20 livres.¹⁶¹ They had escaped

159 Jugements, Vol. I, pp. 973, 978

160 Ibid., Vol. II, pp. 5-7, 11-12

161 Ibid., Vol. II, pp. 83-84, 94

the severity of the law.

Another woman arrested shortly afterwards was freed from a charge of gross misconduct when her husband promised to watch over her conduct in future.¹⁶² At about the same time, three men and a woman were arrested in Quebec on charges of theft, and the woman was in addition charged with maguerellage. After calling many witnesses, including some involved in receiving stolen goods, the Sovereign Council decided upon death by strangulation for the thief, forced labour and fines for his male accomplices, and the prostitute was to be whipped with rods at each of the principal cross-roads of the town and was to carry a sign around her neck inscribed "Prostitute".¹⁶³ These events had some bearing, no doubt, in the appearance of the police regulations of 1676.

In April 1667 a woman was brought before the Sovereign Council accused of adultery, but her husband defended her honour. The Council proceeded with the case and charged her with procuring women and girls for immoral purposes, while setting aside the charge of adultery.¹⁶⁴

162 Jugements, Vol. II, p. 154

163 Ibid., Vol. I, pp. 945-946, 975-978

164 Ibid., Vol. I, p. 389

Four months later the Council minutes recorded many scandalous actions by females of bad reputation in Quebec and it was necessary to make an example before the law of several of the worst offenders in order to stop the scandals.¹⁶⁵

Accordingly one woman was arrested and committed for trial.

In an adultery case brought before the Council the following year it was revealed that the deception of the husband had begun in La Rochelle, had continued during the ocean passage and since settlement in the colony.¹⁶⁶ The injured husband declared himself willing to forgive his wife and therefore she was not subjected to heavy punishment, but the guilty lover was banished from the colonies and fined 100 livres. In another case a few months later, husband and wife accused two habitants of raping the wife. As witnesses were called and confrontations were made it developed that this was a case of adultery and not rape.¹⁶⁷ All three were condemned: the woman to be shaven and beaten at the chief intersections of the town; the two men to spend a week in the stocks on a bread-and-water diet, then to be fined 15 livres each damages, 10 livres each fine payable to the hospital and 3 livres each court costs.

165 Jugements, Vol. I, p. 443

166 Ibid., pp. 528-530

167 Ibid., pp. 540-541

One of the most revolting crimes came up for hearing in September, 1671.¹⁶⁸ A Francoise DuVerger was suspected of having had a clandestine love affair with a soldier called Laliberte, who later by accidentally discharging his musket killed her husband. He disappeared thereafter. She remarried an habitant called Boutin and the day after her marriage gave birth to a child which she promptly killed and buried. Committed for trial at Montreal it was decided the case should come before the Sovereign Council. The high court produced evidence that she had on three occasions taken medication to produce an abortion and having failed she had as a last resort murdered her newborn infant. An Edict of Henry II, dated February 1556, established the death penalty for women who becoming pregnant by illicit means concealed their state and allowed their child to die.¹⁶⁹ Henry III in 1586 ordered the publication from all pulpits of a renewal of this edict, and this legislation passed over to the colony.¹⁷⁰ The Sovereign Council therefore sentenced Francoise DuVerger to be publicly hanged until dead by strangulation and her body left on view on the gibet, after she had been put to torture and the question

168 Jugements, Vol. I, pp. 660-1

169 A.S.Q., Polygraphie IV, No. 69A, Edict of February. 1556

170 Lange, op. cit., Vol. II, Part I, p. 23

extraordinaire to determine the circumstances of her first husband's death.¹⁷¹

In these unsavoury developments nothing is heard of the clergy, although they must have been very pleased that the state was taking action against the more disreputable elements of the population. In a small community news of this type travelled very quickly. The Intendant Duchesneau reported to Colbert in 1679 that the Governor had been angry that he had pursued in the courts two women of ill repute who had become pregnant during their respective husband's absences.¹⁷² Frontenac's remonstrances probably arose from the fact that the guilty men were a sergeant of his garrison and a soldier on his staff.

One way of dealing with this problem was to deport unwanted criminals. But it was easier to deport from the motherland to the colonies than from a colony back to the motherland. In 1669 Talon asked the King for two or three blank lettres de cachet to repatriate persons he might deem prejudicial to the King's colony; he believed the receipt of such legal weapons would act as a powerful deterrent to would-be lawbreakers.¹⁷³ Few people actually seem to have

171 Jugements, Vol. I, p. 669

172 P.A.C., Series C114, Duchesneau to Minister, 1679, Vol. V, p. 70

173 Ibid., Talon's memorial of 1669, Vol. III, p. 47

been repatriated or deported. De Meulles excluded a Madeleine Morizal from Montreal because of her scandalous conduct but she never went far from the island.¹⁷⁴ A fellow called Parat was sent back from Placentia (Newfoundland) to France on the orders of Laval.¹⁷⁵ When Denonville and Champigny proposed that women of bad character be repatriated, Louis XIV objected that the punishment would be insufficient and that it would be better to compel them to labour at public projects such as drawing water, sawing wood or helping stone-masons.¹⁷⁶

Blasphemy and sacrilege, lèse majesté divine et humaine, were the subject of endless legislation from the year 826 onwards in France. Through its members in the parlements, the royal councils and at Court, the Company of the Holy Sacrament played some role in having the edicts strengthened in 1631, 1636 and 1639, but this legislation which called for various refinements of mutilation were aimed at crimes of an essentially plebeian character such as sorcery, theft of ciboria, infanticide, oath taking and

174 A.J.M., Ordinance of de Meulles, July 3, 1684; also Ordonnances, Vol. II, pp. 67-68

175 A.C., Series F3, Vol. LIV, p. 290

176 A.C., Series F3, Vol. VI, Royal memorandum to Denonville and Champigny, March 30, 1687, fol. 276

profaning the sacraments.¹⁷⁷ In 1661 the Company of the Holy Sacrament published a brochure containing the decrees of the Parlements against blasphemers together with exemplary punishments that had been imposed since 1655 and which included banishment, the galleys, strangulation, branding, breaking on the wheel, burning at the stake, cleaving of the lips and other mutilations too horrible to contemplate.¹⁷⁸ Popular religious sentiment went along with such stern action. It was the practice in Massachusetts at the time to punish by mutilation those guilty of impiety, particularly of denying the inspiration of the accepted canon of the Holy Scriptures.¹⁷⁹ Copies of the edicts of Louis XIII against blasphemers were in the possession of the clergy at Quebec.¹⁸⁰

Louis XIV took the same position as Louis XIII on the matter of blasphemy and sacrilege, as the edicts of 1647, 1651, 1666 and 1668 indicate.¹⁸¹ The Criminal

¹⁷⁷ Chill, op. cit., p. 103; also Isambert, op. cit., Vol. XVI, p. 366

¹⁷⁸ R. Allier, La Compagnie du très St. Sacrement de l'Autel: la Cabale des Dévots (Paris, 1902), pp. 216-217

¹⁷⁹ Shurtleff, op. cit., Vol. IV, Pt. I, p. 78

¹⁸⁰ A.S.Q., Polygraphie IV, Nos. 1, 1A, 1B, 1C

¹⁸¹ Isambert, op. cit., Vol. XVII, pp. 64, 260; Vol. XVIII, pp. 75-76, 86-87

Ordinance of August 26, 1670, did not alter the position but did bring more order into the judicial procedures. Probably many of the provisions remained dead letters. It was provided that all interrogation of accused persons would take place within 24 hours of arrest, in public and under oath. If there were proof that the accused had committed a capital offence then the court might order the use of torture to extract all the details and names of accomplices; no person might be tortured twice for the same crime.¹⁸² This was the law that was applied also in the colony. Parents, guardians, masters and employers were responsible for the good conduct of their charges. Judges were to prevent blasphemy against the honour of God and the saints, as a type of heresy, and were instructed to severely punish infractions by articles 23 of the Ordinance of Orleans and article 35 of the ordinance of Blois.¹⁸³ As early as February, 1646, a blasphemer had been put on the wooden horse and this treatment had brought him to repentance and confession.¹⁸⁴ In 1661 there was a great dissension between the civil authorities and the clergy over the sentencing of Daniel Voil, "a relapsed heretical

182 Isambert, op. cit., Vol. XVIII, pp. 371, 398, 412-413

183 Lange, op. cit., Vol. II, Part I, p. 25

184 Journal des Jesuites, p. 35

prisoner blasphemer and profaner of the sacraments" by the Bishop.¹⁸⁵ Four years later Jacques Bignon of Lauzon was fined 10 livres for swearing and blaspheming the name of God, this after having spent three weeks in prison awaiting trial.¹⁸⁶

Then in March 1668 the Sovereign Council registered and gave thereby full legal effect in the colony to the Royal Edict against Blasphemers, July 30, 1666.¹⁸⁷ A notation was appended saying, "Note that it is not solely for Canada". Blaspheming the names of God, of the Virgin, and of the saints, according to this Edict, was to be condemned by a monetary fine for a first offence, doubled for a second, trebled for a third and so on. For a fifth offence the guilty party was to have his upper lip split by a red hot iron and be publicly pilloried. A sixth offence brought the same treatment to the lower lip. And if, perchance, there were still obdurate blasphemy then the unfortunate was to have his tongue cut out. There were a

185 Journal des Jésuites, p. 292

186 A.P.Q., Procédures Judiciaires: Matières criminelles, Vol. I, pp. 2-6. He was denounced by Charlotte Mongie who went to Bishop and then the Jesuits to accuse him. Five people testified against him, but two refused to do so.

187 P.A.C., Series C11G, Vol. II, fol. 255; also A.C., Series F3, Vol. III, fol. 45; Edits, Vol. I, p. 64

number of habitants in the colony punished for blasphemy according to this regulation, but none seem to have been put the seventh trial.

Several of these cases merit our attention. Pierre Lupuy, an habitant of St. Louis, was arraigned in February 1671 on charges of seditious speech and blasphemy. He had, according to the depositions made against him, denied the existence of God, spoken lightly of the monarchy, and maintained that the English had done well to execute Charles I.¹⁸⁸ The Sovereign Council found him guilty of speaking ill of royalty in the person of the British monarch, and speaking in terms tending towards sedition; no mention was made of blasphemy as it had been coupled with the more serious charge of seditious speech. Lupuy was lucky to escape with a sentence of branding with a fleur-de-lys on the cheek and an hour at the public post, as well as a humiliating act of contrition carefully spelled out by the Council:

All being considered the COUNCIL has declared and does declare that the said Lupuy duly attainted and convicted of having spoken ill of Royalty in the person of the King of England and holding discourses tending to sedition, And by way of reparation has condemned and does sentence him to be taken from the prisons by the executioner

188 Jugements, Vol. I, pp. 644-645

of high justice to be taken clad only in a shirt, a rope about his neck and a blazing torch in hand to the main door of the Chasteau St. Louis and to ask pardon there of the King and from there to the stake in the lower town to have imprinted upon him a fleur de Lys with a red-hot iron...¹⁸⁹

Crime, especially seditious talk and blasphemy, did not pay.

Many of the cases of blasphemy were undoubtedly occasioned by excessive drinking and quarrelling. Therefore, the first liquor license given at Quebec, to Jacques Boisdon in September, 1648, carried a stipulation that no scandals, blasphemies or seditious speeches were to be tolerated in the inn.¹⁹⁰ The general police regulations of 1676 carried an order that in every room where liquor was served the innkeeper had to post the regulations against blasphemies and other disorders.¹⁹¹ The inhabitants could scarcely have been ignorant of the law. The law enforcers proceeded zealously to implement the regulations too.

In 1679 a Charles Catignon, one of the guards of the King's stores, was accused of having proffered several injuries, blasphemies and swearing against the holy Name of God and in particular of having said "God is not God."¹⁹²

¹⁸⁹ Jugements, Vol. I, p. 645

¹⁹⁰ A.S.Q., Documents Faribault, No. 79, License of Council of Quebec to Jacques Boisdon, September 19, 1648

¹⁹¹ Ordonnances, Vol. I, p. 195, clause xx

¹⁹² A.P.Q., Collection Pièces Judiciaires, Carton II, No. 137

The Provost Court of Quebec sentenced him to 200 livres fine payable in equal sums of 50 livres to each of the Recollets, sisters of the Hotel-Lieu, the poor of the Hotel-Dieu and the King, plus court costs. This sentence, which was much heavier than the penalty called for in case of a first offense in the royal Edict of 1666, might be explained by the fact that he was also proved guilty of having participated in an all-night dice game. He was forbidden to gamble again on the penalty of a 50 livres fine for contravention. His appeal to the Sovereign Council resulted in but a slight reduction of the court costs imposed.¹⁹³

Fronson warned the Sulpician clergy not to tolerate the frequent use of the phrase "ma foy".¹⁹⁴ In 1680 a Pierre Lalonde was convicted of having "laughed and blasphemed the Holy Name of God" but no further information is supplied about the nature of his laughter.¹⁹⁵ In another case of blasphemy brought before the Sovereign Council the accused was able to escape serious punishment because of the intercession of Frontenac on his behalf.¹⁹⁶ In July 1683 La Barre

¹⁹³ Jugements, Vol. II, pp. 613-614

¹⁹⁴ B.S.S.P., Vol. I, No. 100, Fronson to Seguenot, April 12, 1680, p. 185

¹⁹⁵ A.P.Q., Collection Pièces Judiciaires, Carton II, No. 142, np pagination

¹⁹⁶ Jugements, Vol. II, pp. 632-635, 697, 698

issued an ordinance against seditious plots and assemblies against the King's service, but no more than resistance to the fur trade and brandy traffic regulations seem to have been involved.¹⁹⁷

In 1682 Laval issued a mandement against the luxurious dress and vanity of women in church.¹⁹⁸ Such behaviour he said was contrary to their baptismal vows to renounce Satan and all his works, was sinful in that it ensnared them in many sins of the flesh, and was condemned in Holy Scripture as a sign of slavery to Satan. The Bishop was particularly concerned about the scandalous nudity of arms, shoulders and throat in church or the wearing of transparent clothing. Curled hair he reminded them was more appropriate to a ball or theatre than to the church. We need not imagine that the Bishop was so puritanical as to be out of step with the religious thought of his day. The first pastoral letter of Saint-Vallier (October 6, 1685) was a repetition of Laval's advice on modest dress and adorning of women.¹⁹⁹

Saint-Vallier furthermore sent the Governor and chatelaine at Chateau St. Louis an avis condemning evening

¹⁹⁷ Ordonnances, Vol. II, pp. 40-41

¹⁹⁸ A.S.Q., Seminaire XV, No. 25, Mandement of February 26, 1682

¹⁹⁹ Mandements, Vol. I, pp. 167-169

dinner parties, dances, sumptuous feasts, immodest dress, the excessive ornamentation of women, and comedies. The acting together of men and women on the stage he especially denounced.²⁰⁰ Then in 1686 he issued his famous mandement for the general public which clearly enunciated and summarized the views of all the clergy in these matters: He said,

But what has caused us above all a great sadness is the excess of luxury in dress and the vanity manifest throughout the country, among the young girls and women of the world, with greater license and scandal than ever before; not satisfied with wearing clothing, of which the cost and splendour are far beyond the wearer's means and standing, they affect also immodest head-dress, appearing outside and inside and often even in church bareheaded or head covered only with a transparent head-dress with a collection of ribbons, laces, curls, and other vanities, the which is completely unbecoming a Christian person; and what is still more to be deplored and pierces our souls with grief is, that they do not hesitate to make themselves the instruments of the devil, and co-operate in the loss of souls redeemed by the blood of Jesus Christ, by laying bare their necks and shoulders and scandalizing thereby and causing the loss of an infinite number of persons who find unfortunately in these scandalous objects the cause of their sins and eternal damnation.²⁰¹

Saint-Vallier also took the occasion to condemn working on days of obligation and excessive travelling and visiting on Sundays and feast days. In the early days of the colony the Jesuits had already noted such disorders and weaknesses. In

²⁰⁰ Mandements, Vol. I, pp. 169-174

²⁰¹ A.C., Series F3, Vol. VI, folio 272

fact in the unheated churches of that century they had thought it best on such occasions as Ash Wednesday to put the ashes under the men's caps and the women's fancy head-dress without too much comment.²⁰²

Belief in witchcraft was almost universal in the seventeenth century; in New France the Indians were probably the only people who did not believe in it. The crime of witchcraft consisted of entering into a covenant with a real and very energetic devil, who because he had but a short time in which to afflict and delude the human race worked very assiduously at tempting people to sin. He was not only believed to tempt men in isolated acts of sin but also to invite them to covenant together against the church. The struggle was internal as well as external, as the ample devotional literature of the century reveals. The presence of the Indians and the antics of their medicine men which seemed to savour of witchcraft, as well as the disorders of the brandy traffic, strengthened this interpretation of the malicious work of Satan. Marie de l'Incarnation, Jerome Lalemant and Paul Ragueneau all saw in the earthquakes of 1663 the maleficent intervention of demons, and Mother Marie de l'Incarnation saw in the possession of a young girl, who was probably subject to

202 Journal des Jésuites, p. 34

epilepsy, the "malignity of certain magicians and sorcerers came from France".²⁰³ It is remarkable that in so religious a community where litigation also seemed endless no serious outburst of witch-hunting developed in New France. In this century there were more than 100 executions in England and probably over 3,000 in Scotland for witchcraft. Between 1647 and 1663 there were 8 hangings in Connecticut and six in Massachusetts; in 1692 in Massachusetts 19 men and women and 2 dogs were hanged for witchcraft and one man pressed to death for refusing to plead to the indictment.²⁰⁴ But New France witnessed no similar outbursts.

This may be attributed first of all to the wisdom of the clergy, particularly of influential ecclesiastics such as Bishop Laval and the Sulpician, Tronson. Secondly, there was a firmly rooted belief in grace flowing from the sacraments. The service of exorcism was employed by the church from time to time against grasshoppers and other pests; in 1646 a procession was held against "nefarious

203 A. Rayez, "Marie de l'Incarnation et le climat spirituel de la Nouvelle France", Revue d'Histoire de l'Amérique Française, Vol. XVI, No. 2 (June, 1962), pp. 26-27

204 K.M. Murdock, Increase Mather (Cambridge, 1926), pp. 287-316. In the Salem trials the court even relied upon the testimony of supposedly bewitched persons and admitted spectral evidence against the accused. Cf. D. Levin, What Happened in Salem? (New York, 1960)

spirits" which appeared in the form of caterpillars.²⁰⁵

Thirdly, there was a growing weight of informed opinion in France which discredited sorcery. A priest who in 1632 had declared that witchcraft existed only in the imaginations of people was burned alive in spite of the efforts of the courts to save him, but in 1670 the Parlement of Rouen obtained letters of respite from Colbert in time to prevent the death sentence being carried out against 14 persons accused of witchcraft.²⁰⁶ Thereafter, the ordinances became more concerned with poisoning than with witchcraft; poisoning seemed to be a much more reliable method of disposing of enemies. At one point even La Salle was required to clear the Jesuits of an insinuation that they had attempted to poison him.²⁰⁷

This did not mean that sudden illnesses and epidemics ceased to be associated with diabolical influences in the popular mind. The "healer" enjoyed a certain popularity and even the Jesuits called in a soldier named Lubok to exercise his special "gift" on the domiciled Indians at

205 Journal des Jésuites, p. 59

206 M. Marion, Dictionnaire des Institutions de la France aux XVIIe et XVIIIe siècles (Paris, 1923), p. 516

207 P.A.C., series K, Carton 1232, Fo. 1, p. 84

Sillery. The Superior was apparently not aware of his presence in the settlement for a little over a month. In any case his reputation was the poorer for the episode because the Journal dismissed the incident with a terse "the thing did not succeed".²⁰⁸

When Marie Pontonnier, who had been courted by a corporal Rene Besnard, also known as Bourjoly, decided to marry a gunsmith called Pierre Gadois instead, strange things began to occur. Besnard, in an effort to prevent the marriage, announced to a former girlfriend that he possessed diabolical powers and would render the projected Gadois-Pontonnier marriage barren. The marriage took place but no children were procreated and so the couple sought out their parish priest. The case was brought to the knowledge of Laval who suggested that a new nuptial blessing might be given by one of the priests of the Seminary of Quebec. This was done but still the results were negative.²⁰⁹ The church then asked the civil authorities to intervene in what seemed to be a case of witchcraft.

