

FOR THE COLONIAL HERALD.

TO THE ELECTORS OF PRINCE EDWARD ISLAND.

It is known to many of you, that the principal object I had in view in becoming a member of the Legislature, was to obtain a settlement for the people who improved the land from its wilderness state, which improvements made the rest of the land valuable, as well as the Colony generally. To me it appeared to be a case of great hardship and injustice, and a system that ought not to be tolerated under the British Government, to allow the Grantees, who had large tracts of land granted—not for themselves alone, but for the express purpose of settling a certain number of other persons, in the proportion of one person to every two hundred acres—instead of settling those persons by a Deed, in fee simple, to bring them under lease for a term of years, at a high rent, and eventually to deprive and dispossess the Tenant of his improved farm.

Now, I believe the Home Government are fully convinced that the practice of letting the land for a term of years, at a high rent, is unjust, and contrary to the conditions of the Grants, and to the Indulgence of 1816; but as the practice has been followed, and rents have been recovered, and tenants have been ejected out of their improvements by judgments of the Courts of Law in this Colony, Lord John Russell has been made to see that to return to a course of strict justice, at this late period, after the people have been so long oppressed, would render the oppression the people have endured much more glaring. But as the unsettled state of the inhabitants has been brought before the Imperial Government and the House of Commons, it cannot remain any longer without a settlement, in some way or other—either for or against the interests of the people. But the settlement has been put off, to give time to discourage the people with Despatches and Speeches, and to render them indifferent to their interests at the ensuing Election, that men may be returned to the House of Assembly who will confirm the Grants by an Act of the Legislature; and whatever terms they may give to the Tenantry, whether good or bad, will be fixed by Law.

You have, no doubt, heard of my preparing to leave the Colony, which I hope to be able to do in 18 or 20 months; but I would not lose the opportunity of offering my advice, at this critical period, when every exertion will be made to deceive you, and to induce you to elect men who will favour the Proprietors' interest and injure your own. I have, therefore, selected a few of the Proprietors' favourite arguments (with which they try to defend their system of oppression), in order to expose their fallacy, and to shew you that the Grantees had no authority, either in Law or Equity, to limit the settlement of those persons whom they were bound to settle to a term of years, or to demand rent from such persons for unimproved land.

The iniquitous and oppressive system of demanding rent for the forest land of a new Colony was introduced by deceiving the Emigrants who came here to settle, and also the Imperial Government. Emigrants were led to believe that the lands were granted to certain persons, for their services, and that they had a right to make all they could by it; and the Imperial Government were led to believe that the rent demanded of the tenants was only the interest of the money expended by the Grantees in paying the passage of Emigrants, erecting houses for them, and supplying them with necessaries before they could provide for themselves. As far as this was true, there could be less objection; but I have understood that the few persons who came to this Colony under such circumstances had to pay such debts with interest, and the rent besides. And I know that within these last 15 or 20 years, that upon many of the Townships where people had come to the Colony and settled themselves without any expense to the Grantee—had rendered his land generally valuable by their improvements, and saved it from Escheat—that those useful persons have been compelled to atton and to pay rent to the Proprietor, or be ejected from their improvements.

And the only arguments the Proprietor would set up in defence of such proceedings are, "That the land was granted to persons for their services, and a man may do what he likes with his own property.—When a person had signed a lease or attoned, it was a proof that the land was not his.—If any person was fool enough to make a bad bargain, with his eyes open, in becoming a tenant, he had no right to complain afterwards—it was his own seeking—he was glad to get the land."—These may appear good arguments for sharpers or swindlers, to cheat the unsuspecting man who makes his living by his labour and industry, but the Grantees or Proprietors ought to know, that the Imperial Government had better objects in view in granting the land, as will appear in the conditions of the Grants.

Emigrants arriving in this Colony, to settle and clear farms, could not form an estimate as to whether the land—a forest—could afford a rent; they could not foresee what quantity of labour would be required to grow a certain quantity of produce; and it was equally as uncertain to say where he would find a market, and money payment for any produce he might have to spare; and immigrants could not choose, and make a bargain for the price or rent of the land, as the Island was all granted; and the Grantees had taken possession of the reserved lands for the fisheries also. The immigrant, to obtain leave to erect his first hut, had to submit to the Grantee's terms, and become his tenant; and unless the Government held some check in the Grants, to compel the Grantees to settle the inhabitants, the Imperial Government, in passing such Grants, would be a party in laying a snare to entrap a portion of their subjects into the hands of the Grantees, to deprive them of the property made by their labour.

