DOCUMENTS RELATING TO THE PURCHASE of the WORRELL ESTATE.

IN THE HOUSE OF ASSEMBLY.
February 14, 1855.

ORDERED, That the following Documents, relating to the purchase of the Worrell Estate, be inserted once in all the Newspapers published in Charlottetown.

JOHN McNEILL, C. H. A.

Mr. Pope's Offer to Sell.

(COPY.)

CHARLOTTETOWN, 19th August, 1854.

Sir,—

For the information of His Excellency in Council, I beg to state, that on behalf of myself and others, interested in the Estate, real and personal, formerly owned by Charles Worrell, Esquire, situate in this Island, I hereby offer to sell the said Estate to the Government, in the terms of the Act 16 Vic., intituled, "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned," subject to a certain mortgage to John Hamilton Gray, Esquire, for the sum of nine thousand pounds, currency, on which said sum interest is paid to the first day of February next coming, but free from all other incumbrances, for the sum of sixteen thousand five hundred pounds, currency, and to accept payment in Debentures, to be issued under the authority of the said recited Act.

The Real Estate is estimated to consist of eighty-two thousand two hundred and eighty-seven acres, of which fifty-two thousand five hundred and ten acres are uncultivated.

On Townships:

No. 38,	say,	9000	acres,
" 39,	"	16,700	"
" 40,	"	10,500	"
" 41,	"	18,000	"
" 42,	"	19,200	"
" 43,	"	3,800	"
" 66,	"	5,087	"

The lands leased are subject to an acreable rent of one shilling and one penny halfpenny.

The names of Tenants, with the extent of their holdings, are shewn in the Plan of the Estate herewith submitted. The Personal Estate consist of Judgment Debts, secured on Real Estate, to the amount of, say, two thousand pounds, and Rent and arrears of Rent, to the amout of several thousand pounds.

I beg to add, that the Estates are offered as fully and amply as I received them from Mr. Worrell's Trustees.

I have the honour, to be,
Your obedient servant,
WM. H. POPE.

Hon. George Coles, Colonial Secretary.

Special Reports of Commissioners.

No. 1.

To His Excellency the Lieutenant Governor &c., &c., in Council.

May it please Your Excellency;

In pursuance of your instructions, we have examined Townships Nos. 38, 39, 40 and 66, being a portion of the Estate offered for sale by William H. Pope, Esquire, and have to report as follows:—

1st class, 10,097 *acres.*—We find 10,097 acres of a class which we think when sold would realize 11s. per acre.

2nd do., 25,497 *acres.*—25,497 of a secondary class, value 5s. per acre.

3rd do., 6,800 *acres.*—6,800 of a description which, were it not that they generally abut on farms and contain the water, we might consider of no value; but being so situated we consider them worth 1s. per acre; a large portion of the same being already measured with the occupied farms. The portion of Township Nos. 39 and 40, occupied by Mr. Cox, has been valued to that gentleman at £1,400, and his agreement to purchase is offered to be handed over to the government, the difference between which and the amount per acre, already valued in class one, is £910, to be added to the value of that class.

5th class.—The amount of the Judgments entered up against these Townships, as extracted from the general Schedule, is £1,800.

6th class.—The amount of arrears, as returned to the office of the Commissioner of the Public Lands, after deducting these Judgments, is probably incomplete, but appears to be, after deducting the above named Judgments, upwards of £4,000.

RECAPITULATION.

1st class 10,097 at 11s. per acre,	£5,553	7	0
2d do. 25,497 at 5s. do.	6,374	5	0
3d do. 6,800 at 1s. do.	340	0	0
By Mr. Cox,	910	0	0
Total, as valued,	£13,177	12	0
	1,800	0	0
	£14,977	12	0
	4,000	0	0
Total, with do. and arrears,	£18,977	12	0
1st valuation,	£13,177	12	0
Amount at 6s. per acre,	12,718	4	0
Excess of valuation over price asked,	£459	8	0

We are of opinion, that six shillings currency per acre for the whole Estate might be laid out by the government without risk of ultimate loss, and we would further observe, in support of that opinion, that there are many mill-sites and other favorable spots with advantageous water fronts, &c., which are worth more than eleven shillings per acre, but which we have placed in the first class, although they exceed the general average.

