

The Colonial Herald,

AND

PRINCE EDWARD ISLAND ADVERTISER.

Vol. VI.]

CHARLOTTETOWN, SATURDAY, OCTOBER 21, 1843.

[No. 330.]

LAND ASSESSMENT.

Treasurer's Office, Charlottetown,
Prince Edward Island, 30th May, 1843.

IN pursuance of the Act of the General Assembly of this Island, made and passed in the Seventh year of the Reign of His late Majesty King William the Fourth, intitled *An Act for levying an Assesment on all Lands in this Island*—I do hereby publicly notify the Owners or Occupiers of Land within this Island, for which the Annual Assesment charged thereon by the said recited Act, of Four Shillings, lawful money of this Island, for every Hundred Acres of wilderness or unimproved Lands contained in the several Townships, and the several Islands belonging thereto, and the sum of Two Shillings for every Hundred acres of cultivated or improved Lands in the said several Townships and Islands as aforesaid; and the sum of Four Shillings for each and every uncultivated or unimproved Town Lot, Pasture Lot, Common Lot and Water Lot, granted in the Town and Royalty of Charlottetown; and the sum of Two Shillings for each and every cultivated or improved Town, Pasture, Common, and Water Lot as aforesaid; and the sum of Two Shillings and eightpence for each and every Town Lot, Pasture Lot and Water Lot, granted in the Town and Royalties of Georgetown and Princetown; and the sum of One shilling and fourpence for each and every cultivated or improved Town, Pasture and Water Lot, granted in the said last mentioned Town and Royalties, and so in proportion for a less quantity; and the sum of One penny per acre on each and every acre of cultivated or improved Land in the Royalty of Georgetown, called reserved Lands; and the sum of Two-pence per acre on each and every acre of such Lands as may be deemed uncultivated or unimproved Lands, is payable, that unless the Assesment for the current year be paid into my hands, or the hands of my Deputies, on or before the Twenty-first of December, 1843, I shall, on the last day of the next Hilary Term, at Charlottetown, make Proclamation of all such Lands as shall then be in arrear for non-payment of the sums charged thereon, agreeably to the directions of the said Act.

J. SPENCER SMITH, Treasurer.

Treasurer's Office, 1st July, 1843.

IN compliance with the provisions of the Act of the General Assembly, for levying an Assesment on all Lands within this Island, I have appointed the following persons to be Receivers of the said Assesment:

Prince County.

Joseph Pope, Bedeque.
Thomas C. Compton, St. Eleanor's.
James Yeo, Port Hill.
John Cambridge.
Allan Forsyth, Casempeque.
Robert Hyndman, Princetown.

Queen's County.

James Pigeon, New London.
Thomas Fairbairn, Sable.
Solomon Desbrisay, Charlottetown.
Allan M'Dougall, Belfast.

King's County.

John Jardine, St. Peter's.
Alexander M'Donald, St. Margaret's.
William Macgowan, Souris.
Hugh Macdonald, Three Rivers.
James Richards, Murray Harbour.

J. SPENCER SMITH, Treasurer.

LIFE AND FIRE INSURANCE.

THE Subscriber has been appointed Sub-Agent of the following Insurance Companies, viz:
The National Loan Fund Life Assurance Society of London.

The New Loan Fund Life Insurance Company of New York.

The Hartford and Protection Fire Insurance Companies of Hartford, Connecticut.

And as he is furnished with blank Forms of Application, and in possession of all the information which may be desired by persons who wish to effect Insurance, he will be happy to receive applications and transmit the same to the Agent at Halifax. Please apply to

HENRY PALMER.

ALLIANCE LIFE AND FIRE INSURANCE COMPANY.
OF LONDON.

CAPITAL £5,000,000, STERLING.
PREMIUM—MODERATE.

CHARLES YOUNG, Agent.

Charlottetown, P. E. I. June 6, 1843.

NOTICE.—Whereas William Stewart, of Lot or Township No. 47, Trader, by Deed of Assignment, duly executed, bearing date the Sixth day of July, instant, hath assigned, transferred, and set over unto John F. Muncey, of Halifax, Nova Scotia, Merchant, all outstanding Debts whatsoever, due, owing or belonging to him in this Island, together with his Books of Account and Books of original entry: Now, I do hereby notify all persons indebted to the said William Stewart, to come forward without delay, and pay to me the amount of their respective debts—my receipt alone being a legal discharge to them for the same.

