

Mr. M'INTOSH.—Mr. Chairman, the Hon. Member who has just sat down has asked "what benefit the people have received from the agitation of this question?" I can answer, that they have gained in the reduction of the price of Land from four pounds to ten shillings an acre. And I advocate Escheat in order to lower the price to the tenants still more. If it had not been for the discussions which have taken place on this subject, the lands would still be held at three or four pounds an acre. But now, instead of receiving thanks for having reduced the price of land, we are ridiculed and held up to the country as disturbers and agitators. But, Mr. Chairman, it is my opinion, that if there was more opposition manifested to the proprietors, the lands would be offered on better terms. And certainly those who have paid rent and spent their time and labor in improving the land, should purchase their properties at a lower rate than they who come in and purchase wilderness lands.

Hon. Mr. LORD.—Mr. Chairman, there can scarcely be any evil, however great, which does not produce some little good. And I can assure the Hon. Member Mr. M'Intosh, that the Government used every precaution in dealing with Mr. Pope. As a proof that they did so, I need only call the attention of the Committee to the fact of their having reserved no less a sum than six thousand pounds, to meet any difficulties that might arise from tenants refusing to atorn.

Hon. Mr. LONGWORTH.—Mr. Chairman, I must say that I think the allusion made by the Hon. Member, Mr. Lord, to the time at which the Hon. Members Messrs Cooper and M'Intosh were brought to the bar of this House, can have no bearing on our discussion of the question before us this evening. That occurrence took place some 20 years ago, and really I do not see how it can affect our judgment on this matter. I am disposed to go for a Court of Escheat, and when I say that, I do not mean to express the opinion that the lands are liable to be escheated (Laughter.) Hon. Members may laugh, but I can tell them, they may find it to be no laughing matter, and it may be, that if they do not support the establishment of a Court of Escheat, their constituents may laugh them out of the House of Assembly at the next Election. I see a great difference between a Court of escheat and escheating the lands. I have ever been opposed to the extreme measures hitherto advocated by the Hon. Member, Mr. Cooper, and I still consider the agitation which has been going on for many years, a misfortune to the country, as no good could result from it. Still, Mr. Chairman, I am in favor of a Court of Escheat. I consider that we are as much entitled to it as the people of Canada, New Brunswick or Nova Scotia, all of which Colonies have it as part of their institutions. And, Sir, I think there is a greater reason for it in this Island, as we know that by grants improvidently issued, the whole Island was granted in one day. Although the British Government may refuse to allow as the Court, and the lapse of time since the date of the original grants, now some 80 years, may be considered as a confirmation of the title of the grantees, I will advocate the Court, and I should wish to see a majority of this House in favor of it, in order to quiet the minds of the people and prevent any man or any set of men from making political capital out of the agitation on this subject. But Mr. Chairman, it has been denied that Members of the present Majority ever held out to the people the promise of free lands as a bait to obtain their support. But I will ask, if in the year 1852 one Hon. Member now in this House did not circulate a handbill in which free lands were promised to the people, if the so called liberal party were elevated to power (Name, Name). Well Mr. Chairman, I am not afraid to name him and I name the Hon. Member, Mr. Clark.

Mr. CLARK.—I deny it.

Hon. Mr. LONGWORTH.—Then all I can say is, that I can prove that he placed the handbill into the hands of another party.

Mr. CLARK.—That is not circulating it, (Laughter.)

Hon. Mr. LONGWORTH.—Mr. Chairman, I need no more than such an assertion to prove the truth of what I have said, for if the fact of the Hon. Member's having circulated the Bill is not proved by his having handed it to another person, or does not prove a circulation by him, I do not know what could be termed a circulation. But with reference to the question itself, I maintain that although ministers may have refused to Escheat the lands, there is nothing in all the documents which have been cited to show that the British Government would not sanction a court of Escheat. (Laughter.) Hon. Members may amuse themselves by laughing as much as they please, but I say that the question for the establishment of a court of Escheat has never been before the House on any previous occasion. It is our constitutional right to have such a Court, and as I do not approve of the wording of the resolution moved by the Hon. Member, Mr. Cooper, I suggest to the consideration of the Committee the following:

"That it is expedient to establish a Court of competent Jurisdiction to investigate and decide upon the titles to all Township Lands in this Island."