(Signed,) JOSEPH DINGWELL,
JOSEPH BALL,
WILLIAM SWABEY.

Charlottetown, November 8th, 1854.

No. 2.

CHARLES DESBRISAY, ESQUIRE.

Sir,—

For the information of His Excellency the Lieutenant Governor in Council, the undersigned Commissioners appointed by the government to value certain Lands offered for sale to the government by William H. Pope, Esquire, on Lots Nos. 41, 42 and 43, said to contain:

18,000 acres on Lot 41,
19,200 " " " 42 and
3,800 " " " 43,

have to report:

That after a careful personal inspection of the property, and also from information derived from the most reliable sources, they are of opinion, that it is worth to the government, at an average rate of six shillings currency per acre, for the whole Lands offered on the three Townships.

That if purchased by the government, about 20,000 acres of the whole will probably be again purchased by the present settlers and for actual settlement by others, in quantities of 50 to 100 or 200 acres, in the course of four years, after being offered for sale: That about 10,000 acres of wilderness land may be sold within a period of seven years, and about 5,000 acres of other wilderness lands may find purchasers within ten years; and the remaining quantity of about 5,000 acres we consider as valueless, or at all events, the greater portion of it may not be sold for many years after the time mentioned for the sale of the previous 5,000 acres already alluded to.

In arriving at the foregoing opinion, we are governed by the prices which we hope the Lands may realize, viz:—For the first quantity of 20,000 acres, say, about 11s. per acre; the second, 6s. per acre; and the third, 4s. per acre; but for the last or fourth quantity we do not consider, that any sale to reimburse the government for the purchase ought to be relied on; and to show as briefly as possible the probable loss or gain on the purchase money, we submit as follows in round numbers:

40,000 acres purchased at 6s. per acre,		£12,000
Interest on do., for 10 years, at 5 per cent.,		6,000
Probable amount of loss on Land Tax,		1,000
		£19,000
To meet this amount say:		
20,000 acres sold for about 11s. per acre.,	£11,000	
Interest for six years on this,	3,300	
10,000 acres sold for 6s. per acre,	3,000	
Interest for three years on do.,	450	
5,000 acres sold for 4s.,	1,000	
		£18,750
Supposed loss on the purchase at the end of 10 years,		£250

No Interest is calculated on the latter sum of £1,000, as none is taken on the principal of the purchase money beyond ten years, also none is taken on the sales of 20,000 acres for four years, though no doubt one-fourth of it will be sold within two years.

With regard to the additional sum now immediately required for the costs of management, opening Roads, and incidental expenses, a proportionate amount to meet this will no doubt be realized from the accruing rents; and the arrears of rent may probably, to a considerable extent, be made available in opening new Roads on the property for the purpose of locating it, and as for the sales made by the late holders of the property, they have, we find, been generally made at such rates, that very likely the government will see the propriety of reducing them; or assimilating them to the future prices of of Lands sold by it of a similar quality on this property.

With respect to the Rent Roll furnished to the government and placed in our hands, we cannot consider it as of any, or of much service to us, in forming our opinion of the value of the property, as we deem it incomplete.

We beg in conclusion to observe, that should the price named for the purchase be thought too high, and the Commissioners be considered too sanguine in the calculations submitted of the probable return of the value of the property when disposed of by the government, in the event of a purchase, and that on the contrary a greater loss may arise to the government, yet we will, we trust be allowed to remark, that in our opinion the advantage which will eventually arise in the Colony generally, by the government being enabled to sell a large tract of Land at moderate prices, thereby quieting numbers of the inhabitants, increasing the prosperity of the Colony by converting Leasehold into Freehold Teuures, and no doubt also eventually reducing the prices of Lands generally throughout the Colony to such fair rates as will enable numbers to obtain a fee—simple interest in the soil, will more than compensate for any moderate loss that may be sustained by the government and the Colony in the purchase of the property, inspected and herewith reported on by the Commissioners.

(Signed,) E. THORNTON,
JAMES DINGWELL,
DONALD BEATON.

