

SEVENTH REPORT

OF THE

COMMITTEE

OF THE

HOUSE OF ASSEMBLY,

ON THAT PART OF THE SPEECH

OF

HIS EXCELLENCY THE GOVERNOR IN CHIEF

WHICH RELATES

TO THE

SETTLEMENT

OF THE

CROWN LANDS.

WITH THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE COMMITTEE.

[ORDERED TO BE PRINTED THE TENTH FEBRUARY 1824.]

QUEBEC :

Printed by NEILSON & COWAN, No. 5, Mountain Street.

1824.

HOUSE OF ASSEMBLY,

SATURDAY, 29th November, 1823.

Resolved, That a Committee of seven Members be appointed to take into consideration that part of His Excellency the Governor in Chief's Speech at the opening of the Session of the Legislature on the 16th December 1820, which relates to the settlement of the Crown Lands, with power to send for persons, papers and records, and that the Committee have power to report, from time to time, by Bill or Bills or otherwise.

Ordered, That Mr. Stuart, Mr. Saint Onge, Mr. Joseph Perrault, Mr. O'Sullivan, Mr. Viger, Mr. Heney and Mr. Bourdages do compose the said Committee.

Attest.

WM. LINDSAY, Clk. Assy.

HOUSE OF ASSEMBLY,

FRIDAY, 5th December 1823.

Ordered, That Mr. Bureau be added to the Committee.

Attest.

WM. LINDSAY, Clk. Assy.

HOUSE OF ASSEMBLY,

WEDNESDAY, 24th December 1823

Ordered, That the Petition of the Chiefs and other Indians of the Huron Nation, residing at Lorette, be referred to this Committee.

Attest.

WM. LINDSAY, Clk. Assy.

HOUSE OF ASSEMBLY,

WEDNESDAY, 7th January 1824.

Ordered, That the Message of His Excellency the Governor in Chief relating to the Escheat and Forfeiture of Lands to the Crown, delivered this day, with the document accompanying the same, be referred to the said Committee.

Attest.

WM. LINDSAY, Clk. Assy.

YOUR COMMITTEE HUMBLY REPORT,

THAT early in the present Session they resumed the enquiry into the matter referred to them, and examined a number of Witnesses, whose examinations will be found in the Appendix to this Report under the Letter (A.)

To obtain more full information relative to the Country lying between the River Saguenay and the River Ottawa, your Committee have directed to several Country Gentlemen of this Province, who have had means of becoming acquainted with that Tract of Country, a Series of Questions, which, with their Answers to them, when received, will be communicated to the House.

That it became the duty of the Committee to inquire how far the great and manifold abuses which had crept into the administration of the waste Lands of the Crown, could be corrected by Legislative Interference.

One of the most prominent of these Evils was the exaction of illegal Fees; and particularly from the Militia who served during the last War, whereby the gracious and bountiful intentions of His Majesty towards the said Militia have been hitherto prevented from producing their full fruit.

To carry into effect these gracious intentions of His Majesty, there was passed an Act by the Provincial Legislature (59th Geo. III. Cap. 23), intituled, "An Act to appropriate a certain Sum of Money to provide for the expense of laying out Lands for reduced Officers and Men of the embodied Militia, and others, who served during the late War:" by which Act there was appropriated for that purpose a Sum of Three thousand Pounds current money of this Province.

On referring to the Public Accounts, it will be found that of the said Sum, there has been laid out a Sum of Two thousand two hundred and ninety seven Pounds, four Shillings and ten Pence Currency, between November 1818 and October 1823, and there now remains a balance in favour of that Fund of Seven hundred and two Pounds, fifteen Shillings and two Pence Currency.

A Statement of the Sums expended, and the names of the Townships in the Survey, whereon they have been expended, will be found in the Appendix of this Report under the Letter (B.)

The description of the Grantees of the Land so surveyed distinguishing those who served in the Embodied Militia during the late War, with the quantities granted to the said Grantees, will be found in the Appendix to this Report under the Letter (C.)

To prevent the exaction of illegal Fees, your Committee reported a Bill, intituled, "An Act for the relief of the Subject in more effectually enforcing the Royal Instructions of His late Most Gracious Majesty, relating to the Expense and Fees to be allowed upon Grants of the Waste Lands of the Crown in this Province, and to punish

" persons offending against the said Royal Instructions ;" which has passed this House, and has been ordered to be taken up to the Legislative Council for their concurrence.

Your Committee next directed their attention to the old Seigneuries of the Country. These Seigneuries were originally granted in trust to regrant to actual Settlers upon certain moderate Rents, and with a right in the Seignior to certain mutation fines. The Tenant was bound to make an actual Settlement.

These respective obligations might be enforced by summary and efficacious proceedings—As far as the obligation of the Seignior to grant, and the prohibition to sell his Wild Land were concerned, the only Tribunal competent to enforce the penalties consequent upon a Breach of this obligation, was composed of the Governor, Lieutenant Governor, and Intendant for the time being.

By the Judicature Act no special provision is made for this Class of cases, and it became necessary therefore to vest in the Courts of King's Bench for the Districts of Quebec, Three Rivers, and Montreal respectively, Jurisdiction over this matter.

The Expenses incident to the bringing of numerous Suits against the Tenants who had failed to comply with the Conditions of actual Settlement and had abandoned the Lands, and not unfrequently the Seigniority itself, had long been a subject of well founded complaint on the part of the Seigniors.

To remedy these two Evils as far as possible, your Committee reported to this House a Bill, intituled, " An Act to enforce the Ancient Laws of this Province, compelling Seigniors to concede their Lands subject only to Rents and Services, and to facilitate the reunion of Lands *en roture* to the *Domaine* in cases where the same may be demanded."

The inconveniences, which in His Majesty's Instructions to James Murray, Esquire, Governor of the Province of Quebec, dated 7th December 1765, are stated " to have arisen in many of our Colonies in America from the granting excessive quantities of Land to particular persons who have never cultivated or settled the same, and have thereby prevented others more industrious from improving the same ;" have notwithstanding the various precautions taken by His Majesty's Government been realised in this Colony to an alarming extent.

This part of the subject was immediately brought under the consideration of the House by a Message of His Excellency the Governor in Chief, bearing date the 5th January instant, and which has been referred by the House to Your Committee.

The Message of His Excellency the Governor in Chief is to the following effect ;

" The Governor in Chief having long felt the necessity of taking steps to effect the Escheat and forfeiture to the Crown of large tracts of Land held under Letters Patent in the Townships of this Province, on which

no improvements have been made according to the Conditions of the Patents granting the same, recommends to the Assembly to adopt measures for removing, by Legislative enactments, the various difficulties which, in the present state of the Law applicable to this subject, must attend and very much embarrass any proceeding for reuniting these Lands to the Crown."

"The extent and nature of those difficulties will best be shewn by the accompanying Copy of a Report of the Law Officers of the Crown, upon a reference made to them by the directions of the Governor in Chief in the month of March last."

The Report of the Law Officers of the Crown referred to in the foregoing Message, will be found in the Appendix to this Report under the Letter (D)

Your Committee have bestowed their most serious attention upon the foregoing Message of His Excellency the Governor in Chief. They are convinced that the most effectual Legislative aid ought to be afforded to the Provincial Government to enable it to carry into effect the wise and beneficial measures referred to in the Message of His Excellency. The particular Legislative enactments required in this behalf will however require much consideration.

Your Committee will with all diligence prepare and report to the House, a Bill containing such provisions as in the opinion of your Committee are best calculated to carry into effect the intentions of His Excellency the Governor in Chief, as expressed in the foregoing Message.

The extreme denseness of the population of Lower-Canada, which appears to your Committee to have encreased and to continue to increase, in a much higher ratio than that in which the clearings extend into the Forest, and the productive powers of the Earth are brought forth, rendered it a matter of anxious enquiry with your Committee what the population of Lower-Canada now is, and what has been and is the ratio of its encrease.

The close connexion of this subject with the measure of reducing excessive Grants of Land was felt by the Government of His Most Christian Majesty, and by a Decree of the 4th June 1675 (which is to be found in the Appendix to the Report under the Letter (E), intituled "*Acte pour retrancher les Concessions de trop grande étendue et pour faire un recensement*," provisions were made embracing both these objects.

The importance of knowing the exact amount of the encrease of the Inhabitants was duly appreciated by His Majesty's Government, and accordingly by the Seventy third Article of His Majesty's Instructions to James Murray, Esquire, already referred to and dated 7th December 1763, which article there is reason to believe is one of the general articles of His Majesty's Instructions :—

It is provided as followeth ; " You are from time to time to send unto Us, by Our Commissioners for Trade and Plantations as afore-

“ said, an account of the Increase and Decrease of the Inhabitants, “ Whites and Blacks, and also an account of all persons born, christened, “ and buried.”

It was probably in pursuance of a General Order of the Governor in Council for the time being, made to carry into effect the foregoing Article of His Majesty's Instructions, that the Prothonotaries of the Courts of King's Bench for the Districts of Quebec, Three-Rivers and Montreal, have annually delivered to the Governor for the time being, Tables of Births, Marriages, and Deaths in the different Towns and Parishes of this Province, which Tables are made from the duplicate Registers of Baptisms, Marriages, and Deaths, which the Parsons of the different Parishes are by Law bound to transmit annually to the said Prothonotaries.

Your Committee have obtained from the Prothonotaries of the several Districts all the Copies of these Tables which remained in their respective Offices, viz: for the District of Quebec, from 1794 to the year 1821 both years inclusive, in which last year it having been intimated to the Prothonotaries from the Committee of Audit of the Executive Council, that the usual allowance of Ten Pounds for this Service would no longer be admitted, the Prothonotaries have ceased to make such Tables.

For the District of Three-Rivers, from the year 1791 to the year 1822 both inclusive: And for the District of Montreal, for the year 1803, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1820, 1821 and 1822.

From these authentic documents, Your Committee have framed Synoptical Tables for the Three Districts respectively, which Tables will be found in the Appendix to this Report under the Letter (F.)

To obtain further information upon this matter, a motion was directed by your Committee to be made in the House, and it was accordingly moved and resolved therein.

“ That an humble Address be presented to His Excellency the Governor in Chief, praying he will be pleased to order to be laid before “ this House, Copies of such Statements of Baptisms, Marriages and “ Burials as have been transmitted to the Governor, Lieutenant Governor, or person having the Administration of the Government of this “ Province for the time being, by the Prothonotaries of the Districts of “ Montreal and Gaspé, from the date that the same have been so transmitted, and of the District of Quebec, for the years anterior to one “ thousand Seven hundred and ninety four, and of the District of Three “ Rivers, for the years anterior to One thousand seven hundred and “ ninety one.”

The above Tables do not comprise the Townships nor the District of Gaspé.

As to the latter, the Commissioners appointed in virtue of an Act of

the Provincial Parliament of the 59th year of the Reign of His late Majesty George the Third, intituled, "An Act to secure the Inhabitants of the Inferior District of Gaspé, in the possession and enjoyment of their Lands," in obedience to the Orders of His Grace the late Duke of Richmond, Governor in Chief, directing the said Commissioners in addition to the provisions of the said Act, to give their attention to the state of the fisheries in the said District, and requiring their opinion as to the most proper mode of encouraging the same; to take a Census of the Population and to ascertain "the state of Agriculture in the said District, the nature of its Soil and its various productions, the general quality of the unsettled Lands, the places best suited for the location of Settlers, the state of the internal Communications and places most in want of highways and Roads, and in general all such information as might, in any wise tend to the Public utility," did on the twenty seventh December one thousand eight hundred and twenty, make their Report to His Excellency the Earl of Dalhousie, Governor in Chief, which said Report was on the 28th day of February, one thousand eight hundred and twenty one, laid before the House.

A Table intituled, "Census and General State of the District and County of Gaspé in the Province of Lower-Canada," which was subjoined to the said Report by the said Commissioners, will be found in the Appendix to this Report under the Letter (G.)

Your Committee have no information relative to the Number of the Inhabitants of the Townships, nor of the Births, Marriages and Deaths, Registers not being generally kept there.

To obtain information upon this subject, there was on the fourteenth April, One thousand eight hundred and seven, ordered "That an humble Address be presented to His Honor the President of this Province, praying that he may be pleased to order a Census to be made of all the Inhabitants of the different Townships on the south side of the River St. Lawrence, stating the Countries of which they are Natives, the time they have resided in this Province, whether they have qualified themselves as British Subjects, the number of Males and Females, and also an Account of the Number of Acres of Land in a state of cultivation in each Township respectively, as nearly as the same can be ascertained, and the number of Males within the age limited for serving as Militia-men, for the information of the Legislature at the next Session thereof, and to assure His Honor that this House will make good the Expense thereof."

To this Address His Honor the President was pleased to answer, "As I have every reason to believe that I shall be relieved in the Administration of this Government before the necessary steps can be taken for obtaining the information requested in your present Address, I can only say in answer thereto, that I shall not fail to lay it before the Governor or Lieutenant Governor on their arrival."

On the twenty-fourth February One thousand eight hundred and seventeen, a Bill "to authorize a Census and Statistical Returns of the Province of Lower-Canada," passed the Assembly, and was sent to the Legislative Council, but did not pass that body.

A Bill for the same purpose passed the Assembly in One thousand eight hundred and nineteen, and was likewise lost in the Legislative Council; another in One thousand eight hundred and twenty; another in one thousand eight hundred and twenty two; and another in One thousand eight hundred and twenty three, met the same fate.

A Bill for the same purpose was sent up to the Legislative Council by the Assembly early in the present Session.

Your Committee regretting as they must, that a measure which would seem at all times useful, and at the present moment, when the House is occupied in regulating anew the representation, essentially necessary, should not have had the concurrence of that Honourable Body, do not feel themselves entitled to inquire into or to indulge even a conjecture of the reasons which could have led to the rejection of this Bill year after year.

Your Committee lastly carefully examined His Majesty's Instructions relating to the granting of Lands with a view of ascertaining whether the abuses in this branch of the Administration had arisen by reason of any error or insufficiency in the system of granting laid down by His Majesty's said Instructions, or whether these abuses were not rather due to circumstances extrinsic from and unconnected with the said Instructions.

The object of these Instructions appears to have been to organize a more effectual system of Checks than had been obtained in the old British Colonies, and thereby prevent the occurrence of those evils and abuses in the granting of Lands, whereof the Records of the Board of Trade and Plantations and of His Majesty's Privy Council, must have afforded so many proofs.

The Officers within the Colony whose powers and duties in relation to this matter were to be regulated, were :—

1st. The Governor, Lieutenant Governor or Person Administering the Government.

2nd. The Surveyor General.

3rd. The Registrar.

4th. The Auditor of Land Patents.

5th. And lastly there was to be established an ultimate controul over all the officers within the Colony, to be exercised by a Public Board in Great Britain.

And first as to the power of the Governor for the time being to grant Land.

To ascertain what this power is, and how it is to be exercised, we must look at the Commission of Captain General and Governor in Chief of

the Province of Quebec, given to James Murray, Esquire, and dated at Westminster, the twenty-first day of November, in the fourth year of the Reign of His late Majesty,—which Commission has been compared with the Commission given to Sir Danvers Osborn, Baronet, Captain General and Governor in Chief in and over the Province of New-York, dated at Westminster the first day of August in the twenty seventh year of the Reign of His late Majesty, and which are to be found in a collection of several commissions and other public instruments proceeding from His Majesty's Royal Authority, and other papers relating to the then Province of Quebec in North America, since the Conquest of it by the British Arms in one thousand seven hundred and sixty, collected by Francis Masères, Esquire, His Majesty's Attorney General in the said Province,—published at London in one thousand seven hundred and seventy two: And has also been compared with the Commission of His Excellency the present Governor in Chief, whereof your Committee has caused a copy duly authenticated to be laid before them.

The Clause in the Commission to James Murray, Esquire, is as followeth. “ And we likewise give and grant unto you full power and authority, by and with the advice and consent of our said Council, to settle and agree with the inhabitants of our said Province, for such Lands, Tenements and hereditaments, as now are, or hereafter shall be, in our power to dispose of, and them to grant to any person or persons upon such terms and under such moderate quit Rents, services and acknowledgments, to be thereupon reserved unto us, as you, with the advice aforesaid, shall think fit, which said Grants are to pass and be sealed by our Public Seal of our said Province, and being entered upon Record by such officer or officers as shall be appointed thereunto, shall be good and effectual in the Law against us, our Heirs and Successors.”

“ Provided, the same be conformable to the instructions herewith delivered to you, or to such other instructions as may hereafter be sent you under our Signet and Sign Manual, or by Our Order in Our Privy Council, which instructions or any articles contained therein, or any such Order made in our Privy Council, so far as the same shall relate to the granting of Lands as aforesaid, shall from time to time be published in the Province, and entered on Record in like manner as the said Grants are hereby directed to be entered.”

The Clause in the Commission to Sir Danvers Osborn is in the same words, down to the Proviso, which is not to be found therein.

The Clause in the Commission of His Excellency the present Governor in Chief, is as followeth:—

“ And we do likewise give and grant unto you full power and authority with the advice of our Executive Council of our said Province of Upper-Canada and Lower-Canada to grant Lands within the said

“ Provinces respectively, which said grants are to pass and be sealed
 “ with our Seal of such Provinces, and being entered upon Record by
 “ such Officer or Officers as shall be appointed thereunto, shall be good
 “ and effectual against us, our Heirs and Successors. Provided, never-
 “ theless, that no Grants or Leases of any of the Trading Posts in our
 “ said Provinces, shall, under colour of this authority be made to any per-
 “ son or persons whatsoever, until our pleasure thereon shall be signified
 “ to you.”

It is to be observed, that the Proviso contained in the Commission given to James Murray, Esquire, limited the power contained in the said Commission to grant Lands ; embodied virtually and substantially His Majesty's Instructions in the said Commission ; and rendered inoperative any Grants of Lands made by the Governor in Council contrary to those Instructions.

Copies of the Commissions of the Registrar and of the Auditor of Land Patents are subjoined to this Report under the Letter (G.)

The wise and salutary jealousy which the before mentioned Proviso in the Commission to James Murray, Esquire, manifests, pervades the whole of the Instructions of One thousand seven hundred and sixty-three.

The Governor was not authorised to determine upon the claims of the old Inhabitants of the Province to Lands in virtue of Grants or Concessions made before the signing of the preliminary articles of Peace, on the third day of November, One thousand seven hundred and sixty two, when it appeared that those Inhabitants were in possession of more Lands than were contained within such Grants or Concessions—He was ordered “ to represent such claims to His Majesty, by His Majesty's Commissioners for Trade and Plantations, to the end that he might receive such directions thereupon as the nature and circumstances of the case shall appear to require.”

The Governor was ordered to cause an accurate survey to be made of the Province “ in order to the advantageous and effectual settlement thereof, and that the true state thereof should be known” which survey when made, he was to report to His Majesty by His Majesty's Commissioners for Trade and Plantations.

Although it is said, “ that as the making such Surveys will be a work of great length, you are in the mean time to carry on Settlements upon that Plan which appears to you to be most expedient, from the best information you can collect.” Yet the Instructions proceed to order that the Settlements shall be made in Townships, and give the most minute directions as to the form and dimensions of those Townships, as to the Towns to be erected therein, and the reservation to His Majesty of proper quantities of Land “ For erecting Fortifications, Barracks where necessary, or for other Military or Naval Services, and more particularly for the growth and production of Naval Timber, if there are any Wood Lands fit for that purpose ;” “ and for Churches and Glebes.”

It was not competent for the Governor to cause surveys to be made by any others than sworn surveyors, who were bound to make Reports of their surveys to the Governor "as soon as possible, with a particular description of each Township and the nature of the soil therein."

Before any warrant of survey could be obtained by any persons applying for Grants of Lands it was necessary that the Petitioners "should make it appear before the Governor in Council, that they are in a condition to cultivate and improve the same, by settling thereon in proportion to the quantities of acres desired a sufficient number of white persons and negroes."

The warrant of survey was directed to the Surveyor General or other proper Officer, and was required to be returned within six months from the date thereof, provided that the Governor was to take care "that before such warrant is issued as aforesaid, a Docquet thereof be entered into the Auditor's and Registrar's Office."

The Grant when issued was required to be in due form, and "that the terms and conditions of the said Instructions should be expressly mentioned therein."

In the exercise of the discretion of the Governor, as to the quantity of Land to be given to each applicant, the most particular directions are to be found in Art. 51, even as to the form of the Lots.

Over and above the above mentioned duty of the Surveyor General to make returns of his surveys, he was enjoined "once in every year or oftener, as occasion shall require, to inspect the state of all Grants of Land made by the Governor and make report thereof to the Governor in writing, specifying whether the condition therein contained had or had not been complied with, or what progress had been made towards fulfilling the same, and he was annually to transmit copies of such report to His Majesty's Commissioners for trade and Plantations.

The Duty of the Registrar was to enter a Docket of the Warrant of the Survey before the same issued to the Surveyor General, and to enter the grants within six months from the date thereof.

The Duty of the Auditor of Land Patents was to enter into his Office, also a Docket of the Warrant of Survey, before the same issued to the Surveyor General—And a Docket of the Grant was to be entered in the Auditor's Office, "in case such establishment shall take place in our said Province." In default of compliance with these Orders it was declared that the Grant should be void.

It was further ordered that Copies of all these Entries should be returned regularly by the proper Officer to His Majesty's Commissioners of the Treasury, and to the Commissioners for Trade, Plantations and within six months from the date thereof.

To give publicity to these Instructions, the Governor was directed as soon as possible to cause a Publication to be made, by Proclamation or otherwise, as he should deem most adviseable, "of all, each and every the foregoing Terms, Conditions and Regulations, of every kind res-

“pecting the Grants of Land,” and he was to take such steps as he should think proper “for the publishing of such Proclamations in all the colonies of North America.”

It is not easy to conceive a better combined system of checks than that which the Instructions, whereof an outline has been above submitted by your Committee, exhibits.

The only remaining source of abuse was the practice of purchasing colourable Titles to Lands from the native Indians, and a remedy to this Evil which had produced so much mischief in the old British Colonies, seemed to be provided by the Proclamation whereof a Copy is subjoined under the Letter (H.)

Under the above Proclamation doubts were entertained whether the whole Body of the English Law, and more particularly that part of it which relates to Lands, had not been introduced.

The proceedings had within the Province by the colonial authorities upon this subject, will be found in the Appendix to this Report, under the Letter (I.)

To quiet the minds of the people upon a matter of such vast importance to them, a measure was recommended by the Attorney General of that day, which will be found in the Appendix to this Report under the letter (K.)

The project of Changing the Tenure of the Country, came under the Consideration of His Majesty's Government in 1772, 1773, 1774.

The opinion of one of the principal Law Officers of the Crown upon “a Plan of a Code of Laws for the Province of Quebec, reported by the Advocate General in 1773” embracing the present matter, is in the possession of the public and so much of the said Report as relates to it, will be found in the Appendix to this Report, under the Letter (L.)

The apprehensions of the people of this Province upon the subject of the Tenure of their Lands were tranquilized by the Act of the 14th Geo. III. Cap. 83 commonly called the Quebec Act.

The above mentioned Instructions to General Murray were evidently founded upon the erroneous opinion that the Proclamation of 1763 had the effect of introducing the Law of England into this Province.

The statute of 1774 was dictated by more correct views of the subject.

By that Statute it was enacted:— “That all His Majesty's Canadian Subjects within the Province of Quebec, the Religious Orders and Communities only excepted, may also hold and enjoy their Property and Possessions together with all customs, and Usages relative thereto, and all other Civil Rights, in as large, ample, and beneficial a manner, as if the said Proclamation, Commissions, Ordinances, and other Acts and Instruments, had not been made and as may consist with their Allegiance to His Majesty and subjection to the Crown and Parliament of Great Britain-

“ And that in all matters of Controversy, relative to Property and Civil Rights, resort shall be had to the Laws of Canada, as the Rule for the decision of the same ; and all Causes that shall hereafter be instituted in any of the Courts of Justice, to be appointed within and for the said Province, by His Majesty, his Heirs, and Successors, shall, with respect to such Property and Rights, be determined agreeably to the said Laws and Customs of Canada, until they shall be varied or altered by any Ordinances that shall, from time to time, be passed in the said Province by the Governor, Lieutenant Governor, or Commander in Chief, for the time being, by and with the advice and consent of the Legislative Council of the same, to be appointed in manner herein after mentioned :—Accordingly in the Instructions next following the passing of that Statute maintaining the ancient Tenures of this Country, viz.

“ The instructions to Guy Carleton, Esquire, Captain General and Governor, in and over the Province of Quebec, in America, and of the Territories dependant thereupon, dated St. James’s, 3d January 1775, it was provided, as follows :

Art. 38. “ By our Commission to you under our Great Seal of Great Britain, you are authorized and empowered with the advice and consent of our Council, to settle and agree with the inhabitants of our said Province of Quebec for such Lands, Tenements and Hereditaments, as now are or shall hereafter be in our power to dispose of”. “ It is therefore, our Will and Pleasure, that all Lands which now are or hereafter may be subject to our disposal, be granted in Fief or Seignior in like manner as was practised antecedent to the Conquest of the said Province, omitting however in any grant that shall be passed of such Lands, the reservation of any judicial powers or privileges whatsoever : And it is our further Will and Pleasure, that all grants in Fief or Seignior so to be passed by you as aforesaid, be made subject to our Royal ratification or disallowance, and a due Registry thereof within a limited time, in like manner as was practised in regard to grants and concessions held in Fief and Seignior under the French Government.

The war which commenced soon after the passing of the Quebec Act, and which terminated in the Peace of 1783, affords a sufficient reason for an intermission of grants during that period.

Upon the conclusion of the Peace of 1783, the consideration of this subject was resumed by His Majesty’s Government, and “ in the articles in the instructions to Lord Dorchester in 1786, as are not contained in the instructions to Guy Carleton, Esquire, in 1775, also such articles or parts thereof, in the same instructions in 1786, as are altered from the instructions to Guy Carleton, Esquire, in 1775.”

His Majesty after stating:—“ that many of his Loyal Subjects, Inhabitants of His Colonies and Provinces, then the United States of America, were desirous of retaining their allegiance, and for that purpose were disposed to take up and improve Lands in the Province of Que-

“bec, and that His Majesty being desirous to encourage his said Loyal Subjects in such their intentions, and to testify His Majesty’s approbation by allotting Lands for them.”

Proceeds to direct:—“that immediately after you shall receive these our instructions, you do direct our Surveyor General of Lands for our said Province of Quebec, to admeasure and lay out such a quantity of Land as you, with the advice of our Council, shall deem necessary and convenient for the settlement of our said Loyal Subjects, and the non-commissioned Officers and Private Men of our Forces which may have been reduced in our said Province, who shall be desirous of becoming settlers therein; such Lands to be divided into distinct, Seigniories or Fiefs, to extend from two to four leagues in front, and from three to five leagues in depth, if situated upon a navigable River otherwise to be run square, or in such shape, and in such quantities as shall be convenient and practicable, and in each Seigniority a glebe to be reserved and laid out in the most convenient spot, to contain not less than three hundred acres, nor more than five hundred acres, the property of which Seignieuries or Fiefs, shall be and remain vested in us, our heirs and successors, and you shall allot such parts of the same as shall be applied for by any of our said Loyal Subjects, non-commissioned Officers, and Private Men of our Force, reduced as aforesaid, in the following proportions; that is to say,” &c.

On the 25th August 1790, a reference was made by His Excellency the Right Honourable Guy Lord Dorchester to the Honourable the Legislative Council of the Province, upon the expediency of changing the tenures of the country into the tenure by free and common soccage.

The reference, as well as the proceedings had thereupon, will be found in the Appendix to this Report under the letter (M.)

In the same spirit as these Instructions, it is provided by the Constitutional Act, “that all Lands which shall be hereafter granted within the said Province of Upper-Canada, shall be granted in free and common soccage, in like manner as Lands are now holden in free and common soccage in that part of England called Great Britain, and that in every case where Lands shall be hereafter granted within the said Province of Lower-Canada, and where the Grantee thereof shall desire the same to be granted in free and common soccage, the same shall be so granted, but subject nevertheless to such alterations, with respect to the nature and consequences of such tenure of free and common soccage, as may be established by any Law or Laws which may be made by His Majesty, his heirs or successors, by and with the advice and consent of the Legislative Council and Assembly of the Province.”

After the passing of this Statute, Proclamations were issued by the Governor for the time being, inviting Settlers to establish themselves in the Townships of this Province, which Proclamations will be found in the Appendix to a Report laid before the House, upon the subject of the present reference, on the 23d of February 1821.

As to the proceedings had in pursuance of these Proclamations, your Committee beg leave to refer to a Report of the permanent Committee of the whole Council to His Excellency Sir Robert Shore Milnes, Baronet, Lieutenant-Governor of the Province of Lower-Canada, &c. &c. bearing date "Council Chambers, Quebec, 26th May 1801," which will be found in the Appendix to a Report submitted to the House, on the subject of the present reference, upon the 17th March 1823, and whereof the following is an extract.

"Early in the year 1792, when the Land Granting business was entered upon, in consequence of the Royal Instructions framed in conformity to the provisions of the Canada Act, the Committees of the whole Executive Council were presided by William Smith, Esquire, His Majesty's Chief Justice of the Province, a Gentleman who had been long conversant in the practice of the Land Granting Department in the former Colonies of New-York and New-Hampshire; and at the outset of the business, the Chairman, after observing, that, 'an abundant population of these Colonies was the main object of the Royal Instructions' proposed a detailed plan of proceeding, and the Committee chose in the mode of proceeding suggested by the Chair."

"In consequence of the mode thus adopted, and before many of the most essential points connected with the business, such as the expenses of the Survey, the position of the Reserves, or the Appointment of Commissioners had been ascertained and adjusted, Warrants of Survey were in the course of a few months issued to divers persons, for upwards of 150 Townships of ten miles square."

"The uncertainty respecting the particulars above mentioned and others causes, suspended the further progress till towards the close of June 1794, when the business was resumed by order of His Excellency Lord Dorchester, at this period the former Chairman, William Smith, Esquire, had paid the debt of nature, and the duty of presiding in Committees of the whole Council, devolved on his Successor in the Chief Justiceship, and soon after five additional Members were called to the Executive Council."

"The very important business of the Land Granting Department being a novelty, as well to the succeeding Chairman as to the new Members, it became their duty to acquaint themselves both with the Rules assigned for their conduct by His Majesty's Royal Instructions, and with the anterior proceedings of the Board from its first Institution, as they appeared upon the records of the Council."

"Upon perusing the very elaborate Report drawn up by the late Chairman, introductory to the plan of proceedings by him suggested, and after observing the numerous orders that had been issued in consequence thereof, it appeared evident to the Committee, that both the theory laid down, and the practice adopted were in manifest violation of His Majesty's Instructions.—For whereas, the 35th Article of the said Instructions is of the tenor following:—"

‘ And in order to prevent any persons disaffected to us and our Government, from becoming Settlers in our said Province of Lower-Canada, it is our will and pleasure, that no Warrants for Surveying Lands be granted by you, or the Lieutenant Governor, or person administering the Government for the time being, unless the person or persons applying for the same, do at the time of making such application, besides taking the usual Oaths directed by Law, also make and subscribe the following declaration in your or his presence, or in the presence of such person or persons as shall by you or him be appointed for that purpose, viz : I, A. B., do promise and declare that I will maintain and defend to the utmost of my power, the authority of the King in his Parliament, as the supreme Legislature of this Province.’

“ Nevertheless in direct opposition to the Royal will and Pleasure, Warrants of survey for upwards of 150 Townships, have been issued at a time when no Commissions for the purpose in the said Instructions had been even appointed.”

“ To rectify this manifest mistake, to preserve the faith of Government as implied by the grant of the Warrant of survey, and to prevent the like evil in future, the most effectual remedy that occurred to the Committee, was to recommend the issuing of certain orders in Council as set forth in the Appendix (D), and since that time no Warrant of survey has been issued, but in conformity to the Royal Instructions,”

“ The existence of the error as well as the detection of it, together with the efforts of His Majesty’s Council to obviate any prejudice that might arise therefrom, were well known to the Memorialist, altho’ it might not suit his purpose to state them, and also to the parties interested, so that the repeated endeavours of the Council to restrain unauthorized settlement, by their repeated order issued during the course of several years, and the public notoriety of the fact, may well justify the assertion of the Committee on which an inconsistency is attempted to be established.” The evidence taken before your Committee as well as that before the Committee to whom in the Three last years successively this subject has been referred, sufficiently shews that His Majesty’s Instructions have not been complied with.

But so long as the people of this Country could look to the ungranted Land in the old Seigniories for habitations, the abuses in the granting of Township Lands did not come immediately home to them, and whatever might be the misconduct or oppressive Exactions of certain of the Individuals holding these Seigniories, the abuses in relation to them were by no means universal, and their removal might be looked forward to by Legislative interposition within the Colony.

It was in this state of things that the Act commonly called the Canada Trade Act (3d. Geo. IV. Cap. 119) was passed by the Parliament of the United Kingdom of Great Britain and Ireland.

That Act purports to be, “ An Act to regulate the Trade of the Provinces of Lower and Upper-Canada, and for other purposes relating to the said Provinces,” and amongst other things provides :—

“ That whereas doubts have been entertained whether the Tenure of Lands within the said Provinces of Upper and Lower-Canada, holden in Fief and Seignior, can legally be changed ;

“ And whereas it may materially tend to the improvement of such Lands, and to the general advantage of the said Provinces, that such tenures may henceforth be changed in manner herein after mentioned ; Be it therefore further enacted and declared, that if any person or persons holding any Lands in the said Provinces of Lower and Upper Canada, or either of them, in Fief and Seignior, and having legal power and authority to alienate the same, shall at any time from and after the commencement of this Act, surrender the same into the hands of Majesty, His Heirs or Successors, and shall by Petition to His Majesty, or to the Governor, Lieutenant Governor or Person Administering the Government of the Province, in which the Lands so holden shall be situated, set forth that he, she, or they, is or are desirous of holding the same in free and common soccage, such Governor, Lieutenant Governor, or Person Administering the Government of such Province as aforesaid, in pursuance of His Majesty’s instructions transmitted through His Principal Secretary of State for Colonial affairs, and by and with the advice and consent of the Executive Council of such Province, shall cause a fresh Grant to be made to such Person or Persons of such Lands, to be holden in free and Common Soccage in like manner as lands are now holden in free and Common Soccage, in that part of Great Britain called England, subject nevertheless to the payment to His Majesty, by such Grantee or Grantees, of such sum or sums of money as and for a commutation for the fines and other dues which would have been payable to His Majesty under the Original Tenures, and to such Conditions as to His Majesty, or to the said Governor, Lieutenant Governor, or Person Administering the Government as aforesaid, shall seem just and reasonable. Provided always that on any such fresh grant being made as aforesaid no allotment or appropriation of Lands for the support and maintenance of a Protestant Clergy shall be necessary ; but every such fresh Grant shall be valid and effectual without any specification of Lands for the purpose aforesaid ; any Law or Statute to the contrary thereof in any wise notwithstanding.

And “ that it shall and may be lawful for His Majesty, his Heirs and Successors to commute with any person holding Lands at *Cens et Rentes* in any *Censive* or *Fief* of His Majesty, within either of the said Provinces, and such person may obtain a release from His Majesty of all feudal rights arising by reason of such tenure, and receive a grant from his His Majesty, his Heirs or Successors, in free and common soccage, upon payment to His Majesty of such sums of Money as

“ His Majesty, his Heirs or Successors may deem it to be just and reasonable, by reason of the release and grant aforesaid, and all such sums of Money as shall be paid upon any commutations made by virtue of this Act, shall be applied towards the administration of Justice and the support of the Civil Government of the said Province.”

It does not fall within the province of your Committee to express any opinion upon the right of the Parliament of the United Kingdom of Great Britain and Ireland, to make Legislative enactments, generally, of the nature of those contained in the Act in question. They will not presume to anticipate the opinion of the House on this subject. Their attention has been confined to the above recited clauses and to their probable effects.

Your Committee can entertain no doubt that these clauses contravening, as they do, the articles of Capitulation and the definitive Treaty of Peace—Abrogating the Statute of the fourteenth of the late King, so far as it relates to Lands—and in contradiction to the just and liberal spirit which the whole of the public acts of His Majesty’s Government in England, from the Cession of the Country down to the passing of the last mentioned Act, evince, could have received the support of His Majesty’s Government, only in consequence of the misrepresentations of interested individuals, who have led His Majesty’s Government to believe, that the change to be operated by that Act would be beneficial to His Majesty’s Canadian Subjects in this Province, whereas on the contrary it would operate a great agrarian revolution in the Colony, vest absolutely and unconditionally large tracts of Lands in the hands of a few, and reduce the mass of the people within no very long period of time to mendicancy.

These clauses tend also to annihilate the Casual and Territorial Revenue, which, as established prior to the Conquest, His Majesty has been most graciously pleased to order to be applied towards defraying the Civil Expenses of the Province, as appears by a Message of His Excellency the Right Honourable Guy Lord Dorchester, dated 19th April 1794.

In that message it was said by His Excellency “ that this (the Casual and Territorial Revenue) arises from various rights appertaining to the Crown, some of which are not productive. The Governor doubts not but the House will bring forward measures to relieve the subject by other duties not objectionable, if raising the *Lods et Ventes*, *Droit de Quint*, &c. up to the legal standard, should prove oppressive to the people.”

Subsequently an Act was passed, intitled “ an Act for granting to His Majesty additional and new duties on certain Goods, Wares and Merchandizes, and for appropriating the same towards further defraying the charges of the administration of Justice and the support of the Civil Government within

“ this Province, and for other purposes therein mentioned ;” by which Act permanent additional duties were established, and out of them a sum of Five thousand Pounds Sterling granted for the support of His Majesty's Government.

The last and most important subject of Enquiry with your Committee, was into the measures proper to be pursued for the purpose of removing the evils and abuses which it had been their painful duty to investigate and disclose.

It appears to your Committee that these are so inveterate and touch so many powerful interests within the Colony, that no hope of redress from the Provincial authorities can reasonably be indulged, and that it is from the mother Country alone that we can look for the extirpation of these evils and abuses.

Your Committee finds in all the Acts which can be traced to His Majesty's Government in Great Britain, a manifest desire to advance the well being of the people of this Province, and fully to maintain them in their just rights.

The remoteness of this Colony, and the little intercourse of its people with the Mother Country, has rendered it easy for designing individuals to deceive His Majesty's Government, and the public events which have occurred since the cession of the Country, wherein Great Britain was immediately interested, necessarily divided the attention of her Ministers and relaxed the controul exercised over the Provincial authorities.

It will be barely necessary to recall to the recollection of the House, that after the cession of the Country to Great Britain the political agitations of the old British Colonies were no longer kept within Bounds by the fear of a powerful external Enemy, and the attention of His Majesty's Government, down to the declaration of American independence, was fully employed upon the many subjects of violent controversy between the two parties which then divided those Colonies. That the American revolutionary war followed, and then soon after its close the French revolutionary war, wherein Great Britain contended for existence itself, soon followed, and that upon its termination many and most serious matters of public Policy, arising out of the new state of Peace, naturally absorbed the attention of His Majesty's Government.

Now that affairs are returning to their old order, your Committee is convinced that as His Majesty's Government is now able, so it would be found willing, to listen to the humble Representations of His Majesty's faithful Canadian Subjects.

Your Committee therefore recommend, that an humble Address be made to His Majesty, praying that he will be graciously pleased to cause to be remedied the various abuses which exist in this Province relative to the waste Lands of the Crown.

All which is nevertheless humbly submitted.

Quebec, 3d February 1824.

ANDREW STUART, Chairman.

APPENDIX (A.)

COMMITTEE ROOM,

THURSDAY, 4th DECEMBER 1823.

Mr. Stuart, called to the Chair.

Jos. Frans. Perrault, Esquire, one of the Prothonotaries of the Court of King's Bench for the District of Quebec, appeared before your Committee and made Answer as follows to the Questions following :

Q. How long have you been Prothonotary ?

A. Since the Month of May 1795.

Q. Have you in your possession as Prothonotary as aforesaid, Tables of the Baptisms, Marriages and Burials in the several Parishes in this District, and from what date ?

A. I have those Tables complete from the year 1794 to the year 1820 inclusive.

Q. By virtue of what Order were those Tables made, and why have they been discontinued since 1821 ?

A. I found when I entered into Office that the usage was to present to the Government every year, a Table of Baptisms, Marriages, and Burials, in the District of Quebec, for which we received annually Ten Pounds Currency, and as in 1821, it was intimated to us by letter from one of the Boards of the Executive Council, that in future we should not be paid for those Tables, we discontinued making them.

Q. Will you leave in the hands of the Committee the several Tables you have just mentioned that Copies of them may be made ?

A. Certainly.

Ordered, That a Letter be written to the Prothonotaries of the several Districts requesting them to transmit to the Clerk of this House for the information of this House, with the least possible delay, such a Table of all the Baptisms, Marriages, and Burials, as they are in the habit of transmitting to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, commencing with the earliest Registers which they have kept for that purpose, up to this time.

SATURDAY, 6th DECEMBER 1823.

Mr. Stuart in the Chair.

Joseph Trepanier, of the Parish of St. Stanislas, on the River Batiscan, in the District of Three-Rivers, Yeoman, appeared before your Committee and deposed as follows :

This Parish is three leagues and a half from the River St. Lawrence on the north. The Settlements on the River Batiscan go two leagues higher up than the spot we occupy. There are settlements on the River "*des Envies*" which falls into the River Batiscan, and are about four leagues and a half from the River.—The final River "*des Chutes*" flows parallel to the River *des Envies*, and also falls into the River Batiscan a league below the River *des Envies*.

The settlements both on the River *des Envies* and on that *des Chutes* front on those respective Rivers: there are about thirty young men, sons of the inhabitants, who took Lands last autumn on the River *des Envies*—I am not aware of their having taken Location Tickets, nor do I think they have done so—The whole of these Lands are in the Seignior of Batiscan, a part of the Property of the late Order of Jesuits. It may be 25 or 26 years since these settlements were commenced, most of them have Location Tickets, there are about ten of them who have none, and those last mentioned have been settled ten years or thereabout. Some of them have only been settled five or six years. I have myself had from Mr. Badeaux for the last two years an authority to take possession. There are few better Lands than the Waste Lands in the Seignior of Batiscan, they are perfectly level. There may remain to concede in that Seignior from 300 to 500 Lands and perhaps more, and the soil is very good.

Q. Why are not those Lands conceded ?

A. Every year for the last ten years Mr. Badeaux has been applied to for some—He told us that he could not grant us any.—There is moreover a large number of young men who would

have taken some, and who have been disgusted by the high rate of the Rent required, and they have thereby been discouraged from taking them—The Rent demanded is four dollars for three arpents in front by thirty in depth.

Q. Would those Lands have been taken by the Sons of our Husbandmen if there had been a willingness to grant them at the usual rates ?

A. There would have been about three hundred Lands and perhaps more taken.

Q. How do the young men in your parts proceed for obtaining settlements ?

A. They wait.—Mr. Badeaux having constantly led us to hope that grants would be made—the delay continued but the promised event has not occurred.—Besides many young persons remain at home with their father and mother, and do not venture to marry because they have no Lands—It is hard upon the young people to be turned adrift while there is so much good Land for concession in the immediate neighbourhood—I was to have come with several others to Quebec this Winter to present a Petition on that subject—I have a Land myself, but I wish to have one for my children—I have four Boys, two of whom are full grown, and four daughters.

Q. Is there a Banal Mill in the Seigniory of Batiscan ?

A. There was one in the time of the late Reverend Fathers at the River *des Envies*, but for the last fifteen years we have not been able to make use of it, Mr. Badeaux has promised us that the Mill should be repaired, but nothing has been done. I have been myself obliged to go to Ste. Anne La Chevrotière, and even to Jacques Cartier, to have my Corn ground. It was necessary to go very far to have our Corn ground, but not one *Sol* of our Rent was abated in consequence of that. A Mill has been constructed by the Seigniors since last Autumn, and I am told it is to begin to work this week. The Inhabitants have in the last five or six years been obliged to build two small Grift Mills.

François Ayotte, of the same Parish, Yeoman, then appeared before your Committee and deposes ;

That he is a native of that Parish, and has always resided there. He is now fifty one years of age. The declaration of Joseph Trépanier having been read to him, he was asked whether it contained the truth, and whether he saw any thing therein to change or add, he made answer that he approved the same, and had

nothing to add thereto, except that in consequence of the difficulty of obtaining Grants of Land, Fathers of families are often under the necessity of dividing their Lands, whereby they were reduced to poverty, as the whole extent of their Lands provided a bare sufficiency for their subsistence.

Q. How many Lands have been so subdivided ?

A. Three that I know of, but if there are no Concessions to take it is not to be foreseen how many remain to be subdivided.

Pierre Trepanier, Nephew of Joseph Trepanier, of the same Parish, Yeoman, appeared before your Committee, and said :

I am twenty nine years of age. I am a native of Batiscan as are also my Father and Grand Father. I have been a year married. I have a donation of my Father's Lands. There are many young people among us who have for many years wished for Grants of Land. The Seigniorship of Batiscan contains a considerable quantity of good Land not hitherto granted.

Q. Why do not the young People of Batiscan obtain Grants of Land ?

A. Because Grants are refused ; they have been repeatedly promised, but without effect.

Q. How do the young People in your parts proceed for obtaining Settlements ?

A. The young People are always in expectation of obtaining some of those Lands, it is painful to them to leave the place, the Lands are very good, and they are among their Relatives.

Q. Do the Lands begin to be Subdivided ?

A. Yes, as they cannot obtain any Grant of lands they are obliged to come to an agreement with their Father, that is to say, to obtain a part of their Father's Land for Rent or otherwise.

Q. What is the effect of the Subdivision of these Lands ?

A. Much misery is thereby occasioned, because double Expenses, twice the quantity of Buildings, Enclosures and Ditching are required.—The Parish is thereby impoverished.—The People are very often unable to meet their engagements, live with less comfort and are often ruined.—The Father very often found it difficult to open, and support himself and his Children upon the whole of his Land—upon its being divided, wood becomes more scarce, the Soil is usually worn out, and charged with the support of two Families instead of one.

Q. In what state are the old Lands of the Seigniorship of Batiscan with respect to Timber for Building and Fuel ?

A. There are Lands on which there is no Timber for building, and but little for Fuel. I have been myself obliged to go three quarters of a league off for my Fire-wood. My Land is three leagues and a half from the River Saint-Lawrence.

Q. How far from you are the ungranted Lands ?

A. Thirty arpents.

The deposition of Joseph Trépanier having been read to him, he was asked whether it contained the Truth, and whether there were any thing to change or add, he made answer that he approved it, and said he had nothing to add.

Jacques Lambert, of the Parish of Batiscan, Yeoman, appeared before your Committee and made answer as follows :

Q. Why do not the young People take Lands in the Seigniorship of Batiscan ?

A. Because they do not find any one who will give them Grants. They go upon those Lands without any Titles, make no Buildings, and a small clearing where they raise Corn and Potatoes on a small scale, while they await the pleasure of the Agent to give them a Title.

Q. How do the young People of this Parish proceed in order to settle ?

A. They remain with their Father and Mother until they obtain a decision that they may have Lands. But remaining all together in that way occasions want, for it is impossible to collect enough for all, the Land being too confined for the number of persons on it.

Q. Do the old Lands begin to be subdivided ?

A. They are divided into two portions in order to settle two Children, which encreases the labour required and encreases want also, because upon a Land on which one Child has been brought up, it becomes necessary to bring up two. The Labour would be doubled, the number of mouths being doubled, instead of ten persons there would be twenty to support on the same Land.

Q. In what state are the old Lands of the Seigniorship of Batiscan, with respect to building Timber and Firewood ?

A. They are obliged to go very far for Wood, there is no building Timber, and but little Firewood.

Romain Mongrain, of the Parish of Batiscan, Yeoman, then appeared before your Committee, and being interrogated, states that his Father, Grand Father, and himself are all natives of this Parish.

Q. Why do not the young People of your Parish take Lands in the Seigniory of Batiscan?

A. None of them venture to do so, because they apprehend that too high a Rent will be imposed on the Lands, and they wait for a reduction of the Rents in order to obtain some.

Q. How do the young People of this Parish proceed in order to obtain Settlements?

A. They are retarded: they wait until the Lands shall be Conceded: some of them have even grown old while waiting for Lands, but they continue to wait, and according to what people say, if the unconceded Lands were granted many persons would take some of them.

Q. Do the old Lands begin to be subdivided?

A. Some of them do.

Q. Why do they make those subdivisions?

A. Because they do not find an opportunity of settling their children elsewhere.

Q. What is the effect of those subdivisions?

A. Some of them are much injured thereby, because when the Land is old, and no more new Land remains for cultivation, the soil is not sufficiently productive to support two families, and they are both reduced to want, which is an ordinary event, for this reason if new Concessions were made the young People would be very happy to obtain some, whereby an increase in the Parish of St. Stanislas very much to its benefit would be occasioned. It is intended to erect a Church there to the expense of which those Lands would Contribute: sometimes the division of the Lands does no harm, which happens when the Lands are of considerable extent, not less than four *Arpents* in front by thirty or forty in depth, of good quality, and when there remains a certain quantity of new Land to be brought into cultivation.

Joseph Badeaux, Esquire, one of the Members of this House, appeared before your Committee.

Q. Were you for some time, and how long, Agent for the Property of the late Order of Jesuits?

A. I was Agent for that Property in the District of Three Rivers from the month of July or August 1820, to the month of January 1823.

Q. In what does that Property consist, and what is its Extent?

A. The Seigniory of Batiscan is two leagues and three quarters or thereabout, by twenty leagues in depth. The Seigniory Cap

de la Magdelaine is about three leagues in front by twenty in depth. They hold besides these a Fief situate in the Banlieue of Three Rivers of about twenty three arpents in front by twenty five in depth. Another parcel of about twenty five square arpents, called Pachivigny, situate in the centre of the Town of Three Rivers, originally granted to an Indian Chief and conveyed to the Jesuits for a moderate Rent. There is another Parcel of about two hundred arpents situated in the Town of Three Rivers, of which about thirty five arpents are divided into Building Lots and the rest in waste.

Q. What is the depth of the Settlements in those Seigniories at present ?

A. The Seignior of Batiscan is Conceded in a right Line as far two Leagues and a half, or two Leagues and three quarters from the River St. Lawrence, which makes about three Leagues, following the Curvature of the high road. In the Seignior of Cap de la Magdelaine there are only two Ranges of Lots, reckoning from the River, settled, in the second of which there are at the utmost Ten Grantees. There are other Lands Conceded fronting on the River St. Maurice, but there is only one Range of Conceded Lots there. Some other Wood Lands have been granted along the Rivulet "*La Chapelle*" which falls into the River St. Maurice about Thirty *Arpents* from its Mouth.

Q. Does the line of the South West side of the Seignior of the Cap de la Magdelaine Cross the River St. Maurice ?

A. It should Cross the River St. Maurice two or three Leagues from the River, but it has never been drawn.

Q. Is there to your knowledge any quantity of Lands susceptible of Cultivation and not granted in the said Seignior, and what is that quantity ?

A. I can only speak from hearsay. I think there is hardly one Sixteenth part of the Seignior granted, and that in the remaining part which is not granted, there remain many Lands fit for Cultivation. I have reason to believe that a great part of the Lands between the Mountains and the River St. Lawrence, which are five or six Leagues from the River, are fit for Cultivation. I have also heard that beyond the Mountains, there are considerable Vallies of good Land.

Q. Is there to your knowledge any quantity of Land fit for Cultivation, and not granted in the Seignior of Batiscan, and what is that quantity ?

A. I think from what information I have received, that there

is good Land at the extremity of the Lands already granted, which continues through an extent of five or six Leagues.

Q. What is the number, to the best of your knowledge, of the Concessions made in each of those two Seigniories during your Agency ?

A. After many applications on the part of various persons to obtain Grants in these two Seigniories, and of which I had solicited the Commissioners for Grants, I did not learn until about 1809, that I was empowered to concede at the rate of twenty-four *francs* annual Rent, for a Land of Three Arpents by thirty in depth, that rate having been found excessive, I conceded but very few Lands, which authority to concede was withdrawn about 1817 or 1818.

MONDAY, 8th DECEMBER 1823.

Mr. *Stuart* in the Chair.

Joseph Badeaux, Esquire, appeared again before your Committee and answered the following Questions.

Q. What was the usual Rate of Concession in the said Seigniories prior to the said Order ?

A. According to the Rent Roll, the Conceded Lands previous to the Conquest paid about a half *Boisseau*, (which is one sixth of a Minot) of Wheat, and one Capon or fifteen *Sols Tournois*, for a Land of Two Arpents by Forty, others paid a half Sol, and others one Sol Tournois for every Square Arpent. They were in part Conceded at one Sol per Square Arpent, and one Capon for every twenty, and occasionally every thirty Square Arpents.

Q. Who was the President, and who were the Members and Officers of the Commission for the Administration of the Estates of the Jesuits, when the order was passed for exacting a Rent of four dollars for every Land ?

A. I believe the Commission consisted of Mr. Dunn, Mr. Baby, Mr. Williams, and Mr. Berthelot, and Mr. Pyke was Secretary.

Q. Who were the President and Officers when the order to concede was withdrawn, and you were ordered to concede no more ?

A. Mr. Ryland was President, Mr. Wm. Smith, Mr. Coltman, and Mr. John Stewart were Commissioners, I think Mr. Foy was Secretary.

Q. Is it the same Mr. Ryland who is Clerk of the Executive Council, and at the same time Treasurer of the said Commission ?

A. Yes.

Q. Did Mr. Ryland as President, Commissioner or Treasurer of the said Commission, receive any Fees on the granting of the Lands administered by the said Commission ?

A. None to my knowledge.

Q. Upon the granting of the said Lands was there paid any Patent Fee or other Fee for obtaining the same to Mr. Ryland or any Officer of Government ?

A. No.

Q. Do you know whether on the issuing of the said order, Mr. Ryland as Secretary to the Executive Council exacted and received 15s. 6d. on the name of each Petitioner for Waste Lands of the Crown, other than the Waste Lands within the said Seigniories ?

A. I know nothing of that.

Q. Are there many persons in the District of Three-Rivers who are desirous of obtaining grants of Land, if they were granted at the usual rate ?

A. There is a large number, in the Seignior of Batiscan more especially.

Q. Are there any new settlements forming in the Seigniories of the District of Three-Rivers, on the north side of the River St. Lawrence ?

A. Very few—And the rather as the Seigniories belonging to individuals are almost all conceded, the Seignior of Lanaudière excepted, which belongs to Mr. Pothier, and in which the rate of Rents is so exorbitant that very few persons venture to take any Land there, whereby many of the young people of the Parishes of Maskinongé, Machiche and the River du Loup, have been compelled to go over to the south side, and many have settled in the neighbourhood of the Seignior of the River David, in the Township of Upton—and there are one hundred families at least who have settled without any title.

Q. On the south side of the River St. Lawrence, are there any old Seigniories which contain a quantity of Waste Lands ?

A. I am only acquainted with the Seigniories of St Pierre les Bécquets and Gentilly, in which there may be two ranges which are not conceded.—In the Seignior of Nicolet some Lands remain, for which the Seignior exacts high Rents.—In the Fief Courval, of which I am Seignior, there remain about three hundred Lands of which the rate is ten shillings for every three arpents in front by twenty, and so in proportion.—When I purchased that Seignior the rate was two sols and one quart of

wheat for every square arpent, which amounted to from fifteen to eighteen Francs.

Q. Have not the Seigniors of the Country in general, considerably raised the Rate of Rents since the Conquest, and of late years more especially?

A. Yes, in various ways, the highest Rents I know of in our District were those exacted by the Seignior of the River David, they are of one Dollar and three or four Minots of Wheat for every Land of three arpents by thirty.

Q. Does the rise of Seigniorial Rents tend to retard the Settlement of the Seigniories of this Country?

A. Yes, for the Seigniories in which the Rents have not been raised are almost all Settled.

Q. Have you a knowledge that the Seigniors sometimes sell Wood Lands in breach of the *Arrêts*?

A. I have heard that some Seigniors receive a small sum for the preference.

Q. Is the sum so exacted mentioned in the Deed of Grant, or are such Agreements carried into effect by means of intermediate persons, and in what manner?

A. I am not aware of the means, but I know that it is not set forth in the Deeds.

Q. Is there any Emigration from the District of Three-Rivers, and from any others part of the Province, and towards what places?

A. I have no knowledge that the young People emigrate from the District of Three-Rivers.

Q. What was the Income of the Seigniories of Cap de la Magdelaine and Batiscan during your agency?

A. I believe the ground Rents and annual Rents of those two Seigniories hardly exceed one hundred Pounds. The casual Income amounts to one hundred and fifty Pounds a year on an average.

Q. What is the number of Landholders in both those Seigniories to the best of your knowledge?

A. About five hundred I believe.

Robert Jones, Esquire, a member of this House, then appeared before your Committee.

Q. Were you during any, and what period of time, agent for any and what Seigniories in the District of Montreal?

A. I was Agent for His Majesty's Seigniority of Sorel from 1800

to 1810. I was also Agent for Mrs. Barrow's Seigniories on the River Yamaska from 1800 to 1806.

Q. What is the extent of the Seignior of Sorel, and of Mrs. Barrow's Seigniories respectively?

A. The Seignior of Sorel is of an irregular figure, but equal to about three leagues in front on the St. Lawrence by three in depth.

The Seignior of Mrs. Barrow consists in a number of Seigniories united, viz: Bourg-marie, Bourg-marie Est, Bourg-marie Ouest, St. Charles de Yamaska, Bonsecours and Bourchemin.

Q. At what rates were Lands granted in these respective Seigniories, whilst you were agent so as aforesaid, and what was the progress of the Settlements therein, and what in your estimation are the causes which have served to advance or retard the Settlement thereof during the periods of your agency or since?

A. The rate of granting Land in His Majesty's Seignior was 10s. for three acres in front by twenty in depth. During the time of my agency no concessions were allowed to be made in Mrs. Barrow's Seigniories;—In His Majesty's Seignior concessions were made to any individual who applied for them, and during my agency about one hundred and fifty concessions have been made. Mrs. Barrow having refused to concede, has materially retarded the settlement of her Seigniories;—frequent applications have been made to me for concessions, and from the goodness of the soil I have no doubt but the whole might have been conceded.

Q. At what time was the rate of ten-shillings for three arpents by twenty, established?

A. This rate was established before I took the agency, and I do not know when.

Q. What was the old rate of granting Lands in His Majesty's Seignior?

A. The old Concessions were three acres by forty, at a rent of six *livres* one *sol* *tournois*.

Q. Do there remain any Lands ungranted in the Seignior of Sorel, and what is their quality?

A. There remain about sixty lots, of three arpents by twenty, ungranted; the whole is good Land.—All the ungranted Land in the Seignior of Sorel, as well as in those of Mrs. Barrow, is the best Land in those Seigniories respectively as to quality.

Q. What has prevented the granting of the before mentioned Sixty Lots?

A. The reason, I believe, is, that there is no regular map or

plan of the Seigniori in the possession of Government, and I have also reason to believe that the existence of so large a tract of ungranted Land is unknown to Government.

Q. From what person or persons could the Committee derive any information respecting the causes which have prevented the Settlement of Mrs. Barrow's Seigniories?

A. The information required might, I think, be had from Mr. P. T. Chevretils, a Notary Public, and from Mr. P. B. Pellissier, a Captain of Militia, her sub-agent.

Q. Who is now the principal Agent, and how long has he been such?

A. Samuel Gale, Esquire, of Montreal, Advocate, who succeeded his father about three years ago.

Q. Have you any, and what reason, to believe that certain Seigniors in the District of Montreal sell their unconceded Lands in their Seigniories at arbitrary prices, and for that reason refuse to concede at the ordinary rates as required by Law?

A. I know it from general Report; I have no personal knowledge of it.—I understand the practise is to grant to one Individual in his own name, either for pecuniary considerations given by him to the Seignior, or he in fact acting as agent for the Seignior, some eight, ten or more lots, which he sells separately to as many Individuals, and some of these Lots have been sold as high as six dollars an acre.

Q. Does this practise prejudice any and what class of His Majesty's Subjects, and in what manner?

A. It affects the poorer portion of the agricultural class, who not having money to purchase, are prevented from settling themselves and their sons upon the ungranted Lands of these Seigniories, as they might and would have done if these Lands had been granted at the ordinary rates.

Ordered, That a Letter be written to Mr. Pierre Joseph Chevretils, Notary Public, and to Mr. Bazile Pellissier, Capt. of Militia, of the Parish of Yamaska, to appear before this Committee with all convenient speed.

TUESDAY, 9th December, 1823.

Mr. Stuart in the Chair.

Michel Berthelot of the City of Quebec, Esquire, Notary Public, appeared before your Committee.

Q. Have you been Agent for the Jesuits' Estates in the District of Quebec, and how long?

A. I was Agent for the Estates of the late Order of Jesuits during twenty years or thereabout.

Q. In what do those Estates consist?

A. The Estates of which I had the management, consisted of the Fiefs, Notre Dame des Anges, Saint Gabriel, and Sillery, part of the City of Quebec, forming Ground Rents and *Rentes constituées*, as also part of the Fief Lauzon, in the Parishes of Pointe Levi and Saint Nicolas, and the Fief Belair.

Q. What is the extent of those Fiefs and Estates respectively?

A. I cannot answer that Question, never having been in possession either of original Plans or Titles.

Q. Are there any ungranted Lands in the Seigniority of Sillery?

A. I believe it is all conceded.

Q. Are there any in the above mentioned Seigniories?

A. I believe there are many unconceded Lands in the Seigniority of Saint Gabriel, but I cannot say if any remain in the Seigniority of Notre Dame des Anges, I believe there still remain some Lands to concede in the Fief Belair.

Q. What was the old rate of conceding Land in the said Seigniories?

A. Generally the rate was as follows: one Sol for every square arpent, one Sol as *Cens* for every arpent in front by whatever depth there might be, and one live Capon, or fifteen Sols, or twenty Sols at the option of the Seignior—some Deeds mentioned fifteen Sols and others twenty Sols. In the Fief Belair several Deeds, instead of a Capon, state a Turkey or thirty Sols.

Q. Were all the Concessions which were made during your time made at that rate?

A. Yes, with the exception of the Lands granted to Mr. Jos. Planté and Mr. J. B. Panet by *Père Cazot*, the last Jesuit in Canada.

Q. Were a great number of Grants made while you were Agent?

A. Extensive Lots of Land were granted to a few persons, that is to say, Mr. Neilson, Mr. Blanchet, Mr. Pozer, Mr. A. Stuart, Mr. Foy, and Mr. Harvey.

Q. What was the annual Income of those Seigniories on an Average?

A. I have received seven hundred Pounds a year on an Average.

Q. What is the Amount of the annual Income of the said Seigniories?

A. It is impossible for me to answer that, because the Books, Title Deeds, and Land Registers, by which I might have ascertained it are in bad order, and not understood. The Labour of a whole year would have been required for putting them into order.

Q. Why did you not put them, or cause them to be put in order?

A. I often urged the Commission to have them put in order, but nothing has ever been done: lately however, the Commission has begun to cause the preparation of a Land Register to be proceeded to, which has been given up because it is evident that it would have been of no use.

Q. Why would it have been of no use?

A. Because it was not made in the form prescribed by Law.

Q. To what use during your Agency has the College in the Upper Town of Quebec, and erected by the late Order of Jesuits for the education of the Youth of the Country, been applied?

A. As Barracks for the Troops of the Garrison.

Q. What income might that edifice produce were it let to individuals, and reserving a portion of it sufficient for the purpose of its original destination?

A. Relieving a part of that building for the purposes of its original destination, the rest divided and subdivided in order to be let to various persons, might give an income of nearly fifteen hundred pounds a year.

Q. For how many years has that building been used as a Barrack?

A. I know that that Building has been in part occupied by the Troops of the Garrison as a Barrack, and as a residence for the surviving Jesuits up to 1800, and from that time to the present moment the whole has been occupied by the Troops as a Barrack.

Q. Do you not know that there was a Church on that ground? when was it demolished and by what order?

A. In the first years of my being in office, I had an Order from the Commission to demolish and raise the Church adjacent to the Jesuits' College; the ground upon which that Church stood, as also a portion of the Jesuits' Garden, properly so called, now forms a portion of the Upper-Town Market Place.

Q. Where was the said Church situated; what were its dimensions; and in what state was it when demolished?

A. The Church was contiguous to the south east angle of the College—I do not recollect its dimensions—It was on the eve of ruin.

Q. Have there been fold, or exposed to sale, any Lands belonging to the Jesuits during your management or since ?

A. None to my knowledge while I was in Office, but since I have ceased to be agent, I have been well informed that several pieces of ground and Building Lots, being part of the Jesuits' Garden, have been fold or otherwise disposed of in favour of several persons, proprietors of ground in St. John Street, to serve as a continuation and extension of their Lots in rear of their respective Houses.

Q. To what use have the several sums of money arising from such sale been applied ?

A. Having had occasion to inspect some of those Title Deeds, I am enabled to say, that the capital of the price of that sale remained as a mortgage upon the said Lots, and that the several individuals pay interest for it to the King. I presume that all the other Deeds are on the same footing, without being able to say what are the terms of payment.

Q. At what time, and in what manner was the garden taken possession of ?

A. In the earlier time of my management, supposing that I had the superintendence of that part of the Garden which was occupied by the last of the Jesuits, and not choosing to be charged with the depredations which might be committed in the Garden, I requested the Commissioner to exonerate me in that behalf, and to be informed how to proceed for that purpose. It was then suggested to me to deliver up the Key of a Door of access to that Garden to Major Ross-Lewin, Town Major, who gave me a receipt shewing his acceptance of the Key, and my discharge from responsibility.

TUESDAY, 9th DECEMBER 1823.

Mr. *Stuart* in the Chair.

J. B. Proulx, Esquire, Member of this House for the County of Buckinghamshire, was examined before your Committee and made answer as follows :

Q. Have you had any, and what means of acquiring information respecting the whole and the new Settlements in the County of Buckinghamshire ?

A. Yes—being a native of that County, and professing agriculture, as also my family and ancestors.

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Q. Are there any new Settlements in the said County ?

A. Yes, there are many.

Q. What number of Parishes, and what number of Seigniories are in your County ?

A. The number of Parishes in the old Seigniories is twelve, that is to say :—St. Michel d'Yamaska, St. François, St. Antoine de la Baie du Fevre, St. Jean de Nicolet, St. Grégoire, Becancour, Gentilly, St. Pierre les Becquets, St. Jean l'Eschaillon, Lothbinière, St. Croix, and St. Antoine.—The Seigniories and Fiefs in the said County are the following, that is to say :—Yamaska, St. François, Pierre-Ville, Courval, La Baie du Fevre, Nicolet, St. Grégoire, Becancour, Gentilly, St. Pierre, St. Jean, Lothbinière, St. Croix, and St. Antoine—I cannot positively state the number of the Townships.

Q. Where are the new Settlements situated, when and by whom were they made, and what is their extent ?

A. New Settlements are forming daily in the several Parishes, and in the Townships in greater number than in the old Seigniories.—The most recent settlements have been made in the Fief Pierre-Ville and in the Seigniorie Courval—They began to be settled about eighteen or twenty years ago—The others have been very long settled—Concessions are annually made of a certain number of Lots in the several Seigniories but not sufficiently numerous and considerable to merit the name of a settlement.

Q. Is there any emigration from your County to other parts of the Province, and in what direction ?

A. There is none from my County, because almost all the young people take lands in the County itself if they can obtain any.

Q. What is the usual extent of Grants to Freeholders in the old Seigniories of the said County ?

A. The general extent is three arpents by thirty in depth.

Q. Is any Subdivision of those Lands made for the Settlement of several Families, and are they frequent ?

A. Yes, a great many are made, but not so many as will be made by reason of the increase of the Population and scarcity of Lands, which is more and more felt.

Q. What are the causes of that Subdivision of the Lands ?

A. The great increase of the population, the impediments and restrictions so difficult to surmount as to prevent obtaining new Grants ?

Q. What effect do those subdivisions produce ?

A. A great effect ; for instance a father who has opened a new Land, and has availed himself of its fertility, could then bring up

and maintain, although with some difficulty, five or six children: still less can two of his sons, between whom the father divides that Land, reserving to himself a certain rent or allowance, bring up or support a number of children equal to two families. The second effect is the heavy expense in building and enclosures between the two sons. Instruments of Agriculture, Cattle, and enclosures must be doubled for bringing the Land into cultivation. A third effect produced by that subdivision, is the conveying of a portion of that Land to a stranger.—That change generally occasions an inability to meet the heavy charges above stated.

THURSDAY, 11th DECEMBER 1823.

Mr. *Stuart* in the Chair.

Louis Gendron, of the Parish of *St. Anne de la Pêrade*, in the District of Three Rivers, Yeoman, appeared before your Committee and stated as follows :

I am married, and have ten children, of whom five are Boys. I am very desirous of obtaining for my children other Waste Lands if I could obtain any at moderate rents.

I have made frequent application to Mr. *Lanaudière* our Seigneur, but he never chose to concede at the same rate at which the old Lands along the River in his Seigniorie were conceded.

He required a minot and a half of Wheat and seven Francs in money for a Land of three arpents by twenty—nevertheless the necessity I was under of obtaining a Land, induced me to take one about five years since from Mr. *Lanaudière*, which I have been obliged to sell because of the high Rents which I found it difficult to pay.

About a year and a half since or thereabout, I took a new Land from the present Seigneur, Mr. *Hale*, at the same rate as that of Mr. *Lanaudière*, with the exception that Mr. *Hale* has allowed me a term of five years, during which no payment is to be made. I have always heard that our people would readily take new Lands, which they want, if the Rents were more moderate. I do not know what the old Rents were, but I had formerly a Land of five arpents in front by forty in depth which I had inherited of my Ancestors, and which paid only one minot or bushel of Wheat and forty *Sols* in Money. The Lands are beginning to be divided.

There are many Families who possessed extensive Lands who have divided them. A Land of five Arpents by forty is divided

into three portions, as has often happened. Were I to make any research I might find about forty Families who have partitioned their Lands, which occasions poverty and suffering.

MONDAY, 15th December 1823.

Mr. *Stuart* in the Chair.

Mr. *Wm. Marchant*, of Cap de la Magdelaine, Miller, appeared before your Committee.

Q. How long have you resided in this Parish ?

A. Fifteen years as Miller of the Mill at Cap de La Magdelaine, belonging to the late Order of Jesuits.

Q. What has been the progress of the new Settlements in the said Seigniorship during the fifteen years of your residence, and what are the causes which may have forwarded or retarded them ?

A. There has not been any increase in the Settlements within that period. I ascribe this to the Lands in the first concession not being very good, and I have heard that the Attorney of the Commission for the Estates of the Jesuits did not choose to concede.

Q. What, to the best of your knowledge, is the quality of the Ungranted Lands in the said Seigniorship, and what may be the quantity of the Lands to be granted ?

A. I have heard that the Lands in the first Ranges are hardly good. That Seigniorship however is twenty leagues in depth and in that depth there may be much good land.

Q. Do the Lands in that Seigniorship begin to be subdivided along the water ?

A. Some of them are divided.

Q. What is the Income of the Mill ?

A. About four hundred Minots of Wheat a year, on an average. During the first years of my being there it gave more, it now gives less, for in the last twelve years several Mills have been established.

Q. Why do not the people Settled on the River des Envies, rather come to your Mill than go to a great distance as far as the Cap Santé Mill ?

A. The Road from the River des Envies to my Mill is bad, and it would take as much time to come to my Mill as to go to Cap Santé.—My Mill is besides often very short of Water.

TUESDAY, 16th December 1823.

Mr. *Stuart* in the Chair.

Mr. *John Cannon*, of the City of Quebec, then appeared before your Committee.

Q. Have you had any, and what means of becoming acquainted with the state and condition of the various classes of persons resident in this Province, or coming thereto, who might be desirous of obtaining Lands now ungranted, and of settling themselves and their families thereupon, and of the obstacles which such persons have had, and have now to encounter to settle thereupon?

A. I, and my Father's family have resided in Lower-Canada for the last twenty two years.—I had occasion to travel through many of the country parts of the Province, in the course of my business I have employed great numbers of Labourers and Mechanics or superintended them during my Father's life time, in the business of an Architect and Master Builder; these labourers were as well natives of the Province as Emigrants from Europe, the latter principally Emigrants from Ireland, with the situation and wants of both of which classes I became minutely acquainted.

Q. What was the average number of Labourers that you employed?

A. The number of men employed varies according to circumstances and the work for which I required them,—I have some times employed for a whole summer two hundred men as Labourers, Mechanics, Carters, &c. The number I employ at present is much less, as I am contracting my business, during the last season I have employed about twenty men on my own account: the previous seasons, for the last three or four years, I employed thirty or forty:—these consisted principally of Irish Emigrants, and I employed a great many of these people merely to give them an opportunity of obtaining a subsistence which was all that I allowed them, telling them to better themselves when they could.

My motive for employing them was principally to give them an opportunity to earn something, rather than depend upon Charity or suffer from absolute want.

Q. Did you find amongst them generally any desire of obtaining Lands to settle thereon?

A. I did find a great desire.

Q. Had you any, and what means of ascertaining the obstacles which existed to their settling themselves advantageously and usefully upon the vast and interminable tracts of waste and ungranted Lands within the Colony, and if so, what were these obstacles?

A. The principal information, I derived from having had frequent occasion to visit the different new Settlements of Lower-Canada, and more particularly those of Val-Cartier and St. Patrick upon the River Jacques Cartier, and after having made myself perfectly acquainted

with the mode of industry pursued by the poor Emigrants, I find that there is one great inconvenience which very much retards their pursuits and diminishes that activity in clearing their Farms, which no other circumstance could easily suppress: namely, that of being without a Pastor.

Those Settlers who are principally Roman Catholics consider no sacrifice equal to that of being secluded from their Clergy, to whom they submit with implicit obedience, and hence may be assigned the cause why they attach themselves so much to the Towns in preference to work out an independence for themselves and Families in the Country.

If His Majesty's Government would think proper to adopt the plan of building Churches in the different new settlements, and in the unconceded lands of the Crown it would be the most effectual mode of quickly establishing the Country, and of rendering independent a great number who are at present relying on absolute charity.

