

Eleven Lots, at Two Shillings per acre hundred 110 0 0
 dred acres, }
 Rent Town and pasture lots uncertain.

It is therefore our will, that out of the produce of our said Revenue of Quit rents, so to be paid as aforesaid, you do take to yourself as Governor of our said Island, the sum of Five Hundred pounds sterling per annum; and you do also cause the following annual salaries to be paid out of the said Revenue, to the several officers herein after mentioned—that is to say, to the Secretary and Register of our said Island, One Hundred and Fifty pounds sterling per annum. To the Chief Justice of our said Island, Two Hundred pounds sterling per annum. To the Attorney General of our said Island, One Hundred pounds sterling per annum. To the Clerk of the Crown and Coroner, Eighty pounds sterling per annum. To the Provost Marshal, Fifty pounds sterling per annum. To a Minister of the Church of England, One Hundred pounds sterling per annum. To the Clerk of the Council, Fifty pounds sterling per annum. And it is our further will and pleasure, that the said salaries, as well to yourself, as to the rest of the officers above mentioned, do commence and become payable, from and after the first day of May last past, and that the same be paid quarterly by our Receiver General of our Quit rents, for our said Island, or his deputy, pursuant to warrant signed by you, our Governor, with the consent of our Council, for our said Island, as directed by our commission under our great seal of Great Britain; provided nevertheless, that it be understood, and we do hereby declare it to be our Royal will and pleasure, that the foregoing appropriation of our said Quit Rents to the support of the Civil Establishment of our said Island, as aforesaid, shall be only for a limited time, that is to say, not to exceed the space of ten years; and that in case the annual amount of said Quit Rents shall fall short of the appointments above mentioned, either by a failure of consent in any number of the Proprietors to the alterations proposed in the terms of their grants, or hereafter by any accident or casualty whatever, the salaries and allowances to the several officers above mentioned, shall be diminished in proportion.

2. Resolved, That it is the opinion of this Committee, that the original Grantees or Proprietors, finding it impracticable for them to fulfil the terms and conditions of their respective grants, by setting their Lands with the required number and description of persons, and within the time prescribed for that purpose, or to pay the Quit Rents specified therein, were generally induced to dispose of their lands many years ago for a trifling consideration, to speculators, who had no claims whatever on the Crown, but who nevertheless found indirect means to impose on His Majesty's Government from time to time by misrepresentation, and thereby easily obtained remission of their Quit-Rent, although they have notoriously neglected the Settlement and Improvement of the Colony, to the great and manifest injury of those few persons who had been induced to emigrate and settle therein, relying on the rapid settlement and improvement of the Island.

3. Resolved, That it is the opinion of this Committee, that from the just representations formerly made to His Majesty's Government

by those who knew best the desperate state of the Island, it graciously pleased His late Majesty King George the Third, by Lord Hobart his Minister, in the year 1803, to direct and sanction the passing of an Act to establish and regulate a Court of Escheat in this Colony, and His Majesty's gracious design in this instance was communicated to Governor Fanning in a despatch, of which the following is an extract:

DOWNING-STREET, Aug. 6th, 1803.

The present state of the Island of Prince Edward, and the representations which have been made in behalf of the Inhabitants, having been brought under the consideration of His Majesty's Ministers, it has been determined that a composition should be accepted in lieu of the full amount of the claim which Government has against the Proprietors of Land for arrears of Quit rent, and that each Proprietor should stand excused a part of his arrear, proportioned to the number of acres he has settled according to the terms of the Original Grants. To form a scale by which this might be determined, the proprietors have been divided into Five Classes, and a plan has been proposed and approved by His Majesty, of which the following is the substance:—

1st Class.—Proprietors whose Lands are fully settled, to be excused the whole arrear except for four years, to be paid within one month after notice given to them.

2d Class.—Proprietors of whole Townships or Lots who have settled 10,000 acres and upwards, or Proprietors of smaller tracts whose land are above half settled, to be excused the arrear except for five years, to be paid within one month after notice given to them.