Besnard was brought before the seigneurial court of Montreal on November 2, 1658, where he was charged with attempted seduction of three married women. During the trial

²⁰⁸ Journal des Jésuites, p. 14

²⁰⁹ A.J.M., Documents Judiciaires, Interrogation of Rene Besnard Bourjoly, November 2, 1658, no pagination

it developed that he was accused also of having noué l'aiguillette to Gadois. Maisonneuve had him gaoled. The belief was that a spell had been cast because on August 31, 1660, the Official after three years of enquiry, as provided for in the sacred canons, declared the marriage "null and invalid for cause of and in consequence of perpetual impotence caused by witchcraft."^{209a} Immediately, the civil court levied a heavy fine upon Besnard and banished him from Montreal. Actually he had escaped with a light sentence. If any further proof of the power of the spell were needed, the habitants seemed to find it in the fact that both of the complainants had very fruitful second marriages.²¹⁰

At about this time a young girl, Barbe Halé, was brought from Beauport to Quebec "infested with a wild demon since five or six months ago, but at divers times".²¹¹ She had become so violent in her moments of possession that it was decided she needed to be kept under surveillance. She was put in a room of the old Hospital where she spent the nights in company of a guard of females, a priest, and

^{209a} R.L. Seguin, La Sorcellerie au Canada Français du XVIIe au XIXe Siècles (Montreal, 1961), p. 17

²¹⁰ Ibid., pp. 19-21

²¹¹ Journal des Jésuites, p. 289

some servants. Diabolical manifestations were commonly accepted, but no individual seems to have been troubled to the same extent by apparitions and imagined physical struggles with demons as did the good sister who was to look after Barbe Halé, Mother Catherine. Indeed, the Recollet Christian Le Clercq was quite disturbed by what he considered to be overwrought mysticism and hallucination passing under the guise of holiness. But there were few who saw things as he did in the seventeenth century, but rather they accepted at face value the bruises and scratches the good nun received in her nocturnal bouts with the devil.²¹²

One farmer living near Montreal tried to use the popular belief in witchcraft to clear himself of a charge of bigamy. In 1662 he had to admit the truth of a visitor's accusation that he had a wife in Vendee, but he also said that she had been proved guilty of witchcraft and so he was free to remarry.²¹³ The gossip was so strong in the community that he suddenly disappeared. Eventually his second wife went to see the priest Gabriel Souart at the presbytery and she obtained an annulment of her marriage from the Bishop.²¹⁴

Another popular belief was that persons upon

212 Seguin, op. cit., pp. 51-67

213 Jugements, Vol. I, p. 274

214 Seguin, op. cit., pp. 22-24

entering into contract with the devil were marked on their bodies by his stigma. Mother Catherine in her efforts to convert an obstinate sinner who always fell back into his former habits was certain he must be devil-possessed. He was therefore handed over to the ecclesiastical authorities for examination, not to the civil authorities. He was closely examined and marks on his body were tested by pricking pins into him. "The said marks were recognized by the trial by pins and needles".²¹⁵ That is, they did not bleed and this signified possession. However, the account continued that when he was examined again on the following day no marks could be found on his body and his skin had returned to its natural sensitivity.

Ragueneau believed that there were Sabbaths held in the colony. The inhabitants of Beauport and Belecasse were supposed to watch the goblins tripping away under the direction of Satan himself on the island of Orleans. Mother St. Augustine was certain the Sabbaths were held at a mill just outside Quebec. In 1666 black masses were supposedly being said in Paris and in the following year (after news of events in the motherland had reached the colony) one of

215 P. Ragueneau, La Vie de la Mere Catherine de St. Augustin (Paris, 1671), p. 291

the Hospital Nuns reported at Quebec that some consecrated hosts had been stolen from the chapel, a theft which generally preceded the appearance of black masses in a region.²¹⁶

In 1671 occurred the trial for "the child strangled by the Galbrun woman and other acts of witchcraft", to which we have already referred. But it soon developed that this was a case of homicide and not witchcraft and the Sovereign Council proceeded on these grounds only.²¹⁷ There seems to have been a disinclination to proceed with charges of witchcraft. The clergy too were wary of charges of witchcraft and here we see a notable difference from the point of view expressed in New England. The Sulpician superior went so far as to give careful warnings and precise instructions to the Montreal clergy when some of them suspected witchcraft among the domiciled Indians. He wrote in March, 1680:

It is very important to advise Mr. Trouve not to allow himself to be predisposed by the convictions of Mr. Bailly touching witches. If it is not resolved not to interrogate so much of this matter and to hold firmly to the rules given at the Bishop's, all is ruined. Those we saw here by experience were of the last consequence in order not to discourage and repel the workers, and which the most enlightened persons are convinced are reduced to the four following:

First not to question at all on this matter those who do not accuse themselves thereof.

Secondly not to interrogate too scrupulously on

216 Seguin, op. cit., pp. 68-72

217 Jugements, Vol. I, pp. 660-661

certain useless details even those who accuse themselves.

Thirdly not too readily believe what they say unless in possession of definite proofs that it is not imagination at all but reality.

Fourthly to treat them the same as other sinners in granting or refusing them the sacraments. 218

These instructions are amazing for the amount of enlightenment they exhibit for the seventeenth century, and go a long way to explain the difference in behaviour between New France and New England.

In July 1682 Louis XIV issued an edict covering crimes of divination, black magic, enchantment and witchcraft. There had been a rash of poisonings in Paris so the former edicts were renewed and bolstered. All divining was forbidden, all practices using scriptural and liturgical texts and recitations were prohibited, death was imposed for sacrilege and the sale of poisons restricted.²¹⁹ Louis XIV wished the prosecutions against witches cut back to a very minimum.

In the same year Mme. de Folleville, who ran a thriving cabaret in Montreal, frequented by such individuals as Lulhut and Le Gardeur de Repentigny who came to play

218 B.S.S.P., Vol. I, No. 97, Tronson to Dollier de Casson, March 20, 1680, pp. 166-167

219 Saint-Mery, op. cit., Vol. I, pp. 372-374
 Fernand Lefebvre, "La repression satanique en la Nouvelle-France" B.R.H., Vol. LXI, No. 1 (Jan.-March, 1955), p. 41

cards and drink in a back room, found herself accused of keeping furtively a book on a black magic. This was a novel accusation to level against her; accusations of keeping an establishment that was the scene of disorders and riotous quarrels she was apparently accustomed to, but not charges of dabbling in magic. She was banished from Montreal but was soon able to have the sentence quashed.²²⁰ As for the accusations of witchcraft among the domiciled Indians this too was eradicated and the Sulpician superior in Paris wrote in reassuring terms once more:

I bless God that at last they have undeceived themselves of the imagination of witches which they persisted. I know the Holiness and the merits of the one who dabbled too much in it; And that is what caused me the greatest grief, seeing that by so persisting he was making himself completely useless. 221

Among the common people the ideas persisted, of course, and in 1685 a Marie Goet claimed that a Jean Campagnard had tried to bewitch her by giving her a present. She refused his gift but later he managed to get her servant to accept a pound of butter. Then as she went to buy some wheat she fell suddenly ill and concluded it was an evil spell. Another witness said Campagnard made cattle die. Others

220 Seguin, op. cit., p. 150

221 B.S.S.P., Vol. I, No. 161, Tronson to Remy, April 16, 1682, p. 281

blamed him for illnesses. But nothing came of all this.²²²

Of crimes of violence the colony had more than its proportionate share. Louis XIV had sought to control duelling in the provinces and in the colonies by an edict in August 1679 but this was not registered at Quebec until July 21, 1687.²²³ It seems to have been observed to some extent because when the churchwarden La Planche was killed when hit by a stone during a quarrel with an habitant he was refused Christian burial on the grounds that he had died duelling.²²⁴ The canon law with respect to suicides was strictly followed in New France too. In 1682 an habitant at Beauport was found dead by his own hand in his barn and after the judge had decided it was a case of suicide his body was dragged through the mire and was finally exposed on the garbage dump of the seigneurie.²²⁵ In 1644 an individual called La Barre who posed as a religious man was discovered to be an imposter and he was subjected to the treatment reserved for the worst crimes - his evil life "caused him to end his days under a bar which was heavier

222 A.P.Q., Procédures Judiciaires, Vol. I, Case of Jean Campagnard, February 20, 1685

223 A.C., Series F3, Vol. III, fol. 47; Vol. V, fols. 293-318, 319

224 B.N., Fonds Clairambault, Vol. 1016, fol. 49, p. 8

225 Lange, op. cit., Vol. II, Pt. I, p. 30; B.R.H., Vol. VI, No. 10 (October, 1900), p. 312

ghan that indicated by his name".²²⁶

Mutilation was commonly practiced too. A murderer had his arm severed in 1668.²²⁷ Another was strangled on a St. Andrew's cross, his limbs were severed and publicly exposed.²²⁸ A trader, Charles Alexis, who had robbed his partners and killed one of them, was condemned to have his limbs broken by rods, then to be publicly strangled, his mutilated corpse to be thrown on the wheel and the remains left to rot exposed to public execration.²²⁹ Criminals who evaded captivity were hanged in effigy, and those who were sentenced to death when no one filled the post of hangman could gain their freedom by accepting a position which brought the hatred of the whole community against them and their families.²³⁰ Sexual attacks upon minors were rightly severely punished. In the seven year period following the establishment of royal government there were eight cases of rape and six cases of attacks on young girls. In these six cases the criminals received various sentences: two

226 Dollier de Casson, Histoire Véritable du Montreal 1640-1672 (Montreal, 1871), p. 31

227 Jugements, Vol. I, pp. 484-486

228 Ibid., Vol. I, pp. 685-688

229 Ibid., Vol. I, pp. 705, 710, 721-722

230 Ibid., Vol. I, pp. 310, 315, 770, 927; Vol. II, pp. 155-156, 459; Vol. III, p. 16; also Journal des Jesuites, p. 116

were ordered strangled, two were sent to the galleys for 9 years, one was banished, and another received twelve strokes of the lash.²³¹ A nine-year sentence to the galleys generally meant life service most forcats were kept on 10 or 15 years beyond their sentence. Release came by death, physical incapacity, illness or loss of limbs, and purchase of a slave or substitute. It was a rough age as the documents indicate.

Auricular confession and state regulations seem to have been quite powerless in combatting several of the disorders and weaknesses apparent in colonial society, as we have seen. The historian is not in the position to say what New France would have been like had there been no such restraints, whether effective in fact or not, but he is in a position to say what New France was like with the presence of these restraints and is also in a position to draw some comparisons with other colonial societies of that time where almost identical problems, but some different restraints, obtained. The only general conclusion one dares make is that the frontier environment bore down hard on the colonials and their conduct gave ample testimony to its

²³¹ Jugements, Vol. I, pp. 174-175, 399, 463-465, 517-518, 527-528, 575-576, 649-650, 661-662

influences. It is probably remarkable too that the clergy who served these colonials, and were subject to the same environmental temptations and pressures, remained as faithful as they did to their church. It should not be forgotten that as confessors their minds became the common receptacles of all the filth, greed, avarice and wilful stubbornness of their parishes and missions. Fortunately, they also partook in the acts of faith and charity of the colonists.

CHAPTER XIV

THE PROBLEM OF A PROTESTANT PARTY

The restriction of Huguenot activities in New France is of particular interest in the consideration of relations between church and state because the Protestants represented a political party as much as they represented a "pretended reformed religion". Dissatisfied nobles had made common cause with Calvinist pastors in France and it was difficult to disentangle the secular threads from the spiritual.

Following the Edict of Nantes the Huguenots found themselves joining forces with the Gallican Parlements to oppose the Jesuit theory of the indirect power of the Pope over princes as sustained by Cardinal Bellarmine. The third estate proposed in its cahiers, before the Estates-General of 1614, to introduce into the oath of allegiance the principle that the King held his crown from God alone with no mediatory power intervening. This principle would also include the assertion that no authority on earth, either temporal or spiritual, had the right to deprive the King of his throne or to dispense any of his subjects from their allegiance to him. This article was denounced and defeated by the Catholic clergy and nobility on the grounds that it was presented by "enemies of religion and the state in order

to introduce Calvin and his doctrine".¹

Once Cardinal Richelieu had broken the political power of the Huguenots and deprived them of their places of surety it was even more in their interest to shed any remaining republicanism, to avoid completely all political agitation and to attach themselves firmly to the monarchy upon whose word now depended their religious toleration.

Protestants did not participate in the disturbances of the Fronde as a party and their loyalty won them a confirmation of the Edict of Nantes in a declaration dated May 1652. The republicanism of the extreme Protestants in England, culminating in the execution of Charles I, drove the French Protestants to still more uncompromising theories of royal absolutism in the interests of self-preservation. Typical of this Huguenot political expression of the mid-seventeenth century was the declaration of a pastor that "our property, our bodies, our lives belong to the King, and reserving only our consciences, which concern only God, everything remaining is entirely devoted to his service".²

Did this mean that the Huguenots felt excused from

1 G. H. Dodge, The Political Theory of the Huguenots of the Dispersion (New York), 1947), p. 5

2 Dodge, op. cit., p. 6

fidelity to the King when he violated their religion? Did not Article 40 of their Confession of Faith state the monarchs were to be obeyed "on condition that the sovereign empire of God remains in its entirety"?³ The Huguenots insisted that their position was that disobedience was only permitted when commands on religious matters were contrary to religion and conscience; they insisted that in all other matters, even when something was demanded which was in conflict with duty to God, obedience must follow. The theologian, Pierre Jurieu, countered with the argument that the Catholic position was more susceptible to infidelity to the Crown because once a prince had been declared a heretic then obedience by his subjects was no longer due in any respect.⁴ The Huguenots were especially bitter over the charges of disloyalty and republicanism levelled at them when they recalled the prohibition to hang fleurs de lys in Protestant temples "as if they were not good Frenchmen".⁵

The suspicion that the Huguenots were a traiterous breed was founded on more than a memory of the civil wars.

3 Dodge, op. cit., p. 29

4 Pierre Jurieu, Histoire du Calvinisme et celle du Papisme mises en parallele (Paris, 1823), Part IV, p. 211, cited in Dodge, op. cit., p. 29-30

5 P. Jurieu, La Politique du Clerge de France (Cologne, 1681), pp. 52-53

It was also based upon Calvin's explanations:

But in the obedience which we have shown to be due to the authority of governors, it is always necessary to make exception, and that is entitled to our first attention - that it do not seduce us from obedience to Him, to whose will the desires of all kings ought to be subject...

The Lord, therefore, is the King of Kings; who, when he has opened his sacred mouth is to be heard alone, above all, for all, and before all; in the next place, we are subject to those men who preside over us; but not otherwise than in Him. If they command anything against Him, it ought not to have the least attention; nor, in this case, ought we to pay any regard to all that dignity attached to magistrates, to which no injury is done when it is subjected to the unrivalled and supreme power of God. 6

What made such a statement particularly embarrassing to Protestants in France (although similar opinions might be cited on the Catholic side) was the fact that they were a minority party and a dissenting and disrupting voice in the state.

Had Protestantism given rise to a new political theory? Marsiglio of Padua, Occam, Gerson, d'Ailly and Cusanus had all acclaimed the sovereignty of the people and the Reformation accelerated and intensified the growth of these ideas. The Calvinist doctrine of the sovereignty of God implied restraints upon the sovereignty of the prince.

6 John Calvin, The Institutes of the Christian Religion, ed. of 1559, cited in Paul L. Hughes and Robert F. Fries, Crown and Parliament in Tudor-Stuart England (New York, 1959), p. 148

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Professor Hans Baron has stated the case in this way:

If preservation of the sovereignty of God in earthly life is in the centre of religion, assignment of unlimited power to a mortal creature is an offense against God. Legal limitations upon the ruler are required by religion. And in the final judgment, heredity of the throne impairs divine selection of the ruler and is therefore inferior to any form of elective government. ⁷

The Calvinist theology led readily to republicanism in politics.

An understanding of these political implications of Huguenotism is essential if one is to view with objectivity and detachment the exclusion of Protestants from assuming a major role in the colonization of North America. At one point they did receive encouragement from Henry IV and Sully to settle overseas and even obtained trading rights in Acadia at the beginning of the seventeenth century. The De Monts settlement was principally composed of Huguenots. Religious liberty was accorded to all at Port Royal; in fact there seem to have been several Protestant pastors among the settlers and to support their families these ministers also worked with their hands.⁸ Father Biard relates how these Huguenots attempted to prevent Jesuit

⁷ H. Baron, "Calvinist Republicanism and its Historical Roots", Church History, Vol. VIII (1939), p. 32

⁸ R.P. Duclos, Histoire du Protestantisme Français au Canada et aux États-Unis (Montreal, 1913), p. 17

missionaries from going to the New World by agreeing to take them on board only if they paid the costs of the entire cargo but Mme. de Guerchville raised the necessary funds for them at court.⁹

The situation on the shores of the St. Lawrence was much the same as in Acadia. When the Recollets came over in 1615 religious strife began, particularly over the public exercise of the Reformed Religion. The New World had not been included, of course, in the areas where the free and public exercise of the new religion was permitted.

Champlain at first permitted the Huguenots at Quebec to assemble for worship but forbade ^{them} to sing their psalms, "a sorry compromise said one of them, but it was the best that could be done."¹⁰ Sixte le Tac records that at the first general assembly of the clergy in Canada, attended by Champlain and six laymen, it was decided to attempt to exclude all Huguenots from the colony.¹¹ The Huguenots were not particularly well behaved, according to the Catholic

9 Auguste Carayon, Première Mission des Jesuites au Canada: Lettres et Documents Inédits (Paris, 1814), Fr. Pierre Biard to R.P. Claude Aquaviva, General of Society of Jesuits in Rome. Dieppe, 21 of January, 1611, pp. 6-7, a also Pierre Biard, Relation de la Nouvelle France (Lyon, 1616), p. 134

10 Duclos, op. cit., p. 18

11 E. Réveillaud, ed., Histoire chronologique de la Nouvelle-France ou Canada (Paris, 1888), p. 90

missionaries, and even forced the priests they were required to bring out in their ships to attend their religious assemblies and listen to their psalm singing.¹² The fact that Quebec fell to Anglo-Huguenots in 1629 did not improve the relations between French Protestants and Catholics.

