

No. 1.
Regulations of the
Land-Granting
Department.

His Lordship, taking the said regulations into consideration, was pleased, with the advice of the council, to approve the same, and to order, as it is hereby ordered, that they be duly and punctually complied with and carried into execution, whereof the different land-office boards, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

J. Williams, C. C.

(4.)

At the Council Chamber, at Quebec, on Wednesday, the 20th January 1790.

Present, His Excellency Lord Dorchester, Governor; the Hon. William Smith, Esq., Chief Justice; the Hon. Hugh Finlay; the Hon. Edward Harrison; the Hon. John Collins, the Hon. J. G. C. Delery; George Pownall, Esq., Henry Caldwell, Esq., William Grant, Esq., Charles De Lanaudiere, Esq., Le Cte. Dupre, Esq.

WHEREAS there was this day read at the board the following draft of regulations recommended by a committee of the whole council, in their report, dated the 12th instant, on a report of the land committee, dated the 4th of December 1789; viz.

Third Addition to the Rules and Regulations for the conduct of the Land-office Department.

Whereas it is expedient, on account of the remoteness of the new districts and the variety of other duties, which require the attention of the surveyor-general's office at Quebec, to relieve that office from the burden of executing the order of the Governor in council of the 22d October 1788, for putting certain reduced officers upon an equal footing with those of the late 84th regiment, and to render that labour more easy, by dividing it among the land-office boards in the several districts, where, on account of the residence of the persons concerned, their pretensions may be investigated with accuracy and dispatch, provided a proper course be prescribed to the boards for enabling them, with due certainty, to discriminate the proper objects of the intended bounty of the Government; It is therefore ordered :

Third addition to
Rules and Regula-
tions, &c.

I. That all proceedings by the surveyor-general's office, for executing the aforementioned order of the Governor in council of the 22d October 1788, be discontinued; that the period for admitting claims under that order be extended to the 1st day of May in the year 1791; and that all applications for lands, in consequence thereof, be made to the respective boards which are or hereafter may be appointed by the Governor in any part of the province, in the usual form of petitions to the Governor in council.

II. That upon the receipt of all such applications, the boards investigate the grounds of the pretensions of the petitioners, requiring for that purpose satisfactory proof, by documents, affidavits or otherwise, carried as high as the nature of the case may admit to the following points; viz.

(a) Whether the petitioner, as a reduced officer, was entitled to and has received any lands under the King's instructions of 1783.

(b) Whether, and how far, he has improved the same, so as to render him a proper object of the order.

(c) What quantity of lands he has already received, whether on account of his rank or his family, or by the additional bounty of 1787, or in any other way whatever; and what further quantity he is entitled to, after deducting the tracts already granted to him, under all or any of the foregoing descriptions, in order to receive, upon the whole, an equal number of acres with officers of the same rank of the late 84th regiment.

III. These and all other points requisite being ascertained, the boards are to locate the number of acres to which they shall think the petitioner entitled, as nearly as may be, according to the prayer of the petition, conforming themselves nevertheless to the directions contained in the 8th, 9th, 10th, 11th and 13th articles of the rules and regulations of the 17th of February, and the second, third and all the following articles of the additional rules and regulations of the 25th of August last, all which, as far as they regard the surveyor-general's office, shall be executed by the acting surveyors of the respective districts under the superintendence and orders of the boards.

IV. That as often as any competitions arise, by a diversity of applications or otherwise, for one and the same tract, the boards shall endeavour amicably to adjust the same among the parties interested, and, on failure thereof, they shall hear the different competitors in support of their claims, and decide between them with due impartiality, according to the merits of the case, and where there is no equitable ground of preference to either, the issue shall be determined by lot.

V. That the boards make full and distinct reports upon all the foregoing particulars, annexing copies of the proofs exhibited to them as often as their nature may permit, declaring themselves satisfied therewith, and concluding with a recommendation of the petitioner for a grant of the specific number of acres located by them, to which, under all or any of the considerations aforementioned, and which of them in particular they shall think him justly entitled.

VI. That all such reports be made by the respective boards at the end of every three months or oftener, to the office of the Governor's secretary, by the transmission of a fair copy