

Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous

- Coloured covers/
Couverture de couleur
- Covers damaged/
Couverture endommagée
- Covers restored and/or laminated/
Couverture restaurée et/ou pelliculée
- Cover title missing/
Le titre de couverture manque
- Coloured maps/
Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black)/
Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations/
Planches et/ou illustrations en couleur
- Bound with other material/
Relié avec d'autres documents
- Tight binding may cause shadows or distortion along interior margin/
La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure
- Blank leaves added during restoration may appear within the text. Whenever possible, these have been omitted from filming.
Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments /
Commentaires supplémentaires

- Coloured pages/
Pages de couleur
- Pages damaged/
Pages endommagées
- Pages restored and/or laminated/
Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed/
Pages décolorées, tachetées ou piquées
- Pages detached/
Pages détachées
- Showthrough/
Transparence
- Quality of print varies/
Qualité inégale de l'impression
- Includes supplementary material/
Comprend du matériel supplémentaire
- Only edition available/
Seule édition disponible
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image.
Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous

10X	12X	14X	16X	18X	20X	22X	24X	26X	28X	30X	32X
					/						



LA

REPORT

418

Q3

OF A

SPECIAL COMMITTEE

R425

OF THE

HOUSE OF ASSEMBLY

APPOINTED TO ENQUIRE INTO THE STATE

OF

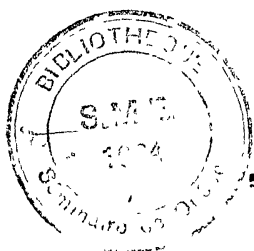
EDUCATION

IN THIS

PROVINCE.

W. H. ...

[ORDERED TO BE PRINTED THE TWENTY FIFTH FEBRUARY 1824.]



QUEBEC :

Printed by NEILSON & COWAN, No. 3, Mountain Street.

1824.

Bibliothèque,
Le Séminaire de Québec,
3, rue de l'Université,
Québec 4, QUE.

14765



EDUCATION REPORT.

YOUR Committee, desirous of obtaining from the most authentic sources information upon the matter referred to them, caused questions relating thereto to be put to the Gentlemen composing the SEMINARY of Quebec, also to the Reverend Mr. MILLS, D. D. & Secretary to the Royal Institution for the advancement of learning in this Province and of the Diocesan Committee for Promoting Christian Knowledge, to J. F. PERRAULT, Esq. President of the Society of Education for the District of Quebec, and to the Reverend Mr. WILKIE, who has long presided over an Academy at Quebec, to the Reverend Mr. BURRAGE, who within these late years has been appointed and acted as Master of the Royal Grammar School at Quebec, and to Mr. J. B. CORBIN.

The questions put to these Gentlemen, severally, with their respective Answers, will be found in the Appendix to this Report under the Letter [A.]

In the extensive field of enquiry into which your Committee were called upon to enter, it seemed to them most conducive to the discovery of the truth, that some detached portion should be selected for examination in the first instance, and that availing themselves of the permission given to them by the House of reporting from time to time upon the matter referred, they should continue their enquiries into the causes which have retarded the progress of Education in this Province, and Report from time to time, under general heads, the results of those enquiries.

Your Committee could not fail to see, that one of the main causes which have retarded the progress of Education in this Province has been the withdrawing of the Rents, Issues and Profits, of the Estates heretofore belonging to the late Order of the Jesuits from the purposes of their original use and destination, and employing them for other purposes, not known to your Committee, nor to the Public.

Some important Documents relating to these Estates being in the hands of the Heirs of the late Honorable J. A. Panet, Esquire, in his life time Speaker of the Assembly, those Gentlemen were requested to lay them before the Committee, which was accordingly done, and they will be found in the Appendix to this Report under the Letter [B.]

Amongst these Papers will be found an opinion of His Majesty's Attorney General and Solicitor General for the Province upon the subject immediately under consideration, bearing date the 18th of May 1790: wherein amongst other things it is said; "as a derelict or vacant Estate His Majesty became vested in it by the clearest of Titles, if the right of Conquest alone was not sufficient, but even upon the

“ footing of the proceedings in France and the Judicial Acts of the
 “ Sovereign Tribunals in that Country, the Estates in this Province
 “ would naturally fall to His Majesty, and be subjected to his unlimi-
 “ ted disposal, for by those decisions it was established upon good legal
 “ and constitutional grounds, that from the nature of the first Establish-
 “ ment or Admission of the Society into France, being conditional,
 “ temporary, and probational, they were at all times liable to expul-
 “ sion, and having never complied with, but rejected the terms of their
 “ admission, they were not even entitled to the name of a Society ; whe-
 “ refore, and by reason of the abuses and destructive principles of their
 “ Institution, they were stript of their property and possessions which
 “ they were ordered to quit upon ten days notice, after having been
 “ compelled to give in a full statement of all they had, with the several
 “ Title Deeds, and Documents or Proofs in support of it. Seques-
 “ trators or Guardians were appointed to the management of their Es-
 “ tates, and in a course of time and with a regularity proportioned to
 “ their importance, provision was made for the application of them in
 “ the various ways that Law, Reason, Justice, and Policy dictated ;
 “ and all this was done at the suit of the Crown Officer by the Courts
 “ of France, as we apprehend in a Judicial and not in a Legislative
 “ Capacity.”

Your Committee had reason to doubt the correctness of the above Statement, and instituted a long and patient enquiry into the proceedings had in France upon the occasion of the suppression of the late Order of the Jesuits, in relation to the Colleges and Seminaries belonging to the Order, and to the Lands wherewith they were endowed.

The inveteracy of the error to which the afore-mentioned Report of the Law Officers of the Crown within the Colony would appear to have first given birth, seemed to require on the part of your Committee more minute details, than, under different circumstances, and in a matter of less importance, they would have otherwise deemed necessary.

The commercial embarrassments of the Order, and the legal proceedings had in consequence in the Courts of France, on the part of their Creditors for the recovery of their debts, gave occasion to a judicial enquiry into the Constitution of the Order.

Father Lavallette, a Jesuit Priest, sent by his General in America, under the Title of Superintendant of the Missions to the Windward Islands, purchased upon the Conquest of several of those Islands by the British arms, large quantities of merchandize and considerable real estates from the French Inhabitants who were desirous to return to France, and who under the several Capitulations were permitted to do so, and to remove or dispose of their property within a certain assigned period.

He paid for these Goods in Bills of Exchange drawn upon his Correspondents in France, payable in two or three years, at such places in France as were most convenient to the respective venders of the goods or lands.

The Goods were shipped to these Correspondents by Father Lavallette under a Neutral Flag, and it was expected that they would furnish

ample Funds for the payment of the Bills in question, as they became due. But in consequence of these Goods being captured by British Cruisers and condemned, the correspondents of Father Lavallette were unable to honor his Bills, and there were protested Bills of Exchange drawn upon Messrs. Gouffre & Lioncy, Merchants of Marseilles, to an amount of nearly Two Millions of Francs, when those Gentlemen failed:—other Bills of Exchange drawn by Father Lavallette upon Mr. Ray, who succeeded the beforementioned Gentlemen in this correspondence, were likewise protested.

The Father de Sacy, resident at the *Maison Professe* of the Order at Paris, in his quality of General Attorney to the Windward Island Missions, was the immediate Superior of the Father Lavallette; it was to him that the latter accounted, and in his turn he accounted to the *Provincial*, who accounted to the General of the Order.

Upon one of these Bills of Exchange for 30,000 Livres an Action was brought in the Consular Court at Paris, and Judgment given in favor of the Holder against the Order of Jesuits generally; The Court considering Father Lavallette as Agent or Factor for the Order in these transactions, and the whole Body liable for his Acts as his Principals.

This Judgment was of the 30th day of January 1760.

On the 8th May 1761, a Judgment was rendered in the Parliament of Paris :

Between Jean Lioncy, Trustee and Director of the Rights of the Creditors of the Brothers Lioncy and Gouffre, Merchants at Marseilles, and his partners, Plaintiffs, demanding Payment of Bills of Exchange drawn by Brother Lavallette, a Jesuit of the Mission of St. Pierre de la Martinique, Superior General of the Missions of the Windward Islands and Apostolic Prefect.

And the Body and Society of the Jesuits of France, Defendants :

And the Father General and in his Person the whole Society of the Jesuits, Defendants, and making default.

And between the Jesuits of the Province of France, and the Jesuits of the Provinces of Guyenne, Toulouse, Champagne, and Lyons, opposants to the Judgement of the Consulate of Marseilles of the 29th May 1760.

And the said Trustee of the Creditors of the Brothers Lioncy and Gouffre, Defendants, to the said opposition.

And moreover, between the said Brothers Lioncy and Gouffre, intervening, and Plaintiffs, in damages and Interests, and the said Father General, the said Society and the said Provinces of the Jesuits, Defendants, in the said Suit :

Whereby the Superior General, and in his Person the Body and association of Jesuits in France, were condemned to Pay One Million five hundred and two thousand and two hundred and Sixty-six Livres, two Sols, and two farthings, of Bills of Exchange drawn by the Brother Lavallette upon Lioncy, Brothers, and Gouffre, Merchants of Marseilles, and they were further condemned to pay fifty thousand Livres for damages and all costs and Expenses; and the Brother Lavallette and all other

Jesuits were prohibited under the Penalties of the Law to intermeddle, directly or indirectly, with any Kind of Traffic which Ecclesiastical Persons were interdicted from using by the Canons of the Church admitted in the Kingdom of France, by the Ordinances of the King, or by the Decrees and Regulations of that Parliament.

This case was calculated to excite and did excite a high degree of interest, not only in France but in the whole of Europe. The Parliament was occupied nine days in hearing the Advocates of the Parties, of course the most eminent men of that day in their Profession. During the pendency of the Suit there was circulated in the Capital (as was usual in France in all causes of any importance whatever) Printed Mémoires Signed by the Advocates of the parties, in which the facts of the case and the Arguments in support of the pretensions of the Parties respectively, were fully stated.

On the 17th April 1761, whilst the Argument of this Cause was going on, one of the Gentlemen of the Chamber of *Enquêtes* of the Parliament, (all the Chambers being Assembled) addressed the Parliament, stating that two Printed Mémoires, one for the Jesuits, the other against them, on the occasion of a Cause the Argument whereon had commenced the previous Monday in the *Grande Chambre* of the Court, appeared to him to publish and discuss too openly the Constitutions of the Jesuits to admit of his not submitting to the Court some observations which those Mémoires rendered indispensable, and well worthy in every respect of the entire attention of the Court, observations, however, which in no wise touched the Cause nor the question before the *Grande Chambre*.

That on the one side the Mémoires for the Jesuits, whilst it seemed in a certain degree to confine the discussion upon the Constitutions of the Jesuits to what concerns the power of the General of this Order over the Property of the different Houses, nevertheless asserted that the Government, well known to the Parliament, of the other Religious Houses, differed in its form from the Government of the Jesuits which the Parliament had never been able to discover.

That on the other side the Printed Mémoire against the Jesuits contained assertions as to their Constitutions and Doctrines generally, which it was the duty of the Court to examine into.

After going through a long and minute examination of some of the Constitutions which he held to be most exceptionable, he concludes with submitting to the Parliament the following Motion.

“ Would there not then be a necessity for examining the Institution and Administration of the Jesuits according to their Constitutions, of which I have merely given a slight notion? This, Gentlemen, is what I request you to take into consideration.”

Upon this prayer the following Decree was pronounced by the Parliament on the 17th April 1761.

“ The matter having been taken into consideration, it is ordered that the Jesuits do within three days deposit in the Civil Office of the

“ Court, a printed Copy of the Constitutions of the Society of Jesuits, that is to say, of the Edition thereof made at Prague in 1757, and cited in the printed paper, intituled, ‘Memoir to be consulted, and Consultation for the Jesuits of France, printed by L. Cellot, Dauphiné Street, 1761.’”

It was further ordered, “ that on the Prayer of the King’s Attorney General, this Decree shall be this day served upon the Superiors of the Three Houses of Jesuits in this City, in order that they may be aware thereof and conform thereto, in order that the Law Officers of the Crown may take communication of the said Constitutions, deposited in the Civil Office of the Court, according to the Special Decree entered in the Register of this date.”

On the 21st of the same month of April, all the Chambers being assembled, the Chief President informed them that the Law Officers of the Crown were in attendance, to render to the Court an account of what had been done in fulfilment of the above Decree of the 17th of the same month.

Whereupon the Law Officers of the Crown being introduced, Mr. Omer Joly de Fleury, the King’s Advocate General, informed the Court that the King’s Attorney General had on the same 17th April in the afternoon, caused the said Decree of that date to be served upon Joseph Frerard, Superior of the Novitiate, Brother Henri René Frelant, Superior of the House of the College, and Brother Claude Frey, Superior of the House of the Professed.

And that in consequence of the Service of the said Decree the Edition of the Statutes printed at Prague, and required by the Decree, had been deposited in the Office of the Court, on the following day, that they were two large Volumes in Quarto, which the Law Officers of the Crown then had in their possession, to the end that they might labour to put themselves in a condition to render to the Court an Account of the said Constitutions on Tuesday the 2d. June following.

The Law Officers of the Crown, the Advocate General Mr. Omer Joly de Fleury, addressing the Court, made on the 3d. 4th 6th and 7th July 1761, their Report in Obedience to the before mentioned Decree of the 17th April 1761, and of an *Arrêté* of the Parliament of the 2d. June of the same year.

In this Report the subject is treated of under the following Heads.

1st.—A General and Summary Statement of the contents of the two Volumes of Constitutions.

2d.—A detail of the principal Articles of the Constitutions brought under the consideration of the Court in the proceedings had on the Seventeenth of April preceding, distributing them under their proper Titles.

3d.—Observations upon those Articles viewed with reference to the rights of the Crown and the interests of the People.

4th.—The previous Public Acts of the Parliament relating to the Jesuits, and their Institution.

5th.—The course which ought to be pursued by the Parliament in respect of those Constitutions of the Order.

Of the first of these Heads, nothing need here be said.

Of the second it is material here to refer to such part of these proceedings as relates to the Property held in France by the Jesuits.

The Advocate General gives the following “*Extrait de l'Article Examen Constitutionum.*”

Extract from the Article *Examen Constitutionum.*

“The end which the Society proposes to itself is its own & its neighbours' sanctification. To attain this end three vows are made, that of Obedience, that of Poverty, and that of Charity. The vow of Poverty consists in this, that the Society cannot have any income for its own support or for any other purpose, which is to be understood not only of every Jesuit individually, but also of the Churches and Houses of the Professed Society *Domibus Societatis Professæ*. It is not permitted to receive any Fee or Alms for the Celebration of Mass, for Preaching, for Administering the Sacrament or any other Office of Religion which the Society can exercise according to its Institution. Although they have Colleges and Houses of Probation, which have Revenues for the support of Students, *Scolasticorum*, before they are admitted into the professed Society, or into the Houses thereof, Revenues of that kind cannot nevertheless be applied to other uses. And it is not permitted to the Houses of the Professed or any of them or the Coadjutors, to Profit thereby, “*Exam. Gen. Constit. Cap. 1. Vol. 1. P. 340.*”

The Advocate General treats at great length of the Powers vested in the General of the Order, and shews it to have been as to the Persons of the Members of the Order, and as to the Property belonging to the Order, of the most absolute kind.

Yet it was limited as to the Colleges and Seminaries of Education of the Order.

The words of the Advocate General upon this subject are as follows.

“To the General belongs the whole power of making every kind of Contract of Purchase or Sale of the temporal property and of personal property of whatsoever nature, as well of the Houses as of the Colleges of the Society, of imposing and redeeming every kind of Rent, *quos libet census*, on the property, *bonis stabilibus*, of the Colleges for their use with the faculty of being exonerated from the charges on restoring the money which shall have been given *cum facultate onere liberandi restitutâ pecuniâ que datâ fuerit*. With respect to the alienation or extinction of the Colleges or Houses of the Society which are already established, he cannot proceed thereto without a general Congregation of the Society. The declaration on this chapter states that the General is by himself to exercise that power of contracting respecting the matters just mentioned, that in the most urgent cases he may exercise it by others, when the delay might become prejudicial or when he has deputed it, especially with respect to remote, places, as

India, to some one whom he trusts as he does himself, *cui tanquam sibi ipsi fideret.*"

And in another part of his Report speaking of the same subject he says:

"The Power of the General is indefinite, and no one has any authority but that which he imparts—He alone appoints to places, dismisses, continues, is sole, supreme administrator of all the property, they are administered, purchased, sold, contracts are entered into respecting the personal property, rents on the real property of the Colleges are constituted or redeemed; all that is done is in his name, and by virtue of his power alone; he can sell, alienate, exchange the real property of the Houses or Colleges without any previous information, without giving thereto any judicial form.—His power indeed undergoes some restrictions respecting real property appropriated to certain Establishments, but with respect to personal and even real property given to the Society without appropriation; he can dispose thereof fully as he pleases, *"idem generalis disponere poterit, aut vendendo, aut retinendo, aut huic vel illi loco id quod ei videbitur applicando prout ad majorem Dei Gloriam senserit expedire."* Part IX. of the Constitutions Cap. 3, page 437, No. 6.—"Every Contract made without his express consent is null. His ratification of Acts is necessary, and he can annul those made by the Provincials. He can change the destination of the Legacies made to the Colleges or Houses, and apply them to other purposes without any restraint from the Will of the Testators. It is indeed said, by way of corrective, that he shall do so but seldom *nec nisi rarissime, et extra Europam in alienationibus permisis*; but that, nevertheless, proves how far his will makes the Rule and the Law."

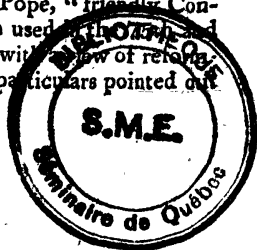
He concludes the second head of enquiry, by shewing that the Jesuits were by their own Constitutions prohibited from engaging in any trade or commerce whatsoever.

The number of their Colleges, at this period may be conjectured to have been very great, if we bear in mind what they were half a Century before the period in question.

In 1710, (says the Advocate General) according to Father Jouvenci, the Society had upon Earth Six Hundred and Twelve Colleges, Three Hundred and Forty Houses of Residence, Fifty-nine Noviciates, Two Hundred Missions, Eighty-four Houses of the Professed, in all thirty-seven Provinces, and Nineteen Thousand Nine Hundred and Ninety eight Jesuits.

It would be going out of the subject under consideration, to refer to any part of the observations of the Advocate General upon the above mentioned third and fourth heads of Enquiry.

Under the fifth head, the Advocate General recommended that there should be had between the King of France and the Pope, "friendly Conferences as practised by our Ancestors" the term used in the 76th Articles of the *Libertés de l'Eglise Gallicane*, with a view of reforming the Constitutions of the Order, in the various particulars pointed out by the Advocate General.



On the 8th July 1761, the conclusions of the Law Officers, to the foregoing effect, were read in the Parliament, all the Chambers being present, and the following Judgment on the same day pronounced.

“ The Court, all the Chambers being present, upon the Report of the Law Officers of the Crown, made yesterday and the preceding days, in obedience to the Decrees of the seventeenth of April and second of June last, and upon the conclusions in writing by them taken, hath in consequence decreed that Commissioners shall be appointed, in order to examine as well the Constitutions of the Society called of Jesus, deposited in the Office of the Court on the 18th of April last, as the matter of the said Report ; also the most important facts respecting the Society which have occurred since its establishment, in order that such Examination and the Report thereon be taken into due consideration by the Court.”

On the 2nd of August 1761, by a Declaration of the King of France, bearing date at Versailles on that day, it was ordered, that within six months the Superior of each of the Houses of the Order of the Jesuits, should be bound to deposit in the Office of the King's Privy Council the Titles of their various Establishments, and it it was added :—

“ Moreover, we ordain, that during one year from the date of the Enrollment hereof, nothing shall be ordered, either definitively or provisionally, upon what may relate to the said Institutes, Constitutions and Establishments of the Houses of the said Society, unless we shall otherwise so ordain.”

This Declaration was enregistered in the Parliament on the 6th of the same month ; the Parliament amongst other exceptions in the act of Enrollment making Collation.

“ The said Court not intending to restrain itself from adjudging upon the legal state of the said body corporate, when and as to right shall appertain, after seeing the Letters Patent already obtained by the said Society, and the Enregistration thereof, and, nevertheless, conformably with the said Declaration, the said Court shall Surcease for and during one year from adjudging upon the said Institution, Constitutions and Establishment of the Houses of the said Society, by any Decrees, either definitive or provisional, other, nevertheless, than those in respect of which the Oath of the Court, its fidelity, its love for the sacred person of the said Lord the King, and its attention to the public tranquility, will not permit the Court to delay, according to the exigence of the Case, subject to the bringing in of the Titles relating to the said Society or its particular Houses established within the Jurisdiction of the Court, ordered, by the said Declaration being made at the Public Office of the deposit of the Court within the delay contained in the said Declaration of the said Title Deeds, such account to be rendered by the Court to the said Lord the King, as to right shall appertain. Even the said Title Deeds to be put into his possession, certified Copies thereof being first made, together with the Collation and Deposit in the Public Office of the said Court of the said certified Copies.”

And the conclusion of the Act of Enregistration is as follows :—

“ It shall also be most humbly represented to the said Lord the King, that his Parliament cannot but see with grief that the said Lord the King seems to announce to his Parliament, by a Declaration addressed to it, the establishment of an illegal deposit other than that of the Court for the delivering in of the said Instruments in writing, whereof the said Lord the King deems it necessary to be informed for the general good of his realm. At Paris, in Parliament, all the Chambers assembled, the 6th August 1761.”

On the same 6th August 1761 the Parliament, after reciting the before mentioned proceedings by its Decree of that day, the Attorney General ;

Appellant, *comme d'abus*, from all Bulls, Briefs, Apostolic Letters respecting the Priests and Pupils of the Society styling itself of Jesus, Constitutions thereof, forms of Vows, Decrees of the Generals or of the General Congregations of the said Society, and generally from all other similar Regulations or Acts.

And in its conclusion, it is said, “ It is permitted to the King's Attorney General to cause to be summoned the General and the Society of Persons styling themselves Jesuits, on the said Appeal *comme d'abus* ; whereupon the said parties shall be heard at the earliest day ; when the said Appeal shall be adjudged upon, there shall be laid before the Court all Edicts, Declarations and Letters Patent, duly verified, concerning the said Society, such adjudication and order upon the whole jointly to be made as to right shall appertain.”

On the same day, by another sentence bearing more immediately upon the subject in hand, the Parliament with reference to the Report to them made of the doctrines of the Jesuits, maketh certain provisions in respect to the Colleges and Seminaries of Education of the Order.

These are of sufficient importance to require their insertion at full length.

“ In like manner it is provisionally inhibited and forbidden unto the said Priests and others of the said Society, to continue any lessons, either public or private, of Theology, Philosophy, or of the Humanities, in the Schools, Colleges and Seminaries within the Jurisdiction of the Court, under penalty of seizure of their temporalities, and under such other penalty as to right and justice shall appertain ; and this from and after the first day of October next, as well with respect to the Houses of the said Society, which are situated at Paris, as to those which are situated in the other Towns within the Jurisdiction of the Court, having within their limits Schools or Colleges other than those of the said Society ; and from the first day of April next only, with respect to those which are situated in Towns within the Jurisdiction of the Court, where there are no other Schools or Colleges than those of the said Society, or in which those of the said Society shall be found to occupy any of the Faculties of the Arts or of Theology in the University there established, and ne-

vertheless, in case the said Priests, Scholars, or others of the said Society, shall claim to have obtained any Letters Patent duly verified in the Court, to the effect of performing the said scholastic functions, the Court permits the said Priests, Scholars, and others of the said Society, to produce them before the Court, all the Chambers assembled, within the delays above prescribed, such order, upon view of the same, and upon the conclusions of the King's Attorney General, to be made by the Court as to right shall appertain."

"The Court most expressly inhibits and forbids all subjects of the King from frequenting, after the expiration of the said delays, the Schools, Boarding Schools, Seminaries, Noviciates and Missions of the said persons styling themselves Jesuits, and enjoins all Students, Boarders, Seminarists and Novices to quit the Colleges, Boarding Houses, Seminaries and Noviciates of the said Society within the delays above fixed; and all Fathers, Mothers, Tutors, Curators or others having charge of the Education of the said Scholars, to withdraw them or to cause them to be withdrawn therefrom, and to concur, each in respect to himself, in carrying into effect this present Decree, as good and faithful subjects of the King, zealous for his preservation. The Court in like manner prohibits them from sending the said Children to any Colleges or Schools of the said Society, held without the limits of the Jurisdiction of the Court, or out of the Kingdom. The whole under penalty of being taken and considered as favourers of the said impious, sacrilegious and homicidal doctrine, assailing the authority and safety of the person of the King, and as such prosecuted according to the rigour of the *Ordonnances*. And as for the said Scholars, the Court declares all those who shall continue after the expiration of the said delays to frequent the said Schools, Boarding Houses, Colleges, Seminaries, Noviciates and Instructions of the said persons styling themselves Jesuits, in whatever place they may be, incapable of taking or receiving any degrees in the Universities, or any Civil or Municipal Offices, or of discharging any such public functions. The said Court reserving to itself to deliberate on Friday, the 8th day of January next, upon the precautions which it shall judge necessary to take upon the subject of the offenders, if any there be."

"And the said Court being desirous to provide sufficiently for the Education of Youth, orders that within three months for all delay, to be accounted from the date of the present Decree, the Mayors and Aldermen of the Towns within the Jurisdiction of the Court where there are no other Schools or Colleges than those of the said Society, or in which those of the said Society fill the faculties of the Arts or of Theology in the Universities therein established, as also the Officers of the *Bailiages* and *Sénéchaussées*, together with the said Universities, shall be bound to send to the Attorney General of the King, each, separately, Memoires of what they esteem fitting upon this subject, that this done or default made to do the same, such orders may be made, all the Chambers assembled, upon the conclusions of the Attorney General of the King the said day Friday the Eighth of January next, as to right shall appertain."

“ Decreed that the Law Officers of the Crown do render an account in the Court, all the Chambers assembled, at the hour of ten in the forenoon, of the publication, posting up, and printing of the two Decrees this day rendered by the Court, as well as of the service of them at the houses of the persons styling themselves Jesuits, which are at Paris, and on Friday the 8th of January, of the execution of the remainder of the said two Decrees.”

“ Ordered further, that the first President be charged with carrying to the King a Copy, as well of the Statement made to the Court on the 17th April last, by one of the Counsellors therein, as of the account rendered by the Officers of the Crown the 3rd of July last and the following days, and of the second Statement made to the Court on the 8th July last by one of the Counsellors therein; to the end that the said Lord the King may be enabled himself to know the Institutions, Constitutions, Doctrine and unvarying conduct of the said Priests, Scholars, and others of the said Society styling themselves of Jesus, and the indispensable necessity wherein his Parliament found itself to render the Decree of this day to preserve the subjects of the King, and above all the Students, who are the hope and the renewal of the State, from the teaching of a doctrine as pernicious as execrable.”

On the 29th August 1761, the Jesuits obtained the King's Letters Patent referring to the above proceedings, and ordering all proceedings to be suspended under the aforesaid Decrees of the 6th of the said month for one year.

These Letters Patent were, at the prayer of the King's Attorney General, amongst other exceptions, enregistered.

“ Subject nevertheless to this:—that the respite contained in the said Letters Patent shall take place only to the first of April next, upon which day the provisional Decree of the Court of the sixth August last shall be executed *ipso jure*, and also without that the necessary proceedings to enable the Court to render Judgment on the *Appel comme d'abus*, instituted by His Majesty's Attorney General from the Bulls, Briefs, Constitutions, forms of Vows, and other regulations relating to the said Society can be suspended, and in like manner without prejudice to the provisional execution of the said *Appel comme d'abus*.”

“ And also subject to this:—that the public or private Lectures on Theology, Philosophy, or the Humanities, held and given by the Priests or Scholars, in all the towns or places within the Jurisdiction of the Court without distinction, cannot be provisionally continued after the expiration of the said respite, the whole under the pains contained in the provisional Decree of the 6th

August last." The Parliament added to these Resolutions the following Representations :—

" And nevertheless the said Court hath decreed, that the first President waiting upon the person of the King this day, in pursuance of the Order of the Court, shall represent to the said Lord the King, that his Parliament do conform itself to the intention, which the said Lord the King hath to obtain further information, has respectfully submitted to the express and reiterated Orders of His Majesty, by enregistering the said Letters Patent, it cannot dissemble from the said Lord the King how much it cost the sentiments of the heart of the Magistrates who compose his Parliament; to give to the said Lord the King this proof of its obedience; that it shall further be represented to the said Lord the King by the first President, that the Decrees which his Parliament rendered the sixth of August last, bear upon objects which interest essentially the security of the persons of Sovereigns, the tranquility of States, the principles of Morals, the Education so valuable to Youth, the good and honour of Religion; that the said Lord the King be therefore supplicated to be pleased to be assured how important it is for his Sacred person, for his Posterity, for the entire State, that the zeal of his Parliament do not in future encounter any obstacle upon matters of such great consequence."

" Ordered, that the said Letters be printed, published & posted up, and certified Copies thereof sent to the *Baillages, Seneschau-sées* and Universities of the Jurisdiction, to be there read, published and enregistered. The Court enjoins the Deputies of the King's Attorney General that they see to the execution hereof, and that they certify the Court thereof within one month."

The next proceedings of the Parliament were on the 16th day of February 1762, when after referring to the before mentioned declaration of the 2d August 1761, it orders as follows :

" The Court orders, that the persons styling themselves Je-
 " suits shall be bound to conform to what is prescribed them by
 " the King's declaration of the 2d August last, and the decree of
 " enregistration thereof : and therefore that the Superiors of
 " the Houses of the said persons styling themselves Jesuits, shall
 " be bound before the 22d day of March next, to make oath in
 " person or by their Attorney even to produce and give in the
 " accounts of their Houses, which they have not hitherto produ-
 " ced and given in. The Court orders that within the same time
 " the said persons styling themselves Jesuits, shall be bound to de-
 " posit at the Office of the Court the Title Deeds of their estab-
 " lishments, or certified copies thereof; and as to those of the

“ said Title Deeds whereof the originals are not to be found in
 “ any places of public deposit, and are not in their possession :

“ The Court orders, that the said persons styling themselves
 “ Jesuits, do produce statements containing the nature and qua-
 “ lity of the said Title Deeds, to the truth of which statements
 “ the said Superiors shall make oath, to the end that the said pa-
 “ pers so deposited, and affirmations on Oath, be communicated
 “ to the King’s Attorney General, and returned into Court on the
 “ 23d day of the said month of March, that such order thereup-
 “ on may be made by the Court as to right and Justice shall ap-
 “ pertain.

“ The Court orders further, that the present decree shall be
 “ without delay at the instance of the King’s Attorney General
 “ served upon the Superiors of the houses of the said persons, so
 “ styling themselves Jesuits, being within the Jurisdiction of the
 “ Court.”

On the 23d April 1762 the Parliament being in possession of
 the Titles of the Estates of the order under the before-mentioned
 declaration of the King of France of the 2d August 1761, decided
 definitively amongst others matters, upon the application to be
 made of the Estates with which the Colleges of the order were
 endowed, and permitting the creditors.

“ To take their recourse for the payment of the said condem-
 “ nation monies upon the property appertaining to the Society
 “ of Jesuits within the Kingdom, with the exception of those
 “ whereof the destination could not be changed by the Society,
 “ and the Superior General thereof to the prejudice of the rights
 “ of founders and donors and of their representatives, or of the
 “ towns and countries for whose utility the said property had been
 “ irrevocably affected.

This document is of too much importance to be omitted and
 will be found in the Appendix to this Report under the letter [C.]

In the definitive judgement pronounced by the Parliament up-
 on the herein-before-mentioned appeal *comme d’abus* of the At-
 torney General, it is ordered in respect of the Colleges of the Or-
 der, as follows :

“ Ordered, That the ascertaining of the property which shall
 “ be liable to the Administration and the Maintenance of the
 “ Schools and Colleges, and of the Towns where there were no
 “ other Schools or Colleges than those of the persons styling
 “ themselves Jesuits shall be proceeded to, to the effect of which
 “ the Officers of the *Baillages*, *Senéchaussées* and the Municipal
 “ Officers of the said Towns, shall be bound to send to the Court
 “ before the first of December next, Statements containing, in

“ the first place ; a correct detail of the property and benefices
 “ of the Ancient Endowment of the said Schools and Colleges
 “ previous to the introduction of the said persons styling them-
 “ selves Jesuits, as well as of all those which at the time of or since
 “ their introduction may have been given, united, granted as
 “ eleemosynary gifts, or in any way bequeathed unto the said per-
 “ sons styled Jesuits, for the keeping and maintaining of the said
 “ Schools or Colleges, Ecclesiastical Foundations and other objects
 “ of a like nature. In the second place ; what they should esteem
 “ expedient as to the manner to be adopted for the Government
 “ and administration of the property which shall be appropriated
 “ for the said Schols and Colleges. In the third place ; the man-
 “ ner in which the said Schools and Colleges were erected and
 “ formed, before or since the introduction of the persons sty ing
 “ themselves Jesuits. To which Statements shall be joined ; the
 “ Title Deeds in support thereof, to the end that the whole being
 “ communicated to the King’s Attorney General, and examined
 “ by the said Commissioners, the Court may adjudge and deter-
 “ mine what to right shall appertain, as well in case of sufficiency
 “ as of insufficiency of the said property or otherwise.—And that
 “ the Lord the King may be most humbly supplicated to cause to
 “ be issued all Letters Patent thereunto necessary.

“ And nevertheless the Court orders that the Municipal Offi-
 “ cers of the said Towns shall take possession forthwith upon the
 “ evacuation of the Houses and Establishments of the late Society,
 “ of the Grounds and Buildings which served for the said Schools
 “ and Colleges, as well as of the Furniture destined for the use
 “ of the said Schools and Colleges, of which entry into posses-
 “ sion there shall be drawn up a *Procès Verbal* by the Lieutenant
 “ General of the Royal Court, or in case of absence or lawfull
 “ impediment by one of the other Officers of the Court accord-
 “ ing to Seniority in the presence of the Deputy of the King’s
 “ Attorney General, which *Procès Verbal* shall contain at the
 “ same time a summary description of the said Furniture and of
 “ the state of the said Grounds and Buildings.”

“ The whole nevertheless without prejudice to what relates to
 “ the College Established in the Town of *Lafleche*, in respect
 “ whereof the said Lord the King shall be most humbly supplica-
 “ ted to make known to the Court his intentions in the accustomed
 “ manner.

“ Ordered, nevertheless, that possession shall be taken thereof by
 “ the Officers of the *Senéchaussée de Lafleche*, in the name of
 “ the said Lord the King. As also shall the said Lord the King be
 “ most humbly supplicated to be pleased to order that all the re-

“ venues generally heretofore granted by himself and his predecessors Kings, for the direction and maintenance of any of the said Schools and Colleges shall continue to be employed to an use so advantageous for the good of the State.

“ Ordered, That before determining upon the Grounds and Buildings, of the Houses and Establishments of the said late Society, other than those of the Schools and Colleges of the Towns within the Jurisdiction where there were no other Schools and Colleges, but those kept by the late Class of persons styling themselves Jesuits, the Royal Officers, the Municipal Officers and the Universities established in the places where the said Buildings and Grounds are, and more particularly the Officers of the *Chatellét* of Paris, and those of the *Sénéchaussées* of Lyons, and of the *Baillage* of Rheims, as well as the *Prevôt* of the Merchants and Aldermen of the said Towns of Paris, Lyons and the Municipal Officers of the Town of Rheims and the Universities of Paris and Rheims, shall send to the Court before the first of December next, at the latest, the Statements which they shall think proper upon the employment which might be made of the said Buildings and Grounds for some object of Public or Private utility, as well upon the manner of paying the Cost thereof to be employed hereafter as shall be ordered, which Statements being communicated to the King's Attorney General, it shall be by him required and by the Court ordered what to right shall appertain, and the said Lord the King shall be supplicated to cause to issue all Letters Patent to this end necessary.

“ Ordered, that proceedings shall be had in the Court upon the Titles which are deposited at the Public Offices, (*Greffes*) and upon the Statements which shall be delivered over to the Kings Attorney General by the parties interested for severing the Property belonging to the said late Society, and forming the subject of Private Foundations, other nevertheless than that of the said Schools and Colleges to be afterwards deliberated upon by the Court and provided for the acquittal of the said foundations by whom and as to right shall appertain, and the said Lord the King in consequence be most humbly supplicated to order that all Titles and Papers relating to the said late Order of Jesuits, which have been placed before the said Lord the King, shall by his order be Addressed to the Attorney General of the said Lord the King, to be deposited at the Office of the Court.

After directing the sale of the moveables belonging to the Order of the Jesuits, this Judgement proceeds to say :

“ There shall not however be comprized in the said sale the

“ furniture of the Schools and Colleges of the Towns, in which
 “ there was only that of the late Class of persons styling themself-
 “ ves Jesuits, in respect of which it has been above decreed and
 “ adjudged by this present decree; nor any thing which is deemed
 “ necessary by the Judges of the places to the use and maintenance
 “ of the Property of the said late Class of Persons styling them-
 “ selves Jesuits, whereof a Statement shall be drawn up by the
 “ Bailiffs charged with making the said sales; as also the Court
 “ stays the sale of the Plate and all books, linen, ornaments, sacred
 “ vases, chandeliers and generally of all other Church Ornaments
 “ Decorations, as well as of all Libraries, until it shall have been
 “ otherwise ordered by the Court, all the chambers assembled, and
 “ to provide therefore—Ordered that the Commissioners of the
 “ said Court shall assemble on Thursday next.

It would be too long to refer to the various decrees of the Par-
 liament founded upon a principle which pervades them all, and
 which decrees are thus characterized in a subsequent decree of
 the 28th August 1762.

“ These decrees are founded upon a motive of equity which dic-
 “ tates all the decrees of the Court; this motive is, that it is just
 “ that the revenues of property destined for a College be employ-
 “ ed for the benefit of that College, and that they be therefore ad-
 “ ministered by sequestrators most at hand to the officers charged
 “ with determining, as well upon the alimentary annual allowan-
 “ ces to be made to the persons lately styling themselves Jesuits,
 “ as upon the Fees of the professors who have filled the places of
 “ the said persons lately styling themselves Jesuits.”

It would be foreign from the matter referred to your Commit-
 tee, to report the various measures taken by the French Govern-
 ment concerning the manner in which these Revenues were to
 be applied to the purposes of Education.

It is sufficient to have shown incontrovertibly, that the Colle-
 ges and Seminaries which belonged to the order of the Jesuits in
 France, continued after the suppression of that order to be used
 for the purposes of Education, and that the Lands and monies
 with which they had been endowed continued to serve for the
 maintenance of the said Colleges and Seminaries.

The next object of your Committee was, to ascertain what had
 been done in relation to the Jesuits' Estates in Canada by His
 Majesty's Government in England; or by the Provincial Autho-
 rities under orders from His Majesty's Government in England:

Upon this subject your Committee have in the first instance to
 refer to an abstract of Proceedings in Council, relative to the
 grant directed to be made of the Jesuits' Estates in Canada to the

late Jeffery Lord Amherst, with the dates of the several orders made by His Majesty in Council in that behalf, and the Reports of the late Board of Trade and of His Majesty's Law Officers for the time being.

It appears from it that, "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."

"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 Rivierès*, 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 the Grant, and containing a particular account 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 Register 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 an Instrument for making a Grant to the Petitioner agreeably to His Majesty’s former order.”

The question of the application to be made of the Estates and property of the late Order of the Jesuits appears to have been referred as early as 1765 to the Law Officers of the Crown, and in a Plan of a Code of Laws for the Province of Quebec reported by the Advocate General, “ bearing date College of Advocates, Doctors’ Commons 1773” it is said, “ In regard to the Title of the Estates of the Jesuits, there is annexed to this Report a sketch of a former one in deliberation, drawn up in a very full manner by particular direction in the time of Mr. Grenville’s Administration, May 12th 1765; but upon a change of Administration soon after, and of the other Law Officers of your Majesty to whom it was referred jointly with the Advocate General, no report was made in form.”

The sketch referred to in this paragraph will be found in the Appendix to this Report under the Letter [D.]—It is material to observe that the above opinion appears to have been prepared without the Law Officers of the Crown having had the advantage of seeing the Title Deeds to the Estates in question.

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.

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 tenor

by which it appears that Lord Amherst had forborne to lay before them some documents in his possessions for the better ascertaining the nature &c. of the lands, by reason of the troubles which in 1779, 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 :

“ 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 orders 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, 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.”

“ The 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 favor 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 Seigniorship 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 execution of the foregoing order a Commission was issued by His Excellency Guy Lord Dorchester, bearing date the 7th day of January 1788, whereof a copy will be found in the Appendix to this Report under the Letter [E].

The proceedings had by the Commissioners named in the foregoing Commission will be found in the Appendix under the before mentioned Letter [A.].

The opinion of the Law Officers of the Crown within the Colony already referred to, and bearing date the 18th May 1790, was required and given under the before-mentioned order of His Majesty in his Privy Council; bearing date the 18th day of August 1786.

“ 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 that it would not only have been attended with 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 £1245 5 4 exclusive of the property situated within the Cities of Quebec and Montreal.”

“ The Letter refers to a second Report, dated the 6th Febru-

“ary 1801, and mentions that it is computed that the concessions made since that time, have increased the annual Revenue to £1358 13 4.”

“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 further 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 said Lord Amherst.”

After the aforesaid Report orders were given to take possession of the Estates belonging to the late order of the Jesuits.

The proceedings had in consequence of these orders will be found in the Appendix to this Report under the Letter [F.]

Since that period the said Estates have been managed by Commissioners.—The Commission will be found in the Appendix to this Report under the Letter [G.]

It is necessary now to revert to the claims set up by the Family of Lord Amherst to these Estates.

“On the 9th 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 directs the Governor to appoint Commissioners, and institute an enquiry 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 lately 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

“ £2400 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 also to be allowed the charges attending the several orders and Commissions in Canada, and other proceedings to ascertain the nature and description of the said Estates, and also such further expenses as might be incurred in passing and carrying the grant of the said Lands into effect, and that His Majesty’s Attorney and Solicitor General, should prepare a draft of such grant, to be passed under the great seal of the Province, under the before-mentioned special reservation, provision and declaration, respecting the surplus profits, and containing the reservations specified in the former orders : and further reserving to His Majesty such other parts and parcels of the Lands as His Majesty’s Governors had actually applied to the erection of Hospitals, Barracks and other public uses ; and on the 23d January 1799, this Report was approved, and an order issued to the Attorney and Solicitor General accordingly.”

“ In return to the above-mentioned order, His Majesty’s Law Officers made their report with the draft of a grant annexed, but submitted that the Lands to be conveyed by the said grant, lying within the Province of Lower-Canada, with the particular circumstances of which, and more especially with the tenures and proper description thereof, not being perfectly informed, they could not consider themselves as being perfectly competent to frame an Instrument which might not be liable to objection, and therefore submitted that the same should be fully considered by the Law Officers in Canada ; and thereupon the Lords of the Committee to whom the said report and draft of Instrument had been referred, recommended, that His Majesty should approve of the draft, but that previous to the same passing the seal of the Province, the Governor should be directed to consult the Law Officers of the Province with respect to such provisions and alterations, as, upon due consideration of the nature of the Tenures and proper description of the Lands, might appear to them adviseable to be added to or inserted in the said grant.”

“ It is presumed that a return was made to this order by the Governor in the spring of 1801, for it appears by the Council Book, that, on the 14th of April 1801, a letter was written

“ to the Attorney General, stating that several proceedings had
 “ taken place in the Province upon the reference made to His
 “ Majesty’s Law Officers there, of the draft of the grant prepar-
 “ ed here and transmitted as above-mentioned, and that the
 “ Law Officers in Canada had by their report to the Governor,
 “ bearing date the 15th November 1799, stated certain objec-
 “ tions to the validity of the said Instrument, as then construct-
 “ ed according to the existing Laws of Canada, and the letter
 “ went on to direct His Majesty’s Attorney and Solicitor Gene-
 “ ral here to take into consideration the draft of the original In-
 “ strument, and also the said report of the Law Officers in Ca-
 “ nada and report their opinion.”

“ First.—“ Whether the said alterations and amendments were
 “ proper to be adopted ?”

“ Secondly.—“ In case they should be of opinion that such
 “ were proper, whether it would be necessary that a new draft of
 “ an Instrument should be prepared and submitted to His Ma-
 “ jesty for approbation, or whether it would be sufficient in case
 “ His Majesty’s Attorney and Solicitor concurred in opinion with
 “ the Law Officers in Canada, to direct the Governor to cause
 “ the said alterations and amendments to be inserted in the Ins-
 “ trument already prepared ?”

“ In answer to this Letter His Majesty’s Law Officers made a
 “ further Report to the Lords of the Committee, stating many
 “ objections which occurred to them in respect to the provision
 “ under which Lord Amherst was to hold the Lands, & be made
 “ accountable for the surplus profits of the Estates beyond £2,400
 “ *per annum*.”

“ That it would render His Lordship a Public Accountant,
 “ and expose him and his under-tenants to endless difficulties and
 “ perplexities, and that it would operate as a bar to the full im-
 “ provement of the Estates and consequently to the Revenue to
 “ be derived from the same to His Majesty; inasmuch as the
 “ Agents employed by Lord Amherst, could hardly be expected
 “ to look further than the perception of the proportion of Rent
 “ granted to Lord Amherst, for his own use.”

On the 11th July 1803, His Majesty was graciously pleased to
 send the following Message to His Commons.

“ His Majesty acquaints the House of Commons, that in confi-
 “ deration of the Eminent Services of the late Jeffrey Lord Am-
 “ herst, during his Command in America, and particularly in the
 “ reduction of the Province of Canada, His Majesty was induced,
 “ subsequently to the War during which these services were ren-
 “ dered, to direct that a Grant should be made to His Lordship, his

“ heirs and successors, of a certain tract of Land in that Province, but in consequence of difficulties arising from local circumstances, His Majesty’s intentions have not been carried into effect.—His Majesty has ordered the proceedings relative to this subject, to be laid before this House, and His Majesty relies with confidence on the justice and liberality of his faithful Commons to make such compensation to the representatives of the late Lord Amherst, as under the circumstances of the case shall appear to them to be adequate and proper.”

There was passed in consequence in the Parliament of the United Kingdom the Statute 43 Geo. III, Cap. 159, “ for settling and securing a certain annuity on William Lord Amherst, and the representatives of the late Jeffery Lord Amherst in consideration of the eminent services performed by him during his command in America.”

And with it closes the second branch of the enquiry.

It is not possible to look at these Documents without feeling the utmost respect for the sense of right and justice which dictated the above proceedings, and which has so eminently distinguished at all times the Government of His Majesty.

Your Committee next directed their enquiries to the ascertaining, whether any, and what proceedings had been had within the Colony, for the obtaining of the Buildings and Revenues of the Estates to be applied to the purposes of Education.

They find that almost immediately after the Establishment of the present Constitution, to wit, in the year 1793, a Petition signed by a great number of the Citizens and Inhabitants of the Town and County of Quebec was presented to the Assembly, which will be found in the Journals Vol. 1, Page 352.

That after various proceedings had upon this Petition, an humble Address and Petition of the Assembly of Lower-Canada to His Majesty was reported, concurred in and voted by the Assembly, (Journals Vol. 1, Page 406) and it was resolved on the 11th April 1793, that a Message should be sent “ to the Legislative Council with a Copy of the Address and Petition to His Majesty, which has passed this House relative to the property possessed by the Jesuits and the Education of Youth in this Province, requesting the Council to join in the same.”

On the 17th April of the same year a Message was sent by the Legislative Council in answer to the above Resolve of the Assembly, informing them “ that the Legislative Council have resolved to express their desires on the subject of promoting the means of Education in a separate Address.”

In 1800, on the 12th March, a Motion was made in the House

of Assembly, that the House should resolve itself into a Committee, to consider of the most proper means of obtaining information concerning the rights and pretensions which this Province may have upon the College of Quebec and the Estates thereunto annexed.

And on the 13th day of the same month, an Address was voted to His Excellency the Governor of the Province, praying he might order the proper Officers to transmit to the House, Copies of certain Titles and Documents and Official Reports relative to the Estates heretofore possessed and claimed by the Religious Order of the Jesuits in this Province.

This Address was presented to the Governor of the Province on the 15th day of the same month, and he was pleased to make the following answer:—

“ I think it necessary to inform you on the subject matter of the present Address, that the whole proceedings under the Commission issued on the 29th December 1787, including every claim and pretension respecting the Estates of the late Order of Jesuits in this Province, together with the humble Address of the House of Assembly voted on the 11th April 1793, had been respectively submitted to the King,—That His Majesty having been graciously pleased to refer the whole proceedings to His Privy Council, the result of their Consultations, with His Majesty’s Order thereon, was transmitted to this Government in the month of April last, and in consequence of such Order, Commissions have issued to take the whole of the property into the hands of the Crown.”

“ After reflecting on these circumstances, should the House of Assembly continue to deem it advisable to persist in their proposed investigation, I shall comply with their request, to allow them access to those papers which have already been made public, and shall in that case give orders that all persons duly authorised by the House of Assembly, be at liberty to take Copies of all Titles, Documents, Reports, Papers and all Proceedings under the Commission mentioned, which were returned into the Council Office on or before the 25th August 1790.”

“ But after the information I have now given, the House of Assembly will certainly deem it incumbent on them to consider, whether it is consistent with that respect which they have hitherto uniformly manifested towards their Sovereign, to reiterate any application on the subject.”

This Answer from His Excellency the Governor in Chief was taken into consideration by the Assembly, and on the 21st April

1800, an Address to His Majesty, humbly supplicating His Majesty to take into His Royal and Paternal consideration the deplorable state of the Education of Youth in this Province, was proposed, but was not voted.—This Address is to be found in the Journals of this House, vol. 8, page 162.

No effectual proceedings on the subject took place from that period until the 13th May 1812, when a Message was sent by the Legislative Council informing the Assembly of their “desire of having a conference with the House of Assembly upon a matter of importance to the future interests of the Province.” The conference took place, and an Address to His Royal Highness the Prince Regent was reported to the Assembly by the Managers on their part at the said conference, “soliciting His Royal Highness’ attention to the state of Education in this Province, and to the want of Public Institutions for the Instruction of our Youth, and to offer to His Royal Highness our humble prayer that His Royal Highness will be pleased to take our necessities into His Gracious and favorable consideration, and to allow the already accumulated and the future Rents and Revenues of the Estates of the late Order of Jesuits, situate in Lower-Canada, to be appropriated to the relief of those necessities.”

This Address will be found in the Journals of the Assembly, vol. 20, page 594.

The next and last proceeding on the subject in the Assembly was a Resolve on the 15th March 1823, “That an humble Address be presented to His Excellency the Governor in Chief, praying he might be pleased to communicate to this House, such Instructions or Despatches which may have been given or transmitted from time to time by His Majesty’s Government, relating to the Jesuits’ Estates in this Province and to the application of the Revenue of the said Estates in this Province.”

His Excellency the Governor in Chief’s Answer to this Address was, “that having referred to former proceedings on this subject which are to be found upon the Journals of the House of Assembly in the year 1800, I do not think that I can comply with the request of this Address without having obtained special permission so to do.”

Your Committee convinced that these Instructions would afford to the People of this Province some new proofs of the wisdom and beneficence of His Majesty’s Government, are at a loss to comprehend upon what ground it has been deemed necessary by His Excellency the Governor in Chief to keep them secret.

Upon the whole matter your Committee is of opinion, that the proceedings heretofore had in this House upon this subject

ought to be renewed, and in consequence an humble Address be presented to His Majesty, praying that he will be graciously pleased to cause to be applied to the Promotion of Education in this Province, the Buildings, Lands and Revenues, heretofore belonging to the late Order of the Jesuits.

All which is nevertheless humbly submitted.

L. LAGUEUX,
Chairman.

Quebec, 25th February 1824.

APPENDIX [A.]

ANSWERS of the SEMINARY of QUEBEC to the Questions of the Chairman of the Committee appointed to enquire into the present state of Education in this Province.

Q. What is the present state of Education in this Province?

A. If by Education is understood the knowledge, even elementary, of Letters, it must be admitted that it is reduced to but little, particularly in our country parts. There are unfortunately several Parishes where there would hardly be found five or six persons capable of expressing their thoughts tolerably in writing, and of performing the most common rules of arithmetic. From the knowledge we have, we should be inclined to think, that in our country parts, upon an average, about one fourth of the Canadian population can read tolerably; that there may be one tenth who can write their names, poorly enough in truth. In this humiliating enumeration, we comprise only the cultivators of the earth, and not persons of certain professions which require more extensive knowledge.

Although Education be but little advanced in this country, it would have been much less so, had it not been for the zeal of a good number of the gentlemen of the Clergy, who have made great exertions for the purpose of procuring Education for the children of their particular Parishes, by building School Houses and maintaining Masters. Their success would have fully corresponded with their generous exertions, if a law in force in this country had not prevented them from endowing those Schools, and thereby perpetuating the good which they commenced.

It will perhaps not be altogether foreign from the subject, to observe that the Law 41 Geo. III. has by no means contributed to improve the state of education in this Country: that Law in truth provides for the nomination and for the Salary of School Masters, but those who from their position would be in a condition to judge of the merit of the persons who solicit such places, having no part in the nomination, nor any right of superintendence, one may judge how these Schools are kept, particularly if the Masters who are put at the head of them are persons whom the bad state of their affairs has compelled to take that situation, and who consider it only as a last resource to procure a little food for their family.

Q. What are the causes which may have retarded its progress?

A. Amongst the different causes which may have retarded the progress of Education in this Province, one may consider the following as the principal:—

1st. The want of pecuniary means with a very large number of parents.

2nd. The difficulty of procuring School Masters of irreproachable morals.

3rd. Finally the want of good Elementary Schools in our country parts. The greater part of the Schoolmasters found there, particularly those established under the 41st Geo. III. are not of a kind to obtain the confidence of the country people, because as we have already said, the Gentlemen of the Clergy have no right to superintend their conduct, and they are named without the participation of the principal Inhabitants of the place.

