

PRINCE EDWARD
ISLAND.

Encl. 4, in No. 9.

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To The QUEEN's most Excellent Majesty.

WE, the representatives of Your Majesty's faithful and loyal people of Prince Edward Island, in Colonial Parliament assembled, humbly submit to Your Majesty's royal consideration, that in the session of 1840, the House of Assembly addressed Your Majesty, to which they beg reference, as well as to several Resolutions passed by this House when on the state of the colony, which are herewith submitted with regard to the fishery reserves of this island, under the impression that Your Majesty would be pleased to cause the Executive to put in force a despatch from Lord Glenelg, then Secretary of State for the Colonies, to his Excellency Sir Charles A. Fitzroy, which is as follows:—" (No. 66.) Downing-street, 14th September 1838. Sir, I have received your despatch (No. 27) of the 26th July, recommending the adoption of the alternative suggested in my despatch of the 10th May last (No. 43), of throwing open the fishery reserves on the shores of Prince Edward Island to all British subjects engaging in the fisheries. I have to convey to you my authority for carrying this measure into effect in the manner which you propose. I have, &c. &c. (signed) Glenelg."

The House of Assembly placing every confidence in Your Majesty's justice towards Your loyal subjects, the inhabitants of this island, feel, with unfeigned regret, that there has been no answer to their humble Address, and that thereby a great portion of the inhabitants of this island engaging in the fisheries are subject to very heavy grievances. The House of Assembly would beg to submit, that in addition to the Bills passed by this House in 1839 and 1840, for the regulation of the fishery reserves, the House of Assembly passed a Bill to the same effect in the present session, which the Legislative Council rejected; and as the proprietary claimants of townships in this island are continually harassing with law proceedings fishermen and others located on such reservations, and raising a revenue from that to which they never had any title, to the great discouragement of trade and loss of property in this colony. The House of Assembly beg that Your Majesty would be pleased to order the Crown officers of this island to take legal proceedings against proprietary claimants, for recovering all rents or sums of money which they have received in any ways as arising from said reservations, and give such other directions to the Lieutenant-governor of this island as will in future prohibit proprietary claimants from exacting any rents or arrears of rent for any quantity of lands contained in said reservations. And further, the House of Assembly would humbly, but most earnestly, pray, that Your Majesty would be pleased to order the Lieutenant-governor of this island to throw open said reservations in accordance with said despatch; and that if any dispute should arise between parties availing themselves of the said privilege, that the Legislature shall apply such remedy thereto as the nature of the case may appear to require.

House of Assembly,
13 April 1842.(signed) W^m Cooper,
Speaker.

To The QUEEN's most Excellent Majesty.

The humble Petition of the House of Assembly of Prince Edward Island.

Most respectfully sheweth,

THAT this island was originally granted in large tracts, upon condition that the grantees were to introduce and settle their grants with foreign Protestants, which conditions have not been performed, and the lands are subject to forfeiture; but Your Majesty's predecessors extended indulgence to the grantees to enable them to settle their grants with British subjects. Of this arrangement your Petitioners would not complain, had the proprietors disposed of their lands at a price which emigrants and others could pay, or the interest thereof, as a rent. But the grantees and their assigns, taking advantage of such indulgence to raise the price of the land that the inhabitants were endeavouring to purchase, and had to become tenants, and covenant to pay a rent, which, notwithstanding their best exertions, they are unable to pay, and the tenantry are greatly in arrears for rent, for which many of them are liable to be ejected and deprived of their improvements, made with much cost and labour.

The House of Assembly, to relieve them from much distress, pray Your Majesty to recommend to the Imperial Parliament to pass an enactment for the appointment of commissioners from the neighbouring provinces, authorizing them to fix the price of the land in its original wilderness state, that the tenantry may be enabled to pay such fixed price, or the interest thereof, as a rent; and if the proprietors refuse to submit to this equitable measure, we pray Your Majesty, as an act of justice, to re-vest the forfeited lands in the Crown.

The House of Assembly herewith forward a series of Resolutions passed on the state of the colony in support of the above, to all of which they pray Your Majesty's favourable consideration.

And Your Petitioners will ever pray for Your Majesty's sacred person.

House of Assembly,
13 April 1842.(signed) W^m Cooper,
Speaker.