

or by such proceedings in the nature of an Inquisition as he should find most consonant to the laws and usages of the Province, to institute for that purpose; and that until these particulars should be fully ascertained, they were still unable to prepare such grant to the petitioner as would be valid in law.

This Report from the Law Officers was referred by His Majesty to the consideration of the Lords of the Committee of Privy Council for Trade and Foreign Plantations; who, by their Report to His Majesty, dated the 10th of the said month, submitted their opinion, That, in consideration of the difficulties and delay that had hitherto attended the carrying into effect His Majesty's gracious intention in favour of the Petitioner, His Majesty might authorize and direct the Governor of the Province of Quebec, to cause the several particulars stated by the Attorney and Solicitor General in their above Report, and all other circumstances attending the lands in question, to be ascertained by Commissioners to be appointed, &c. &c. &c.; and that upon return thereof, the Governor should pass a Grant, under the seal of the Province, to the Petitioner, his heirs and assigns, of so much of the estates belonging to the Jesuits, in the said Province, as might be legally granted, under such tenures and subject to all such payments and other rights of seignior, as might by law belong to His Majesty; and under the reservations and conditions mentioned in His Majesty's former Order of the 9th November 1770, and excepting thereout such parts or parcels thereof as His Majesty's Governor should judge necessary to be reserved for public uses; and such Grant to be submitted to His Majesty's further consideration.

On the 18th August 1786 the foregoing Report of the Lords of the Committee for Trade was approved by His Majesty, and an Order issued accordingly to the Governor of the Province of Quebec.

In pursuance of this Order, a Return was made by Lord Dorchester, the then Governor of Canada, of all the proceedings which had taken place in that province, with respect to the survey of the lands in question; and his Lordship, in his letter accompanying the same, assigned his reasons why he had not prepared a Grant of the said Lands, in conformity thereto.

At a later period a Return was made by Governor Milne, of the actual value and revenue of those estates, as made out by the Commissioners for the management of the same. Governor Milne, in his letter transmitting the same, which bears date 23d February 1801, observes, that the information most to be depended on would certainly have been obtained by means of a Papier Terrier; but his objections to that arose from finding it would not only have been attended with a considerable expense, but that it would have taken up much more time.

The Governor believes however, that the valuation (as now made) cannot be materially wrong, and states the annual revenue in 1801, according to the First Report, dated the 13th January, as amounting to 1,245*l.* 5*s.* 4*d.* exclusive of the property situated within the cities of Quebec and Montreal.

The letter refers to a Second Report, dated the 6th of February 1801, and mentions that it is computed that the concessions made since that time, have increased the annual revenue to 1,358*l.* 13*s.* 4*d.*

July 1791.

In the month of June 1791, the late Lord Amherst presented another Petition, renewing his prayer, That the Governor or Lieutenant Governor for the time being, might be ordered to pass without farther delay the Grant in question, of all the said estates, which should appear, from the Reports of the Commissioners appointed in pursuance of His Majesty's Order of the 18th August 1786, and by the Report of His Majesty's Law Officers in the Province, His Majesty might legally give and grant.

This Petition was also referred to the Committee; but it does not appear to have been taken up during the life of the late Lord Amherst.

May 1798.

On the 9th of May 1798 the present Lord Amherst presented his Petition to His Majesty in Council, stating all the Proceedings which had taken place, and particularly the Order of the 18th August 1786, which directed the Governor to appoint Commissioners, and institute an inquiry in the province for ascertaining the nature of the lands, &c. and that the proceedings, under the said Commission, had been returned, together with a digest or analysis thereof, and the Report of the Law Officers in Canada; and praying that the said Law Officers in Canada might be directed to prepare a Grant of all such parts or portions of the Estates late belonging to the Society of Jesuits, as are particularly ascertained by the said Report; or that a Grant might be prepared of such parts of the said estates, and the profits thereof, as His Majesty should think proper and best calculated to effectuate His Majesty's bounty to the late Jeffery Lord Amherst.

This Petition was referred to a Committee; who recommended to His Majesty to make such Grant accordingly, under the special reservation, provision, and declaration, that when the clear yearly profits of the said Estates shall exceed 2,400*l.* sterling, Lord Amherst should account to His Majesty for the surplus profits, after being allowed such sums as he should have expended in settling, cultivating, and improving the said Estates, and all other expenses which Lord Amherst should in any manner have been put to, in and about the said Estates, which had not hitherto appeared to have yielded any revenue or advantage to His Majesty; and