Q. What are the most proper means to diffuse it?

A. In our humble opinion the most effectual means would be, to establish in each Parish Elementary Schools, to be under the immediate direction and superintendence of the Curate, Church Wardens and principal Members of each Congregation. The Curates having it then in their power to superintend the Schools, and to know the morals, and religious and social principles of the Masters put in charge of them, would induce their parishioners to send their children to School, and we are intimately persuaded, that with time these Schools would end in being very well attended. To establish these Schools in a fixed and permanent manner, it would be necessary for the Legislature to authorize the *Fabrique* of each Communion to acquire sufficient funds for the maintenance of those Schools. If such a law were passed one would soon see rising in all the Parishes permanent Schools, which hereafter would be endowed by the different Curates and by rich Individuals, who now make daily complaints that the obstacles are not re-

moved which prevent them from doing the good which they desire to do in respect to the elementary education of children. With Schools thus founded and endowed, a respectable Salary might be provided for the Masters, whereof the choice would be by so much the more easy as the means of subsistence to be offered them would be greater.

Q. What is the number of Scholars in that part of the Seminary of Quebec, which is called "*Le Petit Seminaire*"?

A. There are about one hundred and sixty.

Q. Could a greater number be received into the said Seminary?

A. When the repairs of the *Petit Seminaire* now commenced are completed, there could be received therein about one hundred and fifty Boarders, and as many day Scholars at the least.

Q. Why do not a larger number of Scholars request admission to study in the Seminary of Quebec?

A. That a larger number of Scholars do not request admission to our Seminary may be attributed:

1st. To the want of Elementary Schools, where young people prepare for a course of studies, and where they usually acquire a taste for them.

2nd. To the want of pecuniary means. Although the charge for boarding and lodging is small, and the Scholars pay nothing for tuition—the Seminary itself paying the Professors—nevertheless, the number of parents whose means permit them to place their children at the Seminary is small. The charge for the boarding and lodging of the Scholars is twenty pounds currency for twelve months. If they are sick, or the Seminary does not take them to where the Vacations are usually passed, a proportionate deduction is made to the parents.

The day Scholars pay one pound currency for fuel, sweeping the school rooms and bringing in the wood. With these two last articles they were charged previous to the beginning of the repairs of the *Petit Seminaire*.

3rd. To the indifference, unfortunately too general, of parents; who not having themselves any idea of education, are little inclined to confer it upon their children.

Q. Is it not essential that before being capable of admission to the Seminary, it is necessary for the Scholars to have gone through a course of elementary instruction elsewhere?

A. Before a boy be admitted to commence his course of study in our Seminary, we require that he should be able to read Latin and French, and know how to write.

Q. Would you be pleased to state to us, what is the course of studies through which scholars are put in your Seminary?

A. Our course of studies consists in teaching the French, Latin and English Tongues, Geography, Mythology and History; after these comes a course of Literature, Rhetoric and Philosophy; this last consists of Logic, Metaphysics, Morals, Natural Philosophy and Mathematics, in all their branches. Besides this our young scholars, of late years, begin, in the lower classes only, a systematic course of Arithmetic, which they continue during the following classes.

Q. What aptitude for the sciences have you observed in the youth in general, including that portion of them which studied with you?

A. We think that the Canadian Youth have as great an aptitude for the Sciences and the Fine Arts as is usually met with in the Youth of other Nations, and we believe also that we may assert without fear of violating the truth, that the greater number of the Young men who have studied in our Seminary have shewn sufficient talents to succeed, and we are proud to be able to count amongst those who exercise honorable Professions, as well in the City as in the other parts of the Province, and who distinguish themselves therein, no small number of Pupils of the House, who eminently succeeded in those courses of study.

Q. What was the Original destination of your House in respect of Education?

A. The Seminary of Quebec by its original destination, was bound only to prepare Young Ecclesiastics for Holy Orders by teaching them Theology. Besides this, it kept a small Boarding House for Scholars, who attended the Classes of the Revd. Fathers the Jesuits.

Q. What was the course of Studies followed at the College of the Revd. Fathers the Jesuits?

A. We think that it was that of the College of *Louis le Grand*.

Q. Since when, and upon what occasion, have young people been admitted to study in your Seminary?

A. It is since the Conquest, and upon the occasion of the suppression of the Revd. Fathers the Jesuits, which occurred in 1764, that the Seminary of Quebec has charged itself with the Education of the Youth, who in consequence of that suppression were deprived of every means of receiving any Education.

Q. Can you say what is the number of Scholars who have received their Education in your Seminary before and since that period, and be pleased, if it is possible, to give us a table year by year?

A. It would be altogether impossible to say what is the number of Pupils who have received their Education with us. Very long

researches could at the utmost enable us to know the number of those who have studied with us as Boarders :—But we think that the result of those researches would not afford any thing satisfactory to the Committee which does us the honor of interrogating us.

For and in the name of the Gentlemen of the Séminary of Quebec.

(Signed)

ANT. PARANT, Priest.

Sup. Sem. of Quebec.

Seminary of Quebec, 22d. Jany. 1824.

The Reverend Dr. MILLS appeared before the Committee, and was examined as follows.

Q. When were the Rules and Regulations now produced first established ?

A. The Rules and Regulations (No. 1.) were established in the year 1820, shortly after the erection of the Corporation. Those (No. 2.) which are supplementary to the former, about a twelve-month ago.

Q. Can you furnish the Committee with a List of Visitors who have accepted in consequence of the Circular annexed to the said Rules and Regulations being Addressed to them.

A. The answer to this Question will be found under the next Query, as, with one or two exceptions which it cannot be necessary to notice, the Visitors who have accepted under the Circular addressed to them by the Royal Institution are in fact the Visitors now acting.

Q. Will you also furnish the Committee with a List of the Visitors who are now acting, and also a list of the Commissioners of the said Schools appointed since the Establishment of the Royal Institution, also of the School Houses actually conveyed to the Royal Institution and those not so conveyed ?

A. School Houses conveyed to the Royal Institution.

At Kamouraska, St. Armand, St. Anne la Pocatière, Stanbridge, Port Neuf, Cap Santé, St. Roch, Côteau-du-Lac, William Henry, Point Levy, Chatham, Seigniory of Argenteuil (four School Houses) Durham, Stukely (two School Houses) La Chine, Stanstead (three School Houses) St. Marie Nouvelle-Beauce, Eaton (three School Houses) Melbourne, Terrebonne (two School

Houfes) Dorchester, Hatley (two School Houfes) St. Thomas and Maskinongé.

School Houfes not yet conveyed.

Quebec and Montreal nearly completed, Drummondville, ready for conveyance some time ago. New-Carlisle (Gaspé) and Frampton, School Houfes in progress. Three-Rivers, no School Houfe yet erected. Berthier School discontinued from November last, till the School Houfe be repaired and conveyed.

COMMISSIONERS Appointed since the Establishment of the Royal Institution.

Dorchester—Revd. W. D. Baldwin, W. Macrae, Esquire, H. Monfey, Esquire, and Mr. G. Efinhart.

Argenteuil—Revd. J. Abbott, H. Caldwell, Esquire, and J. Mure, Esquire.

New-Carlisle—(Gaspé) H. O'Hara, Esquire, Js. Sherar, Esquire, Amasa Bebee, Esquire, Robt. Sherar, Esquire, J. Caldwell, Senr. Esquire, and Revd. J. Suddard.

Lachine—Jno. Finlay, Esquire, Donald Duff, Esquire, Capt. Pierre Roy dit La Penfée, and James Somerville, Junr. Esquire.

Frampton—P. E. Desbarats, Js. Voyer and Edw. Pyke, Esqrs.

Côteau du Lac—J. Simpson, A. Grant and H. Evatt, Esquires. Berthier, Revd. J. C. Driscoll, Js. Cuthbert, Junr. Esquire and Mr. Charles Morrison.

Terrebonne—J. Oldham, M. Turgeon and C. Roy, Esquires, and Messrs. A. Dumas and F. Coyteux.

Kamouraska—Chs. Taché, T. Cazault, and T. Horsman, Esqrs.

William Henry—Revd. J. Jackson, H. Brewster, Esquire, and Mr. A. Allen.

Melbourne—Messrs. B. Heath and Simpson,

Drummondville—Revd. S. S. Wood.

St. Hilaire—Lieutenant Colonel J. B. René Hertel de Rouville, P. Byrne, Esquire, and A. Dumont, Esquire.

St. Joseph—(District of Montreal) J. McNaughton, J. McDonald, J. McFarlane and A. McNaughton.

LIST OF VISITORS NOW ACTING.

Cap Santé—G. W. Allsopp, P. Morisset, Chs. Garnaud, Frs. Rinfret dit Malouin and Jacques Marcot.

Kamouraska—Pascal Taché, Chas. Taché, and Thos. Horsman.

St. Armand and Stanbridge—Revd. J. Reid, Calvin May, and Geo. Mitchell.

Frampton—Edward Pyke, Esquire, Mr. W. Fitzgerald, and Mr. J. Ross.

St. Thomas—L. Boucher, Esquire,—Couillard, Esquire, and—Boiffeau, Junr. Esquire.

St. Roch—L. Bessé, and Edward Maffé, Esquires.

Three-Rivers—Honble. T. Coffin, Honble. M. Bell, J. Badaux, Esqr. and R. Kimbert, Esquire.

Point Levi—Revd. R. R. Burrage, Messire Maffé, Captain Augtn. Labadie, J. Davidson, Esquire, and Mr. Richd. Lilliott, Montreal—Honble. J. Richardson, Revd. J. Bethune, Revd. B. B. Stevens, S. Gerrard, Esquire, and F. W. Ermatinger, Esquire.

Argenteuil—Revd. J. Abott, C. Muir, J. Marshall Perkins, and J. S. Hutchins, Esquires.

St. Marie Nouvelle-Beauce—Honble. Col. Taschereau, C. Taschereau, Esquire, and Mr. Lehouillier.

Chatham—Revd. J. Abott.

Terrebonne—(English School) Honble. R. McKenzie, Revd. J. E. Burton, and J. Oldham, Esqr.

Do—(French School) Lieutenant Col. Michel Turgeon, Major Jos. Turgeon, J. O. Turgeon and François Coyteux.

New-Carlisle (Gaspé)—Revd. R. Knagg, R. Sherar, Esqr. Mr. W. Scott, and Mr. J. Caldwell, Senr.

Lachine—Revd. B. B. Stevens (Montreal) J. Finlay, Esquire, D. Duff, Esquire, J. Somerville, Esqr. and Captain Venant Roy dit La Pensée.

Coteau du Lac—Captain French, H. Evatt, Esquire, W. H. Cushing, Esquire, and A. Nicholl, Esquire.

Wm. Henry—Revd. J. Jackson, and Mr. A. Allen.

Stanstead—Revd. T. Johnson, (Hatley) C. Kilborn, P. Hubbard, M. Childs, J. Smith, and S. Pomeroy.

Drummondville—Lieutenant Colonel Heriot, and Revd S. S. Wood.

Melbourne—Revd. S. S. Wood, B. Heath, J. Stimson, J. B. Bromham, M. Perkins, and C. Clarke.

Dunham—Revd. C. C. Cotton, Jos. Baker, Esqr. A. Brown, J. Coatesworth, S. Cook, G. W. Stone, and J. Gilbert.

Q. Can you inform the Committee what number of Scholars have attended the Schools under the direction of the Royal Institution during the last year; the number of those who are taught gratuitously in those Schools, distinguishing Catholics and Protestants, and stating the places where the Schools are situated, and the names of the Masters?

Masters' Names.	Place.	No. of Scholars		Remarks.	
		Gratis.	That pay.		
Thomas Ansbrow,	Kamouraska,	17	17		
Jos. H. Ayer,	St. Armand,		75		
Thomas Russell,	Stanbridge,		68		
J. A. Phillipon,	St. Marie N. Beauce	26			
Charles Desroches,	Cap Santé,	10	38		
A. Vervais,	} Terrebonne,	37	1		
J. Walker,			8	17	
T. Marsden,	Quebec,	179	23		
James M'Nish,	New Carlisle (Gaspé)	Average	50		
J. A. L'Heroult,	Pointe Levi,		27		
Antoine Coté,	St. Thomas,	30	22		
John Childs,	Frampton,	47			
D. T. Jones,	La Chine,	5	33		
Selby Burns,	Three-Rivers, †	15	24		
Clement Cazeau,	St. Roch,	13	10		
William Irvine,	Coteau du Lac,		38		
W. G. Holmes,	Montreal,		150		
W. Nelson,	William Henry,	} —	—	} No report, resigned previous to the Christmas vacation.	
J. Whitcher,	Stanstead,				Average
William Power,	Drummondville,		16		
A. Woods,	Argenteuil,		No report	† since resigned.	
D. Thomas,	Melbourne,		40		
J. Dewar,	Chatham,	}		} No report.	
W. Baker,	Dunham,				
A. Wolff,	Berthier,		9		12

The above is transcribed from the Schedule transmitted to His Excellency the Governor in Chief, founded on the Reports of the different visitors previous to the issue of the Schoolmaster's Warrants to the 1st. of November last—I have no means of distinguishing between the Protestants and Roman Catholics, but the Committee will probably be enabled to judge with sufficient accuracy from the places where the schools are situated.

Q. You will be able also to furnish the Committee with a list of the Members of the Royal Institution?

TRUSTEES OF THE ROYAL INSTITUTION.

The Lieutenant Governor of Upper-Canada, for the time being.

The Honorable Sir F. N. Burton, Lieutenant Governor of Lower-Canada.

The Lord Bishop of Quebec (principal.)

The Chief Justice of Lower-Canada, for the time being.

The Chief Justice of Montreal, for the time being.

The Chief Justice of Upper-Canada, for the time being.

The Speaker of the Legislative Council of Lower-Canada.

The Speaker of the House of Assembly of Lower-Canada.

The Revd. G. J. Mountain, D. D: Archdeacon of Quebec.

The Honble. John Richardson.

The Honble. and Revd. J. Strachan, D. D.

The Honble. and Revd. Chs. Stuart, D. D.

The Honble. Chs. de St. Ours.

The Honble. John Caldwell.

The Honble. H. W. Ryland.

The Honble. L. de Salaberry.

The Honble. A. L. J. Duchesnay.

J. Stewart, Esquire.

J. T. Tachéreau, Esquire, and

A. W. Cochran, Esquire.

Q. From your experience and knowledge of the Country, can you furnish the Committee with any information on the general state of Education in the Province, the causes of its retardment, and the means of promoting it?

A. This question divides itself into three heads. First, as to the general state of Education—secondly, as to the causes of its retardment—and thirdly, as to the means of promoting it.

1st. With regard to the general state of Education in the Province, tho' no one, I imagine, will dispute that it is at a very low ebb, yet I am of opinion that it has made considerable progress within these few years, and that it is still in a regular course of advancement.—The Schools under the Royal Institution are rapidly increasing in the Townships, (fresh Deeds of conveyance from this quarter being weekly transmitted to the Board,) and, as far as this portion of the community are concerned, I certainly consider the Act 41st Geo. III. Chap. 17, as fully effectual to all the purposes for which it was intended; and notwithstanding the causes which have unfortunately operated to prevent its having its natural and proper effect in the Roman Catholic Parishes, yet applications are not wanting from these Parishes, under the highest and most respectable sanction, for the establishment of schools of Royal Foundation by virtue of the existing Law.

I have adverted to the causes which have impeded the operation of the Act 41st Geo. III. and this naturally leads.

2ndly.—To the consideration of the circumstances which have

retarded the general progress of Education in the Province. In stating my opinion upon this subject, I beg to assure the Committee, that I should never have obtruded it *unasked*, and I believe this question was not in the number of those proposed to me by the Committee when I appeared before them: As it is, I must express my clear and decided conviction (and I trust the conscientious avowal of this conviction will not give—as it is not *intended* to give, offence) that a principal bar to the diffusion of education, has been the opposition of the Roman Catholic Clergy to all the measures of the Royal Institution.—This *opposition*, or, if the term be preferred—this *non-co-operation* (for the effect is precisely the same) has been uniform and systematic, since the time that Monseigneur, the Roman Catholic Bishop, declined becoming a Member of the Board.—The name of one Solitary *curé* will be found on the list of visitors—one or two others, in the first instance, readily entered upon the task assigned them, but they were soon made sensible of their error, and had to retrace their steps in the best way they could—of the few who thought proper to notice the circular addressed to them by the Board, the answers, without stating any *specific* ground of objection or complaint, were couched in *general* terms, that, under present circumstances, they must decline taking any part in the superintendence of the schools in question—the observations, however, of one of the Roman Catholic Clergy—a gentleman of acknowledged talents, and I believe, a sincere friend to Education are worthy of remark, and I shall give them in his own words—“*Je me ferai un plaisir, même un devoir d’agir en conformité au 2e. article des réglemens, que vous avez eu la bonté de me transmettre à ce sujet, regrettant cordialement qu’il ne soit pas en mon pouvoir d’accepter la commission de visiteur avant que ces réglemens soient fixés par une Loi, qui fait l’attente des âmes sincèrement libérales, et dont, j’en suis sur, le Bureau lui même sent toute la convenance*”.

These observations lead to the consideration of the last branch of this question, as to the best means of promoting Education in the Province. Before touching upon this point, however, I beg to refer the Committee to Documents [A. & B.] herewith transmitted without a single comment, as they sufficiently speak for themselves.

3rdly. With regard to the most eligible mode of promoting Education in this Country, I am very much at a loss what to say, or even think. It is at all times far less difficult to point out an existing evil, than to devise an adequate remedy. That Protestants and Roman Catholics of all ranks—Clergy as well as

Laity, should cordially unite their efforts and their talents towards the accomplishment of so desirable an object, is a "consummation devoutly to be wished," but I fear it will be agreed on all hands, that it is hardly to be expected. What then is to be done? under the influence of prejudices, and suspicions and jealousies too deeply rooted, alas! to be easily eradicated. What steps are to be taken? The question is difficult of solution, and it would require much time and serious reflection, and much greater experience and knowledge of the Country, than can possibly be possessed by a stranger, to give any thing like a satisfactory answer. The Establishment of another Royal Institution (composed altogether of Roman Catholics with Monseigneur at their head) was spoken of some time ago, as a measure in contemplation; such a plan, I speak with all diffidence, might perhaps answer as well as any other, which could be devised. It would, at all events, leave the *general* controul of Education where I conceive it always should be, in the hands of the Government, while the *immediate* superintendence would also be, where it ought to be, in the hands of the respective Clergy:—a sentiment, in which, notwithstanding all the new-fangled theories which are growing fast into fashion amongst us, I feel assured that every conscientious *Churchman*, whether Protestant or Roman Catholic, will most cordially concur.

It must be evident, however, at the first view, that even if this Plan were feasible, it is liable to many and serious objections, amongst the foremost of which, is its manifest tendency to separate more widely and more lastingly the Roman Catholic from the Protestant Members of the Community; a separation, which cannot be too much deprecated by all, who feel, as *those ought to feel*, who are Heirs of the same *Heavenly hope*, and subjects of the same *earthly Monarch!*

(Signed) JOSEPH LANGLY MILLS, D. D.
Secretary to the Royal Institution.

RULES AND REGULATIONS

For the SCHOOLS of ROYAL FOUNDATION in the Province of Lower-Canada, under the management of the Royal Institution.

First—An uniform system to be pursued in these Schools, prescribing, as far as possible, the Books to be used, according to a list to be made for the Schools belonging to each Church, by those Trustees of the Institution, respectively, who are Members of that Church.

Secondly—The School to be under the immediate inspection of the Clergy of that Religion, which is professed by the inhabitants of the spot—or, where the inhabitants are of a mixed description, the Clergy of each Church to have the superintendence over the Children of their respective Communions.

Third—A regular superintendence of the Schools, by persons to be nominated by the Corporation, (one of whom shall be the Clergyman of the Parish or Township, as described in the preceding Rule,) who, or the major part of them, shall constitute a Committee, whose duty it shall be to report to the Corporation every Six months—one month before the time of the School-Master's Salary becoming due—the number and progress of the Scholars, the conduct of the Master and his compliance or non-compliance with the directions of the Institution, together with any deficiency which may exist in the provisions made for education upon the spot, or any irregularity in the mode of making or applying them. These Visitors shall also hold a formal Annual Examination of the School, the result of which Examination shall form part of the report regularly made to the Institution; and they shall have authority to fix the hours of attendance—the number and duration of the Vacations, and the several Holidays, which it may be proper to allow—to regulate the rates of Tuition, and to name the children to be admitted *gratis*, and those whose parents are to pay: all this being subject to the approbation of the Board.

Fourth—The School-master to enforce a regular attendance on Public Worship, or where no Church is at hand, to read such portion of the Church Service to the Children of Protestants, on Sundays, as may be judged expedient by the Institution.

Books for the Protestant Schools.—Those adopted by the “National Society for educating the poor, &c.”

Books for the Roman Catholic Schools.—*Instruction de la Jeunesse, le Catéchisme, Nouvelle Méthode pour apprendre à bien lire et bien écrire*, par J. Palaret.

SUPPLEMENTARY REGULATIONS for the Government of Schools under the management of the Royal Institution.

PRICES.

No master conducting a School under the Royal Institution, shall be allowed to decline taking one third of the number of Pupils as free Scholars, who shall be instructed in Reading, Writing and the lower branches of Arithmetic, if it shall appear that there is that proportion of children whose parents are not able to pay.

N. B. This is not to be understood to authorise the dismissal of any actual Free Scholars from Schools established, although they may bear a larger proportion to the whole than that specified above.

No master shall in any case be allowed to charge at a higher rate than four livres (3s. 4d.) per month for education in the above mentioned branches; and it shall be within the discretion of the visitors to vary the rate in the same School, according to the number of children attending who belong to the same Family, or according to the circumstances of the Parents.—The visitors shall also have the power of naming Scholars, who shall contribute nothing except their proportion of Fuel, as well as those who shall contribute in no shape to the expenses of the School.

The master shall be at liberty to exact the monthly payments in advance.

The fuel consumed in the school-room itself shall be provided by the parents.

HOURS OF ATTENDANCE AND HOLIDAYS.

The hours of School attendance shall not be less than five hours in each day, and the interval between morning and afternoon school, shall not be less than one hour. The visitors shall have the discretion of extending the number of hours to six in the summer months.

There shall not be more than one whole Holiday in each week; and if there is a whole Holiday, there shall then be no half holiday, (saving and excepting the observation of Religious Festivals by children belonging to a Communion in which such observance is received.)

The summer vacation shall not exceed one month, nor the Christmas vacation one fortnight, and the time of commencing and closing each shall be fixed by the visitors.

A task of writing, or an exercise of memory, shall be given to the children to be performed during the vacations.

LIST OR ROLL TO BE KEPT BY THE MASTER.

The master shall keep a regular Register of the Scholars, wherein shall appear in the columns of a Schedule, the date of their admission and discharge, the days of their attendance and of their absence, and the time of their successive continuance in each of the classes, into which the School may be formed.

[A]

MONSIEUR,

Vous pourrez faire savoir au Colonel Phillott, qu'il y a une place pour son fils : je vous prie de l'informer que son enfant fera tenu d'observer toutes les règles du Séminaire comme tous ceux qui y font, *excepter qu'il ne sera nullement gêné pour sa croyance dont il ne pourra pas cependant faire aucun acte public en se rendant aux Offices Divins que se font les quinze jours au maroir, par ce qu'alors cela gêneroit le règlement de la maison*; il est bon d'informer ce monsieur que la pension est de £18 15 0 par an, à payer chaque quartier d'avance et dont les parents ont usage de passer une obligation selon les règlements de la Corporation du Séminaire. La place qui est offerte vient d'être vacante par la maladie incurable d'un des enfans, qui font cette année a nombre juste de ce que l'on peut prendre au Séminaire. La nourriture de cette maison est commune, mais je crois suffisante pour les enfans qui en général ne s'en plaignent pas.

Je vous prie de me croire avec la plus haute
considération et estime,

Votre très humble

et obeis. Serviteur.

(Signed) J. O. LEPROHON, Ptr.

Nicolet, 6 Novembre 1824.

QUEBEC, 8th November 1823.

DEAR SIR,

I received by this morning's Post your favour of the 6th instant, which I lost no time in conveying to Colonel Phillott. The prohibition, expressed in your letter, to his Son's being permitted to attend the public exercise of his Religion on Sundays, is an objection insurmountable.—But it is the only objection which has prevented the young gentleman being placed at the Séminary of Nicolet.

Pray believe me to be, with respect,

Your sincere hble. Servt.

(Signed) T. TRIGGE.

Rev'd. Mr. LEPROHON, &c. &c.

[B]

ST. MARY'S, NEAR CHAMBLY, 17th October, 1823.

HONBLE. SIR,

Another great Bar has turned up to prevent schools being established in the Parish. In the month of June last, I was requested to commence an English and French School at the village of St. Mary's about nine miles from my own place. To this end Sir John Johnson subscribed and gave me a free House—This example was followed by Doctor Woods the Magistrate, Major Byrne, eight Captains of the Militia, and about sixty Canadians, who all subscribed to the amount of £35, to encourage the school. Although I had a Letter of recommendation from His Lordship the Bishop of Philadelphia to Mr. Lajuste the Parish Priest, he refused to subscribe, and when about thirty of the most respectable men in the Parish waited on him merely for his approbation, he told them in *wrath*, that he would have nothing to do with the school, by which means, and as these poor well-inclined but uneducated people attend to the example of their Parish Priest, rather than judge for themselves, they scattered as if by magic. Several of them told me that he heretofore refused administering sacrament to their children, and that he would do so, were they to send them to school.—Some of the people, who seemed very anxious for the school, now say, that they will not pay what they subscribed. The Priest has even gone so far as to make [gain] over one man, a subscriber of mine, who is going through the Parish, in order to prevent the people from sending their children to school. He also tells them if they learn English, they will afterwards go to the U. States. Is it not a heart-rending grievance to me, that, after losing nearly five months to accomplish my object here, my family may starve, owing to the prejudice of a Priest, whose desire it is to insist on the people remaining in absolute ignorance. Notwithstanding these unfavourable circumstances, I commenced three days ago, and I have only *two* pupils. In hopes that the Almighty God will exite you, and some others in power, to endeavour to make some arrangement to render myself, and others situated as I am, in some measure independent of all these difficulties.

I have the honor to be, &c. &c.

(Signed) H. HAGAN.

The Honble. Js. Cuthbert, Berthier.

We, the undernamed, certify that the facts stated in this letter are true.

G

and that the Priest has done all he could to prevent the school from being established.

(Signed) WM. WOODS, J. P.
(Signed) THOS. LEMAY, N. P. Captn. Mil.

☞ Allowance must be made for Mr. Hagan's feelings if their be any expression in the above Letter calculated to give offence. The Committee will not fail to remark, that his statement is confirmed by two persons of undoubted respectability. Mr. Hagan himself is a Roman Catholic of highly respectable character, who is personally known to the Honble. J Richardson, Lieut. Col. Evans, and other principal persons in Montreal, in whose families he has taught with entire satisfaction to his employers.

J. L. MILLS.

Mr. J. F. PERRAULT, Prothonotary of the Court of King's Bench for the District of Quebec, appeared before your Committee and was examined as follows :

Q. Can you inform the Committee what is the number of Schools established in this Province ?

A. I have no Document upon which I can found an exact calculation of the number of Schools established either in the Towns or country parts of this Province. What I can state with certainty is, that in the country parts of the District of Quebec, a part of which I pass through attending the Circuit Courts as Prothonotary, the Schools are more rare than ever ; the Royal Institution for Education having within the last year dismissed the greater part of the Masters therein who received Salaries from Government ; moreover those Schools were badly provided with Masters, and little attended by the Children ; the Masters being for the most part of doubtful character, and named by unknown persons, could not obtain the confidence of the inhabitants, and still less that of the Curates, who as the teachers of morals ought at the least to have the superintendence of establishments where moral and religious principles must be inculcated at the same time that children learn the first notions of an Elementary Education.

In truth, it is only in the Towns of the Province that a careful education can be had for children : thanks to the Seminaries of Quebec and Montreal, for males, and to the Religious Ladies of Quebec and Three-Rivers, and to the Sisters of the Congregation at Montreal, for girls. It is only lately that gratuitous Schools have been established at Quebec and Montreal, for the instruction of children whose parents are unable to pay for their instruction. Besides, those Schools cannot furnish to all the poor the instruction whereof they are in want, from the absence of pecuniary means to make the necessary buildings and pay the contingent expenses of the Schools.

One of the best means, in my opinion, to diffuse Education through the country, would be to establish central offices of Elemen-

tary Education for the present in the different Districts, who should be charged with the making establishments, as well in their respective country parts as towns, with an injunction to give to the Catholics the Rules, Books and Method adopted by them at Quebec, in the gratuitous School under the direction of the Society of Education. To the Protestants belonging to the English Church, the Rules, Books and Method adopted by the English Church; to the Presbyterians, the Rules, Books and Method adopted by them at Quebec; and in fine, to the children of different religions, the Rules, Books and Method adopted at Quebec, in the British and Canadian School, so as it is provided in the *projet*, which I was latterly charged with presenting to the Legislature of the Province, and as all this could not be executed without money, it would be necessary that the Legislature should provide therefor, either by asking that the Revenues of the Estates of the Order of the late Jesuits, specially appropriated to this object, should be applied to the same, or in some other manner. I think that three thousand pounds a year for each District would be necessary to begin with.

Q. What was the kind of education afforded by the Establishment of the Jesuits in Canada, before the Conquest?

A. There was then given in the Towns an Elementary Education, and complete courses of sciences, as well sacred as prophane, were gone through. After the Conquest, down to the suppression of that Institution, they satisfied themselves with giving a gratuitous Elementary Education. Since that suppression, I have known no other gratuitous establishment but the Seminary at Quebec and the College at Montreal. The Seminary of Quebec was destined by its Institution for the instruction of those who desired to enter into Holy Orders, and until the suppression of the Order of the Jesuits they were the only persons who studied there. It is only since that period that the youth in general are received.

The Revd. DANIEL WILKIE, Clergyman of the Church of Scotland and Teacher in this City, answered as follows:

Q. From your experience as a Teacher and knowledge of the country, can you furnish the Committee with any information on the general state of Education in the Country, the causes of its retardment and the means of promoting it?

A. I have been a Teacher in this City for about twenty years; from the experience and knowledge I have had, I consider that the state of Education in this Country is considerably lower than it might be. I can assign no other cause of this, than the want of Parish Schools in the Country parts, and that of a University in the Province. The number of Scholars now attending my School is thirty. To be admitted in my School they must be first able to read English. The Sciences taught are, the English Grammar, the French, Latin and Greek Languages, Arithmetic and Mathematics:—the rate of Tuition is £12 a year.

About the fourth or fifth part of the Scholars are Canadian boys. As far as my experience goes, I have remarked the same aptitude in the youth of this country for learning as that of the youth in Europe, having been a Teacher during five years in Scotland.

Q. What would be the beneficial effects which you would anticipate from the establishment of a University in the Province?

A. It would take a long time to detail all the advantages which might be expected from the establishment of a University in the Province; but it may be said generally, that there would be a more general diffusion of knowledge, a much greater number of persons fit to instruct others, and a greater ambition to excel in learning. Such a University should necessarily be endowed with Public Funds, in order to support the Professors and Teachers in all the different Arts and Sciences, as also to procure Apparatus and Libraries, which could not be done by the efforts of Individuals.

Q. Had your School the advantage of any support from Government?

A. My School never enjoyed any advantage of this kind, beyond that protection in which all the subjects of Government equally share. On the death of the late Mr. Tanswell, in 1819, who enjoyed a Salary for teaching classical learning, I applied to His Grace the Duke of Richmond, then Governor in Chief, to be allowed that Salary, but was answered that it was already disposed of.

Q. What is the number of young gentlemen who have been educated at your School, and what are the branches of science in which they have been taught?

A. To the first part of this question I answer, that since my establishment in Quebec, about a hundred or a hundred and twenty young gentlemen have left my School to enter upon their respective professions. This may therefore be considered as the number of young gentlemen educated in my School. There is a much greater number of pupils who from change of residence, change of opinion, and various other causes have discontinued their attendance, and left their education unfinished. The branches of learning taught at my School are, the Latin, Greek and French Languages, Arithmetic and Mathematics. I have been obliged to engage in this extraordinary multiplicity of business, on account of the want of separate Institutions and separate Professors, where and by whom these various departments of education might be individually conducted. For the same reason I have been obliged to devote part of my time to the instruction of my pupils in various minor branches, such as Geography, History, English Grammar, and several other subjects in which Instruction cannot be had separately in this Country. The want of separate Professors for the different branches of knowledge, is one of the chief causes, in my humble opinion, which contribute to retard the progress of education in this Province. The want of Classes and Institutions for conducting the subsidiary branches of Education is also severely felt. When a Teacher has his attention divided among such a multiplicity of objects, it is impossible for him to treat of them in that inte-

resting and zealous manner, which is calculated to kindle and keep alive an ardent love of knowledge in the youthful breast. The present desultory mode of conducting education in this Country is extremely laborious to the Instructor, and far from being attended with proportionate advantages to the Learner. Another evil arising from the want of any publicly authorized course of education, is, that the degree of instruction deemed necessary for any of the liberal professions depends in every instance almost entirely on the ever varying foundation of private opinion. I say nothing here of the great disadvantages we suffer from the want of suitable apparatus for illustrating natural Philosophy, Chemistry and other Sciences depending upon experiment, and without which they cannot be understood

Q. Was there any, and what number of Schools in Quebec at the time of your establishing yourself there, wherein Mathematics and the Classics were taught, and what Schools of the same description now exist in Quebec?

A. Besides the Seminary, which is a permanent establishment, the Rev. Mr. Jackson taught a School of this nature at the time of my commencement. Mr. Farnham and the Rev. Mr. Spratt subsequently opened Schools of this description. At present, the most frequented School of this kind, is conducted by the Revd. Mr. Burrage.

The Revd. Mr. BURRAGE, Master of the Royal Grammar School established in Quebec, at present under the direction of the Royal Institution, answered as follows:

Q. What is the number of Scholars in your School, as well Catholics as Protestants?

A. The number of Scholars on the foundation is limited to twenty. The number of actual Scholars is about fifty, of which about eighteen are on the foundation. There have been two or three Catholics on the foundation. Of those not on the foundation there have been a few.

Q. Who appoints the Scholars on the foundation?

A. They are recommended by the Royal Institution, and the Governor appoints them.

Q. What is the rate of Tuition in your School?

A. Twelve pounds a year for Classics and Mathematics, and two pounds for Writing and Arithmetic.

Q. Can you furnish the Committee with a List of your actual Scholars?

A. Yes, I can furnish the Committee with a List of the whole.

Q. Do the Regulations of the Royal Institution for the government of Schools in respect to religion, apply to your School?

A. I am a Clergyman of the Church of England, and teach in my School the Catechism of that Church to the Children who belong to the Church of England—with respect to the Catholic Children, they are left to attend the Catechism of their own Church.

Quebec, 14th January 1824.

SIR,

In compliance with your request, I send you a List of the Scholars in the Royal Grammar School at Québec, with a few observations that have occurred to me on the subject of Education in the Province.

Of the causes that have retarded Education in the Province, one of the principal I consider, to be either the inability or the unwillingness of parents in general, to bear the expenses necessarily connected with it. Trifling as they are in those Parishes, in which Free Schools are established, many find them too great for their very slender incomes, whilst others from their love of money and the little idea which they have of the value and importance of Education, do not choose to incur them. A poor man who resides at Pointe Levi called on me a few weeks ago, who told me he had received from the Parish School Master an account of 6s. 3d., for one month's Education of two Children. The Master had his complement of free Scholars. He said that he could not pay the money, and observed, that if his children could not be instructed *gratis*, they must go without instruction. This is the case with great numbers, I have no doubt, in the several Parishes, and how it is to be obviated it is perhaps difficult to tell. It cannot be expected that the Masters of the Schools, with the small Salaries which they receive, should educate gratuitously all that may be sent to them, yet it appears that if they do not educate a very considerable proportion in this way, many of the children must go without education. If the Government cannot afford to make the Masters' Salaries greater than they now are, the evil must continue until, from the gradual improvement and prosperity of the country, parents in general will be better able to do without such assistance.

Another cause of the slow progress of Education, is, that amongst those who are well able to bear the expenses of it, there exists not a proper idea of its value and importance. Hence they either do not send their children to School at all, or if they do, with little regard to regularity and punctuality in attendance. This I can speak from my own experience, is a matter of great moment, and seldom considered in its true light. The want of regular and punctual attendance must ever retard the progress of pupils in any School. The Master at Pointe Levi seldom has present more than half of his actual Scholars, nor is he able to enforce a more regular attendance. If the parents choose to be careless about the education of their children, who is to make them otherwise? Advice may be given, and no doubt has been given in numberless instances, but it must ever remain with them to follow or to neglect that advice—whilst on this head, I may observe, that if such be the indifference amongst parents about education, and their carelessness in sending children to School, it cannot be supposed that they have any very great idea of the necessity of private reading or study; but the latter is

almost as necessary as attending School. If private application in some degree be not added to the public instructions of the Master, the progress of Pupils will in spite of all his efforts be very slow. In England the necessity of this is known by all and acted upon; but from the system of indulgence that pervades all classes of society in this Country, it too often happens that Education is made only a secondary consideration; amusements of any kind are allowed to occupy many of those hours that ought to be devoted to study, and thus the pupils are prevented from receiving the full benefit which their Schools are calculated to impart.

Schools in the country, I should think, have been all along very imperfectly supplied with Books, if so, this must have operated very materially in retarding education. Masters who have little else than a small salary to depend on are unwilling, and parents are either unwilling or unable, to purchase the books that are necessary for their childrens' progress; hence they depend upon any books which they may by chance have or be able at little or no expense to procure. But that Education may go on well, and that the Scholars may make the best use of their time, it is above all things necessary that the same books should be used throughout the School, and that each boy should have his own supply. From a want of proper attention to this important point, the Master's labour is very often unprofitably increased, and the pupils progress greatly retarded.

It cannot be denied that before the Royal Institution was established, many persons who held Schools were incompetent to the task of Instruction. That body is now very particular in enquiring into the qualifications of Applicants, and appoints none but such as bring satisfactory testimonials both as to character and competency. This mode of proceeding must be attended with the happiest results to the country, and if Education should not make a quicker progress under the more favorable circumstances that now exist, the fault will be entirely chargeable upon the people themselves. The Royal Institution is, I believe, disposed to afford every facility, and such regard have they to circumstances that invariably where the population is either altogether or principally French, a French Master is appointed to the School.

What I have observed, I have meant chiefly to apply to Catholic Parishes, but there is one thing as regards them not yet noticed, which perhaps will outweigh every other consideration, as a cause of the slow progress of education in those parts of the country. I am aware that I and your Committee shall essentially differ in opinion on this point, but as I consider you will be pleased only as I conscientiously deliver my sentiments on the subject submitted to my consideration, I cannot overlook what in my estimation has so material an effect in producing the thing complained of; I allude to the little encouragement that is given to existing Schools by the Romish Priests in their respective Parishes; from whatever motive it may proceed, I cannot help considering this circumstance as the main actual impediment to Education amongst

the Catholic population, and whilst men who, from the influence which they possess over their respective flocks, have so much power to enforce the education of children, shall think proper to withhold their countenance and support from the Schools that are established in their Parishes, the progress of education will unavoidably be slow, and the endeavors of the Royal Institution to promote it in those Parishes, at least will be comparatively ineffectual. Could the Catholic Clergy on the contrary, be prevailed upon to give their cordial encouragement and support to the Schools that exist among them, to take upon themselves the task of Visitors as requested by the Royal Institution, to enquire occasionally into the progress of the Scholars, and to excite those parents that are careless to a greater attention to the education of their children; I feel convinced that the face of things so far as regards Schools, would soon be changed, as force would then be given to the Resolutions of the Royal Institution, Education would necessarily advance, and the people become gradually more enlightened. I would observe further, as another very material cause in retarding education in Catholic Parishes, that the system hitherto pursued in their Schools is very defective. Something should be admitted besides learning the Catechism and singing a few Psalms. You will not, I trust, suppose that I wish to undervalue those exercises, but I wish to state that until a more liberal system shall be introduced, a system which by making the Scholars' reading more general, shall more fully expand the powers of the mind, the information acquired will be very limited, and the man's sphere of usefulness will be very much contracted. A system that would encourage the acquisition of general information, would serve the cause of education much more than the confined mode now in use in Catholic Schools, as it is only by free discussion on matters of general importance that the mind of man is materially enlightened and improved. On these two last heads, it is probable that you and I differ in opinion; I can only say that in what I have observed, I have given you my conscientious conviction and belief.

As regards Townships, I consider that education is going on in them as fast as the peculiar circumstances of the people will admit. In those places there are causes operating against it, which no legislative interference could wholly remove; it might help to obviate them a little, but in a great measure they must be left to remedy themselves. The poverty of the people, their distance from each other, the difficulty of communication from the bad state of the roads, must operate much against a regular attendance of their children at School. New Settlers are so very poor, that as soon as their children have any strength to be of service to them, they require their assistance towards their common support. In this situation of course they can spare but little for the education of their children, although the anxiety which the Eastern Township people express for education, and the sacrifices which they make to procure it for their children, are among the most marked characteristics of that population. Under these circumstances, the Legislature perhaps might extend them some relief, but of that it must be left to their wisdom alone

to decide, whilst these causes continue, and continue I fear they must for a great number of years, the progress of education will necessarily be slow in the Townships; as the people shall arise into comparative wealth, and by their industry and perseverance shall have in part overcome those obstacles, that now in frightful array oppose themselves to new Settlers, education will receive more of their attention, and as is the custom in Country Parishes in England, they will willingly spare something from their own gains for the improvement of their children. Such are some of the causes that retard education in new Settlements, very different in most respects from those that retard it in Catholic Parishes that have been long established. In those, the difficulties of first settlement have been long overcome; the parents for the most part are well able, if they were but willing to bear the trifling expenses connected with the education of their children; it must therefore be owing principally to the operation of other causes, to those which I have before mentioned, that amongst them education has progressed so slowly. As to the best means of promoting it, I know no better methods than those which have been adopted by the Royal Institution, if the Catholic Clergy could be prevailed upon cordially to co-operate with that Society. There is a general disinclination amongst those Gentlemen, to comply with the wishes of that Body. I have nothing to do with the motive from which it proceeds, but that it does exist is most certain, and so long as it shall, education will make little or no progress in their Parishes. This is the more to be lamented, because the Catholic Clergy living invariably on their Cures and possessing so much influence amongst their Congregations, have it so much in their power to enforce the Resolutions of the Royal Institution. In all concerns of any public moment much must be done by individual exertions, and if those individual exertions are withheld, the resolutions of any body of men must fall far short of their just and intended effect. If the Parishes were allowed to appoint their own Schoolmasters, it is more than probable that the Schools would not be so well supplied as they are at present. The mode of appointing Visitors in each Parish, to superintend the general concerns of the School, is a very excellent one, and if all the Gentlemen so appointed, could be prevailed upon to act as they are requested, complaints of the slow progress of education would gradually diminish, and the whole country, as well as the House of Assembly, would have reason to be satisfied with the exertions and proceedings of the Royal Institution. It has always appeared to me, that Schools are too thinly scattered; that they are not sufficiently numerous for the Country Parishes; allowing each Parish to be three leagues in length and several Concessions in depth, what is one School for such an extent of country? Did not the distance prevent many from attending Schools, the Master would be unable to do the duty required of him. It would therefore, I think, be an excellent mode of encouraging education, to establish at proper distances two Schools in a Parish, in which the population and the extent seem to demand them. It like-

wise appears to me that the Salaries which are allowed to Schoolmasters are too small to support them, particularly if they have families, with that decency and independence which ought always to belong to the situation. If people see Teachers in indigent circumstances, they are apt to undervalue education, seeing that it has not placed them in a situation better than their own; whereas to be so provided for as to be able to command respect from the Inhabitants, would be one great means of extending their utility.

School-houses ought to be provided by the Parishes or by Government in as central situations as possible.—The Masters with the small Salaries which they receive cannot afford any very material deduction for House Rent.—It would I think be of great service to pay particular attention to this point.—As the want of proper and necessary Books has been found so material a cause in retarding Education, it would be well perhaps for the House of Assembly to consider whether they could not do something for the Country in this respect.—They might order the publication of several thousand Copies of Elementary Books which should be selected as proper for Country Schools, and the distribution of them where they are most wanted, would serve the cause of Education very much.—Directions could be given to the different Masters to distribute them very cautiously, to see that proper care is taken of them, to get, in what instances they can, the publication price of the book, and once a year to transmit the money to the Secretary of the Royal Institution. I am inclined to lay particular stress on this as a matter of great moment, because the last time I examined the Scholars of the Pointe Levi School, I saw only one book of Arithmetic and one for repetitions and lessons in reading. How ten twelve or more boys could advance in their Education with such a lamentable deficiency of School-books, I cannot conceive; and if this is the case so near Town, what must it be in distant Parishes? If Parents find so much difficulty in paying the money which the Master is allowed to exact, they would find still more difficulty in paying the Expenses of books. This they certainly do, and in this very important point, the Legislature, if it saw proper, could be of great service to the Country. I would advise that each Master, certainly for a Parish that is English or principally so, should be obliged before he goes to his destination to attend at the National School at Quebec so long as is necessary for him to gain a correct idea of the system of Education pursued there, and that he be directed to practise it so far as he is able in his own School. In all Charity Schools in England that system is used, and from its well known excellence it is not necessary here to say any thing in its praise. Sunday Schools are very excellent and useful and they might be established in all Parishes principally for the benefit and instruction of those children whose parents cannot spare them during the week. Masters of Schools in Parishes in which no Clergyman officiates, are directed by the Royal Institution to read every Sunday morning a prescribed portion of the Liturgy and a printed Sermon, a practice from which very considerable

benefit may be expected to result. Many other Rules have been drawn up at different times, as may be seen by a reference to their printed papers, the observance of which cannot but be attended with the happiest effects, both as to the Education and the morals of the people—indeed I feel myself incapable of proposing any improvement upon the measures that have been pursued by the Royal Institution, and in what I have observed I must confess I see little that can come under the cognizance of the House of Assembly. I have to lament that my constant occupation in the duties of my profession, and the little knowledge which I thereby have of the Country and its Establishments, make me but ill qualified to solve the questions which you were pleased to propose to me, if however any light has been thrown upon the real causes that have retarded what is of such essential service to the happiness and prosperity of any Country, I shall feel most happy in the reflection that you condescended to apply to me for my opinion.

I have the honor to be

Sir,

Your most obedient and humble Servant,

(Signed) R. R. BURRAGE.

To

L. LAGUEUX, Esquire,
Chairman of the Committee for Education.

A List of Scholars in the Royal Grammar School at Quebec.
January 1824.

THOSE WHO PAY.

Mast. Henry Sewell,	Antoine Vanfelson,
James Sewell,	Richd. East,
Montague Sewell,	Henry Symes,
George Durnford,	Wm. Darling,
John Durnford,	Richd. Reid,
Viney Durnford,	Chs. Smith,
Richard Hale,	Maurice Chaplin,
William Hale,	James Franklin,
George Hale,	John Satterthwaite,
John Atkins,	Fredk. Snelling,
George Harvey,	Winckworth Tremain,
John Harvey,	Stott Wilson,
Edwd. Montizambert,	Henry Blackstone,
Chs. Montizambert,	Henry Brehaut,
Geo. Montizambert,	Geo. M'Donald,
Geo. Vanfelson,	Geo. Grasset.

ON THE FOUNDATION.

Wm. Marsden,	George Allsopp,
John Maxham,	Jams. M'Donald,
William Aylwin,	John Von Exter,
Chs. Aylwin,	John Birch,
Edwd. Poston,	George Coulson,
Richd. Henderson,	Alexander Finch,
Geo. Dickinson,	Mumio Ross,
Michl. Pearson,	— M'Namara,
Joseph Brent,	— Grasett,
James Dick,	— Vanière.

Since the Establishment of the School in 1816, there have been 11 Catholics in it including four who are at present Pupils. The two Sons of Mr. Vanfelson, M'Namara and Vanière.

(Signed)

R. R. BURRAGE.

19th January 1824.

Mr. JEAN BAPTISTE CORBIN, appeared before your Committee and gave the following information.

I have during eighteen years kept a Public School at Quebec—I had upon an average annually thirty-six Scholars of whom few were Protestants—I have ceased to keep School since 1816, perceiving that from want of means the Parents of the children who came to my School took them away generally after two years of tuition. I taught them to read and write and enough of arithmetic to enable them to transact their own business in life ; a small number however learned the principles of English and French Grammar.—I have remarked that the youth of this Country have a great aptitude for the sciences generally, but want of means rendered these happy capacities of no avail. The present state of Education in this Country is very far from what it ought to be, and I attribute this defect to the want of public institutions for Education. The Act of the 41st Geo. III. for the establishment of Schools of Royal Foundation, owes the smallness of its success solely to the want of confidence on the part of the Inhabitants of the Country in the Schoolmasters who have been given them, as the Inhabitants have neither the nomination of those masters nor the superintendence over their conduct and modes of instruction.

I have always understood by tradition that before the conquest of this Country there was no other public Institution for the Education of youth but that of the Jesuits. In their College at Quebec an elementary Education was given to the youth, and the sciences in general were also taught there. This lasted until the suppression of the order. During its existence there was received at the Seminary of Quebec only that portion of the youth which was destined for the Ecclesiastical state and those even completed their course of studies at the Jesuits College ; it is only since the suppression of the order that youth in general are admitted to the Seminary of Quebec, although the Seminary according to its institution was originally destined to teach Theology alone.

APPENDIX [B.]

EXTRACT of the Book B. intituled, "Proceedings of the Commissioners on the Jesuits' Estates."

QUEBEC, 19th November 1787.

At a meeting of the following Persons nominated as Commissioners for investigating the value &c. of the Jesuits' Estates in the Province of Quebec, held in consequence of an Order of Minute

of Council of 1st. November Instant directed to Mr. Chandler, to ascertain the charge and Expence that may attend the said Investigation.

PRESENT.

Kenelm Chandler,
Thomas Scott,
John Coffin, Senr.
George Lawe.*

We the above mentioned Persons nominated Commissioners for the Jesuits' Estates in this Province, having taken into consideration the Minute of Council of 1st. November, requiring of Mr. Chandler an Estimate of the charge and Expence attending the said business. We desire to represent to Mr. Chandler for the information of His Excellency the Governor and Council. That so far as we can judge the Investigation of the said Estates of the Jesuits will be attended with very considerable Expence, the amount of which at present we are unable to ascertain and can only enumerate upon what heads it will arise.

viz :

Surveying the Lands &c.

A Clerk.

Travelling Expences.

Expences attending collecting Papers and examining Public Records

Law opinions—Postage and Publications.

An Office for meeting to transact the Business, and its Contingencies.

And the said nominated Commissioners represented, that for themselves they expect to receive the same allowance as is usually made to Commissioners appointed for dividing Crown Lands in England.

(Signed) K. Chandler,
Thos. Scott,

Jno. Coffin,
Geo. Lawe.

MONTREAL, 26th November 1787.

At a meeting of the following Persons nominated as Commissioners for investigating the extent, value &c. of the Jesuits' Es-

* Mr. Paschereau accepts, but is absent on his private affairs.

* Mr. Descheneaux has declined on account of his ill state of health.

tates in the Province of Quebec, held in consequence of an Order of Council of the first of November Instant directed to Mr. Chandler, to ascertain the Charge and Expence that may attend the said Investigation.

PRESENT.

James McGill,
J. B. M. H. de Rouville, Junr.
Quinson De St. Ours.

We the above mentioned Persons nominated Commissioners for the Jesuits' Estates in this Province having taken into consideration the Minute of Council of first of November, requiring of Mr. Chandler an Estimate of the Charge and Expence attending the said Business. We desire to represent to Mr. Chandler for the information of His Excellency the Governor and Council, that so far as we can judge the investigation of the said Estates of the Jesuits will be attended with very considerable Expence, the amount of which at present we are unable to ascertain, and can only enumerate upon what heads it will probably arise.—viz :

Surveying the Lands &c.

A Clerk.

Travelling Expences.

Expences attending collecting of Papers and examining Public Records.

Law Opinions.

Postage and Publications.

An Office for meeting and transacting the Business, and its Contingencies.

And the said nominated Commissioners represent that for themselves they expect to receive the same allowance as it usually made to Commissioners appointed for dividing Crown Lands in England.

(Signed) James McGill,
J. B. M. Hertel de Rouville,
Quinson de St. Ours,

(True Copy.)

WEDNESDAY, QUEBEC 23d. Jany. 1788.

At a meeting of the Commissioners held at Mr. Chandler's for investigating the extent, value &c. of the Jesuits' Estates, Order-

ed and appointed by Commission from His Excellency Lord Dorchester, bearing date the 29th December 1787.

PRESENT.

Kenelm Chandler—President.
 Thomas Scott,
 John Coffin,
 Gabriel Elzeard Taschereau,
 Jean Antoine Panet,
 George Lawe, and
 James McGill, Esquires.

The Commission being read and it being moved by Mr. Panet; that a Secretary be appointed: It is unanimously agreed that Henry Anthony Genet, be, and is hereby appointed, Secretary to the Commission with the allowance of five shillings sterling *per diem* commencing from this day.

Mr. Panet moved, that a separate Book be kept for entering the Proceedings of the Commissioners.

It is the opinion of the Majority of the Members, that the Book marked B. intituled, "Proceedings of the Commissioners on the Jesuits' Estates," already opened is sufficient for as much as they are considered making part of the whole.

Ordered, That the Commission be entered.

COPY OF THE SAID COMMISSION.

George The Third &c.
 Indorsement.

Patent or Commission of investigation respecting the Jesuits' Estates pursuant to the King's Order in Council of the eighteenth of August 1786 on Lord Amherst's Petition.

Fiat

Recorded in the Office of Enrollments at Quebec, the 7th day of January 1788, in the Third Register of Letters Patent and Commissions—Folio 186.

(Signed) GEO. POWNALL,
 Secretary.

The Commissioners represented the necessity of being provided with an office, Mr. Chandler offered them a room in his house which was unanimously accepted.

Resolved, That a certified copy of the commission be sent to the Commissioners at Montreal, viz: Quinson de St. Ours, and Jean Hertel de Rouville, Esquires, desiring them to attend at the

Commissioners' office at Quebec as soon as it may be convenient, a copy whereof was given to Mr. McGill to forward.