3d Class.—Proprietors of whole Lots who have settled from 5,000 to 10,000 acres, or proprietors of smaller tracts whose lands are from one-fourth to one-half settled, to be excused the arrear except for nine years, to be paid within one month after notice given to them.

4th Class.—Proprietors of whole Lots who have settled less than 5,000 acres, or Proprietors of smaller tracts whose lands are not settled in the proportion of one-fourth, to be excused the arrear, except for twelve years, to be paid by two equal instalments, within four and eight months after notice given to them.

5th Class.—Proprietors whose lands remain totally unsettled, to be excused the arrear, except for fifteen years, to be paid by two equal instalments, within four and eight months after notice given to them, and in failure of these payments, the Lands to be resumed by the Crown.

In consequence of these arrangements, the Receiver General of Quit-Rents has, in obedience to the instructions he has received from the Lords Commissioners of the Treasury, taken proper steps for settling with the Proprietors in England for the payment of the several proportions of the composition which Government is willing to accept; and he will shortly proceed to Prince Edward Island to call in like manner upon the Proprietors residing therein.

In order to give full effect to the measures which have been adopted here, it will be necessary that you should be prepared to pursue, without loss of time, when circumstances shall render it advisable, the requisite legal steps for effectually vesting in His Majesty's Court

lands as may be liable to be escheated and forfeited.

It is also highly expedient that a proper and effectual method should be established of collecting, receiving, and accounting in future for the Quit-Rents, as they shall become payable, whereby all frauds, concealments, irregularity or neglect may be prevented, and whereby the receipt thereof may be effectually checked and controlled. I am, therefore, to signify to you His Majesty's pleasure, that you are, in the strongest manner, to recommend to the Legislature of the Island under your Government, to pass an Act for these purposes, with as little delay as possible, and I enclose you herewith certain clauses put together in the form of a Bill, which seem to me to comprehend the points most material to be attended to. These clauses form part of a Bill prepared a considerable time ago, under the direction of His Majesty's Law Officers, with a view of being sent out to the Colony to be passed into a Law, and they appear to be perfectly applicable on the present occasion.

With respect to the measure to be adopted for the recovery of such Lands as may be liable to be escheated and forfeited to the Crown, either by non-improvement, non-payment of Quit-Rents, or non-performance of any other conditions of the Grants, the practice which has prevailed in this respect in Nova Scotia (to the Lt. Governor of which Province you will, if necessary, apply for such information) will, it is conceived, be a sufficient precedent for your guidance and direction; and it is His Majesty's pleasure, that after having fully informed yourself upon this subject, you should follow the same line of proceeding which has there been established, and you will regularly report to me, for His Majesty's information, the circumstances which may from time to time arise, and the steps which may in consequence be taken. Full instructions with regard to the disposal of lands, the property of the Crown, or which may hereafter be resumed, will shortly be transmitted to you.

(Signed)

HOBBART.

That this display of His Majesty's Royal beneficence was hailed by the deluded colonists as a prelude to prosperity and independence, and as a measure which would ultimately place them on an equal footing with their neighbours in the adjacent Provinces; and an Act was immediately passed by the three branches of the Legislature in compliance with the despatch, and which in effect would have reverted in the Crown nearly the whole of the lands in this Island, as they were then beyond doubt liable to forfeiture and Escheat.

4. Resolved, That it is the opinion of this Committee, that although the Act of 1803 for regulating a Court of Escheat, was passed in strict conformity with the despatch from His Majesty's Minister on that subject, and although various other Acts were passed both before and since by the Colonial Legislature, containing the most just, proper and equitable enactments calculated to improve the trade of the Island, encourage the introduction of Emigrants, and thereby the cultivation of the soil, yet, notwithstanding the obvious advantages to be derived from such Laws, had they been permitted to go into fair operation, certain proprietors and their adherents have cer-