It did not decide the question of quit rents.

It did not set out the metes and bounds of the farms, or show in respect of what particular parcels of land leased or unleased the compensation was respectively given.

It should have stated whether any breach in the original conditions of the grants was waived or not.

It should have shown the names of all persons who had acquired, in the opinion of the Commissioners, a title by possession to any of the proprietor's land, and how much in each case.

It should have shown the names of all squatters and how much land each held for less than twenty years.

It should have set out the name of every tenant, how much he was in arrear, and what was allowed in respect of the arrears in each case.

In other words the Court have held that instead of simply awarding in each case the sum due to the proprietor, it was our duty to incorporate in our awards some hundreds, if not thousands, of decisions on matters, some small, some great, some of law, some of fact, and some of mixed law and fact, apparently in order that each of them might, if necessary, be considered by the Supreme Court in the event of proceedings being taken to send back an award for correction.

Unless this judgment should be reversed on appeal I must of course assume that it is sound in law; but had the Commission imagined that it was their duty to frame their awards as the Court have indicated, I do not think that any one of us would have consented to act. Our inquiries for instance, in Miss Sulivan's and Mr. Stewart's cases, instead of occupying four days each would have extended to at least as many months. It would have been necessary to appoint an army of surveyors to examine minutely the proprietor's accounts for many years past with above a thousand farmers, and to inquire on the spot as to the actual particulars of squatting operations by several hundred persons during the last thirty years.

Whatever may be the merits or demerits of the Act, it would be absolutely unworkable under the interpretation put upon it by the Supreme Court.

What I undertook to do at Lord Dufferin's request was simply to decide as between the proprietors and the Local Government, what sum should be awarded to each for their estates, and I was told that if I devoted a month or six weeks to this inquiry I should be able to settle the principal cases with the assistance of a Commissioner appointed by each side. I completed what I had undertaken, and it is satisfactory to find that in every case but one our award has been virtually accepted. In that one case it has been set aside, not upon the merits, but on technical grounds, which if foreseen would (I fear) have prevented the Act from being put into operation at all.

I learn, however, that the Island Government have decided to appeal to the Supreme Court of the Dominion. I hope that this may lead to some settlement with Miss Sulivan, as I cannot conceive any Commissioners being likely to increase the amount of the award in her case.

I may add that the form of the award, to which the Supreme Court takes exception, was only settled after much consideration, and on the advice of a most experienced lawyer, formerly a judge, whom I was able (unofficially) to consult.

Before we commenced our proceedings I was anxious that the Supreme Court, which under the 46th section had power to make "any rules for the purpose of more effectually "carrying out the requirements of the Act," should adopt some rules for the guidance of the Commissioners, inasmuch as though not necessarily lawyers, we had to act as a Court, and I pressed this on one of the judges. No such rules, however, were made, and all our regulations, notices, and forms, were settled by ourselves.

Ottawa, 1st March, 1876. HUGH C. E. CHILDERS.

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