

The despatches accompanying this message being read at the clerk's table, are as follow :—

SETTLEMENT OF PROVINCE.

Extract of Despatch, No. 65, of July 2, 1846, from Sir William Colebrooke to Mr. Gladstone.

The loans authorized to be made to poor settlers through the Justices of the Peace in counties, to be returned in labour upon the roads, have in some counties been taken up; the principle is not inapplicable to the condition of the people in the remote settlements where the greatest distress has prevailed, and who, having no access to markets, could not look forward to being able to repay such advances in money.

(Signed)

W. M. G. COLEBROOKE.

Extract of Despatch, No. 31, of November 12, 1846, from Earl Grey to Sir William Colebrooke.

I have advised Her Majesty to leave to its operation the Act No. 1699, which provides for making loans to poor settlers for the purchase of potato seed. But I must remark that the proposed mode of obtaining the repayment of these loans by labour on the roads is a bad one. All experience shows that labour in payment of a debt is always inefficient; the settlers should repay by instalments in money. If it be necessary to enable them to do so, they might be given employment on the roads at fair wages, which, if possible, should be paid by the piece.

(Signed)

GREY.

Sir W. M. G. Colebrooke to Earl Grey, dated Fredericton, New Brunswick, Dec. 29, 1846. *Vide Papers* relative to Emigration, presented by Command, Feb. 1847, page 38.

Lord Grey to Sir W. M. G. Colebrooke, dated Downing Street, January 29, 1847. *Vide ditto*, page 44.

Extract, Journals, House of Assembly, April 12, 1847.

On motion of Mr. Brown,

Whereas the subject of Immigration, so intimately connected with the prosperity of this province, has deeply engaged the attention of this House during the present Session, and a Bill for the encouragement and settlement of emigrants has been reported by a Select Committee, and fully discussed by the House; and whereas the said Bill was abandoned for the purpose of substituting, in lieu thereof, an humble and dutiful address to Her Most Gracious Majesty the Queen; and a Committee was appointed to prepare the said address; and whereas it appears, on further investigation, that the subject is surrounded by very serious difficulties and liabilities, involving the unavoidable expenditure of large sums of money altogether beyond the means of this province; and although this House is of opinion that the employment of emigrants on any Public Works carried on by the Home Government on a large scale, would tend to advance the settlement of the wilderness lands, while the placing of inexperienced settlers in the woods would unavoidably lead to distress, suffering and want; therefore—

Resolved, That it is inexpedient at present to make any further or other provision for emigrants than that already made by existing laws and regulations, and that the Select Committee appointed to prepare the said address be accordingly discharged.

Crown Land Office, 12th April, 1847.

I have the honor to acknowledge the receipt of your communication, dated 10th April instant, enclosing the copy of a Despatch from the Right Hon. Earl Grey, relative to settlements formed on the Association system, and desiring from me a Return and Report in terms of the Despatch, so far as the information in my possession may enable me to do so.

The only information which I possess upon the subject of Lord Grey's Despatch, is the names of purchasers under the Association system; the amount of purchase money, whether due or paid; the interest on each, whether due or paid; and the number of bonds taken and grants issued.

These heads of information would but imperfectly acquaint Lord Grey with the practical result of the system in question; and I therefore beg to suggest, for his Excellency's consideration, whether it may not be expedient to direct an inquiry and examination into the present state of the various Association settlements, in order to ascertain the number of settlers actually remaining in possession of the land sold to them, the improvements made, and such other matters as may be requisite for the construction of a perfect Return and Report, embracing the various heads of information specified by Lord Grey.

The expense of this inquiry, if conducted with a due regard to economy, could not amount to a large sum; and the information thus required would be advantageous to the Provincial Government, as well as to the Secretary of State.

I have, &c.

(Signed)

THOS. BAILLIE, Sur. Gen.

The Hon. the Provincial Secretary.

REGULATIONS FOR THE DISPOSAL OF CROWN LANDS.

See Gazette Dec. 7, 1842, page 401.

REGULATIONS FOR THE DISPOSAL OF CROWN LANDS IN THE PROVINCE OF NEW BRUNSWICK.

See Gazette May 17, 1843, page 608.

HARVEY SETTLEMENT.

Report from Hon. L. A. Wilmot, Commissioner for Harvey Settlement.

