the tendency of consumption, and perhaps consumption itself in its incipient stages; but the violent changes are injurious when the disease is fully developed, or when the patient is far advanced in decay * This throws light upon what has been a vexed question, more particularly with us, owing to a somewhat loosely-worded statement in the *Papers for the people*. To say broadly, that the Australian climate is either favorable or unfavorable to consumptive patients, without classifying the cases, is erroneous; although, as the di-ease when first developed would in all cases tend to prove fatal if some change there not be no great harm in trying a change of air.

The colonists live a very exposed life, yet they suffer little from coughs, or cold at the chest; and sudden hail, fog-storms, and chilling winds are not more common than in England. The climate is unbeautifully said to cure dyspepsy; but the opposite diseases of diarrhœa and dysentry are induced somewhat especially at the close of spring and the beginning of autumn, by the sudden changes of temperature. These maladies, however, are seldom fatal. During summer, ophthalmia, sore lips and mouths, and blisters are common; the fevers, ocur; but the fevers are neither so frequent nor so fatal as in other hot countries where marsh miasma abounds. Derangement of the liver is induced occasionally by the climate; but this, on the contrary, exercises a curative influence in disorders of the kidneys. It is hurtful to the scrofulous, and beneficial to the gouty. The most remarkable effect of influenza, no cases of pestilential epidemic have ever occurred in any of the preserves. The nervous system, however, is severely tried. Nervous debility is increased; the latent seeds of insanity, to all appearance, developed; and *delirium tremens* is frequently hurried by the heat to a fatal termination.

In some of the towns the mortality among the infants is great; while in the country districts it is less than in Britain. Children should be reared or transported thither in early infancy, arrive at maturity earlier than with us, more especially the females. Hastened into development by the general climate, a girl of fifteen has all the charms, and many of the graces of womanhood.

We come now to two statements, which, taken in conjunction, are somewhat extraordinary; and we are the rather inclined to suspect that in a special manner, but we have before met with them in private letters from well-informed colonists. We give them in the words of our author:—

'Healthy natives of the British isles, of both sexes, who arrive in Australia in the prime of life, and settle there, may expect to die about ten years sooner than they would, had they remained at home. Natives of Great Britain, either male or female, who have passed their prime, and yet, in all probability, add ten or twenty years to their existence by going to either of the colonies, and ending their days there.'

These two statements would appear to be inconsistent. In the heyday—which, we presume, means the full maturity—of life, we are at our strongest; and if we cannot then bear well the change of climate, how can we expect to do so when our decline has commenced! Yet we have no doubt the statistics of death in Australia would bear our author out in the opinion he has expressed—and we have as little doubt that the opinion is entirely erroneous. It is a common thing for native proves, as we have already hinted, that the climate is not healthy *per se*—that its vicissitudes and extravagances require to be met by the appliance of civilisation. Now, the rude health of the youthful strength, is just the person to neglect precaution of every kind. It is he, who is the victim of that disposition of which our author himself gives a picture; it is he who, instead of arresting himself against the assaults of climate and the pestilence of excess. Temperance, flannel next the skin, the avoidance of crude vegetables and fruits, always—even from childhood—the subject of what has not been bodily attention to the digestion, and care as to exposure to heat and the night air—these are nearly everything our author recommends to the young settler as the means of 'reaching health.

These conditions, I must be owned, are few and easy; and even if otherwise, they would be well worth observing for the sake of enjoying health in a country where 280 days out of the 365 are—to describe it pleasant,' and the remainder, with only a few exceptions, much less disagreeable than our average weather in England—in a country where the cold of winter is 14 degrees above the freezing point, and where the acclimatized inhabitant is able to work hard in the greatest heats of summer. In the short Australian winter, a gale of wind or a deluge of rain is a severer trial for an hour or a day; at home, as we know by recent experience, we may be subject to the visitation for a quarter of a year together, with all its attendant disturbance of the health and spirits.

We are to add, that the subjects of climate and health occupy only two chapters of Mr. Lancelott's book, which appears in other respects to be a well-considered and useful manual. The reader will observe that his descriptions do not apply to North or Tropical Australia, where the attempts at colonization have hitherto been abortive.

* It is proper to say, that Mr. Lancelott attributes this not to the change, but to the excessive heat, and the check to' climates' generally.

