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

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I. NO. 25

COLONIAL LEGISLATURE.

HOUSE OF ASSEMBLY.

TENANT LEAGUE.

(Continued from our last No.)

Hon. Sol. Gen. (Mr. HAVILAND.) What the ideas of the hon. member, the Leader of the Opposition are with respect to the constitutionality of the Tenant League it was certainly very difficult to understand. According to the dictum of that hon. member, the League, at one moment, was a perfectly loyal and constitutional association; and, the next, they had gone a little too far—say, had actually brought disgrace upon the country by the unwarrantable and illegal character of their proceedings. Yes, the hon. member had gone so far, even whilst endeavouring to palliate their open and violent infractions of law and order, as to denounce them as having struck at the very roots of public confidence and tranquillity as well as of the rights and security of property. If in that House continued the hon. and learned member, an organization, so illegal, seditious, and dangerous, could meet with countenance and support, we might, at once, bid farewell to the peace, good order, and adhesion of society, for the social fabric, deprived of all those constitutional supports by which it was upheld, would quickly collapse, and become an irreparable ruin. The key-stone of that organization was a determination to violate one of the most legal and binding of obligations—an obligation, assumed by leaseholders of their own free will and accord, to pay the owner of their farms the rents set forth, stipulated and agreed upon by their leases. And that determination, it had been but too convincingly proved, was not intended by them to be confined to mere passive resistance to the legal demands of their landlords, by simply withholding the payment of their rents until, by legal process, they should be compelled to pay them. No; it was intended to carry to the very verge of open rebellion; and was, indeed, so carried out, by organized physical resistance to the officers of the law, in the discharge of their official duties, and by the most open and undisguised contumacy to the protective authority of the land. The statement made by the hon. leader of the Opposition touching the tenancies which had been made, by reduction of rent, to the tenants on the Canard property in the Murray Harbour District, was altogether wrong. No assertion indeed could be more unfounded than that these concessions were owing, either to any resistive demonstration, falsely alleged to have been made to the officers of the law, by the planting of a cannon and otherwise, on Peter's Road; or for any political stratagem for securing, at the hustings, the votes of the tenants in favour of supporters of the Government. He could tell the hon. leader of the Opposition that he (hon. Sol. Gen.) was the law agent both for Canard's and Sullivan's estates, and that, consequently, he was fully cognizant, not only of the reduction which had been made in the rents of those tenants from 1s 6d to 1s per acre, but also of the cause or reasons which had induced the proprietor to authorise the making of that reduction. As to the resistance said to have been made to the officers of the law on Peter's Road, he knew that no official complaint touching any such alleged resistance had ever been made to the Government.

Hon. Mr. COLES. He had not said that any official complaint of the kind had been made to the Government, but that the facts of the resistance had been fully detailed in the newspapers; and, consequently, the Government could not have been ignorant of them.