A Church and a suitable residence for a Catholic Priest might be erected for a sum not exceeding One thousand Pounds, and by allowing such Clergyman One Hundred Pounds a year for the term of five Years, the settlement would then be in a situation to give the necessary support, the said £1500 to be appropriated to every 60,000 Acres of land which would suffice for 300 Families, or say 1500 Souls.

It would be advisable to build each Church in the centre of each Settlement, and with respect to Roads, wherever Churches are placed Settlers will be always found to make them.

The Canadians, at present, from the same cause are prevented from establishing themselves on the unconceded Lands of the Crown and providing for their increasing Families, the idea of settling in a Wilderness remote from hearing the word of God, keeps them together, and accounts for that inactivity in extending their possessions for which they are remarkable where the cause is removed.

If Churches were built in the different new Settlements, Canadians would intermix with Settlers from the Old Country, and would, as being more intelligent with respect to clearing Lands, hold forth an example to the others, besides many wealthy Citizens, if such advantages were offered, would purchase Lands and give employment to the more destitute in the Settlement, then a vigour before unknown would pervade those People, and Agriculture and happiness would flourish in the Colony.

There is every reason to suppose that the money, thus expended in the adoption of such a wise and political measure might, be refunded in the course of a few years if Government should require it.

A most striking proof of this mode of settling may be seen by a glance at the population and wealth of Glengary in Upper-Canada.

It was first established by a Catholic Priest named M'Donnell with a few Scotch Highlanders, by building a small Church, round which a number of others of the same class flocked, they have advanced so rapidly in their Agricultural pursuits as to be enabled to erect a Church

which will cost (when finished) nearly £30,000—I went in the summer of last year as an Arbitrator to examine it, and had an opportunity of ascertaining how, in the late War, those brave Highlanders with their Reverend Pastor at their head, evinced their fidelity towards Government and manfully guarded their Homes and their Country.

A numerous unsettled People now present themselves, not less brave, and as Patriotic; granting to them Churches and Priests, would be granting to them a Government to fight for,—a Home to guard and a Country to defend, any pecuniary assistance offered them would be but momentary in comparison to the lowest bounty given to a Soldier in time of War, would if now granted to each individual, more than suffice to effect the object proposed.

MONDAY, 22nd December 1823.

Mr. *Stuart* in the Chair.

Olivier Arcand, Esquire, a Member of this House, appeared before your Committee.

Q. Have you had any, and what means of acquiring information respecting the old and the new Settlements in the County of Hampshire?

A. I have only had an opportunity of acquiring information respecting the old and the new Settlements in a part of the County of Hampshire, for which I have the honor to be one of the Representatives in Parliament, and in an equally small portion of the upper part of Buckinghamshire, in which I reside and where I usually practice Surveying.

Q. Are there any new Settlements in the said County?

A. In the County of Hampshire I only know (and that imperfectly) one new Settlement which is called Val-Cartier. Although the Gentlemen who opened that Settlement have spared no expense, I am not aware that Agriculture flourishes there. Is this owing to the quality of the Soil or the system of Cultivation.—I know not. In the part of the County of Buckinghamshire which I know, I observe no new Settlements except at Drummondville, but the bad state of the internal Communications at that place, has caused a great part of the Settlement to be abandoned, with the exception of about twenty houses, which are in the Village, and about the same number of wretched hovels, situated along the bad bye-roads, which have been opened there, and which are now opening there. The other new Settlements which I know of there, are in some of the Ranges of Lots in the Seigniories, which are making very slow progress.

There is however another Settlement, which is rather a considerable one, and is called "*Le Ruisseau des Chênes*," which extends from the Seigniories of Deguire and Bourgmairie on the East, across the Township of Upton, and there are even some in that of Grantham.

Q. What is the number of Parishes in your County, and what is the number of Seigniories ?

A. I cannot exactly state the number of the Parishes and Seigniories which are in each of the Counties I now mentioned, but it may be easily ascertained from the information given by the Surveyor General.

Q. Where are the new Settlements situated, when, and by whom were they made, and what is their extent ?

A. The two new Settlements first above mentioned, were commenced not more than seven or eight years since. But that of the *Ruisseau des Chênes*, may have been begun about 1806. There are from sixty to eighty Inhabitants there, many of whom are rich Farmers : unfortunately all the Titles they have (and only a few of them have such Titles) are Deeds of Grants which they obtained from one Joseph Deguire Desrosiers, of whom the Fathers had formerly been Grantees and Proprietors of the Seigniorie Deguire, or *Riviere David*, which, upwards of thirty years since, became the property of one Mr. Eckhart. Joseph Deguire about 1800, assumed the Title of Seignior of the River David, and pretended that all the Land through which the River David ran, which had not been sold by his Ancestors, should belong to him, and he forthwith proceeded to cause the Lands to be surveyed, and caused *Procès Verbaux* of them to be delivered with Deeds of Grant, to all persons who chose to have them. His Terms were more than reasonable, and I have two Lands there myself, one which pays four Sols Tournois for every ninety square Arpents, and the other twenty four Sols Tournois for the same quantity. The dearest were nine Livres. In that way he penetrated far into the Township of Upton, of which the lines were not known, and had not even been drawn, if my information be correct. Several persons seeing that he appeared to be in quiet possession of that Property, really believed him the true Seignior, and accordingly began to settle there. Nearly about that time, a great part of Upton was granted to — Grant Esquire, including that Settlement, but I have never heard that that Gentleman had disturbed or molested any of the Inhabitants, and I sincerely believe that he will act towards those poor persons with generosity. That Settlement has appeared to me very flourishing.

Q. Is there any emigration from your County to other parts of the Province, and whither is it directed ?

A. From the County of Hampshire there are Emigrations, though but few at a time.—They prefer subdividing the Lands, in order to settle several families there, in the Parish of Deschambault especially.—That frequently happens, because the Seigniories are almost all granted, and the Townships in rear of the Parish are not as yet surveyed, although it is said there are large tracts of excellent Land there.—In the upper parts of Buckinghamshire, we observe no emigration, on the contrary it occasionally proceeds thither from elsewhere, because there are many Lands to concede, especially in the Seigniories of Deguire, Barrow, and Ram-

pay, of which the two first are a dependency of Richelieu on the River Yamaska.

Q. What is the usual extent of the grants to Tenants in the old Seigniories of the said County?

A. The usual extent of the concessions in those two Counties is 75, 80 and 90 square arpents—2 x 25, 2 x 40, and 3 x 30.

Q. Is any subdivision of those Lands made to settle several families, and is that frequent, and what are the causes of that subdivision of the Lands?

A. The subdivision of the Lands for the purpose of settling thereon several families, are as frequent as the emigrations in Hampshire, because as I have already stated, the Seigniories are almost all conceded, the northern Townships are not Surveyed, and are even hardly known, and that emigration to other places are little suited to the inclinations of the Canadians, who are peculiarly attached to the paternal home.

Q. What effect do these subdivisions produce?

A. The effect of those subdivisions, unless those who are settled upon them have a peculiar turn for agriculture, and exert their Industry, is extremely afflicting, because it is a source of poverty to those persons who cannot reap a sufficiency for their subsistence on such small lands.

Q. What is the extent and the quality of the ungranted Lands in the said County, and the said Seigniories?

A. In Hampshire, the quantity of ungranted Lands in the Seigniories is very small, except in the Seigniorie of Grondines, which being ten leagues in depth, must comprise eighteen or twenty ranges of ungranted lots of Land—I believe the Land there is tolerably good where there are no mountains.—In Fossambault, there must also remain some to concede, but I do not know of what quality they are.—In Buckinghamshire there only remain considerable tracts in the Seigniories to grant in the Fiefs St. Croix, Lothbinière, D'eschaillons, Courval, and Déguire. The others are in small quantity, but every where tolerably good.

Q. Is there a road over those ungranted Lands, and have those Lands been surveyed?

A. There are hardly any roads over those ungranted Lands and even for opening an access to them, and a very small portion of them has been surveyed, the Seigniors usually having them surveyed only as they are applied for, and as they determine to concede.

Q. Were there any Concessions of Lands in the said County before the year 1759, and if there have been any, what was the general mode of conceding, with respect both to the extent of the Land granted, and the terms on which it was granted?

A. In Hampshire there were many Grants made before 1759, and I believe all those along the River St. Lawrence.—So far as I know, they were generally from 75 to 90 square arpents, sometimes as much as 120, and the terms, from three *livres tournois*, to six *livres tournois*, and sometimes one capon for every arpent in front.—In Buckingham-

shire, the Grants made before 1759, have varied as much in extent, and in the terms.—I know some concessions of 75 square arpents made before that time, which pay as much as 8 *lb.* 6 *sols* *tournois*, and others of more than 200, and even 300 square arpents, have been granted, in consideration of prayers on the Rosary, and Psalms *de profundis*.

Q. Is there, in the said County, a considerable number of persons, who desire, and have means to form new Settlements in the Seigniories, provided they could obtain Lands near to, or at a short distance from, those of their Relatives or Friends, and are there any such Lands, and what are their quantity and quality?

A. In Hampshire it is certain that there are many Persons who wish to settle in the neighbourhood of their relatives and friends, but they find that no easy matter, because there is a scarcity of grantable Land, and the Rents are raised in an extraordinary manner.—Add to that, the neighbouring Townships have not hitherto been surveyed, and that there are not even any Roads of access to those parts: besides much difficulty in obtaining those Lands is experienced, by the delays which occur, and the high Fees which are exacted.

In Buckinghamshire, and that part of Richelieu, which is in its vicinity, nearly the same thing has occurred, but from another cause.—For twenty years there has been a constant refusal to concede Lands to our Husbandmen, although occasionally as much as two or three thousand arpents have by a single Grant been given to some friend or favored person. That conduct has rendered the means of obtaining Grants of Land so difficult, that some persons have been reduced to the extremity of paying six and seven dollars for every square *arpent*, to those who had thus obtained Grants of large Tracts.

Q. Are there any causes which have retarded, and continue to retard, the Settlement of the Lands in the old Seigniories of this Country, and what do you think those causes are?

A. Those are precisely the causes which have retarded the Settlement of the ungranted Lands in the old Seigniories just mentioned:—At present, Lands may be obtained there upon recommendation, but not for less than twenty shillings, two Minots of wheat, and two days work (*Corvées*) by way of annual rent, not including the *Cens*, for every 90 square *Arpents*.—In some Seigniories, that Rent is paid for 75 *arpents* only.—In some others, half a gallon of wheat, and six *sols*, are paid for every square *arpent*, exclusive of one or two dollars for every sixty *arpents*, for a right of Common, fortunate, if, previous to the Deed of Grant, and without other form, the payment of certain dues claimed for preference, which are sometimes considerable, be not exacted.

Q. Do any of our Husbandmen go into the Townships granted in Free and Common Soccage to settle, and if not, to what cause do you ascribe it?

A. I do not see that any person in Hampshire has gone into the Townships of this County to settle, because none of them are granted or even surveyed.—In Buckinghamshire, from Nicolet upwards, most of the

Townships have been surveyed, but all those which are contiguous to the Seigniories, have been almost entirely granted to about ten persons, some of whom have individually more than fifty thousand acres, yet without making any settlement thereon ; so that it would be necessary, that persons wishing to settle beyond that, should remove to a great distance from their Relatives, where they would be deprived of their assistance, in such cases always necessary, deprived of a road of access, and even of the means of having neighbours to share in the joint labour, by the interposition of the Lands of the Crown and Clergy with those to be granted.

Q. Have you any, and what means of knowing the nature and advantages of Seigniorial Tenure in this Country, compared with that in Free and Common Socage ?

A. With respect to Seigniorial Tenure compared with that in Free and Common Socage, I have never considered the advantage of one over the other.

Q. What appear to you to be the relative advantages or disadvantages of those Tenures ?

A. I have indeed thought the Seigniorial Tenure, if moderated, and regulated with liberality towards the Landholder, preferable to the other, relatively to the means of obtaining the Grants, and the facility of communication, when there is a Seignior on the spot, having an interest in bringing his new lands into cultivation : But on the other hand, I think the dues of *Cens et Rentes*, *Lods et ventes*, *Rétrait*, *Banalité*, and Fishing and Hunting on the Seigniorial Lands depreciate them much, and must naturally restrain those who hold them in that way. The Seigniors moreover reserve to themselves the right of taking Building Timber, Stone, Sand and Lime for their Manor Houses, Mills, Churches, Parsonage Houses &c. of making water courses on the Lands, for leading to their Mills the water they require—all that savours of servitude and Slavery to those who are subject to this Tenure.

Q. What are the circumstances which prevent our Husbandmen from extending their Settlements into the Interior, on the ungranted Lands of the old Seigniories ?

A. The absence of many Seigniors, who hardly ever see their Seigniories, and who have Agents there, who take no immediate interest therein, occasions a neglect of the means of facilitating the interior settlements of their Fiefs, add to that, the delays by which the people are usually wearied, before the lands applied for are granted to them,—And as I have before stated, the enormous Rents which are exacted, and the still more repulsive measure, which of late years has been adopted in some Seigniories, of conceding to those who had recommendations or who pay for a preference.—The slow and expensive proceedings, for opening and ratifying water courses, so necessary in most of the lands in the interior, also deserve some attention in this respect, and would require Legislative interference.

Q. What are the Chief Impediments to settling, experienced by the European Emigrants, who come into this Country, and are desirous of settling here?

A. Besides that the European Emigrants who wish to settle in this Country, are subject to all the Impediments which prevent our Canadians from settling here as they might choose, they have to encounter the rigour of a severe climate, and are naturally ignorant of the mode of settling in a Country, where the favorable Season is so short, that it is necessary, during four months, to provide almost every thing that is necessary for subsistence during the eight others. Nor do I think, that experience in Agriculture which they have in their own Country, and would introduce here, is adapted to our Soil, in the low Grounds especially: and they almost always avoid them: an obstacle, which it is probably more difficult, both to strangers and to ourselves to surmount, is that which arises; first, from the manner in which the Township Lands are divided: secondly, from the bad state of Internal Communications; thirdly, from the difficulties and delays encountered in the course of the proceedings necessary for obtaining Lands: and fourthly, the exorbitant Fees which have hitherto been exacted, from all Applicants to that intent. Unless measures be adopted for obviating these Inconveniences, or for at least diminishing them, it is really to be feared that for a long time to come, flourishing and extensive Settlements will not be seen in this Country.

Q. How do you think, that in the County which you represent, Settlements might be effected, both by the Inhabitants of the Country, and by European Emigrants who come hither, most speedily, and effectually, and where, in the said County, or the neighbouring Counties, might they be placed most advantageously?

A. I think Settlements might be effected in several of the Northern Townships, in the rear of Hampshire, and more especially in Alton, both by the Inhabitants of the Country and by European Emigrants: but by the former rather than the latter, because the Canadians would have the assistance of their neighbouring Relatives and Friends within reach; but in Buckinghamshire, (I mean from Nicolet upwards, for I have no knowledge of the parts lower down,) and even in Richelieu, all the Townships are so deteriorated by the extensive Grants which have been made there for twenty five years past to persons who have generally done nothing thereon, and the constant interposition of the Lands of the Crown and Clergy, among the granted Lands, insomuch that they are almost deprived of the hope of making advantageous Settlements there.

Pierre Joseph Chevretils, Esquire, a Notary Public, residing in the Parish of Yamaska, appeared before your Committee.

Q. Do you know the Seigniories which belong to Madame Barrow, situate in the District of Montreal, and what means of knowing them have you had?

A. I do know them, and in my Capacity of Notary, I have had occasion to pass many *Actes* respecting those Seigniories.

Q. What are the names of those Seigniories, and what are their dimensions respectively.

A. The Fief Bonsecours :—I do not remember the extent of its front by a like depth. The Fief Bourgmarie Ouest, is half a League in front, by two Leagues in depth. The Fief Bourchemin, which includes all the West side of the River Yamaska ; I do not know its extent, but I know that it joins the Line of the Seigniorie of St. Ours, on the side of the Fief Bourgmarie-Est, which was lately sold by Mr. Gale, to Mr. Wurtele, I do not know its front, it is I believe, one League and a half in depth. The Fief St. Charles, of one League and a half in front, by a like depth.

Q. What is the number of Concessions in those respective Seigniories ?

A. I cannot say :—In the Fief St. Charles, only the first Concession on the River Yamaska, is Conceded. The other Fiefs are almost all Conceded.

Q. What is the quality of the Soil in the Fief St. Charles ?

A. I do not know.

Q. What is the most usual rate at which the Old Grants in the Seigniories, or any of them, were made ?

A. I cannot say exactly ; but I recollect that there have been made Concessions of Three Arpents by thirty, for four Shillings and four pence and three Capons ; others for eight Livres six Sols former Currency ; and others, for ten Shillings and one penny, and two Minots of Wheat.

Q. Were any Grants made at a lower rate than that you have just mentioned, what is that rate & what is the date of those grants ?

A. Some Grants were made for Six Livres and Seventeen Sols former Currency, from 1759 to 1780, so far as I have been able to see by the Old Titles.

Q. Has there been a rise in the rate since 1780, and at what time did it occur ?

A. Last year a great many Concessions were made at Ten Shillings and one half penny, and four Minots of Wheat, for every Land of Ninety Arpents, and in some Concessions there was an addition of One day's work ; this is the rate established for all the Seigniories belonging to Madame Barrow.

Q. What is the existing rate in the Fief Deguire, and that of Bourgmarie Est ?

A. From the time when Mr. Wurtele became proprietor of those two Fiefs until 1820, Seventy five arpents have been conceded for six Livres

one Sol former currency, three minots of Wheat and two days' work ; and since 1820 that rate has been raised to one minot of Wheat.

Q. What was the rate before Mr. Wurtele purchased those Seigniories ?

A. It was six Livres seventeen Sols former currency for the same quantity of Land—I have seen two Title Deeds of grant, by Mr. Grant, at that time Seigneur of the Fief Deguire, perhaps about twenty years ago, of which the rate was six Livres and one Sol, and about two minots of Wheat.

Q. Have there ever been any concessions in the Seigniories of greater extent than 75 or 90 arpents ?

A. No, unless some parcels of land remain at the angles of the concessions, but then, always in the same proportion.

Q. What was the extent of those parcels of Land ?

A. I remember only two Deeds of Grant, whereof one was of five or six lands, granted to the same person, and the other of six or seven lands also granted to one person, but at the same rates in proportion as above mentioned.

Q. What is the number of grants of parcels of land, to the best of your knowledge, and at what time were those grants made ?

A. About four or five grants have been made in that way, in the two last years.

Q. What was the number of Lands included in each of the said Grants, and what is the total of the said Lands ?

A. Two concessions were made of 150 arpents each, another of about 500 arpents, and another of 400, as well as I can recollect, which at the rate of 75 arpents for each land, makes about seventeen lands.

Q. Have any new settlements been formed in the said Seigniories ?

A. Yes, some very considerable ones have been made in the Seigniorie of *Deguire* especially ; with respect to Madame Barrow's Seigniories, I am not aware that any have been made, the grants having been made too late last year.

Q. What do you mean by the word parcel of Land ?

A. They are places at the Angles of Seigniories, of an irregular form, which are not of sufficient depth to form lands of the usual proportion.

Q. Are there any persons in those several Seigniories, who wish for new Grants ?

A. Yes.

Q. What obstacles do they experience to settling ?

A. They find the rates too dear, besides, those Lands are very difficult to drain, and considerable expense would be necessary for letting the water flow : and there is no road of access thereto.

Q. Were there any people settled on the parcels of land so granted ?

A. Not to my knowledge, on the Lands for which I passed Deeds.

Q. Do you know that Lands have been granted in the said Seigniories, on which there were already settlements and to other persons than those who had made those settlements.

A. I have only known one person to whom a Grant was made of a Land, which had been made to another; but there are many lands on which there are persons who have taken possession of them, and have not as yet obtained those Deeds.

Q. What is the number of persons, and what are the circumstances, under which those persons have settled themselves without a Title?

A. I do not know them, perhaps there may be fifteen of them so situated: they have settled of their own accord, in the hope of obtaining a Grant.

Q. At what time did those persons so settle?

A. Some of them settled fifteen years since, others at a more, or at a less distant period.

Q. Have they made any improvements on those lands?

A. Yes: some of them have made clearings, and are sowing grain, others have raised buildings: they have made and kept in repair the Roads and Bridges.

Q. What can have induced those persons to settle there without any Title?

A. The advice of several persons, who have told them that there was nothing to fear in taking the Lands, and that they were sure of a preference as to a Grant afterwards. The Proprietor of those Seigniories resides in England, his Agent at Montreal, and the under Agent on the spot; but the person last mentioned had no authority to give Title Deeds.

Q. Has the under Agent authority to grant at present?

A. No.

Q. By virtue of what Order were the Grants you have mentioned made?

A. By an Order given by the Heirs Barrow, residing in England, to Mr. Gale, their Agent at Montreal.

Q. Who selected the Grantees?

A. Mr. Gale.

Q. Were the Lands so granted sold a short time afterwards?

A. Many have been sold, and the Grantees expected a Deed of Grant, merely in order thereupon to execute a Deed of Sale.

Q. What was the number of Lands so granted and sold, and at what price?

A. In the Seignior Barrow, there have been about one hundred and twenty-five lands sold since last year, at the rate I have before mentioned, of which, nearly one fourth have been sold

from One Hundred to Three Hundred Livres, more or less, for each Land of Ninety Arpents. In the Seigniorie Deguire, since 1810, there have been granted about Three Hundred Lands, at the rates above mentioned, of which about one half have been sold or exchanged at different prices, from Fifty to Three Hundred Livres and upwards.

Q. Has any Grant been made to Madame Barrow's Under Agent?

A. There was a Grant of Six Lots, of Ninety Arpents each, by various Titles, at the same rates as the others.

Q. Has he sold any of those Lands?

A. He has sold two or three of them.

Q. To whom was the Land granted on which improvements had already been made?

A. To a person named Pierre Arrel.

Q. Had the Lands which had been so sold, been granted to the Inhabitants of the place?

A. Yes: and a part of them was sold to strangers.

Q. What was the motive of giving that preference to the original Grantees, by permitting them to make an object of traffic of the Ungranted Lands?

A. It was pretended that Inhabitants would be chosen to open them, and bring them into cultivation, and those Inhabitants sold them.

Q. Do the young people of your parts go into the neighbouring Townships to settle?

A. No: they are too much habituated to performing journeys in the Upper Countries.

Q. Are there any Canadian Settlements in the Townships in the neighbourhood of the said Seigniories, and at what time, and by whom were they made?

A. It appears that one Louis Desrosiers, pretending to be Seignior of part of the Seigniorie of River David, conceded a great quantity of Lands about the years 1804, 1805, and 1806: those Lands were even bounded at his desire by Pierre Lanvert and Jean Bte. Poulin de Courval, both Surveyors; according to report most of those Lands are within the Township of Upton, near the Seigniorie Deguire, the Fiefs Bourgmarie Est, and St. Charles; and since that time many persons have settled and taken Lands without any Title, in that Township. At present even, there are Roads opened there by the Grand Voyer for the District of Montreal, and there are Surveyors and Overseers established there, they are all Canadians, both on the north and the south

side of the River St. Lawrence, who have so settled without a Title.

What is the number of Fathers of Families so settled ?

A. I do not know their number, but I believe they amount to about one hundred.

Tuesday, 23rd December, 1823.

Mr. *Stuart* in the Chair.

Pierre Bazile Pelissier, Captain of Militia, residing in the Parish of Yamaska, then appeared before your Committee.

Q. Have you been Under Agent for the Seigniories belonging to Madame Barrow, and during what time ?

A. Yes, since 1813, and I am so still.

Q. What is the front of the Fief Bonsecours ?

A. Almost two Leagues and a half, I believe.

Q. What is the number of Concessions in those respective Seigniories ?

A. There are three Ranges of Concessions in the Seignior of Bonsecours containing about two Hundred Lands. There is only one Range conceded on the front of the Fief Bourgmarie Ouest, of eighteen or twenty Lands, and there are two Ranges conceded in the depth of the said Fief, of seventeen Lands each. There are but few Lands granted in the Fief Bourchemin, in a single Range, but I do not know how many. There are about sixty or eighty Lands conceded in the Fief Bourgmarie Est, which now belongs to Mr. Wurtele. In the Fief St. Charles, there are about thirty or forty Lands granted on the front alone. All the Lands I have just mentioned, are not only granted, but in part cleared and settled.

Q. What is the most usual rate at which the old Concessions in those Seigniories or any of them were made ?

A. There have been various rates; formerly, for a Land of Three Arpents in front by twenty-five or thirty in depth, four Livres ten Sols and three Capons. That rate existed until 1780. Since that time the rate has been raised to two Minots of Wheat and six Livres two Sols, which continued until 1820, and then a third rise took place, and at present four Minots of Wheat, twelve Livres and one Sol are paid for each Land of 90 Arpents.

Q. Have there been at any time Grants in those Seigniories of greater extent than 75 or 90 Arpents ?

A. Yes: about four years ago a parcel of Land, which was in-

cluded within the Concessions in the Fief Bonsecours, was granted to a single person, but I do not know of what dimensions, that parcel never having been surveyed, and is not as yet surveyed. The Grantees make payments on account, to be finally settled when the piece of ground shall be surveyed.

Q. Have not other quantities of Land, more extensive than 90 Arpents been granted to other persons ?

A. Not to my knowledge.

Q. Have any new Settlements been made in the said Seigniories ?

A. Many Grants have been made of late, on which many persons have built, and which are Cultivated. Others have merely cleared a little Land.

Q. Are there many persons in those several Seigniories who wish to obtain new Grants ?

A. There are about fifty Persons who have applied for Land, and obtained promises or Tickets of Grant, but many of them have not gone to settle there, others have sold their Lands before taking out their Deed of Grant.

Q. Do the persons who are desirous of settling experience any obstacles, and what are those Obstacles ?

A. I know of no other obstacles than the want of Roads. The draining of those Lands is rather difficult but at last they are well worth the trouble which the Grantees may give themselves, being very rich.

Q. Have you a knowledge that any Lands have been granted in the said Seigniories on which there were already Settlements, and to other persons than those who had made the Settlements ?

A. I only know of one case in which a person has taken a Land of which the clearing had already been commenced by another, but the person last mentioned had taken possession of the Land without any Title. Some persons however have taken possession of Lands without any permission or Title ; their number is not large ; there are perhaps Seven or eight, so situated.

Q. Why did those persons so settle without any Title ?

A. I do not know. I have even warned some of those people but they have persevered in going thither.

Q. Have any Lands been granted, and a short time afterwards sold by the Grantees ?

A. About twenty four Lands were sold by the Grantees a short time after having obtained their Deeds : some of them have even sold upon a mere promise to grant.

Q. At what price are those Lands usually sold ?

A. At various prices from one hundred livres to one hundred

dollars, and for the most part persons not intending to clear are the persons who make those speculations.

Q. Do the young People of your part of the Country go into the neighbouring Townships to settle?

A. I do not know any who do so.

Q. Are there any Canadian Settlements in the Townships in the neighbourhood of the said Seigniories, and do you know when and by whom they were made?

A. There are perhaps about forty settlements in the depth of Upton contiguous to the Seignior of St. Charles.

A person named Deguire otherwise Defrosiers, styling himself Seigneur of that part of the said Township, made those Concessions about the year 1804. Some roads are open which have been ratified according to the proceedings of the *Grand Voyer*, and there are *Voyers*, Surveyors and Inspectors established.

MONDAY, 29th December, 1823.

Mr. Stuart in the Chair.

N. F. Uniacke, Esquire, Attorney General of the Province, appeared before your Committee, and made answer to the following questions:

Q. What are the Fees received by you as Attorney General upon Grants of waste Lands, and how established?

A. By the Table of Fees upon Patents for Lands as settled in Council 4th December 1797, I receive Fees at the rate of ten shillings per thousand acres.

Q. What are the Fees received by you when the Patents are for one hundred or for two hundred acres.

A. If I draw a Draft of Letters Patent for a half Lot of one hundred acres I receive one shilling, if for a lot of two hundred acres, two shillings.

Q. What are the quantities of Land usually included in the Patents, and does it ever happen that a Patent issues for so small a quantity as one hundred acres or two hundred acres?

A. At present three fourths of the Patents are for three & four Lots. I do not think they ever issue for so small a quantity as one hundred acres, but frequently for single Lots of two hundred acres, I find the Patentees wish to have separate Patents for their Lots.

Thomas Fergus Esquire, M. D. then appeared before your Committee.

Q Were you at any time and during what period Auditor of Land Patents in this Province, and did you discharge the duty of the said Office in person or by deputy? And when did you cease to be such Auditor of Land Patents?

A. I was appointed Auditor about 1802, as far as I recollect, and discharged its duties until August 1803, when I went home and left the late Mr. Dunn acting for me, I do not well recollect when I was superseded I think about 1806.

Q. What was the nature of the Duties of that Office and what the Emoluments, Salary, or other profits received by you therefrom whilst you were such Auditor of Land Patents?

A. I merely made an extract of the Patents (Land) for which I received 6s 8d. for every thousand acres. I had no Salary: as far as I remember the amount of the Fees when I personally acted did not amount to £70 per Annum: but it was scarcely any thing while Mr. Dunn acted and I do not remember the amount.

Q. What was done with the Abstracts when made, and were they transmitted to any Public Office in England?

A. As well as I remember, I never transmitted them to any Public Office in England; nor am I aware that they were so transmitted by Mr. Dunn, but of this I am not positive.

James M Kenzie, Esqr. then appeared before your Committee.

Q Have you had any, and what means of becoming acquainted with the River Saguenay?

A. I was there twice; the first time in 1808 I went as far as *Assuapmousoin*, situated 120 leagues from Tadoussac and at the head of the waters which fall into the St. Maurice up the River Saguenay: and in 1814 I went only as far as Chicoutimy, which is situated thirty leagues up the River Saguenay.

Q. What is the breadth of the River Saguenay?

A. At its entrance it is about a mile wide: a league higher up it widens to a mile and a half, it is navigable for large Vessels for ninety miles up to Chicoutimy.

Q. What is the distance from *Chicoutimy* to Lake St. John's and what is the nature of the navigation?

A. The distance is about 24 leagues: the navigation is fit only for small Canoes in some parts.

Q. Are there any Falls or Rapids between *Chicoutimy* and Lake St. John's?

A. It is full of Rapids; there are two Rivers joining each other at *Chicoutimy* the one called the Saguenay and the other the River *Chicoutimy* or *Kenogemish*, the junction of which

Rivers forms the point on which the Post of Chicoutimy stands : I have been near enough to the Falls in the Saguenay, which are at the distance of two or three miles from *Chicoutimy* to hear the sound thereof, but I have never seen them myself nor have I ever seen any one who has been near enough to examine them ; the Clerk stationed at that Post told me he had never seen them : I have understood the Saguenay River is here confined to a very narrow compass and precipitates itself over a lofty Rock. The Current of the River for a certain distance below the Falls (perhaps a quarter of a mile) is so rapid, that I am told it is impossible to ascend it with an Indian Canoe, and this is the reason given to me for its being so little or at all known. The Banks of the Saguenay at the point at which we stopped, were lofty and steep rocks covered with fir.

From Lake St. John to the head of this Fall is a continual succession of Rapids, and the bed of the River is full of large stones and rocks, which it requires all the dexterity of the Indian Hunter to avoid. This portion of the Saguenay lying between Lake St. John and *Chicoutimy* is called "*La Grande Décharge*": I descended it in 1808 with a Canadian and Indian in a Bark Canoe, we stopped to sleep on our way down, having left Lake St. John late, if we had left it in the morning we could have arrived within the day, or in less time, as the rapid is so strong.

Q. What is the size and navigation of the *Chicoutimy* river ?

A. This river is very narrow, not more than a few yards wide, and full of rapids and carrying places ; there is a fall in this river at *Chicoutimy* between twenty five and thirty feet high. This river is I believe, the discharge of lake *Kenogemish*, which is a long narrow lake, I suppose about two or three leagues long ; from this lake is a short carrying place which leads to a small river called *La belle rivière* which falls into lake St. Johns : up this route the canoes travel when loaded, and they generally come down empty by the Saguenay.

Q. What is the distance between the *Chicoutimy* and lake *Kenogemish* ?

A. I do not recollect.

Q. What is the distance between lake *Kenogemish* and *La belle rivière* ?

A. I do not recollect.

Q. What distance do the canoes run down the *Belle Riviere*, what is the breadth of this River, and the nature of its navigation ?

A. I do not recollect the distance, but I think they run down

five or six leagues, there are no rapids, it is narrow like the *Chicoutimy*, but with a strong current.

Q. What is the appearance of the Country through which the *Belle Riviere* runs, what is the nature of the soil and climate, and how is it wooded and watered ?

A. The Country appears to be level, the soil is a strong clay, and fit for cultivation ; the climate is the same as that of Quebec, the woods are white and red pine, ash and black birch, generally pine trees : I had no opportunity to know any thing of this country except from hearsay ; I heard that the south side is for fifteen or twenty leagues a fine level country, diversified with hills and an abundance of lakes and small streams, I understand that there are also good lands on the north side of the *Grande décharge* altho' not so good as on the south side.

Q. What is the quality of the land on lake *Kenogemish* ?

A. It did appear to me as good as any of the rest.

Y. Is that lake navigable for Batteaux ?

A. I think it is.

Q. What is the size of lake St. John, and what is the nature of its navigation ?

A. Its circumference is about thirty leagues and it is almost circular, it is a shallow lake with a sandy bottom having a few islands in it towards this end.—It is navigable for batteaux and canoes, I do not think it would be navigable for schooners having keels and of any burthen.

Q. What is the number, size, and course of the streams emptying themselves into Lake St. John's ?

A. I do not remember the number, there are two or three large Rivers of which I do not know the names which fall thereinto on the north side.

Assuapmousoin River, of about 120 leagues in length, takes its rise to the northward in a small Lake near Lake *Mistassiny* (or " the large stone" in the *Cree* Language) used by the Tribe of *Montagnais*, whose Hunting Grounds lie through the whole of that Country, and empties itself in the Lake St. John on the South side, about 8 leagues from the entrance of the *Grande Décharge*.

Q. What is the breadth of that River, the nature of its navigation, and are there any, and what Trading Posts upon it, and where ?

A. It is upon an average about 120 yards broad as I think, but I cannot be positive, it is full of Rapids and Falls, and only fit for small Canoes:—There is only one Trading Post on it, at As-

suapmousoin or (in the same Language "a place to watch the Moose Deer.")

Q. What is the breadth of the other Rivers falling into this Lake, what is the nature of their navigation, and are there any Trading Posts upon them?

A. I do not know their breadth, but I know they are pretty large Rivers, their navigation is nearly the same as that of *Assuapmousoin* River, there are no Trading Posts upon them. There is a Trading Post upon Lake St. John on the South side near the *Grande Décharge*, in the same place where the Jesuits had formerly their establishment.

Q. Have you ever been higher up the Country than Lake St. John?

A. I was in 1808 as high up as the Post of *Assuapmousoin*, about 60 Leagues above the Lake St. John.

Q. What is the appearance, soil, and climate around Lake St. John?

A. The Climate is much the same as at Quebec; the North side of this Lake is rather low and I was informed swampy:—The South side is more Hilly but the Soil is the same as that at *Chicoutimy*:—I did not examine it, but I am told it is good, well wooded and watered with small streams.

Q. What is the extent of good Land about Lake St. John in the Interior?

A. I cannot say from personal knowledge, but I have been told that to a distance of 15 or 20 leagues on the South side of this Lake, the Land is hilly but good.

I have already said that the Land on the North side is low and marshy, but I have been told that the Land is good altho' not so good as on the south side.

Q. Have you any knowledge of the establishment that was heretofore made by the Jesuits, when was the same made, what vestiges remain of it, and what induced the Jesuits to abandon it?

A. I have seen the place, and there is a Trading Post there now; there are Apple and Plumb Trees still in existence, which have since grown wild; the furrows of their fields are still visible, on which there grows now Timothy Hay; there have been found ploughshares and spades, as also Iron Pots, and I am told the Bell of their Church is still there. I have been informed that the Jesuits were obliged to abandon it, in consequence of representations made by the French *Compagnie des Indes*, complaining of their trading with the Indians; the Land about that place is very excellent.

Q. What appears to have been the extent of their clearing?

A. I understand about 300 Acres.

Q. Are there any, and what Traditions amongst the Indians now living in that country, respecting the Jesuits?

A. I did not hear any Traditions; but the Indians of the King's Posts are so stupid or so suspicious, that although I resided there fifteen years, as Resident Partner and Superintendant of the Trade carried on there by the North West Company, I was never able to collect any information from them, respecting their history or their manners, though I often tried: the only information I could get was from the Canadian Hunters.

Q. What is the appearance of the country in ascending the *Assuapmousoin* River?

A. For about ten leagues from Lake St. John it seems to be pretty level, and the soil good as far as I can recollect, but from thence to the Post there, the Land assumes a greater elevation on each side of the River, it is very barren and covered only with dwarf Trees, of the spruce kind I believe.

Q. What is the climate at this Post?

A. There is snow and ice 'till the month of June.

Q. What have you understood to be the Climate and appearance of the Country between that Post and Lake *Mistassiny*.

A. The Climate is still colder, and the Country is very sterile, covered with dwarf Trees and with Moss, upon which the Rein Deer (*Caribou*) feed, of which there are great numbers all through that Country:—The Moose Deer (*Orignal*) is found in the Country about Lake St. John's, and is more plentiful there than any where else; it likes low marshy grounds, it feeds on branches of Willows or *Bois d'Orignal* which is abundant in marshy grounds.

Q. What is the Import of the names of the *Chicoutimy* and *Saguenay* in the Indian Tongue?

A. I understood from the Interpreter that the meaning of the word *Chicoutimy* is "there is bottom, or there is founding."

Q. What is the distance of *Ha Ha* Bay from *Chicoutimy*, what are its dimensions, and is there any, and what extent of good Land around the said Bay?

A. The distance is seven leagues on the south side of the *Saguenay*, the Bay runs into the Country about three leagues in depth; the point of the Bay near *Chicoutimy* is called, "*Cap a L'Est*." I do not know the name of the lower point. I should suppose, but I cannot at all be positive, that the breadth of the Bay is also about three leagues, but its termination on the lower side is not distinctly marked.—I understood that all round the

Bay the Land is good to a great extent back, and I was told it would make a large Parish if it was settled.

Q. Is there any, and what quantity of good Land opposite or near Tadoussac at the *Embouchure* of the Saguenay?

A. On the West side of the Saguenay is a Point called *Pointe aux Bouleaux*, about a mile and a half broad as far as Duck River, and about half a mile deep to the foot of the Mountains, this is good clay and black mould, the mould is about a foot deep. On the east side, at a high Point called "*Pointe aux Vaches*," for the space of a league, as far as "*Moulin à Baud*" the Land is the same as at *Pointe aux Bouleaux*.

Q. Is there at any, and what distance up the Saguenay, counting from its junction with the St. Lawrence, any Cape or High Grounds projecting into the Saguenay?

A. From Tadoussac, as high up as the Bay *Ha Ha*, is a continual Chain of High Rocky Mountains on both sides of the River, with Capes occasionally projecting into the River, some of them are much higher than Cape Diamond.

On the north side there is a River about six leagues above Tadoussac, called the *Ste. Marguerite*, this is a small River abounding with Salmon: On the south side, about a league farther on, there is a small River called "*Le Petit Saguenay*," in which Salmon is also caught. Both these Rivers are navigable for Canoes for a small distance, and in the main River about seven leagues above Tadoussac are some Islands called "*Les Isles de St. Louis*." I do not know their dimensions, but they are small.

Q. What other Streams, of what dimensions, and how navigable, fall into the main Stream between its mouth and Chicoutimy?

A. I know of no others, but very small ones, which it is not worth mentioning.

Q. Are there any, and what Streams which fall into the *Grande Décharge* between Chicoutimy and Lake St. Johns?

A. I do not remember any.

Q. Is the Port of Tadoussac open during the whole year?

A. It is, but there is sometimes a great deal of floating Ice during the winter driven in by the easterly winds and spring tides; when the wind is from the land it is always clear.

Q. What is the nature of the Navigation of the Gulph from Tadoussac, and during what seasons and at what times can Vessels sail with safety into the Gulph from Tadoussac, and what are the comparative advantages and disadvantages of that Port, when compared with the Port of Quebec?

A. The River St. Lawrence opposite Tadoussac is open during the whole winter, and the Saguenay is also open as far as the Islands of St. Louis: from thence the Saguenay freezes over as far as Chicoutimy towards the middle of December. Vessels can sail from Tadoussac

from the beginning of June (some seasons earlier) until the latter end of November or beginning of December.

One of the advantages of the Port of Tadoussac over the Port of Quebec is, that all the dangers of the River Navigation for an interval of 36 leagues are saved, excepting the entrance of the Harbour itself, which is more dangerous than that of Quebec, from the circumstance of a reef of Rocks extending from each side of the Mouth of the Saguenay for a considerable distance, which at high water or on the rising tide are covered, but not at a sufficient depth to admit of Vessels passing over them, and over which the rising and falling tide runs with great velocity and in various Currents, so that without proper precautions a vessel is liable to be thrown upon these Reefs, and particularly upon that to the eastward: Pilots are not absolutely necessary until Vessels reach Green Island opposite Tadoussac, the Pilots often leave Vessels going down opposite Green Island, considering their services no longer necessary: the Rules of the Trinity House however are, I believe, that the Pilots are not to leave until they get to *Pointe au Père* or *Bic*.

Another advantage is that the water being salt, the floating ice is not formed so soon as at Quebec, there is of course a great saving of time.

Q. What species of Fish, and what quantities thereof are taken in the Saguenay or in Lake St. John?

A. In the Saguenay there are considerable quantities of Salmon and Salmon Trout taken; in the Lake St. John there are White Fish, Pike, Trout, and a species of Fish called *Winanish*, which, I believe, is peculiar to that Lake.

Q. Will you describe the last mentioned Fish?

A. It is from twelve to eighteen inches in length, shaped like a small Salmon, its flesh resembles in colour that of the Salmon, though I think, as far as I recollect, of a deeper red, but of this I am not certain:—its flavor is much more delicate and finer than that of a Salmon. I have met with a fish in the Upper Countries, which I think is the same fish: great quantities of them are taken at the Lake *Athabaska*, and it is there called "*La Petite Truite*." It is to be observed, however, that Trout is caught in that Lake weighing thirty pounds. Those which I mentioned as having eaten at Lake *Athabaska* are the finest Fish I ever ate.

Q. What are the dimensions of Lake Mistassiny, and where does it empty itself, and what is its distance from Lake St. John?

A. I do not know its dimensions, the Indians describe it as a very large Lake, so large that they never went round it; it empties itself into James's Bay, I think by Rupert's River; its distance from Lake St. John is about 130 leagues by the route which the canoes take; in a straight line it is much shorter.

James M'Kenzie, Esquire, requested the following description might be added to the minutes of his Evidence taken before the Committee on the Crown Lands.

Les Bergeronnes, are situated North East of Tadoussac nine Miles ; They produce abundance of very good Hay ; The people of Tadoussac make their Hay there and at *Pointe aux Bouleaux*. *L'Ance St. Etienne*, on the South of the Saguenay about Two Leagues above Tadoussac, yields some Hay, which is sometimes overflowed by the Tide.

At *L'Ance St. Jean*, on the Saguenay half way to *Chicoutimy*, is a Salmon Fishery, and remarkable for the growth of much fine Maple. The Country about *Chicoutimy* and Lake St. John abounds in this Wood. The Servants of the Lessees used to make as much Sugar as they could consume. The natives are not in the habit of making any although very fond of it, when they can procure it, without more trouble than that of asking for it.

The North West Company, had a Saw Mill on a small River, a Mile below *Chicoutimy*, there is no scarcity of Mill Seats all over that Country, the falls of the River *Moulin à Baud*, a league below *Tadoussac*, would furnish all sorts of Mills with Water and so would those of the River *Chicoutimy*. The Jesuits had Mills at lake St. John, some of their Iron Materials have lately been found there.

Leaving *Chicoutimy* we crossed a carrying place a league in length. About three leagues farther is the Partridge *Portage* where the *Chicoutimy* tumbles itself over a perpendicular Rock about twenty feet high ; the *Portage* is short.

We passed a few more short carrying places before we arrived at Lake *Kenogemish*, and a short one after we passed it, then the River of the Willows brought us to the *Belle Rivière*. This Willow River is nothing but a Rivulet taking its name from the profusion of Willows on its muddy Banks.

A considerable River runs into Lake St. John where the Jesuits had their Establishment, and about two leagues to the Westward is another River by which the Indians in their small Canoes go in a few days to *Batiscan*. It is I believe called the Loon River, the people of the Post generally catch their Winter Stock of Fish at its Mouth late in the Fall. Mr. Charles Jordan spoke to me of a River which falls into Lake St. John on its South side, which Communicates with the *St. Maurice*, and is free of Rapids and carrying places : as Interlopers came by this River to trade with the Lake St. John Indians we came to the determination of establishing a Post on it, in order to intercept them and to trade with the *Têtes de Boules*.

The *Assuapmousoin*, is about the size of the Ottawa at Grenville ; a few leagues from its Mouth the paddles must be laid aside and the setting Poles used till we come to the *Chaudière* Falls, about half way to the Post of *Assuapmousoin*. These Falls have a grand appearance and make a great noise, here the River contracts to a narrow compass and precipitates itself over three Rocks each about thirty feet high and rising a-

bove one another like the steps of a Stair. A short distance beyond them the Current becomes too strong for either the Paddles or Poles to stem, and the Banks too steep and slippery for the use of the tow line : we therefore struck off to the left into a shallow River, which after we carried our Canoes in many places and dragged them in many others brought us in a couple of days to Lake *Shigobiche* : this Lake is reckoned twelve leagues in length, it is interspersed with Islands, its bottom is rocky and water clear ; after passing it, we crossed a short carrying place and entered a small River, lined with long wild Grass, and here and there a tuft of Spruce Fees, which brought us the distance of six leagues to the Post of *Assuapmousoin*, situated on a small Lake of that name, a great deal of wild Hay grows here, Potatoes have been planted and grown to a small size in a Garden near the House. There is a variety of Fish in the Lake but they are not numerous ; there is a Water Communication for Canoes between this and the *St. Maurice*, it is as easy to go to Three-Rivers from it as to reach *Tadoussac*. I have been frequently told that this Lake is opposite to *Maskinongé*. The *Assuapmousoin* River runs close by the North end of it. We returned by it, and came in one day to the *Chaudière*, and in another to Lake St. John.

The North West Company's house at Lake *Mistassiny*, was built at the South West end, on a long elevated point projecting into the Lake and joining the main land by a narrow neck. The situation is beautiful. The soil not very bad, but the Climate is cold, there is Ice sometimes in July, the people of the Post raised enough of Potatoes for their own consumption, they manured the Ground with Fish of which the Lake furnished them great abundance of different kinds, such as White Fish, *Poison doré*, Pike, Carp, and as large Trouts as those found in Lakes *Huron* and *Athabaska*, the Potatoes however grew but small.

The former Lessees had no fixed trading Establishment at Lake *Mistassiny*, they sent Goods there to trade every Spring by a River as large as the *Assuapmonsoin*, which falls into Lake St. John on the North.

TUESDAY, 30th December 1823.

Mr. *Stuart* in the Chair.

Mr. *James M'Douall*, of Quebec, Merchant, appeared before your Committee.

Q. Have you had any, and what means of becoming acquainted with the River Saguenay, Lake St. John, and the Countries adjoining the same?

A. In October 1822, I became jointly interested in a Lease of the King's Posts, which comprises the Country in question, and I took every means in my power, by inquiring, from those persons who had an opportunity of knowing this Country, into the state and condition of it, and in the month of July 1823, I personally visited this Country, and ascended this River as far as the third Rapid of the Chicoutimy River. In the month of November last I was again at Tadoussac.

Q. What is the extent of the Navigable Waters of the Saguenay, and of the Streams that fall into it, and for what vessels are they respectively navigable, what are the Falls, Rapids, and other obstructions to navigation in the said Streams respectively, describing the same particularly ; what is the Soil and Climate of the Country bordering on the Saguenay, on its tributary Streams, as well as on Lake St. John, and what are the Streams which empty themselves into the said Lake, their size, length, course and susceptibility of Navigation : what is the nature and quality of the Timber produced upon the said Lands, and in your opinion could or could not Settlements be advantageously effected thereupon and to what extent, what is the face of the Country and what are the advantages or disadvantages thereof as to its means of defence in the event of a War with a foreign State : of what kind is the Port of Tadoussac, at the mouth of the Saguenay and what are its advantages and disadvantages when viewed in regard with the Port of Quebec or Montreal : what are the Animal, Vegetable and mineral productions of this Country so far as they came under your observation ?

A. The River Saguenay is navigable for Vessels of any burthen as far as Chicoutimy, distant about 90 miles from its junction with the St. Lawrence.—The Mouth of the River Saguenay is the narrowest part of it within that distance, but the Channel appears to be about a mile wide at the mouth—five or six miles higher up it widens to about two miles on an average without any Shoals until you approach Chicoutimy :—There are many Harbours and Anchoring places in this River ; a number of Rivers fall into it, the principal of which are the *Ste. Marguerite*, *La Trinité*, *petit Saguenay* and *Chicoutimy*,—there are besides a number of small tributary Streams, I do not know their names, but they proceed as I am told, from little Ponds or Lakes on the height of Land.—The Mouth of River *La Trinité* forms, for about two miles, a very fine Harbour, and where this River becomes narrower there are Salmon Fisheries established : sixty miles up the Saguenay is the Bay *Ha Ha* into which fall two small Streams with Salmon Fisheries in both, this Bay is a very fine Harbour of nine miles in circumference, it has no current, good anchorage throughout, and its bottom consists of sand with gravel and round stones as large as a man's fist,—this Harbour is the more valuable, as in many places of the Saguenay, no soundings are to be found. Ships may ride here in perfect safety from any winds.

The River *Ste. Marguerite* is rather larger than the St. Charles at Quebec, navigable for a considerable distance for Canoes ; the Indians told me that they go up that River a hundred miles.

Of the *Petit Saguenay* I know nothing.

La Trinité is about the size of the St. Charles and not quite so large as the *Ste. Marguerite*.

The *Chicoutimy* is about the size of the *Batiscan* not quite so wide, but there is full as much water in it.

Above the Post of Chicoutimy there are in the River *Chicoutimy* three Falls or rather Rapids, which I have seen ; they begin exactly at the

Mouth of the River :—The upper one is about a mile and a half distant, and I have been told there are no further obstructions to the Navigation with Canoes or small Boats for thirty miles.

The first and second of these Falls are deadened by the rising of the spring tide, which rises there about fifteen feet ; the further navigation of the Saguenay above the Post of Chicoutimy is rendered impracticable by a tremendous Fall about nine miles distant, which no body has ever approached, within the knowledge of any one there, whether Indian or Canadian.—We can hear the noise of the waters when the wind comes from that quarter at this Post : opposite and below *Chicoutimy* for some distance, the whole River is a good Harbour and Anchorage. The Harbour of Tadoussac is excellent, with no Current, and able to contain a number of Vessels.—It is true that there is a Reef on each side of the River Saguenay, running into the St. Lawrence, but the Channel still remains above a mile wide, and this Reef is covered at high water.

I have no personal knowledge of Lake St. John or of the Streams that fall into it, but from information derived from persons who have visited that part of the Country, there are numbers of Streams that fall into it from all quarters of the Compass navigable for Birch Canoes. The climate of the Saguenay I am told, is milder than that of Quebec, vegetation appears to come forward fully as rapid and more so than at Quebec ; such articles as have been planted or sown at the Post of Tadoussac did well ; the Soil at Chicoutimy is still better than that of Tadoussac, and fit for any kind of Culture : the Country about Chicoutimy is level to a very great extent and fit for settling. The growth of the Timber is Birch, Ash, Elm, red and white Pine, Spruce, and Poplars. I am told that the Country about Lake St. John, to a considerable distance, and on the Rivers and Streams falling thereinto, is, generally speaking, good Land and fit for Cultivation, and there is a great quantity of hard Wood, such as Maple and Beech, and I have seen Sugar said to have been made there by the Indians. In fact it appears from the information I could collect that all the Country from Bay *Ha Ha* to Lake St. Johns is susceptible to be settled, as well as that upon the Streams falling into Lake St. John from the South and West, and to the head waters of some of the branches of the Grand or Ottawa River that heads nearest the St. Lawrence, and down the Ottawa River to the Lake of the Shaws, until it reaches the Richmond Settlement, an extent of four or five hundred miles varying in breadth from twenty to above one hundred miles : Above Quebec no doubt Settlements could extend into the old Settlements on the St. Lawrence in many places.

Produce of all kinds raised in Lower Canada, as Grain, Vegetables, Hemp, Flax, Hops, Fruit Trees, particularly the Apple, which I am told lives longer at Lake St. Johns than at Montreal, might be cultivated with the utmost success.

I am told the small Rivers falling into Lake St. Johns from the

North and North-West are not fit for Settlements : A small distance up these Rivers the Country becomes cold and barren, covered with small stunted Fir brush wood ; The Indians make use of that Country as Hunting Grounds.

I am not informed whether the High Lands from the Mouth of the Saguenay for sixty miles up are fit for Settlement or not ; appearances are very much against it.

The Banks, or rather Mountains of the Saguenay are very high, consisting of hard Rock, and in most places are nearly perpendicular covered with a small growth of Fir Wood.

At the Mouth of some of the small Rivers and in some of the Bays there are desirable spots for good Farms, with a rich Soil, and for a small distance above and below the Mouth of the Saguenay on the St. Lawrence under the high Lands, there is good Land for Settlements for about one hundred and fifty Farms with the advantage of abundance of salt Marsh and wild Hay, Fish, wild Fowl, and other Game.

I have no knowledge of mineral productions :—

The settler has the advantage of getting as far as Chicoutimy with his stock and necessaries at a very trifling expense in craft or Steam-Boats. I Chartered a Schooner of seventy five tons last September to carry a cargo from Quebec to Chicoutimy for twenty five pounds :—from that place to Lake St. John's it must be attended with some difficulty and expense for those who first settle that desirable part of the Country.

Cattle or stock of any kind might be driven across the Country from Quebec or above it to Lake St. John, Chicoutimy being situated at the head of the navigation of the Saguenay, if the Inland Country was settled, it must become a town of considerable commerce : the first exports would be spars, square red and white Pine Timber, Deals and Lath-wood, Fish, Oil, Furs and Peltries.

As the Inland Country becomes cleared, Pot and Pearl Ashes, Grain, Flour and Salted Provisions, Hemp &c. would be exported :—I am of opinion when that Country is well settled, a part of the trade will find its way to Quebec, Three-Rivers and Montreal.

Nature appears to have done a great deal for the defence of the Saguenay ; Batteries or Fortifications might easily be erected at Tadoussac and many places round the mouth of the River to prevent an enemy from entering it : the Country is so situated that it appears to be the last part of Canada to be invaded by foreign enemies, if the Country was well settled to make it worthy their attention.

WEDNESDAY, 31st December 1823.

Mr. Stuart, in the Chair,

Captain Fenwick, Assistant Harbour Master appeared before your committee.

Q. What is the number of emigrants which arrived at the Port of Quebec during last season, and from what parts did they come ?

A. The number was 10,258, the greater part came from Ireland, some from Scotland, and a few from England.

Q. What would you conjecture was the proportion of children?

A. Nearly a fourth I suppose of children of and under ten years of age.

Q. What would you conjecture was the proportion of single to married men?

A. The number was nearly equal, but their might perhaps have been more single men.

Q. What is the proportion of female to that of male adults?

A. I suppose the number of female adults is not so great as that of the male adults, but nearly so, there was a great number of unmarried women.

John Neilson, Esquire, a Member of this House for the County of Quebec, appeared before your Committee.

Q. Have you had any, and what means of acquiring information, respecting the old and the new Settlements in the County of Quebec?

A. I have had a great many opportunities of obtaining the knowledge referred to in this question. I have resided upwards of thirty years in this Country, and have had almost daily intercourse with its inhabitants, and have personally visited every part of the County which I represent.

Q. Are there any new Settlements in the said County?

A. Yes, the old Settlements have extended greatly in their rear, within the last thirty years; Land, of a quality, which at that time was considered by the Canadian Farmers as not useful for Cultivation, has been settled by them. They are now got to the foot of the Mountains, which in the eastern part of the County are rocky and stony, and unfit for cultivation. Three new Settlements have lately been made, the first was commenced in 1816, by Americans from the St. Francis Townships, and the two last, by Emigrants from Europe in 1822.

Q. What is the number of Parishes in your County, and what is the number of Seigniories?

A. The number of Parishes is seven; there are three principal Seigneuries; to the east, Beauport, to the west, Sillery and St. Gabriel; which may be considered as one, and Fief St. Ignace; the centre of the County is divided into small Fiefs, or Seigneuries.

Q. Where are the new Settlements situated, when, and by whom were they made, and what is their extent?

A. The new Settlement of Val-Cartier, begun in 1816, is in St. Gabriel, those commenced in 1822 are adjoining in Fief St. Ignace, in Stoneham, and in Beauport; the first was made at the

expense, and by the personal superintendance of Andw. Stuart, Louis Moquin, Esquires, Advocates resident in Quebec, and myself. We obtained fifty adjacent Lots from the Commissioners of the Jesuits Estates, of three arpents in front by thirty in depth, *en roture*, at the usual rents, and on the usual conditions; I believe this was the first Grant made by the Commissioners. Between a half and two thirds of the whole Tract was cultivable Land, but it lay at six to nine miles from any house, and there was no road, but a foot-path through a swamp of three or four miles:—on many parts of this swamp, the water was knee deep at all seasons. We gave the choice of the Lots that we had obtained to those who were disposed to settle, and on the same terms as they were granted to us, and agreed to advance them, on the security of their labour, and their Stock of Cattle, enough to enable them to provide for their wants for one year. They all repaid us, or secured the repayment of the advances. The Settlement was likely to thrive, not, however, in a way to reimburse us for the expenses that we had been at, in surveys, expenses of Grant, making roads, bridges, building a Saw Mill, and clearing and settling the lots remaining on our hands; its progress was however early checked, by the refusal or delay of the Commissioners of the Jesuit's Estates, to give Grants adjacent to our Lots, to the numerous applicants, a great many of whom being Citizens of Quebec, were possessed at that moment of the ready money which they had accumulated during the war. Within the last two or three years, grants have however been made adjacent to our Lands, all the good land in the Seignior, in the immediate neighbourhood, is now taken up, and the actual Settlers, chiefly Scotch and Irish Emigrants, have spread into the adjoining Seigneuries of Fossambault, and St. Ignace; the road made by us, still forming their sole means of communication with a Market.

The other settlements in Stoneham, and Beauport, have been chiefly effected by the capital of citizens in Quebec, the resident settlers, if any, are emigrants:—There is not much Land cleared in either:—That at Beauport is near a market, but the Land is stony, and no great extent of it is of a good quality. The quit rents too are high.

Q. Is there any Emigration from your County to other parts of the Province, and whither is it directed?

A. Yes, they proceed to different parts of the Country settled by Canadians; chiefly to the District of Montreal.

Q. What is the usual extent of the grants to Tenants in the old Seigneuries of the said County ?

A. Three Arpents in front, by thirty in depth, has been the usual extent of the grants in the County of Quebec.

Q. Is any subdivision of those Lands made to settle several Families, and is that frequent, and what are the causes of the subdivision of the Lands ?

A. Yes, very frequent, almost all the original grants are cut up into narrow strips of Land, some not much broader than an ordinary Highway, and perhaps a Mile in length ; on the fronts of many of the original grants, the Houses and out Houses are now so close to each other, that they form, as it were, a street for several miles.

The causes of this subdivision are :—

1st. The Law, which divides the real estate equally among the children.

2d. The disinclination of the members of the same family and neighbourhood, to separate from each other.

3d. The difficulty of making all new settlements in this severe climate ; it being a received maxim among all the Farmers (established on the experience of nearly two hundred years) that he that opens a new Farm never lives long enough to enjoy the fruit of his Labours.

4th. The deficiency of the necessary capital for so difficult an undertaking.

5th. The want of education among the Country people, which alone can qualify them for other employments, and give them a desire and enterprise to leave their relations and friends, and push their fortunes in distant parts.

6th. The obstacles, delays, expenses, and discouragement experienced in obtaining new grants, in the manner they have been accustomed to, and the high quit rents and burthensome conditions required by the Seigneurs.

Q. What effect do these subdivisions, produce ?

A. These subdivisions, when carried to the excess which I have mentioned, produce poverty and beggary, and their consequences are the degradation and immorality of the People.

Q. What is the extent, and the quality of the ungranted Lands, in the said County, and the said Seigneuries ?

A. The extent of unconceded Land within the County of Quebec, is very great, because its limits to the north, and north west, may be considered as extending to the Hudson's Bay boundary. There is now very little Land in this County fit for immediate settlement unconceded. A great part of the Concessions already

made, are only fit for woodlands; beyond the actual concessions, on the eastern side of the County, the land is mountainous and rocky, interspersed with lakes and swamps, with small quantities of good land along the margins of the Lakes and Rivers, and here and there, on certain sides of the Hills, about half way to their summits; the Country is nearly of the same description, to within a few miles of the western line of the County: here, however the mountains lie farther from the Saint Lawrence than on the other side of the County, and as the smaller rivers, falling into the St. Lawrence in this quarter of the District of Quebec, have generally a course from north east to south west, several of them pass through the County of Quebec, and along these rivers, where they pass through the Mountains, and up the sides of the latter, there is generally a large extent of good land: In this quarter some hundreds of good farms, chiefly in St. Gabriel, at a distance of less than thirty miles from Quebec are still unconceded viz. on Pine River, on the side of *Tsounonthuan* (or Great Mountain,) and on the Rivers falling into the Lake of the seven Islands, and on the River St. Anne. I speak only from hearsay, when I say there are in the same direction, good Lands on the St. Anne, the Batiscan, and the St. Maurice, all of which pass within sixty miles to the northward of Quebec. Beyond St. Gabriel, there is the Fief Hubert, the lands in the rear are waste lands of the Crown. In the rear of the Seigneuries, in the eastern portion of the County, there are the Townships of Stoneham and Tewkesbury, granted more than twenty years ago, but on which, excepting two or three in Stoneham, near Lake St. Charles, there are no Settlements.

Q. Is there a Road over those ungranted Lands and have those Lands been surveyed?

A. There are no roads through any of the unconceded or ungranted Lands, excepting the winter roads, made in the rear of the Canadian settlements, for drawing wood. A few unconceded Lands have lately been surveyed in St. Gabriel, the Townships have undergone the usual surveys, of which no traces are now discernible.

Q. Were there any Concessions of Lands in the said County, before the year 1759, and if there have been any, what was the general mode of conceding, with respect both to the extent of the Land granted, and the terms on which it was granted?

A. The greatest part of the Concessions within the said County, were made before 1759, I have said that three arpents by thirty arpents have been the usual extent of a land; the quit Rents, every thing included, seem to have been rather under a

penny per superficial arpent, without burthenfome reserves or conditions—Previous to that time, both the Seigneur and his *Ténancier*, seem to have been regularly looked after, in as far as respected their mutual obligations, of granting at the established rates, and settling—I have seen in the extracts from the Registers of the Superior Council of Quebec, vol. 11. *Edits et ordonnances*, the substance of various Judgments confiscating Fiefs for non-settlement, on the part of the Seigneurs, and reuniting Lands granted by them to Individuals to the Domains, also for non-settlement ; and also a Judgment of 23d January 1738 stating the *Cens* and *Rents* “ *Ordonné par Sa Majesté at un sol de cens par chaque arpent de front, et un sol de rente par chaque arpent en superficie, et un Chapon, ou vingt sols, au choix du Seigneur, pour chaque arpent de front.*”

Q. Is there, in the said County, a considerable number of persons, who desire, and have means, to form new settlements in the Seigneuries, provided they could obtain Lands near to, or at a short distance from those of their relatives or friends, and are there any such Lands, and what are their quantity and quality ?

A. There are a great many persons in the County, both able and willing to take up new Lands, particularly among the Canadians, but there are none, or very few Lands of quality fit for immediate cultivation in their vicinity. The Canadians (whom, from long experience, I consider as by far the most useful settlers in this Country,) are now cut off from further settlements on one side by the Mountains, and on the other by the new settlements in their rear.

Q. Are there any causes which have retarded, and continue to retard, the settlement of the Lands in the old Seigneuries of this Country, and what do you think those causes are ?

A. This question has been partly answered before, the causes of the non settlement of the Seigneuries, are, in the first instance, the disinclination of the people to separate from their families and neighbours ; second, the want of capital ; third, the high rents and burthenfome conditions asked by the Seigneurs, and even their refusal to grant ; fourth, the want of that superintendence on this subject to enforce the Laws which prevailed previous to the conquest.

Q. Do any of our Husbandmen go into the Townships granted in free and common soccage to settle, and if not, to what cause do you ascribe it ?

A. None of the old Inhabitants of this Country settle in the Townships. In addition to the causes already mentioned, which

produce the subdivision of their Lands, and those which retard the settlement of the Seigneuries, I am of opinion, that they are deterred from settling on the free and common soccage Grants.

1°. From their ignorance of the nature of these Grants.

2°. The difficulty and expense of procuring them.

3°. The information which they receive, of the manner in which the Crown and Clergy Reserves are interspersed, between the only lots that actual settlers can procure.

4°. The dislike of intermixing with strangers, and the apparent difficulties which in these Townships they must be subjected to, in respect to religious instruction and assistance.

Q. Have you had any, and what means of knowing the nature and advantages of the Seignorial Tenure in this country, compared with that in Free and Common Soccage?

A. I am acquainted with the operation of both Tenures; but it is very difficult to pronounce on their comparative advantages.

Q. What appear to you to be the relative advantages, or disadvantages of those Tenures?

A. I understand by Tenure, the Terms and Conditions on which the Sovereign Authority of a State guarantees to Individuals and their Assigns, the exclusive occupation of a certain portion of the Territory of such State. The Tenures in modern Europe, owing to the Conquests to which almost every part of it has been subjected, have been chiefly military; the guarantee of the Sovereign Authority in favor of individual possession, seems to have been there, generally, granted with a view to military service. In America it has been given with a view of settling the country. A spirit of imitation, and the introduction of Laws established in Europe, originally gave something of the military character to the Tenures in Canada, and in some of the British Colonies. They have, however, been mainly characterised in both, by the object of the Granter: viz. the Settlement of the Country. Settlement, both in Canada and the United States, has accordingly been the chief condition imposed. The British Grants were generally immediate to the Settler; the French Grants were, in fact, to Trustees for actual settlers, the principal Grantee being required himself to settle on his Grant, and regrant on a trifling consideration, and easy Conditions, which seem to have been fixed by Royal or Legislative Authority. The old feudal notions were brought from Europe, and are found in old Laws and Title Deeds. Even before the Conquest, the Tenure *en fief* in Canada, amounted to little more in favor of the Seigneur, than pre-eminence and superintendence, in conveying the Lands in small portions to actual Settlers; for which, he was restricted to a remuneration, not more than sufficient for his employment of Capital, opening the Settlement, and the aforementioned services. This remuneration, particularly the *Lods et Ventes*, being of a nature growing with the means of the Settler, was at no time severely felt; it was particularly advantageous to the Settler at

first, requiring no part of that Capital which is so hard to be procured, and so indispensable for effecting the Settlement which the Original Grantee of the Lands had in view. At no time was the Settler likely to be laid under any burthens, resulting from the Tenure, which he could not easily bear. Since the Conquest, the pre-eminence legally given to the Seigneurs has in a great measure ceased, some of their rights, which were rather burthensome to themselves than otherwise, (those of *Justice*) have also ceased.

The old Seigneurs seem generally to have performed their duties, with respect to the re-granting of the Lands, but the enforcement of these duties on the part of the Crown, seems to have fallen into disuse; the consequence has been, that purchasers of Seigneuries after the Conquest, seem to have almost considered the Lands therein as if they had been held under the Soccage Tenure, and thought themselves dispensed from many of the conditions upon which the Grant was made, nearly frustrating its object. The Tenure *en fief*, notwithstanding these abuses has, in effect, put great numbers of Settlers on the Waste Lands in the Province, with secure Titles, free and fixed as to the Conditions, and in no respect burthensome.

The Soccage Tenure in this Province, having the same object in view, has not been so successful in forming actual Settlements: it, in reality, differs very little from the Tenure *en fief*; if the Crown had granted a large Tract to one individual, for a "Pepper Corn" for instance, binding him to settle on the Land, and to regrant that portion not necessary for his own cultivation, to such individuals as might apply and become actual Settlers, upon certain moderate annual Quit Rents, and other easy conditions, this would, in fact, be nearly the Seigniorial Tenure, as it is now in operation in this Province. The Quit Rents, and other Obligations, would prevent speculation in, and monopoly of, Waste Lands, and encourage the object of the Crown, the Settlement of the Country.

The Tenure in free and Common Soccage, from the eluding or non-execution of the King's Instructions, (there being no annual charge on the Grantee or holders of them) has encouraged this kind of speculation and monopoly, and in a great measure, frustrated the object of the Crown, which, particularly in the case of powerful individuals being concerned in this speculation and monopoly, has, and must ever, find it almost impracticable to compel the fulfilment of its object, and the condition of the Grant, namely actual Settlement. In as far as respects the actual Settler, abating the evils of speculation and monopoly, which affect him by the difficulty of obtaining Roads, and the performance of the Obligations of Neighbourhood, the condition of the *Censitaire* and the Settler holding in free and Common Soccage, is nearly the same; the expenses of obtaining the Grant, including the loss of time or Agency, is greater for the Lands in Soccage, and he is thus deprived of the Capital, which would have contributed to his support on a first Settlement, and enabled him to make greater Clearings; a loss, which will probably be found fully equal to the burthens usually imposed on the

Censitaires : If he purchases for Cash or Credit, he has the interest of the money to take into account ; purchasing on credit, from the deficiency of Capital in new countries, is however the usual course, and then, being frequently unable to pay at the term, the Settler in free and Common Soccage, is in a more degraded condition than the *Censitaire*, and loses his Land, always at the most unfavorable time, with all his improvements ; perhaps, foreseeing this result, he has impoverished the soil, and left it in a worse condition, than if it were in standing wood.

The one or the other Tenure is good, freed from abuses, which obtain in both, but rather more, I think, under the Soccage Tenure. I should however, prefer for any new Country, the Tenure which has long been in use, and with which those in a situation to become actual Settlers are best acquainted, as most likely to effect the main object in view on granting Lands in such Countries on any Tenure. The United States have of late years, materially deviated from the mode of granting Lands heretofore existing in these States when they were Colonies. This mode is more consistent with the true principles of political economy, than either the old mode in the British Colonies, or in the late French Colonies on this Continent. Lands in a state of nature, differ in value from the quality of the soil, the timber and the locality ; the object of Government is the Settlement of Waste Lands, but there is a preference arising from their difference of value ; every subject qualified to settle or lay out Capital on Waste Land, has an equal right to a share of the unoccupied Waste Lands ; they are therefore divided into suitable Lots, making moderate reserves for certain public uses, and the preference is given to the best bidder at public sale, paying *ready money*. This mode does not deprive the Settler of any Capital for clearing the Land, for he can always raise on the Land paid for by him, about the amount paid at a public Sale. He has, in fact, paid for nothing but the preference, which the superior value of the Land ensures to it.

The Title is according to the Tenure called Soccage, and this Tenure, under these regulations, is probably the most advantageous for settling a Country.

Q. What are the circumstances which prevent our husbandmen from extending their Settlements into the Interior on the ungranted Lands of the old Seigneuries ?

A. From 1793, but particularly from about 1800, to the close of the late war in Europe, the progress of the Settlements in the Seigneuries was very great ; where the Lands were good, and were obtained at little expense, and on something approaching to the old terms, they were readily taken up, settled upon, and the Roads laid out, and made at the common expense, according to Law. The distant journeys, delays, and expenses, and difficulties in obtaining *Procès Verbaux*, both before and after the homologation, were a general subject of complaint ; the high price of agricultural produce, occasioned by the war in Europe, enabled however the Settlers to bear all, and overcome all obstacles in making the Roads. Since the close of the war, the progress of the Settlements has

been yearly diminishing ; the decline in the prices of agricultural produce, the obstacles of unusually high rents and new and onerous conditions of the Grant, and absolute refusal to concede on the part of many of the Seigneurs, with the expenses and difficulties of laying out Roads as before mentioned, are more than they can bear.

For further information on this subject, I refer to my answer to the seventh Question.

Q. What are the chief impediments to settling, experienced by the European Emigrants who come into this Country, and are desirous of settling there?

A. The principal obstacles to the settlement of European Emigrants in the District of Quebec, to which my knowledge mainly extends are :

1st. The severity of the winter, and shortness of the summer, the real difficulties resulting from which are magnified in their imaginations, by the extravagant stories related on the subject abroad and among the lower orders of Europeans in Canada.

2. Their utter ignorance of the mode of defending themselves against the real severities of the climate, and of the best means of making their labour productive, under circumstances very different from those in which they have been brought up. This ignorance is so great, that their situation for the first years after their settlement is often distressing.

3. A desire to proceed among their relations and friends, the majority of whom are settled within the United States, south of the Great Lakes, and west of the Alleghanies, where they enjoy a milder climate, although the Markets are somewhat less advantageous than on the St. Lawrence.

4. The formalities, difficulties, delays, and expenses, of procuring Grants of Crown Lands in Lower Canada ; these Grants being only to be had at the Capital, where the expense of living is high, where they are utter Strangers, and unable to get any information that can be depended upon, with respect to the place where they might advantageously settle :—Those who have means, generally proceed beyond Quebec ; only the very poorest of them remain, and trust to daily Labour for a subsistence, which they can only find in the Towns, from a want of knowledge of the language of the Country, and also the general want of confidence in these strangers among the farmers, and the low value they set on their service.

Q. How do you think, that in the County which you represent, settlements might be effected, both by the Inhabitants of the Country and by European emigrants who come hither, most speedily, and effectually, and where, in the said County, or the

neighbouring Counties, might they be placed most advantageously?