JOHN LONGWORTH,
Attorney of J. F. Muncey.

Charlottetown, 31st July, 1843.

THE Subscribers having been duly appointed the sole Agents of DAVID STEWART, Esquire, for his Estates on Lots or Townships Nos. 7, 10, 12, 27, 30, 46, 47, and Lennox Island, beg to intimate, that they are prepared to lease lands, with a liberty of purchasing, and to sell on the most liberal terms; and that all persons indebted to that gentleman, for rent or otherwise, are hereby required to make immediate payment of the same.

All persons found trespassing on any of the above properties, either by cutting Timber, or in any other respect, will be prosecuted with the utmost rigour of the Law.

H. D. MORPETH,
PETER EMERY.

December 10th, 1840.

TO SHIPOWNERS AND OTHERS.

WATSON DUCHEMIN, Pump and Blockmaker, returns thanks to those who have, for many years past, favored him with their patronage and support in his line of business; and begs to intimate, that he has now on hand a large quantity of SHIP'S BLOCKS, of all descriptions and sizes, DEADWEIGHTS, and all other materials in his line required for the outfit of Vessels. He has also on hand a few Mahogany and Birch WHEELS, CAPSTANS, &c.

Slips, Pumps, and Pumps for Wells not exceeding 100 feet in length, made on an improved principle to work with ease. All descriptions of Turning in brass, iron or wood, executed with taste and dispatch, and on moderate terms.

WANTED, a respectable lad from the country, about 14 years of age, as an Apprentice to the above business. Inquire at the Workshop, head of the Queen's Wharf, or at the Block-making Establishment, Prince Street.

Charlottetown, 11th May, 1843.

NEW FERRY BOAT.

THE Subscriber's new, fast-sailing and substantial Boat CHARLES will ply between the Queen's Wharf and Warren Farm, every Wednesday and Saturday, during the present Season.

The CHARLES is twenty-six feet keel, is handsomely painted and well furnished with sails, oars, &c., and when not employed as above stated, will be placed at the disposal of parties of pleasure, or will be available for any other purpose for which she may be required, and for which the charges will be moderate.

WILLIAM HUBBARD.

Charlottetown, May 3, 1843.

NO. 1, QUEEN STREET.

Lydiard & Finlayson

HAVE RECEIVED, per late arrivals, a large and well assorted Stock of

BRITISH AND FOREIGN MERCHANDIZE,

suitable for the season, consisting of, viz:—

Orleans Cloth, Mouslin de Laines, Balgerines, Printed Lawn and Muslin for Ladies' Dresses; Black, blue and coloured Cloths, Gambroons, Bolanos, Doeskins and fancy Tweeds, Satin Velvet and Cashmere Vestings, Printed Cottons and Cambrics, White, striped and grey Shirtings, Grass bleached Irish Linen and Long Lawn, Linen Drill; Aremuse and Drawing Silk for Bonnets, Modena, Rice, Tuscan and Dunstable Bonnets; Silk and Cotton Fringe; a rich assortment of Shawls, Handkerchiefs and Ribbons; Mull, Book, Jaconet and bordered Muslins; Ladies' and Gentlemen's Kid and Lisle Gloves, in great variety; a large assortment of Silk and Cotton Hosiery, India Rubber Braces, Silk and Satin Stocks and Scarfs, and a variety of Small Wares.

ALSO,

Hyson, Souchong and Congo Teas; green and ground Coffee, Chocolate; London double refined Loaf Sugar, superior Porto Rico Sugar; boxes, half-boxes and quarter-boxes Raisins; Zante Currants and Jamaica Ginger; Soap and Candles; Martell's Brandy, Gin, Jamaica Spirits; Port, Madeira and Sherry Wines; London Porter and Brown Stout; the whole of which will be sold at unprecedented low prices for Cash on delivery.

June 1843.

DRAPERY, GROCERIES, &c.

THE Subscriber has just received, per CYGNET and SPECULATION, a considerable addition to his previous Stock of

LINEN and WOOLLEN DRAPERY, HARDWARE, GROCERIES, PAINTS, OILS, &c. &c.