However, the state officials had started to cooperate with the Catholic clergy to exclude Protestants and Jews from the colonies before the siege of Quebec in 1629. The Edict of Nantes did contain a phrase which suggested that in future religious uniformity might be imposed on the realm. The edict was worded to suggest that Frenchmen should worship with the same intentions even if it had pleased God for the present at least that this worship be not in the same form of religion.¹³ By letters-patent dated April 23, 1615, Louis XIII had ordered that "all Jews who find themselves in our Kingdom, Countries, Lands and Seigneuries of our obedience, be held under pain of their lives and the confiscation of all their goods to evacuate and retire from these places immediately..."¹⁴ No one was

¹² E. Reveillaud, ed., Histoire chronologique de la Nouvelle-France ou Canada (Paris, 1888), p. 106

¹³ J. Lough, An Introduction to Seventeenth Century France (London, 1954), p. 110

¹⁴ M. de St. Mery, Lois (Paris, 1784), Vol. I, pp. 13-14

to give any assistance to expelled Jews and all officers of the law were to impose the full rigours of the law against those who contravened the declarations.¹⁵

The Recollets began agitating to have the Huguenots expelled from Quebec as early as 1621. The numbers of Protestants were considered a danger to the authority of both the church and the state. An assembly was called at Quebec to discuss ways and means "to conserve the Catholic Apostolic and Roman Religion in its entirety, the authority of the King inviolate and also the obedience due to the said seigneur the Viceroy".¹⁶ Powers to carry out a full survey or investigation were granted the Recollet, Father Georges Lebaillif.¹⁷ In 1624 the Recollets petitioned Montmorency to prevent the Huguenots from asserting the public practice of their cult on board ship and at Three Rivers.¹⁸ There was also a request to exclude all Huguenots from the colony but this was not immediately

15 St. Mery, op. cit., pp. 225, 338. Toleration was granted temporarily to Jews in the West Indies in 1671. By a declaration dated September 30, 1683, Louis XIV again forbade the free exercise of their religion and they were given a month to leave the colonies. No mention was made of Canada, so we may presume there were no Jews in Canada.

16 A.P.Q., Manuscripts II, Vol. I, p. 37

17 Ibid., pp. 38-39

18 Reveillaud, op. cit., p. 121

granted.¹⁹

The Huguenot factor might be reduced without resorting to repressive legislation. It was evident that Huguenot influence was already declining in New France. Young Protestant pastors could not come to replace the aging ones, and Huguenot immigration, if not trade, was restricted. Not only was Catholic immigration giving the Catholics the ascendancy in New France, but the clergy had the good sense to encourage the new settlers to take up land and become habitants, whereas the Huguenots tended to remain almost exclusively traders and townspeople, hivernants, therefore regarded as mere sojourners.²⁰ The Caens, uncle and nephew, in the absence of Protestant pastors, themselves organized Huguenot religious assemblies and led the worship. Thus from 1621 to 1627 it would appear that Protestant religious services at Quebec were led by these laymen.²¹

The arrival of Jesuit missionaries in Canada, and the granting of a charter of trade monopoly and administration to the Company of New France in 1627 profoundly affected the position of the Huguenots already at Quebec.

19 Duclos, op. cit., pp. 20-21

20 Ibid., p. 19

21 Ibid., pp. 21-22

The assumption of the seigneurie, administration and commerce of the colony by an association of investors headed by Cardinal Richelieu brought to an end the Huguenot liberties which had never been sanctioned by law in the colony.

Individuals such as the Kirkes and the younger Caen passed over to the English.²² The Company charter excluded Huguenot immigrants and allowed only "natural-born French Catholics" to settle in the colony.²³ Nothing was said about Protestants already resident in the colony, nor was there prohibition of trading activities to Protestants.

However, tolerant Champlain may have been towards the Protestants,²⁴ the fact that they possessed no schools, no literature, no pastors, no public exercise of their religion, no immigration to re-inforce their ranks, and no support from the state authorities meant that they would inevitably be absorbed. Jerome Lalemant, speaking on behalf

22 Luclos, op. cit., pp. 21-22

23 Edits, Vol. I, p. 7

24 The historian Kingsford tried to maintain the thesis that Champlain was not only tolerant of the Huguenots but was likely one himself. He based his theory on the facts that Champlain was born in a predominantly Protestant town, that no Catholic baptismal certificate has been found for him, that Samuel was not normally a name given to Catholic babies, that De Monts (a Protestant) named him his lieutenant, and that he married a Huguenot girl.

of his fellow missionaries in Canada, asked Cardinal Richelieu in 1640 to expunge from the colony the few remaining traces of heresy:

I would venture, My Lord, to express to your Eminence something further which has occurred to me; it seems that Heaven expects from your zeal and generosity that as you could not suffer heresy and foreigners to strike deeper roots in France, so you should not permit them to get a footing in this new fair possession of the Crown. 25

If the Huguenots were not always opponents of absolutism they were at least guilty of rupturing the uniformity of the realm; and uniformity was regarded in France, as in England, as most conducive and salutary to the strengthening of the central authority of the Crown.

At this period in France the Company of the Holy Sacrament, functioning somewhat like a clandestine and intolerant religious police, began to bring all the pressures it could enlist to interfere with Protestant enterprises. One contemporary described it in these terms: "Certain people...meddled in politics and had for design to install the inquisition in France...it was a device urged on by the spirit of the Jesuits".²⁶ Besides striving to have Huguenots barred from the professions and trades, the Company of the

25 F. Lu Creux, The History of Canada, or New France (Toronto, 1951), Vol. I, pp. xx-xxi

26 W.J. Stankiewicz, Politics & Religion in Seventeenth Century France (Toronto, 1960), p. 150, n. 55, citing Gui Patin to Falconet, September 28, 1660

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Holy Sacrament fomented anti-Huguenot riots. The Company had been instrumental in providing silver ciboria instead of copper and pewter ones in village churches, in illuminating monstrances, and in establishing the cult of the perpetual adoration of the Eucharist; they now turned popular religious fervour against Huguenots who failed to show proper respect when the viaticum passed in the streets.²⁷ As has already been seen, the Company of the Holy Sacrament had a great influence on the thinking of many of the clergy in New France.

In any case the work of converting the few Huguenots in the colony was pursued with zeal. The Jesuits rejoiced on May 21, 1646, when a Huguenot who had passed for a Catholic, but had been secretly attached to Protestantism, openly acknowledged his pretence, abjured and made a full profession of faith to the superior.²⁸ One may wonder how many other colonists made the same pretence of being Catholics, perhaps observing all the externals of that religion, but inwardly were still Huguenots. In December of the same year a soldier abjured Protestantism and was considered a particularly valuable convert because of his

²⁷ H. Beauchet-Filleau, ed., Annales de la Compagnie du St. Sacrement (Marseille, 1900), p. 248

²⁸ Journal des Jésuites, p. 46

singing abilities.²⁹ Again in April, 1657 the Jesuits recorded the conversion of a domestic servant "according to the formula of the Council of Trent".³⁰ The arrival of Laval to the colony probably increased the pressures placed on the remaining Huguenots to abjure their religion. Twelve days after his arrival he "had a heretic abjure after vespers".³¹ The smallpox epidemic which struck the colony enabled the nuns to participate in the work of proselytism. Not only did numerous Indians accept Catholicism, but Dollier de Casson remarked that a "great number of Huguenots" were convinced during the course of the winter and "there were up to five who died as Catholics to the great satisfaction of their souls".³² Marguerite Bourgeoys reported the deathbed abjuration of two Huguenots brought down by the plague during her crossing of the Atlantic in 1659.³³

The royal edict of 1657 confirming the charter rights of the Company of New France re-affirmed the immigration policy enunciated in 1627; no foreigners would be

29 Journal des Jésuites, p. 74

30 Ibid., p. 208

31 Ibid., p. 259

32 Dollier de Casson, Histoire du Montreal, 1640-1672 (Montreal, 1871), p. 80

33 Yvon Charron, "Itineraire spirituel de Marguerite Bourgeoys, Revue d'Histoire de l'Amérique Française, Vol. II, No. 3 (December, 1948), pp. 370-371

permitted in the colony and only natural-born French Catholics might settle there.³⁴ To assure the proper religious care of the inhabitants the Company was required to provide three priests for each settlement. In 1661 Louis XIV started to write his memoirs and although he indicated that the Huguenots might live within the restrictions then in force he betrayed a vague idea that eventually a change in policy might be necessary. He recorded for posterity the conviction that it was best to avoid all form of pressure as "the best means of reducing little by little the Huguenots of my kingdom", although it was necessary to enforce existing restrictions and to "restrict the execution of them within the narrowest bounds".³⁵ When a rumour circulated in England that Louis XIV was preparing to break his alliance with the Protestant powers and to attack Geneva he sent his ambassador a vigorous denial for publication:

It is a fable...that those envious of me spread, with the design of making me lose the affection of all the Protestants, of whom this state has had sometimes great need...Never has the thought come to my mind, as the future will show. I have the passion I ought to have for the true worship of God, but I do not believe it is His Will that

³⁴ Édict du Roy pour l'Establissement de la Compagnie de la Nouvelle France (Paris, 1657), pp. 5-6. Photostat in Ayer Collection, Newberry Library

³⁵ Stankiewicz, op. cit., p. 172

it be established by the armies or by the invasion of the States of others. ³⁶

Colbert, as a mercantilist, opposed religious intolerance. He praised the tolerance of the Dutch and cited the disastrous results of the expulsion of the Jews and Moors from Spain when he urged the French clergy not to press the Huguenots to the point where they would be rendered "almost useless in the service of the King". ³⁷

However, the commission of De Tracy enjoined on him the duty of bringing all peoples in his jurisdiction to a knowledge of God and to establish the exercise of the Catholic religion "to the exclusion of all others"; Courcelles and later Frontenac were also instructed to exclude all Huguenots from the public exercise of their religion. ³⁸ The prohibition of Protestant worship was specifically applied to Acadia too. ³⁹ A certain miller called Voil, who was a backslider and apostate, was pursued in 1660, but it seems that charges of witchcraft which were also

³⁶ C.G. Picavet, La Diplomatie Française au Temps de Louis XIV, 1661-1715 (Paris, 1930), p. 161, Louis XIV to Comminges, January 28, 1663

³⁷ P. Clement, Lettres, Instructions et Mémoires de Colbert (Paris, 1861-73), Vol. II, pp. 738, 742; Vol. III, Pt. II, p. 403

³⁸ Collection de Manuscrits, Vol. III, pp. 158, 173, 220

³⁹ A.S.Q., Polygraphie IV, No. 31, Louis XIV to Charles de Conigan de Cange, July 2, 1659

made against him were not pursued.⁴⁰ The shortage of skilled labourers in the colony did not permit too rigid an application of the decrees forbidding Protestants to winter in New France. On August 20, 1664, the Sovereign Council, at a meeting at which Bishop Laval was present, voted in favour of granting two Protestant carpenters who had stayed in the colony three months beyond their year of contract their full salaries and fares to France.⁴¹ These two incidents indicate that the policy towards Huguenots was still somewhat flexible.

The arrival of troops to the colony in 1665 marked the advent of another group of Huguenots. As soon as it was realized that there were a number of Protestants among the soldiers and officers the clergy and their Bishop were joined by the Governor and Intendant in efforts to convert the heretics. One case in particular caused a great deal of stir in the colony - captain Berthier of the Carignan regiment made his abjuration in the presence of the assembled clergy and people of Quebec, the Bishop, Lieutenant-

40 P. Ragueneau, La vie de la Mere Catherine de Saint-Augustin (Paris, 1671), pp. 164-165

41 Jugements, Vol. I, pp. 262-263

General, Governor and Intendant.⁴² Talon was probably aware of the fact that in 1663 Colbert had offered 3,000 livres to the Bishop of Uzès to aid a Huguenot lawyer by buying him an office, provided he made a sincere conversion.⁴³ In any case he did not hesitate to ask the King for a gratification of 1,200 livres for the converted officer, who would be disinherited by his family.⁴⁴

The number of conversions multiplied. Talon wrote that although he had been in Canada only one month he had heard of no less than 16 conversions "so that Your Majesty already reaps with full hands glory for God and itself, also renown throughout the full extent of Christendom".⁴⁵ The Jesuits were visiting all the incoming ships looking for heretics who might be induced to abjure Protestantism.⁴⁶ One source computes 69 conversions from Protestantism to Catholicism in Canada between 1662 and 1686.⁴⁷ These

42 Journal des Jésuites, p. 336; also M. Regis Roy, "Issac et Alexandre Berthier, Capitaines au regiment de Carignan", Transactions of the Royal Society of Canada, Vol. VII (1913), Sec. I, pp. 125-137

43 Stankiewicz, op. cit., p. 191

44 Roy, op. cit., pp. 130-135

45 P.A.C., Series C11A, Vol. II, Talon to Colbert, October 7, 1665, p. 224; also A.A.Q., Eglise du Canada, Vol. VI, p. 1

46 Journal des Jésuites, pp. 74, 334

47 A.S.Q., Polygraphie VIII, No. 66, Petit cahier de l'abbé Antoine Parant

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abjurations are distributed as follows:

1662 - 1	1667 - 3	1672 - 2	1681 - 1
1663 - 1	1668 - 3	1673 - 2	1684 - 1
1664 - 3	1669 - 4	1678 - 1	1685 - 6
1665 - 23	1670 - 1	1679 - 2	1686 - 4
1666 - 4	1671 - 6	1680 - 1	

Among these conversions there were two women, a surgeon, two Lutherans and one Scottish Presbyterian.

It would be wrong to imagine that all attempts to convert Huguenots were successful. The fact that there were still Huguenots to convert 60 years after immigration had been made selective, and that there were two women among the proselytes, is proof of this. The best known incident of the final conversion of a refractory is that of a stubborn Huguenot who upon falling ill was taken to the hospital at Quebec where Mother Catherine de Saint-Augustin determined to win him over. She ground a small fragment of a bone of the martyred Father Brebeuf, mixed it with the soldier's broth and then witnessed him become gentle as a lamb and abjure his heresy.⁴⁸

It would seem that Protestants were still coming

48 A. Casgrain, ed., Mère Juchereau: Histoire de l'Hôtel-Dieu de Québec (Montreal, 1888), p. 180

to the colony to trade. Laval maintained that such a practice endangered the colonies. The Minister instructed La Poype at Placentia to take care that "the sacraments are frequented and administered as befits good Catholics".⁴⁹ The instructions to Patoulet in Acadia reveal an even greater lapse of enforcement of the regulations against Huguenots:

The King desiring that the religion of which His Majesty makes profession alone be exercised in isolated areas which are nevertheless under his dominion, sieur Patoulet will take notice what is the religion of the people of the said country; if there are priests who administer the sacraments to them; how they live there; if they have meeting places; and if there are ministers of the pretended reformed religion who make public exercise of their religion. 50

For these reasons Laval complained that the sending of Protestant clerks to the colony ought to be stopped. He was certain the Protestants held very convincing lectures, that they lent devotional books, and that they sometimes even dared to meet together among themselves for worship and prayer.⁵¹ There was a particular danger to religion because some of the colonists began to speak well of them, began to

⁴⁹ A.C., Series F3, Vol. LIV, Instructions to La Poype, April 7, 1670, pp. 254-255

⁵⁰ Clement, op. cit., Vol. III, Pt. II, Colbert to Patoulet, March 30, 1671, p. 522

⁵¹ Collection de Manuscrits, Vol. I, p. 204

draw comparisons between the Protestant clerks and the Catholic youth of the colony which were much to the disfavour of the Catholics, and began to ignore the depth of error these heretics were in.

There was also a political danger to the state in allowing Protestant clerks to visit the colony without restriction. This was the burden of Laval's memorandum of 1670:

Examining the matter from the side of the State, it appears to be no less important. Everybody knows that the protestants in general are not as attached to His Majesty as are the Catholics. Quebec is not very far from Boston and other English cities; to multiply the number of Protestants in Canada would be to give occasion to foment revolutions. Those who are there have hardly taken any particular part in the success of His Majesty's arms; we saw them answer with a certain haste at every little setback that occurred. A prohibition to French merchants to send out Protestant clerks would suffice to remedy this abuse. 52

The King was very favourable to this suggestion and praised Laval for his interest in building a strong and loyal colony and he expressed his appreciation of the bishop's efforts to correct "the vices and imperfections which could somewhat prejudice" the royal power.⁵³

But there was a division of official opinion in

52 Collection de Manuscrits, Vol. I, pp. 204-205

53 P.A.C., Series B, Vol. II, King to Bishop, April 10, 1670, p. 65

France on the treatment to accord the Protestants. Some favoured proscription. Others, like Colbert, disliked the Protestant religion but liked the Protestant commerce and industry. In 1661 Louis XIV began his personal rule and there followed a steady deterioration in the position of the Huguenots in the mother country. The General Assembly of the French Clergy in 1665 wished to restrict Protestant liberties to the narrowest possible interpretation of the Edict of Nantes and other concessions.⁵⁴ There began a steady erosion of Protestant privileges and a retrenchment of liberties and privileges they had assumed as part of the natural development of their churches but which were not sanctioned in the Edict of Nantes, the Grace of Alais or the several royal declarations. In a four-year period following 1660 no less than 187 Huguenot places of worship were demolished on the orders of the civil authorities.⁵⁵ This growing hostility to the open exercise of the Protestant cult could only encourage those in the colony who wished to stamp out the few remaining vestiges of Calvinism.

54 J.G. Lorimer, An Historical Sketch of the Protestant Church of France (Edinburgh, 1841), p. 239

55 Lorimer, op. cit., pp. 91-92. In 1626 there were 623 temples and 638 pastors in France; in 1637 there were 807 temples served by 647 pastors; by 1685 there were over 2,000 pastors. The increase seems to have been steady until 1669.

