is cropped, and he is dressed in a glazed cap, cloth coat, greyish vest and trousers, and Balmoral boots. The motives for his conduct are hitherto inexplicable, and even the husband, who brings him food to the station house, does not attempt to unravel them.—*Northampton Express.*

LAND COMMISSIONERS' COURT.

MONDAY, 10th September, 1860.

(*Continued from our last.*)

Mr. CHARLES PALMER.—The land is not generally lumped in the leases; in most of them the rents reserved are stated at so much per acre.

HON. COMMISSIONER GRAY.—Mr. Binns, I believe, was a lawyer in most respectable practice; and if he was right in the advice which he gave in the matter, the statement which has been made to us must be wrong.

Mr. DEBLOIS explained that, when a new farm was laid off, the side lines were only run as far back as the land was cleared; and that, consequently, in the course of 20 years or so, it might be encroached upon by a person holding lands behind it, which was frequently the case; and thus persons often allowed parts of their farms to go out of their possession.

Mr. CHARLES PALMER explained that by the running of a boundary line, under the Boundary Act, it was frequently found that the old boundary line had not been properly run, and the proper determining of the boundary between Townships or parts of Townships sometimes took lands from one proprietor, and gave them to another; and, thus, the quantity of land which, by his lease, a man ought to hold might sometimes be diminished; but the Boundary Act provided for an equitable adjustment, between proprietors, in such cases.

HON. COMMISSIONER HOWE.—Then it would appear, in this case, that the lessee has been made to pay rent for 28 acres which have actually been cut off from his farm.

Evidence of William Macgowan, Esquire.

The evidence given by this gentleman was, in substance, as follows:

Resides on Lot 41. Had no complaints to make on his own part; but hoped to live and die in the social position which he occupied. A good many years ago, he settled in the woods on Lot 44; and, in doing so, his outlay of money, in the clearing of the land and the creation of buildings was very considerable. He had intended to advert to the reckless manner in which the lands of this Colony were at first granted away by the British Government; but, as the impolicy of the mode in which they were granted was at last generally admitted and condemned, he would say nothing on that head, but confine himself merely to setting forth, as far as he was able, the existing grievances of the tenantry and other settlers on Township Lands, arising from the unduly high value set upon those lands, and the too high rents consequently exacted for them. His brother and himself, about 24 or 25 years ago, at a land assessment sale, bid for land submitted to public competition—the only mode by which the real value of an article could be ascertained. The land for which they then bid, and which they purchased, was 100 acres with a mill site upon it; and they bought it for £25, Island currency. We bought it subject to the equity of redemption in two years; but we were too anxious to retain it to allow a likelihood of its being redeemed by the original proprietor or claimant, at the expiration of that period. Instead of employing a lawyer to secure us in the possession, the plan to which we had recourse was the making of a considerable outlay in the making of improvements thereon; to such an extent, as satisfied us that the proprietor or claimant would not be willing, or not be able, to redeem it by paying us the value of our improvements. Every successive year, for a time, we continued to purchase, at land assessment sales, in the same way; and next bought, at one of those sales, another 100 acres of land, adjoining our first similar purchase of 100 acres. This second 100 acres we bought for £19. Each succeeding year, we, for some time, continued to make additional purchases in the same way, 100 acres at a time, at prices varying from £15 to £10. In this way we purchased, in all, 1000 acres. Now the Township property adjoining our lands, only separated from them by the boundary line, is valued at 20s. an acre, by its owner, Sir Samuel Cunard. In making this statement, I wish to shew that lands have been enhanced in value, not in consequence of any improvements made thereon by proprietors, but through the expenditure of labor and money made by the resident colonist; and, when such lands are sold and purchased, at such enhanced value, it is not so much the lands which are the object of the bargain between the parties, as it is the labor and industry of others. By our having taken up and improved lands in the way in which I have stated we have done—by our having taken the position we occupy—by our having made roads and other improvements, we have greatly enhanced the value of the adjoining property, rendered it available, and enabled the proprietor to lease it on terms and at rents which he could not otherwise have procured for it. I do not mean to boast; but our mills—our saw mills and grist mills—have greatly enhanced the value of property and been a means of advancing the prosperity of that section of the country in which they are situated. We have purchased the grain of the neighbouring farmers, who, finding in us a convenient and ready-money market for much of their produce, have been enabled to turn the fruits of their industry to a more immediate and much more profitable account than many who have had no such advantages as our mills have afforded. We have, this, and other ways, greatly benefited the neighbourhood whilst, at the same time, benefiting ourselves. I do not mean that we have ever lent or advanced 20s. which has not, in one shape or another, been returned to us; but, by buying the surplus grain grown in our neighbourhood, and converting it into meal or flour, we have prevented a loss which might otherwise have been sustained by the farmers; for, I believe it is held by all political economists that the exportation of the raw productions of a country is injurious to it. By having the corn ground on the Island, the expense of freight and other loss are avoided. Tenants are not buying up the freeholds of their farms in my neighbourhood. They have it not in their power to buy them. They would not be able to live and pay rents, if they had no extra means. Many of them would have starved long ago, but for extra means.