A. This question is one which would require more time and reflection, than I can bestow upon it, to answer it properly: generally, there is no effectual way of settling a Country, otherwise than by securing to every one, the fruit of his own Labour, enabling the surplus Agricultural Population to take up new Lands, with the least possible expense, excluding loss of time, and without any burden whatsoever otherwise than those indispensable for enabling him to do so under a secure title. The Canadian Population are by far the most advantageous settlers in this part of the Country, and with the foregoing facilities they require no looking after or superintendence, will search out good Lands where they are to be found, and where a suitable subsistence can be derived from them—I understand that they must be facilitated in every thing connected with religion, in the way usual in the Country, and have every facility in laying out roads.—They have no dislike to strangers who mix among them and behave well, but few Canadians of good character will settle among strangers.—With respect to European emigrants, they are very badly calculated for a first settlement in this Country; where it is once begun they may succeed, but they want some kind of superintendence, till they can be enabled to manage their own common concerns in their own way, for which they ought to have every legal facility. There can be no resident gentry in this Country, since the Seigneurs have become null, and the system nearly abandoned; the majority of the settlers will then, inevitably, have to manage their own local concerns, which is indispensable in every settlement of a mixed population, having nothing in common but the English language, and each individual, being by his own exertions without dependance on any others.

I drew up in 1819, a Plan for extending the settlements in the County of Quebec to the St. Anne River, on the best Land at the foot of the mountains, and the rear of the swamps.—I give in a rough draft of it for the information of the Committee. Circumstances have discouraged me from attending to this business since, and I have not time at present to look over it, it having been in the hands of a friend, whom I thought might have more opportunities than I could to promote the execution of this Plan.

PLAN by JOHN NEILSON, Esquire, for forming a new and extensive settlement on the North side of the St. Lawrence in the vicinity of Quebec.

The tract of Country which it is necessary to consider, with a

view to the contemplated settlement, extends from Cape Tqurment to the River St. Anne, including the Island of Orleans.

The existing settlements in this tract, are thickly inhabited, so much so, that the farms have been subdivided into small strips not sufficient to support their Proprietors, and emplacements of about a superficial arpent have been conceded on many of them for building lots.—The whole of this population has hitherto had no means of extending itself, excepting by emigration to distant parts; the settlements of the Island being confined by the River, those of Beaupré, Beauport, and Charlesbourg by mountains, and the remainder by tracts of poor Land and swamps.

The Mountainous tracts present insuperable barriers for the present to the extension of the Settlements which they confine, but the tracts or inferior Land and Swamps, are obstacles, which may easily be, and in fact have already been, surmounted.

The Rivers within the tracts last referred to, commencing with the Jacques Cartier, at a distance of twenty miles from Quebec, have a Southwestern course. On ascending these Rivers, to five or ten Leagues from the St. Lawrence, a Mountainous tract commences beyond the Swamps and the existing Settlements, which seldom extend more than two or three Leagues from the River, where they have long remained Stationary, from the causes before mentioned.

At the foot of these Mountains, there are extensive tracts of good Land, in the most favorable exposition in the Province, and consequently less liable to injury by Frost than Land lying much farther to the South with a less favorable exposure. The fertility of these Lands when new, the proximity to Market, the means of uninterrupted Land Carriage, together with the facility of bringing them into a productive State, owing to the nature of the Timber and Soil, will almost invariably enable the Cultivator to pay the expenses of Clearing with the produce of the first or second Crop.

A good Carriage Road from Indian *Lorette* to the Jacques Cartier, at the Eastern extremity of the good Land above mentioned is already made; all that is necessary to lay open the whole tract, is the prolongation of this Road in the rear beyond the Swamps, to the Settlements on the River *St. Anne* or the River *Batiscan*. The distance from the Jacques Cartier, to the *St. Anne* River, does not exceed four or five leagues, or between eleven and twelve from *Quebec* by the *Valcartier* Road, the whole distance to *St. Anne* Church or the Settlements of the River *Batiscan* by this Route, would not be greater than the distance to the same places by the Road along the *St. Lawrence* following its windings. It is probable that the Road proposed to be opened, might be laid out through Cultivable Lands the whole way, with an extent of good Land on each side of it, sufficient for several Concessions, and affording room for a thriving population, as numerous as that which is now pent up on the front of the *Seigneuries* along the *St. Lawrence*.

From the bad success of the experiment which has recently been made of opening new Roads with the Public money, it is not probable, neither perhaps is it desirable, that any assistance should be obtained from the Legislature for that purpose. The Individuals, the value of whose Property would be enhanced by the opening of these Roads, ought to provide the means, and ought to take an active part in effecting it, as they are bound by the Conditions of the Ancient Grants *en Seigneurie*, and it is seldom that any other mode is attended with success.

The holders of the Land, through which the contemplated Road would pass, are :—

- 1°. The Commissioners of the Jesuits' Estates.
- 2°. Mr. Duchesnay, Seigneur of Fossambault.
- 3°. Possibly His Majesty's Waste Lands.
- 4°. Mr. B. Panet, Seigneur of Bourg Louis.
- 5°. The Seigneur of D'Auteuil, and Mr. Allsopp, for Jacques Cartier.
- 6°. Mr. E. C. Deléry, for Perthuis.
- 7°. The Crown and Grantees for Alton.
- 8°. The Seigneurs of Deschambault, La Chevrotière, and Grondines.

It is presumed however, that the Road may be opened without any material advance of Capital, on the part of the present Holders of the Land. It would, it is supposed, be sufficient, that they all were heartily to embrace the plan, and offer no impediment. One of the greatest obstacles to extending new Roads and Settlements in any direction, is the indifferent or narrow minded conduct of some holders of large Tracts of Waste Lands. They will give themselves no trouble, give no facilities for these purposes, but the moment that their Lands become valuable, by the means of those Roads, or new Settlements made at the expenses or by the efforts of others, they exact more onerous Conditions for their Grants, which, with the difficulties and loss of time, frequently met with before the Grants can be obtained, discourage the persons intending to settle.

The Commissioners of the Jesuits' Estates have fixed the Rents and the Conditions of their Concessions according to the opinion of the Law Officers of the Crown, founded on the Law of the Country in that respect. Their Concessions are not onerous, nor alarming to the Settler, and when the frequent mutations in every new Settlement are considered they are exceedingly favorable to the Estates, seeing that they may soon derive an Income from Lands, which, in all probability, under more burthensome Conditions, would have remained for Centuries unproductive to them, and to all others, while the encreasing Population of the neighbourhood is driven to a distance, to other Lands, or compelled to seek a new, and frequently a miserable existence in the Towns and Villages.

It is conceived, that if the holders of the Land in the tracts mention-

ed would consent to the following terms, and give their hearty co-operation and countenance to the proposed Road and Settlement, that it might be speedily effected, without any material disbursement of Capital on their part.

1st. To make concessions within the said tract, on the same terms and conditions as the Commissioners of the Jesuits' Estates have made their grants on the Jacques Cartier, in St. Gabriel.

2nd. Appoint three Gentlemen in Quebec to lay out the Road, procure a Plan, and make the grants in the name of the different Seigneurs—an Office to be established for the purpose at some respectable Notary's.

The Land to be granted in Lots of three arpents in front by thirty in depth.

3d. Only one *Feu et lieu* to be obligatory on those holding a concession not exceeding 180 arpents.

The expenses of surveying in the first instance would be confined to laying out the road, and marking three arpent lots on each side of it with durable Posts, the road forming the basis of the concessions of thirty arpents in depth on each side of it. This would be sufficient to enable the settlers to take possession of their grants, and they would continue the lines at pleasure—parallel grants at the depth of thirty arpents could be laid out when required; a diagram of the road, and each lot, inserting the name of each person taking up a lot with the date of its being so taken, to lie for public inspection at the office.

The prosperity of all new settlements, however favourable may be the situation and quality of the soil, depends on the judicious and economical employment of labour.—The labouring Proprietor is generally the most successful, his capital being small, he can afford no waste, he has the strongest of all spurs for exertion.

When Land can be obtained on the easy terms of the Seigneurial Grants, every man that is able to work may readily become a Proprietor; he must, however, have previously amassed some capital, at least equivalent to the cost of Tools, and the erection of a Log Hut, and Food and Cloathing for a few months. To be enabled to do this he must have some capital of his own, or have employment from some persons who have already a capital.

The increase in the value of Lands where settlements are made, it is presumed is sufficient to induce Capitalists to vest some portion of their capital on Waste Lands in favourable situations, in order to bring a portion of them into cultivation—Many of these Capitalists, cannot however personally attend to the details; they cannot labour; they must employ labourers; in fact give an oppor-

tunity to the labourer to amass capital and become a labouring proprietor.

It would seem that a fund for the purpose of performing the obligation of *Feu et lieu*, or settlement duties, might be readily raised by the Gentlemen authorized to make the grants from persons desirous of taking Lands who have a capital, but cannot perform these obligations themselves—Part of these funds might be employed under the authority of the Gentlemen having the management in opening the first roads of communication, in fact to enable the labourers employed in making the first clearing to get upon the ground with their cattle and tools; the remainder in effecting the clearing and putting up the first dwellings.

The Commissioners of the Jesuits Estates require $4\frac{1}{2}$ arpents to be brought into cultivation, and a dwelling to be built within the year—the expenses to each holder of not more than 180 arpents would be as follows: to be deposited when the authority to occupy is given.

Clearing and Sowing, Stacking and

Pitting £5 per acre, -	£20	0	0
Log House covered with Bark, -	10	0	0
	<hr/>		
	£30	0	0

The produce

Say 2 acres Potatoes at £6 per acre, £12.

2 do. Oats at £4 10 “ do. 9 21 0 0

would be sufficient for a Family with a Cow and Pig till a next crop. The second year there would be little difficulty of renting the Land to new comers for more than double the interest of the whole Capital expended—One Family more of labourers would be added to the settlement increasing the value of the Lands; in fact, the constant influx of new settlers would soon form a market on the spot, giving additional value to all the produce of the place.

The only expenses of management would consist in the wages of an active and trusty agent on the spot, who would contract for the clearing of the different lots of the depositing Proprietors, receive the work, pay the money, and account to the gentlemen appointed, delivering the Clearing and House to the Owner within.—— To this person all new settlers would be addressed, and he would put them in possession and furnish them with the necessary information.

Many persons would take Lands who know nothing about the steps for a first settlement, who, in fact, if they were able, cannot attend to it.

The economy of one trusty, intelligent, and accountable Agent for the whole, will be sensibly felt by every one, who has the smallest experience of the difficulties Gentlemen have of managing business which they do not well understand, with people apt to take advantage of their delicacy, want of information, and personal superintendence.

From the experience which has been had in the *Valcartier* Settlement, it is believed, that if a Plan, of the present description, as it respects the holders of the *Seigneuries*, and the management of the Settlement, could have been adopted, and cordially acted upon by all parties, that the Settlement would at present, instead of about a hundred Souls, have contained ten times that number.

By opening, or causing to be opened, four leagues of a Carriage Road, by raising provisions on the spot, sufficient to support a large number of Labourers, and of new Settlers, and thereby saving an expense of transportation, nearly equal to the first Cost of the Provisions; in short, by placing Labourers and subsistence four leagues in advance into the Forests, in the direction of the tract of Land now proposed to be opened, the most difficult part of the work has been done, and the strong, obstinate, and almost universal prejudice, that there was no extent of Land on the North side of the St. Lawrence, in the vicinity of Quebec, beyond the existing Settlements, fit for Cultivation, has been dissipated, it is hoped for ever, in three years, by the united exertions of a few Individuals.—October 1819.

THURSDAY, 29th January, 1824.

Mr. *Stuart* in the Chair.

John Neilson, Esquire, again appeared before your Committee.

Q. At what amount do you estimate the Population of Lower-Canada, and what are the data whereupon you proceed in making your calculations?

A. I have no certain data upon which I can form an Estimate of the present Population of Lower-Canada. The last Census taken of which I have any knowledge was in 1784, by Commissioners appointed by General Haldimand in virtue of Royal Instructions.

The following Abstract of it I have reason to think is correct :—

NUMBER OF SOULS, &c. IN CANADA, IN 1784.

DISTRICTS.	Married Men.	Houses.	Married Women.	Males.		Females.		Servants.	Absent.	Infirm.	Slaves.	Acres of Land.	Bushels of grain sown yearly.	Horses.	Oxen.	Cows.	Young Cattle.	Sheep.	Hogs.	Fusils.
				Above 15 years of age.	Under 15.	Above 14.	Under 14.													
City and District of Montreal.	10140	9794	9727	4357	11637	3809	10803	4020	304	625	212	726705	217682	17825	12036	22579	16620	53238	41805	5968
City and District of Three-Riv.	2080	1973	2247	912	2874	877	2726	676	104	118	4	214875	39549	5155	1602	5368	3147	10206	6458	1291
City and District of Quebec.	7911	7157	7380	4112	10041	4206	8984	1795	93	150	88	628240	126318½	9116	8456	16344	12439	41252	22202	3575
Total - -	20131	18904	19354	9581	24552	8892	22513	6491	501	893	304	1569812	383349½	30096	22094	44291	32206	84666	70466	10854

This Enumeration, like every other Enumeration, owing to omissions against which very strict precautions have not been taken, was probably less than the real Population.

The Population of Lower-Canada in 1764, has been stated at about 60,000 Souls; an increase in the same ratio would give at present about 480,000 Souls.

The ratio of increase has however, in all probability, been much greater, particularly in the period between 1792 and 1812, from the stimulus given to labour by the Exports of Grain during that period.

The Statements of the Curates given in to Government in 1823, and published in the Quebec Gazette, with Allowances for Parishes for which there were no Returns, made the Population 364,000. In this Statement there were few Protestants, and it was well known that the Population of many of the Parishes is stated at far less than the true number: The Protestant Population of Quebec is altogether omitted.

The Militia Returns of Lower-Canada as stated by the Adjutant General last year, was 70,443.

It is acknowledged to be very incorrect, and certainly below the true number. In the States of Maine, New-Hampshire, and Vermont, where, taking the whole population together, the ratio of increase probably differs very little from that of Lower-Canada, and where, it is believed, the Militia age is nearly the same, a Militia of 83,516 gives a Population of 778,280. I believe however, that their Militia age is from 18 to 45, ours is from 18 to 60, and perhaps the ratio of increase is something greater in New-York, although I think we fully surpass in that respect Vermont and New-Hampshire.

There are probably more omissions in our Militia Returns than in theirs: I should conceive that the population of Lower-Canada at the present time is 600,000 souls, in which case the population would have doubled every twenty years from the conquest.

Q. From what causes does your estimate differ so much from that of the Surveyor General of Lower Canada, and have you any and what observations to make upon the said estimate now shown to you?

A. The Surveyor General's calculation is chiefly founded in the statements given by the Curates in which every person who has a knowledge of the Country admits there are a great many omissions—The Township and Protestant population in general, I apprehend has been estimated by the Surveyor General without any very certain data—His division of the population into Counties and Districts, I consider to give a sufficiently correct idea of the relative population of the different divisions, and it is possible that generally his estimation may be nearer the truth than mine.

THURSDAY 29th January 1824.

Mr. Stuart in the Chair.

Louis Sivrac, of the City of Quebec, appeared before your Committee and said :—

I have navigated the River St. Lawrence and the Gulph, along the *Labrador Coast*, and to *Halifax*, for Fifty four years past : for thirty eight years I navigated as a Ship Master. For the last twenty years I navigated the *Saguenay* as a Ship Master in the service of the North West Company. In that capacity I have had the command of four Schooners, the first of 112 Tons, the second of 54, the third of 36, and the fourth of 40 Tons. The number of Trips which I made to the *Saguenay* was usually three or four a year, I have however made as many as five.

Q. What is the nature of the Harbour of *Tadoussac*, what time is the navigation open, and when does it close, and what are the advantages and disadvantages of the said Harbour ?

A. In the Spring the Harbour may usually be entered from the 10th to the 20th of April, but that is as the years may be.—The navigation closes from the 10th to the 20th of November. There is a difference as to the opening of the season of twenty days with respect to the Harbour of Quebec, and there is a difference of One Month as to the Autumn, in favour of the Harbour of *Tadoussac*.

On the 20th April 1780, I left the *Labrador Coast* and I arrived at St. Patrick's Hole ; the Ice opposite Quebec was still fast ; and I went to Quebec on foot over the Ice. The entrance of the Harbour of *Tadoussac* is half a league wide having along it two Shoals, one of them to the East, the other to the West. It is capable of containing, perhaps as many as twenty of the largest Vessels. With a good Pilot the Shoals are not dangerous. At the entrance of the Harbour, we sounded the *Saguenay* in the middle of the Stream, and found no bottom with 330 Fathoms of Line. I was present when that was done by Captain Martin. At the distance of one Hundred Fathoms from the Shore, Vessels Anchor in twelve or fourteen Fathoms : the bottom is good, it is of Clay and black Sand. In that Harbour Vessels are safe against every wind provided they be strongly moored to the Shore. There is no Current in the Harbour. The Current begins about a Mile off. The Harbour is still Water.

Q. What is the nature of the Navigation from *Tadoussac* to *Chicoutimy* ; When does the Navigation there open, and when does it close ; what are the most usual Currents, Shoals, Anchorages, and Harbours between those two places, and what are the dangers to which a Vessel is exposed during the said Navigation ?

A. The Navigation opens about the tenth of May, & closes about the

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end of October. The Saguenay is frozen over from the Isles St. Louis, to a distance of Seven leagues from Tadoussac, as far as Chicoutimy, from the 10th of December to the 10th or 20th of May.

The most prevailing Winds are the North East and North West ; the first Harbour is the Isle St. Louis, there is Anchorage in Twenty Fathoms Water, with moorings to the Shore, and there is good Shelter. The Harbour consists of the whole breadth of the Saguenay, which is there half a league, where there is Anchorage under Shelter of the Isle St. Louis, which is a full a league in circumference ; it is a Rock about fifty feet high : it is quite as steep as Cape Diamond ; its summit is covered with Birch, Pine, White Fir, and other soft Wood, and there is Game thereabouts ; it is very difficult to walk round it. There are five other Islands a little higher than the Isle St. Louis, which are about half the size of Isle St. Louis. Three leagues higher up is the Harbour of St. John, which is half a league long by the whole breadth of the Saguenay. There is Anchorage there in twenty Fathoms Water with Moorings to the Land. Two leagues upwards is the *Anse de la Trinité* which is half a league in depth and one Mile wide. There is Anchorage in twelve Fathoms Water with Moorings to the Shore.

Cape à L'Est, is then reached which is five leagues from the Post of Chicoutimy. There is Anchorage in eight Fathoms Water on the whole breadth of the River. On leaving the Harbour of Tadoussac to enter the Saguenay the most common course is N. N. W. Above the Isle St Louis a W. N. W. course is to be followed. From the Harbour of St. John, to reach *Cap à L'Est*, the course is N. W. $\frac{1}{4}$ W. From *Cap à L'Est*, to the River Caribou the course is North : thence to the *Rivière du Moulin*, which is half a league from Chicoutimy, the course is W. S. W. ; leaving this place for Chicoutimy, the course is North.

Q. What are the Tides at Tadoussac and at Chicoutimy ?

A. At Tadoussac the Tide is high at full Moon and at new Moon, at two hours and three quarters after noon, or after midnight. At Chicoutimy at four hours and a quarter after noon or after midnight. The Tide when high at Chicoutimy rises Eighteen feet perpendicularly. At Tadoussac the height of the Water is the same as at Quebec.

Mr. Edward Thereau, appeared before your Committee.

Q. Have you ever been at the Saguenay and at what parts thereof, at what time, and in what capacity ?

A. I lived at Chicoutimy about eight years. I worked there for the gentlemen of that Post. I have not been higher up. I left it last Fall.

Q. Have you seen or inspected any of the lands in the neighbourhood of Chicoutimy or of the Saguenay ?

A. I have gone over the neighbourhood of the Post of Chicoutimy, to the extent of two leagues, more or less.

Q. What is the quality of the lands in this neighbourhood ?

A. They are of every description ; some are very good, and fit for cultivation :—The only obstacle I have met, is a great number of rocks on some of those lands, but where the land admits of cultivation it is very good.

Q. What is the number of Indians who were in the habit of coming to the Post of Chicoutimy during your residence ?

A. There might be a dozen of Families who came annually to that Post, while I remained there.

Q. What was the nature of the Trade carried on there ?

A. The Indians brought Furs, and received in return every kind of Merchandize which they wanted, as Flour, Maize, Ammunition, Arms, Snares, and other Dry Goods.

Q. Of what nation were those Indians, and what was their character ?

A. They were *Montagnais* ; they were a good and very mild People, a little addicted to spiritous liquors as most of the Indians are.

Narcisse Amiot of Quebec, Esquire, appeared before your Committee.

Q. Have you been employed by any person of Three Rivers to obtain Lands for him ?

A. In the beginning of last December Mr. Edward Kimber of Three Rivers requested me to go to Mr. Ryland's office to ask for Location Tickets, which Mr. Ryland was to procure for him in a few days. I went several times to Mr. Ryland's office without meeting him there, but meeting him one day he told me that the Lots claimed by Mr Kimber had already been allotted to other persons, and that Mr. Kimber would be obliged to present a new petition to His Excellency if he wished to obtain Land : I thereupon remarked to Mr. Ryland that Mr. Kimber had obtained the Surveyor General's certificate that the Lots of Land by him claimed were vacant. Mr. Ryland answered that that had frequently happened, but that in order to avoid the granting of the same Lots to different persons, he took the trouble, when new applications occurred, of ascertaining what Lots had theretofore been applied for, and that he had often remarked that the Surveyor General had granted similar certificates when the same lots had previously been taken up by other persons :—Mr. Ryland further observed to me, that if Mr. Kimber should present a fresh Petition to His Excellency for other Lots, it was not his intention to be paid twice.

William Sax, Esquire, first Clerk in the Surveyor General's Office, and Land Surveyor, appeared, and stated :—

That he has been a Land Surveyor since 1796, and has been in the Surveyor General's office since 1814, two years and three months of which he was acting Surveyor General during the absence of Colonel Bouchette.

Q. Do you know the Townships on Craig's Road, and will you state their number and quality of soil ?

A. The Townships are : Shipton, Tinwick, Chester, Halifax, Inverness, Wolfstown, Ireland, and Leeds : the soil in general is good so far as I have seen it, near the road it is very stony and hilly, the Country is broken and uneven, timbered with Beach, Maple, Elm, Birch, Spruce, Pine, Cedar, and Ash and Bals.

Q. When were the said Townships respectively surveyed, who were the leaders of them, and of what description of persons consisted the associates ?

A. As near as I can recollect they were surveyed in or about 1800 ; the Leaders, so far as I understood, were, of Shipton, Messrs. Barnard and Cushing, their associates were people of their own choosing whom I do not know, and in general I think people of not very respectable standing in Society : the north west half of the Township of Tinwick was granted I think mostly to Loyalists and Canadians, without any particular leader that I know of : the north east quarter of this Township I surveyed myself in 1813 for the late Honble. John Young and Family, and the south east quarter was surveyed by Mr. Ecuier, the year before, a part of which for the Honble. Chief Justice Sewell, as I understood. The Township of Chester was surveyed or explored about that time by a Mr. Kilburn for, I think, the late Mr. Frobisher and Family, of the north west Company : one half of which Township was shortly after granted either to Mr. Frobisher and his Associates, or to some other gentleman of the North West Company and his Associates.

The Township of Halifax was surveyed or explored about the same time by Mr. Kilburn, and a part of it shortly afterwards granted, either to Mr. Mc Tavish and Associates or some other gentleman and Associates of the North West Company.

The Township of Inverness was also by the same Surveyor about the same time either explored or surveyed, and a part of it also granted to some one of the Partners of the North West Company and their Associates.

The Township of Wolfstown was also about that time explored or surveyed by the same Surveyor, and a quarter thereof grant-

ed to the late Nicholas Montour, formerly Partner of the North West Company and his Associates.

The Township of Ireland was at that time explored or surveyed by the same Surveyor, and a part of it granted shortly after to the late Mr. Frobisher and Associates.

The Township of Leeds was also explored or surveyed about the same time by the same surveyor, and a part thereof granted either to Mr. Frobisher and Associates or to sundry other persons.

Q. Have you had any occasion, and when, latterly, to visit the said Townships, or any of them, and what is their state and condition or of any of them, as far as the settlement of them is concerned?

A. I have visited those Townships lately, viz; the Township of Shipton in 1821; the Settlements in that Township were then in a forward state, the clearings and improvements were flourishing so far as I could observe them, the buildings were considerable, many of which were erected with taste, and the Inhabitants generally appeared to be in easy circumstances.

In Tinwick there were a few houses from the Shipton line along Craig's road, perhaps four or five, clearings were commenced, and in a state of progress.

In Chester in 1819 I observed but two houses on Craig's road, the most considerable of which is the property of Nathaniel Brooks who has made a large clearing well fenced in.

Neither in Halifax nor in Inverness did I observe at that time any clearings or houses along the road, excepting in Inverness, there were then two small houses occupied by Aldrich, father and son.

In Ireland were several houses along the road, for instance a Mr. McLean had a tolerable good house with a large improvement at his residence upon Lot No. 2, in the second range in that Township—I observed another house on a road by a branch of the Bécancour River, near a Lake.

In Leeds I observed but two houses at that time along the road, one was occupied by one McLean, and the other appeared not to be occupied, it was called Palmer's house, there were however some clearings along the road.

Q. In what way did the actual settlers whom you saw obtain their Titles?

A. I did not inform myself of this.

Q. Have you any knowledge of applications having been made for portions of the said Lands by any and what classes of persons, previous to the issuing of the Patents in favour of the present Pa-

tentees of the said Lands, and before any promise of grants had been made to the said Patentees ?

A. At that time I was in the District of Montreal and I had no occasion or opportunity to inform myself respecting the above query, therefore I do not know.

Q. Do you think that if Craig's road were settled and kept in good repair that this would be beneficial not only to the settlement of the adjoining Townships in general, but also to the City of Quebec, in particular by bringing along this road Provisions, Cattle and other produce, from the Townships and the United States to this market ?

A. Certainly, that has always been my opinion.

Q. What is the whole quantity of Land that has been granted to the Militia which served during the last war, and how much does there remain still due to them to the best of your knowledge and belief ?

A. I do not know, nor could I state without reference to statements and documents which have been regularly made out since 1817, and are of record in the Surveyor General's Office, and of which the Surveyor General would be able to give a very satisfactory and complete statement.

Q. Does there not remain a large quantity due to the Militia ?

A. I think there does.

Q. Is the quantity remaining due equal to, or does it exceed the quantity already granted ?

A. It far exceeds it in my opinion.

Q. To what causes do you attribute the non granting of these Lands ?

A. I have no means of stating them.

Q. Are you acquainted with any actual settlements formed by Militia Men who served during the late American war ?

A. I understand that some are making or forming Settlements in some of the Townships under agency ; of myself I know of no actual Settlements of that description.

Q. Are the grants that have been made to the Militia, made principally to Privates, or to Officers of the Militia ?

A. There are many Locations made to the Militia, but I cannot say what is the proportion between the Men and the Officers.

Q. What is the number of grants made since the late War to Canadian Subjects of His Majesty not having served in the Militia ?

A. I cannot tell, but I think some estimate may be made of the quantity from documents in the Surveyor General's Office.

Q. Can you form any conjecture of the probable quantity so granted ?

A. The Townships of Sethrington and B'anford have been granted to that description of persons, and other Townships have been surveyed for that purpose, so that I suppose the quantity actually granted is under 40,000 acres ; the Townships surveyed are those of Cape Chat, Matane, and St. Denis, none of which are yet under patent.

Q. What is the quantity of Land actually granted since 1815 to European Emigrants, and in what quantities ?

A. The Lands granted to that description of persons is in quantities of one hundred Acres and two hundred acres generally to the applicants, but as for the whole quantity granted, I beg to refer to the documents to be found in the Surveyor General's Office, however it does not exceed I think one hundred and fifty thousand acres.

Q. Are the grants so made principally in lots of one hundred or two hundred acres ?

A. I think they are about equal, if any thing the Locations of one hundred acres exceed.

Q. What was the lowest quantity usually granted to actual settlers before 1815 ?

A. Previous to 1815 I do not recollect of any Location grants, and when Townships or parts thereof had been previously granted, it was understood that every person named in a Patent, of the age of majority, was to have no less than two hundred acres.

Q. Is not the quantity of two hundred acres the smallest quantity which in this or the adjoining Provinces, or the old British Colonies, as far as has come to your knowledge, was expected by a settler to be received, going into a wilderness for effecting a new settlement ?

A. I have always understood that two hundred acres was about the quantity, previous to 1815.

Nicolas Vincent, an Indian Chief, (*Isawanhonhi*) appeared before your Committee.

Q. In what parts of the Country have you hunted, at what period of your Life, and at what distance from the River St. Lawrence, and from the actual Settlements ?

A. At the age of Fifteen, I hunted along the Branches of the River Batiscan, which I have descended as far as the River St. Lawrence. I have also hunted in the rear of the River Jacques Cartier as far as the Branches of the River Chicoutimy. I have also been in rear of the River Malbaie. On the South side, I have hunted as far as the River St. Jean, and in the upper parts as far as *Bécancour*, in several of those places as far as twenty five or thirty leagues from the Settlements.

Q. Give a description of the Country which lies between Valcartier and River Chicoutimy as to Soil, Mountains, Rivers, Timber, and capacity for Culture, and the Route which you pursued ?

A. About twenty years ago I departed in order to hunt in those parts. I went by way of Lake St. Charles, and crossed a carrying place (*Portage*,) about three leagues long from that Lake to the River Jacques Cartier. Thence having ascended the River three leagues, we crossed a carrying place (*Portage*) of seven or eight leagues where we again met the same River, which we followed for about ten leagues and then reached the River Chicoutimy. In this journey we met very little good Land, it is a Mass of Mountains and Rocks; what little level surface there is, is Marsh and Lake of which there are a great many. The River Chicoutimy and the Jacques Cartier, have their source at the same place, at the distance of half a league or a quarter of a league. These two Rivers have their source in a great number of Lakes into which several Rivulets empty themselves. On my return I made a Raft at the source of the River Jacques Cartier on which I descended three or four leagues, I then took my Canoe which had been left there and descended the River Jacques Cartier about Ten leagues, meeting in that distance two Falls, one of them nearly twenty feet high, the other ten or fifteen feet. I found two carrying places, one of Six Arpents and the other of four. The carrying place between the River Jacques Cartier and Lake St. Charles, is about four leagues from the *Côte à Haroussin*. I crossed the carrying place to Lake St. Charles, crossed the Lake, and descended the River St. Charles to within fifteen *Arpents* of our Village. Our Company consisted of three persons.

The River Jacques Cartier runs North West, at the distance of Ten leagues, it separates into Three Branches, the first runs between the South West, and the West; the second runs North; and the third North East. In descending I followed the South West branch. There are small Rivers which fall into the Jacques Cartier, but I do not know their names.

The Country is Mountainous from one end to the other of the route I have described, rocky, not producing any Hard Wood, but producing Birch, Fir, and Spruce, that Country can never be Cultivated.

Q. What Game do you take ?

A. Beaver, Otter, Martin, some Musk Rats, and on the melting of the Ice, Ducks. Some *Caribous* are met.

Q. At what time does the Ice take in the Upper parts of the River Jacques Cartier, and when does it melt ?

A. The Ice begins to form in those parts in September and to melt in June ?

Q. How long were you absent on that Hunt, and what did you do for Provisions ?

A. We were three : we took with us a Minot of Indian Corn per Man, about forty Pounds of Meal per Man, two Pounds of Hog's Lard per Man, and twelve Pounds of Pork. We carried that, on three In-

dian Sleighs, every Man his own. We had each to carry moreover Three Traps, one Fowling piece, one Hatchet, Fish Hooks, two Pounds of Tobacco, one Pound or one Pound and a half of Powder, six Pounds of Shot and Ball. We ate twice a day, on setting off in the morning, and on closing our Journey in the Evening. We made Cakes with Lard in our Iron Pan; we made broth with Pork and Indian Corn or Beans: these Provisions were sufficient for twenty or twenty five days without the aid of Game. We afterwards lived on the produce of our Chace, sometimes poorly enough.

Q. What is the quality of the Soil in the Country in rear of Batiscan, and is that Country level or Mountainous?

A. There are places in which Parishes consisting of good Land might be formed, and others where the Country is Mountainous and somewhat Rocky. I do not think Settlements could be formed in the Mountains, there is too much Rock. I began my journey with four *Iroquois*; we proceeded between North and South West; we crossed the Jacques Cartier and River St. Anne; we passed above the River Portneuf and Champlain, and we reached the River Batiscan at the distance of twenty Leagues or thereabouts from the River St. Lawrence in a right line; I speak of the place at which we reached the River Batiscan. We occupied about ten days in performing our journey; we stopped in our way a quarter or half a day, as we thought proper for the purpose of Hunting. The Branch of the River Batiscan to which we had come was navigable for Canoes and even for Batteaux, and is nearly as broad as the River Jacques Cartier, opposite Mr. Neilson's Land on the latter River. We descended in Canoes probably about thirty Leagues, as far as the mouth of the Batiscan:—there are many carrying places, perhaps twenty or twenty five: there is a Fall two or three Leagues from the River:—there follows a series of Falls:—the Lands improve towards the lower part of the River; and there is a great quantity of Land along the River fit for Cultivation:—the Country lower down is not very Mountainous.

Q. How far from the River St. Lawrence on the South side have you hunted and at what time?

A. I went to the River Duchesne to hunt last Fall. That River empties itself between Lothbinière and St. Pierre:—It is not navigable:—there are five Concessions there, and I have hunted to the distance of four or five Leagues from the rear of the Settlements:—the Country is level, there are no Mountains; marshy, but a good soil:—the Lands along Craig's Road are Mountainous with many Hills, but the soil is good; I have

been as far as the River *Becancour* I have also been along some of the branches which fall into the River St. John on the South Shore. I have been at *Témiscouata* and from thence to the Peninsula near Frederickton :—I went for Troops during the War ; we suffered much from want ; we passed through a large track of good Land.

FRIDAY, 30th December, 1823.

Mr. *Stuart*, in the Chair.

Mr. *François Verrault* appeared before Your Committee.

Q. Have you had any, and what means of acquiring a knowledge of the Saguenay, and of the surrounding Country ?

A. I am now 65 years old, and from the age of fifteen to last Fall, I have remained in the Saguenay Country, and made excursions into the surrounding Country.

Q. What are the Length, Breadth, Depth, and course of the Saguenay ?

A. It is 25 leagues from its Mouth to Chicoutimy, as far as which place the tide extends : the general breadth of the River Saguenay is three quarters of a league : it is extremely deep until within three leagues of Chicoutimy.

Q. What Streams flow into the Saguenay or into Lake St. John, their length, breadth, depth and course respectively ; how far are they navigable, and what kinds of Fish are found in the Saguenay or in Lake St. John, or in the Streams which empty themselves into either ?

A. There are many. The River *Ste. Marguerite*, navigable for Birch Canoes through an extent of forty leagues, in which there are carrying places at intervals, a quarter of a league wide at its mouth, empties itself on the north side seven leagues from the Mouth of the Saguenay. The River *L'Ance St. Jean*, navigable in Canoes for fifteen leagues on the south side, empties itself into the Saguenay two leagues above the River *Ste. Marguerite* ; it may be ten arpents wide at its Mouth. *L'Ance de la Trinité*, navigable for twelve leagues in Canoes, also empties itself on the south shore into the Saguenay, four leagues above the *Ance St. Jean*, it is about three arpents broad at its Mouth.

The River of *La Baie Ha, Ha*, is four arpents wide at its Mouth, navigable in Birch Canoes for twenty-five leagues, falls into the Saguenay on the south side ; into that Bay falls a small River which is not navigable for Canoes, but in which there is a good Salmon Fishery ; it flows from the west.

The River *à Valin*, flowing from the north, is six arpents wide, navigable in Canoes for fifty leagues ; it falls into the Saguenay five leagues above *Ha Ha Bay*.

The River Chicoutimy where the Post is situated is eight arpents

wide, and is navigable for thirty leagues in Canoes. It flows from the south.

Above the Post of Chicoutimy, the distance as far as Lake St. John, is thirty leagues by the Saguenay, which forms the outlet of that Lake. There are several carrying places, one of which is two leagues in length, the others are much less considerable.

The River Chicoutimy, (signifying, "further on it is still deep") which falls into the Saguenay at the Post of Chicoutimy is seven leagues long, flowing from the south; there are five carrying places on that River. That River is formed by Lake *Tsinogomi*, (Long Lake) which is seven leagues long. On the south side, three Rivers fall into that Lake, which are about one arpent and a half wide, and navigable in small Canoes for a distance of eighteen leagues. On the north side of that Lake, a River empties itself into the Saguenay, and on the same north side another River empties itself into the Lake. Those two Rivers are navigable for Canoes. At the extremity of Lake *Tsinogomi*, there is a carrying place of three quarters of a league; a Lake is then reached, which is called *Tsinogomitsisch*, which is two leagues long by eight arpents in width. The Lake last mentioned joins another Lake called *Kasushikeomi*, (the Lake of clear water) which is about half a league long by ten arpents in breadth, but which has no outlet. The outlet of Lake *Tsinogomitsisch* (the lesser long Lake) is a River which is two leagues long, called *Pashikaouinanishdushihi* (of Alder) about twenty five feet wide. After that River, the *Belle Rivière* is reached, one arpent and a half wide, and about three leagues long, having a carrying place, and emptying itself into Lake St. John at *Koushpigan*, (a place which is ascended.) Lake St. John is fourteen leagues long and fourteen wide. On the south side, two leagues from *Koushpigan*, a little River falls into that Lake, which is not navigable, and is called *Kuoshpygish* (where is a small ascent) two leagues from that small River, is a considerable River called *Metabishouan* (the place where the course of the water ends) at which is the Post. That River is navigable in Canoes for thirty leagues, it is six or seven arpents wide.

Four leagues from thence there is a River, (also on the south side) called *Ouiguatshouan*, (do you see the Fall there, a carrying place must be crossed) which is navigable in Canoes for at least twenty-five leagues, and six arpents wide.—Three Leagues from thence there is a small River called *Ouiguatshganish*, (a small ascent) two arpents wide and navigable by Canoes for twenty-five leagues.—Seven leagues from thence (also on the south side) is a River called *Assuapmousoin* (place where the Elk is laid wait for) a quarter of a league wide, navigable for eighty leagues where there is a Lake of the same name, on which there is a post.

On the north side of Lake St. John, is the River *Péribonea* (the curious River)—this name is probably given to that River because its water is clear, and Game and Fish abound there.—It is situate twelve leagues from the outlet of Lake St. John, it is half a league wide and is navigable for thirty leagues in Canoes.—Two leagues higher up is the

River *Mistassini* (the large Rock) navigable for forty leagues at least, three quarters of a league wide at its mouth.—By this River (Mistassini) perhaps at least forty small Lakes and carrying places are passed, to reach Lake Mistassini which empties itself into Hudson's Bay.—Near the Post *Assuapmousoin*, on the Lake of the same name, there is a River called *Nicouta* (swampy places) three quarters of a league wide, navigable by Canoes for eight leagues—There is then found a lake of the same name which is four leagues long by one league and a half wide which leads towards the north, at the extremity of that Lake there is a River called *Matawenanish* (the crooked River) about eighteen leagues long by seven arpents in width—there is then a small Lake *Chacanaka* (the rocky Lake,) fifteen arpents in width by twenty-five in length—these are followed by five small lakes, where there are several carrying places ; the whole together may be one league—having attained the highest ground whence the waters begin to flow to the southward towards Lake *Temiskaming* (very deep Lake) which leads towards the parts in rear of Montreal, but where I have never travelled—I do not know the extent of Lake Mistassini, but I can state that it is ninety leagues long by at least sixty in breadth, and that it is full of Islands—The Islands are large : we paddled along one of the Islands for one day and a half without having seen the end of it—I crossed it at a strait where it was eight leagues broad—In crossing the lake at the shortest interval between Island and Island is eight leagues.

In crossing the Lake there are fifteen large Islands—there grow on those Islands low Spruce and Juniper as on the sea coast—Timber is prevented from growing there by the frequency of high winds—There are Moose-Deer there—The water is extraordinarily clear as at sea—A stone may be distinguished in fifteen fathom water—Fish abound, that is to say, Pike, White Fish three feet long, Salmon Trout, I have taken some which weighed 42 pounds—Another kind of Trout which is not found here, and is only found in Lakes where the water is as clear as the Lake in question—the Indians call it *Maingouche* (which means the long Fish) it is extremely fat, of excellent flavor, sometimes two or three feet long and eight inches thick, there is a great deal of *Poisson doré*, *Perchaudes*, Carp of two kinds, white and red—I have seen red Carp two feet and a half long, the white ones are not quite so large—this Lake has three outlets—there are to the right two outlets twenty leagues distant from each other, that on left hand is four leagues from that in the middle—that on the left hand falls into Hudson's Bay—The two others unite again at the distance of forty leagues or thereabouts and flow into Hudson's Bay—the place where they reunite themselves is called *Né-wishqueska* (*Né* comes from the Point, *wishque* from Birch Bark, and *ska* much) and it may be rendered into English (Birch Point).—This Point is also known by the name of *Fort aux Anglois* (English fort.)

The middle outlet which we followed is about half a league wide.—In the harbour I have mentioned, I have seen four Barges capable of containing 80 packages of eighty pounds weight each—They were as

large as Whale-Boats and made in the same manner, and in those barges the descent to the sea was performed being a distance of sixty leagues.

I have only been 70 leagues from Mistassini. The most common Timber along that outlet is Red Spruce. The Fort was built of that Timber and of a kind of Grey Pine, of which there is none hereabouts. I believe it is called Cypress. There is also Poplar, Birch, and a great deal of Swamp Spruce.

Q. Have you ever gone round to Three-Rivers by the Saguenay, and what was your Route?

A. I have made that Tour twice. The first time was, I believe, twenty-five years ago; the second about eighteen. After reaching Lake *Nicouta*, a carrying place of about a quarter of a league is crossed; and there is a little River about a perch and a half wide—the River *Micouashah* (Red Carp River); that River is descended for about two leagues. There is then a small carrying place of about six arpents, when the edge of a Lake is reached which is full of Islands, and is called *Ash Katsi*, (the Rocky Lake.) After proceeding about four leagues on the Lake, a River is met, which is about four arpents broad and four leagues long; at the extremity of the River, is a Lake about six leagues long and two broad, which is valued *Kapistetsouin*; (the Lake of Foam) at the end of the Lake, a Fall of about forty feet renders necessary a carrying for about fifteen arpents. Embarking again on the same River and proceeding about six leagues, a Lake is reached which is about five leagues long and two leagues broad, which is called Lake *Tsimouskou-mino Shapaigan*, (the Lake of the Old Man). At the end of the Lake the River is too small, and it is necessary to perform a carrying of three quarters of a league. The carrying place being crossed, there is a Lake four leagues long and about one league broad; there is then a carrying for three quarters of a league, which leads to a small Lake about three quarters of a league long and half an arpent wide: another carrying place of about twenty arpents is made, and the border of a Lake is reached which is four leagues long and one and a half broad; it is called *Kaonashikami* (the Lake of clear Water.) At the end of this Lake is a short carrying for ten arpents along the outlet, and here that elevation is attained whence the waters flow into the River St. Maurice. The River last mentioned, is the first of the waters on that side, and that Lake is the limit of the King's Domain. The Outlet of that Lake is a small River about one perch wide, and navigable for Canoes for about a league and a half. At the termination of that small River is a Lake three leagues long and about one league wide, where there is a carrying place a league in length; after which is a Lake called *Miscashi*, (the Point of Rock) which is about two leagues long by one league and a half wide—this Lake is full of Islets; its outlet may be about ten arpents wide and twenty arpents long. There is a carrying place fifteen arpents long, which leads to Lake *Ouashoutaoucka*, (Sand Banks) twelve leagues long and two leagues wide. The Lake last mentioned, is the

source of the River *Metabellottine*, or (the River of Winds,) which is the River St. Maurice that flows into the River St. Lawrence at Three-Rivers. Lake Ouashoutaoucka is seventy leagues north-east of Three-Rivers: at the termination of this Lake are two leagues of River nearly ten arpents wide: then a Lake called *Kapemitsigama* (Cross Lake) four leagues long by about two leagues wide; the end of this Lake towards the South is passed, and its Outlet forms a River four arpents broad by four leagues long; another Lake is then reached, called *Ocoutsioushta*, (the Lake in which we soon shall plunge—alluding to the Rapids which are near.) This Lake is probably six leagues long by three wide; its Outlet is a River about six arpents wide: that River is bordered with Cypress, and there are very lofty Mountains on both sides. Six leagues from the Lake just mentioned, is a Post called *Kikendac* (the Grey Pines.) This word is a corruption of the true Indian word, *Outcishhkata*. Six leagues above that place the River becomes almost a Lake, in which there are several extremely flat Islands. After that is a carrying place, called *Shikaque paushtiki*, (the Pilecat carrying place.) About six leagues above that carrying place is a large River on the north side about five arpents wide, navigable in large Canoes for twenty-five leagues, called *Koushapashiganushipi*, (the River of Jugling); that River empties itself at that place into the Saint Maurice. About four leagues lower down on the north side, there is a carrying place half a league long, called *Lekaunigan*, (the Sandy carrying place.) Three leagues lower down there is a carrying place on the same side called *Kamatshi ashini*, (carrying place of rugged Stones,) whence descending four leagues there is another carrying place on the same side called a *Shikueta*, (carrying place of the Caldron); eight leagues lower down, on the north side, there is a Post established by the North West and Hudson's Bay Companies, called *Umutashé*, (the Point which is seen.) On the south side, opposite that Post, are two Rivers, one of which is called the River *Caribash*, (of the Ribband) one arpent and a half wide, and which runs in rear of Montreal westwards, navigable in Canoes, I do not know how far. The other, six arpents long and quite round, called *Turibi*, (very bony white fish.) This is followed by a short carrying place of four arpents, which leads into a little River three quarters of a league long; on the north side of that small River a carrying place occurs, six arpents long; then a River is entered upon, which is called *Raman*, (Vermillion) which is three leagues long by twenty arpents broad. Towards the south of the River last mentioned, there is a carrying place of three quarters of a league, called *Pakan*, (carrying place of the Nut.) There follow three leagues of Rapids, and on the north side, a carrying place called *Nantoué*, (carrying place of the Iroquois) half a league long. Thence a River is passed by effecting a carrying of about twenty arpents, called *Kaouibushka*, (burnt) then the south side is descended three quarters of a league, when there is a carrying place, called *Arushkakanounigami*, (of the Raspberry) there the River is crossed on the north side, where there is another carrying place,

called *Ashupiekaigan*, (of the crossing) at the end of this carrying place a rapid is entered, which is about three quarters of a league long, called *Uakapah-ushitik*, (the crooked Rapid). At that place the River Saint Maurice is entered, which was left at the Post of *Kukukash*. Three leagues to the south of that Rapid, there is a great Rapid, where a carrying is effected when the waters are very high, which is called *Misht-niash*, (the large Point;) two leagues lower down, on the north side, there is a Rapid called *Kaniash*, (Point:) four leagues lower down, there are great Shoals, called *Pakouapaustik*, (flat Rapid;) about a league and a half more to the south, there is a little River, called *Tutushepi* or *Nabot*, (Milk.) This River is navigable in Spring when the waters are high, and by that River, at that time, when the waters are high, the *Voyageurs* ascend the River *Raman*, (Vermillion) Three leagues lower down, to the north, is another River four arpents wide, called *Kanashou*, (the Name of an Indian who has Lands there,) and by that way Lake Saint John may be reached by the River *Ouiguatshganish*, (small ascent) which I have described above. Three leagues lower down, on the north, is a River three arpents wide at its mouth, and navigable by large Canoes for forty leagues; it is called *Mishtaruéaushipi*, (the great Tail of the Beaver;) that River leads to the River *Ouiguatshouan*, which I have described above. Three quarters of a league lower down, on the north, is a carrying place, called *Ushabatshuan*, (the Current too strong to be passed;) the *Voyageurs* call it "*La Tuque*," because of its high Mountain, whose summit resembles a "*Tuque*" (conical cap); this carrying place is a league long, and has high hills which must be ascended. A league lower down, on the north, is a River called *Ashtorogami*, (place where Canoes are made,) which is six arpents wide, navigable for Canoes: this River runs forty leagues to the north, and joins the River *Métabishouan*, which I have described above. Eight leagues to the southward, a Post is established at a place called *Utsasht ushipi*, (River of Rats,); ten leagues from thence, going down the River Saint Maurice, on the north side, there is a portage six arpents long, called *Tshit-sega*, (steep); three leagues lower down there is a carrying place on the south, eight arpents long, called *Papapatibishka*, (flat Rock); one league and a half farther, on the south side, is another, fifteen arpents long, called *Shabonigan*, (needles); three quarters of a league lower down, on the south side, there is another carrying place, a quarter of a league long, along which there is a Fall, called *Kakumenash*, (the Old Woman.) Two leagues lower down, on the south side, there is a carrying place called *Pé-o-a-busk*, (carrying place of Iron); the *Voyageurs* call it *Portage de la Gabelle*, (Portage of the Gabel); that carrying place is three quarters of a league long. Two leagues from thence the Forges of St. Maurice are reached, and the distance from the Forges to Three-Rivers is three leagues.

Q. What is the nature of the Soil on the Route you have just described, and when do Spring and Winter begin in the various parts through which you have travelled?

A. The Soil about Tadoufsac is mere Sand and only fit for the culture of Potatoes. On ascending the Saguenay all the Bays and the Interior on both sides consist of good soil fit for cultivation. There is little difference between the climate of that place and that of Quebec. All sorts of Pulse and Melons and Cucumbers ripen there. Towards Chicoutimy the gentlemen of that Post have Gardens which produce Cucumbers, Melons, Onions and in a word every thing that is produced at Quebec. Towards Lake St. John and all around it the lands are excellent. The Jesuits formerly had a Convent and a Farm there. Some Plum, Apple, and Cherry trees and some Vines planted by them still exist and the furrows made by the Plough are to be discerned. This Settlement is at the entrance of the River Metabitsuan. I have gone fifteen leagues up that river and found the soil fine and very fit for cultivation and a favorable climate. West of that river is that called Ouitgatshouan, the soil and climate of which are similar to those of the foregoing. Two leagues north of that river is another called Ouitgatshganish, which I have ascended eighteen leagues as far as its source. The climate and soil in all that tract is like the foregoing. For twenty-five leagues in ascending the rivers Mistassini and Afsuapmousoin which flow into Lake St. John, the soil and climate are equally good as far as the foot of the Rapids of the river Afsuapmousoin. There, many rapids and mountains occur for sixty leagues. It freezes there almost every month of the year, and the lands being besides covered with stones a few Potatoes are all that could be cultivated.

From thence to the neighbourhood of Lake Mistassini there is very little good land, all that part of the Country consisting of marshes, swamps and sand. The environs of Lake Mistassini which I have seen do not appear to me to admit of cultivation. I have never seen more than two or three feet of snow, except in one year, when it fell to the depth of five feet, but this is very rare. I do not think Lake St. John and Lake Mistassini more liable to storms than the parts of the Province along the river St. Lawrence. The north west wind is the most common. There is sufficient depth of water in Lake Mistassini for Ships of War, but there being many large Islands in it, it would be difficult to navigate and a good Pilot would be necessary. I think there is not more rain in Spring, Summer and Autumn than in the District of Quebec, and storms and thunder are less frequent.

Following the river Mistassini to the right of that of Afsuapmousoin, for sixty miles in a N. N. E. direction, the soil is very substantial and fit for cultivation. In that whole tract there are

no mountains and although that land is more to the north the climate is nevertheless good in consequence of the southern aspect of the ground and the shelter afforded by the mountains in the rear, from the north wind. Beyond those mountains the Land is not susceptible of cultivation.

North East of the river Mistassinis on leaving Lake St. John is the River Peribaka which I have mentioned. It flows from the north east. I have gone about ten leagues up that river, and the soil along both Banks is a clay which admits of cultivation. The climate resembles that of Lake St. John.

North East of the River last mentioned, is another called Koucuatim (the Dog's Owl,) I ascended it seven or eight leagues—the soil and climate resemble that which I have just described.

On leaving Lake Afsuapmoufouin for Lake Uashkué-ta-uka (source of the river St. Maurice,) for a distance of nearly fifty miles, the land is not fit for cultivation consisting only of sands, marshes and swamps—and on descending that river for fifty-five leagues as far as the river Utchaskushipi, the land is only fit for cultivation in places, being intersected by mountains. The rest of the ground as far as Three Rivers is intersected; but there are considerable Tracts where the soil and climate are adapted to cultivation.

It is to be remarked that although very often the margin of rivers of a certain magnitude do not admit of cultivation, upon removing a little from the shore or upon passing the mountains which skirt those rivers, there is always found a level Country, where the soil is fertile to a very great distance, and the soil along the small rivers which empty themselves into the larger ones is invariably good and fertile for a very great distance.

Q. What kinds of Timber did you observe in the Countries you have just described?

A. From Tadoussac to the foot of the rapids *Pemonka* for a tract of 75 leagues or thereabouts, there is a great quantity of lofty trees, consisting of white pine, red pine, (Norway pine,) Ash, Spruce of every kind, Elm, Black-birch and Maple besides several other kinds of Timber as white Birch, Poplar, Aspen, grey and red Spruce &c. &c. &c.

Q. Do you think the various building Timber you have mentioned can be brought by the several streams you have mentioned, to some place where they might be shipped for exportation by the River St. Lawrence?

A. Timber may be felled on the Borders of the several Rivers which flow into Lake St. John and Lake Tsinogomi, which if

drifted along the shores of each of those Rivers would of themselves float to Chicoutimi where vessels may come and they might be shipped there as I have before said.

Q. What Indian nation inhabits that Country ?

A. The Mountaineer nation. Their Indian name is "*Papinashuah*" which means "Laughers" or "Sneerers"—and in fact they are such. They are even accustomed to give Persons whom they see for the first time a nick-name, in order to banter and laugh at them without its being perceived by them—and they even amuse themselves in bantering each other, which they do so adroitly that the Person who is the But, seldom perceives that he is so. They are of a mild, charitable and hospitable character, but excessively cowardly.

Q. What is the number of the Families of that nation who inhabit that part of the King's Domain which you have designated ?

A. There are three Families at Tadoussac, nine at Chicoutimi, twelve at Lake St. John, and nine at Assuapmousoin making thirty-three families, consisting one with another of five persons and forming a total of one hundred and sixty-five souls.

Q. Has that nation increased or diminished since you first visited those Parts ?

A. It has decreased more than one third.

Q. To what cause do you ascribe that ?

A. To the failure of the animals on which they subsist in Hunting. There is not a year in which some of them do not die of want and hunger, when they go into the Forests to hunt: I know that in one winter eighteen persons died in this way, and I think that in a few years that nation will be extinct.

Q. Have you a knowledge of any tradition among the Indians respecting the Jesuits who formerly inhabited Lake St John concerning their occupations, and the causes which have made them abandon that place ?

A. I have heard the Indians say that the Jesuits only cultivated the ground on a very small scale, merely for the wants of their Settlement. That their principal occupations were to instruct the Indians in Religion—That they also traded with the Indians, and that for that reason, the Company of the Indies at the time, expelled them from that place.

Q. Do you think the Indians could be induced to cultivate the soil ?

A. No—I do not think so, because they are too indolent and despise those who follow agriculture. I have often endeavoured

to induce them to cultivate fields of Potatoes, I have furnished them instruments, as Spades, Hoes, &c. for preparing the ground, I have moreover given them seed potatoes—I have even maintained them and given them Rum to induce them to till the ground, but as soon as the sun began to warm them, they threw away the instruments and abandoned every thing to wander through the woods.

Q. What is the extent of the hunting ground of that nation ?

A. They hunt over the whole extent of the Country which I have just described, allotting to each family a certain tract of ground.

Q. In what manner is that division established, and what is the space allowed to each family and when is that division made ?

A. When a father has several sons it is he who assigns to each the portion of his domains which he chooses they should occupy, and that partition is so scrupulously observed among them, that the whites cannot induce them to encroach upon the Lands of another, even when compelled by hunger to kill an animal on the Domain of another they leave the fur or the hide of the animal to the proprietor. I have said it is with the utmost repugnance that they enter the Lands of another when compelled by the whites, which is in my opinion, a proof that it is the latter who corrupt their morals. They equally respect the nuptial bed and when they violate it, this also is due to the examples of the whites.

Q. What might be the expense of fitting out a Canoe with a sufficient crew to travel from Tadoussac across the country you have described, and descend by the River St. Maurice, and of what do the food and provisions which it is necessary to take on that journey consist, and what length of time is necessary for performing it.

A. There would be required—

1. A large Canoe of five seats capable of containing eight persons, which would cost, £7 10 0

2. Four *Voyageurs* or hired persons at £6 each, 24 0 0

3. Their subsistence, consisting for
each in 100 lbs. of flour, £0 15 0
60 lbs. of pork, 5d. 1 5 0
 $\frac{1}{4}$ bushel of peas, 4d. 0 3 0

£2 3 0

£8 12 0

4. Wages of an experienced Guide,	30	0	0
5. Subsistence as above,	2	3	0
6. Two Tents,	12	0	0
7. Pots, Kettles, Axes and other necessary utensils,	3	0	0
8. Rum for the five Men for the Journey, twelve Gallons at 4s.	2	8	0
	<hr/>		
	£89	13	0

The above applies to a Canoe performing that journey without stopping, and without hunting.

This journey might be performed in one month and a half, but allowance must be made for delays occasioned by the winds or bad weather on the Lakes.

Voyageurs who are allowed to hunt and fish for their support, and who have time to do so, may make this journey for somewhat less.

Voyageurs who are paddling their Canoes and crossing carrying places all day long, make three meals a day, which are not regular meals; they eat as much as they can. Their mornings meal consists of pork and biscuit; that made at noon, of pea or flour soup, (that made of flour is called "*Sabane*,") with pork and biscuit; the evening's meal consists of pork and biscuit or flour.

Sabane is made with broth of pork or other meat, if there be any, with flour which is stirred up in it.

Alexander Fraser, Esquire, Lieutenant Colonel of Militia, residing at Temiscouata, made answer as followeth:

Q. Have you had any, and what means of becoming acquainted with the River Saguenay or Lake St. John, and the Streams and Rivers which fall into them respectively?

A. I ascended the River Saguenay in 1802 and 1803, on account of the North West Company; I did not particularly notice the course of the many small Streams which discharge their waters into the Saguenay. There are two Rivers equal in size to the Saint Maurice, which discharge themselves into the Lake Saint John; one takes its source at Lake Mistassini, the other from a range of small Lakes at the height of land, navigable for small canoes or light boats; the Current is quick; many Rapids and Portages.

Q. What is the Length, Breadth, Depth, and Course of the Saguenay?

A. The distance from Tadoussac to *Cap à l'Est* is twenty leagues. The breadth about three miles; the depth at least fifty

fathoms. The beach on each side is bounded by mountains and steep rocks, from *Cap à l'Est* to Chicoutimy; distance five leagues; the River less deep; the appearance of the Country better: some good land. The Saguenay continues three leagues to the "*Décharge du Lac St. Jean*:" its course tends, I believe, to north-west.

Q. What are the Streams which fall into that River or into Lake St. John; their length, breadth, depth, and course respectively. How and for what distance navigable, and what species of fish are found in the said River Saguenay, or in Lake St. John, or in the Streams that empty themselves into either of them?

A. The principal Stream is the Discharge of Lake St. John, which is considerable: the River Chicoutimy is small, so is the St. Marguerite and St. Jean, about ten or twelve leagues distance from Tadoussac. The Fish taken in the Saguenay is Salmon, at Tadoussac is Cod, also the other species known in the St. Lawrence; in Lake St. John good "*Poisson Blanc*," Pike, Chub and *Doré*; to the north east side of the Lake, (as Mr. Charles Taché, Senior, has informed me) quantities can be taken with nets in the Spring, and probably a great part of the year.

Q. What are the other Lakes in the Country commonly called King's Ponds, and what are their sizes, shapes, positions, depth of water, and susceptibility of navigation respectively, and what are the various species of fish produced therein, and in what quantities?

A. In general the country is well watered with Lakes of various depths and surfaces, and fishy.

Q. What is the size, shape, and extent, and of what depth is Lake Mistassini, situated upon the height of Land between Hudson Bay and Lake St. John, and what species of fish are produced therein?

A. I have seen but a small part of the Lake Mistassini; by report it is of a great size and depth; the fish are Trout, (of 20 lbs. weight,) *Poisson Blanc*, *Doré*, Carp and Pike; great numbers can be taken the whole year. The Country is rocky, with little soil; the climate cold, and only fit for its present possessors, the natives of the place.

Q. What is the distance of the sources of the River St. Maurice or the Black River, as it is sometimes called, and the sources of the Gatineau River, from the sources of the Rivers that empty into Lake St. John: describe particularly the appearance of the country, and the sources of these and of any other Rivers which

take their rise therein, as well from your own observation, as from information upon which you can depend?

A. "*Lac des Sables, par la route des canots,*" is about fifty or sixty leagues from Three-Rivers, a few leagues north "*à la hauteur des terres,*" is, I believe, where the St. Maurice takes its source; on its way to the St. Lawrence there are a few Streams which join the St. Maurice, fit for small canoes only. The country from "*Isle aux Loutres,*" three leagues above the St. Maurice Forges to three leagues above "*le Portage de la Tuque,*" a distance of about thirty leagues, with little exception, the soil and climate promise to reward the labourer's industry. The Timber, the same kinds as in the neighbourhood of Quebec, with the exception of Oak. The Fish are few, and consist of Chub, Carp and *Poison Blanc*.

From *Cap à l'Est* on the upper part of the Saguenay to the west side of Lake St. John the soil is good, and I believe stretches more than two leagues inland with a surface fit for cultivation, a carriage way can be opened from the entrance of the discharge to the Lake St. John at a moderate expense, as that space (about three leagues) of ground is reputed to be of an excellent quality. The Rivers, Afsuapmoufoin and Mistafsinini, which discharge into Lake St. John, take their rise at the height of land give about the same quantity of water as the St. Maurice; are impeded by many Falls, Portages and Rapids; the Country is rocky with little soil, swampy, many lakes of moderate extent, say from two to nine miles in length, generally oblong, two to four fathoms deep.

Q. Is it practicable to ascend the Saguenay in Indian Canoes pass through Lake St. John, ascend one of the streams which fall into it, and after any, and what portages descend the St. Maurice at Three Rivers and has this route been practiced for any and what length of time, and by whom, and what are the difficulties obstructions or dangers to be encountered, upon the said route, and are there any trading Posts upon the same, and if so how long have they been established, what is their number and how situated?

A. In the Autumn of 1802, Angus Shaw, Esqr. ascended the Saguenay to the height of land by the River Afsuapmoufoin thence west or nearly to the source of the St. Maurice and descended to Three Rivers, it is probable this route was frequented soon after if not before the conquest of Canada, Mr. Chas. Tasché, Senr. has had frequent spring meetings with the Indians for their Furs on the St. Maurice; the difficulties are answered by the 6th Question.

There are four Posts on this Communication, of which three are within the King's Posts department, viz :—Chicoutimy, Lake St. John, Lake *Assuapmousoin*, the fourth at the Rat River, twenty leagues up the River St. Maurice : at times, for the advantage of the trade, small Posts are placed at certain distances.

Q. What are the advantages and disadvantages of the Port of Tadoussac : when does the Navigation of the Gulph at that Port commence and end ; and at what period of time is the Saguenay frozen over, and when does the ice disappear therefrom.

A. James McKenzie, Esquire, or J. B. Taché, Esquire, have wintered at Tadoussac, they can give a satisfactory answer.

Q. What are the animal, vegetable and mineral productions of the Country commonly called the King's Posts ?

A. My stay at the King's Posts did not permit me to make any enquiry on these subjects, (and indeed I am not qualified,) as I seldom could remain more than two or three days each visit at the same place. Mr. McKenzie, I presume, will return an answer.

Q. What is the quality of the soil, timber, climate, extent of cultivable ground, as well of the country lying between the mouth of the Saguenay and Lake Mistassini, as of the Country lying between the sources of the St. Maurice and the cultivated parts of the District of Three-Rivers near its mouth ; and what is the course, depth and breadth of the said River St. Maurice, and are there any and what obstructions to its navigation, and what is the nature and description of the interior country lying behind the existing settlements, bounded on the one side by the Saguenay, Lake St. John, and the Streams which fall into the latter Lake, and on the other side by the River Saint Maurice ?

A. From *la Pointe aux Allouettes*, west side of the Saguenay, there is a space of about nine miles in front, by two or three (and likely more) miles in depth, where a Settlement might be made ; thence to *Cap à l'Est* and on to the Lake St. John, the climate, soil and timber are much the same as at St. Paul's or Mal Bay ; the west side of the Lake St. John shews a gradual rise for two or three leagues : the soil is reported to be good, it is covered with fine large wood, such as Maple, Cedar, Elm, Birch, &c. Three leagues north west and north, by the River *Assuapmousoin*, the country is rocky, with little soil, the wood of small growth.

I believe the course of the St. Maurice to be nearly north ; from July to September this River is shallow, and may be crossed about knee deep ; the breadth about a mile ; the obstructions consist in many unavoidable portages. I have not been in the interior between the Saguenay and the St. Maurice.

Q. Have you had any and what means of becoming acquainted with the Country which lies with the St. Maurice on one side and the River Ottawa on the other, and if so, are there any and what navigable streams therein, and how navigable and for what distance and are there any, and what Lakes on the said tract of Country, and what is their size, depth and situation, and do they produce any and what species of Fish, and what is the climate and quality of the soil, what Trees grow in the said Country, of what size and what are the vegetable, animal and mineral productions of the same.

A. I have no knowledge of the Country lying between the St. Maurice and Ottawa River.

Q. Are there now in the said two tracts of Country any Tribes of Indians, and what are their numbers, manners and means of obtaining a livelihood, and have their numbers increased or diminished since you first became acquainted with them, and if they have so increased or diminished to what cause or causes, do you attribute their increase or diminution.

A. There are three tribes of Indians, the *Montagnais* the *Teles de Boule*, and *Algonquins*, within these two tracts of country, their manners are much the same, their number is small for the extent of ground they occupy, their means of livelihood are precarious depending mostly on the chase, in a poor Country. I believe they have diminished in consequence of the many hardships they are forced to bear.

Q. Are there any and what Traditions amongst the said Indians relative to the late order of Jesuits and to their labours amongst them.

A. The *Montagnais* or *Ichini* tribe up to the Lake St. John, repeat their prayers, and read the Catechism in their Language.

Joseph Bouchette, Esquire, Surveyor General of Lower Canada appeared, and made answer to the following Questions.

Q. Does it appear by the Records of your Office, that any measures were taken to carry into effect the 44th and 72d articles of His Majesty's instructions directed for James Murray, Esqr. Governor of the Province of Quebec, and dated 7th December 1763, now read to you : and if such measures were taken, how, and in what manner, and by whom were the said articles carried into effect ?

A. By reference to certain Records in my Office, together with the knowledge I possess of the nature and description of the instructions of the Honorable the Lords Commissioners for Trade and Plantations to my Predecessor in Office, the late Hon. Samuel

Holland Esq. it appears that elaborate Reports and Maps were made and transmitted from time to time to their Lordships, and that every possible information was therein contained which seemed to embrace the requirements under the 44th and 72d articles of His Majesty's Instructions to His Excellency James Murray, Esq. Governor of the Province of Quebec, dated 7th December 1763, to whom reports were also made, therefore it might be inferred that His Majesty's Instructions were satisfactorily carried into effect, by His Excellency the then Governor in Chief.

In answer to the second part of this query, it appears that the active part conducive to the ends proposed in the said articles were concentrated in, and carried into effect by Major Holland, whose distinguished and scientific talents promoted essentially the views of the Honble. The Lords Commissioners for Trade and Plantations in the attainment of as perfect a Topographical, Statistical, and Historical account, as was then practicable, not only of the Province of Quebec, but also of His Majesty's Dominions in the northern District of North America, of which he was Surveyor General.

How and in what manner this general and important service was accomplished is summarily as follows:—an estimate of the expenses attending a general survey of His Majesty's dominions in North America, was submitted to the Honble. The Lords Commissioners for Trade and Plantations, which was approved by His Majesty:—This Estimate embraced:—

First, an allowance for a Deputy at Quebec in the absence of the Surveyor General.

Secondly, a certain number of Assistant Surveyors and Draftsmen.

Thirdly.—Surveying parties, taken from the military, who received extra pay to assist in the various Surveys and to serve as Camp Colours, Chain-men &c. and to make signals on the tops of Mountains:—

Fourthly:—An allowance for extraordinary expenses for Guides, Horses &c. together with an allowance for several fetts of Astronomical and Surveying Instruments, Pocket Compasses, Chains &c. making an aggregate sum of £1117 12 0 sterling, for the expenses of the operations effected in the year 1764. Great facility was afforded to the Surveyor General and his Deputies in the prosecution of the Service, by having at his disposal a King's vessel, Boats and Boat's Crews, when and wherever he required them:—The ensuing year 1765 a proposed plan of ope-

rations was submitted, with projects of subdividing divers parts of His Majesty's Dominions, into Districts, Counties, Townships, and Parishes, and the amount thereof is omitted, but may be easily deduced from a comparative estimation of the expenses that were incurred the two following years :—In 1766 the expense was £1784 4 0 sterling, and in 1767 was £1601 14 0 sterling; such are the general outlines of the manner in which this service was carried on, and the expenses which attended it.

Q. What, in your estimation, would be the best mode of carrying into effect His Majesty's said instructions, in respect to the Lands in the rear of the existing Settlements, and lying between the Ottawa, the River St. Lawrence, and north west boundary of the Province. as well of the unsettled lands lying between the actual Settlements on the south side to the southern boundary of the Province, and what would be the expense of such Survey ?

A. The most effectual mode of carrying into execution, under the requirements stated in His Majesty's Instructions of 1763, a survey of the unexplored and extensive Territory in this Province, lying North West and South East of the River St. Lawrence and North West of the Ottawa to its extreme Boundaries, would be the adoption of that general system pursued by my Predecessor in Office, when acting under and in conformity to such instructions in the execution of the surveys performed in the Province of Quebec, and in other parts of the northern Districts of North America, as stated in my previous answer.

I therefore conceive in order to effect such an important Service, that an annual estimate of the probable expenses to be incurred in its accomplishment, should be submitted to His Majesty's Provincial Government, together with a Plan of operations for each successive year; and I have reason to believe that were £1000 per Annum for two or three years appropriated for forwarding this important service, the numerous advantages and resources which would flow from such a measure to this Province, and to the State at large, by increasing both the Agricultural and Commercial Interests of the Colony, and obtain in the course of such a survey new materials for improving the science of Philosophy in its various branches, natural History, Mineralogy &c. &c. which are objects not less important in their consequences, and would tenfold compensate for the expenses thus incurred.

In order to illustrate in some degree the advantages which such an undertaking would produce, it may not be uninteresting to offer the following ^qbrief exhibit of the general extent and outline features of the Country to be surveyed and explored.

Lower Canada comprehends an extent of Territory of about 150,000 superficial miles :—of that great superficies, not more than about 25 to 30,000 may be said to have been explored and tolerably known, and about one half thereof actually surveyed : Therefore it appears that about 4-5ths of Lower Canada remain unexplored and but little known, and even that is obtained from sketches and descriptions through Travellers, Traders, and Aborigines of the Soil, the Indians.

On referring to the most recent Maps of Canada, it will be perceived however, that numerous large Rivers flowing towards the St. Lawrence and taking their rise in the Mountains which divide these waters from those which discharge themselves into Hudson's Bay, traverse an immense tract of Country ; the most considerable of which are the Saguenay, the St. Maurice, and the Grand or Ottawa River :—The Saguenay which is navigable for large vessels to Chicoutimy a distance of about eighty to ninety miles and thence for Boats to Lake St. John's, fertilizes in its course a wide expanse of Country, by innumerable tributary streams and branches on either side, which should form a comparative view of the extent of Territory fit for Culture lying along the borders of the St. Lawrence and its branches, possess equal advantages in a proportional degree :—The same may be said of the Ottawa whose principal source rises in Lake Temiskaming traversing to its confluence into the St. Lawrence a space of Country of about three hundred miles :—The River St. Maurice, although not so wide as either of the former, winds through as great a space of Country as the Saguenay :—Can it be doubted that possessing such natural advantages, such exhaustless treasures, that any encouragement held out with a view of colonizing that valuable tract of Country would fail in its object ?

Were I therefore to offer a plan of surveying operations, I should for the first year direct my attention to a Trigonometrical survey of the Ottawa and the Saguenay, and an exploring survey of the St. Maurice ; to the Southward of the St. Lawrence, I would confine myself to the exploring of the River Etchemin to its source, and determine its exact distance and position with the River St. John's which are also objects very deserving of immediate notice.

Q. Are there any, and what returns of Grants of Land surveyed and Granted, made by you to the Lords of His Majesty's Treasury, or to any other Officers of His Majesty in Great Britain ?

A. None.

Q. Does it appear that any such Returns were made by your Predecessor or Predecessors in Office?

A. I know of none having been made by my predecessor in Office to the Lords of His Majesty's Treasury but when he was more immediately employed on the general survey of the Northern District of North America, he from time to time not only made Returns to the Board of the Honble. the Lords Commissioners for Trade and Plantations, but kept up a regular correspondence with its Secretary and several of the Honorable Members of that Board.

Q. 1. What is the total number of Grantees of Militia Lands since the last Peace made between the United Kingdom of Great Britain and Ireland, and the United States of America?

A. I cannot exactly say, but the quantity of Land granted under Patent to the Militia, does not much exceed eight or ten thousand Acres.

Q. 2. What is the whole quantity of Lands which has been granted to them by Patents or Location Certificates?

A. I have already stated that the quantity granted was small, but the total quantity granted under Location Certificates; will appear by the accompanying statement marked (A.) in which are distinguished the Militia, the Military and Emigrant Locations.

