THE EXAMINER:

A Weekly Journal of Politics, Literature, and News.

"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."---Euripides.

Vol. XI. **Charlottetown, Prince Edward Island, Monday, July 1, 1861.** **New Series.---No. 26.**

An unrivalled and invaluable Family Medicine, which should be kept always near at hand, in case of accident or sudden attack of Pain. In these days of railroad and steamboat accidents, no traveller safe without it.

PERRY DAVIS'
VEGETABLE
Pain Killer

We ask the attention of the public to this long tested and unrivalled

Family Medicine.

It has been favorably known for more than twenty years, during which time we have received thousands of testimonials, showing this Medicine to be an almost never-failing remedy for diseases caused by or attendant upon—Sudden Colds, Coughs, Fever and Ague, Headache, Bilious Fever, Pains in the Side, Back, and Loins, as well as in the Joints and Limbs; *Neuralgic and Rheumatic Pains* in any part of the system, Toothache and Pains in the Head and Face.

As a *Blood Purifier* and *Tonic for the Stomach*, it seldom fails to cure Dyspepsia, Indigestion, Liver Complaint, Acid Stomach, Heartburn, Kidney Complaints, *Sick Headache*, Piles, Asthma or Phthisic, Ringworms, Boils, Felons, Whit-lows, Old Sores, Swelled Joints, and *General Debility* of the *System*.

It is also a prompt and sure Remedy for Cramp and Pain in the Stomach, Painters' Colic, *Diarrhœa*, Dysentery, *Summer Complaint*, Cholera Morbus, Cholera Infantum, Scalds, Burns, Sprains, Bruises, Frost Bites, Chilblains, as well as the Stings of Insects, Scorpions, Centipedes, and the Bites of Poisonous Insects and Venomous Reptiles.

See Directions accompanying each bottle.

It has been tested in every variety of climate, and by almost every nation known to Americans. It is the almost constant companion and inestimable friend of the missionary and the traveller,—on sea and land,—and no one should travel on our lakes or rivers without it.

Prices, 12½ cts., 25 cts., 50 cts., and $1.00 per Bottle.

PERRY DAVIS & SON,
MANUFACTURERS AND PROPRIETORS,
PROVIDENCE, R. I.
Sold by dealers every where.

The only Genuine Pain Killer, all others are Counterfeits, Imitations, or Frauds, and as such generally worthless, not dangerous, and never to be trusted. Beware of them.

Agent, T. DESBRISAY,
Apothecaries' Hall, Charlottetown, P E I.

January 28, 1861. 18m

BUILDING LOTS
At Summerside.

TO BE SOLD, BY AUCTION, at 12 o'clock, on SATURDAY the 20th JULY next, on the premises, in the thriving Village of SUMMERSIDE,

6 Building LOTS, measuring 80 x 90 feet.

—ALSO—

1 WATER LOT, 130 feet on Bedeque Shore, joining the property of Robert Ellis and George Tresher.

The above property is a good investment for any Speculator. TERMS—Easy, and made known at Sale.

WILLIAM DODD, Auctioneer.

Charlottetown, June 17, 1861.

Sale of Lands, Houses, &c., at the Court House, in Georgetown.

By WILLIAM SANDERSON, Esqr.,
On TUESDAY, the 16th of JULY next, at noon.

THAT commodious Dwelling House and Premises, situate at the head of the Queen's Wharf, on Kent Street, and being part of Water Lot number seventeen in Georgetown, lately occupied by Donald McAulay, and now in the possession of Miss McKeown and others.

Also, Two Hundred Acres of Land, in separate blocks of 100 acres each, situate on Township Number Fifty-two, with the appurtenances thereunto belonging.

The above forms a part of the Real Estate of the late Honorable George R. Young, and will be positively sold on easy terms.

For Title, &c., apply to the Auctioneer at Georgetown, or at the Office of

CHARLES YOUNG,
One of the Executors of said Estate.

Charlottetown, June 24, 1861. Isl. & Mon. 4w.

A CARD.

W. W. LORD & CO.

BEG to tender their thanks to the Public generally for the extensive and steadily increasing support received by them during the past five years of their copartnership, and have now much pleasure in intimating, that having made very great improvements in their place of business, they enjoy increased facilities for attending to the wants of their customers. And having now an unusually large and well selected stock of GENERAL MERCHANDIZE, selling at lowest paying rates, they confidently hope to receive a continuance of custom.

Charlottetown, June 10, 1861.

"Gazelle." "Carrie M Rich." and "Prince of Wales."