Hon. Sol. Gen. Would the Government be justified in acting upon no better an authority than newspaper reports? No; they would, assuredly, require something more tangible for the justification of any executive proceedings. The hon. leader of the Opposition had made an assertion, intended to criminate Government; and, when asked for his proofs of the correctness of that assertion, he had to confess that it was based upon no better authority than newspaper reports! He (hon. Sol. Gen.) was the law agent for the estate (Sir E. Canard's) and no complaint had been made to him of resistance having been made to the Sheriff or his officers, by the tenancy on that estate, as it was only reasonable to conclude would have been done, had any such resistance been made. Again the hon. leader of the Opposition had asserted that the Tenant League originated in King's County; and that assertion was also incorrect. The League originated in Queen's County, as was clearly proved by the evidence of indisputable facts. If it had originated among tenantry in King's County—if any body of tenantry in that County had been the fathers of the organization, was it not most natural to suppose that they would have given their support to the members of it in Queen's County; but it was very well known that in none of the proceedings of the League in Queen's County, or in any of the civil disturbances occasioned by them in that County, had any of the tenantry of King's County afforded them either countenance or aid. In every Session of the Legislature since the passage of the Fifteen Years' Purchase Bill, the Opposition assailed the Government, on the assumed grounds that that Bill was no boon to the tenantry, was unacceptable to a majority of them, and could not by any possibility be made advantageous to them. He, however, confidently maintained that the Bill was a handsome instalment of all the benefits promised to the tenantry, by the party in power, through legislative action with respect to the Land Question. By means of its large arrears of rent have been expunged from the books of proprietors, and declared irrevocable, as against all tenants who shall avail themselves of the provisions of the Bill for the purchase of the fee-simple of their farms. Whilst the tenants' improvements were in existence they were a sufficient security for the recovery of all arrears of rent. On one-third of Lot 34, the property of Sir E. Canard, the tenants by having availed themselves of the advantages extended to them by that Bill, had had over £1,000 of arrears wiped off, every farthing of which could have been recovered by the proprietor, because the tenants were, in reality, men of wealth. It was the same on the Sullivan property. There were many tenants upon the estates affected by the Fifteen Years' Purchase Bill, to whom, before the passing of it, the proprietors would not consent to sell the fee-simple of their farms, even at 20s, or 30s per acre; but those proprietors were now compelled to part with the fee simple of their leased lands at 15 years' purchase. When put side by side with the Land Purchase Bill, the Fifteen Years' Purchase Bill, in a fair comparison of their respective merits, was not appear to be less directly calculated to effect the emancipation of the tenantry from the leasehold system, than its elder brother, the other Bill. If it were not indeed admitted that it was still better calculated to effect that most desirable object than the other. Of the great merits of the Land Purchase Bill, he had, from the first, been fully aware; and although he was in opposition at the time of its being introduced by the hon. leader of the Opposition, at that time the leader of the Government, he (hon. Sol. Gen.) gave it his hearty countenance and support through all its stages. His first purchase made under it, that of the Worrell Estate, had indeed been a rather unfortunate one; but that of the Selkirk property had been, in every point of view, an eminently successful one; and the large balance which had accrued from it in favour of the Government, would enable them to ward off the tax consequent upon the deficiency of returns from the Worrell Estate. The remarks which had lately been made by the editor of the Examiner, depreciative of the late purchase of a part of the Montgomery property by the Government, contrasted strangely with remarks which, some years ago, he made touching the purchase of the Sandfield Estate. At that time, he characterized that estate as little better than an extensive bog, and as fitted only to be the home of the staid and frogs by which it was occupied. Now, however, still intent upon the same worthy design, that of damaging the Government through his observations concerning any of their acts—even be they so much in accordance with the principles by which his party profess to have been actuated when they were in power—he condemns them for the purchase of the Montgomery property, and maintains that the Sandfield Estate was a much more advantageous purchase. It certainly was a pity that public men of acknowledged worth and ability should so often, as they certainly did, belittle themselves by the groundless nature and inconsistency of the charges preferred by them against their political opponents. That part of the Montgomery property lately purchased by the Government was all good and tenanted land—no part of it was in a wilderness state—and though, in the purchase of it, the Government had gone a little beyond the price per acre, which had been given by them for other lands purchased by them, there could be no doubt that although it could not be expected to prove a profit-yielding purchase, like the Selkirk estate, it would be fully self-sustaining and entail no loss upon the country. With respect to the rise and progress of the Tenant League, the hon. leader of the Opposition had maintained that, had the Government done their duty, they would have crushed it in the bud, in its very inception; but he (hon. Sol. Gen.) verily believed in his conscience that had the Government, at the time the existence of the organization first became known to them, taken any stringent measures for its suppression, that gentleman, the hon. leader of the Opposition, would have immediately cried against their repressive action, and accused them of tyrannical endeavours to abrogate, restrain, and repress the constitutional rights, liberties and privileges of the people. As for the Government's having sent for the troops, the emergency of the occasion fully justified their having done so; and for a recognition of that necessity they confidently depended upon the loyal, public spirit, and independence of that House. As for the extension of which the hon. leader of the Opposition had spoken, it could have had no existence, save in his own imagination or as a nightmare pressing upon his breast in his sleep. He would ask the hon. leader of the Opposition if he had ever seen that cannon?

Hon. Mr. COLES. No, I have not, nor you either; and neither do I think you would have been very willing to march up to it, especially if it were loaded.

Hon. Sol. Gen. GENERAL replied he had no desire to infringe upon parliamentary courtesy by condescending to personalities, but he would wish the hon. Leader of the Opposition to understand that he would be found prepared to stand before a loaded cannon, or any other weapon of warfare whenever and whosoever he (the Hon. Leader of the Opposition) pleased.

Hon. Col. GRAY begged leave to remind hon. members that these were times of danger from abroad, and that such being the case, nothing was more useful than that we should be at second among ourselves.