HON. COMMISSIONER GRAY.—We find elsewhere that 10 acres, properly manured and cultivated, yield sufficient for the support of a family. Is not the want of success among the tenant farmers in this Island, owing, in many instances, to their holding more land than they can cultivate? Would not many among them get on much better if, instead of holding 100 acres each, and having to pay an annual rent of £5 11s. 1d., they each held only 40 acres, at an annual rent of 40s.? Holding more than they can cultivate, they pay for what yields them nothing.

Mr. McGOWAN.—Yes; and matters are getting worse with them. The more the Island has to depend upon its legitimate resources, the worse it is. So long as anything was to be made by the sale of the timber of the pine forests, or of juniper knees, much of the money realized thereby was laid out either in the improvement, or in the purchase of lands; and these resources also enabled tenants to pay their rents; but, since left to agricultural resources, they have been becoming less and less able to meet the demands of the proprietors and agents for rent; hence the necessity for the abolition of the leasehold tenure of lands.

Value of the fee-simple of 100 acres of land?

HON. COMMISSIONER GRAY.—What would you say would be a fair price for the fee-simple of 100 acres of land?

Mr. McGOWAN.—£20 for 100 acres, with from 5 to 10 years to pay it in, would, I think, be a fair price. It is more than is paid in Nova Scotia and New Brunswick; and we, in this Island, should have as favorable terms of settlement, as people have in those provinces. Mr. McGowan here took occasion justly eulogize the peaceable dispositions of the people of this Colony. He said that, in the capacity of High Sheriff, an office which he had had the honor to fill more than once, and also in that of a magistrate, he had, at different times, incurred much odium in consequence of his having fearlessly discharged his duty thereon. Persons against whom writs had been issued had, as was very natural for them to do, run away from him, and he had run after them. At contested elections too he had been conspicuous, as an opponent of popular candidates; but he had never received any injury, nor had any ever been offered to him, on these accounts.

HON. COMMISSIONER GRAY.—When the proprietary title to a Lot is good, and an annual rent of £5 11s. 1d. has been regularly paid for every 100 acres of it—when, we will say, a man has taken 100 acres of wilderness land, on a long lease, at that rent, has improved the land, and regularly paid his rent, what would be a fair price for him to pay for the 100 acres, to become the freeholder thereof; and when a widow and orphan children might be wholly dependent, for their support, upon the rents received from the tenants on the Lot?

Mr. McGOWAN.—Not more than it was worth in its wilderness state.

HON. COMMISSIONER RITCHIE having put the same question in a form rather different, Mr. McGowan said, £50 or £60 would be a fair price, in the case even of a widow and orphans being dependent, for their support, upon the issues or proceeds of the property. He would explain. From what he knew of the tenantry in the Island, he was certain that 9d. per acre per annum, when paid as rent for land, was not realized from the land, but in some other way. As a rule, the means of paying rent were not derived from the land, but from fishing, ship-building, or some mechanical trade. If a tenant is solely dependent upon the agricultural produce of his farm, he cannot, out of it, pay his rent and support himself and his family. When rents were paid for farms and improvements made upon them, the money for such purposes was generally supplied by young men who had gone away to United States or elsewhere in search of remunerative employment. The land tenure drives our young men away. It is true that some of them return to the Island, after having improved their circumstances elsewhere; but this is simply because here have been the homes of their early days.

Fisheries and Fishery Reserves.

Profitable fisheries are carried on at the mouth of Souris River. The fishery reserves should, he thought, be held by the tenants, but available for fishing purposes—they, when not engaged in carrying on fishing thereon themselves, to have power to let them to others requiring them for such purposes.

20 Years' Purchase.

HON. COMMISSIONER HOWE.—How long would it take a healthy strong young man to earn enough to buy the freehold of his farm at 20 years' purchase?

Mr. McGOWAN.—He would never be able to raise as much by agricultural pursuits as would enable him to purchase it at that rate.

Vernon River or New Perth.

HON. COMMISSIONER HOWE.—As we came along to Georgetown, we looked with much pleasure upon a number of farms, composing what, we understand, is called Vernon River or New Perth. The pretty appearance of these farms, their stocks, dwelling-houses, and out-buildings, contrast most favorably with those of other settlements which we have seen. Can you assign any particular cause for the great evident prosperity of this settlement.

Mr. McGOWAN.—It is wholly owing, I believe, to the good management, industry, and economical habits of the men who have settled there—a class of Scotchmen, whose industry, skill, and prudence would ensure them success almost anywhere.

THOMAS OWEN, Esq.—Many of those men had money when they came to the country; and they are freeholders without exception.

Poverty of the Tenantry and their inability to raise money.

Mr. McGOWAN.—I have been a collector of land assessment; and as such I have had frequent opportunities of knowing how the money had been obtained which I received in discharge of such assessment. I knew with how much difficulty tenants had been able to raise it. They had an eye to it for months before, and had barely been able to scrape the small amount together. Since the reciprocity treaty with the United States has been in operation, tenants have been able to sell a little produce, for cash, to the Americans frequenting our coasts in their fishing and other vessels, and, by this means, they have, in many instances, been enabled to raise cash for the payment of their land assessment.

Questioned by Charles Palmer, Esquire.

