

I had hitherto only considered the Seigniorial Tenure with a view to the redressing of the wrongs arising from it, and only desired commutation to the extent necessary to remove the obstacles to industry, consequent in certain cases upon the Tenure in *censive*. In so doing I went no further than to adopt the opinion of the most eminent men who have given their serious attention to this subject, and defer to the views expressed by the great majority of the *censitaires* in the petitions presented by them to those in authority. These opinions are set forth in the letters and documents annexed to the Report of the Commission of 1843. "The complaints brought or raised against our Seigniorial Tenure", wrote the *censitaires* of St. Cyprien de Léry, "could only have been made against the speculators who have become Seigniors of our finest Seigniories, and against the silence maintained in our Courts of Justice, with respect to the unlawful proceedings which have compromised this system."

I am yet of opinion that in a country newly settled and devoted exclusively to agriculture, there is no better system of conceding lands than that practised under the Seigniorial Tenure, as established in Canada by the laws of France. "The system of Seigniories" said the celebrated Andrew Stuart in the Report of the Committee of 1820, "with respect to the settlement of wild lands, is calculated to produce and has produced in this country an equal division of lands, an effect favorable to human happiness, morality, habits of industry, the stability of the laws of Government, and the military strength of the country."

I am far from espousing the opinion of those who pretend that the Seigniorial Tenure, by the individual relations it creates, tends to lower and degrade the people. Michelet, speaking of the feudal tenure in France, says, "Servile forms, minds free and bold, such is the feudal tenure." Moreover, say the Commissioners of 1843, "The Canadian Seignior was not possessed of many of the odious and outrageous rights and privileges which belong to the Feudal Seignior in Europe." From the Feudal Tenure we had preserved what is good, and it is probably in part to this institution that we are indebted for the chivalric manners and exquisite politeness which characterize our population; for, let us endeavour to preserve these excellent qualities when the Seigniorial Tenure shall have ceased to exist, and let us beware of casting insult upon these gradually fading institutions; liberty and equality are better upheld when unaccompanied by trivial and unbecoming actions.

There always have been and always will be large proprietors, whether they be patriarchs, Seigniors or merchants; the possession of large property is a necessary element in the progress of the human race: but the result invariably is, the abuse of institutions, and thence arise those shocks, either anticipated or unforeseen, which are to be met with in the history and the Legislation of every nation, under the names of Jubilee, agrarian laws, and revolutions, and which hereafter will be called expropriation of property for the public interest, with indemnification. In the early period of our history the Canadian husbandman might say, under our Tenure, upon setting foot in his new country, and planting his axe in the forest tree: "this soil is mine," and hence the adage applied to one who has no written title, "My axe is my title." In truth the holder under free and common soccage can hardly say as much as this.