LOUIS NAPOLEON.

An unmitigated despotism—deriving its powers from the universal suffrage of the people—seems, in the opinion of Napoleon III., to owe the people but two things, order every day, and a speech occasionally. Napoleon III. admits no other liabilities in his high position. How he has discharged them Europe knows full well. He has maintained order with an inflexible will, and with a hand of iron, pitiless as a piece of machinery. If, in the success of his efforts, liberty and rights have totally disappeared from France, it has been because their destruction was a part of the system, and because the peculiar mechanism he wished to construct could not work with the fetters of Europe hanging and obstructing as free discussion and criticism—and so invaluable a safeguard as a *habeas corpus* act. If the French are satisfied with order at such a price, Europe has no right to complain. It seems odd, however, that such a despotism should imitate the constitutional forms in use in free states, and think itself bound to deliver a speech from the throne to an assembled Senate and Legislative Assembly, in explanation of the state of the country and the intentions of the Government. But Napoleon III. considers the nation has a right to demand it of him. It is almost the only right which he acknowledges. Through his Senate he has just made an Imperial speech to his constituents and to Europe, and entered into an exposition of the policy he intends to pursue. The document will be widely criticised, as all such documents must be. An air of serene complacency pervades it. The odours of the honeymoon are around it. Everything is pictured *en couleur de rose*. Faction destroyed—the national wealth increased by "two millards"—public works commenced without loans or debts—clemency to the erring exhibited—revenue made equal to expenditure—commercial confidence restored—the national dignity maintained at home and abroad—peace assured;—these are the comfortable topics on which the Emperor dwells, and for which he claims credit from the great and faithful people who placed him on that throne. We shall not inquire whether the picture is not somewhat too flattering; but, we must admit, that, at the close of the year 1851, what France, above all things, desired, longed for, prayed for, was actually realized. The state repose; and that Louis Napoleon, *per fas aut nefas*, (through right and wrong) gave her what she sought, and afforded her a breathing time, which she not yet possesses way. For this he deserves credit, and has already obtained it. And though we cannot admit the truth of all the details in his comfortable sketch of the present state of France, we do not doubt that there is a floating debt of nearly £28,000,000 sterling incurred since the Revolution, of which his speech makes no mention; although we know that the increased revenue, and the expenditure, but shows a growing deficit, only glossed over; but not effectually concealed by the *hocus-pocus* of his various Finance Ministers,—we know as the same time, that whether he or his system is responsible for the results, he is the only person from causes anterior to his assumption of the supreme power, and which he has hitherto been unable to control. The Emperor seems to confess indirectly that his system is not one on respect deficient; and if his knowledge of the deficiency shall induce him to supply or amend it, France will owe him a debt of gratitude for something better than the brute order of physical force coercion.

"To those who may regret," he says," that a wider field has not been given to liberty, I would reply that liberty has been made allied in founding a durable political edifice; it is merely the crowning point of the edifice when consolidated by time." The passage implies, that constitutions hitherto have been accorded to the French hereafter, if they be found to the satisfaction of the Emperor in the probationary state through which he considers it necessary they should pass; but it affirms that which is historically correct. Louis Napoleon can scarcely have forgotten the great events which signalized the reigns of Charles I., Charles II., and James II. of England. If the Emperor had qualified the assertion, and stated that it has been held in history of France, Italy, Germany, Spain, and Portugal, he would have been somewhat more correct; but, as it at present stands, his dictum is belied by the history of England, of Belgium, of Holland, of Switzerland, and of the United States of America. Possibly the Emperor had France alone in his mind when he spoke; in which case it is impossible to deny that the sad experience of revolutions of that country but too painfully confirms his melancholy assertion. In other respects the Imperial speech will, we think, meet with approbation and confidence. The reduction of the army by 20,000 men, although it still leaves a force little short of half a million strong for offence or defence, will be received as a proof of the pacific intentions towards Europe, which the Emperor has for the second time emphatically avowed. If the reduction could have been 120,000 men, instead of 20,000 only, it would have been still more satisfactory. The Emperor seems to calculate upon the equalization of his income and his expenditure, by the uneasy powers of Continent; and, though it may be satisfactory to believe that she and her rulers are inclined to be as peaceable as they can, and as they ought to, by, the unfortunate state of other countries, especially of our own, will not rely too much upon good intentions, come from what quarter they will; but will advise their countrymen to act as Louis Napoleon advises his subjects, in the concluding paragraph of his speech, "to reckon upon God and on themselves," and so be prepared for all contingencies.—*London Illustrated News.*

COLONIAL LEGISLATURE.