Great Spring Importations,

PER above vessels. The Subscribers have received their Spring Stock, partly consisting of

25 Bales and Cases DRY GOODS,

containing all the newest styles of Dress Materials Ladies' Bonnets, Hats, Parasols, Ribbons, Pluries, &c. &c; Hosiery, Haberdashery, Millinery &c; Shawls, Mantles, Shirtings, Cloths, Drills, Cassinetts, Merinos, Sattinetts, Nankeens, Tickings, Moleskins, Flannels, &c., &c.

10 Cases Children's, Youth's, Misses', Ladies' and Gents' Boots, Shoes, Brogans, Slippers, &c.

20 doz. Ladies' and Children's Spring Skirts; a splendid assortment Gent's Hats, in Silk, Leghorn, Palm Leaf, Straw and Felt.

2000 Pieces Room Paper, large stock of Carpets, Rugs, Mats, &c.

10 Bales Cotton Battings, Wadding and Wicking.

15 Cases and Casks of general Hardware, Cutlery, Carpenter's Tools, &c., &c., including a large stock too varied to enumerate.

150 Pieces Holloware, Kettles, Pots, Ovens, &c.

70 Crates and casks Glass, China and Earthenware, well selected, varied and Cheap.

150 doz. Milk Dishes, Butter and Preserve Crocks.

A LARGE STOCK OF

Teas, Sugars, Candles, Raisins, Currants, Spices, Molasses, Vinegar, Pickles, Burning Fluid, Oil, Varnish, Turpentine, Glass, Putty, Whiting, Ochers, Salts, Saltpetre, Baking and Washing Soda, Starch, Indigo, Extract Logwood, Dye woods, &c., 8000 yards Cotton and Hemp Canvass, Nos. 1 to 10; 250 coils hemp and manilla Cordage, 6 thread to 7-in.; 24 Chain Cables, 18 Anchors, 50 tons Iron, 16 bundles Steel, Cast, Blister, and Spring; 100 sheets Zinc, 100 bundles Oakum, 80 casks and kegs Nails, 120 kegs Paints, Black, White, Green, Yellow, Prussian Blue, Vermillion, &c., &c.; Metal Shears, Windlass Gear, Warping Chalks, Hause-pipes, Scupper Lead, &c., &c.; Sole Leather, Buckets, Brooms Tubs, Trunks, Scythes, Forks, Shovels, Spades, &c.; 2,000 Sacks Salt.

All of which are offered at such prices as to claim especial attention from purchasers.

W. W. LORD & Co.

Charlottetown, June 10, 1861. tf.

TO BE LET,
And immediate possession given,

THAT two story well finished and commodious Dwelling House, situate at the corner of Prince and King Street, lately occupied by Miss STREET. It is well adapted either for a private Residence or a Boarding House. For particulars as to terms, &c., apply at the PAVILION HOTEL.

June 3, 1861. Isl

FOR SALE OR TO BE LET,
And Immediate Possession given.

THE WELL KNOWN PROPERTY formerly in the possession of the late JAMES N HARRIS, Commission Merchant, of this City, consisting of a Two story BUILDING fronting on Richmond Street, fitted up as a Dwelling House, Shop and Sale Room, with a Room in the rear 40 feet long, fitted for cutting and packing Pork, &c.

ALSO—A BUILDING in the rear of the Lot, two stories high, 44 by 40 feet, used as a Warehouse, &c., and under which is a large Frost Proof Cellar.

This Property being very convenient to the Market, is one of the best business stands in the City. For further particulars apply to W. W. LORD, Executor.

Charlottetown, May 20, 1861.

For Sale or to Let,
And Immediate Possession given.

THAT new two-storey COTTAGE, fronting the St. Peter's Road, near Mr. Crabb's Corner, with a large Garden (under cultivation, and partly seeded) attached, the Property of the late JAMES N. HARRIS. If sold, 25 per cent of the purchase to be paid down, and the balance may remain secured on the property for some YEARS. Apply to

June 3, 1861. W. W. LORD, Executor.

AUCTION!

TO be Sold at PUBLIC AUCTION, on TUESDAY, the 1st day of AUGUST next, a PIECE OF LAND fronting on Sidney-street 63 feet, running back 80 feet—a part of the property formerly owned by the late Mr. HOWELL, Inn-keeper. There is a WAREHOUSE, 30 by 20 feet, on the rear of the Property. 25 per cent to be paid on the first November, and the balance to remain for some YEARS.