Mr. PALMER wished to know whether or not Mr. McGowan had had opportunities of becoming acquainted with the actual condition of tenants in other parts of the Island, besides that of those in which he resided; and on what extent of actual observation he based his statements and opinions.

Mr. McGOWAN said he formed his opinions on what he had seen. He was acquainted with threefourths of the Island; and, he thought, that from his knowledge of three-fourths of it, he might fairly conclude he had sufficient data whence to deduce the state of the remaining one-fourth.

Reason why tenants hold more land than they can bring under actual cultivation.

WILLIAM COOPER, Esquire, said he wished to explain to their Excellencies how it was that many of the Island tenant farmers held more land than they actually cultivated; and so appeared to pay, or to be liable to pay rent for land which yielded them nothing. Many, no doubt, were overstocked with cattle. If fewer cattle were kept on the same fodder, there would be more manure derived from it. But, in order to be able to cultivate 25 acres, a man was obliged to hold 100 acres. Upon the uncultivated portion of his farm he depended for his firewood, for longers for fences, and for pasturage for his cattle. All the manure, however, which he could obtain from a justly limited stock of cattle would not be sufficient for the arable portion of his farm, without kelp or muscle mud. To be able to cultivate 25 acres to any advantage, a tenant, in this Island, required a farm of 100 acres.

Delegation from Lot 53—Messrs. Donald Stewart, John Stewart, James Dewar and Thomas Owen, Esq., M. P. P.

Thomas Owen, Esquire, M. P. P., having been appointed to speak in the name of the Delegation, made a statement, substantially as follows:

Lot 53 is situated within three miles of Georgetown, and has the best harbour on the South part of the Island. The Township has, for 60 years past, been claimed by three different parties—the Earl of Westmorland, the Earl of Selkirk, and Lord Melville. For the last 25 years, that is within his recollection, there have not been more than 8 or 10 rent payers upon it. 17 or 18 freeholders on the Lot purchased from the Earl of Selkirk about 50 or 60 years ago. Two more acknowledged the title of the claimant, but paid no rent. There are about 167 occupied farms on the Lot, averaging about 75 acres each. The average quantity of land in cultivation on each of these farms, is about 20 acres. On some of them there are good buildings; but not on all. On that part of the Township which is claimed by the Countess of Westmorland, there are about 60 settlers; but not one of them has paid one copper of rent. From 1832 to 1842 about a dozen leases were granted; but no rents have ever been paid to any one; and neither has rent, to his knowledge, been demanded for the last 7 years. On the portion of the Township claimed by the Earl of Selkirk neither are there any rent-payers. Seventeen settlers on that part of the Township came out with money, and paid for their lands when they settled upon them; one of them bought 500 acres for his family. The settlers on the part of the Township claimed by the Earl of Selkirk bought their lands; they paid no rent, except £30 paid by a man of the name of Campbell, £3 by another, and something by the two Campbells. On the part of the Township claimed by Lord Melville, a few paid something on account of rent to Mr. Morpeth, Lord Melville's agent. A great number of the settlers on that part of the Lot are not under lease. Those who are under lease have paid. The present agent is Mr Bourke, and he had issued 5 or 6 processes for the March Court at Georgetown. Some of the individuals against whom these processes were issued, attorned; others did not. They who refused to attorn retained Mr. Hensley as their Counsel to defend them; but they were not brought to trial, as they expected, in March. From March they were put off till the July Court; but were not brought forward even then; and all have been led to believe that the claimants are mere usurpers, and are possessed of no legal claims whatever. A few years ago, a Mr. Weir from England, pretending to have a title to Lot 52, writted several persons who were settled thereon. The writs were brought to trial five or six times; but as often Mr. Weir failed to establish his claim; and he (Mr. Owen) thought the parties claiming rents from settlers on Lot 53 were no more entitled to them than it was found Mr. Weir was to rents from individuals settled on Lot 52. Indeed, he believed the demands for rent which had been made upon parties on Lot 53 would not be renewed, and that the claims which had been put forth to sustain those demands would be allowed to die a natural death. On the Earl of Selkirk's property the settlers are willing to attorn to the Government. They are easily intimidated; for the mere name of a process or of a sheriff is almost enough to frighten them to death. The Lot has not been at all improved by the proprietors or claimants. The roads were, in the first instance, made by his (Mr. Owen's) late father as timber roads, his father being a ship-builder; and, subsequently, they were carried out to St. Peter's and Cardigan, under the Road Compensation Act. Did not believe the claimants paid anything under the operation of the Road Compensation Act. Nothing was paid by Lord Melville. The road running through the part claimed by Lord Melville was made by the statute labor of the men employed in the ship-yard; the statute labor of the ship-yard opened it. This year 4,500 acres of the Lot are proclaimed for non-payment of the land-tax. The other roads were opened by settlers. The Grand River Road and St. Peter's Road were opened under the Land Compensation Act. All the improvements and the roads have been made by settlers. Nine or ten cases of ejectment commenced by the agent of Lord Melville are now pending. The faith of the rent-payers in the titles of those who assume the rights of proprietors is shaken, when they see that, although actions are commenced, they are not proceeded with. By such proceedings, the settlers on Lot 53 are kept in hot water, just as Mr. Weir kept the settlers on Lot 52, about 8 or 10 years ago.