HOUSE OF ASSEMBLY.

MONDAY March 7.

Fees of the Attorney General, under the Land Assessment Act.

House in Committee on the Hon. Mr. Pore's Bill to *limit the Expenses* consequent upon the *Recovery of Land Assessment Arrears*; Mr. Clark in the Chair.

The Hon. the Speaker, taking up the Returns of the late Attorney General's Fees for 1850, under the Land Assessment Act, and those of the present Attorney General for 1851 and 1852, read the same Act, as they had just been submitted by the hon. the Colonial Secretary, read over the items of each, as set forth in the subjoined abstract. The hon. gentleman then proceeded to what he called the monstrous extravagance of the charges made by the present Attorney General, as compared with those of his predecessor in office, the present Chief Justice; it appeared, he said, by these returns that the late Attorney General's Bill of Costs for proceedings against 13 Townships, all included in one Information and one Bill of Costs, was £81 18s; and that the present Attorney General's Bill of Costs for proceedings against 14 Townships, by separate Informations amounted to £281 18s; making a difference of £70 10s between the Bill of Costs in a second year of proceeding, and the Bill made by the present Attorney General, over that of his predecessor for the like number. This was, indeed working the Act with a vengeance. And it was, he thought, a matter of Congratulation to the Speaker, that even in comparing the present Attorney Generals charges for services in 1851, with those made by him for the like services in 1850, he had, unaccountably to a second, considerably increased them for 1852. In 1851, he charged £5 18s 8½d for proceedings against one Class of Lots in Charlottetown; but, in 1852, he charged, for the same service £6 14s 8½—the increase being 16s. Again in 1851, he charged £5 17s 7d for proceedings against one Township; but, in 1852, he charged £6 14s 8d for the same service—the increase being, in this case, 17s 4d. The charges made by him for proceedings against all Township Lands in arrear, in 1852, there being 30 in default amounted to £157 18s 4d. The charge were evidently most extravagant, and for the differences in the Bills of Costs, he had, he thought, be difficult to account in a satisfactory manner.

ABSTRACT OF THE RETURNS SUBMITTED BY THE HON. THE COLONIAL SECRETARY.

Attorney General's Fees under the Land Assessment Act, 1850.

Bill of late Attorney General against one class of Lots, viz. Pasture Lots in Charlottetown Royalty	£6 1 10½
Do. do. against one Bill of Costs against all the Township Lands in arrear throughout the Island, namely 13 Townships, included in one Information, and one Bill of Costs	81 18 0

1851.

Bill of present Attorney General against one class of Lots in Charlottetown	5 18 8½
Do. do. against one Township by proceeding with a separate Information against each and every Township	5 17 7
Total of suffrer to the Bills against all the Township Lands in arrear—there being fourteen in default this year including the above	81 18

1852.

Bill of Costs of present Attorney General against one class of Lots in Charlottetown	6 14 8½
Do. do. against one Township by filing separate Information	6 14 8
Do. do. one Bill against all the Township Lands in arrear, there being thirty in default this year including the above two	157 18 4
	161 0 0