For further particulars apply to

WILLIAM W. LORD, Executor.

Charlottetown, 3rd June, 1861.

Notice.

ALL persons having any demands against the Estate of the late JAMES N. HARRIS, Esquire, of the City of Charlottetown, deceased, will please furnish the same, duly attested to, within six months from this date; and all persons indebted to the said Estate are hereby required to make immediate payment to the subscriber.

W. W. LORD, Executor.

Charlottetown, 2nd May, 1861. 3rd June.

Land for Sale.

THE subscriber offers at Private Sale, the following valuable property; 150 acres Wood Land on Lot 43, fronting on the line road between Lots 43 and 44, having a front of 14½ chains to the 100 acres; 21 acres being part of the reserved lands adjoining Georgetown. Town Lot No. 8, First Range, Letter E, in Georgetown, and Pasture Lot No. 83, in the Royalty of said Town. Also, 50 acres Land, four of which are cleared on Lot 32, fronting on Anderson's Road, 7 miles from Charlottetown. Three Building Lots in Charlottetown. For further particulars apply to

JOHN McGILL.

Charlottetown, Feb'y 25th, 1861. 6m

A FREEHOLD PROPERTY FOR SALE.

AN excellent FISHING and TRADING STAND, situated on the Rameao Island, Newfoundland, containing One Hundred acres of LAND, about one acre clear and in a good state of cultivation; one Dwelling House, 30 x 20 feet; one Retail Store, 30 x 22 feet; one Salt Store, 24 x 16 feet; one Dry Fish Store, 24 x 16 feet, with a Dry Goods Store aloft; one Cooper's Shop, 20 x 16 feet; one Store Stage, 100 x 22 feet, 90 feet covered; a good Wharf from Store to Store, 90 feet long, where any vessel can lay to load or unload; an excellent Well of Water close to the house; one Flake, 120 x 50 feet for drying fish; one Vat for curing herrings, containing 70 barrels; 40 empty Puncheons, and all materials for weighing fish; and sundry other articles too numerous to mention.

The above valuable Property will be sold for the very low sum of Three hundred Pounds, Newfoundland currency. For further particulars apply to

THOMAS JANES, Owner.

Grand River, Lot 55, King's County, June 24, 1861.

To Captains and others.

THE CHARLOTTETOWN GAS COMPANY are prepared to receive TENDERS for the FREIGHT of COAL from Pictou per ton.

By order,

June 24, 1861. WM. MURPHY, Manager.

To Truckmen.

THE CHARLOTTETOWN GAS COMPANY are prepared to receive TENDERS for the TRUCKAGE of COAL and other Goods at per load, either to or from the Gas Works or any part of the City. By order.

June 24, 1861. WM. MURPHY, Manager.

Steamers WESTMORLAND and LORD SEAFORTH.

THE above named Steamers having been inspected and found to be in first-rate order, continue their trips as formerly and with their accustomed regularity. A Certificate from the Inspector for the Government of New Brunswick appointed to examine Steam vessels in the Straits of Northumberland, as to the efficiency of the *Westmorland*, will be found below.

June 17, 1861. C. BOULTENHOUSE.

Province of New Brunswick.
BY AUTHORITY.
Steamer "Westmorland."

HAVING examined the Steamer "WESTMORLATD," of St. John, N. B., whereof Mr. C. BOULTENHOUSE is owner, and E. EVANS is Master, this 10th day of June, 1861—I, WILLIAM DUNLOP, do certify that she is staunch, sea-worthy, and in good condition for navigation; that the Engine, Machinery, Pumps and Boiler are in good condition; that the Boiler has been tested with a pressure of thirty-two pounds on the square inch, hydrostatic pressure; that she is able to carry with safety a pressure of steam of twenty pounds on the square inch, which is less than two-thirds of the pressure used in testing it; and that the Boiler is provided with a locked up safety valve, and with suitable steam and water guages. And I further certify the said vessel is provided with one life boat and three common boats and oars to suit, with 50 life preservers, with 24 buckets, with the necessary lanterns, with forcing pump and hose, and other things are in conformity with the law; and I consider that the said vessel may be employed with all safety, and that the said vessel is to run on the Straits of Northumberland.

WILLIAM DUNLOP,
(City papers,3w) Inspector for Gulf Shore.

Tea! Tea! Tea!

JUST received per Ship "Isabel," from Liverpool, G. B.—
66 chests TEA
40 half-chests do. } warranted a superior article.

May 13, 1861. 3m GEO. F. C. LOWDEN.