November, 3d 1854.

Agreement to Purchase.

MEMORANDUM OF AN AGREEMENT made and entered into this twenty-eighth day of December, in the year of our Lord one thousand eight hundred and fifty four. Between the Honorable William Swabey, the Commissioner of Public Lands of Prince Edward Island, acting under the authority of the Act of the General Assembly of the said Island, passed in the sixteenth year of the reign of Her present Majesty Queen Victoria, intituled "An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned," of the one part, and William Henry Pope, of Charlottetown, in the said Island, Esquire, and George Elkana Morton, of Halifax, in the Province of Nova Scotia, Druggist, of the other part:—Whereas the said William Henry Pope, by letter dated the nineteenth day of August last, on behalf of himself and others interested in the Estates, real and personal, formerly owned by Charles Worrell, Esquire, situate in the said Island, did tender the same for sale, to the Government of the said Island, in the terms of the said recited Act, (subject to a certain mortgage to John Hamilton Gray, Esquire, for the sum of nine thousand pounds currency and interest, as therein mentioned) for the sum of sixteen thousand five hundred pounds currency, which, together with the said principal money secured on the mortgage, made the sum of twenty-five thousand five hundred pounds currency, as the price of the said Estates, asked by the said William Henry Pope, and by the said letter the real Estates were estimated to amount to, and contain an area of eighty-two thousand and two hundred and eighty seven (82,287) acres of land, and the said William Swabey, on behalf of the Government of the said Island, as such the Commissioner of Public Lands, has, after consideration of the said Tender, and in accordance with the authority to him given under the hand and seal of His Excellency the Lieutenant Governor, of the said Island, as required by the said Act, contracted and agreed with the said William Henry Pope and George Elkana Morton, who was also interested in the said Estates to the extent of one fourth, for the purchase of the said real and personal Estates, so tendered, (excepting out of the real Estates two tracts containing together nine hundred and eighty four (984) acres of Townships Nos. 39 and 40, since the date of the said letter, sold by the said William Henry Pope and George Elkana Morton to Mr. John Benjamin Cox,) after deducting which tracts, the estimated area of the said Real Estates is eighty-one thousand three hundred and three acres, for the sum of Twenty-four thousand one hundred pounds currency, and by two several deeds or instruments in writing made in form as required by the said Act, and bearing even date herewith, the said William Henry Pope and George Elkana Morton, with their respective wives, so far as the Real Estates are concerned, have conveyed to the said William Swabey, the Commissioner of Public Lands, and his successorss in office in manner as therein mentioned—All the said Real and Personal Estate so tendered for sale, except Mr. Cox's tracts, above referred to, but only eighteen thousand pounds of the purchase money has been paid down, and the balance of six thousand one hundred (£6,100) pounds has been retained by the Government as a guarantee for their being put in lawful and peaceable possession of the whole amount of lands so contracted to be purchased, estimated at eighty-one thousand three hundred and three acres, more or less, and these presents are now entered into respecting the payment of the said balance of six thousand one hundred pounds, and it is hereby for that purpose agreed, between the parties hereto, as follows, viz: A period of two years is hereby allowed to the Government of this Island, and the Commissioner of Public Lands, from the date of these presents to ascertain, whether the lands and Real Estate so conveyed to the Commissioner of Public Lands, by the said William Henry Pope and George Elkana Morton, by one of the said Deeds of even date herewith, and to which they are entitled, and can put the said the Commissioner of Public Lands, or his successor in office, in lawful and peaceable possesion, do actually and *bona fide* amount to the full quantity at which they are estimated in Mr. Pope's letter, less Mr. Cox's tract, that is to say, eighty-one thousand three hundred and three (81,303) acres, exclusive of the Fishery Reserves claimed by the Government, and estimated at six hundred acres after deducting such parts of the said Reserves as are in the possession of Freeholders, or other occupants claiming title. At the expiration of the said period of two years, if it shall be ascertained that the Lands and Real Estates purported to be conveyed to the Commissioner of Public Lands, by the said Deed of even date herewith, and of which lawful and peaceable possession shall have been given to him or his successors in office, shall amount to the full area of eighty-one thousand three hundred and three (81,303) acres over and above, and exclusive of the Fishery Reserves claimed by the Government, which are included in the description of the Lands comprised in the said last mentioned Deed, and which are estimated at six hundred (600) acres, for which no payment will be made by the Government, then the said balance or sum of six thousand one hundred (£6,100) pounds is to be paid to the said William Henry Pope and to Theophilus Desbrisay, of Charlottetown aforesaid, Esquire, Joseph Pope, lately residing in the said Island, now of Liverpool, in the part of Great Britain called England, Esquire, and to Samuel P. Fairbanks, attorney for George Elkana Morton, aforesaid, their and each and every of their executors, administrators and assigns, in equal shares or proportions of one thousand five hundred and twenty-five pounds currency aforesaid, by the Government of the said Island, in Specie, Treasury Notes, or Debentures, issued under the said Act, at the option of the Government. But if at the expiration of the said period of two years from this date, it shall have been ascertained that the quantity of Land conveyed by the said Deed of even date herewith, does not amount to eighty one thousand three hundred and three acres, over and above the Fishery Reserves aforesaid, or, if at that time, lawful and peaceable possession of the said full amount has not been given to the Commissioner of Public Lands or his successors in office, under the said Deed, then the Government are to retain and deduct out of the said balance of six thousand one hundred pounds the sum of six shillings per acre, for each acre deficient in quantity, or of which lawful and peaceable possession has not been so given; and will pay to the said William Henry Pope and Theophilus Desbrisay, Joseph Pope and Samuel P. Fairbanks, attorney of George Elkana Morton, as aforesaid, their and each and every of their executors, administrators and assigns, the residue which shall remain due after such deductions from the said balance or sum of six thousand one hundred pounds, with interest at five per cent per annum, from this date on such residue in equal shares or proportions, as aforesaid.