Hon. Sol. Gen. GENERAL observed he had not commenced the alteration. The hon. Leader of the Opposition had fired the first shot, and he (Hon. Sol. Gen.) had merely returned the compliment by firing one in return, and he (the Hon. Leader of the Opposition) was perfectly at liberty to take it in whatever way he thought proper. It was asserted by the Hon. Leader of the Opposition that the Tenant League did not exist in his district; but the incorrectness of that assertion was proved by the disturbances which took place at Tracadie. And about the *Posse Comitatus*, he begged leave to inform the hon. Leader of the Opposition that the Government had nothing to do with it. The power to call out the *Posse Comitatus* was vested in the Sheriff in every country in which the British law and civil regulations prevailed. In the event of any civil commotion or disturbance involving resistance to the officers of the law and their ordinary powers, the sheriff was in the first place to have recourse to the *Posse Comitatus*; and, if that failed, it then became his duty to call upon the Government for such assistance as they might deem it expedient to grant him. Whether the calling out of the *Posse Comitatus* had been a prudent step or not, under all the circumstances of the case, it was not for him to say; but the power to do so rested wholly with the Sheriff himself; and it was not the first time that it had been resorted to in this Island.

Hon. Mr. WARBURTON. The *Posse Comitatus*, he believed, had never before been called out in this Island. It was true, indeed, that, some years ago, when Mr. Beiristo was Sheriff of Prince County, a large number of special constables, of whom he was one, were sworn in, for the purpose of quelling a mob commotion which had arisen at Tracadie, and they nearly made as great fools of themselves as the *Posse Comitatus* had done.

Hon. Sol. Gen. GENERAL observed that whether it was the *Posse Comitatus* that was called out on that occasion, or merely a large body of special constables, W. Clarke, Esq., formerly a member of this House, was prosecuted by the Crown Officers and heavily fined because he had refused to obey the call or summons of the Sheriff. Then again as to the Proclamation against the Tenant League, which the hon. Leader of the Opposition had said ought to have been issued so many months before it was, he (hon. Sol. Gen.) had to reply that the proper time for issuing it was when it was seen that the League had determined to carry their words into effect; and when, on the 17th March, 1866, the Deputy Sheriff attempted to arrest a man, and it was found that his attempt was defeated by the active resistance of the congregated Leaguers—of whom that man was one—it was very clear that the time was come to issue an authoritative warning to all persons to stand aloof from the illegal and seditious association, called the Tenant League or Union. But that Proclamation was entirely disregarded. It was mocked and ridiculed. It was no more regarded than an idle blast of wind; and the Government were taunted as imbeciles for having supposed that it would have any weight in restraining the action of the League, or in intimidating them in the least. They, on the contrary, grew bolder and bolder. They advanced from one step of resistance and contumacy to another, until at length the Deputy Sheriff had his arm broken in his most justifiable endeavours to retain property which he had, by due process of law, taken in execution, and the property so seized was actually forcibly taken out of his possession, and that by parties who had no interest in it, for the man whose property it was, was not there, and they would not allow him to settle his own business. The intention of the Leaguers, therefore, was, evidently, to resist by force whatever attempts should be made to levy distraints for rent, and to set both proprietors and the law at defiance, which—strong in their numbers—they imagined they could safely do so long as they had to resist nothing but the civil power in the form of Sheriff and constables. So far the Government trusted to the good sense, discretion, and loyalty of the people. But they soon became convinced that—law-abiding, peaceable, honest and industrious as, generally speaking, the people of this Colony most assuredly are—in order to maintain the supremacy of the law against so numerous, determined, and contumacious a body as the League, it would be necessary to have recourse to military aid. On the day on which it was known the man Dickenson, who had been arrested, and was held prisoner for his share in the commotion and rescue of the distrainted property at Tracadie, was to be brought up for examination by the magistrates, the members of the League had flooded into Charlottetown by hundreds—yes, he said emphatically, by hundreds—with the evident intention of rescuing the prisoner. Seeing that, fifty or sixty special constables were sworn in by the Mayor for the preservation of the peace on that day, and to prevent the intended rescue of the prisoner. In compliance with an urgent request of the Sheriff, the Government caused pistols to be issued from the armory, for the service of the special constables on the occasion; and, reluctant as the Government were thus to arm the civil force, it soon appeared that, in doing so, they had acted wisely. He was present from the beginning to the end of the commotion; brick bats and stones were thrown boldly and plentifully at the special constables and magistrates, and he felt that, as they approached the jail, had they fifty yards further to go, the prisoner would have been rescued. When the Sheriff applied to his Honor the Chief Justice, at that time the Administrator of the Government, he was given *carte blanche* by the Treasury to enable him to employ as many special constables as he might require to enable him to carry out the processes of the law; but he could find none who would consent to act in that capacity, upon so disagreeable and obnoxious a service for any pay he could proffer, how liberal soever. His Excellency, the Administrator of the Government, then, yielding to the painful necessity of the case, sent for a detachment of Her Majesty's Troops from Halifax, and, very happily, they were promptly despatched, and fortunately had provided—without the occurrence of a single mishap or the shedding of one drop of blood—a sufficient help and protection in our hour of need. Before the arrival of the Troops, the leaders of the Tenant League sedulously strove to re-inspire their somewhat discouraged dupes by assuring them that Her Majesty's Troops would never allow her troops to be sent to the Island for the purpose of oppressing the landlords to collect their rents. The Troops, however, arrived,