Messieurs Panet and Taschereau, moved to have certified copies of the Commission which was agreed to.

Resolved, That a letter be wrote to the superior of the Jesuits in the following tenor.

QUEBEC, 23d January 1788.

Reverend Fathers,

His Majesty liaving been pleased by Letters Patent under the Great Seal of the Province, bearing date the twenty ninth of December last, to appoint us Commissioners for the purpose of reporting upon the Lands and Estates, held, possessed and claimed by the order of Jesuits in this Province, conformable to the said Letters Patent, which Messrs. Scott, Taschereau, Panet and McGill will exhibit to you, we request you will be pleased to communicate to the Commissioners the Titles of the said Lands and Estates, to allow copies of them to be taken and give them any further information in your power, in order to our making a true and faithful report.

We are most respectfully

Reverend Fathers

Your most humble and most

Obedient Servants

(Signed,) K. Chandler,
T. Scott,
John Coffin,
G. Taschereau,
J. A. Panet,
George Lawe,
James McGill.

To the Reverend Fathers, De Glapion, }
Superior, and other Jesuits in the Pro-
vince of Quebec. }

Adjourned to Saturday the 26th January at 10 o'Clock A. M.

(Signed) K. Chandler, J. A. Panet,
Thos. Scott, Geo. Lawe,
John Coffin, James McGill,
G. Taschereau, I

SATURDAY, QUEBEC 26th JANUARY 1788.

At a meeting of the Commissioners held at Mr. Chandler's agreeable to adjournment.

PRESENT,

Kenelm Chandler, Esqr. President.	Gabriel E. Taschereau,
Thomas Scott,	Jean A. Panet, and
John Coffin,	George Lawe, Esquires.

It being proposed by Mr. Taschereau, that the Secretary should be sworn to a faithful discharge of his duty—unanimously agreed—and was sworn in accordingly before Thomas Scott, John Coffin, Gabriel E. Taschereau and George Lawe, Esquires, Commissioners of the Peace, and took the following oath:—

I, Henry Anthony Genet do swear that I will faithfully discharge my duty as Secretary to the Commission for investigating the Lands and Estates held and possessed by the Jesuits in the Province of Quebec, and that I will not give or suffer to be taken by others any copy or copies of the proceedings of the said commissioners without consent of the Board.

(Signed) H. A. Genet, Secy.

Sworn before us this 26th day of January 1788.

Signed	Thos. Scott,	G. Taschereau,
	Jno, Coffin,	Geo. Lawe. C. P.

Messieurs Scott, Taschereau and Panet, reported to the Board of Commissioners, that on the 23rd Instant, they with Mr. McGill delivered the foregoing letter translated into French at the Jesuits' College, and that the said Commissioners on the 24th waited on the Reverend Fathers the Jesuits at their College, that having exhibited the Commission to father De Glapion Superior, and father Casot, Procureur, received for answer thereto, that they will give their plans and Titles upon receipt being given by a Notary Public, chosen by the Commissioners for the return thereof, and will furnish every other information in their power relative to the Commission.

Mr. Panet moved that a Notary and Surveyor be chosen and employed to receive from the Jesuits, on their receipts, the Titles and Plans which they have promised to Communicate and to take authentic Copies thereof, which Notary and Surveyor will be necessary for other operations relative to the Commission, and that

agreement be made with them for their fees, previous to their being employed.

Unanimously agreed, and, that John Collins Esquire, Deputy Surveyor General and Charles Voyer Esquire, Notary, be sent for and consulted with, in order to carry the same into execution.

Mr. Collins attended the Board and represented that he could give no answer to what was proposed to him relative to surveying the Lands and Estates 'till he had spoken to His Excellency Lord Dorchester.

Adjourned to Wednesday 30th Jany. 1788—10 o'Clock, A. M.

(Signed)	K. Chandler	G. Taschereau,
	Thos. Scott,	J. A. Panet,
	Jno. Coffin,	Geo. Lawe,

WEDNESDAY, QUEBEC, 30th January 1788.

At a Meeting of the Commissioners held at Mr. Chandler's agreeable to adjournment.

PRESENT :

Kenelm Chandler, Esquire—President.
 Thomas Scott,
 John Coffin,
 Gabriel E. Taschereau,
 Jean Ant. Panet, and
 George Lawe, Esquires.

Mr. Charles Voyer, Notary Public, attended the Board, it was proposed to employ him in his profession in the business of the Commission upon the following terms, he consenting thereto.

First.—To attend as often as shall be required on the Jesuits at their College, to ask and receive from them the original Titles, taking a list thereof, to give receipts obliging himself to return them at a fixed period therein prescribed, to make authentic copies of those Titles, certified in his Notarial capacity; to return them and receive others, and so on, till the whole shall be completed; to produce the originals with the copies to be verified by the Commissioners before they are returned to the Jesuits.

Question—At what rate shall the Notary be paid for those copies which are to be correct and wrote?

Four-pence currency for every hundred words, without exacting any other Fee or payment for any attendance or trouble, resulting therefrom.

Second—To make a Rent Roll of the Estates of the said Jesuits, whether by Seignior, Villeinage, Town or Country. The working hours during the winter shall commence from eight o'clock in the morning till five in the evening, allowing two hours for dinner ; and during the Summer from seven in the morning till seven in the evening except two hours allowed for dinner.—The said Notary shall work under the direction of one or more of the Commissioners, exclusive of the hours prescribed when the nature of the case may require any extraordinary work or dispatch he shall be obliged to perform the same.

Question—At what rate shall the Notary be paid *per diem* without exacting any other pay except for his diet, lodging and calesh hire, the Books for the Rent Rolls to be found him ?

Ten shillings currency *per diem*.

(Signed)

CHS. VOYER,
Nre. Public.

Resolved, That Mr. Taschereau attended by Mr. Voyer, do apply at the Jesuits College to-morrow morning to receive such Titles as may be obtained, in order to begin the prosecution of the investigation.

Adjourned to Saturday the 2d Feby 1788 at 10 o'clock, A. M.

(Signed)	K. Chandler,	G. Taschereau,
	Thos. Scott,	J. A. Panet,
	Jno. Coffin,	Geo. Lawe,

SATURDAY, QUEBEC, 2d Feby. 1788.

At a meeting of the Commissioners held at Mr. Chandler's agreeable to adjournment.

Present,

Kenelm Chandler, Esquire—President.
Thomas Scott,
John Coffin,
Gabriel E. Taschereau,
Jean A. Panet, and
George Lawe, Esquires.

Mr. Taschereau laid before the Board certain papers with a Book delivered to him by the Reverend Fathers the Jesuits containing originals and copies of part of their Titles.

Resolved, That the Notary be directed to take copies of the original papers, and that the applications be made by Mr. Taschereau to the public records, for all such original grants, deeds, and other papers relative to the estates held and claimed by the Jesuits in this Province.

Resolved, That a letter be wrote to Mr. McCarthy, Surveyor at St. Thomas, requesting him to attend the Board as soon as convenient.

Adjourned to Wednesday 6th Feby. 1788. A. M.

(Signed) K. Chandler, G. Taschereau,
Thos. Scott, J. A. Panet,
Jno. Coffin, Geo. Lawe,

SATURDAY, QUEBEC, 9th Feby. 1788.

At a Meeting of the Commissioners held at Mr. Chandler's.

PRESENT.

Kenelm Chandler, Esquire, President,
Thomas Scott, John Coffin,
Gabriel E. Taschereau, Jean A. Panet,
George Lawe, James McGill,
Quinon De St. Ours and Jean H. De Rouville, Esqrs.

The Board taking into consideration the necessity of one, two, or more Commissioners being constantly employed in examining the Titles which the Jesuits may think proper to communicate, and also to procure from the Public Records such Titles as they may not produce—And further to put those Titles in proper order, as also to prepare instructive reports from thence in order to be from time to time laid before this Board—upon motion ;—

It is resolved that two Commissioners be named for the above purposes, and in consequence Gabriel Elzeard Taschereau and Thomas Scott, Esquires, are hereby nominated to carry the foregoing opinion into execution.

Resolved, also, that if the said Gabriel Elzeard Taschereau and Thomas Scott, Esquires, should meet with any obstacles or ordinary difficulties in the course of their examination, they report the same to the President, that he may in consequence call a full Board—and that a copy of this minute be given them accordingly.

(Signed)

K. Chandler, Geo. Lawe,
Thos. Scott, James McGill,
Jno. Coffin, Quinon De St. Ours,
G. Taschereau, J. B. Hertel de Rouville,
J. A. Panet,

THURSDAY, QUEBEC, 14th Feby. 1788.

At a Meeting of the Commissioners held at Mr. Chandler's.

PRESENT,

Kenelm Chandler, Esqr.	President,
Thomas Scott,	John Coffin,
Gabriel E. Taschereau,	Jean A. Panet,
George Law,	James McGill,
James McGill,	Quinson de St. Ours and
Jean Hertel de Rouville,	Esquires.

Mr. McCarthy attended the Board in conformity to the minute of the 2d instant, when it was proposed to him that so long as he shall be employed in copying Plans and surveying in Town he shall be paid at the rate of thirteen shillings currency *per diem* including his maintenance, and when employed on Seigniories in the Country to be paid at the rate of ten shillings *per diem* besides diet, lodging and Calesh hire. Stationary to be provided for him.

It is agreed that Mr. McCarthy's time shall commence from the 10th instant inclusive the day which he left his own house to attend this Board.

Agreed to the foregoing proposals,

(Signed)

J. McCARTHY.

Captain de Rouville and Monsieur de St. Ours, two of the Commissioners from Montreal, being desirous of returning and seeing that the general arrangements for collecting and arranging titles and other papers, as also plans of the different possessions of the Jesuits within the District of Quebec being made—Mr. McGill moves that Messrs. De Rouville and De St. Ours be instructed and empowered in the same manner as Messieurs Scott and Taschereau by minute of the 9th instant to proceed in the the District of Montreal—for which purpose, that the Secretary be ordered to furnish them with a Copy of said minute, also of imnute of this day touching a Surveyor with copy of this motion and resolve that may be made thereon.

The above motion passed in the affirmative.

The Board taking into consideration that two of the Members are on the eve of their departure for Montreal; that it is proper whilst all the Members are present to consider of the best means of measuring, and making up a Rent Roll of, the Estates and possessions of the Jesuits, which business will probably commence ear-

ly in the next month—It is the unanimous opinion of this Board that Messrs. Taschereau, Scott and Lawe will be the proper persons to carry on that operation in the District of Quebec, and Messrs. McGill, De Rouville and De St. Ours in the District of Montreal.

But as it may happen that one of the Members shall be absent at times; It is further agreed that any two of the then named for the separate Districts may proceed as if the three were present in their respective Districts.

Mr. De St. Ours moved that a letter similar to that sent to the Jesuits at Quebec on the 23d of January be wrote to Père Welle at Montreal, to furnish the Titles and Plans belonging to the Jesuit's Estates in that District, and that the Letter be signed by the President and Members of the Board.

Agreed, and the letter wrote accordingly.

(Signed)	K. Chandler,	Geo. Lawe,
	Thos. Scott,	Quinson De St. Ours,
	Jno. Coffin,	James McGill,
	G. E. Taschereau,	J. B. Hertel De Rouville,
	J. A. Panet,	

MONDAY, QUEBEC, 17th March 1788.

At a meeting of the Commissioners held at Mr. Chandler's.

PRESENT,

Kenelm Chandler, Esquire, President,
 John Coffin, J. A. Panet,
 George Lawe and G. E. Taschereau, Esquires.

Mr. Scott's indisposition preventing his attendance at the Board, Mr Taschereau laid before them, the report on the objects of enquiry committed to them, consisting of the several copies of the Plans, Titles, Deeds, &c. therein mentioned, in consequence of a Resolution bearing date the 9th February last.

The above report being delivered in French, ordered that the same be translated by a Sworn Interpreter to be employed by the President.

Motion by Mr. Taschereau,

As it is the duty of the Commission to ascertain the value of the Estates lately belonging to the Jesuits, and that the Commissioners should take every means according to Law for this purpose, it will be proper that application should be made to Lord Dorchester to issue a Proclamation enjoining the tenants and farm-

ers of the Fiefs and Seignories in the foregoing Report, to exhibit their Titles and Papers before a Notary in presence of two of the Commissioners who may require them. The obligation of their rights, duties, charges, Seigniorial rents, for which they are accountable by the Tenure of their Lands towards the Manor of each of the above Seignories, and ordering further to all Proprietors of Lands and real Estates owing ground rents, or rents due by Mortgage, to declare the same to the above Commissioners when required.

Resolved, upon motion, that Messrs. Chandler, Coffin and Panet do wait on His Lordship with a letter from the Board, requesting he will be pleased to issue a Proclamation to the above effect.

Adjourned 'till to-morrow at 4 o'Clock, P. M. to sign the letter to Lord Dorchester.

(Signed) K. Chandler,
 Jno. Coffin, Geo. Lawe,
 J. A. Panet, G. Taschereau,

TUESDAY, QUEBEC, 18th March 1788.

At a Meeting of the Commissioners held at Mr. Chandler's agreeable to adjournment.

PRESENT,

Kenelm Chandler, Esquire—President.
 John Coffin,
 J. A. Panet,
 Gabriel E. Taschereau, and
 George Lawe, Esquires,

Mr. Panet laid on the table the sketch of a Proclamation and proposed to write the before mentioned letter, which he conceives to be a Provisional Report to his Lordship.

Resolved, That the same be postponed on account of His Lordship's indisposition.

(Signed) K. Chandler, Geo. Lawe,
 Jno. Coffin, G. Taschereau,
 J. A. Panet,

MONDAY, QUEBEC, 31st March 1788.

At a meeting of the Commissioners held at Mr. Chandler's.

Present,

Kenelm Chandler, Esquire—President.
 Thomas Scott,
 John Coffin, and
 George Lawe, Esquires,

Mr. Chandler laid before the Board the following letter from the Commissioners at Montreal for their consideration, and requested their opinion thereon.

MONTREAL, 26th March 1788.

SIR,—Finding the Reverend Father Welle, Jesuit, unwilling to give us the information which we consider requisite in order to the fulfilling the objects of the Commission, in which with you and others we are appointed to act, relative to the Property of the Jesuits in this District, in compliance with the resolution of the Commissioners of 9th February last: we conceive it proper to acquaint you thereof, and further to suggest to you the measures which to us appear necessary to be adopted. For this purpose it is proper we should mention that the Reverend Father has thought proper to refuse every paper relative to the Jesuits' Estates in this District, except an authenticated copy of the original grant of the Seigniorship of La Prairie, and a certificate from Mr. Brasseur—that the order appears by this to have purchased first two and a half arpents square within the town in 1692, and afterwards one arpent square, of the last of which they were put in possession in 1708—neither of these papers throwing a sufficient light on the subject intrusted to us, we conceive it might be proper to send a Notary to require of the Reverend Father communication of the Plan of the Seigniorship as well as the Rent Roll, and also of the two contracts passed to them on acquiring the property within the Town before mentioned, and in default of compliance to protest—You will on this head be good enough to furnish us with the opinion of the Board, and as we do not expect in any event that the father will comply, we must request that you procure and send us copy of the plan of the Seigniorship of La Prairie, together with a list of the Inhabitants upon it, which the Father tells us was given to Government when fealty and Homage was rendered, by order of General Haldimand—When we shall be provided with these two papers it will then be in our power to proceed to the forming a Rent Roll of the Seigniorship, nor can we previously proceed to that operation—With regard to the two purchases made in the Town, we expect to meet with the Original Deeds at the *Greffe* of the District, amongst the notarial papers, which from time to time have been deposited there on the demise of Notaries, but should we not be successful in our researches, and that application must be made to holders of part of this Land as well as to the *Censitaires* of the Seigniorship, on points which they may not think proper to answer, we submit to you the

propriety of advising with Counsel whether any steps can be adopted to enforce compliance.

We have the honor to be,

Sir,

Your most obedient and humble fervants,

JAMES MCGILL,
J. B. HERTEL DE ROUVILLE,
QUINSON DE ST. OURS.

Unanimously agreed, that Messrs. Chandler and Coffin do wait on the Chief Justice with the said letter, requesting his advice on the subject, and he having been pleased to comply therewith :—

Resolved, That the following letter be wrote to the Commissioners at Montreal in answer to theirs of the 26th.

QUEBEC, 31st March 1788.

GENTLEMEN,

In consequence of your favor of the 26th addressed to Mr. Chandler, representing the obstructions you had met with in the prosecution of the Commission relative to the Jesuits' Estates in your District, we beg leave to acquaint you that Messrs. Chandler and Coffin waited on the Chief Justice, who has pleased to furnish them with his opinion, that a letter couched in the most polite terms, should be wrote by you to the Reverend Father Welle, expressing the communication you require, and sent by a Notary, allowing a proper time for his answer, which when obtained and forwarded to us, should, any difficulty then appear, it will be represented to Lord Dorchester who will most probably take the necessary steps to remove it, or any other that may hereafter arise.

We have the honor to be,

Gentlemen,

Your most obedient and humbler Servants,

(Signed) K. Chandler,
Thos. Scott,
Jno. Coffin,
J. A. Panet,
Geo. Lawe.

K. Chandler,
Thos. Scott,
John Coffin,
Geo. Lawe.

WEDNESDAY, QUEBEC, 2nd April 1788.

At a Meeting of the Commissioners held at Mr. Chandler's.

PRESENT,

Kenelm Chandler, Esquire, President.
 Thomas Scott,
 John Coffin,
 J. A. Panet, and
 George Lawe, Esquires.

Mr. Chandler moved, that the objects of enquiry stated in the Commission be carried on without delay. The Board are of opinion that the business cannot be proceeded on any further till the Commissioners at Montreal have answered their Letter of the 31st March.

Mr. Panet moved that the provisional report proposed by him in the minute of the 18th ultimo be wrote to Lord Dorchester, it being necessary to proceed immediately to the Rent Rolls :-- unanimously agreed to postpone the above till an answer is received from Montreal to the Board's letter of the 31st March.

(Signed)	K. Chandler,	J. A. Panet,
	Thos. Scott,	Geo. Lawe.
	Jno. Coffin,	

WEDNESDAY, QUEBEC, 16th April, 1788.

At a Meeting of the Commissioners held at Mr. Chandler's.

PRESENT.

Kenelm Chandler, Esquire, President.	G. E. Taschereau,
Thos. Scott,	J. A. Panet,
John Coffin, Esquires.	Geo. Lawe, Esqrs.

Mr. Chandler laid before the Board the English Translation of the Report given in by Messrs. Scott and Taschereau on the 17th ultimo. Read with some remarks thereon, for further explanation.

The Protest received from the Commissioners at Montreal ordered to lie on the Table for consideration.

Adjourned till to morrow at 10 o'Clock, A. M.

(Signed)	K. Chandler,	G. Taschereau,
	Thos. Scott,	J. A. Panet,
	John Coffin,	Geo. Lawe.

THURSDAY, QUEBEC, 17th April, 1788.

At a Meeting of the Commissioners held at Mr. Chandler's agreeable to adjournment.

PRESENT.

Kenelm Chandler, Esquire, President. G. E. Taschereau,
 Thomas Scott, Jean A. Panet and
 John Coffin, Esqrs. George Lawe, Esqrs.

The Protest from the Commissioners at Montreal being read and ordered to be entered, and also the Chief Justice's note, Mr. Panet renewed his motion of the 2nd April and offered the following motives for requesting a Proclamation.

MOTIVES.

The Commissioners for investigating the Estates possessed by the Monks called Jesuits, ground the necessity of a Proclamation in the King's name to call the subjects to a Rent Roll.

1st. On their Commission which enjoins them to proceed without delay in due form of Law.

2nd. On the Laws and Customs of Fiefs and immoveable properties in the Province of Quebec, established and supported by the Statutes of 14th Geo. III, chapter 83d and 88th, which grant those fiefs and properties only according to those Laws as they were in use before the Conquest.

3rd. According to those Laws and Customs, the King only has right to cause Letters Patent for Rent Rolls to be issued and published, *Vide Ferriere's Dictionary or Introduction—Verbo Papier Terrier.*

4th. Without a Proclamation equivalent to these Letters Patent the tenants will neither be held prepared nor exact in coming to declare and exhibit all their Titles, the result of which will be a great number of refusals, difficulties and delays.

5th. Since the Conquest, particularly in 1777, 1778 and 1779, &c. the Governors of this Country have published several Proclamations relative to Domainial Rent Rolls.

Finally, the Commissioners can explain any doubts, if any there be, relating to the necessity and the model of the proposed Proclamation.

CERTAIN COPIES from the Book B. entitled "Proceedings of the Commissioners on the Jesuits Estates."

QUEBEC, 18th April 1789.

At a Meeting of the Commissioners held this day at Mr. Taschereau's request.

PRESENT:—Kenelm Chandler, Esquire, President,
 Thomas Scott, John Coffin,
 Gabriel E. Taschereau, Jean A. Panet,
 George Lawe, Esquires.

Messrs. Taschereau and Scott report that they with Mr. De St. Ours, on mature consideration, delay the making up the Accounts as proposed at the Meeting of the Board on the 25th March, to a future period.

Mr. Taschereau desires to be informed by Mr. Chandler, whether there has been any Meeting of the Commissioners since the 25th March last? And if so, whether there were any resolutions passed authorizing the Commissioners to proceed in virtue of the Commission.

In answer to Mr. Taschereau's Motion, Mr. Chandler observes, that at the last Meeting of the Commissioners on the 25th March last, and also of several other Meetings he pressed much that some vigorous measures should be taken, to put the business of the Commission in motion, which had so long languished, by an idea, kept up by Mr. Taschereau and Panet only, that nothing could be done by the Commissioners without a Proclamation, which he denied, as the Commission gave full authority to fulfil every thing required to be done, to enable the Commissioners to make a report to my Lord Dorchester, which he had reason to expect would soon be called for. He then proposed, that as Père Cazot had refused to give the Land Book, as it was reported by Messrs. Taschereau and Scott, which was much wanting, that some of the Commissioners should be sent to Three-Rivers, &c. to do the business, which then retarded and stopped him from getting forward with the Report which he had begun to make out, as Messrs. Taschereau and Panet declared they would go no further into the business of the Commission without the Proclamation, but observed that he might endeavour to get what information he could, as he knew his duty as well as either of these Gentlemen, also that it was the duty of each Commissioner to gain every information in his power either separately or collectively. He then determined to try if any of the Commissioners would join him in his endeavours to gain the necessary information required. He therefore the next morning waited on Mr. Lawe, and then on Mr. Coffin, who cheerfully engaged to assist him in the plan he proposed, and offered to do all in their power to fulfil the intention of the Commission without any further delay. They therefore the next day joined by Mr. Scott proceeded on the business in town, then went to Sylleri, Belair, and Three-Rivers, where they gained the information requested without any difficulty and with the greatest cheerfulness from the people, and he has the pleasure to say, that he expects to lay his Report before the Commissioners in a short time.

Mr. Taschereau requests a translation of the above, and Mr. Panet to have Communication thereof, to give their answer in writing.

Mr. Panet desires to be informed, if the three Gentlemen went separately or collectively in Town, to Sylleri, Belair and Three-Rivers, to gain the information obtained at each place.

To which Mr. Chandler answers, that four of them went in the Town, three to Sylleri and Belair, and one to Three-Rivers.

Adjourned.

QUEBEC, 23rd April 1789.

At a Meeting of the Commissioners held this day :—

Kenelm Chandler, Esquire, President,
 Thomas Scott, John Coffin,
 Gabriel E. Taschereau, Jean A. Panet, and
 George Lawe, Esquires.

Messrs. Scott and Taschereau presented an addition to their Report, No. 3. Read and Ordered to be Translated into English.

Messrs. Taschereau and Panet's reply to Mr. Chandler's answer to Mr. Taschereau's Motion of the 18th April, read in the French language and ordered to be translated.

Whereas by the Commission granted by His Excellency Lord Dorchester to us, dated the 29th December 1787, to enquire into the Estates heretofore held and claimed by a certain Religious Community, known by the name of the Order of Jesuits, it is amongst other things directed, that we do enquire whether any and what claims are made by the heirs of the Donors of such parts of the Lands, as were given to the said Religious Order by private persons. Mr. Chandler therefore moves, that the said Commission or such part thereof as shall be thought necessary be immediately published, in compliance with the aforesaid direction, and that all persons having or pretending any claim, do within a reasonable limited time inform the Commissioners thereof, and give in to them the Titles on which they found such claim or pretension.

QUEBEC, 25th April 1789.

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
 Thomas Scott, John Coffin,
 Gabriel E. Taschereau, Jean A. Panet,
 George Lawe, Esquires.

The Translation ordered at the last Meeting being read, Mr. Chandler produced his observations to the replies of Messrs. Taschereau and Panet. Ordered to be translated.

Mr. Chandler laid before the Board a letter from Mr. Secretary Motz, of the 24th instant, communicating Lord Dorchester's Orders on the Report of the Committee of Council of the 22nd instant, that the Commissioners report to him thereon without delay.

The same letter and Report being read :—

Resolved, That a project of a General Report be drawn up by the Members in conformity to the Order above read, to be submitted to the whole Committee present, on Tuesday next at 5 o'clock P. M.

Agreed to.

QUEBEC, 2nd May 1789.

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
 Thomas Scott, John Coffin,
 Gabriel E. Taschereau, Jean A. Panet, and
 George Lawe, Esquires.

Mr. Panet produced to the Board a project of a second temporary Report and Advertisement in the French language, in conformity to the Resolution of the 25th ultimo.

Ordered, To be translated into English.

QUEBEC, 7th May 1789.

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
 Thomas Scott, John Coffin,
 Gabriel E. Tashereau, Jean A. Panet, and
 George Lawe, Esquires.

Mr. Chandler presented a project of a Report upon the enquiry of the Jesuits' Estates, in conformity to the Commission of the 29th December 1787. Read and ordered to be translated into the French language.

Read the Translation of Mr. Panet's second Temporary Report and Advertisement.

Adjourned till called upon by the President.

QUEBEC, 17th June 1789,

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
 Thomas Scott, John Coffin,
 Gabriel E. Taschereau, Jean A. Panet,
 George Lawe, Esquires.

The President called a Meeting of the Commissioners at the request of Messrs. Taschereau and Panet, by letter of yesterday's date.

Mr. Panet begs the President will inform the Board, if he is ready to proceed to the Report to be given in to His Excellency.

To which the President answered in the affirmative, and produced the project of the Report with the Schedule of the Jesuits' Estates, Titles, and Plans thereunto belonging, for the consideration of the Board.

Mr. Chandler requests to be informed by Mr. Panet if the above

was the purport for which this Board was called? Mr. Panet answers, "That it is one of the reasons."

Mr. Taschereau moves that the Commissioners at Montreal be immediately invited to meet the Board at Quebec next week to examine the Report proposed by Mr. Chandler which appears to be general and contains opinions on the merits of the whole investigation.

Messrs. Chandler, Scott, Coffin and Lawe object to Mr. Taschereau's motion as it now stands and propose that the Report, Schedule, Books and Papers that may be thought necessary for the information of the Commissioners at Montreal, be sent up for their inspection by Mr. Lawe, in order that the Report and Schedule may be signed by them, if they should meet with their approbation, or otherwise to state their objections in writing or by personal appearance at Quebec without loss of time.

Mr. Taschereau objects to the above opinion as occasioning further delay and expense, but observes that all the papers concerning the investigation should be sent to Montreal, and a day fixed for a general Meeting of the Commissioners.

The President requests the opinion of the Board, whether the Schedule and Titles, and the Report in its present state, should be signed and given in to His Excellency immediately or not?

Messrs. Chandler, Scott, Coffin and Lawe are of opinion that previous to giving in the Report to His Excellency, the whole proceedings should be signed and sent to the Commissioners at Montreal for their consideration, and signed, if approved, by them.

Messrs. Taschereau and Panet observe, that the Report and Schedule proposed this day by Mr. Chandler ought not to be signed, till they have been translated, and debated by a General Assembly, and the objections of the Commissioners at Montreal are known if any there be.

Messrs. Taschereau and Panet request to be called with the other Members of the Commission, on the return of Mr. Lawe with the answer from the Commissioners at Montreal.

Agreed.

QUEBEC, 29th June 1789.

At a meeting of the Commissioners this day.

PRESENT,

K. Chandler,

T. Scott,

J. Coffin,

G. E. Taschereau,

J. A. Panet,

G. Lawe,

The Secretary requested a meeting of the Commissioners to de-

termine whether he was justifiable from the nature and tenure of his Oath, in stopping Copies from being taken out of the Office of the Commission made by Messrs. Taschereau and Panet, on Saturday afternoon, the 27th Instant, consisting of a Copy of the Report, dated the 17th June 1789, of the Board, Book B. from the 14th February 1788 to the 16th April 1788, and Notes from the Schedule of the Jesuits' Estates. Mr. Chandler having sent for him to enquire whether he could consistently with his Oath suffer any Copies to be taken of the Papers belonging to the Commission without the concurrence of the Board ;

Mr. Panet, requests Mr. Genet to inform the Board if he considered the 27 Pages, intituled general abstract of the Titles of the Estates &c. which he copied, a full Copy of the Original, or Copy in part, and partly a Translation.

Mr. Genet considers the above 27 Pages alluded to as Copy in part and partly a Translation.

Messrs. Taschereau and Panet move, that all the above Papers referred to be returned to them.

Resolved, That the Papers be returned to Messrs. Taschereau and Panet.

Mr. Taschereau moves, that Mr. Lawe report to this Board his proceedings at Montreal.

Mr. Lawe produced a Certified Copy of a Letter wrote by him to Messrs. McGill, De Rouville and De St Ours, on Saturday 20th June, together with a List of the Papers taken by him to Montreal, and Mr. Chandler gave in a letter, addressed to him, from the Commissioners at Montreal dated the 20th June 1789.

Mr. Taschereau requests the Secretary will inform the Board, whether he sent a Copy of the Resolution of the 17th June instant to the Commissioners at Montreal with the other Papers taken by Mr. Lawe.

To which the Secretary answered he did not—Mr. Lawe one of the Commissioners having been sent by the Board with the Papers, it was deemed sufficient, as he was empowered by them to give them every information they might require.

The four days being expired which Messrs. Taschereau and Panet required to give their answer, whether they would sign the Schedule, Report and Books, to be given in to Lord Dorchester in their present state, signed by Messrs. Chandler, Scott, Coffin and Lawe, which were sent to Montreal ; the Board require to know if they will sign the same.

Mr. Taschereau answers that he did not engage to answer in

four days, whether he would or would not sign the Report and Schedule in question

Mr. Panet answers, that he said verbally, as far as he understands by reading English writing he would endeavour in four days to examine all the Books and Papers, Report, Schedule &c. of the Commission, to answer whether he would sign them or file his reasons to the contrary, but the major part of the said Papers having been detained during those four days by those who had signed the said Report, in the examination of them Messieurs Taschereau and Panet had not sufficient time to determine whether they would sign, or to furnish their observations to the contrary which they proposed to lay in a few days before the Board, and before the Report and Papers be given in to Lord Dorchester.

That Messrs. Taschereau and Panet cannot in so short time and for the above mentioned reasons, sign so many Papers of which, several, especially the Schedule, have not been translated. And as the Commissioners at Montreal have not been made acquainted with the proceedings and Resolutions of the 17th instant, (June) and as they might in a short time have come to Quebec, Messrs. Taschereau and Panet move, that the said Commissioners at Montreal be immediately and officially required to come to Quebec, to form a general meeting on Monday next, to determine upon the report to be given in to His Excellency without loss of time.

In consequence of Mr. Lawe having been sent to Montreal with the Papers to the Commissioners, it is not deemed necessary to send for those Gentlemen to attend the Commissioners at Quebec.

Resolved, That the Report be given in to Lord Dorchester, to-morrow morning at eleven o'Clock by Messieurs Chandler, Coffin and Lawe.

Messieurs Taschereau and Panet move, that they be allowed by a resolution of the Board, that a Petition which they propose to lay on the Table Tomorrow morning at nine o'Clock before the Board, addressed to Lord Dorchester, be annexed to the report to be given in to His Excellency, and that Messieurs Taschereau and Panet, be admitted to assist the Commissioners in giving in the Report and their Petition.

Rejected.

MONTREAL, 20th June 1789.

SIR,

Last night Captain Lawe arrived here with the report and other Papers relative to the Business of the Jesuits' Estates, and

this afternoon we assembled for the purpose of taking them into consideration.—On looking into the Report and other documents which are to accompany, we find them of such extent as would require much longer time than is allowed us to consider of them maturely, for by a letter which Captain Lawe has addressed us, we observe that he cannot postpone his return later than Monday, & must carry all the Papers back with him. This being the case and notwithstanding we have confidence in those Commissioners who have signed the Report, we trust you will excuse us from giving our sanction to a business, of which from the small share we have had in compiling, and the impracticability of now perusing it, we cannot form a Judgment from any knowledge of our own. But although we do not concur in signing the Report, we esteem it proper whilst the Commission continues, to communicate to you an idea which arose from conversing with Captain Lawe—As the Commission directs enquiry to be made “whether any or what claims are made by the Heirs of the Donors”—It seems to us that it would have been proper by an Advertisement to call upon the Public for any dormant claims there may be on the Jesuits’ Estates ; or since that has not been done, we submit to the consideration of the Commissioners, “whether it ought not to be respectfully suggested to His Excellency Lord Dorchester?”

We are sensible of the Politeness of your intention in sending us the Report by Captain Lawe, but as Messrs. De Rouville and De St. Ours, were prepared for the journey to Quebec, had they been called upon to attend when the Report was laid before the Board, we really regret that you did not adopt that measure.

We have the honor to be

Sir,

Your obdt. and most humble Servts.

(Signed)

James McGill,
Quinson de St. Ours,
J. B. M. Hertel de Rouville,

Kenelm Chandler, Esqr.

MONTREAL Friday Evening.

GENTLEMEN,

From the reception I have met with, respecting the Papers intrusted to my care which have been submitted to your inspection, I apprehend you will not shortly come to a decision, I hope I

shall meet with your approbation in explaining the injunctions delivered me by the Board of Commissioners at Quebec.—By them my stay in this place is limited, so that I cannot venture to prolong it beyond Monday next, at 12 o'Clock, hoping that no demur would have ensued on your part, I expected to begin my journey to-morrow morning.—I shall however postpone it till the time specified, before which, I hope you will be able finally to decide on the business.

(Signed)

G. Lawe.

Messrs. Rouville, McGill and St. Ours

WEDNESDAY MORNING, 6 o'Clock.

DEAR SIR,

I arrived in the night last night.—My Papers quite safe and me in good Condition—Myself Ducked, Baked, Broiled, boiled, Hawed and Roasted—But as hearty and careless as Tom the Devil, and ready when called on to give account of my Embassy—have the goodness to send for the Box of Jesuits, as I have no one to send it up by.

Yours Truly,

(Signed)

G. Lawe.

To K. Chandler, Esquire.

- 1.—General Abstract of the Titles.
- 2.—General Statement of do.
- 3.—Title Deeds Vol. 1 2.
- 4.—Reports, No. 1 2, by Messrs. Taschereau & Scott.
- 5.—Recapitulation of the State of Population.
- 6.—Report.
- 7.—*Aveu et Dénombrement.*

I do hereby acknowledge to have received from Mr. Henry Anthony Genet, Secretary to the Commission the above Books and Papers, contained in the foregoing List, being Part of the Credentials of the said Commission to be taken by me to Montreal, to be approved and signed by the Commissioners, there as ordered by the Commissioners this day, and I do hereby bind myself to return the said Books and Papers to Genet on my return to Quebec.

(Signed)

G. Lawe.

Quebec, 17th June 1789.

TO HIS EXCELLENCY, The Right Honorable GUY, LORD DORCHES-
TER, Captain General and Governor in Chief of the Colonies of
Quebec, Nova Scotia and New Brunswick, General and Commander
in Chief of His Majesty's Forces, &c. &c. &c.

MAY IT PLEASE YOUR LORDSHIP,

In obedience to your Lordship's commands signified to us by Mr. Secretary Motz's Letter of the 23d of October last, in which we are informed, "That a Committee of the whole Council appointed on the 8th then instant, to report the course remaining to be taken for fulfilling His Majesty's Order of the 18th of August 1786, relating to the Estates of the Order of Jesuits in this Province," having in their Report to your Lordship of the thirteenth then instant, suggested the utility of a digest or analysis of the contents of the Papers enumerated in the aforementioned order of reference, to be framed by the King's Law servants in this Province, allowing liberty to them to subjoin such remarks and observations thereon, respecting both Law and Fact, as may be officially expected from them in a due attention to the interests of the Crown, he had your Lordship's commands to signify to us your desire to receive from us such a digest or analysis of the contents of the said Papers as is recommended by the Council, with such remarks and observations thereon as we may find it incumbent upon us to add, and further informing us, that the Clerk of the Council was instructed to give us access to all the proceedings had under the Royal order of the 18th of August 1786 entered in the Council Books, as well as to all the Papers relating to this subject, which are filed in the Council Office."—We have the honor of reporting to your Lordship as follows.

That in order to obtain a competent knowledge of the nature of this Business, with a view of fulfilling as far as possible the views of your Lordship and those of the Council, all centering we apprehend in the due execution of His Majesty's said order in Council of the 18th of August 1786—we have in the course of the winter employed as much of our time as could well be spared from our other necessary avocations and duties to government, in perusing and digesting the voluminous papers and proceedings which compose the objects of Analysis, as well as those remaining of Record in the Council office necessarily connected therewith, as well with the main object of the reference to the Committee of Council, and your Lordship's present requisition to us His Majesty's Law Servants.

From these researches we are enabled now to lay before your Lordship an Analysis or digest of the titles of the principal Estates of the late Order of Jesuits which were held as Fiefs and Seigniories, composing more than 17-18ths of their whole annual income or revenue and consequently forming the main object of inquiry.—The Lands held in

Roture or in Soccage yielding a Revenue of seventy-four pounds, seventeen shillings and three pence Currency, out of twelve hundred and nine pounds eight shillings and three pence, the whole annual income of the Jesuits' Estates, we did not consider to be of sufficient importance to retard our reporting upon the Seignuries, especially as the number of Titles to the Lands in Roture will necessarily take up a time in the examination greatly disproportioned to their value, and together with the Estates aliened retard our reporting upon the objects we have already discussed, in our observations upon which we are enabled to lay before your Lordship what principally occurs to us.

We observe that the object which His Majesty's order in Council has in view, is the granting legally to the Right Honorable Jeffery Lord Amherst such of the Estates of the late order of Jesuits as may be legally given and granted by His Majesty, subject to certain reservations and conditions therein particularly stated and others referred to your Lordship, to Report to His Majesty for His Royal consideration, and we are therefore the more solicitous in making our report, to give your Lordship an early opportunity of forming a Judgment upon the Estates we have analysed, that the trust reposed in your Lordship may be the better answered, and the noble Lord in whose favour the Royal Bounty is intended may be brought nearer his object.

The Commission issued by your Lordship with the advice of the Council the 29th of December 1787, was calculated to attain the ends and information suggested as necessary by the Crown Law Officers in England, and required by His Majesty's said Order in Council previous to making the Grant.—And the first Question before us appears to be, how far the execution of that Commission has been such as to answer the ends proposed by it? The heads of inquiry will fall to be considered at the same time and to be compared with the execution of the Trust as reported by the Commissioners. These were to be ascertained in due form of Law.

1st. What Lands and Estates were held, possessed and claimed by the said order of Jesuits within the Province and the manner and ways by which they required the same.

2d.—What parts thereof have been by them aliened and exchanged, and

3d.—What parts and portions thereof are now vested in His Majesty, and may by His Majesty be legally given and granted.

4th.—The nature and quality of the said Lands and the present Titles by which they are possessed.

5th.—Their present value.

6th.—The nature and extent of the rights of Seigniorry.

7th.—The nature of the Tenure by which they are holden.

8th.—Their exact local situation.

9th.—The state of their Culture and Population, and

10th.—Whether any and what claims are made by the Heirs of the Donors of such parts of the Lands as were given to the said Religious Order by private persons.

By the Commission nine gentlemen were appointed to make this investigation, or any three of them, with direction to make return thereto under their hands and Seals, and we find, that pursuant to your Lordship's order of the 24th of April last, in consequence of a Report of a Committee of the whole Council of the 22d of the same month requiring the Commissioners to Report to your Lordship :—

1st. How far the Commissioners have been able to execute the Trust committed to them.

2d. What remains to fulfil the same.

3d. What obstacles are in the way, and

4th. By what means they conceive the same may be removed and the intention of the Commission attained. Four of the nine Commissioners did upon the 17th of June following make Report under their hands and Seals, that the objects of the Commission were attained, and stated and comprised in certain Schedules marked and numbered, as therein mentioned and forming the six first articles in the order of reference of 8th of the October, required to be analysed by us.

These we have carefully gone through particularly the two Volumes marked B. B. volumes first and second of the Title Deeds of the Jesuits' Estates, from which and the Volume C. containing the *Aveu et Dénombrement* to the French Intendant in 1733, and another to Governor Haldimand in 1781, we have formed the Analysis of the Titles to the eleven Seigniories annexed to this Report, in the following manner, viz.

1st. We have taken for the Title of each separate Seigniority under articles 1st to 11th the best description to each estate, made up from the two *Aveus et Dénombrements* compared with the description in the Titles, and together forming such a description as we conceive may be sufficient to be inserted in a grant or conveyance.

2d. We have made a statement of the different Titles by which these Estates were acquired by the late order of Jesuits.

3d. And lastly we have extracted and set down the motives and considerations upon which these several acquisitions were attained and held.

And we have added our own particular observations upon each Seigniority analysed, so that your Lordship may see the Estates acquired, the Tenure by which they are held, the several rights, privileges and exemptions of each, the motives or causes of the respective grants, and the considerations, reservations, and conditions, for and upon, which they are possessed.

This we have done in English under the best interpretation we can give of the Title Deeds or Grants, which are all in French, of the last Century, but in order to remove doubt, and save the tediousness of research we have added a complete abstract of the several Title Deeds in French containing all the necessary clauses, in general *verbatim* from the Deeds themselves. To these we have added a Recapitulation or general statement of the Revenue or Income of these several Estates in different articles of produce and money, reduced to the Currency of this Province, with a state of the Population, Culture and improvement un-

der the several heads therein mentioned, and which we have taken from the general abstracts or statements reported by the Commissioners, being the only part of these other objects of analysis which we conceive it necessary to report, because they are chiefly made up from the Title Deeds to serve as abstracts, and from the Plans of the Estates certified by sworn Surveyors contained in Book No. 3, which also forms a part of the useful and instructive Titles of these Estates as well from the Land Rolls, *Aveux et Denombrements* as local researches and information of the Commissioners, and consequently do not require further Analysis.—We have also added a like Recapitulation formed by the Commissioners and found in these abstracts, shewing the annual income &c. as above, of the Lands held in *Roture*, by which your Lordship will see the particular objects remaining to be analysed and their value, exclusive of their alienations, which, together, will form our next report.

The Commissioners have indeed reported in what is termed.—“A General abstract of the Titles of the Estates that were of the late order of Jesuits”—marked No. 2 upon the List, that the whole of these Estates are vested in His Majesty, and may by His Majesty be legally given and granted, which it is material to attend to; and it is to be observed that in their Report of the 17th of June last, they state that no claims had been made to them by the heirs of any of the Donors to any part of the Lands that were given to the said Religious Order by private persons, they further state in their said Report their having ascertained the several objects therein mentioned by the means in part of documents furnished them by the Jesuits, and in further part by researches among the Records of the Province in the custody of the Clerk of Inrollments, and by other inquiries and information made and had by some of the Commissioners on the premises, all which appear to us as regular and proper as could well be expected, and holding as we do the Title Deeds reported to be authentic, we do not hesitate, so far as we have gone, in concurring with the Commissioners, that these Seigniories are vested in His Majesty, and may consequently upon the return of the Commission be legally given and granted to the Right Honorable Jeffery Lord Amherst, his Heirs and Assigns, subject to the conditions of His Majesty's said order in Council and with the exception, therein referred to, your Lordship's wisdom as the King's Governor.

It now becomes necessary for us to observe upon the other papers mentioned in the order of reference of the 8th of October. The first is a letter of the 9th March 1789 from the three Montreal Commissioners to the President Mr. Chandler, reporting some objects of the enquiry in the upper Countries, &c. The second is a state of the Income, Population, &c. of the Jesuits' Lands in and near Three-Rivers, taken by a Notary on the spot in the presence of one of the Commissioners.—The third consists of

three Reports by Messrs. Scott & Tafchereau to the Commissioners; which appears to have method and arrangement in them, and must have been of very great utility—The first containing extracts of all the Titles found by them in their researches, up to the 17th March 1788, with observations upon them; the second containing extracts from the Titles, and a state of the Lands alienated or exchanged, with a recapitulation of the annual income of the whole taken from the last *Aveu et Denombrement*, and a list or state of all the Titles and Public Acts to be found in the ancient records of the Province, as well as in those since the conquest regarding the Jesuits' Estates with observations thereon; and a third containing a list of the Tenants or *Censitaires* holding of the Jesuits in the Town of Quebec, with the Rents they pay, as received from their *Procureur*, with a like list of Tenants, &c in the Parish of St. Nicholas.

We find at the end of the list a Memorial or Petition of two of the Commissioners, to wit, Messrs. Panet and Tafchereau, accompanied with a paper of observations by them on the proceedings and Report of the four Commissioners in the nature of a representation or protest, complaining of irregularity and precipitation in the Business, and particularly that the Schedule, No. 2, A. and D. ought not to be considered as the Report of the majority of the nine Commissioners, as neither they nor the three Commissioners at Montreal could in honor approve or sign them, because, say they; they are supported upon irregular proceedings had contrary to several resolutions of the nine Commissioners, and because the said four Commissioners employed such precipitation as to deprive them of necessary papers, and render it impossible for them or the Montreal Commissioners to verify, examine and sign them—In proof of these advances they refer to a Book B, intitled, "Proceedings of the Commissioners respecting the Estates of the Jesuits," and cite several particulars of which we cannot form any judgment as the Book B. is not reported, but from the nature of their observations upon the Report, and Schedules submitted to your Lordship and contained in nine remarks thereon, we are enabled to form some judgment of the nature and validity of their objections—these are:—

1st. That the Report does not answer fully the four questions proposed in the Report of the Committee of the whole Council on the 22d of April.

2d. That they, the four Commissioners have not proceeded in due form of Law agreeable to the Commission.

3d. That by the Report referred to in Schedule No. 2, it is es-

tablished, that all the Estates may be legally given and granted to the Right Honorable Jeffery Lord Amherst, but they humbly assure your Lordship that that point, extremely delicate and of great importance to His Majesty's Loyal Subjects in this Province, has never been yet proposed officially, nor debated at any meeting to which they and the Commissioners at Montreal have been called.

4th. That the said Report, and Schedule undertakes to assure your Lordship that the nature and quality of the Lands is thereby ascertained, although the Commissioners have not inspected or visited them for that purpose, and although on failing to obtain a Proclamation proposed by a former official Report of the 19th April 1788, they had rejected a proposed advertisement mentioned in the Book B, so that they Messrs. Panet and Taschereau cannot comprehend how the said Schedule could ascertain the Tenure of the Lands of the *Terre* Tenants without having made a Land Roll upon the spot, and by the Titles which the Tenants are by Law obliged to exhibit for that purpose when legally thereto required; and that the ancient Plans and Titles cannot ascertain the exact situations of the Lands as they are at present possessed, nor their present state of culture, nor their present value and population.

5th. That the said Schedule establishing that no claims had been made to the Commissioners by the Heirs of the Donors, had these words added only the day before: viz. "Because neither the Commission nor any Advertisement for that purpose had been published." They humbly inform Your Lordship, that the merits of that point had never been proposed at any Assembly where they or the Montreal Commissioners had been called. That only the day before there had been added to the Schedule No. 2, page 6th. the mention of a letter of the 17th of April then last, received by Mr. Chandler from Pierre Panet, Esquire, giving notice of a claim, which letter they never saw amongst the Papers of the Commission, nor elsewhere; that the said four Commissioners, however well apprized of the Petition and Memorial presented to Your Lordship the 19th of November 1787, by the Citizens of Quebec, have paid no attention in their Report and Schedule to that claim, which the Inhabitants of this Colony proposed to make and support on the first official notice, for the execution of the foundation which they assert to have been made in their favor, as well for the free exercise of their Religion as for their Education and Instruction, agreeable to His Most Christian Majesty's Diploma of the 12th of May 1678, on which Diploma the said Inhabitants intend to establish their rights, as well by the Tit-

les and National Treaties cited in their Memorial, as by several other ways and means which they propose to bring forward.

6th That the said Report does not establish or observe upon the third point proposed by the Commission; to wit: what parts and portions have been alienated or exchanged, although the Report of Messrs. Scott and Taschereau in the French language, under the No. 2, page first and following pages, establishes the parts and portions of these Estates, formerly alienated and exchanged by the Jesuits, and that in order to be ascertained that the Jesuits, particularly since the Conquest, have not in virtue of their particular Title to each Estate, and the laws, usages and customs before the Conquest or since unto the present day, in consequence of the Capitulation, alienated or exchanged the whole or parts of the Estates of which the Commissioners are only in possession of Copies of the ancient Titles, it would be necessary legally to command the subjects of His Majesty to declare formally and in writing, within a fixed period, such as may have acquired and now possess the whole or any parts of the said Estates in this Province, and to produce the Titles and pretensions which such subjects and every of them pretend to have thereto, and which is one of the obstacles which may be removed, by the means proposed in the Draft of a Report laid before a Meeting of the Commissioners the 2nd of May last, which, with divers Minutes, has not been annexed to the Report, nor to the Schedule No. 2, delivered in to Your Lordship.

7th. That the said Report omits to observe, that the Order of His Majesty in Council of the 18th of August 1786, upon the Petition of the Right Honorable Jeffery Lord Amherst, and of which mention is made in the Indorsement on the Back of the Commission, has never come to the official knowledge of the Commissioners.

8th. They humbly observe that the said Report and the Schedules No. 2, and others thereto annexed, undertake to establish that all the Lands there designated, were theretofore held, possessed and claimed in this Province, by a certain Community known under the name of the Order of Jesuits, without having officially shewn the proofs, nor discovered the nature of the claims known to have been heretofore made by the said Jesuits, and without having established the fact which is of public notoriety, to wit: that the Reverend Fathers Augustin Louis De Glapion, Superior General of the Jesuits in Canada, Jean Joseph Cazot, *Procureur* to the College of Quebec and others of their Community possess at this day, as they have done before and since the Conquest, all the Lands of which the Schedule No. 2, makes mention, and

of which they voluntarily exhibited to Messrs. Scott and Taschereau the Titles mentioned in their Reports Nos. 1, 2, and 3, alleging simply and *vera voce* that these were the Titles of their Property, and that they were in peaceable, effective and actual possession. They observe also, that it is of public notoriety, that by different Judgments of the Courts of Justice in this Province they have been maintained in their rights, and that to their knowledge they continue to possess all the said Lands, except a part of the College of Quebec, now occupied for the King's Provision Store and Barracks for part of the Garrison.

9th. They beg leave to inform Your Lordship that they had offered to give their observations in writing that morning, to be annexed to the Report and Schedules, requiring to be present with the Commissioners named for presenting them to Your Lordship, but that those propositions were rejected by the four Commissioners. They conclude by praying Your Lordship to order them an authentic Copy of the Book B. intituled, "Proceedings of the Commissioners relative to the Estates of the Jesuits," in order to ascertain the irregularities of which they complain, the Reports Nos. 1, 2, and 3, of Messrs. Scott and Taschereau, the Draft of a Report and Advertisement proposed by Mr. Panet 2nd of May last, and all the Papers to which all the Resolutions refer, also two Letters of Mr. George Lawe of the 20th of June then instant, to Messrs. De St. Ours and De Rouville, and finally they submit to Your Lordship's wisdom if it would not be necessary to order the President to call a Meeting of the nine Commissioners, in order to form a true and just Report, whether provisional or final, as the majority shall determine, to present officially to Your Lordship.

These observations or objections necessarily lead us into some inquiry as to their tendency as well as their validity, and we cannot help remarking, that though a great deal is said respecting the Montreal Commissioners, there is no countenance given by them to the objections, nor does it appear from the Commission that the whole nine Commissioners must necessarily be employed and meet together, and report upon the business of the Commission, since any three are made competent to that purpose. The three Gentlemen of Montreal appear to have been employed in making enquiry and researches in that District, and reporting such information as they acquired from time to time to the Commissioners at Quebec, of these last, four out of six, including the President, after a very tedious and expensive investigation, agree to make a Report of the due execution of the Commission, from the researches made by themselves and others and the several Title

Deeds and Documents by them referred to, the other two oppose or object, and differences thence arising, a Report by these four under their hands and seals is given in to Your Lordship.

Prima facie, the Report of so great a majority as four out of six, would appear reasonably sufficient and decisive, especially in a case where information alone is wanted, seemingly unattended with those serious doubts and difficulties suggested by the opposing Commissioners; but as it seems connected with the subject of His Majesty's right to these Estates, and the objects of enquiry previous to the exercise of those rights by the granting of them, we will examine the several grounds of objection formed by the opposing Commissioners, and thereby shew our sense of them, as well as the grounds upon which we form our opinion of the propriety of the proceedings of the reporting Commissioners, and the right which we conceive His Majesty now has and may legally exercise, in making a Grant of the whole or any particular part of the Estates, the Titles of which we have already analyzed, to whomsoever or to whatsoever uses and purposes His Majesty has already or may in future be pleased to appoint and direct.

And 1st. It occurs to us that the Commissioners' Report contains the best possible answer to the four points or questions proposed in the Report of the whole Council of the 22nd of April, communicated by Your Lordship to the Commissioners, inasmuch as the ends of the Commission being thereby reported to be answered by the full execution of the trust committed to them, nothing remained to be fulfilled, and no obstacles appearing in the way, no means were necessary to remove them, the whole ends of the Commission were attained.

2nd. Nothing contrary to Law appears to us in the proceedings of the Commissioners.