Hon. Mr. Coles explained to the Committee, that the difference between the amount of expenses incurred in the recovery of Land Assessment Arrears, according to the mode of proceeding pursued by the late Attorney General, the present Chief Justice, and that of the course adopted by the present Attorney General, on his coming into office, and, thereafter, followed by him, was owing solely to the different interpretations put upon the Land Assessment Act of 1848, by these two gentlemen, in their official capacity; and, concerning a proper interpretation of which, lawyers appeared to be divided in opinion. The late Attorney General, the present Chief Justice, believing, that the intention of the Legislature was that one Information should be filed against all the Township Lands in arrear, had acted accordingly. When the present Attorney General, however, came into office, it would appear that, being of opinion that the mode of proceedings under the Act adopted by his predecessor in office, was not in accordance with the proper legal interpretation of the Act, he had obtained the opinion of the Assistant Judge thereon, which being that the Act required separate Informations to be filed against each Township in arrear, he had made that opinion, which was in accordance with his own interpretation of the Act, the rule of his practice under it. Between the different constructions of the Act, therefore, and not in proportion to the increase in the scale or amount of fees exacted by the present Attorney General, over those received by his predecessor in office, was the difference observable in a comparison between the amount received in any one year, by the former, over that received by the latter. For instance, where the present Attorney General, had filed thirteen different Informations, his predecessor had filed one, and the fees and expenses consequent upon one Information were in each case the same, being those allowed and prescribed by the Law. And he (the Hon. Mr Coles,) was of opinion that the Act, under the mode of proceeding adopted by the present Attorney General, was that clearly laid down in the Law; but, also, that it was the mode which ought to be pursued: for if there was any doubt, or, nothing but a very trifling one, attached to the words used in Land-assessment, as and when it became due by the proprietors, they might combine together for the purpose of withholding payment, for twelve months of the whole amount of assessment for one year, now about £6000, a very large sum, and the interest thereof, for that period, would amount to £300: and, under the Act, the Attorney General's mode of proceedings were to be instituted and continued, they might do, under no greater an expense than £20: a sum which, when divided amongst them, would be scarcely any property, to be said to amount to a penalty on each defaulter.

The mode of proceedings originally pursued for the recovery of arrears of land-assessment, was by information against each Township in arrear. That was certainly a very oppressive and objectionable course, and he had not long had the honour of a seat in the Assembly before he brought in a Bill to remedy the evils of it. But he was convinced that it was the duty of the House to see that the Law of proprietors should not have it in their power by combination, to evade the operation of the Law for twelve months, under what would amount to scarcely any more than a nominal penalty upon each defaulter. Were the House to determine that there should be only one Information filed against all Township Lands in each County, and one against each class of Town or Pasture Lots, and, at the same time, to provide that the expenses to be incurred for the recovery of arrears, when the land proceeded against was not more than 100 acres, as against one Town or Pasture Lot only, should not exceed £3; he, he would think, he thought, be going quite as far towards the lessening and keeping down of such expenses, as the public would allow they should.

Hon. Mr. Pore, by words mean any thing, the Act says, expressly that when the land in arrear on any Township, do not exceed 500 acres, the Costs to be taxed by the Attorney or Solicitor General, shall not exceed the sum of £3; and yet, under the mode of proceeding, in relation, he held in his hand a Bill in which the costs were taxed at £4 0s 2d on 100 acres, exclusive of the sheriff's fees; and he for one had been made to suffer to the amount of £11 2s for the recovery of the assessment on 145 acres, under the operation of the very law which so restricts the amount of expenses. Such proceedings were not to be endured. The Assembly, in reality, any just grounds to apprehend such a combination of the large proprietors, as would enable them to defeat with impunity, for twelve months, the operation of the Law, it would be proper to provide that no time should be allowed to intervene, between the first Proclamation of Lands in default and the instituting of legal proceedings for the recovery of the arrears. But, as it was, he thought that the mode of proceedings for the recovery of arrears had been the milder one—that of filing one Information against all the Townships in arrear in a County, and one against each class of Lots, lest the Proprietors had been had recourse to, or apparently, been even thought of, he was not of opinion that they would ever pursue a course which would be so disagreeable to them, viewed as a body, or individually considered. The mode proposed by the Bill was what he thought it was the most advisable course to pursue. It would materially lessen the liability to expense of parties who might be in default, and would, in like manner diminish, on the part of the Attorney General, the amount of labour, consequent upon defaults. It would actually provide that that officer should receive suitable renumeration for services necessarily performed by him under the Act; whilst, at the same time, it would virtually declare that where there was no amount of Land Tax to pay. It was, indeed, much to be regretted that some summary mode of collecting the land-assessment, and of enforcing the payment of arrears could not be devised. The defect, under existing circumstances, seemed to be irremediable; for, as a magistrates court was not a court of record, it would be highly improper to allow proceedings to be therein instituted and determined, against large and valuable estates, which, if such were the case would lead to their sale by a compulsory process, if not sufficient security would be afforded as to titles to which reference could afterwards be made. He did not blame the Attorney General for the course which he had taken, in his preference to filing separate informations for the law sustained him in it: but he would be very sorry to know that he was to be left at liberty to pursue the same practice for the future; and, with his (the Hon. Mr. Pope's) consent, he certainly should not.

