

in circulation, issued by persons in New Brunswick, payable in Halifax, but without any security provided for the redemption thereof, and the circulation of such Notes is prohibited, in the Province of New Brunswick, by law, under the penalty of Five Pounds for each offence.

To prevent any evil consequences arising to the Colony from the circulation of such paper currency, the House of Assembly made a transcript of the New Brunswick Act referred to, which was unanimously agreed to by the House of Assembly, and sent up to the Council for their concurrence, but was rejected.

The documents delivered will show, that the grievances of the Colony are not imaginary, and the rejection by the Council of all the measures proposed by the House of Assembly, for redress of those grievances, has left the people of Prince Edward Island no alternative but by AN APPEAL TO HER MAJESTY'S GOVERNMENT; and, if it is deemed necessary to bring the matter before Parliament, the necessity of the case will urge its being brought on before the prorogation; and any further explanation or information that may be necessary, to enable Government to form a correct judgment on the case, will be supplied by one, who has the honor to be,

My Lord, your Lordship's
Most obedient humble servant,
WM. COOPER.

The Most Noble
The Marquis of Normanby, &c. &c. &c.
Downing Street.

(No. 2. Copy.)

SAVILLE PLACE, MILE END,
August 10th, 1839.

MY LORD;

On the 15th July, the subscriber had the honour to deliver at the Colonial Office, the Address of the House of Assembly of P. E. Island to Her Majesty the Queen, with various documents in support of the Address, together with two Bills agreed to by the House of Assembly, for the settlement of the Colony—all of which were submitted for your Lordship's favourable consideration.

The unsettled state of the inhabitants of that Island will keep them anxious to receive a favourable report from their delegate; and, after a lapse of almost four weeks, it will not be deemed premature in me to solicit your Lordship for an answer, and to offer my attendance at the Colonial Office, to give any explanation or information that may be required.

I have the honour to be,
My Lord,
Your Lordship's most obedient
humble servant,
WM. COOPER.

The most Noble
The Marquis of Normanby, &c. &c. &c.
Colonial Office, Downing Street.

(No. 3. Copy.)

15, SAVILLE PLACE, MILE END,
September 2nd, 1839.

MY LORD;

The subscriber had the honour to wait upon your Lordship, the 14th August, to solicit an answer to the petitions and other documents, delivered at the Colonial Office, from Prince Edward Island, praying for the settlement of that Colony; and, having understood from your Lordship that an answer would be given in time to leave England early in September, the subscriber begs leave to express his earnest desire to receive the answer as early as convenient.

I have the honour to be,
My Lord,
Your Lordship's most obedient,
humble servant,
WM. COOPER.

The most Noble
The Marquis of Normanby, &c. &c. &c.
Downing Street.

(No. 4. Copy.)

15, SAVILLE PLACE, MILE END,
September 9th, 1839.

MY LORD;

The following having appeared in the Public Papers, "that Lord John Russell and the Marquis of Normanby have interchanged with each other their respective Offices," the subscriber deems it his duty, for the information of your Lordship, to send a copy of his first communication to the Marquis of Normanby, which is hereunto annexed. And as the applications from Prince Edward Island, from time to time, for the appointment of a Court of Escheat, are carried to a considerable length, and based on various grounds, to suit the ends the several applicants had in view—to enable your Lordship, without trouble, to judge of the merits of the several applications, the subscriber will endeavour to compress the matter, and shew by a chain of circumstances that the Proprietors of the Township Grants (or some of them) have formed a plan, coeval with the grants, to withhold the quit rents from the Crown—to inveigle British subjects into the Island to improve the land, and then to deprive them of the value of their labour.

By an Order in Council, of the 26th of August, 1767, the Governor of Nova Scotia was directed to grant the Lands of the Island, in 67 Townships, of about 20,000 acres to a Township, subject to the following reservations and conditions—viz: "That, in order to promote and encourage the Fishery, for which many parts of the Island are conveniently situated, there be a clause in the Grant of each Township that abuts upon the sea shore, containing a reservation of liberty to all His Majesty's subjects in general of carrying on a free fishery on the coast of said Township, and of erecting stages and other necessary buildings for the said fishery, within the distance of Five hundred feet from high water mark." The reservations for

