

such modifications as I deemed necessary, the ordinance for incorporating the ecclesiastics of St. Sulpice, and providing for the gradual extinction of seigniorial rights within their possessions, which was last year passed by Sir John Colborne and the council; but which could not be rendered effective under the powers of the council as then constituted. I accordingly sent down to them on the 30th ult. the draft of an ordinance for that purpose, which, after the fullest discussion, was passed, and having received my assent, is included among the ordinances which accompany my despatch of the 27th instant.

I have already stated to your Lordship, in my despatch, No. 68, my views as to the general policy of this measure and my concurrence in the opinion of the Commissioners of Inquiry, that after so long an acquiescence by the government in the claims of the seminary, it would be impossible with justice now to take advantage of any defect in their legal title to interfere with their property, or to impose on them terms of a rigorous nature. It is only necessary, therefore, that I should direct your attention to the alterations in the present ordinance, introduced with a view to bring it more into conformity with the heads of the ordinance proposed in Mr. C. Buller's Report to the Earl of Durham, all which alterations, I may remark, are restrictions upon the seminary, and in favour of the public or the censitaires.

In the first clause of the ordinance passed by Sir John Colborne and the special council, it was provided that all rules, &c. for the temporary government of the corporation, "save only those which are now followed and in force," should, before coming into operation, be approved by the executive government. The present ordinance requires, that not the future rules only, but those also which already exist, should be submitted for the approval of the government.

The second clause of the present ordinance defines the purposes and objects to which the property of the Seminary may be applied, which was omitted in the former.

In the fifth clause, a slight alteration is introduced in the terms of commutation, by which an advantage is conferred on the censitaires.

By the 8th clause the priority of the hypothec of the Seminary for the commutation-money, as for the rights it represents, is expressly secured, and the *droit de banalité* is abolished with regard to each lot of which the tenure is commuted. The object of the agreement being to put an end to all seigniorial rights at the option of each individual censitaire, I considered even the partial reservation of any one of these rights by the seminary as improper.

By the 11th clause the maximum of arrears which may be received by the seminary for the fief and seigniority of Montreal is limited to 44,000 *l.* currency, and for the seigniories of the Lake of Two Mountains and St. Sulpice to 12,700 *l.* currency, any surplus to be paid over to the provincial treasury.

The 12th clause provides that the farm of St. Gabriel shall be sold by public sale after notice in the newspapers for one month.

In the 13th clause, respecting the investment of the disposable monies of the corporation, the authority to invest them in chartered and incorporated bodies in the colonies is omitted.

By the 14th clause, the seminary is required to furnish "a full, clear and detailed statement" of their revenue and expenditure, in such manner and form, and with such attestation of "correctness," as the governor shall prescribe, instead of the summary statement required under the former ordinance; and finally, under the extended powers of the governor and special council the ordinance is made permanent.

Your Lordship will perceive that none of these alterations affect the principle of the ordinance, and that their object and tendency is to bring it as much as possible into accordance with the agreement made under Mr. C. Buller's mediation. The ordinance passed last year undoubtedly failed to carry into effect some of the provisions of that agreement, and the conditions imposed on the seminary were less stringent than they should have been to be in accordance with his Report. This objection has now been completely removed by the changes introduced by the special council.

I have every reason to believe that, notwithstanding the clamour raised by a few individuals in this city, and the violence of the press, the measure is approved by the moderate men of all parties. In the special council there were but two members who voted against it, and although the persons who signed the address to the Throne transmitted in my despatch, No. 68, have since sent an agent to