Hon. Mr Thornton.—He agreed that a strict verbal interpretation of the Law bore out the Attorney General in the course he had pursued and proceeding adopted, and adhered to, by his predecessor, and sustained him (the Attorney General) in that which he had pursued. He (Hon. Mr. Pope, Mr. Thornton) conceived that the House were fairly bound to admit so much in favor of the Attorney General's interpretation of the Act and his practice under it: and, if he was mistaken in that, he was mistaken in that gentleman, or any other, on his behalf, could shew with what propriety he had, in 1852, charged in one instance, £6 14s 8½d, and, in 1851, 1d more, than he had charged, in 1851, for exactly the same service. If the Attorney General were to be allowed to proceed in that manner, it might be expected that, in 1853, he would charge £7 1s for the same service, and so on, so long as he should be in office and have such services to perform. He (Mr Thornton) was astonished, that their amount for 1852 was really tremendous. He had been surprised to hear the hon. leader of the Government say it would not be well that, under the operation of the Land Assessment Act, the Proprietors should be sold at too low a rate. He (the Hon. Mr. T.) had always thought that one special, if not the main, object of proceeding under the Act was to compel the proprietors, was to oblige them to contribute a fair share of the public burthens, or to part with them at a much lower rate than they would otherwise do. To return, then, to the Attorney General's Bill of Costs, taxed by the Attorney General, under the Land Assessment Act, for the year, which was more immediately in the subject matter of discussion, he (the Speaker) in saying that it was monstrous—£158 out of the Treasury, or the pockets of the individuals whose lands had been in arrear! If such proceedings could be taken under the Land Assessment Act, if present Land Assessment Act, as it had been made evident to the House they could, they, as the direct representatives of the people, should be regarded as a body, would be indeed highly culpable, if they did not, at once, provide an effectual remedy for the abuse.

Hon. the Speaker.—He expressed his concurrence in the opinion expressed by the hon. and learned member for Charlottetown (Mr. Palmer); and proceeded to justify that interpretation by arguing that the general scope and object of an Act could not be ascertained by a consideration, or by the reading, either of three lines or of any other portion of it, independently of the context of the whole. The preamble of the Act, he thought, should be regarded as a key to the whole; and he contended that if that mode—the reading of the whole Act from the beginning to the end, taking the preamble as the key to its general intention—was adopted, it would appear no other interpretation could justly be put upon it, than that which had governed the practice, under it, of the late Attorney General. The Act, in one clause of the Act, it was expressly provided that the Costs to be taxed by the Attorney or Solicitor General should not exceed £3, where the lands in arrear as every Township should, in one Information, it appeared to be something very nearly approaching to the height of absurdity, to maintain that it was justifiable, under that very Act, to charge £4 0s 10½d on one lot, £4 18s. 8d. as his taxed Costs for proceedings for the recovery of arrears on 100 acres only. The Act, if read from end to end, would, he thought, be regarded as proceedings or of charges so enormous as those made by the Attorney General.

Hon. Mr. Coles.—He maintained that the Attorney General had been guided and sustained by the Law as it now stands, both as respects the course of proceedings which he has pursued, and the amount of Costs which he had taxed under the Act allowed in consequence thereof. Did hon. members who were disposed to give a contrary interpretation to the Act, and thereby to condemn the practice of the Attorney General—did they, he, he asked, assert that the course pointed out, or intended to be pointed out, by the Act was the proceeding against all the Township in the Island—which, he, he asked, was the intention? ["Yes," from Mr. Mongomery.] The proprietor, continued the hon. gentleman, would laugh, as well they might, at such an interpretation; for, if that were the case, they might, by subjecting themselves to a greater an expense than £20, obtain the use of £6000, the gross amount of their land assessment, for nine months. The proprietor, if he had 13 Townships, filed against any Lands in arrear, shall be against all said Lands as in the Act thereafter classified;" and the Act then proceeds to say "that one Information only shall be filed against each class of Lots or arrear each"—not on *all*—" of the several Townships in this Island." The practice had previously been to follow an Information against each Township in arrear, and one chief object of the House, when passing the Act of 1848, was to do away with that oppressive practice, and to provide that, in future, one Information, and one Bill of Costs against all Lands in arrear in one Township; so that the expenses, consequent upon such Information against all the Lands in arrear in one Township, should be equally divided amongst the individuals against whose lands proceedings thereunder had been taken, in proportion to the quantity of land in default owned by each. He was satisfied that this limitation of Informations was all that was intended by the House which passed the Act of 1848.

