

1795, Simcoe

A PROCLAMATION,

To such as are desirous to settle on the lands of the crown in the Province of
UPPER CANADA;

BY HIS EXCELLENCY

John Graves Simcoe, Esquire;

Lieutenant Governor and Commander in Chief of the said Province, and Colonel
Commanding His Majesty's Forces, &c. &c. &c.



BE IT KNOWN to all concerned, that his majesty hath, by his royal commission and instructions to the governor, and in his absence the lieutenant-governor or person administering the government for the time being, of the said Province of Upper Canada, given authority and command to grant the lands of the crown in the same by patent under the great seal thereof; and it being expedient to publish and declare the royal intention respecting such grants and patents, I do accordingly hereby make known the terms of grant and settlement to be:

FIRST.—That the crown lands to be granted be parcel of township: if an inland township, of ten miles square, and if a township on navigable waters, of nine miles in front and twelve miles in depth, be run out and marked by his majesty's surveyor or deputy surveyor general, or under his sanction and authority.

SECOND.—That only such part of the township be granted as shall remain, after a reservation of one seventh part thereof, for the support of a protestant clergy, and one other seventh part thereof, for the future disposition of the crown.

THIRD.—That no farm lot shall be granted to any one person which shall contain more than two hundred acres; yet the governor, lieutenant governor or person administering the government, is allowed and permitted to grant to any person or persons such further quantity of land as they may desire, not exceeding one thousand acres, over and above what may have been before granted to them.

FOURTH.—That every petitioner for lands make it appear, that he or she is in a condition to cultivate and improve the same, and that, besides taking the usual oaths, subscribe a declaration (before proper persons to be for that purpose appointed) of the tenor of the words following, viz. "I A. B. do promise and declare that I will maintain and defend to the utmost of my power the authority of the king in his parliament as the supreme legislature of this Province."

FIFTH.—That applications for grants be made by petition to the governor, lieutenant governor, or person administering the government for the time being, & where it is advisable to grant the prayer thereof a warrant shall issue to the proper officer for a survey thereof, returnable within six months with a plot annexed, and be followed with a patent granting the same, if desired, in free and common socage, upon the terms and conditions in the royal instructions expressed, and herein after suggested.

SIXTH.—That all grants reserve to the crown, all coals, commonly called sea coals, and mines of gold, silver, copper, tin, iron, and lead; and each patent contain a clause for the reservation of timber for the royal navy of the tenor following: "And provided also, that no part of the tract or parcel of land hereby granted to the said and his heirs, be within any reservation heretofore made and marked for us, our heirs and successors, by our surveyor general of woods, or his lawful deputy; in which case, this our grant for such part of the land hereby given and granted to the said and his heirs forever as aforesaid, and which shall upon survey thereof being made, be found within any reservation, shall be null and void, any thing herein contained to the contrary notwithstanding."

SEVENTH.—That the two sevenths reserved for the crown's future disposition, and the support of a protestant clergy, be not severed tracts, each of one seventh part of the township, but such lots or farms therein, as the surveyor-general's return of the survey of the township, shall be described as set apart for these purposes, between the other farms of which the said township shall consist, to the intent that the lands to be reserved may be nearly of the like value with an equal quantity of the other parts to be granted out as afore-mentioned.

EIGHTH.—That the respective patentees are to take the estates granted to them severally free of quit rent and of any other expences, than such fees as are or may be allowed to be demanded and received by the different officers concerned in passing the patent and recording the same, to be stated in a table authorized and established by the government, and publicly fixed up in the several offices of the clerk of the council, of the surveyor general, and of the secretary of the Province.

NINTH.—That every patent be entered upon record within six months from the date thereof, in the secretary's or register's offices, and a docket thereof in the auditor's office.

TENTH.—Whenever it shall be thought advisable to grant any given quantity to one person of one thousand acres or under, and the same cannot be found by reason of the said reservations and prior grants within the township in the petition expressed, the same, or what shall be requisite to make up to such person the quantity advised, shall be located to him, in some other township, upon a new petition for that purpose to be preferred.

And of the said several regulations, all persons concerned are to take notice, and govern themselves accordingly.

Given under my hand and seal, in the city of Quebec, the seventh day of February, in the thirty-second year of his majesty's reign, and in the year of our Lord, one thousand, seven hundred and ninety-two.

John Graves Simcoe.

BY HIS EXCELLENCY'S COMMAND,
THOMAS TALBOT, *Acting Secretary.*

[Re-printed at Newark, by G. TIFFANY, 1795.]