Bottled PORTER and Leith ALE, (a prime article,) in packages of 3 & 4 dozen. Prime Havana CIGARS.

ALSO,

100 Sides SOLE LEATHER.

JOHN DAVIS, junior.

Charlottetown, 26th June, 1843.

FOR SALE, OR TO LET.

THE unexpired Term of Thirteen Years of the Lease of the HOUSE and Premises at present in the occupation of Edward Kickham, situate in Dorchester Street, and fronting the Store of A. Duncan, Esq. It is an excellent stand for business.

Or, the Subscriber will let, for a term of years, his new Building in Kent Street—there is a Store in it, and sufficient accommodation for a respectable family.

Possession of either can be given on or before the 1st September next. For particulars, inquire of

EDWARD KICKHAM.

Charlottetown, July 31st, 1843.

TO BE SOLD, a Leasehold Interest for the residue of the unexpired term of 15 years, with a right of purchase, in and to that eligible situated Brick House and premises, situated in Queen's Square, now in the occupation of the Subscriber. Possession to be given on the 1st day of November next.

J. SIDNEY DEALEY.

Charlottetown, 6th July, 1843.

VICTORIA HOTEL, CHARLOTTETOWN, P. E. ISLAND.

THE Subscriber, in returning thanks for the very liberal patronage bestowed upon him while conducting his establishment at St. John, N. B., begs leave to notify the Inhabitants of Prince Edward Island, the neighbouring Provinces, and the public generally, that he has removed to Charlottetown, and taken that large and pleasantly situated House in Water Street, near the Queen's Wharf, which he has furnished in a neat style, and hopes, by unremitting attention, to obtain a share of public support.

ISRAEL FELLOWS.

P. S.—An excellent STABLE and COACH HOUSE attached to the premises.

Charlottetown, 27th June, 1843.

Trenton House,

(PRIVATE BOARDING HOUSE),

Corner of Pownall & Water Streets.

TRANSIENT VISITORS or PERMANENT BOARDERS will find here a "snug hostelry, combining comfort and quiet." The House is pleasantly situated on the water side, within three minutes' walk of the Public Wharf, and commanding a full view of the Harbour, adjacent Rivers, &c. &c.

J. PARKIN.

Charlottetown, 23d July, 1843.

FOR SALE.—About 18 or 20 acres of excellent Land, situate in Charlottetown Royalty—one half cleared and in a high state of cultivation. There are a good Draw-well and some small Buildings on the premises, which are within three and a half miles of Charlottetown, and half a mile from the St. Peter's Road. It is bounded on one side by the road leading from the St. Peter's to the Princetown Road, and in front and rear by roads coming out to the St. Peter's Road; on the other side by a ditch. Apply to JOHN WHELAN, on the premises, or to EDWARD KICKHAM, Charlottetown.

GENERAL AGENCY AND COMMISSION OFFICE,

No. 18, Cornhill, London, opposite the new Exchange. To Merchants, Commercial News Rooms, Public Libraries, Agricultural Societies, Officers of the United Services, Printers, Publishers of Newspapers, and Colonists generally.

P. L. SIMMONDS, General Agent and Commission Merchant, in offering his Services to his friends, and the Colonial Public in general, begs to acquaint them that he is ready to receive orders for supplies of any kind and quantity, and goods of every description of first-rate quality, at the very lowest market prices of the day, and to transact business upon the most liberal terms, provided he is previously furnished with funds or drafts, at either long or short dates, or a reference to some London or Liverpool House for payment.

P. L. SIMMONDS will receive consignments of any description of Merchandise, to be sold on commission, and accept bills for two-thirds of the amount, on receipt of the bills of lading. Consignments entrusted to his care will meet with every possible dispatch in their disposal, and sales be conducted with the greatest attention to the interests of the disposer. An extensive knowledge of general business, acquired during a long residence in the West Indies, and subsequent extensive courses of business with the British Colonies, the experience of several years in London as a Colonial Agent, coupled with promptitude, attention, and judgment, will, he trusts, enable him to give satisfaction to those who may favour him with their commands.