but their presence in Charlottetown was not, at first, sufficient to divest the leaders of the League of confidence in their ability to resist the law. The Troops had been sent contrary to their assurances to their dupes that they would not be sent; and then a change came over the spirit of their dream. They then confidently declared that neither the Sheriff nor even the Government had power to send the Troops from their encampment into the country for the purpose of enabling the Sheriff either to serve writs or to levy distraints. But when the Troops were actually employed upon that service at Bagnall's and at the West River, they were forced to lower their tone, and to desist from active resistance to the authority of the law. Still, however, although so far cowed into sullen submission—although they ceased to assemble for the purpose of repelling by force the officers of the law—they continued to be actuated by the same contumacious spirit which they had previously manifested in acts of violent insubordination; and they then counselled their dupes not to withdraw from the Island before the closing of the navigation, and that, then, they might wreak their vengeance upon their oppressors. The Government then saw that it would be necessary to build Barracks for the accommodation of the troops, as it could not have been expected that the Military authorities would consent that they should be left here under canvas during the severity of our winter.

Hon. Mr. COLES. They might have rented accommodations for them, and at no greater a cost than the interest of the money which they had expended in the erection of the Barracks.

Hon. Sol. Gen. GENERAL. Where, he should like to know, could such accommodations have been procured in Charlottetown, in which it was well known, that the population was in excess of house accommodation, so far that respectable persons wishing to rent houses could not obtain them, and tradesmen's families, consisting of three or four individuals, were, in some instances, obliged to rest satisfied with the accommodation afforded by one or two apartments—and that accommodation, scanty as it was, procured with great difficulty. He (Hon. Sol. Gen.) and the Hon. Mr. Longworth were aware of the fertile imagination of the Hon. Leader of the Opposition, had—in order to be able to ward off any attacks of that hon. member, in the House, on that score—actually tested the Town as to the possibility of renting accommodations for the troops. They first thought of the Wesleyan Chapel, but, on application to the trustees of that property, they found they would not let it for such a purpose as the accommodation of a body of soldiers; but even had they been willing to rent it to the Government for such a purpose, it would have been necessary to make so many alterations in the building and additions to it, that the needful expenditure for that purpose would have amounted to a very serious sum. Well, then, when they found that all their enquiries to that end were useless, they determined to take the bull by the horns, and purchased ground as a site for the barracks. One half of what was realized by the sale of the old barracks would meet that outlay, if the people, speaking through their representatives, were satisfied, and the Home Government also, that it should be so. It was late in August when the Government advertised for tenders for the erection of the Barracks. Only two tenders were sent in, and there was a difference of £200 between them. The Government accepted the lowest.

Hon. Mr. COLES. That subject we had better not enter upon until we take up the next paragraph of the Address.