Mr. BOURKE.—They will find that we are prepared to prove our title.

HON. COMMISSIONER RITCHIE.—The expense attendent on the proving of a title, may, in some cases, be so great, that unless the property in question be very valuable, it will not be worth the expense.

Mr. OWEN wished to shew that the land on Lot 53 was not worth the rent asked for it. Thought he could prove that by the delegates. The settlers, with the exception of eight only, had not been able to pay their rents out of the produce of their farms. They who paid rents were enabled to do so by what they earned in ship-yards, or earned by some other labour not on their farms. Many for the money which they paid in rents were dependent on the legislative grants made for roads and bridges; and some of these could not procure flour for their families, although they had been settled on their farms for 16 or 17 years. It had been said that tenants would get on much better if they would be satisfied with smaller farms; and that, in many instances, they might raise more produce from 10, 20, or 50 acres, than they did from 100 acres; but he contended that on Lot 53 a farmer could not get on at all with less than 100 acres. The soil was light and sandy, and not at all equal to that of Prince County or of Queen's County. When the crops fail, as the wheat and potato crops often do, they are suddenly thrown back, and have no time to recover themselves. Some, on an average do not raise more than 10 bushels of wheat from an acre; and, this year, he could say, fearless of contradiction, that of oats, on Lot 53, the farmers had not grown more than 20 bushels on an acre. The shipping places on the Township were commenced by subscriptions on the part of the occupiers of the land, and were completed by grants from the Legislature. Further, he stated, the money actually paid in the port of Georgetown for produce from 8 or 10 lots, would not be sufficient to pay the accruing rents. For what is not paid for in cash, the farmers take their supplies from the stores from year to year.

HON. COMMISSIONER HOWE.—Supposing 150,000 bushels of grain to be shipped annually from Georgetown, you say that the portion paid for in money would not be sufficient to pay the rents of the lands on which it was grown; and that the Americans generally pay in cash. From this statement then are we to draw the inference that the circulating medium is not sufficient to pay the rents? *Mr. Owen.* I want to show that the rents paid here are not paid in money obtained by the sale of the produce of the farms. The money with which any rents are paid is obtained in some other way; it is either, as I have already said, sent home, or brought home, by young men who have earned it in the United States, or in other parts, or it is earned by working in ship-yards, or in some such way. The actual occupants or tillers of the soil to whom I refer are sober, intelligent, and industrious men; and when they say they are not able to pay their rents out of the produce of their farms, I take it for granted that neither are others of the same character, in other parts of the Island, able to do so.

Value of Lands.

As to the value of lands, he could tell them of a farm of 120—59 acres of it held in fee-simple—situate on Georgetown Road, only one mile from one of the best shipping places in that part of the Island, 4 miles from Georgetown, and 5 miles from Montague Bridge, the chief shipping place in that quarter, where vessels of 250 tons could lie and load,—50 acres being under cultivation, the barn upon it worth £50, and other buildings worth £50 or £70; and it was sold, about 3 months ago, with all these improvements, and all these advantages, for £130. It was sold voluntarily; the owner was not embarrassed. The rent is 1s. an acre. The improvements had cost twice as much as the whole sold for. The purchase money was brought from another part of the Island. It was true there was no competition at the sale. People do not contest at such sales, for they have not means to warrant their doing so. The statement was an actual fact. The reason why the man sold his farm was because he had no firewood upon it. The agent of it lately sold wilderness land, within half a mile of that farm, good land, on the post road, and within a mile of Brudenell River Wharf, for 12s. 6d. an acre. Thinks the actual value of the Township lands to be about 10s. an acre. This Lot is favourably situated; hardly any better, except Lot 59. The obtaining of their farms in freehold would impart new life to the people. They would sooner see anything than a sheriff. They would sacrifice their stock, they would part with anything to be able to buy their farms, and to become free.

Labourers' Wages.

The average wages of a labourer is 3s. a day. Young men go to the United States and find employment and get good wages there; and from this source, they obtain means to get their fathers here out of difficulties. For mowing, an able man is here paid 4s. a-day and found. The man finds his own scythe. Four shillings a-day and board are good wages; but they are to be obtained only for a few days in the mowing season. A man may be found or fed for 1s a day.

Inability to pay the Rents, &c.

WILLIAM COOPER, Esq., M. P. P.—Mr. Owen has said that the tenants cannot pay the rents to which they are liable out of the produce of their farms; and, in doing so, he has stated nothing but the simple truth. He has, however, said besides that, in many instances in which tenants pay their rents, the money with which they are paid is procured by other means than labour upon their farms. This also is true; but it is not true to the same extent as formerly. Some years ago, before Townships were as generally leased and settled upon as they are now, people had a much greater range for the procuring of timber for sale than they have now. In my neighbourhood, a few years ago, they had the free range of a number of Townships; but they have nothing of the kind now. I do not see how the tenants can either pay the rents which are demanded of them, or buy their farms at the rate per acre at which Mr. Owen values them at.

Mr. OWEN.—I do not say that Lot 51, 65, or 54, or a part of 52, is worth as much per acre as Lot 53.

HON. COMMISSIONER HOWE.—Are we not to suppose that those men, on Vernon River, whose farms we have admired so much, on account of the very manifest indications of good management and success which they afford, are able, besides working their farms and providing for themselves and their families, to lay up £5 a-year.