Q. 3. What is the total number of Men entitled to receive Militia Lands, and who have not yet received them?

A. Not knowing the exact number of Men who have served in the Militia during the late American War, I cannot consequently say how many are entitled to receive Lands:—nor can I say who have not received them:— it is however evident that a quantity exceeding seven hundred thousand acres at least, is required for the Militia who have served during the War, according to the proportions ordered by His Majesty; and it will appear by the accompanying statement (B.) that 411,300 Acres have been surveyed and subdivided in the Field, exclusive of the Crown and Clergy reservations, and out of that quantum of Acres, although the Militia Locations amount to only 113,465 Acres, yet I have reason to believe that there are a number of orders of Council passed in favor of Officers and Privates of the Militia who have not as yet taken up their Location Certificates, and it is moreover proper to remark that at least 125,000 Acres have been certified to the Militia as vacant and Grantable and whose applications are in progress.

Q. 5. What is the quantity of the last mentioned Lands?

A. This query is answered by my answer to No. 3.

Q. What is the expenſe of the ſurvey of a Militia Townſhip and have there been any, and what number of Townſhips ſurveyed for the Militia of Lower-Canada, and where are the ſame ſituated ?

A. The average coſts of ſurvey of the outlines and ſubdiviſions of a Townſhip are from £230 to £250.

The following Townſhips and parts of Townſhips have been ſurveyed for the Militia:—the half of Frampton, Cranbourne, Leeds, three quarters of Ireland, three quarters of Inverneſs, which Townſhips are ſituate in the Diſtrict of Quebec:—half of Halifax, half of Cheſter, three quarters of Wolfſtown, half of Ham, parts of Dudſwell and Weedon, part of Stanfold, Horton, half of Warwick, the augmentation of Aſton, half of Wendover, and part of Brandon, which Townſhips are ſituate in the diſtrict of Three-Rivers:—and the one half of Kilkenny, in the Diſtrict of Montreal.

Q. What is the whole quantity of waſte Lands of the Crown in Lower-Canada granted to European Emigrants ſince the laſt general Pacification of Europe, and in what quantities have the ſaid Lands been uſually granted to the ſaid European Emigrants, and in what parts of the Country ?

A. The quantity of the waſte Lands of the Crown located to Emigrants and Military is ſtated in the ſtatement marked (A.) the proportion located to Emigrants may be about one half, generally located to them in 100 and 200 Acre Lots; and the principal Townſhips in which they have been located are Chatham, Rawdon, Dudſwell, Godmancheſter, Hinchinbrook, Grenville, Hull, Aſcot, Eaton, Newport, and ſome in Leeds, Halifax, Inverneſs, Ireland and Cheſter.

Q. What in your eſtimation is the preſent Population of Lower-Canada ?

A. The following Statement is my eſtimation of the Population of the Province of Lower-Canada, grounded principally upon the *Curés'* Letters and other ſources of information, which I had reaſon to believe could be depended upon.

POPULATION OF LOWER-CANADA.

Names of Counties.	Seigniorial Population.		Township Population.	Total Population in each County.
	Catholics.	Protestants.		
Gaspé,				5000
Cornwallis,	18012	378	205	18595
Devon,	15341			15341
Hertford,	15279			15239
Dorchester,	17189	200	310	17699
Buckinghamshire,	21467	830	10718	36415
Richelieu,	23771	779	4338	28883
Bedford,	9747	8451	3277	21455
Surrey,	16520			16520
Kent,	12610			12610
Huntingdon,	30715	5097	4797	40609
York,	26970	1000	2853	30823
Montreal,	26480	11058		37538
Effingham,	15625	300		15928
Leinster,	22697		165	22862
Warwick,	16714		42	16756
St. Maurice,	18300	582		18882
Hampshire,	12700			12700
Quebec,	22339	6000		28339
Northumberland,	11058	200		11258
Orleans,	4082			4082
	364411	34400	26705	425516

RECAPITULATION.

District of Quebec	{ North side of St. Lawrence,	56359	133674
	{ South side of Do.	77315	
District of Three-Rivers	{ North side of Do.	18882	47856
	{ South side of Do.	28974	
District of Montreal	{ North side of Do.	123904	243986
	{ South side of Do.	120082	

	Total	425516
Clergy and Nuns in District of Quebec,	217	
Ditto, Do. in Three-Rivers,	52	
Ditto, Do. in Montreal,	180	
	449	

Supposing a mean of 100 Parishes having 10 to 20 Protestants not included in this Statement,	425965
	1500
Grand Total,	427465

Q. Have you any means of forming any reasonable conjecture of the quantity of cultivated ground, as well as that of uncultivated ground within the limits of the old Seigniories of the said Province? And during the last twenty years, does it appear to you that the average encrease of ground under culture bore a due proportion to the augmentation of the Population, and can you form any approximation to that proportion?

A. To obtain this approximation it is necessary to resort to some known fact, stating either the Population or the average quantity of Ground under Cultivation at some particular period, upon which a plausible inference may be drawn to answer this query somewhat near the truth. Assuming 3,744,858, the quantity of Arpents under cultivation and improvement in the year 1814, in the three Districts collectively, as stated in my Topography, Pages 88, 236, and 375, and the present Population, say 428,000 souls as a basis: deduct therefrom the Population of the Towns, say 53,000, and admit now that one seventh of the remainder hold Farms of Ninety Superficial Arpents on an average, which tallies nearly with the Population of 300,000 Souls, exclusive of the Towns, in 1814, in proportion to that first stated quantity of Land then under cultivation and improvement; next it may be fairly allowed that the Population of Lower-Canada doubles itself in 24 or 25 years at most, therefore the Population exclusive of the Towns might average in the year 1800, about 188,000 Souls, and in the same proportion of one seventh thereof possessing Farms of Ninety Superficial Arpents, there must have been about 2,417,130 Arpents then under culture and improvement; it will therefore be perceived, that in the space of fourteen years, the culture of the ground had increased by 1,237,728; and from 1814 to the present time, its increase should be 1,076,532, which together would infer that the culture of the ground had about doubled itself, as the population since 1800. But on the other hand, while Population increases in a geometrical, the means of subsistence increase in an arithmetical ratio; thus 3,744,858 Arpents in a state of culture and improvement, which is the average of one third of the Lands granted *en Fief* and Seigniorly in 1814. 4,821,390 Arpents, which is the proportion of Land that should be at present in a state of culture, now forms, according to the population upon this mode of calculation, but the one half of that total quantity thus granted. I would therefore presume that an increase of 2,404,260 Superficial Arpents of Seigniorial Tenure, should be the due proportion of Land in a state of improvement and culture, according to the increase of Population since the year 1800. Although that increase of Land under culture should prevail, yet I am of opinion, that one half of the Seigniorial Lands collectively, are not in that advanced stage of improvement, and have not increased in a proportional ratio to the increase of population since twenty years, especially, as I conceive that the Population upon a regular Census, may be found to be somewhat greater than is shewn in my last Statement on that subject.

Q. What, in your estimation, would be the best mode of effecting Settlements, as well upon the Militia Lands by the Militia Men, to whom the said Lands have been or may hereafter be granted, as upon Lands granted or to be granted unto European Emigrants, and settled by them?

A. I have already had the honor of stating to this Committee my opinion on the subject, which will be seen in my answer Page 104, of the Sixth Report of your Committee:—I will however add, that upon

the event of a Township being appropriated in each District for the Militia, with the object of close settlement, that Militia-men who have obtained Locations in other Townships, should be permitted to exchange them for others in the Townships so selected.

With respect to Emigrant Settlements, the present system of Township Agents seems to answer the end proposed.

(A.)

STATEMENT of LANDS located in the Surveyor General's Office, from the 1st January 1817 to the 31st January 1824.

Located to Militia.	Located to Emigrants and Military.	Total located in all the Townships.
Acres.	Acres.	Acres.
113,465.	141,267.	254,732.

(B.)

Lands surveyed in the following Townships, exclusive of the Reserves.

Ireland,	.	.	.	.	.	.	34800
Chester,	.	.	.	.	.	.	22400
Halifax,	.	.	.	.	.	.	21400
Frampton,	.	.	.	.	.	.	22800
Blandford,	.	.	.	.	.	.	40400
Augmentation of Aston,	.	.	.	.	.	.	11000
Wolfstown,	.	.	.	.	.	.	33200
Augmentation of Ham,	.	.	.	.	.	.	23600
Cranbourne,	.	.	.	.	.	.	35600
Warwick,	.	.	.	.	.	.	20400
Brandon,	.	.	.	.	.	.	18800
Horton,	.	.	.	.	.	.	13400
Kilkenny,	.	.	.	.	.	.	20600
Dudswell,	.	.	.	.	.	.	26000
Inverness,	.	.	.	.	.	.	34200
Caxton,	.	.	.	.	.	.	32700

Total, 411300

Paschal Taché, Esquire, Seigneur of Kamouraska answered to questions put by the Committee in the words following:—

I have wintered six times at the Post of Lake Saint John and have passed twelve years at the Post of Chicoutimi—I have, therefore, had an opportunity of knowing the River Saguenay and Lake St. John, as also the rivers and streams which respectively discharge themselves into it.

The River Saguenay is navigable for twenty-five leagues from its mouth by the largest ships of the line, and for thirty leagues by vessels of two hundred and fifty tons burthen, at high tide ; at that place it is necessary to pass a carrying place to reach Lake Saint John ; the River Saguenay is half a league wide at its mouth and farther upwards it is from a league to a league and a half wide : its mouth is east and it runs W. N. W.

Of eighteen streamlets which empty themselves into the Saguenay and Lake St. John not one is navigable. The Rivers which run into the Saguenay are, first : the river *Sainte Marguerite*, it is seven leagues from the mouth of the Saguenay to the N. E. and is navigable only for bark canoes by making several carryings ; I do not know its course—2ndly, the little river *Sainte Jean*, it is three leagues above the river *Sainte Marguerite* and runs into the Saguenay on the south west side ; I do not know whether it be navigable.—3rdly, the river *de la Baie des Ha-ha* called by the indians *Weshkuewasha*, it empties itself into the Saguenay on the south west side, it is navigable in bark canoes, and communicates with the River Malbaie by means of several carrying places, I do not know its course—it is twenty-two leagues from the mouth of the Saguenay—4thly, *La rivière à Valin*, it empties itself into the Saguenay on the N. E. side, it is four leagues above the *Baie des Ha-ha*, is navigable in bark canoes and by means of a few carryings communicates with the river *Pessiumitsh*, it runs N. N. E. ; I know its course for five leagues and in that space there are five short carrying places. 5thly, the river Chicoutimi, where the post of the same name is established, is twenty eight leagues from the mouth of the Saguenay, it discharges itself on the south west side and has its source from the lake *Tsinougamitsh*, on the south west side of this lake there are two navigable rivers ; viz : the *Rivière des Sables* which communicates with the Montmorenci River by means of carrying places and the river *Upikuba* which communicates with the river Batiscan, it is navigable by performing some *portages*, I do not know its course. To reach Lake *Tsinougamitsh* there are seven carrying places to cross within the space of eight leagues. The longest of these carrying places is three quarters of a league long beginning at the post, the other six are from eight to twenty arpents long ; at the upper end of the said lake there is a carrying place of half a league which leads to the little lake *Tsinougamitsish* which latter empties itself by *la rivière des aulnets* into *la Belle Rivière* which falls into Lake St. John, there are two carrying places of five arpents each. 6thly, *La rivière des terres rompues* [river of broken Lands] falls

into the Saguenay two leagues from Chicoutimi, this river is navigable for birch canoes and communicates by carrying places with the great lake *Minikouagan*, I know its course for five leagues it runs N. N. E. At the mouths of the rivers *Sainte Marguerite*, *Saint Jean*, and *Baie des Ha-ha*, salmon and salmon trout are caught in the months of June and July. No fish is caught in the Saguenay except small trout. A considerable number of porpoises ascend the river as far as *la pointe aux roches* three leagues below Chicoutimi. A few whales also go up as far as the river *Sainte Marguerite*. The Lake Saint John abounds with Pike, from three to five feet long, Cat Fish, and with *Awenanish* fish, resembling salmon, but much smaller and of much finer flavour.

The Rivers which flow into Lake St. John are seven in number, all navigable for Birch Canoes, 1°. *La Belle Rivière*, it discharges itself at the entrance of the Lake. 2°. The River *Mita-bitshuan*, where there was formerly an establishment of Jesuits, it communicates with the River *Batiscan*, by a few carrying places. It abounds with Pickerel. 3°. The River *Wiatshuan*, it communicates with the River Saint Maurice, it abounds in white fish, which come there in October to spawn at the foot of the fall—I do not know its course. 4°. The River *Wiatshuanitsh* runs W. S. W. and also communicates with the River Saint Maurice. 5°. The *Assuapmousoin*, runs W. N. W. and communicates with the River Saint Maurice having about thirty carrying places. There is a considerable rapid in this River, and it usually takes four days to ascend it by using the poll, it is about fifteen leagues long, there is a post established sixty leagues from its mouth, which bears the name of the River, from that post, situated on a Lake which may be four leagues long by three quarters of a league broad, a South West course is pursued in order to regain the River Saint Maurice. From that Post to one of the sources of the St. Maurice, the distance is thirty leagues. 6°. The River *Mista-ashinitsh* does not take its source from the Lake of the same name, I only know its course for thirty leagues. After leaving this River and proceeding Westwards the Lake of Father Albanel is reached—thirty carrying places between Lake and Lake being crossed—and from the Lake of Father Albanel, it is necessary to perform a carrying of half a league to reach the great Lake *Mista-ashinitsh*, where I have never been. 7°. The River *Peribuca*, runs North and communicates with Lake *Minikouagan*, at the upper part of the seven Islands and the *islets de Jeremie*; there are several carrying places.

The other Lakes of the Country commonly called the "King's Posts" are 1°. The Lake Saint John which is at least thirty

leagues in circumference and nearly circular in form, is navigable for schooners; in this Lake there are only two small Islands on the South West side—it empties itself by two different outlets which join each other at the distance of two leagues from the Lake, there are four carrying places to pass from this Lake to the place where the tide rises. 2°. The Lake *Ushigubish*, is five leagues by three quarters of a league broad, it discharges itself into the River *Assuapmousoin*. It is navigable for Schooners. 3°. Ten leagues South West of the *Assuapmousoin* on crossing the River Saint Maurice is Lake *Kapimishigamitsh* which is four leagues long by three quarters of a league wide and is also navigable for Schooners. 4°. The Lake of Father Albanel, is twenty leagues long by four wide, lies N & S. and navigable for Schooners, there are besides several other small Lakes between the Lake of Father Albanel and the Lake Saint John, but they are of little importance.

I do not know the lake *Mista-ashinitsh* not having traded farther than the Lake of Father *Albanel*, but I have heard it said that its outlet forms the River *Rupert* which falls into *Hudson's Bay*.

I know of no River under the name of *Gatineau*.

The *Saguenay* may be ascended in birch Canoes, as far as lake *St. John* and farther by means of carrying places.

Very few streams run into Lake *St. John*, and those which do so are not navigable, only the Rivers above mentioned are so—I came down the River *St. Maurice* twenty leagues, and made three carryings from Lake to Lake, the first called *Mimishkashi*, is three leagues long, the second *Weshketauka* is seven, and third called *Le lac de Traverse* (cross lake) is a league and a half long—I have traded at *Ushkisketa* where the River *St. Maurice* begins to flow, it is five acres wide at this place, the North West Company have had a post established here since 1775.

The harbour at *Tadoussac* is sheltered from every wind by high mountains, and ships of war might anchor there in perfect safety. The navigation from *Tadoussac* to the gulf is open from the end of March to the beginning of December. The *Saguenay* does not freeze over from its mouth to the River *St. Marguerite* which is seven leagues higher up, from thence upwards it generally freezes about the end of November and the ice breaks up about the 15th May as far as *Cap à L'est*, fifteen leagues above the River *Saint Marguerite*, beyond that it does not freeze until the end of December and the ice breaks up about the end of April.

The animals of that part of the Country commonly called the King's Post are Beavers, Bears, Otters, Martins, Foxes, Lynxes, Hares and *Caribou*.—I saw no appearance of Minerals.

The soil, commencing near the *Pointe aux Roches*, three leagues below *Chicoutimi*, as far up on the north-east side of the *Saguenay* as the *Ri-*

ver Mista-ashinitsh, a distance of thirty-three leagues, is very rich and fertile, forming a tract of thirty-three leagues in front by four in depth; the land widens at the *Pointe aux Roches* as much as fifteen leagues, near the River Mista-ashinitsh; there are a number of small Rivers, the banks of which are of Marl. The south-west side of the Saguenay, from the Ha Ha Bay six leagues below Chicoutimi, as far as Lake St. John, passing to the north east of Lake Tsinougami and Tsinougamitshish, contains a Tract of twenty leagues long by five or six in depth of good arable land; the climate there is generally good, owing to the number of large mountains which surround these lands; the wood which grows from the mouth of the Saguenay to the Ha Ha Bay on the south side, and as far as *la Pointe aux Roches*, on the north side, is small stunted Red Pine, which grows here and there, and of which no use can be made; in the Tract described in the tenth answer, there are several forests containing Pines, Cedars Poplars; Maple is not very common; on the borders of Lake Saint John there are only Spruce, Aspen, Cedar and Poplar; the wood on the north side of the Lake having been burnt in 1775, is not yet full grown, but the land is excellent. From the year 1780 to 1785, I planted potatoes and cabbages at the Post of Chicoutimi, which came to the highest perfection, and the cabbages now exhibited at Quebec, when compared with those I raised at Chicoutimy, would appear dwarf cabbages. I heard Mr. Peter Stuart, who had wintered at the Post of Chicoutimi, say that he had sown some barley, pease and wheat, and that they all came to full maturity; I have not the least doubt of the truth of this fact.

The Posts of Temiskaming and Abitibi are on the River Ottawas; I left Assuapmousoin and proceeded for two leagues on a River which discharges itself into a Lake, in which there are three short carrying places, the last of which is at the highest elevation of the land: there the (*Lac des Mille Isles*), Lake of the Thousand Islands, is reached; it may be between fifteen and twenty leagues in circumference. I descended sixty leagues, keeping west south-west as far as the *Lac du Nid de Goeland*; there are only two carrying places. This Lake may be four leagues long by one broad; I have traded there twice; the waters of the *Lac du Nid de Goeland* flow into one of the Rivers west of Hudson's Bay; the *Lac du Nid de Goeland* is to the north-east of the Posts of *Temiskaming* and *Abitibi*. The Indians informed me that it was only a seven days walk, from the *Lac du Nid de Goeland* to the two Posts of *Temiskaming* and *Abitibi*. All the Rivers which discharge their waters into Hudson's Bay abound extremely in fish, and especially in Sturgeon and White Fish.

The soil in the Tract above mentioned, appeared to me bad and extremely rocky; the climate is not good; the only trees which grow there are small Birch, Pine and Spruce; the only animals to be met with are Beavers, Otters and Martins; I saw no Minerals.

The Indians who live on the Banks of the Saguenay and Lake Saint Jean are the *Montagnais*; they live entirely by hunting and fishing;

they have no fixed habitation, and travel from place to place : most of them assemble at each Post, or at other places where the trade is carried on, only once in the year, and some of them never come to the Posts. There were, in 1778, in that part of the country, commonly called the "*King's Posts*" at Mingan and Muskwauro, as I was told by Mr. Peter Stuart, who had made the Census, 3,500 Souls. I have heard that their number has been much diminished since I was among them, which is attributed to the small pox and to the decrease of the means of supplying the necessaries for their existence.

I have learnt of the Indians, that they have a Tradition that the late Order of Jesuits had an Establishment at Metabitshuan, on the borders of Lake St. John ; that they had erected a Chapel, a House and a Store, where they traded. I have myself seen the ruins of a Saw Mill, which they had built ; and I have eaten White Plums, which grew in an Orchard made by them.

APPENDIX, (B.)

AMOUNT appropriated for laying out Lands for reduced Officers and Men of the Embodied Militia and others who served during the late war, by the Act of the 59th Geo. III. Cap. 23,
Currency £3000 0 0

Disbursements made in virtue of the above Act
between 1st November 1818 and 31st October 1823.

P. Smith, for surveys performed in the Townships of Dudswell and Inverness, *Sterling*.
£378 6 8

B. Ecuyer, for surveys performed in the Townships of Jersey, Tring and Frampton, 224 12 1

Frans. Fournier, for ditto ditto in the Townships of Ireland and Halifax, 151 7 9

Joel Ackley, for ditto ditto, in parts of the Townships of Chester and Halifax, 165 9 10

Patrick Smith, for exploring the Townships of Blandford and Maddington, 47 17 1

Joseph Bouchette, for Surveys performed in part of the augmentation of the Township of Aston, 83 6 3

Patrick Smith, for ditto, ditto, in the Township of Wolfstown, and exploring a part of Lake Saint

Francis and the Country adjoining, 214 14 11

J. Ackley, for ditto ditto, in
the Township of Ham and the
augmentation of ditto, 212 10 0

P. Smith, amount advanced him
by Letter of Credit on account of
the Survey of Horton, 76 10 0

Jos. Bouchette, Jr. amount ad-
vanced him by ditto on account of
the survey of Cranbourne,
£54 0 0

Ditto, amount paid
him by Warrant to be
accounted for on ac-
count of ditto, 18 0 0

72 0 0

P. Smith, a further advance
made him by accountable War-
rant on account of the Survey of
Horton, 27 0 0

Jos. Bouchette, Jr. towards the
expense of the Survey of the
Township of Kilkenny, 50 0 0

Louis Legendre, towards the ex-
pense of the survey of the Town-
ship of Warwick and Bulstrode, 54 0 0

J. P. Bureau, towards do. do.
do. and sub-division of Caxton, 50 0 0

J. B. Legendre, for surveying
the remainder of the Township of
Wendover and verifying the out-
lines of Horton, 80 1 4

J. B. Proulx, for the survey of
the boundary and sub-division of
the Township of Cranbourne, 103 4 5

P. H. Smith, for the survey of
the residue of the Township of
Brandon, 76 10 0

Sterling £2067 10 4
Add 1-9th 229 14 6

2297 4 10

Balance unexpended,

Currency.

£702 15 2

APPENDIX (C.)

STATEMENT OF LANDS located in the Surveyor General's Office, from the 1st January 1817, to the 31st January 1824.

Located to Militia.	Located to Emigrants and Military.	Total Located in all the Townships.
Acres.	Acres.	Acres.
113465	141267	254732

APPENDIX (D.)

Quebec, 6th March 1823.

SIR,

In obedience to the commands of His Excellency the Governor in Chief, to us signified by order of reference of 12th February last, desiring us to report our opinion as to the course necessary to be pursued to annul the Grants of Land granted in free and Common Soccage, on which no improvements have been made conformably to the conditions of the Letters Patent, and to escheat the same to the Crown in order that they may be regranted. (*a*) And in making such Report, particularly to point out the mode to be adopted, for bringing a suit for the purpose before the Court; (*b*) in cases where the Original Grantees shall be absent (*c*) from the Province, or dead, (*d*) or are not to be found, (*e*) or where they were originally only Nominal Associates, (*f*) and may be supposed to have transferred their rights (*g*) to the Leaders of Townships and others, (*h*) or where the present owners of Lots, which it may be desirable to escheat, cannot be known; (*i*) and also to state the nature of the evidence, (*k*) which as the Law now stands, it would be necessary to give of the non-performance of the Conditions of the Patents, and in each branch of the reference to point out any legal difficulties, (*l*) that there may be in carrying through a proceeding of this nature with effect and expedition, as well as the probable expense it may entail; (*m*) and further; to state particularly, in what manner such difficulties may be remedied (*n*) by Legislative Enactments or otherwise, and lastly, to submit such observations (*o*) on the whole matter of the reference, as may enable His Excellency to judge whether the Law as it now stands furnishes the means of annulling such Patents, in an easy, summary, and expeditious manner; (*p*) or whether it may be necessary to refer to the Legislature, to afford greater facilities to the attainment of this object. We have taken this important and most complicated subject into our serious consideration, and after various meetings and separate researches made by us, to attain the objects which His Excellency has in view, and for carrying into effect the proceedings in question, we have after mature

deliberation to submit the following observations for the information of His Excellency.

In submitting our opinion with the several observations we deem it necessary to offer, we have taken up the subject in the order taken in the reference, as follows.

What is the necessary course to be pursued to annul the Grants of Land made by the Crown in free and Common Socage, in which the Conditions of the Grants have in no wise been complied with, and to escheat the same to the Crown?

An Action of Law instituted in the Superior Term of the Court of King's Bench against the Grantee is the only course which could at present be adopted under the Law of the Land as it now stands. And for this purpose, the first thing required by the Provincial Ordinance 25th Geo. III. Chap. 2, is the suing the process of the Court on the Defendant personally, or *at his domicile*, without which no legal proceedings could be effected against him. The first thing therefore the Law Officers of the Crown would have to notice, would be to ascertain, previously to the fying of an information against a Grantee, whether he was or was not in the Province, and if absent, to obtain the appointment of a Curator to such Absentee, and thereon to institute the Action against the Curator. In this latter case, the sole formalities required by law, for the appointment, is to lay a Petition before any one of the Judges of the District, wherein the Land to be escheated lies, praying for a meeting of the relatives, or in default thereof, of the friends of the Absentee, seven in number, to proceed to such appointment, either before the Judge or a person by him delegated out of town, if the parties concerned reside beyond five leagues, under the 9th Section of the 34th Geo. III. Chap. 5. And on the Appointment taking place, the proceedings had against the Curator, will have the same force and effect as if had against the Grantee personally. If the Grantee be dead, the Action must be brought against the Heir at Law if in the Province, if absent, then against the Curator as above stated; but if the Heir at Law be still a Minor, and absent, a Tutor would be the legal character to represent him, and to obtain this appointment, the same formalities as for the nomination of a Curator are prescribed. In case any of the Original Grantees were only Nominal Grantees, this, in our opinion, would make no difference as to the rights of the Crown, and the Action would be well brought against them all. If such Nominal Grantees had transferred their rights to the Leaders of Townships, or to others, it will in such latter case become the duty of persons acting for the Crown, to procure the written Documents under which the Original Grantees had passed their interest to third persons, and in such case to institute proceedings against such third persons. In cases where it is certain that the Original Grantee is dead, but there is no apparent Heir, a Curator can be appointed to the Vacant Estate under the 151st Article of the Custom of Paris, and proceedings effected against such Curator. If

the Grantees are not to be found, and it be quite uncertain whether they be dead or alive, or where it would not be possible to trace with any degree of certainty the true owners (the Original Grantee having transferred his interest) for these two latter sets of cases, which no doubt, would be very few in number, the Law as it now stands affords no remedy, in our opinion effective proceedings could not for the moment be instituted, and the Crown could not by the interference of the Court escheat such Lands, and as in some cases this might prove highly prejudicial to the actual settlement of such Lands, we think, that in cases of urgency the Crown might upon the force of the Letters Patent under which such Lands are held, re-enter and take possession thereof, in as much as there is a specific Covenant in the Grants, in case of non-fulfilment of the conditions therein contained, which is to the following effect. "And the Lands and Premises hereby granted, shall revert and escheat to us, our Heirs and Successors, and shall thereupon become the absolute and entire property of us or them, *in the same manner as if this our present Grant had never been made*, any thing contained therein to the contrary notwithstanding." In these cases, however, we would recommend that an advertisement should be inserted in the Quebec Gazette during the space of three months, and also in some one of the public papers of the District wherein such Lands lie, if in such District there be any public papers, notifying those concerned, that in case no valid claim be made known and lodged with the Clerk of the Executive Council, to such Lands, within three months from the date of such advertisement, the said land will be granted *de novo*, and that such claims do explicitly specify the Instrument whereupon they are founded, and that the said Instrument do accompany the claims; the said advertisement further stating the names of the Original Grantee, and that the conditions of the Original Grant have not been complied with:—It might also be well to affix a Copy of such advertisement in the Townships, if there be any actual settlement therein, and in case there be no actual settlement therein, to affix a copy to the Church door of one of the nearest Parishes. And upon Granting such Lands *de novo*, to insert in the Patent a Clause revoking the former letters, and stating explicitly and at large the reasons for revoking the same.

The above observations in our opinion meet all the cases stated in the first branch of the reference.

The next point we have considered is "What is the nature of the Evidence, which as the Law Stands, it would be necessary to give of the non-performance of the conditions of the Patent?"

With respect to the nature of the Evidence we think that very slight evidence indeed would be sufficient to attain the object, as from the nature of the case the *onus probandi*, or burthen of proof, would lie in a great measure upon the Defendant, and he would of necessity be called upon to prove that he had complied with the conditions of the Grant. Two witnesses at least would be required for the purpose, not related to nor

in the service of the Defendant and not interested in the event of the suit. These witnesses ought to testify in substance as to their personal knowledge of the lands in question, and that from such their knowledge the obligations specified in the Grant have not been complied with. Here a difficulty offers itself in case the witness be resident in a part of the District remote from that wherein the suit is pending, or without the District in any other part of the Province : how in such cases is the evidence to be procured ? The apparent difficulty however is of little or no moment as the Law provides the remedy. By the Provincial Ordinance 31 Geo. III. C. 2, Sec. 3, Courts in this Province are empowered to issue Commissions in the nature of *Commissions Rogatoires*, even into the Indian Territories and other remote places, and the Provincial Ordinance 32 Geo. III, Chap. 2, the same powers are granted to Courts to issue commissions within the several Districts of the Province, and even in the same District or County where the cause is pending, "*if the witness to be examined be resident at thirty miles and upwards from the Court house where the cause is to be adjudged.*" This commission must be directed to one or more Commissioners, residing in or near the place where such witness may reside ; as to procuring the necessary evidence, thereof, that must be done in open Court if the witnesses are resident *within* thirty miles distance from the Court House, if not, under Commission as above ; it may however prove difficult in some parts of the Province, to fix upon persons properly qualified to execute the duty of Commissioners, but generally speaking we believe the service can be effected by Commissioners.

The next thing we are called upon for is, to point out any legal difficulties that there may be in carrying through a proceeding of this nature with effect and expedition, as well as the probable expence it may entail.

We have taken up and treated of many of these difficulties and the various points, above ; one difficulty however worth noticing here is the delay attending the institution of a suit at law, which could in no degree of possibility be brought to close until the Term next succeeding that in which it was instituted ; and this only in *ex parte* cases. Even then when such judgement is obtained ; it would still be in the power of the Defendant, if he sees fit to institute an Appeal within a year and a day from the date of the judgement and such judgement, being confirmed in appeal, to lodge an appeal before His Majesty in his Privy Council and thereby stay all proceedings as to the Execution of the Judgement for fifteen months longer. These Appeals however, could not be allowed until security was given by such Defendant for the payment of the Costs of the Inferior Court and those of Appeal, which would in many cases render it equal to an impossibility for the Defendant to obtain the delay by Appealing. As to the probable expence of such an action this would vary materially according to the circumstance of the case, first in the value of the thing, secondly from the nature of the pleadings, and thirdly from the Inquête whether taken in Court or under Special Commission issued for the purpose. If the action brought was to Escheat Lands of

a less value than £20 Sterling and the Crown were allowed to proceed *ex parte*, on Evidence being adduced in Court ; on an average the probable expence would be about £6 5 Currency, on a like proceeding upon a Commission £9 Currency. On a litigated case of the same Class where the Evidence is taken in Court about £8, and the like case on a Commission about £10 10 Currency.

In the cases where the value of the Land to be escheated should exceed £20 Sterling and be less than £30 Currency, an additional sum of one fourth of the above charges.

In cases above £30 and under £100 an additional sum of one third of the same charges, and in cases of £100 and upwards, double the sums first above mentioned.

We are next called upon, to state particularly in what manner the difficulties we have above mentioned may best in our opinion be remedied by Legislative enactments or otherwise ?

On this branch of the reference which we think of the highest importance we have bestowed every possible attention and we respectfully submit two courses that might be adopted by Legislative provision, either of which in our opinion would be equally beneficial and promote with advantage the interests of the Crown and bring to a speedy determination the object now contemplated. The first would be to renew and put in force the regulations enacted in the Colony before the conquest by His Most Christian Majesty in cases of a *reunion au domaine*, either of a fief to the Crown or Lands *en censive* to the fief of the Seigneur, in case the conditions of the grant had not been complied with and more particularly for non-Settlement (*tenir feu et lieu.*) The provisions we allude to are to be found in the Arrêt of His Most Christian Majesty of 6th July 1711 (1 vol. edits &c. p. 323) which are in substance as follow :

“ Sa Majesté étant en son Conseil a ordonné et ordonne, que
 “ dans un An du dit jour de la publication du present arrêt pour
 “ tout prefixion et delai les habitants de la nouvelle France
 “ n’habitant point sur les terres que leur ont été concédées, seront
 “ tenus d’y *tenir feu et lieu* et de les mettre en valeur, faute de
 “ quoi, et ledit tems passé, veut sa Majesté que sur les certificats
 “ des Curés et des Capitaines de la côte, comme lesdites habitants
 “ auront été un An sans tenir feu et lieu sur lesdites terres, et ne
 “ les auront point mises en valeur, ils soient dechus de la propri-
 “ été et icelles remises au domaine des Seigneuries, sous les or-
 “ donnances qui seront rendus par le Sieur Began Intendant au
 “ dit Pays de la nouvelle France.”

There are several other arrêts tending to the same object, on the force of which a summary proceeding was instituted by feve-

ral Seigneurs before the Intendant ; and a reunion ordered (second volume edits pages 125, 272, 294, 295, 316 and 331.) Upon a reference to these pages it will be seen that those proceedings were in their nature summary, simple and highly beneficial to the settlement of the Colony.

If therefore this course were re-established and the powers given by the said arrêt to the intendant vested in the Judges of the Court of King's Bench, to be exercised by them or any two of them, as well in Term as in Vacation, or so many days every two months, the many difficulties above mentioned would disappear, the expence be considerably diminished and the delay be a mere nothing. We would however recommend the adding of one more to the provisions made before the Conquest which is, that in case the lands to be escheated be situated in a remote and entirely unsettled part of the Province, publication at the Church door or any other public place in the adjoining Townships or Parishes, and and an advertisement in the Quebec Gazette, would be a sufficient notice, and service of the proceedings instituted for the purpose provided the defendant was not a resident in the Province or domiciled therein.

The other course we respectfully submit as equally worthy the attention of the Legislature of this Province are the provisions made by the Colonial Legislature in Nova Scotia, to effect the escheating of Lands in that Province. On reference to their statute Law, two acts will be found, the one passed in the 34th year of the reign of His late Majesty Chap. 8, intituled, "an Act for encouraging the improvement of Lands in the Peninsula of Halifax, &c. and the other in the 41st year of the same reign Chap. 6, intituled "an Act for regulating the proceedings of the Court of Escheats" by which Acts it will appear that in the province of Nova Scotia, there is a special Court constituted for the purpose authorized to try and determine in a summary manner, by the verdict of a jury, cases of escheats brought before it, at the suit of the Attorney General on behalf of the Crown, and on mature consideration of the several provisions contained in these two statutes, we think they would prove highly beneficial. Some slight alterations might however be required, such as extending the benefit of these statutes to *Seigneurs* generally against their *Censitaires* in all cases of *reunion au domaine*, and such other provisions as the Legislature

might deem it expedient to enact. This report is most respectfully submitted to His Excellency by

Sir,

Your most obedient Servants

NORMAN FITZGERALD UNIAKKE, Attorney General.

G. VANFELSON, Advocate General.

APPENDIX (E)

This *Arrêt* is reported to the House in the Appendix (A) to the third Report upon the Crown and Seigniorial Lands.

APPENDIX (F.)

DISTRICT OF QUEBEC.

STATEMENT OF BAPTISMS, MARRIAGES AND BURIALS

in the City and the different Parishes of the District of Quebec, in the Province of Lower Canada, from the year 1794 to the year 1821 inclusive.

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	GRONDINES.	8	13	3	2	10
1795	Ditto,	10	11	6	3	1
1796	Ditto,	17	12	2	4	1
1797	Ditto,	12	16	5	5	4
1798	Ditto,	14	10	6	4	4
1799	Ditto,	17	14	0	7	5
1800	Ditto,	20	8	1	2	1
1801	Ditto,	15	8	2	4	3
1802	Ditto,	16	10	7	7	10
1803	Ditto,	13	17	2	10	7
1804	Ditto,	20	20	2	8	6
1805	Ditto,	14	13	5	4	11
1806	Ditto,	13	22	2	0	7
1807	Ditto,	19	15	6	7	3
1808	Ditto,	15	17	6	4	3
1809	Ditto,	24	18	9	5	2
1810	Ditto,	31	9	4	9	5
1811	Ditto,	19	14	4	3	3
1812	Ditto,	11	8	5	5	4
1813	Ditto,	12	12	4	12	8
1814	Ditto,	15	9	6	12	5
1815	Ditto,	5	10	4	10	11
1816	Ditto,	12	7	0	4	4
1817	Ditto,	3	10	4	10	9
1818	Ditto,	18	6	4	10	1
1819	Ditto,	21	14	5	9	8
1820	Ditto,	14	24	9	3	13
1821	Ditto,	26	14	5	16	12
		434	361	116	179	161
		361			161	
Total of Baptisms in 28 years,		795			340	
Deduct Burials for the same period,		340				
Increase of Population,		455				

PARISHES NORTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	DESCHAMBAULT.	20	17	2	7	9
1795	Ditto	18	21	12	8	8
1796	Ditto	20	19	5	5	7
1797	Ditto	17	14	7	12	7
1798	Ditto	18	26	9	8	5
1799	Ditto	50	25	6	7	9
1800	Ditto	15	21	6	9	11
1801	Ditto	18	26	12	7	8
1802	Ditto	25	25	6	9	15
1803	Ditto	28	21	12	13	9
1804	Ditto	25	25	10	14	7
1805	Ditto	16	29	8	16	15
1806	Ditto	25	33	14	15	9
1807	Ditto	26	30	7	11	7
1808	Ditto	23	35	16	12	10
1809	Ditto	36	21	33	13	9
1810	Ditto	51	24	11	17	12
1811	Ditto	38	34	2	10	5
1812	Ditto	39	39	16	9	15
1813	Ditto	21	22	6	27	15
1814	Ditto	54	28	15	13	14
1815	Ditto	37	56	15	16	16
1816	Ditto	40	44	5	21	8
1817	Ditto	40	35	14	17	18
1818	Ditto	54	29	12	21	8
1819	Ditto	37	27	7	17	19
1820	Ditto	31	35	10	50	22
1821	Ditto	41	40	9	50	20

851	797	282	392	315
797			315	

Total of Baptisms in 28 years, 1628
 Deduct Burials for the same period 707
 Increase of population 921

1794	CAP-SANTE.	39	56	10	10	15
1795	Ditto	15	13	11	5	4
1796	Ditto	34	35	9	16	5
1797	Ditto	51	55	7	15	11
1798	Ditto	32	25	2	12	15
1799	Ditto	56	24	11	14	8
1800	Ditto	24	29	6	12	13
1801	Ditto	45	21	15	17	9
1802	Ditto	53	40	8	16	20
1803	Ditto	25	52	11	21	17
1804	Ditto	26	30	7	17	15
1805	Ditto	30	58	11	15	12
1806	Ditto	36	46	15	10	10
1807	Ditto	19	40	7	16	14
1808	Ditto	42	27	10	23	10
1809	Ditto	27	32	10	15	12
1810	Ditto	50	44	16	20	16
1811	Ditto	43	40	16	12	15
1812	Ditto	59	44	18	22	11
1813	Ditto	36	54	12	39	25
1814	Ditto	49	41	13	25	16
1815	Ditto	54	42	19	11	12
1816	Ditto	46	52	15	7	8
1817	Ditto	36	42	6	12	11
1818	Ditto	57	49	13	18	18
1819	Ditto	45	58	10	20	31
1820	Ditto	58	54	20	50	28
1821	Ditto	38	58	14	27	19

1041	999	316	473	396
999			396	

Total of Baptisms in 28 years, 2040
 Deduct Burials for the same period 869
 Increase of population. 1171

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages,	Burials.	
		Males.	Females.		Males.	Females.
1794	ECUREUILS.	11	10	3	4	6
1795	Ditto	6	2	3	4	4
1796	Ditto	12	10	2	0	4
1797	Ditto	10	10	0	5	1
1798	Ditto	12	22	5	1	4
1799	Ditto	9	11	1	4	3
1800	Ditto	12	13	2	5	1
1801	Ditto	13	10	1	4	5
1802	Ditto	17	11	0	10	5
1803	Ditto	10	14	5	2	3
1804	Ditto	19	18	1	5	4
1805	Ditto	6	11	5	3	7
1806	Ditto	11	12	1	1	1
1807	Ditto	5	1	0	7	9
1808	Ditto	2	3	2	2	2
1809	Ditto	7	2	2	5	1
1810	Ditto	0	2	1	6	3
1811	Ditto	0	1	0	3	1
1812	Ditto	0	1	4	5	1
1813	Ditto	0	0	0	5	5
1814	Ditto	0	0	0	10	6
1815	Ditto	0	1	1	0	4
1816	Ditto	5	10	5	0	5
1817	Ditto	4	8	2	2	2
1818	Ditto	6	4	1	2	1
1819	Ditto	11	7	2	6	1
1820	Ditto	5	7	6	2	4
1821	Ditto	6	6	5	7	6
		197	207	58	108	95
		207			95	

Total of Baptisms in 28 years

404

Deduct Burials for the same period

203

Increase of Population

201

1794	POINTE AUX TREMBLES	19	18	9	5	7
1795	Ditto	28	25	9	10	17
1796	Ditto	24	24	4	7	9
1797	Ditto	25	20	5	10	9
1798	Ditto	28	22	12	18	7
1799	Ditto	22	22	4	8	4
1800	Ditto	24	18	12	12	12
1801	Ditto	22	16	9	10	4
1802	Ditto	30	19	10	15	12
1803	Ditto	32	22	8	5	15
1804	Ditto	22	23	12	10	7
1805	Ditto	24	22	8	10	7
1806	Ditto	26	34	5	11	10
1807	Ditto	36	29	8	18	14
1808	Ditto	26	31	14	6	7
1809	Ditto	26	28	16	13	15
1810	Ditto	30	29	8	20	21
1811	Ditto	23	23	6	15	13
1812	Ditto	37	22	14	21	19
1813	Ditto	29	33	10	31	21
1814	Ditto	24	25	14	9	10
1815	Ditto	35	30	11	10	15
1816	Ditto	23	25	8	15	11
1817	Ditto	30	30	15	10	6
1818	Ditto	29	22	11	23	18
1819	Ditto	27	23	13	15	16
1820	Ditto	27	29	9	28	27
1821	Ditto	30	22	9	14	15
		770	694	271	579	348
		694			348	

Total of Baptisms in 28 years

1464

Deduct Burials for the same period

727

Increase of Population

737

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.	Sr. AUGUSTIN.	Baptisms.		Marriages.	Burials.	
		Males	Females.		Males.	Females.
1794		37	21	11	15	12
1795	Ditto	30	20	15	9	7
1796	Ditto	27	37	12	11	10
1797	Ditto	28	26	9	8	15
1798	Ditto	27	30	18	9	9
1899	Ditto	37	54	13	9	14
1800	Ditto	32	27	9	13	12
1801	Ditto	41	26	13	10	11
1802	Ditto	35	25	14	16	22
1803	Ditto	26	31	15	26	25
1804	Ditto	32	32	11	14	10
1805	Ditto	47	25	12	25	14
1806	Ditto	34	27	8	18	12
1807	Ditto	25	50	16	18	15
1808	Ditto	50	27	20	25	14
1809	Ditto	51	56	20	14	12
1810	Ditto	27	40	16	51	25
1811	Ditto	59	55	7	27	20
1812	Ditto	46	56	18	21	10
1813	Ditto	46	51	15	29	51
1814	Ditto	45	58	20	25	50
1815	Ditto	58	45	11	19	17
1816	Ditto	48	42	15	0	0
1817	Ditto	51	29	9	22	15
1818	Ditto	46	55	9	17	18
1819	Ditto	59	55	15	19	25
1820	Ditto	55	45	10	27	55
1821	Ditto	44	42	16	16	16

1021	905	570	495	452
1924	945		915	

Total of Baptisms in 28 years

Deduct Burials for the same period

Increase of Population

1794	Sr. Fov.	1	1	1	8	1
1795	Ditto	4	8	5	5	2
1796	Ditto	11	11	6	5	6
1797	Ditto	7	8	4	7	5
1798	Ditto	11	7	1	7	7
1799	Ditto	7	10	2	9	4
1800	Ditto	4	1	6	4	5
1801	Ditto	4	6	5	9	10
1802	Ditto	2	2	1	4	1
1803	Ditto	10	12	7	8	10
1804	Ditto	6	7	6	8	6
1805	Ditto	9	9	5	5	5
1806	Ditto	4	1	5	7	8
1807	Ditto	0	1	5	4	8
1808	Ditto	2	5	6	10	5
1809	Ditto	4	5	4	11	8
1810	Ditto	0	5	1	7	4
1811	Ditto	5	0	1	5	6
1812	Ditto	10	5	5	6	3
1813	Ditto	11	10	5	6	7
1814	Ditto	No Return	0			
1815	Ditto	1	0	1	5	5
1816	Ditto	6	4	2	9	5
1817	Ditto	4	1	1	5	7
1818	Ditto	5	7	0	4	4
1819	Ditto	8	7	2	5	6
1820	Ditto	6	12	7	16	6
1821	Ditto	9	11	5	5	7

149	150	95	180	145
150			143	

Total of Baptisms in 28 years

Deduct Burials for the same period

Decrease of Population

R

PARISHES NORTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	ANCIENNE LORETTE.	33	29	16	30	22
1795	Ditto,	25	26	13	23	18
1796	Ditto,	43	31	7	16	15
1797	Ditto,	38	31	18	12	10
1798	Ditto,	47	28	11	16	11
1799	Ditto,	26	30	7	18	7
1800	Ditto,	29	45	16	16	14
1801	Ditto,	21	33	16	11	14
1802	Ditto,	40	42	18	16	12
1803	Ditto,	38	24	13	31	26
1804	Ditto,	37	20	11	13	13
1805	Ditto,	47	16	12	19	12
1806	Ditto,	45	35	12	18	9
1807	Ditto,	33	34	11	16	13
1808	Ditto,	48	24	14	20	16
1809	Ditto,	31	35	12	24	19
1810	Ditto,	43	29	22	26	26
1811	Ditto,	44	24	21	21	27
1812	Ditto,	39	28	23	13	10
1813	Ditto,	43	31	15	19	20
1814	Ditto,	49	26	15	21	15
1815	Ditto,	42	36	11	24	13
1816	Ditto,	41	44	14	7	16
1817	Ditto,	40	38	8	15	21
1818	Ditto,	29	39	11	23	15
1819	Ditto,	39	37	5	24	20
1820	Ditto,	53	34	11	33	13
1821	Ditto,	29	31	18	22	8

1052	890	381	547	435
890			435	

Total of Baptisms in 28 years,

1942

Deduct Burials for the same period,

982

Increase of Population,

960

JEUNE LORETTE, included in the Register of Ancienne Lorette.

1794	Ditto,	18	19	8	13	21
1795	Ditto,	27	23	14	15	9
1796	Ditto,	54	17	10	10	11
1797	Ditto,	29	27	3	16	24
1798	Ditto,	20	22	5	11	14
1799	Ditto,	27	25	15	14	17
1800	Ditto,	27	29	11	10	16
1801	Ditto,	23	22	20	19	13
1802	Ditto,	33	28	14	20	15
1803	Ditto,	33	36	11	18	13
1804	Ditto,	38	21	11	17	12
1805	Ditto,	57	34	12	10	7
1806	Ditto,	39	32	9	15	13
1807	Ditto,	57	28	17	22	10
1808	Ditto,	32	32	16	11	8
1809	Ditto,	35	47	16	19	20
1810	Ditto,	51	38	8	18	22
1811	Ditto,	38	38	10	21	17
1812	Ditto,	36	39	14	31	30
1813	Ditto,	42	41	12	25	16
1814	Ditto,	37	51	15	15	14
1815	Ditto,	46	42	15	19	15
1816	Ditto,	47	30	6	16	22
1817	Ditto,	43	44	8	12	19
1818	Ditto,	35	43	14	16	14
1819	Ditto,	42	45	26	23	13
1820	Ditto,	51	51	16	23	28

953	904	356	457	433
904			433	

Total of Baptisms in 28 years,

1857

Deduct Burials for the same period,

890

Increase of Population,

967

PARISHES NORTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males	Females		Males	Females
1794	City of Quebec, ROMAN CATHOLIC CHURCH,	187	176	60	133	132
1795	Ditto	208	176	39	116	109
1796	Ditto	191	175	53	169	116
1797	Ditto	194	157	55	128	107
1798	Ditto	175	177	50	89	91
1799	Ditto	151	190	60	91	104
1800	Ditto	196	177	57	51	125
1801	Ditto	206	185	77	146	152
1802	Ditto	216	217	63	154	127
1803	Ditto	210	216	80	177	169
1804	Ditto	230	244	54	181	169
1805	Ditto	236	240	58	122	121
1806	Ditto	235	257	72	150	134
1807	Ditto	253	265	64	141	135
1808	Ditto	371	248	101	153	143
1809	Ditto	248	280	216	198	117
1810	Ditto	322	330	96	264	256
1811	Ditto	532	340	119	220	209
1812	Ditto	257	402	111	264	208
1813	Ditto	324	324	57	257	188
1814	Ditto	336	365	87	274	258
1815	Ditto	330	210	197	276	269
1816	Ditto	377	352	117	279	198
1817	Ditto	370	335	108	272	199
1818	Ditto	406	390	119	276	240
1819	Ditto	371	375	103	268	269
1820	Ditto	424	372	112	393	354
1821	Ditto	450	428	136	304	251
		7746	7599	2451	5506	4920
		7599			4920	

Total of Baptisms in 28 years, 15,545
 Deduct Burials for the same period, 10,42

Increase of Population, 4,919

1794	City of Quebec, PROTESTANT CHURCH,	0	0	0	0	
1795	Ditto	0	0	0	0	0
1796	Ditto	48	56	37	43	20
1797	Ditto	48	46	28	28	19
1798	Ditto	34	30	21	26	19
1799	Ditto	30	31	7	54	19
1800	Ditto	56	32	16	59	37
1801	Ditto	39	38	22	30	25
1802	Ditto	30	31	19	40	25
1803	Ditto	38	32	17	40	28
1804	Ditto	41	35	23	28	34
1805	Ditto	58	50	15	64	25
1806	Ditto	57	39	12	68	23
1807	Ditto	44	35	24	64	24
1808	Ditto	62	37	24	86	36
1809	Ditto	62	51	16	113	41
1810	Ditto	44	34	21	129	62
1811	Ditto	60	55	38	150	5
1812	Ditto	51	52	38	161	63
1813	Ditto	68	39	27	93	53
1814	Ditto	41	68	21	154	62
1815	Ditto	17	55	14	70	21
1816	Ditto	33	23	19	50	10
1817	Ditto	36	21	28	56	28
1818	Ditto	38	31	27	47	21
1819	Ditto	108	31	71	151	91
1820	Ditto	89	70	60	145	86
1821	Ditto	93	90	47	103	
		1325	1144	692	2002	991
		1144			991	

Total of Baptisms in 28 years, 2469
 Burials for the same period, 2993
 Decrease of Population, 524

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
City of Quebec, PRESBYTERIAN CHURCH.						
1794	Ditto,					
1795	Ditto,					
1796	Ditto,	18	18	12	9	5
1797	Ditto,	20	17	23	23	13
1798	Ditto,	33	38	11	8	10
1799	Ditto,	17	15	10	8	2
1800	Ditto,	28	24	12	17	9
1801	Ditto,	33	21	26	20	9
1802	Ditto,	20	19	13	15	6
1803	Ditto,	30	25	21	28	11
1804	Ditto,	25	23	19	20	13
1805	Ditto,					
1806	Ditto,					
1807	Ditto,					
1808	Ditto,	34	34	24	26	21
1809	Ditto,	35	41	38	27	11
1810	Ditto,	42	36	26	75	29
1811	Ditto,	70	30	46	53	17
1812	Ditto,	43	40	58	41	20
1813	Ditto,	44	47	51	38	30
1814	Ditto,	47	35	64	36	30
1815	Ditto,	49	35	82	25	22
1816	Ditto,	48	54	50	34	16
1817	Ditto,	59	38	68	41	27
1818	Ditto,	52	44	46	65	24
1819	Ditto, 1st Jany. }					
	1819, to the 7th March 1819, }	4	8	5	2	5
1820	Ditto,	35	31	23	26	13
1821	Ditto,	46	43	41	36	20
		832	714	769	673	363
		714			363	
Total of Baptisms in 28 years,		1546			1036	
Deduct Burials for the same period,		1036				
Increase of Population,		510				
City of Quebec, HOTEL DIEU.						
1794	Ditto,				10	8
1795	Ditto,				5	8
1796	Ditto,	1			10	6
1797	Ditto,				7	11
1798	Ditto,				4	9
1799	Ditto,				11	7
1800	Ditto,				12	6
1801	Ditto,				7	3
1802	Ditto,				13	9
1803	Ditto,				11	8
1804	Ditto,				13	6
1805	Ditto,				10	5
1806	Ditto,				4	8
1807	Ditto,				9	11
1808	Ditto,				8	10
1809	Ditto,				17	9
1810	Ditto,				22	15
1811	Ditto,				9	11
1812	Ditto,				15	13
1813	Ditto,				10	7
1814	Ditto,				14	12
1815	Ditto,				10	8
1816	Ditto,				11	16
1817	Ditto,				6	11
1818	Ditto,				9	11
1819	Ditto,	1			18	11
1820	Ditto,				18	8
1821	Ditto,				15	11
Total of Baptisms in 28 years,		2			308	258
					258	
Burials for the same period,		566			566	
Decrease of Population,		564				

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	City of Quebec, and GENERAL HOSPITAL.	0	0	0	3	0
1795	Ditto	0	0	1	0	3
1796	Ditto	0	0	0	0	5
1797	Ditto	0	0	0	2	2
1798	Ditto	0	0	0	2	1
1799	Ditto	0	0	0	5	4
1800	Ditto	0	0	0	8	5
1801	Ditto	0	0	1	2	1
1802	Ditto	0	0	0	5	8
1803	Ditto	0	0	0	8	4
1804	Ditto	0	0	1	4	6
1805	Ditto	0	1	0	4	6
1806	Ditto	0	0	0	5	5
1807	Ditto	0	0	0	4	5
1808	Ditto	0	0	0	5	2
1809	Ditto	0	0	0	6	2
1810	Ditto	0	0	0	7	3
1811	Ditto	0	0	1	5	0
1812	Ditto	4	5	4	5	7
1813	Ditto	4	2	1	4	1
1814	Ditto	No Return		0	0	0
1815	Ditto	2	6	0	1	3
1816	Ditto	6	8	0	6	7
1817	Ditto	7	7	1	8	4
1818	Ditto	12	10	4	4	3
1819	Ditto	11	12	0	10	5
1820	Ditto	7	6	2	15	11
1821	Ditto	13	5	3	6	5
		66	58	19	130	104
		58			104	

Total of Baptisms in 28 years 124

Deduct Burials for the same period 234

Decrease of Population 110

City of Quebec, Wes-						
LEYAN CHAPEL.						
1794		0	0	0	0	0
1795	Ditto	0	0	0	0	0
1796	Ditto	0	0	0	0	0
1797	Ditto	0	0	0	0	0
1798	Ditto	0	0	0	0	0
1799	Ditto	0	0	0	0	0
1800	Ditto	0	0	0	0	0
1801	Ditto	0	0	0	0	0
1802	Ditto	7	5	4	4	5
1803	Ditto	0	0	0	0	0
1804	Ditto	0	0	0	0	0
1805	Ditto	0	0	0	0	0
1806	Ditto	0	0	0	0	0
1807	Ditto	0	0	0	0	0
1808	Ditto	0	0	0	0	0
1809	Ditto	0	0	0	0	0
1810	Ditto	0	0	0	0	0
1811	Ditto	0	0	0	0	0
1812	Ditto	0	0	0	0	0
1813	Ditto	0	0	0	0	0
1814	Ditto	0	0	0	0	0
1815	Ditto	0	0	0	0	0
1816	Ditto	0	0	0	0	0
1817	Ditto	0	0	0	0	0
1818	Ditto	0	0	0	0	0
1819	Ditto	0	0	0	0	0
1820	Ditto	0	0	0	0	0
1821	Ditto	0	0	0	0	0
		7	5	4	4	5
		5			5	

Total of Baptisms in 28 years 12

Deduct Burials for the same period 9

Increase of Population 3

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	CHARLESBOURG.	40	30	16	10	14
1795	Ditto	30	17	11	14	15
1796	Ditto	29	23	8	11	7
1797	Ditto	20	10	12	11	9
1798	Ditto	23	24	8	4	12
1799	Ditto	26	20	15	8	9
1800	Ditto	19	22	8	4	16
1801	Ditto	26	16	9	9	8
1802	Ditto	27	21	10	13	6
1803	Ditto	24	20	5	15	8
1804	Ditto	30	30	9	11	8
1805	Ditto	18	17	13	8	3
1806	Ditto	31	19	6	12	6
1807	Ditto	21	23	12	5	11
1808	Ditto	17	32	8	11	8
1809	Ditto	26	27	4	14	19
1810	Ditto	30	25	6	34	6
1811	Ditto	20	16	6	22	15
1812	Ditto	28	33	11	20	23
1813	Ditto	20	25	15	17	18
1814	Ditto	21	21	13	15	28
1815	Ditto	20	25	10	11	15
1816	Ditto	26	20	14	10	13
1817	Ditto	21	29	9	9	14
1818	Ditto	24	25	9	12	4
1819	Ditto	24	26	7	15	18
1820	Ditto	30	33	8	24	21
1821	Ditto	21	33	11	20	34
		692	662	273	367	368
		662			368	

Total of Baptisms in 28 years

1354

Deduct Burials for the same period

735

Increase of Population

619

1794	BEAUFORT.	22	24	14	8	17
1795	Ditto	27	17	12	16	14
1796	Ditto	28	26	6	14	13
1797	Ditto	27	20	6	8	8
1798	Ditto	21	25	8	11	15
1799	Ditto	17	19	9	9	8
1800	Ditto	27	18	11	8	9
1801	Ditto	23	18	16	14	12
1802	Ditto	24	25	4	12	20
1803	Ditto	20	10	15	23	18
1804	Ditto	30	17	12	26	13
1805	Ditto	26	26	5	8	13
1806	Ditto	19	20	8	11	8
1807	Ditto	20	26	9	12	15
1808	Ditto	14	8	16	16	10
1809	Ditto	26	21	19	10	5
1810	Ditto	24	22	9	32	24
1811	Ditto	18	25	7	11	12
1812	Ditto	24	34	20	10	10
1813	Ditto	26	18	12	21	17
1814	Ditto	35	22	5	15	14
1815	Ditto	26	25	10	15	17
1816	Ditto	32	27	7	8	10
1817	Ditto	22	26	6	12	18
1818	Ditto	31	23	11	11	12
1819	Ditto	36	28	18	23	15
1820	Ditto	37	34	10	19	17
1821	Ditto	41	26	16	24	25
		723	630	301	407	389
		630			389	

Total of Baptisms in 28 years

1353

Deduct Burials for the same period

796

Increase of population

557

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	ANGE GARDIEN.	4	10	6	4	4
1795	Ditto,	6	6	6	2	1
1796	Ditto,	7	4	2	5	2
1797	Ditto,	3	7	6	9	5
1798	Ditto,	14	16	2	8	8
1799	Ditto,	10	7	1	0	2
1800	Ditto,	11	11	3	5	5
1801	Ditto,	7	9	5	6	4
1802	Ditto,	9	5	6	0	7
1803	Ditto,	9	10	3	15	5
1804	Ditto,	9	7	11	12	8
1805	Ditto,	9	13	3	4	4
1806	Ditto,	8	7	1	4	5
1807	Ditto,	22	9	10	9	6
1808	Ditto,	5	6	8	4	3
1809	Ditto,	15	11	1	7	7
1810	Ditto,	5	5	5	7	11
1811	Ditto,	4	2	10	4	2
1812	Ditto,	8	7	9	4	4
1813	Ditto,	11	6	13	7	7
1814	Ditto,	10	4	5	9	9
1815	Ditto,	10	14	5	6	5
1816	Ditto,	10	11	9	2	4
1817	Ditto,	11	17	4	6	6
1818	Ditto,	10	10	5	6	2
1819	Ditto,	7	13	5	5	8
1820	Ditto,	16	11	6	8	6
1821	Ditto,	15	11	5	7	5

263	249	155	167	143
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249

Total of Baptisms in 28 years.

512

Deduct Burials for the same period,

306

Increase of Population,

206

1794	CHATEAU RICHER.	25	11	8	10	8
1795	Ditto,	10	25	9	5	9
1796	Ditto,	20	27	9	11	3
1797	Ditto,	18	12	5	8	9
1798	Ditto,	17	14	5	8	5
1799	Ditto,	14	17	7	8	4
1800	Ditto,	15	17	9	8	3
1801	Ditto,	15	20	9	5	6
1802	Ditto,	17	16	9	7	8
1803	Ditto,	14	21	8	6	14
1804	Ditto,	8	22	10	7	12
1805	Ditto,	16	23	4	8	9
1806	Ditto,	20	17	7	4	7
1807	Ditto,	6	5	3	6	7
1808	Ditto,	25	10	3	7	8
1809	Ditto,	13	12	4	15	11
1810	Ditto,	14	14	8	9	12
1811	Ditto,	8	15	9	17	6
1812	Ditto,	25	11	11	11	9
1813	Ditto,	13	18	7	9	8
1814	Ditto,	18	13	4	10	14
1815	Ditto,	18	13	5	11	12
1816	Ditto,	18	14	11	9	9
1817	Ditto,	19	13	17	7	8
1818	Ditto,	22	21	8	8	6
1819	Ditto,	19	25	8	6	10
1820	Ditto,	18	23	4	16	23
1821	Ditto,	12	22	6	9	10

455	471	207	245	250
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471

Total of Baptisms in 28 years,

926

Deduct Burials for the same period,

495

Increase of Population,

431

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
	St. ANNE, Beaupre, and					
1794	St. FEREOUL.	26	15	6	10	9
1795	Ditto	21	21	4	22	16
1796	Ditto et St. Fereol	18	20	5	10	7
1797	Ditto	20	23	6	12	9
1798	Ditto	17	28	10	7	22
1799	Ditto	22	14	5	10	7
1800	Ditto	19	17	10	7	12
1801	Ditto	12	24	3	7	8
1802	Ditto	23	14	6	11	8
1803	Ditto	25	19	5	10	12
1804	Ditto	20	8	8	11	6
1805	Ditto	24	21	8	10	11
1806	Ditto	17	18	10	8	6
1807	Ditto	26	30	4	4	9
1808	Ditto	21	19	7	6	8
1809	Ditto	21	15	10	4	8
1810	Ditto	21	4	8	5	4
1811	Ditto	17	16	6	7	5
1812	Ditto	17	16	9	1	7
1813	Ditto	25	18	9	4	8
1814	Ditto	24	22	6	2	4
1815	Ditto	18	12	8	5	6
1816	Ditto	22	8	5	6	1
1817	Ditto	16	14	5	5	1
1818	Ditto	12	11	5	6	4
1819	Ditto	15	11	10	7	3
1820	Ditto	15	20	9	5	15
1821	Ditto	24	15	7	7	9
		552	469	190	205	221
		469			221	

Total of Baptisms in 28 years

1021

Deduct Burials for the same period

426

Increase of Population

595

St. FEREOUL, included in the Return from
St Anne above.

1794	Ditto	Ditto	Ditto			
1795	Ditto	Ditto	Ditto			
1796	Ditto	Ditto	Ditto			
1797	Ditto	Ditto	Ditto			
1798	Ditto	Ditto	Ditto			
1799	Ditto	Ditto	Ditto			
1800	Ditto	Ditto	Ditto			
1801	Ditto	Ditto	Ditto			
1802	Ditto	Ditto	Ditto			
1803	Ditto	Ditto	Ditto			
1804	Ditto	Ditto	Ditto			
1805	Ditto	Ditto	Ditto			
1806	Ditto	Ditto	Ditto			
1807	Ditto	Ditto	Ditto			
1808	Ditto	Ditto	Ditto			
1809	Ditto	Ditto	Ditto			
1810	Ditto		11	5	5	1
1811	Ditto		6	6	3	2
1812	Ditto		13	13	2	3
1813	Ditto		7	6	2	4
1814	Ditto		9	7	0	0
1815	Ditto		10	10	3	2
1816	Ditto		10	16	1	3
1817	Ditto		5	12	4	1
1818	Ditto		21	11	1	1
1819	Ditto		16	15	3	2
1820	Ditto		9	9	1	2
1821	Ditto		6	10	0	6
		123	118	23	29	27
		118			27	

Total of Baptisms in 28 years

241

Deduct Burials for the same period

56

Increase of Population

185

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.	Parishes.	Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	St. JOACHIM.	8	9	5	5	2
1795	Ditto	6	5	6	5	8
1796	Ditto	10	9	4	4	5
1797	Ditto	8	5	2	3	4
1798	Ditto	9	12	5	3	1
1799	Ditto	7	11	6	6	6
1800	Ditto	12	4	5	8	4
1801	Ditto	8	12	2	5	4
1802	Ditto	10	11	5	5	4
1803	Ditto	5	8	4	5	4
1804	Ditto	6	7	0	5	0
1805	Ditto	16	8	2	3	2
1806	Ditto	11	10	8	4	5
1807	Ditto	8	5	5	4	1
1808	Ditto	12	8	6	3	5
1809	Ditto	9	11	7	8	3
1810	Ditto	10	9	1	4	4
1811	Ditto	5	1	1	4	1
1812	Ditto	5	5	3	4	4
1813	Ditto	5	5	3	7	6
1814	Ditto	7	7	6	5	2
1815	Ditto	4	7	4	4	7
1816	Ditto	6	8	5	5	2
1817	Ditto	7	14	5	2	4
1818	Ditto	8	11	4	1	5
1819	Ditto	6	13	7	5	5
1820	Ditto	9	10	8	8	9
1821	Ditto	12	12	5	3	6
		223	255	120	118	109
		233			109	

Total of Baptisms in 28 years 458

Deduct Burials for the same period 227

Increase of Population 231

1794	St. PIERRE, Isl of Orleans.	15	11	10	5	1
1795	Ditto	8	15	1	9	6
1796	Ditto	15	7	3	7	4
1797	Ditto	13	10	5	7	5
1798	Ditto	7	10	5	6	7
1799	Ditto	11	12	5	8	7
1800	Ditto	11	6	9	4	6
1801	Ditto	14	11	11	12	7
1802	Ditto	11	14	6	2	11
1803	Ditto	10	15	14	9	11
1804	Ditto	16	14	5	7	10
1805	Ditto	14	14	2	4	9
1806	Ditto	14	14	1	13	6
1807	Ditto	11	12	8	8	5
1808	Ditto	11	18	8	8	6
1809	Ditto	11	15	6	6	4
1810	Ditto	15	9	9	7	11
1811	Ditto	16	19	8	12	13
1812	Ditto	15	12	10	4	9
1813	Ditto	16	13	3	10	10
1814	Ditto	13	14	1	4	2
1815	Ditto	11	8	3	6	6
1816	Ditto	15	15	8	6	8
1817	Ditto	9	15	4	4	12
1818	Ditto	12	17	8	3	8
1819	Ditto	16	14	7	6	5
1820	Ditto	17	14	5	11	14
1821	Ditto	11	16	8	8	9
		352	360	171	196	210
		360			210	

Total of Baptisms in 28 years 712

Deduct Burials for the same period 406

Increase of Population 306

S

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	St. Famille, Island of Orleans.	11	14	7	6	6
1795	and St. François.	24	14	5	8	10
1796	and St. François.	15	11	4	7	4
1797	Ditto,	9	12	5	8	12
1798	Ditto,	10	6	5	8	2
1799	Ditto,	10	7	9	3	5
1800	Ditto,	16	10	6	8	6
1801	Ditto,	11	10	2	3	5
1802	Ditto,	10	13	2	7	2
1803	Ditto,	12	11	4	6	4
1804	Ditto,	10	11	7	6	6
1805	Ditto,	12	8	2	8	4
1806	Ditto,	9	7	8	5	8
1807	Ditto,	14	14	10	1	4
1808	Ditto,	6	15	6	4	3
1809	Ditto,	7	13	5	4	2
1810	Ditto,	19	14	3	5	8
1811	Ditto,	9	8	9	6	7
1812	Ditto,	10	9	8	4	4
1813	Ditto,	12	23	6	7	6
1814	Ditto,	16	14	7	8	7
1815	Ditto,	31	20	9	7	11
1816	Ditto,	18	12	4	9	6
1817	Ditto,	20	23	4	5	7
1818	Ditto,	17	17	6	3	2
1819	Ditto,	17	16	7	7	8
1820	Ditto,	20	11	6	8	7
1821	Ditto,	26	19	3	12	4
		399	362	159	183	160
		362			160	

Total of Baptisms in 28 years, 761Deduct Burials for the same period, 343Increase of Population, 418

1794. St. François, Island of Orleans, included in the Return of Ste. Famille and St. Jean,

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1795	Ditto,					
1796	Ditto,					
1797	Ditto,	5	5			1
1798	Ditto,	7	11	4	4	4
1799	Ditto,	13	6	5	3	4
1800	Ditto,	8	12	5	6	6
1801	Ditto,	10	13	2	12	5
1802	Ditto,	9	11	3	5	5
1803	Ditto,	10	12	3	1	9
1804	Ditto,	8	10	6	4	5
1805	Ditto,	13	11	2	5	2
1806	Ditto,	4	6	3	4	4
1807	Ditto,	6	7	4	5	4
1808	Ditto,	6	6	5	2	4
1809	Ditto,	6	11	2	2	5
1810	Ditto,	11	3	2	6	5
1811	Ditto,	4	0	3	2	2
1812	Ditto,	6	6	2	4	4
1813	Ditto,	7	4	2	6	2
1814	Ditto,	1	4	2	7	5
1815	Ditto,	4	8	2	1	8
1816	Ditto,	5	4		5	3
1817	Ditto,	4	2	6	3	5
1818	Ditto,	5	3		2	4
1819	Ditto,	7	6	4	7	8
1820	Ditto,	10	2	5	9	6
1821	Ditto,	10	4	1	3	5
		179	167	73	106	113
		167			113	

Total of Baptisms in 28 years, 346Deduct Burials for the same period, 219Increase of Population, 127

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year	St. JEAN, Island of	Baptisms.		Marriages.	Burials.	
		Males	Females		Males	Females.
1794	Orleans,	17	21	15	8	9
1795	Ditto	23	15	4	6	7
1796	Ditto	15	14	2	5	8
1797	Ditto	19	12	2	3	7
1798	Ditto	8	13	8	1	1
1799	Ditto	9	14	5	8	5
1800	Ditto	15	11	5	5	6
1801	Ditto	12	12	8	3	9
1802	Ditto	12	12	2	8	7
1803	Ditto	16	15	7	7	5
1804	Ditto	9	14	3	6	4
1805	Ditto	16	14	2	11	10
1806	Ditto	12	15	2	6	8
1807	Ditto	6	20	5	5	7
1808	Ditto	14	16	8	9	1
1809	Ditto	10	10	12	9	5
1810	Ditto	15	19	6	11	15
1811	Ditto	15	16	5	10	4
1812	Ditto	15	15	17	3	3
1813	Ditto	22	16	10	11	7
1814	Ditto	21	23	5	11	1
1815	Ditto	24	13	9	11	4
1816	Ditto	21	19	4	2	4
1817	Ditto	17	25	3	5	12
1818	Ditto	18	30	8	5	6
1819	Ditto	22	15	15	14	6
1820	Ditto	25	20	5	12	11
1821	Ditto	22	21	5	6	5
		448	454	180	199	177
		454			177	

Total of Baptisms in 28 years, 902
Deduct Burials for the same period, 576

Increase of Population, 326

St. LAURENT, Island of Orleans.					
1794	Ditto	8	5		2
1795	Ditto	8	8		6
1796	Ditto	6	11	6	5
1797	Ditto	5	7	1	1
1798	Ditto	12	6	6	4
1799	Ditto	9	11	5	3
1800	Ditto	10	8	5	3
1801	Ditto	16	3	3	8
1802	Ditto	10	10	1	7
1803	Ditto	13	9	5	6
1804	Ditto	6	13	5	6
1805	Ditto	12	10	3	7
1806	Ditto	15	9	4	4
1807	Ditto	10	7	3	6
1808	Ditto	6	9	2	4
1809	Ditto	9	13	4	5
1810	Ditto	13	6	6	6
1811	Ditto	15	7	8	1
1812	Ditto	11	10	6	7
1813	Ditto	16	14	4	4
1814	Ditto	9	10	2	3
1815	Ditto	16	6	5	4
1816	Ditto	17	14	5	4
1817	Ditto	7	11	1	4
1818	Ditto	9	8	4	3
1819	Ditto	16	6	6	6
1820	Ditto	9	11	5	2
1821	Ditto	9	11	5	5
		302	253	112	164
		253			126

Total of Baptisms in 28 years 555
Deduct Burials for the same period 290

Increase of Population 265

PARISHES NORTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	PETITE RIVIERE, St. FRANCOIS.	5	3	7	1	3
1795	Ditto	5	4	0	2	0
1796	Ditto	7	4	0	2	1
1797	Ditto	2	3	1	2	2
1798	Ditto	2	4	2	4	1
1799	Ditto	6	2	1	1	1
1800	Ditto	2	4	3	1	1
1801	Ditto	4	2	1	4	3
1802	Ditto	2	2	5	0	1
1803	Ditto	5	2	0	1	2
1804	Ditto	2	6	0	0	3
1805	Ditto	0	2	3	0	3
1806	Ditto	3	2	1	0	4
1807	Ditto	2	4	3	0	2
1808	Ditto	4	4	3	0	0
1809	Ditto	0	4	2	1	2
1810	Ditto	14	1	1	3	2
1811	Ditto	2	1	2	2	0
1812	Ditto	4	5	2	4	3
1813	Ditto	5	5	1	2	5
1814	Ditto	7	4	1	3	3
1815	Ditto	3	1	0	1	1
1816	Ditto	6	4	2	5	1
1817	Ditto	3	5	2	0	2
1818	Ditto	3	6	1	2	1
1819	Ditto	4	2	1	5	2
1820	Ditto	0	5	0	0	0
1821	Ditto	7	6	3	3	0
		109	97	48	49	49
		97			49	

Total of Baptisms in 28 years

206

Deduct Burials for the same period

98

Increase of Population

108

1794	BAIE St. PAUL.	42	33	26	13	7
1795	Ditto	34	24	16	14	5
1796	Ditto	40	36	10	10	10
1797	Ditto	42	39	12	11	24
1798	Ditto	39	33	30	21	23
1799	Ditto	39	35	12	15	11
1800	Ditto	41	41	16	18	15
1801	Ditto	37	34	15	18	19
1802	Ditto	38	39	16	14	20
1803	Ditto	37	44	20	12	9
1804	Ditto	31	39	15	16	15
1805	Ditto	34	30	22	17	14
1806	Ditto	28	34	15	11	2
1807	Ditto	38	41	22	12	9
1808	Ditto	30	34	17	13	21
1809	Ditto	36	47	15	29	24
1810	Ditto	49	41	22	19	11
1811	Ditto	50	48	18	19	11
1812	Ditto	59	46	24	11	13
1813	Ditto	61	53	12	25	11
1814	Ditto	54	25	15	19	15
1815	Ditto	48	46	30	9	15
1816	Ditto	63	33	11	14	18
1817	Ditto	44	63	15	16	14
1818	Ditto	34	48	24	11	14
1819	Ditto	65	50	22	18	17
1820	Ditto	60	69	14	17	18
1821	Ditto	62	63	24	34	29
		1293	1228	510	456	414
		1228			414	

Total of Baptisms in 28 years,

2521

Deduct Burials for the same period

870

Increase of population.