Mr. Montgomery.—He would like to know, supposing 100 acres only in any one Township, to be in arrear, and that each proprietor had a Bill of Costs set up against and sold, should not sell for more than the arrears of land assessment,—who would pay the expenses? Would they be paid out of the Treasury?—The late Attorney General would, according to his practice, have had no more for proceeding against *thirty* Townships, than he had charged for proceeding against thirteen under the Act.

Hon. Mr. Coles again rose and said, that comparing the amount of business actually done by the present Attorney General with that performed by his predecessor, it would be found that the fees and charges of the former, under the Land Assessment Act, was less than that which regulated the charges of the latter. For instance, the late Attorney General had charged £6 0s. 2d. for one Information and for thirty Informations, the present Attorney General had charged £157 18s. 4d., which was at the rate of £5 2s each Information, and, in 1851, the Attorney General had charged for the same amount of service. The construction put upon the Act by the late Attorney General, or, at least that upon which he acted, could not be sustained by the obvious meaning conveyed by the words of the Act; and he believed that all proceedings against lands, and all sales of lands under the Act, would be invalidated by the interpretation of it, could be reversed and pronounced illegal.

Mr. Montgomery denied the justice of the comparison made by the Hon. Mr. Coles, between the late Attorney General's rate of charges and that of his successor in office. The late Attorney General had included all Township Lands in arrear in one Information; but he proceeded so extravagantly extended his practice, as to file one Information against each Township in arrear; and the total amount of his charges, for one year, was really enormous. And, yet, the Attorney General, who was Attorney General, had charged £6 1s. 2d. for filing one Information against one Township; whilst his predecessor had charged only £6 0s 2d. for one Information against thirteen Townships. And neither did he think that even any better foundation for the assertion of that hon. member, that all the sales under the proceedings instituted at the instance of the late Attorney General under the Land Assessment Act could be set aside, could, he asked, be found. No sign, he (Mr. Montgomery) felt satisfied, could be found to decide so absurdly.

Hon. Mr. Coles said, that in comparing the Costs of the late Attorney General with those of the present, it ought to be borne in mind, that, the former, notwithstanding the former, the latter had filed *thirty*; and that, consequently, he (the latter) had had thirty times as much writing to do as the former.

