

tioned above. They have proved, by the exhibition of certain titles, that the whole of their land has been conceded in farm lots of from 60 to 90 *arpents* in superficies, and that it is only on the east of the *St. Denis* Road that the Seigniors have conceded Lands in *emplacements*.

They have established by proof, that the Village does not in any way extend to the west of the *St. Denis* Road; that for the last fifteen years, no *emplacement* has been detached from their rural properties; while on the east of this Road, the Village has, in the same time, made a very great progress, and they think that for the future, this progress will advance steadily in the same direction, at a still more rapid rate than heretofore; inasmuch as on this side are the College, the Convent, the Market—one of the best attended in the country after those of *Montreal* and *Quebec*, the Hospital, the Carding Mill, two large Foundries, all the Commercial Establishments, with the exception of one, the Court House, the Railroad *Dépôt*, and, in fine, all the establishments which can attract a population not engaged in farming pursuits; and, moreover, in the neighbourhood of these establishments, an extent of vacant land nearly 600 *arpents* in superficies, in the possession of the *Fabrique* of *St. Hyacinthe*, the heirs of the late Mr. *Louis Plamondon*, the heirs of the Honorables *Jean Desaulles* and *P. D. Debartzch*, Mr. *François Cadoret*, and the Corporation of the College, the greater part of which land, possessed by the Seigniors and surrounding the Railroad *Dépôt*, is now offered for sale in building lots, by the Seigniors themselves, and will be sufficient, they say, for many years to come, for the growth of the Village, however rapid it may be. These last mentioned Petitioners also pretend that farm properties cannot be under the rule of a Village municipality, whose Council, composed of men who are strangers to agriculture, may impose regulations not adapted to the nature of these properties; that besides it is unjust that rural property should be assessed in common with that of the Villages, and cite the Act of the 9 *Vic.* chap. 78, passed on the Petition of certain inhabitants of the banlieue of *Three Rivers*, and establishing the separation of the said banlieue from the Town of *Three Rivers*, as an acknowledgment of the principle which they now invoke.

These Petitioners set forth that their property, comprising a superficies of more than 500 *arpents*, is represented only by 26 or 28 proprietors; that the property in the Village, adding thereto the 500 *arpents* of vacant land to the east of the *St. Denis* Road, is represented by more than 150 proprietors, and that in consequence, they would not have in the election of the Members of the Council, if the said property were annexed to the Village, that influence which, if alone, the number of voters would secure to them, nor the protection to which the value of their property might entitle them; and moreover, that thenceforward, to a very distant period, they would not have, in improvements on their property, any equivalent return to the taxes they would have to pay.

Your Committee would observe to Your Honorable House, that besides the facts set forth in the Petitions of the several Petitioners, and the evidence adduced on either side, extracts have been presented to them of the proceedings of the Municipal Council of the Parish of *St. Hyacinthe*, also of the Municipal Council of the County of *St. Hyacinthe*, and a letter from Mr. *Etienne Parent*, Assistant Provincial Secretary.

It appears by these documents, that in the year 1845, certain proprietors of the Village applied to the Municipal Council of the Parish, for the separation of the Village; that this Council acceded to their desire, and gave to the Village as limits, on the

south, the River *Yamaska*, on the north-east, a stream on the land of Mr. *Cadoret*, on the north, *Girouard* Street, and on the south-west, the *St. Denis* Road; that, not content with these limits, these proprietors prayed the Executive not to sanction the Resolution of the Council; that after a correspondence of a certain length, Mr. *Parent* wrote to them, under date of the 10th August, 1847, that he was commanded to inform them that His Excellency had been advised to recommend them to apply to the Council of the County, who were appointed under the Law passed during the last Session.

Some time after the receipt of this letter, a certain number of Village proprietors petitioned the Council of the County, for the erection of the Village into a Municipality; this Council acceded to their prayer, extended the limits of the Village far beyond what had been done by the Parish Council; but still gave as a limit to the west, the *St. Denis* Road.

Your Committee, after mature deliberation, having considered the facts set forth by the several Petitioners, the evidence and documents which have been submitted to them, are of opinion that the Village of *St. Hyacinthe* should be incorporated, with authority to make all necessary By-laws for the maintenance of good order, the improvement of the Streets, the health of the said Village, to guard against accidents by fire, and to do generally all that the prosperity and safety of its inhabitants may require; but Your Committee, considering that it has been clearly established that the Village is not extending to the west of the *St. Denis* Road, that on the contrary, it is extending to the east and north-east of the said Road; that by reason of the numerous and important public buildings erected thereon, the Village population must necessarily continue to increase there, as long as it will find lands sufficient for its wants, and that it is more than probable that it will find these lands sufficient for many years to come, believe it their duty to recommend to Your Honorable House to fix the limits of the said Village, as follows: on the north, the *cordon* of the lands on the River *Yamaska*, on the north-east, the line of division between the Land of *Antoine Cabana* and that of the College of *St. Hyacinthe*, on the south, the middle of the River *Yamaska*, and on the south-west, the Road of *St. Denis*.

The principal reasons which have determined Your Committee to come to this conclusion, are:—1st. The evident injustice there would be towards the cultivators of the Parish, to submit their principal Roads to the power of a Municipality independent of their control. 2nd. The too great and too sudden diminution of the revenues of the Parish, which, beside the loss sustained by the separation of the Village, would also have to bear that which would result from the dismemberment of a part of its territory equal in value to nearly one third of that of the Village. 3rd. The including of rural property within the limits of the Village, against the will and pleasure of its proprietors, without any apparent necessity. 4th. The decision of the Parish and County Councils, which appear to Your Committee, especially the County Council, the natural, legal, and competent authorities in this case. 5th. Finally, the decision of Your Honorable House in case of the banlieue of *Three Rivers*, which banlieue is to the Town of *Three Rivers* what the land claimed by *Joseph Bistodeau* and others is to the Village of *St. Hyacinthe*; and by which decision, Your Honorable House has, in its wisdom, recognized and submitted the inconveniences and injustice in annexing the rural property to the Village property, and of subjecting the former to a Municipal Government, in which agriculture cannot find either the protection or the legislation which it is reasonably entitled to expect.