1651

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	ISLE AUX COUDRES.	11	9	10	9	2
1795	Ditto,	16	7	2	6	2
1796	Ditto,	7	5	9	4	3
1797	Ditto,	9	14	10	5	5
1798	Ditto,	14	9	8	5	6
1799	Ditto,	10	11	2	4	5
1800	Ditto,	9	15	2	4	1
1801	Ditto,	10	12	2	9	8
1802	Ditto,	14	5	4	9	3
1803	Ditto,	9	15	9	3	5
1804	Ditto,	13	6	3	3	1
1805	Ditto,	12	11	3	3	1
1806	Ditto,	15	9	4	2	0
1807	Ditto,	9	8	7	4	2
1808	Ditto,	15	7	10	6	2
1809	Ditto,	14	7	6	2	3
1810	Ditto,	6	12	2	5	1
1811	Ditto,	15	9	3	2	5
1812	Ditto,	4	9	5	6	0
1813	Ditto,	12	11	11	2	7
1814	Ditto,	15	12	1	8	5
1815	Ditto,	10	15	1	5	4
1816	Ditto,	9	11	2	5	6
1817	Ditto,	10	6	4	5	4
1818	Ditto,	14	8	3	3	5
1819	Ditto,	8	6	9	4	2
1820	Ditto,	11	13	7	1	4
1821	Ditto,	10	10	5	4	4
		309	270	144	128	94
		270			94	

Total of Baptisms in 28 years, 579
Deduct Burials for the same period, 222

Increase of Population,

357

1794	EBOULEMENTS.	23	16	13	5	9
1795	Ditto	17	26	8	10	5
1796	Ditto	24	14	10	5	8
1797	Ditto no Return,					
1798	Ditto	22	21	4	6	8
1799	Ditto	28	19	2	4	4
1800	Ditto	24	21	3	11	9
1801	Ditto	24	20	7	12	7
1802	Ditto no Return,					
1803	Ditto	27	25	11	20	7
1804	Ditto no Return,					
1805	Ditto Ditto,					
1806	Ditto	52	28	7	5	13
1807	Ditto	29	56	10	7	7
1808	Ditto	57	24	4	5	9
1809	Ditto	50	21	8	20	20
1810	Ditto	23	17	5	13	10
1811	Ditto	22	26	13	7	10
1812	Ditto	51	24	11	15	7
1813	Ditto	30	52	10	8	7
1814	Ditto no Return,					
1815	Ditto Ditto,					
1816	Ditto	21	55	5	17	9
1817	Ditto	50	58	4	5	13
1818	Ditto	24	30	7	14	12
1819	Ditto	35	30	11	17	19
1820	Ditto	34	29	15	12	16
1821	Ditto	30	29	11	14	7
		600	559	179	230	216
		559			216	

Total of Baptisms in 28 years, 1159
Deduct Burials for the same period, 446

Increase of population

713

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	MALBAIE.	14	19	1	2	5
1795	Ditto,	20	25	0	3	1
1796	Ditto,	19	16	2	5	1
1797	Ditto, no Return					
1798	Ditto,	25	24	1	2	14
1799	Ditto,	18	14	2	3	1
1800	Ditto,	22	14	3	2	1
1801	Ditto,	14	20	8	3	6
1802	Ditto,	21	29	9	1	1
1803	Ditto, Return burnt					
1804	Ditto, no Return					
1805	Ditto, Ditto					
1806	Ditto,	21	27	5	5	5
1807	Ditto,	31	27	5	8	9
1808	Ditto,	34	37	5	7	4
1809	Ditto,	27	37	9	5	6
1810	Ditto,	35	32	12	13	20
1811	Ditto,	34	46	18	4	10
1812	Ditto,	33	43	13	11	11
1813	Ditto,	45	42	13	19	15
1814	Ditto, no Return					
1815	Ditto,	53	53	9	21	9
1816	Ditto,	49	44	12	18	8
1817	Ditto,	45	52	14	14	21
1818	Ditto, no Return					
1819	Ditto,	60	45	17	17	9
1820	Ditto,	67	60	20	22	27
1821	Ditto,	55	75	28	23	25
		758	779	204	204	209
		779			209	

Total of Baptisms in 28 years,

1517

Deduct Burials for the same period,

413

Increase of Population,

1104

1794 KING'S POSTS.

1795 Ditto

1796 Ditto

1797 Ditto

1798 Ditto

1799 Ditto

1800 Ditto

1801 Ditto

1802 Ditto

1803 Ditto

1804 Ditto

1805 Ditto

1806 Ditto

1807 Ditto

1808 Ditto

1809 Ditto

1810 Ditto

1811 Ditto

1812 Ditto

1813 Ditto

1814 Ditto

1815 Ditto

1816 Ditto & Missions

1817 Ditto

1818 Ditto

1819 Ditto

1820 Ditto

1821 Ditto

52

37

37

16

45

25

37

89

70

Total of Baptisms in 28 years

Deduct Burials for the same period

Increase of Population

19

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.	.	Baptisms.		Marriages,	Burials.	
		Males	Females.		Males.	Females.
1794	St. JEAN L'ECHAILLON.	4	3	5	1	5
1795	Ditto	3	6	5	2	3
1796	Ditto	0	0	1	5	1
1797	Ditto	0	0	0	2	5
1798	Ditto	0	0	2	3	5
1799	Ditto	0	1	0	0	2
1800	Ditto	0	0	2	5	7
1801	Ditto	0	0	1	1	2
1802	Ditto	0	0	1	7	2
1803	Ditto	0	0	0	7	3
1804	Ditto	0	0	1	11	2
1805	Ditto	0	0	2	5	5
1806	Ditto	4	1	1	1	1
1807	Ditto	2	1	0	2	2
1808	Ditto	0	0	1	6	2
1809	Ditto	0	0	0	4	2
1810	Ditto	3	5	2	5	4
1811	Ditto	4	7	1	2	0
1812	Ditto	2	5	0	2	5
1813	Ditto	3	5	4	4	5
1814	Ditto	4	8	0	4	5
1815	Ditto	4	4	0	5	4
1816	Ditto	14	8	0	2	1
1817	Ditto	13	7	3	7	6
1818	Ditto	5	15	1	5	8
1819	Ditto	12	10	0	5	4
1820	Ditto	13	9	2	7	5
1821	Ditto	10	15	6	5	11

100	108	41	115	101
108			101	

Total of Baptisms in 28 years

208

Deduct Burials for the same period

216

Decrease of Population

8

1794	LOBINIÈRE.	14	29	8	2	7
1795	Ditto	19	25	11	8	9
1796	Ditto	19	29	4	10	10
1797	Ditto	19	14	3	18	15
1798	Ditto	15	19	2	9	11
1799	Ditto	18	13	9	7	5
1800	Ditto	21	14	9	9	11
1801	Ditto	19	21	8	10	14
1802	Ditto	34	25	6	12	4
1803	Ditto	28	12	11	17	14
1804	Ditto	33	20	12	22	10
1805	Ditto	25	24	9	12	4
1806	Ditto	26	31	4	16	18
1807	Ditto	31	39	17	13	10
1808	Ditto	38	45	6	9	8
1809	Ditto	39	41	7	19	13
1810	Ditto	42	37	10	31	32
1811	Ditto	34	21	10	12	7
1812	Ditto	43	25	14	20	11
1813	Ditto	40	32	12	18	15
1814	Ditto	34	33	20	18	16
1815	Ditto	37	36	11	16	18
1816	Ditto	56	33	15	17	6
1817	Ditto	42	44	12	21	17
1818	Ditto	46	29	10	13	7
1819	Ditto	43	41	12	28	26
1820	Ditto	41	39	15	23	21
1821	Ditto	45	52	17	22	25

901	821	284	432	364
821			364	

Total of Baptisms in 28 years

1722

Deduct Burials for the same period

796

Increase of Population

926

PARISHES SOUTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	St. Croix.	8	5	3	7	6
1795	Ditto,	6	4	7	14	6
1796	Ditto,	4	4	5	5	6
1797	Ditto,	5	9	2	6	5
1798	Ditto,	19	22	3	5	7
1799	Ditto,	17	18	2	3	5
1800	Ditto,	21	15	5	4	4
1801	Ditto,	17	20	1	10	7
1802	Ditto,	16	16	8	5	4
1803	Ditto,	17	11	5	3	5
1804	Ditto,	18	17	2	8	11
1805	Ditto,	14	17	10	4	4
1806	Ditto,	14	15	12	5	10
1807	Ditto,	16	15	7	5	1
1808	Ditto,	16	13	5	4	3
1809	Ditto,	17	10	7	3	5
1810	Ditto,	29	10	4	10	10
1811	Ditto,	18	18	6	7	6
1812	Ditto,	20	17	8	5	6
1813	Ditto,	24	19	8	2	2
1814	Ditto,	22	17	10	7	0
1815	Ditto,	21	22	6	4	8
1816	Ditto,	24	15	3	19	6
1817	Ditto,	25	15	8	10	17
1818	Ditto,	27	55	10	8	9
1819	Ditto,	17	54	12	51	14
1820	Ditto,	54	29	10	81	18
1821	Ditto,	34	55	7	81	12
		520	469	176	217	195
		469			195	

Total of Baptisms in 28 years, 989

Deduct Burials for the same period, 412

Increase of Population, 577

1794	St. ANTOINE & St. GILES.	24	21	12	14	6
1795	Ditto, Ditto,	51	26	8	18	6
1796	Ditto, Ditto,	27	39	11	9	7
1797	Ditto, Ditto,	55	22	7	10	8
1798	Ditto, Ditto,	19	29	10	16	13
1799	Ditto, Ditto,	21	25	14	12	13
1800	Ditto, Ditto,	23	22	10	8	3
1801	Ditto, Ditto,	50	58	8	18	9
1802	Ditto, Ditto,	32	21	11	11	12
1803	Ditto, Ditto,	26	34	21	16	20
1804	Ditto, Ditto,	39	24	10	12	16
1805	Ditto, Ditto,	26	28	10	18	3
1806	Ditto, Ditto,	58	29	8	3	3
1807	Ditto, Ditto,	41	52	9	6	9
1808	Ditto, Ditto,	52	25	3	7	2
1809	Ditto, Ditto,	26	43	17	6	5
1810	Ditto, Ditto,	46	54	10	11	11
1811	Ditto, Ditto,	27	40	11	15	18
1812	Ditto, Ditto,	51	30	18	4	8
1813	Ditto, Ditto,	29	45	15	5	7
1814	Ditto, Ditto,	44	34	4	4	12
1815	Ditto,	37	48	5	19	20
1816	Ditto,	57	44	10	16	15
1817	Ditto,	57	51	14	12	14
1818	Ditto,	40	45	10	15	9
1819	Ditto,	58	55	15	12	11
1820	Ditto,	45	47	21	18	20
1821	Ditto,	56	46	25	25	15
		938	935	325	334	295
		935			295	

Total of Baptisms in 28 years, 1873

Deduct Burials for the same period, 629

Increase of Population, 1244

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	St. NICHOLAS.	24	17	15	7	11
1795	Ditto,	22	22	7	15	12
1796	Ditto,	15	11	6	9	8
1797	Ditto,	25	20	5	9	6
1798	Ditto,	20	18	8	14	7
1799	Ditto,	28	24	4	6	2
1800	Ditto,	21	21	6	18	9
1801	Ditto,	29	22	12	16	8
1802	Ditto,	31	29	16	14	10
1803	Ditto,	31	28	11	18	21
1804	Ditto,	30	22	7	16	8
1805	Ditto,	50	27	9	18	9
1806	Ditto,	46	34	11	17	10
1807	Ditto,	55	42	6	12	16
1808	Ditto,	59	48	14	16	9
1809	Ditto,	57	24	12	17	18
1810	Ditto,	56	57	9	22	14
1811	Ditto,	55	42	7	14	8
1812	Ditto,	50	51	12	12	17
1815	Ditto,	47	52	10	16	16
1814	Ditto,	57	37	9	18	18
1815	Ditto, & St. Giles	45	47	7	21	25
1816	Ditto, ditto	50	47	7	22	14
1817	Ditto, ditto	47	54	7	25	22
1818	Ditto, ditto	27	49	10	20	21
1819	Ditto, ditto	46	45	15	21	20
1820	Ditto, ditto	40	56	22	54	28
1821	Ditto, ditto	60	56	21	27	27
		1021	920	285	472	594
		920			594	

Total of Baptisms in 28 years.

Deduct Burials for the same period, 866

Increase of Population,

1075

1794	St. JOSEPH, POINTE LEVI,	50	56	15	24	21
1795	Ditto,	56	51	22	18	25
1796	Ditto,	47	27	18	15	17
1797	Ditto,	45	50	15	25	17
1798	Ditto,	46	55	15	16	18
1799	Ditto,	45	42	15	15	15
1800	Ditto,	44	37	9	25	21
1801	Ditto,	40	50	18	52	15
1802	Ditto,	51	55	22	21	20
1803	Ditto,	42	41	24	20	25
1804	Ditto,	50	46	21	30	24
1805	Ditto,	54	49	27	15	22
1806	Ditto,	55	52	20	25	18
1807	Ditto,	57	50	22	50	19
1808	Ditto,	55	51	25	45	24
1809	Ditto,	60	47	32	52	55
1810	Ditto,	62	66	24	46	56
1811	Ditto,	54	66	22	37	27
1812	Ditto,	65	57	28	39	49
1815	Ditto,	72	57	20	50	25
1814	Ditto,	67	50	31	37	54
1815	Ditto,	52	68	29	31	22
1816	Ditto,	75	60	26	50	27
1817	Ditto,	65	62	24	59	45
1818	Ditto,	71	74	25	27	29
1819	Ditto,	85	79	37	48	44
1820	Ditto,	81	74	50	47	55
1821	Ditto,	99	91	46	73	54
		1595	1441	652	868	755
		1441			755	

Total of Baptisms in 28 years,

Deduct Burials for the same period, 1625

Increase of Population,

1415

T

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	ST. HENRY.	44	44	13	14	15
1795	Ditto	49	59	8	25	19
1796	Ditto	54	57	13	18	22
1797	Ditto	53	37	8	27	16
1798	Ditto	59	64	11	23	25
1799	Ditto	49	42	7	20	20
1800	Ditto	61	62	19	21	18
1801	Ditto	49	46	19	29	34
1802	Ditto	59	68	17	27	15
1803	Ditto	63	60	18	35	28
1804	Ditto	77	61	15	24	26
1805	Ditto	71	52	15	30	22
1806	Ditto	68	70	32	22	34
1807	Ditto	68	61	42	30	14
1808	Ditto	65	71	27	24	27
1809	Ditto	61	82	35	53	65
1810	Ditto No Return					
1811	Ditto	83	61	15	40	33
1812	Ditto	62	55	26	34	26
1813	Ditto	68	77	21	28	27
1814	Ditto	67	47	16	44	35
1815	Ditto	86	65	32	33	40
1816	Ditto	72	71	37	26	18
1817	Ditto	63	65	22	35	19
1818	Ditto	75	68	14	34	24
1819	Ditto	80	70	32	24	25
1820	Ditto	90	100	29	57	56
1821	Ditto	83	91	27	59	57
		1784	1706	570	836	760
		1706			760	

Total of Baptisms in 28 years

Deduct Burials for the same period 1596

Increase of Population

1894

1794	STE. MARIE, (N. Beauce.)	40	27	6	10	11
1795	Ditto	39	28	9	18	7
1796	Ditto	40	34	10	21	14
1797	Ditto	40	36	16	24	29
1798	Ditto	36	57	18	15	13
1799	Ditto	42	34	9	17	18
1800	Ditto	51	47	15	10	12
1801	Ditto	45	40	18	24	14
1802	Ditto	51	47	19	24	18
1803	Ditto	37	68	23	13	20
1804	Ditto	82	59	23	23	22
1805	Ditto	61	58	13	20	23
1806	Ditto	63	51	14	22	14
1807	Ditto	66	52	22	24	9
1808	Ditto	69	56	23	27	19
1809	Ditto	76	70	28	49	41
1810	Ditto	93	70	25	45	35
1811	Ditto	46	70	28	32	34
1812	Ditto	96	88	21	23	22
1813	Ditto	77	78	13	32	22
1814	Ditto	68	76	14	37	20
1815	Ditto	93	71	18	51	28
1816	Ditto	91	61	13	24	26
1817	Ditto	57	60	21	27	31
1818	Ditto	91	78	28	29	22
1819	Ditto	101	78	39	28	29
1820	Ditto	100	87	33	38	36
1821	Ditto	110	89	44	72	52
		1861	1670	563	779	641
		1670			641	

Total of Baptisms in 28 years

Deduct Burials for the same

period

Increase of population

1430

2111

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males	Females		Males	Females
1794	St. JOSEPH, (Nouv. Beauce,)	27	15	9	8	10
1795	Ditto	32	18	10	10	5
1796	Ditto	21	20	10	15	13
1797	Ditto	31	25	14	20	7
1798	Ditto	31	38	9	16	5
1799	Ditto	26	16	4	8	4
1800	Ditto	25	32	12	15	10
1801	Ditto	23	25	17	7	4
1802	Ditto	32	34	11	20	19
1803	Ditto	34	15	15	18	15
1804	Ditto	27	23	14	10	7
1805	Ditto	24	23	10	12	10
1806	Ditto	30	39	11	11	12
1807	Ditto	25	20	11	9	7
1808	Ditto	32	37	11	12	13
1809	Ditto	26	24	9	22	25
1810	Ditto	56	37	14	15	13
1811	Ditto	39	28	10	19	10
1812	Ditto	47	34	20	9	10
1813	Ditto	45	35	10	18	15
1814	Ditto	36	28	4	16	17
1815	Ditto	37	27	10	24	14
1816	Ditto	48	30	9	9	6
1817	Ditto	30	22	19	15	7
1818	Ditto	45	33	9	9	11
1819	Ditto	39	42	8	19	20
1820	Ditto	31	50	10	9	14
1821	Ditto	57	49	19	26	25
		914	819	319	401	328
		819			328	

Total of Baptisms in 28 years, 1,753

Deduct Burials for the same period, 729

Increase of Population, 1,004

Sr. FRANÇOIS, (Nouvelle Beauce.)					
1794		11	15	5	4
1795	Ditto	23	12	12	8
1796	Ditto	26	24	6	12
1797	Ditto	13	21	4	8
1798	Ditto	15	15	2	8
1799	Ditto	21	20	3	8
1800	Ditto	16	17	10	7
1801	Ditto	24	21	6	15
1802	Ditto	25	15	8	22
1803	Ditto	28	20	7	17
1804	Ditto	28	34	13	9
1805	Ditto	35	17	7	10
1806	Ditto	27	38	5	10
1807	Ditto	32	24	4	7
1808	Ditto	29	28	5	6
1809	Ditto	25	30	9	12
1810	Ditto	44	33	10	15
1811	Ditto	37	22	15	22
1812	Ditto	30	27	16	15
1813	Ditto	23	30	4	11
1814	Ditto	40	40	8	16
1815	Ditto	33	45	6	12
1816	Ditto	28	24	7	5
1817	Ditto	30	17	8	15
1818	Ditto	48	31	12	11
1819	Ditto	32	30	9	13
1820	Ditto	27	30	11	15
1821	Ditto	34	33	15	22
		784	713	225	538
		713			290

Total of Baptisms in 28 years, 1497

Burials for the same period, 628

Increase of Population, 998

PARISHES SOUTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	BEAUMONT.	13	18	4	9	8
1795	Ditto	16	8	4	12	7
1796	Ditto	8	10	7	5	4
1797	Ditto	10	14	12	7	11
1798	Ditto	8	10	1	4	4
1799	Ditto	12	11	3	8	4
1800	Ditto	16	11	2	5	6
1801	Ditto	15	13	3	8	3
1802	Ditto	9	10	5	4	1
1803	Ditto	3	1	2	7	3
1804	Ditto	6	4	1	12	10
1805	Ditto	4	2	3	1	3
1806	Ditto	3	2	1	4	1
1807	Ditto	2	5	4	6	9
1808	Ditto	4	4	8	6	5
1809	Ditto	5	5	12	14	14
1810	Ditto	5	2	3	11	4
1811	Ditto	4	4	3	5	8
1812	Ditto	5	7	3	7	8
1813	Ditto	5	5	3	6	5
1814	Ditto	5	6	6	3	3
1815	Ditto	21	11	8	5	6
1816	Ditto	22	12	8	10	3
1817	Ditto	13	23	6	10	7
1818	Ditto	17	15	7	5	3
1819	Ditto	20	21	5	10	6
1820	Ditto	8	19	7	8	21
1821	Ditto	16	23	11	21	6

275	276	142	212	173
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276	173
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Total of Baptisms in 28 years

551

Deduct Burials for the same period

385

Increase of Population

166

1794	St. CHARLES.	42	45	20	15	22
1795	Ditto	39	34	20	36	23
1796	Ditto	45	33	22	18	13
1797	Ditto	38	46	18	17	16
1798	Ditto	57	36	14	30	21
1799	Ditto	44	43	12	32	15
1800	Ditto	45	30	10	4	12
1801	Ditto	48	35	14	26	19
1802	Ditto	40	39	14	21	11
1803	Ditto	37	32	16	22	16
1804	Ditto	47	41	20	19	16
1805	Ditto	41	34	13	17	9
1806	Ditto	50	45	19	14	13
1807	Ditto	30	42	19	21	29
1808	Ditto	55	53	18	31	18
1809	Ditto	55	49	12	21	17
1810	Ditto	47	41	15	27	35
1811	Ditto	50	54	15	46	33
1812	Ditto	42	43	31	14	25
1813	Ditto	50	50	17	17	13
1814	Ditto	50	51	17	21	16
1815	Ditto	40	55	19	15	30
1816	Ditto	52	51	11	22	19
1817	Ditto	49	41	13	24	21
1818	Ditto	47	52	10	19	8
1819	Ditto	51	55	14	17	10
1820	Ditto	53	53	15	25	24
1821	Ditto	50	46	27	41	35

1294	1229	461	632	539
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1229	539
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Total of Baptisms in 28 years

2523

Deduct Burials for the same period

1171

Increase of Population

1352

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.	St. GERVAIS.	Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794		51	50	8	9	18
1795	Ditto,	56	52	12	23	16
1796	Ditto,	57	49	12	12	14
1797	Ditto,	48	61	14	8	15
1798	Ditto,	65	51	10	24	17
1799	Ditto,	55	48	16	11	9
1800	Ditto,	73	70	16	11	10
1801	Ditto,	71	58	18	18	14
1802	Ditto,	82	80	19	21	34
1803	Ditto,	81	74	19	20	16
1804	Ditto,	71	95	21	16	17
1805	Ditto,	103	94	5	21	20
1806	Ditto,	93	91	19	21	19
1807	Ditto,	121	119	17	29	53
1808	Ditto,	128	104	17	65	63
1809	Ditto,	107	93	24	41	22
1810	Ditto,	130	110	27	22	20
1811	Ditto,	117	99	23	58	22
1812	Ditto,	117	102	31	30	43
1813	Ditto,	92	123	19	21	21
1814	Ditto,	111	114	14	55	41
1815	Ditto,	119	108	17	58	42
1816	Ditto,	125	112	25	38	35
1817	Ditto,	88	100	14	46	47
1818	Ditto,	124	133	25	50	32
1819	Ditto,	104	119	44	34	44
1820	Ditto,	144	129	42	104	93
1821	Ditto,	140	136	48	84	96
		2673	2574	576	950	873
		2574			873	

Total of Baptisms in 28 years, 5247

Deduct Burials for the same period, 1823

Increase of Population, 3424

Year.	St. MICHEL.	Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794		27	34	15	6	14
1795	Ditto	32	21	11	20	16
1796	Ditto	44	30	7	8	8
1797	Ditto	37	15	21	18	7
1798	Ditto	32	23	11	23	11
1799	Ditto	41	21	16	15	5
1800	Ditto	28	25	7	14	15
1801	Ditto	38	36	11	13	16
1802	Ditto	29	20	18	15	9
1803	Ditto	33	50	17	12	23
1804	Ditto	26	36	15	18	18
1805	Ditto	41	31	13	19	11
1806	Ditto	30	25	13	16	12
1807	Ditto	42	30	6	12	19
1808	Ditto	34	28	15	28	19
1809	Ditto	32	29	12	23	15
1810	Ditto	31	23	16	24	14
1811	Ditto	35	41	7	16	9
1812	Ditto	32	29	15	15	20
1813	Ditto	43	36	11	17	14
1814	Ditto	44	28	13	25	13
1815	Ditto	39	36	12	20	17
1816	Ditto	37	27	13	14	12
1817	Ditto	39	24	12	15	11
1818	Ditto	35	32	9	18	16
1819	Ditto	32	45	17	19	15
1820	Ditto	35	49	19	30	40
1821	Ditto	42	39	25	26	27
		990	863	377	499	426
		863			426	

Total of Baptisms in 28 years 1853

Deduct Burials for the same period 925

Increase of Population 928

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	St. VALIER.	52	23	11	11	6
1795	Ditto	25	24	13	8	7
1796	Ditto	22	27	10	8	9
1797	Ditto	26	13	14	8	9
1798	Ditto	26	17	12	20	15
1799	Ditto	33	19	6	12	11
1800	Ditto	21	26	9	7	13
1801	Ditto	21	23	8	10	7
1802	Ditto	40	26	9	4	14
1803	Ditto	23	26	18	12	9
1804	Ditto	44	26	16	9	8
1805	Ditto	32	33	10	9	16
1806	Ditto	28	36	17	9	15
1807	Ditto	42	38	30	13	12
1808	Ditto	44	44	19	22	25
1809	Ditto	45	30	23	13	12
1810	Ditto	49	49	15	11	12
1811	Ditto	55	38	13	13	14
1812	Ditto	52	31	15	11	12
1813	Ditto	48	39	18	10	13
1814	Ditto no Return,					
1815	Ditto	35	56	14	12	16
1816	Ditto	57	41	10	11	8
1817	Ditto	30	54	12	11	10
1818	Ditto	49	45	11	10	9
1819	Ditto	17	32	13	9	16
1820	Ditto	45	47	18	45	43
1821	Ditto	39	59	23	21	24
		975	902	387	339	365
		902			365	

Total of Baptisms in 28 years
Deduct Burials for the same period
Increase of Population

1875
704
1171

1794	BERTHIER.	18	13	10	9	2
1795	Ditto	17	12	11	10	2
1796	Ditto	16	13	3	10	3
1797	Ditto	18	15	6	5	5
1798	Ditto	13	13	14	4	8
1799	Ditto	16	14	1	2	3
1800	Ditto	13	12	6	4	4
1801	Ditto	13	17	8	9	10
1802	Ditto	17	16	6	8	6
1803	Ditto	16	22	6	14	7
1804	Ditto	18	10	8	8	4
1805	Ditto	19	12	7	6	7
1806	Ditto	11	13	5	7	6
1807	Ditto	11	11	8	2	4
1808	Ditto	13	11	12	9	7
1809	Ditto	11	12	3	6	9
1810	Ditto	5	9	3	10	7
1811	Ditto	12	13	3	7	2
1812	Ditto	7	6	10	8	5
1813	Ditto	3	5	5	5	4
1814	Ditto	3	3	3	11	5
1815	Ditto	23	13	4	9	6
1816	Ditto	18	15	5	6	7
1817	Ditto	21	21	7	7	6
1818	Ditto	21	15	3	5	4
1819	Ditto	23	23	8	13	4
1820	Ditto	2	4	1	15	14
1821	Ditto	3	7	2	8	9
		385	354	168	217	160
		354			160	

Total of Baptisms in 28 years,
Deduct Burials for the same
period,
Increase of Population,

739
377
362

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year	St. THOMAS.	Baptisms.		Marriages.	Burials.	
		Males	Females		Males	Females.
1794	Ditto	44	41	11	16	17
1795	Ditto	48	43	27	25	20
1796	Ditto	47	38	14	28	19
1797	Ditto	57	35	18	23	13
1798	Ditto	45	42	15	27	17
1799	Ditto	48	35	8	20	20
1800	Ditto	42	36	18	15	10
1801	Ditto	47	42	19	25	38
1802	Ditto	52	44	18	28	16
1803	Ditto	54	40	18	47	45
1804	Ditto	53	48	23	31	32
1805	Ditto	58	54	16	35	23
1806	Ditto	62	70	19	20	27
1807	Ditto	55	57	18	24	24
1808	Ditto	60	61	18	42	42
1809	Ditto	45	67	15	31	30
1810	Ditto	60	66	23	27	50
1811	Ditto	61	67	16	32	25
1812	Ditto	62	77	17	39	32
1813	Ditto	61	64	13	38	32
1814	Ditto	51	70	17	23	31
1815	Ditto	58	53	18	31	29
1816	Ditto	79	71	7	34	31
1817	Ditto	47	67	12	22	28
1818	Ditto	51	59	16	13	24
1819	Ditto	68	50	18	35	27
1820	Ditto	68	63	19	61	65
1821	Ditto	71	55	14	36	25
		1554	1513	463	828	770
		1513			770	
Total of Baptisms in 28 years,		3067			1598	
Deduct Burials for the same period		1598				
Increase of population.		1469				

St. FRANÇOIS, Rivière					
1794	du Sud.	35	33	7	16
1795	Ditto	29	30	15	10
1796	Ditto	39	37	9	17
1797	Ditto	40	40	10	14
1798	Ditto	44	35	16	13
1799	Ditto	39	54	10	11
1800	Ditto	35	39	6	13
1801	Ditto	32	41	7	20
1802	Ditto	33	36	6	15
1803	Ditto	36	31	6	18
1804	Ditto	56	50	7	14
1805	Ditto	34	23	7	14
1806	Ditto	29	37	14	17
1807	Ditto	19	33	9	11
1808	Ditto	15	24	7	17
1809	Ditto	26	25	8	12
1810	Ditto	18	12	8	7
1811	Ditto	25	23	2	11
1812	Ditto	20	12	9	4
1813	Ditto	22	24	9	8
1814	Ditto	23	20	5	8
1815	Ditto	7	9	8	6
1816	Ditto	14	15	2	4
1817	Ditto	11	11	10	5
1818	Ditto	24	12	4	6
1819	Ditto	16	17	5	8
1820	Ditto	23	20	8	8
1821	Ditto	23	27	12	10
		747	732	224	317
		732			283
Total of Baptisms in 28 years		1479			600
Deduct Burials for the same period		600			
Increase of Population		879			

PARISHES SOUTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Female
1794	St. PIERRE, Rivière du Sud.	25	28	10	7	7
1795	Ditto,	23	27	5	12	10
1796	Ditto,	22	19	10	13	7
1797	Ditto,	18	22	6	9	11
1798	Ditto,	32	15	7	14	11
1799	Ditto,	17	23	6	13	10
1800	Ditto,	17	26	8	14	11
1801	Ditto,	25	22	11	13	12
1802	Ditto,	37	22	8	13	10
1805	Ditto,	17	19	9	10	9
1804	Ditto,	27	19	10	8	12
1805	Ditto,	26	14	5	14	17
1806	Ditto,	26	24	7	9	10
1807	Ditto,	15	31	9	4	13
1808	Ditto,	38	28	6	12	11
1809	Ditto,					
1810	Ditto,	15	17	3	5	4
1811	Ditto,	15	9	6	10	9
1812	Ditto,	50	19	10	12	15
1815	Ditto,	22	26	8	12	10
1814	Ditto,	16	23	9	15	11
1815	Ditto,	17	27	5	15	4
1816	Ditto,	21	24	8	10	11
1817	Ditto,	24	14	4	10	10
1818	Ditto,	11	24	12	13	14
1819	Ditto,	21	19	7	8	15
1820	Ditto,	20	20	15	15	8
1821	Ditto,	14	20	7	18	10
		585			308	
		583	583	211	282	282

Total of Baptisms in 28 years, 1168
 Deduct Burials for the same period, 590

Increase of Population, 578

Year.	CAP ST. IGNACE, & ISLE					
1794	Ditto, [AUX GRUES.	30	26	7	11	10
1795	Ditto,	31	25	6	12	16
1796	Ditto,	30	31	9	16	14
1797	Ditto,	28	29	11	16	13
1798	Ditto,	27	30	7	9	7
1799	Ditto,	42	26	3	13	11
1800	Ditto,	26	35	9	12	9
1801	Ditto,	36	22	10	26	16
1802	Ditto,	33	35	9	20	16
1805	Ditto,	24	30	13	8	15
1804	Ditto,	29	35	16	9	6
1805	Ditto,	26	47	15	12	13
1806	Ditto,	27	30	10	10	13
1807	Ditto,	41	45	17	13	17
1808	Ditto,	33	39	18	20	14
1809	Ditto,	33	42	11	24	19
1810	Ditto,	35	37	11	14	24
1811	Ditto,	46	30	15	21	7
1812	Ditto,	33	26	17	16	7
1815	Ditto,	40	41	11	29	18
1814	Ditto,	35	34	9	14	16
1815	Ditto,	52	48	17	23	22
1816	Ditto,	44	45	6	27	19
1817	Ditto,	41	44	18	25	17
1818	Ditto,	47	39	4	19	15
1819	Ditto,	45	52	18	20	18
1820	Ditto,	43	37	17	53	18
1821	Ditto,	39	40	19	30	27
		974			490	
		976	976	551	415	415

Total of Baptisms in 28 years, 1950
 Deduct Burials for the same period, 905
 Increase of Population, 1045

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	L'ISLET.	32	52	19	12	11
1795	Ditto	34	54	10	22	28
1796	Ditto	35	25	5	24	8
1797	Ditto	32	34	10	20	19
1798	Ditto	25	37	15	14	15
1799	Ditto	33	27	15	14	17
1800	Ditto	26	24	9	12	14
1801	Ditto	41	32	8	16	20
1802	Ditto	27	36	11	17	21
1803	Ditto	31	55	15	16	18
1804	Ditto	40	37	18	25	25
1805	Ditto	45	41	18	17	15
1806	Ditto	40	39	20	14	18
1807	Ditto	47	33	17	24	12
1808	Ditto	55	50	11	30	28
1809	Ditto	45	41	15	29	18
1810	Ditto	43	44	13	26	16
1811	Ditto	43	46	12	22	25
1812	Ditto	45	50	21	32	27
1813	Ditto	55	45	15	38	24
1814	Ditto	44	40	16	25	25
1815	Ditto	55	39	18	24	22
1816	Ditto	45	54	9	27	18
1817	Ditto	50	50	12	30	24
1818	Ditto	49	48	10	29	19
1819	Ditto	55	48	24	30	25
1820	Ditto	60	55	21	34	27
1821	Ditto	56	64	9	30	29
		1194	1138	399	649	562
		1138			562	

Total of Baptisms in 28 years 2342

Deduct Burials for the same period 1211

Decrease of Population 1131

1794	ST. JEAN PORT JOLI.	39	35	12	17	14
1795	Ditto	47	37	16	19	15
1796	Ditto	32	37	6	17	15
1797	Ditto	37	38	16	25	19
1798	Ditto	39	36	17	16	12
1799	Ditto	43	34	9	18	15
1800	Ditto	39	37	15	18	20
1801	Ditto	30	37	10	14	20
1802	Ditto	44	36	10	24	17
1803	Ditto	40	37	8	17	21
1804	Ditto	49	34	15	18	8
1805	Ditto	43	25	12	15	17
1806	Ditto	48	49	14	7	5
1807	Ditto	32	38	11	15	5
1808	Ditto	36	47	12	19	12
1809	Ditto	43	29	15	35	16
1810	Ditto	44	41	16	22	18
1811	Ditto	44	42	6	17	25
1812	Ditto	56	45	25	12	11
1813	Ditto	44	46	26	20	26
1814	Ditto	57	39	19	16	19
1815	Ditto	53	52	19	24	16
1816	Ditto	47	39	15	17	16
1817	Ditto	54	38	13	27	22
1818	Ditto	46	54	19	24	21
1819	Ditto	58	43	22	35	20
1820	Ditto	58	43	25	64	26
1821	Ditto	61	47	24	29	26
		1263	1115	417	601	475
		1115			475	

Total of Baptisms in 28 years 2378

Deduct Burials for the same period 1074

Increase of Population 1304

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.		Baptisms.		M. riages.	Burials.	
		Males.	Females.		Males.	Females.
1794	St. Roch.	63	51	25	14	18
1795	Ditto,	63	56	11	22	17
1796	Ditto,	46	48	14	11	16
1797	Ditto,	59	47	11	25	18
1798	Ditto,	46	63	12	25	19
1799	Ditto,	46	51	12	14	18
1800	Ditto,	40	47	16	18	19
1801	Ditto,	57	44	10	31	20
1802	Ditto,	44	47	20	18	29
1803	Ditto,	49	40	24	22	23
1804	Ditto,	44	50	21	10	11
1805	Ditto,	62	42	23	16	10
1806	Ditto,	34	45	26	13	11
1807	Ditto,	39	48	20	21	10
1808	Ditto,	47	60	21	22	19
1809	Ditto,	47	39	19	26	23
1810	Ditto,	48	48	21	21	20
1811	Ditto,	51	45	16	21	20
1812	Ditto,	48	53	29	23	16
1813	Ditto,	60	58	28	22	19
1814	Ditto,	54	64	16	22	24
1815	Ditto,	71	53	14	20	26
1816	Ditto,	56	62	26	19	24
1817	Ditto,	70	50	23	21	21
1818	Ditto,	52	56	16	16	21
1819	Ditto,	67	56	31	27	14
1820	Ditto,	59	63	20	30	20
1821	Ditto,	64	60	14	17	27
		1486	1446	559	567	533
		1446			533	

Total of Baptisms in 28 years, 2932

Deduct Burials for the same period, 1100

Increase of Population, 1832

1794 St. ANNE DE LA POCATIERE, comprised in the return from the RIVIERE OUELLE.

1794	St. Anne de la Pocatiere,	41	36	15	22	18
1795	Ditto,	46	45	15	20	8
1796	Ditto,	51	45	10	14	21
1797	Ditto,	55	40	12	24	16
1798	Ditto,	37	45	7	20	14
1799	Ditto,	48	38	10	28	17
1800	Ditto,	55	34	13	20	14
1801	Ditto,	52	46	19	31	35
1802	Ditto,	50	34	7	26	21
1803	Ditto,	44	37	12	27	18
1804	Ditto,	53	37	12	21	10
1805	Ditto,	44	40	10	22	14
1806	Ditto,	46	57	15	14	17
1807	Ditto,	45	53	19	11	23
1808	Ditto,	52	52	15	41	35
1809	Ditto,	55	48	15	32	21
1810	Ditto,	52	47	17	25	24
1811	Ditto,	56	58	21	21	24
1812	Ditto,	51	56	15	26	25
1813	Ditto,	58	56	19	22	19
1814	Ditto,	38	27	15	23	18
1815	Ditto,	41	44	11	20	17
1816	Ditto, no return					
1817	Ditto,	49	43	12	16	17
1818	Ditto,	41	43	23	18	23
1819	Ditto,	59	49	20	22	13
1820	Ditto,	41	41	23	17	14
1821	Ditto,					
		1240	1149	380	583	498
		1149			498	

Total of Baptisms in 28 years, 2389

Deduct Burials for the same period, 1081

Increase of Population, 1308

PARISHES SOUTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	RIV. OUELLE & ST. ANNE.	60	65	23	8	11
1795	RIVIERE OUELLE.	62	56	16	21	20
1796	Ditto	60	59	14	29	26
1797	Ditto	56	41	20	34	18
1798	Ditto	66	60	17	19	18
1799	Ditto	51	61	12	20	22
1800	Ditto	67	58	19	24	26
1801	Ditto	67	44	17	54	19
1802	Ditto	67	60	15	33	24
1803	Ditto	58	60	34	43	42
1804	Ditto	71	56	18	70	20
1805	Ditto	64	57	19	21	20
1806	Ditto	66	61	29	23	12
1807	Ditto	55	67	20	51	21
1808	Ditto	99	62	36	26	20
1809	Ditto	65	70	28	24	34
1810	Ditto	77	81	23	28	38
1811	Ditto	65	62	24	38	32
1812	Ditto	88	74	46	23	15
1813	Ditto	72	67	24	41	54
1814	Ditto	80	77	24	28	43
1815	Ditto	91	86	32	46	44
1816	Ditto	109	90	21	29	33
1817	Ditto	88	64	9	38	40
1818	Ditto	91	89	26	33	33
1819	Ditto	97	92	25	34	28
1820	Ditto	105	69	24	41	47
1821	Ditto	96	88	35	57	42
		2093	1876	618	856	782
		1876			782	

Total of Baptisms in 28 years 5969

Deduct Burials for the same period 1658

Increase of Population 2531

1794	KAMOURASKA.	60	55	35	14	6
1795	Ditto	70	59	19	22	31
1796	Ditto	64	66	25	25	20
1797	Ditto	55	55	16	25	14
1798	Ditto	77	52	16	28	16
1799	Ditto	76	70	16	16	25
1800	Ditto	68	65	22	35	32
1801	Ditto	71	70	25	27	21
1802	Ditto	79	75	27	37	41
1803	Ditto	81	86	28	41	46
1804	Ditto	90	73	29	26	33
1805	Ditto	85	86	15	33	28
1806	Ditto	83	104	26	30	19
1807	Ditto	96	97	56	31	27
1808	Ditto	74	99	26	26	30
1809	Ditto	80	100	26	45	47
1810	Ditto	101	95	31	41	59
1811	Ditto	101	85	24	51	47
1812	Ditto	113	89	41	45	31
1813	Ditto	95	106	45	50	43
1814	Ditto no Return,					
1815	Ditto	128	113	38	78	58
1816	Ditto	78	91	21	34	39
1817	Ditto	112	116	29	62	52
1818	Ditto	122	143	25	50	58
1819	Ditto	141	118	48	60	47
1820	Ditto	110	108	49	52	58
1821	Ditto	128	128	35	54	56
		2432	2400	789	1035	984
		2400			984	

Total of Baptisms in 28 years, 4832

Deduct Burials for the same period 2019

Increase of population 2815

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.	ST. ANDRÉ'.	Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	Ditto	25	16	11	6	9
1795	Ditto	36	19	14	8	6
1796	Ditto	23	27	11	12	5
1797	Ditto	27	35	12	10	5
1798	Ditto	39	28	9	14	6
1799	Ditto	37	37	7	16	24
1800	Ditto	33	23	10	12	12
1801	Ditto	48	26	12	12	14
1802	Ditto	29	35	13	7	17
1803	Ditto	44	45	8	12	11
1804	Ditto	31	33	7	15	10
1805	Ditto	30	48	11	7	10
1806	Ditto	43	58	6	19	12
1807	Ditto	45	49	8	14	11
1808	Ditto	49	56	8	25	29
1809	Ditto	43	44	13	21	26
1810	Ditto	49	45	18	25	25
1811	Ditto	63	57	20	20	8
1812	Ditto	41	56	15	20	13
1813	Ditto	24	25	2	14	8
1814	Ditto	34	44	5	15	21
1815	Ditto	52	60	20	18	18
1816	Ditto	39	34	15	16	16
1817	Ditto	36	34	12	17	17
1818	Ditto	38	41	8	18	26
1819	Ditto	41	38	11	16	7
1820	Ditto	40	65	15	22	22
1821	Ditto					
		1039			411	588
		1018		301	388	
Total of Baptisms in 28 years		2057			799	
Deduct Burials for the same period		799				
Increase of Population		1258				

1794	ST. PATRICE, Rivière du Loup, comprised in the Return of St. André.					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto					
1802	Ditto					
1803	Ditto					
1804	Ditto					
1805	Ditto					
1806	Ditto					
1807	Ditto					
1808	Ditto					
1809	Ditto					
1810	Ditto					
1811	Ditto					
1812	Ditto					
1813	Ditto	16	20	4	7	8
1814	Ditto	20	24	6	7	5
1815	Ditto	17	21	3	6	7
1816	Ditto	26	29	2	17	9
1817	Ditto	17	14	0	5	8
1818	Ditto	18	22	1	4	5
1819	Ditto	20	25	8	8	11
1820	Ditto	33	27	10	5	6
1821	Ditto	24	31	12	3	6
		191			62	65
		213		46	65	
Total of Baptisms in 28 years		404			127	
Deduct Burials for the same period		127				
Increase of Population		277				

PARISHES SOUTH OF THE RIVER St. LAWRENCE.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	KAKONA.					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto					
1802	Ditto					
1803	Ditto					
1804	Ditto					
1805	Ditto					
1806	Ditto					
1807	Ditto					
1808	Ditto					
1809	Ditto					
1810	Ditto					
1811	Ditto					
1812	Ditto					
1813	Ditto	7	13	5	1	4
1814	Ditto	17	21	4	14	8
1815	Ditto	27	31	3	9	7
1816	Ditto	13	19	8	4	6
1817	Ditto	24	24	4	6	7
1818	Ditto	24	20	3	4	7
1819	Ditto	26	30	5	8	7
1820	Ditto	28	20	7	9	1
1821	Ditto	29	22	6	11	10
		193	202	43	66	57
		202			57	

Total of Baptisms in 28 years
Deduct Burials for the same
period

397
12

123

Increase of Population

274

1794	TROIS PISTOLES.	5	1	5	2	2
1795	Ditto,	7	5	2	0	2
1796	Ditto,	4	6	1	2	5
1797	Ditto,	5	7	1	3	3
1798	Ditto,	6	6	1	0	3
1799	Ditto,	7	5	1	3	0
1800	Ditto,	8	9	1	4	3
1801	Ditto,	7	5	1	4	1
1802	Ditto,	5	7	3	4	0
1803	Ditto,	12	10	1	4	4
1804	Ditto,	6	12	0	5	4
1805	Ditto,	9	8	2	0	1
1806	Ditto,	16	12	1	1	2
1807	Ditto,	18	15	4	1	2
1808	Ditto,	20	11	6	0	1
1809	Ditto,	14	16	1	2	0
1810	Ditto,	24	10	2	2	0
1811	Ditto,	17	16	2	3	5
1812	Ditto,	23	19	16	0	1
1813	Ditto,	4	3	0	1	0
1814	Ditto, No Return					
1815	Ditto, Ditto					
1816	Ditto,	26	20	2	0	2
1817	Ditto, No Return					
1818	Ditto,	32	22	7	4	6
1819	Ditto,	31	26	4	6	4
1820	Ditto,	35	20	7	2	1
1821	Ditto,	26	19	8	5	5
		365	288	79	56	55
		288			55	

Total of Baptisms in 28 years,
Deduct Burials for the same period,
Increase of Population,

655
111
542

111

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.	Parishes.	Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1794	RIMOUSKI.	8	15	4	6	6
1795	Ditto	17	12	5	10	12
1796	Ditto	10	16	8	3	4
1797	Ditto	17	11	3	9	4
1798	Ditto	9	16	7	4	4
1799	Ditto	14	13	3	3	2
1800	Ditto	16	17	3	27	15
1801	Ditto	19	16	6	5	5
1802	Ditto	15	13	7	11	5
1803	Ditto	18	18	4	4	8
1804	Ditto	14	16	12	11	11
1805	Ditto	21	20	14	6	3
1806	Ditto	19	10	5	3	3
1807	Ditto	18	14	2	3	
1808	Ditto	18	22	8	2	
1809	Ditto	10	21	8	5	1
1810	Ditto	15	11	9	3	1
1811	Ditto	21	28	12	3	3
1812	Ditto	31	23	4	1	2
1813	Ditto no Return,					
1814	Ditto Ditto,					
1815	Ditto	26	37	9	2	7
1816	Ditto	33	37	4	2	1
1817	Ditto	36	25	1	5	1
1818	Ditto	33	23	8	6	4
1819	Ditto	35	35	15	4	7
1820	Ditto	28	40	15	1	4
1821	Ditto	54	34	24	0	7
		565	543	200	139	120
		543			120	

Total of Baptisms in 28 years
Deduct Burials for the same
period
Increase of Population

1108
259
849

1794	ISLE VERTE.	11	9	6	1	4
1795	Ditto,	13	10	5	4	7
1796	Ditto,	15	15	7	5	9
1797	Ditto,	17	21	5	7	2
1798	Ditto,	26	12	9	5	6
1799	Ditto,	9	15	3	11	2
1800	Ditto,	11	21	7	4	1
1801	Ditto,	24	19	2	5	5
1802	Ditto,	26	25	5	3	6
1803	Ditto,	13	21	5	8	8
1804	Ditto,	25	16	8	8	10
1805	Ditto,	25	20	7	5	2
1806	Ditto,	22	17	12	3	4
1807	Ditto,	25	22	1	4	4
1808	Ditto,	21	23	3	3	3
1809	Ditto,	20	21	7	2	2
1810	Ditto,	30	23	9	4	6
1811	Ditto,	18	18	14	6	5
1812	Ditto,	39	30	11		1
1813	Ditto,	19	21		1	5
1814	Ditto,	14	18		2	5
1815	Ditto,	22	21	5	10	2
1816	Ditto,	19	16	5	6	3
1817	Ditto,	16	23	1	5	7
1818	Ditto,	22	17	1	4	5
1819	Ditto,	16	11	9	9	3
1820	Ditto,	22	34	5	5	2
1821	Ditto,	18	33	8	9	4
		556	552	160	137	123
		552			123	

Total of Baptisms in 28 years,
Deduct Burials for the same period,
Increase of Population,

1108
260
848

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

Year.	Islet	AUX	PORTAGE.	Baptisms.		Marriages.	Burials.	
				Males.	Females.		Males.	Females.
1794				22	19	9	4	6
1795			Ditto,					
1796			Ditto,					
1797			Ditto,					
1798			Ditto,					
1799			Ditto,					
1800			Ditto,					
1801			Ditto,					
1802			Ditto,					
1803			Ditto,					
1804			Ditto,					
1805			Ditto,					
1806			Ditto,					
1807			Ditto,					
1808			Ditto,					
1809			Ditto,					
1810			Ditto,					
1811			Ditto,					
1812			Ditto,					
1813			Ditto,					
1814			Ditto,					
1815			Ditto,					
1816			Ditto,					
1817			Ditto,					
1818			Ditto,					
1819			Ditto,					
1820			Ditto,					
1821			Ditto,					
				22	19	9	4	6
				19			6	
Total of Baptisms in 28 years,				41			10	
Deduct Burials for the same period,				10				
Increase of Population,				51				

RECAPITULATION of the Baptisms, Marriages and Burials in the District of Quebec, from the year 1794 to the year 1821 inclusive.

PARISHES NORTH OF THE RIVER ST. LAWRENCE.

<i>Parish.</i>	Baptisms.		Marriages.	Burials.	
	Males.	Females.		Males.	Females.
Grondines,	434	361	116	179	161
Deschambault,	831	797	282	392	315
Cap Santé,	1041	999	316	473	396
Ecureuils,	197	207	58	108	95
Pointe aux Trembles,	770	694	271	379	348
St. Augustin,	1021	905	370	493	452
St. Foy,	149	150	93	180	145
Ancienne Lorette,	1052	890	381	547	455
Jeune Lorette,	957	904	336	457	453
City of Quebec, Roman Church,	7746	7599	2451	5506	4920
Ditto, Protestant,	1325	1144	692	2002	991
Ditto, Presbyterian,	832	714	769	673	363
Ditto, Hotel Dieu,	2			308	258
Ditto, General Hospital,	66	58	19	130	104
Ditto, Methodist Chapel,	7	5	4	4	5
Charlesbourg,	692	662	273	367	368
Beauport,	725	630	301	407	389
Ange Gardien,	263	249	155	165	145
Chateau Richer,	455	471	207	245	250
Ste. Anne,	552	469	190	205	221
St. Férol,	125	118	25	29	27
St. Joachim,	225	233	120	118	109
St. Pierre, Island of Orleans,	552	360	171	196	210
St. Famille, Ditto,	399	562	159	183	160
St. François, Ditto,	179	167	73	106	113
St. Jean, Ditto,	448	454	180	199	177
St. Laurent, Ditto,	302	253	112	164	126
Petite Rivière St. François,	109	97	48	49	49
Baie St. Paul,	1293	1228	510	456	414
Isle aux Coudres,	509	270	144	128	94
Eboulemens,	600	559	179	230	216
Malbaie,	738	779	204	204	209
Postes du Roi,	52	37	16	45	25
	<hr/> 24240	<hr/> 22825	<hr/> 9223	<hr/> 15525	<hr/> 12719

RECAPITULATION of the Baptisms, Marriages and Burials in the District of Quebec, from the year 1794 to the year 1821 inclusive.

PARISHES SOUTH OF THE RIVER ST. LAWRENCE.

<i>Parish.</i>	<i>Baptisms.</i>		<i>Marriages.</i>	<i>Burials.</i>	
	<i>Males.</i>	<i>Females.</i>		<i>Males.</i>	<i>Females.</i>
St. Jean Léchaillon,	100	108	41	115	101
Lothbinière,	901	821	284	432	364
Ste. Croix,	520	469	176	217	195
St. Antoine,	958	935	325	334	295
St. Nicolas,	1021	920	285	472	394
St. Joseph, Pointe Levi,	1595	1441	652	868	755
St. Henry,	1784	1706	570	856	760
Ste. Marie, Nouvelle Beauce,	1861	1670	563	779	641
St. Joseph, Ditto,	914	819	319	401	328
St. Francois, Ditto,	784	713	225	358	290
Beaumont,	275	276	142	212	175
St. Charles,	1294	1229	461	652	539
St. Gervais,	2675	2574	576	950	873
St. Michel,	990	863	377	499	426
St. Valier,	975	902	387	539	565
Berthier,	385	354	168	217	160
St. Thomas,	1554	1513	463	828	770
St. Francois, Rivière du Sud,	747	732	224	317	283
St. Pierre, Ditto,	585	585	211	308	282
Cap St. Ignace & Isle aux Grues,	974	976	331	490	415
L'Islet,	1194	1158	399	649	562
St. Jean Port Joli,	1263	1115	417	601	475
St. Roch,	1486	1446	559	567	555
Ste. Anne de la Pocatière,	1240	1149	580	583	498
Rivière Ouelle,	2093	1876	648	856	782
Kamouraska,	2452	2400	789	1035	984
St. André,	1059	1018	301	411	388
St. Patrice, Rivière du Loup,	191	215	46	62	65
Kakona,	195	202	45	66	57
Trois Pistoles,	565	288	79	56	55
Rimouski,	565	543	200	159	120
Isle Verre,	556	552	160	137	128
Islet du Portage,	22	19	9	4	6
	33509	31563	10750	14750	13060

GRAND TOTAL of Baptisms, Marriages and Burials in the District of Quebec, from the year 1794 to the year 1821, inclusive.

	<i>Baptisms.</i>		<i>Marriages.</i>	<i>Burials.</i>	
	<i>Males.</i>	<i>Females.</i>		<i>Males.</i>	<i>Females.</i>
Parishes North of the Saint Lawrence,	24240	22823	9225	15325	12719
Parishes South of the Saint Lawrence,	33509	31563	10790	14750	13060
	57749	54386	20013	30075	25779
	54386			25779	
Total of Baptisms in 28 years,	112135			55854	
Deduct Burials for the same period,	55854				
Increase of Population,	56281		X		

DISTRICT OF THREE RIVERS.

STATEMENT of BAPTISMS, MARRIAGES, and BURIALS in the Town, and the different Parishes of the District of Three Rivers, in the Province of Lower-Canada, from the year 1791 to the year 1822 inclusive.

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	THREE RIVERS and Precincts.	25	31	6	28	15
1792	Ditto,	27	30	13	23	16
1793	Ditto,	41	23	9	23	22
1794	Ditto,	33	28	13	26	17
1795	Ditto,	33	34	14	22	14
1796	Ditto,	33	32	7	24	17
1797	Ditto,	37	34	12	21	26
1798	Ditto,	30	25	9	20	22
1799	Ditto,	42	36	15	27	16
1800	Ditto,	49	42	20	24	30
1801	Ditto,	40	50	16	29	22
1802	Ditto,	30	33	19	20	20
1803	Ditto,	53	44	14	36	29
1804	Ditto,	49	41	13	29	26
1805	Ditto,	54	28	13	13	13
1806	Ditto,	60	38	9	29	9
1807	Ditto,	69	51	17	33	55
1808	Ditto,	80	57	15	27	23
1809	Ditto,	69	62	13	28	15
1810	Ditto,	69	57	14	52	45
1811	Ditto,	67	77	24	30	41
1812	Ditto,	80	70	17	32	24
1813	Ditto,	35	82	20	39	31
1814	Ditto,	67	59	21	26	35
1815	Ditto,	71	66	28	32	29
1816	Ditto,	64	59	29	43	37
1817	Ditto,	75	60	29	33	37
1818	Ditto,	61	63	38	33	27
1819	Ditto,	67	57	20	36	38
1820	Ditto,	68	88	19	53	41
1821	Ditto,	71	57	32	44	41
1822	Ditto,	58	88	23	33	35
		1707	1598	563	970	868
		1598			868	
Total of Baptisms in 32 years,		3305			1838	
Deduct Burials for the same period, 1838						
Increase of Population,		1467				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
THREE RIVERS, Protestant						
1791	Congregation,	5	4	2	0	1
1792	Ditto	4	0	1	1	0
1793	Ditto	0	0	0	0	0
1794	Ditto	2	4	3	3	0
1795	Ditto	3	1	1	1	0
1796	Ditto	4	4	2	2	0
1797	Ditto	2	1	2	4	1
1798	Ditto	11	7	5	3	1
1799	Ditto	5	4	7	11	0
1800	Ditto	3	1	2	5	1
1801	Ditto	4	3	5	4	2
1802	Ditto	7	2	5	4	2
1803	Ditto	1	0	7	1	8
1804	Ditto	5	6	5	5	0
1805	Ditto	4	4	6	2	2
1806	Ditto	8	5	5	6	3
1807	Ditto	5	5	9	9	0
1808	Ditto	13	12	14	9	6
1809	Ditto	9	7	4	14	3
1810	Ditto	4	10	2	22	7
1811	Ditto	11	10	11	12	5
1812	Ditto	16	17	5	19	9
1813	Ditto	1	2	4	5	5
1814	Ditto	8	5	4	51	3
1815	Ditto	16	9	9	23	3
1816	Ditto	2	1	8	3	3
1817	Ditto	9	0	7	4	1
1818	Ditto	2	3	5	6	3
1819	Ditto	0	1	6	5	2
1820	Ditto	5	4	2	7	4
1821	Ditto	3	2	4	6	2
1822	Ditto	7	2	10	11	3
		175	156	160	258	80
		136			80	
Total of Baptisms in 32 years		311			338	
Burials for the same period		338				
Decrease of population		27				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	Eaton, Protestant Congre-					
	gation,	0	0	0	0	0
1792	Ditto	0	0	0	0	0
1793	Ditto	0	0	0	0	0
1794	Ditto	0	0	0	0	0
1795	Ditto	0	0	0	0	0
1796	Ditto	0	0	0	0	0
1797	Ditto	0	0	0	0	0
1798	Ditto	0	0	0	0	0
1799	Ditto	0	0	0	0	0
1800	Ditto	0	0	0	0	0
1801	Ditto	0	0	0	0	0
1802	Ditto	0	0	0	0	0
1803	Ditto	0	0	0	0	0
1804	Ditto	0	0	0	0	0
1805	Ditto	0	0	0	0	0
1806	Ditto	0	0	0	0	0
1807	Ditto	0	0	0	0	0
1808	Ditto	0	0	0	0	0
1809	Ditto	0	0	0	0	0
1810	Ditto	0	0	0	0	0
1811	Ditto	0	0	0	0	0
1812	Ditto	0	0	0	0	0
1813	Ditto	0	0	0	0	0
1814	Ditto	0	0	0	0	0
1815	Ditto	0	0	0	0	0
1816	Ditto	15	12	9	10	9
1817	Ditto	18	22	9	0	2
1818	Ditto	4	9	9	3	5
1819	Ditto	6	3	11	4	5
1820	Ditto	3	3	8	5	0
1821	Ditto	1	0	10	2	0
1822	Ditto	1	2	7	1	0
		48	51	63	25	21
		51			21	
Total of Baptisms in 33 years		99			46	
Deduct Burials for the same period		46				
Increase of Population		53				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	SHIRON, Protestant Congregation.					
1792	Ditto					
1793	Ditto					
1794	Ditto					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto					
1802	Ditto					
1803	Ditto					
1804	Ditto					
1805	Ditto					
1806	Ditto					
1807	Ditto					
1808	Ditto					
1809	Ditto					
1810	Ditto					
1811	Ditto					
1812	Ditto					
1813	Ditto					
1814	Ditto					
1815	Ditto					
1816	Ditto					
1817	Ditto					
1818	Ditto	20	22	4	1	0
1819	Ditto	19	18	12	2	1
1820	Ditto	4	13	25	0	0
1821	Ditto	4	2	12	0	0
1822	Ditto	5	2	19	0	0
		<hr/>		<hr/>		<hr/>
		52	57	72	3	1
		57			1	
		<hr/>		<hr/>		<hr/>
Total of Baptisms in 32 years		109			4	
Deduct burials for the same period		4				
		<hr/>		<hr/>		
Increase of Population		105				

Year.		Baptisms.		Marriages.	Burials.	
		Males	Females		Males	Females
	Protestant Congregation of					
	RIVER DU LOUP.					
1791	Ditto					
1792	Ditto					
1793	Ditto					
1794	Ditto					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto					
1802	Ditto					
1803	Ditto					
1804	Ditto					
1805	Ditto					
1806	Ditto					
1807	Ditto					
1808	Ditto					
1809	Ditto					
1810	Ditto					
1811	Ditto					
1812	Ditto					
1813	Ditto					
1814	Ditto					
1815	Ditto					
1816	Ditto					
1817	Ditto					
1818	Ditto					
1819	Ditto					
1820	Ditto					
1821	Ditto	20	9	0	0	0
1822	Ditto	22	16	4	1	1
		42	25	4	1	1
		25			1	
Total of Baptisms in 32 years		67			2	
Deduct Burials for the same period		2				
Increase of Population		65				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females		Males.	Females.
1791	DRUMMONDVILLE.					
1792	Ditto					
1793	Ditto					
1794	Ditto					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto					
1802	Ditto					
1803	Ditto					
1804	Ditto					
1805	Ditto					
1806	Ditto					
1807	Ditto					
1808	Ditto					
1809	Ditto					
1810	Ditto					
1811	Ditto					
1812	Ditto					
1813	Ditto					
1814	Ditto					
1815	Ditto					
1816	Ditto					
1817	Ditto	5	2	1		
1818	Ditto	6	7			
1819	Ditto	3	5			
1820	Ditto	1	5			
1821	Ditto	4	13	3		
1822	Ditto	9	10		2	
		28	42	4	2	
		42				
Total of Baptisms in 32 years,			70			2
Deduct burials for the same period,			2			
Increase of Population,			68			

Year.		Baptisms.		Marriages,	Burials	
		Males.	Females.		Males.	Females
1791	STE. ANNE LAPERADE.	28	23		16	18
1792	Ditto	20	17	11	10	14
1793	Ditto	26	35	9	22	19
1794	Ditto	24	15	11	7	10
1795	Ditto	32	30	8	13	11
1796	Ditto	20	31	5	12	12
1797	Ditto	29	20	8	15	4
1798	Ditto	28	26	11	8	10
1799	Ditto	23	35	8	14	17
1800	Ditto	33	18	12	15	8
1801	Ditto	23	25	3	11	13
1802	Ditto	29	19	10	14	14
1803	Ditto	30	25	16	11	7
1804	Ditto	24	35	12	13	17
1805	Ditto	32	31	10	14	11
1806	Ditto	31	34	18	17	7
1807	Ditto	31	40	15	9	6
1808	Ditto	34	45	14	15	7
1809	Ditto	38	29	12	15	10
1810	Ditto	26	47	7	30	24
1811	Ditto	36	38	13	14	16
1812	Ditto	39	44	20	15	19
1813	Ditto	45	47	15	26	16
1814	Ditto	54	41	5	23	21
1815	Ditto	56	47	9	38	33
1816	Ditto	38	47	5	15	21
1817	Ditto	37	35	7	16	14
1818	Ditto	50	26	13	19	22
1819	Ditto	38	54	16	17	34
1820	Ditto	43	54	15	23	26
1821	Ditto	47	53	22	22	30
1822	Ditto	52	52	17	25	26
		1084	1116	555	532	517
		1116			517	
Total of Baptisms in 52 years,		2200			1049	
Deduct Burials for the same period,		1049				
Increase of Population,		1151				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	BATISCAN.	11	5	1	4	5
1792	Ditto	8	4	1	5	4
1793	Ditto	5	2	5	1	2
1794	Ditto	7	9	5	2	4
1795	Ditto	14	6	4	5	6
1796	Ditto	14	15	4	2	4
1797	Ditto	8	9	5	9	2
1798	Ditto	7	8	5	6	8
1799	Ditto	9	8	5	1	5
1800	Ditto					
1801	Ditto					
1802	Ditto					
1803	Ditto					
1804	Ditto					
1805	Ditto					
1806	Ditto					
1807	Ditto					
1808	Ditto					
1809	Ditto					
1810	Ditto					
1811	Ditto					
1812	Ditto					
1813	Ditto					
1814	Ditto					
1815	Ditto					
1816	Ditto					
1817	Ditto					
1818	Ditto					
1819	Ditto					
1820	Ditto					
1821	Ditto					
1822	Ditto					
		81	62	29	55	40
		62			40	
Total of Baptisms in 32 years		145			55	
Deduct Burials for the same period		77				
Increase of Population		76				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	St. GENEVIEVE. (Batiscau)	22	20	10	14	28
1792	Ditto	21	21	9	10	7
1793	Ditto	21	27	15	15	7
1794	Ditto	25	22	15	5	8
1795	Ditto	25	30	6	9	15
1796	Ditto	20	22	5	10	14
1797	Ditto	22	26	9	27	27
1798	Ditto	25	24	4	6	9
1799	Ditto	29	24	7	12	5
1800	Ditto	24	27	8	8	4
1801	Ditto	51	22	14	8	14
1802	Ditto	23	21	11	13	11
1803	Ditto	42	17	16	14	11
1804	Ditto	54	51	4	29	24
1805	Ditto	55	30	8	14	17
1806	Ditto	28	27	16	14	22
1807	Ditto	41	28	10	12	11
1808	Ditto	25	31	9	14	8
1809	Ditto	18	27	15	9	8
1810	Ditto	54	35	8	28	26
1811	Ditto	29	51	11	9	15
1812	Ditto	56	28	15	15	11
1813	Ditto	26	52	9	16	12
1814	Ditto	32	25	9	5	5
1815	Ditto	21	54	5	9	6
1816	Ditto	28	32	10	5	5
1817	Ditto	35	25	7	7	3
1818	Ditto	24	36	11	2	6
1819	Ditto	28	38	5	9	14
1820	Ditto	24	25	10	19	16
1821	Ditto	22	28	4	15	19
1822	Ditto	22	29	9	16	15
		869	875	298	592	401
		875			401	
Total of Baptisms in 52 years		1742			793	
Deduct Burials for the same period		793				
Increase of Population		949				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	St. STANISLAS. (Batiscan)					
1792	Ditto					
1793	Ditto					
1794	Ditto					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto	Included in the Return from St. Geneviève.				
1802	Ditto					
1803	Ditto					
1804	Ditto					
1805	Ditto					
1806	Ditto					
1807	Ditto					
1808	Ditto	12	6	2	6	2
1809	Ditto	8	6	4	3	5
1810	Ditto	15	16	2	6	5
1811	Ditto	11	11	2	10	7
1812	Ditto	15	9	2		1
1813	Ditto	15	9		5	5
1814	Ditto	6	7			1
1815	Ditto	12	9	4	3	3
1816	Ditto	6	9	2	1	1
1817	Ditto	12	8	1	2	3
1818	Ditto	12	8	3		1
1819	Ditto	15	17	4	10	5
1820	Ditto	15	9	6	5	5
1821	Ditto	11	10	4	6	6
1822	Ditto	21	17	2	6	5
		178	151	38	63	55
		151			55	
Total of Baptisms in 32 years,		329			118	
Deduct Burials for the same period,		118				
Increase of Population,		211				

Year.		Baptisms.		Marriages,	Burials.	
		Males.	Females.		Males.	Females.
1791	St.-FRANÇOIS XAVIER of					
	Batiscan,					
1792	Ditto,					
1793	Ditto,					
1794	Ditto,					
1795	Ditto,					
1796	Ditto,					
1797	Ditto,					
1798	Ditto,					
1799	Ditto,					
1800	Ditto,	10	8	4	4	1
1801	Ditto,	6	6	5	4	1
1802	Ditto,	7	12	8	6	4
1803	Ditto,	35	15	16	10	5
1804	Do & Champlain,	19	20	9	11	8
1805	Ditto,	17	17	9	6	7
1806	Ditto,	15	17	10	7	5
1807	Ditto,	15	12	5	5	3
1808	Ditto,	15	17	7	1	6
1809	Ditto,	11	10	1	4	6
1810	Ditto,	10	11	5	7	9
1811	Ditto,	6	8	6	2	4
1812	Ditto,	11	11	2	3	4
1813	Ditto,	12	8	5	7	6
1814	Ditto,	7	15	4	5	9
1815	Ditto,	9	6	6	6	6
1816	Ditto,	16	4	4	1	1
1817	Ditto,	5	6	4	5	2
1818	Ditto,	7	5	6	2	2
1819	Ditto,	7	4	6	7	2
1820	Ditto,	4	7	6	5	8
1821	Ditto,	5	6	5	3	7
1822	Ditto,	10	10	9	8	5
		255	255	140	119	111
		233			111	
Total of Baptisms in 32 years,		488			250	
Deduct Burials for the same period,		230				
Increase of Population,		258				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	CHAMPLAIN,	5	8	4	5	4
1792	Ditto	8	7	2	4	3
1793	Ditto	6	16	5	5	4
1794	Ditto	13	11	2	0	4
1795	Ditto	5	5	2	4	2
1796	Ditto	5	1	5	4	3
1797	Ditto	7	5	3	9	8
1798	Ditto	7	9	1	6	4
1799	Ditto	8	6	3	1	2
1800	Ditto	6	3	1	5	5
1801	Ditto	8	8	4	3	6
1802	Ditto	6	8	4		1
1803	Ditto					
1804	Ditto	Included in the Return of S. François Xavier,				
1805	Ditto	"	"	"	"	"
1806	Ditto	1	1		1	
1807	Ditto	12	5	9	4	3
1808	Ditto	11	10	7	4	3
1809	Ditto	7	7	8	4	4
1810	Ditto	11	12	4	11	11
1811	Ditto	14	7	5	5	1
1812	Ditto	10	12	5	4	6
1813	Ditto	12	14	4	8	7
1814	Ditto	16	10	8	7	6
1815	Ditto	12	5	20	9	7
1816	Ditto	12	9	10	6	1
1817	Ditto	17	15	16	3	2
1818	Ditto	7	14	7	4	7
1819	Ditto	15	27	8	10	5
1820	Ditto	24	15	6	7	4
1821	Ditto	26	20	13	2	16
1822	Ditto	14	17	12	11	6
		<hr/>		<hr/>		<hr/>
		501	285	172	144	155
		285			155	
		<hr/>		<hr/>		<hr/>
Total of Baptisms in 32 years		584				279
Deduct Burials for the same period		279				
		<hr/>		<hr/>		<hr/>
Increase of Population		305				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	CAP DE LA MAGDELEINE.	5		4	5	4
1792	Ditto	1	4	4	3	3
1795	Ditto	6	3	2	2	6
1794	Ditto	11	5	5	3	1
1795	Ditto	7	5	3	4	4
1796	Ditto	6	5		6	2
1797	Ditto	7	7		4	5
1798	Ditto	5	6		2	1
1799	Ditto	11	5	1	3	2
1800	Ditto	6	2	3	5	5
1801	Ditto	5	8	5	3	4
1802	Ditto	7	1	3	2	1
1805	Ditto	6	5	3	8	6
1804	Ditto	4	10	1	2	3
1805	Ditto	3	6	4		
1806	Ditto	9	8	1	4	3
1807	Ditto	3	2	4	5	4
1808	Ditto	2	1	3	3	2
1809	Ditto	5	5	4	3	4
1810	Ditto	5	1	2	3	8
1811	Ditto	2	1	1	5	5
1812	Ditto		1	2		
1815	Ditto	2	3	2	4	2
1814	Ditto	6	5	4	5	5
1815	Ditto	5	7	5	4	
1816	Ditto	4	5	3	4	5
1817	Ditto	12	14	4	8	9
1818	Ditto	5	9	2	5	1
1819	Ditto	10	6	4	3	5
1820	Ditto	6	9	2	4	10
1821	Ditto	11	6	1	5	1
1822	Ditto	7	6	5	2	1
		178	155	85	115	108
		155			108	
Total of Baptisms in 52 years		533			221	
Deduct Burials for the same period		221				
Increase of Population		112				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	POINTE DU LAC.	13	8	10	12	16
1792	Ditto	11	11	6	7	3
1793	Ditto	8	13	8	6	9
1794	Ditto	16	10	8	6	2
1795	Ditto	21	6		3	8
1796	Ditto	11	14	3	6	6
1797	Ditto	21	12	4	15	5
1798	Ditto	30	37	7	7	6
1799	Ditto	11	18	8	6	10
1800	Ditto	19	20	7	6	9
1801	Ditto	14	14	8	8	8
1802	Ditto	29	17	8	17	5
1803	Ditto	17	14	11	14	13
1804	Ditto	26	11	5	11	9
1805	Ditto	20	18	6	6	7
1806	Ditto	12	19	5	8	16
1807	Ditto	10	9	3	9	5
1808	Ditto	19	10	7	3	5
1809	Ditto	12	13	6	9	9
1810	Ditto	6	7	1	4	5
1811	Ditto	10	7	7	7	1
1812	Ditto	14	14	7	7	4
1813	Ditto	10	8	8	7	4
1814	Ditto	10	10	10	6	6
1815	Ditto	8	4	7	11	9
1816	Ditto	5	5	2	6	6
1817	Ditto	12	9	5	13	15
1818	Ditto	25	29	13	11	6
1819	Ditto	24	21	3	10	7
1820	Ditto	28	24	9	11	11
1821	Ditto	20	26	8	21	20
1822	Ditto	20	27	10	18	11
		510	467	212	291	256
		467			236	
Total of Baptisms in 32 years,		977			547	
Deduct Burials for the same period,		547				
Increase of Population,		430				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	YAMACHICHE.	58	55	18	27	15
1792	Ditto	42	50	16	17	16
1793	Ditto	41	43	19	21	19
1794	Ditto	41	37	18	17	15
1795	Ditto	49	45	17	24	20
1796	Ditto	52	42	18	32	20
1797	Ditto	45	57	17	27	25
1798	Ditto	57	42	21	20	22
1799	Ditto	40	58	21	20	20
1800	Ditto	41	54	25	15	27
1801	Ditto	43	42	10	27	20
1802	Ditto	39	39	22	16	28
1803	Ditto	53	28	21	30	26
1804	Ditto	41	39	19	55	51
1805	Ditto	48	49	18	25	15
1806	Ditto	55	36	21	25	16
1807	Ditto	58	55	24	37	22
1808	Ditto	54	67	22	14	19
1809	Ditto	49	60	16	19	24
1810	Ditto	51	40	12	32	31
1811	Ditto	57	52	25	8	17
1812	Ditto	47	58	27	17	19
1813	Ditto	58	44	15	50	26
1814	Ditto	58	47	19	41	38
1815	Ditto	66	52	24	21	15
1816	Ditto	45	48	21	14	17
1817	Ditto	64	58	25	30	21
1818	Ditto	59	65	22	10	16
1819	Ditto	64	59	45	27	19
1820	Ditto	82	70	45	35	22
1821	Ditto	76	75	27	35	50
1822	Ditto	66	75	29	52	17
		1655	1559	695	772	686
		1559			686	
Total of Baptisms in 32 years,		3214			1458	
Deduct Burials for the same period		1458				
Increase of population.		1756				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	RIVIERE DU LOUP.	41	65	19	16	22
1792	Ditto	59	52	21	26	35
1793	Ditto	60	41	20	50	25
1794	Ditto	56	56	19	58	15
1795	Ditto	72	51	24	54	19
1796	Ditto	60	67	15	41	27
1797	Ditto	67	59	29	28	27
1798	Ditto	70	62	30	20	22
1799	Ditto	72	70	14	24	25
1800	Ditto	88	65	20	27	28
1801	Ditto	78	67	13	30	21
1802	Ditto	68	62	27	27	34
1803	Ditto	69	75	28	35	28
1804	Ditto	75	64	25	50	49
1805	Ditto	77	69	24	34	19
1806	Ditto	83	61	31	41	48
1807	Ditto	80	85	23	37	34
1808	Ditto	80	77	22	59	19
1809	Ditto	72	85	37	36	51
1810	Ditto	76	85	25	27	59
1811	Ditto	70	58	21	57	25
1812	Ditto	90	81	30	25	29
1813	Ditto	83	89	30	59	59
1814	Ditto	86	78	24	50	49
1815	Ditto	74	76	40	28	55
1816	Ditto	84	81	23	27	26
1817	Ditto	75	77	35	59	27
1818	Ditto	95	82	26	28	29
1819	Ditto	76	84	29	51	39
1820	Ditto	81	95	29	69	60
1821	Ditto	85	95	37	59	45
1822	Ditto	95	96	42	55	55
		2595	2506	826	1066	989
		2506			989	
Total of Baptisms in 32 years		4699			2055	
Deduct Burials for the same period		2055				
Increase of Population		2644				