N. B.—Parents sending home their children for education may with confidence entrust them to the care of Mr. Simmonds, who will undertake to see them placed in first-rate and respectable establishments, where every attention shall be paid to their health, morals, improvement and general comfort.

TO BE LET.

BY THE SUBSCRIBER, and immediate possession given, that commodious and pleasantly situated House in Water Street, formerly occupied by James D. Macdonnell, Esq., to which a good Stable and Garden are attached.

Also, several valuable and eligible BUILDING LOTS, in Water Street, King Street and Eustis Street.

JAMES PEAKE.

Charlottetown, 30th Sept., 1843.

Correspondence.

No. 4.

TO THE EDITOR OF THE COLONIAL HERALD.

Sir; The investigation contained in the two last previous letters was undertaken for the purpose of ascertaining the duty of our Representatives in their last Session, in regard to the grievances endured by the tenantry of this Island. My last letter concluded with this inquiry. In this I shall endeavour to consider it.

This question, of course, involves the principles of equity to both parties concerned—the proprietors and the tenantry. Let it not be imagined, Sir, that while I advocate the interests of the one, I would sacrifice those of the other. The point I would ascertain is—having a due regard to the rights of both parties—what measures should the House have adopted, and recommended to the British Government?

To make the answer to this question easy, I shall just recapitulate the principal points. The original grantees forfeited their titles by non-fulfilment of the terms of their grants. They subsequently sold to land speculators aware of the liabilities of their purchases. To these indulgences were granted in 1816, but they were never fulfilled. Thus the lands were a second time forfeited to the Crown. Yet the Government, although frequently petitioned to do so by the people, their representatives, and the local authorities, have not, on either occasion, instituted any proceedings for the recovery of the lands. The lands have been settled by British emigrants, at high cash rents, which they were unable to liquidate. They have been reduced to poverty by law proceedings, or ejected from their possessions. The proprietors have received, for rents and sales, since 1800, upwards of £200,000, over and above their outlays—which is near five times the amount of their purchases. They are now annually draining from the tenantry near £17,000, equivalent to about ten per cent. of the yearly proceeds of the Colony. The effects of this system are, the pecuniary embarrassment, domestic destitution, social debasement and political subjection of the tenantry.

From these statements, the following things are evident:—1. The lands are liable to escheat. 2. The failure to escheat them is productive of the worst consequences to the Colony. 3. The proprietors are the only parties advantaged by the present system, being extensive gainers in a mere speculation involving the comfort and liberty of large numbers of Her Majesty's subjects. To all these points I am aware objections are raised. These it will be but just to consider.

To the liability of the grants to escheat, it is objected, that "the original terms of settlement were impracticable." Although in a Court of Law such a plea as this would not avail, because, however difficult the liabilities which a person assumes, the law will yet hold them obligatory, or compel the surrender of the thing given in consideration, yet, as equity and leniency are the constitutional characteristics of the British Throne, this objection, if true, has force. But why were those terms impracticable? German Protestants were demanded. At that period, and later, these were emigrating to Nova Scotia and the United States, in abundance, of their own accord. Now, why could they not have been induced to come here as well as go there, particularly when here they had a prospect of immediate settlement on good lands, and there the lands are poorer and settlement was less certain? Were they less easily persuaded than Irish and Scotch? But I challenge any proprietor to shew where an effort had been made to bring one Foreign Protestant to this Island. Again, was the payment of the quit-rents impracticable? Every lot of 20,000 acres had to pay £30 annually, for the first twenty years, and £60 annually after that term. Now, a lot settled according to the terms of the grant, with one hundred settlers, will yield, at the average rate of rent used in this Island, since its first settlement, £500 a year. Thus one year's rent would pay nearly seventeen years' quit-rent. And even when the quit-rents came to the highest, one year's rent would pay upwards of eight years' quit-rent. It then, the poor tenant can afford to pay, out of his hard earnings, £5 a year, how can it be impracticable for the landlord to spare less than one-sixteenth of this sum to support the Government? Are not the terms of the tenant's leases far more impracticable than the conditions of the proprietors' grants?