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The successive measures taken by Louis XIV to stamp out the Huguenot religion in France explain the views adopted in the colony towards the religious minority. The royal edicts appear to have been applicable to all the territories of the realm. Their number and attention to details merit recording: on December 2, 1656, Protestant worship was forbidden in towns where there was a Catholic bishop; and this was extended on July 31, 1679 to cancellation of all Protestant services during the visit of a Catholic bishop to any town or village; on January 11, 1657, Protestant pastors were once more limited to preaching only in their place of residence; on May 6, 1659 and March 17, 1661, the singing of psalms in the streets, outside temples and in private homes was forbidden; on January 25, 1661 the Protestants were forbidden to refer to themselves as "orthodox" Christians; on March 24, 1661 gentilshommes were forbidden to show any public exercise of the Protestant religion; in March 1662 children of Catholic fathers and Protestant mothers were ordered baptized at church; on August 7, 1662 Protestant burials were restricted to the hours of dawn and dusk; on January 19, 1663 all Protestant publications required a license from the King's Council; on February 26, 1663 most secondary schools under Protestant control were ordered closed; on June 30, 1663, Protestant ministers were prohibited from wearing a distinctive garb

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or accepting titles; on October 5, 1663 Protestant magistrates were divested of the privilege of presiding at any royal court; on October 24, 1663 and on January 30, 1665 Huguenot parents were ordered to pay pensions to their children who became Catholics even if these children ceased to live with them; On August 7 and November 3, 1664 the Huguenot dead were ordered buried quietly at night; on September 18, 1664 and May 12, 1655 priests were given the right to enter the homes of sick and dying Huguenots to solicit them in the presence of a magistrate to convert; on January 11, 1665 new converts to Catholicism were freed of any debts they owed Protestants; on June 20, 1665 relapsed persons and apostates were ordered banished; on October 5, 1665 the Huguenots were forbidden to publicly exercise any works of charity, even to their co-religionists; on January 21, 1668 those who abjured Protestantism were freed of all debts for three years; on November 9, 1670 no more than twelve Protestants were allowed to attend a wedding or a christening; on February 9, 1672 Protestant temples were forbidden to have elevated pews for the chief magistrates, were forbidden to display the arms of the King or of towns and provinces, and were forbidden to allow any members of the congregation to wear any marks or

insignia of office.⁵⁶

Nevertheless, as has already been pointed out, there were voices raised in favour of toleration. Grand'fontaine in Acadia was instructed to show toleration to the non-French inhabitants of Acadia so long as they were willing to swear allegiance to Louis XIV.⁵⁷ Indeed, a Dutchman called van Hemskerk was given a right to trade in Arctic waters and to establish settlements for France, provided he took along sufficient priests to serve the needs of the settlements.⁵⁸ Colbert engaged several Dutch manufacturers to settle in France. The line between toleration and oppression was not clearly demarcated. Consequently, in 1671 Talon thought it necessary to ask advice concerning a Sieur de Monteil from Gascony, captain of one of the companies of troops, who wished to return to the colony in order to marry a widow one of the leading families. The gentleman in question refused to abandon his Protestant beliefs.⁵⁹

56 F. A. Isambert et al., Recueil général des anciennes lois françaises (Paris, 1829-33), Vol. XVI, p. 412; Vol. XVII, pp. 286, 339, 346, 369, 380; Vol. XVIII, pp. 20, 22, 23, 55, 440; Vol. XIX, pp. 5, 150, 204, 231, 256, 424

57 Collection de Manuscrits, Vol. I, p. 194

58 A.P.Q., Ordres du Roi, Series B, Vol. II, pp. 44-46

59 P.A.C., Series C11A, Vol. III, Talon to Colbert, November 2, 1671, p. 214

Louis XIV was informed of the presence of quite a number of Huguenots in the Acadian fisheries. Bishop Laval felt that this was a particular threat to the unity of North America empire. Accordingly, Patoulet was instructed in a letter dated March 30, 1671, that only the King's religion was to be freely professed in Acadia and that diligent inquiry should be made to determine if Huguenots were meeting secretly in homes, if there were any Protestant pastors in the New World, and if at any time there was public worship outside the royal religion.⁶⁰ But enforcement does not seem to have followed. Bishop Laval resumed his complaints against the Huguenot activities in Acadia. Finally, on May 11, 1677, Dudouyt was able to obtain an interview with Colbert and made strong representations on behalf of the Canadian clergy that the Huguenots be forbidden to settle in the colony, that they be forbidden to winter in the colony if they came out as traders or fishermen.⁶¹ Colbert told Dudouyt that little attention had been paid to the problem, but that in the future Huguenot merchants would be discouraged from wintering over. Indeed, the Catholics in

60 A.P.Q., Ordres du Roi, Series B, Vol. III, p. 66

61 A.S.Q., Lettres N, No. 48(a), Dudouyt to Laval, May, 1677

the colony who still had their wives in France should immediately send for them so that a more stable Catholic settlement might be built up. Colbert also made it quite clear that Huguenots henceforth would require special permission to trade in North America and in no case would they be allowed to winter there without the express permission in writing of the Intendant.⁶²

The police regulations drawn up at Quebec on May 11, 1676 reflected this attitude towards the Protestants. Article thirty-seven of the regulations provided:

Prohibition is made to persons of the Pretended Reformed Religion to assemble together for the exercise of their Religion throughout the extent of the said country under penalty of chastisement following the rigours of the ordinances, which persons may not winter in future in the said country without permission, and that if some were to winter there for legitimate cause they will have no public exercise whatever of this Religion and will live as Catholics without scandal.⁶³

There is record that the Sovereign Council, the following year, accorded a recent convert named Petit the rights and privileges of other colonists provided he cultivate the soil like other habitants.⁶⁴

There were signs that the King might be willing to

62 A.S.Q., Letters S, No. 93, Ludouyt to Laval, May 12, 1677

63 Jugements, Vol. II, p. 72

64 Ibid., Vol. II, p. 174

permit further restrictions being placed upon Protestants. In 1676, in a moment of repentance from his amorous liaisons, he gave a substantial sum of his revenue from the régale to a fund known as the caisses de conversions for the work of converting Huguenots.⁶⁵ The clergy sent the sum rapidly on a few conversions, but the King was left with the impression that Protestants were not very attached to their religion and that there was little difficulty in inducing them to abandon their worship. Then the "conversion" of some 37,000 Huguenots by Marillac's dragonnades in Poitou in 1681, and the growing enthusiasm of Seignelay, Archbishop Harlay of Paris, Father la Chaise, Louvois and Mme. de Maintenon for the extirpation of Protestantism, frightened the pastors into attempts to prove their loyalty to the monarchy.⁶⁶ One of them even attempted to contrast Protestant fidelity with the undermining doctrine of the Jesuits:

Where is it commonly taught that the Kings depend on God himself and that they possess a divine power of which no ecclesiastical person, no community of people, may relieve them? Is it not in the Protestant religion? Where is it at least permitted to believe that toyalty is only human authority which always remains in submission to the people, who have granted it, or to the church which may deprive

65 Stankiewicz, op. cit., p. 191

66 Ibid., p. 195

of it? Is it not in the Roman church? 67

Nevertheless, the idea was already ingrained that to be different from the King, even in religion, was somewhat seditious. From such a position it was easy to pass to the idea that indulgence for heretics was tantamount to condoning injustice towards the majority of the loyal subjects.

A flood of some four hundred edicts and ordinances directed against the Protestants followed. Protestants saw many temples, academies and schools closed; they were barred from the professions and many trades; their family life was invaded; they were forced to support Catholic parishes.⁶⁸ Quebec seems to have been informed that no Huguenot was to be allowed to manage a farm or hold a judgeship.⁶⁹ In 1663 the King again ordered the expulsion of all Jews from the colonies; Michel Begon, whose sister was married to Duchesneau, as Intendant in the West Indies opposed the order as ruinous to commerce.⁷⁰ Colbert, who had always opposed

67 Lodge, op. cit., p. 7 citing Paul Fetizon, Apologie pour les Reformes ou l'on voit la juste idée des guerres civiles et les vrais fondements de l'Édit de Nantes (The Hague, 1683), p. 174

68 de la Roque, Memoires de l'Eglise (Paris, 1693), pp. 321, 328-336, 354

69 A.S.Q., Polygraphie IV, No. 4, no pagination

70 L.C. Wroth and G.L. Arnan, Acts of the French Royal Administration (New York, 1930), p. 28; Y. Bezaré, Fonctionnaires Maritimes et Coloniaux sous Louis XIV, Les Begon, (Paris, 1932), p. 58

persecution which would be harmful to commerce and industry, had recently died. Many contemporaries viewed the renewed measures against the Huguenots as necessary and legitimate. They said that temples were demolished because many had been built without permission and in areas where only private worship was permitted, that many academies and colleges had not obtained proper royal sanction, that rogues used the mixed courts (chambres mi-parties) to escape justice, that Protestant congregations received relapsed Catholics into their communion, that Protestants were less than wholeheartedly loyal being a mercenary middle class faction prone to rebellion and sedition.⁷¹

There is another aspect to this political nature of the persecution of the Huguenots. From 1673 to 1682 there raged a quarrel between the King and the Papacy over the régale, culminating, as we saw in an earlier chapter, in the adoption by the French clergy of those ideas, set forth in the cahiers of the Third Estate of 1614. Now, each time the King quarrelled with the Papacy in order to defend himself against the pretensions of the Holy See he was also forced to mete out some severe treatment to the Huguenots to avoid the charge that by his actions he was encouraging

71 de la Roque, op. cit., pp. 302-304

heresy to spread in his realm. The Assembly of the Clergy of 1682 which drew up the Gallican Principles was, therefore, in part responsible for driving Louis XIV, as the "eldest son of the church" and "His Most Christian Majesty", to make plans for the revocation of Protestant toleration. At least one Protestant contemporary correctly gauged the turn of events:

The last assembly of the Clergy not being able to terminate the differences existing between the King and the Pope has sought the means to bring back into its communion all the Protestants of France, so that if on hand it removed from the Papacy great privileges it might console him on the other hand by giving hope of adding such a great people to his Empire; and that if one saw it divided from the head of the Church in order to sacrifice everything to the interests of a temporal prince, one could not however reproach it for possessing neither piety nor Religion.⁷²

This raised the question of whether the efforts were to be in the direction of enforced uniformity or in negotiations for reunion.

Reunion through negotiation was not without its advocates. When Bossuet was still dean at Metz he entered into long discussions with the renowned Protestant pastor and preacher, Paul Ferry, also of that city. In 1666-67 they actually called a conference on church reunion. Bossuet

⁷² Jacques Basnage, Examen des methodes proposees par Messieurs de l'Assemblee du Clerge de France en 1682 (Cologne, 1684), pp. 1, 2. Cited by Lodge, op. cit., p. 13

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summarized some of the results of these efforts:

We remained agreed that we were obliged on both sides to work with all our strength to remedy the schism which separates us...It seemed to both of us that a century and a half of disputes should have brought to light many points, that we should now have retired from extreme measures and that it was time as never before to see on what we could agree... We agreed that the primary question which had to be asked as a basic one was to determine if the dogmas over which they departed from us destroyed according to their principles the foundations of salvation...M. Ferry having said to me that this was an undertaking worthy of the King, to work towards such a great end, I replied that this matter, respecting religion and conscience, must be first of all treated among theologians to see to what point it could be carried...73

The Gallican party, of course, saw that in making the General Council the highest authority in the church it was leaving open a way for the reunion of Protestants and schismatics with the Catholic Church. It was the Ultramontane party that opposed these overtures. Bishop Bossuet was quite aware of the problems and wrote frankly on the subject to his Protestant counterpart:

But I maintain that one of the means that must be taken and retained with the greatest care in the design to accommodate our controversies is to stop at the most simple and least involved expositions, which are also ordinarily the most truthful. And that is why, Sir, I chose the one you approved and of which it is certain all our theologians will be very happy, and that none will ask more from it for the integrity of faith, no person

73 H. Massis, Lettres de Bossuet, Bossuet to Paul Ferry, August 21, 1666, pp. 165, 166, 171

being constrained to follow the individual sentiments of Cardinal Bellarmin. 74

Yet it was precisely here that lay the stone of stumbling; the Jesuit cardinal and the Ultramontane party soon brought to an end serious consideration of a compromise statement broad enough to comprehend even Huguenots in the national church. Bossuet in his Exposition de la Foy Catholique, published in 1671, and written it seems for the recently converted Marshal Turenne, again attempted to reduce the points of controversy between Huguenots and Catholics to the narrowest possible terms. But those who favoured reunion on such terms were few on either side.

In the colony there were those, like Cardinal Bellarmin, in the homeland, who would have no truck nor trade with the heretics. Bishop Laval, in particular, waged an unremitting campaign against them. In 1682 he warned the Minister of the Marine of the religious and political dangers of Huguenotism in the colonies:

It is also very important that we allow no relaxation of the King's edict which forbids Huguenots to take up residence in this country, especially that they not be suffered in Acadia because of the proximity of the English and Dutch.75

74 Massis, op. cit., Bossuet to Paul Ferry, October 28, 1666, pp. 175, 176

75 A.S.Q., Lettres N, No. 68a, Laval to Seignelay, November 12, 1682

Dudouyt had learned that some Huguenots were planning to establish a stationary fishery in Acadia and that there was also a proposal to bring a Protestant pastor with them. The enterprise was led by "a most obstinate Huguenot" called Bergier whose family came from La Rochelle and who had associated himself with three Protestants from Paris (Gautier, Boucher and De Mantes). Since De la Valliere, the acting commander at Acadia, had granted New England fishermen the permission to fish in Acadian waters upon payment of a small toll, it seemed only right to allow French Protestants equal rights with foreigners. Colbert granted them permission in 1682 to establish a coastal fishing station and build a fort to protect it.⁷⁶ Laval protested that these heretics "have too much communication with the English of Boston" and opined that the Minister of the Marine ought not "to suffer this disorder of which you can well foresee the consequences".⁷⁷ Bergier's enterprise must have succeeded because in 1684 Louis XIV appointed him lieutenant for the coasts of Acadia for a three-year term.⁷⁸

⁷⁶ C.W. Baird, History of the Huguenot Emigration to America (New York, 1885), Vol. I, p. 144

⁷⁷ A.S.Q., Lettres N, No. 74 (2), Laval to Seignelay, November 10, 1683

⁷⁸ Baird, op. cit., Vol. I, p. 145

The Edict of Fontainebleau of October 8, 1685, which was registered on October 22, revoked the "perpetual and irrevocable" Edict of Nantes on the grounds that the greater part of the Protestants had embraced the Catholic religion. Just before the revocation Louis XIV had written, "I cannot doubt that it is the divine will which wishes to use me to set back in its paths all those who are subject to my orders".⁷⁹ Not only did an edict of toleration seem unnecessary if, as the King said, "the best of the larger part of our subjects who formerly held the so-called reformed religion have embraced the Catholic religion", but the King was the sole surviving member of the compact of 1598 and could therefore alter it.⁸⁰ Saint-Simon was harsh in his appraisal of the situation:

The revocation of the edict of Nantes, without the slightest pretext or necessity, and the various proscriptions which followed it, were the fruits of a frightful plot, in which the new spouse was one of the chief conspirators, and which depopulated a quarter of the realm, ruined its commerce, weakened it in every direction...

The King congratulated himself on his power and his piety. He believed himself to have renewed the days of the preaching of the apostles, and attributed to himself all honour. The Bishops wrote panegyrics to him, the Jesuits made the pulpits resound with his praises...

79 Lough, op. cit., p. 275

80 Baird, op. cit., Vol. I, pp. 257-258; also Stankiewicz, op. cit., pp. 185-186

He heard nothing but eulogies, while the true and good Catholics and the true Bishops, groaned in spirit to see the orthodox act towards error and heretics as heretical tyrants and heathens had acted against the truth, the confessors, and the martyrs. They could not above all endure this immensity of perjury and sacrilege. 81

Criticism was directed at the means rather than the end.

The Edict of Fontainebleau simply put the seal of legality on a work of extermination of Protestant worship which was largely accomplished by October 1685.⁸² The greatest work of conversion was accomplished by the "booted missionaries" and the Intendants "who lead them in exhorting the heretics and saying plainly that the King wants no more than one religion in his Kingdom".⁸³ Nevertheless, there was a great apprehension in the realm that the dragonnades and other "excesses" would ruin French commerce and industry, and voices were raised in Catholic ranks against forced conversions.⁸⁴ It has been estimated that between 1600 and 1720 about one million Huguenots left France:(this represented a serious loss from the ranks of the middle class, also included some 12,000 first class soldiers and sailors) and

81 B. St. John, The Memoirs of the Duke of Saint-simon (London, 1900), Vol. III, pp. 3-4

82 P.A.C., A.S.M.E., Vol. IX, Lucouyt to LeFebvre, July 8, 1685, fol. xi, p. 640

83 Ibid., Vol. IX, Pallu to LeFebvre, September 17, 1685, fol. xiii, p. 697

84 P.A.C., Collection Arnoul, Vol. 21.333, (June 8, 1686), pp. 365-366

that 20,000,000 livres in specie passed abroad.⁸⁵ Marine statistics indicate that there was a sudden and quite substantial increase in the number of "deserters" and religionists sentenced to the galley fleets in the period 1685-87.⁸⁶

What were the effects or results of these developments on New France? To begin with the ordinances against Protestants appear to have been circulated in Canada.⁸⁷ In 1686 Louis XIV informed Denonville that the Edict of Nantes had been revoked and that if any Huguenots in the colony refused instruction in the Catholic religion he was authorized as Governor to order troops quartered on such heretics or to have them imprisoned "being careful to accompany this rigorous treatment with the necessary provisions for their instruction" and in all matters to act with the advice of the Bishop.⁸⁸ Denonville wasted no time in replying that the situation was firmly in hand and that not a single

85 Stankiewicz, op. cit., p. 240

86 P.W. Bamford, "The Procurement of Oarsmen for French Galleys, 1660-1748" American Historical Review, Vol. LXV, No. 1 (October 1959), p. 36

87 A.S.Q., Polygraphie IV, No. 4, no pagination

88 A.C., Series F3, Vol. VI, King to Denonville. May 31, 1686, fol. 266

Huguenot remained.⁸⁹ This was somewhat less than the truth.

Denonville, whose father had been converted from Protestantism,⁹⁰ found a wealthy merchant at Quebec, Bernon, quite unwilling to abandon his Protestant religion or to accept instruction in Catholic doctrine. The Bishop wanted the obstinate Huguenot banished and eventually Denonville agreed but with some regret because Bernon was held in high esteem locally, had carried on a large business and he left behind him "a great deal of money due to him".⁹¹ This was probably the same Gabriel Bernon who settled in Boston and established a thriving business in that city.⁹² There were probably other cases of Huguenots who resisted or else externally conformed to the requirements imposed by the church. Legislation was continued throughout the ancien régime in France to force Huguenots to conform.⁹³ As late as 1736 in New France the Governor and Intendant took action

89 E.B. O'Callaghan, ed., Documents relating to the Colonial History of the State of New York (Albany, 1883-87), Vol. IX, p. 312

90 B.R.H., Vol. XXIX, Vol. I (September, 1923), p. 285

91 Duclou, op. cit., pp. 29-30; also Baird, op. cit., Vol. I, p. 127

92 Baird, op. cit., Vol. I, p. 127

93 Isambert, op. cit., Vol. XX, pp. 354, 547; Vol. XXI, p. 296; Vol. XXII, pp. 223, 275, 297, 482

against Huguenots in the colony.⁹⁴

The Baron Lahontan observed that instead of banishing the Protestants with their skills and their money the Court should have sent them to Canada:

I'm convinced that if they had received positive assurances of enjoying a liberty of Conscience, a great many of 'em would have made no scruples to go thither...we have more reason to believe, that if the huguenots had been transported to Canada, they had never departed from the fealty they ow'd to their natural Sovereign. 95

His observations were inaccurate in several respects. First, the Edict of Fontainebleau attempted to prevent Huguenots from leaving France, with the exception of their pastors. Secondly, in the early days of colonization they had been free to come to Canada but had not done so because their interests were not in agricultural settlement, missionary work among the Indians, or pursuit of the fur trade in the interior. They were content to remain in France under toleration, to invest in the fur trade, the fisheries and other enterprises. Thirdly, for reasons of security the King could not allow a large-scale Protestant settlement in New France next door to a Protestant New England. Lahontan

94 P.A.C., Series B, Vol. XLIX, Council of Marine to Beauharnais and Dupuy, May 14, 1736. fol. 643

95 R. G. Thwaites, New Voyages to North America by the Baron de Lahontan (Chicago, 1905), Vol. I, pp. 392-393

saw the religious aspects of the question of Huguenotism but he was quite silent about the political connotations of the faction.