3rd. We cannot see the great delicacy and the great importance to His Majesty's Loyal Subjects of this Province, expressed by the opposing Commissioners, or where a doubt can arise to create a debate about the Lands in question being vested in his Majesty, so as to be by His Majesty legally given and granted, but we conceive that this delicacy and this importance arises from their ideas of the pretensions of certain citizens of Quebec, subscribers to a Petition and Memorial delivered to your Lordship in November 1787, and particularly mentioned by the opposing Commissioners in the 5th Article of their objections, by which the Petitioners assert a right for themselves, as Citizens, and the Inhabitants of the Province at large, to the whole Estates of the Jesuits for the purposes of Public Education, under a supposed Foundation and subsequent Dotations for that express purpose, to main-

tain which they are ready upon the first official advertisement ; and it is stated as a ground of objection that no such publication or advertisement of the Commission had been made.

On this we have to observe, that from an examination into the merits of the Citizens' Petition and Memorial in support of it, compared with the Titles of the several Estates we have hitherto analyzed, we do not find any just, legal or well founded ground to support the allegations and pretensions of the Petitioners, if they could be considered as entitled to make the claims they do, for it nowhere appears that these Estates were given to or accepted by the Jesuits for uses and upon trusts that can support any claim whatever, either by the Heirs of the Donors or the Inhabitants of the Province. The great object in the several Grants to the Jesuits in the last Century, seems to have been the conversion of the Savages to Christianity ; most of them are in consideration of past services in that way, and in the great use they had been of in establishing the Colony. None of the grants impose any conditions that can give rise to a claim from any quarter whatever at this day, on the contrary some of the Titles are anxiously explicit in freeing them from burdens that never existed, or were meant to be imposed, and the general maxim of their institution alluded to in one of the Title Deeds of the Estate and Seigniorship of *Notre Dame des Anges*, shews how different were the ideas regarding them of these days and those now maintained :—Poverty might be the vow of the Individual but this society was rich and powerful—its riches and its ambition, supported by its vices as well as by its virtues, brought it to its end in France in 1762, and in Italy where it first originated and had its centre of Union, in 1773 ; and though it may seem that the Establishment and dissolution of the Society in those Countries was unconnected with that branch of it which was established in this Province, prior to the Conquest of it by the British Arms, yet it will appear that the proceedings now to be had, are, and ought to be, influenced by that of those Countries from necessary connection.

From the earliest period of the Settlement of the Colony it appears that the Jesuits possessed property, at first in the name of and as Administrators to the Native Savages of the Soil, and next, in their own name though without any legal footing or establishment till the year 1651 in the month of July, in which year they obtained from the French King Letters Patent for their Establishment in North and South America, which are analysed under the head of General Titles and annexed to this Report, from which it will appear that they were allowed to possess Lands and

Houses and other property for their subsistence upon the same footing as they did at that time in the Kingdom of France, the Lands they had acquired were thereby confirmed to them, and they obtained the singular privilege, rarely granted to Religious Communities, of acquiring without further permission other Estates and property without limitation. Thus rendered capable of acquiring and holding Estates, their grants were variously conceded sometimes to the Revd. Fathers of the Company of Jesus generally, at others to those of the Company established in New France, but all evidently for the Society at large and subject to the Rules of their Institution. Three of the most considerable Estates granted in this way prior to the Letters Patent of July 1651 were afterwards, to wit, in 1676 explained away, for what purpose or with what intent we cannot account, and regranted by the Intendant to the Jesuits for the College at Quebec, but it does not appear to us that the Intendant had such power of changing the destination of any Deed, especially when not judicially brought before him, or of granting Lands under such circumstances; on the contrary, as we find contemporary Grants of Seigniories made by the Governor who was then upon the spot, and as we do not find any of the Deeds of Explanation and Grants alluded to were confirmed by the King, they being made subject to His Majesty's pleasure, we are inclined to think he had no such authority, and we have accordingly stated in our particular observations upon these three Estates what occurs in objection to these particular Titles.

On these Deeds are founded in part the claims of the Petitioners who do not stop however there, but form equal pretensions to every part of the Estates of the Jesuits, upon this broad principle, that they were no more than successive Administrators of the Estates supposed to be conveyed to them in trust, in support of which they cite two passages from Charlevoix's History of Canada, stating a Donation by the relations of a private person in France on his becoming a Jesuit, for the purpose of building a College at Quebec, and the Grant of a piece of Land by the New France Company to the Jesuits for that purpose. They also cite the vows of poverty and chastity taken by the Members of the Order and an Edict or Law prohibiting Donations to the Individuals of the Society, all of which, however, falls greatly short of the proofs requisite to support so formidable a claim as that set up by the Petitioners, nor do we think that such a Petition or Claim, came at all within the sphere of the inquiry instituted by the Commission under the head of claims by the Heirs of the Donors of such part of the Lands as were given to the Religious Order of Jesuits

by private persons, or that the Commissioners did wrong in considering that nothing therein contained could legally prevent or hinder His Majesty from giving and granting the Estates in question. As matter of legal right it was their duty to consider the Petitioners pretensions as unfounded, if they had come before them, and as matter of grace, the Petition might be fitting for your Lordship's consideration, but not for them; the plea of want of notice seems extraordinary after all that has passed in and out of Council upon this subject.

4th—The objection that the Report and Schedules do not establish the nature and quality of the Lands, and that the Tenure, exact situation, state of culture, value and population could not be ascertained but by making a Land Roll upon the spot and from the Titles, may in some degree be founded, because we do not find that the nature and quality of the soil has been particularly adverted to by the Commissioners, and we know not the course they may have taken to obtain information upon the other heads which are particularly reported upon.

5th—The objection to the Reports establishing that no claims had been made by the Heirs of the Donors of the said Lands, arising they say from want of Advertisement, has been already noticed by us; and we have further to remark that nothing could be better known throughout the Province, than the proceedings respecting the Jesuits' Estates, which is fully proved by the Petition of the Citizens of November 1787, and by the researches continually making by the Commissioners themselves, by the proceedings had before the Council upon this business, and other circumstances of public notoriety. We have also to observe that the claim of Peter Panet, Esquire, alluded to in this objection, was such as hardly came within the sphere of inquiry, being a Mortgage on one of the Estates for money lent, and not a claim by the Heir of any Donor.

6th—There appears to us an omission in the Report respecting the parts and portions of the Jesuits' Estates which were aliened or exchanged, for in fact that part of the Commission is equally fulfilled, and the objects alienated and exchanged with Titles respecting the same certified and stated in the Schedules annexed to the Report, we do not perceive the necessity of requiring all His Majesty's subjects to declare whether any of them possess the whole or any part of the Estates of the Jesuits, and to produce their Titles; we are well assured that since the Conquest the Jesuits neither have alienated nor could they legally alienate any part of these Estates, and we are informed in the eighth objection, that it is of public notoriety that the Jesuits themselves are

yet in possession of the whole of their Estates, and have been maintained in their rights, except a part of the College, which is also stated by the opposing Commissioners to be consistent with their own particular knowledge, a circumstance which seems to involve inconsistency if not contradiction.

7th—We do not know whether the opposing Commissioners have had official knowledge of His Majesty's Order in Council of the 18th of August 1786, nor what they mean to infer from such want of official knowledge, the Commission was their direction.

8th—We can as little conceive what is meant to be inferred from this objection, if it is not that these two Commissioners mean to find fault with the stile of the Commission, and the idea therein held of the non-existence of the Jesuits as a Body, which the other Commissioners have very properly continued throughout their proceedings, and in their Report and Schedules therein referred to, they seem to consider the possession held by the Jesuits of the Estates which belonged to the order, as evidence of their Civil and Political Existence, but neither that nor any other circumstance which has come to our knowledge will warrant such a conclusion.

9th—And lastly, the complaint of a refusal to receive their written observations to be annexed to the Report, may perhaps be accounted for from a review of the nature and tendency of these now given, supposing those offered to be similar, but on this subject we will be silent for want of Information from the Commissioners of their particular reasons for such their conduct.

Upon the whole, the various proceedings had under the Commission, and the information attained by it and now before us, considered with a due regard to the interests of the Crown and the spirit of His Majesty's Order in Council, we do not think it expedient that your Lordship should give in to the suggestion of the opposing Commissioners, by ordering Copies of a variety of voluminous papers and proceedings for the purpose of supporting such sort of objections as these, and referring to a meeting of the nine Commissioners to make by a majority of the whole what they would consider a true and just report. At the same time we submit to your Lordship, how far it may not be necessary to cause to be ascertained by the Commissioners the nature and quality of the Lands in question, as one object of the Commission particularly stated in His Majesty's Order in Council, but not ascertained by the Report and Schedules, though stated in the

Report to be so, perhaps from the Commissioners considering the state of Culture and Improvement under the heads of Arable, Meadow and Wood Land to have been sufficient without attending to the nature and quality of the soil, or perhaps from inadvertency, as we conceive the omission in the Report with regard to the Lands alienated or exchanged to have been, both of which, however, may be very easily and speedily rectified and supplied.

We are led to this opinion by considering that neither from the spirit of His Majesty's order in Council, nor by the Laws of the Province, that strictness and adherence to form is required in order to attain the knowledge which was required previous to making a grant—the commission is assimilated to such as are made use of in England for the purpose of informing or instructing, but to no particular proceeding known to the Laws of the Province, though there are many instances in France of Commissions of Investigation issued by the King *ad inquirandum*, when estates have fallen to the Crown and been usurped by Individuals, the common course of the Law established in the Province points out a mode of seizure or sequestration at the suit of the Public Officer, the King's Attorney General, and leaves all claimants to make out their rights and pretensions in a course of what is called opposition, which is a claim regularly heard and discussed before the Tribunals of Justice competent to such questions; and although there can be no objection to the course adopted of inquiring by Commission, yet nothing in the Law would preclude persons having just claims upon the Estates in question, from availing themselves of their rights and pretensions, notwithstanding that His Majesty should grant away those Lands upon the information obtained, such grant being considered always to imply in the French as in the English Law the *Salvo jure cujushbet*, but in fact there neither are nor can there be any individual claimants to the Lands and Estates which we have considered—and the claim of the petitioning Citizens of Quebec in the name of the Public, however proper, as we have already observed, for your Lordship's consideration and the grace of the Crown, under the exception or reservation referred to Your Lordship's wisdom and to be submitted to His Majesty, cannot be considered in the light of a legal or regular claim to obstruct the right, which is vested in His Majesty as the father of his people and only representative of the Public in this Province, from disposing of these Estates as to His Majesty in His Royal wisdom may seem fit.

We have already observed the footing upon which the order of Jesuits held their Estates in the Province under the Letters Pa-

tent of July 1651, to be the same as that on which they held Estates in the Kingdom of France. It was not however until the year 1658 that these Letters Patent were enregistered in the Parliament of Paris, which, ever jealous of this Society and its influence with the Sovereign, was careful in the act of registration to express the condition of their Establishment; hence may be seen the application which may be made of the proceedings in France in the years 1761 and 1762 to the Jesuits of this Province. The nature of their Institution prevented them individually from taking any thing under the Capitulation of all Canada, and to their Society, under one head and absolute Governor domiciled at Rome, nothing was granted or could be legally or reasonably supposed to be conveyed, but even that head, and with it, the whole Society, wheresoever dispersed, was finally dissolved and suppressed in the year 1773, so that the existence of the very few Members of the Order in this Province can in no shape be considered as forming a body politic or corporate, capable of any of the powers inherent in and enjoyed by Communities.

In this situation we do not even need to call in the aid of the proceedings in France, against the Jesuits there, to establish His Majesty's Rights—As a derelict or vacant Estate His Majesty became vested in it by the clearest of Titles, if the Right of Conquest alone was not sufficient, but even upon the footing of the proceedings in France and the Judicial Acts of the Sovereign Tribunals in that Country, the Estates in this Province would naturally fall to His Majesty and be subjected to his unlimited disposal; for by those decisions it was established upon good, legal and constitutional grounds, that from the nature of the first Establishment or admission of the Society into France being conditional, temporary and probational, they were at all times liable to expulsion, and having never complied with, but rejected the terms of their admission, they were not even entitled to the name of a Society; wherefore, and by reason of the abuses and destructive principles of their Institution, they were stripped of their property and possessions, which they were ordered to quit upon ten days notice, after having been compelled to give in a full state of all they had, with the several Title Deeds and Documents or Proofs in support of it. Sequestrators or Guardians were appointed to the management of their Estates and in a course of time and with a regularity proportioned to their importance, provision was made for the application of them in the various ways that Law, Reason, Justice and Policy dictated, and all this was done at the suit of the Crown Officer by the Courts of France, as we apprehend in a Judicial, and not in a Legislative Capacity.

It is therefore, as well for these as for other reasons peculiar to the situation of the Jesuits in this Province, that we are inclined to differ in opinion with the Honorable Members who composed the Committee of Council who reported to your Lordship on the 21st. of October 1788, that a Law or Ordinance of the Provincial Legislature was necessary to effect His Majesty's Most Gracious intentions towards Lord Amherst and His Majesty's benevolent Bounty to the Public, by declaring His Royal Will and Pleasure as to the suppression and Dissolution of the Order of Jesuits and the annexation of their Rights, Properties, and Possessions to the Crown for such purposes as His Majesty may think proper to direct and appoint.

The Grounds upon which the Honorable Members of the Committee adopted these sentiments and opinions, to wit, the contemplating the possession retained by the Jesuits under the sanction and eye of the Government, and under the divers approbative, if not confirmative, Acts of its Ministers, do not weigh with us, because nothing, as far we know, has been done or countenanced by Government to alter or change the condition or footing upon which the Jesuits of Canada stood at the time of Conquest or since. It is true they have been suffered to remain in possession of these Estates, and Governor Haldimand, in 1781, received from them an *aveu et dénombrement*, or declaration of the Estates they possessed in the Province, but under an express guard that such reception should not injure the rights of the Crown, and without receiving them to Fealty and Homage, as we find from the Papers now before us, neither of which we conceive can be considered as approbative or confirmative Acts; nor can the Jesuits or any other persons derive title or advantage from such circumstances under the present inquiry; on the contrary the lenity and indulgence that has been shewn should operate the other way, and induce the Jesuits to look with gratitude to His Majesty for the protection they have received, and produce a ready compliance on their part with His Majesty's wishes, as well as the diligence of all persons concerned in bringing this business to a conclusion.

We conceive it does not need the aid of a Law to effect this purpose, nor much difficulty legally to obtain the possession of the Jesuits' Estates long fallen to and vested in His Majesty by every Rule of Public or Private, Civil or National, Law and Practice. If a grant is made to Lord Amherst and his Heirs, it will be his Lordship's business to make it effectual, or if a Possession as well as Title is thought necessary to be vested in the Crown, there is nothing to hinder its being effected—Whatever should be your

Lordship's determinations respecting the Grant to be made or the Parts to be reserved of the Estates for Public uses, we can entertain no doubt about carrying the wishes of Government into legal execution under the present proceedings.

All which nevertheless is humbly submitted to your Lordship's consideration.

(Signed)

ALEX. GRAY, Atty. Genl.
J. WILLIAMS, Solr. Genl.

Quebec, 18th May 1790.

[At the foot of the above Paper is the following Memorandum in the hand writing of the late Honorable J. A. Panet, Esquire.]

TRANSLATION.

Mr. Chandler, the twenty fifth June 1789 declared to Panet in presence of Messrs. Coffin, Scott and Taschereau, that he had only written a Private letter to Mr. McGill, and that he Mr. Chandler had not sent to the Commissioners by Mr. Lawe any Copy of the Motions or Resolutions of the 17th June 1789.—Mr. Lawe said to Panet, in presence of Mr. Taschereau before the Barracks the 25th June 1789, at one o'Clock, that he Mr. Lawe, had left Quebec Thursday the 18th of June 1789, at four o'clock in the morning, and arrived at Montreal on Friday the 19th ditto at five o'Clock in the Evening.—That he left Montreal on Saturday the 20th of June at o'Clock and arrived at Quebec on Tuesday at two in the morning.

GENERAL ABSTRACT of the titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.		Parts veired in His Majesty.	Observations.
A — 16	<p>Seigniory of NOTRE DAME DES ANGES or CHARLESBOURG.</p> <p>Statement of the Titles Contents of the Seigniory.</p> <p>1626 March 10th 1637 January 15th 1652 January 17th 1646 July 24th</p> <p>Motives & consideration.</p> <p>This Seigniory was granted to the Fathers of the Company of Jesus and their successors, to be by them held and enjoyed for ever as their property in <i>franc aieu</i>, with all Seigniorial and Feodal rights, on condition that appeals from the decision of the Judges whom they shall appoint over the said Seigniory, shall be to the High Steward of New France or his Lieutenant at Quebec, in consideration of the services which they have rendered as well to the French Inhabitants as to the Indians of the Country, which can never be sufficiently acknowledged.</p>	<p>The whole of the Seigniory as appears to us.</p>	<p>Confirmed by the French King to be held in Mortmain by General Diploma 12th May 1678 Article 1.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.		Parts vested in His Majesty.	Observations.
<p style="text-align: center;">A — 34</p>	<p style="text-align: center;">Seigniory of ST. GABRIEL or the Two LORRETTES.</p> <p>Statement of the Title.s } 1647, April 16th Contents of the Seigniory. } 1647, May 15th } 1667, November 2d</p> <p>Motives & considerations.</p> <p>This Seigniory was given to the Reverend Fathers of the Company of Jesus, to be held and enjoyed by them as their property and to have effect in the strongest terms, so that they should not be disturbed in any manner whatsoever or by any person whomsoever, with all advantages and prerogatives accruing therefrom, conformably with the grant thereof made by the Company of New France, to wit, as a Seigniory and with a right to hold Courts of Justice, subject to Fealty and Homage at each mutation of the possessor — It was given to the said Revd. Fathers in consideration of the great friendship which subsisted between them and the Sieur Robert Giffard and his wife, and to the end of recompensing the said Reverend Fathers for the acceptable divers acts of kindness and services by them rendered so the Donors.</p>	<p>The whole of the Seigniory as appears to us,</p>	<p>Confirmed by the French King to be held in Mortmain by General Diploma, 12th May 1678, Article 16.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page		Paris vested in His Majesty.	Observations.
A — 66	<p>Statement of the Title. Contents of the Seignioriy.</p> <p>1699 October 23rd</p> <p>This Seignioriy was granted to the Revd. Fathers Jesuits to hold and enjoy the same by them for ever as their property, with the same rights and privileges where-with the said Lands had been given to the Savages by contract of the company of New France dated 15th March 1651, to wit, in <i>franc alevu</i> with all the seignioral rights which the said Company of New France had or claimed to have therein, together with the right of fishing on the River Saint Lawrence along the front of the lands so given, to the total exclusion of every other person not having their permission, together with all the meadows, grass &c. along the said River and some times covered with the Tide and at other times not so—and finally with all the rights and privileges which a Seignior can have, together with the right of superior mēse and inferior jurisdiction.—In consideration of the great spiritual and temporal aid afforded by the said Revd. Fathers Jesuits to the Indians of that Country and of the enormous expense by them incurred in supporting the Missions of the said Savages for whom they had purchased Lands in different places at a great expense.</p>	<p>The whole of the Seignioriy as appears to us.</p>	<p>The right of High Justice or (<i>Haute Justice</i>) was taken from this Seignioriy by an Ordinance of Mr. Randot, Intendant, dated 22d Oct. 1707.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.			Partsvested in His Majesty.	Observations.
A — 66	Seigniory of BELAIR or BON- HOMME MOUNTAIN	Statement of the Titles.	1682 November 24th 1684 April 15th 1710 August 28th 1732 May 2d 1732 May 24th 1733 January 22d 1738 May 31st 1733 February 16th 1740 January 29th 1740 May 7th 1743 February 1st	The whole of the Seigniory as appears to us.
		Contents of the Seigniory.		
		Motives & considera- tions.	This Seigniory was bought by the Revd. Fathers of the Company of Jesus (with the right of superior m ^e sne and inferior Jurisdiction and that of hunting and fishing within the limits thereof, subject to fealty and homage) from some of the Descendants of Guillaume Bonhomme and other persons who had purchased some parts thereof from other of his Descendants.	

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page		Parts vested in His Majesty.	Observations.
A — 76	Seigniory of CAP DE LA MADELAI-NE.	<p>Statement of the Title. 1651 March 20th</p> <p>Contents of the Seigniory. N. B. By Diploma of 12th May 1678, Book A, Page 15, Article 21.—This Grant was confirmed by the King.</p> <p>Motives and considerations. This Seigniory was given to the Revd. Fathers of the Company of Jesus in Canada for their Colleges and Houses, to be by them held in the same manner as the said Lands were before that time possessed by the Dominor, and to enjoy and dispose of the same by the said Fathers Jesuits and by their successors in New France as they shall think fitting for the advantage of the Indians converted to the Christian Faith, and to the end of contributing to the subsistence of the Jesuits in the said Country—the whole conformable with and according to the Customs and Constitutions of the said Company of Jesus without any Civil obligation.</p>	The whole of the Seigniory as appears to us.

21

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.	Statement of the Title.	Parts vested in His Majesty.	Observations.
A — 82	<p>Seignior of BATISCAN.</p> <p>Motives and considerations.</p> <p>1639 March 13th</p> <p>N. B. The depth of this Seignior seems to have been erroneously stated in the original Title, but it was afterwards fixed at twenty leagues, by Title under the Letter E, No. 3, by Mr. Duchesneau, Intendant of New France, bearing date the 9th February 1676, and also signed some time after by Mr. Dupuy, Intendant.— See Book A. Page 82.</p> <p>This Seignior was given to the Reverend Fathers of the Company of Jesus settled in New France for them and their successors to be held as an absolute Fief with right of Superior, Mésme and Inferior Jurisdiction and subject to Fealty and Homage to the said Jacques Delaferté and his Heirs, according to the usages and customs of Fiefs in the Prevôté of Paris—subject also to the payment of a silver cross of the value of sixty sols at the end of every twenty years to the said Jacques Delaferté and his heirs from the time that the said Lands should be cultivated.—The said Lands to be possessed by the said Fathers Jesuits, applied or assigned to the Indians or others becoming Christians, and in such manner as the said Fathers shall judge fit, so that the said Lands shall not be taken out of their hands as long as they shall think proper to hold and possess them.—This Seignior was given for the love of God.</p>	<p>The whole of the Seignior as appears to us.</p>	<p>Confirmed by the French King to be held in Mormain by Diploma, 12th May 1678, Article 20th</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.		Parts vested in His Majesty.	Observations.
A — 100	<p>Statement of the Title, Contents of the Island.</p> <p>Island of St. CHRISTOPHER.</p> <p>Motives and considerations.</p>	<p>1654 October 20th</p> <p>This Island was given and granted unto the Reverend Fathers of the Company of Jesus in New France to be held by them in <i>Franc Almoigne</i> for ever as a Chief, with power to grant the same or such parts of it as they shall think proper to Tenants, subject to <i>Cens et Rentes</i>, but without being themselves subject to any charge or condition whatsoever.—In consideration of the zeal manifested, and the care taken, by the said Reverend Fathers, and the advantage which Religion had received from them by the conversion and instruction of the Indians, which could not be sufficiently acknowledged.</p>	<p>The whole of the Island as appears to us</p> <p>Confirmed by the King, 12th May 1678 Article 25.</p>
A — 102	<p>Statement of the Title, Contents of the Seignioriy.</p> <p>Seignioriy of LAFFRAIRIE DE LA MAGDELAINE.</p> <p>Motives and considerations.</p>	<p>1647 April 1st</p> <p>This Seignioriy was given and granted to the Religious Order of the Jesuits on condition that they should send such persons as they should think proper to cultivate the Lands, and that the Donor should have a share in the advantages of their prayers and holy sacrifices.—And in consideration of the assistance given by the said Religious Order to the Inhabitants of New France and of the dangers to which they daily exposed themselves in bringing the Savages of the Country to the knowledge of the true God.</p>	<p>The whole of the Seignioriy as appears to us.</p> <p>The Honble. Peter Panet, Esquire, informed Mr. Chancellor by Letter of 18th April 1789, that he was then holder of a Constitut on this Seignioriy and the Jesuits House in Montreal, of 20 000 livres tournois, secured by mortgage thereon granted by the late René Fioquet Superior of the late Order of Jesuits at Montreal</p>

GENERAL ABSTRACT of the Titles of the late Order of Jesuits in the Province of Quebec.

Book & Page		Parts vested in His Majesty.	Observations.		
A — 152	Isle aux RUAUX.	<p>Statement of the Title. Contents of the Island.</p>	<p>1638 March 20th</p> <p>This Island was given to the Religious Order of the Jesuits and their successors for ever to feed the Cattle for their House, in consideration of their exposing their persons to the greatest possible dangers amongst the Savages in labouring to bring them to the knowledge of the true God and to a civilized life, upon the sole condition that the said Jesuits should give an <i>aveu et denombrement</i> to the Company of New France with a statement of the culture and amelioration of that Island every twenty years.</p>	<p>The whole of the Island as appears to us.</p>	
A — 154	Fief PACHE-TOWN in the Three Rivers.	<p>Statement of the Title. Contents of the Fief.</p>	<p>1638 March 20th</p> <p>This Fief was granted to the Revd. Fathers Jesuits to be by them enjoyed for ever as their property according to the Custom of Paris.—It was given them in consideration of the spiritual and temporal aid which they daily gave to the Savages of this Country, and of the great care they took and the enormous expense they incurred in supporting the Missions to the said Savages.</p>		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.	Parts Vested in His Majesty.	Observations.
Statement of the Title. { 1624 February 15th 1637 August 29th	475	
Statement of transfers by the Jesuits to the Inhabitants for a Common-Statement of Grants to the Jesuits in lieu of the above transfers.	315	
Present contents of this Parcel. Statement of the Title. { 1664 August 8th 1637 August 28th	remained 160 350 510	
A—158. Five near the Town of Three Rivers.		

These three lots of ground were given and granted to the Revd. Fathers of the Company of Jesus in commemoration of the assistance which they had given to the Company of New France in the settlement of the Country and in consideration of there still continuing daily to expose their persons to all kinds of dangers to bring the people of New France to the knowledge of the true God and to civilize them to have and enjoy the said Land by the said Revd. Fathers of the Company of Jesus and their Society for ever, as their property under the Title of Seigniorie in Mortmain, subject only to an acknowledgment to the Company of New France to be made once only, with exemption ever after from making it. The parts which they have had in Exchange from those which they have given for the Common have also been given unto them with the like Title of Seigniorie.

Motives and considerations.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held <i>en franc alev</i> , <i>en Retour</i> and <i>en arriere fief</i> .	Parts vested in His Majesty	Observations
A — 168	<i>Franc alev</i> , called <i>La Vacherie</i> , near Quebec.	Contents.	<p>1626, March 10. Statement of 1646, July 24. the Titles. 1632, January 17. Transfer from the Nuns. 1667, August 29.</p> <p>These three Lots of Land being now joined together, compose the Farm La Vacherie, occupied by Mr. Lynd, and the Lots whereupon buildings are erected on each side of the road leading from Quebec to the General Hospital, comprized within the boundaries of this piece of ground, which have been granted away to the holders thereof by the Order of the late Jesuits, containing 73 acres square, according to the last Survey which has been made thereof by William Vondenvelden.</p> <p>The two first of these Lots were granted by the Reverend Fathers of the Company of Jesus, to be held and enjoyed for ever as their property, to enable them to cause to be embraced and cultivated the Catholic Religion by the Savages of New France, who until then had no knowledge of the true God, and to the end that the said Revd. Fathers of the Society and Company of Jesus might always be at hand, to make use of their accustomed piety, Industry, Knowledge and experience.</p> <p>The whole of this Land or <i>Franc alev</i> as appears to us.</p> <p>This Grant was confirmed by the New France Company the 15th January 1637. 10 arpents of Land now called La Vacherie confirmed by the French King to be held in Mortmain by General Diploma, 12th May 1678, Art. 2 & 4.</p>

GENERAL ABSTRACT Titles of the titles to the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held en franc aleu, en Roture et en arrière fief.		Parts vested in His Majesty	Observations
A — 170	<p><i>Franc aleu roturier</i> in the Parish of St. Nicolas near Quebec on the south side of the River Saint Lawrence.</p>	<p>Contents.</p>	<p>Statement of 1739, October 20. Title.</p> <p>This Lot of Land was conveyed to the said Reverend Fathers Jesuits to be by them enjoyed in full property, together with the <i>Cens et Rentes</i> which shall be due by the Tenants from the date of the conveyance, and all the rights which belong to the said Seminary without reserve, in consideration of the said Cession by the Jesuits made of all their rights and claims in the Island Jesus to the said Seminary.</p>	<p>The whole appears to us.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held <i>en franc alevu, en Roture et en arriére-fief.</i>	Parts vested in His Majesty.	Observations.
174	Land <i>en roture</i> , at Point Levy, in the Seigneurie of Lauzon on the south side of the River St. Lawrence, opposite Quebec.	It was given on condition that the said Fathers of the Company of Jesus would cause it to be cleared and cultivated, and that the Jesuits should hold it in simple Roture and subject to such other conditions as the Company of New France should think proper to impose.	The whole as appears to us.
174	Land held in France <i>Almoigne</i> and pure <i>roture</i> joining the above.	This Lot of Land was given to the Reverend Fathers of the Company of Jesus, to be held in <i>France Almoigne</i> and simple Roture, without any other condition than that of clearing the Lands and furnishing the necessary Highways, in consideration that the said Reverend Fathers of the Company of Jesus have evinced their desire to make every effort for providing spiritual assistance to the Inhabitants of the said Seigneurie.	Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 12th May 1678, Art. 13, 14, 15.
174	<i>Arrière Fief</i> at Pointe Levy joining the preceding.	Statement of 1653, November 15.	
174	Land <i>en Roture</i> joining the rear of the two preceding at Pointe Levy.	This Land was conveyed to the Reverend Fathers, to be by them and their successors held for ever in Mortmain, with all the rights which the said Seigneur had therein, except that of holding Courts of Justice, for and in consideration of the sum of One Thousand Livres then paid by the said Revd. Father François de Mercier to the said Mr. De Lauzon.	The whole as appears to us.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held in <i>en franc aleu, en Retour et en arriere-fief.</i>	Parts vested in His Majesty.	Observations.
A — 174	<p>Land <i>en Retour</i> joining the rear of the two preceding at Point Levi.</p> <p>Motives and consid^{er}ations.</p> <p>This Land was given to the Revd. Father Da- blon, to be holden by him and his Successors and As- signs for ever, paying annually eleven sols as rent and eleven farthings as <i>cens</i> to the proprietor of the said Rief, and on condition of sending all the grain coming from the said Land, to be ground at the Banal Mill of the said Seigniory when there shall be one, and pay the toll thereof. At the foot of this Contract ap- pears another Contract passed before the same Notary, dated 29th September 1676, between the said Mr. de la Martiniere, as Tutor of the Minors Lauzon, on the one part, and the Revd. Father William Mathieu, Priest of the said Religious Order of the Jesuits, and Agent for the temporal affairs of the Missions of the Company of Jesus of the College of Quebec, import- ing it at although it be stated in the preceding Con- tract that the said Fathers Jesuits were bound and ob- liged to send all the grain, which should be raised up- on the Land then granted by Mr. de la Martiniere, to the Banal Mill of the said Seigniory as above men- tioned, the truth was that at that time it was under- stood, as it still is, that it was only in respect of such part as should be consumed upon the said Land, and that the said Father, of the Company of Jesus, should be at liberty to dispose of the remainder of the said grain, in such manner as they should think proper, any other Contract notwithstanding.</p>	<p>The whole as ap- pears to us.</p>	<p>Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 15th May 1678, Art. 27.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held <i>en franc alevu, en Rature et en arriere fief.</i>		Lands vested in His Majesty.	Observations.	
A — 178	Franc alevu en Rature à Tadoussac.	Statement of Title. Contents. Motives and considerations.	<p>This Ground was given to the said Revd. Fathers, to be by them, their Successors and Assigns enjoyed for ever, without any incumbrance, in the intention of erecting a Chapel and such other buildings as they should think necessary.</p>	The whole as appertains to us.	Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 12th May 1678, Art. 5.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held <i>en Franc alevu, en Rature et en arriere fief.</i>		Lands vested in His Majesty.	Observations.	
A — 180	Franc alevu en Rature à Tadoussac.	Statement of Title. Contents. Transfer.	<p>1637, March 18. 1652, January 17. 1646, July 24.</p>	The whole as appertains to us—viz 6 arpents 42 perches.	Six arpents only confirmed by the French King to be held in <i>Mortmain</i> by General Diploma, 12th May 1678, Art. 5.
A — 180	Franc alevu en Rature à Tadoussac.	Motives and considerations.	<p>This is the Original Concession made to the Revd. Fathers of the Company of Jesus and their Successors for ever, to hold and enjoy the same in full property, to build their College, Seminary, Church, and Lodgings and Appurtenances, without any other charge than that of holding the said Ground as well as their Successors from the Company of New France, & to comprize in the <i>aveu et dénombrement</i>, which they are bound to furnish to the said Company of New</p>		

GENERAL ASSEMBLY OF THE TITLES OF THE ESTATES, THAT WERE OF THE LATE ORDER OF JESUITS IN THE PROVINCE OF QUEBEC.

Book & Page	Lands held <i>en Franc aïeu</i> , <i>en Rature et en arrière fief</i> .	Parts vested in His Majesty.	Observations.
A — 180	<p><i>Franc aïeu</i> in the Upper Town of Quebec.</p> <p>Motives and considerations.</p> <p>France for the other Lands, which have been heretofore granted by the General Assembly of the said Company of New France, the 15th January then next last past. But by the Grant to them made by Mr. De Lauzon, Governor of this Country, this Lot was given to the Revd. Fathers of the Company of Jesus, to be held in Mortmain without any other condition nor charge. The motives and consideration expressed in this Contract are in these terms: (after having mentioned two other objects, that is to say, Charlebourg and La Vacherie, which had been granted by the Company of New France, and which are also confirmed and granted by this Contract) twelve arpents for the Lot of their College. We have seen the said Grants, &c. putting into possession, and boundaries fixed so far back as the 24th July 1646, and 16th July 1648, and having taken into consideration that the services which the said Revd. Fathers Jesuits render in the country, as well to the French Inhabitants as to the Savages, cannot be too highly acknowledged, having down to the present time employed themselves at the risk of their lives in the conversion of the Savages, even contributed powerfully to the settlement of the Colony, exercising daily charity, as well to the French Inhabitants as to the Savages, and moreover that by their Constitution they cannot accept any foundation which obliges them to any charges other than those, to which according to their Institution and their Vows they voluntarily bind themselves, and of which they acquit themselves so worthily, that it is not just to compel them to it nor civil to stipulate it from them.</p>	<p>The whole as appertains to us—viz. 6 arpents 42 perches.</p>	<p>Six arpents only confirmed by the French King to be held in Mortmain by General Diploma, 12th May 1678, Art. 3.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held <i>en Franc alev</i> , <i>en Roture</i> et <i>en arriere fief</i> .	Parts vested in His Majesty.	Observations.
<p>A — 182</p>	<p>Lands <i>en Roture</i> in the Upper Town of Quebec.</p> <p>Statement of Title, Contents, Motives and considerations.</p> <p>Statement of Title, Contents.</p> <p>1664 Sept. 3d.</p> <p>On condition that the said Jesuits should pay in future the <i>Cens</i> and <i>Reviz</i> to which the said lot was liable to the Company of New France, and also for and in consideration of the sum of one hundred Livres <i>Tournois</i>, which were then paid by the said Jesuits.</p> <p>To be by the said Revd. Fathers Jesuits their Successors and Assigns, held and enjoyed subject to such Rents and <i>Cens</i>, as might thence-forward be due to the said Company of New-France, and on condition of the sum of two hundred Livres <i>Tournois</i>, which the said Widow Macart, had received from the Revd. Father Claude Dablon, in the presence of the said Notary.</p> <p>N. B.—These four last Arpens were taken from the Jesuits in 1712, by Mr. De Beauvoir, then Engineer in this Country, and the Royal Redoubt was built there-upon in that year and the remainder used as a Parade.</p> <p>1771 May 1st.</p> <p>N. B.—There is a manifest contradiction in this Contract, to wit: in one part it fixes the boundary which was to separate the grounds of the parties for ever—beginning at the corner of St. Anne Street, and running in a parallel line (without saying to what Line) and</p>	<p>The whole as appears to us.</p> <p>The whole as appears to us.</p>	<p>Confirmed by the French King by General Diploma 12th May 1678, Art 6, to be held in <i>Mortmain</i>.</p> <p>Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 12th May 1678, Art. 7.</p> <p>Query. Had the late Order of Jesuits a right to make this Transfer.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held <i>en Franc alevu, en Roture et en arriere fief</i>	Parts vested in His Majesty.	Observations.
A — 182	<p>Lands <i>en Roture</i> in the Upper Town of Quebec.</p> <p>1788 April 24th.</p> <p>N. B.—The first of the Contracts fixes the line in front of the Ground assigned to the Nuns by the Jesuits, beginning at the corner of St. Anne Street, where the North Eastern Boundary Line of the Nuns' Ground intersects the said Street, and thence running in a line parallel to a line which runs in the same direction as the Dauphin Barracks: whilst the second contract fixes the Boundary line, beginning from the said Point in St. Anne Street, along the said Street, as it runs in the same direction with the Southern Gable end of the Dauphin Barracks, and thence to the Walls and fortifications of the City, and that the land situate on each side of that street, from the said first Point in St. Anne Street to the Walls of the fortifications, shall belong on the one side to the said Nuns and on the other side to the Jesuits for ever and in full property, mutually renouncing all claims to the Grants and sale which they might have made.—It is necessary here to observe that by the first Contract no changes were to be made, & the said first Contract terminated the line of separation by an intersection of the said line running to the Dauphin's Barracks, which would have been only a small space of</p>		<p>Query: Had the late Order of Jesuits a right to make this Transfer?</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held on <i>Franc alien</i> , en <i>Raturet en arriere def.</i>	Parts vested in His Majesty.	Observations.
A — 182	<p>Lands en <i>Raturet</i> in the Upper Town of Quebec.</p> <p>Ground, whilst the last Deed comprises a much more considerable extent of Ground.—It is necessary also to remark that the two Arpens of Land bought by the Jesuits from Guillaume Couillard and his wife, and the two other arpens acquired by them from the Widow Macart, were adjoining on one side to the enclosure of the Jesuits, and on the other to that of the Ursulines, and that the said Jesuits having held and enjoyed the two first mentioned Arpens from 1667, and the two others from 1664, with out any interruption or claim on the part of the Ursulines to the year 1712, when M. De Beaucour Engineer, took the said four Arpens, with the intention of erecting thereupon the Royal Redoubt, which was there erected in the same year, and the remainder was left for a Parade in front of the said Redoubt—Father Glapion informed Mr. Chandler a few days ago that the four Arpens thus taken by the said Engineer in 1712, were the same which had been purchased by the Jesuits in different parcels in the years 1664 and 1667, from the said Couillard and his wife, and the said Widow Macart, and in truth they must be the same because the Jesuits have never possessed other lands in that neighbourhood joining in part their enclosure and in part that of the Ursulines.—Thus those lands by them sold did not belong unto them, and have not been in their possession since 1712, when they were as aforesaid taken for the use of the King of whom they became the property and then fell to the King of Great Britain by the treaty of Peace of 1763, & there are the strongest reasons to doubt whether the Ground lying between the said Redoubt and the Wall of the Fortifications given by the Jesuits to the Ursulines by the Deed of compromise of the 24th April 1788, ever belonged to the</p>		<p>Query. Had the late Order of Jesuits any right to make this Transfer?</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands hold <i>en Franc aien</i> , <i>en Roture</i> <i>et en arriere fief</i> .	Parts vested in His Majesty.	Observations.	
A — 182	Land <i>en Roture</i> in Transfer. the Upper Town of Quebec.	<p>Jesuits—That on the contrary there is every kind of reason to presume that the Ground comprised within the lines described in the said Deed of compromise, that is to say, the enclosure of the Ursulines on the one side, and a line running in the direction of the Southern Gable End of the Royal Redoubt, which was then used as a Prison, is now and always has been the Property and in the Possession of the Crown, that is to say, the part of the said Ground which extends from the said Royal Redoubt to the Walls of the Fortifications of the City, between St. Louis and St. John's Gates, became the only Ground in that neighbourhood which is found to have belonged to the Jesuits, by contracts either in the Archives or in the Registers of the Province, are the eight Arpens Square which they obtained by the Exchange of the 9th May 1667, from Marie Guillemont Hebert, Widow of Guillaume Couillard, extending in front (according to the piece of Ground to them granted given in 1735) from the piece of Ground to them granted by the Company of New France, which is situated out of their enclosure to wit, from St. Stanislaus Street, to the corner of the lot of Mr. Ponce, which is of considerable extent, it cannot therefore be extended far enough in the rear to form the said eight Arpens in superficies.—It is besides to be observed, that the two Deeds of compromise are not only contrary the one to the other as to the limits, bounds, and quantity of land, but that each of these Deeds contradicts itself.</p>	The whole as appears to us.	Had the late Order of Jesuits a right to make this Transfer? Confirmed by the French King by General Diploma, 12th May 1678, Art. 8.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held <i>en Franc aleu, en Roture et en arriere fief.</i>		Parts vested in His Majesty.	Observations.	
A — 182	Lands <i>en Roture</i> in the Upper Town of Quebec.	<p>Contents.</p> <p>Motives and considerations.</p>	<p>This land was assigned by the said Widow of Guillaume Couillard, to the said Revd. Father Dablon, for the said Revd. Fathers Jesuits, to be by them their Successors and Assigns held and enjoyed and to be by them disposed of as they should think proper, in Exchange for a farm of two Arpens in front by thirty Arpens in depth in the Seigniorly of Notre Dame des Anges, having its front on the River St. Charles, which they this day bought from Pierre Pellerin de St. Amant and Louise Amoreau his wife, the two parties binding themselves respectively to pay from this day the Cens et Rentes, and Seignioral dues to which the exchanged Lots of Land are liable. 1666 April 21st.</p>	<p>The whole as appears to us.</p>	<p>Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 12th May 1678, Art. 8.</p>
A — 182	<i>Franc aleu</i> in the Upper Town of Quebec.	<p>Statement of Title.</p> <p>Contents.</p> <p>Motives and considerations.</p>	<p>This lot was granted to the Revd. Fathers and their Successors for ever as their entire Property, to enlarge their Church or build a new one, on condition however that if they should build a new Church they would leave a road of sixteen feet along such new Church.</p>	<p>The whole as appears to us.</p>	<p>Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 12th May 1678, Art. 11.</p>
A — 182	<i>Franc aleu</i> in the Upper Town of Quebec.	<p>Statement of Title.</p> <p>Contents.</p> <p>Motives and considerations.</p>	<p>1666 May 8th.</p>	<p>The whole as appears to us.</p>	<p>Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 12th May 1678, Art. 9.</p>
A — 182	Lands <i>en Roture</i> in the Suburbs of Quebec, outside Palace Gate.	<p>Statement of Title.</p> <p>Contents.</p>	<p>This lot was given to the Revd. Fathers Jesuits to be held and enjoyed by them and their Successors and Assigns for ever, to enlarge the public Highway along the Church, which it was their intention to build in that place. 1668 May 14th.</p>	<p>The whole as appears to us.</p>	<p>Confirmed by the French King to be held in <i>Mortmain</i> by General Diploma 12th May 1678, Art. 9.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

Book & Page.		Parts vested in His Majesty.	Observations.	
A — 182	Lands in <i>Roturier</i> in the <i>Su-burbs</i> of <i>Quebec</i> , outside <i>Pa-lace Gate</i> .	<p>Motives and considerations.</p> <p>This ground was sold to the said <i>Jesuits</i> of the <i>Col-lege</i> of <i>Quebec</i> their successors and assigns, to be held, enjoyed and disposed of as they should think fit, on con-dition of paying from the day of the sale an annual rent of five livres four sols in money, two live Capons and sixteen farthings for cens, wherewith the said ground was charged in favour of the <i>Widow Couillard</i>, and for and in consideration of the sum of four hundred livres <i>Tournois</i> paid to the said <i>Rajetot</i> and his wife by the said <i>Jesuits</i>.</p> <p>By a contract passed before the said <i>Notary</i> between the <i>Jesuits</i> and the <i>Widow Couillard</i>, she agreed to extinguish the said rent of five livres, four sols and two live Capons, which they were to pay her according to the said <i>Contract</i> in consideration of a sum of two hun-dred livres <i>Tournois</i> which they paid her in presence of the said <i>Notary</i>.</p> <p>1680 June 8th.</p> <p>This ground was sold to the <i>Revd. Fathers</i> of the <i>Company</i> of <i>Jesuits</i> of the <i>College</i> of <i>Quebec</i>, to be held and enjoyed by them their successors and assigns, and disposed of in such manner as they should please subject to such cens as it may be liable to, payable at the <i>Domain</i> of <i>Quebec</i>, for and in consideration of the sum of three hundred and ten livres which the vendor acknowledged to have received before the execution of the contract. <i>N. B.</i> By contract passed before the same <i>Notary</i> on the said 8th day of June 1680, <i>Fran-coise Duguet</i>, <i>Widow</i> of the said <i>Olivier Morel de la Durantaine</i>, agreed to and ratified the sale made by her said husband.</p>	<p>The whole as appears to us.</p>	<p>Confirmed by the <i>French King</i> to be held in mortmain by <i>Diploma</i> 12th. <i>May</i> 1678, art. 9.</p>
A — 184	Lands en <i>No-ture</i> in the <i>Up-per Town</i> of <i>Quebec</i> .	<p>Statement of Title.</p> <p>Contents.</p> <p>Motives and considerations.</p> <p>Statement of Title.</p>	<p>The whole as appears to us.</p>	

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page		Part vested in His Majesty.	Observations.
A — 184	Lands in <i>Ro- ture</i> in the Up- per Town of Quebec.	<p>Motives and considerations.</p> <p>This ground was sold to the Rev. Fathers of the Company of Jesus, to hold and enjoy, do with and dispose thereof in future as their property for and in consideration of 350 livres and fifteen sols in coin by them then paid to the vendors as appears by this contract.</p>	<p>Part vested in His Majesty.</p>
A — 184	Lands in <i>Ro- ture</i> conceded by the Fabrique of the Parish of Quebec.	<p>Motives and considerations.</p> <p>1661 June 10.</p> <p>This ground was granted for & in consideration of an annual rent of two sols for every perch payable by the Rev. Fathers the Jesuits to the Fabrique of the Parish of Quebec, making the sum of seven livres of annual ground rent not redeemable, and one sol for every perch because that ground falls into Mortmann so that it cannot produce mutation fines (<i>Lods et Venies</i>) the whole making ten livres ten sols.</p>	<p>The whole as appears to us.</p>
A — 184	<p>Motives and considerations.</p> <p>Statement of Title Contents.</p> <p>Statement of Title.</p>	<p>1665 Jan'y. 27.</p> <p>This ground was granted to the Rev. Fathers the Jesuits charged with two sols of ground rent not redeemable, for every perch, and one sol for every perch in consideration of its falling into that Mortmann, and consequently not producing any mutation fines (<i>Lods et Venies</i>) making in the whole four livres, four coppers payable annually by the said Revd. Fathers the Jesuits to the Fabrique of the Parish of Quebec.</p>	<p>The whole as appears to us.</p>
Statement of Title.	1666 May 12.		

GENERAL ABSTRACT of the Title of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Contents.	Parts vested in His Majesty.	Observations.
A — 184	<p>Lands en Roture conceded by the Fabrique of the Parish of Quebec.</p> <p>Motives and considerations.</p> <p>Statement of the Title.</p> <p>Contents.</p> <p>To enjoy do with and dispose of by the said Revd. Fathers Jesuits in the manner they shall think most proper, subject to the payment of an annual ground rent not redeemable of two sols for every perch, and one sol for every perch in consideration that the said ground falls into Mörmann, and cannot produce any mutation fines, the whole making a rent of thirty-three sols and eleven farthings annually payable by the said Jesuits to the said Fabrique of the Parish of Quebec.</p> <p>1651, June 5.</p> <p>To be enjoyed by the said Revd. Fathers Jesuits and their assigns for ever in pure Roture on condition that they will build thereupon, and enclose as well it as their Village, with good pickets in such manner as shall be ordered by the Governor of this Country within one year from the date of the grant, which in default thereof was to be null, and further that they would cause this grant to be confirmed by the Company.</p> <p>N. B. It does not appear by any paper that the conditions of this Contract were ever fulfilled, nor that it was ever confirmed, and Mr. Coffin, one of the Commissioners has never been able notwithstanding all his researches on the subject to obtain any light respecting this <i>arpent en Roture</i>, but he found in the place pointed out by the Contract a space of vacant ground and a square opposite the Church <i>Notre Dame</i>, which he was told belonged to the King, and a piece of ground in the possession of John M. Pherson, containing 7070 feet held by the Jesuits by several of his predecessors from time immemorial subject to one livre ten sols of cens et <i>rentes</i>.</p>	<p>The whole as appears to us.</p>	
A — 178	<p>Lands en Roture in the Town of Three Rivers.</p> <p>Motives and considerations.</p>		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

Book & Page.		Parts vested in His Majesty.	Observations.	
A — 196	Statement of the Title.			
	Contents.	No. 1.		
	Arpents, Perches, Feet.	4	11	276
	Contents.	No. 2.	4	11
	Statement of transfer.	1764 May 5,	8	0
Lands en Rofaire in and near the City of Montreal.	Contents.	2	50	
Statement of the Title.	No. 2.	1	0	
Contents.	Statement of the Transfer.	No. 4.	0	
Statement of the Title.	Contents.	No. 5.	0	
Statement of the Title.	Statement of the Title.			

These 4 arpents 11 Perches 276 feet as appears to us. These arpents as far as they relate to the Little River as appears to us, the remainder having been transferred by the Jesuits in 1764. These 2 arpents, 50 perches as appears to us. This one arpent as appears to us.

Query. Had the Jesuits a right to make this Transaction at the time it was made?

Query. Had the Jesuits a right to make this Transport at the time it was made?

Query. Had the Jesuits a right to make this Transfer at the time it was made?