A Splendid Assortment of

FRENCH FLOWERS AND FEATHERS,

Ribbons, Parasols and Parachutes,

MANTLES.

Poplin, Rep and Jupe Dresses.

All the New Styles in

HATS and BONNETS,

Cashmere and Tissue Shawls.

300 doz. Bonnet Wreaths & Borders,

500 Muslin Dresses, from 3s 9d upwards.

HABERDASHERY, and Small Wares in Great Variety, at

VAUX'S,

Glasgow House, Queen Street.

Charlottetown, June 3, 1861.

To Breeders of Stock.

THE newly imported STUD HORSE "CANADIAN," from Lower Canada, will stand for the season at the

Globe Hotel Stables.

SERVICE.—20s. Cash. J. W. BRADLEY & CO.

Charlottetown, May 20, 1861.

GIN.

20 CASES DE KUYPER'S GIN,
6 Casks do do.
in Bond or Duty paid, for sale by

June 10, 1861. ALEX. McKINNON.

Provincial Parliament.

HOUSE OF ASSEMBLY.

TENANTS' PETITIONS.

(Continued from last Examiner.)

Hon. Col. GRAY.—We have heard a great deal from the hon. member (Mr. Coles,) the value of which this House and the public will judge. I will confine *myself* to indisputable facts. I hold in my hand a list of Proprietors who have agreed to be bound by the award of the Commissioners, and Sir, hon. members should draw a distinction—I may almost say a line of demarcation between those who have signed and those who have refused to sign, because the former are *bound* by the recommendation of the Commissioners, while the latter, although they will hereafter, in deference to public opinion, be compelled to come under the award, at the present time doubtless treat with indifference any such recommendation. In this list are the names of fourteen Proprietors. I will give the names—Sir Samuel Cunard, Mr. Edward Cunard, Mr. Sullivan, six Messieurs Montgomery, Mr. Haviland, the Mayor of the City, Mr. Cundall, manager of the Bank, Mr. Edward Palmer, Mr. Daniel Hodgson, Mr. Bourke. The Estates of these gentlemen comprise 340,126 acres, with arrears amounting to £44,526. *The number of writs issued against persons who have paid one year's rent, as recommended by the Commissioners, is* NIL.—none. Of 1450 Tenants on Sir Samuel Cunard's Estates, the leader of the Opposition has shown that nine have been served with writs. One in one hundred and sixty-one. Of 877 Tenants on the other Estates, *who did not pay one shilling of the year's rent*, but fourteen were sued—*one in sixty-two.* We have been told of two cases on the Tracadie Estate; but Sir, are we living in an Utopia? Is this Colony a paradisiacal spot? With respect to the Bill proposed by the leader of the Opposition, Sir, I will assume that this House pass such a measure—and I ask hon. members to weigh well the consequences which in all probability would ensue. We all know that Bills affecting the rights of property are, by Her Majesty's Royal Instructions, required to have a clause suspending their operation until Her Majesty's pleasure shall be signified respecting them; and that such Laws do not usually receive the Royal allowance until near the end of the year. One cause why this suspending clause is required, being to give time to all parties affected by the Bill to enter a *caveat*, or to show cause why such a Bill, if objectionable, should not become Law. What consequence would ensue from the passing of the Bill in question? Why, Sir, the very day the Bill passed this House—the very day such a *declaration of war* went forth, we may be assured every Proprietor would issue writs for all arrears, summon their Tenants to the Supreme Court, heap expenses upon them, and then would ensue such scenes of ruin and distress as have never heretofore been seen among us. Where then would be honorable members and their Bill? Could they withstand the storm of execration which would be hurled at them by the *unhappy victims*? Would the hon. leader of the Opposition pay their expenses? I ask could he look them in the face? Again let us reflect upon further consequences. The day on which such a Bill passed, all our labors for two years would be swept away. Could we reasonably expect that any one Proprietor, after such a flagrant breach of compact on our part, would remain under the Commission? Sir, the Commission would be at an end; and having violated our agreement with the Secretary of State, all hope from that quarter would be vain. But, Sir, I would tell the leader of the Opposition that he must know as well as I do that such a Bill would never, if passed by the Legislature, receive the Royal allowance. To allow such an Act would be to violate the solemn oath sworn by Her Majesty at her coronation. The hon. member should know that the enactment of such a measure would be a breach of our compact entered into with the Secretary of State, and would bring the Legislature into contempt and ridicule. Read the Despatch of His Grace on the "Shore Bill," wherein he so emphatically declares he will not admit of any interference with a question upon which the Commissioners are now arbitrating. Sir, I would lift up my voice and tell the Tenantry that if they suffer themselves to be so misguided as to lead *their representatives* into acts of hostility against the Proprietors—from the day and the hour on which this House passes such measures—from that day and from that hour they may bid good bye to all hopes from the Proprietors, as well as to sympathy or interference from the Home Government on their behalf. What did we hear some days ago in debate, from the hon. member for King's County, Mr. Whelan, respecting the unbounded influence of the Proprietors? He stated that the people of this Island are no better than serfs in consequence of this influence, and that in fact, this Legislature, whatever party has been in power—mark, Mr. Speaker, *whatever party has been in power*—have ever been the slaves of the Proprietary faction. Sir, I agree with the hon. member in attributing very great influence to the Proprietors; and from the first day on which I took my seat in this House, *it has been my aim*, by acknowledging this influence to abate it—to *weaken it—to do away with it*—by meeting the great Proprietary body *half way*. I repeat that hostility is useless. No Legislature which does not meet the Proprietors *in a spirit of fairness*, will ever succeed in benefitting the Tenantry. If, instead of meeting Lord Selkirk in this spirit, we had passed hostile measures, such as the Tenant Compensation Bill—the Landlords' Rent Roll Tax Bill—the people of Belfast would be Tenants to this day. There is such a versatility in the proceedings of the hon. leader of the Opposition, that I am obliged to digress to enable me to remark upon his most extraordinary attacks upon the Government. The hon. member strives to make political capital out of an Act we passed last session, and which the Secretary of State tells us was premature. At different times the hon. member has broadly insinuated that the Act was purposely kept back, and other Acts printed and sent home first; he has also stated that this Act was out of the Printer's hands on the 10th July. Such insinuations are as unworthy as they are unfounded. Sir, this Act was not out of the Printer's hands until the 13th September, and both it and the 'Shores Bill' were sent home on the 1st October, while the other forty Acts did not go home until the 26th November. Let us see at what time Acts were sent home when the hon. member was at the head of the Government. By referring to Sir D. Daly's Despatch Book, I find that in

