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## CANADA:—ESTATE OF THE JESUITS, 1770.

Abstract of Proceedings in Council, relative to the Grant, to the late Jeffery Lord Amherst, of the Estates belonging to the Jesuits in Canada: With the dates of the several Orders made by His Majesty in Council, in that behalf; and Reports of the late Board of Trade, and of His Majesty's Law Officers for the time being.

ON the 24th May 1770 His Majesty was pleased to refer to a Committee, a Petition from Jeffery Lord Amherst to His Majesty in Council, stating, that His Majesty having been graciously pleased to signify his intention of bestowing a mark of His Royal favour, in America, on the Petitioner; and praying a grant of the estates belonging to the Jesuits in Canada. May 1770.

This Petition was referred by the Committee, to the Board of Trade; who made their Report thereon, dated 7th June following, but offered no decided opinion upon the Petition of Lord Amherst.

On the 2d November 1770 the Lords of the Committee made their Report to His Majesty; and submitted that His Majesty's Attorney and Solicitor General should be directed to prepare the draft of a proper Instrument, to be passed under the Great Seal, for granting to Lord Amherst the estates belonging to the Jesuits in Canada; reserving to His Majesty, for public uses, the Colleges and Chapels, with their appurtenances, which belonged to the Society in Quebec, Montreal, and Trois Rivières; the Grantee engaging to make satisfaction to such of the then Possessors as were in possession at the time of the Conquest.

The Report was approved, and an order made containing directions as above, to His Majesty's Attorney and Solicitor General; who, by a Report dated 14th December 1770, submitted that they could not proceed in preparing the Instrument, for want of an authentic account of the nature and description of the Estates intended to be granted by His Majesty.

On the 20th December 1770 another Petition was presented by Lord Amherst, praying, that His Majesty would renew his Order to the Attorney and Solicitor General, for preparing the draft of Grant, and containing a Particular of the Estates, &c. with an Affidavit annexed of General Murray (the then Governor of Quebec) to the same effect; which Petition was referred to the Law Officers by His Majesty's Order in Council, bearing date the 21st December 1770; and in case the same contained an authentic account of the nature and description of the said Estates, they were to prepare the draft of the Grant, &c. But it appears by the Report of His Majesty's Law Officers, in return to the said Order, that the said Affidavit of General Murray did not, in their opinion, set forth an authentic account of the nature and description of the Estates intended to be granted.

On the 8th March 1771 a further Petition was presented by Lord Amherst, stating, that he had lately received from Canada a particular account and description of the Estates belonging to the Jesuits in that Province, certified by the Clerk of Enrolments to be conformable to the Registers of the Intendant's Office, and those of the superior Council of Quebec, &c. &c.; which Petition, and Papers annexed thereto, were referred to His Majesty's Law Officers, to consider the same, with such further accounts and proofs as should be laid before them, and to prepare the draft of Instrument for making a Grant to the Petitioner, agreeable to His Majesty's former Order. 1771.

A further Petition was presented by Lord Amherst, praying, that His Majesty would renew his former Order to the Attorney and Solicitor General, for preparing the draft of Grant, and would empower them to receive and admit such further evidence as should be laid before them, for ascertaining the description, boundaries, and tenure of the said lands; and was referred to the Law Officers accordingly. March 1799.

On the 6th July 1786, His Majesty's then Attorney and Solicitor General made their Report to His Majesty, in return to the preceding order, and to the former orders, of the same tenour; by which it appears, that Lord Amherst had forborne to lay before them some document or documents, in his possession, for the better ascertaining the nature, &c. of the lands, by reason of the troubles which, in 1770, and for some years afterwards, subsisted in North America; and submitting, that the additional evidence produced, was still insufficient to ascertain various particulars necessary to be known; viz. July 1786.

The present titles, by which the lands were possessed.

The persons by whom possessed:

Their present value, and the nature of the tenures by which they were holden:

The exact local situation; their extent and population; and whether any and what claims are made by the heirs of the donors of such part of the lands as were given to the Religious Order by private persons.

And the Report concludes by submitting, that the said several particulars, and all other material circumstances attending the lands in question, may be best ascertained by an enquiry instituted in the Province by Commissioners to be appointed by His Majesty's Governor,