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

Book & Page		Parts vested in His Majesty.	Observations.
A -- 196	Lands in <i>Rouville</i> in and near the City of Montreal.		
	Statement of the Title. Contents.		
	<p>Motives and considerations.</p> <p>No. 6.</p> <p>These several pieces of ground No. 1 to 6, were sold to the said Revd. Father, Claude Dablon, Superior, of the Revd. Fathers of the company of Jesus, settled at Quebec in his said quality of Superior, and his assigns, to be by them held and enjoyed in such manner as they should think proper, subject to fifty-eight sols annually, towards the Seigniors of the Island of Montreal, and other charges, for which the said lands are liable according to their respective Title Deeds, as to an annual rent of fifty-livres nineteen coppers, to which the said lands, were subject in favour of the Fabrique of Montreal for the keeping up of a perpetual lamp; the vendors bound themselves to purchase that rent and furnish a discharge therefrom to the Rev. Father Dablon, at the period of the last payment to be made of the price of the said piece of ground.—These lands were sold for and in consideration of the sum of \$200 livres whereof 4200 were paid at the time of the passing of the contract and the other 4000 livres payable before the departure of the ships in the following year, acquaintance for which sum was also given by the vendors the 20th September 1692 by a Deed passed before Basez, Notary, and the Rev. Father Vaillant by the said Instrument acknowledged to have received a contract passed</p>	Arpens. Perches. Feet. 47, 272	These 47 Perches 272 feet as appears to us.
			Query continued.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page		Paris vested in His Majesty.	Observations.
A — 196	Lands in <i>Rolivre</i> in and near the City of Montreal.	<p>before Adhemar, Notary, the 17th of the same month which discharges the said Lands for ever from the said rent of 50 livres 19 sols wherewith they were charged for the keeping up of a lamp.</p> <p>The three lots of ground above conveyed by the Revd. Father Ploquet were sold subject to <i>cens & rentes</i> and other signiorial dues payable to the Seignior of the Island of Montreal, and for and in consideration of the sum of 2000 livres which he acknowledges to have received from the said Chas. Plessis Belair, provided that he the said purchaser should pay an annual rent or annuity of five hundred livres to the Brother & Father Gournay, Jesuit, residing in the community of Jesuits in the Town of Montreal during the life of the said Father Gournay, the said annuity to cease and be extinguished from the moment of his death, which happened in December 1767.</p> <p>N. B. The grounds belonging to the Jesuits at Montreal consist in three arpents 68 perches and a third in superficies enclosed by a wall, and on which are erected their Church, Chapel, Houses and Offices, as they are designated upon the plan between the letters A, B, C, D, E, F, G—two house lots adjoining the western extremity of them enclosed, one ditto adjoining the north eastern angle (these three house lots are colored blue upon the Plan and one vacant lot adjoining the last.) The remainder consists in part of the ground occupied by the Walls and Fortifications, and the <i>Charnap de Mars</i> or Parade situated between the said Walls and the enclosure of the Jesuits, and the remainder outside of the Walls and Fortifications of the Town, and twice running backwards in part to the line, H, L, two arpents, and in part to the line run-</p>	<p>Motives and considerations.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.			Parts vested in His Majesty	Observations.
A — 192	Lands in France <i>deux</i> at Miamis.	Statement of the Title. Contents. Motives and considerations.	<p>1681 May 24.</p> <p>To be held and enjoyed by the said Pierre Dublon and others, Missionaries, and their successors and assigns for ever as their property, without paying any charge or indemnity to His Majesty or his successor, to build a Chapel House and to reap Wheat.</p> <p>N. B. Messrs. M-Gill, St. Ours, and Rouville, three of the Commissioners, resident at Montreal, having been required by a letter from Mr. Chandler to obtain information from the Fur Traders at Montreal upon the subject of this land and other objects in the Upper Country, they answered by a letter of the 9th March 1789 in these words, "and first upon the subject of the grant of 24th May 1689 of a piece of ground on the River St. Joseph, we have learnt from a person here who has resided there several years, that the Jesuits had in a stockaded Fort belonging to the King of France, a Church, House, and Garden which are now in ruin, probably occupied by Traders, but which are not leased by the Jesuits and which produce no income."</p>	The whole as appears to us.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.		Parts vested in His Majesty.	Observations.
A — 207	Fairs of St. Louis.	<p>Statement of the Title, Contents, Motives and considerations,</p> <p>1680 October 31.</p> <p>To be held and enjoyed by the said Revd. Fathers of the Company of Jesus on the same conditions as are expressed in the grant of the Saulx St. Louis by his Majesty the better to enable the said Fathers to continue their efforts for the conversion of the Iroquois and other Savages.</p> <p>1792 March 22.</p> <p>1689 October 14.</p>	<p>Parts vested in His Majesty.</p>
A — 210	Lands of the Coast of LAUZON S. W. of River St. Lawrence.	<p>Statement of Transfer, Statement of the Title,</p> <p>Contents & explanation. Statement of the Title,</p> <p>1655 April 4</p>	
A — 211	Ground in the Lower Town of Quebec.	<p>Statement of Transfer, Statement of the Title, Contents, Motives and considerations.</p> <p>1695 September 16.</p> <p>This ground was given to the Revd. Fathers of the Company of Jesus to be held and enjoyed by them their successors and assigns for ever in <i>Franc d'homme</i> and in Mortmain and to do with and dispose of as they shall think proper, on condition that they should contribute to the expenses of the building of a wall of 72</p>	

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.		Parts vested in His Majesty.	Observations.
A — 207	Paris of Sr. Louis.	<p>Statement of the Title, Contents, Motives and considerations,</p> <p>1680 October 31.</p> <p>To be held and enjoyed by the said Revd. Fathers of the Company of Jesus on the same conditions as are expressed in the grant of the Sault St. Louis by his Majesty the better to enable the said Fathers to continue their efforts for the conversion of the Iroquois and other Savages.</p> <p>1792 March 22.</p> <p>1889 October 14.</p>	
A — 210	Lands of the Coast of LAUZON S. W. of River St. Lawrence.	<p>Statement of Transfer, Statement of the Title,</p> <p>Contents & explanation, Statement of the Title,</p> <p>1655 April 4.</p>	
A — 211	Ground in the Lower TOWN of Quebec.	<p>Statement of Transfer, Statement of the Title, Contents, Motives and considerations.</p> <p>1695 September 16.</p> <p>This ground was given to the Revd. Fathers of the Company of Jesus to be held and enjoyed by them their successors and assigns for ever in <i>Franc almonie</i> and in Mortmain and to do with and dispose of as they shall think proper, on condition that they should contribute to the expenses of the building of a wall of 72</p>	

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.		Parts vested in His Majesty.	Observations.
A — 211	Ground in the Lower Town of Quebec.	Statement of the Title, Contents, Motives and considerations.	<p>feet in length to support the terrace of the new battery whither the cannons have been removed.</p> <p>1685 May 13.</p> <p>This lot was given to the Revd. Fathers of the company of Jesus, their successors and assigns to be held & enjoyed by them for ever in <i>France almoigne</i> and in Mortmain, to do with and dispose of as they shall think fit and as their property.</p> <p>1713 April 24.</p> <p>N. B. It was a precaution which any prudent man purchasing lands in <i>France alou</i> and in Mortmain would not have omitted, because such a sale was null in Law a circumstance against which provision could be made only by a counter security.</p>

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.	Lands granted to the Jesuits which do not appear by this enquiry ever to have been possessed or aliened	Parts vested in His Majesty.	Observations.
A — 209	Lands on the River l'Assomp-tion and adjacent.	Statement of the Title. Contents.	<p data-bbox="787 672 818 739">1652.</p> <p data-bbox="352 672 787 1176">To be held and enjoyed by the said Charles de Lauzon, his heirs and assigns as a Pief and Seigniorie, with right of Superior Mése and Inferior jurisdiction, and the same rights which belonged to the Company of New France, according to the donation to them made by the edict of their establishment—provided always that the said Chas. De Lauzon his heirs or assigns, should perform fealty and homage once in the Court of the Steward at Quebec, and pay to be discharged there-of for ever after one year's revenue at each change of possession according to the custom of <i>Terre de France</i> attached to that of Paris—provided also that there shall be an appeal from the decisions of the Judge who shall be therein established to the High Steward of New France or his Deputy in the jurisdiction of Quebec—This contract contains a mandamus to the Steward of New France and his Députés with an order to put the said Chas. De Lauzon into possession of the said Lands.</p>
A — 212	Lands on the River La Chaudière.	Statement of Transfer. Statement of the Title. Contents.	<p data-bbox="321 672 352 873">1657 September 10.</p> <p data-bbox="279 672 310 806">1685 July 1.</p>
A — 210	Lands on the Coast of Lauzon S W of the River of the Falls of La Chaudière.	Mouvres and considerations. Statement of the Title.	<p data-bbox="155 672 259 1176">To be distributed among the Abenaguiss Savages who should come to the Missions there to be established by the Jesuits in the intention of embracing the Christian Faith.</p> <p data-bbox="113 672 145 856">1689 October 14.</p> <p data-bbox="93 1360 279 1554">The present Father Jesuit informed us they were never in possession of this Seigniorie & can give no information concerning it.</p>

GENERAL ABSTRACT of the titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

Book & Page		Parts vested in His Majesty.	Observations.
A — 210	Lands at the Coast of Lauzon S W of the River of the Falls of La Chaudière.	Contents.	<p>This land was granted to the Revd. Fathers of the Company of Jesus to give to them the means of exercising their zeal in bringing the Savages to the Christian Faith, and in consideration of the advantages which may result to the Colony from the Settlement of the Abenaguas nation, as well from the Peltries which they brought to the French merchants, and of the services which were expected from against the other savage nations then enemies of the French.</p> <p>N. B. This grant probably never took place for the rear of the fifteen arpents do not lie S. W. of the River La Chaudière as it is said in the contract but to the north east of the said River, since that River cuts the said fifteen arpents in front by forty in depth near the rear thereof, so that the Lands in the rear have the river to the S. W. see the fragment of the plan of a part of the Seignory of Lauzon by Plamondon Survevor, in 1749.</p>
A — 214	Lands on the River Akanga.	Statement of the Title.	<p>1689 November 26.</p> <p>To build a Chapel and other things mentioned in the contract of concession.</p> <p>N. B. The Commissioners of Montreal by their letter of the 9th March 1789 to Kenelm Chandler, Charman, say that the concession on the River Akanga is altogether out of this Province, this River falls into the Mississippi on its western side in latitude 53o. 30'. north.</p>
A — 213	Lands at every place where there shall be a French Fort & Garrison.	Contents. Motives and considerations.	<p>Statement of the Title.</p> <p>1651 July.</p>

 TO HIS EXCELLENCY, &c.

PROVISIONAL REPORT OF THE COMMISSIONERS, &c.

We the majority of the Commissioners assembled at Quebec, unanimously Report to your Excellency, that we have found and caused to be issued the principal Titles of the Fiefs and other immoveables held by the Religious men, known by the name of the Order of Jesuits in this Province, and that we are ready to commence the *Papier Terrier* of the said Fiefs and immoveables, to arrive at a determination of the points contained in the said Commission, but that we cannot do this until previously a Proclamation equivalent to Letters of *Papier Terrier* shall have been issued, enjoining in the name of His Majesty all persons holding *fiefs, arriere fiefs*, all Tenants *en Roture*, and all other debtors of rents or by reason of immoveables to the said Religious order, to appear within a period to be therein fixed and declare Fealty and Homage, the *aveux dénombrements* or the Seigniorial *Cens et rentes* or constituted Rents and other real incumbrances wherewith they are charged according to their Titles which they shall exhibit according to the Laws and Customs of this Province and under the penalties therein contained

We conceive that the Reasons which follow shew the necessity of the said Proclamation.

1st. The Commission addressed to us enjoins us to proceed without delay and in due form of Law.

2d. The Laws and Customs of Fiefs and immoveables in this Province, re-established or maintained by the Statutes 14 Geo III. cap. 83 and cap. 88, do not grant those fiefs and immoveables otherwise than according to the Laws such as they were in use before the conquest.

3d. According to those Laws and Customs, it is the King alone who has the right to issue and publish Letters of *Papier Terrier*, vide *Terriere Dict. de droit*, or his introduction *verbo Papier Terrier*.

4th Without a Proclamation equivalent to these Letters of *Papier Terrier* the Vassals and Tenants would not be legally bound nor notified, nor exact in coming to declare and exhibit all their Titles. A multitude of refusals, difficulties and delays would result therefrom.

5thly. and lastly—: Since the Conquest and more particularly in the year 1777 and following years, His Majesty's Governors in this Province have published several Proclamations for the *Papier Terrier* of the *Domaine*.

We conclude this provisional Report by humbly submitting to your Lordship the above reasons for the obtaining of the said Proclamation or such other means as Your Lordship will be pleased to grant.

To His Excellency the Right Honorable GUY, Lord DORCHESTER, &c.

SECOND PROVISIONAL REPORT of the Commissioners named by Letters Patent of the 29th December 1789, to enquire into the immoveables heretofore held possessed and claimed by a certain Community known by the name of the Order of the Jesuits in the Province of Quebec.

We the undersigned, Kenelm Chandler, Thomas Scott, John Coffin Senr., Gabriel Elzeard Taschereau, John Anthony Panet, George Lawe, James M'Gill, Quinson de St. Ours and Jean Hertel de Rouville, Esquires, Commissioners to make enquiry of the said immoveables in obedience to the Order of Your Excellency, of the 24th of the present month, which enjoins us to comply with the Report of the Committee of the whole Council of the 22d of the present month containing;—

“ That it is expedient that we should be required to make as soon as possible a Report to your Excellency.”

1st.—To what extent we have up to the present time been able to execute the trust confided to us ?

2d.—What remains to be done to fulfil it ?

3d —What obstacles are encountered ?

4th.—And by what means we conceive these obstacles may be surmounted and the intention of the said Commission accomplished.

We humbly make to your Excellency the Second Report which we consider as the first provisional one, and submit most respectfully that we believe that we have proceeded in due form of Law, and without delay, as the said Commission expressly requires and as our deliberations and resolutions contained in the Book A, whereof a certified Copy is herewith annexed, establish.

We ask the liberty of now establishing the material points contained in the present Report in following the order of the four questions stated by the said Report of the Council.

Upon the first question—To what extent we have up to the present time been able to execute the trust confided to us ?

We have most attentively considered all the points which the said Commission requires us to ascertain in due form of Law, and as soon as possible, and we establish to what point we have been able up to the present moment to execute the trust confided to us by it, comparing in the margin each point proposed by the said Commission with the Report which we place along side it, as far as it is possible for us to do, at present reserving it to us to point out upon the fourth question the means of better fulfilling the intentions of the said Commission.

1st. Point of the Commission.—What were the lands and property held possessed and claimed by the said Order of Jesuits ?

REPORT.

We have obtained from the most Revd. Father Augustin Louis de Glapion, Superior of the Jesuits in this Province, and the Revd. Father Jean Joseph Casot, Agent for the College of Quebec, who voluntarily

communicated to us all the Original Titles and others of the immovables, in virtue whereof the said Community known by the name of the Order of the Jesuits in this Province held, possessed and claimed them, as the Reports Nos. 1, 2, 3 and 4, ascertain them, of which Titles an authentic Copy is contained in the Books Nos. 1 and 2, intituled, "*Title Deeds Jesuits' Estates.*"

And we observe that although down to the present time it would appear that we have a Copy of all the original Titles, yet probably some others would be found in proceeding to the *Papier Terrier*, whereupon we shall speak hereafter.

2d. Point—How and in what manner acquired?

REPORT.

We find that the said Community heretofore known by the name of the Order of the Jesuits in the Province of Quebec demanded and obtained by grant, acquisition, or exchange, for the motives and for the considerations contained in each Title, whereof the said Reports Nos. 1, 2, 3 and 4, are an analysis for each property, but that the grants acquisitions or exchanges regularly, not being valid in mortmain according to the Laws of the Country before the Conquest, without Letters of Amortization which are required to contain their considerations and conditions, they obtained from His Most Christian Majesty for the greater part of their Estates a Diploma in the form of Letters Patent of the 12th May 1678, duly enregistered in the Sovereign Council of Quebec, whereof an Authentic Copy is to be found in the Book, intituled, "*Title Deeds, Jesuits' Estates,*" Vol. 1, Page 1, which Diploma in referring to the Original Title of each amortized Estate provides in the following words—"For these causes, wishing to treat the Memorialists favourably, "to contribute as much as shall be possible to us to the greater Glory "of God and the Establishment of the Catholic Apostolic and Roman "Religion in the Country of Canada, and to oblige them to continue "their prayers for our prosperity and health, and the preservation of this "State. We, of our especial Grace, full Power and Royal Authority "have approved, confirmed and amortized, &c."

3d. Point.—What are the parts or portions thereof which have been by them alienated or exchanged?

REPORT.

We report, that the parts or portions of the Estates anciently belonging to the Jesuits alienated and exchanged are ascertained by the Report No. 2 p. 1 & *Seq.* And to be convinced that the Jesuits, more particularly since the Conquest, have not alienated or exchanged the whole or any parts of their Estates of which we have Copies of the ancient Titles, it would be necessary lawfully to command the subjects of His Majesty to declare formally in writing, within a sufficient and peremptory delay, those who had acquired the whole or a part of the Estates heretofore held, possessed or claimed by the said order of Jesuits in this Pro-

vince, and to produce the titles or claims which those subjects or any of them pretend to have thereto, and we shall propose the means of doing this upon the fourth Query.

4th. What are the parts or portions thereof wherewith His Majesty is now vested, and which His Majesty may give and grant in the manner prayed for by the said Lord Amherst his heirs or assigns ?

REPORT.

We find as to the effectual and actual possession, that immediately after the Conquest a part of the College of Quebec was occupied by the provisions of the King to 1776, and that down to the present time the troops of His Majesty in Garrison at Quebec, occupy as Barracks since 1776 the greater part of the said College built in the Upper Town, and that the said Revd. Fathers De Glapion and Casot occupy the remainder of the said College and the Church of their Order, and that it is a matter of public notoriety in this Province, that the Revd. Fathers De Glapion and Casot received the Revenues arising from mutation Fines, (*Cens et Rentes*) profits of the Mills and of the Ground Rents due in respect of Lands situate in the District of Quebec which they cause also to be received from a part of the Fief St. Gabriel and from the Mill of La Jeune Lorette by the Revd. Father Giroux, Jesuit, Missionary, for keeping up the College of Quebec, the Church and Mission of La Jeune Lorette for the Village of the Hurons. That the Revd. Father Welle occupies a part of the House built at Montreal for the Mission established at the said place, and the remainder is occupied by the Government as a Prison in civil matters, and that the said Revd. Father Welle collects the *Cens et rentes*, mutation fines, profits arising from Mills and from Ground rents, and other rents due from or in respect of Lands situate in the District of Montreal.

That with respect to the parts or portions of the said Estates wherewith His Majesty is now vested and which His Majesty can give and grant in the manner prayed for by Jeffery Lord Amherst his Heirs and Assigns, we do not think we shall be in a condition to report thereupon, until after the subjects of His Majesty who may have certain rights of enjoyment of property, incumbrances, servitudes or indemnities, either by reason of foundations of succession, of purchase or otherwise have been commanded to make within a sufficient delay their formal declaration and to produce the titles and proofs which they may have to support them, and we will propose the means upon the fourth Query.

And that there is no doubt that His Majesty has his right of sovereignty by reason of the Conquest of this Country over all the said Estates of the Jesuits as over those of His Majesty's Canadian Subjects, but that to report upon a point of so much importance as the determining what His Majesty can give and grant of the said Estates, in the manner demanded by Jeffery Lord Amherst his heirs and assigns, it would be

requisite in the first instance to ascertain all the points of the said Commission, to the end that the claims whereof we have just spoken be carefully examined and considered with or by the rights of His Majesty to know the pure and simple property and possession. And we shall also propose the means thereof on the fourth Query.

5th. The nature and quality of the said Lands.

6th. The nature of the Titles in virtue whereof they are now held.

7th. The present value.

8th. The nature and extent of the Seigniorial rights,

9th. The nature of the Grants in virtue whereof the possessors hold them.

10th. Their exact local situation.

11th. The state of Cultivation and their population.

We have taken into our serious consideration the manner of ascertaining all these points :—so far back as the 14th February 1788, as appears by our Resolve in the Book A. page 22, which nominates unanimously Messrs. Taschereau, Scott and Lawe, three of us, to go upon the lands with the Notary and Surveyor chosen by the previous Resolutions and to measure the Lands and proceed to the *Papier Terrier* in the District of Quebec, to Messrs. McGill, De Rouville and De St. Ours in the District of Montreal ; but for the reasons contained in the Book A. of the proceedings from page 32 to page 34. we resolved on the 17th March 1788, to make, and we had the honor accordingly to make, to your Excellency our first provisional Report contained in the said Book A. page 11, whereby we prayed your Excellency to be pleased to issue a Proclamation for the purpose of proceeding regularly to the *Papier Terrier*, or to order one as to your Excellency in your wisdom should seem best. The 15th September 1788 we gave in writing to the Committee of the Council the reasons and law authorities contained in the said Book A. page ... which appeared to render the said Proclamation necessary or useful. Waiting the solution we have made divers researches which have only produced the list and indices contained in the Book marked _____ which are not supported by any Titles or legal evidence, and which are incapable of affording a foundation to our final Report, and considering now that we shall not obtain the said Proclamation we will pursue another course upon the fourth Query.

With respect to the tenth point, of the exact local situation of the Lands we have caused to be made Copies of some plans which we produce with this Report with a list marked _____ but we cannot verify them nor ascertain with exactness the actual and certain situation, lines and Boundaries, but by proceeding with the *Papier Terrier* upon the spot, and causing to be made new plans as well for those parts of which there are ancient plans as of these whereof there are none.

12th If there are any parts which were given to the said Religious Order by individuals, and which are claimed by the Heirs of the Donors and what those parts are, and who are the parties claiming—

REPORT.

The first and second Reports which contain an Analysis of the original

Titles to the said Order of the Jesuits of the Estates, ascertain to what degree we have been able to obtain a knowledge from the Titles themselves, the parts which have been given to them by individuals, but to know whether these or any other parts will be claimed by the heirs of the Donors, what those parts are and who will be the claiming parties, we thought that by legal authority the subjects of His Majesty ought to be commanded within a certain time, peremptorily to declare all their claims under the penalty of losing them. And seeing that we have not obtained the Proclamation which we asked for the *Papier Terrier* we have settled another course upon the fourth Query.

Upon the second question, what remains to be done to fulfil the Commission?

We find two proceedings very essential for the purpose of fulfilling the said Commission.

The first to command in due form of Law or simply to require all those who pretend any right of enjoyment, of property, of charges, servitudes or indemnities whether by foundation, succession, purchase or otherwise to make thereof, whether the delay be peremptorily or simply fixed, their declaration in writing and to produce the Titles and proof which they may have to offer in support thereof.

The second to command in like manner in due form of Law or simply to require all the Tenants &c. to declare within the delay which shall be also either peremptorily or simply fixed, all the dues, *Cens et rentes*, charges and incumbrances whatsoever, to exhibit their Titles and to pass a new one in the form required to proceed to the *Papier Terrier*.

Upon the the third Point. What are the obstacles encountered? We have not met with any obstacle in fact except those which according to our proceedings Book A. do not appear to be of any consequence, but having met with an obstacle in Law, to wit, our inability lawfully to command those who set up any claim to or in respect of the said Estates to make declaration of their claim within a time to be fixed peremptorily, and in like manner the subjects of His Majesty who are now tenants in the Seigniories or debtors of Ground Rents or other dues, to declare them, exhibit their Titles and to pass a new Title to the *Papier Terrier* authorised by the Laws and forms of this Country, we submitted that obstacle in Law by our first provisional Report made to Your Excellency, and no longer expecting the Proclamation which we had demanded in that respect we proceed by another measure which we are going to explain.

Upon the fourth and last question, by what means we conceive that these obstacles could be surmounted and the intention of the said commission fulfilled.

As we no longer expect the Proclamation which might lawfully command all those who may claim any rights to declare them within a peremptory delay, and the Tenants and Debtors to declare the dues exhi-

bit their own Titles and pass the *Acte* in the *Papier Terrier*, we have resolved to cause to be inserted in the Quebec Gazette and posted up at the principal door of the Parish Churches where the said Estates are situated, an advertisement informing the Public that we are authorized under the said Commission, and that we require all those who claim any rights upon the said Estates to declare them to us in writing, and to produce their Titles and Evidence in the offices of the said Commission, held, to wit, at Quebec, _____ at Montreal at _____ the first Tuesday of each month up to the first Tuesday of October next inclusive, at Ten of the Clock in the morning—and the Tenants or the Debtors of Dues to come and declare them, exhibit their Titles and pass an Act of declaration thereof, to wit, for the lands situate in the City and District of Quebec and Montreal at each of the said offices respectively, the first Tuesday of each month up to the first Tuesday of the month of October next inclusive, at Eleven of the Clock in the forenoon, and upon the Lands or Estates charged with such dues, to wit, for those situate in the City or *Banlieu* of Quebec and of Montreal respectively upon each lot, when the Commissioner shall present himself there, between the first of June and the first of July next, and in each Seigniori after the first of July next at the places and times which shall be _____ by an advertisement which shall be posted up at the Parish Church of each place, until the *Papier Terrier* is completed, which resolve and which advertisement are contained in the Book A. of our proceedings.

(The two first pages wanting.)

That for the purpose of building that Church, that College and those buildings to instruct therein the Children of the French Inhabitants and of the Savages of Canada; by reason of their vows of evangelical and personal poverty, they could not hold any estates except such as were held for by the title of a College (!) founded in favor of the Children of the Country *ad studendum & orandum*. And it was only as appertaining to a College that the King after the Cession to him made of this Country, confirmed and amortized all their Estates which he freed from his *Dominium utile*, by a solemn and express Diploma for the propagation of the Catholic Apostolic Roman Religion in Canada, and for the instruction of the Youth of this Colony. (m.)

The Seigniories were given by the same Citizens particularly to Catechise, instruct and teach, (n) and even for the assistance which the Inhabitants of the Country were to receive; (o) this Seigniori and those which

(l) Bull ditto.—Constit. part 6, Cap. 2 v. 3.—Causes Célèbres, Vol. XIII, page 88.—Ordonnance de 1589, Art. 151.—Cout. de Par. Art. 227 & Grand Comm. de Ferrière.

(m) Letters Patent of Louis XIV of the 12th May 1678 duly enregistered in the Sovereign Council of Quebec the 31st October of the same year, and after the Conquest the 20th December 1765, Book A. page 657. See the description of the Estates in those Patents, Art. 3.

(n) Titles of Notre Dame des Anges or Charlesbourg, of the 10th March 1626.

(o) Titles for ditto, 15th January 1657 and 17th January 1652.

are about to be mentioned, were in like manner amortized for ever for the same considerations and for the establishment of this College of its Church and of the same Religion (p.)

The Peninsula upon the River St. Charles called *Lavacherie* near Quebec, leased to David Lynd, Esquire, was granted to supply the place of six arpens taken from the 12 arpens for the College, and for the same reason and ends as contained in the Titles to *Charlesbourg*. (q) It was in like manner amortized and annexed to the College. (r)

The two Lorettes or Seigniory of St. Gabriel (s) were given solely from friendship to the Jesuits, by Mr. Robert Giffard, then Seigneur of that place and of Beauport, Ancestor of Messrs. Duchesnay and De Salaberry. This Donation was prohibited and null by their vows (t) and by the Laws of this Country (v) as made personally to Pedagogues. (x) The Donor and his Descendants or Assigns have suspended their claim to a restitution of this property, thus given only in consideration that, at their instance and in favor of their posterity the King then consecrated and amortized for ever this property, by explaining the gift to be for a College of Study and for the establishment of their Religion. (y) If there are no Jesuits there are no Donees—what is given for a false consideration is liable to be claimed back *qui dans opinione falsa fuit deceptus*, (z) as what has been given or left *ob rem* may be recovered back on default of doing the thing. And the Law provides that in the case of the dissolution of a Community or Society each person is entitled to his own, and resume it. (a)

Sillery near *Cape Rouge* was granted for the spiritual and temporal aids of this Country and to support the Missions. Thus the King ratified the Title. (b)

Belair or the *Montagne à Bonhomme*. This tract of little value was acquired (c) only with the small Savings out of the Revenues of the College. The same doubts and explanations which were made in respect of *Cap de la Magdelaine* of which we are about now to speak are applicable in favor of the College.

The *Cap de la Magdelaine* near Three-Rivers was given by M. De-laferté, one of the hundred partners, only for the establishment of the

(p) Letters Patent 12th May 1678, Art. 1.

(q) Title of taking of Possession of the 24th July 1646, and concession of 17th January 1652.

(r) Letters Patent of 12th May 1678 art. 2 & 4.

(s) Donation before Mtr. Paul Vachon, No. 17, of the 22d Nov. 1667.

(t) Const. part 6, Cap. 2, v. 3, Bull. of Paul 3, 25th Sept. 1540.

(v) Ordinance of 1539 Article 131.

(x) Custom of Paris, article 227 and Grand Commentaire of Ferrière.

(y) Letters Patent of 12th May 1678, article 16.

(z) Dig. l. § 25 de conduct. indeb. l. § 397 D. causa data causa non secuta and dict: 1. 65 § 4.

(a) Loix Civiles Donat. vol. 2, p. 104, tit. 15, Sect. 2, Tom 8.

(b) Grant of 23d Oct. 1669 ratified by the King the 6th May 1702.

(c) Grant by the Governor and Intendant for the King of the 24th Novr. 1682 confirmed by decree of the King's Council of State of 16th April 1684, registered in the Council at Quebec. Sale before Mr. Dubreuil, Notary, the 28th August 1710 and other titles which dates given in reports of title, No. letter E.

Christian Faith and to give to the Jesuits means for their own subsistence. But the Jesuits having expended upon that Estate the Savings of the College of Quebec, upon their apprehension of being disturbed from the want of a better explanation, Mr. Duchesneau, then Intendant for the King confirmed this Estate to them only in favor of and for the College of Quebec. (d) Finally amortized or put this Estate out of his hands only for the College of Study and for the Establishment of the Religion of the Canadians. (f)

Batiscan given by the same Mr. Delaferté for the love of God (g) was explained only by the same Intendant and upon the just apprehensions of the Jesuits, by reason of the Expenses incurred out of the Savings of the College of Quebec (h) to which it also was annexed by the King according to the amortization. (i)

The Island St. Christopher at Three-Rivers, which yields no Revenue, was granted in consideration of the advantage derived to Religion by the instruction and Conversion of the Savages. (k) The King grants the amortization thereof. (l)

Laprairie de la Magdelaine in the District of Montreal, was also granted by reason of the assistance which the Inhabitants of Canada (m) received by the Jesuits; But also by reason of the Expenses incurred out of the Savings of the College of Quebec. Upon some complaints of the Inhabitants, and upon the apprehension of the Jesuits of being disturbed for want of explanation Mr. Duchesneau, Intendant for the King, upon their prayer confirmed this Seigniority only in favor of the College of Quebec. (n) Finally the general and final explanation by the the King amortized this Estate, and the other Estates described in the Letters Patent only in consideration of the Collège of Québec, and for the Establishment of the Religion, which is therein expressly mentioned. (o) There is due upon this Seigniority to the Assigns of M. Michel Martilane, the Capital Sum of 20,000 Livres Tournois, bearing an annual Constituted Rent, by Contract passed before the Conquest and Enregistered. (p)

A piece of Ground in *franc aleu Roturier*, at Saint Nicholas

(d) Donation before Messrs. Duchesne and Treffé, Notaries, at Paris of the 20th March 1651.

(f) Letters Patent of the 12th May 1678, Act 21.

(g) Donation before Mtrs. Hervé, Bergeron, and Cousenet, Notaries, at Paris the 13th March 1639.

(h) Ordinance of the 9th February 1676.

(i) Letters Patent, 12th May 1678, art. 20.

(k) Title of the 20th Octr. 1654.

(l) Letters, 12th May 1678, art. 25.

(m) Grant of 1st. April 1647.

(n) Petition of the Revd. Father Dablon, principal of the College of Quebec and ordonnance Signed Duchesneau, Intendt of the 4th Feb. 1676, then Signed Dupuis and Begon, by Successors as Intendants.

(o) Letters Patent of 12th May 1676, art. 26.

(p) Contract passed before M. Danzy de Blanzy and Bouron, Notaries at Montreal, of the 7th December 1678, emegistered at the Provincial Secretary's Office at Quebec, Book B. page 650.

was first (q) granted and amortized by the Seigneur De Lauzon in favor of the Bishop of *Pétrée* who was the first Bishop of Quebec. He made a Donation of this piece of Ground to the Seminary of this City, who afterwards assigned it to the Jesuits by a Deed of compromise and Exchange (r) for a Part of the Isle Jesus given (s) by a Citizen, and which the King had amortized in favor of Religion and of the College of Studies then conducted by the Jesuits. (t)

A Lot of Eleven Acres in Roture at Pointe Lévi, was also confirmed and amortized by the King for the College. (u)

The Isle *Aux Ruaux*, below the Island of Orleans was granted by the hundred Partners, it would appear to supply the House of the Jesuits (x) with fuel.—This Island was amortized by the King according to the Diploma in favor of the College. (y)

Six Arpens of land in superficies at Tadoussac for a Chapel, (z) Presbytery and burying Ground, which were then amortized by the King: (u) and a lot of Ground under the name of Fief Pachéringuy at Three Rivers, granted for the same purposes as those under the title of Sillery (i) confirmed and amortized by the King. (ii) another lot at the said place by exchange (iii) with the inhabitants (iiii) amortized by the King. Moreover a remnant of ground contiguous and extending to a small river ascending towards Lake St. Peter (v) in like manner amortized by the King for Religion and that College. (vi)

Several small portions of Ground contiguous to each other in *Roture*, situate in the Upper Town of Quebec, around the Garden of the College, between the Southern side of a part of Saint John's Street, and the Northern side of a prolongation of St. Anne Street, the whole appearing to have been acquired of old by the Jesuits out of the savings of the College, and to be composed of two Arpens in superficies, for the price of £4 3 4 Sterling,

(q) Grant of 3rd January 1665.

(r) Deed of Compromise of 20th October 1739.

(s) Donation of 20th March 1674.

(t) Letters Patent of 12th May 1678, Article 28.

(u) Letters Patent said Article 14, 15, & 29, and titles there cited.

(x) Grant by the Company of Canada, 20th March 1638.

(y) Letters Patent of the 12th May 1678, Article 27.

(z) Grant by the Company of the 1st July 1656.

(i) Letters Patent of 1678, Art. 5

(ii) Grant of the Governor on the 5th June 1651, explained by the Title of Sillery, of 23rd October 1699, letter D, No. 1 & 6, the report of the Titles, No. letter P, other Grant by the Company of the 15th February 1634.

(iii) Letter Patent of 12th May 1678, Article 22.

(iiii) Title of the 9th June 1650.

(v) Letter Patent ditto, Article 23.

(vi) Grant of 8th August 1664.

(vii) Letters Patent 1678 Art. 24.

(vii) amortized by the Company (viii) and the King for Religion and the College. (ix) Two other Arpens in superficies, for the price of £8 6 8 Sterling, (x) amortized by the Company, (xi) and again by the King (xii) A lot of forty feet granted to place their Church, and provide for Public Devotion (xiii) amortized by the King. (xiv) Another Lot of eleven feet granted by the Bishop of *Pétrie*, who was the first Bishop of Quebec, to enlarge the place for the said Church, and render it more conducive to public convenience. (xv) The title was duly enregistered at the Sovereign Council of Quebec—Another lot of 8 *Arpens*, acquired by Exchange for a lot of land belonging to the College situated at Notre Dame des Anges, (xvi) approved and amortized by the Company (xvii) and afterwards by the King. (xviii) A lot of 58 Perches in Area outside the walls of the town, *Quartier du Palais*, acquired out of the savings of the College (xiv) was amortized by the King in consideration of Religion and of the College.—A lot of 104½ Toises in superficies (xx) on the South West side of the *Rue des Jardins*, was also acquired out of the savings of the College at the price of £12 18 4 (xxi) Sterling.—Another Lot, *Rue des Jardins*, was in like manner acquired with the savings of the College for the price of £14 11 8 Sterling. (xxii) And a small Triangular piece of Ground, where now are the houses of the *Sieur Lievre*, at the corner of the *Rue des Jardins* and *Ste. Anne*, purchased from the Widow *Seguin* and the *Sieur Bezeau*, for the price of £6 5 0 Sterling paid out of the savings of the College. (xxiii) These small portions of uncultivated Ground then covered with Wood or Quarries and Cavities served to supply Stone, and by degrees the Administrators of the College distributed them, in consideration of very moderate Ground Rents payable to the College, to Citizens who built houses there and made Gardens belonging to them, preserving the line of

(vii) Sale by Guillaume Couillard before Mtr. Andouet, No. 19th Feby. 1663,

(viii) Letters of Amortization by the Company of the 14th April 1668.

(ix) Letters Patent 12th May 1676 art 6.

(x) Sale by the Widow Macart, before Mtr. Dugait Notary, 3d Sept. 1664.

(xi) Letters of Amortization of the Company and of the 14th April 1668.

(xii) Letters Patent 1678, art. 7.

(xiii) Grant of 21st. April 1666.

(xiv) Letters Patent 1678, art. 1.

(xv) Grant of the 8th May 1666, duly enregistered in the Council.

(xvi) Exchange with the Widow Couillard, before Mtr. Dugait Notary, the 9th May 1667.

(xvii) Letters of the Company of the 14th April 1668.

(xviii) Letters Patent, 1679 art. 8.

(xix) Sale by Etienne Rageot, &c. on *avis* before Mtr. Becquet, Notary, the 14th May 1668.

(xx) Letter Patent 1678, art. 9.

(xxi) Sale by Mr. De la Durantaye before Mtr. Giles Rageot Notary, the 8th June 1680.

(xxii) Sale by René Reaume before Mtr. Genaple, Notary, the 10th Oct. 1691,

the Streets, according to the Plans of the Engineers and Architects of the City, whereof those Citizens can make Proof, as well as of the *Cens et Rentes* and mutation fines, which they duly paid to the Domain of the King, who is the direct Seigneur in that part.

The Parish Church of Quebec duly amortized granted in *Roture* to the Jesuits, who could hold no property but by the Title of a College, in three lots, which now make part of the *Rue de la Fabrique*, the square & South Part of the Street St. John, to wit, seventy Perches in superficies charged with 8s. 4d. (xxiv) Sterling of *Cens et Rentes*, 28 Perches in superficies charged with 3s. 6d. Sterling of *Cens et Rentes*, (xxv) and Eleven Perches 96 superficial feet, charged in the same manner with £1 7 6½ Sterling of *Cens et Rentes*. (xxvi) These lots then uncultivated and used as Quarries, have been used for Public Streets, and were distributed in small portions to Citizens in consideration of very small Ground Rents, payable to the College.—And the Parish Church having the *Dominium utile*, in this part, has for its maintenance the mutation fines as casual profits, by mutations according to the titles and the Laws of Property of this Province.—The King's Domain, the fiefs of the Parish Church, of the Seminary and of the Ursulines in this Town, were separated by the Ancient Plans of this Town, and finally by that which was made by Mr. De la Morille, Sworn Surveyor, in 1758, & confirmed by the Intendant for the King. (xxvii)

The Ground upon which are erected the Church and Mission House at Montreal was acquired *en roture* by the same Revd. Father Dablon, then Superior (xxviii) of the Jesuits and principal of the College of Quebec, and approved by the Seminary lawfully established on the Island of Montreal, as sole Seigneur of the said Island, was amortized by the King, dedicated and consecrated to the religious worship of the Canadians and to their instruction. (xxix)

The whole of the Ground remaining for that Mission consists of three *Arpens*, sixty eight Perches and a third in superficies, enclosed according to the Plan, and the remainder is outside of the Town — This Mission was established in the year 1692, solely out Property as a College establishing there a Mission; for the Je-

(xxii) Contract of the Ursuline Nuns, before Mtr. Genaple, Notary, of the 10th June 1691.

(xxiv) Grant by the Fabrique of the Parish before Mtre. Audouent, 10th June 1661.

(xxv) Grant by the said Fabrique before the same Notary the 27th January 1663.

(xxvi) Grant by ditto before Mr. Romain Becquet, Notary, the 12th May 1666.

(xxvii) Judgment of homologation by the Intendant of the 23d. Jany. 1759, enregistered No. 41 folio 50, and the authentic Plan in the Archives of the Seminary.

(xxviii) Titles of the Mission to Montreal No. 1 to 6 and thereunto annexed.

(xxix) Letters Patent of the Month of May 1677 enregistered in the Secretary Council of Quebec, the 20th Sept following.

of the savings of the College of Quebec, who alone could hold this suit Missionaries could not according to their Institution (xxx) and Laws (xxxi) hold any Property.

A piece of Ground at the Miamis upon the River St Joseph, which yields no Revenue, was granted excepted from charges and indemnities to the King, to build a Chapel and Mission House in favor of the natives and inhabitants of the Place (xxxii) This Chapel has fallen into ruin by reason of the troubles of the war, and there being no Missionary.—This small beginning of an Establishment was held as a Mission like that of Montreal dependant upon the College of Quebec.

Some other lands which the common people thought without examination belonged to the Jesuit Missionaries, neither belonged to them nor to the College; for example, a portion in the Isle Jesus, which was exchanged for the lands at St. Nicholas already mentioned.

The Sault St. Louis, near Montreal, was granted to the Jesuits for the *Iroquois* Indians, (xxxiii) acknowledged to be the proprietors of it, under the expres condition, that it should revert to the King when those Indians should think proper to withdraw therefrom: and it was with a good foundation and with justice that the *Iroquois* obtained against a Missionary the equitable judgment of his Excellency Thomas Gage, Governor of Montreal, and of his Council, composed of Col. Frederick Haldimand, Major Gabriel Christie (xxxiv) and others administering justice after the Conquest, who considering the Institution of the Jesuits, the Titles, and that the said Grants had been made only with a view of thereon settling the Indians, ordered that the said *Iroquois* should be immediately put into possession and peaceable enjoyment for themselves and their heirs, of all the Lands of the Sault St. Louis in question, with the buildings there, obliging the said *Iroquois* to keep up the Church and the House used by the Missionaries: and for that purpose, that the rents due by the Inhabitants anciently settled at the said place, and the other Revenues of the Sault St. Louis, should be annually recovered and employed in maintaining the Church, and the remainder to the *Iroquois*, who should dispose of it in such way as they should think proper.

(xxx) Bull of Paul III, of the 25h Sept. 1540 approbative of the Institution, Const. Part 6 Cap. 2 No. 3. Ordinance of 1539 Act 131 Cout. Par. Act 227.

(xxxi) Petition of principal of the College of Quebec and Ordinance of the 4th Feby. 1676.

(xxxii) Title of Grant of the 24th July 1689.

(xxxiii) Conditional Grant by the King of the 29th May 1681.

Ditto 31 Octr. 1680.

Brevêt of Conditional ratification of 15th June 1717.

(xxxiv) Judgment of Genl. Gage and Council at Montreal of the 22d March 1762.

The Wharf or Beach Lot in the Lower Town of Quebec with the House thereon erected, in St. Peter Street, known by the name of the *Quai Guillemain*, now belonging to the Honorable William Grant, Esq. (xxxv) was granted and afterwards sold by the Jesuits to Mr. Charles Guillemain, for the price of £33 6 8 Sterling, under the express condition and obligation on the part of the Jesuits, to employ that sum in the purchase of other property more advantageous, or on the repairs of the College of Quebec. (xxxvi)

The rich and beautiful Seigniory of L'Assomption, mentioned in the Report of the 17th June 1789, and the Schedule No. 2, thereunto annexed, drawn by the Agent of Lord Amherst as Chairman and three other Commissioners, belongs neither to the Jesuits nor to the College.

It was granted to Charles de Lauzon, Chevalier de Charny, (xxxvii) who assigned it to the Jesuits. (xxxviii)

But that entire Seigniory having been previously granted to Mr. Le Gardeur de Repentigny, (xxxix) the posterior Titles remained ever after useless.

The Lot of Ground on the south-west of the Falls of the Chaudière Côte de Lauzon, whereof the same Schedule makes mention, (xl) granted in the intention of establishing there a Mission for the *Abenakis* Savages, was a project only, and the *Abenakis* refused to co-operate.

Finally the same Schedule speaks of the two *arpens* by eighty upon the River *Akanca*, granted in Louisiana, (xli) for the purpose of building there a Chapel and House, but those grounds were and now are without the limits of the Colony of Quebec.

Now may it please Your Excellency to consider what must result.

1st. From the proceedings of the Nine Commissioners.

On the 23rd January 1788, the Commission was opened, (xlii) amongst the points which the Commission requires to be ascertained, is mentioned that of the claims which the heirs of the

(xxxv) Grants of 16 Sept. 1683 and 13 May 1685.

(xxxvi) Contract passed before Mr. Barbar, Notary at Quebec, the 24th April 1712, enregistered Book A, p. 176.

(xxxvii) Grant of the 15th April 1682.

(xxxviii) Assignment of the 10th Sept. 1687.

(xxxix) Grant by Company of Canada, of the 16th April 1647, enregistered in Cabier 10 of the Intendance, page 414.

(xl) Title prescribed of the 9th June 1686 and 14th Oct. 1689.

(xli) Title given in Louisiana of the 28th Nov. 1689.

(xlii) Book B, entituled Proceedings of the Commissioners &c. Signed by them which Mr. Chandler referred to annexed to Report drawn by him and delivered is to His Excellency.

particular donors might make, but it omits the question and the manner of ascertaining the claims of the Canadians intimately interested in the foundation for their religious instruction, and of 120,000 souls and upwards in this country, without distinction of birth or religion, so far as civil Education is concerned, although some of them had previously presented to Your Excellency a Petition and Memoire annexed to it. (xliii) The 9th of February following the nine Commissioners at a Meeting (xliv) nominated Messrs. Taschereau and Scott, to make researches in all the Public Offices, to cause to be made authentic Copies of the Titles and Plans which the Jesuits voluntarily lent, (xlv) upon the condition that the Originals should be returned them, and it was resolved that from these they should draw up instructive Reports, as well as of all obstacles and difficulties that might occur, and that upon the whole Mr. Chandler, the Chairman, might assemble all the Commissioners. (xlvi)

As early as the 17th of March of the same year, (xlvii) and notwithstanding the indisposition of Mr. Scott, Mr. Taschereau laid before the Assembly a volume of Copies, (xlviii) and of Title Deeds and Plans in very good order, with an ample instructive Report.

As it was impossible to ascertain in due form of law all the points proposed by the Commission, without in the first instance proceeding lawfully in the making of a *Papier Terrier* in Town and upon the Seignories, and that it was necessary to oblige in due form of law all the subjects of His Majesty, who possess and who have therein the property of the lands liable to *homage*, to *cens* and divers rents, or who have claims upon the foundation, to declare and settle by Titles and evidence, in a reasonable but certain time, what each one owes and what is due to him, it was resolved on the same day, that a provisional Report, in this respect, should be made, and it was afterwards laid before His Excellency, that a Proclamation might issue or such other lawful measure for executing a Commission of this nature.

Notwithstanding the continual application and the activity of the Commissioners, they had only Copies of the Titles and Plans; the execution of the remaining objects of the Commission was retarded, while awaiting the necessary measures at law. (xlix)

On the 26th of August, the Commissioners and some Jesuits

(xliii) Petition and Memoire thereunto annexed of the 19th November 1787, mentioning those previously made since the Conquest.

(xliv) Book B of the proceedings, page 18.

(xlv) Report No. 1 of the Titles, Pages 2 & 3.

(xlvii) Book B of the proceedings, page 18, signed by the nine Commissioners.

(xlviii) Book B ditto, page 22.

(xlix) Book B of the proceedings of the 17th March 1788, page 23.

(xlix) Book B of the proceedings from page 23 to 34, where there is a Protest by a Notary at Montreal with a Note, writing, or opinion of the Honble. William Smith, Chief Justice, and a motion of Mr. Panet.

being required to go on the 15th September to a Committee of the Council at the Bishop's Palace, the Commissioners went there, and delivered in writing the causes which retarded the accomplishment of the Commission. The Committee caused to be read the Letter of the Reverend Father De Glapion, Superior of the Jesuits of Canada, addressed to it, praying to be excused if he could not attend in person, and to consider that these Estates were given to them for the subsistence of the Missionaries and the instruction of the Canadians; finally that their property was fully acknowledged in the Capitulation. (i) The Attorney General and Solicitor General had found a Proclamation expedient. (ii) Afterwards they moved that His Majesty should be immediately put into effectual and actual possession of all their Estates, but the Commissioners said that that point was not within their competence.

The Committee of the Council held afterwards its Debates and Resolutions with closed doors.

Mr. Chandler, Chairman, and two other Commissioners having afterwards met often upon the inquest, without having notified the other Commissioners acknowledged the fact, stating that his reason for so doing was, that the whole should be submitted to all the Commissioners for their information and Resolutions. (iii)

The 25th of the same month of April, one year after the provisional Report, the Commissioners were required to report to Your Excellency.

It was immediately (iii) resolved that the Commissioners should lay each his draft of a Report before the Assembly to be held on the 28th April. Accordingly Mr. Panet submitted to them his draft of a such Report and of an Advertisement (liv) notifying the public, in default of a Proclamation, for each one to state within a certain fixed period what he owes and is due to him, by reason of the Estates of the Jesuits or of the College.

As Messrs. Chandler *Chairman*, Scott, Coffin and Lawe, often met without calling the other Commissioners, and as the report required to be sent in without delay, made no progress.—Messrs. Taschereau and Panet demanded in writing from the Chairman a Meeting of the Commissioners (lv) which he fixed for the 17th June. Mr. Chandler then produced his draft of a

(i) Letter signed by the Reverend Father De Glapion of the 10th September 1788.

(ii) Report of the Attorney General and of the King's Solicitor to the Committee of the Council of the 4th May 1788, and their draught of a Proclamation.

(iii) Book B. sitting of 18th April 1789, discourse of Mr. Chandler and answer in the sitting of the 23rd of the same month.

(iv.) Book B, sitting of 25th April 1789, Letter of H. T. Motz, Secretary, of the 24th April including part of a report of a Committee of the Council.

(lv.) Book B. of the proceedings of the 25th April 1789.

(lv.) Book B. ditto.

report of that date and of the Schedule No. 2 thereto annexed, which instead of answering the four questions proposed on the 25th April, advances without explanation and without citing any Law, that His Majesty is vested with all the Estates in question, and may lawfully give and grant them to Lord Amherst, and finally that no claims have been made. (lvi)

We immediately moved (lvii) that three of the Commissioners of Montreal should be immediately summoned to a General Meeting of the Commission, to be held at Quebec in the following week, to examine the different drafts of Reports and to settle one according to the majority of Votes.

Messrs. Chandler, Scott, Coffin and Lawe, objected and resolved amongst them, four only, that all the proceedings should be instantly signed and sent to the three Commissioners at Montreal for their Consideration, and for them to sign them if they approved them. We did not sign this Report nor the Schedule, reserving to ourselves the right of examining them. Mr Chandler said that he was going instantly to send Mr. Lawe with all the proceedings to Montreal, and upon our Motion it was resolved to give us notice to attend as soon as the answer from Montreal should be received. (lviii)

Whilst Mr. Lawe was travelling with only a part, though a considerable one, of the Papers, we were engaged in making at the office of the Commission, Extracts, Notes and Translations of the Papers which had remained there although the proceedings of the 17th June, required that all the proceedings should be immediately sent to Montreal, and the Commissioners summoned to come to Quebec to the Assembly—But upon the 27th June, Mr. Chandler, confounding his qualities of Chairman and Agent, (lix) more zealous and less liberal than his principal, took unauthorized possession of our Extracts and the Notes for our own use, by seizing them with the aid of his Interpreter, reproaching Mr. Genet, the Secretary of the Commission, with having contrary to his Oath allowed us to make Notes. Mr. Genet behaved very well in respect of us.

(lvi) Report of 17th June 1789 and Schedule No. 2, annexed thereto, signed only K. Chandler, T. Scott, J. Coffin and Geo. Lawe.

(lvii.) Book B. ditto same day, motion by G. E. Taschereau seconded by Mr. Panet, Commissioners. Remark.—These three Commissioners at Montreal were James McGill, Quinson De St. Ours and J. M. Hertel De Rouville, Esquires, authorized to enquire, by resolution of the nine Commissioners of the 14th Feb. 1788, Book B. p. 20.

(lviii) Book B. ditto same day.

(lix) Letter of 5th January 1788, to George Pownall, Esquire, signed K. Chandler, who becomes surety or binds himself to pay for my Lord Amherst all the fees of the issuing and execution of the Commission.

On the 29th June the Secretary demanded in the Assembly which he had obtained at our instance, a resolve whether, according to the tenor of his Oath taken the 26th January 1788, (lx) not to give nor to allow to be taken by others than the Commissioners any Copy of the proceedings, he was justifiable in having at the request of Mr. Chandler, (lxi) kept down to that time our extracts and Notes.

Could Mr. Chandler deny having made and sent to Europe a multitude of Copies and of Notes of what had taken place at the Inquest since its opening? Nevertheless, our Extracts and Notes wherewith he had satisfied himself at his leisure, were restored us.

Having seen Mr. Lawe for the first time after his return at this meeting, Mr. Taschereau moved that he should make a report of his proceedings at Montreal—He said that the Three Commissioners who were there would not sign the Report of the 17th June nor the Schedule, No. 2.—This was not matter of astonishment to us, but seeking the reason why they had not immediately come down to Quebec, according to the Motions, Debates, writings and Resolutions of the 17th June, whereof we thought that at least a Copy had been sent with the papers, it was ascertained: (lxii)

1st.—That Mr. Chandler had sent off Mr. Lawe precipitately from Quebec, on Thursday the 18th of June, at four o'Clock in the morning, before the regular Post which leaves Town on the same day at four in the Afternoon.

2d.—That he carried with him a Box full of Books, Titles &c. (lxiii) with the Report drawn up by Mr. Chandler, dated the day before, and the Schedule, No. 2 annexed thereto, but not the Book (B) of the proceedings nor a Copy of the Motions, debates and resolutions, and particularly those of the 17th June, (lxiv) which required the prompt arrival of the three Commissioners to meet a General Assembly.

3d. That as early as Friday the 19th June, Mr. Lawe having arrived at Montreal, wrote his letter to the three Commissioners, in which he hurries them to sign immediately all the Papers, Reports, &c. confided to his care, telling them that his stay at Montreal is

(lx) Book B. p. 11.

(lxi) Book B. of the proceedings of the 29th June 1789.

(lxii) Book B. of the proceedings of the 29th June 1789.

(lxiii) List of the Books, Paper, &c. dated and received the 17th June 1789, signed Geo. Lawe.

(lxiv) Book B. of the proceeding of the 29th June 1789, Declaration of Mr. A. H. Genet, Secretary.

(lxv) Letter dated at Montreal on Friday evening, signed Geo. Lawe, addressed to Messrs. McGill, Rouville and St. Ours.

fo limited by the Commissioners at Quebec, that he cannot risk prolonging it farther than Monday then next, or the 22d. June at Noon, and he hopes you to be able to leave Montreal on Saturday the 20th June. (lxv) He must have had it in view to get before the regular Post with the three Commissioners at Montreal, & the return of the Post which would have facilitated our Correspondence with the three Commissioners at Montreal.

4th—deprived of the Book (B), Copy of the proceedings of the 17th June, and of our Correspondence and hurried in this manner, the three Commissioners of Montreal wrote as early as Saturday the 20th, their complaints of this precipitation, maintaining that it reduced them to an impossibility of examining so many Papers in so short a time and to give their sanction to such a business, & stating as their opinion that in the very first instance a Public Advertisement should require the declaration of the claims that there may be upon the Lands in question.—Finally that they truly regretted that the measure of summoning them to Quebec to make their Report had not been adopted (lxvi)

That finally Mr. Lawe had returned to Quebec, as early as Tuesday the 23d. June at two o'Clock in the morning, and we only saw him at the Assembly of the 29th.

Under these circumstances we made another motion (lxvii.) instantly, that the three Commissioners who, with us, made five of the same opinion, according to their letter in favor of an advertisement to the public, as well as for an examination and Report by the majority of Votes, should immediately be required to be present at an Assembly at Quebec on Monday then next or 6th of July, but the four Commissioners absolutely refused this and resolved amongst themselves only, to deliver in, and they did deliver in, to Your Excellency, as early as the 30th of June 1789 their report, dated the 17th, with the Schedule No. 2, annexed thereto and a part of the papers, omitting amongst them the Book B. (lxviii.) of the proceedings, the original Reports of the Titles Nos. 1, 2 and 3, the draft of a Report and of an advertisement laid before the Assembly the 2d May preceding, as well as all the Papers to which the Book B. of the proceedings refers.

We did not fail to lay before Your Excellency on the same day, the 30th of June, our most humble observations upon these facts (lxix.) and upon such a report with its Schedule No. 2, sign-

(lxvi) Letter dated from Montreal, Saturday the 20th June 1789, signed James McGill Quinson de St. Ours and J. B. Hertel de Rouville.

(lxvii.) Book B. of the proceedings of the 29th June 1789.

(lxviii.) List of Books and papers at the foot of their report dated 17th June 1789.

(lxix.) Written observations of the 30th June 1789, signed G. E. Taschereau and J. A. Panet, Commissioners which they instantly delivered in themselves to my Lord Dorchester.

ed only by four, submitting that they could not be considered as the majority of nine, nor ought they to be maintained in the infractions by them committed of the previous resolutions of all the Commissioners, and concluding forthwith that the Book B. and the papers omitted should be delivered in, and that the Chairman should be held to convoke promptly an Assembly of the nine Commissioners, for the purpose of making according to the majority of Votes a true and just report, either provisional or final, upon the subject matter of the Commission.

Since that we have received in communication only what is mentioned in the Letter of Jenkin Williams, Esquire, Clerk, of the 27th August last, and have not down to this time seen any denial on the part of Mr. Chandler of the facts advanced in our observations and susceptible of proof. The love of truth and of Justice had dictated them to us only in the hope that of necessity his Majesty would be made acquainted with them.

2dly. Of the Report of James Gray, Esquire, Attorney General and Jenkin Williams, Esquire, Solicitor General of His Majesty, dated the 18th May 1790.

Their functions regulated by the Laws of Canada in respect of Civil matters are those of Advocates or Attornies General in a Parliament. They are stiled Attornies of the King or their delegates, and in the Inferior Tribunals are instituted, "For the purpose of maintaining the interests of the King or of the Public, of the Church and of minors. It is for this reason that all causes wherein these are concerned are communicated to them, and after the Advocates of the parties have been heard, they give their conclusions." (lxx) The Court is not obliged to follow their opinion because they are not Judges. (lxxi.)