Mr. OWEN.—Those men are freeholders; and they, as well as many others, partook largely of the benefits which resulted, during the Russian war, from the demand for shipping and corn. Oats, at that time, rose from 1s. 6d. to 3s. a bushel. They who are settled on half Lot 52 paid little for it. Some of them have mills, and others earned money in ship-yards. But, go over their farms, and you will find that they, on an average, have not, this year, raised more than 20 bushels of oats an acre. There are one or two rent-payers at the head of the settlement, and they complain as hard as any other rent-payers.

To be continued.

Correspondence.

THE LAND COMMISSION.

ABERDUMBEE WILHOCK, Esq., TO THE TENANTRY OF P. E. ISLAND. GREETING.

FELLOW-COLONISTS—Many of you must be aware that I was almost a constant attendant on the Royal Commission Court during its late sittings in Charlottetown, watching your interests more than my own, and consequently, that, in stating such impressions as the proceedings in that Court made on my mind, I can do so quite divested of *self-interest*, which I regret is more than I can say of many *officials* who figured rather prominently therein. I once read a fable of a stag which was pursued by the hounds, and being about to direct its course through a husbandman's field of corn, the owner promised him protection and concealment in case he would not pass through the corn, which would be destroyed if hounds and horsemen went the same way in pursuit. The stag, having yielded to the remonstrances of the husbandman, took refuge in the appointed place; and when the huntsmen came up and inquired the direction in which the stag went, the husbandman declared aloud that he did not know, at the same time pointing very significantly with his finger to the place where the stag was concealed; but as the huntsmen were not suspicious of the scoundrel's rascally duplicity, they passed on without noticing or understanding the signal he intended by pointing his finger at the stag. When out of sight, ere the stag went away, the husbandman felicitated himself on his strict integrity in keeping his bargain with the stag and saving it from its pursuers, and did not fail to point out how much the stag was indebted to him, and that it should in future take care not to trespass on the property of one who was the means of saving his life from the hounds. The stag replied, that so far as his *tongue* was concerned he kept his compact, and regretted that his *heart* and his *finger* were not so honest as his tongue, and that it was more to the unsuspicious nature of the huntsmen than to his integrity that he owed his life, and therefore that if his corn fields escaped injury in future, he need not think it would be as a reward for *sincerity*, which he did not possess. And so it is brother Colonists, with our present Government,—if you should derive any benefit from the Land Commission, it is not through the good wishes or desires of the Government, who, like the rascally husbandman, proclaimed aloud that they wished to have justice done you, while at the same time they not only privately assisted your determined taskmasters, the proprietors, but also publicly employed their *Lackeys* to aid and assist your opposing counsellors and to supply them with all the public documents, and to conceal such documents from your own counsellors, as the eloquent Mr. Thompson publicly charged them with doing, in open Court before many of you, on Saturday, the 29th September, 1860. Remember that, gentlemen electors. Remember also, gentlemen, that our Government dismissed a gentleman of high moral character, whose integrity cannot be questioned in this or any other community, from the office of Colonial Secretary, and appointed W. H. Pope to that important office—the same W. H. Pope who, a short time since—I won't say "chiseled," or "cheated" or "swindled," but I may say, *endorsed* the Bank of P. E. Island out of a large sum of money, some say £14000! while others say that the correct amount has not yet been ascertained. Sam Slick said, it would be *disgraceful to rob or steal*, but let a man buy an article and give his promissory note, and when he fails to pay the note he evades the law, or at least cannot be prosecuted for *robbing* or *stealing*; and so I suppose W. H. Pope cannot be prosecuted by the Bank for robbing or stealing or cheating, while he endorsed bills and failed to pay them afterwards, although it has been said that the said W. H. Pope was *the first* to bring the tidings to the Bank that the bills so endorsed by him were *worthless*, and taunted the Cashier for having taken the bills on the *presumed* security of his endorsement, whereas it ought to have been known that he (the said W. H. Pope) *was not worth a sixpence*. And remember, gentlemen, that this is the same W. H. Pope who receives some *four hundred and odd pounds* of your money, and employed by the Government to help the Counsellors for the proprietors against you before the Land Commission. The same W. H. Pope who is Land Agent for Capt. Cumberland and his wife. The same who is Land Agent for the Westmorland Estate, from the tenantry of which he made the daring attempt to extort £2 6s. 8d. each for *new* leases of lands which many of them held for 40 years past. (Of course this was not robbing or stealing, within Sam Slick's definitions of law.) The same W. H. Pope who has been accused by the late Government of circumventing them in the purchase of the Worrell Estate, and thereby raising the price of the land on the tenantry some £12,000!! The same whose brother, James Pope—an Executive Councillor—is nominal owner of half of Township Number 26. The same W. H. Pope who is employed by the Government to edit the *Islander* newspaper, to advocate the cause of the proprietors or land claimants, and to blackguard your late worthy Governor, Sir Dominick Daly, for having honesty and penetration enough to sanction acts of your late Liberal Government in favour of *you*, tenantry, for whose sad case, as an upright and enlightened statesman, he could not do otherwise than feel a deep sympathy; and for such sympathy and for that alone, has he been blackguarded, week after week, *even in his absence*, by this pet of the Government, the mouthpiece of the old and ever to be deprecated "*Family Compact.*" And it has been said by some of the "knowing ones," that the tissue of abuse against Sir Dominick is encouraged and kept up by the Family Compact and Proprietary Government for another purpose, viz: to keep the present Governor Dundas in dutiful subjection and peaceful awe of themselves, as he must be aware the same party who would lend themselves to such disreputable calumny against the late Governor for his liberal views towards the side of equitably settling the tenantry, would treat the present or any other Governor in the same way, should he dare to act otherwise than in conformity with their own sordid views; for it is well known that W. H. Pope, however malignant in spirit, cunning and spiteful in revenge, is of himself a nonentity—an absolute cypher—is, nevertheless, when inflated by the breath of the Family Compact, a mischievous creature; and it is for you, gentlemen, who have the power in your hands, to make or unmake a Government, to consider whether or not any Government, either "Old Compact" or not, who employ such an unscrupulous tool as W. H. Pope *at your expense, is worthy of your support*. Meantime, believe me, gentlemen,