And, accordingly, we find that the Island was granted upon condition that the Grantees should settle the land within ten years from the date of the Grants, in the proportion of one person to every two hundred acres; and that in the year 1816, the Imperial Government gave further indulgence, allowing ten years more to settle the lands, in the proportion of persons specified in the original grants; and as the Crown made it a principal condition of the Grants that a portion of the subjects were to be settled in this Island by the Grantees, this was a bargain, made by the Crown with the Grantees on behalf of a number of persons who were to come to this Colony, to clear the lands for themselves and reside on the Island; and it became the duty of the Colonial Government to know what description of settlement was meant, and to see that it was faithfully performed.

And as the words and acts of the Imperial Government are to be construed in the most favourable light, for the honor of the Crown, and for the general benefit of the people; and according to this construction, the settlement reserved by the Crown in the conditions of the Grants, for the first inhabitants who were to improve the land, in the proportion of one person to every two hundred acres, were to be freeholders; and allowing one

hundred acres to a settler, the Grantees would have one hundred acres for every person they would so settle, which would increase in value by the settlers improving their lands—therefore, it appears, that the Grantees were to have one half of the land for settling the other half—a sufficient remuneration, even if they had gone to the expense of settling the land with foreign Protestants.

In giving the conditions of the Grants this construction, I am fully borne out by the manner in which the Government have settled the Crown lands in the neighbouring Colonies, and also Townships 15 and 55, in this Island, where the first settlers received a Grant of 100 acres each in fee simple, on paying the expense of the Grant; and I am safe in saying, that the Imperial Government have never made it a practice in the American Colonies to charge any price for the forest lands (except a Quit Rent, for the support of the Government) until the Colony became improved, and the lands had acquired a value by the improvements of the first settlers—then, and not till then, the lands have been sold for what they were worth; and it must be evident to every unprejudiced mind, from the practice the Government have invariably followed in the settlement of new Colonies, and the conditions of the Grants of this Island, that the first inhabitants who have improved the lands of this Colony, to the number of 100 settlers to a Township of 20,000 acres, were to have been settled in fee simple.

But we are again told, that to interfere between the landlord and tenant, is disturbing the sacred rights of property, and that applying to the Home Government for the appointment of a Court of Escheat, is a design to rob the Grantees of their lands. This language is used for the base purpose of perverting the truth. Look to the conditions of the Grants, and you will see that the settlement of the first persons who were to improve the Colony is the most sacred right in the Grants; for if those persons were not settled, the Grants were to become forfeited—the Grantee would lose his right, while the persons who improved the land would be secured in their improvements by a Grant from the Crown. It is the high consideration I have for the sacred rights of property, and the honor of the British Government, which induced me to use every means in my power to put a stop to the Grantees continuing to rob the persons they were bound to settle of the property which ought to be sacred, as it is honestly acquired by hard labour and industry; and for those purposes alone I have followed the course pointed out by the Imperial Government, as contained in the original Grants, viz:—"That if the lands are not settled with the number of persons specified in the Grants, the lands are to become forfeited to the Crown." And in asking for the forfeiture of the Grants by Escheat, it was not with a view to deprive the Grantees of any right that they might have; it was to enable the Crown to settle the people according to the intention of the Grants. But any interference of mine will not prevent the Government and grantees from settling the people without an Escheat, if they are so disposed.

Now, it is evident that a land or penal tax upon the wilderness land, however great the amount, would have no effect whatever to induce the Proprietors or Grantees to perform the conditions of their Grants, by settling the tenants and occupants who first improved the land, in the proportion of one person to every two hundred acres, and by giving a Deed in fee simple, according to the manner in which the Government have settled persons upon the Crown lands. Such a tax would have a very injurious effect—it would induce the Government to believe that we did not want to have the tenants and occupants settled according to the conditions of the Grants, but that we wanted to leave them as they are, and reduce the price of the wilderness land. And when the conditions of the Grants are express, and shew plainly that the first 100 persons to a Township were to be settled, it would be great injustice to the persons who are now only tenants and occupants to give up their right in being settled in freehold for any benefit we could derive by a land tax. But whenever such persons are settled according to the conditions of the Grants, and the grantees should continue to hold their share of the lands unoccupied or unimproved until it became of greater value by the general improvement of the Colony, so as to produce a scarcity of land in the market for sale, then a tax, to compel them either to sell or improve their land, and to keep up their share of the Roads and Bridges, would not only be just and equitable, but absolutely necessary; therefore, to impose a land tax, in lieu of a settlement for the people, is to deprive them of a settlement, which they have a right to expect, and to deceive the Imperial Government, who would be led to believe, by such tax, that the people were settled.