They say they have studied much.

1. To what extent they had been able to execute the Commission.

2. What remained to be done to fulfil it.

3. What obstacles were encountered.

4. By what means these obstacles might be removed and the Commission fulfilled.

1st. The proceedings of a Committee of Council of this Province under the Royal Order bearing date at St. James the 18th August 1786.

2d. That they have considered that the object in view by His

(lxx) Introduction à la pratique par Ferrière verbo avocats généraux.

(lxxi) Ibidem verbo procureur général.

Majesty in Council is to grant in due form of Law to my Lord Amherst, such of the Estates belonging to the Jesuits as can lawfully be given.

3d. That the Commission of 29th September 1787 was calculated to attain the ends and information suggested as necessary by the Law Officers of the Crown in England, and required by the Royal Order before making the Gift.

4th. That the Report of the four Commissioners of the 17th June 1789, the Schedule No. 2, and the papers thereto annexed, even all their operations, appeared to them as regular and proper as could be expected.

Finally—That they do not hesitate to concur with these four Commissioners, that His Majesty is vested with the Seigniories described in the said Schedule No. 2, and that they may consequently be lawfully given to My Lord Amherst, his heirs and assigns, subject to the conditions of the Royal Order, and with the exceptions which are therein referred to the wisdom of your Excellency as Governor for the King.

Before giving their opinion they should have sought and clearly stated the true question proposed by the Royal Order of the 18th May 1786. The statement upon which it was given may be reduced to what follows.

The King had the goodness to listen to the demand of Lord Amherst for a gift of the Estates belonging to the Jesuits in Canada.

On the 9th November 1770, His Majesty approved a Report of a Committee of His Privy Council, declaring their opinion that His Majesty might come to the determination of granting by a lawful Deed to my Lord Amherst, the Estates belonging to the Jesuits in Canada, and, moreover, to order that the Attorney and Solicitor General should prepare a draft of such lawful Deed in Conformity with what was proposed in the said Report, and to lay it before His Majesty in Council.

The then Attorney General and Solicitor General of His Majesty, after taking the matter into consideration thought it their duty to inform His Majesty, that not having any authentic statement of the nature and description of the Estates which it was intended to grant, it was not in their power to prepare such a grant to be valid in Law.

Upon the production of an Affidavit of Major General James Murray, containing a statement of the nature and description of the Estates in question, His Majesty was pleased on the 21st December 1770 to renew the order of the 9th November preceding, referring the said Affidavit to the consideration of the Attorney and Solicitor General.

Again upon the production of a statement of the said Estates signed by Mr. George Allfopp, His Majesty was pleased to order on the 8th March 1771 to refer it to the consideration of the Attorney and Solicitor General, and that a Grant should be executed in conformity to the provisions of the order of 9th November 1770.

Finally upon the order of reference of the 9th March 1779, the Solicitor and Attorney General in England humbly report to His Majesty, that they had taken into consideration the above mentioned statements, and as additional evidence the copy of a Title dated 12th May 1678, of confirmation of the Grants made by the Governors and by a Commercial Company, which gives the extent of Land therein mentioned, and their local situation, but not with sufficient precision and without specifying any circumstances concerning the said Lands—also a copy of short extracts of certain other Grants, as well from the Crown of France as of private donors, which do not appear as satisfactory as the confirmation above mentioned, and they moreover assure His Majesty, that these Documents which form the additional proof, being Copies or Extracts of Grants or confirmations in the last century, they cannot ascertain whether the Lands therein mentioned, have ever since been possessed by the order of the Jesuits, or if they have been at any time alienated, or exchanged by them.

Also that they are not informed with sufficient certainty of different particulars, which they humbly think His Majesty ought necessarily to be acquainted with, as,

1. The nature and quality of the said Lands.
2. The present Titles by which they are possessed.
3. Their present value.
4. The nature and extent of the rights of Seigniory.
5. The nature of the Tenure by which they are holden.
6. Their exact local situation.
7. The state of their culture and population—and
8. Whether any and what claims are made by the Heirs of the Donors of such parts of the Lands as were given to the said Religious order by private persons.

As Attorney and Solicitor General of His Majesty they ought easily to have perceived by the Royal order, that before making the Donation, His Majesty wills that there be made a lawful enquiry into all, and not into a part only, of the different particulars mentioned by the Attorney and Solicitor General of England, for it is ordered to make a legal inquiry into the nature of the Lands, of the rights of the Grants &c. adding in these words “ of all the other important circumstances having relation to the

Lands in question" His Majesty does not by this order declare that he hath suppressed or doth suppress the order of Jesuits in Canada, still less that their estates belong to him, and that at all events he gives them in the whole or in part to my Lord Amherst, on the contrary, His Majesty approves the Report of his Privy Council, which goes to the decisive point that, after the faithful Report of such an Inquest, there shall be passed a Grant according to Law under the seal of this Province, in favor of my Lord Amherst, his heirs and assigns, of such parts, & not of the whole, of the Estates belonging to the Jesuits, as can be lawfully granted. It is not then sufficient that it be found that parts be ascertained to be of the Estates belonging to the Jesuits in Canada, it is necessary further to ascertain by a lawful inquest, that their Estates can, or could not, be lawfully granted by His Majesty to my Lord Amherst.

The spirit of the Royal order, by all the propositions and conditions which it wisely contains, shews clearly the true and essential question which His Majesty was pleased to permit to be treated fully and with freedom as well as with respect :—

What portions of the Estates belonging to the Jesuits in Canada, could His Majesty on the 18th of August 1786 lawfully give or grant to my Lord Amherst ?

Is it simply to order that you shall ascertain in due form of Law, whether in fact and in Law, and in what manner, the King had, on the 18th of August 1786, a right to give to my Lord Amherst certain portions of the Estates belonging to the Jesuits in Canada, and, if such be the case, a lawful grant shall be executed upon the conditions contained in the order.

It cannot be denied that this was the question for the Royal Commission of the 29th December 1787, although it considers what is not in the order of the 18th August, to wit: that His Majesty was moved concerning the Estates and Lands to His Majesty belonging, adding, and heretofore held and claimed in this Province of Quebec by a certain religious community known by the name of the order of the Jesuits, nevertheless the same question is there proposed, which is the fourth, with what portions of the said Lands His Majesty is now vested, and he can lawfully give, in the above mentioned manner.

The orders of the Commission do not then absolutely determine that the King is vested with the Estates belonging to the Jesuits, nor that His Majesty purposes to give them in any other manner than the Law appoints, but in both these documents the question only is stated, a question which certainly comprehends a considerable number of others, and which requires the consideration and

the faithful Report of all the particulars of fact and of Law, foreseen and unforeseen, by the Attornies and Solicitor General of England, and to convince oneself of this truth it is sufficient to observe that the four Commissioners, the King's Attorney and Solicitor General at Quebec, by their Report have undertaken to treat, although very superficially, and even to decide this great question.

That they submit to His Majesty 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 Government, or by such proceedings in the nature of an inquisition, as he should find most convenient 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.

The Lords of the Committee of Council on the 11th August 1783, took into consideration the Report and the Petition therein mentioned, and find that His Majesty was pleased by His Order in Council, dated the 9th November 1770, to listen to the prayer of the Petitioners and to Order that there should be prepared the draft of a proper Instrument, to be passed under the Great Seal of Great Britain, 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 Lords of the Committee are in consequence of opinion, that in consideration of the difficulties and delay that had hitherto attended the carrying into effect His Majesty's Gracious intention in favor 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 by His Majesty for that purpose, 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 Seigniority, as might by Law belong to His Majesty, his Heirs and Successors, and under the reservations and conditions

mentioned in His Majesty's prior 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.

The 18th of August 1786, His Majesty after having taken the said Report into consideration, by the advice of His Privy Council was pleased to approve the recommendation therein contained, and to direct as by the said Order it is directed, that the said Report should be exactly followed and put into execution whereof the Governor or Commander in Chief of the Province of Quebec, for His Majesty and all others concerned therein, should take notice, and conform themselves thereto.

LETTER, without date, from the before named Revd. Father De Glapion directed to " Monsieur Louis Germain, fils, Negociant Quebec."

The greater part of the Estates, Lands, and Possessions which the Jesuits, now being in Canada, have enjoyed and still enjoy as well in Fief and Seigniorly as in *Roture*, were given to them in full property by the Kings of France, the Duke of Ventadour, the Commercial Company of Canada, and by generous individuals for the subsistence of the said Jesuits, on condition that they would employ themselves in instructing the Indians and the Young French Canadians—The Jesuits acquitted themselves so well of those two obligations that they merited, that Louis the Fourteenth of Glorious Memory, should by His magnificent Diploma of renew and ratify in their favor all their Estates and all those gifts to them made

Some other portions of property were purchased by the old Jesuits with their own monies, and those purchases were approved by the above mentioned Diploma.

But in October. 1789 the Jesuits then being in Canada were reduced to the number of four and all of an advanced age—consequently they were no longer in condition to acquit, by themselves, the stipulated obligations to instruct the Savages and young Canadians.

Therefore they renounced purely, simply, voluntarily & *bona fide* all property and possession thereof to the Canadian citizens, in favor of whom they were made, to the end that under the direction and authority, and with the approbation of Monseigneur Jean François Xavier Hébert, most illustrious and Revd. Bishop of Quebec, and of his successors Bishops, provision may be made for the instruction of the Savages of Canada and of the young Canadians.

This surrender, renunciation and assignment of property made for the benefit of the Canadian citizens and of the Province of Canada upon the clauses and conditions following.

1. That the Jesuits resident at Quebec, shall enjoy until the death of the last of them, the building which they occupy that has a view upon their upper Garden, and whose front is to the South, that they shall enjoy the said Upper Garden, and the tuft of wood or the *bocage* which is at the end of the said Garden towards the north-west—That they shall enjoy their Stables, Ice House, Yard, Washhouse, Well and Woodhouse—That they shall enjoy their Library and moveables, in their chambers, and in the whole building which they reserve to themselves—That they shall enjoy their Church, their Vestry, and all the moveables and ornaments which are in the said Church and Vestry—Their Vestibule

and the building (*congregation*) where the citizens *congreganistes* meet at least once a week to the edification of the Public, that the said Jesuits resident at Quebec shall continue to receive each year a certain quantity of Hay, which is due to them in virtue of a contract passed between them and the Sieur Jean Baptiste Normand, living near the passage of the River St. Charles.

Second condition—That Father Etienne Thomas de Villeneuve Girault, Missionary of the Hurons of the Nouvelle Lorette, shall enjoy during the whole of his life the Church and Vestry, and all the moveables and Ornaments therein—That he shall enjoy all the Buildings and all the moveables with the Utensils of the Garden, the Yard and all the Meadows which he hath enjoyed down to this day, that the said Father Girault shall have the right during his whole life and without paying therefor—to have ground at the Mill of New Lorette, all the grain whereof he shall have occasion for his subsistence and that of his servants.

Third condition—That Father Bernard Well, shall continue during his whole life to enjoy the Chapel and Vestry and the Ornaments and moveables therein, and the Buildings, Gardens and Yards which he hath enjoyed down to this day in the Town of Montreal.

Fourth condition—That the Canadian citizens shall pay every year to each of the four Jesuits who are still living, an annuity of 3000 livres at the rate of the Province—which annuity shall be paid at two terms, that is to say, that they shall pay to each of the four Jesuits 1500 livres every six months, and the said annuity shall cease to be paid to each of them as each departs this life.

Quebec, 31st October, 1789.

Sir,

I forgot to apprize the Canadian Citizens that our residence of Montreal is charged with a rent of 20,000 livres Capital, in consequence of which the Reverend, Fathers Floquet and Wee have for many years paid to Mr. Panet, Judge at Quebec, an annual rent of one thousand livres. I beg that you will mention this to them and you will oblige

Your Seivant,

(Signed) GLAPION, Jes.

To Mr. Louis Germain, Junr.

Merchant in the Upper Town of Quebec.

7th December 1758.—Constitution of 1000 livres annual rent granted by the Revd. Fathers Floquet (Pierre Edouard) Superior of the Residence of the Jesuits at Montreal, according to the advice and with the approbation of the Revd. Father Jean Saint Pe, Principal of the College and Superior General of the Missions of the Company of Jesus, in New-France, to Mr. Michel Martel, Principal Clerk of the Marine, doing the duty of Commissary General (*Commissaire Ordonnateur*) at Montreal, payable annually on the 28th of August, for securing which rent and the principal thereof, there is a Special *hypothèque*, upon the Seigniority of Laprairie de la Magdelaine, and generally upon all the Property, moveable, immoveable, present and to come, of the residence of Montreal, without that one Obligation derogate from the other.

The said Constitution made in consideration of 20,000 livres and to settle that of a like sum being the amount of the Note of hand of the said Father Floquet, in favor of the said Martel of the 18th August last, delivered up to the said Floquet, the said 1000 livres redeemable in one or more payments, whereof the least shall be of 4000, giving previous Notice in all the month of October. The said Contract is Signed upon the exemplification thereof, Bouron and Douire De Bleury, Notaries, and Sealed with the Seal of the Royal Jurisdiction of Montreal, the 9th December of the year 1758.

The said Contract of Constitution was enregistered at the office of the Provincial Secretary the 21st. February 1770, in the French Register Letter (D) Page 650.

Assignment of this Contract of Constitution by Jean Dumas, Esqr. Justice of the Peace at Montreal, Attorney by substitution of Christopher Peliffier, who held a general power of Attorney of

Jean Michel Martel, and Dame Agathe Beaudoin, his wife, to Pierre Panet, Notary and Advocate at Montreal, in consideration of the Sum paid to the satisfaction of the Assignor, passed before Maitre Mezières and his Colleague, Notaries, at Montreal, the 13th January, 1771.

Acceptation of the said Assignment by the Revd. Father Floquet, Superior, who acknowledges the same to have been duly intimated to him, by Act passed before the same Notary the Eleventh of February of the same year.

The rents thereof have been paid up to the 8th March last.

REPORT OF THE COUNCIL ON EDUCATION.

To His Excellency the Right Honourable GUY LORD DORCHESTER, Governor General of the Province of Quebec, &c. &c.

MAY IT PLEASE YOUR LORDSHIP,

The Committee being this day assembled, in obedience to Your Lordship's Order, came to sundry Resolves thereon, as expressive of their *unanimous opinion*; which, with the cause of the delay of their deliberations and Report, are contained in the Copy of their Journal hereunto annexed.

All which is nevertheless submitted to Your Lordship's great wisdom.

By Order of the Committee, Quebec Council Chamber, at the Bishop's Palace,—Thursday 26th November 1789.

(Signed) WILLIAM SMITH, Chairman.

JOURNAL of a Committee of the Council charged to report on the subject of the Education of Youth in this Province.

At a Meeting, Thursday 26th November 1789.

PRESENT,

The Chief Justice,	Mr. Grant,
Mr. Dunn,	Mr. Baby,
Mr. Delery,	Mr. Dupré.

Read the Order of Reference, dated 31st May 1787.

THURSDAY 31st May 1787.

His Lordship called the attention of the Council to the great

object of the Education of Youth through all the extent of the Province, and it is committed to the Chief Justice, Mr. Dunn, Mr. Mabane, Mr. Delery, Colonel Caldwell, Mr. Grant, Mr. De St. Ours, Mr. Baby and Mr. Dupré to report with all convenient speed, the best mode of remedying the defects, an Estimate of the Expence, and by what means it may be defrayed,—Any other Member assisting the Committee, to have a voice.

(Signed) J WILLIAMS.

Observed by the Chairman, that His Lordship's Order supposing defects in the means of Education, the duty of the Committee seemed to be to explore the causes and point to the remedy.

That as the subject was not capable of the discussion the reference required without some local information, he had since put a series of questions into the hands of Mr. Panet, one of the Canadian Lawyers, in the hope of being able to have spread before the Committee pertinent communications from every Parish of the Ancient Settlements in the two Districts of Quebec and Montreal.

The Questions were these—“ Enquiry to extend to :—

“ (1) The condition or present state of Education. A list of the
 “ Parishes and incumbents, and of the number of the Parishoners
 “ in each, and the amount of their respective Church Revenues.
 “ The number of their Schools, and the kind of instruction.
 “ What their support? Can it be true, that there are not more
 “ than half a dozen in a Parish that are able to write or read?
 “ (2) “ The cause of the imperfect state of instruction. What
 “ kinds of public and general tuition are established? What the
 “ Funds? What the Income? To what the uses and ends?
 “ What the impediments?

“ A Minute detail desired, that the remedy may be the better
 “ adapted to the evil, and the necessity there is for proper institutions.

(3) “ The remedy or means of instruction. The main object
 “ is the cultivation of knowledge.

“ Suppose a Union for this purpose safe to the Catholic as well
 “ as Protestant persuasions, and encouraged by all enlightened
 “ and patriotic characters, whatever the diversity of their religious tenets, is it possible to hope to take a step towards establishing a University in the Province, or to find Schools instructive of a University? How may instructors be acquired?
 “ By what means can a taste or desire of instruction be excited
 “ in the Parishes?

“ The means must be adapted to the condition of the Colony.
 1.—“ To the strength and ability of the Inhabitants.
 2.—“ To the aid to be expected from the Provincial Legislature.
 3.—“ To the contributions probable from abroad, in money
 “ and books, and towards an apparatus for experiments in Nat-
 “ tural Philosophy.

Upon the first point,

“ Will the Chief Inhabitants concur in asking for an incor-
 “ poration? Will the Subscribers for the Library place it in the
 “ hands of a Corporation for a College?

“ May any thing be hoped for, in the way of private contri-
 “ bution, for an erection of the establishment, in any particular
 “ place or part of the Province?

Upon the second point.

“ What Lands of the Crown are there proper to be settled
 “ for the use of such a Society?

Upon the third point.

“ Without an establishment by Charter, every gift will be de-
 “ pendant upon private confidence, and then nothing is to be ex-
 “ pected from abroad. This will not be so, if the Stock and
 “ Revenue are in hands having the confidence of the Govern-
 “ ment, and may it not be expected to find men of learning for
 “ the professors' chairs free from narrow prejudices?

“ May we not flatter ourselves, that a Circular Letter to the
 “ Pastors of each Parish, will bring us an exact account of the
 “ Parishes, and awaken a spirit of enquiry, and afford useful in-
 “ formation of the peculiar advantages of the Parishes for the
 “ special improvements of which they are capable?

The Chairman added.

That as yet Mr. Panet had not (possibly from the interruptions
 of his practice at the Bar) sent in any answers to these questions.

That this delay having been suggested to His Lordship in
 Council, upon his usual call for quickening the unreported refer-
 ences, the Chairman then looked for the information from the
 good offices of Mr. Baby, one of the Members of this Com-
 mittee, who undertook to speak to Mr. Panet and forward the work.

That the Chairman proceeded next, to bring the heads of the
 Clergy of the Catholic Communion acquainted with the benevol-
 ent intention of the Reference, and for that purpose the follow-
 ing Letters were written last August.

“ QUEBEC, 13th August 1789.

“ Right Reverend Sir,

“ A Committee of the Council, of which I am Chairman,

“ have had it in charge ever since the 31st May 1787, to report to the Noble Lord at the head of the Government, upon the interesting subject of giving a spring to science upon a great scale, by an Univerfity in this Province.

“ The questions inclosed, are stated for acquiring some information, preparatory to a Meeting of the Committee and were put for that purpose into private hands, who have not succeeded, and are now submitted to your inspection, in the persuasion that your power and inclination, will be equal to a design, which independent of the benefits of promoting the Children of this Country by qualifying them for public honors and Service, is conducive to the prosperity of the Province, and the interest of humanity at large.

“ I have transmitted another Copy to your venerable Coadjutor, and I am persuaded that our Committee will accept your's and his aids, and those of all the Clergy under your care, with great gratitude, and be very ready to Co-operate with you in this honorable and great work.

“ I have the honor to be,

“ Right Revd. Sir,

“ Your most obedient and humble Servant,

“ (Signed) W. SMITH.”

Monseigneur l'Evêque de Québec.

“ Quebec, 13th August, 1789.

“ Right Revd. Sir,

“ The enclosed queries were designed to procure information for a report to the Governor General from a Committee of the Council, with a view to the erection of a University in this Province.

“ Having written this day to Monseigneur l'Evêque upon this subject, I send you a Copy of the queries, in the persuasion that your good offices cannot be wanting in a concern of such interesting utility.

“ I have the honor to be, Right Revd. Sir,

“ Your most obedient and most humble Servt.

“ (Signed) WM. SMITH.

“ Right Revd. Mr. Bailly, Co-adjutor &c. &c.”

[Answers]

“ Quebec, 13th August, 1789.

“ Sir,

“ I have the honor of your letter of this day, I shall have that of returning you an answer, when I shall have maturely considered the important object to which it relates.

“ I have the honor to be, Sir,

“ Your most humble and most obdt. Servt.

“ JEAN FRANCOIS HUBERT,
Bishop of Quebec.”

“ The Honble. Wm. Smith.

“ Sir,

“ It was this morning when I received the Honor of your letter, I shall consider it a duty to return an answer to your demand as soon as it will be in my power to do so, persuaded that you will assist in accomplishing a work so useful to the Province.

“ I have the honor to be, Sir,

“ Your most humble and most obdt. Servant,

“ (Signed) CHARLES FRANCOIS DE GASPE.
Co-adjutor at Quebec.

The Chairman then added, that he was lately honored with the following communicative letter on the subject, from the Right Reverend Bishop of Quebec.

Quebec, 18th November, 1789.

“ The Honble. William Smith, Chief Justice.

“ Sir,

“ The following is the result of my reflections upon the scheme which you did me the honor of communicating by your Letter of the 13th of August.

“ Nothing is more worthy of the wisdom of the Government under which we live, than the encouragement of science by every possible means, and with respect to myself, let me assure you, nothing can be more agreeable to my views and wishes. At the name of an University in the Province of Quebec, my *native* Country, I bless the Almighty for having inspired the design, and my prayers are offered for the exe-

cution of it. However, as you give me to understand, that my opinion will be received with pleasure, I ought to suggest to the Honorable Council and to the Committee, in whose name, I conceive, you have written to me, the following observations.

“ 1st. It is very doubtful whether the Provinne can, at present, furnish a sufficient number of students to occupy the masters and professors that would necessarily be required to form an university. While there remains in Canada so much land to clear, it is not to be expected that the Country inhabitants will concern themselves about the liberal arts. A farmer in easy circumstances, who wishes to leave his children a comfortable inheritance, will rather bring them up to Agriculture, and employ his money in the purchase of lands, than procure them learning of which he knows nothing himself, and of the value of which it is scarcely possible he should have an idea. Every nation upon the Globe has successively given proof of my assertion, the sciences having flourished only when there have been more inhabitants than necessary for the cultivation of the land.—This is not yet the case in Canada, an immense space of Country, where the lands, little improved, offer on all hands wherewithal to exercise the industry and stimulate the interest of the settlers. The Towns therefore stand alone for furnishing Students to the University.

“ There are but four Towns in the Province : William Henry, still uninhabited : Three Rivers, scarcely meriting the name of a Town : The inhabitants of Quebec and Montreal, it is known, are not very numerous : Besides, it is probable, considering the present scarcity of money and the poverty of the Citizens, that Montreal cannot send many youths to the University ? In the course of every two years, ten or twelve Scholars are sent from thence to Quebec to study Philosophy ; if more should come from thence, the whole town would murmur :—Many for want of Funds, are compelled to finish their studies when only in the class of Rhetoric—yet the Seminary of Quebec teaches Philosophy *gratis*, as well as the other branches of science, and the greatest sum required from a Student, never exceeds twelve pounds sterling per annum :...Hence I conclude that the period is not arrived for founding an University at Quebec.

“ 2d.—I understand by *University*, a Company, Community or Corporation composed of several Colleges, in which Professors are placed to teach several sciences. The foundation then of an University pre-supposes an establishment of Colleges dependant thereon, and furnishing Students for it ; according to the most esteemed Chronologists, the University of Paris, the most ancient in the world, was only founded in the twelfth Century, though the kingdom of France had subsisted from the fifth—Nothing therefore seems to urge such an establishment in a Province newly risen into existence where there are but two small Colleges, and which might, perhaps, be obliged to apply to foreign Countries for professors to sit in the chairs, and for Scholars to receive their Lectures,

“ It will be objected that the Anglo-Americans, our neighbours, though the settlement of their Country is not of long date, have nevertheless furnished themselves with one or more Universities:—But it must be observed, that their proximity to the sea, which is not the case with us, having rapidly extended their commerce, multiplied their Towns and encreased their population, it is not to be wondered that they should be more advanced than we are, and that the progress of two Countries, so differently situated, should not be exactly alike.

“ 3d.—Supposing the two foregoing reflections refuted by others more judicious and wise, I wish to know by what plan it is proposed to govern the administration of this Community, before I take any step respecting the Clergy of my Diocese or the Canadians collectively. The project of an University in general does not meet my sentiments. I should like a more minute detail. How many different sciences are intended to be taught there? This question is important; a greater number requiring, of necessity, a greater number of professors, and consequently, greater Revenues.—Is it intended that it should be governed by one Rector, or by a Society of Directors? If by a Rector, is the appointment to be for life, or is he to be removeable at the end of a given number of years? Who are to be the persons to nominate either him or the Directors, if that mode of Administration were to take place? Would it be the King, the Governor, the Citizens of Quebec, or the Province at large? What rank or character would be given to the Bishop, and what to his coadjutor in the Establishment? Would it not be proper that both, or one at least of them should hold a distinguished station?

“ This is not all, an Union protecting the Catholic & Protestant Subject had been previously announced. These terms are very vague. What are the measures to be taken to procure so necessary a junction? will it be answered by proposing for the university, persons unprejudiced in their opinions? this, far from resolving the difficulty, seems only to encrease it. For what is meant by persons unprejudiced? the true sense of the expression relates to persons who are neither unwisely prepossessed in their notions in favor of their own nation, nor unadvisedly zealous to inspire into youth not instructed therein, the principles of their Communion; further, they ought to be virtuous and moral persons, who govern themselves by Gospel principles and Christianity: whereas in the stile of modern writers, a person unprejudiced in his opinions, is one who opposes every principle of Religion, who, pretending to conduct himself by the law of nature alone, soon becomes immoral and not subordinate to the Laws, so necessary to be inculcated upon youth; if it be intended that they should conduct themselves uprightly; men of this character (and this

“ age abounds with them, to the misfortune and revolution of nations) would by no means suit the establishment proposed.

“ After these preliminary observations, which seemed to me essential, I shall endeavor, sir, to answer your different questions.

“ *Question 1.*—The condition or present state of Education :—
 “ List of the parishes and incumbents, and of the number of the Parishioners in each, and the amount of their respective church revenues”

“ *Answer*—Nothing so easy as to give a list of the parishes and incumbents, but it will be shewn by and by that such list is unnecessary, in the business in question. It is not so easy to shew the amount of the Church Revenue.

“ 1.—What is termed ecclesiastical contributions or oblations, is merely a casualty.

“ 2.—Tithes are not so rigorously exacted, nor in the same proportion as in Europe. Here they are only the 26th part of wheat, oats and peas; 'tis true, they must be brought to the parsonage house. To this are reduced in Canada what are called in England predial Tithes. Respecting the mixed Tithes, collected upon hogs, milk, wool &c. and the personal Tithe collected upon manual labour or works proceeding from industry, such as the mechanic arts, fisheries &c. they are altogether unknown and difused in this country. Our Tithes therefore proceeding but from grain, are liable to great changes of augmentation or diminution from one year to the other, depending upon a favourable or unfavourable season. Therefore it would be difficult to ascertain with precision the amount of the revenues belonging to the incumbents.

“ *Question.*—What schools are there, and what is the kind of instruction? what is their support?

“ *Answer.*—The Reverend Fathers the Jesuits of Quebec, before the year 1776, always kept or caused to be kept a well regulated school, where young persons were taught reading, writing and arithmetic—this school was free to every one. But Government having thought fit to lodge the records of the Province in the only apartment of the house where scholars could be admitted, the Reverend Fathers could not continue the good work.

“ There are some Canadian Masters in Town who for payment teach reading and writing—their schools are regular and daily, and pretty well frequented—the parents of the children sent there are tolerably well satisfied with the progress they make.

“ At Montreal, the Seminary ever since the time of its institution has supported a free school, where children of all ranks are taught reading and writing. Books are given them *gratis*. This school remarkable for its extreme regularity, has had three hundred children at a time.

“ The Nuns or congregated sisters at Montreal have a numerous boarding school for the instruction of young gentlemen. The Ursuline Nuns at Quebec and Three-Rivers, have each another boarding school; also the Nuns of the General Hospital of Quebec. The young ladies in these schools are taught reading, writing, needle and other work, suitable to the sex, such as embroidery &c.; but above all things, they are taught virtue—public schools are also kept for young women in the three Towns of the Province, one at Montreal by the congregated Sisters, one at Three-Rivers by the Ursulines, one at Quebec by the Ursulines, and one by the Sisters in the Lower-Town, the Schools kept in the Country Parishes by Missions from the congregated sisters must not be forgotten. They spread a great deal of instruction. These communities at their own charge support their respective schools, and they are also supported and encouraged by the attention and vigilance of the superiors of the Church, who are careful to see that the intent of the establishments be fulfilled. Above all things, the minds of the children in those schools are inspired with morality, and a love and veneration for religion, the principles of which they are taught to understand

“ There are some English Masters who teach Schools at Quebec, Montreal and Three-Rivers, but I do not know their different branches of Instruction, nor their support.

“ *Question.*—Can it be true that there are not more than half a dozen in a Parish that are able to write or read?

“ *Answer.*—Such a report, it is true, is publicly spoken of, and if I mistake not, maliciously spread abroad, to disgrace the Canadians. The imposition hath even reached His Royal Highness Prince William Henry. It would be difficult to practise such deception upon persons well acquainted with the Province. For my part, I am convinced that upon an average, from twenty-four to thirty persons may easily be found in every Parish who can read and write. 'Tis true the number of women so instructed, exceeds that of the men.

“ *Question.*—The cause of the imperfect state of instruction. What kinds of public and general tuition are established? what the Funds? what the Income? to what the uses and the ends?

“ *Answer.*—Classical learning and Rhetoric are publicly taught
 “ in the College of Montreal since the year 1773, and Geogra-
 “ phy and Arithmetic are beginning to be taught—I have reason
 “ to expect this Establishment, will in time produce a good effect.
 “ —The Proprietors of the College solicited me in September
 “ last, to let them have a Professor of Philosophy and Mathematics,
 “ and I shall do all in my power to procure them one.—The
 “ College belongs to the Administrators of the Parish Church
 “ Revenues of Montreal, it has no other fund than the board
 “ paid by the Students, and the liberality of the Ecclesiastics of
 “ the Seminary—The Church-Wardens seem to have its support
 “ much at heart, it is already of great Public use. Boys who
 “ cannot afford to live in the College as boarders, are received
 “ as day Scholars, for the moderate Sum of one Guinea per an-
 “ num.

“ The Seminary at Quebec was founded and endowed by Mr.
 “ Francis De Laval de Montmorenci, first Bishop of Canada—
 “ Its own Revenues support it. The Administration of those re-
 “ venues is submitted to the inspection of the Bishop, who an-
 “ nually examines the accounts of the income and Expenditure,
 “ as well as those of acquisitions made under the Foundation.
 “ This Seminary, by its Constitution, is only held to instruct
 “ young Clergymen for the Service of the Diocese, but since the
 “ conquest of the Province by His Britannic Majesty’s Arms,
 “ Public instruction has been voluntarily and gratuitously given—
 “ Theology, the Classics, Rhetoric, Moral and Natural Philoso-
 “ phy, Geography, Arithmetic and all the different branches of
 “ the Mathematics are taught. It has produced and produces
 “ daily learned men in all the sciences they have studied, capable
 “ of doing honor to their Education and Country, Witness Mr.
 “ Deléry, Mr. De Salaberry, Mr. Cugnet the younger, Mr.
 “ Descheneaux, &c. without naming a great number of Eccle-
 “ siastics who distinguish themselves among our Clergy.

“ When English young Gentlemen have desired to come into
 “ the Seminary they have been admitted there upon the same
 “ footing with Canadians, without any distinction or partiality.
 “ They were exempted, however, from attending Religions du-
 “ ties, differing from the principles of their belief.

“ I should not omit mentioning, that, since the Conquest, the
 “ Bishops of Quebec have always resided at the Seminary, where it
 “ is made a point of duty to furnish apartments and a Table for
 “ them gratuitously and honorably.—Moreover, this Seminary has
 “ always been remarkable for the Charities daily bestowed there,
 “ as for zeal in cases of Public contribution.

“ *Question*—Whence proceed the discouragements and faults ?

“ *Answer*—It may be answered, that of all the Young Gentlemen, naturally studious and virtuous, who have begun their studies at a fit age, not one has been discouraged at the Seminary ; they left it with thanks and acknowledgements for the principles they learned. Indeed, there has been found among the number, some of stubborn dispositions, little adapted for the sciences, or incapable of that restraint which is necessary to the acquisition of good morals. These have gone away ignorant, and unfortunately, judging by their incapacity, an unfavorable opinion is entertained of the learning to be acquired in the Seminary. Hence, proceeds the idea, pretty generally propagated, that none are admitted into the Classes there but such as are disposed to take up an Ecclesiastical life—that their instruction is directed only to that study, and otherwise very contracted ; an idea that could not be repressed even by the Publication in the Quebec Gazette of the 4th of October 1787, No. 1155, which announced to the English and French Youth the opening of the ordinary Mathematical Class at the Seminary, where in would be taught, according to usage for twenty years back, Arithmetic, Algebra, Geometry, Trigonometry, together with Conic Sections and Tactics, in both languages, and without expence to the Scholars.

“ The preference given to old subjects and even to strangers, over the Canadians in Appointments to Public Offices and places of Trust, may, perhaps, be an additional cause of discouragement. But this is not within my sphere, nor is it with me to enquire whether such complaints are well or ill founded ; besides, it is my duty and the duty of all my Countrymen to render endless thanks to The Right Honorable Lord Dorchester, for the favours he has been pleased to heap upon our Nation whenever opportunities have offered.

“ *Question*—The remedy or means of Instruction —What steps can be taken towards establishing a University in this Province ? or Schools introductive of a University ?

“ *Answer*—To this I answer :—

1.—That according to my first observation at the beginning of this letter, it appears we are not yet arrived at the period for establishing an University at Quebec.

2.—That in order to put the Province in a state of enjoying, in the process of time, so precious an advantage as that of an University, it is necessary to use all possible means of supporting and encouraging the Education already taught in the College of Montreal, and Seminary of Quebec.—This I watch over with great

“ attention. Generally speaking, the Scholars are capable, at the
 “ time of quitting their studies, of embracing with success any
 “ kind of science taught at an University, whether Jurisprudence,
 “ Phyfic, Surgery, Navigation, Fortification &c.

3.—Another object not less essential, for the present, would
 “ be to procure a third place of Public instruction for Youth. It
 “ will be asked, no doubt, by what means? I shall mention one
 “ that is not, perhaps, impracticable.—There is in the centre of
 “ Quebec, a handsome and spacious College, the greatest part of
 “ which is occupied by the troops in the Garrison—May not that
 “ College be drawn nearer to its primitive institution by substitut-
 “ ing instead of those Troops, if it should be His Excellency’s pleas-
 “ ure, some useful Classes, such as the Civil Law, and Naviga-
 “ tion, to which may be added, if approved of, the Mathematical
 “ Class now taught at the Seminary? Might not that College it-
 “ self, in the course of time, be constituted an University and sup-
 “ port itself in part, with Revenues of the Estates now belonging
 “ to the Jesuits? This mode of proceeding gradually to the esta-
 “ blishment of an University, appears to me much more prudent
 “ and sure. I acknowledge the meritorious services of the
 “ Reverend Fathers the Jesuits and the zeal with which they have
 “ laboured in this Colony for the instruction & salvation of Souls—
 “ Nevertheless, I should not be backward in taking immediate
 “ measures for securing their College as well as their other Estates
 “ to the Canadian people, under the authority of the Bishop of
 “ Quebec But to whom ought the Government of the Jesuits’
 “ College belong if it were again set on foot? First, to the
 “ Father Glapion for his life, and afterwards to those who should
 “ be appointed by the Bishop.—Does any one wonder at such a
 “ Plan? I will state the principles upon which I ground it
 “ 1°. The Funds of the College will only consist of the
 “ Estates of the Jesuits.

“ 2°. The Province has no right to appropriate them to itself
 “ but for their original destination.

“ 3°. The propagation of the Catholic Faith, is the principal
 “ motive assigned in all the Title Deeds.

“ 4°. The circumstances of the Donations and the quality of
 “ Donors, would alone prove that to be their intention. The
 “ Canadians, considered as Catholics, have therefore a right to
 “ those Estates, which appears incontestible.

“ 5°. The instruction of the Savages, and the subsistence of
 “ their Missionaries, appearing to have greatly actuated the Donors
 “ of those Estates, is it not fit that the Bishop of Quebec, who
 “ names those Missionaries, should have it in his power to decide

“ in their favor, respecting the application of that part of the said
 “ Estates which shall have been found to have been given with
 “ that intent, rather than see them burthensome to Government as
 “ many of them have been for some years? Therefore, in pre-
 “ serving the Estates of the Jesuits to the Canadians under the au-
 “ thority of the Bishop, he would have a right to cause this essential
 “ part of the intention of the Donors to be executed, and it is
 “ besides very probable that the College and the Public would be-
 “ come gainers by it.

“ *Question*—By what means can a taste or desire for instruc-
 “ tion be excited in the Parishes?

“ *Answer*—This, in my opinion, should be committed to the
 “ zeal and vigilance of the Curates, supported by the Country
 “ Magistrates.

“ A Calumnious writer hath maliciously reported to the Public,
 “ that the Clergy of this Province, do all in their power to keep
 “ the people in ignorance, in order to domineer over them. I
 “ do not know upon what ground he has been able to found so
 “ rash a proposition, contradicted by the care always taken by the
 “ Clergy to procure to the people such instruction as they are sus-
 “ ceptible of. The severity of the Climate of this Country, the dis-
 “ tances between the houses of its Country inhabitants, the diffi-
 “ culty of assembling the Children of a Parish into one place, especi-
 “ ally in the winter, as often as it would be necessary for their Edu-
 “ cation, the inconvenience to a teacher of going daily to a great
 “ number of private houses:—Such are the obstacles that have ren-
 “ dered useless the desires of many of the Curates, whose efforts to
 “ instruct the Children of their Parishes are within my knowledge:
 “ But in Towns or Villages, such as L’Assomption, Boucherville,
 “ La Prairie de la Magdeleine, Terrebonne, La Rivière du
 “ Chesne &c we have the pleasure of finding the people, in gene-
 “ ral pretty well informed, most of these Villages are supplied
 “ with Schoolmasters.

“ *Question*—Will the principal Citizens concur in asking a Charter
 “ of Incorporation?

“ *Answer*.—I understand a Charter to be Letters Patent fixing and
 “ consolidating the establishment of any Society or Body whatsoever—
 “ to which I answer, that such a Charter as should be immediately pro-
 “ cured in favor of this renovated Jesuits’ College, might hereafter be
 “ renewed in favor of an University; which would afford a great sup-
 “ port to those establishments, and much encouragement to the people.

“ *Question*.—Are there not Lands of the Crown which might be
 “ proper to request the Grant of, for the benefit of the University?

“ *Answer*.—Time will bring all things about. On the supposition

“ that the Estates of the Jesuits were to be left to the public for the
 “ education of youth, a part of those Estates would in time be impro-
 “ ved, and produce sufficient funds to be able to spare a part for the ne-
 “ cessary support of an University. Independently thereof, may we
 “ not hope that His Majesty, full of benevolence towards the prosperity
 “ of his subjects, would grant them, for a work of this nature, some
 “ new Grants *en roture*, or *en fief*, out of the Waste Lands of the
 “ Crown.

“ *Question* —The funds and design being committed to such trusts
 “ as the Governor General may think proper, may not much be expect-
 “ ed, when men of learning, free from illiberal prejudices are in the Pro-
 “ fessors’ chair, for the Liberal Arts and Sciences?

“ *Answer.*—It seems to me I have sufficiently answered this ques-
 “ tion in my third preliminary observation; I shall only add, that The-
 “ ology will always be taught at the Seminary, and consequently this ob-
 “ ject will never be burdensome to the public.

“ You have now, Sir, my reflections and answers respecting the plan of
 “ an University, proposed by the Honorable the Legislative Council. I
 “ have informed you with freedom and sincerity, that so early an estab-
 “ lishment of an University at Quebec, does not appear to me suitable
 “ to the present circumstances of the Province. Upon this occasion I
 “ have laid open my views and way of thinking, relative to the Educa-
 “ tion of our Youth. It remains, that I request you to refer this let-
 “ ter to the Committee upon the establishment in question, assuring
 “ them that nothing is nearer to my wishes than to conciliate in all things
 “ my respect for the Government and the Honourable Council with
 “ what I owe to my Nation, to my Clergy, and to that Religion which
 “ I have sworn at the foot of the Altar to maintain to the end of my life.

“ I have the honour to be,

“ Sir,

“ Your most humble and most obedient servant,

(Signed)

“ JEAN FRANCIS HUBERT,
 “ Bishop of Quebec.”

The causes of the non-convention of the Committee before this day
 being thus explained, the Chairman, as leading to the discussion of the
 very important subject of the reference, begged leave to observe to the
 Committee,

That the main enquiry, (the result of which was to be reported to
 His Lordship,) appeared to be:—

To what extent or degree it was expedient to introduce the means of
 education in this Province?

That certainly there could be no division of sentiment, respecting that

elementary instruction necessary to the lower classes in all countries; the want of which left a people in a state of *base barbarism*.

By these he meant,

1.—*Parish* Free Schools, or a School in every Village, for reading, writing, and the four common Rules of Arithmetic.

2.—A *County* Free School, one at least for further progress in Arithmetic, the Languages, Grammar, Book-keeping, Gauging, Navigation, Surveying and the practical branches of the Mathematics.

The next step in civilized countries was an University or a Collegiate Society for instruction in the Liberal Arts and Sciences, and how far the Province was prepared for such an Institution, was the point which the Right Revd. Bishop, had with much reason, made the subject of his deliberation;

The Chairman concurred with the venerable Bishop, that the erection of an University, measuring it by the European scale, would be extravagant, as neither adapted to the abilities nor the wants of a country, not yet consisting of one hundred and fifty thousand inhabitants, who had a wilderness before them, to be brought into cultivation for obtaining the necessaries of life.

It was nevertheless to be wished that the youth of the Province might not be estranged from it, by an education in foreign parts, but find *at home* sufficient means to qualify them for the trusts, offices and honors of their native *community*.

Though the idea therefore of establishing such a fountain of light *here*, as is found in the Universities of the old Continent, for the diffusion of knowledge among the nations, and through the immense regions of His Majesty's Inland Dominions, which is only to be indulged as an object of distant prospect, the great & important questions still remained:—

How far the necessities of the Colony demand, and its abilities will permit, of a College or Academy, for that improvement of the mind pre-supposed in every advancement to real usefulness in any of the learned professions, and indispensibly necessary to every great social collection; and without which, it must be indebted to Emigrants from other Countries?

A College under one Rector and four Tutors, dividing the labour between them, would, in his opinion, be sufficient for instructing the students to be expected from all the Provinces on this Continent now remaining to Great Britain, in Grammar, Logic, Rhetoric, Mathematics, Natural Philosophy, Metaphysics and Ethics; and these sciences made the path which all were obliged to walk in to obtain any degree of eminence in the learned professions, to give a man distinction among his fellow citizens, and to enable him to come forward to the Magistracy and other important services of his country.

The Chairman added, that though an institution of this extent could not be very expensive, it would nevertheless require an union of hearts and hands, to give it the desired prosperity; and this it certainly could not want by due guards against the illiberality of a contracted and sec-

tarian spirit. To which end, it was his idea, the state of the Province considered :—

That Christian Theology be no branch of instruction in this College, but left to be provided for by the two Communions that divide the Province, in such way as they select, and by such means as they respectively possess or may acquire.

That a Corporation be created by Letters Patent, capable of Donations and perpetual succession, and with authority to make Bye Laws.

That the visitation be vested in the Crown.

That the King's Judges and the Bishops of the Province for the time being, both Catholic and Protestant, be Members of the Corporation; and the rest to sixteen or twenty of the principal gentlemen of the country, an equal number of both Communions; and that vacancies be filled by the majority of the voices of the whole body.

That proper Clauses be inserted in the Charter to repel every appropriation and bye law, touching the Funds or government of the College, to any other than the promotion of science *at large*, as aforementioned; in exclusion of all biasses, ceremonies, creeds and discriminations, either of the Protestant or Catholic Communion.

Upon the remedy of the defects by the order supposed to exist, the Chairman remarked, that the erection of the Village and County Schools, would require an Act of the Legislature, rating each Parish in Assessments, for the Free Schools of its own District.

That the objections of the indigent to their contributions for either, were answered by giving their children the benefit, with an exemption of themselves from the general charge; and those which may arise in the old Districts of Quebec and Montreal, from their having Funds and Schools already of their own, by making all such persons also exempt, whose children *really were* in such a course of education.

If the burden was to be felt any where as heavy, it could be only in the new Counties, where the Colonists were occupied in the cultivation of lands still in a wilderness state.

But even those parts of the Province, young as they are, would probably find no cause to complain. The noble Lord at the head of the Government had already set apart portions of land, to encourage the instruction of the children of their Villages, and they had ample ground to look for other appointments for the County Schools of their Districts, not to mention, that the applauded merit of their fidelity to the Crown in the late troubles, may expect aid, as soon as their wants are properly revealed, from the numerous charitable Foundations and Societies of the Mother Country, for which it is so greatly renowned.

Least of all, as the Chairman conceived, was it to be apprehended that a Colony College would fail, unless there was in its own bowels something repugnant to the energy essential to its success.

It may most assuredly expect the powerful patronage of the Crown, and of all that wish well to science, so friendly to the interests of our

common humanity ; perhaps it may be thought worthy of the national attention.

The Right Reverend Bishop of Quebec, was not singular in suggesting that a portion of the Estates of the dissolved Order of Jesuits, lays open to such a purpose.

They are not *wholly* asked for by the Right Honourable Lord Amherst. There is a part to be *reserved* for public uses, and the extent of that *reservation*, is a part of that confidence which His Majesty in his great grace to His people, has committed to that Noble Personage, under whose care the Province is, at a moment so auspicious to the laudable design, and when he himself recommends the subject to the attention of this Committee.

There is nothing to discourage the hope of additional benefactions out of His Majesty's *other Estates* in the Province.

There are Waste Lands in various places, and of such proximity to the old settlements, as might be soon tenanted to furnish a revenue to grow with the country, and be sufficient for the instruction, in its progress to that desirable perfection prayed for by the good Bishop, and in which he must be joined by every friend of mankind.

It happens to trusts to individuals, that the dread of a perversion of the funds, gives discouragement to gifts. The contrary is the natural consequence of pouring the donations into bodies of *perpetual* existence, with a *just* frame, for a *noble* end, and under the *eye of the Government*.

The Corporation once instituted, may boldly come to the foot of the Throne, and ask a brief for a *National Collection*. Abstract from the encouragement of public bodies, there are instances of private opulence in many places, with a generosity equal to that opulence, and on the watch for opportunities to devote it to enterprises for advancing the honor of the nation, the interest of learning, and the welfare of the human race.

The Jesuits' spacious buildings, as the Bishop has observed, afford ample apartments for a Collegiate life.

The private subscribers of Quebec, who have already at a great expense made an ample collection of well chosen books, will doubtless see it consists with their original design, to lodge them in the College Library for general use.

The Board for Commons and the Tuition money, will go to the support of the College ; Students, if it has fame, may be expected from all the Provinces under the Governor General residing in this ; and the advantage of acquiring one of the most universal languages of Europe, may be a motive even in remote countries, for taking the whole circle of the sciences in a College projected for the commencement of an University in Canada for His Majesty's American Dominions.

No greater Revenue can be at first wanted than will render the stations of one Rector and four Tutors worthy the choice of men qualified by morals and talents for a work and sphere which the necessities of many among the learned in Europe would lead them to wish for. And

there are some whom the hope of being so honourably and usefully employed, would excite to forego even the present comforts of local attachments to embrace it.

Advanced to the institution of a College, the Committee must perceive that like a reservoir for watering the surrounding fields, this, as a fountain, would find candidates *in the Province*, for the care of all the inferior Schools, in our expanded population, to the extremity of the British Dominions in the west; and that therefore, though it was mentioned last in the chain of deliberation, it ought to have the chief influence, even with those who might before have been only advocates for those lower exertions, immediately necessary to the Village and County Schools.

For a full discussion, however, of the subject (on which any gentleman had a right to move what he thought proper, and try the sense of the Committee upon it,) the Chairman proposed, that the question be put singly, upon the following resolves.

First.—That it is expedient without delay, to erect Parish or Village Free Schools, in every District of the Province, at the determination of the Magistrates of the District, in their Quarter Sessions of the Peace.

Second.—That it is also expedient, that each District have a Free School, in the Central or County Town of the District.

Third.—That the Tuition of the Village Schools be limited to reading, writing and cyphering.

Fourth.—That the instruction in the District or County Schools, extend to all the rules of Arithmetic, the Languages, Grammar, Book-keeping, Gauging, Navigation, Surveying, and the practical branches of the Mathematics.

Fifth.—That it is expedient to erect a Collegiate Institution, for cultivating the Liberal Arts and Sciences usually taught in the European Universities, the Theology of Christians excepted, on account of the mixture of two Communion whose joint aid is desirable, as far as they agree, and who ought to be left to find a separate provision for the Candidates in the Ministry of their respective Churches.

Sixth.—That it is essential to the *Origin* and *Success* of such an institution, that a Society be incorporated for the purpose; and that the charter wisely provide against the perversion of the institution, to any Sectarian peculiarities, leaving free scope for cultivating the *general circle* of the Sciences.

After deliberating upon the subject at large.

Agreed, that the general question of concurrence be put upon all the Resolves; and it being put accordingly, the Committee concurred in them, and ordered that it be reported to his Lordship, as their *unanimous opinion*.

By order of the Committee, 26th November 1789.

(Signed) Wm. SMITH, Chairman.

PETITION of the inhabitants of the City and County of Quebec to the House of Assembly on the state of Education, &c.

To the Honourable the Knights, Citizens and Burgesses in general Assembly convened :

We, the Subscribers, heads of Families, and Inhabitants of the City and County of Quebec, congratulating ourselves on the first and happy Assembly of the Representatives of this Province of Lower Canada, do not entertain the least doubt, but that this honourable House is acquainted with the present, and will sufficiently provide for the future state of this Country and especially for the deplorable state of the Education of Youth for upwards of thirty years past, though a College has been erected in the middle of this City, a House in the City of Montreal, with Lands and Revenues thereto annexed, for the Education of every individual born in or inhabiting this Country. Whilst we entertain the flattering hope of seeing in a short time throughout the enlightened and watchful attention of this honourable House, the happy effects of our new Constitution, & of the well regulated liberty which forms its basis, nothing at this moment can afford a more solid ground to your Petitioners' expectation, than the friendly communication given many years ago by the Jesuits of Quebec to the Citizens of all the Titles of their College.

By those Titles it evidently appears that they hold and enjoy their Estates only in trust from the first Ancestors of the Canadians (a) called the *hundred Associates*, who were thereof, and gave them over to the Jesuits upon certain conditions.

That the tract or lot of six superficial arpents reduced from the twelve arpents first conceded in the Upper Town of Quebec, where the Church and College are erected, was given but on condition of maintaining the institution & perpetual vow of the Jesuits—the Education of Youth. (b) In order to build a College where the Youth of Canada should be educated, (c) as they could not by reason of their Vow of Evangelical and personal Poverty, hold any Estate unless with the title of College (d) established in behalf of the Youth of the Country *ad studendum et orandum*; and the King after the cession of Canada made to him by the Company of New France, confirmed and amortized all those Estates on which he relinquished all his rights by a Diploma, only for the purpose of affording the means of Education to the Youth of this Country (e)

(a) Edict of May 1672, and Hist. de la Nouv. France par Charlevoix, vol. 1st p. 164-5.

(b) Bull of Paul III, of the 25th Sept. 1560, in approbation of their institution.

(c) Titles to the College to the 18th March 1637.

(d) Bull of Paul III, Constit. part 6, Cap. 2 and 3—Causes Celebres, Tom. 13 p. 88, Ord. 1539 Art. 151. Cout. de Paris, Art. 227 and grand Comm. de Ferrerè.

(e) Letters Patent of Louis XIV, of the 12th May 1678, Registered in the Sov. Council of Quebec the 31st Oct. same year, and after the conquest on 20th Decr, 1765, Book A. p. 657.

That the Seigniories were given by the same Citizens, namely Charlesbourg, to educate and teach; (f) as well as for the assistance of the people of this Country: (g) that Seigniorie and many others were likewise for ever amortized for the same purpose, and for the establishment of a College.

That the Peninsula on the River St. Charles called *La Vacherie*, near Quebec, now let to David Lynd, Esquire, was granted to replace the six Arpens taken off the twelve appropriated for the College, and by the same motives and views mentioned in the Titles of Charlesbourg. (h) It was likewise passed in to Mortmain or Amortized and annexed to the College. (i)

That the two *Lorettes* or Seigniorie of *St. Gabriel* were given (k) by Mr. Robert Giffard then Seignior of *Beauport* only out of Friendship, but when amortized they were explained to be a gift in favor of that College. (l)

That Sillery towards *Cap Rouge* was granted for the spiritual and temporal assistance of the people of this Country. (m)

That the *Cap la Magdelaine* near Three Rivers, was given by Mr. Delaferté, one of the Hundred Associates only to procure the Establishment of the College, and afford the Jesuits means of subsistence; (n) but the Jesuits having laid out upon that Estate the savings of the Quebec College, in consequence of their apprehensions of being disturbed for want of a better explication, Mr. Duchesnaux, then Intendant of the Colony confirmed that Gift, only in favor and behalf of the College of Quebec. (o)

That in fine the King did amortize and relinquish the possession of the said Estates for the College only.

