

"powers, to propose and carry out measures, which, in his judgment, he thought beneficial, and been held responsible for those measures, as well as for the performance of the ordinary duties of his office, I am bold to say, that the interests of the Indians would have been better consulted."

Upon certain points, so strongly animadverted upon by the Chief Superintendent, especially the sales of the Indians' Lands, and the imputed want of economy connected therewith, your Committee examined the Commissioner of Crown Lands, who explains the nature of such sales, and gives very fully his reasons why the conduct thereof cannot, in his opinion, with any propriety, be removed from the Department of the Surveyor-General, or any material alteration made therein.

"The principal sales of Indian Lands, made by this Office, have been at Auction, under the authority of His Excellency the Lieutenant-Governor, for the time being. The terms of sale are: one-fourth of the purchase money down, or within a month; the remainder in three equal annual instalments, with interest upon each instalment as it becomes due, or in other words until it is paid."

"It has not been found that regularity in making those payments has been the result of the credit given, nor has it hitherto been considered expedient to resort to measures more compulsory than a notice in the Gazette, calling upon the purchasers of Indian Lands to comply with the terms of sale, the lands and improvements thereon being subject to the debt and accruing interest, no doubt can be entertained of the security as to final payment. It has been suggested to me, by persons of much experience, that great general benefit would arise, if Indian Lands were sold by private contract by the several Agents in their respective Districts, in like manner as Crown Lands, and under the same regulations, pursuant to the Act of the Provincial Parliament for the disposal of Public Lands, promulgated on the 17th May, 1838. I am not prepared to agree with this opinion to the extent expressed as regards Indian Lands, for the following reasons:—In the first place, I am confident that if U. E., Militia, and Military claims, were received in payment for Indians' Lands, as for Crown and Clergy, that they, in connection with the two former, would be of far larger amount than the receipts in money for Crown Lands, which would render it impossible for me to pay to the Indian the amount due to it by the Crown Fund, (now in arrear.) I therefore think it impracticable at present, to receive these claims in payment of Indian Lands."

"2ndly.—The proceeds of Indian Lands are, I have no doubt, enhanced by the system of a credit sale, a higher price being obtained in consequence, without a loss of interest; and although I do not advocate a credit system for the disposal of public Lands generally, yet, under the present distressed state of the monied interests in this Province, and in the neighbouring Republic, I cannot see that any benefit would result publicly, or to the particular service, by change at this crisis from a partial credit to a cash sale."

"It appears evident to me, however, that the power to sell by private contract, Lands upon which a fixed price has been placed, and its correctness as to value tested by competition at auction, where the lands have been withdrawn unsold, must have a beneficial tendency upon the interest particularly affected, inasmuch as no opportunity is lost of making sales to actual settlers, who are generally the class of persons likely to seek for such purchases from the resident Agents, in the Districts where the Lands are situated, and who by their occupation and improvement of the Lands so bought, raise the value of the unsold portion, or at least make it saleable, though of inferior quality."

"That a system tending to facilitate the disposal of Public Lands, by giving the person desirous to settle an opportunity of at once purchasing, and laying out on the improvement of his Land a portion of his capital, which is otherwise spent in support of his family, waiting upon periodical sales at auction, is a public benefit cannot be denied."

"The upset prices of Land thus sold may be varied periodically, should circumstances call for increased value, the propriety of which may be at once tested by a sale at auction. In all sales of Public Lands made at present a deposit in money is paid down, and is liable to be forfeited should the purchase not be completed. This plan has been found completely to obviate an evil which gave rise to a very just complaint, namely, the bidding off of Public Lands by persons not having a bona fide desire to purchase, upon the speculation of selling the interest acquired by the bid at auction, to some person desiring to purchase the Land."