Again, we are told that the tenant executed a lease, and covenanted to acknowledge the proprietor his landlord, and pay him rent; and that this was an obligation of a solemn nature, which the Government could not interfere with. I have already shown, that the conditions of the Grants are of a more solemn nature than any lease, and therefore the attempt at setting aside the conditions contained in the grants for settlement—to supercede them with any lease or agreement,—does away with all the solemnity of the lease or agreement; and not only renders them utterly worthless, but is a witness against them, to prove that such lease or agreement is unjust and oppressive, and leads the people to doubt the validity of any document, and the sincerity and good faith of their Government. And when we know that the Grantees have included in their leases the lands reserved for the fisheries, it might, with equal justice, be said, that such leases gave the landlords a title to the Fishery Reserves, such as the Government could not disturb or set aside.

When all arguments have failed to convince the people that the proprietors have a right to oppress them, we are told that we have gained nothing by agitation; that Lord John Russell has told us that it would be unjust to escheat the land; and the Governor, in his speech, that the prospect of an Escheat is visionary. This would be enough to stagger our hopes of a settlement for the people, if we had no other prospect but that of an Escheat; but the Resolutions of the House of Assembly recommend the appointment of Commissioners from the neighbouring Colonies, to fix the value of the land in its wilderness state, and to fix the price the people should pay for a settlement; and also, that those who have improved the Fishery Reserves might be allowed the possession thereof, without paying rent to the Proprietors of the Townships. The Despatch of Lord John Russell, and the Governor's speech, are not so much to be attributed to Lord John or the Governor as to our Executive Council, of which Electors will do well to inform themselves, to be enabled to discharge their trust at the next Election.

In Mr. Hume's letter, published in the Gazette of the 22nd, and in the Herald of the 26th March, he says—"The Resolutions of the House of Assembly, of the 25th April, 1840, point out an evil which, under Lord John Russell's own doctrine, in his despatch to the Governor

General of Canada, ought ere this to have been removed. The constitution of the Executive Government has, in almost all the Colonies, been the chief cause of all the troubles that have arisen from time to time; and if Lord John Russell had followed Lord Durham's advice, you might have had relief ere this to your difficulties."

Lord John Russell's doctrine and Lord Durham's advice is this—"that the Colonies are to be governed by the understood wishes of the people." The Executive Council is to be formed of men who are likely to be of opinion with the majority of the House of Assembly, on questions of general importance; and whenever the majority of the House of Assembly carry a measure in which the people are generally interested against the Executive, or pass a vote of want of confidence in the Government, then the Executive Council would have to resign, and another Executive formed from men who would agree in public matters with the majority of the House of Assembly. This construction of the Executive Council is what is called "Responsible Government," because the Government must be conducted and carried out according to the wishes of the people, as expressed by their Representatives.

This form of Government has been conceded to the other Colonies, but withheld from us; through the means of the Executive and Legislative Councils representing to Lord John Russell that the Majority of the House of Assembly were extravagant in their demands and visionary in their views, and had a desire to strike at the root of the rights of property, which ought to be held sacred. But the House of Assembly have shewn that both Councils are interested parties, as Proprietors, Land Agents, and their relatives; and it is clearly shewn, that the system which they are upholding is to deprive the Agricultural inhabitants of their property by means which cannot be justified or defended. The Resolutions of the majority of the House of Assembly pointed out a system of fraud and oppression, and pointed out several ways of affording redress, of which the appointment of a Court of Escheat was only a contingency, depending upon a refusal of the others; but instead of the Executive finding a remedy for the evils, or agreeing to the remedies proposed by the House of Assembly, the Governor passed them over unnoticed, and told the people that their views of an Escheat were visionary!

A Governor may carry measures in opposition to the Executive Council; but this is very seldom the case, and could only happen where the interest of the Imperial Government was involved—therefore, we may believe that all the measures of our Government which have been carried against the interests of the people generally, have been carried by the Executive Council, to suit their own views.

