

The object of these *arrêts* was to oblige the Seigniors to concede the lands in their Seigniories, and to prevent them from selling their forest lands. The Defendant

to concede lands to settlers who apply to them, with the hope of being able to sell the same, and at the same time impose upon the purchasers the same dues as are paid by the inhabitants already settled on lands, which is entirely contrary to His Majesty's intentions, and to the clauses and conditions of the concessions, by which they are merely permitted to concede lands at an annual ground rent; whereby very great detriment is done to the new settlers, who find less land open to settlement in the places best adapted to commerce.

For remedy whereof His Majesty, being in His Council, has ordained and ordains that, within one year at the farthest from the day on which the present decree shall be published, the inhabitants of New France to whom His Majesty has granted lands in Seigniorly, who have no domain cleared and who have no settlers on their grants, shall be held to bring them into cultivation and to place settlers thereon, in default of which it is His Majesty's will that the said lands be re-united to his domain after the lapse of the said period at the diligence of the Attorney General of the Superior Council of Quebec, and on the orders to be given in that behalf by the Governor and Lieutenant General of His Majesty, and the Intendant in the said Country.

And His Majesty ordains also, that all the Seigniors in the said Country of New France shall concede to the settlers the lots of Land which they may demand of them in their Seigniories, at a ground rent, and without exacting from them any sum of money as a consideration for such concessions; otherwise, and in default of their so doing, His Majesty permits the said settlers to demand the said Lots of land from them by a formal summons, and in case of their refusal, to make application to the Governor and Lieutenant General and Intendant of the said Country, whom His Majesty enjoins to concede to the settlers the lands demanded by them, in the said Seigniories, for the same dues as are laid upon the other conceded lands in the said Seigniories, which dues shall be paid by the new settlers into the hands of the Receiver of His Majesty's domain, in the city of Quebec, without its being in the power of the Seigniors to claim from them any dues of any kind whatever.

And this decree shall be registered in the registry of the Superior Council of Quebec, and read and published wherever need shall be.

Done in the King's Council of state held at Marly, His Majesty being present, the 6th day of July, 1711.

(Signed,) PHELIPPEAUX.

Arrêt of 1732.

(3) The King having caused the production before him, in His Council, of the decree rendered therein the 6th July, 1711, ordering that the inhabitants of New France, to whom lands or fiefs have been granted, and who have not yet cleared any portion thereof as a domain, nor caused the inhabitants to settle therein, should be held to put them in a state of cultivation, and to place settlers thereon, within a year from the publication of the said decree, after the expiration of which delay, such fiefs should be re-united to the domain of His Majesty; and that the said Seigniors should also be held to concede to the inhabitants demanding them, subject to the usual seigniorial dues (*à titre de redevances*), and without exacting any sum of money, in default whereof the said inhabitants, in case of a refusal on the part of the Seigniors, after demand to that effect, are permitted to apply to the Governor and Lieutenant General and Intendant of the said Country, to obtain concessions of such lands, subject to the dues imposed upon the lands already conceded, which dues should be paid to the Receiver of the domain of His Majesty, without the Seigniors being allowed to claim any thing upon the lands so conceded; and another decree of the same day, 6th July, 1711, ordering that the tenants of lands *en réture* should be held to reside thereon, *tenir feu et lieu*, and to put them in a state of cultivation within a year from the day of publication, on pain of re-union to the domain of the Seigniors, by virtue of the Ordinances of the Intendant.

And His Majesty being informed that, in contravention to those two decrees, there are Seigniors who have reserved for themselves, in their Seigniories, extensive domains, which they sell as wood lands, instead of conceding them merely subject to the usual Seigniorial dues (*à titre de redevances*), and that inhabitants who have obtained concession of lands from the Seigniors, sell such lands to others who do as much, which gives rise to a system of bartering contrary to the welfare of the Colony; and it being necessary to put a stop to abuses so prejudicial, His Majesty, sitting in Council, has ordained, and doth ordain, that, within two years from the day of publication of the present decree, all proprietors of Seigniories not yet in a state of cultivation, shall be held to put them in a state of cultivation, and to locate inhabitants therein; in default whereof, and after the expiration of such delay, the said Seigniories shall be re-united to the domain of His Majesty, by virtue of the present decree, and without any other proceeding being required.

His Majesty expressly prohibiting all Seigniors, or other proprietors, from selling any woodland, on pain of nullity of the deed of sale, and of restitution of the price of lands sold as aforesaid, which lands shall, in the same manner, be re-united by force of law to the domain of His Majesty; and furthermore, the said two decrees of the 16th July, 1711, shall be executed according to their tenor and effect, and the present decree shall be registered in the Registry Office of the Superior Council of Quebec, and shall be read and published wherever it will be necessary.

Done in the King's Council, in presence of His Majesty, at Versailles, the 15th March, 1732.

(Signed,) PHELIPPEAUX.