

" 3. To inquire generally into the present working of the system, by proper investigations in every section of Lower Canada, in a number of seigniories indifferently chosen, for the purpose of ascertaining, as far as possible, the present rents, dues, reservations, and charges of any kind; the probable quantity of unconceded seigniorial lands in the Province, and their quality and value, and also the quantity of lands conceded, but not improved; the value of seigniorial mills in the Province, and the annual average value of *lods et ventes* paid or accruing thereon; and of obtaining such further information as may tend to throw light on the subject.

" 4. To consult the seigniors and censitaires respectively, upon the most proper and equitable means of effecting, by law, a commutation of the feudal and seigniorial tenure (such commutation being founded upon a due regard to the rights and interests of all parties), and also upon the most proper means of effecting an arbitration in cases where it may be required.

" To show how far the purposes of the Commission may be served or advanced by us, we beg leave to follow the order of classification above stated.

" As regards the first section, we have humbly to represent that the powers conceded to us by the Commission have enabled us to secure valuable evidence derivable from the public records existing in the Secretarial Department, and in the custody of judicial officers, in which last category are the original documents of notaries deceased and absent; but we have the honour of declaring that we have no authority to compel the attendance of persons, or to force the production of instruments in the hands of notaries actually exercising their professional functions, a voluntary production of which by them would be an unauthorized breach of duty towards individuals.

" On this head, therefore, we have to say, that we are in possession of information requisite to form an opinion touching the conditions upon which grants of land in seigniority have been made by the Crown; but we regret to say that, from our limited powers, we cannot exhaust the subjects of the rates and conditions of concession *en censive*, of the relations of seignior and censitaire, and of those arising out of sub-infeudation.

" We, consider that our arriving at something proximate to the real state of the matter, would not provide the means of revising any judgment to which we might now be led, by what may be deemed defective examination.

" Having had more clearly within our control and consideration the topics secondly enumerated, we have the honour of stating, for your Excellency's information, that as an isolated portion of the matter referred to us, we might, with a due allowance of time for discussion, prepare ourselves to make a final report on the conclusion we may come to on that leading principle in our inquiry.

" On the third of the heads into which we have divided the subjects proposed for our investigation, we have to remark, that unless we are clothed with some sufficient compulsory power and authority to discover the truth, and arrive at accuracy of detail, we cannot indulge the least hope of being able to lay before your Excellency that degree of purely statistical information which it would seem to have been the wish of the Honourable the House of Assembly to be furnished with. Although a willingness has been expressed by the parties interested in the question to afford us that statistical information, which can be procured only through their means or by their instrumentality, and although by inviting personal conference, and soliciting written statements, we have used our utmost endeavours to prevail on those parties to place us in possession of the objects of our researches, we have to regret that our efforts have been so far unavailing as to leave our knowledge on this extensive branch of the subject extremely imperfect, and in an unfit state to be transmitted to your Excellency.

" It remains for us respectfully to observe to your Excellency, with regard to the fourth division of the subject, that both by oral intercourse and in written communications, a great number of schemes have been proposed, as well by seigniors as by censitaires, for effecting by law a commutation of the feudal and seigniorial tenure; yet there is in these plans a variety so perplexing and difficult to reconcile or compromise, that, apart from the other labours of our Commission, we have not had sufficient leisure to decide which may be the most eligible or most conformable to the views entertained by the Honourable the House of Assembly, of establishing a mode of commutation by equitable means, and founded upon a due regard to the rights and interests of all parties.

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