Hon. Mr. Palmer.—He could not sit still and allow such erroneous opinions concerning Courts of Justice to be delivered in the House, without opposition. The hon. and learned member had presumed to take a review of the proceedings of the Assembly with respect to Land Assessment Acts, commencing with the Legislature session of 1848, and ending with the passing of the present Land Assessment Act, in that of 1848. In 1846, said the hon. and learned gentleman, a Bill was brought into the Assembly to simplify and render less expensive the proceedings against lands under default of payment of assessment: it was a mere copy of one which, in a former Session, had been passed by Mr. Joseph Pickard, at the instance of the hon. member himself (Mr. Coles) and by him introduced into and carried through the House. He (Mr. Palmer) was one of the Committee appointed to bring it in; he was consulted when the principles were first discussed by the Committee, the hon. member (Mr. Coles), who was chairman, wanted to have the proceedings under it assimilated to that provided for the sale of lands under the Pump and Well Assessment Act; and on being convinced of the great objections to that plan, and of the necessity of the judgment of condemnation being limited to the supreme Court, he then proposed that but one Information only should be sufficient for all the lands in arrear throughout the Island; and, in consequence, if not impracticability of that mode being pointed out to him, he then agreed to the lands in default being divided into Town, Township Lands one class, Town Lots another class, Pasture Lots another class, and so on; and that one Information only should be filed against each class;—this was ultimately adopted, and the Bill in which it was contained introduced by himself, and passed by the House, though rejected by the Council. He (Mr. Palmer) had also supported it in the Assembly, in 1846, when it fell to him to bring in the present Land Assessment Act, which, in the same scheme of classifying the lands,—in fact, copied verbatim the former Act brought in by the hon. member (Mr. Coles). He (Mr. Palmer) then held in his hand a copy of that Act, which he had searched for and found during the discussion; he assured the Committee that it was, if compared with the present law (that passed in 1848), he found, as regards the clause in question, exactly the same: he therefore left the hon. member (Mr. Coles) to reconcile with these facts the statement he made a few minutes ago, viz., that he (Hon. Mr. Coles) well recollected that when his Act was first brought into the Assembly, it was intended that there should be a separate Information against each Township in arrear, and not the whole Townships put into one single Information,—and that therefore the present Act was open to the same construction by the Attorney General. The hon. and learned member here proceeded to shew that the charge fees charged by the late Attorney General against one Township, was about thirteen shillings; while the average amount charged by the present Attorney General against one Township, was £5 5s.! When, few days ago, he declared, in the course of debate, that the proceedings under the ruinous public business was incompatible with public liberty—that it was equal to the public interests; and attempted to shew that, under the existing system, it would be impossible to put any Public Officer, who was charged with, or suspected of official misconduct, fairly upon his trial before the Assembly, he had certainly no idea that the justice of the decisions of the Assembly, in cases of his conduct would so soon be verified, as they then were, by attempts to screen the illegality of the Attorney General—a proceeding which, if carried out, illegally made out of the pockets of land owners and proprietors; but of gains and allowable objects of abuse, as well as of penal consequences, if there were, and had long been, held to be, by certain individuals, that the law did not repudiate their rights, and, in our Courts of Judicature, would not be recognized as subjects of the Government; and that, therefore, he would suppose, ought to be as well and effectually sustained as those of any other class, or individuals, in the community. As to the assertion that the Attorney General has the authority of the Bench for the course which he has pursued, he (Hon. Mr. Palmer) would venture to make his existence that neither of the Judges has ever given an opinion in connection of the legal propriety of that course. In fact, the question of its legality had never yet been mooted before the Supreme Court, for even one who had been subjected to that form of proceeding had, as a, foolishness, submitted to its unjust exactions. But, if he lived, the question would, at the time he brought before the Judges, and it would be, if he lived, when with interpretation of the Act—that of the late, or that of the present Attorney General—can stand the test of legal argument and decision. He, (Mr. Palmer) had been different about giving his support to the Bill before the Committee, because if the House should allow that the measure, as it stands, would be rendered void, for the reason that an Officer of the Government, in his practice under it, had thought proper, without the sanction of the Courts of Law, to put a construction upon it which was, he was sure, not at all obviously meant and had been previously allowed to be, they would be throwing open a door for the multiplication of doubts and litigation to an extent. Perhaps the meaning of one clause of the Act, as it at present stands, was not quite as clearly expressed as it might have been; but, he thought, it could scarcely be necessary to bring in an Act to amend it, until the Courts should have decided it should have been decided to be doubtful by the Court.

Hon. Mr. Pore. The Taxed Bill of Costs for proceedings under the Land Assessment Act against 144½ acres of land which he held in his hands, afforded *prima facie* evidence that the practice of the present Attorney General, under the Act, had had the sanction of one of the Judges at least.

"I tax this Bill at £5 17s. 2d., and apportion each 100 acres to pay the sum of £4 0s. 2d.; Dated 20th, May, 1852.

James H. Peters, A. J."

The hon. gentleman then proceeded to observe, that when the Attorney General informed him, that his interpretation of the Act, and his practice under it, was sanctioned by the Assistant Judge, he had, he thought, had been satisfied that the Assistant Judge, had been sanctioned to be correct and in pursuance of the course prescribed and authorised by the Law, he (the Hon. Pope) was, certainly, felt surprised, and asked him whether he was quite satisfied that such was the opinion of the Assistant Judge; and he replied he was. That the mode of proceeding under the Act, of filing Information against each Township in arrear, which had been adopted and pursued by the Attorney General, he (the Hon. Mr. Pope) had since been convinced was right, because it was that authorised by a literal interpretation of the Act; but he could not perceive that in every case his (the Attorney General's) Bills of Costs, taxed under the Act, were quite as defensible on the same authority. Still it could not be denied that these Bills had