Your faithful servant,
ABERDUMBEE WILHOCK.

ABBERDUMBEE WILHOCK, TO THE TENANTRY OF P. E. ISLAND—A SECOND TIME—GREETING.

FRIENDS AND FELLOW COLONISTS.—Since I last addressed you on this subject, a friend has sent me a newspaper called the "*Monitor*," and pointed my attention to an *Editorial* therein—written by Mr. Edward Palmer, the leader of the Government and Editor of that very respectable sheet—in which Editorial Mr. Palmer says: "The tenantry have great reason to feel grateful to the Government for their selection of counsel to advocate the claims of the tenantry." Well, now, let us examine what they really did do, to claim such gratitude from the tenants. The Government set themselves up as the representatives of the people—they tax the people to pay the public officers who are said to do the people's business. I have already shown you the high salary which they pay W. H. Pope, and how the said Pope has been employed by them *against* the tenantry before the Land Commissioners. We next find an Attorney General paid by the people £350 a year for doing the people's work, of course. Well, then, in the name of common sense, why not employ the said Attorney General to advocate the rights of the people before the Commissioners, or if he were not competent to do so, why not appoint him to help, or aid, or assist the other counsellors; but as they did not do so, or show any good reason why they did not, have not the poor people who make up the revenue, out of which the Attorney General receives his salary, a just right to insist that the counsel who acted for them be paid out of the Attorney General's salary? In opposition to this view of the case, it is said that Mr. Palmer—the leader of the Government—gets *half* the official salary of the Attorney General, and that therefore the leader of the Government cannot be compelled to give up his share, and that the remainder is quite small enough for the Attorney General himself, who does the work; and, moreover, the Attorney General is nephew and stepson to his Worship the Mayor, the President of the Bank, and owner of Township 56—father to T. H. Haviland, an Executive Councillor, Land Agent for the Montgomery property, and in partnership with the Attorney General. His Worship the Mayor is also father-in-law to Mr. Deblois, the Land Agent for the Cunard and the Sullivan Estates. And, besides, the leader of the Government, Mr. Palmer, with his brothers and sisters, are owners or claimants of half Lot One; and, therefore, it cannot be expected that in this complicated state of things, these gentlemen can sacrifice their own interests to save the tenantry, by whose oppression they gain their living. The Attorney General is also cousin to the owners of the Tracadie Estate, and *cousin and stepson* to Daniel Hodgson, Prothonatory and Clerk of the Crown, and proprietor of part of the New Glasgow Township. Well, my friends, while human nature remains in the present condition, you have not much reason to expect that your Government folks will do anything to serve you, which may at present or hereafter have any tendency to lessen their own incomes, however unjustly they may have acquired the land, or the party from whom they may have got it. You elected them for four years, and you must abide the consequence during that period. The *Monitor*, or, *rather Mr. Palmer*, says, the counsel retained for the tenantry were left to take any range they pleased in defence of the tenantry. Just the same as if an owner of a ship stole the compass, charts, sextant and quadrant, and took away the rudder, and got her towed out to sea, and then told the captain he might steer what course he pleased to arrive at the port of destination. So it was with your Government; they sent for a *stranger* to advocate your claims to the land that you have made valuable by your hard labours. They gave him a blank sheet of paper to keep his reckoning or journal on; but they either kept the public documents from him, or they suffered their man of all work, W. H. Pope, to do it for them; and if a Council or House of Assembly Journal were wanted, it was sure to be in the tender keeping of W. H. Pope, who, of course, had it out of sight, unless when the proprietors or their counsel wanted it; and when the eloquent Mr. Thompson openly and publicly complained of such conduct before the Commissioners, on the 29th Sept. last, many of you who were present on the occasion must have noticed the writhing and riggling of the members of the Government there present, who

"Like thieves o'ertaken by their tracks,
With stolen chattels on their backs,
Then hung their heads in fear and shame."