That Batiscan given by the same for the love of God (p) was explained by the same Intendant, in consequence of the just apprehensions of the Jesuits, on account of the disbursements made with the savings of the College, but in favor of the College of Quebec, (q) to which it was also annexed by the King. (r)

That Laprairie de la Magdelaine in the District of Montreal, also granted on account of the assistance, which the inhabitants of Canada receive from the Jesuits, (s) and also by reason of the dis-

(f) Title of Notre Dame des Anges or Charlesbourg, 10th March 1626.

(g) Title for ditto, 15th Jany. 1637 and 17th Jany. 1652.

(h) Title of taking of possession of the 24th July 1646 and grant of 17th Jany. 1652.

(i) Letters Patent of the 12th May 1678.

(k) Donation before Paul Vachon, Notary, 22d Nov. 1667.

(l) Letters Patent 12th May 1678.

(m) Grant 23d Oct. 1669 ratified by the King the 6th May 1702.

(n) Donation before Messrs. Duchesne and Treffé, Notaries, at Paris of the 20th March 1651.

(o) Petition of Father Dablon, principle of the College and Institution of the Jesuits

(p) Donation before Messrs. Kerué, Bergeron, and Cousint, Notary, at Paris the 13th March 1639.

(q) Ordonnance of the 9th October 1678.

(r) Letters Patent of the 12th May 1678.

(s) grant of the 1st April 1647.

bursements made out of the economy of the College of Quebec : in consequence of some murmurs of the inhabitants and the apprehension of the Jesuits of being troubled for want of an explication, Mr. Duchesnaux, Intendant for the King of France, at their request, confirmed that Seigniorly solely in favor of the College of Quebec. (t)

In short the general and final explication by the King amortized that Seigniorly and other Estates described in the Letters Patent, only in consideration of the College of Quebec. (v)

That the Ground on which are built the Church and House of Mission at Montreal, was purchased in *Rouille* by the Reverend Father Dablon, then Superior of the Jesuits (x) & Rector of the College of Quebec, and approved by the Seminary legally established in the Island of Montreal, & sole Seignior of the said Island, which Estate was amortized by the King and appropriated to the Education of Youth.

That this Mission was established in the year 1692, solely by the economy of the College of Quebec, which alone could hold this Estate under the Title of a College sending into Mission according to their institution, the Bull, Petition of Father Dablon, and the Ordinance heretofore mentioned.

Many Lots in the Cities of Quebec and Three-Rivers, and some other Lots of Ground were purchased only by the economy of this College

That the Sault St. Louis, near Montreal, was granted to the Jesuits for the Iroquois, (z) and it was with Justice that the Iroquois obtained after the conquest, the restitution of that Estate.

The Petitioners conclude by exposing that since the abolition of the Jesuits, those of Canada have generously offered and still persist in offering to this Province the remittance and possession of all the Property and Funds of this College, for the use of the Public, to which they belong, and only desire a subsistence ; but such restitution has been retarded and impeded by many difficulties.

That the nature of those Titles and the foundation of the Col-

(t) Petition of the Revd. Father Deblon, principal of the College of Quebec and ordonnance signed Duchesneau, Intendant, 4th February 1647, then signed Dupuis and Begon his successors as Intendants.

(v) Letters Patent of the 12th May 1678.

(x) Titles of the Mission of Montreal.

(y) Letters Patent, 12th May 1678, Enregistered in the Sovereign Council of Quebec, 20th September following.

(z) Grant of 29th May 1680—from 30th October 1680—Brevet of Ratification of 15th June 1717 and Judgment of Genl. Gage and Council at Montreal of the 22d March 1762.

lege, have certainly been misrepresented in Europe, and by those means this Province has been deprived of Public Education since the conquest, although it be encouraged in every part of the British Empire.

That this misfortune is to be attributed only to the endeavours of a few individuals, who have strongly solicited of His Majesty, the gift or Concession of those Estates under various pretexts (but happily without Effect) before the sanction of the New Constitution.

That the Petitioners are convinced that His Most Gracious Majesty by His Royal Instructions was ever desirous of being well informed of those Titles, and to reserve of all those funds whatever might be requisite for the Public Education, without prejudice either to the Causes or Effects that such an the Establishment had in view.

Wherefore the Petitioners hope that this Honorable House will consider that the Estates of the Jesuits have been improved only by the labour, courage and industry of the Inhabitants of this Country, in hopes of Educating their posterity, and that these Estates tho' sufficient, do not exceed the necessary Expences to afford a Public Education properly organized and on a liberal Plan, for which purposes they were granted ; and therefore justly claim the same with the respect due to this Honorable House.

Quebec, 4th February 1793.

Joseph Dupont, fils,
 J. Deschenaux, fils,
 DeLaune,
 A. Menut,
 Mezières, fils,
 Dupont, père,
 Macnider,
 Paul Dorion,
 F. Dorion,
 N. Dorion,
 P. Vincent,
 Etienne Dostie,
 G. Marsiel,
 Berthelot D'Artigny,
 N. Trudel,
 L. Corbin,
 Charles Deblois,
 A. Gosselin,
 R. Gatien, fils,
 George Miller,

Robt. Ritchie,
 F. Bélanger,
 François Peiche,
 J. Bte. Chétien,
 Paul Thibaudeau,
 Lelièvre,
 J. B. Metivier,
 Frs. Baillairgé,
 Michel Sim. Delorme,
 Joachim Falardeau,
 Thomas Langlois,
 J. B. Couture,
 Louis Romain,
 Philiph Brown,
 James Hanna,
 J. B. Duberger,
 Frs. Deblois,
 Charles Pelerin,
 Dénéchau,
 James Greig,

Charles Derome,
 J. B. Brunet, fils,
 R. Lafleche,
 Jean Gobert, fils,
 Charles Nolin,
 Louis L'arrivé,
 Jos. Martineau,
 Thos. Levesque,
 L. Prevost,
 G. Grenier,
 J. B. Amiot,
 P. Delaurier,
 Jos Noel, père,
 Geo. Black,
 Pierre Couture,
 F. Débigaré,
 G. Paquet,
 F. Ledroit dit Perche,
 M. Sauvageau,
 Et. Samson,
 Jaq. Cochon,
 Jean Bezeau,
 James Gray,
 Ant. Chartrain,
 J. Bte. Corbin,
 Et. Garenne,
 John Reid,
 Charles Renaud,
 Guill. Ol. Levitre,
 James Black,
 Frs. Laurent,
 Ant. Vézina,
 James Johnston,
 James Stapleton,
 John Urquhart,
 Laparre, Docteur,
 Jaq. Laparre,
 Archibald Campbell,
 James Rennie,
 F. Roy,
 Murdoch M^rKenzie,
 And. Johnstone,
 Laurent Amiot,
 Louis Amiot,
 Louis Chorette,
 James Orkney,
 Jean Pas. Letourneau,

J. Nesse,
 E. Lagueux,
 Languedoc,
 F; Masse,
 Pierre Boucher,
 A. Ferguson,
 L. Dumas,
 Charles Pinguet,
 A. Cureux St. Germain,
 Pierre Bruneau, fils,
 Jos. Drapeau,
 A. Trudél,
 J. Bte. Noel,
 Louis Turgeon,
 P. Dufau,
 Martineau,
 Chs. Chauveau,
 Simon Noiseaux,
 Jean Drolette,
 Charles Drolet
 Et Nicolas,
 Et. Hianveu,
 Louis Gauvreau,
 Louis Feluet,
 F. Derouin,
 F. Vezina,
 Charles Audy,
 Jos. St. Michel,
 Joseph Drolet, fils,
 Aug. Defoy,
 Pierre Boissel,
 Ignace Beaupré,
 Charles Couture,
 Joseph Boivin,
 Joseph Gauvreau,
 H. Ritchie,
 Pierre Poulain,
 Jean Tourangeau,
 Louis Robitaille,
 Michel Clouet,
 T. O'Connor,
 Augustin Cantin,
 Augustin Laveau,
 J. M. Faribault,
 Jean Cazeau,
 René Duval,
 Martin Clinic,

Charles Coté,
 Pierre Dumas,
 Joseph Borgia,
 Jean Amiot,
 Pierre Dorion,
 Mességué,
 Louis Charland,
 Germain Miville,
 François Gauvreau,
 Louis Bleau,
 Zacharie Gagnon,
 Ant. Gauvin,
 Philip Hooper,
 Jean Berger,
 R. Jouvin,
 Jean Audy,
 Joseph Racine,
 Louis Dion Dumontier,
 Pierre Leroy,
 Jean Denis Salois dit Brunette,
 J. Robichaud,
 M. Lafrance,
 Wm. Bland,
 Charles Derome,
 Jean Brunet,
 Jean Bte. Legris dit Lépine,
 Louis Derome,
 Etienne Drolet,
 Ant. Garnier,
 J. Bte. Gaulin,
 Joseph Monier,
 Charles Parant,
 Frs. Malouin,
 Thomas Carette,
 Ant. Simon,
 Frs. Valhières,
 Michel Cornaud,
 Elias Pleish,
 Jean Gobert,
 Fis. Deligny,
 Jacques Flamand,
 John Paul,
 John Ross,
 Wm. M^cKenzie,
 John M^cKutcheon,
 Ignace Paradis,
 Fredk. Petry,
 Jonathan Eckart,
 Henry Juncken,
 Henry Hall,
 M. Panet,
 Alexis Monjon,
 Joseph Bezeau,
 Joseph Cloutier,
 P. Dénéchau, fils,
 J. B. Mathurin,
 P. S. Bedard, père,
 Laurent Bedard,
 Louis Laberge,
 Joseph Gagnon,
 Jacqs. Lemoine,
 F. Levesque,
 Isaac Roberts,
 C. Corneiller,
 Chapey,
 Charles Labbé,
 Louis Giroux,
 Joachim Primeau, père,
 Joseph Langlois,
 Louis Derome,
 Jean Primeau, fils,
 J. B. Labbé,
 Paschal Taché, Seigneur,
 Ls. Perrault,
 John Chillas,
 Louis Gerget,
 Etienne Normandeau,
 J. M. Cherrier,
 J. B. Brassau,
 Louis Parent,
 Josias Wurtele,
 George Jenkins,
 B. Faribault,
 Thos. Lee,
 Gueyraud,
 Frans. Griau,
 Frs. Bedouin,
 Raphæl Monier,
 Louis Boucher,

EXTRACT from the Registers of the Parliament of Paris.—Of the 23d April 1762.

The COURT, all the Chambers being assembled, having seen the Declaration of the King of the 2d August 1761 and the Decree of Enregistrement thereof of the sixth of the said month and year, by which amongst other things it was enjoined upon the Superiors of the Houses of the Society stiling themselves of Jesus, to deliver in at the *Grefse* of the Court, the Titles and Documents of their Houses as well as statements signed by them, and sworn to be true before one of the Counsellors in the said Court, of all the Members of the said Society being in the said Houses or affiliated to them, and of all the property belonging by any Title whatsoever to the said Society in each of the said Houses of the Foundations acquitted in them and of the Benefices united to them. Having also seen the *Procès Verbal* made before Mr. Joseph Marie Terray, Counsellor, the 13th of February now last past, of the delivery by the Brother De Montigny, Priest of the Society of persons stiling themselves Jesuits, General Attorney of the Province of France, of some statements of property belonging to different Houses, and of the Vows made by different Members of the said Society: also the Decree rendered by the Court, all the Chambers assembled, the 16th of the said Month of February now last past, whereby it was ordained amongst other things that the Superiors of the Houses of the said Persons stiling themselves Jesuits should be held on the 22d day of March then next, to swear to the said statements in person or by their lawful Attorney, and to produce the statements which they had not yet produced, as also that they should be held within the same delay to depose at the *Grefse* of the Court, the Titles of their establishments or authentic Copies of the said Titles in due form, and in respect of those of their said Titles whereof the original is not in the Public Deposits and which are not in their possession, the said persons stiling themselves Jesuits should produce statements containing the nature and quality of the said Titles, which statements should be sworn to be true by the said Superiors, and the affidavit made and communicated to the King's Attorney General, and returned into the Court the 23d March then next, to be thereupon by the Court ordered as to right should appertain.—Also statements deposited at the Civil *Grefse* of the Court—the account rendered by the Law Servants of the Crown the 23d of the said month of March, of the Execution of the said Declaration of the 2d August 1761, and Decree of Enregistrement of the 6th of the said month and year, and of the said Decree of the 16th day of February now last past.—Also the rule of the said day, whereby the deliberation upon the said account was continued to the earliest day. There having been in like manner seen by the Court the Decrees by the Court rendered, all the Chambers being assembled, of the 17, 19, 20, 26 and 27th February, 2, 6, 9, 13 and 20th March last, concerning the Keeping of the Colleges in the Towns of Laon, Mauriac, Aunillac, Châlon-sur-Marne, Bour-

ges, Nevers, Angoulême, Chaumont-en-Bassigny, Auxerre, Langres, Fontenay-le-Comte, Amiens, Blois, Orléans, Tours, Saint-Flour, Sens, Clermont-Ferrand, Billon, La Flèche, Lyon, Bar-le-Duc, Mâcon, La Rochelle, Charleville, Poitiers, Compiègne, Roanne, Moulins, Eu, Arras, Hesdin, Saint-Omer, Bethune and Aire, by others than the said persons stiling themselves Jesuits to account from the first day of April then next, by which amongst other things, it was ordered that proceedings should be had for the nomination of new Masters whose Salaries should be taken from the Revenues of the said Colleges; and for the making of the bargains and agreements to this end necessary, and that by the Officers of the Royal Jurisdictions (*Bailliages et Sénéchaussées,*) the said new Masters should be put into possession of all the necessary places.—As also that the said Agreements should within two Months be sent to the *Greffe* of the Court and nevertheless executed provisionally on the first of April then next.—Also the Petition of Jean Lionçy, Merchant at Marseilles, in the name and as Trustee of the Body of Creditors of the Commercial House Established in the said Town of Marseilles, under the name of the Sieurs Lionçy Frères and Gouffre, assisted by the Sicurs Noel Justinien Remuzat, Hyacinthe Agnet, his Counsel and adjuncts, according to the *Concordat* homologated by the Parliament of Aix, on the 3d February 1759, and said Noel Justinien Remuzat, Hyacinthe Agnet, on the behalf aforesaid wherein it is said that by the Decree of the 8th May 1761, the Court had condemned the Superior General, and in his person the Society of Jesuits to pay and satisfy as well in principal as in interest and costs, within one year to be accounted from the date of the intimation of the Decree, the amount of the Bills of Exchange drawn by the Father Lavalette, or for his account, upon the Sieurs Lionçy Frères and Gouffre, and accepted by the latter which had not yet been paid, and to return them after their acquittance to the Petitioners and to the said Sieurs Lionçy Frères and Gouffre, for the purpose of cancelling the acceptances of the said Lionçy Frères and Gouffre, and in default of their so doing in virtue of the Decree and without any other being required, it was permitted to the Petitioners and to the said Sieurs Lionçy Frères and Gouffre, to take their recourse for the recovery of the said Condemnation monies upon the Estates belonging to the Society of Jesuits in France, with the exception of those whereof the destination could not be changed by the Society, and the Superior General thereof, to the prejudice of the rights of Founders and Donors and of their Representatives or of the Towns or Countries for whose utility the said Estates had been irrevocably bound. The same Decree orders the parties within two months to account before two Merchants of the Town of Marseilles to proceed to the account of the Bills of Exchange which remain unpaid: the parties had not occasion to have recourse to the Ministry of two Merchants to make up the said Account, nor to cancel the acceptances of the Sieurs Lionçy Frères and Gouffre, upon the Bills which were paid at the time of the Decree and upon those which have been so since; by the Deed first executed

between the parties on the 11th August 1761, it is ascertained that of them there have been cancelled upon fifty-two Bills, amounting to 707,096 Livres 17 Sols. And there is a second Deed ready to be signed by the parties whereby there is to be cancelled of them upon thirty-four Bills of Exchange, a sum of 304,351 Livres 3 Sols and 2 Farthings. The Petitioners had reason to hope that these payments would be continued, and that thereby the cancelling which is to produce their discharge from the Engagements contracted by the Society of the Jesuits, would be effected if not within the time prescribed by the Decree at least within a time which might satisfy the interest and the desires of the Petitioners. The Jesuits seemed even to lend themselves for that purpose to arrangements which might have produced this effect so necessary for the tranquillity of the Petitioners; but they have themselves caused it to be declared to the Attorney of the Petitioners and to their Counsel by the brother Gatín substituted by the Brother Griffet, under the Procuracy given to the latter by the Superior General of the Society, as to every thing which relates to the engagements contracted by the Brother De Lavalette, that the general events which had occurred to the Society had rendered them unable to execute the arrangements which they had purposed, and to acquit the Bills of Exchange still outstanding within the time which they had hoped. Besides, these general events diminishing in reality the security of the Creditors, in that they attack the state and condition of the Society, one of the Classes of the Parliament having already declared null the vows of the Members of the said Society, and thereby in some sort rendered vacant a part of the Estates liable to the *hypothèque* acquired to the Petitioners by the Decree of the Court of the 8th May 1761; the delay of one year granted by the said Decree to be accounted from the day of the service thereof, necessarily determined by the change which had intervened in the state and condition and in the property of the said Society; moreover the Petitioners learn and the fact is one of public notoriety, that the Priests and Scholars stiling themselves of the Company of Jesus dispose of their moveable effects and thereby diminish the pledge bound for the Credit of your Petitioners; a pledge the more incontestible and the less subject to discussion for your Petitioners since the moveable property is that which is least susceptible of falling within the exception contained in the Decree of property, whereof the destination could not be changed by the Society nor by the Superior General. Wherefore the Petitioners will demand of the Court that it be pleased to authorize them to put into safety all the Goods and Effects of the said Society by *Saisie Arrêt*, *Saisie Exécution*, and even *Saisie Revendication*, of the moveables which shall have been made away with and finally by Seizure of the Immoveables. At the same time the Petitioners considering that the said Priests and Scholars stiling themselves of the Society of Jesus, are no longer able to comply with the arrangements which they had proposed to themselves, all the Creditors will be in the way to institute proceedings at Law against them, and that these suits if multiplied

will cause immense costs, and what is more important under present circumstances will produce embarrassments without end, as well in the distribution of the monies as in the general operations which the Court shall think proper to order in relation to the property of the said Society, whilst all those inconveniencies would be removed if one can succeed to reunite all the Creditors in one body, which representing all the individuals and bringing together all the interests will be in a state to receive and to execute promptly and with ease the orders which it shall receive from the Court, and to stipulate what will be fitting for the common good and advantage. Wherefore the Petitioners will demand that it may please the Court to order that all the Creditors shall be bound to unite together and to name Trustees, and that the Court may be pleased further to order that this measure be carried into effect under the Eye of the Court, and in the presence of one of the Gentlemen to be named by the Court. It remains only to your Petitioners to submit to the Court an embarrassment to which they are now liable and which can only be removed by the Court, it is, that they are ignorant whether they ought to present their Petition in the *Grande Chambre* which rendered the Decree of the 8th May 1761, which Constitutes the Title of your Petitioners or to the assembled Chambers, which being seized of the cognizance of all that relates to the Establishment or Institution of the Jesuits and the destination of the property belonging to the said Society, may desire to take cognizance of the application which the Jesuits desire to make of a part of that property to their payments. This is a question upon which the Petitioners cannot do otherwise than preserve a respectful silence and wait the orders of the Court. It is also for this reason that they have intituled the present Petition "to our Lords of Parliament," without any denomination either of the *Grande Chambre* or of the assembled Chambers; in consequence that the Court might be pleased to order that the Creditors of the Priests and Scholars stiling themselves of the Society of Jesus, shall be bound to unite together and nominate Trustees to form one body of United Creditors, to which end all the Creditors shall be summoned at the instance, prayer and diligence of the Petitioners, to be and appear by themselves or their lawful Attorney before such of the Gentlemen as it shall please the Court to appoint and authorize, on the day and hour which the said Commissioner shall have thought proper to direct by his order in that behalf, who will draw up his *Procès-Verbal* of the allegations and declarations of the parties appearing and this for the purpose of swearing to the truth of their Credits, of consenting to the said Union, of naming such Trustees, Directors, Counsel, Attornies, Notaries, Sequestrators, Agents and other Officers of the Union, as the said Creditors shall think proper, to which Trustees and Directors shall be given power to act in the name of all the Creditors by one and the same Attorney, by and with the advice of the Counsel of the said Union to make and institute all such prosecutions and proceedings, Seizures, Attachments, Sales and

Adjudications of the Estates, and generally every thing which may concern the common good and advantage of all the Creditors.

And forthwith, until the said Union shall be formed, considering the circumstances set forth in the said Petition, and that the said Petitioners hold a Title carrying Execution to permit the Petitioners to put into safety all the Goods and Effects belonging to the said Priests and Scholars stiling themselves of the Company of Jesus, for which purpose, to authorize the Petitioners to cause to be seized and attached in the hands of all farmers, tenants, and debtors, payers of rents upon Government securities, upon the Clergy, the Provinces, and others generally whomsoever, all the sums of Money which shall be found to be due to the said Priests and Scholars stiling themselves of the Company of Jesus, to seize and take in execution the Moveables and Moveable Effects to them belonging, also to seize and revendicate them in the hands of whomsoever the same shall be found; to proceed to the seizure of the Immoveables, without however being authorized to proceed to the sale either of the said Immoveables or of the said Moveables and Moveable Effects, until it shall be so ordered by the Court; to order a Commission to be delivered to the Petitioners to cause to be summoned in the Court all the farmers, tenants, debtors, payers and others generally whomsoever, to declare upon oath what they may owe, as also the Superior General of the Society of Jesuits, and in his person all the said Society, at the domicile of the Attorney General, to be present at the order to be made for the delivering over of the monies seized, which monies shall be deposited in the hands of such Notary or other Depositary that it shall please the Court to name; notwithstanding all other seizures, oppositions, and hindrances made or to be made, which shall hold in the hands of the said Notary and Sequestrator, the said monies, there to remain for the security of the rights of all the parties interested, and to be by the Court adjudged upon, and ordered in respect of the distribution thereof as to right & justice shall appertain; and the recovery of the said monies shall be made at the instance prosecution and diligence of the Petitioners, the whole up to and until the said Union should be formed, after which time the prosecutions commenced by the Petitioners shall be continued by the Trustees and Directors whom the Creditors shall have chosen, and this in virtue of the Decree to be made upon the present Petition, and without that any other shall be required. To order, that of the Decree to be made upon the present Petition, there shall be granted to the Petitioners as many exemplifications under the Seal of the Court as they shall require, all which as of equal authority and validity. And the present Decree shall be executed provisionally, notwithstanding all opposition made or to be made, without prejudice to the Petitioners in their other rights and actions, which Petition is

(Signed) LAMBERT, Attorney.

CONCLUSIONS of the Attorney General, having heard the Report of Mr. Joseph Marie Terray, Counsellor, all considered.

THE COURT, all the Chambers assembled, considering that when it was employed in providing for the food and subsistence of the said persons styling themselves Jesuits, as well as for the payment of the salaries of the new Masters appointed in virtue of the Decrees by the Court, previously rendered, in the Schools and Colleges which were heretofore held by the late persons styling themselves Jesuits, a third object presented itself, that of preserving the pledge of the Creditors of the said Society, by reason of the Petition presented by the said Jean Lionçy Noel Justinien Remuzat and Hyacinthe Agnet, Agents, all in the names and qualities wherein they proceed, and deliberating upon the whole, has ordered and orders that the Creditors of the Priests and Scholars styling themselves of the Company of Jesus, shall be bound to unite together and name Trustees to form one single body of United Creditors, for which purpose all the said Creditors shall be summoned at the instance, prosecution and diligence of the said Lionçy, Remuzat and Agnet, all in the names and qualities wherein they proceed, to be and appear by themselves or by their lawful Attorney, before Mtre. Joseph Marie Terray, Counsellor, whom the Court appoints, on the days and hours to be fixed by the said Counsellor, who will draw up his *Procès Verbal* of the allegations and declarations of the parties appearing, and this to the end of attesting their credits, to agree to the said Union, and to name such Trustees and Directors, Counsel, Attornies, Notaries, Agents and other Officers of the said Union, as the said Creditors shall think proper, to which Trustees and Directors shall be given power to act in the name of all the Creditors by one and the same Attorney, under the advice of the Counsel of the said Union, to make all prosecutions, and adopt all proceedings, and generally to do all which may concern the good and common advantage of all the Creditors.

As also, the COURT orders, that the said Declaration of the 2nd August 1761, together with the Decree of Enregistration thereof of the 6th of the same month and year, and the Decree of the Court of the 16th February 1762, shall be executed according to their form and tenor, and to carry the same into effect in respect of those of the Houses of the said Society, whose Members have not deposited the Statements ordered by the said Declaration and Decrees, as well as to verify the truth and exactness of those of the said Statements deposited at the *Greffe* of the Court, and not yet attested according to the terms of the said Decrees concerning the other Houses of the Society, has ordered and orders that there shall be without delay drawn up *Procès Verbaux* containing an exact Statement of all the Priests, Scholars and others who are in each of the Houses of the said Society, situated within the Jurisdiction of the Court, under the denomination of Colleges, Seminaries, Noviciates, Houses professed, Residences, Missions or others, as well as of all those who are affiliated to the said Society, in which *Procès Verbaux* shall be inserted their names, surnames, age, place of birth,

time of their entrance into the said Society, nature of the vows by them made, functions and offices which they fill in the said Society or in its particular Houses, distinction of the professed, of the three or the four vows and of spiritual or temporal Coadjutors.

As also, the Court orders that the said *Procès Verbaux* shall contain the detailed Statement of all the Estates, moveable and immoveable, other than the moveables serving as furniture, belonging in any way whatsoever to the said Society in each of the said Houses, of the Foundations established therein, and of the Benefices thereunto united, as well as of the Revenue of the said Estates, and of the Debts and Credits now recoverable or constituted, for which purpose all the Titles, Memoirs, Papers, Vouchers, Books, Journals, Registers of Receipts and Payments and others, shall be and remain, after that the *scellé* shall have been thereupon apposed, deposited in the Civil *Greffe* of the Court, or in the Civil *Greffe* of the *Bailliages et Sénéchaussées* of the Jurisdiction, to be thereupon proceeded to the continuation of the said *Procès Verbaux*, the Superior or the Attorney of the said Houses present, or duly summoned.

The said *Procès Verbaux*, shall be drawn up without delay at the instance of the King's Attorney General, as to the Houses situated in this Town of Paris and its neighbourhood, by two Counsellors in the Court, in presence of a delegate of the King's Attorney Genl.,—to wit: in the House professed by Mtr. Jacques De Britignières and Mtr. Anne Jean Baptiste Goisland, in the College of Clermont, *Rue St. Jacques*; by Mtr. Denis-Louis Pasquier and Mtr. Louis Henri Chazlet, in the House of the Noviciate *Rue du Pot-de-fer*; by Mtr. Leonard De Sahuguest and Mtr. Etienne Moron, in the House situated at *Mont-rouge*; by Mtr. Jean Jacques Fargonel, and Mtr. Simon Berthelot de Versigny, in the House situated at *Mont-Louis*; by Mtr. Claude—Pelot and Mtr. Jacques Claude de Beze de Lys; and in that situated at *Petit Gentilly*, or other Houses of the said Society by Mtr. Antoine Louis Chalmette, and Mtr. Arnaud Guillaume François De Gourgue,—of which commenced *Procès Verbaux* there shall be rendered Account to the Court, all the Chambers assembled, Tuesday next, the 27th of the present month, at ten in the morning; and as to the other Houses and Establishments of the said Society situated within the Jurisdiction of the Court the said *Procès Verbaux*, shall be drawn up without delay at the instance of the King's Attorney General, at the prosecution and diligence of his delegates, at the several places by the Lieutenant General of each of the *Bailliages* and *Sénéchaussées* of the Towns of the Jurisdiction of the Court where the said Houses are situated, accompanied by an Officer of the Court of the District, or in case of Malady, absence or other lawful hindrance, by other Officers of the said

Courts according to their precedence, and in default of them, by the oldest Graduates of the said Courts, the whole in the presence of the delegate of the King's Attorney General, all the said Officers or Graduates Commissioners being by the Court nominated, who for this purpose shall go personally whithersoever necessary, and also to the Towns and Places of their Jurisdiction where there are no Judges than those of the particular Seigniors :—of which *Procès Verbaux*, certified Copies shall be sent within one month at the latest, to the Civil *Grefse* of the Court to be there deposited and communication thereof to be taken by the King's Attorney General, and by him, an account rendered to the Court, all the Chambers assembled, as the said *Procès Verbaux* shall come in.

The Court Orders that the Superiors of each of the said Houses and Establishments of the said Society, Rectors, Provincials, Procurators, and others shall be bound to produce to the said Commissioners of the Court, all Registers, Titles, Papers, Memoirs and Vouchers for this purpose necessary, and particularly the Acts of Professions, Emissions of Vows, Aggregations or affiliations, together with all Titles of Property, of the Estates belonging to the said Society in each of the said Houses, whether as Dotations, Foundations Acquisitions, Donations, Legacies, Unions of Benefices or by any other Title whatsoever, as well as all Leases, Notes, Obligations, Contracts and other Titles whether of Property or of use, either due to others by them or by others to themselves and to declare upon Oath that they do not conceal or *secrete* any of them directly or indirectly, and that they have no knowledge that any of them have been concealed, secreted, lost, or made away with ; and also to declare what is the nature of those of the said Titles which they have it not in their power to produce.

And all Ordinances rendered during the progress of the said *Procès Verbaux*, shall be executed provisionally notwithstanding all oppositions or Appeals whatsoever and without prejudice thereto.

The Court also orders that in the Towns where there are no other Schools or Colleges than those heretofore kept by the said persons styling themselves Jesuits, in which the Municipal Officers shall demand to be informed wherein consist the Goods, Revenues Debts and Credits of the said Colleges, the Officers of the said *Bailliages* and *Sénéchaussées* shall give them such knowledge as to right and Justice shall appertain of the said *Procès Verbaux*, and of the Titles deposited in the *Grefse* of the said distant Courts, all which Titles, Papers, Memoirs and Vouchers, shall remain deposited in the said Civil *Grefse*, until it shall be other-

wife ordered by the Court without prejudice nevertheless to the Officers of the said *Baillages* and *Sénéchaussées*, giving such Communication thereof as they shall think necessary for the Government and Administration of the Estates and Revenues of the said Houses.

And the said *Procès Verbaux*, shall be drawn up in the Towns of Arras, Hesden, Saint Omer, Bethune, Aire, or other Towns of Artois, wherein the said Houses or Establishments shall lie, by the Municipal Officers of the said Towns, whom the Court have appointed for that purpose, without prejudice to such rights as might belong to other Courts of the said Province of Artois.

The Court in like manner orders that the Decrees of the 17th 19th, 20th, 26th, 27th February, 2d, 6th, 9th, 13th and 20th March last, concerning the keeping of the Schools, in the Towns within the Jurisdiction of the Court therein named, shall be executed according to their form and tenor—and to this end that all the property generally, moveable or immoveable, without any exception, situated within the Jurisdiction of the Court belonging to the said Society, in each of the Houses and Establishments thereof, shall without delay, at the instance of the King's Attorney General, as to the property situate in this Town of Paris, and its neighbourhood, and at the instance of the said King's Attorney General upon the prosecution and at the diligence of his delegates as to the other property of the said Society, be seized, attached and put under the hand of the King and of his Courts, and Guardians thereto established and in case of refusal of opening the Doors, Trunks, Closets, and other things under Key, permission is given to the Bailiff, Bearer of this Decree, to cause the same to be opened by the first locksmith or farrier thereto required—And there shall be nominated by the local Judges, at the instance of the King's Attorney General, upon the prosecution and at the diligence of his delegates within the said local Jurisdiction, sufficient sequestrators and managers for the Government and Administration of the said property, which sequestrators and managers, shall make all necessary recoveries and prosecutions, against all Debtors, Farmers, Tenants, Overseers, and others, and shall alone have power to give valid acquittances, to all the said Farmers, Tenants, Overseers, Debtors, Paymasters and Treasurers, also of the Paymasters of the Rents payable by the *Hôtel de Ville* of Paris, and shall render an account of the whole, to wit, as to the property and revenues of the Houses, situated in this Town of Paris, and its neighbourhood, to the King's Attorney General; and as to the others to the delegates

of the King's Attorney General in the several places—It is permitted to the said Lioncy, Remuzat and Agnet in the said names and qualities, and the Trustees to be named by the Creditors of the said Society of persons styling themselves Jesuits, to make to the seizures ordered by the present Decree, such oppositions as they shall be advised for the securing of their rights.

And to provide for the payment of the Salaries of the New Masters established in the Colleges heretofore held by the said Society, and for the subsistence of the said persons styling themselves Jesuits; the COURT authorizes the Officers of the said *Bailliages* and *Sénéchaussées*, within the Jurisdiction whereof the said Houses and Establishments of the said Estates are situated, or where the said Colleges, and the Municipal Officers of the Towns of Arras, Bethune, St. Omer, Hesdin, Aire and other Towns of Artois, to provide for the payment of the Salaries fixed for the New Masters by the said deliberations and *concordats*, whereof the provisional execution was ordered to commence in the present month of April—As also to adjudge upon what shall be proper to put into the hands of the superiors of the said Houses for the maintenance and food of the said persons styling themselves Jesuits—And all Ordinances by them rendered in this behalf, shall be sent without delay to the King's Attorney General, to the end that an account may be thereof by him to the Court rendered, all the Chambers Assembled, and nevertheless executed provisionally, notwithstanding all oppositions or executions whatsoever and without prejudice thereto; for which purpose the sequestrators shall be bound to pay the said Monies conformably to the said Ordinances, which doing they shall be discharged—And the remainder of the Monies if any there be shall be paid over as in due course of Law shall be ordered.

The COURT Orders that the Lieutenant General of this Town of Paris, shall be charged with taking care that nothing be concealed or secreted or carried away from the Houses and Establishments of the said Society, as well at Paris, as in the neighbourhood thereof, and to inform the Court of the same, that it may provide in the premises what to right shall appertain—It is enjoined upon the Officers of Police in the several places in like manner to take care of the same, and to inform the District Courts thereof, to the end that they may provide for the same without delay.—The Court authorizes in consequence the said Officers to go whithersoever it shall be necessary, to make all necessary researches of and concerning the effects made away with, if any have been so, and all the actual depositaries (if any there be) of Goods and Effects, which may have heretofore been in the Houses of the said So-

ciety, or of the value thereof, shall be bound to declare to the King's Attorney General, or to his delegates in the several places, within ten days for those residing at Paris, and within a month for those residing elsewhere, to be accounted from the day of the Publication of the present Decree, under pain of being prosecuted Criminally, to the end that upon the said declarations the King's Attorney General may require and that there may be by the Court, all the Chambers assembled, adjudged what to right and Justice shall appertain.

It is enjoined upon all Debtors, Farmers, Tenants, Paymasters Treasurers, also to the Paymasters of rents upon the *Hotel de Ville* of Paris and others, in future not to pay to the said persons filing themselves French Jesuits or even Foreigners, or to their use, or to other parties for them and generally to any others than the said Managers and Sequestrators, whereof the establishment was above ordered, the Revenues and monies belonging to the said Houses and Establishments of the said Persons filing themselves Jesuits on pain of nullity of the payment and acquittances, and of being condemned to pay a second time.

It is ORDERED that all those who may lend their names directly or indirectly to the Society or to any of the Houses thereof, wheresoever they may be situated, even without the Kingdom, for the property, possession or enjoyment of any property or effects generally whatsoever, moveables or immoveables, shall be bound to declare it to the King's Attorney General or to his Delegates at the several places within ten days at the latest from the publication of the present Decree for those who reside at Paris, and within one month for those who reside elsewhere, under pain of a fine equal to one third of the value of the thing, whereof one moiety payable to the Informer and the other moiety to the General Hospital of this Town of Paris, or to those of the other Towns or Places where such persons so lending their names shall reside, also if the case should require it on pain of being prosecuted criminally. In consequence it is ordered that at the time of making the *Procès Verbaux* above ordered, the said Priests, Scholars and others of the said Society shall be bound to declare the names of those who shall hold these goods and effects belonging to the said Society, and to swear that they do not conceal any directly or indirectly on pain, in case of false declarations, to be prosecuted criminally, according to the exigence of the case. And all Receivers, Treasurers, Cashiers, Farmers Tenants, Debtors and Paymasters, also those of the Rents payable out of the funds of the *Hotel de Ville* of Paris, shall be bound to send within

one month to the King's Attorney General a statement of all that they pay to the said persons stiling themselves Jesuits whether Frenchmen or Foreigners.

AND examined Copies of the present Decree shall be sent to all the *Bailliages* and *Senechaussées* of the Jurisdiction and to the office of the City of Paris, as well as to the municipal officers of the Towns of Arras, Hesdin, St. Omer, Bethune, Aire and other Towns of Artois, where the Property and Houses of the said Society are situated, to be there read, published and enregistered, printed and posted up, notified to the municipal officers of the Towns where there were not heretofore other Schools and Colleges than those which were then kept by the said persons stiling themselves Jesuits, and served upon all the Houses and Establishments of the said persons stiling themselves Jesuits. It is enjoined upon the Delegates of the King's Attorney General to carry this decree into effect, and to report to the Court thereupon, within the month. It is enjoined upon the Officers of the said Courts to attend each for himself to the full & entire execution of the present Decree which shall be printed, published and posted up in this City of Paris and wherever else it shall be necessary.

DONE in Parliament all the Chambers assembled the 23d April 1762.

Examined, REGNAULT.

(Signed) DUFRANC.

LETTER TO THE ATTORNEY AND SOLICITOR GENERAL

(Mr. Norton and Mr. De Grey)

Upon a second reference, by the Right Honorable the EARL of HALIFAX, His Majesty's principal Secretary of State, a Copy of an *Arrêt* of the Parliament of Paris having been obtained, of the case of the Jesuits in Canada.

TO THE ATTORNEY and SOLICITOR GENERAL.

Doctors' Commons—May 12th 1765.

Gentlemen,

I have the honour to transmit to you two references made to us by His Majesty's command, and in order to save time, engaged as you are in so great a variety of business, I take the Liberty of sending you some few observations on the second reference, it being expected that our Report should be very full on this subject, and which Report will be circulated wherever the Society exists. I will make any day or place agreeable to me, to settle our Report, which will best suit yourselves, if you will fix it together and favour me with notice a few days before.

In order to answer fully the purpose of the reference, I apprehend it is necessary to enter into a detail, and to keep the institute of the Society constantly in view.

In answer to the Questions :—

What Estate is vested in the Communities or Societies of Jesuits, which they occupy in Houses or Lands in Canada ?

Whether they could without powers from the Father General or Superior, before the expiration of the eighteen months allowed for the sale of Estates under the Treaty of Paris, and now can, make a good Title thereto ?

And whether the General or Superior, residing at Rome, and never having been in Canada, could have given, and now can give, powers to make a legal Title for the sale of such possessions ?

I beg leave to observe, that, besides the Jesuits of the less observance, who are to be found in every part of the world, concealed Agents of the Society, Laymen as well as Priests, persons who have been married as well as those who have never married, and of all conditions and employments of life, (the whole Order amounting to twenty thousand men in the year 1710, and since increased in proportion to the enterprising genius of that Society in the course of half a Century,) the known Communities of the Jesuits in Canada are the *Missions*.

The Missions are, properly speaking, draughts from the Houses of the Professed, (agreeably to the plan of this Order founded by a Military man on military principles;) they are engaged by their fourth vow to go to any part of the world, where the Pope, or their General shall send them *non petito viatico*. The Missions are so called in their Institute, in distinction to the Houses of the Professed, and from the Houses of the Noviciates and Colleges. The Missions, like the professed, are all under a vow of poverty, and mendicants by Institution; and as the Professed hold Estates in trust for the Noviciates and Colleges; and the rest of the Society, having nothing for themselves, otherwise than indirectly (for they never beg notwithstanding their Institution;) so the Missions who are detachments from the Professed, hold Estates in the same manner. If the Estates are Donations, then they are held for such uses as the founders by Grant, Gift, or Devise shall have directed, and for such further uses as the Father General shall direct; inasmuch as all Donations are constantly accepted by the Order, and ratified by the General, with this special salvo, commonly known and supposed to be acquiesced in by the donors or their representatives, *ita tamen ut in omnibus instituti ratio servetur*. And if the Estates are acquired by purchase out of the surplus of the Funds destined *ad libitum* by the General for the support of the Colleges, or out of profits arising from Commerce or personal industry, then the Missions hold these Estates for the benefit of the whole Society, wheresoever dispersed over the world, but united under one Sovereign head domiciliated at Rome, whose power over his whole Order being unlimited, he is the sole proprietor, and as it were, the heat of the whole body, into which, and from which, all

property has a constant flux and reflux by a circulation of the system in all its parts. So that the Estates of the Society must be considered in the possession of one man, the General of the Order; who is always by birth an Italian, an actual subject ecclesiastical and civil of the Roman Pontiff; upon whom he acknowledges a kind of feudal dependence, rather than an implicit obedience; (the Father General having sometimes resisted, and being in some respects independent even of Papal authority) being in all other relations an absolute Sovereign over his own Vassals, who are independent of every Civil Government under which they reside; to which they cannot be united in a civil essence by the nature of their Institute, without ceasing to be what their Institute makes them, a distinct Nation in the midst of Nations, and an Empire in the midst of Empires. As all other regulars, according to the Canon Law, are servants of their Monastery, so the individuals of the Society of Jesuits, according to their Institute, are the servants, or rather slaves of their Order; and according to the rule of Law, by which *quidquid acquiritur servo acquiritur domino*; they have no property of their own.

It is remarkable, that the Order (of which the Province of France makes but a very small part) has been only tolerated provisionally in that Kingdom, and upon probation of good behaviour, without ever having had any legal establishment, as a part of the Ecclesiastical and Civil Constitution of the Realm. The General of the Order has constantly refused the conditions of the original admission made by the Acts of the Assembly at Poissy of the Gallican Church, and has also refused the conditions of the re-admission of the Society on the same terms after their expulsion, (which re-admission was granted by the Royal Edict, in virtue of a Treaty between the Crown of France and the Papal See,) because the terms of re-admission were radically subversive of the whole Order.

To the original Acts of Admission all subsequent Edicts in their favour have had a retrospect. So that the *Arrêt* of expulsion remained always liable to execution; and the Members of the Order were merely as inmates, occupants of Houses and Lands in France, and in the extent of the Dominions of that Crown, subject to resumption.

From all these premises, it seems conclusive that the Titles of the Society passed, together with the Dominions ceded to Great Britain, (in which Dominions those possessions were situated) attended with no better qualifications than those Titles had by the Laws and Constitution of the Realm of France, previous to the Conquest and Cession of those Countries. But it seems further to be clear, that those Titles are now in a worse condition since the Conquest and Cession; for till that period they were only in abeyance, and suspended upon a principle of probationary toleration; but by virtue of the natural Law of Arms and Conquest of Countries, confirmed by Acts of the Law of Nations, by solemn Cession and Guarantee, the possessions of the Society lost of course all civil protection by the fate of war, but much more so by the only power, whose authority and intervention could have preserved the

property of these possessions to their supposed owners, having withdrawn its tolerance and protection and deserted them as a delinquent at the mercy and entirely free disposition of the Crown of Great Britain, by making no provision in the Articles of Cession to serve the pretended rights of the Community of Jesuits, nor indeed of any other Ecclesiastical Community, which latter might have been under a more favorable view, having a civil being, and each House possessing a separate property, distinct from others of the same Order; whereas the Order of Jesuits, contrary to all other Regulars, is one indivisible Order, aggregate indeed by its own Institute, but not incorporated by the Laws of France; and the Father General, never having been an Inhabitant of Canada, nor a subject to the King of France, he could not retire and avail himself of the fourth Article of the definitive Treaty, nor sell his Estates, nor withdraw his effects within the time limited. In a few words, the Society of Jesuits had not and cannot have any Estates in Canada, legally and completely vested in them at any time, and therefore could not, and cannot transfer the same before nor after the term of eighteen months, so as to make a good Title to the purchasers, either with or without the powers or ratification of the Father General, who as he could not retire, so he cannot retain any possessions in Canada, since the time limited for the sales of Estates there, agreeably to the Terms of the Treaty; because he is as incapable of becoming a British subject, as he was of being a French subject; nor can the Individuals of the Communities of the Jesuits in Canada, take or transfer what the Father General cannot take or transfer, nor can they, having but one common stock with all other Communities of their Order in every part of the Globe, hold immoveable possessions, to be applied for the joint benefit of those Communities which are resident in Foreign States; and which may become the enemies of His Majesty and His Government.

In answer to the question—Whether the persons in possession hold the same as Trustees for the General, or for the whole Society of Jesuits, and in that case, whether such trust is not void in Law? what forfeitures are incurred thereby? and to whom?

I beg leave to observe, that whoever the persons are who occupy the possessions in question, they must be understood to hold the same as Trustees for the Head and Members of the one indivisible Society, and political body of Jesuits, of ecclesiastical and temporal Union, forming, according to their Institute, one Church and Monarchical Government, with territorial jurisdiction independent of all civil authorities under which the Members of the Society are occasionally dispersed, and without stability of domicile; that such trusts, are therefore, from the very nature of this Institution, inadmissible by the Law of Nations and of all Civil Governments; they are void both in law and in fact, because there is no legal corporate body civilly established to take their use but an alien Sovereign, and aliens his subjects, who were and are utterly incapable, by the very nature of their Institution, of any civil existence. The possessions therefore, of the Society of Jesuits in Canada, in every view of

the case, are lapsed to His Majesty by right of Conquest and acquired Sovereignty; by dereliction of the supreme power itself of whose good-pleasure these possessions were lately held, no provision having been made for them by it in the Act of Cession; by the want of an original complete Title in a body incapable of legal taking, holding, and transferring; by the nature of defective trusts founded upon such defective Titles; and by the non-compliance of the Order with the provisional terms of re-admission, as probationary occupants & only *pro tempore*, into the Dominions of France, domiciled in the person of their Father General at Rome, subject to the execution and effect of the *Arrêt* which was passed by the original Tribunals for their expulsion in 1594, to which they are still liable, for never having observed, but openly rejected, the conditions of their first admission, which are the conditions of the second, and farther, are liable, *ipso facto*, whenever they should be hurtful and dangerous to the Realm.

In answer to the last question—What will be the proper methods to be pursued to discover such trusts?

I conceive, with submission, that it would be an effectual method to discover such trusts, as well as a great benefit for the civil and ecclesiastical establishment of the ceded Colonies, if His Majesty should be pleased to order a general Survey of all Estates in them to be made, and to establish an Office of Register and Record, and for the authentic copying and enrollment of all Title Deeds, Grants, and Assignments of Lands and Houses held in the Provinces of Canada and Louisiana; and to appoint Commissioners to make such a Survey, to call for, and to examine persons and writings, and to transmit the Records from year to year into the Registry of the High Court of Chancery of Great Britain, and to make a particular Report to His Majesty of the same, so far as relates to Lands or Houses, possessed, now or late, by any religious Communities or persons, or applied by any persons for their benefit, and to discover all concealed trusts for any purposes prejudicial to His Majesty's rights, and the interests of His Realm.

All which considerations, Gentlemen, I have the honour to submit to your reflections before we draw up our Report, as the Institute of the Society is so very extraordinary, and our decision upon these important points depends entirely on its nature, I have annexed extracts which are taken from indubitable authorities. You must be very sensible, that an air of answering upon so complicated a business in three lines, will not serve the purpose of the King's Ministers, who desire to be perfectly informed; and I shall not regret my particular trouble on this, or on any other occasion, if I have the satisfaction of your approbation, in diminishing, in any degree, your share of our joint labours, which are of much consequence, in this case particularly, for His Majesty's service.

I am, Gentlemen,

With great respect, Your most obedient and humble servant,

(Signed)

JAMES MARRIOTT.

PROOFS and EXTRACTS relating to the Constitution of the Society of Jesuits, annexed to the Letter to the Attorney and Solicitor General.

Concerning the Jesuits of the less observance, see the account taken by Etienne Pasquier from a Jesuit; *Recherches de Pasquier*; The Bull of Sixtus V. 29th September 1587, gave the Society a power of setting up congregations in all their Houses, and in all Places, *locis sub gubernis societatis existentibus*, and to connect and unite these Congregations with the Congregation at Rome, *et primaria Romanæ aggregandi*. So that these immense Congregations of lay brothers form in every Kingdom but one body, having the same spirit, interests, views and Government with the Congregation at Rome. Vide *Institutum Societatis Jesu, auctoritate Congregationis Generalis XVIII. Meliorem in ordinem digestum, auctum et recusum pragæ. Typis Universitatis Caroli-Ferdinandæ, in Collegio Societatis Jesu ad. S. Clementium 1757.*

Father Jouvençy says that in 1710 the Society had six hundred and twelve Colleges, three hundred and forty houses of residence, fifty-nine Noviciates, two hundred Missions, twenty-four houses of the professed: the whole divided into thirty-seven Provinces. The extent of these thirty-seven Provinces or Territoires of the Society, may be judged of from the consideration that all France forms but five; which are called the Provinces of France, Champagne, Guienne, Toulouse and Lyons. The Missions are attached to some one of these Provinces, or make themselves separate Missions. According to Father Jouvençy the number of the Jesuits of the four classes was in the year 1710, on their own list, nineteen thousand, nine hundred and ninety eight. It is easy to judge from the enterprising spirit of the Society, how much that number must have increased in fifty-five years since. The four Classes are as follow: first, The professed, called by their Constitution *Societas Professa*: second, the Coadjutors. Third, the Scholars Students, and approved Scholastics. Fourth, all those who, without being of the three former Classes have taken a Resolution to live and die in the Society, and are in *probation*, till it shall be decided into which of the three other Classes they shall be admitted.

The Houses of residence, which are three hundred and forty, are the houses of the Missions out of Europe.

The Missions are under a vow of poverty: it is the general rule of the institute of the whole Society, *haec minima Congre-*

gatio, sic paupertatem accipiendo, ut nec velit, nec possit redditus ullos, ad suam sustentationem, nec ad quicquid aliud habere.

In the first Bull obtained by them from Pius V. 1571, the terms are *declaratum Societas ex instituto ratione mendicans, aliusque mendicantium ordinibus commemoratur et privilegiis æquatur*; and in the disposing and granting part, the Pope says, *quia ipsa Societas mendicans existit, quippe quæ ex ejus instituto et constitutionibus apostolica autoritate confirmatis bona stabilia possidere nequit, sed in certis elemosynis fideliumque largitatibus et subventionibus vivit.*

That the Houses of residence of the Missions are not independent of the general body appears by the very form of the letters of authorization, which the provincial gives for the place of Superior General of the Missions of any particular Province; and these powers are extended by special powers, or narrowed at the pleasure of the Father General. The powers given are in *personas et loca quæ in illis partibus ad societatem pertinent*, therefore those persons and places form no establishments separate and independent from the common mass of the Society; but the Authority is reserved as to all Contracts; *non tamen alienationum, obligationum, seu gravaminum quæ collegium vel Societas subire debeat*; in which case a special authority is made requisite; so that the whole property of the Houses of the Missions is clearly in the Father General. *Vide Mémoire à Consulter*, published on the part of the Father Jesuits in the case of Father De la Valette p. 23.

The Bulls of Gregory XIII. 1576, 1582, vest all property in the Father General. It recites, *bona stabilia et immobilia seu quasi stabilia (in the language of our Law, Chattels real) nec non et pretiosa mobilia cujuscunque qualitatis et facultatis, domorum tum professorum, tum probationis collegiorum et aliorum locorum ubilibet consistentium, in formatione extra judicialiter ac summarie et simpliciter accepta vel etiam (ad omnino omissa, (reserving to himself to judge of the utility of the alienations or assignments,) simpliciter absque figura judicii; nec ad venditionum communicationem, et aliarum hujusmodi alienationum, utilitatis seu necessitatis, aut in æquivalentia vel meliora boni pretii conversionis vel alium demonstrationem teneri.*

The unlimited extent of the General's power further appears; *generalis, cum primum electus est, potest plenam exercere Jurisdictionem in omnes sub ejus obedientia degentes ubicunque commorantur, etiam exemptos, etiam quascunque facultates habentes.*

The general has granted to him by it, *in universos ejusdem societatis socios et personas sub ejus obedientia degentes ubilibet commoran-*

tes. The Provincials are as Lieutenant Generals of the father generalissimo. *A Generale præposito, ut à capite, universa facultas provincialium egreditur, ac per eos ad locales, per hos autem ad singulares personas descendat.* The Missions are subject as well as the rest of the Communities. *Ab eodem capite, vel saltem eo suam facultatem communicante et rem approbante, missiones procedunt. Vide Insti. Soc. Jesu. pa. 424; Constit. part. 8, Cap. 1. § 6. Idem generalis in Missionibus omnem habet potestatem, par. 9. Bull of Gregory XIV. 1591, Ibid § 2.* It appears that the Members of the Society are merely Agents of the General, and though furnished ostensibly with his power, *quamvis aliis inferioribus præpositis, vel viciatoribus, vel Commissariis suam facultatem communicet generalis poterit approbare vel rescindere quod illi fecerint:* how unlimited is the submission, in a system subversive of all good faith! *Semper ei obedientiam et reverentiam ut qui vices Christi gerit, præstare oportebit:* how shocking the impiety of an order thus constituted!

Gregory XIV. confirmed in his Bull the present Sovereignty of the Father General; the terms are *universam gubernandi rationem Ignatius fundator monarchicam et in definitionibus unius superioris arbitrio contentam esse decrevit. Præter cætera quam plurima, illud sequitur commodi ut universus ordo ad monarchicam gubernationem compositus maxime servetur unius ipsiusque membra per universum orbem dispersa, per omnimodam hanc subordinationem suo capiti colligata promptius ac facilius ad varias functiones juxta eorum peculiarem vocationem et speciale votum dirigi ac moveri possint.* And the Bull anathematizes all who shall oppose their privileges, whether Kings, states, or prelates, upon any account or pretence whatsoever, and that the order shall be immutable even by the Holy See itself and independent; and what is more extraordinary, that if any pope shall decree hereafter to the contrary, the general shall annul the decrees, and reinstate the Society of his own sole authority. *Toties in pristinum et cum in quo antea quomodo libet erant statum restituta, reposita, et plenare re-integrata, per præpositum generalem fore et esse, suosque effectus sorti et obtinere.*

The Jesuits of Spain and Portugal, desirous of a reform from this unlimited slavery, to which they were subjected in 1593, petitioned Pope Clement in these words:—

Licet generalis habeat suos consiliarios tamen non tenetur stare ipsorum consilio sed est dominus dominantium et facit quod vult nullis legibus adstrictus: unde mortificat et vivificat: deprimit et exultat quem vult, ac si esset Deus qui liber est ab omni perturbatione et non posset errare.