1855 Acts were sent home on the 8th October.
1856 " " 20th October.
1857 " " 5th September.
1858 " " 30th August.

Sir, it was a happy *synchronism*, that the Act went home on the 1st October, and the petition of certain Proprietors against it on the 12th November—a rare chance was this for the hon. member. He would have this House to believe—paying a high compliment to its discernment—that if the Act had been sent home post haste, His Grace the Duke of Newcastle would have smuggled it through and obtained Her Majesty's allowance, in a corner I suppose, without giving the other parties time to be heard. Has such a course occurred since this was a Colony? Never—nor in the history of any other Colony. Sir, it is the duty of the Secretary of State to protect, not to destroy, the rights of the meanest of Her Majesty's subjects. I would again ask is a suspending clause required to be inserted in all Bills affecting property rights? One of the chief objects is to enable all parties who would be affected thereby, to be heard. I have alluded to the Bill of Rights—one of the most glorious features of that Bill is that which provides that no man shall be condemned unheard. Suppose this Legislature was to pass a Maine Liquor Law, would the hon. leader of the Opposition expect the Secretary of State to advise Her Majesty to confirm it before he and others who would be affected by it had time to petition against it? I think not. Sir, it betokens a weak cause, this harping upon this insignificant Act—which cannot affect the good the Commission will do to the value of one straw. The leader of the Opposition and hon. member for King's County, Mr. Whelan, have, from time to time, stated that the Commission could do no good by remitting old arrears, as the Proprietors had taken good care there should be none to remit. I have shown this day that nearly £45,000 are owing in old arrears. Sir, I did not come into this House making the Commission my stalking horse. I would ask hon. members had I never proposed it what would they have done? What would the leader of the Opposition have brought forward—ESCHEAT? Sir, I am not a not a believer in those delusions. I will state my opinion of Escheat—

'The subject cannot be entertained, I care not what party comes into power. No government could entertain it for a moment; therefore I consider the question apart from anything that will affect the Government. I contend it will affect no Government, I care not what one; therefore, it is better for those hon. members to know that the Government cannot entertain the question. If a measure relating to Escheat were passed by this House, is it likely that it would receive the Royal allowance? It is much better for the hon. member to turn his attention to some other subject that may be of more advantage to the country. After having moved so often in the matter, and having gone to England in connection with the subject, he still seems determined to persist in agitating the question. But the responsibility of the agitation resist upon him. It has been injurious to the peace of the country, many have been injured by it, and find themselves in difficulties. I contend that the people of this Island are satisfied. What is the number of petitions in favor of the question? It is so insignificant and unequal in comparison with the population of the Island as to be scarcely worth notice.'