Yes, gentlemen, it is a positive fact, of the whole of "the Family Compact" then present, it was only the old father of them all who held up his head with an air of triumph at the success of his well devised scheme of keeping the counsel for the tenantry as much in the dark as possible. But it is not only the counsel for the tenantry that were kept without information, but even their own Commissioner, Mr. Howe, whose large fee is to be taken out of the people's revenue, and who declared, both in this Island and Nova Scotia, that he got *neither instructions nor information from the Government respecting his duties as a Commissioner!* Can you imagine, gentlemen, that Mr. Ritchie was left without instructions by the Proprietors who employed him? Was it not the bounden duty of the Government, if they could not or would not mature any measure of their own, on behalf of the tenantry, to have called public meetings in each Township, or at least in each Electoral District, and then and there hear the people's views—embody them in a report, and lay them before the Commissioners? Yes, and to say to the Commissioners, "We know the hardships of the tenantry, and we must have their case redressed in such a manner as will give *them* satisfaction. We know it was by the votes of these confiding people that we were elected, and that we promised to be the exponent of their views, and we shall do so." Such, gentlemen, would be the language of an *honest* Government, well-disposed towards the tenantry; but the reply of some members of the Government is, that they made no promise about the land tenure—that they were elected for their Protestantism, and to keep down the Papists, and that while they can keep up that feeling they will be sure to be elected again. Well, gentlemen, Protestantism may be a very good thing in itself, but I cannot imagine that you would be worse Protestants to have *free lands*, even supposing that your Catholic neighbours should also get free lands, than you are at present under the galling system of paying rent. If we boast of freedom of action and thought in religion, through the means of Protestantism, surely we ought not on that account tamely subject ourselves to the tyranny of landlords, while we have the means in our own hands of acquiring freedom. It would be premature to speculate at present what the report of the Commissioners may be. It may serve some, but there can be no doubt that it would be much more favourable to the tenantry at large, if our Government had put their shoulders *in good earnest* to the wheel; at least such is the candid opinion of—Friends and Fellow Colonists,

Your faithful servant,
ABBERDUMBEE WILHOCK.

TO THE EDITOR OF THE EXAMINER.

SIR,—I have read the letter from Sir Alexander Bannerman, in the *Examiner* of the 25th September, wherein he denies that he pledged his Council, "that they would maintain the forfeited grants, and not seek or allow the titles to be investigated." Without making a lengthy comment upon that letter; I shall merely state, that I am the author of the petition alluded to, and with the assistance of the *Examiner*, I am prepared to shew, that there were good grounds for the rumour, that Sir Alexander had pledged his Council that the forfeiture of the grants should not be inquired into.

Questions were asked then, and have been more frequently asked lately, especially by intelligent strangers, why the Liberal Party, when they obtained the Government, did not establish a Court of Escheat? Now, the best answer to such questions is, to review Sir Alexander's own acts when he came to the Colony. Earl Grey's Despatch of the 12th February, 1857, and Sir Alexander's answer to an Address from the inhabitants of King's County which was founded on that Despatch, which you will be pleased to publish as evidence of Sir Alexander's policy, and enable us to set matters in their true light.*

The Despatch, which armed Sir Alexander with troops, and which *he no doubt solicited*, was dated the 12th February, and he brought it here in March; therefore, Sir Alexander came here as the champion of impostors, holding over forfeited land—armed to the teeth, to compel the inhabitants at the point of the bayonet to pay rent to impostors, without any inquiry into title!

The Address from King's County went to show that the Despatch was founded upon misinformation—that it was inconsistent and unjust; but Sir Alexander made no inquiry as to the truth of the Address, but attempted to justify Earl Grey's Despatch by former Despatches, which went to deny the inhabitants *the right* of having the titles tried in a Court of Escheat. Now, there being Sir Alexander's own acts, within a few months after his arrival in the Colony, show unmistakably the policy he intended to pursue; and if he did not pledge his Council to understand that if they did not support his measures he could have turned to the landholders who would support them, for the inhabitants had been so often refused a Court of Escheat, and so harrassed for rent, that if Sir Alexander had had recourse to a new election, the inhabitants would, in all probability, have returned a majority of proprietors, as they did at the last election; and, therefore, I think, under such circumstances, the liberals did right to accept what they could get, and wait for time until the inhabitants are better informed.

The maxim upon which impostors claim a right to demand rent could not be maintained in a case like ours, in any Court of Law but that of Prince Edward Island. Sir John Harvey sent this maxim in a Message to the House of Assembly, in the year 1837, page 23, in these words: "It is an established maxim, *founded upon the plainest principles of justice and convenience*, that no tenant shall be permitted to question the title of the landlord from whom he has taken the premises. When the landlord sues for rent, he makes a conclusive case, by merely showing that the tenant took the premises from him. His title cannot be inquired into." This maxim can only be applied in cases where it is consistent *with the plainest principles of justice and convenience*, that a tenant should not question his landlord's title; but it was never intended to cover a fraud, because that would be contrary to the *plainest principles of justice*. That maxim would apply with *justice and convenience* where it is presumed that a person has premises or property to let; but it could apply to favor an impostor, where it is presumed the impostor had neither premises nor property to let. The plainest principles of justice and convenience are the foundation of the maxim—take that foundation away and the whole fabric falls to the ground.