And further, if when the said period of two years from this date shall have fully expired, no deficiency in the quantity of Land conveyed or of which lawful and peaceable possession has been given to the Commissioner of Public Lands, or his successors in office as aforesaid, exclusive of the Fishery Reserves, shall have been ascertained and declared by the Commissioner of Public Lands, or his successors in office, or the Government of the said Island, it shall be presumed that no such deficiency exist, and the said William H. Pope, Theophilus Desbrisay, Joseph Pope, and Samuel P. Fairbanks, attorney of George Elkana Morton, as aforesaid, their or each and every of their executors, administrators or assigns, shall receive their said several and respective shares, or proportions of the said sum of six thousand one hundred pounds, with interest as aforesaid, in specie, treasury notes, or debentures, at the option of the Government. And further, if any dispute shall arise between the said William H. Pope, Theophilus Desbrisay, Joseph Pope, Samuel P. Fairbanks, attorney of George Elkana Morton, as aforesaid, and the Government of the said Island, or the Commissione of Public Lands for the time being, as to thr fact of there being any deficiency in the quantity of Land conveyed as aforesaid, or of which lawful and peaceable possession has been given as aforesaid, then the fact, or matter in dispute' shall be referred to two arbitrators, to be named in the usual manner, one to be named by the Government, and the other by the said William Henry Pope, Theophilus Desbrisay, Joseph Pope and Samuel P. Fairbanks, attorney of George Elkana Morton, their or each and every of their executors, administrators and assigns, with power to the said Arbitrators, before they proceed to the investigation, to name a third party, as an umpire, whose decision or judgment or the decision and judgment of a majority of them, after investigating the matter, shall be conclusive, as to the quantity conveyed, or of which lawful and peaceable possession has been given. And further it being understood and agreed, however, that in making a calculation of the area of acres conveyed, or of which lawful and peaceable possession has been given, no payment will be made by the Government of the said Island, or the Commissioner of Public Lands, for the lands called "Fishery Reserves," as reserved and designated in the original grants of Lands, so conveyed by Deed of even date herewith, to the Commissioner of Public Lands; nor shall the arbitrators or umpire, so to be appointed as aforesaid, have any power to take the same into account, as forming any part of the Land conveyed, or of which possession shall be given, which said lands termed "Fishery Reserves," it is hereby agreed, amount to six hundred