RETURN OF HARVEY SETTLEMENT FOR THE YEAR 1843.

TEETOTAL SETTLEMENT.

Report from Hon. L. A. Wilmot, Commissioner for Teetotal Settlement.

RETURN OF TEETOTAL SETTLEMENT FOR THE YEAR 1843.

See Appendix to House of Assembly Journals, 1844, page 93 to 97.

Extract of a Letter relative to the opening of Roads in the State of Maine, dated January 14th, 1847.

In reply to your inquiry as to the legal mode of laying out and making roads in Maine, and the means by which the same are maintained, I would say that our statutes recognize three different classes of roads, to wit, county roads, town roads, and private ways.

The first class comprises those roads which lead from town to town; the two other classes comprehend roads lying wholly within the limits of a town; and the distinction between these two is, that a town road is laid out and made at the expense of the town for the accommodation of all the inhabitants, while private ways are intended for the use of certain of the inhabitants especially, and are made and maintained at the expense of those for whose use they are practically designed.

The county roads are located by the Court of County Commissioners, a tribunal which has succeeded to the Old Court of Sessions. When a road leading from one town to another or lying in several towns is wanted, a petition for its location is presented to the County Commissioners at the time appointed, and after thirty days public notice in all the towns in which the road, or any part of the road may lie, proceed to view the route of the proposed road, and to hear all parties interested; if they deem the road one of "common communion and necessity," they lay it out, and estimate the damage sustained by the several proprietors of the lands through, or over which it passes. A return of their doings, and plan of the road are made and recorded, and the matter is continued for two of the regular Sessions of the Court, in order to give to those whose lands are taken, an opportunity of claiming more damages than had been awarded them. If such claims are made, the parties preferring them may have a hearing before a jury, or a Committee as may be agreed, and the proceedings in relation to the road are delayed until such claims are disposed of; then, or in case no such claims are presented, after the two continuances, the proceedings are closed and the location established. The damages sustained by the different individuals as estimated by the Commissioners, are determined after a hearing by the jury or committee, are paid from the County Treasury, upon orders drawn by the Court of Commissioners.

The owners of the land through which the road is laid, are allowed one year from the time when the proceedings before the Court of County Commissioners are closed, to take off the wood standing on the route, and a time, not exceeding three years, is allowed for opening and making the road.

After the road is located and established, it is to be opened and made by the towns through which it passes, each town making so much as lies within its boundaries, in the same manner that town roads are made. If any town neglects to open and make the road within the limited time, the Commissioners have power to appoint an agent who may proceed in such way as he may deem best to complete the road. The town pays all the sums expended for the purpose, and the statute contains provisions for enforcing the assessment, and collection of the taxes necessary for such purposes.

Town roads and private ways, are laid out by the select men of the respective towns; when requested to lay out a town road, they give seven days public notice of the intention. At the time appointed, they make the location, and report the boundaries and admeasurement to a meeting of the inhabitants, and their Report must be filed in the office of the town clerk, seven days before the meeting at which their Report is to be acted upon. If the Report is accepted, and allowed at such meeting, the road is established. The select men determine what damages, if any, are sustained by individuals through whose land the road is made, subject to the right of the land owners, if dissatisfied with the amount allowed, to apply to the County Commissioners, and have their rights ascertained by a jury, or a committee, if the parties so agree; the damages when ascertained are paid by the town.

If the select men refuse to lay out a way when requested, or if the town, after a road has been laid out by the select men, refuse to accept and allow it, the petitioners may apply to the County Commissioners, and they after due notice, and a hearing of all parties interested, may in the latter case, approve and allow the road, and direct the laying out and acceptance to be recorded by the clerk of the town; in the former case, they may cause the road to be laid out. After town roads are laid out and accepted, if the town neglects to open and make them, the statute provides the same mode of doing it as in the case of county road, i. e., by an agent appointed by the Commissioners.

The same provisions apply to private ways as to town roads, excepting that the damages suffered by the owners of land, are borne by the particular individuals for whose benefit the road is made.

The several towns are required by law to keep all county and town roads within their boundaries in repair, and for neglecting to do this, they are subject to indictment, and upon conviction are fined such a sum as shall appear to the Court sufficient to make the necessary repairs, and the fine is expended under the direction