

of an agent appointed by the Court for that purpose. These cases are cognizable in our district Court, which has succeeded to our Court of Common Pleas.

At their annual meetings in March and April, the towns usually vote such a sum of money as is needed for making and repairing their roads, and choose Surveyors of Highways to superintend this matter. The town is divided into districts by the select men, and a Surveyor of Highways is assigned to each district; it is the duty of each Surveyor to see that the roads in his district are kept in repair. The towns may vote to assess the sum to be raised for the highways in money, like other taxes, or in labour and materials. If it is assessed to be paid in money, it is collected with the other taxes, goes into the Treasury, and is drawn out by the select men as wanted. If the Highway Tax is assessed to be paid in labour and materials, each Surveyor of Highways is furnished with a list of the taxable persons in his district, and the amount of Highway Tax assessed on each individual, and he gives to all notice of the time when he will proceed to work upon the roads.

As many as choose appear at the fixed time, and work out their tax at certain rates per hour, determined by vote of the town. If any neglect to pay their tax in this way, or by furnishing materials to be used in making the repairs, the Surveyor returns to the select men their names as delinquents, and their Highway Tax is added to their money taxes for the next year. There are but few towns that assess their road taxes to be paid in money, but generally in the labour and materials.

Towns have also the power of choosing Road Commissioners instead of Surveyors, but I do not go into an account of their powers and duties, as I think there are very few towns that exercise this power.

Fredericton, November 5, 1841.

SIR,—In reply to your favour of the 29th October, in which you say his Excellency requests me to state, "Whether if parties purchase Crown Lands at Auction, there be any obligation that prompt payment should be made, or if the Crown is precluded from allowing a delay of the payment money, taking interest for the same; and if an occupancy on these terms would create any rights against the Crown from long possession, and whether any form or instrument would be required to hold the land until a grant was made."

As to the first query, I am of opinion, that under the Civil List Bill the Crown is not compelled to demand immediate payment from a person purchasing Crown Land at auction, and that the purchaser may be allowed such period of time for payment as the Crown may deem expedient, provided there be no Royal Instructions to the contrary.

Secondly, that an occupancy of the land under the terms of the agreement for purchase, would not create any rights against the Crown, unless that occupancy should continue without interference on the part of the Crown for a period of forty years, after the time limited for such person to occupy, in which last case, under our Provincial Statute, it may be questionable whether the Crown might not be barred from entering.

And lastly, I consider a licence to occupy, should be given in proper form in writing.

But I think the better way would be to give the person agreeing to purchase, a grant at once, taking a bond from him for the purchase money, payable with interest, which bond would bind the lands until the money shall be paid. *The obligation being endorsed upon the grant.*

I have, &c.

(Signed) CHARLES J. PETERS, Attorney General.  
Hon. Wm. F. Odell, &c. &c.

Copy of a Despatch from the Governor-General of British North America to Earl Grey, enclosing a Memorial from the Montreal Board of Trade for a modification of the Navigation Laws, and for the removal of the Restriction at present applicable to the Navigation of the St. Lawrence by Foreign Vessels.

(No. 16.)

Government House, Montreal, 24th March, 1847.

MY LORD,—I have the honour to transmit for your Lordship's consideration the copy of a Memorial presented to me by the Montreal Board of Trade, which treats of measures of great importance as bearing on the interests of this Province.

I have, &c.

(Signed) ELGIN & KINCARDINE.

ENCLOSURE.

To His Excellency the Right Honorable the Earl of Elgin and Kincardine, Governor-General of British North America, &c. &c. &c.

*The Memorial of the Montreal Board of Trade,*

Humbly sheweth,

That in the opinion of your Memorialists the recently adopted commercial policy of the Mother Country, imperatively demands the immediate attention of the Provincial Legislature, with the view of effecting corresponding modifications in the fiscal and commercial regulations of this Province.

That the laws which press most injuriously upon the energies of the inhabitants of this Province, restricting the freedom of their commerce, discouraging that spirit of industry and enterprise which ought to be fostered and promoted, and, in short, depressing the general welfare by retarding the development of the varied resour-

ces of the Province, are, First, The British Navigation Laws; Secondly, The Imperial Differential Duties; Thirdly, The Duties levied on Agricultural Produce; and Lastly, The Restrictions maintained against Foreign Vessels navigating the St. Lawrence.

