

Additional rules and regulations for the conduct of the Land-Office Department

Ajouté de réglemens pour la conduite de l'office du Département des terres

By J. Williams

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Additional Rules and Regulations for the conduct of the Land Office Department.

I. Whereas there is reason to apprehend that delays and abuses have arisen in the Land Granting Department, on account of the distance of the Surveyor General' s Office from its agents or deputy Surveyors, in various parts of the province and that some of the said surveyors have, in divers instances, attempted to dispose of the waste lands of the Crown, without authority, under pretext of executing the King' s instructions to the Governor, relative to the allotments of lands to be made to disbanded troops, and under other colours and pretences; it is therefore hereby Ordered and directed, that all Surveyors employed by the Government, under instructions from the Surveyor General' s Office, for making surveys and allotments on the waste lands of the Crown, in any part of the province, forthwith make reports to the Land-boards for the respective Districts of all allotments made by them (the said surveyors) specifying their authority, that individuals conceiving themselves secured in the possession of such unauthorized locations as are aforementioned, may be apprized of the error . And the Boards are to keep a vigilant eye over all encroachments by individuals upon the waste

lands of the Crown, under pretext of such unauthorized locations, or otherwise; communicating such full information as may be requisite, for discriminating the case of deceived and incautious settlers from other intruders, that those who may reasonably expect the favour of Government, may receive such indulgences as their cases may be found to require.

II. No allotments whatever shall henceforth be made by any of the said Surveyors, except by the written authority, directions or certificate of the respective Boards. And as often as such certificate or authority of the board shall come to the hands of the Surveyor, to whom the same is directed, it shall be his duty to locate the tract therein mentioned, and give his certificate of location to the intended grantee, at the foot, or on the back of the authority of the board accordingly.

And as often as an order of the Governor in Council issues for a grant of lands to be made, the Clerk of the Council shall transmit a copy thereof to the board of the District in which the lands to be granted are situated, to enable the Board to give the authority before directed, for the tract being located by the Surveyor.

III. The Boards are to take care that the orders contained in the tenth article of the Rules and Regulations for the conduct of the Land-office Department, of the 17th. of February last, relative to the dimensions, and subdivision of Townships, be duly executed by the different Surveyors: And for this purpose, the said orders are here inserted at length for the information and guidance of the Boards, viz.

The dimensions of every inland township shall be ten miles square, and such as are situated upon a navigable river or water shall have a front of nine miles, and be twelve miles in depth.

The Town-plot in every Township shall be one mile square. In an inland Township it shall be situated in the centre thereof; and in a Township upon a navigable river or water, it shall be in the centre of the front bordering upon the river or water.

Every Town-lot shall contain one acre more or less.

Every Town park shall contain twenty-four acres more or less.

Every Farm lot, shall contain two hundred acres more or less.

G There Shall be a Public Square or parade, in the centre of the Town, containing four acres more or less.

G There Shall be four more public squares or parades of the like extent at equal and convenient distances from the centre.

B, C, D, E A square of four acres more or less, shall be reserved on each side of the centre square for places of Divine worship, one parsonage house, one School-house, a Court or Town-house, a Prison, and a Poor or Work-house.

F A Square of four acres, more or less, shall be reserved at each of the four corners of the Town-plot for a common Burying ground, hospital, &c.

H Four Squares of four acres each, more or less, shall be reserved for Market-places, at the four extremities of the Town, in a line with, and at equal distances from the four corners.

The eight principal streets leading from the centre square, shall be ninety-six feet wide. All other streets shall be sixty feet wide. All the squares shall be open at the angles or corners.

A An area of half a mile more or less in depth, surrounding the town, shall be reserved for works of defence if necessary, or such other disposition as shall be thought proper at a future period.

The Town-parks shall adjoin and surround the area just mentioned and shall be two hundred and eighty-eight in number in every inland Township, and two hundred and eighteen in number in every Township situated upon a navigable river or water.

I-K One town park shall be reserved for a Minister and one for a School master, adjoining each other.

The remainder of the Township shall be laid out in Farm lots, the number of which in every inland Township, is to be two hundred and fifty-two, and in every Township situated on a navigable river or water, three hundred.

Two farm lots shall be reserved for a Minister, and one for a School master, situated behind the Town-parks, to be reserved for them respectively, and in that division of the Farm-lots which is nearest to the Town.

A In each of the four corners of every inland Township, eight farm lots adjoining each other shall be reserved in the hands of the Crown.

A In each of the four corners of every Township situated upon a navigable river or water, ten farm lots, adjoining each other, shall be reserved in the hands of the Crown.

A The roads in every Township, shall be sixty feet wide.
[Copies of the approved plans according to the above particulars, filed in the Council Office are to be transmitted to each of the boards for their more particular information. *This not in the original.*]

[Under the line at the bottom of the column is:]

☞ The Letters in the Margin refer to the plans abovementioned.