These are the words of the leader of the Opposition—Mr. Coles, in this House in 1856. Such was his opinion of Escheat when he had a large majority at his command in this House. Sir, I am well aware that the People are well convinced that Escheat is hopeless, and that we can only hope for any amelioration of their condition by fair dealing, and not be attempting to pass Acts through this Legislature which would rebound upon ourselves and bring us into contempt—not only in the estimation of Her Majesty's Government, but in that of every intelligent man in the Colony.

Mr. COOPER—This matter has been so ably dealt with by the leader on our side, that little more is necessary to be said. I believe that some of the first proprietors did something for the tenantry. Mr. M'Donald had to mortgage a small estate at home to obtain the means to keep his people from starving. This they had a right to pay. But most of the tenantry who came here received no benefit from the proprietors. The British Government should not have given way to this method of settlement; but the proprietors made the Government believe that they had done something for the people, and they allowed to be made tenants and to remain tenants. By the indulgence of 1818 the tenants ought to have been settled in 1828. It is altogether an error to consider that the proprietors received grants of land here to derive a revenue from the settlers. After the manner in which the British Government allowed the proprietors to act, there is only one course which they could pursue to remedy the evil, that is to make the lands of the proprietors Crown lands; and the only manner in which they could effect this was for them to take the matter into their own hands, or to leave it to Commissioners as they have done. These Commissioners have given what may be called a part of their award, viz, that there should be no harsh proceedings on the part of the proprietors until their final decision was made. But the Commissioners said they had no power to enforce their recommendation, though they spoke as if they wished they had the power, and if they possessed it they would no doubt have passed such a law as is prayed for by the petitioners. Instead of an Act to prevent distraints for rent doing away with the Commission as has been stated, it would only carry out their recommendation. I would have thought that the Government, if they are the friends of the tenantry they profess to be, would have come forward and given effect to the first part of the Commissioners' award that no arrears of rent should be demanded.

After a few remarks from Hon. Mr. Coles in reply to Hon. Col. Gray, the House adjourned for one hour.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Debate on Tenants' Petitions resumed.

Mr. CONROY referred to the petition which he presented to the House in reference to arrears of rent due proprietors, and said it was almost universally signed by the inhabitants of Lots 1 and 2; and that it was by no means a party petition, for the first persons who signed were those who supported the present Government at the last election. That was sufficient to show that the petition was not got up for a party purpose. He considered the situation of the people called for a law to be passed by the House for the protection of the tenantry; for, since the Commission sat much anxiety was felt by them in reference to the award which they would give in, and so many contradictory statements were in circulation about the reception of the Bill which was sent home, that they had added to their uneasiness. In one of the Lots which he had the honor to represent, several distraints had been made contrary to the recommendation of the Commissioners. Instead of the Commission being a benefit they feared it would prove an injury. For these and other reasons which might be urged, he desired the House to take some action in reference to the prayer of their petition.

Mr. DAVIES said he could not see that anything would be gained by going into Committee on the petitions, though he would not oppose it. It was to be regretted if there were cases of hardship, but the House could not prevent the occurrence of such things. He could not perceive that they could pass a law to bind the large proprietors, which would not affect the small ones also. It would be an encroachment on the rights of property if it did not affect the man who owned one acre as well as him who possessed 40,000 acres. If it affected the rights of property it would not receive the Royal assent. They would like to see the lands in the hands of the Government, though the occupants would not then receive them for nothing. However anxious he was to see the tenantry dealt leniently with—and such was his desire—still he could not sanction anything which would interfere with the rights of property. The issue would soon be known, as the award in all probability would soon be given in; and, if the proprietors did not assist in getting the existing difficulties settled between themselves and their tenants, he considered it would be all the worse for themselves.

