

that he shall open the clearings of his neighbors as they may require it; that he shall cultivate the said land, and leave therein the roadways which shall be found necessary for the public use; that he shall make the division fences as the land shall become settled; that he shall pay each and every year to the receiver of His Majesty's domain in this country, or to the clerk of the said receiver residing at Detroit, one sol of cens for each arpent in front and twenty sols of rente for every twenty arpents in superficies, making for the said two arpents in front by forty in depth two sols of cens and four livres of rente, and moreover half a bushel of wheat for the said two arpents in front, the whole payable every year on the festival day of St. Martin, the first year whereof shall become due on the eleventh day of November, 1748, and thus continue from year to year, the said cens bearing profit of *lods et ventes*,⁵ on pain of loss and fine, and all other royal and seigniorial rights, when the same become due, agreeable to the Custom of the Provostship and Viscounty of Paris;⁶ however, it shall be at the option of the said Gamelin to pay the said four livres of rente and two sols of cens in furs at Detroit prices until a current money shall have been established; reserving in the King's name on the said habitation all the timber which His Majesty may require for the building of ships and such forts as he may hereafter erect, as well as the ownership of the mines, ores and minerals if any be found within the extent of the said concession; and the said Gamelin, his heirs and assigns, shall

⁵ Feudal grants were made either *en roture* or *en fief*. Lands granted *en roture* were town lots or small farms, as distinguished from large tracts, which were granted *en fief*. All the feudal grants at Detroit were made *en roture*. By virtue of an edict of March 20, 1673, the King had the right to an alienation fine, called *lods et ventes* (privilege of consent and sale) upon any sale or exchange of lands granted by the Crown *en roture*, which were made by a title called lease for *cens* or *cens et rentes*. This alienation fine amounted to one-twelfth of the value of the land, but in practice one-fourth of the fine was commonly remitted.

⁶ Feudal law was extremely complex, so much so that the term "system," as applied to the feudal régime, is largely a misnomer. The Custom of Paris was a codification of feudal law and practice for the district centering around Paris, first drawn up in 1510 and subsequently revised in 1579-80. By a decree of 1664 Louis XIV established the Custom of Paris as the basic law of New France. Thereby the feudal system, already decaying in France, obtained a fresh lease of life in the New World. The Custom of Paris continued to operate at such places as Detroit, Green Bay, and Prairie du Chien—in fact wherever French population and customs were found—until well into the nineteenth century.