After the revocation of toleration the problem in France was to curtail the proselytizing zeal of the clergy so that the emigration of Protestants might be halted.⁹⁶

Some Huguenots took refuge in the English colonies and this became a particular source of anxiety to the clergy in New France who imagined that in the event of an invasion from New York these "renegades" would be among the foremost assailants. The first legislative assembly in New York in 1683 had passed a Charter of Liberties and Privileges which granted religious freedom to all persuasions, a measure designed especially to give freedom to Governor Thomas Dongan and his fellow Catholics.⁹⁷ However, large numbers of Walloon Protestants settled in New York and after the revocation of the Edict of Nantes the French-speaking Protestant population of the colony was about one-quarter of the total population. There were five or six Huguenot churches in the town of New York itself served by

⁹⁶ P.A.C., Collection Arnoul, Vol. 21.332, (September 24, 1685), p. 129, (October 9, 1685), p. 169; Vol. 21.333, (March 12, 1686), p. 158, (October 23, 1685), p. 218, (June 8, 1686), pp. 363-365

⁹⁷ W. Sweet, Religion in Colonial America (New York) 1953), p. 207

outstanding French pastors.⁹⁸

Huguenots from Montreal and Quebec seem to have joined their co-religionists from France who had fled to New England. The Governor may have exaggerated in 1683 when he said that there were "over sixty of those miserable French deserters at Orange, Manatte and other Dutch places under English command".⁹⁹ An agent sent from Massachusetts to Quebec to negotiate the exchange of prisoners of war found several French Protestant officers and soldiers" in New France who had "a great desire for Protestant liberty"; they had been deterred from escaping to New England by the fact that several others who had attempted to desert had been executed.¹⁰⁰ To further discourage the Huguenots from rallying in New York against the colony on the St. Lawrence the Jesuits were reported to have their agents among the refugees in the English colonies. Most prominent among these agents was Jean Baptiste de Poitiers, sieur Du Buisson, who resided at various places in New York between the years 1676 and 1681.¹⁰¹ To strengthen the colonial efforts to

98 L. B. Wright, The Cultural Life of the American Colonies (New York, 1957), p. 57

99 O'Callaghan, op. cit., Vol. IV, p. 203

100 Baird, op. cit., Vol. I, p. 124

101 Ibid., p. 125

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prevent the emigration of the few Huguenots the King issued a royal ordinance on March 30, 1687, forbidding the inhabitants of New France to take up residence in the adjoining foreign colonies.¹⁰² This last move may have been connected with the "desertion" of large numbers of Huguenots deported to the Antilles, to the English, Dutch and Danish colonies. In November 1686 Denonville had learned that some fifty or sixty Huguenots from St. Christophe and Martinique had arrived in New York - "fresh material, this, for banditti" he commented to Seignelay.¹⁰³

The most difficult area in which to deal with the Huguenots of New France was obviously in the outports of Newfoundland. Parat reported in August 1685 that a Huguenot captain was holding public prayer meetings at Placentia and that he had "debauched", that is converted, an individual who had recently abjured Protestantism.¹⁰⁴ He also noted that three captains of vessels engaged in fishing did not have a single Catholic on board. The following month he reported that at Petit Plaisance only two Huguenot families remained, and that an English family had

102 A.C., Series F3, Vol. VI, Ordinance of March 30, 1687, fol. 280

103 O'Callaghan, op. cit., Vol. IX, p. 509

104 A.C., Series F3, Vol. LIV, Parat to Minister, August 14, 1685, fol. 263

abjured its heresy.¹⁰⁵ But the Huguenots he found most entrenched in their beliefs and unwilling to consider monetary gratifications in return for converting.

The following year Parat reported that several had abjured (and he enclosed certificates of abjuration to sustain his claims) and that the Huguenot port surgeon at Placentia he had sent back to Marseilles.¹⁰⁶ The daughters of Huguenots he was sending to Quebec to be educated by the religious.¹⁰⁷ But he wondered if he might arrest the Protestant Frenchmen who worked on English vessels.¹⁰⁸ His experience had somewhat disillusioned him about the true value of these "conversions". An Englishman who had asked to be allowed to settle at Placentia, and who promised to become a Catholic, scarcely impressed him for he commented "those who made themselves Catholics long ago appear now to have no religion at all".¹⁰⁹ Parat may have been among the first to suggest that it was preferable to be a misguided

105 A.C., Series F3, Vol. LIV, Parat to Minister, September 22, 1685, fol. 271

106 Baird, op. cit., Vol. I, p. 145

107 O'Gallaghan, op. cit., Vol. IX, p. 922

108 A.C., Series F3, Vol. LIV, Parat to Minister, August 23, 1686, fol. 279v

109 Ibid., Vol. LIV, Parat to Minister, September 21, 1686, fol. 281v.

Christian than to be indifferant to religion.

There were voices raised in France too against the treatment accorded the Huguenots. Few expressed themselves more clearly than did Fénelon:

Liberty of thought is an impregnable fortress, which no human power can force. Violence can never convince; it only makes hypocrites. When kings take it upon them to direct in matters of religion, instead of protecting it, they bring it into bondage. You ought, therefore, to grant to all a legal toleration; not as approving everything indifferently, but as suffering with patience what God suffers; endeavouring in a proper manner to restore such as are misled, but never by any measures but those of gentle and benevolent persuasion. 110

Fénelon was the voice of one crying in the wilderness. New France had seen uniformity enforced as it was in the mother country. It is true that clerical state surveillance could not dominate human consciences any more in New France than in Old France, but the effect of controls over an extended period might do much to root out Protestantism. Church and state were again one society in a twofold aspect. To assail the unity of the church had been interpreted as a direct threat to the state.

110 T.C. Upham, Life, Religious Opinions and Experiences of Madame Guyon (London, 1914), p. 455

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This study of the relations between church and state in New France in the period 1647-1685 reveals the emergence of two trends as the most important developments of the period. First, on the part of the state it is quite clear that royal absolutism did not weigh so heavily upon the habitants and the commercial elements were not so devoid of a voice in administrative decisions as has sometimes been imagined. The absence of representative institutions (after the British pattern) ought not to be taken as substantiation of a lack of any expression of popular will or of proof of the presence of tyranny. In the colony, as in the motherland the paternalism and absolute rule of the Grand Monarch was not attenuated by a representative parliament but it was ~~depotentiated~~ ^{undermined} by the bureaucracy and ~~disintensified~~ ^{weakened} by diversity bred of provincialism and isolation. It would be wrong to look only to institutional forms for an understanding of the nature of the royal administration. There was an independence of spirit and expression of individualism in New France which appeared incongruous with royal government and an established church. However, this very singularity was the inner strength of the system which on the surface passed for oppressive and arbitrary in the estimation of foreigners. This spirit in the colony may be called a dynamic trend.

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Secondly, on the part of the church it was no secret that Louis XIV and Colbert hoped to see Gallicanism take firm root in the colony. Mezy, Talon and Frontenac were the great exponents of royal Gallicanism. Nevertheless, it was Rome that finally triumphed over Rouen and the Propaganda that exulted over the Ministry of the Marine. This advance of the forces of Ultramontanism in the colony was slowly accomplished in the face of opposition from the administration. It may be considered a second significant trend. The Gallican cause was handicapped by the fact that the Jesuits and the dévots (who were responsible for the founding of Montreal and the Seminary of Quebec and who gave the colony its first bishop) became entrenched during the foundations of settlement, and consequently became associated with those foundations. Moreover, highly-placed friends in France were able to create a "favourable opinion" and to influence the appointment now and again of Governors and Intendants not unfriendly to their party. Such officials tended to contradict the reports and recommendations made by predecessors on such matters as Jesuit influences, the validity of the brandy trade, the delimitation of parishes, the acceptability of the tithe, or the prospects for the assimilation of the Indians. Consequently, royal policy was subject to a good deal of procrastination. The rigorism and puritanism of the colonial

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church found its origins in the religious enthusiasm that had produced the Company of the Holy Sacrament. When the state hesitated to enunciate a policy, or merely repeated the time-worn phrases from the official correspondence and renewed the existing edicts and ordinances, the church boldly put forth its arguments and asserted its views.

In the final analysis it was the state that decided on policy. But in the primary considerations the church was not easily set aside.

The ill-defined spheres of ecclesiastical and civil jurisdiction were sources of constant irritation in the colony. Although the church had a representative on the Council of Quebec, and after 1663 on the Sovereign Council, its real jurisdiction was restricted to the ecclesiastical court or Officialité. The Governors and Intendants were for the most part Gallicans. The Sovereign Council was empowered to judge "according to the laws and customs of this realm", a phrase which had Gallican overtones. Appeals to the effect that the ecclesiastical court was encroaching upon the jurisdiction of the royal courts came before it. The courts acted in accordance with the Gallican principles and liberties and by the royal ordinances of April 1667 and June 1679 these were expressly defined as being applicable in the colony. Royal instructions commended harmony between clergy and officers of the Crown yet encouraged close

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surveillance of the ecclesiastics to prevent their encroachment upon state rights and prerogatives. Frontenac stands out as the most zealous guardian of the royal prerogative, although he was to over-play his role. Fénelon stands out as the type of cleric who resented and resisted state supervision and who boldly but rashly asserted the rights of the church in the spiritual domain.

These skirmishes between representatives of church and state were pregnant with significance. Quarrels over precedence were more than private and vain wranglings for superiority and priority. The King himself separated neither the appearance from the reality nor prestige from power. Rules of precedence in New France followed those in the mother country and were the external evidence of the established rights and relative importance of individuals and institutions. The petty quarrels in the colony may be blamed on individuals such as d'Argenson, Mezy, Frontenac, Laval, or upon groups such as the churchwardens of Montreal, the patron founders of churches, the Sovereign Councillors, the officers of the garrison troops. In every case the usages and practices of France were invoked to assign to each individual and each group the honours due it. In every case it was the state that settled the issue and defined and circumscribed the rights of its chief officers, the military, the justices, the seigneurs and the

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churchwardens.

The colony had originally been presumed to be under the jurisdiction of the archbishop of Rouen. But when Louis XIV nominated Laval for the colonial bishopric and Rome appointed him Vicar apostolic in 1659 the latter soon displaced Queylus, who was the archbishop of Rouen's representative in the colony. Laval set to work to win the allegiance of the colonies and to obtain the creation of a bishopric at Quebec with himself as its first titular bishop. It was not until 1669 that the French Court decided to abandon its insistence upon the dependence of any bishopric in New France on Rouen. Thereafter, negotiations between Paris and Rome and Quebec proceeded slowly until in 1674 Laval was appointed bishop of Quebec and was instructed to organize a chapter and was given a royal endowment. The most startling feature of the developments was that Quebec, as a missionary diocese, was placed under the direct jurisdiction of Rome. This was a notable detraction from the powers and prestige of the Gallican Church. Louis XIV not only accepted the situation but also quashed Recollet efforts to detach the Mississippi region from the diocese of Quebec. In keeping with Gallican principles, Louis XIV named Saint-Vallier successor to Laval in 1685, but the diocese remained subject to Rome and not suffragan to Rouen or Paris. This was Rome's price to meet the King's and the

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French church's desire for a diocese in New France.

The state permitted, at times fostered, limited rivalry and friction between the various religious communities in order to increase the dependence of the religious on the state and to foster a currying of favour by the ecclesiastics. Although royal officials were instructed to exploit rivalries for the benefit of the King's service they were also warned that never should divisions and dissensions proceed to the point where the church itself would be discredited. Much more important was the view that never should a quarrel, such as the misunderstanding between the Recollets at Quebec and Bishop Laval, encourage civil disorder and popular agitation so that the glory and control of the Crown would be diminished.

Originally, the Jesuits had wielded great influence in the colony. Their colonial power in the period prior to 1663 was increased by their own prestige and power in Europe, their influential patrons, the close alliance they maintained with the colonial oligarchs, their role as agents and diplomats among the Indians, their dominance over the women's communities, their representation on the Council of Quebec and the support of the Vicar Apostolic. As they became more unpopular in France their role in the colony receded - this decline was not due so much to unpopularity as it was to the influx of other missionaries, settlers, troops and bureaucrats.

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One of the weaknesses of all the pious foundations in New France was their dependence upon the generosity of one or two individuals for support during the formative years of their undertaking. It was a weakness (although obviously it was also the initial impulse) because this support soon declined and after 1660 the activities of the religious communities were dependent upon other resources. Besides endowments they looked to the financial gifts of the faithful in the colony, to the income from their seigneuries which were only being developed, to income from the tithe and from state subsidies. It would seem that about 11% of the colonial budget was allotted to subsidies for the various religious communities. The income from tithing over the colony was probably no greater than the royal gratifications each year.

The Minister of the Marine, the royal Councils and the King considered the welfare of the state before the needs and resources of the church in arriving at decisions concerning religious communities. The state was involved in sanctioning the entry of men and women into the religious life because the King disposed of the right over all his subjects to change their state or dispose of their liberty. Religious vocations could be pursued only in communities whose rule of life, discipline and constitution had been approved by the state as well as by the church. The

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ecclesiastical authorities alone were competent to rule on matters of personal spiritual qualities and sanctification but the King or his Intendant might interest himself in the vows, dress, ages and dowries of the religious and decide to legislate in those areas. The religious who operated schools, hospitals and houses of charity in the colony did so as a public service and were obliged to maintain those services to the satisfaction of the civil power.

The French, while never recognizing Indian proprietary rights, were careful not to appear to be deliberately dispossessing the natives. From the beginning, they regarded the Indians as proper subjects for absorption, civilization and assimilation. The Recollets initiated the policy of encouraging Indians to adopt a sedentary way of life; they opened a seminary for Indian boys; they began sending young men to France to be educated. Their programme proved a failure on every point. The Jesuits after 1632 adopted the same policies and met with the same failures. Bishop Laval later followed in their footsteps. Champlain had suggested inter-racial marriages but the clergy had soon started to raise obstacles to these marriages. What did evolve from the efforts to absorb the Indians in a great Catholic Empire was what Pierre Boucher at Three Rivers called "reserves" in 1653. The system not only provided for control and facilitated instruction, but also it permitted

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the women's communities to participate in the task of evangelizing and civilizing.

French policy rested on the premise that the Indian who saw the advantages of French civilization would seek to imitate the Europeans. This was a fallacy because the Indian did not consider himself inferior, and indeed he witnessed the spectacle of great numbers of young Frenchmen taking to the woods and the Indian mode of life. The state refused to accept this evidence and blamed the failure to assimilate the Indians on the half-hearted and inadequate efforts of the church. Colbert insisted year after year, in what became a "magic formula", on inter-marriage, village settlements and integrated education. But those who worked in the colony with the Indians came to the conclusion that Colbert did not comprehend the difficulties and that segregated settlements and education offered many advantages. That there may have been an under-current of discrimination is suggested by the fact that Indians were denied horses although these were numerous in the colony.

It was not before 1685 that a state official questioned official policy concerning Frenchification of the natives. Denonville pronounced it an unqualified failure. The church, which had abandoned its initial policy of racial integration, misgenation and cultural blending, was left with the task of converting the Indians and

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fitting them for gainful employment in a segregated society. The "reserve" system would be perpetuated with a view to avoiding the evils of the cultural clash. Complete assimilation and absorption of the aboriginal population was indeed impossible in view of the demographic and material weakness of New France. The Indians not only possessed a strong sense of their own worth and identity, but also they greatly outnumbered the French. A policy of assimilation to be successful would have required clothing, housing, employing and educating the entire aboriginal population in a French milieu, a programme both unthinkable and impossible in the seventeenth century.

In the matter of tithing church and state did not see eye to eye either. Tithing was introduced by Laval in 1663 and the Seminary of Quebec was made the recipient and distributor of this income. Laval set the rate at 1/13th which was probably the average rate of the tithe for France as a whole, and royal letters-patent defined the nature and method of collection of the tithe. The tithe of a nascent church was defined as a "new" tithe and was therefore subject to the direct administration of the bishop. The habitants refused to pay the tithe at this rate and contended that the tithe ought to be paid to the parish which would afford them regular services. Since they did not enjoy such regularity of services they would not pay

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tithes. The Bishop was forced to grant limited exemptions to new settlers and the religious communities, then to reduce the rate in 1664 to 1/20th and finally to 1/26th. When the Bishop tried to restore the original rate in 1665 there was a great popular outcry. Public opinion was sounded out and the state decided to oppose the Bishop and imposed a rate of 1/26th for a 20-year period. If any change were made before such time elapsed it would be only by the King's command or by "the common consent of the populace of the aforesaid country". Another tithing regulation in 1679 was also based upon popular will and confirmed the earlier settlement. This reduction was imposed not because of the bad disposition of the civil authorities or the poverty of the people. The habitants were probably better housed, fed and clothed than the peasants of France but they simply refused to pay higher tithes. A rumour that wood, vegetables, poultry and eggs would be considered in computing the tithe almost caused an émeute.

Laval soon came to understand that tithing was inextricably bound up with the parochial system. The state urged the creation of parishes and the people made it conditional upon their payment of tithes. Laval found it necessary to move away from his policy of making all parish appointments removable and revokable at his will after the erection of the diocese in 1674. He attempted to forestall

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hurried creation of parishes with permanently appointed curates by calling for high minimum stipends; later he refused to consecrate wooden structures and insisted upon stone edifices. But Colbert persisted and so in 1678 the Bishop, together with the Governor and Intendant, drew up the parochial divisions of the colony. A royal edict of 1679 confirmed these parishes and decreed that their curates would be resident and should enjoy tenure, that their stipends should be at least 500 livres to be raised by tithing or direct levies. Both the clergy and inhabitants protested against this measure in public assemblies. The Intendant and Bishop advised compromising, and Frontenac who wanted to stand by the King's edict was not invited to participate in the delimitations of 1681. By 1680 there were 25 parishes supported by tithing; in the other areas the royal edict was ignored. When the Minister of the Marine suddenly reversed the earlier policy and suggested abandonment of state subsidies and a restoration of the tithe at the rate of 1/13th the Bishop hastily refused saying that the habitants could not pay such a rate. It was evident that they would not. The colonial environment had asserted itself.