the fisheries, as contemplated in the Order in Council, have been strictly followed in the Grants of only twelve Townships. In thirty-two Townships, the reservations are as follows: "And further, saving and reserving, for the disposal of His Majesty, his heirs and successors, Five hundred feet from high water mark, on the coast of the tract of land hereby granted, to erect stages and other necessary buildings, for carrying on the Fishery." Of the remaining twenty-three Townships, eighteen contain no reservations for a fishery; and, of five, no Grants are on record. [Conditions as contained in the Grants.] The Grantees binding themselves, their heirs and assigns, by the acceptance of the Grants, to pay an annual Quit Rent to His Majesty, his heirs and successors (varying from two shillings to six shillings, per hundred acres.) "And the said Grantees further bind and oblige themselves, their heirs and assigns, to settle the said Lot or Township hereby granted, within ten years from the date hereof, with Protestant settlers, in the proportion of one person to every two hundred acres—said Protestant settlers to be introduced from such parts of Europe as are not within His Majesty's dominions, or to be such persons as have resided within His Majesty's dominions of America two years antecedent to the date hereof; and, if the said Grantees shall not settle one-third of the said Lot or Township, in the proportion aforesaid, within four years from the date hereof, then the whole of the said Township shall become forfeited to His Majesty, his heirs and successors, and this Grant shall be void and of none effect."

Shortly after the Island was granted, it was erected into a separate Government, at the instance of a Memorial of the Grantees, engaging to defray the expense of the Colonial Civil List from their quit-rent. Two of the Grantees were appointed Governors successively, and, before the arrival of any persons to settle in the Island, the Grantees were a constituted Body, as Government, Legislature, and Landlords. There was very little of the quit-rent paid, and no attempt was made for the introduction of Foreign Proprietors; but some of the Grantees or Proprietors made a lucrative trade in the transportation of British subjects; and, as emigrants could not submit on their arrival in a thickly wooded country without fishing, the proprietors, to enhance the value of the land, claimed the fishing reserves; and as there was no government in the Island but the proprietors, emigrants had to accept whatever terms were offered, and to promise to pay whatever was demanded, or leave the Island. The people knew that the grants were forfeited, and as many of the Townships appeared to be abandoned by the Grantees, and the Tenantry finding it impossible to pay the rent demanded, left their locations and improvements, and went to settle upon some of the Townships for which there was no ostensible owner; but when such Townships became valuable by the labour of the inhabitants, some person in the Island, under pretence of having bought the Township or become the land-agent, (frequently without authority) compelled the persons in occupation to atone and pay rent, or leave the land. Under these circumstances, the tenantry did not suppose that any promise, attornment, or engagement, on their part, would prevent the Government interfering to forfeit the lands, and do them justice. And, to amuse and deceive the people, the proprietary legislature made several applications to the home Government for the appointment of a Court of Escheat—not to settle the people who were improving the land, but that the proprietors and land-jobbers in the Island might get possession of the lands of the absentees.

(To be continued.)

THE COLONIAL HERALD.

SATURDAY, FEBRUARY 8, 1840.

Since our last, New York papers have been received, furnishing London dates to the 13th December. The news is not of much political importance.

JAMAICA—We have received files of Jamaica papers to the 21st Dec. and a letter of same date. The Island, generally, was somewhat more healthy than at our former accounts thence. The weather had been very unfavourable; no sea breeze, but calm and oppressive by day, and at night, strong chilly winds from the north. The two houses of Parliament and the Executive, continued on the best of terms, and the public business of the Colony was being transacted in a most friendly and satisfactory manner. The House of Assembly had fixed the Governor's salary at £8000 sterling.—The Legislature was about to adjourn for the Christmas holidays, and would not meet again till March, to finish the business.

Yellow Fever at Barbadoes.—H. M. S. Vestal brought sad accounts of sickness at Barbadoes. One hundred and thirty cases of Yellow Fever occurred on board of her between the 10th of Nov. and the 18th Dec.—Mr. Hall, the master; Mr. Herring, the second master, and 25 seamen, fell victims to it. The 52d and 67th Regiments had suffered, and continued to suffer, severely.

BERMUDA, Jan. 14.—The Portuguese Slave-brigantine Ulysses, from the coast of Africa, bound to Cuba, with 529 slaves on board, was captured by H. M. schooner Skipjack, Lieut. Wright, on the 1st Dec last, off the Isle of Pines.