And all streets and roads are to intersect each other at right angles, at the distances, and in the directions, laid down in the approved plans, filed in the Council office, according to the foregoing particulars, copies of which are to be transmitted to each of the Boards for their more ample information.

IV. And in as much as local circumstances may sometimes render a deviation from the foregoing orders, respecting the site of the Town, and the directions of the Roads, more eligible for the general convenience of the settlers, the Boards are hereby authorized to direct such deviations therefrom, in the said particulars, as the circumstances

may require; But the Surveyors shall, on no pretence whatever, make any deviation from the general orders, in these, or any other respects, but by the written authority of the Boards .

And it shall be the duty of the Boards, in every such case, to report the Reasons for their Act, to the Governor or Commander in Chief for the time being, with all convenient speed.

V. For the exercise of due caution in the ordering of any such deviation from the general models respecting the sites of Towns, and the directions of Roads, as may be authorized by the boards under the preceding article, it shall be the duty of the Boards, as often as one or more new Townships are to be laid out, to call in the Magistrates, the officers of the militia and other intelligent planters of the Vicinity thereof or the District at large, as the importance of the case may require, to assist in their deliberations respecting the aforesaid particulars; the majority of whom, and of the Members of the Board present, shall determine the necessity of the deviation proposed, and the proper spot for the Town, and the proper directions of the Roads in every such Township, and the Board shall thereupon proceed to authorize and report the same, as directed in the preceding article.

VI. With respect to all Townships laid out prior, and not according to the foregoing regulations (many of which townships are now considerably advanced in their settlements), the Boards are nevertheless to deliberate and fix upon the proper sites for Towns, Town-parks, glebes for a Minister and Schoolmaster, and the directions of the Roads in the manner directed in the preceding article. If the choice shall fall upon lands already located in due form, the consent of the Occupants or rightful Claimants must first be obtained by an agreement between them, and the inhabitants of the township in general; to facilitate which, the Boards are hereby authorized to give them, severally, certificates directed to one of the Acting Surveyors of their district, for as many acres of the vacant lands of the Crown, in that or any other Township as they shall have relinquished their claim to, by the agreement so made.

VII. As often as the complete execution of the directions, contained in the third Article of these Regulations, shall be prevented, by reason of the necessary space for that purpose being already under promises of Grants to individuals, who may be unwilling to relinquish their claims to the same, the Township, viz.

1. One or more place or places for the public Worship of God.
2. A common burying ground.
3. One Parsonage house
4. A common School house.
5. A Town park for one Minister.
6. A Town park for one Schoolmaster, common to the Town.
7. A Glebe for one Minister.
8. A Glebe for one Schoolmaster, common to the Town.
9. The Court or Town house.
10. The Prison.
11. The Poor or Work house.
12. A Market place.

proceeding therein, and in the other offsets pointed out in the third article of these Regulations, as far as circumstances may permit.

VIII. As often as the settlements of the Farm lots in a Township, are sufficiently advanced, in the opinion of the Boards, to render the distribution of the Town lots useful for the establishment of Mechanics and the erection of a Church, Parsonage and School house, &c. the Boards are to order the Surveyor to lay out the Town lots and number the same; after which the Boards are to receive applications, and upon due examination of the Character and Pretensions of the Petitioners, to issue to them Certificates, for such lots, in the usual manner.

IX. The boards shall not issue any Certificate for more than one Town lot of one acre or one Town lot and one Town park of twenty-four acres together, to the same person (being the head of a family) and this only upon condition of his building a Dwelling house on such Town lot and occupying the same, within the space of one year from the date of the Certificate. And in cases of Competition the Boards are to give the

preference to such Applicants, for whose trades and occupations the respective lots, on account of their situation near the Water, or otherwise, may be best calculated; and to such sober and industrious Mechanics, whose trades are most necessary to the convenience of the Township in general. And the Boards are to be particularly careful to discountenance frivolous applications, and not to authorize any transfers of unimproved Town lots and Town parks, which only tend to create a mischievous Monopoly of the ground. Nor shall any Town parks be granted separately from Town lots, the former being intended for the convenience of the settlers upon the latter; and a failure in the condition, upon which the Town lots are granted, shall operate the forfeiture of both.

X. Nothing contained in the foregoing Rules and Regulations, shall be construed to prevent the Surveyor General or Deputy Surveyor General from the execution of their duty and instructions, in whatever part of the Province either of them may be present; nor to extend to the abolition, relaxation, or restriction, of the accustomed chain of duty or Official intercourse between the Surveyor General's Office and its Agents or Deputy Surveyors respectively, in any part of the Province.

By Command of His EXCELLENCY the GOVERNOR.

J. WILLIAMS

QUEBEC, Printed by Samuel Nielson, in Mountain Street.

[In script]

I certify the ? to be a true copy from the minutes of the Council
Council Office, Quebec ? September 1789. [signed] J Williams