

commencement of the Land Granting Department ought to be fixed, not only because the former proceedings being contrary to the express Instructions of Government (altho' Government with becoming dignity did not mean to vacate them) were null, but also because the essential powers to put the business into motion were not 'till this juncture combined or even created. From this time the Executive Council being aware of the mischiefs arising from actual settlement without a compliance with the previous formalities, have uniformly endeavoured to inhibit it, and have employed themselves to carry His Majesty's Instructions into execution, with respect to past proceedings, if not in the order in which they had been directed, at least to their full extent ; and with respect to the future proceedings duly to observe the order prescribed by His Majesty to prevent actual Settlement 'till all previous requisites, should be faithfully observed, and as evidence, that such was both their resolve and practice, they beg leave to refer Your Excellency to a Public Notice, bearing date the tenth October seventeen hundred and ninety four, recorded in the Council Book (C), page 367, in which the distinction before alluded to is plainly made, namely, that those who had obtained Warrants of Survey should comply with the directions therein stated, prior to the issuing of any Grant of Land ; and that they who meant to apply for any such Warrant should also conform thereto, and this was published with a direct view of preventing the unauthorized Settlement of any person in future, as no Warrant of Survey would be issued or has since been issued without a previous compliance with such directions ; and with a view to quicken the attention of those who, having taken possession under their Warrant of Survey, were contented with their occupancy and did not seem disposed to give themselves any further trouble, Public Notice was given from the Executive Council Office, on the seven-