Master Hutchings, the Lilliputian actor, who exhibited in Charlottetown last summer, is performing, with great success, at New York.

The House of Assembly has been engaged, from Tuesday morning last yesterday, in the investigation of certain charges preferred against Mr. Arbecke, one of the members of the House; but as the proceedings were conducted with closed doors, we are unable to give any precise account of their nature, or of the facts which were elicited. At half-past Two, yesterday, the Committee of the whole, (on Privileges) rose without reporting, by which it would appear, that the charges, whatever they were, had not been substantiated.

In the course of the week a Message from the Lieutenant Governor was sent to the House of Assembly, transmitting a despatch on the subject of the bill past last Session for the relief of the American Loyalists.

The following is the despatch alluded to, in which is set forth the reasons why Her Majesty was not advised to sanction the said Bill.

Downing Street, 31st Oct. 1839.

Sir;

I have to request your attention to the following observations on the Act, No. 519, for the relief of the American Loyalists.

The preamble of this Act sets forth the circumstances under which grants of land were, many years back, made to certain American Loyalists, and how it has happened that these individuals, or their heirs, are not now in possession of the Land so granted.

The objects of the present Bill are, to establish a Commission, for investigating the claims of these persons or their descendants, and to provide for the satisfaction of such claims as may be established, partly by Grants from the remaining waste Lands of the Crown, and partly by the application for that purpose of the lands of the grantees, or their heirs, with whom the plan originated, in the year 1783, of alienating parts of their Estates for the benefit of that class of persons. The facts are too imperfectly explained in the preamble, to admit of any confident opinion being formed as to the merits of the questions controverted between the old proprietors and the loyalists; indeed, it is scarcely possible to ascertain what may have been the nature of those questions. All that appears is, that the grantees, amongst whom nearly the whole surface of the Island had been divided, were persons residing in England, without the slightest intention of residing on the Lands assigned to them. The American Loyalists were at first regarded with great favour, because their settlement in the Island would increase the value of the Estates of the absentees, and, to tempt them thither, the offer was made of a surrender to them of certain parts of the wilderness, in the hope that the rest might thus become an available source of emolument. The project was defeated by misunderstandings and disputes. All this occurred fifty-six years ago. That the Loyalists may have been defrauded, disappointed and oppressed, is but too probable. That the fault may have been their own, or partly so, is no extreme improbability. But the whole rests on conjecture and surmise. Assuming, however, as the local Legislature has assumed, every thing against the Proprietors, and in favour of the loyalists, I cannot be justified, for—

1st. After a lapse of more than half a century of undisturbed possession, by the old proprietors, there is a presumptive title, which I must advise the Crown to respect.

2dly. The effect of this Bill would be, to transfer to the Commissioners to be appointed under it, not merely the proper functions of the tribunals, but the power of reviving questions on which these tribunals may have already adjudicated.

3dly. The Bill affords no protection to bona fide purchasers of these lands, from the old proprietors, who acquired them without notice of the remote and dormant claims of the Loyalists.

4thly. The Legislature here assume a right to dispose of the waste Lands of the Crown, which the Crown has never yet surrendered to their control.

For these reasons, I should not feel myself justified in advising Her Majesty to confirm this Bill.

I have, &c. RUSSELL.

Lieut. Governor
Sir Charles Fitz Roy.

BEDEQUE AGRICULTURAL SOCIETY.

The annual meeting of the Bedeque Agricultural Society took place on Monday the 20th ult., at the house of Mr. Thomas Hooper—the Hon. Joseph Pope, President, in the Chair—when the annexed statement of the affairs of the Society was presented by the Secretary; and being read, it was resolved—

1st. That the statement of the affairs of the Society, as now read, be adopted by the meeting, and published.

2d. That the thanks of the Society be given to the President, Secretary and Committee, for their attention to the affairs of the Society, during the past year.

3d. That the sum of £3 be expended in premiums for the exhibition of Grain; and a further sum of £5, for a Ploughing Match, under the direction of the Committee; and that One Month's previous notice be given in the Newspapers.

The meeting then proceeded to the election of Officers, for the ensuing year, when the following persons were chosen—

Hon. Joseph Pope, President, (re-elected,) Mr. Stephen Wright, Vice President, do.; John Craig, Esq. Secretary & Treasurer, do. Committee—Messrs. John M'Callum, James Clarke, Richard Cole, William Anderson, Joseph Black.