It ought to be emphasized that the parish system was a very democratic institution. The parish priest did not administer his charge alone but the elected

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churchwardens acted with him in administering the corporation which owned the church edifice, presbytery and cemetery and their income. What few references have been made in this study to the conditions and attitudes in New England paralleling those in New France might be considered under two general observations. First, the North American environment asserted itself upon the transplanted European cultures and accentuated certain predispositions to religiosity and independence while submerging or completely reorientating other qualities. Secondly, it is evident from the attitudes and behaviour of the colonists in New England and New France and of their administrators that they were much more alike than they realized or would have believed to be true. The Protestant Reformation had not so completely shattered the unity of Western Europe because a sameness of thought and habit persisted.

Problems over tithing and fixed cures arose out of the agricultural development and settlement of the colony. Out of the commercial activities of the colony arose much more bitter conflicts - questions of the involvement of the clergy in the fur trade and the complicated dispute over brandy trafficking. Both the Jesuits and Recollets engaged in some bartering with the Indians to support their first missions. A Jesuit conference in 1649 decided on the

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legitimacy of restrained trade but when the General of the order disavowed any involvement in the commerce of the colony the missionaries among the Indians did not feel obliged to comply. In 1664 they openly defended their right to trade in order to meet their needs. There is evidence that they sent furs to Europe by means of vessels loaded off Acadia, that they were interested in La Chesnaye's enterprises on Hudson's Bay, that they clandestinely sent furs out of the colony under assumed names such as Tiber and Gautier, and that when an illicit trade with New England developed it was the "mission Indians" of the Montreal area who acted as intermediaries.

The Sulpicians were also involved in limited trade but they were more careful to control it and suppress knowledge of it. They were the secret informers on the trading activities of the state officials. The Bishop was also placed in a very unfavourable light when he nominated to the Sovereign Council in 1663 the colonial oligarchs implicated in the charges of fraud and embezzlement laid by Dumesnil and Dupont-Gaudais. In 1664 this Council expunged from its records numerous unfavourable minutes concerning the ecclesiastics. The evidence that the clergy engaged in the fur trade, and that they employed letters of exchange, is convincing but inadequate to gauge the extent of such a commerce.

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The brandy traffic in Canada affords a case study in the relative strength of the economic motive and the moral one. It would seem that the principle that profit was socially degrading and morally and religiously dangerous was a principle in New France that was called into question. The profit motive finds its origins in human nature which is older than the Protestant ethos or the Catholic view of wealth. Many habitants persisted in the brandy traffic in the face of repeated prohibitions and threats by the state and reserved cases and excommunications by the church. Popular assemblies revealed that the majority opinion held that in the long run the traffic had harmful moral effects but it was of immediate, short-term, economic and political expediency. The chief victims of the destructive barter were the Indians and the missions. The church could not compromise in this matter as it had on the question of tithes. But the state was not bound by the same moral considerations and so, when its efforts proved as futile as those of the church, it turned to expedients such as annual leaves and amnesties to traders who were afraid to return to the towns and settlements. This compromise remained the state policy after 1679; It proved ineffective in dealing with the problem and indeed the matter remained unresolved throughout the French régime.

In the matter of the enforcement of a code of morality the church received considerable support from the

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state. The colonial church was the handmaiden of the state charged with imbuing the inhabitants with loyalty and devotion to the King and a respect for the civil authorities as "powers ordained of God". The state in return supported the church in the censorship of reading matter; in enforcing the observance of holy days and regular attendance at mass; in encouraging pious practices; in controlling rumblings of witchcraft, crimes of violence, blasphemy and seditious talk; in combatting begging, prostitution and secret assemblies. On the other hand, the state would suffer no ecclesiastical encroachment upon the regulation of marriages. Also, there was popular resistance when the clergy tried to extend their puritanical attitudes to such individualistic and personal matters as card-playing, dancing, smoking, masquerades, gambling, horse-racing, charivaris, lavish banquets and the immodest feminine apparel and vanity. The fact that the Jesuits were the rigorists in New France disposes of the hypothesis that the puritanism of the colony was Jansenist in origins. By and large, the secular arm was always ready to enforce the discipline of the church.

The political motivation of such co-operation is more clearly seen in the regulations concerning Huguenots. Uniformity was considered essential to loyalty and dependence after 1627. The Protestant strain of the early commerce of the colony gave way to orthodox control, only to be

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revived by the appearance of a not inconsiderable number of Huguenots among the troops brought out by Le Tracy.

Exclusionist ordinances and conversion under duress all but exterminated these evidences of Protestantism in New France. Isolated outcroppings testified to the depth of conviction of the few Protestants, and testified to the general success of the policy of religious uniformity. The revocation of the Edict of Nantes (1685) had little direct effect on the colony apart from intensifying the fear of (and hatred for) the growing Huguenot churches in New England. The church and state felt more closely bound together as a trickle of the flood of Huguenot emigration from France found its way to hostile territory in North America.

The period 1647 - 1685 is one of many struggles between the secular and spiritual authorities in New France. The records tend to magnify the animosities between civil and ecclesiastical estates. No study of the problems involved would do justice to the period, policies and personalities if it did not also point to the union that existed between the altar and the throne.

A P P E N D I C E S

- A. Declaration of the Sorbonne, 1663
- B. Principles of the Hermitage of Caen
- C. Oath of Allegiance of Bishop Laval, 1675
- D. Memorandum on Brandy Traffic, 1675
- E. Reply of University of Toulouse, 1675
- F. Declaration of Gallican Principles, 1682
- G. Royal Edict for Registration of Declaration of 1682
- H. Edict of Fontainebleau, October 22, 1685

A. Declaration of the Sorbonne, 1663:

I. It is the contention of this faculty that the Pope possesses no authority whatsoever concerning matters belonging to the State or affecting the control on the part of the Most Christian King over matters of State. This faculty has, in fact, always opposed the contentions of those who hold for even an indirect authority on the part of the Church in State matters.

II. It is the doctrine of this faculty that the Christian King recognizes in matters of State no higher authority than God Himself.

III. It is the doctrine of this faculty that the subjects of the King can be freed under no pretext or suggestion from their obligation of loyalty and obedience to the monarch.

IV. The faculty can approve no propositions or theories which are opposed to the complete freedom of the Gallican Church or to the full authority for this Kingdom of the canon law of France. The faculty denies that the Pope has the authority to issue instructions that are contrary to the authority of these canons. This faculty holds that the authority of the Pope does not take precedence ~~of~~ that of a general council of the church.

V. This faculty holds that without the collaboration of

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the Church as expressed in a general council the
Pope does not possess infallibility.

B. Principles of the Hermitage of Caen:

I. One must not produce one's work prematurely. Those who expose themselves to work for the future without being masters of themselves bear little fruit and risk losing themselves.

II. One finds life only in death, being in nothingness.

III. Let us flee all that has show, all that feeds pride and self-love, of which we have within ourselves an inexhaustible supply.

IV. Self-renunciation is like the fertilizer of the spiritual life which enriches the soil and makes it fertile.

V. We have no better friend than Jesus Christ. Let us all follow his counsels, especially those of humiliation and surrender of the heart.

VI. Self-interest is the greatest obstacle to prayer. Without poverty and separation union with God is impossible. This union is the end, the rest is but the means; let us keep ourselves from mistaking the means for the end.

C. Oath of Allegiance of Bishop Laval, 1675:

Sire, I Francis de Laval, first Bishop of Quebec, in New France, swear by the Most Holy Name of God, and promise to Your Majesty that I, so long as I shall live, will be to him a faithful subject and servant, and that I shall promote his service and the welfare of his State with all my power, and will give myself to whatsoever no council, design, or enterprise to the prejudice thereof. And if knowledge of any such matters come to my knowledge I shall inform your Majesty thereof. So help me God, and these Holy Gospels upon which I swear.

The same day (April 24, 1675) the chief chaplain of the King delivered the following certificate to Laval:

We, Emmanuel-Theodosius de la Tour-d'Auverge, cardinal de Buillon, Grand Almoner of France, certify to all whom it may concern that on this day the twenty-fourth of April, one thousand six hundred seventy-five, the King having heard mass in the chapel of his ch[^]ateau at Versailles, Mgr. Fran[^]cois de Laval, first bishop of New France, has sworn this oath of fidelity to His Majesty which is to Him due, in respect to the said bishopric of Quebec, to which he is entitled by the bulls of our Holy Father the Pope; in witness of which

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we have signed these presents and had countersigned by
the Secretary-General of the Grand Almoner of France,
and thereto affixed the seal of our arms.

Cardinal de Buillon
Grand Almoner of
France

D. Memorandum of Assembly on the Brandy Traffic, 1675:

Msgr. the Bishop of Quebec makes a reserved case and pretends that it is a mortal sin to sell brandy and other intoxicating drinks to the savages of New France in a quantity sufficient to make them drunk, although they do not abuse it immediately and they carry it elsewhere in order to drink it.

His reason is that all the Savages drink only to become drunk, which is truthful as there are very few who do not drink too much when they have drink to their discretion. It is also true that in excessive drinking they commit numerous disorderly deeds which are inseparable therefrom. Meanwhile, it is to be noted that there are two kinds of Savages: the ones so submitted to the French that there is nothing to be feared from them, and one can command them absolutely; it would be good not to sell to those savages intoxicating beverages and to accustom them to order and discipline although they are not Christians and the few conversions made among them indicates well enough their slight disposition for the faith. The others like the Iroquois and the Wolves and Mohicans are not submitted to us at all, have in the past waged bloody wars against us which they can resume with greater disadvantage for us than ever before under the the protection of the Dutch and other enemies of the

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State of which they are neighbours and which continue to solicit them to a rupture with us, which would lead to the destruction of the country and to the extirpation of the faith by means of the obstacles which they would raise to the publishing of the Gospel among the other nations, which was seen in the embassy that the Dutch sent in 1673 to the Iroquois to engage them in a war against us and by the murder they had the Wolves commit in the same year on the persons of 16 of our allies in order to commence this war. These savages becoming our enemies can ruin the country, will become unconvertible and will remove the means of converting the other nations. They already possess and will have as much brandy and liquor as they please from the Dutch and English who make use of our scruples to manage them against us by furnishing them with these provisions which are their principal trade.

It is known assuredly that without this trade one cannot obviate all these inconveniences because the other goods being too expensive with us we cannot carry on trade with the nations, nor by consequence maintain the peace which depends absolutely in being able to bind them to come often to us, which cannot be obtained without trafficking.

It is asked, the aforesaid being believed to be very truthful as it assuredly is, if in conscience one cannot, in order to preserve the peace of the country, permit the

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Wolves and Iroquois to carry off to their homes whatever quantity of liquor they desire, provided they do not become drunk upon it, at the time, although ethically it is foreseen that they will misuse it in their own country. And as those who propose this case of conscience know well that they would be deceiving themselves if they charged those whom they consult, they beg the persons who will have the charity to reply thereto to put their souls at rest by assuring themselves too of the verity of this hypothesis.

E. Reply of the University of Toulouse, 1675:

We below, professors in theology of the University of Toulouse, declare that our sentiment is that the Bishop of Quebec may not legitimately make a mortal sin, and still less a reserved case, of the sale of brandy, particularly to those who are not submitted:

Because pretending to prevent an evil, it does not prevent it at all, as is held in the proposed case and that moreover those who sell brandy do not commit an act illicit in itself, but one which is absolutely licit; there is only the abuse that is bad about it which is not morally present and moreover it is inevitable; but especially because one can and must tolerate a lesser evil in order to avoid greater ones, such as the causing of a war or hindering the preaching of the gospel, which are frightfully greater evils than drunkenness and the accidents which come from it, which are contrary to the intentions of those who sell it. That is our sentiment. Given at Toulouse this twenty-eight day of June, sixteen seventy -five.

Signed: F. Joseph Brunet
F. Antonin Reginald
Duxea

By this memorandum it is declared that:

I. The whole question whether one should permit the brandy trade comes down to a matter of the transport

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that only two nations from among all the Savages make of it in order to re-sell it in their country and from which numerous become drunk, but they would obtain as much as they wished from the English, if we refused them and this refusal could cause a war with them;

II. That the utility of the commerce of the ecclesiastics, the establishment of their credit while excusing their tools and excommunicating the others, and their attachment to all their thoughts are the true motives of this prohibition;

III. Although they allege other motives: to wit, it is an obstacle to the faith, it causes great disorders, the Council has forbidden it by various arrêts, it is the ruination of trade, the English of Boston do not tolerate it, and the Sorbonne is of contrary opinion;

IV. That the experience of the Hurons and Iroquois who live amongst us makes us see that the Savages are very capable of regulation on the matter and that the conversions are not any more frequent where the savages do not drink at all;

V. That the disorders are proportionately more rare than in Brittany or Germany;

VI. That the Council permitted this trade by its last arrêt;

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VII. That the abundance of peltries since the permitting of this traffic shows well that this freedom is useful to it;

VIII. That the severity which Boston has imposed to forbid it engages them in a war which is ruining them;

IX. That the Sorbonne would have answered like the University of Toulouse if the fact had been expounded without passion.

X. That the settlement which is proposed of the trade would be a new snare to hurt those desired;

XI. The reply of the University of Toulouse hereto attached justifies this trade.

F. Declaration of Gallican Principles, 1682:

The maxims of the clergy touching ecclesiastical powers:

First. That St. Peter and his successors, vicars of Jesus Christ, and the church as a whole, have received from God power only over things spiritual and which concern salvation, and not over things temporal civil; Jesus Christ himself taught us that His kingdom is not of this world; and in another place that it is necessary to render to Caesar the things that are Caesar's and to God the things that are God's; and so that precept of the apostle St. Paul can in no wise be altered or shaken, "Let every soul be subject to the higher power", for there is no power which does not come from God, and it is He who ordains those which are on earth. He who opposes the powers that be resists the order of God. Consequently we declare that kings are not subject to any ecclesiastical power by the order of God, in temporal matters; that they cannot be deposed directly or indirectly by the authority of heads of the church; that their subjects cannot be exempted from the submission and the obedience which they owe to them, or released from their oath of fidelity; and that this doctrine, necessary to the maintenance of public peace, and no less advantageous to the Church than to the State, ought to be inviolably followed as conformable

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to the word of God, the tradition of the Fathers of the Church and the examples of the saints.

Second. That the plenitude of power which the Holy Apostolic See and the successors of St. Peter, vicars of Jesus Christ, have over things spiritual, is such nevertheless that the decrees of the Holy Ecumenical Council of Constance, contained in the sessions four and five, approved by the Holy See, and confirmed by the practice of the whole Church and the Roman pontiffs, and religiously observed at all times by the Gallican Church, remain in their full force and virtue, and that the Church of France does not approve the opinion of those who attack these decrees, or weaken them by denying that their authority is well established, saying that they have not been approved, or that they have reference only to times of schism.

Third. That therefore it is necessary to regulate the use of the apostolic power according to the canons made by the Spirit of God and consecrated by the general respect of mankind; that the rules, practices and constitutions received in the kingdom and in the Gallican Church must have full force and virtue and that the usages established by our fathers remain unaltered; it appertains to the greatness of the Holy Apostolic See that the laws and customs established by the consent of this venerable See and that

of the churches should subsist without alteration.

Fourth. That although the Pope has the principal part in the deciding of questions of faith, and that his decrees concern of right all the churches and each church in particular, yet his judgment is not irreformable if the consent of the church has not intervened. We have decreed to send to all the churches of France, and to the bishops who govern them with the assistance of the Holy Spirit, these maxims which we received from our fathers in order that we may all teach the same thing, that we be of the same sentiments, and that we all follow the same doctrine.

G. Royal Edict for registration of the Declaration of the Clergy:

Louis. ...etc. Although the independence of our Crown from all other power except God's be a certain and incontestable truth, and established upon the very words of Jesus Christ, we have not without pleasure received the declaration which the deputies of the clergy of France assembled with our permission in our good city of Paris have presented to us, containing their sentiments touching the ecclesiastical power; and we have all the more willingly listened to the petition the said deputies made to us to have published this declaration in our kingdom, that being made by an assembly composed of so many persons equally to be recommended by their virtue and their doctrine, and who employ themselves with so much zeal to everything that may be advantageous to the Church and to our service, the wisdom and moderation with which they have explained the sentiments one ought to have on this matter, can contribute greatly to confirming our subjects in the respect which they are bound like ourselves to render to the authority which God has given to the Church, and in removing at the same time from ministers of the Pretended Reformed Religion the pretext they take from the books of some authors, to render odious the

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legitimate power of the visible head of the church and of the centre of ecclesiastical unity.

For these causes...We declare, state and order, and our pleasure is, that the said declaration of the sentiments of the clergy on ecclesiastical power hereto attached, under the seal of our chancery be registered in all our courts of parlement, baillages, sénéchaussées, universites and faculties of theology of canon law of our realm, countries, lands and seigneuries of our obedience.

Article I. We forbid all our subjects, and foreigners in our kingdom, seculars and regulars, of whatever order, congregation or society whatever, to teach in their houses, colleges and seminaries, or to write anything, contrary to the doctrine contained herein.

Article II. We order that henceforth all who will be chosen to teach theology in all the colleges of each university, be they regulars or seculars, will subscribe to the said declaration before the clerks of the faculties of theology before being able to carry out this function in the colleges, or secular or regular institutions; that they will submit to teaching the doctrine which is there explained; and that the syndics of the faculties of theology will present to the ordinaries of the respective districts, and to our attorneys-general, copies of the said submissions, signed by the clerk of the said

faculties.

Article III, That in all the colleges and houses of the said universities where there will be several professors, be they regulars or seculars, each year one of them will be responsible for teaching the doctrine contained in the said declaration; and in the colleges where there will be only one professor, he will be obliged to teach it one out of every three years.

Article IV. We enjoin the syndics of the faculties of theology to present each year, before the opening of classes, to the archbishops or bishops of the cities where they are established and to send to our attorneys-general the names of the professors who will be charged with teaching the said doctrine, and the said professors are to show to the said prelates and to our said attorneys-general the writings they will dictate to their students, when they are ordered to do so.

Article V. We order that no bachelor, be he regular or secular, henceforth receive his licentiate, in either theology or canon law, nor receive his doctorate, except after having defended the said doctrine on one of his theses, which he will present to those who have the right of conferring these degrees in the universities.

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Article VI. We exhort and further enjoin upon all the archbishops and bishops of our realm, countries, lands and seigneuries of our obedience, to employ their authority to have taught throughout the extent of their dioceses the doctrine contained in the said declaration drawn by by the said representatives of the clergy.

Article VII. We order the deans and syndics of the faculties of theology to see to the execution of the present articles upon penalty of answering in their own and private name.

We command all our trusty and well beloved counsellors in our Court of Parlement. etc. etc.

H. Edict of Fontainebleau, October 22, 1685:

Louis, by the Grace of God, King of France and Navarre,
to all present and to come, Greeting.