Hon. Sol. Gen. GENERAL. No; he thought it would be better to take it up at once. He disliked the diatribe mode of discussion. The erection of the barracks having been proceeded with, according to the plan and specification for which the tender had been made and accepted, it was found that the plan and specification fell short of the proper military requirements; and, in order to secure the retention of the troops, it became necessary, in compliance with the established military regulations, to erect additional buildings for hospital, quarters for non-commissioned officers, quarters for married officers, guard-house, &c.; and as when this necessity was pressed upon the Government, in the latter end of October or the beginning of November, it was too late to issue calls for tenders, and as only two architects in Prince Edward Island had been found to respond to the first call, it was deemed most advisable to accede to the proposal made by Mr. Alley, the original contractor, for the erection of the additional buildings. That proposal was, in every point of view, fair and liberal. Mr. Alley offered to make the additional erections required at the same rate and scale of charges made by him under the principal contract; and the Government, acceding to his terms, thinking they could not possibly do better under all the circumstances of the case, Mr. Alley most certainly had made less by the latter than by the former contract, for the days had become much shorter than they were when he commenced the fulfilment of his original contract, and yet he had to pay his workmen the full amount of daily wages at which he first engaged them. The Hon. Leader of the Opposition had said that the Sheriff Mr. Dodd had told him that if the Government had granted him the assistance of 20 or 30 special constables, there would have been no occasion to send for Troops. If Mr. Dodd had said so—and he would not say he had not—it was very strange that he had made no such representation to the Government; and he (Hon. Sol. Gen.) was very certain that he had not. This however he would say—the Government, even before sending for the Troops, had done all that lay in their power to suppress the disturbances caused by the Tenant League movements; and he could, moreover, truly tell the hon. leader of the opposition, that the Government were quite as willing and anxious as he, to redress the grievances of the tenantry as he ever had been. He, the hon. leader of the opposition had been very severe in his censure of the Government for having called in the Troops to assist in the suppression of Tenant League contumacy and commotions; but he could assure that hon. member that our retention of our Constitution was wholly attributable to the action of the Government in calling in the Troops; for, had they not done so, it would have been impossible to execute laws and maintain the peace of the country; and the evidence of such inability would necessarily have involved the suspension or withdrawal of our Constitution. Had he (Hon. Sol. Gen.) been as anxious for Confederation as it was the pleasure of some to represent him, he would, in his place at the Executive Council Board, have objected to the proposal of sending for the Troops, great as the emergency was; instead of fully concurring, as he did, in the necessity, wisdom, and propriety of doing so. No stronger argument against the maintenance or existence of independent Responsible Government, in little Prince Edward Island, could be afforded, than that which might have been derived from its inability to enforce a due observance of the law, and to preserve inviolate the general peace and good order of the community. Had he, then, been influenced by that unpatriotic desire of self-aggrandizement at the expense of his country, through the accomplishment of the Confederation Scheme, which, by some, had been so unjustly attributed to him, he would not have failed to argue, in Council, with all his might against the proposal of sending for Troops, and to deny the existence of any necessity for doing so. He, however, with respect to that question, took a much more correct view of his position and duty as a Prince Edward Islander, and no member of the Government had more unhesitatingly given his sanction to that step than he had done. He was not mean enough to seek for, or to desire any personal advantage which could be procured only through an injury to his country, and neither was he so base and craven minded as to hesitate to sanction, as a member of the Government, an extreme measure, however likely it might be to be unpopular, when he was fully persuaded that its adoption was imperatively called for by a due regard for the best interests of the country. The responsibility which attached to the Government on account of their having sent for Troops, he fully shared with his colleagues; and, on that score, he was willing to stand or fall with them according to the judgment or verdict of the country. He would die happily, provided it could justly be engraved on his tomb that he had been condemned only because, in opposition to contumacy and sedition, he had sustained the laws, and upheld the authority of constitutional government, through no other incentive than that of a sincere and patriotic regard for the good of his country.

