

rights of haute, moyenne and basse justice, pêche et chasse, and liable to foi and homage to the Crown.

Another part of his property, as appears by titles enregistered at Quebec in the year 1637, is a free gift and grant, liable to no such conditions, and this grant is not a *titre de fief et seigneurie*, but by the law and custom of the country, such grants of land, whether made before or since the conquest, have been treated as liable to the seigniorial tenure, under the maxim of French law, *nulle terre sans seigneur*.

It has been the custom of Lower Canada to concede to censitaires or tenants in perpetuity, the lands in the seignories liable to very low rents, and to lods et ventes, or a fine of one-twelfth of the value on each mutation of sale, and by an arrêt of the King of France of 1711, it was rendered compulsory in the seigniors to concede their lands without requiring any sum of money by reason of the said concession, but by another arrêt of the King of France of the same year and date, 1711, such concessions and grants are to be made only for actual settlement and improvement; if the censitaire or tenant did not reside on and improve the lands so conceded within a year and a day, the farm or grant became reunited to the domain of the seignior.

The undersigned, and the seigniors generally, have not exacted any sum of money by reason of the concession of their lands, but complaints have been made that there are cases where seigniors have attempted to do so, and although such cases were sought for over the whole space of time since the conquest, are found to have been extremely rare and to have been corrected under the law and custom of the country, a kind of excuse has been given, and as many of the censitaires or tenants have become wealthy in consequence of the very low annual rents they have been subject to, they are now desirous of no longer being held liable to pay to the seignior lods et ventes, or a fine on mutation by sale, and under these circumstances two bills were introduced during the last session of the house of assembly, the one to define certain rights of seigniors and censitaires in Lower Canada, and the other to facilitate the redemption of seigniorial rights, and to convert the tenure of the lands into that of franc roturier, and fixes the indemnity to be given to the seignior as compensation for rents, lods and ventes, and other rights and privileges he is required to surrender and give up. The undersigned, from some experience, and having been a member of the house of assembly for the city of Quebec, is strongly of opinion that the seigniorial tenure is far the most advantageous for the settlement of a new country, and more especially where the inhabitants are habituated thereto; but if a change of tenure be supposed by the legislature to be for the public good, he and many of the seigniors do not complain or remonstrate, all they ask or desire is an equitable, fair and just compensation for that of which they are to be deprived and are required to surrender and give up, and the object of the present is to shew clearly and beyond all manner of doubt, that many of the provisions of these bills are harsh and unjust towards the seignior, a violation of the rights of property by arbitrary legislation in favor of one class only, and contrary to the welfare of the colony by throwing the whole of the unconceded lands into the hands of land jobbers and speculators unconditionally. One arrêt of the King of France of the year 1711, for the protection of the censitaires or