Hon. Mr. M'AULAY said the hon. Leader of the Opposition, in a long speech which he made in the morning on the subject before the House, had stated that he had no desire to make political stock out of the petitions; but, for his (Mr. M'Aulay's) part, he did not know what capital he could make out of them, unless it were a capital farce. After referring to many despatches, extending over 50 years—he said the Government of Great Britain could not give fresh grants of the lands of this Island; and as the late Government had many years to effect a settlement of the Land Question, and had failed in their endeavours, they might have courtesy enough to allow the present Government at least two years to try what they could effect. The whole was now in the hands of men competent to judge of the merits of the existing disputes, and it was unreasonable to interfere in such a manner as was proposed, which might have the effect of nullifying the act of the Arbitrators. He believed the Commissioners when here used all diligence to elicit all the facts of the case upon which they were to decide; and when the award came he had no doubt it would do justice to both proprietors and tenants. In all countries there were rich and poor, and the proprietor was as much dependent upon his rent-roll, in many instances, as was the tenant on his farm; and the one as much entitled to the protection of his just rights as the other. Were he (Mr. M'Aulay) to give his consent to interfere in the manner proposed, he believed he would always have reason to regret having done so, as his desire was to mete out equal justice to all parties. He believed no proprietor had distrained where parties had paid one year's rent. The Commissioners would not stultify themselves, and so would be likely to see that this recommendation in this particular was carried out. If the Legislature at the present juncture stepped in and interfered he thought they would step out of their legitimate course, and probably the result would be the Arbitrators would throw up their Commission. He sincerely hoped the aim and desire of all was to promote the welfare of the people, and as an interference on their part would do no good, evils might be the consequence; so, with these remarks he would sit down, hoping the House would not take any farther action in the matter till the award was given.

Hon. Mr. HAVILAND—I rise, Mr. Speaker, with great reluctance to speak to the question, for I scarcely know how to grapple with the subject. The hon. Leader of the Opposition entered upon the worn-out, threadbare question of Escheat, in which he not only took the wind out of the sails of the hon. member from King's County, but also took possession of the ship, and sent him forward to the forecastle. The manner in which he dealt with the question furnishes a specimen of his *Jim Crowism*. For several years he sneered at and endeavored to crush the Escheat question, as advocated by the venerable Apostle of Escheat, as he has been termed. At one time he argued it would be folly to entertain that question a moment. It would be wasting the time of the House to refer to the various despatches which he had quoted from time to time, to prove that the scheme was delusive and visionary. But a change has come over the spirit of his dreams, and all at once he perceives that his political life up to 1859 was a delusion, and discovers that Escheat is attainable, which he would soon show if now he only was where he was a few years ago.

Hon. Mr. COLES said he quoted despatches and documents to show that the people were agitated about the question for many years.

Hon. Mr. HAVILAND—He wound up by saying Escheat was attainable.

Hon. Mr. COLES—No.

Hon. Mr. HAVILAND said he was happy to hear his recantation.

Hon. Mr. COLES said there was no recantation on his part.

Hon. Mr. HAVILAND—Then the hon. member *does not* believe in Escheat.

Hon. Mr. COLES said he did not say that.

Hon. Mr. HAVILAND—Then the hon. member *does* believe in Escheat.

Hon. Mr. COLES—[illegible] No.

Hon. Mr. HAVILAND—Well, he [illegible] he believes in nothing, and is in the unenviable position of being a political infidel. He, however, did not trace the history of Escheat down to the present day, which he should have done, and he should have stated that a despatch came out with Governor Bannerman in 1851, a few months before he got the Government—in which it was stated by Lord Grey, the Colonial Minister, that a *quietus* was given to the question of Escheat. Our impartial historian, however, did not call attention to this fact, this morning. It is true that a despatch of this character was sent out, when Responsible Government was granted to the Colony. But I know his answer will be—"I never saw it;" but it was, notwithstanding, published in the Journals of 1851.

Hon. Mr. COLES—Responsible Government was granted before it was made known.

Hon. Mr. HAVILAND—I would ask if Responsible Government was granted on particular conditions? or if those who wrote that despatch will concede that it is a dead letter?

Hon. Mr. COLES—I alluded to the subject of the Land tenures.

Hon. Mr. HAVILAND—Her Majesty's Government feel bound to adhere to the decision of their predecessors in respect to this matter.

Hon. Mr. COLES—They changed their minds on that subject.

