

*Letter from the Minister to Messieurs de Beauharnois and Hocquart, dated*

Versailles, 19th April, 1735.

Gentlemen,

I have received your letter of the 6th October last, containing your opinion with regard to the memorial which was submitted to me on the subject of the grant which you had made by order of the King to the Seminary of Saint Sulpitius on the 26th September, 1733, and on the account which I have given of the whole to His Majesty, he has commanded me to issue a patent, which has been delivered to M. l'abbé Coururier, superior of that Seminary, and of which I send you a copy.

You will see, with regard to the first article of the observations of the Seminary, that all that has been done in this patent has been to correct the error which was in the copy of your grant, as to the rhumb-line; but that, according to your advice, no change has been made as to the rhumb-line of the seigniory of the Lake of Two Mountains.

Your advice has likewise been followed with respect to the second article of the Seminary's observations: the patent contains the reservation of such oak timber as may be found fit for the King's service throughout the extent of the grant. .

The obligation of actual settlement within a year (*de tenir feu et lieu dans un an*) has been expressed in it, agreeably to your observation; but this clause is not to be strictly enforced, and His Majesty relies on your prudence in this respect.

He has been pleased to change the clause which you had inserted in your grant and which is also found in the grant of the Lake of Two Mountains, with respect to the *cens et rentes* of the private grants, and, in conformity with your advice on this article, it has only been declared in the patent that these grants shall be made "*subject to the usual cens, rentes and dues for each arpent of land.*"

The clause concerning the freedom of the beaches has been retrenched. You have observed that this clause, according to the construction put upon it in Canada, only meant that the seigniors should be bound to grant their tenants the right of fishing opposite their lands, on condition of their paying a certain rate either in fish or in money, and you add that the liberty of fishing, to the tenants, must be favorable to the settlement of the lands, which would be less in demand if the new tenants were denied this right, by means of which they obtain a livelihood at the commencement of their clearings; but it is for this reason that it has not appeared necessary to express in the patent the obligation of granting that liberty to the tenants; it is, indeed, a private agreement between them and the seignior, and, besides, the clause is not in the patent of 1718.

The clause inserted in your grant, declaring that the King might take, of the land granted, as much as he should require, without any compensation, has likewise been