Whereas King Henry the Great, our Grandfather of glorious
memory having procured peace for his Subjects, after
those great Losses they had sustained during the Civil
and Foreign Wars, desiring to remove whatever might
disturb it, especially on account of the Pretended
Reformed Religion, as it had befallen in the reigns of
the Kings his Predecessors, had therefore by his Edict
given at Nantes, in the month of April 1598, enacted
certain rules to be observed with reference to those of
the said Religion, the places wherein they might
exercise it, and had established extraordinary Judges
for the administering of Justice unto them; and finally
had provided also by special Articles whatsoever he
thought needful to maintain Tranquillity in his Kingdom,
and to diminish that Aversion which had arisen between
his Subjects, of the one and the other Religion, that so
he might be the better enabled to carry on his design of
reuniting them unto the Church, who had been too easily
estranged from it: And forasmuch as this Intention of
the aforesaid King, our Grandfather, could not by reason
of his sudden death be accomplished, and the Execution

of the said Edict was also interrupted, during the Minority of the late King our most Honoured Lord and Father of Glorious Memory, by the new Enterprises of those of the Pretended Reformed Religion, which gave Occasion to deprive them of divers Privileges granted them by the said Edict: Nevertheless, the said King, our late Lord and Father, using his wonted Clemency, did vouchsafe them a new Edict at Nimes, in July 1629, by means whereof, Peace again being restored, the said late King, animated with the same Spirit and zeal for Religion as the King our Grandfather, had resolved to improve to the utmost this Peace, by endeavouring to bring his Godly design to an Issue; but the Foreign Wars falling out a few years after, so that from the year 1635 to 1684 the Kingdom had but little rest: It was hardly possible to do anything for the advancement of Religion, unless it were the diminishing the number of churches belonging to the Pretended Reformed, by interdicting such as had been built contrary to the said Edict, and by suppressing the Mixed Chambers which had been only provisionally erected.

God having at last granted to our people the enjoyment of a perfect Peace, and we also, being no longer incumbered with the cares of protecting them against our enemies, have been able to improve the present Truce, which we effected for this very end, that we might wholly apply

ourselves to seek out such Means, whereby we might successfully accomplish the Design of the said Kings our Father and Grandfather, upon which also we entered as soon as we came unto the Crown. We now see, and, according to our Duty, thank God for it, that our Cares have at last obtained that End which we aimed at, inasmuch as the far greater and better part of our Subjects of the said Pretended Reformed Religion have embraced the Catholic. And inasmuch as hereby the Execution of the Edict of Nantes, and of whatsoever has been ordered in favour of the said Pretended Reformed Religion, is become useless, we have judged, that we could do nothing better towards the total rooting out of the Mind the remembrance of those Troubles, Confusions and Mischiefs which the progress of that false Religion had caused in our Kingdom, and which occasioned that Edict, and several other Edicts and Declarations which had preceded it, or had been in consequence thereof enacted, than totally to revoke the said Edict of Nantes and the particular Articles which in pursuance of it had been conceded, and whatsoever else had been done in favour of that said Religion.

I. We therefore make known, that for these Causes, and others there-unto moving us, and of our certain Knowledge, full Power, and Royal Authority, we have by this present

perpetual and irrevocable Edict, suppressed and revoked, and we do suppress and revoke the Edict of our Grandfather, given at Nantes in the month of April 1598, in its whole extent, together with those particular articles granted the 2nd of May following, and the Letters Patent expedited thereupon, and the Edict given at Nimes in July 1629; we declare them null and void, and as if they had never been, together with all Grants made, as well by them as by other Edicts, Declarations and Decrees, to those of the said Pretended Reformed religion, of what kind soever they may be, which shall in like manner be reputed as if they had never been: And in consequence hereof, we will, and it is our Pleasure, that all the Churches of those of the said Religion, situated within our Kingdom, Countries, Lands, and Lordships of our Dominions, should be out of hand demolished.

II. We forbid our said Subjects of the said Pretended Reformed religion any more to meet together in any Place or private House, for performing any part of their said Religion, under any Pretence soever; even all real Exercises, or such as were in Seigneur's houses, though the said Exercises had been maintained by the Decrees of our Council.

III. In like manner, we forbid all Seigneurs, of what rank

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and quality soever, the exercise of their Religion in their own Houses and Manors, whatsoever be the quality of their Manors, and that upon pain of forfeiture of bodies and goods for those of our said Subjects who shall offend in that way.

IV. We command all ministers of the Pretended Reformed Religion, who will not turn from it and embrace the Catholic apostolic and Roman Religion, to depart the Kingdom and the Lands of our Dominions, within a fortnight after the publication of this our present Edict, and not to tarry beyond that time nor during the said fortnight to preach, exhort, or perform any other function of their Ministry, upon pain of the galleys.

V. Our Will is, that such of the said Ministers who will convert shall during their whole life enjoy, and their widows also after them, as long as they continue unmarried, the same exemption from taxes and quartering of soldiers, which they enjoyed during the time of their ministry; and further, we will pay unto the said Ministers, as long as they live, a Pension, which shall exceed by one third the Stipend they received for their Ministry; and their wives also, as long as they continue Widows, shall enjoy one half of the said Pension.

VI. If any of the said Ministers desire to become advocates, or will proceed Doctors in Laws, it is our will that they shall be dispensed as to the three years study prescribed

by our Declarations and having undergone the usual Examination, and thereby being judged capable, they shall be admitted Doctors, paying one half only of those Fees customarily paid on this account in the Universities.

VII. We forbid all Private schools for the instruction of children of those of the said Pretended Reformed Religion, and generally all other things whatsoever, that may bear the sign of privilege or favour to the said Religion.

VIII. And as to children that shall be born to those of the said Pretended Reformed Religion, our Will is, that, for the time to come, they be baptized by the Curates of the Parishes, enjoining their parents to send them for that purpose to their parochial Church on the penalty of 500 livres fine, or a greater sum; and those children shall henceforth be brought up in the Catholic, Apostolic and Roman Religion. And we most strictly enjoin all judges in their respective districts to see that this be executed.

IX. And that we may show our Clemency towards those of our Subjects of the said Pretended Reformed Religion, who were gone out of our Dominions before the Publication of our present Edict, we do declare that in case they return within the space of four months from the day of its publication they may and it shall be lawful for them to enter into the possession of their Estates, and to enjoy them even as they might have done, if they had always been at home; whereas,

such as within that term of four months shall not return unto our Dominions, their Estates forsaken by them, shall be and remain forfeited according to our Declarations of the 20th of August last,

X. And we do more strictly renew our Prohibitions unto all our Subjects of the said Pretended Reformed Religion that neither they, nor their wives, nor children, do depart our said Kingdom and Dominions, nor transport their goods and effects, on pain, for men so offending, of their being sent to the Gallies: and confiscation of bodies and goods for women.

XI. We will and declare unto them, that all Declarations published against Relapsed persons shall be executed according to their form and tenour.

XII. And furthermore, those of the said Pretended Reformed Religion till such time as it shall please God to illuminate them, as others have been, may abide in the Towns and Places of our Kingdom, Countries and Lands of our Dominion, and continue their Trade, and enjoy their goods, without being molested or hindered on account of the said Pretended Reformed Religion, provided as before, that they do not exercise it, not assemble themselves together on pretence of Prayers or of any act of Devotion, according to the rules of the said Religion, on the Penalties before mentioned of confiscation of bodies and goods.

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We command all our trusty and well-beloved Counsellors in our Court of Parlement, and Chamber of accounts, and Courts of Aias at Paris, Bailiffs, Seneschals, Provosts, and others our Justices and Officers to whom it shall belong, and to their Deputies, that they shall cause this present Edict to be read published and registered in their Courts and Jurisdictions, yea, in the Vacation time; and to maintain it and cause it to be maintained, kept and observed in every particular, without swerving or in any wise permitting the least deviation from it. For such is our Will and our Pleasure.

And that this may be forever firm and stable we have caused these presents to be sealed with our Seal. Given at Fontainebleau, in the month of October, in the Year of Grace 1685, and of our Reign the

43rd.

Signed

LOUIS

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A. PRIMARY SOURCES

I. MANUSCRIPTS AND MANUSCRIPT DEPOSITORIES

(1) Public Archives of Canada, Ottawa (P.A.C.)

Series B: This series contains the despatches from the King, the Minister of the Marine and a few other officials to the colonial officials. Besides giving instructions and replies to colonial queries it refers to many events without elaborating on them. Vols. I to XI inclusive, for the period 1663-1685 were the most useful.

Series CIIA: This is the most valuable of the collections of correspondence, being letters, memoranda, despatches from the colony to the Court. Included in this series are various letters-patent, police regulations, royal decrees, draft replies. Volumes I to VIII were the most useful in this study.

Series CIIID: This is the general correspondence relating to Acadia. Volumes I and II were consulted, the latter volume containing in particular useful material on the Abenakis and the English threat.

Series E: This is the "Dossiers personnels" collection of which we consulted Cartons 38, 39, 43, 47, 69, 75, 272. Cartons 38 and 39 are index volumes.

Series F3: This is the somewhat jumbled collection known sometimes as the "Collection Moreau de St. Mery" which contains some original documents but largely copies and excerpts of transcriptions found in B and CIIA. The first sixteen volumes cover the correspondence 1540-1763, and volumes LXVII and LXXVII give the instructions sent, 1665-1701. Volume IV gives the documentation of the Frontenac-Perrot quarrel and the Frontenac-Fenelon quarrel, while Volume VI contains the speeches of the "Brandy parliament".

Series F5A: This collection is sometimes called F2, Missions et cultes religieux, 1658-1782. Volumes I, II, III, were consulted; Volumes II and III were consulted particularly for letters-patent, ordinances, memoranda, miscellaneous letters relating to the establishment of the religious orders and communities. There are a number of communications dealing with tithing, fixed cures and the general state of the church.

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Series F50: Dossier No. 3, numbers 43 to 85 were consulted for matters relating to the Hôtel-Dieu at Quebec.

Series K: Cartons 1232 and 1374 were consulted for papers relating to the clergy in the fur trade and the question of precedence.

Series V7: Carton 414 was useful in providing information about the abbeys united to the Bishopric and the Seminary.

Affaires Étrangères: Amérique: Four volumes were consulted in this collection. Volumes IV contains information relating to the missions prior to 1660; Vol. V (1) has material on Frenchification, immigration policy, the admission of the bishop to the Council; Vol. V (2) has material relating to the lay congregations and a letter from the King to Laval not found in any other collection; Vol. V (3) contains many communications seen in other series.

Archives au Séminaire des Missions Étrangères (A.S.M.E.): preserves the correspondence between the Seminary on Rue du Bac in Paris and Quebec, as well as numerous letters to agents in Rome. Consulted were Vols. I, II, III, IV of Carton I, Vols. V, VI, VII of Carton II, Vols. VIII, IX, X of Carton III, Vols. CC, CCI, CCII, CCIII of Carton XV, Vol. CCCXLV of Carton XXII, all of which deal with the erection of the bishopric of Quebec and matters relating to the Seminary and the cathedral chapter.

500 de Colbert: Contains general correspondence of the Minister of the Marine relating to immigration, marine matters and the bishopric. Consulted were Vols. III, V, X, XII, XVI, CXXVI, CXLVIII, CXCIX, CCIII to CCV, CCLII, CCXCI, CCCXXIII, CCCXXXIV, CDLXXXIII, CLLXXXVII.

Collection Arnoul: This is the correspondence between Colbert and Seignelay and Arnoul, Intendant-General of the Marine at Marseilles and later Rochefort, for the period 1665 to 1686, which contains numerous communications relating to church-state relationships in New France. Consulted were Volumes 21306 to 21333.

Mélanges de Colbert: Volumes I to CLXXVI, excerpts from which have been transcribed, were consulted. This series is particularly useful for the Recollets. Letters from the clergy not found in other collections are also to be found.

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(2) Archives du Séminaire de quebec, Laval University (A.S.Q):

Chapitre: Some 150 documents relating to the cathedral chapter of quebec were consulted in this series.

Documents Faribault: This is the third documentary collection of materials for the period to 1663 amassed by G.B. Faribault for Laval University.

Evêques: Several hundred documents relating to the erection of the bishopric and the nomination of Laval as first bishop were consulted. The collection contains miscellaneous materials dealing with canon law, a few royal communications and and some mandements.

Fonds Verreau: This collection of papers from the library of the abbot H.A. Verreau includes letters from parish priests to the Intendant.

Fortier Papers: This is an uncatalogued carton of papers, mostly copies of documents, relating to Bishop Laval. It is an invaluable collection for this study because it contains copies of originals found in the Archives du Departement de l'Eure, the Archives of the Propaganda in Rome, the Vatican Archives and the British Museum.

Lettres: This is the voluminous Seminary correspondence of which originals, and a few copies, of incoming letters and copies of outgoing letters are found in the series N. Lettres M, S and O were also useful. The Lucoyot correspondence was of particular interest in this series.

Polygraphie: Letters, official acts and treatises of many sorts are comprehended in this series. Twenty-three cartons of documents were consulted and produced such useful documents as the correspondence between Perrot and Talon, the letters of appointment of an Officiel, a copy of the proposed bulls for the erection of the bishopric.

Séminaire: By and large this major collection concerns itself with matters relating to the Seminary, although some of the correspondence prior to 1663 was particularly useful to this study - it is contained in Carton XV.

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(3) Archives de la Province de Québec, Québec (A.P.Q.)

Documents on Colonial History: London Archives: In this series we consulted Vol. I for the period 1613-1688, although O'Callaghan's printed documents were found more useful.

Documents Divers: Volumes I and II were consulted for their transcriptions of police regulations, local ordinances and a few letters.

Insinuations: These volumes offer a good check on the edicts, decisions and declarations of the Sovereign Council, giving the date of registration. Volume I for the period 1663-78 and Volume II for the period 1679-1705 were consulted.

Manuscripts concernant la Nouvelle-France: In this series we consulted Vols. II, III and IV which deal with the periods 1672-79, 1686-85 and 1680-85 respectively. Most of the documents are copied in other series. Vol. I was not available to us for consultation.

Manuscripts relatifs à l'Histoire de la Nouvelle-France: In series I we consulted Volumes I, II, III, and in series II we consulted Volumes I, II, III. The first series provides copies of documents following the establishment of royal government, whereas the second series has one volume dealing with the period 1614-1661. The arrangement of the documents is not strictly chronological.

Ordres du Roi, series B: This is the provincial government's transcription of the outgoing despatches which were also consulted in a more carefully collated collection in the Public Archives of Canada.

Prévôté de Québec: Matières Civiles: In this collection we consulted Vol. I, 1682-1730 for cases dealing with witchcraft, blasphemy.

Procédures Judiciaires: Volumes I, II and III were useful in throwing some light on criminal proceedings in the period 1665-1696 relative to brandy trafficking, witchcraft, blasphemy and heresy.

Archives de Trois-Rivières: The volume 1655-1757 gave some information on the cases which arose before the royal court of that government.

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(4) Archives de l'Archevêché de Québec, Québec (A.A.Q.)

Copies de Lettres: Volume I was particularly useful for letters sent by Laval to officials in Rome and Paris.

Eglise du Canada: This is the general collection of both original documents and copies. Most useful to us were letters of the clergy, memoranda, mandements and ecclesiastical notices.

Registre A: This collection yielded numerous declarations and ordinances of the bishop, rescripts of the Pope, letters of charge, religious acts.

Registre B: Continues the documentation of Registre A but yielded fewer documents relating to our period.

Registre des Confirmés: This furnishes lists of the confirmees by parishes from 1659 onwards.

Registre d'Insinuations U: This was consulted for the mandements relating to the cathedral chapter.

(5) Archives Judiciaires de Montreal (A.J.M.)

These archives housed in the Superior Court at Montreal are rich in judicial documents and greffes des notaires. Because of the lack of available inventories and indexes, and the difficulty in obtaining access to this chronologically arranged depository we made less use of these documents than had been hoped. Most of the documents cited in this study were called for by title and date.

Arrêts: The arrêts which were proclaimed, published and posted at Montreal constitute this series.

Documents judiciaires: In this collection we have seen numerous ordinances and regulations of the local Governors, of the Intendant, the local justices and the Sovereign Council.

Greffes des notaires: These formal acts recorded by the notaries recapture for us some of the legal procedures, the confrontation of witnesses. Particularly useful were the registers of the following notaries:

Antoine Adhemar (1668-1714)

Benigne Basset (1657-1699)

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Lambert Closse (1651-1656)
Claude Mauge (1674-1696)

(6) Newberry Library, Chicago

Edward E. Ayer Collection: We consulted a number of rare printed works in this collection. Particularly useful were the materials in a large carton known as Case G. 801.56 where we saw numerous private papers, Jesuit Relations, several royal edicts.

II. MICROFILMS AND MICROCARDS

(1) Archives des Colonies (A.C.):

The microfilms of the Ministère de la France d'Outre-Mer consulted were prepared by the Société Française du Microfilm, 87 rue Vieille du Temple, Paris IIIe, and distributed through the Public Archives of Canada, Ottawa.

Series C11G: Vol. I deals with Newfoundland, St. Pierre, Saint-Jean, Madeleine islands and Isles aux Oiseaux. Vol. VII gives an inventory of all the royal edicts, ordinances of the Intendants, and accounts of the military registered in New France. The inventory also includes registration of royal letters-patent and extracts of the registers of the Sovereign Council of Quebec.

Series F3: This is the Moreau de St. Mery collection which besides copies of letters found in Series B and C11A contains originals and copies of letters not found in the other series. We consulted this for the question of jurisdictional strife and the brandy traffic. Volumes consulted were II to VII inclusive, LIV, LXXVIII, CCXLI. Vol. LIV contains the relevant correspondence to Placentia, Vol. LXXVIII contains much material on the Frontenac administration, and Vol. CCXLI some relevant material to the bishopric dealing with Louisiana.

Series F5A: Volumes I, II, III were consulted when away from the Public Archives where transcripts of this series had originally been consulted. Volumes I and II were used for the work of the Jesuits and Recollets in Canada and Volume III was particularly useful as it is devoted entirely to the problems of the colonial church and the missions.

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Series G1: Volumes 466 and 467 were consulted for statistical information on Acadia and Newfoundland.

(2) Bibliothèque Nationale, Paris:

All the material from the Bibliothèque Nationale which we consulted was microfilmed by the Société Française du Microfilm, except the Bonaventure Papers which were prepared by Cinefot, 11 rue du General Cavaignac, Tours.

Bonaventure Papers: This is a collection of miscellaneous papers relating to the family of Denys de Bonaventure and to Canada in general for the period 1655-1787.

Fonds Clairambault: Volumes 381 and 1016 were consulted for the explorations of the interior, missionary activity along the Great Lakes, and selected documents relating to La Salle. This was the original collection of documents of the Ministry of the Marine.

Villermont Papers: This section of the Fonds Français, consists of correspondence of Esprit Gabart de Villermont, king's councillor, former captain of infantry in Louisiana, relating to New France, 1668-1692.

Bernou-Renaudot Correspondence: This is Carton 7497 of the Nouvelles acquisitions françaises which consist of letters of the abbot Claude Bernou to the abbot Eusebe Renaudot on the exploration of New France, the fur trade, the missions, written between 1683 and 1686.

