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and also to be allowed the charges attending the several Orders and Commissions in Canada, and other proceedings, to ascertain the nature and description of the said Estates, and also such further expences as might be incurred in passing and carrying the Grant of the said lands into effect; and that His Majesty's Attorney and Solicitor should prepare a draft of such Grant to be passed under the Great Seal of the Province, under the before-mentioned special reservation, provision and declaration, respecting the surplus profits, and containing the reservations specified in the former Orders; and further reserving to His Majesty such other parts and parcels of the lands as His Majesty's Governors had actually applied to the erection of hospitals, barracks, and other public uses; and on the 23d January 1799, this Report was approved, and Order issued to the Attorney and Solicitor General accordingly.

In return to the above-mentioned Order, His Majesty's Law Officers made their Report, with the draft of a Grant annexed, but submitted, that the lands to be conveyed by the said Grant, lying within the Province of *Lower Canada*, with the particular circumstances of which, and more especially with the tenures, and proper description thereof, not being perfectly informed, they could not consider themselves as being perfectly competent to frame an Instrument which might not be liable to objection, and therefore submitted, that the same should be fully considered by the Law Officers in Canada; and thereupon the Lords of the Committee, to whom the said Report and Draft of Instrument had been referred, recommended that His Majesty should approve of the draft; but that, previous to the same passing the Seal of the Province, the Governor should be directed to consult the Law Officers of the Province with respect to such provisions and alterations, as, upon due consideration of the nature of the tenures, and proper description of the lands, might appear to them advisable to be added to or inserted in the said Grant.

It is presumed, that a Return was made to this Order by the Governor, in the spring of 1801; for it appears by the Council Book, that, on the 14th April 1801, a Letter was written to the Attorney General, stating, that several proceedings had taken place in the province upon the reference made to His Majesty's Law Officers *there*, of the draft of the Grant prepared here and transmitted as above-mentioned; and that the Law Officers in Canada had, by their Report to the Governor, bearing date the 15th November 1799, stated certain objections to the validity of the said Instrument, as then constructed, according to the existing laws of Canada; and the Letter went on to direct His Majesty's Attorney and Solicitor General *here*, to take into consideration the draft of the original Instrument, and also the said Report of the Law Officers in Canada, and report their opinion,—

First, Whether the said Alterations and Amendments were proper to be adopted?

Secondly, In case they should be of opinion, that such were proper, Whether it would be necessary that a new draft of Instrument should be prepared and submitted to His Majesty for approbation; or whether it would be sufficient, in case His Majesty's Attorney and Solicitor concurred in opinion with the Law Officers in Canada, to direct the Governor to cause the said alterations and amendments to be inserted in the Instrument already prepared?

In answer to this Letter, His Majesty's Law Officers made a further Report to the Lords of the Committee, stating many objections which occurred to them in respect to the provision under which Lord Amherst was to hold the lands, and be made accountable for the surplus profits of the Estates beyond 2,400*l.* per annum:

That it would render his Lordship a public accountant, and expose him and his undertenants to endless difficulties and perplexities; and that it would operate as a bar to the full improvement of the Estates, and consequently to the revenue to be derived from the same to His Majesty; inasmuch as the agents employed by Lord Amherst could hardly be expected to look further than the perception of the proportion of rent granted to Lord Amherst for his own use.