General Statement of the Affairs of the Bedeque Agricultural Society, 20th January, 1840.

Dr.	£ s. d.
Balance in Treasurer's hands, 1839.	16 15 3
Subscription of Members,	3 5 0
Proceeds of sales of Stores,	26 16 7
Debts due the Society,	2 5 3
Amount of Stores on hand,	7 6 6
	£56 8 7

Cr.	£ s. d.
Paid for Seeds, and incidental expenses,	8 17 9
Balance in favour of the Society,	47 10 10
	£56 8 7

JOHN CRAIG, Secretary.

CHARLOTTETOWN TEMPERANCE SOCIETY.—On Monday evening, the 3d inst. the Annual Meeting of the Charlottetown Temperance Society was held in the Wesleyan Chapel, in pursuance of public notice, previously given.

An animated and interesting Report was submitted by the President, the Rev. J. Waddell, in which the necessity of renewed and increased efforts in the cause was forcibly urged, accompanied with much encouraging information from other parts. The meeting was severally addressed by the Rev. Mr. Smith, Rev. Mr. Scott, Mr. Nelis, Mr. C. C. Davison, and others, and the following Resolutions were unanimously adopted:

1. Resolved, That the Report be approved and adopted.

2. Resolved, That the Society have heard with much gratification of the continued efforts of the friends of Temperance in other parts of the world, and would be stimulated thereby to follow their example.

3. Resolved, That in order to excite a more general interest upon the subject throughout this Island, the several Ministers of the Gospel be respectfully requested to preach a discourse in their several congregations, in favour of the claims of Temperance, on the first Sabbath of April next.

The Office-bearers for the year were then elected, as follows:—Rev. J. Waddell, President, (re-elected.) Rev. W. Smith and Mr. Isaac Smith, Vice Presidents, do. Committee—Messrs. William Bain, John Boyer, Hugh Perkin, Watson Duchemin, John Williams, Henry Smith, John Pidwell, Christopher Cross, J. S. Bremner, James Connell.

A letter being handed in from Mr. James Moore, declining to be continued as Secretary, owing to his want of time to attend to the business of the office, a vote of thanks was unanimously passed to Mr. Moore, for his past services, and, along with Mr. J. B. Cooper, (re-elected), Mr. W. Nelis was chosen Secretary.

A meeting of the Committee will be held on Wednesday evening next, at the Rev. Mr. Waddell's, at 7 o'clock.

The Herald, from Prince Edward Island, arrived at Dublin in 21 days passage.

The British Lady, Hillman, from hence, arrived at Bideford in 30 days.

At Halifax, N. S., Jan. 23, Schr. Reliance, Bell, hence, 24 days.

31st.

At Government House, Fredericton, on Wednesday the 15th January, the Lady of Captain Tryon, of a son and heir.

Arrived,

On the 28th ult. by the Rev. L. C. Jenkins, Mr. John Lader, Nine Mile Creek, to Flora, youngest daughter of Mr. Donald Livingston, Dog River.

On the 26th ult., by the Rev. John Macdonald, Mr. Andrew M'Eachern, to Ann, second daughter of Capt. Malcolm Campbell, both of East Point.

In the House of Assembly,

Thursday, January 30, 1840.

RESOLVED, That no Petition praying aid for Roads and Bridges, or for any object of a local or private nature, be received after Thursday the 20th day of February next.

ORDERED, That the above Resolution be inserted in the different Newspapers published in Charlottetown.

By Order,
W. CULLEN, Clerk.

BONDS.

Treasurer's Office, November 11, 1839.

AGREEABLY to the Order of His Excellency the Lieutenant Governor in Council, of the 8th November, 1838, which directs that in future the payment of all Bonds be enforced within One Month after they shall become due, I hereby notify all persons having BONDS in the Treasury, which come within the meaning of the above Order in Council, that unless their amounts be forthwith discharged, they will, without distinction, be placed in the hands of the Attorney General, to proceed thereon for their recovery.

T. H. HAVILAND, Treasurer.

BAZAR.

THE BAZAR advertised for the 14th February, is put off until Thursday the 27th February, 31st January, 1840.

