

interest, the Seigneur should be indemnified to the full amount of what is justly due to him ; that the Censitaire should pay an amount equivalent to what is due by him ; that society ought to contribute in proportion to the benefits it would receive, and the sacrifice it would impose ; for a sacrifice it is that society imposes on the Seigneur in forcing him to provide another means of investment for his capital, and a like sacrifice it imposes on the Censitaire in compelling him to redeem those casual dues which he now pays only in virtue of an act of his own will.

II

It is expedient in the first place to give a history of the Seigniorial Tenure, for the purpose of showing the object and intent of its introduction into Canada, and to explain the extent of the duties it imposes upon each member of Society. It is not necessary to investigate history for the origin of the feudal law in Europe ; it is plain that this institution was formed gradually out of the decentralization of Government and justice, carried to its farthest limits by proud and warlike nations, jealous of their rights with no regular form of Government, divided among themselves as to origin and interests, but accustomed to the same life and the same habits, and compelled to unite on important occasions for purposes of attack or defence.

Immediately after the discovery of Canada, the first care of the Kings of France was to endeavour to effect the settlement of the Country, *with a view to the conversion and civilization of the Indians, and for the benefit of the King's subjects.* It is therefore upon an historical falsehood that some of the Seigniors base their assertion that the concessions of lands throughout the extent of New France, were only intended to benefit one class at the expense of the other ; and their advocate's memory signally failed him when he asserted that the Kings of France considered " the people to be so abject, as not to merit any consideration." History will prove that during the entire progress of the work of transformation which took place here, particularly between the tenth and twelfth centuries, the struggle in France was maintained between the people and the King on the one hand and the high vassals on the other.

However this may be, the manifest intention of the Kings of France is expressed in all the letters and documents having reference to the Colony. " The entire history of " early legislation in Canada," said Mr. Chauveau in the last Session of Parliament, " is nothing more than a scheme of colonization."

The powers and attributes granted by Henry IV, first of all to Messrs. de Roberval, de Monts, and subsequently to Guillaume de Caen, not having produced the desired effect, Louis XIII, in 1627, constituted by Royal Charter the *Compagnie des Cent Associés*, and revoked the powers granted to de Caen, giving to the Company the Country of New France *en toute propriété, justice et Seigneurie* and in the preamble to this charter, the King explains the object of this grant in the following terms. " The King being " possessed of the same desire as the deceased Henri le Grand, his father.....had, to seek " out and discover.....in the Country of New France, a locality suitable for the establish- " ment of a Colony, and by that means to lead the inhabitants to a knowledge of the " true God, to civilize them and to derive from the said lands some advantageous com- " merce for the benefit of the King's subjects."

This Company of New France conceded Seigniories to different persons, always keeping in view the manifest intention of colonization. " The wish to settle advantageously the Colony of New France, causing us to seek out those who would contribute to that end their own influence and property, &c., (Concession by the Company to the Reverend Jesuit Fathers.)