

Some time before the adjournment of the Court on the 9th day of November 1875, advertisements had been published by the Commissioners appointing the 3rd day of December at the House of Assembly Room as the time and place for proceeding with the hearing of the applications in the four estates following, viz.:—Augustus E. C. Holland and Mary Holland his wife, Frederick F. Holland, John Roach Bourke, and George Augustus MacNutt, Trustee of Marguerite S. Stevens.

22°. It will be necessary to re-advertise these cases again when the Court re-assembles, and indeed some questions may arise as to whether the proceedings have not entirely lapsed, and the powers of the Commissioner been exhausted *quoad* these four estates.

23°. The estates of James Douse and Arthur Irving were found on the hearing thereof not to be within the Act, and were abandoned.

24°. The estate of the Bishop of Nova Scotia and Theophilus Des Brisay was called on for hearing, but an objection was taken that Des Brisay was a relation of Dr. Jenkins, the Commissioner of the Local Government, and as it appeared the relationship actually did exist the case had to stand over. Legislative action will be required in this case also to enable it legally to be adjudicated on.

25°. A number of other estates, most of them small in area, remain to be advertised and brought to a hearing, but of course nothing can be done in them until the return of Judge Wilnot next spring.

26°. In the estate of H. J. Cundall, Committee of John Winsloe, a lunatic, as the Master of the Rolls decided that the Act did not extend to estates held by committees of lunatics, proceedings were stayed after the initiatory notice of the intention of the Government to purchase the estate was served; and it will be necessary to provide for this case in any amended Act that may be passed.

27°. We annex hereto copies of the judgments delivered by the judges of our Supreme Court in the three cases of Sullivan's, Stewart's, and Fane's, and the Commissioner of Public Lands has appealed from the judgment given in Sullivan's and Fane's cases to the Supreme Court at Ottawa.

We have, &c.

FREDK. BRECKEN, Attorney-General.  
W. W. SULLIVAN, Solicitor-General.  
LOUIS H. DAVIES, Solicitor for the  
Commissioner of Public Lands.

To the Honourable T. Heath Hanland,  
Provincial Secretary.

## PROVINCE OF PRINCE EDWARD ISLAND.

JUDGMENTS of the SUPREME COURT, delivered in Hilary Term 1876, on Appeals from Awards of the Commissioners appointed under the Provisions of "The Land Purchase Act, 1875," with the Act published as an Appendix:—

In the case of the Estate of Charlotte Antonia Sullivan and the Commissioner of Public Lands; also in the case of the Hon. Spencer Cecil Brabazon Ponsonby Fane and the Commissioner of Public Lands.

*Chief Justice Palmer.*—This is rule to set aside two awards or inquisitions of the Commissioners appointed under the "Land Purchase Act, 1875."

The awards are in the following form:—

" Dominion of Canada,

" Province of Prince Edward Island.

" In the matter of the Application of Emanuel MacEachen, the Commissioner of Public Lands, for the purchase of the estate of Charlotte Antonia Sullivan, and the " Land Purchase Act, 1875." The sum awarded under sec. 26 of the said Act is " eighty-one thousand five hundred dollars (\$81,500).

" (Signed)

HUGH CULLING EARDLEY CHILDERS,

" Commissioner appointed by the Governor.

" General in Council.

" JOHN THEOPHILUS JENKINS,

" Commissioner appointed by the  
Lieut.-Governor in Council.

" Charlottetown, 4th September 1875.