(3) Bibliothèque du Séminaire de Saint-Sulpice, Paris
(B.S.S.P.)

Tronson Correspondence: Volumes I and II were consulted on microfilm prepared by the Société Française du Microfilm. Volume I contains 464 letters of Tronson sent to the Sulpicians in Canada. There are also 17 miscellaneous documents included - such material as instructions to Dollier de Casson, accusations against Governor Perrot, requests for financial assistance from the Ministry of the Marine. Volume II has letters of François Leschassier and afforded more perspective of the Sulpician work at the close of the seventeenth century.

(4) United College Library, Winnipeg

The microcard collection was used for R.G. Thwaites, The Jesuit Relations and Allied Documents (73 vols. Cleveland, 1896-1901).

III. PRINTED PRIMARY & CONTEMPORARY SOURCES

Arthur F. Adams, The Explorations of Pierre Esprit Radisson (Minneapolis: Ross & Haines, Inc., 1961). A well-organized edition of accounts of Radisson's six voyages based upon manuscripts in Bodleian Library and the British Museum. This presents an entirely new concept of the time and sequence of the first four voyages.

Annual Report of the State Historian of the State of New York (Albany: Wynkoop Hallenbeck Crawford Co., 1897-98). Vol. I is the Second Report, 1896 and appendix G gives some seventeenth century documents relevant to this study. Vol. II is the Third Report, 1897 in which appendix L gives New York records for the period 1673-1675.

(Anonymous), Les Entretiens des Voyageurs sur la Mer. Seconde Partie dans laquelle on traite de Plusieurs affaires concernant l'Etat et la Religion (Cologne: Pierre Marteau, 1704). Enlightening contemporary comments on Jansenism, the revocation of the Edict of Nantes, and Gallicanism. Definitely the work of a Protestant exile; assigned to obtain redress.

(Anonymous), Réflexions sur la cruelle persecution que souffre l'Eglise reformée de France, et sur la conduite et les actes de la dernière assemblée du clergé de France. (n.p., 1685) Gives the Protestant view of Declaration of the Clergy on Ecclesiastical Power and of the repressive legislation of the 1680's.

(Archbishopric of Quebec), Recueil d'Ordonnances Synodales et Episcopales du Diocèse de Québec (Quebec: J.T. Brousseau, 1859). This is a handy 351-page companion to the Mandements; it contains indulgences granted to the diocese, decrees of the Congregation of Rites and miscellaneous decisions.

H. Beauchet-Filleau, ed., Annales de la Compagnie du St. Sacrement par le Comte René de Voyer d'Argenson (Marseille:

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Saint-Leon, 1900). The first comments on the Annales of this semi-secret company which played a prominent role in the settlement and foundation of Canada were brief laudatory articles by members of the clergy. This unabridged publication of the Argenson manuscript of 1696 by a Dominican brought the social and political aspects of the movement into proper focus for the first time.

Pierre Biard, S.J., Relation de la Nouvelle France, de ses Terres, Naturels du Pais, & de ses Habitans (Lyon: Louys Muguet, 1616). Useful for information on arrival of first Jesuits in New France, their relations with the Protestants and the traders.

Jacques Bigot, S.J., Copie d'une lettre écrite par le Père Jacques Bigot de la Compagnie de Jesus, l'an 1684, pour accompagner un collier de porcelaine envoyée par les Abnaguis de la Mission de Saint Francois de Sales dans la Nouvelle-France. (New York: Presse cramaisy de Jean-Marie Shea, 1858). This was taken from the original preserved in the Monastery of the Visitation at Annecy, and gives information of missionary work in the period after the cessation of the annual publication of the Relations.

A. de Boislisle, ed., Mémoires de Saint-Simon (Paris: Librairie Hachette, 1879-1913), 41 vols. In this monumental work so critical of the administration of Louis XIV we consulted Volumes I, III, IV, V, VI, and VII, and particularly the appendices.

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F.J. Bressani, S.J., Relation abrégée de quelques Missions des Pères de la Compagnie de Jesus dans la Nouvelle France (Montreal: John Lovell, 1852). This account of work among the Hurons from 1642 to 1645 was also consulted at the Newberry Library as Brevi Relationi d'alcune Missioni (Macerato: Heredi d'Agostino Grisei, 1653).

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Canada Archives, report of the Public Archives (Ottawa: Queen's/King's Printer, 1872-1950) 54 vols. These annual reports contain numerous documents printed in full, as well as inventories and summaries of documents found in various collections.

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F.J. Cugnet, ed., Abstract of the several royal Edicts and Declarations, and Provincial Regulations and Ordinances that were in force in the Province of Quebec in the time of the French government (London: n.p., 1722). Cugnet's work as secretary to the British Governor and Council in Quebec included advising the conquerors on the nature of French civil laws. His work therefore gets at the essential points of French law.

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F.J. Cugnet, ed., An Abstract of those parts of the Custom of the Viscounty and Provotship of Paris which were received and practised in the Province of Quebec in the Time of the French Government. (London: Charles Eyre & Wm. Strahan, 1772). This was drawn up by a committee of Canadians skilled in the laws of New France at the request of Guy Carleton. Particularly useful in sifting out those sections of the Custom of Paris not applied in the colony.

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Edict du Roy donné en faveur des Mariages (Paris: Imprimeurs ordinaires du Roy, 1666). This was the edict that became the pattern for similar legislation for the colonies.

Edict du Roy pour l'establissement de la Compagnie de la Nouvelle France avec l'arrest de verification de la Cour des Aydes de Rouen (Paris: Sebastien Cramoisy, 1633). This document is of particular interest to this study as it indicates the jurisdiction of the Parlement of Normandy over the colony in this early period and lends weight to the claims of the archbishop of Rouen to spiritual jurisdiction over the colony.

Edict du Roy, 1657 l'establissement de la Compagnie de la Nouvelle France (Paris: Sebastien Cramoisy, 1657). We consulted a photostat at the Newberry Library. The traders were required to provide three priests for each settlement according to this revised edict.

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and ecclesiastical powers and settles questions which were still disputed in the period of this study.

Édit du Roy concernant les formalitez qui doivent estre observées dans les Mariages (Paris: Jacques Langlois, 1697). We also saw a copy published by Francois Muguet in 1697. This gives in summation the legal edifice built about the institution of marriage in the period 1666-1697

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A. Gendron, quelques particularitez du pays des Hurons en La Nouvelle France, Remarquées par le Sieur Gendron, Docteur en Médecine, qui a demeure dans ce Pays-la fort long-temps (Paris: Louis Billaine, 1660). An interesting account by a layman of the Indian mode of life; indicates problems of assimilation.

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(C.H. Laverdiere & H.R. Casgrain, eds.), Le Journal des Jésuites (Quebec: Leger Brousseau, 1871). This is the daily journal of the superior at Quebec. This edition was compared with the original manuscript in the archives of the Seminary of Quebec. Unfortunately the pages from 1654 to 1656 are missing and everything from 1669 to 1755 has been lost. The entries from 1645 to 1668 are indispensable to this study.

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Pierre Margry, Découvertes et Établissements des Français dans l'Ouest et dans le Sud de l'Amérique septentrionale, 1614-1698: Mémoires et documents inédits (Paris: Maisonneuve et Cie, 1879), 6 vols. This work was published through the financial assistance Francis Parkman obtained for Margry from the American Congress. Margry is careless in the manner in which excerpts are presented out of context, in matters of punctuation vital to interpretation, and in dating of documents. This represents a useful selection of sources but must be used with care.

Dom Claude Martin, Lettres de la Vén. Mère Marie de l'Incarnation, Première Supérieure des Ursulines de la Nouvelle-France (Paris: Louis Billaine, 1681). This represents a large part of Marie de l'Incarnation's correspondence with the author (her son), her spiritual directors, various missionaries and the Ursulines at Tours, Dijon, Paris and Mons. This remains one of the important sources of information for the period. Unfortunately, her letters to such members of the clergy as Jean de Bernieres and Saint-Jure who had an interest in New France too has been lost.

Felix Martin, ed., Mission du Canada: Relations inédites de la Nouvelle-France, 1672-1679, pour faire suite aux anciennes relations, 1615-1672, avec deux cartes géographiques (Paris: Charles Douniol, 1861), 2 vols. This is a well-organized collection of Jesuit reports following the cessation of the annual publications in 1672.

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Marie Morin, Annales de l'Hôtel-Dieu de Montréal (Montreal: L'Imprimerie des Éditeurs, 1921). Sister Morin began this uncritical account in 1697 and personally wrote the history for the period 1659-1670.

W.B. Munro, ed., Documents relating to the Seigniorial tenure in Canada, 1598-1854 (Toronto: The Champlain Society, 1908). This is a scholarly, laborious and skilful piece of historical research which provides some information on the religious seigneuries.

Edmund B. O'Callaghan, ed., The Documentary History of the State of New York arranged under the direction of the Hon. Christopher Morgan, Secretary of State. (Albany: Weed, Parsons & Co., 1849-51), 4 vols. Volume I contains papers relating to the expedition of 1665-66, La Barre's expedition of 1684 and numerous papers on the Iroquois. O'Callaghan became state historian and archivist in New York after being exiled from Canada for his part in the rebellion of 1837.

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Blaise Pascal, The Provincial Letters (London: Griffith Harran O'Keden & Welsh, n.d.). In these 18 letters Pascal attacked the Jesuits and has preserved for us some of the controversial issues of the times - issues which also coloured colonial thinking and policies.

Nicholas Ferrot, Mémoire sur les mœurs, coutumes et religion des sauvages de l'Amérique septentrionale par Nicholas Ferrot publiée pour la première fois par le R.P. J. Pailhan de la Compagnie de Jésus (Leipzig: A. Franck, 1864). The writings of this coureur-de-bois leave a good deal to be desired from the narrative and chronological point of view, but there is no reason to suspect this is not a truthful account of life as he saw it in the woods and Indian camps. Nicholas Ferrot lived from 1644 to 1717.

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Pierre Georges Roy, ed., Bulletin de recherches Historiques (Lévis, n.p., 1895-1956), 62 vols. This monthly bulletin is invaluable to the student who does not have ready access to the chief archives. Most helpful in this study were articles on various aspects of life in the colony, and complete texts of documents found in departmental archives in France, private collections or church archives.

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R.G. Thwaites, ed., The Jesuit Relations and Allied Documents: Travel and Explorations of the Jesuit Missionaries in New France, 1610-1791 (Cleveland: Burrows Brothers, 1896-1901), 73 vols. This monumental work is indispensable for the study of the seventeenth century colony. Besides the annual reports from the Superior at Québec, prepared for publication by the Provincial in France up to the year 1672. Thwaites has included allied documents of the later period. The "Relations" are very much edited propaganda statements, whereas the letters are not so. Thwaites, who was secretary of the State Historical Society of Wisconsin, has added to the value of this magnificent collection by publishing them in a polyglot work.

R.G. Thwaites, ed., New Voyages to North America by the Baron de Lahontan (Chicago: A.C. McClurg & Co., 1905), 2 vols. Lahontan's observations commence with his arrival in the colony in 1683 and leave an important account of the nature of colonial life, the role of the clergy, the Indian, the inhabitants of the towns, the ruling personalities. His impressions were formed in the Governor's circle and his chief aversions, Jesuits and legal proceedings, reflect the problems of vigorous and independent soldiers of the day. His work is valuable as a contemporary account from an individual attached firmly to neither the clergy nor the national cause.

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Canada Archives, Report of the Public Archives (Ottawa: Queen's/King's Printer, 1872-1950), vols. These yearly reports from time to time contain summaries of the materials found in the series transcribed in Paris. Of particular value are Joseph Marmette's report in the 1887 report and Edward Richard's supplement to Dr. Brymner's report of 1899.

Auguste Carayon, S.J., Bibliographie historique de la Compagnie de Jésus ou catalogue des ouvrages relatifs à l'histoire des Jésuites, depuis leur origine jusqu'à nos jours (Paris: Auguste Durand, 1864). This 612-page work is still the best in its field.

Ivanhoe Caron, "Inventaire des documents concernant l'Église du Canada", Rapport de l'archiviste de la Province de Québec pour 1939-1940 (Québec: Imprimeur de Sa Majesté le Roi, 1940), pp. 157-353. This is the best inventory of the Québec archives' material on the colonial church.

Magdalen Casey, Catalogue of Pamphlets in the Public Archives of Canada, 1493-1877 (Ottawa: King's Printer, 1931). This is publication No. 13 in the series "Public Archives of Canada" and replaces catalogues published in 1911 and 1916. Since the arrangement is chronological it is easy to check the material dating from our period of research.

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A.G. Doughty, "Sources for the History of the Catholic Church in the Public Archives of Canada", Catholic Historical Review, No. XIX (1933-34), pp. 148-166. A general summary of the materials available at that time.

G.B. Faribault, ed., Catalogue d'Ouvrages sur l'Histoire de l'Amérique et en particulier sur celle du Canada, de la Louisiane, de l'Acadie, et autres Lieux (Quebec: W. Cowan, 1837). This was the first wholly Canadian bibliographical work, therefore, its numerous omissions may be excused. Titles are arranged by authors or chronologically if anonymous works.

B.F. French, ed., Historical Collections of Louisiana and Florida (New York: Albert Mason, 1875). Of no immediate value in this study.

H. HARRISSE, Notes pour servir à l'histoire, à la bibliographie et à la cartographie de la Nouvelle-France et des pays adjacents, 1545-1700 (Paris: Librairie Tross, 1872). This work was helpful in locating documents which have appeared in print. The chronological listings and the adequate index are of some merit. Particularly useful in the initial stages of research are his comments on sources in the Introduction.

Gustave Lanctot, "Les archives nationales du Canada", Semaine d'histoire du Canada, première session, Montreal, 1926, pp. 411-424. A general outline of the arrangement of the archives.

Gustave Lanctot, L'Oeuvre de la France en Amérique du Nord: Bibliographie sélective et Critique (Montreal: Fides, 1951). This bibliographical guide of some 460 titles is of limited value - general works on the Red River Rebellion and Laurier find their way into it.

Charles Leclerc. Bibliotheca americana. Histoire géographique, voyages, archéologie et linguistique des deux Amériques (Paris: Maisonneuve & Cie, 1881-87), 2 vols. This catalogue gives helpful information on sources then in print.

P.L. Le Jeune, o.m.i., Dictionnaire Générale de Biographie, Histoire, Littérature, Agriculture, Commerce, Industrie et des arts, Sciences, Moeurs, Coutumes, Institutions Politiques et Religieuses du Canada (Ottawa: University of Ottawa, 1931), 2 vols. This is still the most useful quick reference to Canadian personalities, places, events.

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E. B. O'Callaghan, Jesuit Relations of discoveries and other occurrences in Canada and the northern and western states of the Union, 1632-1672 (New York: Press of the Historical Society, 1847). Contains biographical material on the Jesuit missionaries and a catalogue raisonne of their annual reports.

D.W. Parker, A Guide to the Documents in the Manuscript Room at the Public Archives of Canada (Ottawa: Government Printing Bureau, 1914), Vol. I. Parker drew up this guide when he was put in charge of the Manuscript Division. Although it is out of date, it remains the basis for the various typescripts the attendants now employ in directing researchers through the material on New France.

P.G. Roy, "Les Archives de la Province de Quebec et ses inventaires", Semaine d'histoire du Canada, premiere session, Montreal, 1926. pp. 177-194. Good guide to general arrangement of the material in the provincial archives.

P.G. Roy, ed., Inventaire des Concessions en Fief et Seigneurie, Bois et Hommages, Aveux et Dénombrements (Beauceville: "L'Eclairer", 1927-29), 6 vols. The only work in this field.

P.G. Roy, ed., Inventaire des Insinuations au Conseil souverain de la Nouvelle-France (Beauceville: "L'Eclairer", 1921). Essential companion work to the Jugements et Deliberations.

P.G. Roy, ed., Inventaire des Ordonnances des Intendants de la Nouvelle-France conservés aux archives Provinciales de Québec (Beauceville: "L'Eclairer", 1919), 4 vols. Essential companion work to the Edits.

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P.G. Roy, ed., Inventaire des Régistres de l'Etat Civil conservés aux Archives Judiciaires de Québec (Beauceville: "L'Eclaireur", 1921). Useful compilation of acts of marriage, births, deaths, religious professions.

P.G. Roy, ed., Lettres de Noblesse, Genealogies, Erections de Comtés et baronnies insinuées par le Conseil Souverain de la Nouvelle-France (Beauceville; "L'Eclaireur", 1920), 2 vols. Of value in tracing genealogical lines.

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II PRINTED WORKS AND TYPESCRIPTS

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Guy Arbour, Le Droit Canonique particulier au Canada (Ottawa: Éditions de l'Université d'Ottawa, 1957). Clarified a few minor points on canon law in the colony.

Charles W. Baird, History of the Huguenot Emigration to America (New York: Doad, Mead & Co., 1885), 2 vols. This work is still the authority in its field. Chapter I deals with Canada and Acadia and is based on manuscript material in Massachusetts, Leyden, Geneva, La Rochelle, Paris and London. Chapters IV and V deal with the Revocation of the Edict of Nantes and present further documents not readily accessible in North America.

René Belanger, La Lime ecclésiastique (Ottawa: manuscript, University of Ottawa, 1939). Little historical information on the period under study here.

Yvonne Bezar, Fonctionnaires Maritimes et Coloniaux sous Louis XIV: Les Bégon (Paris: Librairie Albin Michel, 1932). Used for comparing questions of precedence, trading, clerical privileges and toleration in West Indies and Canada.

H.P. Biggar, Early Trading Companies of New France (Toronto: University of Toronto Press, 1901). Besides the provision of a narrative for the period this work has useful comments on primary sources.

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J. DuBois Cahall, The Sovereign Council of New France (New York: Columbia University, 1915). This was a Ph. D. Thesis. It furnishes useful observations on Council membership, powers, procedure, ceremonial and records.

T.J. Campbell, S.J., Pioneer Priests of North

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America, 1642-1710 (New York: Forham University Press, 1908). This work limits itself to 18 priests, all Jesuits and mostly those who worked among the Iroquois. It is easy to read and is more critical and discriminating in recording colonial events than most works on the clergy.

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abbé H.R. Casgrain, Une Paroisse canadienne au XVIIe Siècle (Quebec: Imprimeur de Leger Brousseau, 1880). A very idealized and romantic account of the development of a parish in a backwoods pioneer environment. Poor history even if good literature.

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Pierre F.X. Charlevoix, S.J., Histoire et description générale de la Nouvelle France avec le Journal historique d'un Voyage fait par ordre du Roi dans l'Amérique Septentrionale (Paris: Pierre-François Giffart, 1744), 6 vols. This history of the colony to 1731 was based upon research into documents and is remarkable for a scientific and scholarly approach surprising for this period.

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J. Lalonde, Le Conseil souverain de la Nouvelle-France (Quebec: L. A. Froulx, 1927). A somewhat superficial study.

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