The subordination and constant correspondence of all the Members of the Society with the Father General, appears to be such that the whole Society are as it were always before him.

The Members of the Society devolve, themselves & the movements of their minds and bodies, to the disposition of the Father General, to be as dead carcases without volition or life of their own, and as a staff in a Man's hand, to be directed at his will. They are to discover every thing they know or think to the Father General, relating to the Society, and to themselves. The Revenues are to be laid before him.

Whatever is accepted by the Provincial and Sub-Governors of the Order, is always accepted under a reservation for the ratification of the Father General; *vide* decree of the Congregation 1558, Bull of Pius V. 1568. Bull of Gregory XIII. 1576. Decree of 1581, in the formulary of the act annexed to it—*vide* acceptance of P. Viole, of the College of Tournon and procurator of the General, October 28th 1560; *vide* act of acceptance of the *Hôtel d'Aville* by Claude Matthieu, 12th January 1580, *Provincial of the Society of France* (which runs,) *tant en son nom que de tout le dit ordre, et qui a promis de faire ratifier ladite acceptance au R. P. Général de la Société dans six mois prochain venant.*

Vide Contract in 1662, between the Mayor and Echevins of the City of Angoulême, for the College of that City, and father Cotton, provincial of Guienne, who passed it, *sous l'aveu et autorité du très révérendissime P. Mestio Viteleschi General de leur Congregation resident à Rome, duquel il se fait fort, et a promis de fournir Lettres d'acceptation et ratification—Vide Recueil des pieces imprimées par le mandement du recteur en 1626 p. 7.*

Vide the same reservation to the father General, in the contract of P. Boette, made in 1623 for the Collège of Seu, with the Mayor and Echevins of that City, *ibid.* p. 75. The powers of the superiors to P. Boette, are *sub bene placito patris generalis, cujus sit rem totam confirmare potestatem facientis obligandi societatem.*

Vide *ibid.* page 184, *arret* of the Parliament of Aix in Provence. *Vide* in the same terms, *sub bene placito*, &c. the acceptance of the Seminary of Strasbourg in 1683.

In 1591, the donation made by De la Grange, who turned Jesuit, was made to the Company in the hands of the father Claude Acquaviva, General. This donation was disputed by the donor's family.

In 1730, the Society accepted of the foundation of a College made by a Canon of Autun, *provisionally*. On their supplica-

tion to the General, his rescript authorized them to accept it, but with a salvo respecting the disposal of the Revenues of the foundation ; *tamen ut in omnibus instituti nostri ratio servetur.*

In the deed of the 1st February 1745, by which father Diousson, rector of the College of Bourdeaux, accepted the donation of ten thousand livres made to the professed House in that City, and approved by the General, it ends thus, *le tout sous le bon plaisir de notre R. P. Général, et selon l'esprit de nos Constitutions.*

In the article 1609, proposed by the father Nevelet, Rector of the College of Rheims, for uniting that College with the University, and in the decree of the 18th October, the very first clause is, *salvis instituti sui legibus et privilegiis quibus a sede apostolica donati sunt.*

In the case of De la Malte, before the grand Council, 1750, the ratification of the Father General was produced.

In the case of a Contract made by two Jesuits with the University of Caen, in 1609, the society insisting that the Father General had not given his consent, they obtained the contract to be declared null ; and they produced the Letters Patent, whereby the contract was so declared in a cause they had with the University of Caen in 1720.

The University of Paris made good use of this very same precedent against the society, by showing in a suit with the University of Rheims in 1724, that the decree of 1609, and the transaction of 1617, which they pretended had united the society with the University of Rheims, were not ratified by the Father General, and therefore were null.

The Union of all the Houses of the Missions in general, and of the Missions and houses of New-France or Canada in particular, with the body of the society, appears from the contract of Father Biart, Superior of New-France or Canada and Father Ennemond Massie, in 1611, in which they stipulated on one part, *tant pour eux que pour la Province de France et la dite Compagnie de Jesus* (the contract related to the Cargo of a ship bound to Canada) and on the other part, viz : of the Merchants Contractors, the terms were, *les associés consentent que les dits Jésuites, tant en leur nom qu'en leur qualité susdite, jouissent et ayent à leur profit la totale moitié de toutes et chacunes des marchandises, profits et autres choses, circonstancés et dépendances ;* so that the Province of Canada, and the whole company are indivisible in their interests and property. The University of Paris produced an authenticated copy of this contract in a Law-Suit with the Jesuits in 1664. It shows that the House of the Missions depends

upon the Province; the Province upon the Society; and that all the Missionaries its Members are but Agents of the Company, which is united, as we have already shown, under one principal director of unlimited authority.

These ideas of the Society and of the Titles to its possessions, are confirmed by the pieces written by Jesuits, and Published by the authority of their Order in their famous dispute, with all the rest of the regulars on the occasion of the Edict of the Emperor Ferdinand, II. in 1629, for restoring the Estates of the Empire, which the Protestants had taken away. The Champions of the Jesuits insisted, that no other orders could take but themselves, because the fraternities were *distinct* which once held those endowments, and were now extinguished: that they, the Jesuits were on the contrary, one indivisible Order: that the Generals and Visitors of those fraternities which were local, had only a power as to the regular discipline of each separate Monastery; but that these Visitors were not (as in the Order of them the Jesuits) like their General, able to change persons and properties, *ad libitum*, *Vide*, the work of Father Layman, printed at *Delingin in Suabiâ*, *cum facultate Superiorum*, intitled, *Iusta defensio Sanctissimi Pontificis, Augustissimi Cæsaris, S. C. R. Cardinalium, Episcoporum, Principum, et aliorum Minimæ societatis Jesu, in causâ Monasteriorum extinctorum et bonorum Ecclesiasticorum vacantium*. Father Jean Crusius, who wrote at the same time, a book entitled, *Astri extincti Eclipsis seu deliquium*, uses these words which deserve attention, and affect the case of a Conquered Country, *Generalis ipse tanquam caput unius veri Corporis politici jurisdictionem habet quasi territorialem; nam ipsius jurisdictio non personis solum, sed etiam terris rebus, bonis Collegiorum ab hoste occupatorum, vel etiam personalis Collegiorum illorum tempore invasionis repetitio; quæ in hujusmodi casus negatur alius aliorum ordinum præsidibus; cum nec verum illorum Religiosi Corpus Constituunt politicum, sed tantum familiæ aliquod plane διεσπορον*. And farther he says, *Societas, late accepta, est domina bonorum et rerum suorum Collegiorum, atque possidet cum illis bona corporata: quia Scholares indifferenter et indiscriminatim se habent ad omnia Collegia Societatis; nec enim vident hujus vel illius loci stabilitatem, ideoque ad nutum admodum R. P. Generalis ex uno in aliud transferuntur Collegium. Secus res habet in ordine sancti Benedicti, quia professi illius voto se obligant ad stabilitatem claustrii*.

Father Layman in his book, called *censura Astrologiæ Ecclesiasticæ, et astri, in extincti*, makes his own order to constitute of itself, a Church *cum manifestum sit in Societate nostra membra ejus omnia, sub uno generali capite constituta et gubernata, unius Ecclesiæ Corpus Constituere*.

From this view of the nature of the *institute of the Society*, it clearly appears *a priori*, that it was *impossible*, that the Society could gain a Civil existence as a corporate body of Ecclesiastics, in France; and it was far from the inclinations of the Society to be considered as subjects of any Jurisdiction but their own.—For this reason in the famous attempt which they made to be incorporated with the University of Paris in 1564, and an interrogatory being put to them, *what they were in France? Seculars, regulars or Monks?* their answer was, repeatedly to the question, *nos sumus in Gallia tales quales denominabit nos curia.*

It was to preserve this independency of the Order from all Civil States whatsoever under which its Members reside, that the Generals have frequently opposed, and effectually resisted the Popes themselves, by having made themselves necessary to the Papal See.

Thus all the attempts to lessen the power of the Father General, and to change the constitution of the Order have never succeeded; Paul IV. Pius V. Sixtus V. Clement VIII. attempted it in vain. And when the Parliament of Paris consented to re-establish the Jesuits under certain reservations, as they before had been admitted provisionally in the Assembly at Poissy, the re-admission was in consequence of his Treaty with the Pope; the Pope acquainted the King, and the King the Parliament in respect to the articles, *que le général des Jésuites ne s'en contenoit pas &c. ne les vouloit approuver, disant, qu'ils étoient contre leurs Statuts, dont le dit général écrit au roi lettres qui ne pouvoient être présentées, et sont encore les articles approuvés par lui.* The King added, that it was a great point gained of the Pope, to admit the order in no other way. The Parliament entered it upon their Registers, that the Pope had desired the King to establish the Jesuits, *comme ils étoient auparavant l'arrêt de la Cour de 1594*, and re-established them accordingly.

It may not be improper to insert the special clauses of the Act of Poissy; which if acquiesced in, the Jesuits must have quitted France. The first consideration was, that they should not be received as a Religious Society. Second, that they should take another name. Third, that they should submit to the Jurisdiction, superintendance and correction of the Episcopal diocesan. Fourth, that the Company should not attempt any thing to the prejudice of the Bishops, Chapters, Rectors, Universities, nor of the other Orders. Fifth, that they should conform themselves to the ancient Laws, renouncing expressly and *previously* all the privileges contained in their Bulls inconsistent with the foregoing articles. *Autrement, à faute, de faire ou qu'à l'avenir ils*

en obtiennent d'autres, les présentes demeureront nulles et de nul effet et vertu. And the Act concludes, with a salvo, *sauf le droit de la dite assemblée et d'autrui en toutes choses* : and when the Act came to be registered by the Parliament, the conditions expressed were confirmed, and the conclusions upon the articles were, that the Jesuits were received *quant à présent &c. à la charge des les rejeter si, et quand ci-après ils seroient decouverts, être nuisibles ou faire préjudice au bien et état du Royaume.*

The Jesuits allowed all these conditions and provisions of their original admission to exist, according to the Act of the Assembly of Poissy (none of which the Society either have fulfilled, or could possibly fulfill from the nature of their institution) among the pieces which they produced before the French King in 1715, in order to obtain the declaration of the 16th of July, the words are, *Qu'ils conviennent de bonne foi, que par l'acte de Poissy, et par l'acte de la Cour qui en ordonne l'enregistrement, ils ne furent reçus comme religieux.* Vide *Inventaire imprimé, Signé, de Sacy, Avocat, P. Hazon, Jésuite, Procureur Général de la Province de France, page 6.*

The distinction they have endeavored to set up, between the Colleges and the Order is neither supported by fact, nor by the institute of the society. For it appears from all the foregoing proofs of their institute, that there is one chain of dependence ; that the colleges are not distinct as communities from the Body ; that the professed Religious hold in trust for the Colleges ; and, therefore, the conclusion is, that if, according to their own confession, the Religious of the Order of Jesuits are not received as persons capable of a civil existence, they are incapable of the trusts, and the colleges are incapable of the uses. Thus every thing, built upon the foundation of this anomalous society, falls to the ground together. And it is no wonder that an institution, which seems contrived, with a subtlety more than human, to subvert the Laws of every Country Ecclesiastical and Civil, should find in the Laws of every Country, an obstacle to its establishment.

1788. GEORGE the THIRD by the Grace of God King of
Great Britain, France and Ireland, Defender of the
Faith, &c.

To our Loving Subjects Kenelm Chandler, Thomas Scott,
John Coffin, Gabriel Elzeard Taschereau, Jean Antoine Panet,
George Lawe, James M'Gill, Quinson de St. Ours and ———
Rouville, Esquires. Greeting.

Fiat.

Recorded in the Office
of Enrollments at Que-
bec the 2d day of Ja-
nuary 1788, in the third
Regr. Letters Patent &
Coms. folio 186.

(Signed)

G. POWNALL.

We being moved concerning the Lands and
Estates now belonging to us, and heretofore
held and claimed in our Province of Quebec,
by a certain Religious Community known
by the name of the Order of Jesuits, and
for our giving and granting parcels of the
said Lands and Estates, to Our Trusty and
well beloved Subject Jeffery Lord Amherst, his Heirs and Assigns,
and being desirous before the gift and grant thereof be made in
manner aforesaid to be ascertained in due form of Law, what
Lands and Estates, were held possessed and claimed by the said
Order of Jesuits within the said Province, and the manner and
ways by which they acquired, and what portions and parts there-
of, have been by them aliened and exchanged, and what parts or
portions thereof are now vested in us, and may by us be legally
given and granted in the manner above mentioned, and we
being also desirous to be fully apprized of the nature and quality
of the said Lands, and the present Titles by which they are pos-
sessed, their present value, the nature and extent of the Right of
Seignory, the nature of the tenures by which they are holden
their exact local situation, the state of their culture and popula-
tion, and whether any and what claims are made by the Heirs
of the Donors. of such parts of the Lands, as were given to the
said Religious Order by private persons: We have therefore Ap-
pointed and given Commission to, and by these presents, Do
appoint and grant Commission to you the said Kenelm Chandler,
Thomas Scott, John Coffin, Gabriel Elzeard Taschereau, Jean
Antoine Panet, George Lawe, James M'Gill, Quinson de St. Ours,
and ——— Rouville, Esquires, or any three of you, without delay
to make investigation on all and every the particulars before
mentioned, by all Lawful ways and means in your Power, and
We command that you Certify what you shall cause to be done
respecting the same by virtue hereof, under your hands and seals,
to the Governor and Commander in Chief of our said Province,

or the Governor and Commander in Chief thereof for the time being.

IN TESTIMONY whereof we have caused these our Letters to be made Patent, and the Great Seal of our said Province to be thereunto affixed.

Witness our Trusty and Well beloved GUY Lord DORCHESTER, our Governor and Commander in Chief of our said Province, at our Castle of Saint Lewis at Quebec, the seventh day of Jany. in the twenty-eighth year of our Reign, and in the year of our Lord one thousand seven hundred and eighty-eight.

(Signed) DORCHESTER.

By His Excellency's Command,
(Signed) GEO. POWNALL, Sec.

I do hereby Certify the foregoing to be a true Copy of an Entry, on Record in the Registrar's Office at Quebec, in Register of Letters Patent and Commissions No. 3, folio 186.

Ls. MONTIZAMBERT,
Actg. Prov. Secy. and Reg.

Provincial Secretary's Office,
Quebec, 25th February 1824.

(Signed) ROBT. S. MILNES,
Lieutenant Governor.

PROVINCE OF LOWER-CANADA, to wit :—

GEORGE the THIRD by the Grace of GOD of Great-Britain
FRANCE & IRELAND King, Defender of the Faith, and so forth :
Fiat
Recorded in the Office of Enrollments at Quebec the 8th day of March 1800, in the first Register of Letters Patent and Commissions, folio 446.
(Signed) G. POWNALL,
Secy. and Regr.
of Records.
L. S.

To the Sheriff of the District of Quebec, in our Province of Lower-Canada, Greeting :
Whereas all and every the Estates and Property moveable and immoveable, situate in Canada, which did heretofore belong to the late Order of Jesuits, have since the year of our Lord Christ one thousand seven hundred and sixty, been and now are by Law vested in us, under and by virtue of the Conquest of Canada in the said year of our Lord Christ one thousand seven hundred and sixty, and under and by virtue of the Cession thereof

made by His Most Christian Majesty, in the definitive Treaty of Peace concluded between us, His Most Christian Majesty and His Most Catholic Majesty at Paris, on the tenth day of February which was in the year of our Lord Christ, one thousand seven hundred and sixty three. And whereas of our especial favor—we have been graciously pleased to suffer the late surviving Members of the said late Order of Jesuits who were living and resident in Canada, at the period of the aforesaid Conquest and Cession thereof, to occupy certain parts of the said Estates and Property Moveable and immoveable, and to receive and enjoy the rents, issues and profits of such parts thereof to and for their respective use, benefit and behoof, during the terms of their natural lives. And whereas all and every the said late surviving Members of the said late Order of Jesuits are now deceased—And whereas since the decease of the said late surviving Members of the said late Order of Jesuits; WE, certain especial considerations us thereunto moving, have been graciously pleased, of our further favor to permit the Reverend Jean Joseph Cazot, Priest, to occupy divers parts of the said Estates and property, which were so as aforesaid occupied by the said late surviving Members of the said late Order of Jesuits, and to receive and enjoy the rents, issues and profits thereof, to and for his use, benefit and behoof, during our Royal pleasure, which for divers good causes and considerations, we have thought fit to and hereby do determine; and whereas in consideration of the premises we have resolved to take into our real and actual possession, the parts of the said Estates and property of the said late Order of Jesuits, which under and by virtue of our said Royal permission, have been lately occupied by the said late surviving Members of the said late order of Jesuits, and by the said Jean Joseph Cazot. Now therefore know ye—that we have authorized and empowered, and by these presents do authorize and empower and command you the said Sheriff of our said District of Quebec, in our said Province of Lower-Canada, for us and in our name, and to and for the use, benefit and advantage and behoof of us, our Heirs and Successors, to enter upon and take into our real and actual possession all and every the Lands, Estates and property moveable and immoveable, of every description and nature whatsoever, and every part and parcel thereof, situate, lying and being in our District of Quebec, in our said Province of Lower-Canada, which heretofore did belong to the said late Order of Jesuits, or whereof or wherein the said late Order of Jesuits was seized or possessed or had, or claimed any manner of Estate, right, title, interest or demand, and which have been so as aforesaid occupied by the said late surviving Mem-

bers of the said late Order of Jesuits or any or either of them, and by the said Jean Joseph Cazot ; AND more particularly to enter upon and take into our real and actual possession the Fief and Seigneurie of *Notre Dame des Anges* commonly called Charlebourg, containing one league of Land or thereabouts in front by four in depth, situate near the Town of Quebec, partly on the River St. Charles, where it empties itself into the River St. Lawrence, and partly by the said River St. Lawrence running back into the Country towards the Western Mountains, bounded on the North-East side by the Fief & Seigneurie of Beauport, the property of Antoine Juchereau Duchesnay, Esq. and on the South-West side by the Fief and Seigneurie of Dorfainville, now possessed by the Nuns of the General Hospital, near Quebec, in front partly by the said River St. Charles, and in the rear by Lands yet unconceded. Also the Fief and Seigneurie of Saint Gabriel, commonly called the Old and New Lorette ; consisting of a league and a half in front by ten in depth, situated inland at the distance of a league and a half from the River Saint Lawrence, and adjoining the rear of the Seigneurie of Sillery, formerly belonging to the Reverend Fathers of the Company of Jesus, bounded on the North-East side by the Fief St. Ignatius, possessed by the Nuns of the Hôtel Dieu of Quebec, on the South-West by the Fief and Seigneurie of Champigny or Godarville, belonging to the Heirs Peuvret, represented by Antoine Juchereau Duchesnay, Esquire, in front by the rear of the said Seigneurie of Sillery, and in depth by Lands unconceded ; also the Fief and Seigneurie of Sillery, situated on the River Saint Lawrence, consisting of one league of Land in front by a league and a half or thereabout in depth, running back to the Seigneurie of St. Gabriel which terminates it in the rear, bounded on the North-East side by the Point called *Poinde de Puisseau*, and the line which separates the said Fief and Seigneurie from the Fief and Seigneurie of St. Michel, possessed by the Ecclesiastics of the Seminary of Quebec, and on the South-West side to the Fief and Seigneurie of Godarville, the property of Antoine Juchereau Duchesnay, Esquire. Also the Fief and Seigneurie of Belair, commonly called Bonhomme Mountain, consisting of one league and a half in front by two leagues or thereabout in depth, situated in the rear of the Fief and Seigneurie of Demaure or St. Augustin, and running back towards the River Jacques Cartier, bounded on the South-West side by the Fief and Seigneurie of Neuville or Pointe aux Trembles, and on the North-East side by the Fief and Seigneurie of Godarville, in front by the said Seigneurie of Demaure or St. Augustin, and behind by the said River Jacques Cartier : also of the Fief and

Seigniory of the *Isle des Ruaux*, situated in the River St. Lawrence a little below the Island of Orleans, consisting of about half a league in length by eight arpents or thereabout in breadth. Also a Tract of Land or Farm, commonly called *La Vacherie*, situated on and partly surrounded by the River St. Charles, and thence running up towards the Hill called *La Cote St. Genevieve*, bounded on one side partly by the High Road leading from the Passage across the said River St. Charles, and on the other, partly by the Lands of ————, in front by the said River St. Charles, and behind by the said Hill called *La Cote St. Genevieve*, consisting in the whole of seventy three square Acres or thereabout, as at present occupied and possessed by David Lynd, Esquire, and his under-tenants, and as more particularly bounded and described in the ancient Grants, Title Deeds and conveyances thereof.

Also a tract of Land situated in the Seigniory Lauzon, and Parish of Saint Nicholas on the South side of the River Saint Lawrence, consisting of twenty nine arpens or thereabout in front, running from a point opposite the River Cap Rouge along the River Saint Lawrence to a place five arpents distant above the Great Rivulet which falls into the said River Saint Lawrence, at a Farm called the Great Cove, by fifty arpents in depth bounded on the north east side by the lands of the Representatives of René Leduc, and on the other or south west side by those of Abraham Milot, in front by the said River Saint Lawrence, and behind by Land unconceded. Also the following tracts, pieces, or parcels of Lands situated in the Seigniory of Lauzon, on the north side of the River St. Lawrence opposite to the Town of Quebec, to wit :—four arpents in front along the River St. Lawrence, two arpents on each side of a House formerly belonging to the Reverend Fathers of the Company of Jesus, by twenty arpents in depth, now in the occupation of Joseph Samson, Cofton and Fortier. Another tract of Land in the same Seigniory and adjoining thereto, consisting of two hundred square arpents, viz :—five arpents in front along the said River Saint Lawrence at the distance of twenty toises from the water at the highest Tides, running towards Saint Croix by forty arpents in depth : also another tract of Land in the same Seigniory adjoining that above described, consisting of six arpents in front along the River St. Lawrence by forty in depth ; and lastly a tract of eleven arpents of Land in front, adjoining the rear of the two preceding tracts, and bounded by the prolongation of the line thereof on each side, by forty in depth, all as more particularly stated, specified, bounded and described in the ancient titles thereof : also a piece of Land

consisting of six arpents square, situated at a place called Tadoufac on the north side of the River Saint Lawrence, whereon is built a Church and Presbytère or Priest's House. Twelve arpents of ground or thereabouts situated in the Upper Town of the City of Quebec, bounded in front to the northward by Saint John's Street, behind partly by the inclosure wall of the Ursuline Garden, and partly by the ground of the Ursuline Nuns without their inclosure, on the one side by the Road leading from Saint John's Gate along the Ramparts or Fortification and by the Parade, and on the other partly by Stanislaus Street, & the Houses & Walls of the Jesuits' Garden opposite the vacant ground in front of Dauphin Barracks to the corner of the inclosure of the Ursulines Convent aforesaid, excepting therefrom the ground whereon is erected the Dauphin Barracks and the unoccupied space in front thereof.— Also a piece or parcel of ground situated in the Upper Town of Quebec, consisting of seventy-three square perches or thereabout bounded in front by the Street called Garden Street, in rear by the Wall of the inclosure of the Ursulines Nun's Convent, on one side by the square in front by the Ursulines Church on a line running seventeen feet, and on the other side partly by Saint Anne Street on a line running thirty-seven feet, and partly by the rear of Lots belonging to the Widow Seguin, Pierre Vincent and Charles Pinguet — Also a lot or piece of Land situate in the suburbs of Quebec, outside Palace Gate, consisting of fifty-eight square perches or thereabouts bounded in front by Saint Nicholas Street, as far as the House of Delignets at one side of the said Street, running in another direction as far as the House of Madame Larche, in the rear by the Street running along the front of the Storekeeper General's Stores, and at the other side by the square in the middle of which the Batteau Guard House stands. Also three concessions or lots of ground in the Upper Town of Quebec, by the Church Wardens of the Parish of Quebec to the Reverend Fathers of the Company of Jesus, consisting of the lots of M^rNider, Widow Valain, Turgeon, Berthelot D^rArtigny, and Widow Renvozé. AND WE do hereby enjoin and command You, that all and whatsoever You shall do by virtue of this commission, You do certify under your Hand and Seal, into our Court of King's Bench, of and for our District of Quebec, in our said Province of Lower Canada on the sixteenth day of April now next ensuing, together with this Writ, there to remain of Record for ever.

IN FAITH and TESTIMONY whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province of Lower-Canda, to be hereunto affixed. Witness our

Trusty and well beloved Robert Shore Milnes, Esquire, our Lieutenant-Governor of and for our said Province of Lower-Canada, at Our Castle of Saint Lewis, in Our City of Quebec, in Our said Province, the eighth day of March in the year of Our Lord Christ, one thousand eight hundred, and in the fortieth year of our Reign.

(Signed) R. S. M.

(Signed) GEORGE POWNALL, Secy.

An INVENTORY of Effects seized by the Sheriff of the District of Quebec, to and for the use of His Majesty, belonging to the deceased Reverend Pierre Cazot, as representing the late Order of Jesuits in the Province of Lower-Canada, in virtue of the King's Writ to him directed bearing date the eighth day of March 1800.

The following delivered by Messire Joseph Octave Plessis, Coadjutor of Quebec, vizt.

- 1 Ostensor ou Soleil,
- 3 Calices,
- 2 Ciboires,
- 3 Paires de Burettes,
- 2 Plats pour ditto,
- 6 Chandeliers et Croix,
- 2 Chandeliers portatifs,
- 1 Benitier,
- 1 Croix processionnelle,
- 2 Bras ou Girandoles,
- 2 ditto,
- 4 Pots à fleurs avec les Fleurs,
- 1 Encensoir et Navette,
- 1 Lampe,
- 1 Piscine,
- 1 Statue de la Sainte Vierge,
- 1 Ditto Saint Ignace,
- 1 Ditto Saint François Xavier,
- 14 Cuillères pottagères,
- 24 Ditto de Table,
- 4 Grandes Fourchettes,
- 24 Fourchettes de Table,
- 2 Cuilleres à Caffé,
- 2 Ecuelles avec leurs Couvertes
- 2 Gobleto,

} d'Argent.

8 Chandeliers et Croix,	}	argentés.
6 Ditto petits,		
6 Pots à fleur,	}	de Cuivre.
4 Statues,		
2 Reliquaires d'Argent,	}	
6 Chandeliers,		
8 Ditto, dont un casé,		
2 Christs,		
4 Petits Chandeliers portatifs,		

Ornements.

- 26 Devant-d'Autel,
- 16 Chasubles garnies,
- 3 Chapes,
- 2 Dalmatiques,
- 1 Etole et vieilles do.

Linges.

- 1 Drap mortuaire,
- 24 Aubes,
- 29 Surplis,
- 15 Nappes d'Autel,
- 14 Ditto de Communion,
- 9 Douzaines Ditto de Purificatoires,
- 17 Corporaux,
- 12 Palles,
- 123 Amiets,
- 40 Linges à Lavabo,
- 15 Cordons,
- 8 Essuie-mains,
- 1 Paquet de Linge sale,
- 1 Ditto ditto,
- 1 Ditto ditto,
- 1 Caneau rouge,
- 5 Vieux Tapis,
- 6 Petits Tableaux,
- 1 Statue de Cire,
- 12 Bouquets,
- 4 Missels,
- 2 Pupitres,
- 1 Livre de Chant,
- 1 Table de Marbre,
- 1 Lustre de Cuivre,
- Quelques vieux Fauteuilles, Chaises, &c.
- 1 Pendule,
- 1 Christ d'Ivoire,
- 3 Couronnes de Fleurs,
- 3 Reliquaires de bois doré,
- 4 Garnitures de Canon d'Autel.

The two following Trunks of Books and Papers are deposited in the Office of the Secretary of the Province, together with a Box containing the *Aveu et Dénombrement* of the Estates heretofore belonging to the late Order of the Jesuits in Lower-Canada, vizt.

A TRUNK MARK'D "No. 1."

"Jesuits' Papers" containing as follows:

- 1 Parchment Folio Book of Accounts endorsed "Des Anges."
- 1 Parchment cover Folio Book, endorsed "Montagne à Bonhomme ou Belair."
- 1 Ditto 4to. containing Contracts, &c.
- 1 Ditto folio ditto,
- 1 Green Vellum ditto, endorsed on the first leaf J. M. J. Ce Livre a été commencé le treize Juin 1753 — Fief de St. Gabriel.
- 1 Ditto in Sheep, first leaf headed "Fiefs de Notre Dame des Anges."
- 1 Ditto rough Calf, the first leaf beginning "Si varat annales &c."
- 1 Ditto Parchment, the first leaf beginning "Missio &c. Anno 1642 et 1643.
- 1 Ditto Green Vellum, on the first leaf "J. M. J." Ce Livre a été commencé le huit Mars 1754, "Fief de Notre Dame des Anges."
- A paper endorsed "1773 Répertoire de la Jeune Lorette pour le " Revd Père Giroult."
- A Paper Book, endorsed "Répertoire du Fief de St. Gabriel &c."
- A Paper Book, intituled "Aveu et Dénombrement du Fief et Seigneurie du Cap de la Magdeleine."
- A Ditto, intituled "Extraits des Régistres des insinuations du Conseil Supérieur de la Nouvelle France," endorsed with a Pencil "Déclaration de 1743."
- A Book, without cover, marked on the first leaf "A," the first line "L'Article premier de quatre lieues d'étendue."
- A Ditto with Parchment cover, endorsed "Gabriel."
- A Ditto ditto, "Sillery 1719."

A ROUGH CALF PAPER CASE CONTAINING, vizt.

- Paper Book, endorsed "No. 1, Notre Dame des Anges, 1 Eglise, 1 Presbytère et un terrain d'environ 4 arpens en superficie."
 - A Ditto, headed No. 2, Ancienne et Jeune Lorette, "deux Eglises et deux Presbytères, 3 arpens en superficie."
 - A Ditto, endorsed "1733. 385 C. S. Notre Dame des Anges."
 - A Ditto, beginning "L'an mil sept cent quatre-vingt-un, le vingt Juillet &c."
 - A Ditto, headed "Narration du Voyage fait &c."
 - A Ditto, ditto "L'an mil sept cent quatre-vingt-un, le 12 Juillet &c."
 - And other Papers.
- Carte réduite des Mers du Nord. E e

- A Parchment Folio Book, the first leaf beginning "Continuation des Régistres précédens, dans lesquels tous les Recteurs de ce Collège ont écrit ce qui s'est passé de considérable dans ce Pays &c."
- A yellow rough Calf quarto ditto, intituled "Comptes des Missions depuis 1758."

COMPTES DE LA RESIDENCE.

- A Parchment folio ditto, marked on the Cover, "Repertoire des Fiefs Saint Gabriel et Sillery."
- A green Vellum ditto, headed "Repertoire pour servir à recevoir les Cens et Rentes pour le Fief de Notre Dame des Anges," avec un Plan détaché du Trait-quarré de Charlesbourg.
- A green rough Calf ditto containing Accounts.
- A Parchment ditto, headed "J. M. J. "Ce Livre a été commencé le—Xbre. 1753, Fief de Sillery."
- A Paper Book, headed "Table des Habitans nommés dans le Papier Terrier."
- A Parchment ditto, headed "Fief de Belair."
- A mark cover ditto, headed, "Domestiques de Notre Dame des Anges, en Février 1757."
- A Parchment folio ditto, marked, "Terrier du Fief de Belair."
- A Quarto ditto, containing des Donations, Concessions, Contracts &c. beginning by a Certificate of the Intendant Bouterone, 3 Bundles Titres, Concessions, Donations, Actes &c. marked A. B. C.
- 1—ditto, Titres de N. D. des Anges,
- 1—ditto, Contrats de Concessions a Batiscan, 1798 & 1799.
- 1—ditto, Concessions par Monfr. Desjardins, dans la Seigneurie de St. Gabriel,
- 1—ditto, Actes &c. &c. &c. marked D.
- 1—ditto, Extrait des Registres du Conseil Supérieur, &c. &c. &c. E.
- 1—ditto, Actes, &c. &c. F.
- 1—ditto, Concessions dans la Seigneurie de St. Gabriel, G. & H.
- 1—ditto, divers Papiers, I.
- 1—ditto, Contrats de Concession K.
- 1—ditto, Procès Verbaux, et Obligations, et Baux, L.

TRUNK No 2.

Jesuits' Papers, vitz :

- 1—Bundle of Comptes et Quittances, M. & N.

- 1—ditto, Papers relating to St. Gabriel O.
 1—ditto, ditto, to Sillery, P.
 1—ditto, Procès Verbaux, &c. &c. Q.
 1—Bundle of Papers, relating to Three-Rivers, R.
 1—ditto, to Batiscan, S.
 1—ditto, to Batiscan, S.
 1—ditto, Cap de la Magdeleine, T.
 P—ditto, Belair, V.
 1—ditto, N. D. des Anges, U.
 1—ditto, ditto, W.
 1—ditto, to the City of Quebec, X.
 A Box marked, "Aveux et Dénombrements des biens autrefois
 aux Jésuites, contenant les dits Aveux et Dénombrements,"
 comprised in 49 Sheets. —
 All the following Articles were left at the Jesuits' College.

Books, viz :

Diétionnaire de Trevaux, folio,	7 Vols.
Ditto, de Pontas,	3 do.
Dito, Economique,	2 do.
Pontifical Romain,	1 do.
Entretien du P. Novel, 4to.	1 do.
Meditations du P. Dupont,	1 do.
Martyrologes Romain,	1 do.
Abregé de Geographie, 8vo.	1 do.
Sermons sur les Mystères,	1 do.
Confessions de St. Augustin,	1 do.
Pratiques de Piété,	
Retraite de St. Ignace,	
Année de Chrétien,	13 do.
Mystères du Père à deux Etoiles,	
Sermons du Père Cheminées,	3me. Vol.
Ditto, sur divers sujets Morales,	
Le Maître Italien,	
Le Caractère de la Veritable et de la fausse piété,	
Les Œuvres de St. François de Salle, Offices à l'usage de la Société de Jésus,	
Théologie Française,	
Diétionnaire Geographique,	
Sermons de Mr. Mavoles,	2 Vols.
Conferences sur l'usure et sur la Restitution,	1er. do.
Sermon de Père Trey de Neuville,	6 do.

Leçons de la Sagesse,	
La Veritable maniere de Prêcher,	
Sermons du Père Bretonneau,	3 Vols.
Institutions au Droit François,	2me. do.
Panegyrique des Saints,	1er. do.
Pensées du Père Bourdaloue,	
La Sainte Bible,	2 Vol.
Le Chrétien en Solitude,	
Les progrès de la Vie Spirituelle,	
Vie de Père Regis,	
Traité de la Mort de Dieu,	
Entretiens de Monsieur le Commandeur xxx.	
Lettres Edifiantes,	2 Vols.
Memoires du Levant,	8me. do.
Entretiens de Ciceron,	2me. do.
Nouveaux Memoires des Missions de la Compagnie de Jésus,	9 do.
Histoire de France,	12 do.
Speçtacle de la Nature,	2 do.
Œuvres de Monfieur Boileau,	3me. do.
Exercises de piété,	
Meditations du Père Dupont,	
Histoire Sainte,	2 Vol.
ACTIONS CHRÉTIENNES,	4me. do.
Etablissement de la Foi,	2me. do.
Theforier et Venomie,	
Paradisus Anna Christiana,	
Le veritable Art du Blafon,	2 Vol.
Nouvelle Chirurgie Medicinale,	
Les Entretiens Physiques,	3 Vol.
Les Sermons du Père Teraffons,	4me. do.
Epistolæ præpofitorum Generalium ad Patres et Fratres So- cietatis Jefu.	
Pratiques de piété.	
Les Souffrances de Jésus Christ,	
Introductions de la Vie dévotte,	3 Vols.
Officia ad usum p. p. Societatis Jesu, Supplement,	
Le Journal des Saints,	2 Vols.
Conduite Chrétienne,	
La Conduite de Saint Ignace,	
Jesus Maria,	
Extrait du Rituel Romain,	
Le Nouveau Testament,	
Breviarium Romanum,	

Traité de la Nouvelle Orthographe,
 Ordo administrandi Sacramenta,
 Livres de Prières,
 Méthode pour converser avec Dieu,
 2 Breviarium,
 La Dévotion à Jésus Christ,
 Règle de la Compagnie de Jésus,
 Pratiques des Cérémonies de la Sainte Messe,
 Pratique facile pour élever l'Ame,
 Avis donné aux Confesseurs,
 A Trunk of Private Papers.

DANS LA CHAMBRE ET CABINET DU R. P. CAZOT.

Un ———	5 Plans in Rollers,
Deux Bergères,	2 Ditto without ditto,
Huit Chaises,	5 Paires Souliers,
Un Poële de Fer avec huit feuilles de Tuyaux,	5 Paires
Une Table avec un Tapis bleu,	1 Bonnet quarré,
Un Prie-Dieu,	28 Bouteilles vuides,
Un Tabouret,	1 Cane,
10 Cadres,	1 File,
3 Pièces Matelas et lit garni,	1 Pièce Toile cirée,
2 Tables,	12 Ps. vieilles Culottes,
3 Vieilles Chaises,	2 Gilets,
2 Valises,	1 Ceinture,
1 Redingote noire,	1 Vieux Chapeau,
2 Soutanes,	1 Longuevue,

AU REFECTOIRE.

1 Poële avec 17 Feuilles,	1 Bombe de cuivre,
1 Pendule,	5 Sellieres de Cristal,
1 Table pliante,	6 Verres à pattes,
6 Chaises,	12 ditto à vin,
2 Petits Tabourets,	5 Pots de Grai,
1 Commode,	7 Flacons,
2 Jarres,	7 Caraffes,
1 Quart à l'Eau,	1 Beurier,
3 Cruches de Grai,	1 Thière,
1 Pilon de ———	10 Tasses à Café,
8 Douzaines et 3 Assiettes de Grai,	1 Plat à baibe,
5 Bolles de Grai,	2 Sucriers,
3 Soupières d'Etain,	1 Douzaine Couteaux, et
1 ditto Grai,	1 Douzaine Fourchettes à manches noires,
24 Plats ditto,	9 Couteaux Communs,
4 ditto d'Etain,	3 $\frac{1}{2}$ Douzaines Vin blanc,
3 Ecuellen, ditto,	2 Sauciers de Grai.

A LA CUISINE.

1 Table,	2 Sappes,
1 Buffet,	2 Grandes Fourchettes,
1 Fontaine de cuivre,	1 Quart à l'Eau,
1 Tournebroke,	2 Paires de Pincettes,
3 Poëles à cuire,	1 Paire Chenêts,
1 Lèche-fritte,	2 Pelles,
9 Casseroles,	4 Trépieds,
3 Marmittes,	1 Bejeau à lâcher,
2 Chaudières de cuivre,	1 Soufflet,
2 Passoires,	3 Entonnoirs,
1 Grille,	1 Moulin à poivre,
1 Ecumoire et Cullière à pot,	1 Tableau,
3 Cafetières,	1 Chaudière de fer blanc,
2 Chandeliers de cuivre,	1 Fanal.
1 Fillion de fer blanc,	

AU CABINET.

1 Table,	6 Targettes de fer,
1 Quart Vin blanc à motié vuide,	7 Petites Boëttes,
1 Canne,	1 Redingote,
1 Escabeau,	3 Soutandes.

DECHARGE.

1 Armoire,	3 Flacons,
3 Tables,	1 Seringue,
3 Chaises Bourrées	1 Bassin.
12 ditto vieilles,	1 ditto cuivre,
8 vieux Tapis,	2 bolles Blanches,
2 Couches,	1 sac de ris,
20 Quarts vuides,	1 Tourtière de cuivre,
6 Tinettes ditto,	1 Poissonnière,
2 ditto de Beurre,	2 Saloïns avec un p—de lard,
1 vieille Bergère,	2 vieilles Cartes Géographiques,
3 grandes Casseroles de cuivre,	1 Sellier,
1 Baül de Plomb,	2 vieilles Aiguines,
1 paire Balances de cuivre,	22 Boutelles Vin blanc,
1 vieux Baudet,	1 Chaise commodité,
1 vieille Fontaine de cuivre,	2 Sappes,
3 Chaudières ditto,	5 Fers à fasquer,
1 Chaudron,	1 paire Bottes de peau de mouton,
2 Marmites,	1 petite Fontaine de fer blanc,
1 Palan,	1 Boite avec un peu de Chandelles.
4 vieux Seaux,	
1 Hache,	
Des vieilles Serrures,	

CHAMBRE OCCUPE'E PAR LES DOMESTIQUES.

2 Lits garnis,	3 vieilles Chaises,
2 Poëles avec 4 vieilles feuilles de taule,	1 Balais de crin,
9 Images,	1 vieux Soufflet.

LINGE.

42 Chemises,	8 Mouchoirs,
27 Draps,	2 Bonnets de Coton,
32 Essuie-mains,	39 Ditto de Toile,
61 Nappes,	25 Paires Chaussons de Toile,
6 Têtes d'Oreiller,	52 Torchons,

CHAMBRE DE FRANÇOIS DORVAL.

1 Poêle avec son tuyau,	5 vieilles Chaises,
1 Armoire,	1 Rideau vert,
1 Table,	1 Chandelier de cuivre,
1 Lit garnis,	1 Prie-Dieu.

ECURIE.

1 Cheval et une Vache,	1 Charette,
1 Caleche,	1 Harnois complet,
1 Cariole,	300 Bottes de Foin aux environs.

ALLEE.

2 Cloches,	1 Petit Chariot,
1 Hote,	7 Quarts vuides,
1 vieille faux,	1 Baudet,
1 ditto Seri,	1 vieux tuyau,
2 vieux Seaux de fer blanc,	1 Bannique à l'eau,
1 Garde-feu,	1 Poëllon de Cuivre,
8 Seau de cuir,	2 vieilles Haches,
2 Escabeaux,	4 Tables sans pieds,
1 vieille Bergère,	1 Petite Charrette,
1 Garniture de Cariole,	1 Bèche de fer.
1 Paire Raquettes,	

GLACIERE.

2 Jaries,	4 Quarts vuides,
8 Minots d'Avoine,	1 Berline,
Ferrailles,	2 Cuves,
1 Fléau,	1 Chaudron,
2 Cruches,	1 Plat de Sain-doux,
Des Poids à peser,	2 Sappes.
2 Paniets,	

CHAMBRE DE MONS. DESJARDINS.

1 Lit complet avec des Rideaux d'Indienne,	3 Chaises tournées,
1 Bibliothèque,	1 Bergère,
1 Table,	1 Fauteuil,
1 Armoire,	1 Prie-Dieu,
1 Chandelle de Cuivre,	5 Pains de Sucre d'érable,
1 Miroir,	1 Chaise commodité.

CHAMBRE DU SACRISTAIN.

1 Poêle avec 13 feuilles de taule,	2 Armoires,
1 Petite Table,	1 Bergère,
8 Chaises communes,	3 vieux Rideaux d'Indienne,
4 ditto en bois,	1 Seau de cuivre,
5 ditto bouriées,	Quelques vieux Rideaux verts,
1 Armoire double,	4 Couches.
1 Lit garnid,	

ARGENT MONNOYE'.

This money is considered as the personal property of the late Revd. P. Cazot.	{	Chez Messrs. Lester and Morrogh,	£65	12	9	
		Entre les mains de Mr. Perinault,	50	0	0	
		Argent prêtée à diverses personnes dans leur besoin,	16	2	0	
		En Caisse,	25	11	8½	
			<hr/>			£157

Quebec, 28th March 1800.

(Signed)

JA. SHEPPARD,
Sheriff.

(INDORSED.)

Inventory of Moveables belonging to the late Order of Je-
suits in Lower-Canada, Seized by the Sheriff for the District of
Quebec.Filed of Record in the Court of King's Bench at Quebec the
16th April 1800.

(Signed)

Js. P.

By virtue of the within writ, I have entered upon and taken
into the real and actual possession of Our Sovereign Lord the
King, all and every the Lands, Estates and Property, moveable
& immovable of every description and nature whatsoever, situate,
lying and being in the District of Quebec, in the Province of Lower

Canada, which heretofore did belong to the late Order of Jesuits, or whereof or wherein the said late Order of Jesuits, was seized or possessed, or had or claimed any manner of Estate, right, title, interest or demand, and which have been occupied by the late surviving Members of the said late Order of Jesuits within named, or any or either of them, or by Jean Joseph Cazot, within named, and more particularly all and every the Fiefs, Seigniories, Lands and immoveable Estates and property within particularly described, and the moveable property in the Schedule hereunto annexed, contained—All which, I do hereby certify into His Majesty's Court of King's Bench, of and for the said District of Quebec, as by the within writ I am commanded.

GIVEN under my hand and seal at the City of Quebec, in the said Province of Lower-Canada, the sixteenth day of _____ in the year of our Lord Christ, one thousand eight hundred, and in the fortieth year of His Majest_____n.

(Signed) J. SHEPHERD, Sheriff.

PROVINCE OF LOWER-CANADA, }
District of Quebec.

WE Joseph François Perrault, and John Ross, Esquires, Joint Prothonotaries of His Majesty's Court of King's Bench for the District of Quebec, and Keepers of the Records thereof, do hereby certify, that the thirty eight preceding pages contain true Copies of certain Letters Patent, together with a certain Inventory thereto annexed, and also of the Return of the Sheriff of the District of Quebec, with his doings thereon also thereunto annexed, the whole remaining deposited in the Archives of the Court of King's Bench for the said district.

Quebec, 25th February 1824.

PERRAULT & ROSS,
P. B. R.

PROVINCE OF
LOWER-CANADA. }

(Signed) DALHOUSIE, GOVERNOR,

Instrument for Cancelling all the Commissions heretofore issued for the Appointment of Commissioners, for the Management of the Estates formerly belonging to the Jesuits in this Province, & Appointing new Commissioners thereto.

FIAT

Recorded in the Registers Office of the Records at Quebec the 12th day of November 1822, in the seventh Register of Letters Patent and Commissions.—Folio 250.

(Signed,)

LS. MONTIZAMBERT,
Actg. Prov. Secy.

GEORGE THE FOURTH by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all to whom these Presents shall Come, or may in any wise Concern, Greeting :

WHEREAS by Letters Patent under the Great Seal of our Province of Lower-Canada, bearing date at our Castle of Saint-Lewis in our City of Quebec, in our said Province, the sixteenth day of July, in the year of our Lord one thousand eight hundred, and in the fortieth year of the reign of His late Majesty, François Baby, Thomas Dunn, Jenkin Williams, John Hale, and Berthelot

Dartigny, Esquires, were made, Constituted and Appointed during the Royal Will and pleasure, Commissioners, as well for Enquiring into all the Immoveable Estates and Property, situate in the Province of Lower-Canada, which did heretofore belong to the late Order of Jesuits, as for the Management, Administration, Improvement and Amelioration of the said Immoveable Estates and Property, and His said Majesty in and by the said Letters Patent did give and grant unto the said Commissioners, divers Powers and Authorities which in the said Letters Patent are particularly set forth and contained, to have and to hold the said Appointment and Office unto them the said Commissioners severally and respectively for and during the Royal Pleasure. And Whereas also by other Letters Patent under the Great Seal of our said Province bearing date at the said Castle of Saint Lewis, the twelfth day of December, in the year of our Lord one thousand eight hundred, and in the forty-first year of His late Majesty's Reign, the Royal Will and Pleasure was determined with respect to the Appointment of the said John Hale, and the aforesaid Letters Patent were revoked and annulled, in so far as the same related to the said John Hale, and His said Majesty did make, constitute and Appoint Nathaniel Taylor of the City of Quebec, Esquire, to be during the Royal Pleasure Commissioner, in the stead of the said John Hale. And Whereas also the said

Nathaniel Taylor (having departed this life) by other Letters Patent under the Great Seal of our said Province, bearing date at the aforefaid Castle of St. Lewis, the 15th day of April in the year of our Lord one thousand eight hundred and seven, and in the forty seventh year of the Reign of His late Majesty, Herman Witzius Ryland, of the said City of Quebec, Esquire, was made, constituted and appointed to be during the Royal pleasure, Commissioner, in the stead of the said Nathaniel Taylor, Esquire, deceased: And whereas also by other Letters Patent under the Great Seal of the aforefaid Castle of Saint Lewis, the twenty sixth day of June in the year of our Lord one thousand eight hundred and fifteen, and in the fifty fifth year of the Reign of His late Majesty, the Honorable Pierre Amable De Bonne, John Mure, William Bachelor Coltman, and John Stewart, of the said City of Quebec, Esquires, were made, constituted and appointed, to be during the Royal Pleasure, Commissioners jointly with the said François Baby, Thomas Dunn, Jenkin Williams and Herman Witzius Ryland, Commissioners, as aforefaid, with the same powers and authorities as in and by the aforefaid first mentioned Letters Patent, were granted to the said Commissioners, therein named; and whereas also the said Pierre Amable De Bonne, having afterwards departed this life, by other Letters Patent under the Great Seal of our said Province, bearing date at the aforefaid Castle of Saint Lewis, the twentieth day of November in the year of our Lord one thousand eight hundred and sixteen, and in the fifty seventh year of His late Majesty's Reign, the Honorable William Smith, of the said City of Quebec, was made constituted and appointed to be during the Royal will and pleasure Commissioner, in the stead of the said Pierre Amable De Bonne, and whereas also by other Letters Patent under the Great Seal of our said Province, bearing date at the aforefaid Castle of Saint Lewis, the twenty third day of October in the year of our Lord one thousand eight hundred and eighteen, and in the fifty eighth year of His late Majesty's Reign, the aforefaid Letters Patent of the twenty sixth day of June in the year of our Lord one thousand eight hundred and fifteen, fourthly above mentioned, were revoked and annulled in so far as the same related or had reference to the said John Mure, and therein and thereby John Ready, of the said City of Quebec, Esquire, was made, constituted and appointed, during the Royal pleasure, Commissioner in the room, place and stead of the said John Mure, and whereas lastly the said Jenkin Williams, one of our said Commissioners, having also departed this life, by other Letters Patent, under the Great Seal of our said Province, bearing date at our

Castle of Laint Lewis in our said Province the first day of June in the year of our Lord one thousand eight hundred and twenty, and in the first year of our Reign; we did nominate, constitute and appoint Lewis Foy, Esquire, of the said City of Quebec, one of our said Commissioners during our Royal pleasure, in the room, place and stead of the said Jenkin Williams, deceased, as therein and thereby it is fully and at large set forth, and with the several powers and authorities therein mentioned, now therefore know ye that for divers good causes and considerations us thereunto moving, we have thought fit to determine, and hereby do determine our Royal pleasure with respect to the third, fourth, fifth, sixth, and seventh above described Letters Patent, and the same to revoke and annul, the said several Letters Patent bearing date the fifteenth day of April in the year of our Lord one thousand eight hundred and seven: The twenty sixth day of June in the year of Lord one thousand eight hundred and fifteen; the twentieth day of November, in the year of our Lord one thousand eight hundred and sixteen; the twenty third day of October, in the year of our Lord one thousand eight hundred and eighteen; and the first day of June, in the year of our Lord one thousand eight hundred and twenty; and do hereby declare every clause, matter and thing therein contained, respectively, to be null and void, and the Royal pleasure therein respectively expressed, we have determined and do hereby determine. And know ye further that we confiding, in the integrity, loyalty & ability of His Excellency Sir Francis Nathaniel Burton, Knight of the Royal Guelphic Order, the Honorable Herman Witzius Ryland, the Honorable William Bachelor Coltman, John Stewart, Esquire, the Honorable William Smith, and Lewis Foy, Esquires, all of the said City of Quebec in our said Province, have made, constituted and appointed and by these Presents do Make, Constitute and Appoint them the said Sir Francis Nathaniel Burton, Herman Witzius Ryland, William Bachelor Coltman, John Stewart, William Smith and Lewis Foy, to be during our Royal Pleasure our Commissioners, as well for enquiring into all the Immoveable Estates and Property situate, lying, and being in our said Province of Lower-Canada, which heretofore did belong to the late Order of Jesuits, as for the Management and Administration, Improvement and Amelioration of the said Immoveable Estates and Property, hereby Appointing them the said Sir Francis Nathaniel Burton, Herman Witzius Ryland, William Bachelor Coltman, John Stewart, William Smith and Lewis Foy, for that purpose, and fully and effectually giving and granting to them the said Sir Francis Nathaniel Burton, Herman Witzius Ryland, William

Bachelor Coltman, John Stewart, William Smith and Lewis Foy, all, each and every, the powers and authorities granted in and by the said first in part recited Letters Patent, bearing date the said sixteenth day of July, which was in the year of our Lord one thousand eight hundred, to the Commissioners therein named, as fully and amply to all intents and purposes as if the same were herein and hereby particularly expressed, to have and to hold the said Appointment and Office unto them the said Sir Francis Nathaniel Burton, Herman Witzius Ryland, William Bachelor Coltman, John Stewart, William Smith and Lewis Foy, for and during our Royal Pleasure. In Witness whereof we have caused these our Letters to be made Patent, and the Great Seal of our said Province of Lower-Canada, to be hereunto affixed. Witness Our Trusty & Well Beloved GEORGE, EARL OF DALHOUSIE, Knight Grand Cross of the Most Honorable Military Order of the Bath, Our Captain General and Governor in Chief in and over our said Province of Lower-Canada, Vice Admiral of the same, &c. &c. &c. At our Castle of Saint Lewis in our City of Quebec, in our said Province, the eight day of November in the year of our Lord one thousand eighth hundred and twenty-two, and in the third Year of our Reign.

(Signed) D. G.

(Signed) Ls. MONTIZAMBERT,
Actg. Prov. Secy.

I do hereby Certify the foregoing to be a true Copy of an Entry as on Record in the Registrar's Office at Quebec, in Register of Commissions and Letters Patent No. 7, folio 250.

(Signed) Ls. MONTIZAMBERT,
Actg. Prov. Secy. and Reg.

Provincial Secretary's Office,
Quebec, 24th February 1824.