It is again objected, that an escheat would be unjust, because the proprietors "have expended large sums of money, and have, as yet, received no remuneration for these outlays." This objection was raised by the Proprietary Association, and by Mr. Hill. Now, it is denied that any of these persons ever were at expense in settling their lands. Of Mr. Hill it is notorious that he bought his lands for one penny half-penny per acre; that in 1833 they had only one-fourth of the number of settlers required in 1780; and that he never settled these, two-thirds of them being squatters; and, further, that they were seduced here by his promises, and brought to beggary by his treatment. But, to speak more generally, the proportion of tenants brought to this Island by proprietors has been exceedingly small; and it is strongly doubted that one penny has been expended, either in their exportation here, or in providing for them afterwards, which has not been refunded, often with large interest. Let the contrary be proved. But the proprietors have already received, in addition to all this, a sum not less than £150,000. Is this "no remuneration?"

It is objected again to escheat, that the tenantry have undertaken their liabilities deliberately, and solemnly engaged to fulfil them. But how detestable does such an objection sound in the mouth of a proprietor, who has himself violated his solemn contract with the Crown! Surely, if it be innocent to defraud the Crown, it is much more so to break faith with a perfidious speculator. These objectors forget that the person who, having received remission of obligations, refuses to grant the same boon, is justly liable to pay the uttermost farthing. But the objection is false and forceless;—false, because the tenantry were allured here by false representations, or driven by necessity, and in these circumstances, unaware of the difficulties they were encountering, they took leases;—and forceless, because a man must not be allowed to languish, because, through ignorance or necessity, he has exposed himself to suffering.

In opposition to the position, that the proprietary system is injurious to this Island, it is objected, that settlements on land can be obtained more advantageously here than in the neighbouring Colonies. How glaringly false this assertion is, is well known to all acquainted with the tenure of lands there. For a long period, lands were granted there for payment of office-fees. And now I am bold to assert, (correct me, Sir, if I am wrong,) that the average price is not above five shillings an acre. Here, in a country with fewer natural or artificial advantages, the average price is about fifteen shillings, and the annual rental from one shilling to eighteen pence an acre.

Another sage objection, which has lately found the light through the giant labours of the mountain of the Islander, and which, for size and importance, very much resembles the inanimate carcass of a still-born mouse, is, that the majority of our tenantry enjoy better terms than the leasehold farmers of England, Wales and Scotland; why did he not add, and of oppressed Ireland too? Now, Sir, my astonishment is, that as this humane gentleman has such a faculty

of illustrating things by comparison, that he did not at once compare our condition with that of the serfs of Russia, and demonstratively prove, as his mere assertion would have done, that because we are not quite so badly off as they, we have no grievances! Who does not know the awfully oppressive terms of leasehold in Great Britain, and its disastrous effects in so reducing wages and raising the price of corn that the poor labourers can but barely exist in the lowest indigence! There, Sir, to use the pathetic language of Scripture, "rich men oppress them," and the unrequited toils of "the labourers who have reaped down the fields" of those "who live in pleasure, and are wanton" on the proceeds of their industry, cry to Heaven for justice. But must we have a similar system here, before our complaints shall be deemed worthy of attention? Admirable advocate of freedom must the man be who would sanction such a proposal!

Now, even looking alone at the repeated failures to perform both the original terms of the grants and the subsequent indulgences, I ask, in all candour, what course of dealing with the proprietors does strict justice prescribe? The term of ten years allowed in their grants for their settlement, was by the indulgence of the Government extended to upwards of forty-five years. Those terms were then remitted for others, tenfold milder, and additional ten years allowed. That period elapsed, and still the modified conditions remained unfulfilled. Seventeen additional years have passed, and many of the Lots are yet unsettled. Now, surely, the proprietors have had indulgence enough. By no possible plea can it be made to appear that they have any right to further forbearance. Past lenity has but emboldened them to trespass on the patience and mercy of the Throne. Can we hope a better result from continued clemency? Precisely the contrary. Then, to secure the settlement of the country, there remains no course but for the Crown to repossess itself of the lands. Against this course there is no argument that has the force of a breath against a gale. In Great Britain and the neighbouring Colonies, it is practised immediately on the forfeiture of lands. Why denied to us, after a lapse of nearly seventy years since their forfeiture?—a delay clearly demonstrating a disposition in the proprietors to consult only their own interests in the case, regardless of the rights of the Crown, or the prosperity of the Island.