Year		Baptisms.		Marriages.	Burials.	
		Males	Females		Males	Females.
1791	St. LEON.					
1792	Ditto					
1793	Ditto					
1794	Ditto					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto					
1802	Ditto	9	13	7	9	4
1803	Ditto	21	12	5	6	7
1804	Ditto	15	20	5	4	6
1805	Ditto	15	21	3	2	5
1806	Ditto	23	20	1	7	9
1807	Ditto	23	21	4	4	8
1808	Ditto	24	22	1	8	5
1809	Ditto	33	17	6	9	12
1810	Ditto	28	19	4	15	4
1811	Ditto	50	25	7	10	7
1812	Ditto	56	24	7	4	10
1813	Ditto	37	34	7	12	22
1814	Ditto	52	26	7	23	21
1815	Ditto	53	27	5	10	7
1816	Ditto	56	38	3	8	5
1817	Ditto	25	58	6	14	13
1818	Ditto	59	29	26	11	4
1819	Ditto	40	32	11	12	7
1820	Ditto	56	48	4	9	16
1821	Ditto	44	43	11	11	14
1822	Ditto	44	40	9	17	14
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
		623	569	139	203	200
		569			200	
Total of Baptisms in 32 years,		1192			403	
Deduct Burials for the same period,		403				
Increase of Population,		789				

Year.		Baptisms.		Marriages.	Burials.	
		Males	Females		Males	Females.
1791	MASKINONGE'.	43	27	15	13	13
1792	Ditto	50	27	12	22	21
1793	Ditto	39	31	8	21	16
1794	Ditto	44	35	18	20	27
1795	Ditto	46	32	11	9	12
1796	Ditto	33	25	15	19	13
1797	Ditto	52	32	19	14	10
1798	Ditto	30	37	7	30	34
1799	Ditto	40	39	14	16	19
1800	Ditto	39	44	19	22	22
1801	Ditto	47	38	17	15	19
1802	Ditto	58	50	23	40	37
1803	Ditto	50	49	12	17	19
1804	Ditto	38	37	10	22	23
1805	Ditto	52	50	15	22	23
1806	Ditto	76	27	25	25	24
1807	Ditto	73	55	23	15	22
1808	Ditto	64	57	19	26	15
1809	Ditto	68	63	20	24	34
1810	Ditto	60	60	19	33	33
1811	Ditto	67	55	27	19	21
1812	Ditto	68	50	11	15	21
1813	Ditto	58	58	12	33	25
1814	Ditto	58	63	18	35	43
1815	Ditto	61	57	24	25	38
1816	Ditto	69	66	22	25	23
1817	Ditto	66	56	26	29	23
1818	Ditto	77	51	21	25	19
1819	Ditto	65	91	24	39	27
1820	Ditto	77	63	33	50	67
1821	Ditto	90	68	26	25	32
1822	Ditto	89	68	23	34	22
		1865	1541	588	779	807
		1541			807	
Total of Baptisms in 32 years,		3406		1586		
Deduct Burials for the same period		1586				
Increase of Population,		1820				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	St. MICHEL D'YAMASKA.	55	35	10	24	11
1792	Ditto	39	46	15	12	50
1793	Ditto	42	43	10	17	13
1794	Ditto	48	41	17	13	21
1795	Ditto	52	37	19	20	10
1796	Ditto	60	38	16	24	11
1797	Ditto	50	48	12	32	22
1798	Ditto	50	48	25	19	30
1799	Ditto	59	62	17	20	24
1800	Ditto	60	48	15	29	27
1801	Ditto	73	50	19	37	42
1802	Ditto	63	66	18	31	40
1803	Ditto	59	69	18	25	26
1804	Ditto	70	61	18	28	26.
1805	Ditto	73	67	16	26	23
1806	Ditto	82	72	19	27	31
1807	Ditto	64	75	19	24	17
1808	Ditto	78	73	21	35	20
1809	Ditto	79	64	15	37	24
1810	Ditto	59	65	12	59	48
1811	Ditto	63	67	22	37	32
1812	Ditto	76	85	51	34	22
1813	Ditto	78	66	29	42	37
1814	Ditto	97	75	23	39	34
1815	Ditto	76	84	24	38	44
1816	Ditto	82	85	30	26	31
1817	Ditto	103	72	23	37	36
1818	Ditto	104	82	28	59	40
1819	Ditto	109	80	37	39	25
1820	Ditto	108	97	40	56	48
1821	Ditto	119	118	30	26	29
1822	Ditto	122	110	31	47	31
		2352	2125	677	999	905
		2125			905	
Total of Baptisms in 32 years		4477			1904	
Deduct. Burials for the same period 1904						
Increase of Population		2573				

Year.	St. François.	Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791		19	18	5	7	9
1792	Ditto	23	29	11	16	5
1793	Ditto	14	14	5	14	5
1794	Ditto	19	27	7	10	10
1795	Ditto	22	15	14	12	8
1796	Ditto	50	17	19	16	5
1797	Ditto	18	24	11	22	16
1798	Ditto	52	50	9	10	14
1799	Ditto	23	10	10	9	10
1800	Ditto	27	24	17	8	7
1801	Ditto	15	21	7	7	15
1802	Ditto	28	10	11	14	6
1803	Ditto	25	20	13	10	10
1804	Ditto	26	20	6	7	7
1805	Ditto	44	16	7	11	10
1806	Ditto	51	29	13	18	9
1807	Ditto	53	35	13	12	14
1808	Ditto	51	51	18	13	13
1809	Ditto	26	50	6	15	15
1810	Ditto	29	37	19	32	23
1811	Ditto	26	28	16	8	12
1812	Ditto	51	51	25	13	9
1813	Ditto	28	40	10	10	21
1814	Ditto	58	34	18	21	32
1815	Ditto	45	41	14	16	12
1816	Ditto	50	25	17	17	16
1817	Ditto	35	46	10	15	17
1818	Ditto	39	45	11	9	7
1819	Ditto	56	55	23	14	6
1820	Ditto	42	53	11	56	24
1821	Ditto	52	65	19	16	17
1822	Ditto	51	43	22	25	55
		986	959	405	463	419
		959			419	
Total of Baptisms in 32 years,		1945			882	
Deduct Burials for the same period,		882				
Increase of Population,		1063				

Year.		Baptisms.		Marriages,	Burials.	
		Males	Females.		Males.	Females.
1791	BATE ST. ANTOINE.	36	32	6	20	5
1792	Ditto	57	40	14	13	10
1793	Ditto	50	30	12	27	21
1794	Ditto	57	49	18	9	10
1795	Ditto	45	37	17	11	12
1796	Ditto	45	47	9	11	11
1797	Ditto	40	56	10	19	23
1798	Ditto	48	54	14	27	20
1799	Ditto	56	44	14	20	22
1800	Ditto	59	48	14	15	16
1801	Ditto	48	49	26	26	27
1802	Ditto	68	55	15	44	57
1803	Ditto	47	59	12	27	18
1804	Ditto	71	61	24	31	27
1805	Ditto	71	64	13	25	24
1806	Ditto	47	59	7	25	21
1807	Ditto	70	53	19	34	28
1808	Ditto	54	63	27	21	21
1809	Ditto	58	52	18	21	22
1810	Ditto	62	46	36	62	57
1811	Ditto	55	38	21	22	24
1812	Ditto	52	50	27	31	19
1813	Ditto	71	60	21	23	22
1814	Ditto	68	47	23	43	36
1815	Ditto	70	50	19	32	23
1816	Ditto	73	65	20	28	24
1817	Ditto	47	59	24	43	34
1818	Ditto	96	60	18	32	16
1819	Ditto	75	53	20	28	25
1820	Ditto	76	56	32	47	48
1821	Ditto	79	56	23	23	14
1822	Ditto	78	76	23	32	32
		1909	1636	595	872	769
		1636			769	
Total of Baptisms in 32 years		5545			1641	
Deduct Burials for the same period		1641				
Increase of Population		1904				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	NICOLET.	49	45	16	17	21
1792	Ditto	44	55	12	18	17
1793	Ditto	44	50	11	19	18
1794	Ditto	55	42	25	24	22
1795	Ditto	55	47	9	21	14
1796	Ditto	59	42	18	13	25
1797	Ditto	51	36	12	31	29
1798	Ditto	54	58	15	15	12
1799	Ditto	50	59	16	14	16
1800	Ditto	70	54	10	19	14
1801	Ditto	55	52	28	22	22
1802	Ditto	74	59	29	20	16
1803	Ditto	58	44	14	55	50
1804	Ditto	64	62	15	15	22
1805	Ditto	85	75	18	20	26
1806	Ditto	60	54	19	15	18
1807	Ditto	72	61	8	55	25
1808	Ditto	59	65	27	15	16
1809	Ditto	66	56	15	18	51
1810	Ditto	70	71	12	50	52
1811	Ditto	80	50	14	25	24
1812	Ditto	60	63	15	22	12
1813	Ditto	88	65	14	25	18
1814	Ditto	58	58	11	36	47
1815	Ditto	62	65	17	30	29
1816	Ditto	60	67	14	22	25
1817	Ditto	70	68	17	42	50
1818	Ditto	50	75	19	24	24
1819	Ditto	96	64	18	57	40
1820	Ditto	75	76	30	18	17
1821	Ditto	78	80	25	51	28
1822	Ditto	80	69	28	47	46
		2023	1845	549	779	802
		1845			802	
Total of Baptisms in 52 years		5868			1581	
Deduct Burials for the same period		1581				
Increase of Population		2287				

Year.	St. GREGOIRE.	Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	Ditto					
1792	Ditto					
1793	Ditto					
1794	Ditto					
1795	Ditto					
1796	Ditto					
1797	Ditto					
1798	Ditto					
1799	Ditto					
1800	Ditto					
1801	Ditto					
1802	Ditto				1	1
1803	Ditto	9	13	7	1	5
1804	Ditto	10	6	3	5	3
1805	Ditto	4	8	1	5	6
1806	Ditto	37	31	6	12	11
1807	Ditto	33	36	15	9	8
1808	Ditto	39	41	12	10	12
1809	Ditto	50	51	19	11	15
1810	Ditto	40	51	9	22	30
1811	Ditto	50	34	19	16	16
1812	Ditto	46	29	17	17	12
1813	Ditto	65	58	17	14	11
1814	Ditto	45	29	18	27	20
1815	Ditto	61	47	19	32	26
1816	Ditto	49	45	16	17	15
1817	Ditto	47	49	10	26	14
1818	Ditto	55	60	28	21	29
1819	Ditto	74	60	18	16	17
1820	Ditto	47	58	10	30	32
1821	Ditto	62	70	16	34	36
1822	Ditto	72	51	19	33	27
		891	855	279	537	544
		833			544	
Total of Baptisms in 52 years,		1724			701	
Deduct Burials for the same period		701				
Increase of Population,		1022				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	BECANCOUR.	29	26	11	14	9
1792	Ditto,	28	31	9	12	11
1793	Ditto,	54	53	8	14	16
1794	Ditto,	52	26	11	7	7
1795	Ditto,	51	22	14	12	14
1796	Ditto,	51	29	12	13	15
1797	Ditto,	29	18	20	15	8
1798	Ditto,	37	29	14	12	10
1799	Ditto,	59	22	8	10	10
1800	Ditto,	55	54	9	15	20
1801	Ditto,	55	51	19	18	19
1802	Ditto,	47	55	18	12	10
1803	Ditto,	50	67	15	15	15
1804	Ditto,	40	46	15	16	25
1805	Ditto,	57	54	12	24	24
1806	Ditto,	50	50	10	11	11
1807	Ditto,	52	55	18	9	9
1808	Ditto,	37	28	10	15	10
1809	Ditto,	55	50	5	25	19
1810	Ditto,	45	45	18	52	55
1811	Ditto,	54	51	11	15	15
1812	Ditto,	51	45	17	17	11
1813	Ditto,	45	47	18	12	25
1814	Ditto,	46	55	6	29	15
1815	Ditto,	52	54	17	37	50
1816	Ditto,	45	50	17	16	22
1817	Ditto,	47	45	19	27	22
1818	Ditto,	56	54	17	18	19
1819	Ditto,	45	37	19	18	7
1820	Ditto,	66	45	16	25	21
1821	Ditto,	57	50	26	29	54
1822	Ditto,	55	66	21	20	12
		1288	1220	460	562	524
		1220			524	
Total of Baptisms in 32 years,		2508			1086	
Deduct Burials for the same period,		1086				
Increase of Population,		1422				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	GENTILLY.	11	10	7	6	6
1792	Ditto	9	11	6	3	6
1793	Ditto	8	7	4	7	9
1794	Ditto	13	7	6	4	4
1795	Ditto	14	17	6	6	9
1796	Ditto	18	18	3	5	4
1797	Ditto	22	21	2	11	4
1798	Ditto	17	19	5	9	6
1799	Ditto	32	15	6	9	4
1800	Ditto	17	25	10	8	11
1801	Ditto	27	19	6	12	9
1802	Ditto	22	16	6	9	3
1803	Ditto	26	22	2	13	11
1804	Ditto	17	22	6	9	7
1805	Ditto	32	22	5	7	8
1806	Ditto	25	29	7	2	6
1807	Ditto	30	31	8	4	6
1808	Ditto	19	27	5	8	7
1809	Ditto	31	26	7	13	11
1810	Ditto	19	26	9	15	11
1811	Ditto	34	32	7	11	12
1812	Ditto	22	17	15	5	5
1813	Ditto	39	29	12	11	11
1814	Ditto	28	39	16	15	12
1815	Ditto	17	22	12	15	18
1816	Ditto	28	33	11	11	14
1817	Ditto	39	28	9	16	16
1818	Ditto	35	29	5	13	6
1819	Ditto	35	35	11	19	17
1820	Ditto	33	32	20	14	21
1821	Ditto	39	39	7	17	20
1822	Ditto	54	52	10	14	12
		792	755	251	319	304
		755			504	
Total of Baptisms in 52 years		1547			623	
Deduct Burials for the same period			623			
Increase of Population		924				

Year.		Baptisms.		Marriages.	Burials.	
		Males.	Females.		Males.	Females.
1791	St. PIERRE LES BECQUETS.	7	9	5		
1792	Ditto	9	12	3	4	4
1793	Ditto	10	12	5	5	1
1794	Ditto	14	18	7	8	7
1795	Ditto	10	16	1	6	4
1796	Ditto	15	15	3	8	5
1797	Ditto	20	12	5	3	4
1798	Ditto	15	8	4	2	5
1799	Ditto	9	16	3	4	4
1800	Ditto	14	8	5	3	4
1801	Ditto	11	16	5	4	3
1802	Ditto	20	15	5	6	6
1803	Ditto	16	18	16	3	4
1804	Ditto	25	28	8	9	8
1805	Ditto	26	23	9	5	5
1806	Ditto	17	19	9	7	6
1807	Ditto	20	21	6	4	8
1808	Ditto	29	30	9	9	9
1809	Ditto	31	30	12	8	4
1810	Ditto	11	39	5	9	7
1811	Ditto	11	20	8	15	6
1812	Ditto	23	26	2	11	10
1813	Ditto	28	15	16	9	7
1814	Ditto	18	42	6	14	8
1815	Ditto	25	23	5	11	14
1816	Ditto	41	37	6	8	6
1817	Ditto	41	28	9	19	11
1818	Ditto	33	27	11	16	12
1819	Ditto	55	35	18	15	5
1820	Ditto	38	31	9	14	15
1821	Ditto	29	31	10	14	20
1822	Ditto	42	47	13	28	18
		39	32	15	15	18
		716	729	247	294	248
		729			248	
Total of Baptisms in 32 years,		1445			542	
Deduct Burials for the same period		542				
Increase of population		903				

RECAPITULATION of the Baptisms, Marriages, and Burials in the District of Three-Rivers, from the year 1791 to the year 1822, both inclusive.

<i>Parish.</i>	Baptisms.		Marriages.	Burials.	
	Males.	Females.		Males.	Females.
Three Rivers and Precincts,	1707	1598	563	970	868
Ditto Protestant Congregation,	175	136	160	238	80
Eaton ditto ditto,	48	51	63	25	21
Shipton ditto ditto,	52	57	72	3	1
River du Loup ditto ditto,	42	25	4	1	1
Drummondville,	28	42	4	2	
Ste. Anne Lapérade,	1084	1116	355	532	517
Batiscan,	81	62	29	33	40
Ste. Geneviève (Batiscan,)	869	873	298	392	401
St. Stanislas Ditto,	178	151	38	63	55
St. François Xavier Ditto,	255	233	140	119	111
Champlain,	301	283	172	144	135
Cap La Magdeleine,	178	155	85	113	108
Pointe du Lac,	510	467	212	291	256
Yamachiche,	1655	1559	695	772	686
River du Loup,	2393	2306	826	1066	989
St. Léon,	623	569	139	203	200
Maskinongé,	1865	1541	588	779	807
St. Michel d'Yamaska,	2352	2125	677	999	905
St. François,	986	959	405	463	419
Bay St. Antoine,	1909	1636	595	872	769
Nicolet,	2023	1845	549	779	802
St. Grégoire,	891	833	279	357	344
Bécancour,	1288	1220	460	562	524
Gentilly,	792	755	251	319	304
St. Pierre les Becquets,	716	729	247	294	248
	<hr/> 25001	<hr/> 21326	<hr/> 7926	<hr/> 10411	<hr/> 9591

Grand Total of Baptisms, Marriages, and Burials in the District of Three Rivers, from the year 1791 to the year 1822, both inclusive.

	Baptisms.		Marriages.	Burials.	
	Males.	Females.		Males.	Females.
	25001	21326	7926	10411	9591
	<hr/> 21326			<hr/> 9591	
Total Baptisms in 32 years,	44327			20002	
Deduct Burials for same period, 20002					
Increase of Population,	<hr/> 24325				

DISTRICT OF MONTREAL.
STATEMENT of BAPTISMS, MARRIAGES, and BURIALS in the Town, and the different Parishes of the District of Montreal, in the Province of Lower-Canada, from the year 1791 to the year 1822 inclusive.

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	MONTREAL	EPISCOPAL CHURCH.			1791	GARRISON OF MONTREAL.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		53	37	55	1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		26	9	55	1810				
1811		36	17	56	1811				
1812		47	14	106	1812				
1813		48	14	144	1813				
1814		46	34	147	1814		5	1	21
1815		36	20	26	1815		59	28	87
1816		34	16	22	1816		60	16	22
1817					1817				
1818					1818				
1819					1819				
1820		91	47	132	1820		17	6	8
1821		98	36	85	1821		23	6	17
1822		148	50	159	1822		39	1	19

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	SCOTCH CHURCH IN MONTREAL.				1791	MONTREAL.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		18	10	14	1803		477	62	376
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		115	35	68	1810		534	106	528
1811		72	27	55	1811		571	121	541
1812		78	64	49	1812		593	89	461
1813		118	24	75	1813		622	77	694
1814		99	52	66	1814		610	114	580
1815		136	71	60	1815		659	174	476
1816		152	85	83	1816		752	174	559
1817					1817			111	
1818					1818			148	
1819					1819			149	
1820		165	70	97	1820		856		740
1821		214	89	56	1821		825		534
1822		204	100	94	1822		1015		675

1791	GENERAL HOSPITAL OF MONTREAL.				1791	ST. LAURENT.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		17		31	1803		96	15	62
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		8		36	1810		95	18	57
1811		8		49	1811		98	22	56
1812		8		56	1812		98	16	56
1813		6		49	1813		120	20	90
1814		4		50	1814		115	18	56
1815		5		60	1815		123	11	63
1816		6		59	1816		113	24	41
1817					1817				
1818					1818				
1819					1819				
1820		5		58	1820		95	18	54
1821		1		75	1821		113	24	61
1822		8		73	1822		109	38	75

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	STE. GENEVIEVE.				1791	LA-CHINE			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		91	24	56	1803		34	7	40
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		96	14	57	1810		26	14	31
1811		86	19	48	1811		54	13	31
1812		108	16	40	1812		27	8	27
1813		98	18	80	1813		44	7	42
1814		113	26	70	1814		23	14	41
1815		107	27	47	1815		34	5	36
1816		93	21	36	1816		54	12	34
1817					1817				
1818					1818				
1819					1819				
1820		109	52	58	1820		47	4	33
1821		100	16	56	1821		47	7	28
1822		115	12	53	1822		59	6	40

1791	STE. ANNE & POINTE CLAIRE.				1791	POINTE AUX TREMBLES.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		171	14	57	1803		38	6	16
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		80	12	36	1810		43	7	41
1811		185	17	95	1811		46	13	14
1812		84	14	36	1812		50	12	21
1813		45	18	41	1813		56	14	19
1814		58	20	61	1814		67	7	33
1815		102	17	57	1815		48	7	22
1816		86	15	34	1816		55	16	10
1817					1817				
1818					1818				
1819					1819				
1820		81	16	32	1820		64	4	24
1821		94	19	49	1821		35	8	27
1822		89	15	44	1822		41	9	23

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	LONGUE POINTE.				1791	SAULT AU RECOLLET.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		29	8	34	1803		60	10	33
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		29	7	54	1810		53	11	61
1811		10	9	10	1811		66	23	40
1812		26	4	19	1812		66	12	40
1813		23	4	26	1813		68	14	65
1814		20	7	21	1814		57	12	42
1815		21	5	6	1815		79	15	44
1816		26	5	22	1816		49	17	46
1817					1817				
1818					1818				
1819					1819				
1820		30	5	16	1820		60	7	56
1821		35	6	19	1821		74	16	34
1822		22	4	12	1822		60	10	51

1791	RIVIERE DES PRAIRIES.				1791	ISLE PERROT.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		32	3	13	1803		32	5	28
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		12	4	21	1810		55	8	29
1811		5	2	10	1811		48	8	17
1812		9	6	12	1812		38	11	24
1813		4	4	24	1813		55	5	35
1814		14	2	22	1814		46	8	18
1815		12	3	25	1815		59	15	12
1816		14		24	1816		72	5	7
1817					1817				
1818					1818				
1819					1819				
1820		15		20	1820		33	7	15
1821		44	4	32	1821		50	7	15
1822		41	5	12	1822		35	3	14

YEAR.	PARISH	BAPTISMS.	MARRIAGES	BURIALS.	YEAR	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	ST. MARTIN.				1791	STE. ROSE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		85	15	58	1803		99	18	81
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		112	24	83	1810		108	19	84
1811		108	30	54	1811		105	16	46
1812		123	19	49	1812		121	34	55
1813		110	21	123	1813		87	10	70
1814		122	15	106	1814		108	24	51
1815		112	21	82	1815		130	24	76
1816		150	27	45	1816		130	16	47
1817					1817				
1818					1818				
1819					1819				
1820		158	24	96	1820		118	18	89
1821		130	27	79	1821		112	10	105
1822		156	23	94	1822		121	18	81
1791	ST. VINCENT DE PAUL.				1791	BERTHIER.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		70	14	45	1803		148	26	61
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		103	22	68	1810		198	18	146
1811		111	17	44	1811		162	23	58
1812		119	19	55	1812		168	21	64
1813		96	17	75	1813		189	17	77
1814		109	25	62	1814		208	21	114
1815		123	20	50	1815		169	38	74
1816		143	16	44	1816		179	28	66
1817					1817				
1818					1818				
1819					1819				
1820		109	18	77	1820		218	46	117
1821		130	19	91	1821		227	29	120
1822		120	17	48	1822		211	30	57

YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	St. CUTHBERT.				1791	STE. ELIZABETH.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		123	27	68	1803		71	14	21
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		117	22	112	1810		71	12	95
1811		145	24	43	1811		102	22	39
1812		156	29	44	1812		97	22	39
1813		137	15	109	1813		104	9	41
1814		160	23	120	1814		103	12	23
1815		161	28	49	1815		111	9	21
1816		171	33	67	1816		112	10	7
1817					1817				
1818					1818				
1819					1819				
1820		176	34	126	1820		183	21	56
1821		181	36	105	1821		187	23	101
1822	No Return.				1822		172	30	58

1791	LA VALTRIE.				1791	LA NOURAI			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		33	9	25	1803		35	10	21
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		48	6	52	1810		24	1	45
1811		16	2	17	1811		46	24	22
1812		32	2	18	1812		45	11	21
1813		19	4	34	1813		30	5	27
1814		34	11	29	1814		32	8	13
1815		45	16	25	1815		33	7	26
1816		38	10	22	1816		20	12	14
1817					1817				
1818					1818				
1819					1819				
1820		22	9	25	1820		41	5	22
1821		34	8	22	1821		45	11	19
1822		35	9	33	1822		55	8	19

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	ST. PAUL DE LA VALTRIE.				1791	ST. SULPICE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		95	15	44	1803		33		22
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		66	16	61	1810		26	7	24
1811		53	23	37	1811		43	8	28
1812		88	21	49	1812		49	16	18
1813		120	30	49	1813		48	2	19
1814		104	18	69	1814		44	6	50
1815		116	29	52	1815		38	8	22
1816		95	11	59	1816		49	3	25
1817					1817				
1818					1818				
1819					1819				
1820		135	16	60	1820		58	12	28
1821		143	17	72	1821		55	8	26
1822		132	11	78	1822		46	12	29

1791	REPENTIGNY.				1791	L'ASSOMPTION.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		58	17	65	1803		144	34	84
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		58	8	52	1810		160	29	125
1811		100	45	21	1811		117	28	85
1812		74	19	37	1812		158	21	67
1813		85	14	47	1813		182	28	108
1814		68	14	44	1814		156	37	85
1815		73	10	42	1815		197	52	93
1816		76	20	59	1816		167	53	74
1817					1817				
1818					1818				
1819					1819				
1820		79	22	49	1820		184	43	118
1821		79	10	47	1821		187	35	95
1822		66	10	46	1822		131	41	116

Year.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.	Year.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	St. JACQUES.				1791	St. Roch.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		100	19	44	1803		138	22	101
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		116	19	71	1810		117	18	80
1811		127	18	55	1811		134	21	74
1812		124	24	45	1812		124	20	72
1813		150	20	59	1813		144	21	80
1814		154	17	39	1814		148	30	92
1815		148	24	55	1815		155	23	65
1816		137	20	58	1816		153	14	78
1817					1817				
1818					1818				
1819					1819				
1820		162	29	69	1820		192	24	72
1821		202	28	68	1821		199	25	78
1822		184	40	97	1822		200	19	143

1791	St. ESPRIT.				1791	St. HENRY DE MASCOUCHE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803		84	17	81
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		51	14	40	1810		90	19	85
1811		64	6	10	1811		105	21	53
1812		64	6	10	1812		118	17	47
1813		58	5	30	1813		93	15	82
1814		67	6	47	1814		91	13	66
1815		72	11	29	1815		114	16	54
1816		64	7	31	1816		85	11	45
1817					1817				
1818					1818				
1819					1819				
1820		91	9	36	1820		110	25	58
1821		67	10	47	1821		124	15	69
1822		107	14	63	1822		104	16	79

Year.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.	Year.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	LACHENAYE.				1791	TERREBONNE & TOWNSHIPS.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		38	3	24	1803		73	10	111
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		47	8	29	1810		104	22	59
1811		49	5	11	1811		110	14	42
1812		28	11	22	1812		102	21	54
1813		21	4	23	1813		103	20	99
1814		27	10	26	1814		102	18	60
1815		54	8	44	1815		96	29	59
1816		54	9	30	1816		104	15	52
1817					1817				
1818					1818				
1819					1819				
1820		71	11	36	1820		129	11	91
1821		40	11	32	1821		127	18	74
1822		56	5	21	1822		124	18	65

1791	ST. ANNE DES PLAINES.				1791	BLAINVILLE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		137	13	74	1803		66	19	46
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		124	27	95	1810		99	10	81
1811		99	8	48	1811		128	40	48
1812		82	5	31	1812		113	19	53
1813		93	7	49	1813		123	15	79
1814		87	22	81	1814		120	23	78
1815		97	22	44	1815		143	27	62
1816		109	11	36	1816		146	22	59
1817					1817				
1818					1818				
1819					1819				
1820		121	11	72	1820		148	16	91
1821		133	19	68	1821		149	15	101
1822		146	15	75	1822		155	20	67

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	ST. ANDREWS EPISCOPAL CHURCH.				1791	ST. ANDREW'S PRESBYTERIA CHURCH.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810					1810				
1811					1811				
1812					1812				
1813					1813				
1814					1814				
1815					1815				
1816					1816				
1817					1817				
1818					1818				
1819					1819				
1820		52	41	8	1820		36	18	4
1821		49	20	10	1821	Included in Protestant Congregation.			
1822	No Return				1822		32	12	
1791	LAC LES DEUX MONTAGNES.				1791	MISSION DES OTTAWAS.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		28	10	40	1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		48	7	34	1810				
1811		40	16	27	1811				
1812		57	11	55	1812				
1813		47	6	55	1813				
1814		66	18	25	1814				
1815		39	19	49	1815				
1816		41	11	33	1816				
1817					1817				
1818					1818				
1819					1819				
1820		47	13	34	1820		22	2	8
1821		58	14	42	1821		35	4	8
1822		58	10	29	1822		29	6	8

Year.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	Year.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	St. BENOIT.				1791	St. EUSTACHE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		150	18	66	1803		184	28	153
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		235	19	126	1810		203	33	150
1811		266	31	101	1811		216	55	117
1812		244	32	95	1812		213	25	84
1813		231	33	189	1813		189	17	187
1814		242	55	146	1814		213	41	114
1815		283	30	120	1815		204	52	125
1816		259	20	105	1816		214	41	83
1817					1817				
1818					1818				
1819					1819				
1820		298	50	164	1820		271	27	200
1821		322	44	191	1821		213	46	159
1822		316	43	153	1822		279	30	69

1791	VAUDREUIL.				1791	RIGAUD.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		97	14	45	1803		61	4	28
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		79	26	53	1810		107	14	49
1811		93	15	33	1811		96	15	38
1812		82	17	37	1812		114	12	28
1813		76	10	60	1813		91	7	44
1814		97	22	39	1814		104	15	64
1815		92	23	32	1815		115	31	46
1816		89	17	24	1816		102	11	26
1817					1817				
1818					1818				
1819					1819				
1820		97	14	65	1820		144	24	63
1821		111	16	49	1821				
1822		125	19	65	1822		178	18	62

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	SOULANGES.				1791	NOUVELLE LONGUEVILLE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		147	14	139	1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		168	25	144	1810				
1811		199	29	73	1811				
1812		212	32	78	1812				
1813		160	27	138	1813				
1814		180	40	91	1814				
1815		222	40	101	1815				
1816		211	40	76	1816				
1817					1817				
1818					1818				
1819					1819				
1820		174	28	87	1820		102	20	42
1821		164	31	117	1821		92	15	53
1822		187	41	56	1822		138	18	36

1791	MISSION DE ST. REGIS				1791	MISSION DE ST. ANICET.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		64	10	49	1810				
1811		78	12	16	1811				
1812		75	7	22	1812				
1813		78	8	89	1813				
1814		64	8	30	1814				
1815		74	7	33	1815				
1816		76	10	20	1816				
1817					1817				
1818					1818				
1819					1819				
1820		42	3	25	1820		10	3	8
1821		45	6	26	1821		14	7	6
1822		32	8	17	1822		20	7	8

Year.	PARISH	BAPTISMS.	MARRIAGES	BURIALS.	Year.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	CHATEAUGUAY.				1791	BEAUHARNOIS.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		125	21	87	1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		172	23	147	1810				
1811		204	21	95	1811				
1812		189	27	54	1812				
1813		201	16	121	1813				
1814		172	26	103	1814				
1815		220	29	99	1815				
1816		175	46	71	1816				
1817					1817				
1818					1818				
1819					1819				
1820		241	29	99	1820		142	26	65
1821		204	39	115	1821		148	24	112
1822		167	25	54	1822		142	16	57

1791	SAULT ST. LOUIS.				1791	ST. PHILIPPE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		29	8	50	1803		147	24	159
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		46	14	37	1810		158	32	111
1811		47	13	21	1811		143	55	36
1812		55	11	26	1812		166	66	56
1813		54	12	62	1813		153	24	130
1814		48	8	57	1814		181	40	113
1815		65	7	36	1815		188	33	63
1816		64	6	26	1816		154	39	88
1817					1817				
1818					1818				
1819					1819				
1820		50	9	32	1820		232	44	108
1821		42	19	46	1821		257	36	117
1822		67	9	44	1822		245	45	113

YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	St. CONSTANT.				1791	St. Luc.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		120	28	149	1803		102	11	40
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		165	32	96	1810		99	16	45
1811		185	50	64	1811		109	12	27
1812		161	22	74	1812		84	16	34
1813		171	18	55	1813		58	22	85
1814		186	35	94	1814		138	20	55
1815		205	28	55	1815		165	25	60
1816		232	55	68	1816		164	25	56
1817					1817				
1818					1818				
1819					1819				
1820		229	38	179	1820		188	31	136
1821		246	43	138	1821		210	29	108
1822		248	34	114	1822		206	39	70

1791	BLAIRENDIE.				1791	LAPRAIRIE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		174	25	87	1803		109	19	91
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		240	39	50	1810		125	26	130
1811		191	36	70	1811		126	36	74
1812		206	30	52	1812		129	33	61
1813		206	29	131	1813		142	16	89
1814		282	48	121	1814		124	34	82
1815		270	69	109	1815		134	34	62
1816		272	59	74	1816		134	37	62
1817					1817				
1818					1818				
1819					1819				
1820		336	71	180	1820		162	32	89
1821		374	68	141	1821		160	28	75
1822		387	45	135	1822		149	20	71

YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	LONGUEUIL.				1791	BOUCHERVILLE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		112	22	87	1803		129	12	84
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		100	22	56	1810		149	25	74
1811		108	22	49	1811		159	24	47
1812		112	21	29	1812		141	26	61
1813		93	26	35	1813		155	15	70
1814		108	23	55	1814		159	26	60
1815		113	17	57	1815		149	55	70
1816		118	50	24	1816		155	52	66
1817					1817				
1818					1818				
1819					1819				
1820		151	28	40	1820		148	25	125
1821		125	32	55	1821		158	25	78
1822		114	29	46	1822		153	24	74

1791	VARENNES.				1791	VERCHERES.]			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		129	24	83	1803		87	15	70
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		146	16	110	1810		90	17	60
1811		145	25	61	1811		93	15	48
1812		138	29	56	1812		109	34	48
1813		170	19	98	1813		109	21	67
1814		156	24	85	1814		105	26	43
1815		143	27	70	1815		99	23	50
1816		161	33	35	1816		94	21	47
1817					1817				
1818					1818				
1819					1819				
1820		180	23	95	1820		111	16	18
1821		171	37	107	1821		108	51	56
1822		182	35	78	1822		126	23	52

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	CONTRECOEUR.				1791	St. JOHN'S, (Protestants.)			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803			16	24	1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		60	15	40	1810				
1811		59	16	28	1811				
1812		6	14	37	1812				
1813		83	15	24	1813				
1814		82	17	35	1814				
1815		74	14	30	1815				
1816		88	17	34	1816				
1817					1817				
1818					1818				
1819					1819				
1820		70	21	35	1820		8	8	16
1821		94	15	42	1821				
1822		69	11	38	1822		11	7	10

1791	CHAMBLY.				1791	CHAMBLY, (Protestants.)			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		144	17	78	1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		131	28	96	1810				
1811		115	28	51	1811				
1812		179	35	79	1812				
1813		209	28	101	1813				
1814		188	48	128	1814				
1815		216	50	102	1815				
1816		183	33	78	1816				
1817					1817				
1818					1818				
1819					1819				
1820		194	30	129	1820		50	8	10
1821		212	15	80	1821		17	11	7
1822		171	31	83	1822		12	3	5

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	ST. JEAN BAPTISTE.				1791	ST. MATTHIAS.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803	et St. Hilaire. 80	8	3	38	1803		83	15	82
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		66	8	38	1810		116	21	82
1811		71	24	37	1811		114	42	57
1812		74	24	25	1812		144	30	44
1813		64	9	41	1813		125	20	57
1814		76	13	56	1814		136	33	76
1815		115	11	42	1815		148	35	60
1816		107	30	39	1816		145	22	46
1817					1817				
1818					1818				
1819					1819				
1820		154	17	89	1820		156	26	92
1821		162	16	53	1821		146	27	72
1822		207	23	43	1822		152	26	50

1791	ST. MARIE MONNOIR.				1791	ST. CHARLES.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		65	4	55	1803		30	7	71
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		122	22	48	1810		61	7	26
1811		104	8	44	1811		49	8	34
1812		82	30	25	1812		50	16	23
1813		125	16	50	1813		71	13	59
1814		111	32	55	1814		56	11	27
1815		148	23	58	1815		62	8	26
1816		134	19	63	1816		73	14	21
1817					1817				
1818					1818				
1819					1819				
1820		206	16	141	1820		71	17	55
1821		215	24	102	1821		66	10	34
1822		207	26	88	1822		88	13	34

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	St. Marc.				1791	St. Hilaire.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		51	14	27	1803	(See St. Jean Baptiste.)			
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		26	10	32	1810		27	5	16
1811		48	9	24	1811		31	3	12
1812		43	6	22	1812		29	1	14
1813		51	8	38	1813		28	4	15
1814		47	10	29	1814		35	2	9
1815		39	15	20	1815		35	6	12
1816		45	17	20	1816		32	1	15
1817					1817				
1818					1818				
1819					1819				
1820		51	11	31	1820		35	7	30
1821		37	8	31	1821		26	8	20
1822		58	11	25	1822		42	7	22

1791	Beleuil.				1791	St Antoine.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		69	20	45	1803		60	18	53
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		65	16	72	1810		71	14	52
1811		82	21	37	1811		81	15	23
1812		95	20	25	1812		77	24	39
1813		77	21	59	1813		87	14	28
1814		96	21	40	1814		79	19	36
1815		88	21	43	1815		99	12	37
1816		74	9	47	1816		83	4	22
1817					1817				
1818					1818				
1819					1819				
1820		81	8	49	1820		108	13	47
1821		75	17	48	1821		99	11	54
1822		89	20	34	1822		109	10	38

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	ST. DENIS.				1791	ST. HYACINTHE.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		150	18	120	1803		208	43	274
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		114	17	62	1810		253	51	124
1811		117	51	64	1811		250	44	155
1812		111	13	30	1812		265	59	90
1813		114	13	59	1813		288	38	159
1814		113	46	64	1814		282	65	165
1815		126	66	59	1815		334	75	144
1816		125	11	61	1816		369	47	178
1817					1817				
1818					1818				
1819					1819				
1820		180	25	93	1820		420	65	302
1821		153	24	73	1821		463	88	225
1822		167	17	57	1822		474	67	245

1791	ST. CESAIRE.				1791	LA PRESENTATION.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810					1810		91	19	23
1811					1811		77	5	56
1812					1812		95	17	22
1813					1813		84	8	47
1814					1814		98	15	31
1815					1815		78	22	50
1816					1816		86	11	49
1817					1817				
1818					1818				
1819					1819				
1820					1820		95	8	46
1821					1821		100	15	45
1822					1822		65	11	39

37	9	8
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YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	St. JUDE.				1791	St. OURS.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803		132	21	68
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810					1810		124	14	83
1811					1811		132	32	75
1812					1812		155	22	57
1813					1813		138	22	44
1814					1814		147	30	68
1815					1815		154	24	67
1816					1816		154	25	69
1817					1817				
1818					1818				
1819					1819				
1820					1820		168	18	89
1821					1821		184	30	61
1822		19	0	1	1822		125	23	80

1791	WILLIAM HENRY, (Protestants.)				1791	WILLIAM HENRY, (Catholics.)			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		7	7	13	1803		56	15	37
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		19	10	20	1810		94	16	63
1811		7	7	15	1811		109	21	52
1812		20	2	14	1812		117	14	43
1813		13	6	13	1813		113	18	54
1814		13	8	18	1814		130	20	56
1815		17	13	25	1815		118	20	49
1816		35	29	17	1816		144	26	85
1817					1817				
1818					1818				
1819					1819				
1820		16	7	12	1820		93	25	101
1821		17	12	14	1821		174	30	82
1822		21	13	17	1822		170	30	65

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.
1791	ISLE DU PAS.				1791	ST. ARMAND.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803		15	5	12	1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		11	1	11	1810		57	7	12
1811		15	7	4	1811		55	36	8
1812		10	7	9	1812		52	20	4
1813		8	6	10	1813		29	13	14
1814		16		9	1814		38	15	10
1815		17	6	13	1815		43	12	7
1816		10	4	5	1816		51	14	
1817					1817				
1818					1818				
1819					1819				
1820		16	7	21	1820		25	19	12
1821		29	6	11	1821		58	14	10
1822		15	5	9	1822		27	25	8
1791	DUNHAM.				1791	Methodists of			
1792					1792	St. Armand and Dunham.			
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		31	18	40	1810				
1811		16	28	10	1811				
1812		7	10	10	1812				
1813		10	8	50	1813				
1814		10	13	47	1814				
1815		15	26	29	1815				
1816		12	23	31	1816				
1817					1817				
1818					1818				
1819					1819				
1820		26	13	5	1820				
1821		9	26	1	1821				
1822		16	34	1	1822				
						See St. Armand and Dunham.			
						15 4 5			

YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES.	BAPTISMS.
1791	CALDWELL AND CHEISTIE MANORS.				1791	HATLEY			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810					1810				
1811					1811				
1812					1812				
1813					1813				
1814					1814				
1815		80	4	3	1815				
1816		39	11	3	1816				
1817					1817				
1818					1818				
1819					1819				
1820		40	9	3	1820		13	14	3
1821		43	15	13	1821		25	24	0
1822		48	14	10	1822		12	25	3
1791	CHATHAM.				1791	SHEFFORD.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810		4	2		1810				
1811		4	2		1811				
1812		10	16	1	1812				
1813		16	8	1	1813				
1814		30	16	6	1814				
1815					1815				
1816					1816				
1817					1817				
1818					1818				
1819					1819				
1820					1820				
1821					1821				
1822	No Return.				1822		46	11	5

YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.	YEAR.	PARISH.	BAPTISMS.	MARRIAGES	BURIALS.
1791	STANSTEAD.				1791	RIGAUD.			
1792					1792				
1793					1793				
1794					1794				
1795					1795				
1796					1796				
1797					1797				
1798					1798				
1799					1799				
1800					1800				
1801					1801				
1802					1802				
1803					1803				
1804					1804				
1805					1805				
1806					1806				
1807					1807				
1808					1808				
1809					1809				
1810					1810				
1811					1811				
1812					1812				
1813					1813		50	4	1
1814					1814		34		5
1815					1815				
1816					1816				
1817					1817				
1818					1818				
1819					1819				
1820					1820				
1821					1821				
1822		No Return.			1822				

EXTRACT from His Majesty's Proclamation bearing date at St. James' the 7th October 1763.

“ And whereas great frauds & abuses have been committed in the purchasing Lands of the Indians, to the great prejudice of our interests, and to the great dissatisfaction of the said Indians; in order therefore to prevent such irregularities for the future, and to the end that the Indians may be convinced of our justice and determined resolution to remove all reasonable cause of discontent; we do, with the advice of our Privy Council, strictly enjoin and require, that no private person do presume to make any purchase from the said Indians, within those parts of our Colonies where we have thought proper to allow settlement; but if at any time any of the said Indians should be inclined to dispose of the said Lands, the same shall be purchased only for us, in our name at some Public Meeting or Assembly of the said Indians, to be

held for that purpose by the Governor or Commander in Chief of our Colony, respectively, within which they shall lie: and in case they shall lie within the limits of any proprietaries, conformably to such directions and instructions as we, or they, shall think proper to give for that purpose: and we do by the advice of our Privy Council, declare and enjoin, that the trade with the said Indians shall be free and open to all our subjects whatever; provided that every person who may incline to trade with the said Indians, do take out a License for carrying on such trade, from the Governor or Commander in Chief of any of our Colonies respectively, where such person shall reside, and also give security to observe such regulations as we shall at any time think fit, by ourselves or Commissaries, to be appointed for this purpose, to direct and appoint for the benefit of the said trade: and we do hereby authorize, enjoin and require the Governors and Commanders in Chief of all our Colonies respectively, as well those under our immediate Government, as those under the government and direction of proprietaries, to grant such Licenses without fee or reward, taking especial care to insert therein a condition that such License shall be void, and the security forfeited, in case the person to whom the same is granted shall refuse or neglect to observe such regulations as we shall think proper to prescribe as aforesaid."

(Signed,) Thomas Dunn, President,

Province of }
Lower-Canada. }

Thomas Amyot,
Esquire, Secretary
and Registrar of this
Province:

Fiat.

Recorded in the
Office of Enrollments
at Quebec, the 10th
day of June 1807, in
the second Register
of Letters Patent and
Commissions, folio
326.

Signed,

JNO. TAYLOR,
Depty. Regr.

and enjoy the said Offices and Places by himself or his sufficient

GEORGE the THIRD, by the Grace of
GOD, of the United Kingdom of Great Britain
King, Defender of the Faith: To all to whom these
Presents shall come or may in any wise concern:—
GREETING:

Whereas by our Letters Patent under our Great
Seal of our Province of Lower-Canada, bearing date
at our Castle of Saint Lewis, in our City of Quebec,
in our said Province, the sixth day of August in the
Forty Fourth Year of our Reign: We did constitute
and appoint our Trusty and Well Beloved Sir George
Pownall, Knight, Secretary and Registrar of the Re-
cords of and in our said Province, to have, hold, exer-
cise and enjoy the said Offices and Places by himself or his sufficient

Deputy or Deputies, (to be by him appointed, and for whom he should be answerable) for and during our pleasure; Now know ye, that we have thought fit to determine our Royal Will and Pleasure in the Premises, and have and by these Presents do revoke, determine and make void, our said recited Letters Patent, and all things therein contained. And know ye further, that we, confiding in the loyalty, integrity and ability of our Trusty and Well Beloved Thomas Amyot, Esquire, of our especial grace, certain knowledge, and mere motion, have constituted and appointed, and hereby do constitute and appoint him the said Thomas Amyot, Secretary and Registrar of the Records of and in our said Province, in the room, place and stead of the said George Pownall, Knight, to have, hold, exercise, and enjoy the said offices and places by himself or his sufficient Deputy or Deputies, (to be by him appointed, and for whom he shall be answerable) for and during our pleasure, together with all and singular the salaries, fees, profits, perquisites, privileges and advantages to the said offices or places, or either of them, jointly or severally, belonging or in any wise appertaining, in as full and ample a manner, to all intents and purposes, as any other Secretary and Registrar of the Records of any of our Plantations in America doth hold and enjoy the same. In testimony whereof we have caused these our Letters to be made Patent and the Great Seal of our said Province of Lower-Canada to be hereunto affixed, Witness our Trusty and Well Beloved Thomas Dunn, Esquire, our President of our Province of Lower-Canada and Administrator of the Government at our said Province, at our Castle of St. Lewis, in our City of Quebec, in our said Province, the Tenth day of June in the year of our Lord One thousand Eight hundred and seven, and of our Reign the Forty Seventh.

(Signed,) T. D.

(Signed) JNO. TAYLOR,

Depty. Sec'y.

I do hereby certify the foregoing to be a true Copy of the Entry as found on Record in the Office of Enrollments at Quebec, in Register of Commissions and Letters Patent, No. 2, Folio 326.

Provincial Secretary's Office,
Quebec, 4th February, 1824.

LS. MONTIZAMBERT,
Actg. Prov. Sec'y. & Regr.

(Signed,) Richmond, Lennox, and Aubigny.

Province of }
Lower-Canada }

Commission appoint-
ing Andrew William
Cochran, Esquire, Audi-
tor in & for this Province.

Fiat.

Recorded in the Re-
gisters Office of the Re-
cords at Quebec, the 7th
day of December 1818,
in the fifth Register of
Letters Patent and Com-
missions, folio 269.

Signed,

Jno. TAYLOR,
Depy. Regr.

GEORGE the THIRD, by the Grace of
GOD, of the United Kingdom of Great Britain
and Ireland King, Defender of the Faith, to all
to whom these Presents shall come or may in any
wise concern :—GREETING,

Know Ye, that we having taken into our Royal
consideration the loyalty, integrity and ability of
our Trusty and Well Beloved Andrew William
Cochran, Esquire, have and by these Presents do
constitute and appoint him the said Andrew Wil-
liam Cochran, Our Auditor of and in Our said
Province of Lower-Canada, in the room and stead
of Edward Brabazon Brenton, Esquire, who has
left the Province, to have, hold, exercise and en-
joy the said office unto him the said Andrew William Cochran, for and
during our pleasure and his residence within our said Province, togeth-
er with all and singular the rights, profits, privileges and emoluments
thereunto belonging or appertaining. In testimony whereof, We have
caused these our Letters to be made Patent, and the Great Seal of our
said Province of Lower-Canada to be hereunto affixed, and the same to
be entered of Record in the Office of our Registrar of Enrollments in
our said Province ; Witness our Trusty and Well Beloved His Grace
Charles Duke of Richmond, Knight of the Most Noble Order of the
Garter, Captain General and Governor in Chief in and over our Pro-
vince of Lower-Canada, Vice Admiral of the same, &c. &c. &c. at
our Castle of St. Lewis, in our City of Quebec, in our said Province,
the first day of November in the Year of Our Lord One thousand
Eight hundred and Eighteen, and in the Fifty Ninth year of our Reign.

(Signed,) Jno. TAYLOR, Rd. &c.
Depy. Sec'y.

I do hereby certify the foregoing to be a true Copy of the Entry as
found on Record in the Office of Enrollments at Quebec, in Register of
Commissions and Letters Patent, No. 5, folio 269.

Ls. MONTIZAMBERT,
Actg. Prov. Sec'y. & Regr.

Provincial Secretary's Office, }
Quebec, 4th February, 1824. }

DRUGHT of an intended Report of the Honorable the Governor in Chief and the Council of the Province of Quebec, to the King's Most Excellent Majesty in His Privy Council, concerning the State of the Laws and the Administration of Justice in that Province.

MAY IT PLEASE YOUR MAJESTY,

In humble obedience to Your Majesty's Order in Council, of the 28th day of August 1767, wherein Your Majesty is pleased to Order that we should Report to Your Majesty.

First—Whether any, and what, defects are now subsisting in the present state of Judicature in this Your Majesty's Province of Quebec.

And Secondly, Whether the Canadians are, or think themselves, aggrieved according to the present Administration of Justice; wherein, and in what respects; together with our opinions of any alterations or amendments that we can propose for the general benefit of the said Province; and that such alterations and amendments, for the clearer apprehension thereof, be transmitted to Your Majesty in the form of Ordinances, but not passed as such, and that such report be returned, Signed by Your Majesty's Governor, or his *locum tenens*, the Chief Justice and Attorney General of the said Province; but that, if they should not concur, the person or persons differing in opinion should be required to report the difference of his opinions, together with his reasons for such difference of opinion, fully and at large.

We lay before Your Majesty the following view of the Laws and Customs which at present prevail in this Province, and of the rules of decision observed by Your Majesty's Courts of Judicature in the Administration of Justice, together with such observations on these heads as the experience we have had in our respective Offices, since we have had the honour to serve Your Majesty in this Province, has enabled us to make.

In the first place, we beg leave to observe to Your Majesty, that the Laws of England are generally supposed to be in force in this Province. All Criminal Proceedings have been carried on according to these Laws: and in Civil matters no other Laws are cited or appealed to, or allowed to be of any weight in the Courts of Justice; though in one or two Causes certain Customs that prevailed here in the time of the French Government have been admitted as the grounds of the decisions, because the Causes of Action in those litigations had arisen either in the time of the

French Government, or during Your Majesty's Government of this Province by your Military Commanders, during which period the ancient Laws and usages of the Country were supposed to be in force : but since the Establishment of Civil Government Your Majesty's Chief Justice of the Province has acted by virtue of a Commission that Commands him to decide all matters that come before him *according to the Laws and Customs of that part of Your Majesty's Kingdom of Great Britain called England, and the Laws, Ordinances, Rules and Regulations of your Majesty's Province of Quebec hereafter in that behalf to be ordained and made* ; so that he is not at liberty to allow of any other Laws or Customs, but those of England, unless they are expressly introduced or revived by some of the Ordinances of the Province made since the Establishment of the Civil Government. And further, besides this Commission, there is an express Ordinance of the Province which obliges both your Majesty's Chief Justice and the other Judges of the Province to follow the same rule of Judgment. This is the Ordinance of the 17th of September 1764, passed by the Governor and Council of the Province upon the introduction of the Civil Government, to erect and constitute the Courts of Justice by which the said Civil Government was to be carried on. This Ordinance erects, in the first place, one Superior Court of Judicature, called the King's Bench, in which it directs that your Majesty's Chief Justice of the Province shall preside, *with power and authority to hear and determine all Criminal and Civil Causes agreeable to the Laws of England and to the Ordinances of this Province* ; and, in the second place, an inferior Court of Judicature, called the Court of Common Pleas, with power and authority to determine all property above the value of ten pounds, with a liberty to either party to appeal to the Superior Court, or Court of King's Bench, when the matter in contest is of the value of twenty pounds, or upwards ; and directs that the Judges in this Court shall determine the matters before them agreeable to Equity, *having regard nevertheless to the Laws of England as far as circumstances and situation of things will permit, until such time as proper Ordinances for the information of the people can be established by the Governor and Council agreeable to the Laws of England* ; and it further directs, *that the French Laws and Customs shall be allowed and admitted in all Causes in this Court between the natives of this Province, where the Cause of action arose before the 1st day of October 1764*. It then, in the third place, gives powers to Justices of the Peace to determine matters of property of small value in a summary way, either singly, if the matter in dispute does not

exceed the value of five pounds, or in conjunction with each other in weekly and quarterly Session, where the matter in contest is of a greater value. The words of this Ordinance, by which these things are ordained, are of the tenor following.

“ Whereas it is highly expedient and necessary for the well governing of His Majesty’s good Subjects of the Province of Quebec, and for the speedy and impartial distribution of Justice among the same, that proper courts of Judicature, with proper powers and authorities, and under proper regulations, should be established and appointed, His Excellency the Governor, by and with the advice, consent and assistance of His Majesty’s Council, and by virtue of the power and authority to him given by His Majesty’s Letters Patent under the Great Seal of Great Britain, hath thought fit to ordain and declare, and his said Excellency, by and with the advice, consent and assistance aforesaid, doth hereby ordain and declare :

“ That a superior Court of Judicature or Court of King’s Bench be established in this Province, to sit and hold terms in the town of Quebec twice in every year, viz, one to begin on the 21st day of January, called Hilary Term, the other on the 21st day of June, called Trinity Term.

“ In this Court His Majesty’s Chief Justice presides, with power and authority to hear and determine all criminal and civil causes, agreeable to the Laws of England and to the Ordinance of this Province, and from this Court an appeal lies to the Governor and Council when the matter in contest is above the value of three hundred pounds sterling; and from the Governor and Council an appeal lies to the King and Council, where the matter in contest is of the value of five hundred pounds sterling or upwards.

“ In all trials in this Court all His Majesty’s Subjects in this Colony are to be admitted on Juries without distinction.

“ And His Majesty’s Chief Justice once in every year to hold a Court of Assize and general Gaol Delivery, soon after Hilary Term, at the Towns of Montreal and *Trois Rivières*, for the more easy and convenient distribution of Justice to His Majesty’s Subjects in those distant parts of the Province.

“ And whereas an Inferior Court of Judicature, or Court of Common Pleas, is also thought necessary and convenient, it is further ordained and declared, by the authority aforesaid, that an inferior Court of Judicature, or Court of Common Pleas, is hereby established, with power and authority to determine all property above the value of ten pounds, with liberty of appeal to either party to the superior Court, or Court

“ of King’s Bench, where the matter in contest is of the value of
 “ twenty pounds and upwards.

“ All Trials in this Court to be by Juries if demanded by either
 “ party ; and this Court to sit and hold two terms in every year
 “ at the Town of Quebec, at the same time with the superior
 “ Court, or Court of King’s Bench. Where the matter in con-
 “ test in this Court is above the value of three hundred pounds
 “ sterling, either party may (if they shall think proper) appeal to
 “ the Governor and Council immediately, and from the Gover-
 “ nor and Council an appeal lies to the King and Council, where
 “ the matter in contest is above the value of five hundred pounds
 “ sterling, or upwards.

“ The Judges in this Court are to determine agreeable to
 “ Equity, having regard nevertheless to the Laws of England, as
 “ far as the circumstances and present situation of things will ad-
 “ mit, until such time as proper ordinances for the information of
 “ the people can be established by the Governor and Council, a-
 “ greeable to the Laws of England.

“ The French Laws and Customs to be allowed and admitted
 “ in all causes in this Court between the natives of the Province,
 “ where the causes of action arose before the first day of October
 “ one thousand seven hundred and sixty four.

“ The first process in this Court to be an attachment against
 “ the body.

“ An execution to go against the body, lands, or goods of the
 “ Defendant.

“ Canadian Advocates, proctors &c. may practise in this Court.

“ And whereas it is thought highly necessary for the ease, con-
 “ venience and happiness of all His Majesty’s loving Subjects, that
 “ Justices of the Peace should be appointed for the respective
 “ districts of this Province, with power of determining proper-
 “ ty of small value in a summary way, it is therefore further or-
 “ dained and declared, by the authority aforesaid, and full pow-
 “ er is hereby given and granted to any one of His Majesty’s
 “ Justices of the Peace, within their respective districts, to hear and
 “ finally determine in all causes or matters of property not exceeding
 “ the sum of five pounds current money of Quebec ; and to any
 “ two Justices of the Peace, within their respective districts to
 “ hear and finally determine in all causes or matters of property
 “ not exceeding the sum of ten pounds said Currency ; which
 “ decisions being within, and not exceeding the aforesaid limita-
 “ tion, shall not be liable to an appeal ; and also full power is,
 “ by the authority aforesaid, given and granted to any three of
 “ said Justices of the Peace to be a *quorum* with power of holding

“ quarter Sessions in their respective districts every three months,
 “ and also to hear and determine all causes and matters of pro-
 “ perty which shall be above the sum of ten pounds, and not ex-
 “ ceeding thirty pounds current money of Quebec, with liberty of
 “ appeal to either party to the Superior Court or Court of King’s
 “ Bench. And it is hereby ordered, that the aforesaid Justices
 “ of the Peace do issue their Warrants directed to the Captains
 “ and other officers of the Militia in this Province, to be by
 “ them executed, until the Provost-Marshal, legally authorized
 “ by His Majesty, shall arrive and other inferior officers be ap-
 “ pointed for that purpose ; all officers, civil and military or
 “ other His Majesty’s loving subjects, are hereby commanded
 “ and required to be aiding and assisting to the said Justices and
 “ Officers of Militia in the due execution of their duty. And
 “ it is further ordered and directed by the authority aforesaid,
 “ that two of the said Justices of the Peace do sit weekly in rota-
 “ tion, for the better regulation of the Police and other matters
 “ and things in the Towns of Quebec and Montreal, and that the
 “ names of the Justices who are to sit in each week be posted up
 “ on the door of the Session House by the Clerk of the Peace, two
 “ days before their respective days of sitting, that all persons may
 “ know to whom to apply for redress.”

Further by another Ordinance of your Majesty’s Governor and
 Council, dated the 6th day of November 1764, it is ordained, that un-
 til the 10th day of August next, that is, of August 1765, the tenures
 of lands, with respect to such grants as are prior to the Cession of Ca-
 nada to the Crown of Great Britain by the definitive Treaty of Peace
 of February 1763, and the rights of inheritance, as practised before that
 period, in such lands, shall remain to all intents and purposes the same,
 unless they shall be altered by some declared and positive Law. The
 words of this Ordinance relating to this subject are of the tenor following.

“ Whereas it appears right and necessary to quiet the minds of the
 “ people in regard to their possessions, and to remove every doubt res-
 “ pecting the same, which may any ways tend to excite and encourage
 “ vexatious Law Suits, and until a matter of so serious and complicated
 “ a nature, fraught with many and great difficulties, can be seriously
 “ considered, and such measures therein taken as may appear the most
 “ likely to promote the welfare and prosperity of the Province in gene-
 “ ral, His Excellency by and with the advice and consent of His Ma-
 “ jesty’s Council doth hereby ordain and declare that, until the 10th
 “ day of August next, the tenures of lands, in respect to such grants
 “ as are prior to the Cession thereof, by the definitive Treaty of Peace
 “ signed at Paris the 10th day of February one thousand seven hundred
 “ and sixty three, and the rights of inheritance, as practised before
 “ that period, in such lands or effects, of any nature whatsoever, ac-

“ cording to the custom of this Country, shall remain to all intents
 “ and purposes the same, unless they shall be altered by some declared
 “ and positive Law ; for which purpose the present Ordinance shall
 “ serve as a guide and direction in all such matters to every Court of
 “ Record in this Province. Provided that nothing in this Ordinance
 “ contained shall extend, or be construed to extend, to the prejudice of
 “ the rights of the Crown, or to debar His Majesty, his Heirs or Suc-
 “ cessors, from obtaining by due course of Law in any of his Courts of
 “ Record in this Province, according to the Laws of Great Britain,
 “ any lands or tenements, which at any time hereafter may be found to
 “ be vested in His Majesty, his Heirs or Successors and in the posses-
 “ sion of any Grantee or Grantees, his, her, or their Assigns, or such
 “ as claim under them by virtue of any such grants as aforesaid, or under
 “ pretence thereof, or which hereafter may be found to have become
 “ forfeited to His Majesty, by breach of all or any of the conditions in
 “ such grants respectively mentioned and contained.”

By this latter Ordinance we conceive that all the lands in this Province, whose owners have died since the 10th day of August 1765, are meant to be subjected to the English Law of inheritance and the English Custom of dower, and to the English Rules of forfeiture to Your Majesty for high Treason, or escheat to Your Majesty, or to such other Lord of whom they are holden, for felony or defect of heirs, and to all the other rules of the English Law relating to Land-property, even though the said lands had been originally granted before the Signing of the definitive Treaty of Peace ; and that all lands granted since the said Peace were already, at the time of making the said Ordinance, subject to the said English Rules and Customs, and were so to continue.

By these two Ordinances, which have been transmitted to Your Majesty and never disallowed, and are therefore supposed to have received the Sanction of Your Majesty's Royal Approbation, the Canadian Laws and Customs have been generally supposed to be abolished, and the English Laws and Customs to have been introduced in their stead, and the Judges of Your Majesty's Courts of Judicature in this Province have conceived themselves to be in conscience bound to administer justice according to the Laws of England.

Besides these two Ordinances there are several other public Instruments and Acts of Gouvernement, by which the Laws of England are supposed to have been introduced into this Province. Some of these instruments are Acts of Parliament which introduce those particular parts of the Laws of England, to which they relate, into this Province ; and others of them are instruments of a high and important nature, that bear the Sanction of Your Majesty's royal Authority, by which it is generally understood to have been your Royal pleasure to abolish the former Laws and Customs of this Province, and for the sake of governing your new Canadian Subjects in a milder and more indulgent manner than they had heretofore been used to, and associating and connecting them with

the greater part of your ancient and natural born Subjects of Great Britain by the strong tie of an Union and Communion of Laws, to introduce the Laws of England in their stead. These Acts of Parliament and other instruments of Government are as follows :

The Acts of Parliament that relate to this Province are of two kinds ; some of them are prior to the Conquest of this Province by Your Majesty's Arms in the year 1760, but extend to Your Majesty's future American Dominions, as well as those which belonged to the Crown of Great Britain at the times of passing them, either by express words for that purpose, or by some general words that have been deemed by Your Majesty's Ministers and Law Officers, by just construction in Law, to comprehend them ; and others of the said Acts have been passed by Your Majesty's self, by the advice and with the consent of your Parliament, since the Conquest and Cession of this Province by the last definitive Treaty of Peace.

The most ancient Act of Parliament of the first kind that we have met with is that of the first of Queen Elizabeth, Chap. 1, by which the pretended authority of the Bishop of Rome was abolished throughout all the Dominions of England. The 16th Section of this Statute is of the following tenor : " And to the intent that all usurped and foreign reign power and authority, spiritual and temporal, may for ever be clearly extinguished, and never to be used or obeyed within this Realm, or any other Your Majesty's Dominions or Countries, may it please Your Highness, that it may be further enacted by the authority aforesaid, that no foreign prince, person, prelate, state or potentate, spiritual or temporal, shall at any time after the last day of this Session of Parliament, use, enjoy, or exercise any manner of power, jurisdiction, superiority, authority, pre-eminence or privilege, spiritual or ecclesiastical, within this Realm, or within any other Your Majesty's Dominions and Countries that now be, or hereafter shall be ; but from thenceforth the same shall be clearly abolished out of this Realm and all other Your Majesty's Dominions for ever ; any Statute, Ordinance, Custom, Constitution, or any other matter or cause whatev'er to the contrary in any wise notwithstanding."

By this Section of that Statute, and the express words *any other Your Majesty's Dominions and Countries that now be, or hereafter shall be*, we humbly apprehend that all exercise of the Pope's authority, or of any ecclesiastical authority derived from him, is prohibited in this Province as much as it is in England itself.

The next Section of this Act of Parliament annexes all Ecclesiastical Jurisdiction to the Crown of England.

The 15th Section requires all Bishops and other ecclesiastical persons, and all ecclesiastical Officers and Ministers, and all temporal Judges, Justices, Mayors, and other lay or temporal Officers and Ministers, and every other person having the Queen's Fee or Wages within the Realm of England, or *any other Her Highness' Dominions*, to take the Oath of Supremacy.

The 24th Section enacts, that every temporal person doing homage for his Lands to the Queen, her Heirs or Successors, or that shall be received into the service of the Queen, her Heirs or Successors, shall take the same Oath.

And the 27th Section enacts, that if any person of any degree whatsoever, dwelling within the Realm of England or *in any other, the Queen's Realms or Dominions*, shall by writing, teaching, or preaching, maintain or defend the authority, spiritual or ecclesiastical, of any foreign prince, prelate, person, state or potentate whatsoever, heretofore claimed, used or usurped within the Realm of England, or *any Dominion or Country being within or under the power, dominion or obeisance of the Queen's Highness*, he shall forfeit all his goods and chattels for the first offence.

We submit it to Your Majesty that this Statute seems, from the whole complexion of it, as well as from the positive words *Your Majesty's Dominions that hereafter shall be*, to have been considered by the Legislature that passed it as an indispensable part of the general Policy of the English Government, and to have been intended to take place in every Country, that either then made or should thereafter make a part of the Dominions of the Crown of England.

The next Statute that we have met with of this comprehensive nature is the Statute of the 15th of Charles the Second, Chap. 7, intituled, "An Act for the encouragement of Trade." In the 7th Section of this Statute it is enacted, that after the 25th day of March 1664, no commodity of the growth or manufacture of Europe shall be imported into any land, island, plantation, colony, territory, or place to His Majesty belonging *or which shall hereafter belong unto, or be in the possession of His Majesty, his Heirs and Successors*, in Asia, Africa, or America (Tangier only excepted) but what shall be laden and shipped in England, Wales or the town of Berwick upon Tweed, and in English built Shipping."

Another Statute of the same kind is the Stat. 7 and 8 Will. III. Chap. 22, intituled, "An Act for preventing Frauds and regulating Abuses, in the Plantation Trade;" by which it is enacted and ordained, that after the 25th day of March, in the year 1698, no Goods or Merchandize whatsoever shall be imported into, or exported out of any Colony or Plantation to His Majesty in Asia, Africa, or America belonging, or in his possession *or which may hereafter belong unto, or be in the possession of His Majesty, his Heirs or Successors*, in any Ship or Bottom, but what is or shall be of the built of England, or of the built of Ireland, or of the built of the said Colonies or Plantations.

And the other Acts of Parliament relating to the Trade of Your Majesty's American Colonies, though they have not such strong positive words in them as the three Statutes above mentioned, yet are generally understood to extend to this Province as well as to Your Majesty's more ancient American Dominions; and, agreeably to this opinion, Your

Majesty has caused a Clause to be inserted in your Commission to your Governor in this Province, directing him to take the Oath required to be taken by Governors of the Plantations to do their utmost that the several Laws relating to Trade and Plantations, be duly observed; and this Oath he hath accordingly taken. And Your Majesty's Commissioners of the Customs have appointed a Collector and Comptroller of the Customs, and other Officers necessary for the collection of them for this Port of Quebec, in order to carry all these Acts of Parliament into execution.

Another Statute that we understand to be in force in this Province, though made before the Conquest of it and not extended by express words to the future dominions of the Crown of Great Britain is Stat. 2, 12th Ann, Chap. 18, intituled, "An Act for preserving all such Ships and Goods thereof which shall happen to be forced on shore, or stranded, upon the Coasts of this Kingdom, or any other of her Majesty's Dominions." This Statute, and another of the 4th of Geo. I Chap. 12, for enforcing and making the former perpetual, have been declared by Your Majesty's Attorney and Solicitor General, in the month of June 1767, in an opinion given by them to Your Majesty's Lords Commissioners of Trade and Plantations, upon a case stated to them by those Lords, to extend to Your Majesty's Plantations in America: and no exception is made in their opinion of those of Your Majesty's Dominions in America which have been acquired since the passing of those Statutes. And Your Majesty's Ministers have transmitted the said case and opinion to Your Majesty's Governor of this Province, upon a supposition as we apprehend, that it extends to this Province as well as to all the others.

These are the Acts of Parliament passed before the Conquest and Cession of Canada, that we conceive to be in force in this Province by their own import and operation, and without needing any further Act of Government to introduce them.