Mr. CLARK.—Mr. Chairman, as to the handbill on which the Hon. Member, Mr. Longworth, laid so much stress, I think I can easily explain that to the Committee. I received that paper by post; it came to me among a lot of others; the principal portion of which if I recollect right, related to the civil list Bill. When I opened the parcel, Mr. John Owen, who was present, took up the handbill. Mr. Owen is no Elector. And I can state, Mr. Chairman, that I did not agree in the statements contained in the handbill. It has been frequently thrown up to me, that I carried that handbill about among the people, but I consider that my conduct with reference to that handbill, in letting Mr. Owen take it away with him, affords no greater proof of my agreeing with the opinions it set forth than would, this reading and lending to a friend by the Hon. Member for Charlottetown, Mr. Longworth, of Paine's works, be a proof that he coincided with the opinions of the author. I deny, Mr. Chairman, that there is much agitation on this subject in Prince County and I appeal to the Hon. Member, Mr. Montgomery, to say if there was any allusion to it at St. Eleanor's at the general Election and as my recent election. I expressly stated at St. Eleanor's that I would not pledge myself to vote for Escheat. The Hon. Member, Mr. Laird, took the trouble of going into my district to excite the people against me on this question, and after all he has done, if he is content to lose his time and pay his horse-hire and expenses, I am satisfied. Why Mr. Chairman, under the fifth section of the Land purchase Bill, the Attorney and Solicitor General are a court of Enquiry to investigate titles. In all countries there will be found some agitators, no matter how wild and visionary their views may be. The Hon. Member, Mr. Laird, has stated that the petitions before the House had influenced his mind and induced him to support the resolution of the Hon. Member, Mr. Cooper, although he was pledged to advocate no measure which did not meet the views of the present Government. Now, Sir, let us see how much consideration those petitions are entitled to, to induce any Hon. Member to violate the general pledge not to oppose the Government. Allowing every signature subscribed to the different petitions to be that of a bona fide elector, although there are many names written by the same hand, yet waiting that objection, and supposing them all to be genuine, we find but 1047 people asking for Escheat, about 1-13th part of the electors of the Island! and are we to be referred to those petitions as expressing the wishes of the people! And, Mr. Chairman, those very petitions have been got up by a few agitators, who have been going about the country, endeavouring to unsettle the minds of the people and throw every thing into confusion. This I think is proved by the result of the meeting held in the Hon. Member, Mr. Whelan's, district. At that meeting, I have been informed, that all but a few, say some six or seven, went against escheat, and though it is true some had put their names to the petitions before the House, when they were made acquainted with the true state of the case, they were sorry and ashamed for what they had been induced to do. So it would be in other parts of the Island, if the people had the true state and position of the question fairly laid before them. The Hon. Member, Mr. M'Intosh, seems to think that the present Government, because it is liberal, ought to have gone for Escheat. I can tell him, Mr. Chairman, that if they had done so, they would not have been in a position to have carried the beneficial measures they have, but they would be in a position similar to that of the Hon. Member, Mr. Cooper, after his unsuccessful agitation. I shall vote against the resolution in toto, and I will give my support to the Government in measures calculated to improve the settlement of the country, such as the Land Purchase Bill.

Hon. Mr. MONTGOMERY.—I must say, Mr. Chairman, that in my opinion it does not look very well for the Hon. Member, Mr. Clark, to censure Mr. Cooper, and designate him as an agitator. If I recollect aright, he got his first election on the ground that he was in favor of Escheat. I know that he was a strong supporter of the Hon. Member, Mr. Cooper, in those days; and therefore, if Mr. Cooper is now wrong and misleading the people, he, (Mr. Clark,) must have been liable to the same imputation. I do not agree with the Hon. Member in the opinion that the fifth section of the Land Purchase Bill established a Court of Enquiry. As I read the Bill, it merely enables the Government to examine the titles of any particular property which may be offered to them for sale. And, Mr. Chairman, it is idle to say that the agitation of this question arose in Charlottetown; it is notorious to every one that the country at large has been agitating it for the last twenty years, and if I do not mistake, the great Liberal Reform Association had it brought under their notice. As to the remarks the Hon. Member, Mr. Clark, has offered in explanation of the circulation of the handbill, all I can say is, that what he has stated is to my mind, as I think it will be to others, quite sufficient proof that he did circulate it; and whether Mr. Owen was or was not an elector, it makes no difference; it is well known he was a warm political partisan.