But this is not the only ground upon which we claim Escheat, although considered sufficient to warrant it in all other countries, and being equally so here. Was the forbearance to the proprietors not prejudicial to the Colony—were they acting with justice and magnanimity to the intrepid and laborious reclaimers of their wilderness possessions—I am bold to say, that my grateful and honorable countrymen would not only never have sought an escheat, but would have interposed their petitions to avert it, were it threatened. But the reverse is the case. We have looked for justice, and behold oppression; for compassion, and we have been repulsed. Do not, then, these things imperatively call for an alteration? Can justice sanction the recognition of claims so adverse to the welfare of the Colony? Shall a whole community be heavily taxed to provide for those to whom it owes no obligation, and who would sacrifice it to their ambition and avarice? Must those who make the wealth of the country want the necessities and comforts of existence, that the sons of idleness and dissipation may possess its superfluities? I wait for the man who will be bold enough to defend such horrible sentiments, and I trust I shall look in vain, even to the time-serving editor of the Islander.

I have now arrived at the point which I proposed to establish, as the test of the proceedings of our Legislature, in regard to the grievances of the Colony, during its last Session; and my question waits impatiently for an answer. Reader, shall I give the answer, or leave it to yourself? Looking at the present state of the Colony, and reviewing the past, what should our Representatives have done during last winter? Let us hear your brief but emphatic answer. They should have taken means to procure the escheat of the lands of this Island, and earnestly urged such a measure on the local and home Governments.

But we are met with an objector, who moves to suspend judgment: "The Colony has long sought for this measure, but has been repeatedly and peremptorily refused. It is vain to renew the request. Why not try some other remedy?" I reply, we have clearly demonstrated, against all objections, the justice and necessity of this measure. The refusal of the Government to adopt it, cannot make it wrong or unnecessary. If we abandon it, we relinquish our rights. It is, therefore, the more indispensable for us to persevere in it, that Government has refused its sanction. But other and greater rights than this have been at first withheld, and subsequently obtained by perseverance. Why should not this? The combined entreaties of the liberals of Prince Edward Island will make a power that will claim regard. As to "other remedies," I ask, what other one can there be as good as this? And why should we be content with less than our rights? Half a loaf is not better than a whole one. Let us, however, just notice some of these "other remedies."

First, there is penal taxation. This would only compel a speedy settlement of the lands, perhaps on the present ruinous system, still leaving us in the hands of the proprietors. Now, this leaves the principal evil unremedied, perhaps increased. Let us, by all means, fall into the hands of our Sovereign; but leave us not to the "tender mercies of the wicked." Besides, the tax is only an additional burden to the settler, who is made to pay it. Again, there is the scheme of purchasing the lands from the proprietors. To this I object, it is uncertain whether they would accede to such a measure, except either by compulsion—which will not be resorted to—or by receiving an enormous price, which cannot be afforded. But such a proposal would be a recognition of their titles; and they who first entertained it, either designedly or ignorantly, injured the cause of the people. Lastly, there is annexation to Nova Scotia. This I reprobate in toto. It is vastly uncertain whether that would bring us any remedy to our land system; and it would be ruinous to the financial and social interests of the Island. It is a wild notion, only fit to furnish a mark for the small amusement of the great boy of the Islander, in his clumsy attempts at acting the hero. By the bye, he may find the "silly little carp" too acute sighted either to become the dupe of his deceit, or the jackall of any other party-combination.

My preliminary question is answered. It has occupied much more time and space than I intended or expected it should. But it has elicited much useful information, and furnished occasion to put to flight the army of spectres which Tory ingenuity (save the mark!) had conjured up against the truth, to terrify the simple tenantry. My path is now plain. In my next letter I shall proceed to canvass the last winter's proceedings of the renowned majority of our "collective wisdom."

Yours, &c.,

CURTIUS.

Prince County, 1843.

TO THE EDITOR OF THE COLONIAL HERALD.

Sir;—Sometime ago, I sent a communication to the Islander, dated from "Darnley Point, Sept. 18th," and signed "B—C—," giving the unfortunate Palladian a severe handling. Indeed, I think, what with the Editor's own witty attacks on him, (and, by the bye, you don't escape his shots at