From the year 1794, during Governor Fanning's administration, the Council applied for a Court of Escheat. The Grantees, many of whom were residing in other countries, seeing that they would lose their lands, sold their Grants for a trifle to influential men on the Island who could command a little money, and the Governor himself became a large purchaser; and when an Escheat was conceded, in 1802, by the Home Government, it was suppressed in this Island. The Governor, Council, and other influential men, got all they wanted, and then they would send such representations to the Home Government as would bring out Despatches from Ministers to suit their views and interests. Thus a Government was founded in the Colony to protect the forfeited Grants from an Escheat, and at all hazards to enable them to take the property of the inhabitants who were improving the land, under a colour of Law. There have since been several removals of members, and additions to the Executive Council then in office, but there has always been enough of the old leaven left to leaven the new.

When the Escheat question was again brought forward, in 1832, the Executive Council were willing to go with the House of Assembly for an Escheat, supposed to be for nine or ten Townships that had but few inhabitants upon them, or that had no ostensible owner. This property, if thrown into the hands of the Council, would have given them greater influence, in proportion to the quantity of property to divide amongst their friends and dependents. This measure was called a partial Escheat, and only two members of the House opposed it. But as I knew that the Grantees were bound by their Grants to settle one hundred persons upon each Township of 20,000 acres, as has been already observed; and when Government settled such persons upon the Crown lands, by a Grant in fee, I believed it to be highly unjust in the Grantees, to let their land under lease at a high rent to the limited number of persons who were to have been settled, to improve the Colony; and as the only course to remedy this evil was pointed out in the Grants, namely, the forfeiture thereof, this was applied for, not for the purpose, as has been said, of depriving the Grantees of any claim which they might have, but to settle the first inhabitants in fee simple, according to the intention of the Grants; and had this desirable measure been carried into operation, there would still have been sufficient lands left in the hands of the Government to have given the Grantees their share, should the Government deem them deserving of it. This has been called a general Escheat; and while many of the people saw that this was just and equitable, and elected men to support their views in the House of Assembly, the Executive Council, or some of them, when they could not oppose it with sound argument, met the question with mockery and derision.

When the Earl of Durham went to Canada, to report upon the troubles of the Colonies, and to devise a remedy, Major Head was sent to this Island, and from evidence taken upon the spot, gave in a Report highly favourable to an Escheat, and of course to the settlement of this Colony; but I have been informed (not being on the Island at the time) that the Honorable Mr. Haviland, Mr. Pope, Mr. Dalrymple and the Attorney General went to give their report of the state of the Colony to the Earl of Durham; and the Report of Major Head, who had been on the Island, and examined many witnesses, was scarcely alluded to by the Earl of Durham in his general Report.

When a responsible Government was conceded to the other Colonies, and a change made in the construction of our Councils, it became necessary to call two Members from the House of Assembly to the Executive Council, but not any of those who were desirous of settling the inhabitants of the Colony. The Hon. Mr. Pope, who has told us, "that those who sought a settlement upon the land were the scum of the people—that the big fish would live upon the little ones; and that if the freeholders were compelled to pay rent, they would be more industrious than they are"—was chosen as a fit person to be a Member of the Executive Council.

Now, Electors will bear in mind, that while the House of Assembly send representations to the Home Government in public, the Executive Council can send

counter representations in private. When the House of Assembly sent me a Delegate to England, the Marquis of Normanby received me very kindly, but said he could not do any business with me until he had an answer from the Island; and when the answer came, it was such an answer that Lord John Russell refused to me.

The Executive Council can send home representations to induce a Colonial Secretary to believe that a Despatch such as the last sent out by Lord John Russell would discourage the people and put an end to agitation, and the same persons who sent the representations bring forth that Despatch, can boast that the minority have gained a triumph over the majority—the oppressed over the oppressed; and as few of the people can trace the evil to its proper source, the odium generally falls often on the Imperial Government, and has a tendency to weaken the strong attachment the people have to the institutions of the parent Country—and the House of Assembly, instead of applying to the Colonial Government for the settlement of their own affairs, have applied to Her Majesty and the Imperial Parliament.