Now, our case is this: certain persons accepted grants of the public lands, upon conditions that they were to settle foreigners within four years or forfeit their grants; but neglecting to settle such persons, the grantee became defaulters, and the lands revert to the public again; consequently any British subject had a better right to a share of that land than the defaulter had to the grant. But the defaulters, together with the Colonial authorities, formed a conspiracy to employ deceit and intimidation, to make the laboring inhabitants their tenants; and with the aid of the Courts of Law perverting the above maxim with a view to cover the conspiracy and fraud, and also to annul the forfeiture whereby the impostors are said to have acquired a title, and the power to compel the inhabitants to pay rent, the interest on their improvements. Thus the grantees lost their titles by their own default; but by adding the crimes of swindling, intimidation and perversion of law to their default, they are said to have gained a title, and the power to enslave and rob the inhabitants with impunity. *This is Prince Edward Island justice*, but it would not pass for justice in any other country, because no other people would put up with it.

Now, the people may see that the conspiracy to enslave and rob them *depended on the Courts of Law, to subvert the above maxim* to serve the purpose of the conspirators; but as that is nearly worn out, the lawyers, so fertile in subterfuge to favor the land swindlers, have found out a precedent; that "holding adverse possession of land against the crown, that is against the public for sixty years acquires a title." According to the British Constitution every subject has a right in the public property, and any person may inform or complain against another holding adverse possession; and if information or complaint is made before sixty years, that bars the claim to title by possession. But in this Island the complaints against persons holding adverse possession, have been general and continued; and the landholders' application for Commissioners to inquire into the rights of all parties—show the absurdity of advancing such an argument.

Sir Alexander was informed of these wrongs, but he turned a deaf ear to all such complaints.

WILLIAM COOPER.

Sailor's Hope, October 2, 1860.

[*We have not space to reprint the documents referred to. The Despatch has been often before the public, and is well known,—the substance of the other is also well known, as it is merely a reiteration of Mr. Cooper's views respecting the forfeiture of the grants. We shall only state, in addition to Sir Alexander Bannerman's testimony, that Mr. Cooper is entirely wrong in his surmises and conclusions about any pledges or promises having been exacted from the Liberal Government formed in 1851. We were a member of that Government, and we are quite sure that the Despatch of the 12th February, 1851, was never discussed in Council, nor any promise made by or expected from the members of the Government in reference to the subject of it.—EDITOR OF EXAMINER.]

The Examiner.

Charlottetown, P. E. I., October 16, 1860.

THE LAND COMMISSION.

FROM the remarks made by Commissioner Grey on the closing of the Court in Charlottetown, and from our knowledge of the great amount of information collected by the Commissioners in the course of their enquiry—all of which information will have to be closely examined and studied—it will be a considerable time before their award can be made known in this Island, most probably not sooner than February or March, when the Legislature will be in session. Judging, however, from the whole scope of the enquiry, and from the desire evinced by the Commissioners to have something like a fair valuation set upon the Township lands, there is every reason to feel assured that the question of Escheat, considered with reference to the old conditions about the number of settlers on each Township, will not be entertained by them. How disputed and conflicting claims between land speculators and agents, in cases where three or four individuals claim each to be the sole owner of the same property—are to be settled by the award of the Commissioners, it is not so easy to conjecture. It is evident that those contentions must be set at rest. Many poor people have been almost worried to death and put to great expense by them, as in the case of the squabbles about the ownership of Lots One and Three. When examining disputed claims of this nature, if the title of one claimant be no better than another—and if all are doubtful or bad, the only course that appears to us practicable, is to revest the land in the Crown; and if this be done there will certainly be an important advantage gained by the Commission.

But with respect to other Township lands, of which the titles are confirmed, or admitted to be good, can the Commissioners alter or improve by their award the conditions of settlement? Can the proprietors be compelled to sell them at four or five shillings an acre—can they be forced to forgive their back rents, or give more favourable terms in their leases? One of the Counsel for the Tenantry, Mr. Thomson, asserted at the opening of the Commissioners' Court—and he was not contradicted by the Commissioners—that they had powers sufficient to effect any and all of these objects—to make the proprietors sell at whatever price would be considered a fair equivalent for their lands, and to strike off a portion or the whole of the arrears of rent. Mr. Thomson stated, moreover—and this view was also quietly acquiesced in by the Commissioners—that the award would be binding on all the proprietors, on those who did not agree to the appointment of the Commission as well as on these who did. If we have, in this view, a correct estimate of the power of the Commission, there is no doubt that great advantages will result from its institution, although we are confident the tenantry will not derive from it one third of the benefit they desire or expect. The Government are, however, entirely opposed to the view taken by the Counsel employed by themselves to advocate the interests of the tenantry: we say "the Government," because the *Islander*, which is edited by the Colonial Secretary and Chief Clerk of the Executive Council, is fairly presumed to speak the sentiments of Mr. Dundas and his advisers: and that paper most strongly repudiates the view urged by Mr. Thomson. It appears to consider that the three great questions at issue—namely, the liability to forfeiture under the original grants, the indebtedness of proprietors for quit rents, and their occupation of the Fishery Reserves—must all be decided by the Commissioners in favour of the proprietors; but as regards any concessions to the tenantry, such as a remission of arrears of rent, or a right to purchase,—that, says the *Islander*, can only form the basis of some recommendation from