

effectual means for protecting such of them as have an equitable claim to consideration, and whom a humane and wise policy shall point out as fit objects for protection.

4th. In regard to Officers of the Army and Navy, I did not think it necessary to make any express stipulation. It will be for the Legislature of New Brunswick to consider whether the advantages accruing to the Province from the resort to it of that class of settlers, are such as to justify the offer to them of peculiar privileges. If the Council and Assembly should decide to continue to naval and military settlers a remission in the purchase money of such Land as they may buy at public auction, His Majesty will cheerfully accede to such an arrangement ; but as this is a question immediately affecting the proceeds of the sales of the Crown Lands, the consideration of it now belongs to the Legislature of New Brunswick alone.

5th. In like manner His Majesty's Government have not reserved the right to grant any future endowments in Land to Schools or Churches. Although they would be most anxious by every means in their power to promote the general dissemination of religious and moral instruction, they yet see much reason to doubt whether that object can be effectually advanced by a reservation to the Crown of the right of granting such endowments to ecclesiastical or scholastic institutions. The arguments which have led them to this opinion are very fully detailed in Lord Aberdeen's Despatch to you of the 27th March, 1835. I cannot doubt that ample provision will be made by the Legislature of the Province for purposes of education. The intimate acquaintance of the Members of the Legislature with the wants of their fellow Colonists, will enable them to judge in what manner this important object may be best attained, while the ample funds at their disposal will afford them the means of carrying their decision respecting it into effect. The subject is one most interesting to every inhabitant of New Brunswick, and cannot be entrusted to better hands than those of the Provincial Legislature.

6th. You observe that by the fifth section of the Bill a new feature will be introduced into all questions respecting titles to real property, and that the rule of law by which the Great Seal is considered as *prima facie* evidence of title will be set aside—that it will hereafter be incumbent on the Grantee in addition to the production of his Grant, to prove that the formalities required by the fifth section of the Civil List Bill have been complied with, and that after the lapse of some years it would be very difficult to procure the necessary evidence for that purpose. I confess that I do not apprehend any serious difficulty on this ground. The rule being once established that no land is to be disposed of except by sale at public auction, the production of a Grant under the public seal would of itself be *prima facie* evidence that this rule had been complied with. The burthen of proving the contrary must, I conceive, fall on the questioning party, and I presume that the official Records of the Land Granting Department would be received as conclusive testimony of the circumstances of the sale. As this point however has been brought to the notice of the House of Assembly, they will doubtless take the necessary steps for guarding against any inconvenience, and obviating any doubts of the nature which you anticipate. But it may perhaps be necessary to take more effectual means than have hitherto been adopted for ensuring the safe custody of the records of the Land Granting Department, and for making it appear on the face of every sale whether