Hon. Mr. HAVILAND—That is something new to me. I heard from time to time that the Imperial Government broke faith with the late Government as to guaranteeing a loan, but I never before heard they contemplated putting their hands in the pocket of John Bull. It is a pity he kept the information to himself so long; for, had he made it known, it would have changed the face of affairs both in the late and in the present Government. I contend, however, that that despatch which states that Escheat is impracticable, is a part of our Constitution. According to his account too, the country is in a fearful state—the manner in which tenants have been oppressed during the last twelve months is without a parallel in the history of this Island. Be this as it may, it is still wonderful that from the length and breadth of this Island the signatures to all the petitions taken together only number 1200, and the most of these names were signed not far from Charlottetown; viz, on the Tracadie Lots as they are termed, and that property is not within the scope of the investigation of the Commissioners, with the exception of the undivided, fractional interests of John Archibald M'Donald, which is very trifling when compared with the rest of the Estate. The hon. member from that District, on the debate on the address in answer to His Excellency's Speech, expressed his horror at the scores and *scores of writs* which were issued since the recommendation of the Commissioners was given, but in reality these are a mere *bagatelle*; in any rent-paying country, in ordinary times, you would find that a greater number were issued; but these hon. gentlemen were determined to have a tempest in a tea-pot. I firmly believe these petitions did not emanate solely from the backwoods. Could I dive into all the secrets, I believe I would discover that they originated within the bounds of this City. To say that proprietors have been more harsh and grasping since the Commissioners left than heretofore is, I believe, contrary to the fact. The only one, I believe, who broke faith with the Commissioners—of those who assented to the reference—was J. A. M'Donald. An hon. member stated there were more rents paid this year than in previous years; if so, such was not the case on the Montgomery Estate, for I never in any year received less. The hon. Leader of the Opposition, with all his knowledge of the wants of the people, only mentioned 3 cases of hardship, and these on an estate which was not bound by the Commission. I believe that if this House were to pass such a measure as they are now desired to pass, it would entail misery, ruin and hardship upon the country, for the consequence would likely be that every proprietor would commence and immediately issue writs right and left. I say, too, as a professional man, that any Act passed by this Legislature, of the nature contemplated, before the award is given in, would not receive the Royal allowance. I believe it would have the effect of driving proprietors to commit harsh acts, to which, at present, they are not disposed. It must be remembered, too, that under our land tax Acts, proprietors must pay large sums. The Cunards pay £500 a-year for taxes on wilderness lands alone, and is it to be supposed they are to authorize their agent to draw upon their private exchequers for this amount, when they have so many tenants on their Estates?—They would naturally expect it should be self-sustaining. Surely the hon. member must suppose these gentlemen have more of the milk of human kindness than himself. The hon. Leader of the Opposition threw out the insinuation that there would be no necessity for a suspending clause to the Act which we are requested to pass, and as an argument in favor of his suggestion, quoted the example of this Legislature in passing an Act, a few years ago, relative to the sale of property levied upon at certain seasons of the year. But I will not go so far as to say that the Act was passed in accordance with the Royal instructions and Constitution of this Colony. Even in our Courts that law could be proved to be invalid. If we passed such a Bill without a suspending clause, a proprietor might issue a writ, and commence an action in the Supreme Court, and if the Attorney for the tenant pleaded the Act, the Counsel for the proprietor could state that it was passed in the teeth of the Royal instructions, and was in consequence unconstitutional, and the Judges would feel bound to pronounce it invalid. But it is unnecessary to waste the time of the House by going into this matter. The Colonial Minister from time to time has sent out despatches refusing to grant a Court of Escheat.

Hon. Mr. COLES—The contradictory despatches of the Duke of Newcastle have shaken my confidence in despatches.

Hon. Mr. HAVILAND.—It is like Satan rebuking sin to hear the hon. member rebuke the Duke for political inconsistency. Take up the Journals of the House, and any one who reads may see that the hon. member was one thing yesterday, another to-day; and it is hard to say what he may be to-morrow. Still he does not want to make political capital out of this question. To hear him talk you would almost imagine there was none of the political fox in him at all. Credulity at a certain age, it is said, is of slow growth. I might have believed him a few years ago, but cannot believe him now. There is one thing, however, upon which I must congratulate him, and that is the manner in which he handled the statistics respecting the number of writs which were issued, after which he rose as the champion and advocate of Bruce Stewart, at the expense of Cunard. The number issued by Cunard, however, considering the number of his tenants bears a much smaller ratio than the 4 issued by Stewart, considering the number of his tenants. Then he expatiated on his deeds before the Commissioners' Court, thinking, I suppose, the country would forget them. He spoke four hours a day, according to his own account, and jumped Jim Crow many times on this question. It is difficult to hold him. At one time the Court is a delusion; at another, he thinks it will do much to alleviate the tenantry. He says a little on both sides, so that if the Commission turns out well and the difficulties of the tenantry be overcome, and their burdens alleviated, he can say, "I was always in favor of the Commission. See how I seconded Col. Gray in all his movements." But if it should happen that the tenantry do not