BENEVOLENT IRISH SOCIETY.

THE Quarterly Meeting of the Benevolent Irish Society will be held at the Wellington Hotel on Monday Evening next, the 10th inst., at Seven o'clock. A full attendance of members is requested.

EDWARD KICKHAM, Secretary.

PRINCETOWN AGRICULTURAL SOCIETY GRAIN SHOW.

THE following Premiums for the competition of Grain will take place on Monday, the 10th February next, at the house of Mr. George Beirsto, in this Royalty, at 10 o'clock, a. m. Competition open to members only, viz:—

For the best two bushels of Wheat,	£1 0 0
2d do.	0 10 0
3d do.	0 7 6
Best 2 bus. Oats,	0 18 0
2d do.	0 9 0
3d do.	0 5 6
Best two bushels Barley,	0 17 0
2d do.	0 8 0
3d do.	0 5 0

The Grain to be the production of the competitors' farms, and the growth of 1839.

The Judges will be appointed on the morning of the exhibition.

Immediately after the Show, sundry articles belonging to the Society will be exposed for sale at Public Auction.

WM. BEAIRSTO, Secretary.

Princetown Royalty, 21st Jan. 1840.

BEDEQUE AGRICULTURAL SOCIETY GRAIN SHOW.

THE following Premiums for the competition of Grain will take place on Friday the 20th March, at the house of Mr. Thomas Hooper, at the hour of Ten o'clock. Competition open to all persons, reserving that any person taking a prize, not connected with the Society, shall become a member of the same.

For the best Wheat,	£1 0 0
2d do.	0 15 0
3d do.	0 10 0
For the best four-rowed Barley,	1 0 0
2d do.	0 15 0
3d do.	0 10 0
For the best Black Oats,	1 0 0
2d do.	0 15 0
3d do.	0 10 0
For the best sample Timothy Seed, not less than 1 bushel,	0 15 0
2d do.	0 10 0

The Grain to be of the growth of 1839, and each sack to contain not less than two bushels.

The following gentlemen are appointed Judges:—Messrs. Isaac Schurman, Joseph Black and James Wright.

The Secretary will attend at the house appointed, the day previous, from 10 o'clock, a. m. to 3 p. m. to receive the samples. No samples will be received on the day of exhibition.

JOHN CRAIG, Secretary.

Bedeque, Jan. 20, 1840.

BOOKS MISSING !!

CHITTY on Prerogative is missing from the Library of the House of Assembly; also, a volume of Lardner's Cyclopaedia, treating on Geology. Whoever may be in possession of either of the above, will please return them immediately.

S. DESBRISAY, Librarian.

Jan. 29, 1840.

D. & C. MURRAY,

White & Blacksmiths, Farriers, &c.,

RESPECTFULLY inform the Public, that they have commenced the above trades, in all their Branches, in King Street, next door west of the residence of the late Solicitor General (Mr. Lawson), where they will execute, at the shortest notice, and on reasonable Terms, all sorts of Mill Work, Edge Tools, Gig, Car, Sleigh, Farming, House & Ship work of every description, Iron Gates and Palisades, Horse Shoeing, Veterinary, &c. &c. &c.

N. B. Iron Axletrees made to order.

February 7th 1840.

THE Subscriber begs leave to inform the Inhabitants of Charlottetown, and the public in general, that he intends to establish himself as a TAILOR, not doubting but he will meet from a generous community that support which strict application and industry at all times command. All orders in the above line will be punctually attended to, at his place of residence, next door to Mr. Jury, Clock and Watch-maker, Kent Street.

LAWRENCE LANDY.

APPRENTICE WANTED.

THE Subscriber wants an APPRENTICE for the Mills at St. Cuthbert's, in the vicinity of Charlottetown. None need apply without unexceptionable reference as to character.

W. MACINTOSH.

18th Feb. 1840.

CAUTION.

ALL Persons are hereby cautioned against cutting or carrying away Timber, or Wood of any description, from that part of Township No. 43 belonging to the Estate of the late Honorable William Townsend, deceased, if they wish to avoid law and law costs.

CHARLES WORRELL,

Mortgagee in possession.

Morel House, 4th Feb. 1840.

WANTED to Purchase, a Vessel of 150 to 180 Tons.

T. B. TREMAIN.