

tion of title was made on their behalf; by the treaty of peace in 1763, and the cession therein contained, in which no reference is made to the properties and possessions in the Province claimed by religious orders and communities; by the terms of the deed of gift executed at Paris in the year 1764, between the community at Paris and the missionaries of the order resident at Montreal, in which their want of title is admitted by themselves; by the provisions of the Imperial statute passed in the year 1774, in which the religious orders and communities are expressly excepted from the enjoyment of property and possessions; by their proposed abandonment to the Crown in 1826 of their pretensions to the property of the island in consideration of an annual allowance, and by their express admission in the preamble of the Ordinance itself, their want of title is not only established, but distinctly admitted; while it is evident that the reiterated Royal instructions to the successive governors of the Province, in regard to the sufferance enjoyed by the said ecclesiastics, and especially the instructions to His Excellency Lord Aylmer in 1834 to assume the possession of the island of Montreal, the investigations of the Government with respect to the title of the ecclesiastics, and the opinions at different periods of the law advisers of the Crown, both in England and in the colony, and of the late Royal Commissioners, all adverse to the pretensions of the ecclesiastics, the repeated complaints of the British inhabitants, and their unavailing attempts to obtain a decision in the courts of law in this Province, all of which the ecclesiastics at Montreal were perfectly cognizant, all concur in establishing their knowledge, as well of their want of title as of the mere sufferance of their enjoyment of the revenues derived from the island, subject to interruption at any time, upon the pleasure of the Crown or by the decision of a competent legal tribunal; a knowledge on their part which is amply confirmed by the policy which they have constantly adopted of accepting a modified composition from those who possessed the means of contesting their title, while they exacted at sheriffs' sales the full amount of seigniorial dues, from the proceeds of the property of those, who, from circumstances of calamity or misfortune, were deprived of the means of contesting their pretensions.

For these reasons, as well as from motives of public policy, from a due appreciation of the rights secured to them by the Royal assurance and the enactments of the Imperial Parliament, and from a sincere wish to promote the prosperity of the Provinces, the extension of their commerce and their general peace and tranquillity, your petitioners most humbly beseech Your Majesty to refuse your sanction to any law or ordinance providing for the incorporation of the ecclesiastics of the seminary at Montreal, for confirmation of their pretension to the seigniory of the island of Montreal, or for a continuance of the feudal tenure therein, and to direct its immediate exemption from the operation of that tenure, and thereby relieve your petitioners and the inhabitants of the island from the degrading vassalage to which they have been heretofore and still continue to be subjected; and that, if contrary to good policy, contrary to the Royal assurance and the remonstrances of the British inhabitants, the exemption from feudal tenure shall be required to be purchased at the expense of the inhabitants of the island of Montreal, your petitioners most humbly pray that the proceeds thereof may be applied to those public purposes from which all classes of the population may derive equal and commensurate advantage.

And your petitioners, as in duty and affection bound, will ever pray.

[2,119 Signatures.]

Montreal, February 1840.

To His Excellency the Right Hon. *C. Poulett Thomson*, one of Her Majesty's Most Honourable Privy Council, Governor-general of British North America, &c. &c. &c.

May it please your Excellency,

WE, members of a deputation acting for and in behalf of the signers of the accompanying petition to your Excellency, praying for the immediate completion of the arrangement providing for the gradual commutation and final extinction of the feudal tenure, in the seigniories of Montreal, Saint Sulpice, and Lake of Two Mountains, now pending between the Government of Her Majesty and the Reverend Ecclesiastics of the seminary of Saint Sulpice of Montreal, beg leave to congratulate