

Your Honorable House will doubtless do His Majesty's faithful subjects sufficient justice not to construe into a threat this prediction founded on the past, of a fact which from its nature cannot be prevented. We are on the contrary convinced, that the just appreciation of this fact by Your Honorable House will prevent those misfortunes which none could deplore more deeply than we should do, and which would be equally fatal to His Majesty's Government, and to the People of this Province;—and it is perhaps here that we ought to represent with the same respect, but at the same time with the same frankness, that the fidelity of the People and the protection of the Government are correlative obligations, of which the one cannot long subsist without the other; and that nevertheless by reason of the defects which exist in the Laws and Constitution of this Province, and of the manner in which those Laws and that Constitution have been administered, His Majesty's faithful Canadian subjects are not sufficiently protected in their lives, their property, and their honor.

Among the subjects connected with the defectiveness of the Laws and Constitution of this Province, there is one to which we cannot too earnestly solicit the attention of your Honorable House,—the acts of internal Legislation for this Province passed from time to time in the Parliament of the United Kingdom, and with regard to which the people of this Country have never been consulted. We may, among others, point out the Act of the 6th year of the Reign of George the Fourth, chapter 59, commonly called the "Tenures Act." We believe that it was only by deceiving the justice of Parliament and by abusing its benevolent intentions, that it could have been induced to pass this Act. All classes of the people without distinction have, through their Representatives, demanded its repeal, a very short time after the number of the latter was increased in this Province. Yet this House has never been able to obtain from His Majesty's Representative or from any other source, any information as to the views of His Majesty's Government in England with regard to the repeal of the said Act. Its object was, according to the benevolent intentions of Parliament, and as the title of the Act sets forth, the extinction of feudal and seigniorial rights and dues on lands held *en fief* and *à cens* in this Province, with the intention of favoring the great body of the inhabitants of the Country, and protecting them against the said dues which were regarded as burdensome: but the provisions of the said Act, far from having the effect aforesaid, afford facilities to Seigniors, to become, in opposition to the interests of their *censitaires*, the absolute proprietors of extensive tracts of unconceded lands, which by the Law of the Country, they held only for the benefit of the inhabitants thereof, to whom they were bound to concede them in consideration of certain limited dues;—so that that said act if generally acted upon, would shut out the mass of the permanent inhabitants of the country from the vacant lands in the seigniories, while at the same time they have been constantly prevented from settling on the waste lands of the Crown, on easy and liberal terms and under a tenure adapted to the Laws of the country, by the partial, secret and vicious manner in which the Crown Land Department has been managed and by the provisions of the Act aforesaid, with regard to the Laws applicable to the lands in question; and the applications made by certain Seigniors for a change of tenure, under the authority of the said Act, appear to prove the correctness of the view which this House has taken of its practical effect.

It could only have been in consequence of an erroneous supposition that feudal charges were inherent in the Laws of this Country, as far as the possession and transmission of real property and the tenures recognized by that Law were concerned, that it was enacted in the said Act, that lands with regard to which a change of tenure should be effected, should thereafter be held under the tenure of free and common socage. The seigniorial charges have been found burdensome in certain cases, chiefly by reason of the want of adequate means of obtaining the interference of the Colonial Government and of the Courts of Law, to enforce the ancient Law of the Country in that behalf. The Provincial Legislature was, moreover, fully competent to pass Laws providing for the redemption of the said charges in a manner which should be in accordance with the interest of all parties, and for the introduction of the free tenures recognized by our Laws. This House has been repeatedly occupied and now is occupied about this important subject;—but the said Tenures Act, insufficient of itself to effect equitably the purpose for which it was passed, is of a nature to embarrass and create obstacles to the effectual measures which the Legislature of the Country with a full knowledge of the subject might be disposed to adopt: and we must believe that the application thus made (to the exclusion of the Provincial Legislature,) to the Parliament of the United Kingdom, which was far less competent to make equitable enactments on a subject so complicated in its nature, could only have been made with a view to unlawful speculations, and the subversion of the Laws of the Country, by means of a combination

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