

Your Committee after having given their most serious consideration to the Petitions referred, and to the evidence and documents which have been produced in their support, had terminated their inquiry, formed their conclusions, and instructed their Chairman, on the 23rd ultimo, to report to Your Honorable House; but the lamentable destruction of the Legislative Buildings by fire, on the 25th, by destroying the Petitions, Evidence, and all other Documents relating to the subject submitted to them, has rendered it impossible for Your Committee to report until this day.

In the absence of the Petitions and Evidence, &c., which were submitted to Your Committee, it becomes necessary, in order that Your Honorable House may be better enabled to judge of the correctness of the opinion formed by Your Committee, to give an analysis of these Petitions, Evidence, and other Documents, and to cite what, in the course of their investigation, has appeared to them most worthy of attention.

1. The Petitioners, *Joseph Bistodeau* and others, pray for the incorporation of the Village of *St. Hyacinthe*, and claim as an integral part of the Village, not only all that extent of vacant land situate to the north and north-east of the Village, but also a tract of more than 500 arpents in superficies, situate to the west of the *St. Denis* Road. These Petitioners pretend that the tract last mentioned has always formed part of the Village, and state, in proof of this fact, that Mr. *Eusèbe Cartier*, in 1828, and the late Mr. *Isaac Marchesseault*, in 1842, proprietors of a part of these tracts of land, were appointed Trustees of the Village, and that to exclude this land now, from the limits of the said Village, would be an act of injustice towards them.

2. The Petitioners, *Eusèbe Cartier* and 240 others, proprietors of the Parish, oppose the dismemberment of this tract situate to the west of the Road of *St. Denis*, and pretend that, if it should take place, the revenues of the Parish would be considerably diminished, and that they would, in various ways, sustain considerable damage; they affirm, moreover, that this land has never formed part of the Village, that from its rural nature it should necessarily remain attached to the Parish, and they establish by evidence, that when Mr. *Cartier* was appointed Trustee of the Village, he possessed no property to the west of *St. Denis* Road, but that he was then proprietor of several emplacements in the Village of *St. Hyacinthe*. They also assert, that the late Mr. *Isaac Marchesseault's* appointment was made by two Justices of the Peace, contrary to the terms of the Act 4 Geo. 4, chap. 2, which at that time regulated the erection of Villages and their internal government, which law provides that "thirty houses not more than half an arpent apart from each other, may be erected into a Village," and they have established by plans and evidence, that there existed at that time, and still exists, between the Road of *St. Denis* and the residence of the late Mr. *Marchesseault*, a space of land having four arpents of frontage, on which there are only the Church, the Presbytery, and Mr. *Cartier's* house, from which they conclude that the legal limits of the Village could not extend to the residence of Mr. *Marchesseault*, and that in consequence this appointment was illegal; they say that it was even then regarded as such; and one of the two Justices of the Peace who made this appointment, and have given evidence before Your Committee, has declared, after having investigated the law, that he now believes that this appointment was illegal. To prove that this land is not, and never has been considered to form part of the Village, they have produced the certificates of Mr. *Louis Chicoine*, one of the Trustees appointed for the building of the present Church, which declares that this land forms part of his divi-

sion, and is annexed to another part of the Parish, and not to the Village; and also, what appears still more important, a certificate of Mr. *J. Bte. Richer*, Bailiff, whose duty it is to carry into execution the police regulations in the said Village, in which certificate the said *Richer* declares that he has received orders from Mr. *Labatte*, Chairman of the Trustees of the Village of *St. Hyacinthe*, not to go further than the *St. Denis* Road, to the west, in the exercise of his duties, inasmuch as their jurisdiction does not extend on that side beyond the said Road, and that the said *Richer* has acted solely in conformity with this order.

The Petitioners, *Eusèbe Cartier* and others, maintain that, for reasons of general interest and of grave importance to the Parish, and which appear to Your Committee to merit the attention of Your Honorable House, this tract should not be dismembered from the Parish and annexed to the Village. Among the heads of opposition which they set forth, Your Committee would call attention to the following:—

1st. The considerable diminution in the revenue of the Parish which would result from the dismemberment of this tract, the value of which is more than a quarter of the total value of the whole Village. 2nd. The inability they would lie under, were this tract dismembered, of properly maintaining their Schools, thirteen of which, out of nineteen that the Parish and Village together possess, would remain at the charge of the Parish. 3rd. The almost utterly ruined condition of the Parish Church, although lately built, which must, before long, necessitate the erection of other buildings; the general opinion that when this time arrives, the Parish and the Village will each have to build its Church separately, in consequence of the increasing population of the Village, and the almost stationary condition of the Parish in this respect, and the heavier amount of the personal assessments which would fall upon the inhabitants of the Parish if this dismemberment should take place. 4th. The fact that in case the limits prayed for by the Petitioners, *Bistodeau* and others, should be granted, the principal outlets of the Parish and of a large part of the country leading to the Parish Church, to the Seigneurial Mill, to the Court House, to the Market, to the Railroad Dépôt, &c. &c., would fall under the control of a municipality foreign to the proprietors who have made and kept up these Roads for their daily necessities.

The Petitioners, *Eusèbe Cartier* and others, think that before long, in consequence of the increase of land carriage to be caused by the Railroad Dépôt, built in the Village of *St. Hyacinthe*, the principal Roads leading to the said Village must be planked or macadamized, and made Turnpike Roads; and they entertain the hope that the Legislature will not deprive them of the benefits which these Roads might obtain for them, and above all, that it will not allow a neighbouring municipality to turn to its own advantage their position and their necessities, by means of the Roads which they have made for their own use.

But the Petitioners who protest with the greatest energy against the limits prayed for by *Joseph Bistodeau* and others, and who, in the opinion of Your Committee, are well entitled to the special attention of Your Honorable House, are *P. B. De la Bruère* and others, and *J. F. Têtu* and *L. R. Després*, who, with the exception of one only, form the whole number of the proprietors of the entire tract situate to the west of the Road of *St. Denis*, which *Joseph Bistodeau* and others wish to annex to the Village. They establish by evidence, that their lands, of above 500 arpents in superficies, are, with the exception of sixteen or eighteen emplacements, entirely agricultural; that they have never formed part of the Village; and cite, in support of these facts, the certificates of Messrs. *L. Chicoine* and *J. Bte. Richer*, men-