These measures will shew Ministers the necessity of granting to this Island a responsible Government, which I have no doubt, will go into operation at the approaching Election; and it behoves Electors to know, that at the next Election they are not only to choose members to represent them in the House of Assembly, but also the Executive Council—their own Government. If the Electors return men to settle the people, they will be settled; but if they return men who believe that the first inhabitants were to be tenants, to pay rent for their improvements, they will have to remain unsettled, and frequently have to leave the Colony. The settlement or unsettlement of the agricultural inhabitants depends upon the next Election; and the Electors of the Townships who know that the trade and business of the Townships depend upon the prosperity of the country, will, when choosing men to represent their interests, insist upon their Representatives supporting a settlement for the people, who ought to have been long ago settled by the Grantees.

I am, Yours, &c.
WILLIAM COOPER.

Sailor's Hope, 29th April, 1842.

THE DAIRY.—Professor Low, in the last number of his "Domestic Animals of Britain and Ireland," says as follows, a carefully digested treatise on the importance of the dairy:—"The dairy is a branch of industry, deserving of industry in the highest degree. There are no other means known to us by which so great a quantity of animal food can be derived from human support from the same space of ground. In the British Islands, the production of this kind of aliment is immense, and its entire value forms no inconsiderable proportion of the yearly created produce of the land. There is no class of persons by whom milk, in one or more of its forms, is not used. Cheese may seem to be a mere superfluity to those who feed largely on other animal food, yet, even amongst this class, the consumption, from its regularity, is considerable; but amongst the far more numerous classes, to whom cheese is a part of their customary diet, the consumption of this substance is very great. Butter is used by almost every family above the poorest, and to an enormous extent, as a substitute in oil, in culinary preparations. Simple milk, too, enters into the diet of every class, with this peculiarity, that it is consumed in a larger quantity in the rural districts than in the towns. It may be difficult to make an approximate calculation of the quantity and the value of milk consumed by the twenty-five millions of the inhabitants of the British Islands. It is, perhaps, a reasonable calculation, that each individual consumes a quantity of milk in a day in its different forms, which would produce 570,312,500 gallons, and at 8d. the gallon, £19,010,416, besides more than 200 millions of gallons employed in the rearing and fattening of calves. Great as the production is, it is not sufficient for the supply of the inhabitants; and an importation takes place both of butter and cheese, which an extension of the dairy would enable the country to dispense with."

HORSE TRAINING.—The plan mentioned by Mr. Colton, as adopted by the Indians in subduing and taming the mestos or wild horses, by covering the eyes and breathing into the nostrils, has been lately tried by Mr. Dill in Yorkshire, and with singular success. One of the animals experimented upon was remarkably headstrong and apt to rear and kick with his fore feet, rendering it exceedingly difficult to get at his head, which was effected by climbing a tree to which the filly was tied, and leaning over as far as was practicable. The moment one nostril had been breathed into all was easy. W., who is very skilful in the management of a horse, coaxed it, and rubbed its face, and breathed from time to time into the nostrils, while the horse offered no resistance. In about ten minutes he declared his conviction that the horse was subdued; and he then unfastened it, and to the great and evident astonishment of the owner, (who had been trying all the morning in vain to get a mastery over it,) led it quietly away with a loose halter. Stopping in the middle of the field, with no one else near, he quietly walked up to the horse, placed his arm over one eye and his hand over the other, and breathed into the nostrils. It was pleasing to observe how agreeable this operation appeared to the horse, who put up his nose to receive the "puff." In this manner he led the horse through all the fields to the stable yard, where he examined the fore feet, and then the hind feet of the horse, who offered no resistance, but while he examined the hind feet, bent its neck round, and kept nosing his back. He next buckled on a surcingle, and then a saddle, and finally bitted the horse with a rope. During the whole of these operations the horse did not offer the slightest resistance, nor did it flinch in the least degree.

At an Easter parish meeting, the other day, a female having been nominated to serve the office of overseer for the ensuing year, it was objected to by some of the parishioners; upon which the indignantly exclaimed, that as they had a woman for a King, she did not see why they should not have a woman for Overseer. She persisted in the appointment, which was afterwards confirmed.—Essex Herald.

CURIOUS COINCIDENCE.—The courtiers deliberated how to get rid of Richelieu altogether. The Marquis de Marillac proposed to assassinate him, the Duke of Guise would have him exiled, and the Marquis de Bossompierre wished to confine him for life. It is a curious fact, that each of these propositions fell back upon their respective authors, so that each had the fate reserved for the object of their hatred.

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