The following Bill was ordered to be printed by the Legislative Council, previous to its being taken into consideration at the next sitting of the Legislature.

JOHN ONANTES, *Actg. Clerk, Leg. C.*

A Bill intituled an Act for the relief of the American Loyal Emigrants, and disbanded Troops in this Colony.

WHEREAS in the year Seventeen Hundred and Eighty Three, a number of Proprietors of Land in this Colony, willing to promote the settlement of the Island, to procure an abatement of Quit Rent and to encourage the American Loyal Emigrants, did engage with His Majesty by memorial to Lord North, one of His Majesty's Ministers, to grant to the Loyalists, as the said Proprietors held of the Crown, and in the same proportion as the Loyal Emigrants received in Nova Scotia one fourth part of said Proprietors' Land, which engagement being accepted of by His Majesty's Government, an additional royal instruction was sent to this Island, of which the following is a copy.

George Rex.

(L.S.) "Additional instructions to our trusty and well-beloved Walter Patterson, Esq. our Captain General and Governor in Chief of our Island of St John, in America, or to the Commander in Chief of the said Island for the time being. Given at our Court at St. James' the Twenty-fourth day of July, Seventeen hundred and eighty-three, in the Twenty-third year of our reign.

"Whereas it has been represented unto us that certain of our loving subjects, Proprietors of Land in our Island of St. John, in commiseration of the distress to which many of our faithful subjects [heretofore inhabitants of the Provinces and Colonies, now the United States of America,] are reduced, in consequence of the loyalty and adherence to their allegiance to us, have agreed to transfer and convey certain proportions of the Lands by them respectively held by grant from us, to such of our said faithful subjects who may be inclined to settle thereupon and their Heirs and Assigns for ever in fee. In order therefore to promote such the laudable intentions of our said loving subjects under the description aforesaid, who may be inclined to avail themselves of those intentions. It is our will and pleasure that you do give directions that all conveyances and other Deeds necessary for transferring such parts of the lands as shall be agreed to, be conveyed to our faithful subjects aforesaid, be prepared by our Attorney General of the said Island of St. John; and when executed, be duly recorded in the Secretary's Office of the same, and that our Secretary of the said Island shall make out a docquet of all deeds so recorded, specifying the name of the proprietor conveying, of the person to whom the land is conveyed, the quantity of land conveyed, and the number of the Lot of which the same was a part, which docquet shall from time to time be delivered by him to the Receiver General of our Quit Rents, who shall discharge in the Rent Roll, such Proprietors from any future Quit Rent upon the Land so conveyed, for which the person to whom the same is conveyed, his Heirs or Assigns, shall thereafter stand chargeable in the said Rent Roll. It is nevertheless our will and pleasure that no Land conveyed as aforesaid, shall be liable to the payment of any Quit Rent, to us our Heirs and Successors, till ten years after the date of the respective conveyances.

"And in order to relieve our subjects who have agreed to convey a part of the Lands held by them as aforesaid: it is our will and pleasure that any Arrears of Quit Rent that may have been due and unpaid, upon the quantities of land which they may convey, shall be remitted, and they discharged therefrom; or in case such arrears shall have been paid, our Receiver General of the Quit Rents, shall repay to the person or persons so conveying, so much of the last payment made as shall have been paid for the part of the lands so conveyed; you are, however, to take especial care that under color of complying with this our instruction, no collusive conveyances are made in order to obtain a remission of arrears of Quit Rent, but that in every instance the indulgence and encouragement hereby granted be confined to actual and bonafide conveyances for the purposes hereinbefore mentioned and no other.

"And in order to prevent any Persons disaffected to us and our Government from becoming settlers in our said Island. It is our will and pleasure that all persons who shall be desirous of availing themselves of the good intentions of our said loving subjects, and to become settlers upon the Lands to be conveyed to them as aforesaid, shall, before the execution of the conveyance by them to be made, besides taking the usual oaths directed by law, also make and subscribe the following declaration in the presence of you or our Commander in Chief for the time being, or of such Person or persons as by you or him shall be appointed for that purpose, 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 Island."

And it is our further will and pleasure that the following conditions and exceptions be inserted in and made a part of every conveyance which shall be made of lands within the meaning of this our Instruction, that is to say: "It is hereby further covenanted and agreed by "and between the parties above-mentioned, that if the "Lands hereby granted and conveyed by the said A.B. "to the said C. D. and his heirs as aforesaid, shall at "any time or times hereafter come into the tenure or "possession of any person or persons whatever, inhabitants of our said Province, either by virtue of any deed "of Sale, Conveyance, Enfeoffment, or Exchange, or by "Gift, Inheritance, Descent, Devise, or Marriage, such "person or persons being inhabitants as aforesaid, shall, "within Twelve months after his, her, or their entry "and possession of the same, take the oaths appointed "by Law, and make and subscribe the following declaration, 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 Island, before some one of the said "Magistrates of the said Island, and such declaration "and certificate of the Magistrate, that such oaths have "been taken shall be recorded in the Secretary's Office "of the said Island, within two months after taking and "making, and subscribing the same. In default of which, "this present conveyance, and every part and condition "thereof, shall be void to all intents and purposes; and "it shall and may be lawful to and for the said A. B. "his Heirs or Assigns again to enter upon and repossess "the Lands and premises hereby granted and conveyed, "and every part and parcel thereof, any thing herein "contained to the contrary notwithstanding." "And it is our further will and pleasure that our Surveyor General of Lands for the said Island, or his Lawful Deputy for the time being, shall lay out and survey the several parts and portions of Lands which shall be conveyed to our faithful subjects aforesaid, and shall enter the several surveys or plots thereof of record in his office, and you or our Commander in Chief for the time being, with the consent of our Council, shall grant a Certificate to the said Surveyor General, for the actual expence attending such survey, to be ascertained upon oath, together with one half the usual and accustomed Fees of Office upon the same, directed to the Receiver General of our Quit Rents for our said Island, who shall pay and discharge the same out of any monies belonging to us which shall be in his hands; and you shall also grant Certificates from time to time to our Attorney General, for his pains in preparing the Deeds of Conveyance hereinbefore mentioned, provided the same shall not exceed Ten shillings for each Deed; and also to our Secretary for one half the usual and accustomed Fees of Office, for recording such Deeds of Conveyance, directed to our Receiver General of Quit Rents, who shall pay and discharge the same in like manner, and you shall transmit to us through one of our Principal Secretaries of State, a distinct account of what conveyances shall be made, and certificates given as herein directed, and also transmit a duplicate thereof to our High Treasurer, or the Commissioners of our Treasury for the time being.' And thereupon a Proclamation was issued dated the Thirteenth day of October, One thousand Seven hundred and Eighty three, as follows:

By His Excellency, Walter Patterson, Esq. Captain General, Governor in Chief, in and over His Majesty's Island of St. John and the territories thereunto adjacent, Vice Admiral of the same, &c. &c. &c.

A PROCLAMATION.

(L.S.)

Walter Patterson.

"Whereas a number of Proprietors of this Island, have, very generously given up considerable portions of their Estates, to the amount in the whole of Two Hundred Thousand Acres, to be distributed among such of the Refugees, Provincial Troops, or other American Emigrants, as are desirous to become its inhabitants, the Lands to be granted by the Governor and Council, in the same proportion, and on the same terms as are offered in Nova Scotia, and to be given out of the different Townships by Lot, in the fairest and most equitable manner, according to the quantity signed for by each proprietor. And whereas His Majesty has been graciously pleased to extend his Royal Bounties and Gratuities to all persons of the above descriptions, in every respect, and in like manner as to those who settle in Nova-Scotia. I do therefore, by and with the advice of His Majesty's Council, issue this Proclamation- hereby giving notice to all such of the Refugees, Provincial Troops, or other American Emigrants, as wish to become settlers in this Colony, that, in a few days after their arrival at Charlotte-Town, they shall be put in possession of such Lands as they shall be entitled to, free of every expence—that they may depend on the Land being good, neither mountainous, rocky, nor swarmpy, contiguous to navigable harbours, many parts convenient for the Fishery, and in every respect preferable to any at this time unoccupied throughout His Majesty's American Dominions. And that, as a further encouragement, they will meet with a Government very earnestly inclined to give them every assistance and protection in their power, and with loyal fellow subjects, from whom they will receive a most cordial and hearty welcome.

"Given under my hand and Seal at Charlotte-Town, Island of St. John, this Thirteenth day of October, One thousand seven hundred and eighty three, and in the twenty third year of His Majesty's reign.

"By his Excellency's command,

Thomas Desbrisay, *Pro Secy.*"

And whereas a number of Loyal Emigrants and disbanded Troops, who at the publication of said Proclamation were at Yew York or other parts of America within the British Lines, confiding in the promises offer, and description stated in the said Proclamation made choice of and came to settle in this Colony, in preference to Nova Scotia, and such persons have by their laborious industry contributed greatly towards the advancement of this Colony, in agricultural and other beneficial pursuits, but from want of information on the part of said emigrants, and from the irregularity and confusion which at that time prevailed in some of the public departments in this Island, many of the said emigrants accepted of Grants with conditions absolutely impracticable, and by no means similar to the conditions of the grants of Townships from the Crown, and have not strictly complied therewith, many of them have not yet procured Grants or Title Deeds, although their locations of Land were made in manner prescribed and directed by the Governor and Council, and others have not been able to procure Locations, notwithstanding various applications have been made on their part to the proper authority, and although such Loyalists have perfectly conformed to the spirit of the said Proclamation: and the intent of the same has been fully attained and complied with on their part; yet certain Proprietors have purchased Townships of Land in the Colony from the original grantees, [the said Grantees and purchasers having absolutely neglected to perform the conditions of their grants from his Majesty,] seek to evict and disturb the possessions and destroy the claims of those Loyalists, and their Heirs and Representatives, and have actually prosecuted many Loyalists both at Law and in Equity, with that intent. Wherefore, for the relief of the American loyal Emigrants and disbanded troops who came to this Colony, at the time before mentioned, and the heirs and representatives of such persons, and for the purpose of preserving the confidence of such persons in His Majesty's Government, and of promoting their loyal and active exertions in support thereof.

Be it enacted by the Lieutenant Governor, Council and Assembly, that all loyal Emigrants and disbanded Troops, who have heretofore come to reside in this Colony, in consequence and under the terms of the above recited Proclamation, and have obtained grants from any of his Majesty's former Governors or Lieutenant Governors of this Colony, or deeds from the Proprietors aforesaid, of parts of such resigned Lands; and all persons claiming from, by, through, or under such last mentioned Grantees, be, and each and every of such persons are hereby confirmed in their Estates and Titles, in and to the Lands so granted, notwithstanding such Grantees may not have strictly complied with all the terms and conditions of their respective Grants.

And be it further enacted by the authority aforesaid, that all such of the said Emigrants and disbanded