Some of these Acts of Parliament passed by Your Majesty's self since the Conquest and Cession of Canada relating to this Province are these that follow:

The first of these Statutes is that of the 4th year of your Majesty's reign, Chap. 11, which amongst other things, enacts, that so much of an act made in the 8th year of King George the First, intituled, "an Act for giving further encouragement to the importation of Naval Stores, and for other purposes therein mentioned," as relates to the importation of wood and timber, and of the goods commonly called *Lumber*, therein particularly enumerated, from any of your Majesty's British plantations or Colonies in America, free from all customs and impositions whatsoever,

shall be continued, beyond the times appointed in former Acts, to the 29th September in the year 1771.

In this Statute the words *British plantations* are generally understood to relate to this Province as well to your Majesty's other Colonies in America; and a copy of this Statute has accordingly been transmitted by the Commissioners of your Majesty's Customs in London to your Majesty's Collector of the Customs in this Port.

The next Act of Parliament of this kind is of the same 4th year of your Majesty's reign, chap. 19. This Statute expressly relates to this Province by name, being intituled, "An Act for importing Salt from Europe into the Province of Quebec, in America for a limited time". It enacts, "that it shall be lawful for any of His Majesty's Subjects to carry and import Salt from any part of Europe into the said Province of Quebec, in America, in British ships and vessels manned and navigated according to the Act of navigation; *any Law, Statute, Usage, or Custom, to the contrary in any wise notwithstanding.*"

By these last words it seems to be supposed that all the former Laws and Statutes of Great Britain relating to this subject of the importation and exportation of goods and Merchandize, made before the conquest of this Province, are of force in this Province as well as in the other British Provinces in America.

Another Act of Parliament passed by your Majesty, and expressly relating to this Province, is the Statute of the same 4th year of your Majesty's reign, chapter 15, intituled, "An Act for granting certain duties in the British Colonies and plantations in America, and for other purposes." By this Statute it is enacted, that certain rates and duties therein mentioned shall be paid upon several species of foreign goods therein enumerated, that shall after the 29th day of September 1764, be imported or brought into any colony or plantation in America, *which now is, or hereafter may be* under the dominion of your Majesty, your Heirs and Successors; and these duties are accordingly levied and paid in this Province.

These are the Acts of Parliament, or at least some of them (for possibly there may be others which have escaped our notice) which by their own import and operation extend, as we conceive, to this Province, without the help of any other instrument or Act of Government to introduce them; and therefore such parts of the Laws of England as are contained in these Statutes are certainly in force in this Province, being introduced into it by the highest authority, that of your Majesty, or your Royal Predecessors.

fors, in conjunction with both Houses of Parliament. The remaining parts of the Laws of England have been introduced, or are generally understood to have been introduced, by a series of public instruments or Acts of Government, founded on your Majesty's Royal Authority alone, without the concurrence of your Parliament. These public instruments and Acts of Government are as follows :

The first of these public instruments is the Capitulation granted by Your Majesty's General, Sir Jeffery Amherst, to the inhabitants of Canada at the general Surrender of the whole Country to Your Majesty's Arms in the year 1760. In the 42d Article of this Capitulation it is desired by the French Commander, on the behalf of the French and Canadian inhabitants of this Province, that they shall continue to be governed according to the Custom of Paris and the Laws and Usages established in this Country; to which it is answered by your Majesty's General, that they become subjects to the King : by which it should seem, that these your Majesty's new Subjects in this Province were put upon the same footing as your Majesty's other subjects in other parts of your Majesty's British Dominions with respect to the Laws by which they were to be governed, and the power of legislation that was to be exercised over them for the time to come, and that the continuance or abolition of their former Laws and customs was to depend entirely upon the future counsels which your Majesty in your royal wisdom, should find it expedient to pursue.

The 27th article of this capitulation demands, that the free exercise of the Roman Catholic religion shall subsist entire, in such manner that all the people shall continue to assemble in the Churches and to frequent the sacraments as heretofore, without being molested in any manner, directly or indirectly : and then it goes on and demands, in the second place, that the people shall be obliged by the English government to pay the Priests the Tithes and all the Taxes they were used to pay under the Government of the French King. The General's answer to this article is as follows :—" *Granted as to the free exercise of their religion. The obligation of paying tithes to the Priests will depend upon the King's pleasure.*" By this answer it is evident that a bare toleration, or permission to exercise freely the Roman Catholic Religion, without being molested for so doing by the execution of the penal Laws of England upon that subject, is granted to the Canadians, together with a reasonable use of their Churches for that purpose, though not, as we conceive, to the

entire exclusion of your Majesty's Protestant subjects from making use of the same Churches likewise ; but a legal establishment of that religion, with a right to exact their Tithes from the people as legal dues and not as voluntary contributions, is refused them, until your Majesty's pleasure shall otherwise direct, which your Majesty has not yet judged expedient to do. By this refusal all those parts of the Canadian Laws and Usages relating to the payment of Tithes and other Church dues are either abolished or suspended.

The 31st article of the same capitulation is as follows :—
 “The Bishop shall, in case of need, establish new Parishes, and provide for the re-building of his Cathedral and his Episcopal Palace ; and in the mean time, he shall have the liberty to dwell in the town or parishes as he shall judge proper. He shall be at liberty to visit his diocese with the ordinary ceremonies, and exercise all the jurisdiction which his predecessors exercised under the French Government, save that an Oath of Fidelity, or a promise to do nothing contrary to his Britannic Majesty's Service may be required of him.” To this article your Majesty's General made the following answer :—“ *This article is comprised under the foregoing.*” Now the foregoing or 30th article is directly refused ; therefore this article must be deemed to be refused likewise, and consequently by this refusal all those parts of the Canadian Laws and Customs that give a right to the Bishop of Quebec to establish new Parishes, and to provide for the re-building of his Cathedral and his Episcopal Palace, and to visit his diocese with the ordinary ceremonies, and to exercise the jurisdiction which had been exercised by his predecessors under the French Government, are abolished, and your Majesty's ecclesiastical supremacy is vindicated and supported in a manner agreeable to that important and universal Statute of the 1st of Queen Elizabeth, above cited.

The next public Instrument relating to the condition of this Province is the definitive Treaty of Peace, concluded at Paris on the 10th day of February 1763. In the fourth Article of this Treaty it is declared, that Your Majesty will give the most effectual orders that your new Roman Catholic subjects may profess the worship of their religion according to the Rites of the Roman Church, *as far as the Laws of Great Britain permit.* By this reference to the Laws of Great Britain it should seem to have been Your Majesty's intention, that those Laws should be the fundamental rule of Government in this Province.

The next public Instrument relating to this subject, and upon

which great stress has been laid by all Your Majesty's British subjects, that have resorted to this Province, is Your Majesty's Royal Proclamation of the 7th of October 1763, which seems to have had principally in view the profit and advantages that might accrue to Your Majesty's British subjects by resorting to, or settling in, the countries that had lately been ceded to Your Majesty by the definitive Treaty of Peace. By this very solemn and important Instrument, passed under Your Majesty's Great Seal of Great Britain, it is declared that, " Your Majesty being desirous
 " that all Your Majesty's loving subjects, as well of your King-
 " doms as your Colonies in America, may avail themselves, with
 " all convenient speed, of the great benefits and advantages that
 " must accrue from the great and valuable acquisitions lately ce-
 " ded to Your Majesty in America, to their commerce, manufac-
 " tures and navigation, has thought fit, with the advice of Your
 " Privy Council, to erect four new Governments, to be stiled and
 " called by the names of Quebec, East Florida, West Florida,
 " and Grenada; and that, as it will greatly contribute to the
 " speedy settling the said new Governments, that Your Majesty's
 " loving subjects should be informed of Your Majesty's paternal
 " care for the security of the liberty and properties of those who
 " are or shall become inhabitants thereof; Your Majesty hath
 " thought fit to publish and declare, by that Your Majesty's Pro-
 " clamation, that Your Majesty has, in the Letters Patent under
 " the Great Seal of Great Britain by which the said Govern-
 " ments are constituted, given express power and directions to
 " your Governors in the said new Colonies, that, so soon as the
 " state and circumstances of the said Colonies will admit thereof,
 " they shall, with the advice and consent of the members of Your
 " Majesty's Councils, summon and call General Assemblies with-
 " in the said Governments, in such manner and form as is used
 " and directed in those Colonies and Provinces in America which
 " are under Your Majesty's immediate Government; and that
 " Your Majesty has also given powers to the said Governors,
 " with the consent of Your Majesty's said Councils and Repre-
 " sentatives, so to be summoned as aforesaid, to make, constitute,
 " and ordain Laws, Statutes, and Ordinances for the public peace,
 " welfare and good government of Your Majesty's said Colonies,
 " and of the people and inhabitants thereof, as near as may be to
 " the Laws of England, and under such regulations and restric-
 " tions as are used in other Colonies."

And then it is further declared in Your Majesty's said Proclamation, " that in the mean time, and until such Assemblies can

“ be called as aforesaid, all persons inhabiting or resorting to
 “ Your Majesty’s said Colonies *may confide in Your Majesty’s*
 “ *Royal protection for the enjoyment of the benefit of the Laws*
 “ *of Your Realm of England*; and that for that purpose Your
 “ Majesty had given power under the Great Seal to the Gover-
 “ nors of Your Majesty’s said new Colonies, to erect and consti-
 “ tute, with the advice of Your Majesty’s said Councils respecti-
 “ vely, Courts of Judicature and Public Justice within the said
 “ Colonies for the hearing and determining all causes, as well cri-
 “ minal as civil, according to law and equity, and, as near as
 “ may be, agreeably to the Laws of England, with liberty to all
 “ persons who may think themselves aggrieved by the sentence
 “ of such Courts, in all civil cases, to appeal, under the usual li-
 “ mitations and restrictions to Your Majesty in Your Privy
 “ Council.”

These are the words of Your Majesty’s said Proclamation, and by them Your Majesty’s British subjects in this Province declare, that they have always understood that the Laws of England have been introduced into this Province, and that it was Your Majesty’s intention to assimilate the Laws and Civil Government of it to those of the other American Colonies and Provinces, which are under Your Majesty’s immediate government, and not to continue the municipal Laws and Customs by which the conquered people had heretofore been governed. And through a confidence in this Proclamation, understood in this sense, they say, they have quitted their native country to come and settle in this Province, expecting to change only their climate by such removal in pursuit of commercial advantages, and not to become subject to the Laws of the conquered people, with which they are wholly unacquainted, and against which (though perhaps without reason) they entertain strong prejudices.

And in this sense was this Proclamation understood also by Your Majesty’s late Governor of this Province and his Council, who did not, in making the important Ordinance above mentioned, of the 17th of September 1764, conceive themselves to be overturning all the ancient Laws and Customs of this Country, and introducing the Laws of England in their stead, but meant only to erect and constitute Courts of Judicature to administer a system of Laws already in being, to wit, the Laws of England, which they conceive to have been already introduced there by the words of Your Majesty’s Proclamation. And in this sense likewise, Your Majesty’s Lords Commissioners for Trade and Plantations, in the month of September 1765, understood these words in Your Majesty’s Proclamation; for in the 7th and last Article

of a Report made by the said Lords Commissioners, upon certain Memorials and Petitions from Your Majesty's subjects in this Province, complaining of the Ordinances and Proceedings of the Governor and Council of this Province, and of the then present establishment of the Courts of Judicature and other Civil Constitutions, of the Lords of the Committee of Your Majesty's Privy Council for plantation affairs, dated on the 2nd day of September in the said year, the said Lords Commissioners of Trade propose, *that in all cases where rights or claims are founded on events prior to the Conquest of Canada, the several Courts shall be governed in their proceedings by the French usages and customs which have heretofore prevailed in respect to such property*; from which words it appears plainly that their Lordships understood that in all cases, where rights and claims are founded on events posterior to the said Conquest, the several Courts of Justice were to be governed by the English Laws, and that their Lordships were solicitous to make an express provision, that this general rule of deciding cases according to the English Laws, should not be applied to such cases as were founded on events that were prior to the said Conquest, in which cases it would be manifestly unjust.

We know at the same time that Your Majesty's Attorney and Solicitor General, in the following month of April 1766, understood the words of Your Majesty's Royal Proclamation in a more confined sense, as being introductive of only some select parts of the Laws of England, that were more particularly beneficial to Your Majesty's English subjects, and not of the whole body of those Laws. This they took to be the true import of these words in Your Majesty's Proclamation above mentioned, *the enjoyment of the benefit* of the Laws of England; and they were of opinion that the Criminal Laws of England were almost the only Laws that came under that description; and that the Laws of England relating to descent, alienation, settlements and incumbrances of real estates, and to the distribution of personal property in case of intestacy, were certainly not comprehended under it. Whether this or the former way of interpreting this part of Your Majesty's Proclamation is the true one, belongs only to Your Majesty to determine, according to the ancient Rule of Law laid down by the celebrated Lawyer *Bracton*, that "*cujus est condere, ejus est interpretari*." All that we presume to do on this occasion is to lay before Your Majesty a full and plain historical account of the several Public Instruments and Acts of Government by which the Laws of England have either been introduced, or

imagined to be introduced, into this Province in lieu of those Laws and customs which were observed in it heretofore.

The next Public Instrument of this kind is Your Majesty's Commission to General Murray, in the year 1764, to be Vice-Admiral, Commissary and Deputy in the Office of Vice-Admiralty in the Province of Quebec. This is a Judicial Commission, by which the said General was empowered to enquire, by the Oaths of honest and lawful men of the said Province, of all and singular matters and things which of right, and by the Statutes, Laws, Ordinances and Customs, anciently observed, were wont and ought to be enquired after; and of wreck of the sea; and of goods of felons of themselves; and likewise of goods waived, flotton, jetson, ligan, deodans, derelicts and other casualties upon the sea, or sea coast, or fresh water Rivers, as far as the tide flows; and also of anchorage, lastage, ballast, and fish Royal, anciently by right or custom belonging to Your Majesty, and to arrest, or cause to be arrested, according to the Civil and Maritime Laws and ancient customs of Your Majesty's Court of Admiralty, all ships, persons and merchandizes for causes arising within the Maritime Jurisdiction, and to hear and determine the said causes, with all the matters incident thereunto, according to the Laws and customs aforesaid; and to fine, chastise and imprison within any of the Goals of the Province the parties that shall be found guilty, according to the rights, Statutes, Laws, Ordinances and Customs anciently observed.

By this Commission it is evident your Majesty has introduced into this Province, all the Laws of your Majesty's English Court of Admiralty, in lieu of the French Laws and Customs by which Maritime Causes were decided in the time of the French Government.

The next Public Instrument relating to this subject is your Majesty's Commission to General Murray, in the year 1764, to be Captain General and Governor in Chief, in and over this your Majesty's Province of Quebec. This Commission, and the instructions, that accompanied it, seem every where to pre-suppose that the Laws of England were in force in this Province, being full allusions and references to those Laws on a variety of different subjects, and not containing the least intimation of a saving of any Part of the Laws and Customs that prevailed here in the time of the French Government.

It seems as if your Majesty had been of opinion, that by the refusal of General Amherst, to grant to Canadians the continuance of their Ancient Laws and usages, and by the reference made in the fourth Article of the definitive Treaty of Peace to the Laws of

Great-Britain, as the measure of the indulgence intended to be shewn them with respect to the exercise of their religion, sufficient notice had been given to the conquered inhabitants of this Province, that it was your Majesty's Pleasure, that they should be governed for the future according to the Laws of England, and that they, after being thus apprized of your Majesty's intention, had consented to be so governed, and had testified their said consent by continuing to reside in the Country and taking the Oath of allegiance to your Majesty, when they might have withdrawn themselves from the Province, with all their effects and the produce of the Sale of their Estates, within the eighteen months allowed by your Majesty for that purpose.

These are the Public instruments by which it is generally supposed, by those who have perused them, that the Laws of England have been introduced into this Province. But as your Majesty's Royal Proclamation above mentioned, and your Commission to General Murray to be Governor in Chief of this Province, have never been published here in the French language, and as the Provincial Ordinances above mentioned of the 17th of September and the 6th of November 1764, which have been published here in the French language, have mentioned this change in the Laws in very concise and general terms, without specifying or describing any of the Laws of England that were thereby introduced, the greatest part of your Majesty's new subjects remain ignorant of the extent of the change to this hour, and imagine that their ancient Laws and usages are *in many points* still in force. They still divide their lands upon an inheritance in the same manner as before the Conquest; their widows are admitted to the same shares of them as before, without any regard to the English rule of dower, which differs widely from that of the French Law; and the personal Estates of persons who die intestate are distributed at their decease according to the rules of the French Law, which are somewhat different (though not very greatly, as we are informed) from those of the English Statute of distributions; and the distributions of their personal Estates have likewise been made for the most part by persons authorized thereunto in the manner that was usual under the French Government, and not by receiving letters of administration from your Majesty's Governor of the Province in the manner directed by your Majesty's instructions. Fortunately for the Peace of the Province no litigations have yet arisen in any of your Majesty's Courts of Justice to give occasion to decisions that would make them acquainted with the change of the Laws in these particulars, which would probably create a great deal of uneasiness.

Yet upon the decease of your Majesty's British subjects in this Province, their relations have taken out letters of administration from the Governor of the Province, agreeably to your Majesty's instruction for that purpose, and, as we believe, have followed the English rule of distribution, and some few, but very few, of your Majesty's new subjects have likewise taken out letters of administration in the same manner, but have followed, as we believe, the rules of the French Law, with respect to the distribution of the effects. We humbly apprehend that this diversity in the practice of your Majesty's subjects in this Province, may hereafter be the occasion of some confusion, though happily no bad consequences have hitherto followed from it.

There has likewise been a diversity in the practice of your Majesty's old and new subjects with respect to the manner of conveying and mortgaging landed property. Your Majesty's British subjects have bought and sold lands and houses by instruments drawn up by English Lawyers, according to the English modes of conveyancing; and your Majesty's Canadian subjects have employed Canadian Notaries or Scriveners, for the same purposes, who have followed the French forms of conveyancing made use of before the Conquest. And it has often happened that the same lands and houses have been sold and bought and mortgaged by both French and English conveyances, as they have passed into the hands of Canadian or British Proprietors. This also, we conceive, may hereafter be productive of some confusion. Leases have likewise been made of lands near Quebec for twenty-years by the Society of Jesuits in this Province, though by the French Law they can only be made for nine years. This has been done upon a supposition that the restraints upon the power of leasing lands imposed upon the owners of them by the Custom of Paris, of which this is one, have no longer any legal existence. Upon the same principle many owners of Seigniories, Canadians as well as Englishmen, have made grants of uncleared land upon their Seigniories for higher Quit-Rents, than they were allowed to take in the time of the French Government, without regard to a rule or custom that was in force at the time of the Conquest, that restrains them in this particular. And as the Seigniors transgress the French Laws in this respect, upon a supposition that they are abolished or superseded by the Laws of England, so the Freeholders, or Peasants, of the Province transgress them in other instances upon the same supposition. For example, there was a Law made by the French King concerning the Lands of this Province, ordaining, that no man should build a new dwelling House in the Country (that is, out of the Towns and Villages) without having

sixty French *Arpents* or about fifty English Acres, of land adjoining to it, and that, if upon the death of a Freeholder and the partition of his lands amongst his Sons, the share of each Son came to less than the said sixty *Arpents* of land, the whole was to be sold, and the money produced by the sale divided amongst the Children. This was intended to prevent the Children from settling themselves in a supine and indolent manner upon their little portions of land, which were not sufficient to maintain them, and to oblige them to set about clearing new lands (of which they had a right to demand of the Seignors sufficient quantities at very easy quit rents) by which means they would provide better for their own maintenance, and become more useful to the public. But now this Law is entirely disregarded, and the Children of the Freeholders all over the Province, settle upon their little portions of their fathers' land, of thirty or twenty, and sometimes only ten Acres, and build little huts upon them, as if no such Law had ever been known here; and when they are reminded of it by their Seignors, and exhorted to take and clear new tracts of land, they reply that they understand that by the English Law every man may build a House upon his own land whenever he pleases, let the size of it be ever so small. This is an unfortunate practice, and contributes very much to the great increase of idleness, drunkenness and beggary, which is too visible in this Province.

Further, many persons who have purchased Seigniories in this Province, and amongst them some Canadians, have hitherto declined paying to your Majesty's Receiver General the Mutation fine, or fifth part of the purchase money, due to your Majesty upon the admission of every new Seignior by the Custom of Paris. The English purchasers say that this, being part of the Custom of Paris, is now abolished by the introduction of the Laws of England; and the Canadian Seigniors say that it is not due to your Majesty till they have been regularly invested with, or put in possession of, their Seigniories, with all the rights and jurisdictions thereunto belonging, by your Majesty's officers of Government, and have been admitted to take the Oath of Fealty and perform the Ceremony of homage to your Majesty, for the said lands, which has not hitherto been done.

Thus it appears that in many respects the Canadians apprehend the Laws of England to be in force in this Province, and that they endeavour to apply them and put them in practice whenever they take them to be for their advantage; though in other points, and particularly in those of inheritance and dower, and the distribution of the effects of persons who die intestate, they have universally adhered to their former Laws and usages.

In criminal proceedings the Canadians as well as English universally suppose these laws to be in force. No others are ever mentioned or thought of ; and the Canadians seem to be very well satisfied with them.

And in all civil proceedings carried on in the superior Court, or Court of King's Bench, the forms of all actions, the stile of the pleadings used in them, the method of trial, and the rules of Evidence are those which are prescribed by the English Law, and are universally known by the Canadians to be so.

In the Court of Common Pleas the proceedings are drawn up in any form and stile that the parties, or their Advocates, think proper, and sometimes in the French and sometimes in the English language, as the Attornies who prepare them happen to be Canadians or Englishmen ; and for this reason they are oftenest in the French language, most of the business in this Court being managed by Canadian Attornies.

Arrests of the body for debt are used in the first instance, both upon suits in the Court of King's Bench and suits in the Court of Common Pleas, and even upon suits instituted before Justices of the Peace. This is part of the English Law, that a good deal surprized and alarmed the Canadians upon its first introduction, as it carried an appearance of much greater severity than was practised under their own Laws, which allowed of imprisonment only in Criminal proceedings and in some few Civil Suits grounded on bills of Exchange, or other instruments of a Commercial nature, and then only in execution of a Judgement of the Court, and not in the beginning of the suit ; but now they are grown accustomed to this way of proceeding, and frequently put it in practice against each other : and many persons of good sense and character, of both nations, are of opinion that, considering the great credit that has been given by Persons in Trade in this Province, and the knavish and trickish disposition that has appeared in many of those to whom it has been given, there is no other method of proceeding by which the Creditors can hope to obtain payment of their debts. This is more especially the opinion of your Majesty's British Subjects that are concerned in Trade in this Province, many of whom objected some time since to the execution of even a part of the English Law itself, to wit, that part of it which relates to Commissions of bankruptcy, upon a supposition of its being too indulgent to debtors to be useful in this Province ; yet other persons are of a different opinion, and think arrests of the body in the first instance an unnecessary piece of harshness in Civil Suits, and wish that it were restrained ; and

to this opinion we humbly submit it to your Majesty that we are ourselves inclined.

This is, as we conceive, a faithful representation of the present state of the Laws in this Province, and of the Public Instruments and Acts of Government upon which it is founded. We now beg leave to lay before your Majesty certain doubts that have arisen, and may arise, concerning the validity of those Instruments, and the extent of their legal operation.

We shall say nothing concerning the validity of your Majesty's Proclamation of the 7th of October 1763, and the high legislative authority which your Majesty has therein thought proper to exercise with respect to your Majesty's new Colonies, though there are persons who think that this branch of your Majesty's Royal prerogative ought rather to have been exercised in conjunction with both Houses of Parliament: but we should suppose that what your Majesty has thought fit to do in this respect by the advice of your Majesty's Privy Council must be legal, and consequently that the operation of the words above cited from your Majesty's said Proclamation is complete and incontestable so far as the true meaning of them can be ascertained. But if your Majesty in your royal wisdom should interpret them in a different sense from that in which they have been generally understood, and should declare that they were not meant to introduce the whole body of the Laws of England that were not in their nature local, but only to introduce some particular parts of them that were more immediately beneficial to your Majesty's Subjects, agreeably to the sense in which they were understood by your Majesty's Attorney and Solicitor General, in April 1766; or, if your Majesty should declare that they were not meant to introduce immediately any part of the Laws of England into those Provinces, but only to promise and assure your Majesty's British Subjects that your Majesty would, in due time and place, and by particular and express promulgations, introduce some select parts of the Laws of England, that were more immediately conducive to their welfare and satisfaction; in either of these cases we beg leave to submit it to your Majesty's consideration, whether the Ordinances above mentioned, of the 17th of September and the 6th of November, can be deemed of sufficient validity to introduce any part of the Laws of England that were not already established by your Majesty's said Proclamation. Our reasons for doubting this are as follows.

Your Majesty by your Commission to General Murray, dated the 21st day of November in the 4th year of your Majesty's reign, to be Governor in Chief of this Province, was pleased to

delegate unto him certain limited legislative authority, to be exercised by him by and with the advice and consent of your Majesty's Council of the Province, and of the general Assembly of the Freeholders and Planters in the same, therein directed by your Majesty to be summoned; to wit: an authority to make, constitute and ordain Laws, Statutes and Ordinances for the public peace, welfare, and good Government of the said Province, not repugnant, but, as near as may be, agreeable to the Laws and Statutes of your Majesty's Kingdom of Great Britain. But your Majesty did not in any part of the said Commission delegate either this or any other legislative power to your said Governor to be exercised by him with the advice and consent of the Council only, without the concurrence of an Assembly. Now no Assembly of the Freeholders and Planters has hitherto been summoned; consequently all the Ordinances that have hitherto been made, so far as they have a legislative tendency, have been made without any Warrant or authority from your Majesty's Commission to your Governor, and perhaps may, upon that account, be justly contended to be null and void.

If this be so, the words in the Ordinance of the 17th of September 1764, which direct the Court of King's Bench to determine all Civil and Criminal Causes agreeably to the Laws of England, and the other words of that Ordinance, and of the Ordinance of the 6th of November following, which purport to introduce the Laws of England into this Province, can have no legal operation to change the Laws which were then subsisting in the Country; and the Ordinance of the 17th of September must be considered only as an Executive Act of Government, erecting and constituting Courts of Judicature in the Province for the Administration of the Laws in being, whatever those Laws might be; and in this view it is certainly a legal and valid Ordinance, because your Majesty had, by an express Clause in your Commission aforesaid, given your said Governor full power to erect such Courts with the advice and consent of the Council only.

It is true indeed that your Majesty did give a private instruction to your late Governor, purporting to communicate to him a certain degree of legislative authority to be exercised by him, by and with the consent of the Council only, without any Assembly; to wit, *an authority to make such rules and regulations as shall appear to be necessary for the peace, order and good Government of the said Province, taking care that nothing be passed or done that shall any ways tend to affect the life, limb or liberty of the subject, or to the imposing any duties or taxes.* But we submit it to your Majesty's consideration, whether a power of this kind

can be communicated by any other instrument than Letters Patent under your Majesty's Great Seal of Great Britain, publicly read and notified to the people, to the end that the Acts done by virtue of them may have a just claim to their obedience; for otherwise they may alledge that they are faithful and loyal subjects to your Majesty, and ready to pay obedience to every thing that your Majesty's self shall ordain, and likewise to every thing that shall be ordained by your Majesty's Governor by virtue of powers properly communicated to him by your Majesty, that consequently they will obey him in every thing he shall do by virtue of the powers conveyed to him in your Majesty's Commission, which has been publicly read to them; but that in the things not warranted by the said Commission, but said to be done in pursuance of certain private instructions that have not been made known to them, and which they are therefore uncertain whether he has received or not, they cannot presume that he acts by your Majesty's authority, and therefore are not bound to obey him. For this reason we humbly apprehend, that the private instruction before mentioned cannot have legally conveyed to your Majesty's Governor and Council the Legislative authority mentioned in it, small and narrow as it is.

But secondly, if a private instruction should be deemed to be a legal method of communicating a Legislative authority, yet the power conveyed to the Governor and Council of this Province, by the instructions above mentioned, is much too confined an authority to warrant the general introduction of the English Laws, particularly of the Criminal Laws, which all affect either life, or limb or liberty; and the Process of Arrests of the body in Civil Suits for debt and trespass; and the power of committing persons to prison for contempts of Court committed in the presence of your Majesty's Judges; and that of granting attachments of the body for disobedience or resistance to the Orders of your Majesty's Superior Courts of Judicature, when such Acts of disobedience or resistance are committed out of Court; which all immediately affect the personal liberty of your Majesty's subjects in this Province.

These are the reasons upon which, we conceive, the legality of the introduction of the Laws of England into this Province by the Provincial Ordinances above mentioned may be called in question.

But these reasons have no relation to the other high instruments of Government by which these Laws may be supposed to have been introduced here, namely, the Articles of Capitulation in 1760, the 4th Article of the definitive Treaty of Peace, and your Majesty's Royal Proclamation of the 7th of October 1763.

If these instruments have introduced the Laws of England, they may have a legal existence in this Province, notwithstanding the want of legal authority in the two Provincial Ordinances above mentioned. But if your Majesty should determine that these instruments have not introduced the Laws of England into this Province, then, as we conceive, it will follow, that the whole body of those Laws has not yet been legally introduced into it, but that those parts only of the Laws of England have a legal existence in this Province, which are contained in the Acts of Parliament above mentioned, which by their own import and operation, and without needing any new instrument of Government to introduce them, extend to all your Majesty's Dominions in America.

We will now proceed to lay before your Majesty the principal inconveniencies under which the Canadians labour from the present state of the Laws and methods of administering Justice in this Province.

The first and greatest inconvenience arising from the present state of the Laws in this Province is the uncertainty of them, and the doubts that are entertained concerning the legal continuance of the ancient Laws and Customs that were observed here in the time of the French Government. This is a cause of great uneasiness and anxiety to persons of both nations in many of the ordinary transactions of life; in so much that it would be a great improvement of the condition of the Province, if either the English Laws, or the old Laws and Customs of the Country, were established by some new act of the Government, conceived in the most clear and positive words that can be made use of, with an express exclusion or abolition of the other Laws, which may be imagined to have hitherto been in force. For by this declaration in favor of either of the systems, your Majesty's Subjects would know what they had to expect for themselves and their families with respect to their inheritances, purchases, mortgages, Contracts and other Civil rights and privileges from the operation of the Laws; and would in consequence thereof proceed to make such regulations of their affairs by particular agreements and settlements and by their last Wills and Testaments, as would protect them against the inconveniences, which they might apprehend themselves to be exposed to from such parts of the established system of Laws as they did not approve. We do not mean by this to insinuate, that such an immediate establishment of one of these systems of Law, to the entire and express abolition and exclusion of the other, would be the best remedy that could be applied to this evil; but only to represent to your Majesty

idea of the greatness of this inconvenience, since even such a cure would be desirable. What is the best remedy that can be applied to this evil is, as we conceive, a point of the greatest difficulty, and fit only to be determined by the wisdom of your Majesty's Councils, though in obedience to your Majesty's Commands, we shall humbly suggest to your Majesty, in the subsequent part of this report, some of the different methods that, as we apprehend, may be taken for this purpose, with the advantages and disadvantages with which they will be respectively attended: But before we proceed to consider this arduous subject, we beg leave to lay before your Majesty some other and much smaller inconveniencies arising from the present state of the Courts in this Province, together with a Plan for the administration of Justice for the time to come, which we humbly conceive to be likely in a great measure to remove them.

These inconveniencies are the expensiveness of Law proceedings which is considerably greater than in the time of the French Government, the tediousness of them, and the severity of the present method of proceeding in Civil Suits by arresting and imprisoning the defendant's body.

The Expenses attending Law Suits arise evidently from two different sources, the fees of the officers of the Courts of Justice, and those of the Attornies and Advocates whom the parties employ in the management of their causes. The former are capable of being properly regulated, as the persons to whom they are due are all servants to your Majesty, and under the immediate controul of your Majesty's Governor and Council; and measures have been already taken to ease your Majesty's subjects in this Province of some part of these fees; your Majesty's Chief Justice and Clerk of the Crown have remitted those that used to be taken by them in the supreme Court, and those of the Attorney General for the conduct of Criminal Prosecutions have always been charged to your Majesty: and if those which are taken by the Clerk of the supreme Court for the Civil business that is transacted there, and by the Provost Marshal, or Sheriff, and his bailiffs, for their summonses, arrests and other ministerial business done by them in the course of the proceedings, and those which are taken in the Court of Common Pleas, or the quarterly and weekly Courts of the Justices of Peace, by the several officers of those Courts, are found to be unreasonable, it will be easy to reduce them to a more moderate standard by a provincial Ordinance for that purpose, if your Majesty will condescend to make such a reasonable addition to the salaries of these several officers as shall be a compensation for such diminution of their fees. The other

expensiveness of Law Suits is the rate of the fees of the Attornies and Advocates. These fees, it is evident, are not capable of a like reduction with the former, but must always be such as the parties and their Lawyers shall agree upon ; since it is the natural right of every man to set what price he pleases upon his labour. All that can be done to keep those fees from growing exorbitant is to prevent a monopoly of law business in the hands of a few lawyers, who might thereby be enabled to exact unreasonable rewards from their clients, by the necessity the people would be under of either employing them upon the terms they thought proper to demand, or letting their business remain undone : and this has been already done by your Majesty's wisdom and indulgence in permitting Canadian Notaries, Attornies and Advocates to practise their respective professions notwithstanding their continuance in the profession of the Romish religion.

Yet when every thing is done that can be done to diminish the Expence of Law proceedings, it is probable that they will still be more expensive than in the time of the French Government ; which ought not to be a matter of surprize, since the prices of corn and provisions, and of all sorts of labour, are almost double of what they were at that time.

The next inconvenience arising from the present establishment of the Courts of Judicature complained of by the Canadians is the tedious length of Law Suits : this is owing to the unfrequency of the terms or Sessions of the Supreme Court of Judicature, and of the Court of Common Pleas, which sit only three times a year at Quebec and twice at Montreal. In the time of the French Government there were three Royal Courts in the three several districts of Quebec, Three Rivers and Montreal, vested with full power to determine all matters both Criminal and Civil : in each of these Courts a Judge appointed by the French King administered Justice, and a King's Attorney prosecuted on behalf of the Crown : and they used for that purpose to hold two Courts in every week throughout the year, except about six weeks in the months of September and October, and a fortnight at Easter : and besides these Courts held regularly every week, they would sit on other days of the week, if the business before them made it necessary. From these Courts there lay an appeal to the highest Court of the Province, which was called the Superior Council ; and this high Court also sat every week : so that the difference between the expeditious methods of obtaining Justice in the time of the French Government, and the slowness of the proceedings upon the present establishment, is very striking in the eyes of the Canadians, and is esteemed a very considerable inconvenience.

Besides the usual ill consequences arising from the want of dispatch in Law proceedings, this unfrequency of the Sessions of the Superior Courts of Judicature has been a principal cause of the increase of the

fees of the Canadian Attornies and Advocates ; for, as their opportunities of pleading causes happen so much seldomer than formerly, they endeavour to make up, by the value of the Fees they now receive in the three Sessions of the Court of Common Pleas, the advantages they formerly derived from the number of them, in the time that the French King's Courts sat every week.

There is indeed in the present establishment a Court of Justice in each District of the Province that sits every week for the dispatch of business. These are the Courts of the Justices of Peace. This was a very judicious institution, and well suited to the circumstances and disposition of the people. Yet it is liable to some objections : For, in the first place, the Justices of the Peace, who are the Judges of these Courts, are not much skilled in judicial proceedings ; and, secondly, the same Justices not attending constantly at these Sessions, it is often necessary, where a matter cannot be decided at one Session, but is adjourned to the next, to repeat all the proofs and arguments before the Justices at the second Session, which had been produced at the former Session before the other Justices who happened not to be now upon the bench, which occasions an increase of expence and trouble ; and, lastly, their Jurisdiction extends only to such disputes as relate to sums of money that do not exceed ten pounds. In all contests for greater sums the parties are obliged to have recourse either to the quarterly Courts of the Justices of the Peace, or to the Courts of King's Bench and Common Pleas, where the Sessions are held but three times a year.

The next inconvenience is the severity of the present method of proceeding in civil actions, by arresting and imprisoning the defendant's body. This, by filling the Gaols with unhappy debtors, increases the number of the poor and helpless, and makes the families of the debtors, as well as the debtors themselves, become oftentimes a burden to the public ; and it is generally thought by the Canadians to be an unnecessary degree of harshness.

To remedy these several inconveniencies we beg leave to recommend to your Majesty the following plan for the administration of Justice in this Province for the time to come ; which we have formed in imitation of that which was in use in the time of the French Government.

That this Province should be again divided into the three Districts of Quebec, Three Rivers and Montreal, as in the time of the French Government ; which might be called the Shires of Quebec, Three Rivers and Montreal ; and each of these three districts should have separate officers of Justice ; that a Royal Court of Judicature should be established in each of the three towns of Quebec, Three Rivers and Montreal, which are the Capitals, or rather only towns of those several Shires or Districts ; and that each of these Courts shall consist of one able English Judge, appointed by Your Majesty, and invested with full powers to hear and determine all matters, both Criminal and Civil, arising within his jurisdiction, just as Your Majesty's Chief Justice of

the Province is empowered to do upon the present establishment throughout the whole Province.

These English Judges should be Barristers at Law, of at least five years standing at the bar ; and they should be such as, besides their skill and knowledge of the Law, had a competent knowledge of the French Language. And further, to enable these English Judges more readily to understand the testimonies of the French Witnesses, that would so often be examined before them, and likewise to comprehend the nature and extent of such of the ancient laws and customs of the Country as your Majesty shall think fit to be either continued or revived, we conceive, that it would be convenient to give each of them a Canadian lawyer for an assessor, or assistant to them in the decision of causes ; but the Canadian Assessors should have no vote or authority to decide the causes in conjunction with the English Judges ; but should only assist them with their opinion and advice, the whole power of finally deciding them being vested solely in the English Judges. This employment of the Canadian lawyers, even in this subordinate capacity of assistants and advisers, would be thought a very gracious indulgence in Your Majesty by all Your Majesty's new subjects ; and many of them, to whom it has been mentioned, have expressed an entire approbation of it. If they had an equal degree of authority with the English Judges in the final decision of causes, they would be much more likely than the English Judges to abuse it, by reason of their connections in the country, and the enmities and partialities that these connections would give birth to. And, besides, there are other reasons, which would make it inexpedient to trust your new Roman Catholic subjects, so lately brought under Your Majesty's allegiance, with so great a degree of power. These Judges and their assistants should hold their courts every week throughout the year, excepting one month at Christmas, one week at Easter, and another at Whitsunday, which are the three great seasons for holidays observed by Christians. And they should sit on the Tuesday or Wednesday of every week, that the contending parties and their witness might not be under a necessity of travelling on Sundays to attend them. If the use of grand juries should be thought fit by your Majesty to be continued in criminal prosecutions, these judges should take cognizance of criminal matters (that is, of such parts of the criminal proceedings as required the attendance of grand juries) only once a month, that the inhabitants might not be too much diverted from the care of their private affairs by their attendance in the courts as grand jurymen. But the other steps of all criminal proceedings that do not require the presence of grand jurymen, and, if the use of grand juries was laid aside, the whole of those proceedings should be carried on in the weekly sessions, as well as all the civil business of the district.

The method of proceeding in these Courts in Civil Actions might be as follows. The Plaintiff might bring a declaration or plaint, in writing, into Court, which might be either in the French or English Language, as he thought proper, praying the process of the Court to

cause the defendant to be summoned to answer it ; but not to be arrested by his body. This plaint should be read to the Judge in open Court, in order that he should determine whether or not it contained a good cause of action ; and, till he approved it, no summons should be issued upon it. If he approved it, he should order it to be filed amongst the records of the Court by the Clerk or Registrar of the Court, and should award a summons to be sent to the Defendant to come and answer the Plaintiff's demand, at such a time as he, the Judge, should therein appoint. If he neglected to come at the time appointed by the Summons, without any good reason for his neglect, he should be condemned to pay the Plaintiff a moderate sum of money, to be ascertained by the Judge, as a compensation to him for his expense and trouble in attending the Court, at the time appointed by the summons, to no purpose ; and he should be summoned to come and answer the Plaintiff's demand on another day. If he then also refused to come, Judgment should go against him by default. When the defendant appeared, he should make his answer to the plaint of the plaintiff in writing, and either in the French or English language, as he thought proper : and this answer should be filed amongst the records of the Court. The Judge should then himself interrogate the parties concerning the facts, in their account of which the parties seemed to differ, and which appeared to him to be material to the decision of the Cause : and these interrogatories and the answers of the parties should be reduced to writing by the Judge, or by the Clerk of the Court from the words dictated to him by the Judge. When the Judge had thus found out in what facts material to the decision of the cause the parties differed, he should himself state these facts in writing and declare that it was necessary for him to be informed, by proper testimony, whether they were true or false ; and should ask the parties whether both or either of them, desired that he should inquire into the truth of these facts by means of a Jury, or by examining Witnesses, or other proofs himself. If both, or either of the parties, desired to have a Jury, a Jury should be summoned to attend, at such following Session as the Judge should appoint. This Jury should be paid for their attendance by the party that desired to have a Jury ; and if both desired it, then equally by both parties. They should receive Five Shillings sterling a man. For at present it is a subject of complaint among the Canadians that they are taken from their necessary occupations to attend upon Juries (which is by no means as agreeable employment to them) without any consideration for it : and this, if it happened every week without any compensation, would be thought, and perhaps justly, a very heavy burden. But for a reward of five shillings they will serve with great alacrity. These Juries should be appointed in nearly the same manner as Special Juries are in England ; that is, the ministerial officer, that executed the process of the Court, should return to the Court a list of four times as many persons qualified to be Jurymen as were necessary to constitute a Jury ; that is, if a Jury

was to consist of twelve men, a list of forty-eight persons so qualified ; and then each party should strike out twelve of the names contained in this list : and then the names of the remaining Jurymen contained in it should be set down in a new list of alternate order ; that is, first one at the nomination of the Plaintiff ; then one at the nomination of the Defendant ; then another at the nomination of the Plaintiff ; and then another at that of the Defendant ; and so on ; and these persons (whose names were thus set down in this new list, and who would be enough in number to constitute two Juries) should all be summoned to attend the Court on the day appointed for the trial of the cause, and should be called over in the Court in the order in which their names were set down in the new list ; and the first twelve, or other number sufficient to make a Jury, that appeared in the Court should be the Jury to try the cause. By this method of choosing a Jury the disagreeable and captious practice of challenging Jurymen would be avoided, which is apt to give rise to animosities between the persons challenged and the parties who object to them.

Of the Jury so chosen a majority should have a right to determine the verdict : the present rule, of requiring an absolute unanimity amongst all the Jurymen, being evidently absurd and unnatural, and amongst other inconveniencies, productive of one of a very important nature, which is the perjury of some of the Jurymen in every third or fourth cause, for it happens at least so often that there is a real difference of opinion amongst the Jurymen, and that some of them go over to the opinion of the rest, in opposition to their own sentiments, and contrary to the oath they have taken to give a true verdict according to the evidence ; which means, as we presume, according to their Judgment of it. And it has sometimes happened, that a great majority of the Jurymen has gone over to a small but resolute minority. This therefore calls loudly for a reformation and more especially in a Country where the natural and ordinary differences of opinion, that must frequently happen amongst Jurymen, are likely to be greatly heightened by national and religious prejudices. If the agreement of twelve men should be thought necessary to establish the truth of a fact, it would be necessary to impanel twenty-three Jurors. But perhaps a bare majority of twelve men may be sufficient to answer all the purposes of Justice in civil matters.

In criminal matters it might be proper to make the agreement of two thirds of the Jury necessary to the conviction of the accused person.

And as the issues, or points of fact, that were to be proposed to the consideration of the Jury, were to be drawn up in a minute and particular manner in words dictated by the Judges of the Courts, so the verdicts of the Juries should be always special verdicts, stating the facts, as the Jury find them to have happened, with great exactness and particularity. This would prevent Juries from encroaching upon the Province of the Judges, and determining points of Law by means of the short and general issues of "*Guilty or Not Guilty, He did or did not undertake, He does or does not owe the Sum demanded,*" and the like, that

oftentimes involve points of Law mixed with matters of fact, and thereby give Juries an opportunity of committing these irregularities. Whenever these things happen (whether it be from ignorance or want of discernment in the Jurymen, or from their wilfulness or partialty) it is certain that a real injury is done to the losing party, whose right it is, according to the Laws of England to have the points of Law, upon which his cause depends, determined by the learned and able Judges whom your Majesty has appointed to fill your Courts of Justice as much as it is to have the matters of fact in the cause determined by a Jury of honest freeholders in the neighbourhood.

The Witnesses examined in the trial of a cause should be examined *viva voce* in open Court, in the presence of both parties, or their Attornies and Advocates; and cross-examined, if the adverse party thought proper: and should not be allowed to deliver their testimony by written depositions or affidavits taken in private; not even in those trials which were carried on without a Jury; unless by the consent of both the parties, or by the particular direction of the Judge, upon very strong reasons for so doing, moved and debated in open Court.

When Judgment was given for the Plaintiff in a civil action, a Writ of Execution should go against the goods and lands of the Defendant, but not against his person; directing the ministerial officer that executed the process of the Court, to levy the sum of money awarded to the Plaintiff by the Judgment, upon the defendant's moveable goods and chattels; and, in case they are not sufficient for the purpose, then, but not otherwise, to sell part of his lands, to produce the remainder of the sum. And if the Executive Officer could not find a sufficient quantity of either moveable or immoveable property belonging to the Defendant to raise the sum awarded, and the Judge was of opinion, upon affidavits made before him to that purpose, that there was reasonable grounds to suspect that the defendant had secreted or concealed some of his effects, he might require him to deliver in to the Court, upon Oath, an exact Schedule of all his Estates and effects of every kind; and if he refused so to do, might commit him to prison till he complied. And if he omitted any part of his effects to the amount of twenty pounds Sterling, in the Schedule so delivered in to the Court, he should be liable to the penalties of perjury.

The Judge should have a power of awarding reasonable costs to either party according to his discretion.

It would be convenient to have a separate Ministerial, or Executive Officer, to each of the three districts of Quebec, Three Rivers and Montreal, to be called a Sheriff, which is the common name for such an Officer in England, instead of one Provost-Marshal for the whole Province.

And it would be necessary for your Majesty to have an Attorney in each of these Courts, to prosecute for your Majesty in all criminal cases, and in suits concerning your Majesty's revenue, and in all other suits in

which your Majesty's interest is concerned. If your Majesty should not think proper to appoint an Officer expressly for this purpose, the power of carrying on these prosecutions for your Majesty might be vested in the Clerk, or Registrar, of the Court ; just as in your Majesty's Court of King's Bench in England, the Clerk of the Crown (whose principal duty is, to register, or enter, the pleas of the Crown in the records of the Court) is likewise Attorney of your Majesty in that Court, and prosecutes in your Majesty's behalf. But we submit it to your Majesty, that it would be convenient, and more suitable to the honor of your Majesty and the dignity of the Court, to have a separate officer for this purpose, to be called Your Majesty's Attorney for that district, as there was in the time of the French Government.

From these Courts there should lie an appeal to the Governor and Council of the Province, and from thence to Your Majesty in Your Privy Council. One great use of the appeal to the Governor and Council would be to preserve an uniformity in the Law throughout the whole Province, which otherwise might gradually become different in the three different Shires or Districts of it, by the difference of the decisions that might be given in these several Courts of Justice, if they were entirely independant of each other and subject to no common Superior Council that might correct the errors of their proceedings.

And for the same reason the decisions of these Courts should not be deemed to form precedents of sufficient authority to determine any subsequent disputes ; but this authority should be ascribed only to those cases which had been decided by the Governor and Council of the Province upon the appeals brought before them from these Shire Courts, or by your Majesty's self in your Privy Council.

And in order that your Majesty's Governor and Council might not be destitute of the advice of persons skilled in the Laws to assist them in the determination of the appeals that should be brought before them, it might be expedient that your Majesty's Judges of these three Courts, and perhaps also your Majesty's three Attornies in them, should be made Members of your Majesty's Council of the Province ; by which means all the best Law abilities in the Province would be employed in making these important decisions that were to carry with them the force of law : and with this view it might be proper to require your Majesty's Judges and Attornies of the Courts at Three Rivers and Montreal to attend the Governor at Quebec for one month about Christmas time, in order to assist at the decision of these appeals, which should therefore be reserved to this season of the year.

These appeals should be only, as they now are, of the nature of Writs of Error in England, to correct the errors in law committed in the Courts of these Shires or Districts, and not to re-consider the facts in the cause, unless they had been settled by the Judge alone without the assistance of a Jury. Where this was the case, the parties might if they thought fit, cause the evidence itself to be taken down in writing by the Clerk of the Court, and signed by the witnesses and Judge

that it might make a part of the record, as it does upon a trial by a general Court Martial in England ; and, upon the removal of this record before the Governor and Council, they might re-consider the whole matter, the facts as well as the law, and give such Judgment upon it as they thought just ; but they should not admit any new evidence relating to it. Where the cause had been tried by a Jury, the losing party might, if he thought proper, have it tried over again by a second Jury, consisting of twice as many Jurymen as the first Jury, and the verdict of this second jury should be final with respect to the matters of fact determined by it.

When Gaspé shall be settled, a fourth Judge might be sent thither, whose Jurisdiction should extend over a district lying round about it, to be taken out of the district of Quebec, which is now immoderately large. Such an establishment would be of great convenience to the inhabitants of that part of the Province.

These are the outlines of the Plan which we humbly beg leave to recommend to your Majesty for the Administration of Justice, and which, we are confident, would be of great advantage, and give very great satisfaction to your Majesty's Canadian Subjects, and effectually remove many of the inconveniencies of which they now complain.

It remains that we consider the first and greatest inconvenience above-mentioned, which arises from the uncertainty of the Law in the present condition of the Province, and that we set before your Majesty the different methods by which, as we conceive, this inconvenience may be removed, and the laws of the Province may be settled for the future upon a solid and permanent foundation.

Four methods of doing this have occurred to us. The first is, to compose a Code of Laws for this Province, that shall contain all the Laws by which it is to be governed for the time to come, to the entire exclusion or abolition of every part both of the Laws of England and the French Laws that shall not be set down in the Code itself.

The second is, to revive or re-establish the whole French Law at once, to the exclusion of all the English Laws, excepting those few which have been introduced by Act of Parliament, as above mentioned, and a few more of the Laws of England which are most eminently beneficial and favorable to the liberty of the Subject, and to introduce these beneficial Laws by a particular Ordinance or Proclamation, published in the Province, in order to make them fully known to the Canadians. Such might be an Ordinance to take away the use of the question, or torture, in Criminal prosecutions, to change the cruel punishment of breaking on the wheel into hanging or beheading ; and to introduce the substance of the English Law relating to the Writ of *Habeas Corpus*, by declaring that no person in the Province should be committed to prison, or detained in prison, by the Order of any Magistrate without a Warrant in writing under the hand of the Magistrate, expressing particularly the Cause of his commitment or detention ; and

that every man so detained in prison should, if he desired it, be brought before one of your Majesty's Judges in the Province and either set at liberty, bailed or remanded to prison, as the Cause of his imprisonment, expressed in the Warrant by which he is detained in prison should require. Such an Ordinance might be thought to fulfil, in a great measure, the Promise given to your Majesty's British Subjects by those words in your Majesty's Proclamation above mentioned, *of the enjoyment of the benefit of the Laws of England*, supposing that your Majesty should think proper to determine that those words contain only a promise.

The third method of settling the Laws of this Country, so as to continue to the Canadians the use of several of their ancient Customs, is to make the Law of England the general Law of the Province, with an exception of those particular Subjects concerning which your Majesty shall please to permit the former Customs of the Country to subsist, and with respect to those subjects to let the Ancient Laws of the Country subsist in the manner they did at the time of the Conquest, and without attempting to reduce them to writing, and enact them anew by particular Ordinances, expressly setting them forth in all the extent in which your Majesty thought proper to let them continue.

And the fourth method of doing this would be to make { as in the third method } the Law of England become the general Law of the Province, with an exception of those particular subjects or heads of Law, concerning which your Majesty shall please to permit the former Customs of the Country to continue; and with respect to those subjects, to enumerate and set forth at length, in an Ordinance or Proclamation to be made for that purpose, the particular Customs which your Majesty should think fit to be continued, to the exclusion and abolition of all other Customs that should not be contained in the said Ordinance or Proclamation.

The first of these methods, of settling the Laws of this Province, namely, that of making a Code of all the Laws by which it shall be governed for the future, to the exclusion of all the Laws, both of England and France that are not contained in it, would certainly be the most troublesome in the execution to your Majesty's Ministers and Servants, both in England and in this Province. And further, we conceive, that it would be objected to by some of the Canadians, who are the most difficult to please, as a rash and dangerous experiment, to which the persons your Majesty should think proper to employ in the compiling this Code would be by no means equal. They would frame their objection to such a project in some such manner as this: "that to reduce the whole Law anew into writing, with a rejection of a great part of it as useless in the opinion of the Compilers, is a task of such extraordinary difficulty, that not only no person in this Province is fit to undertake it, but even the ablest Lawyers in the Parliament of Paris, if they were to devote their whole time and attention to it, would hardly be able to execute it properly; that if any thing of this

" kind is attempted here, many important things will most certainly be
 " omitted, and others be too concisely, imperfectly, or obscurely ex-
 " pressed ; that in such a Code no part of the Ancient Laws of this
 " Province ought to be omitted, notwithstanding some of them may
 " never have been put in execution here, for that those Laws are not
 " less a part of the Law of this Country, than those which have been
 " often put in practice ; and that the only reason why they have not
 " yet been executed, is, because the objects of them, that is, the
 " cases to which they relate, have not yet arisen ; and that when these
 " cases shall arise here is a wise Law already provided beforehand to
 " decide them ; and that therefore no part of the Custom of Paris,
 " which was truly and properly the Law of this Province, ought to be
 " left out of any Code that shall be made for the Government of it ;
 " and further, that there is a strong mutual connection between the
 " different parts of this system of Law, that makes it very difficult to
 " change or abrogate any part of it, under a notion of its being useless,
 " without weakening or rendering ineffectual other parts of it which the
 " Compilers may esteem useful ; and that therefore the only safe way is
 " to let it stand as it is ; and that, in this view of permitting the whole
 " of it to continue, there is no need of a Code to express it over again
 " in new words ; that it is already expressed in writing in the best
 " manner possible in the text of the Custom of Paris itself and in the
 " learned treatises of Monsieur Ferriere and other writers upon it, and
 " in the decisions of the Parliament of Paris and of the Superior Council
 " of this Province, upon the cases that have been contested before
 " them ; that indeed such a new Code might be of some convenience to
 " an English Judge to save him the trouble of studying or consulting
 " the French Law Books, but that it would be a most dangerous and
 " pernicious attempt to the rights and liberties of your Majesty's Ca-
 " nadian Subjects."

These are the objections which will certainly be made by some of Your
 Majesty's Canadian subjects to the measure of compiling a new Code of
 Laws for this Province, which we have stated to Your Majesty at great
 length, that they may have all the weight with Your Majesty which
 they may deserve. At the same time we beg leave to inform Your Ma-
 jesty, that we believe that these objections will be made only by a few
 persons in this Province, and that the bulk of Your Majesty's new Ca-
 nadian subjects will be very well satisfied with such a Code, and this even
 though it should in a great measure be taken from the Laws of England,
 provided only that a few of the most important of their ancient Laws
 and customs, and that most nearly affect their property and the future
 situation of their wives and children, be contained in it.

On the other hand, the advantages that would arise from this measure
 of compiling such a Code of Laws for this Province would, as we con-
 ceive, be these that follow.

In the first place, the English Judges, who will, as we presume,
 always be employed to administer justice in this Province, would have a

short, a plain rule to go by, which they would easily be able to make themselves masters of, and would not be liable to be puzzled and misled by artful French Lawyers, partially citing and misrepresenting, and misapplying the doctrines and cases contained in the French Law Books.

And in the second place, the English inhabitants in general would have the satisfaction of knowing easily and certainly what the Laws of the Province were, upon what conditions they purchased lands or houses, what rights of alienating or devising them they thereby acquired, what duties to Your Majesty, their lords or their tenants, they were bound to, and in what manner their wives and children would enjoy their possessions after their decease.

These would be no inconsiderable advantages, resulting from the composition of such a Code, even though done in a very imperfect manner. But there is another and greater advantage with which as we conceive, this measure would be attended, which is the removing from the minds of the Canadians all idea of the excellency of the French Laws and Government, and of the superior skill and ability of French Lawyers and Judges, bred in the Parliament of Paris, and consequently of the happiness of having their Law suits decided by them. For we apprehend that, as long as the French laws and customs subsist at large without being reduced into a Code, so that the several French Law Books, Books of Reports, and Edicts of the French King are the Books of Authority upon the subject, to which recourse must be had continually in the decision of points of Law, so long will the people of this Province retain a reverence for those Edicts, reports and other Law Books, and for the authority of the French King who made the Edicts, and for the Parliament of Paris that has made the decisions reported in the Books of Reports, and the other learned French Authors who have composed the other treatises on this subject; and this reverence will be accompanied with a continuance of their liking for that Government from which these good Laws and Edicts and Law Books proceeded, and under which they might be most ably administered, and consequently with a secret wish to return to that Government, that is to return to their subjection to the French King, whereas, if they continue to enjoy the most important of their ancient Laws and customs under a new name, and expressed in a stile and phrase somewhat different from the former, and carrying with it the stamp of Your Majesty's authority, the idea of their former sovereign, and of the Parliament of Paris, and of the wise Lawyers that compose it, would by degrees wear out of their minds, and they would think of nothing upon these occasions but the King of Great Britain and his Code, and the great favor he had shewn them in permitting their principal Laws and customs to continue, and giving them the express sanction of his royal authority. This we take to be a very capital advantage attending this measure of compiling a Code of Laws.

As to the inconvenience that might arise from the omissions or imperfections of this Code (for we readily admit that it would be very imperfect) it must be observed, that they might be continually lessened and

remedied by fresh ordinances from time to time, re-enacting those parts of the former Laws and customs of this Province which appeared to have been forgotten in the Code, and which the Governor and Council thought worthy to be re-established : and in the mean time the Code itself (imperfect as we suppose it to be) would still be sufficiently exact to determine all the common cases that occur in the ordinary course of human affairs, such as the rules of inheritance in the direct line, the rules of dower, and of the husband's rights arising from the matrimonial contract, the usual rules about quit rents, alienation fines, and other profits due to Your Majesty and to other Lords, the usual methods of investiture of lands by performing Fealty and Homage, and the like, which would be sufficient to prevent the Country from falling into general confusion.

This Code we suppose to contain the whole of the Law by which the Province is to be governed, criminal as well as civil, to the exclusion of the whole of the English Law, as well as the French, except what was contained in the Code itself, and the Acts of Parliament relating to the Custom House duties, and those few other statutes that expressly relate to this Colony by name, or sufficient words of description, since the Conquest of it, or which, though made before the Conquest of it, yet extend to it by virtue of the general description of *all His Majesty's dominions now belonging to the Crown of Great Britain, or that shall hereafter belong unto the same*.

These are the advantages and disadvantages with which, as we conceive, this first method of settling the Laws of this Province, by composing a Code of Laws for that purpose, would be attended.

The second method of settling the Laws of this Province, by the reviving at once the French Law, and introducing by an ordinance only a few of the Laws of England that are most eminently beneficial to the subject, is evidently the shortest and easiest method that can be taken for this purpose : but it would be attended with the following inconveniences.

In the first place it would have a tendency to keep up in the minds of the Canadians that respect for the Laws of France, and the wisdom of the Parliament of Paris, and the excellence of the French Government, which has been above described, and which it would be one of the principal advantages resulting from the former measure of compiling a Code of Laws to extinguish.

In the second place it would give disgust to the English inhabitants of this Province who are fond of the Laws of England, and desirous of having the greatest part of them continued and thinking they have a right to the enjoyment of them upon two distinct grounds.

In the first place they think that every Country that becomes subject to the Crown of Great Britain (whether by Conquest, exchange or otherwise) becomes immediately subject to the Laws of England, and that the Laws by which it was formerly governed become immediately and *ipso facto* void and of no effect, being superseded by the laws of England without the aid of any Act of Parliament or Royal Proclamation for

that purpose. In this we presume they are mistaken, since both the express declarations of the Law Books, and those of Your Majesty's Attorney and Solicitor General in their report concerning this Province, made in the Year 1766, and the dictates of natural reason inculcate a quite contrary doctrine, to wit, that the Laws of the conquered people subsist in their full vigour till the will of the conqueror shall expressly change them. However this opinion, though not well grounded, is pretty general among the English inhabitants of this Province.

In the second place, they say, that, supposing that the Laws of England were not of course introduced into this Province by the very conquest itself and the subjection of the country to the Crown of Great Britain, yet that they have been expressly introduced by Your Majesty's Proclamation of the 7th October 1763, in the words that have been mentioned in the former part of this report; in which Your Majesty assures them, that they may confide in Your Majesty's royal protection for the enjoyment of the benefit of the Laws of England.

The third method of settling the Laws of this Province, by making the Laws of England the general basis of them, and permitting the Canadian customs to continue with respect only to some particular excepted subjects, and this by a general reference to the French Laws Books in which those customs are contained, without attempting to enumerate and express them anew, would also be a very short and easy one to Your Majesty's Ministers and servants both in England and in this Province, and will be very agreeable and satisfactory to Your Majesty's British Subjects in this Province. Yet it will be attended with the following inconveniences.

By preserving a considerable part of the French Law in the lump, or by a general reference to the French Law Books that contain it, it will in some degree keep up in the minds of the Canadians that reverence for the Laws and Lawyers of Paris, and that consequential opinion of the happiness of being subject to the French Government (as being that under which those Laws may be most ably administered) which all persons that are zealously attached to Your Majesty's Government would naturally wish to see extinguished. But this objection will take place in a much less degree against this method, than against the last mentioned, or second method, by which almost the whole body of the French Laws would be revived.

Further, if this third method of settling the Laws is pursued, some of the Canadians will probably make the two following objections to it. They will say, in the first place, that the whole body of their Laws ought to have been left entire, as there is a strong and well contrived connexion between all its parts, which makes it dangerous and detrimental to the welfare of the Province to alter any of it. And, secondly, they will say, that, if any of the Laws of England must be introduced here, they ought not to be introduced by general words, but by Special Ordinances, enumerating them and setting them forth at full length, and in the French language, so that the Canadians may know

and observe them. But these are objections which we believe will be made only by a few persons, and not by the generality of your Majesty's Canadian Subjects.

The fourth method of settling the Laws of this Province, by making the Law of England become the general Law of it, with an exception of some particular subjects, or heads of Law; and concerning those subjects to revive the Ancient Customs of the Country by an Ordinance or Proclamation that should particularly set them forth and describe them in all the extent in which your Majesty should think fit to let them continue, without any reference to the Law Books in which they were formerly contained, would be preferable to the third method in this respect, that by enumerating, and describing, or reciting particularly, the several French Laws and Customs that were intended to be continued, it would cut off all connexion, in the minds of the Canadians with the French Laws, Lawyers, and Judges, and the Government under which they were maintained. The Parliament of Paris, and the Custom of Paris, and the French King's Edicts would be no longer heard of, as being no longer of any Authority; but the Laws that were permitted to subsist must be cited in the words made use of by your Majesty to express them in the Ordinance or Proclamation which permitted their continuance. This would be a considerable advantage which this fourth method of settling the Laws of this Province would have over the third method; but it would be certainly somewhat more troublesome to your Majesty's Ministers than that third method, and it would likewise be liable to many imperfections from the inaccurate manner in which the French Laws and Customs that were intended to be continued would probably be set forth; and it would be further liable to the two latter objections which might be made to the third measure, to wit, that it would give but an imperfect degree of satisfaction to some of the Canadians, by leaving them only a part of their Ancient Laws and Customs, and that it would further cause them to complain of the general manner of introducing the Laws of England without informing them exactly and particularly what those Laws were, that they might know how to obey them, but these are objections which, as we before observed, would probably be made by a few persons only, and not by the generality of your Majesty's new Subjects.

Thus we have set forth to your Majesty at considerable length (but not greater, we hope, than the importance of the subject required) the different methods by which your Majesty's gracious intention of settling the Laws of this Province upon a solid and permanent foundation for the time to come, and of leaving to your Majesty's new Canadian Subjects the enjoyment of some of their Ancient Laws and Customs that are most necessary to their tranquility and satisfaction, may be carried into execution, together with the several advantages and disadvantages with which we apprehend that each of them will be attended. To weigh these advantages and disadvantages against each other, and draw a final balance in favor of one of these methods in preference to the rest,

or to find a new method preferable to them all, is a task to which we find ourselves unequal, and which we apprehend can be successfully performed only by the wisdom of your Majesty's Counsels. By residing in the Province we may have been able perhaps, by our observation of the state of things here, to furnish your Majesty with necessary information and materials for forming a decisive Judgment upon the subject, and that, in obedience to your Majesty's commands, we have endeavoured to do, faithfully and fully, and to the best of our abilities, in this report. That our endeavours may be acceptable to your Majesty, and may be esteemed rather according to the zeal and integrity by which they have been directed, than according to the degree in which they may be found to answer the high purposes to which they were intended to be subservient, is the earnest wish of

Your Majesty's

Most loyal and devoted Subjects and Servants.

N. B. The foregoing Draft of a Report, which was prepared by Francis Maseres, Esquire, his Majesty's Attorney General of the Province of Quebec, by order of Guy Carleton, Esquire, the Governor of the said Province, was delivered into the said Governor on the 27th day of February 1769, but had not the good fortune to be approved by his Excellency. Another Report was thereupon drawn up by other hands agreeable to the Governor's sentiments, in which his Excellency has omitted the consideration of all the public acts and instruments whereby the English Law has been introduced, or attempted to be introduced, into that Province, together with some other matters contained in the foregoing report, and instead of mentioning several different methods of settling the Laws of that Province for the future, with the several advantages and disadvantages that would probably attend each of the proposed methods, and leaving it wholly to his Majesty's wisdom to chuse one of the methods in preference to the others, as is done in the foregoing report, his Excellency has thought fit to mention only one method of settling the Laws of the Province, which he strongly recommends to his Majesty, as the only way of doing justice and giving satisfaction to the Canadians, which is, to continue the Laws of England with respect to Criminal matters, but to revive the whole body of the French Laws that were in use there before conquest with respect to civil matters. The Chief Justice, William Hey, Esquire, and Attorney general of the Province, not thinking it either necessary or expedient to revive the whole body of the French Laws in Civil matters, but only those parts of them (which indeed are very considerable) which related to the tenure, alienation, dower and inheritance of landed property, and the distribution of the effects of persons who die intestate,

delivered in to the Governor two additional papers, or lesser reports, containing their reasons for not wholly agreeing to the Report made by his Excellency. And these three Reports were delivered to Maurice Morgan, Esquire, about the 12th of September 1769, to be by him carried to England, and delivered to his Majesty's Secretary of State for America. The additional paper, or lesser report of the Attorney General, was intitled his opinion concerning the Governor's Report, and was as follows.

THE OPINION of the Attorney General of the Province of Quebec, concerning the Report made by His Excellency Brigadier General Carleton, the Governor in Chief of the said Province, to His Majesty in Council, concerning the State of the Laws and the Administration of Justice in the said Province, with the reasons of his dissent from some of the matters contained in the said Report.

Your Majesty's Attorney General of this Province, approves that part of the foregoing Report which gives an account of the Constitution of the Government of this Province during its subjection to the French King, and believes the said account to be true in most particulars: but he cannot assent to that part of the said Report, which suggests to Your Majesty the expediency of reviving the whole of the French Laws in Civil matters, for the following reasons.

In the first place, he thinks it will be a deviation from that plan of conduct which Your Majesty has hitherto thought fit to pursue with respect to this Province, ever since the Conquest of it by Your Majesty's arms in 1760, which he conceives to have been to endeavour to introduce the English Laws and the English manner of Government into it, and thereby to assimilate and associate this Province to Your Majesty's other Colonies in North America, and not to keep it distinct & separate from them in religion, laws and manners, to all future generations. He conceives that if this latter system had been that which Your Majesty had adopted, Your Majesty would have given orders to your General Sir Jeffery Amherst, to whom this Province was surrendered, to keep up, from the first moment of the Conquest, all the Courts of Justice that were at that time in being in the Colony, and even the several Officers that composed them, upon the same footing on which they then subsisted. But as Your Majesty's said General did immediately suppress all the former Jurisdictions, and erect Military Councils in their stead, and in the Articles of Capitulation *refuse to promise the inhabitants of this Province the continuance of the custom of Paris, and the other ancient Laws and usages by which they had been governed*, though requested in that behalf by the French General; and as Your Majesty did afterwards, in the fourth article of the definitive treaty of Peace in 1763, engage to indulge your new Canadian subjects even in the delicate and important article of the free exercise of their religion, *only so far as the Laws of England will permit*; and as Your Majesty, by Your Royal

Proclamation of the 7th of November 1763, did encourage your British and other ancient subjects to go and settle in this and the other new erected Governments, and did promise them, as an excitement thereunto, *the immediate enjoyment of the benefit of the Laws of England*; and as Your Majesty did afterwards, by your commission of Vice-Admiral of this Province granted to General Murray, *expressly introduce all the Laws of the English Courts of Admiralty into this Province*; and by Your commission to the same gentleman to be Captain General and Governor in Chief of this Province, did direct him to summon and assemble the Freeholders and Planters in this Province, and in conjunction with them *to make Laws and Ordinances not repugnant to the Laws of England*, by which it seems to be pre-supposed that the Laws of England were already introduced there; and did in other parts of the said commission *allude to divers of the Laws of England as being already in force here, as particularly the Laws relating to the oaths of abjuration and the declaration against transubstantiation*. From these several exertions of Your Majesty's royal authority in favor of the Laws of England, Your Majesty's Attorney General of this Province humbly collects it to have been Your Majesty's gracious intention to assimilate this Province in religion, Laws and Government, to the other dominions belonging to Your Majesty's Crown in North America; he therefore conceives that the immediate revival of all the French Laws relating to civil suits in this Province, in the manner suggested in the foregoing report, will have at least the appearance of a deviation from the plan of conduct which Your Majesty has hitherto adopted, and of a step towards preference of the contrary system of keeping this Province distinct from, and unconnected with, all Your Majesty's other Colonies in North America; and this appearance he humbly conceives to be itself, a considerable inconvenience, and very fit to be avoided, unless very strong reasons of justice or policy made such a measure necessary, which he does not conceive to be the case; for, on the contrary, he apprehends that the said total revival of the custom of Paris, and all the other French Laws relating to civil suits, will be attended with the following additional inconveniencies. In the first place, it will make it difficult for any of Your Majesty's English subjects to administer justice in this Province, as it will require much labour and study, and a more than ordinary acquaintance with the French language to attain a thorough knowledge of those Laws.

In the next place, it will keep up in the minds of Your Majesty's new Canadian subjects the remembrance of their former government, which will probably be accompanied with a desire to return to it. When they hear the custom of Paris, and its wise decisions continually appealed to as the measure of justice in this country, they will be inclined to think *that* government to be best under which those wise Laws could most ably be administered, which is that^d of the French King, which together with the continuance of their attachment to the popish religion will keep them ever in a state of disaffection to Your Majesty's government, and in a disposition to shake it off on the first opportunity that shall happen to be

afforded them by any attempt of the French King to recover this country by force of arms.

And in the third place, it will discourage your Majesty's British Subjects from coming to settle here when they see the Country governed by a set of Laws of which they have no knowledge, and against which they entertain (though perhaps unjustly) strong prejudices.

Your Majesty's Attorney General of this Province is further of opinion, that the body of your Majesty's new Canadian Subjects are by no means either so distressed or so discontented by the introduction of the English Laws into this Province as they are represented in the foregoing Report : at least he has seen no proofs of either such great distress or high discontent. What he has principally observed to be the subject of their complaints has been either the expence or the dilatoriness of our Law Proceedings, which he therefore conceives stand in need of reformation ; and he is of opinion, that to establish three Courts of General Jurisdiction in all matters Criminal as well as Civil in the Province, to sit every week in the year (with a very few exceptions) in the towns of Quebec, Three Rivers and Montreal, would be the most adequate remedy for these complaints.

And as to the substance of the Laws which are to be henceforwards admitted in this Province, he conceives that the best way of all to settle these would be to make a Code of them, that should contain all the Laws of every kind, Criminal as well as Civil, that were intended to be of force here, to the exclusion of all other Laws, both French and English, that were not inserted in the said Code ; by which means all pretence would be taken away both from the French and British inhabitants of this Province for complaining that they are governed by unknown Laws. This he conceives to be a work of difficulty indeed, but by no means impracticable ; and he apprehends that it would be a work of very great utility to the Province, even though it should be very imperfectly executed, and many important articles should happen to be omitted in it ; provided only that those things that were inserted in it were useful and reasonable, and set forth in a clear and proper manner ; because he apprehends that the rules so inserted would be sufficient to govern at least all the common cases that would happen in the ordinary course of human affairs, such as descents in the right line, the right of representation in grand-children whose parents are dead, the dower of widows, the rents and services due to Seignors, the obligations and duties due from them to their tenants, the Seigniors' right to the common mutation fines, his right of pre-emption of his tenant's land when the tenant is disposed to sell it, the rules of Evidence in Cours of Justice, the solemnities necessary to be observed to give validity to a deed or will, and the like obvious and important matters ; which would be sufficient to prevent the Province from falling into confusion. And as to the nicer cases which might be omitted in such a Code, they might afterwards be supplied by particular ordinances passed from time to time for that purpose.

But if this measure of making such a Code of Laws should not be thought advisable, Your Majesty's Attorney General of this Province is humbly of opinion that it would be most expedient to let the English Law continue to subsist in this Province as the general Law of the Province, & pass an Ordinance to revive those of the former French Laws which relate to the tenure, inheritance, dower, alienation and incumbrance of landed property, and to the distribution of the effects of persons who die intestate. His reasons for thinking that the French Laws upon these heads ought to be revived, are as follow :—

These heads of Law are three in number ; first, those relating to the tenures of lands in this Province, or the mutual obligations subsisting between the landiords and tenants with respect to them. Secondly, the Laws relating to the power and manner of aliening, mortgaging and otherwise incumbering landed property. And thirdly, the Laws relating to dower, inheritance and the distribution of the effects of persons who die intestate. And these several heads of Law ought, as he humbly apprehends, to be revived in this Province upon separate and distinct grounds.

