

the general terms of a later Act, that question has been set at rest by the Act of the last session of Parliament, statute 9 Geo. 4, c. 76, s. 26. Upon this subject, however, your Excellency will understand that His Majesty's Government have no desire that the interference of Parliament should be perpetuated if the Provincial Legislatures can themselves agree upon any plan for a division of these duties which may appear to them more convenient and more equitable; and on the whole of this subject His Majesty's Government will be happy to receive such information and assistance as the Legislative Council and Assembly of the province may be able to supply.

The appointment of an agent to indicate the wishes of the inhabitants of Lower Canada is an object of great apparent solicitude with the House of Assembly. His Majesty's Government will cheerfully accede to the desire expressed by the House of Assembly upon this head. The agent must be appointed, as in Jamaica and in other British colonies, by name, in an Act to be passed by the Legislative Council and Assembly, and approved by your Excellency. I am persuaded that the Legislature will not make such a selection as to impose upon you the painful and invidious duty of rejecting the bill on the ground of any personal objection to the proposed agent, and of course your Excellency will not object to any gentleman who will be resident in this country, and whose station in society and established character may afford sufficient pledges for the honourable and upright discharge of his duty.

His Majesty's Government is further willing to consent to the abolition of the office of agent as it is at present constituted, but it is trusted that the liberality of the House of Assembly will indemnify the present holder of that office, to whose conduct in this capacity no objection appears ever to have been made. Indeed, without some adequate indemnity being provided for him, it would not be compatible with justice to consent to the immediate abolition of his office.

There are many other important topics connected with the government of Lower Canada to which my attention has been called, with reference to which, however, it is impossible for the Ministers of the Crown to adopt an immediate decision, for want of sufficient information. Among these subjects may be enumerated the mischiefs which are said to result from the system of tacit mortgages, effected by a general acknowledgment of a debt before a notary, the objectionable and expensive forms of conveyancing said to be in use in the townships, the necessity of a registration of deeds, and the want of proper courts for the decision of causes arising in the townships. It is obvious that regulations affecting matters of this nature can be most effectually made by the local Legislature. Your Excellency will therefore direct their attention to the subjects which I have mentioned, as matters which require their early and most serious attention, and you will afford every assistance in your power towards the elucidation of every question which may arise for discussion in the Legislature connected with any of these topics.

It is represented that the statute (6 Geo. 4, c. 59,) for the mutation of tenures has hitherto proved inoperative in consequence of some deficiency in the instructions which were transmitted from this office to your predecessor in the government. I have not been able to learn what is the defect complained of in those instructions; but as the subject is of great importance, your Excellency will report to me whether any and what instructions remain to be given on the subject of this Act which would facilitate the proposed change of tenure, what are the obstacles which have hitherto prevented the success of the measure, and in what manner those obstacles can be most effectually surmounted.

I am very sensible of the great inconvenience which has been sustained owing to the large tracts of land which have been suffered to remain in a waste and unimproved condition in consequence of the neglect or of the poverty of the grantees. It were much to be desired that the laws in force in Upper Canada for levying a tax upon wild land on which the settlement duties had not been performed were adopted also in the Lower Province, and your Excellency will press the subject upon the attention of the Legislative Council and Assembly with that view.

Great dissatisfaction appears to have been expressed at the manner in which the revenue of the estates of the suppressed order of Jesuits has been applied. Upon this subject, however, I can procure no information sufficiently exact and copious to serve as the foundation for any definite opinion. Your Excellency will therefore have the goodness to report to me what is the extent and value of these estates, what is the gross average annual return from them, what are the deductions to which it is subject, and what is the average net income, and to what particular objects that income