

may be guaranteed, by the Imperial Government, of from one hundred to one hundred and fifty thousand pounds sterling, to further the attainment of the lands under the compulsory process which it contemplates.

5. The subject has been so frequently brought under the notice of the Imperial Government that I deem it unnecessary to trouble your Lordship with any observations thereon.

6. The Legislature of the Colony being summoned to meet for the despatch of business on the 3rd day of March next, it is very desirable to have as early a reply to this address as may be consistent with your Lordship's convenience.

I have the honor to be Your Lordship's
Most obedient humble servant

(Signed), R. HODGSON, Administrator.

The Right Honorable Earl Granville,
Secretary of State for the Colonies.

At a meeting of the Executive Council of Prince Edward Island, held on the sixth day of February, 1869:

PRESENT:

Honorables Joseph Hensley, R. P. Haythorne, H. J. Callbeck, W. W. Lord, Geo. W. Howland, Andrew A. Macdonald.

The following minute or address to the Right Hon. Earl Granville, Her Majesty's principal secretary of state for the Colonies, on the subject of the land tenures of Prince Edward Island, was adopted, and ordered to be handed to His Honor the Administrator of the Government of Prince Edward Island, for transmission to the proper quarter, that is to say:

To the Right Honorable Earl Granville, Her Majesty's principal secretary of state for the Colonies, &c., &c., &c.

Your Lordship's accession to office as Secretary of State for the Colonies, induces the Executive Council to renew their efforts with a view to accomplish a commutation of the remaining leasehold tenures, and the purchase by this Government on reasonable terms of such wilderness lands in Prince Edward Island as are still owned by proprietors, and are, therefore, likely to prove an obstacle to public improvement.

The existing leasehold system, owing to the want of security it affords to persons who have embarked in the arduous and life-long labor of clearing the forest, has proved the direct cause of poverty, discontent and litigation; it has retarded the general progress of the Colony by the abstraction of its circulating medium, as well as by the constant agitation of the public mind; while to the proprietors it has yielded a precarious income drawn from property which they have no interest in improving, and with which many of them have little if any personal acquaintance—from property occupying the anomalous and odious position, that it has rights, but no duties, and thus placing its owners in antagonism with the rest of the community. If these premises be correct, it must follow that an equitable settlement of this long protracted question would prove mutually beneficial to all parties concerned; and the Council respectfully claims your Lordship's favorable consideration for their settlement, because they seek more especially on behalf of a large and respectable body of tenants, and generally of this whole community, not confiscation or escheat, nor a direct appropriation of private property, but permission to purchase and pay for lands which were improvidently granted a century ago when the art of colonization was imperfectly understood, when the future uses to which Wilderness lands might be applied in promoting immigration and defraying the cost of Public works, were not recognized; and when the evil consequences which have ensued from their misappropriation were not anticipated; they, therefore, venture to express their hope that in arriving at a decision on this momentous question, your Lordship will be guided by a full consideration of the facts of the case, rather than the foregone conclusions of your predecessors.

The history of this question is easily accessible, and may be read in the report of the Royal Commissioners presented in 1861; that report, based on oral and documentary testimony compiled by three gentlemen selected for their ability, experience and industry, commended by the Duke of Newcastle for its ability and impartiality, has been generally accepted as a truthful statement of the facts of the case up to the date it bears; subsequent-

ly, in 1863, a deputation from the Executive Council of this Colony attended at the Colonial Office, with a view to support the award of the commissioners, but having failed in that object, a measure was introduced in 1864, and became law, to settle differences between landlord and tenant. By its provisions the tenants on certain townships therein mentioned, acquired the right of purchasing the fee-simple of their farms, on payment of all arrears due since 1858, and 15 years rent in advance. This measure has proved almost inoperative—during four years only thirty-four leaseholds have been purchased under its provisions. But considerable progress has been made during that period in extinguishing proprietary rights, by voluntary agreements between the owners and the local Government. Encouraged by this progress, and by the readiness generally expressed by the tenants to purchase their holdings at their justly assessed value, this Government made overtures to most of the proprietors with a view to the purchase of their lands, both leased and wilderness, but to those overtures the proprietors did not respond favorably. Under these circumstances the Council addressed a minute to lieutenant governor Dundas, for the information of His Grace the late secretary of state, setting forth their reasons for seeking His Grace's sanction to a law compelling proprietors to convey their estates to the local Government on receipt of their previously ascertained value. The idea of a compulsory law, however, did not meet His Grace's approval, owing, perhaps, to his brief tenure of office. He seemingly failed to appreciate the changes which had been effected by the purchase of nearly half a million acres of leasehold and wilderness land without compulsion, and that even if contiguous lands were acquired at the same rates, no great injustice would be done; but the Council asked no more than this: that the value of proprietors lands being ascertained by impartial arbitration and their price tendered, their transfer to the local Government should then be compulsory. The Council, therefore, respectfully yet earnestly request your Lordship's patient attention to these three documents: 1st. The report of the Royal Commissioners on the Land Tenures, and the evidence taken by them. 2nd. The Correspondence between Messrs. Palmer and Pope, and the Colonial Office in 1863; and 3rd, the Minute of Council of January 11, 1868. They contain the true history of the Land Question in Prince Edward Island, and the Council feels personally that a dispassionate perusal of their contents must lead to the conclusion that justice to the people of Prince Edward Island, and regard for the maintenance of the Imperial prestige alike demand that some such remedy as that sought for should be applied. The experience of the last few months further tends to convince the Council that a partial settlement effected by the occasional purchase of such estates as may be voluntarily offered, will only tend to produce embarrassing and contradictory results. Some small estates having several years rent in arrear, have recently been offered to this Government at high rates; to accept such offers would, of course, raise the pretensions of other persons holding that description of property; but if rejected, the Government and people must submit to the mortification of seeing legal measures adopted for the recovery of rent in arrear. Moreover the purchased estates being paid for in cash from the Public Treasury, or in interest bearing debentures, for payment of which the public credit is pledged. The inhabitants of other districts, in some instances very poorly circumstanced, contribute towards establishing their more fortunate neighbors as freeholders, not having themselves a hope of acquiring a similar privilege except it be through the instrumentality of a compulsory law, such as that for which the Royal Assent is sought. Even on estates to which the Act of 1864 applies, leaseholders are disadvantageously situated in contrast with parties who occupy lands which have been sold to the local Government; the former before they can convert their leaseholds, must pay up all arrears dating from 1853, and tender their landlords fifteen years rent in advance; the latter can purchase their holdings at from five shillings to ten shillings sterling per acre, according to situation and quality of soil, all arrears are remitted, twenty per cent of the purchase money is paid on concluding the agreement, and the balance in nine annual instalments, with interest on the amount remaining unpaid, at five per cent per annum; and thus it frequently happens that lands separated by a line fence, or a township boundary, differ fifty per cent or more in price.

The Council believes that numerous precedents may be quoted, in which private property has been dealt with by