Hon. Col. GRAY. Sir, I did not intend at this early stage of our proceeding, to offer any observations respecting the matter now before the Committee but I deem it a duty I owe to myself, as well as to those of my late Colleagues with whom I was associated at the time the Hon. member the Leader of the Opposition alludes to, not to suffer one or two points in the Hon. member's address to pass unnoticed. The Hon. member is of opinion the Duke of New Castle should have sent back the Award to the Royal Commissioners for their amendment, surely I need not remind the Hon. member that no court of Arbitration dares pursue such a course without the consent of all parties; and it is well known the Proprietors would not consent. As to the Sixteen Years' Purchase Bill, with its sliding scale, the Proprietors from the first absolutely refused to even consider it, and the Duke of New Castle declared without their consent it must remain imperative. The Hon. member stated that owing to the people of Murray Harbour placing a cannon on the road and having recourse to other acts of intimidation, the Agent of the Proprietor hastily went down to those and lowered their rents from one shilling and sixpence and one shilling and ninepence down to one shilling per acre. I can positively assure this Committee that this statement is altogether incorrectly reported to the Hon. member. Indeed I myself had occasion to read in one of the local Newspapers an equally unfounded statement respecting this matter to the effect that this great boon had been procured owing to the interference of the Lieut. Governor. I appeal to the Hon. members now sitting here for Murray Harbour, if they do not well know that the boon was altogether of a private nature; and that the person who procured that boon from Sir Samuel Cunard would never have applied for it if he had heard that any intimidation had been used. I can also positively declare that no report of an official or other nature ever reached me that the people of Murray Harbour had turned out thus illegally; on the contrary, I never heard the slightest complaint of such a character during my tenure of office and I owe it to this people thus publicly to declare it, for to them I am under no less an obligation than that they actually offered in a petition signed by the wealth and sinews of the whole district to elect me to the highest honor which any people can confer upon an entire stranger, that of being chosen their representative in this chamber; their district must ever be dear to me and I owe them far more than the little I have accomplished for them. With respect to the subject of the paragraph now before us, I am of opinion it would have been better if it had come before us in any other shape, for I much regret that remarks have already been made sufficient possibly to induce some of our misguided people to imagine their late proceedings were not so totally unprofitable as they were. I may here say that it was well for the people of this Colony that at that juncture the seat of Government was occupied by one whose dignified character irreproachable life and high attainments so eminently qualified him not only to administer the Government of this Island but that of any of Her Majesty's Provinces; and I can safely declare having had the honor of personal interviews with His Excellency the Administrator, that it was only after a painful struggle, when further delay would have been culpable and disastrous, that he found himself able to do that which his duty both as a ruler and Christian impelled him to; as a ruler to show fidelity to the trust committed to his hands by His Sovereign, and as a Christian to use the only means legally available that no one among us can doubt would eventually have ended in the four eras of bloodshed or murder. Certainly this Colony presented a curious spectacle when we have it stated that highly respectable men of sound sense are among those who so openly led our people in resistance to all law and order. (Mr. Coles explained that he did not say they were the leaders.) Well, then, if there were men of high standing and sound sense among them, I assume they would be the appointed leaders—but, on this head, I may say, I dare say, there are men of sound sense among the leaders of that singular organization which has spread of late throughout the neighbouring continent, but I have often asked who were the leaders of the League and yet failed to discover them—in this the leaders of the other organization show a different sense of their duty to their misguided followers. I am of opinion General Sweeney is a man of sense; I believe in every revolvent organ there are not only men of sense but many of them sincere in their views and efforts to effect redress of real or imaginary wrongs. The people of Ireland have grievances, but I believe they are only to be redressed constitutionally, as my namesake, the member for Kilkenny, is now trying to do in the Imperial Parliament. The people of this Island have grievances ever since the original Grants of our lands were issued under impossible conditions; but I would say that every unprejudiced person must allow that no Legislature in Her Majesty's Colonies, since the time the Hon. Leader of the Opposition assumed the reins down to the present, ever strove harder to redress this grievance than the Legislature of this Island, but our people expect us to do impossibilities. The Hon. Leader of the Opposition makes the strange assertion that this is the only country in which Her Majesty's troops have been called upon to perform a similar duty. Why, it is exactly thirty-six years ago, in this month of April, when I myself, then a subaltern in the same Regiment which is now here, was sent with thirty men on a similar duty, from the town of Newcastle upon Tyne; and I need not refer to the hard times a subaltern in the army has of it, performing the like duties in Ireland. Therefore, after a calm and dispassionate consideration of all the circumstances attending this truly painful question, I am of opinion the Government had no other course to pursue than to call for the aid of the Military power. The hon. mem. speaks for the Barracks as a mere hell, and describes the sufferings of the officers from the cold. I do not believe that any of my old comrades in the line, ever consider cold or heat when doing their duty. I know what it is to have been in the open air on a range of mountains for weeks, with two feet of snow on the ground and only our cloaks to cover us, without fuel of any sort but that collected from the droppings of the animals. I was of opinion at first that the Government might have hired temporary accommodations for the troops, such buildings as the Temperance Hall or otherwise. His honor the Solicitor General has assured us the Government tried and failed in all endeavours of this kind, and nothing remained but to put the troops in barracks against the severity of the weather; for if they had been left under canvas. I must doubt, even with plenty of fuel, if they would have escaped frost-bites and perhaps serious injury. As, I believe, our people have now come to a right appreciation of their position, and the utter futility of attempting to violate the majesty of the law, it is likely the troops may be withdrawn, and, if so, the buildings can be appropriated to an equally useful purpose; otherwise, I would only object to the site upon which they are built as being too near to the Town. All authorities of repute in these matters agreeing that no Barracks should be nearer than one or two miles from the town or village. There are many and weighty reasons for this which I need not repeat. Allusion has been made to that ever memorable Worrell Estate and Regged Regiment. I am of opinion those subjects had better be forgotten. Much may be said on both sides; but I would rather drop the consideration of them.