The first and last mentioned of the above restrictions, your Memorialists are aware, are not under the control of the Provincial Legislature; but they nevertheless think it necessary to draw your Excellency's attention to their injurious effects upon our commerce and general welfare, in the hope that your Excellency will take such steps as may be necessary to bring them under the notice of the Imperial authorities, as well as to urge the paramount necessity which exists of their being promptly modified to such an extent, as will leave the people free to employ the cheapest vessels they can procure, whether they be British or Foreign, and the inhabitants of Montreal in particular, the power to avail themselves of the advantages to be derived from an unfettered intercourse with foreign nations; without which concessions, your Memorialists despair of being able to maintain a successful competition with their neighbours of the United States, for the extensive and growing trade of the Western regions of America.

Next in the order of importance is the question of the Differential Duties. These your Memorialists conceive to have been virtually placed within the control of the Provincial Legislature by the "British Possessions Act," passed in the last session of the Imperial Parliament, and they would therefore respectfully but earnestly crave, that your Excellency will take such steps as your Excellency may deem advisable, to procure their unqualified repeal.

With respect to the duties on Agricultural Produce, your Memorialists would respectfully urge, that they consider such duties highly objectionable in principle, because they deem it unjust, as well as unwise, to tax the first necessities of life; and injurious, because they tend to limit the export trade of the Province.

Your Memorialists would, in the next place, with the view of promoting and encouraging industry, recommend, that all raw materials required for manufacturing purposes should be admitted free of duty. In this respect, your Memorialists would follow in the footsteps of the Mother Country, which has recognized the principle so fully, that they believe scarcely a duty remains in her tariff upon such materials.

Among the minor suggestions which your Memorialists would venture to make respecting the provincial tariff, are the two following:—

First, That the duties should be levied in the legal currency of the Province; from which your Memorialists would expect to derive much advantage in increased simplicity and convenience; as, wherever specific duties are levied, a troublesome conversion of sterling into currency would be avoided, and time, which is of the utmost importance in the active season, would thereby be much economized.

The next suggestion which your Memorialists would make is, that the practice of exacting bonds from importers on placing goods under the Queen's lock, as security for the payment of the duties upon them, should be entirely abolished. Your Memorialists regard this practice as extremely inconvenient and troublesome to importers generally, while on the other hand, they consider it to be quite uncalled for as a means of securing the revenue against loss, inasmuch as the Crown in no instance parts with its lien upon the articles in bond until the duties levied upon them have been paid, or "otherwise secured according to law." Under these circumstances, your Memorialists humbly trust that the vexatious practice in question will be speedily annulled.

Finally, your Memorialists would recommend, that along with the reforms already suggested, the scale of tolls now levied upon the Provincial Canals should undergo a thorough revision, with a view to the substitution of such rates as will be calculated to attract the trade of the West to the channel of the St. Lawrence.

To this recommendation your Memorialists attach much weight, and trust it will have due influence with your Excellency's government in framing the fiscal measures which the present crisis imperatively calls for; and your Memorialists would respectfully add, that all the advantages which they expect to flow from the adoption of the foregoing suggestions, may be seriously endangered by ill-timed apathy or unwise legislation.

And your Memorialists will ever pray.

(Signed) G. MOFFAT,  
(Seal.)

President of the Montreal Board of Trade.

Montreal, 15th March, 1847.

(Signed) F. A. WILSON, Secretary.

PREVENTION OF INFECTION FROM TYPHUS FEVER.—Dr. J.

C. Smith obtained £5,000 from Parliament for the following receipt:

—Take six drachms of powdered nitre (saltpetre) and six drachms of sulphuric acid (oil of Vitriol), mix them in a tea-cup. By adding one drachm of the oil at a time, a copious discharge of nitrous acid gas will take place. The cup to be placed during the preparation on a hot hearth, or plate of heated iron, and the mixture stirred with a tobacco pipe. The quantity of gas may be regulated by lessening or increasing the quantity of ingredients. The above is for a moderate sized room; half the quantity would be sufficient for a small room. Avoid as much as possible breathing the gas when it rises from the vessel. No injury to the lungs will happen when the air is impregnated with the gas, which is called nitrous acid gas, and it cannot be too widely known that it possesses the property of preventing its spread.