

deration for such improvements, but if they become purchasers of such portion, they may have credit for the purchase money to the extent of fifty acres, in common with other settlers, and receive titles on executing Bonds and paying interest as aforesaid.

6th.—Reserves to be made in every location of lines of road, and allotments for Schools and places of Worship, which Reserves will not be allowed to be broken or sold.

Persons desirous of forming a settlement may make application at the Crown Land Office, stating their names, and pointing out the situation where they may wish to settle, when, if approved of, a survey will be ordered, and the lots when surveyed, will after due notice in the Royal Gazette, be put up for sale at Public Auction at an upset price to be fixed by the Government.

Purchasers at such sale are distinctly to understand, that they must come prepared, either by themselves or their agent, to pay the first year's interest on the purchase money at the time of sale, and that no grant will be passed or permission given to occupy the land, without such payment being made, nor until the Bond for payment of the purchase money shall have been duly executed and delivered; and that the Bonds will be peremptorily enforced against any purchaser who may neglect to clear and settle the land, or who shall be found cutting off and disposing of the Timber without making efficient settlement.

The attention of persons desirous of purchasing more than fifty acres is also called to the 4th Article of the Regulations, by which they will observe, that no part of such purchase is to be on credit, but the whole purchase money is to be paid down at the time of sale.

By order of the Lieutenant Governor.

WM. F. ODELL.

Secretary's Office, 2d December, 1842.

BY COMMAND.

Downing Street, 16th October, 1839.

SIR,—I am desirous of directing your attention to the tenure on which Public Offices in the Gift of the Crown appears to be held throughout the British Colonies, I find that the Governor himself, and every person serving under him, are appointed during the Royal pleasure, but with this important difference,—the Governor's Commission is in fact revoked whenever the interest of the public service are supposed to require such a change in the administration of local affairs; But the commissions of all other public officers are very rarely indeed recalled except for positive misconduct. I cannot learn that during the present or the two last Reigns a single instance has occurred of a change in the subordinate Colonial Officers, except in cases of death or resignation, incapacity or misconduct. This system of converting a tenure at pleasure into a tenure for life, originated probably in the practice which formerly prevailed, of selecting all the higher class of Colonial Functionaries from persons who at the time of their appointment were resident in this Country; and amongst other motives which afforded such persons a virtual security for the continued possession of their places, it was not the least considerable, that except on those terms they were unwilling to incur the risk and expense of transferring their residence to remote and often to unhealthy climates. But the habit which has obtained of late years, of preferring, as far as possible, for places of trust in the Colonies, persons resident there, has taken away the strongest motive which could thus be alleged in favor of a practice to which there are many objections of the greatest weight. It is time therefore that a different course should be followed; and the object of my present communication is to announce to you the rules which will be hereafter observed on this subject in the Province of New Brunswick.

You will understand, and will cause it to be generally known, that hereafter the tenure of Colonial Officers held during Her Majesty's pleasure, will not be regarded as equivalent to a tenure during good behaviour, but that not only such officers will be called upon to retire from the public service as often as any sufficient motives of public policy may suggest the expediency of that measure, but that a change in the person of the Governor will be considered as a sufficient reason for any alterations which his Successor may

deem it expedient to make in the list of public functionaries, subject of course, to the future confirmation of the Sovereign.

These remarks do not extend to Judicial Officers, nor are they meant to apply to places which are altogether Ministerial, and which do not devolve upon the holders of them, duties, in the right discharge of which, the character and policy of the Government are directly involved. They are intended to apply rather to the Heads of Departments than to persons serving as Clerks, or in similar capacities under them; neither do they extend to officers in the services of the Lords Commissioners of the Treasury. The functionaries who will be chiefly *though not exclusively* affected by them are the Colonial Secretary, the Treasurer or Receiver General, the Surveyor General, the Attorney and Solicitor General, the Sheriff or Provost Marshall, and other officers, who under different designations from these, are entrusted with the same or similar duties. To this list must also be added the Members of the Council, especially in those Colonies in which the Legislative and Executive Councils are distinct Bodies.

The application of these Rules to Officers to be hereafter appointed, will be attended with no practical difficulty. It may not be equally easy to enforce them in the case of existing Officers, and especially of those who may have left this country for the express purpose of accepting the Offices they at present fill. Every reasonable indulgence must be shewn for the expectations which such persons have been encouraged to form. But even in these instances, it will be necessary that the right of enforcing these Regulations should be distinctly maintained in practice as well as in theory, as often as the public good may clearly demand the enforcement of them. It may not be unadvisable to compensate any such Officers for their disappointment even by pecuniary grants, when it may appear unjust to dispense with their services without such an indemnity.

I have, &c.

(Signed)

RUSSELL.

Major General Sir JOHN HARVEY, &c. &c. &c.

GOVERNMENT NOTICE.

IT having been reported that various Persons have obtruded upon the Crown Lands in different parts of the Province, and the clearances thereon, and several of them having thus trespassed on Locations which are in process of Survey, for the purpose of Settlement, Notice is hereby given, That all such Persons will be treated as Trespassers, and that when such Lands are offered for Public Sale, the allotments will be disposed of without reserve, to the highest bidder, according to Law.

By Order of the Lieutenant Governor.

WM. F. ODELL.

Secretary's Office, 1st October, 1842.

GOVERNMENT NOTICE.

THE Regulations of the 11th of April last, having, in many cases of Applications for renewal of School Licences, been either misunderstood or neglected, are republished for the information of all persons concerned; and Applicants for Licences, whether originally or for renewal, are desired to take notice that their applications will only be attended to when accompanied by Certificates of the Rector or Minister of the Congregation or Denomination to which the majority of the Children attending the School belong; or, in case there be no Rector or resident Minister, of some visiting Minister to whom the Applicant may be known.

The attention of Trustees of Schools is also particularly requested to those Regulations.

By Order of the Lieutenant Governor.

WM. F. ODELL.

Secretary's Office, 22d November, 1842.

REGULATIONS.

1st. That every Candidate shall produce a recommendation from the Trustees of the School proposed to be established, who are also to state the situation of the School, and the number of the Children of either sex attending, or likely to attend it.

2nd. The addition to the Certificate of religious and moral character, required from the Minister of the Congregation to which the Candidate may have belonged, the Minister of the Communion to which the Children, or a majority of them may belong, should be requested to certify either from his own knowledge, or from dili-