Hon. Mr. HENSLEY. In the sentiments expressed by the Resolution in amendment, submitted by the hon. the leader of the Opposition, he fully concurred. With that hon. member, he was fully convinced that all the disturbances and infractions of law, which had proceeded from the Tenant League movement, were justly attributable to the feebleness and indecision of the Government; for, had they, at the first, had recourse to judicious and energetic action for the suppression of the movement, the country would have experienced none of the evils which had sprung from its progress, too long unheeded. If the Sheriff had, at the first, been fully supported by the Government, in his endeavours to fulfil his duty in the serving of writs and in the levying of distraints, by a sufficient constabulary force, the Tenant League would never have proceeded to those serious and tumultuary infractions of the law, of which they had so unfortunately been guilty; and neither, perhaps, would they have risen to that numerical strength to which they had attained. From his professional, as well as his legislative, position in the community, it became necessary for him, at different times, to hold intercourse, in both those capacities, with members of the Tenant League, and others who were disposed to join them. On such occasions, he endeavoured to ascertain, by closely questioning them, on what principles they, themselves, understood the League to be based, and by what mode of action they hoped to induce proprietors to

accede to their proposals. They with whom he first conversed upon the subject, told him, in substance, that the only obstruction they intended to put in the way of their landlords, as respected any legal measures which might be had recourse to for the purpose of compelling them to pay their rents, was passive resistance to their demands, by allowing judgment to go against them; and, provided judgment should be followed up by execution, by depending upon the sympathy of their neighbours and others; which, they calculated, would restrain them from bidding for any property taken in execution at the suit of their landlords; and, in that way, by time after time, defeating or disappointing the intentions or expectations of their landlords, they expected they would be able to weary them out of what they (the tenants) deemed legal persecution, and so make them glad to accede to the terms of accommodation and purchase offered to them by their tenantry. In reply, he explained to them, and endeavoured to make them comprehend, that even if they should succeed in defeating the object of a sale of property taken in execution for rent, the loss would fall only on themselves. A valuable horse, for instance, he said, might, in that way, be knocked down to the Sheriff for £2; and although the landlord would not be able to recover an account of rent due to him, the real value of the horse, yet the tenant, to whom the horse had belonged, would be the real loser, and have the arrears of his rent lessened only by the £2 or any other trifling sum for which the horse might be knocked down. When simple and unlearned men thus expressed to him their scheme of passive resistance to the law, and the hopes which they entertained that, by certain not clearly defined means, the members of the League would have it in their power to defeat the object of distraint for rent, he, at once, endeavored to convince them of the folly and absurdity of depending upon any scheme which might be concocted by the leaders of the League, or any other parties, for the purpose of defeating the law. The law, he told them, would have its course; and, whether they attempted to evade its operation by their passive resistance scheme, or by having recourse to a much more objectionable and dangerous mode of resistance, that was by any threatening physical demonstration or actual offensive opposition, endeavouring to prevent the officers of the law from either serving writs or levying distraints, they would draw down upon themselves nothing but loss, distress, and perhaps legal punishment to boot. I emphatically warned them against listening to, or giving heed to, any parties who should recommend resistance to the law, as a means whereby they might obtain a redress of what they considered their grievances, or a release from the burthens of the leasehold tenure. He questioned much if any other member of the hon. House had as much knowledge of the evils which numbers of the unfortunate men who had become members of the Tenant League, had brought upon themselves. Instead of having been able, by its means, to advance their interests and improve their condition, as they had vainly hoped they should, their persistent contumacy with it had brought down upon them so much loss and distress, that persevering industry and economy for many years to come—provided they were so wise as to place their dependence upon those two best friends of the poor man—would, he feared, fail to enable them to redeem what they had lost through the foolish course which they had pursued. After his return from England, in October, he addressed a letter on the subject to the tenantry on Lot 32. The tenantry on that Lot had applied to him, by letter, when he was in London, and in his reply, after apprising them of the result of their application, through him, to their landlord, he cautioned them against being led into any resistance to the laws, and advised them to seek redress for any grievances under which they believed themselves to be laboring, only by constitutional means; that was by petitioning the Legislature, or Her Majesty, the Queen. As respected the sending for the troops, he, speaking and feeling as a British subject, must say that he rejoiced they were here; and