The Laws of tenure, he conceives, ought to be considered as having been already granted by Your Majesty to your new Canadian subjects, by that article in the capitulation of 1760, by which Your Majesty's General granted them *the enjoyment of all their estates, both noble and ignoble* ; and by the permission given them by Your Majesty in the definitive treaty of peace in 1763 to continue in the possession of them, these Laws being essentially necessary to such possession and enjoyment. Such are the Laws relating to the quit rents due by the Freeholders, who hold by rent service ; to the seigniors, the mutation fines, the right of pre-emption and the rights of escheat in certain cases ; all which constitute the principal part of the property of the Seigniors.

But the laws relating to the power and manner of aliening mortgaging, and otherwise incumbering landed property, are not, as he apprehends, absolutely necessary to the enjoyment of the lands themselves, and therefore ought not to be reckoned quite so sacred and unchangeable as the laws of tenure themselves. Yet he conceives them to be very nearly connected with those laws, and almost dependant upon them, so that they could not be changed in any considerable degree without diminishing the value of the lands themselves, by means of the practical difficulties that would occur in making use of the new modes of conveying land that would be established in their stead ; and therefore he thinks that they ought to be continued, and further, he conceives it will be the more necessary to revive or continue the French laws upon this subject, in order to prevent the introduction of the English laws upon the same subject, namely, the doctrine of estates-tail, the statute *de donis*, the method of defeating that statute by common recoveries, the doctrine of fines, the statute

of uses, and the doctrine of uses in general, and other nice doctrines relating to real estates, which are full of so much subtlety, intricacy, and variety, that, if they were to be introduced into this province, they would throw all the inhabitants of it, without excepting even the English lawyers, into an inextricable maze of confusion. For these reasons he apprehends that the English laws upon this subject ought never to be introduced here; and that the former laws of the province relating to it ought for the present to be revived.

Lastly, as to the French laws concerning dower and the inheritance of lands and the distribution of the goods of intestates, with respect to such marriages as have been contracted, and such deaths as have happened, since the establishment of the civil government in this province, your Majesty's attorney general of this province is humbly of opinion, that those laws ought not to be considered as necessary appendages to the property of your Majesty's Canadian subjects in this province, and as having therefore been granted to them by implication in the articles of capitulation and the definitive treaty of peace; because they do not affect the property, or the rights, of the Canadians then in being, to whom alone those grants were made, but only guide and determine the course and devolution of that property after their deaths among persons that were then unborn. This, therefore, he conceives to be a matter upon which the authority of a legislator may properly be exercised. And he further apprehends, that in some time hence a change of the laws relating to these subjects, and especially of those relating to dower and the inheritance of land, would be highly beneficial to this province; the present excessive subdivision of the lands, by repeated partitions of them amongst numerous families, being productive of considerable inconveniencies. But this, he apprehends, need not be done at present; and he conceives, that, if ever it should be thought advisable to do it, it ought to be done by a full and express declaration beforehand, of the time at which the proposed changes should take place, with a power given to such persons as disliked them to prevent their taking place in their respective families by express provisions and agreements to the contrary, and should be accompanied with such temperaments and modifications as should make the adopting them be in a manner the voluntary act of the persons who were affected by them. But for the present he conceives it might be better to postpone those important changes, and to revive the ancient laws of this province concerning inheritance and dower, and the distribution of intestates' estates, as well

as those relating to the tenures of land and the power and manner of aliening and mortgaging and otherwise incumbering it. And this one ordinance, reviving the said ancient laws relating to landed property and the distribution of the effects of persons who die intestate, would, as he conceives, be sufficient to preserve the tranquillity of the province, and to give satisfaction to the bulk of the Canadians: at least, he apprehends it would be enough to begin with: and if, upon trial, it should be found necessary to revive some other of the French laws that formerly subsisted in this province, it might be done by another ordinance or two, that might be passed for that purpose, when the necessity of them should become apparent. By such an ordinance as is above-mentioned passed at present, and by the establishment of an easy and cheap method of administering justice in this province with sufficient expedition, he conceives that the far greater part of your Majesty's Canadian subjects would be contented. This therefore is what he humbly presumes to recommend to your Majesty as the best method which he can suggest for the settlement of the laws of this province, after the fullest consideration of this difficult and important subject.

FRANCIS MASERES,
Attorney General.

Quebec, September 11th, 1769.

N. B. In the foregoing short report, or opinion, of the attorney general of the province of Quebec, the particulars of the plan therein recommended for the administration of justice in the province of Quebec are not set forth, but only the general substance of it is briefly mentioned in these words: "What he has principally observed to be the subject of the complaints of the Canadians has been either the expence or the dilatoriness of our law-proceedings, which he therefore conceives stand in need of reformation: and he is of opinion, that to establish three courts of general jurisdiction, in all matters criminal as civil, in the province, to sit every week in the year (with a very few exceptions) in the towns of Quebec, Three Rivers, and Montreal, would be the most adequate remedy for these complaints." Now the particulars of this plan are as follow

In the spring of the year 1767, His Excellency Guy Carleton Esquire, at that time Lieutenant-Governor, now Governor in Chief, of the province of Quebec, being justly apprehensive of

the ill consequences that might arise from a rigorous construction of the several instruments of government by which it was supposed that the laws of England had been introduced into that province, and more especially of the ordinance of the 17th of September 1764, by which the chief justice of the province was directed to determine all matters, criminal and civil, that were brought before him, according to the laws of England and the ordinances of the province, directed Francis Maferes, Esquire, the attorney general, to prepare a draught of an ordinance for reviving or continuing the several ancient laws of the province that had subsisted there immediately before the conquest of it, in the year 1759, with respect to the landed property of the province that was holden under grants made by the French king; who accordingly prepared the following draught of such an ordinance, which his Excellency, on account of its great extent and importance, did not think it expedient to bring into the council in order to be passed without his Majesty's previous consent and approbation, and therefore he immediately transmitted it to the Earl of Shelburne, at that time one of his Majesty's principal secretaries of state. This draught of an ordinance was as follows.

A DRAUGHT of an ORDINANCE for continuing and confirming the Laws and Customs relating to the Tenure, Inheritance, and Alienation of Lands, that were in Force in this Province in the Time of the French Government.

WHEREAS certain doubts have arisen and may arise, from the extensive words used in the great ordinance of this province, dated the seventeenth of September in the year of our Lord one thousand seven hundred and sixty-four, intitled, "*An Ordinance for regulating and establishing the Courts of Judicature, Justices of the Peace, Quarter Sessions, Bailiffs, and other matters relative to the distribution of Justice in this Province,*" by which the Courts of Justice established thereby in this Province are directed to proceed in their decisions according to the Laws of England and the Ordinances of this Province; that in consequence thereof the rules of inheritance of lands in this Province, and the terms and conditions of the tenures thereof, and the rights, privileges and emoluments thence arising, either to the King or to divers of his Majesty's subjects that were owners of land in the said province, were in whole or in part abolished, and the laws and customs of England relating to the said points at once introduced in their stead; which great and sudden altera-

tion of the laws concerning these important subjects would not only be in no wise useful to the said province, but, by unsettling mens' ancient and accustomed rights and natural expectations founded thereon, would be attended with innumerable hardships and inconveniencies to the inhabitants thereof, and produce a general confusion : In order, therefore, to prevent these evils, and to quiet the minds of the inhabitants with respect to them ; *It is ordained and declared* by his Excellency the lieutenant-governor of this province, by and with the advice and consent of the same, that all the laws and customs that prevailed in this province in the time of the French government in the month of August in the year of our Lord one thousand seven hundred and fifty-nine, relating to the tenures of lands held either of the King, or of other lords, and to the terms and conditions of such tenures, and to the rights, privileges, and pre-eminences annexed, or belonging, to any of the said tenures, and to the inheritance and succession to the same ; and to the forfeiture, confiscation, re-annexation or re-uniting to the demesne of the lord, escheat, reversion, or other devolution of the same whatsoever, either to the King or any other lord ; and to the power of devising, or bequeathing, any lands by last will and testament ; and to the power of alienating the same by the proprietors in their life-time ; and to the manner of making such alienation ; and to the power and manner of limiting, mortgaging, hypothecating, charging, and incumbering, any lands in the said province ; shall continue in force and vigour until they are changed in some of these particulars by special ordinances expressly mentioning such changes, and setting forth in a full and distinct manner the laws introduced in the stead of those which shall be so changed or abolished. And further, the said French laws and customs hereby continued and confirmed shall be deemed and taken to have continued without interruption from the time of the conquest of this country by the British arms to the present time ; any laws, customs, or usages of England, or any ordinance of this province to the contrary hereof in any wise notwithstanding.

This ordinance shall extend only to such lands as were granted away by the French king before the conquest of this country by the British arms, and to the grants made thereof by the said French king to his several grantees, and the under-grants made of divers parts of the same by the said grantees of the French king, or their heirs or assigns, or other persons claiming under them, to inferior tenants or vassals either before or since the said

conquest, but not to grants of land made by the king's Majesty since the conquest.

GIVEN by His Excellency the Honourable Guy Carleton, Esquire, lieutenant-governor and commander in chief of the province of Quebec, brigadier-general of His Majesty's forces, &c. in council at the Castle of St. Lewis in the city of Quebec, on

in the
seventh year of His Majesty's reign, and in the year of our Lord
one thousand seven hundred and sixty-seven.

By the Lieutenant Governor's command.

N. B. This is such an ordinance as is meant by the attorney general above-mentioned in his paper above recited, intitled, *His opinion concerning the report made by Governor Carleton*, where he says, page 50, that, if the measure he had before suggested of making a code of laws for the use of that province should not be thought adviseable, he is humbly of opinion that it would be most expedient to let the English law continue to be the general law of the province, and to pass an ordinance to revive those of the former French laws which relate to the tenure, alienation, and incumbrance, of landed property.

APPENDIX L.

The second head proposed is a Bill for declaring the common Law of the Province.

The Canadian lawyers are, it seems, not entirely agreed how much of the French system of the custom of Paris has actually enured in the Province of Canada. The capitulation for Montreal and the Province, article thirty-six, which engages to preserve to the inhabitants their property seems to me to stipulate the manner in which that property is to be held; of consequence the Tenures are to be preserved, and all the Laws relative to that property. For it is not only the thing which we hold, but the manner in which we hold beneficially, that constitutes our property; therefore I conceive that all the Lands in Canada, the property of native Canadians or which have since passed by descent or by Will, are, in virtue of the capitulation still governed by the Law of France, as to the tenure or modes of holding; although by the forty-second article of the capitulation granted for Montreal and the rest of the Province of Canada, and by the ninth article of the treaty of Versailles, *the inhabitants become subjects of your Majesty*. How far your Majesty's Proclamation and the commissions and instructions have or have not superseded this idea, arising out of the terms of the capitulation and treaty, and how far the case of the new settlers, emigrants from Great Britain and acquirers of lands by new titles, as by mortgage, grant or purchase, is capable of a distinction, has been already observed upon.

I think there is a great distinction between the treaty and capitulation; for the Treaty which makes the Inhabitants subjects of your Majesty's crown, confirms to them their property in no other mode than in a permission to retire and to sell their estates and those restrained to be sold to British Subjects. So that if they stay and claim under the Treaty only, they stay under condition of becoming by their own free Act *British Subjects*; and as such subject to British Laws. But the treaty made with the sovereign power of France which, without taking notice of the Capitulation, transfers its subjects *pleno jure*, does not supersede the capitulation made with the Inhabitants; because I consider capitulations in the eye of the Law of nations, to be not only as national, but personal compacts, and made with the inhabitants themselves, for the consideration of their ceasing their resistance. It is consistent with the honour and interests of this kingdom, that they should be religiously observed and that the condition of the grantees should

be rendered substantially better, rather than worse, so far as any person or persons are capable of taking benefit of the grant.

At the same time I must observe that I do not conceive that your Majesty is so bound in your legislative capacity, that you cannot in parliament change the Laws of succession or heritage, or prevent the keeping up any corporate Body Ecclesiastical, by preventing a perpetual renewal by new Members, or that your Majesty cannot regulate any other general matter of dividing property real or personal, after the death of the possessor, in the same manner as your Majesty in parliament, may change the Laws respecting your other British Subjects; so that the Law be not made to the prejudice of any particular private person while he lives. In as much as no man naturally hath property after death, the community to which it reverts has a right to fix the law of partition, after death, as it shall judge most for the benefit of all its members. The right to dispose by Will, or to make a private law for a Family, is a privilege granted by the community; and restrainable, as the Law of France restrains it more than that of England, by excepting the legitime and limiting devises of land in certain degrees, except by deed by and among parties living.

It would probably answer every just and reasonable purpose, and would tend perfectly to quiet the minds of your Majesty's Canadian Subjects, if a Bill were to pass in parliament to the following effect:—That in all cases of wills, tenures, ancient rents, quit-rents, services not being military, divisions of Lands and transfers, hypothecations, or charges and pledges, or incumbrances of property, moveable and immoveable, and of hereditary descent, or partition of dower, or distribution in case of intestacy, the legitime, or portion of Children and Widows, and of all deeds, leases and contracts, the ancient laws, customs, and usages of Canada shall be valid; unless the said customs and usages shall have been deviated from by any consent of parties by express convention, or in which the modes of the English Law, as in cases of transfer between a Canadian and English born subject, shall have been followed; that in all cases where such custom and usages of Canada are relied upon, either by the party complaining or the respondent, such custom and usage shall be specially pleaded. And in order the better to erase from the minds of the Canadian Subjects their ideas of veneration for the edicts of their late Sovereign, and for the *Arrets* of the tribunals of France, and as much as possible to make them sensible of their union with, and dependence upon the British Government,

it should be enacted, that the French Law, known under the denomination of the Custom of the Viscounty and Provostship of Paris, and so much thereof only as has actually been practised in the Province, shall be pleaded under the title of "the common Law, and the Custom of Canada, as by Act of Parliament established" and under no other title whatsoever; and the abstract of the said Custom, as hath been drawn up by a Committee of Canadian Gentlemen of the Law, shall be annexed to the Bill to be referred to, as the sole rule; observing only the alteration in the articles 99 and 101, as in the advertisement or preamble of the said abstract is set forth; that Lands already granted or to be granted by your Majesty, your Heirs or Successors, shall be holden in free and common soccage tenure, and shall pass according to the Laws of England: power always reserved to your Majesty to make grants of Lands in any other mode of Tenure, if to your Majesty it shall seem meet.

EXTRACT of the PROCEEDINGS of a Committee of the whole Council under the following Order of Reference relative to a conversion of the present Tenures in the Province of Quebec into that of Free and Common Soccage; printed by Order of His Excellency the Governor in Council of the 20th October 1790, for the use of the Members of the Legislative Council.

*At the Council Chamber in the Bishop's Palace on
Wednesday, the 25th of August 1790.*

PRESENT:

His Excellency the Right Honorable
GUY LORD DORCHESTER, Governor.

The Honorable WILLIAM SMITH, Esquire, Chief Justice, and

The Honbles. Hugh Finlay,	The Hon. George Pownall,	} Esqrs
Thos. Dunn,	Henry Caldwell,	
Ed. Harrifon,	William Grant,	
John Collins	Francis Baby,	
A. Mabane,	C. Delaunadiere	
J. G. C. Delery,	Le Cte. Dupré,	

Ordered by His Lordship, that a Committee of the whole Council investigate and report a statement of the comparative advantages and disadvantages of the tenure in free and Common Soccage and the present tenures of the Province of a different description, with a view to the public interest, as well as that of

the individuals, holding under such tenures ; that they deliberate, and in case a conversion of the present tenures in Fief or otherwise into Socage tenure, shall appear to be advisable, that they report upon the most eligible mode of effecting the same, without prejudice to the rights of individuals and the general interest of the country. In doing this the Committee are to attend to the nature and operation of the different clauses in the Statute of 12 Car. 2, Cap 24. by which Socage holding was made general in England, giving Mr. Lanaudiere at the same time an opportunity to be heard on his Petition for a conversion of the tenure of his estates into that of free and Common Socage, which was referred to a committee of the Council on the 14th. February 1788. And the Committee may call on Mr. Attorney and Solicitor-General for their opinion on the subject matter of the reference, if they shall conceive the same to be necessary and take all such other means, as they may think proper, for acquiring the necessary information ; and further, if legislative interposition shall appear to be necessary, the committee are to report such draft of a Bill, as the case may require.

Letters of the Surveyor General and Deputy Surveyor-General, inclosing an enumeration of Grants to the amount of 7,985, 470½ Acres.

“ SURVEYOR-GENERAL’S OFFICE,”
Quebec, 25th September 1790.”

“ SIR,

“ The enclosed list of Seigniories and their contents was formed in pursuance of the right Honorable Lord Dorchester’s command, signified to us by letter from Mr. Secretary Motz of the 28th. August.

“ We have had recourse to the Public Records for the purpose ; and it is possible though we are not aware of it, that there may be a grant or two and perhaps more, that have escaped our researches, and there may for want of accurate actual Survey’s be some mistake in the computation of their contents, and particularly of the Islands from their irregular figures.

“ We have lately had occasion to shew the comparison, between the granted, and ungranted Territories on the *South* side of the St. Lawrence, but the want of Surveys, and the immense extent of the Province on the *North*, and in the North-west, renders such a comparison on the North side at present impossible, nor can be expected for an age to come.”

“ All we know is, that these vast regions furnish abundant scope for settlement and Cultivation, and an innumerable po-

“ pulation, especially to the West of the Meridian of this City,
 “ tho’ the Countries North and North-East, of that Meridian, are
 “ mountainous up to the limits of the Hudson’s Bay company.”

“ We are Sir your most Obedient Humble Servants,

(Signed) { SAMUEL HOLLAND,
 { JOHN COLLINS, D. S. G.

Honorable WILLIAM SMITH, Esq ;

REPORT OF THE SOLICITOR-GENERAL.

TO THE HONORABLE MEMBERS OF THE COUNCIL.

MAY IT PLEASE YOUR HONOURS,

ANXIOUS to contribute all the Information in my power to the Honorable Board of Council upon the subject of the Letter I received from His Honor the President on the 31st of August last, inclosing several important questions relating to the tenures of Estates in this Country, and suggesting the idea of converting the same into Free and common soccage ; I submit the following answer to those Questions for the consideration of the Board. It is fit I should inform the Honorable Board that the present dangerous state of Health of the Attorney General has defeated our intentions of making a Joint Report, and I may urge with truth that the daily avocations of my other public department, have greatly impeded my deliberations on the present subject, but as expedition may be wished and expected, I shall state my Answer concisely, but I hope with a degree of precision.

“ Question 1.—Upon what tenure were the lands of this
 “ Country granted by the French ?

The Civil Constitution of Canada was established upon the Feudal System ; large Tracts of Land were granted by the French Crown *en Fief et Seigneurie*, these estates are styled *Biens Nobles* ; small parcels and Town Lots were granted by an Ignoble Tenure, called *Roture*.

There are some, a very few, allodial grants, the Tenure is termed *Franc Aleu Noble* and *Franc Aleu Roturier* : a fewer still by that tenure which is of a spiritual nature called *Pure Aumone*, or *Francalmoigne*.

“ Question 2.—What kind of Tenure was most prevalent and
 “ what may be stated in probable conjecture for the proportion
 “ between them ?

In the country, the tenures *en Fief et Seigneurie* were almost

universal. In the Town of Quebec, several small parcels were granted upon the same tenure; and there, as well as at Three-Rivers, and adjoining to the Forts of Crown Point, Detroit &c. small parcels or lots were granted *en Roture*.

The proportion in favor of Fiefs and Seigneuries (alluding to the Royal Grants) is beyond comparison greater than all the other *Tenures*.

“ *Question 3.*—What securities had the French Crown by “ the Law of the Country, or the nature and tenor of the “ grants, to compel or promote the cultivation and improvement “ of the land granted ?

A power of reuniting the Estate, to the King's Domain, in default of Cultivation and Improvement by the Grantee, was the only, if it can be deemed any, security of the Crown; and this

1st. By the tenor of the grant, almost universally stipulated; and 2ly. By virtue of two arrets of the King of the 6th. of July, 1711. His Arret of the 15th. of March, 1732 and his declaration of the 17th. of July 1743. Several Seigneuries, and more particularly those near Lake Champlain, were, antecedent to the Conquest, at the instance of the King's Attorney General reunited to the King's Domain, by *Ordonnances* of the Governor and Intendant, for want of Cultivation and improvement made by the Grantees, and afterwards regranted to others, and in some instances to the same Grantees.

“ *Question 4.*—What were the legal Burdens upon the Grantee of the Crown in reservations, conditions, rents and services; or what were the benefits accruing to the French Crown “ from the nature of the Grant founded in the usual reservations, or by the general laws of the country ?

The Grantee and his Heirs and assigns, by the Tenor of his Grant and by the law of the Country (Art. 32 and 35 of the Custom) were bound to render Fealty and homage to the King (by his Representative) at the Castle of St. Lewis in this City; the vassal, was bound at the same time, or within forty days after, (Art. 8, 10 and 11,) to deliver to the King's Representative, *un Aveu et Dénombrement*, that is to say, a particular statement of his Title, the extent of his Fief, its dependencies, appurtenances and prerogatives; whether he had a right to hold Courts of Justice, high, inferior or low Justice, any and which of them; the amount of rent of the Clerk's and Notary's Offices, Fines and other Rights; his Manor-House, the lands of his Domain, the quantity and quality of his arable, Meadow, pasture and Wood Lands, what Ponds and Lakes; what Farm Houses and other buildings he had on his Domain, the boundaries of the Farms, their revenue and

to whom let, or whether he cultivated them himself, the annual amount of the *Cens*, Rents and other dues, with the number and names of his *Censitaires* or *Ter-Tenants*, or others subject to pay rent to him; the Rights and services he owed on account of his Fief; whether he had Right of Mill; the Lands granted *en Roture* on his Estate; and a particular designation of the *Arrière* or *Rere-Fiefs*; How he became entitled to his Fief and Seigneurie, whether by Succession (and particularly whether in the Line Direct or Colletaral) by purchase, gift, or how otherwise.

Upon the sale or other mutation of the Fief (except in the direct line) the Fine called *Droit de Quint*, or a fifth part of the amount of the purchase money was payable to the King, at the time of rendering fealty and homage, (Art. 25.) in respect of Lands governed by the Custom of Paris, which is the General Law of the Country; and in respect of Lands governed by the Custom of *Nexin Le François* (for there were some few grants made subject to that Custom) a Relief, i. e. one Year's Revenue the Fief sold (Art. 33.) and not the Quint was payable upon every mutation whatsoever.

The King might use his Right of *Retrait Féodal*, the *Jus retracti*, within forty days after notice given of the Sale of any Fief and Seigneurie made by his Grantee, reimbursing the Purchaser his purchase money, and the legal expences (*loyaux couts*) Art. 20. but this Right ceased after an investiture of the New Vassal.

These are legal Burdens.

A few old Grants made by the India Company stipulated that on every Mutation a Medal of half an ounce or an ounce of Gold (*une Maille d'Or*) should be paid the company in lieu of the Quint.

The usual Reservations and Conditions in the more ancient Grants were :

1. That the Grantee should, with in a year and a day, build an Habitation upon, and actually inhabit the Lands (*tenir feu et lieu*) and cultivate and improve the same (*désarter et mettre en valeur*) and cause his Ter-Tenants (*Censitaires*) to do the same within the same period : (some Grants mention that the Lands are to be stocked with cattle in two years,) in default of which the King should of Right re-enter into the Possession of the land granted—but a formal Process for the Reunion, was however thought necessary, and always prosecuted by the Attorney General.

2. That the Grantee should preserve all Oak Trees growing on his Domain, and cause all Oak Trees fit for the construction of the King's Ships to be preserved by his Sub-feudatories (*Censitaires*).

3. That the Grantee should give immediate advice to the King or his Governor and Intendant, of the discovery of all Mines, Ores and Mine-

ral (*Mines, Minières et Minéraux*) found in the Lands Granted; with exception only to two Grants, wherein they are expressly given to the Grantees.

4. That the Grantee should get the grant ratified by the King, generally within the period of one year.

5. That the Grantees should permit the necessary Roads to be laid out for public utility, and cause a clause to be inserted in their concessions to the Ter-tenants that they should do the same.

The more modern Grants contain the same reservations and conditions, but they also contain additionnal stipulations, namely:

6. That in case the King should have occasion for any part of the land granted for the purpose of building Forts, Batteries, places of arms, stores, or other public works, he should be at liberty to take the same, together with the trees and timbers that should be necessary, and also, Firewood for the supply of the Garrisons within the extent of the lands granted, without being held or bound to make any compensation to the Grantee.

7. That the Grantee should allow the free use of the Beaches to all Fishermen, except such part as he might stand in need for his own Fisheries.

8. That the Grantee should concede lands to his Sub-feudatories at the accustomed rents and dues (*cens et Rentes et Redevances Accoutumée*) for every acre in front by forty in depth; about a fourth part only of the Grants contain this clause.

9. In many of the latest Grants the King reserves the Right of taking Oak Timber, Masts, and Yards (*Mâtures*), and all other Timber proper for the Construction and Equipment of his Ships, without making any compensation for the same—and in one Grant the King reserves the Red and Pitch Pine for making Tar.

There were no rents reserved to the King by the grants made in Fief and Seigneurie; nor were the Grantee liable to any legal Services, except rendering Fealty and Homage to the King's Representative, and furnishing the *Aveu et Dénombrement* in the manner before described, but this they were bound to, on Pain of the *saisie féodale* of their Estates. (Art. 1.)

By one of the Arrets aforementioned of the 6th July, 1711, the Grantees were bound to concede Lands to their Sub-feudatories for the usual *Cens et Rentes et Redevances*, and by the arret of the 15th March, 1732, upon non-compliance on the part of the Royal Grantee, the Governor and Intendant were impowered and directed, to concede the same on the part of the Crown, to the Exclusion of the Grantee, and the rents to be payable to the Receiver-General. The Grantees are thereby also restricted from selling any Wood Lands (*Bois de bout*), upon Pain of Nullity of the contract of concession, a Reunion of the lands to the Royal Domain, and Restitution of the Purchase Money to the Sub-feudatory,

The benefits accruing to the French Crown from the nature of the

grants *en Fief et Seigneurie*, were casual, under the custom of Paris, the Revenue of *Quint* (a third of which was usually remitted) and under the custom of *Vexin Le François*, a Relief. I have mentioned the *Droit de Retrait féodal*.

By the *Roture* tenure, the Grantor, whether the King directly, or his Grantee *en Fief mediately*, stipulated a specific sum (one halfpenny for every Acre in front by forty Acres in debt) payable to him by the *Roture* Grantee annually on a fixed day, and at the Seigneur's Mansion-House, for what is termed *Cens*, evidencing thereby that he was the Seigneur *Censier et Foncier*, or immediate Seigneur of the *Roture* Grantee (*marque de la directe Seigneurie*.) A Specification indispensibly necessary to intitle the Seigneur to be paid the *Lods et ventes*, upon every subsequent alienation of the land granted, (*Cens porte Lods et Ventes*; and another Specific Sum (one halfpenny for every superficial acre contained in the Grant) for what is called *Rente*. In the Towns of Quebec and Three-Rivers, the reservation of the *Cens et Rentes*, for small Lots, are variable and very low, but specifically ascertained.

Upon every mutation of *Roture* Lands, the new proprietor was bound to produce his titles to the Seigneur, and in forty days after exhibiting the same, the Seigneur, in case of a mutation by sale, and even upon Donations *inter vivos*, from a collateral branch or stranger, was intitled to the alienation Fine called *Droits de Lods et Ventes*, (Art. 73) which is the twelfth penny or a twelfth part of the price or value of the land ; a fourth of the Fine was usually remitted by the Seigneur, but without any obligation so to do.

The King by Virtue of an Edict of the 20th March, 1673, had the right of *Lods et Ventes* upon exchanges of one inheritance for another, on lands granted by the Crown *en Roture*. But this right was limited to the King alone, and did not extend to his Grantees *en Fief et Seigneurie* over their subfeudatories, except the Seigneurs of the Island of Montreal, to whom this Right was given, in lieu of the *Droit de Justice*, which they relinquished.

These are legal burdens, but clearly ascertained.

The Benefits accruing to the French Crown from the nature of the Royal Grants *en Roture*, were merely the *Cens et Rentes*, and the Casual revenue of *Lods et Ventes*, with the right of Pre-emption,* but this Right ceased after *seisin* given to the proprietor.

The *Roture* Tenants in Canada, in virtue of the King's Edict of the 4th June, 1686, and the provincial Judicial decisions given in consequence, were bound to the servitude of grinding all the Corn for the consumption of their Families at the *Banal* Mills of their Seigneurs. The Toll is a Fourteenth Bushel; and the penalty for a contravention, under the Authority of a Provincial Decision, is understood to be the Payment of *Double Toll*.

5th Question.—“ What were the benefits which the Grantee of the “ Crown might draw from the sub-feudatory ; or what the burdens in “ acknowledgements, Rents and Services, to which the occupants un-

* Pre-emption is not a legal but a conventional right.

“ der the Royal Grantee were liable from the nature of the concession
 “ or by the Law of the Country ?

This is in great part answered upon the forth Question, in respect of the benefits which by the Law of the country (independant of conventional stipulations) the grantee of the Crown might derive from his sub-feudatory ; and which in fact are the burdens that the sub-feudatories are liable to. But the Grantees, of long usage imposed other stipulations in their contract of concession to the subfeudatories ; such as the *Retrait Conventionel* (the *Jus retractum* the payment of one or more bushels of Wheat annually, one or more Capons, a certain number of days' labour (*Corvées*) &c. But these are Conventional Burdens.

6th Question.—“ Was the estate of the Grantee of the Crown subject to partition by Marriage Contract, Testamentary Disposition, or
 “ any other mode of alienation, voluntary or Judicial, and by inheritance
 “ in the Lines direct or Collateral ; or was any estate held impartible
 “ and unalienable, or in the nature of an English Intail ?

I conceive the common law of this Province, in relation to the powers to be exercised by Marriage Contract, testamentary disposition or any other mode of alienation, respecting the tenure *en Fief et Seigneurie*, and that *en Roture*, to be indiscriminately the same.

By Contract made before Marriage, the contracting parties might make such stipulations respecting both their Real and Personal Properties as they unitedly judged fit. They might stipulate that the real as well as the personal property belonging to both, or either of them, or any designated Part thereof should, or should not, enter into the Conjugal partnership. But after Marriage, Inheritances descending to either of them by succession in the line direct, or Collateral, or given by Donation or otherwise in the line direct (unless the contrary were expressed in the deed of conveyance) to either of them, did not enter into the *Communauté* or Partnership. Estates given Collaterally, or by strangers to either of them, after marriage, became a part of their joint property ; but by express stipulations in the conveyance, the liberality of the Donor might be prevented from becoming a part of the common stock.

Antecedently to the Quebec Act. 14th of His Majesty ch. 83. a fifth part only of Estates descended by Inheritance, which are termed *Propres*, could be devised or otherwise disposed of (except in cases of actual sale) to the prejudice of the Heirs direct or collateral, who in that respect might be said to have the expectant Reversion of the other four fifths.

Real as well as personal property acquired or purchased pending the *Communauté*, which are termed *Conquests*, being the fruits of the joint industry of the husband and wife, were a part of the joint stock and partible as such.

In case of Marriages, without a previous Contract, no part of the real property of either husband or wife, before marriage, entered into

the *Communauté*, by the Municipal Law ? their personals alone did so.

Estate *en Fief et Seigneurie*, are partible in the manner following.

The eldest son in the nature of a jointure (*par droit d'Aïnesse et Pré-ciput*) succeeds to the Mansion House (*Château ou Manoir principal*) the inner yard (*Basse cour*) and a superficial acre of land adjoining to the Mansion House supposed to be an inclosed Garden (*un arpent de Terre de l'enclos et Jardin*) if there be such ; and if there happens to be a Mill within that Inclosure and annexed to it the Right of *Banalité*, the body of the building belongs to him, but the profits of the Toll are not vested in him alone, they are divided in proportion to the inheriting Rights of each of the Heirs (Art. 13 and 14.) If it should happen that there were but a son and one other child to inherit, the eldest son succeeded to two thirds of the estate, his Brother or Sister to the other third (Art. 15.)

If there were more Children, the eldest Son succeeded to one moiety, the other Children to an equal proportion of the other moiety (Art. 16.)

The *Droit d'Aïnesse* did not extend to females, but successions, in the direct and Collateral lines, were divisible in equal portions. (Art. 19)

In the Collateral Line, females did not succeed with Males in equal degree, (Art. 25.)

Upon marriages had without a previous Contract, the Widow had her customary Dower (*le Douaire coutumier*) which was a moiety for her life of her Revenue of her Husband's real estates, possessed at time of his marriage, and those descending to him in the line direct pending the marriage, (Art. 247, 248 ;) descendible to the issue of the marriage, (Art. 249 ;) upon renouncing to their Father's succession (Art. 250 ;) for they cannot claim to the estates by inheritance and to the right of dower. *Nul n'est Douairier et héritier de son père*, (Art. 251.)

Estates subject to the customary dower, stood pledged (*Hypothéqués*) from the day of the marriage for the security of the widow and issue of the marriage, and if aliened afterwards, they continued subject to her and their rights.

Marriage Contracts, donations *inter vivos*, and by testamentary dispositions, an Intail, which the Civilianstern *Substitution (Fidei commissaire)* may be created (tho' I know no instance of it in this province, but there may be some) so far down as the second degree (*L'Ordonnance d'Orléans*) they must be published and enregistered in the proper Court of Justice within six months after the date, if *inter vivos*, and within the same period after the decease of the substitutor if it be a testamentary disposition, and in that case they cannot be purged or affected by any Judicial decree whatsoever, except respecting debts due by the Substitutor.

7th Question.—“ Were the sub-feudatory Farms of the concessions of the Tenantry held under the royal Grantees, devisable, descen-

"dible, alienable and partible in the like manner without limitation. With exception to the partition of the *Roture* lands among the Heirs, which were partible among them in equal shares, without the *Droit d'Aînesse* or other preferable right, the answer to the sixth question applies.

8th Question.—"Would a conversion of the French Tenure into the Tenure of Free and common Socage be advantageous to the proprietor holding by grant of the French Crown in Fief, Seigneurie or Roture, discriminating its effects as to the parcels that are settled, such as are still unconceded and uncultivated; and what in particular appears to you to be the instances of advantage or disadvantage to result from such Conversion.

There appears to be engrafted on the Royal Grants the fiction of feudal Tenure, drawing after it the servile appendages of Alienation Fines, &c. *Quints and Reliefs* upon the Tenure *en Fief*, and *Lods et Ventes* and the servitude of *Bannalité* upon that *en Roture*; and therefore a general answer to this question can give no embarrassment; nor can I hesitate saying that a conversion of those Tenures into that of Free and common Socage, which is not subject to those appendages, would be advantageous to the *Roture* Grantees of the Crown.

With regard to the Royal Grantee *en Fief et Seigneurie*, such a conversion, if unqualified, might and I think would operate a heavy loss to most of them, by being deprived of their certain Revenue of *Bannalité*, and their casual Revenue of *Lods et Ventes*.

The *Droit de Justice*, accorded to them by their Grants, which tho' exercised in many Seigneuries antecedent to the conquest, but tacitly relinquished, or at least not exercised, since that period, is an object frequently mentioned by the Seigneurs, to whom by their Grants that right was given.

The *Haute Justice*, on account of the Prisons which the Seigneur *Haut Justicier* was bound to erect and maintain, as well as of the necessary Officers of that Justice, might be considered onerous upon them, but on the other hand, they were entitled to the confiscated Estates and Effects of persons convicted of Felony within their Seigneuries, to Estates escheating for want of Heirs, to the possession of vacant inheritances, and to Judicial fines.

By the statute of the 14th of His Majesty ch. 83, I conceive the criminal powers of the Seigneurs to be abrogated, and their pretensions limited to the civil part only.

A conversion of the Tenure *en Fief*, into Free and common Socage, would exonerate those Estates from the Alienation fines payable to the King in the manner I have mentioned; but as they have in view to hand down their Estates to distant generations of their families, many of them consider the Exemption of payment of those fines to be but of little moment; and therefore, upon that ground, a conversion of the Tenure would be a certain disadven-

tage but no certain benefit to them, respecting the parcels of their estates that are already conceded.

It may not have the same effect with respect to the unconceded part of their estates ; it tis true, the conversion of the Tenure into free and common Soccage, would, by a fit law for that purpose, preclude them their now legal rights to alienation, fines and *Bannalite*, but they might dispose of that part of their Estates in fee simple, for such annual quit rents as may be agreed upon, or Leases, for lives, or a term of years, perhaps at a greater advantage than those at present granted upon the *Roture* Tenure ; and there is great reason to apprehend, that *that* part of their Estates would be more rapidly settled and cultivated ; I am therefore of opinion, that in respect of the ungranted parcels of their Estates, no material disadvantage, perhaps a much greater benefit would accrue to them, by a conversion of the Tenure into free and common Soccage.

9th Question.—" Would such conversion of the Tenure of the Estates or the subfeudatories be beneficial or detrimental to them ; and in what respects, as you apprehend, and for what reasons ? "

The benefits that would result to the *Roture* Grantees of the Crown, of which I have spoken in the answer to the 8th question, would equally affect the subfeudatories of the Royal Grantees in Fief.

It is however right to observe, that, by the French King's edicts and declaration before mentioned, the Royal Grantee *en Fief* was bound to concede Lands to all Applicants for the *accustomed Rents and Du s*, and upon his non-compliance, the Governor and Intendant were directed to do so, on the part of the Crown, and for the benefit of the Crown ; this may be considered a great facility for the settlement of the Children (who are numerous) of the poor Peasantry of this Country, to whom alone, and in this respect only, the conversion of the Tenure may prove detrimental, from their Inability to purchase Lands, though a wilderness, on account of the exorbitant demands of the Proprietor.

10th Question. " How may the interests of the Crown and public be affected by such conversion ; stating the points in which it may operate to the loss or emolument of the Royal Revenue ? "

The interest of the Crown, in relation to the Grants made by the French Crown, and there have been very few, and of but small parcels or lots (except that given to Mr. Shoolbred in the District of Gaspé) since the Conquest, is but of small consideration in point of Revenue. Alienations of *Fiefs* and *Seigneuries* in the Country are not frequent, but the royal *Roture* Grants, in the

town of Quebec, merit some consideration, not in respect to the *quantum* of the annual rents, but on account of the Fine of *Lods et Ventes*, proceeding from the frequency of alienation; they are a Casualty, and cannot be precisely ascertained, any more than the revenue of *Quint*.

But if the extensive tracts of the ungranted lands of the crown were divided into distinct Seigneuries, and Grants made of the lands therein to the Peasantry upon the *Roture* Tenure, the revenue deducible to the crown thereby, might, and would in the course of a series of years, be very productive, and continue to increase. At the same time I am of opinion, that the Settlement of the waste lands might, under that Tenure, be checked and greatly impeded, to the detriment of the Population, Agriculture and Commerce of the Province, a great part of the benefits of which would center in the Mother Country.

11th Question —“ By what mode may such conversion of the Tenure be created? If the Prerogative is competent for it, what clauses may be necessary in the Royal Patents or Grants, and if a law is wanted to effect the design, what paragraphs ought it to contain for the interest of the Proprietors, whether Seigneur or Censitaire, Lord or Tenant, or most eligible as well for individuals as the crown and the public? Taking at the same time into consideration the statute of 12 Car 2. ch 24.

The existing Tenures being a part of the municipal Laws of the Country, I think a Law will be necessary to declare their conversion.

I shall, with all the expedition that my now pressing avocations in the Council office department will admit, set about preparing such clauses as, to me, may appear expedient for the intended law. I submit this report, as a work done with some degree of precipitation, proceeding from the motive of accelerating the important object under the consideration of this Honorable Board; requesting your Indulgence till a future day, to submit the necessary Paragraphs to be inserted in the Act.

I have the Honor to be with great Respect,

GENTLEMEN,

Your most obedient and most

Humble Servant,

(Signed) J. WILLIAMS, *Solr. General.*

QUEBEC, 5th October 1790.

 ANSWERS BY CHARLES DE LANAUDIERE, ESQUIRE,

To some of the Questions proposed by the Honorable Committee of the whole Council.

Answer to the 1st Question.—In *Fief* and *Seigneurie*, some in Fiefs of Dignity, with the Right of high, middle, and inferior Justice and some in Fiefs without the right of Justice. Town Lots, and some small Tracts in the Country *en Censive* or *Roture*, so that, generally, there is no other Tenure in Canada than *Fief* and *Roture*, governed according to the Custom of Paris, and the *Vexin Le Francois*, surrounded by that of Paris.

2d. The Fiefs granted by the Company of the associates of new France, that is to say, before 1663, (at which Time that Company surrendered their Rights to the King) were principally granted according to the Custom of *Vexin le Francois*. Posterior to that Period, the King granted none but according to the Custom of Paris; all relevant from the Castle of St. Lewis at Quebec, the place designated in the Title Deeds of Concession, for rendering Fealty and Hommage to His Majesty, and other Rights and Dues according to those Customs. With exception to the House-Lots in the Towns of Quebec and Three-Rivers, there are only a few Royal Grants *en Censive* in Canada, except at Detroit, where all the Grants are issued by His Majesty in *Roture*, as well in the Town as in the Country. The Royal Grants of the French Government are therefore principally in Fief and Signory, high, middle, and inferior Justice.

3dly. By the King's Order of the 20th of May, 1676, (the first Royal Regulation relating to Lands, found enregistered by the Superior Council or Parliament of Quebec) the King's Governor and Intendant ought not to grant Lands in *Fief* and *Roture*, to the Inhabitants of Canada, but upon Condition that the Grants in Fief should be represented to the King within a Year from their date, to be confirmed or ratified by His Majesty, upon Pain of Nullity; and upon condition, that the Grantees should cause the Lands to be cleared and improved within the subsequent six Years.

In 1711, the 1th of July, the King ordered by His Arret, (also enregistered in the Superior Council of Quebec) that the Seigniors of the Colony who had no Domain cleared, nor Inhabitants placed upon their Seigniories, should put them into Culture within one Year, on Pain of being reunited to the King's Domain, upon the Judgments which the Governor and Inten-

dant should render, at the Prosecution of the Attorney General. That the Seigniors should make Grants to the Inhabitants *à titre de Redevance*, that is to say, in *Roture* or for *Cens et Rentes*, without exacting from them any Money in the Nature of a Sale, and in default of doing so, the Inhabitants were permitted to make a Demand upon the Seignior by *Sommation*, and in case of Refusal, to address themselves to the Governor and Intendant, upon whom it was incumbent to make the Concessions to the Inhabitants, subject to the same Rights with other Lands conceded in the Seignior, payable to His Majesty, and not to the Seignior. Another Arrêt of His Majesty of the same Day, ordering all Inhabitants or *Censitaires* of the Seigniors to put their Lands in Cultivation, and to inhabit them within a Year and a Day, upon pain of being reunited to the Seignior's Domain, by Judgment of the Intendant.

Another *Arrêt* of His Majesty of the 15th March, 1732, enregistered at Quebec, mentioning the foregoing *Arrêts* of the 6th of July 1711, and restraining the Seigniors and other Proprietors from selling any Wood Lands (*en bois de bout*) upon Pain of Nullity, Restitution of the Purchase Money, and reunion to the Domain of His Majesty, or of the Seigniors.

The 17th July, 1743, a Declaration of His Majesty (enregistered) authorising the Governor and Intendant to make Grants of Lands, to proceed to reunite to His Majesty's Domain the Lands granted, that should be found liable to be so, for want of Culture, and prescribing the mode of proceeding in that Respect, attributing to them the Cognisance of all Matters relative to Grants, to the exclusion of all other Judges.

All the Titles or Brevets of Concession of Lands contain Clauses obligatory of Cultivation. It does not appear that either those Clauses, or the Arrêts quoted, were ever rigorously executed, being considered comminatory, rather than penal.

4 & 5th. The legal and customary Charges of Grants in Fief, are Fealty and Hommage, the *Avou et Denombrement* or Land Roll, the Retrait feudal and *lignager*, the *Quint*, the Relief, the Right of *Franc Fief*, of *Amortissement* and of *Nouveaux Acquêts*; these Charges draw after them the Fidelity and Military Service of all Possessors of Fiefs and Rere-fiefs, under whatsoever Title, as well personally as by pecuniary Contribution. The feudal Seizure, Forfeiture, or Confiscation for Services and Rights not paid and rendered, or of Felony, Denial, Reproach or Scandal of the Seignior, or of an illegal Dismemberment of the Fief, and other usual Charges, Duties and feudal Refraints, as the Case might require. H h 4

The ordinary modern Reservations in Grants *en Fief*, are 1st. Fealty and Hommage.—2d. The accustomed Rights and Dues according to the Custom.—3d. The preservation of Oak Timber fit for the construction of His Majesty's Ships.—4th. To give the King advice of Mines, Ores and Minerals found.—5th. That Appeals from the Seigniorial Courts should be made to the Provostship of Quebec.—6th. To build a Habitation, and to inhabit it (*tenir feu et lieu*) and to cause their Sub-feudatories to do the same.—7th To clear, and cause to be cleared, without delay.—8th. To suffer to be made all the Roads necessary for public Utility.—9th. To insert similar Clauses in the Concessions to the Ter-Tenants, at the usual *Cens*, Rents and Dues per Acre of Land in Front, by forty in Depth.—10th To permit the Beaches to be free for all Fishermen, with Exception to such Part as the Seignior should have occasion to use for his own Fishery.—11th. In case His Majesty should at any future Time have occasion for any Part of the Seignory, whereon to build Forts, Batteries, Places of Arms, Stores or Public Works, His Majesty might take the same, as well as the Timber necessary for those Works, and the Fire-wood for the Garrison therein, without being held to make any Recompence.

The Charges of the High Justice (*Haute Justice*) are 1st. By the ordinance of Roussillon in 1563, Art. 27, it is enacted, that the Jurisdiction thereof shall be simply under that of the Parliament, and the Seigniors *Hauts Justiciers*, condemnable in sixty Livres (*Paris*) for the erroneous Judgments of their Judges.—2d. Children found exposed within the extent of their Jurisdiction, are at the Seignior's Charge, according to different *Arrêts*, particularly the Regulation of the 30th June, 1664.—3d. The Seignior, having the Right of holding Courts of Justice, is obliged to have a Hall (*Auditoire*) on the out-side of his Chateau to hold his Court at, together with Prisons on a Ground Floor that the Prisoners may be kept in a dry Place.—4th. The Officers should execute, and rigidly exact the Execution of the Police, which is a heavy Charge, more especially respecting the Prosecution of Criminals and Delinquents, for all Species of Crimes.—5th. The Seigniors having right of Justice, are obliged to exercise and render Justice to their Vassals and Subjects at their own Expence, that is to say, to pay Salaries or Wages to their Officers according to the Ordinance, upon Pain of losing their Right of Justice. Fiefs of all Sorts owe Fealty and Homage, or Oath of Fidelity to the dominant Seignior, and Military Service to the King, when His Majesty shall be pleased to assemble the Ban and Arriere-ban, and sub-arriere Vassals. All Estates being

originally issued from the Royal Domain, have been charged with Military Service, as an inherent and inseparable Condition of the Fief and Oath of Fidelity made to the King by his direct Vassal; a Reason why all Proprietors of Fiefs, and Rere-Fiefs in whatsoever Degree of Partition they are found, are obliged to attend at the *Ban* which the King causes to be proclaimed whenever he chuses to assemble the Nobles and Vassals of his Estates. They should assemble when the King directs, in Arms, in Men, and in the Equipage of Military Service.

The Ordinance of François the First, of the 19th May, 1740, distinguishes the Service of the Vassal by the Value of his Fief, viz. A Fief producing an annual Revenue of 5 or 600liv. a Horse-man armed and mounted; a Fief of 3 or 400 liv. a Horse-man with a an attendant, *Arquêsier*; a Fief of 2 or 300 liv. a Man on foot, armed; the smallest Fief, a Man on foot.

That encreased or diminished according to the order and the will of the Prince — Louis the 13th, the 30th July, 1633, made a Regulation containing twenty Articles for the *Ban*, and *Arriere-Ban* — Louis the 14th, made a Convention by Letters Patent of the 11th August, 1674, commanding “all Nobles, Barons, “Chevaliers, Esquires, Vassals and others holding Fiefs and “Rere-Fiefs, that all Excuses set apart, upon Pain of Seizure “and Confiscation of their Fiefs, they put themselves in Arms, “mounted and equipped, according to what they shall be held “bound, and to be present on the Days and at the Place to be “fixed.”

Ecclesiastics and others exempted from personal Service ought to contribute one Year's Revenue of the Fiefs they possess, or such other Contribution as His Majesty shall regulate.

The *Roture* Persons, who are unworthy to carry Arms with the Nobles, are compellable to contribute to the Tax of the *Ban* and *Arriere-Ban* according to the Value and Revenue of their Fiefs; and the *Roture* Proprietors who serve personally do not enjoy all the Grace or Favor which Nobles do, and ought to contribute more than they do.

The *Roture* Possessors follow the same Principle and Order towards their dominant Seigneur as the Fiefs do, because the Vassals and Subfeudatories have the same Obligations for the Estates and Inheritances which those Seigniors have given them, and for which they owe Acknowledgements or Declarations on the Event of each Mutation.

Grants en *Roture* are made by a Title called Lease for *Cens*, or *Cens et Rentés*, annual, perpetual and portable. This Lease by its Nature obliges Fidelity and Acknowledgement to the Seigneur

who grants it ; Also the Right of Bannality, Pre-emption conventionally and lineally, the alienation Fine of *Lods et Ventes*, Seizin, Confiscation, and others ; as Cafes may happen.

Expressions of Resentment, Contradiction, Ingratitude, and Scandal, be it by the Vassal or Subfeudatory, are severely punished by the Laws. Besides a Confiscation of their Lands, there are Examples of being obliged to appear in Court during its sitting, bare headed, kneeling, fettered, asking Pardon of their offended Seigniors ; Even Imprisonment, put to the Gallies, and other unheard of Punishments, at the Mercy of the Judge.

Vassals, and direct roture Tenants of the Crown, render their Duties and pay their Rights to His Majesty or His Representatives ; the Rere-Vassals and Roture Tenants to their particular or dominant Seigniors.

6 & 7. Fiefs, as well as Roture Estates are subject to successive Partition, ad infinitum, either in nature, or a proportionate Recompense in other Estates or in Money, as well in the direct as collateral line, and each divided Part, by Operation of Law, becomes a distinct and separate Fief. It is the same with Roture Lands. The honorary, as well as pecuniary Duties and Dues are evidently complex, arbitrary, injurious. Can any thing further be necessary to induce a benevolent Monarch and Nation to destroy them, and to grant in their Stead that certain and determinate Tenure of King Charles the Second, free and common Socage, which the other Subjects of His Majesty King George the Third enjoy, and with so much Reason boast of.

(Signed) DE LANAUDIERE.

Quebec, 18th October, 1790.

RESOLVES OF THE COUNCIL.

“ That the progress of population and settlement in this Province under the Government of France, whatever the cause or causes of it, was slow, the cultivated parts even in the central Districts of Quebec, Three Rivers and Montreal, being to this day confined to the banks of the St. Lawrence, and the mouth of the navigable streams that fall into it.

“ That the royal patents, grants or concessions of the lands, were either in Seigniorship or in Roture ; the latter consisting of town lots, farms or small tracts, and the Seigniorships larger tracts of various dimensions, many of which are in the rear, or at a

“ few leagues from the convenience of water carriage, *still in fo-
rest.*

“ That the French King’s territorial revenue arose from *quints*
“ or alienation fines of one fifth of the consideration money
“ payable by the purchaser of the lands held *in Seigniorly*; and
“ of *lods et ventes* of one twelfth on the sale of lands held *en*
“ *roture*, the lands in *roture* ordinarily paying also *Cens et rentes*,
“ the Cens being one sol, or an English half-pence for a front of
“ one acre or 180 French feet, and the rent, another sol for ev-
“ ery acre of the concession, with a bushel of wheat for every
“ forty acres, or two fat Capons, of the value of twenty sols.

“ That the French Crown did not exact its *whole* dues, but
“ remitted a third both of the quint and lods et ventes.

“ That the Seigniories were parcelled out into farms, and these
“ conveyed by the Seigniors under like charges of Cens et
“ rentes, and subject to lods et ventes, except where a large par-
“ cel was granted in *arriere fief*; on the subsequent transfers
“ whereof a quint became due to the Seignior without Cens et
“ rentes.

“ That all the grantees as well of the crown as of the Seigni-
“ ors, had permanent estates, under an *habendum to them, their*
“ *Heirs and Assigns.*

“ That, according to the Receiver General’s accounts, the ter-
“ ritorial Revenue for the *thirteen* years from 1st May 1775
“ to 1st May 1788, (comprehending arrears) in actual receipt at
“ the Treasury was not equal to ten thousand pounds sterling.

" The <i>lods et ventes</i> being but	£1351	9	5 $\frac{1}{4}$
" The <i>quints</i>	3148	1	4 $\frac{1}{2}$
" The balance of Royal rents from all the	} 4554	7	5 $\frac{3}{4}$
" King's own Seigniories, Sorel excepted			
	<hr/>		
	9053	18	3 $\frac{1}{2}$
" From Sorel	216	19	11
	<hr/>		

£9270 18 2 $\frac{1}{2}$

“ Which together with certain duties of customs fixed by acts
“ of parliament, is by the royal grace given to the Province to-
“ wards the support of its Government.

“ That in exploring the causes of the tardy progression of the po-
“ pulation of the colony under the Government of France, there
“ seems to be little or no ground for ascribing it to the non com-
“ pliance of the Seigniors with the conditions for cultivation ex-
“ pressed in their patents or grants; the instances of prosecutions
“ for taking an advantage of those conditions, and reuniting their

“ Seigniories to the royal domain, being *rare*, and the Seigniorial censitaires so much more numerous than the King's, that the former or the inhabitants of the Seigniories, at all times did, and do now, constitute the main body of the landholders of the country.

“ That the feudal System, if that was amongst the causes of the non settlement and proportionable debility of the French colony, operating to a discouragement of the royal grants, as well as the grants of the subject, there can be no just ground for holding the grantees to a rigorous performance of the conditions of their grants.

“ That it was among the main causes of that low condition, in which Canada was found at the British conquest, is deducible from the probability, that many thousands of families had found their account in emigrating from the exuberant population of the Kingdom of France, if the government had given their lands *here* upon easy terms, and especially in the fertile regions and moderate climates, on the banks of the rivers and lakes in the South and South West.

“ That the discouragement of that System to the settlement of the old French grants, must in future greatly increase, the population of the Province depending *now* upon the introduction of British subjects, who are known to be all averse to any but English tenures; and the Canadian Seigniors of course be left without a hope of multiplying their censitaires, except from the predilection of the descendants of the French planter, to usages no longer prompted by the motives of interest, nor recommended by example.

“ That the grant of the waste lands of the Crown in free and common Soccage, is essential to the growth, strength, defence and safety of the Province-

“ That unless the old French Seigniories can be settled upon terms as advantageous to the husbandman as the lands of the Crown, *their* land market must be at a stand, to the detriment of the proprietors, until the cultivation of the waste lands of the Crown, is damped by their remoteness from all water carriage and the conveniences and benefits of commerce.

“ That with the advantage of a vicinity to the navigable waters and a conversion of the tenures, the Seigniories will probably be the first to be fully cultivated, and with an increase of profit to the proprietors, under that ample dominion, which they will then enjoy over their lands, for settling them upon such terms as themselves may concert, to form a populous tenantry, and lay a foundation *in property*, for that perpetuity

“ of their names and families, which a wise and well balanced
 “ government will be inclined to encourage and support.

“ That the King's *Roturier* tenants, cannot fail to wish for a
 “ conversion and discharge from the Cens, rentes, and Lods et
 “ Ventes, and all the other feudal burdens connected with the
 “ tenure under which they now hold.

“ That the motives of interest will naturally make it the de-
 “ sire also of every *Seigniorial* censitaire, to stand upon the same
 “ free foundation of exemption with the other landholders of
 “ the colony ; but as this commutation for a discharge of the
 “ rents and dues to the landlords, must necessarily depend upon
 “ private conventions between them and their tenants, and in-
 “ volving considerations *out of the contemplation* of any but
 “ the parties reciprocally interested, their cases cannot be the ob-
 “ jects of special and particular legislative provision ; perhaps the
 “ surest means of securing to the tenant a fair compact, will be to
 “ hold the Lord to his dues to the Crown, until he has discharg-
 “ ed his tenants, from all the feudal incumbrances in his own
 “ favour.

“ That the prerogative is competent to put the *waste* lands of
 “ the Crown, under a Soccage tenure. But the legislative inter-
 “ position is necessary, to make that tenure *universal*.

“ That if this is to be the work, not of Parliament, but of
 “ the colony legislature, the royal instructions given for the greater
 “ security of the property of the subject, will require an act
 “ with a probationary or suspending clause, until his Majesty's
 “ approbation can be obtained.

“ That an absolute and universal commutation of the ancient
 “ tenures, *tho' for a better*, would be a measure of doubtful
 “ policy ; but that no substantial objection occurs, against giving
 “ such individuals that benefit as desire it ; and especially to
 “ such of the Seigniors whose tenants or censitaires, shall con-
 “ ceive it to be for their own, as well as for the interest and be-
 “ fit of their landlords, and may therefore signify their consent
 “ to the change.

“ That these ends may be accomplished by a law with clauses
 “ of the following tenor or import.

“ BE IT ENACTED &c.

“ That if any person or persons holding lands in the Province
 “ of Quebec in Fief and Seigniorry, immediately of the crown,
 “ and having authority to alienate the same, shall at any time af-
 “ ter the commencement of this act, surrender the same into
 “ the hands of his Majesty, his Heirs, or Successors, by petition
 “ to the Governor or Commander in Chief of the said Province

“ for the time being, setting forth that he, she, or they is or are
 “ desirous of holding the same in free and common Soccage,
 “ such Governor or Commander in Chief for the time being, shall
 “ cause a fresh grant to be made to such person or persons of
 “ such lands to be holden in free and common Soccage : “ And
 “ every such change of tenure shall work the absolute extinguish-
 “ ment of all mutation fines, burthens and incumbrances within
 “ the tract so surrendered and regranted, to which the same or any
 “ part thereof would or might have been liable under the laws
 “ and customs concerning lands held in Fief and Seignior, or in
 “ any other manner than in free and common Soccage.

“ Provided nevertheless, and be it also enacted by the same au-
 “ thority, that such surrender and regrant shall not avoid or bar
 “ any right to any such lands so surrendered, or any interest in the
 “ same, to which any other than the person or persons surrender-
 “ ing the same, shall have been intitled either in possession, re-
 “ mainder, or reversion, or otherwise ; but that every such right
 “ and title shall be as valid as if such surrender and regrant had
 “ never been made.

“ And provided also, and be it enacted by the authority afore-
 “ said, as to all such lands as are held of the crown in *Roture* in
 “ the said Province, the same shall be deemed and adjudged to be
 “ held in free and common Soccage, from the time it shall please
 “ his Majesty by any instrument to be issued under the Great
 “ Seal of the said Province, to declare the discharge of all *Cens*
 “ *et rentes* and mutation fines due to the crown thereon.

“ And provided also, and be it further enacted, that nothing
 “ in this Act contained shall be of force until his Majesty shall
 “ have signified his royal assent to or allowance of the same.

“ And to provide for the case when it may happen, that the
 “ Seignior may be desirous of the conversion of the Tenure of
 “ the Seignior, and some of the vassals or censitaires of it dis-
 “ incline to the change :—

“ Be it also enacted by the same authority, that in every such
 “ case, the Petition for a surrender, as well as the Patent for the
 “ regrant thereof, shall express and describe with competent cer-
 “ tainty, the situation and real contents of the lands and estates
 “ of all that are so disinclined to a change of tenure ; And those
 “ parcels, shall be excepted out of the said regrant, and remain
 “ in all respects as if such regrant had never been made. But
 “ that from and after such regrant, one fifth part of all *Lods et*
 “ *Ventes* or mutation fines, to accrue on the alienation of such
 “ excepted parcels, shall be paid by the proprietor or proprietors

“ of the Seigniory, for the use of his Majesty, his Heirs or Successors; and shall and may be secured by proper clauses and provisos, to be expressed in such Patent of regrant.”

DISSENT.

“ *Mabane's Reasons of Dissent from the Resolutions and motion of the Chief Justice adopted by the Committee.*

“ Because the Resolutions moved for do not appear to apply to the object of the Reference.

“ Because it appears that the slow progress of population and settlement under the Government of France, cannot be ascribed to any inherent vice in the several tenures under which lands are held in the Colony; that it arose from the Difficulties which the first settlers found in contending with the fierce and savage nations which surrounded them, from their frequent wars with the British Colonies, and above all, from their repeated Expeditions into the Upper Countries and towards the Ohio in which the ambitious Policy of France had forced them to engage.

“ Because it appears evident from the rapid and almost unexampled Progress of Population in the Province (from its own Resources,) being from 65,000 souls in the year 1766 to about 120,000 in the year 1784, and who are now Chiefly employed in agriculture, that the present tenures are not inimical to Population and settlement of the Colony.

“ Because the King's Rights in the ancient tenures of the Country being expressly reserved in the Act of the 14th of the King, and by His Majesty's gracious bounty appropriated to defray the expences of Civil Government, ought not to be relinquished or sacrificed without an equivalent compensation.

“ Because however unproductive the Territorial Revenue may have hitherto been from the indulgence or supineness of Government, no Judgment can be formed from the sums actually collected, of the Revenue that may hereafter arise therefrom, which must increase in Proportion to the Population and commerce of the Province.

“ Because the Predilection of the native Inhabitants of the Province to their ancient tenures and laws ought not to be interfered with unless by their own consent, and on the strongest and clearest Grounds of Public Utility.

“ Because the alterations proposed by the Resolutions or any

“ other Conversion of Tenure tending to give the Seigneur a
 “ more absolute and unconditional Possession of the Fief, would
 “ not only be a sacrifice of the King’s Rights, but would defeat
 “ the wise intentions and beneficent Effects of the Arrets of
 “ 1711 and 1732, and the Declaration of 1743 ; by which the
 “ Seigneur is obliged to grant to such Persons as will apply for
 “ them for the Purpose of Improving Lands in Concession
 “ subject only to the accustomed and stipulated Rents and Dues,
 “ and upon his non Compliance, the Governor is authorised on
 “ the Part of the Crown, and for the benefit thereof, to the Ex-
 “ clusion of the Seigneur for ever, to concede or grant the
 “ Lands so applied for. By the same Law the Seigneurs are for-
 “ bid under pain of Nullity and a Reunion to the Crown of
 “ the Land attempted to be sold to sell any part of their unim-
 “ proved Lands or *en Bois de Bout* ; Dispositions of Law highly
 “ favorable to the Improvement of the Colony, and which secure
 “ to the Children of the Censitaires or others, the means of set-
 “ tlement and of employing their Industry in Cultivation on fix-
 “ ed and moderate Terms, whereas if the Conversion of the
 “ Seigniories into free and common Soccage should take place,
 “ the Children of the present Inhabitants of the Country and all
 “ others desirous to settle thereon, would be left entirely subject
 “ to the arbitrary Exactions of the Seigniors, to their infinite Pre-
 “ judice and the manifest detriment of the Country’s Improve-
 “ ment.

“ Because it appears that the services or Burthens to which the
 “ Censitaires under Concessions from Seigneurs are subject, are
 “ few, clearly understood and ascertained, and are by no means
 “ onerous or oppressive.”

J. WILLIAMS, C. C.

AN ACT to enforce the ancient Laws of this Province, compelling Seigniors to concede their Lands subject only to rents and services, and to facilitate the reunion of Lands *en roture* to the Domain in cases where by Law the same may be demanded.

WHEREAS by the Laws, usages and customs of this Province, the proprietors of Seigniories therein, are bound to grant Lands to the inhabitants of the said Province, for settlement, subject only to certain rents and services *à titre de redevance*, and whereas divers of the said proprietors of Seigniories have, under various pretexts, and contrary to the said Laws, usages and customs, and in breach of the conditions of the original grants under which the said Seigniories are held, refused to grant unto inhabitants of the said Province, lots of Land in the said Seigniories, for settlement, and have retained large tracts of waste and unsettled Lands in their own hands with the intention of selling the same, and receiving for the said lots of Land large sums of money, as the prices of the same, over and above the said rents and services; whereby the settlement of this Province is greatly retarded. And whereas previous to the year one thousand seven hundred and fifty nine, it was provided in and by a certain decree or *Arrêt* of His Most Christian Majesty, the King of France, relating to Lands in New France, or Canada, granted in Seigniories, and remaining waste and unconceded by the Seigniors owning the same, bearing date at Marly, the sixth day of July, one thousand seven hundred and eleven, that whensoever any Seigniors refused or made default to grant to inhabitants of the said Province, the lots of Land within the said Seigniories by them demanded for settlement, subject to the said rents and services and without any other pecuniary demand whatsoever, on the part of them the said proprietors of Seigniories from them the said inhabitants, it was lawful for the said inhabitants to require Lands of them, the said Seigniors, by summons, and in case of refusal, to resort to the Governor and Lieutenant General, and the Intendant of this Province, who were authorized and required to grant to the said inhabitants the Lands by them so demanded in the said Seigniories, subject to the same Rents and services as the other Lands in the said Seigniories were subject to and charged with; which rents and services should be paid and rendered to the Receiver General of His Majesty's Domain in the Town of Quebec, the proprietors of the said Seigniories not having at any time thereafter any right, claim, or preten-

tion thereto, in any manner however: and whereas it is expedient and just, that the powers heretofore exercised as above mentioned by the Governor and Lieutenant General, and Intendant of New France or Canada, should now be vested in His Majesty's Courts of King's Bench for the several Districts in this Province: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America," "and to make further provision for the Government of the said Province"; and it is hereby enacted by the authority of the same; that from and after the passing of this Act, all and singular the Jurisdiction, powers and authorities given and granted to the Governor and Lieutenant General, and the Intendant of New France or Canada, by the aforesaid decree or *Arrêt* of His Most Christian Majesty, the King of France, relating to Lands in New France or Canada, aforesaid, granted in Seigniorship and remaining waste and unconceded by the Seigniors owning the same, bearing date at Marly, the sixth day of July one thousand seven hundred and eleven, shall and may be held and exercised by the several Courts of King's Bench in this Province, within the several and respective Districts in which the said Courts severally hold pleas and Jurisdiction, any Law, usage, or Custom, to the contrary in any wise notwithstanding.

And whereas according to the old forms of proceeding followed in the Courts of Justice of this Country before the Conquest, it was lawful for every Seignior, being proprietor of a Fief and Seigniorship to demand in and by the same declaration, and to obtain the reunion to the Domain of such Fief and Seigniorship, of such Lands or lots conceded *en roture*, whereof the reunion to the Domain might be demanded according to Law, and of which such seignior thought proper to demand the reunion to the said Domain, in and by the same declaration, although such Lands or lots should have been granted to several persons, or should have been held by several Landholders; and whereas doubts exist whether under the Laws at present in force in this Province, this be still permitted; and in order to facilitate the re-union of such Lands or lots to the Domain, and to render such re-union less expensive to the Seigniors and Tenants or Landholders:—Be it therefore further enacted by the authority aforesaid, that it shall and may

be lawful to and for each and every Seigneur being a proprietor of any Fief or Seignior in this Province, to summon and sue in one and the same suit, before any Court or Courts within this Province of competent Jurisdiction, any number which he may think fit, of the persons holding Lands within the said *Fief* or Seignior, upon the condition of settling the same, and who have failed to comply with the said condition, and to demand in and by such suit, the re-union to the Domain of such *Fief* and Seignior within such reasonable delay as shall be fixed by the Court, of each and every of the lots of Land, with respect to which such condition or conditions shall not have been performed :—And it shall be lawful for the said Court or Courts to proceed and give such judgment in the suit, as to right and justice it shall appertain, upon and in respect to the re-union of each and every of such lots of Land to the Domain of the *Fief* or Seignior in which the same may be situate and comprehended.

And be it further enacted by the authority aforesaid, that such Writ of summons and the declaration thereunto annexed, shall be served upon each of the Grantees or Tenants of Lands or lots, of which the re-union to the Domain, shall in and by such declaration be demanded, by leaving a copy duly certified, of such Writ of Summons and of the declaration thereunto annexed, to each of them severally, or at the domicile of each of them, within the limits of the Parish and *Fief* and Seignior in which such Lands or lots shall be situated, or in case such Grantees or Tenants, shall not have or shall not have had any known domicile within the limits of such Parish and *Fief* and Seignior, by affixing such copy, duly certified at the principal outer door, or near the principal outer door of the Church of such Parish, and if there be no Church, then at the most conspicuous spot of such Lands or lots.

Provided always, and be it further enacted by the authority aforesaid, that nothing in this Act contained, shall extend or be construed to extend to any person or persons residing within the said Seignior, and occupying and living upon any other Land, lot, or building lot within the same Seignior, or at a distance not shorter than five leagues from the Land, lot, or building lot, or from the Lands, lots, or building lots, whereof the re-union is so demanded as aforesaid.

And be it further enacted by the authority aforesaid, that nothing in this Act contained, shall in any wise affect or prejudice the rights of His Majesty His Heirs and Successors, or of any person or persons, body or bodies, politic or corporate, except such as are herein mentioned and intended to be affected.

And be it further enacted by the authority aforesaid, that this Act shall be and remain in force until the first day of May, one thousand eight hundred and twenty seven, and no longer.

AN ACT for the relief of the Subject in more effectually enforcing the Royal Instructions of His late Most Gracious Majesty, relating to the expence and fees to be allowed upon Grants of the waste Lands of the Crown in this Province, and to punish Persons offending against the said Royal Instructions.

Most Gracious Sovereign,

Whereas your Majesty's Royal Father, our late Sovereign Lord King George the Third of blessed and Glorious Memory, by his Royal Instructions to His Excellency Robert Prescott, Esquire, Lieutenant General of His Majesty's Forces, Captain General and Governor in Chief of Lower-Canada, bearing date at Saint James, the fifteenth day of August one thousand seven hundred and ninety seven, did declare it to be His Majesty's Royal will and pleasure, that the Townships therein mentioned, and the respective allotments within the same, together with the lands to be reserved as therein-aforesaid, should be run and laid out by His Majesty's Surveyor-General of Lands for this Province, or some skilful person authorized by him for that purpose; which Surveys, together with the Warrants and Grants for the respective allotments, should be made out for and delivered to the several Grantees, on payment of such Fees as should from time to time, be established by His Majesty under his Signet and Sign Manual, or by His Majesty's Order in that behalf, signified by one of His Majesty's principal Secretaries of State. And whereas divers Officers and Ministers of His Majesty's Government of this Province, have presumed and still do presume, to exact and receive of and from all applicants for, and Grantees, of Parts and parcels of the Waste Lands of the Crown, divers large Sums of money, under the name of fees and under colour and pretext of the application for a Grant made of such Waste Lands of the Crown, although the said pretended Fees were not established either by our said late Sovereign Lord the King, or by your Majesty, nor in the manner expressed in the said Royal Instructions, whereby divers faithful Subjects and meritorious Servants of your Majesty, who served as Officers and Privates in the Embodied Militia of this Province during the late War between the United Kingdom of Great Britain and Ireland and the United States of America, and by reason of such Service are entitled to grants of certain quantities of the Waste Lands of the Crown, pursuant to your Majesty's bountiful and Royal Commands in that behalf, as well

as many Emigrants from your Majesty's United Kingdom of Great Britain and Ireland, and others the faithful Subjects of your Majesty have been, are, and in time to come may be, deterred and prevented from applying for and obtaining Grants of the Waste Lands of Your Majesty in this Province, and deprived of your Majesty's Royal bounty in this behalf; and whereby also the settlement and improvement of this Province has been, is, and hereafter may be, materially retarded to the common grievance of all your Majesty's liege Subjects inhabiting the same; for remedy whereof, may it therefore please your Majesty, that it may be enacted, and be it enacted by the Kings Most Excellent Majesty by and with the advice and consent of the Legislative Council & Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled „ An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, “ An Act for making more effectual provision for the Government of the Province of Quebec in North America; and to make further provision for the Government of the said Province,” and it is hereby enacted by the authority of the same, that and from and after the passing of this Act, no public officers whose duty doth in any way concern the granting of such Crown Lands, shall directly or indirectly demand, receive or take any fee, profit or advantage, whatsoever, upon or in respect of any petition or petitions for a grant or grants of a part or of parts of the said Waste Lands, or upon or in respect of any proceeding or proceedings had upon such petition or petitions, or upon or in respect of any Survey or Surveys, Warrant or Warrants of Survey, of the said Waste Lands, or upon or in respect of the Patent or Patents to be issued for the granting of the same, save and except such fees as have been or shall be from time to time established by His Majesty under His Signet and Sign Manual, or by His Majesty's Instructions, signified by one of the Principal Secretaries of State, or by an Act or Acts of the Legislature of this Province.

And be it further enacted by the authority aforesaid, that if any Persons or Persons whatsoever, in any manner or way concerned in the granting of such lands as aforesaid, shall unlawfully demand, receive or take any such fee, or advantage as aforesaid, contrary to the true intent and meaning of this Act, every such person shall forfeit the sum of one hundred pounds Current money of this Province, for the first offence; two hundred pounds Current money aforesaid for the second; and five hundred pounds

Current money aforesaid and three months imprisonment for every subsequent offence, which said penalties shall be recovered and applied in the manner hereinafter mentioned.

And be it further enacted by the authority aforesaid, that all pecuniary penalties which shall be incurred under this Act, shall be recovered, together with Costs of Suit, in any of His Majesty's Courts of Record in this Province, by action of debt, bill, plaint or information.

And be it further enacted by the Authority aforesaid, that a moiety of such pecuniary penalties shall be paid to the Receiver General of the Province, and applied to the use of His Majesty's Government therein, to be accounted for by him to His Majesty, his Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his Heirs, and Successors shall direct, and the other moiety to the person or persons who shall sue for the same.

Provided always and be it further enacted by the Authority aforesaid, that no Suit or Action shall be brought or commenced against any person or persons, for any penalty by this Act imposed, unless the same be brought or commenced within three years after the offence or offences respectively committed.