he hoped they would be kept here. He, however, regretted to say, he could not exonerate the Government from the charge preferred against them by the hon. the leader of the Opposition, to the effect that their own dilatoriness, their own indecision, want of foresight, and timely energy, had led to the civil disturbances alluded to in His Excellency's Speech, and necessitated the calling in of the troops. The Government, indeed, said they had done their best for the suppression of the Tenant League movement, before they had recourse to the aid of the troops. Perhaps they had; but if so, he was afraid that their best could only be regarded as a proof of their administrative incapacity to deal with the emergency in which they were placed. The Government ought to have been alive to the fact that a very dissatisfied feeling pervaded the minds of a large portion of the Island tenantry, and was openly manifested on many occasions. Cognizant of all that, as most undoubtedly they were, it was their duty to have placed resources sufficient at the command of the Sheriff to enable him to employ a constabulary force strong enough to overawe the League, and compel submission to the law. No mode of proceeding, which, to that end, they could possibly have adopted, could have been more absurd than their revival of the antiquated and barbarous resource of calling out the *Posse Comitatus*. Nothing, indeed, could have been more ridiculous than the appearance of the *Posse* on their way to what was intended to be the scene of their destined action—the sitting of one man who had escaped from the grasp of the Deputy Sheriff, in open day in the public streets of Charlottetown. To see the *Posse*, amounting to one or two hundred men, floundering along the road, some on foot, some on horseback, some in carriages, but all alike liable to have their progress arrested by the darts and alkalis of the mud; many of them on foot sticking fast to it; several of the horsemen thrown over the heads of their horses, and many of the waggoners capsized, must really have been a most ridiculous sight; and was, in fact, nothing but a perfect burlesque upon the civil and administrative authority of the land. Many of the supporters of the Government thought so at the time, and he believed they thought so still. As to the alleged attempt, said to have been made to rescue the prisoner Dickenson from the custody of the constables at the time he was being conveyed from jail for examination before the magistrates, or as he was being reconveyed back to prison, he was not prepared to express any thing like a positive opinion in concerning it; for he was neither in Charlottetown, nor even in the Island at the time. In his condemnation of the Government, however, on the score of a want of promptitude and due energy on their part, at the commencement of the Tenant League movement, he was far from wishing it to be understood that he did not fully recognise the necessity which existed for calling in military aid to enforce a due observance of the law, at the time the Government took that step. He was very far, indeed, from saying the Government were to blame for having sent for the Troops at the time they did. What he blamed them for was not their having sent for the Troops; but for their having given rise to the necessity for so doing by their own supineness at the first. He would, therefore, support the paragraph to which the Leader of the Opposition alluded. As to the questions arising out of a consideration of the mode in which public moneys had been appropriated for the erection of the new Barracks, and other matters, connected therewith, he would say nothing at that time; but reserve whatever observations he might have to make with reference thereto, until such time as the subject should be more immediately before the House.

Mr. BRECKEN requested the Chairman to read the amendment which was the subject of debate. The Chairman having complied with this request, the hon. and learned member (Mr. Brecken) spoke to the following effect: He regretted that he was not present when the hon. the leader of the Opposition commenced his speech in opposition to the paragraph of the draft Address which was then under consideration; but he did not suppose that, through his temporary absence from his place, he had lost an opportunity of hearing anything very novel or important from the lips of that hon. member; but, judging from what he had heard of that speech, he thought he would not be very far astray in setting it down as a feeble attempt at renewing his annual onslaught on the Government, mixing up many misstatements with matter entirely irrelevant. The Hon. the Leader of the Opposition had said that the paragraph to which he had moved an amendment, conveyed too severe a censure upon a portion of the people of this Colony, inasmuch as the civil disturbances which had unfortunately taken place in some parts of the Island, were mainly attributable to the deceptions which had been practised upon them by the G-

Government, and that the Government were to blame for having sent for the Troops at the time they did. What he blamed them for was not their having sent for the Troops; but for their having given rise to the necessity for so doing by their own supineness at the first. He would, therefore, support the paragraph to which the Leader of the Opposition alluded. As to the questions arising out of a consideration of the mode in which public moneys had been appropriated for the erection of the new Barracks, and other matters, connected therewith, he would say nothing at that time; but reserve whatever observations he might have to make with reference thereto, until such time as the subject should be more immediately before the House.