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a little care and attention a measure could be prepared which would obviate that necessity, and the only expense will be a slight addition to the sums already paid to the teachers at the Academy, to secure the services of professors.

Hon. Mr. WIGHTMAN.—There may be defects in the present system, but I recollect that, when the Act first went into operation, it was highly approved of; but there is no doubt that experience of its working has shewn where improvements may be advantageously introduced. When, four or five years ago, I was Chairman of the Committee on Education, I must acknowledge that I was ably assisted by the Hon. Mr. Palmer, then a member of this House, and the hon. member, Mr. Haviland. These gentlemen suggested several very valuable alterations, which were introduced into the previous system. The people, Sir, approve of what has been done for the promotion of education, and I feel satisfied that they will continue to approve of our efforts in that behalf. If we had a properly organized University, our young men would have an opportunity of distinguishing themselves wherever they might go, as well as the natives of other countries. For myself, Sir, I can safely say, that I have always been in favor of improving the educational institutions of the country.

Hon. Mr. COLES.—As to what has fallen from the hon. member, Mr. Longworth, as to the powers of the Lieutenant Governor, I am not reflecting in the slightest degree upon His Excellency, when I tell that hon. member, that the people of the Island hold the Executive Council responsible for all public acts. The doctrine laid down by the hon. member might have been submitted to under the old system, to which that gentleman has always been attached; but now, under the system of Responsible Government, a Governor is almost nobody. The Executive Council, not the Governor, is responsible to the people; and when a Speech contains reference to local matters of minor importance, it should bring to the notice of the Legislature a matter of such magnitude, as a change in the constitution of the Legislative Council. The Executive Council might not think it conducive to the public service that the despatches should be given to the people generally, but the leader of the Government could give an audience of his Charlottetown constituents the information which that Government refused to the Representatives of the people. The despatch alluded to as a precedent for the omission I refer to, was expressly designated as an extract.

Hon. COL. GRAY.—I trust, Mr. Chairman, that hon. members will not waste the time of the House this Session, as they have done on previous occasions, by useless repetitions,—by serving up the same viands, hot, cold, hashed and re-hashed. I have no desire to occupy the time of the House, unnecessarily commenting on all that has been said in this discussion; but I must deny the doctrine asserted by the last speaker, that this House looked to the Executive Council for despatches, and that a Governor was a nonentity—a nobody—as the hon member expressed himself. The use to be made of despatches received from the Colonial Minister is matter of prerogative, and the Lieut. Governor is supreme over both the House and the Executive Council.

Hon. Mr. COLES.—I admit that the prerogative is in the Crown, as the hon. member alleges, but the purport of my observations was, that where a member of the Government can give information on such a subject as the reconstruction of the Council, it should, at least, be furnished to the House and people generally.

Hon. Mr. LONGWORTH.—The gentleman referred to gave no particular information; he merely made a general observation, and gave no intimation of any details. Although the hon. member says that there is no similarity between the case on which he grounds his objection, and that which occurred under his Government, I would ask, on what grounds can he urge that Sir Dominick Daly had the right to withhold a despatch, or part of one, and deny the same privilege to the present head of the Government! If the right to withhold a portion is conceded, the concession must necessarily involve the right to retain the whole. I wish, however, not to be understood as saying that it may not be advisable to furnish the despatches; I merely argue on the constitutional principle.

Hon Mr. THORNTON.—The Committee, I doubt not, will adopt the paragraph before us, for all are agreed as to the necessity which exists for promoting Education; and I am happy to acknowledge that the hon. member, Mr. Haviland, has always accorded his support to that object; and the only opponents to the introduction of the system, were the leader of the present Government and two or three land agents. I hope the Government will have the courage to give practical effect to their intended policy on this subject, by increasing the tax on wilderness lands. It is now high time that additional taxation should be imposed on lands remaining uncultivated. I would suggest that, whatever scheme of improvement may be adopted, a re-examination of the qualifications of Teachers should be provided for. It is matter of general notoriety, that many School Masters are quite inefficient, and it would be proper to exclude all who may be found inadequate to the proper discharge of their duties.

Mr. DOUSE.—I suppose, Mr. Chairman that, in the reference to the opposition of land agents to the Education Bill, I am included. I only wonder that Escheat has not been brought up. I did not object to the principle of that measure, but I was under the impression that adequate compensation was not provided for men of ability as Teachers. I was, and still am, under the belief that the Teacher of youth should occupy a social position next only to that of the Clergyman. It is wrong that a man who has spent the best days of his life in studying to qualify himself for his profession, should be suffered to drag on an existence of labor in the instruction of youth, on the poor pittance provided by the Act. The fact of my being an agent did not influence my opposition; and I can assure the Committee, that on the lands with which I am connected, the tenants have received as liberal terms as any on the Island.

Hon. Mr. LONGWORTH.—This is not the time, Mr. Chairman, to enter upon the discussion of the land question, which will be, I doubt not, fully debated, when the paragraph relating to it shall be before the Committee. I must say that I did not expect to hear the allusion which has been made to the leader of the Government, now no longer a member of this House, where he could defend himself. The hon. member (Mr. Thornton) should remember that he is himself a land agent; but no one would insinuate that his conduct as a Legislator would be influenced by that position. His suggestion that an additional tax should be imposed on wilderness lands, I repudiate. The principle of class legislation has long been abandoned and denounced in the mother country and there is quite enough of discrimination between the burdens imposed upon cultivated and wilderness lands already on our Statute Book.

After some desultory conversation, the paragraph was agreed to.

The paragraph relating to the land question having been read—

Hon. Mr. WHELAN said—In discussing the merits of the paragraph in the Speech to which this is intended as an answer, I cannot but express my surprise at the absence of any mention of the causes of the delay referred to. I would ask the Government what is the nature of the correspondence on the subject, and if they intend to furnish it to this House? The people were treated to any amount of magnificent promises—they have been led to expect the greatest benefit from the Address of last Session, and now the Speech informs us that it has been graciously received! Who doubts that statement? Any document emanating from a Colonial Legislature, couched in proper language, would be "graciously received." The Government are trifling with the patience of the House, even with that of their own supporters, and of the people of the Colony. They had been led to believe that the land question would be speedily arranged. The House was told by a member of the Government, that it would be settled in eight weeks, and the Lieutenant Governor himself had intimated that a short time would terminate it. But now we are told that there has been some delay. The Address recommended the remission of arrears of rents, and the adoption of an equitable system of purchase. The result is that the public must rest satisfied with the expression of the Lieutenant Governor's hopes of satisfactory results. I have now been in the House some fourteen years, and I must say that so extraordinary a speech I never remember to have read. It really conveys no information to the Legislature; and, as to the language used, as I hold His Excellency's advisers responsible for the document, I must congratulate him on being surrounded by advisers, whose literary qualifications will excite the envy of no one acquainted with English grammar. I shall, however, reserve further remarks to a later period in the debate, and shall probably move an amendment.

Hon. Col. GRAY.—I am not surprised at what I have just heard. I did not expect much courtesy from the hon. member; but, Sir, I can tell him that his allusion to myself as the member of the Government who had said that the Address would settle the question in eight weeks, is false, and the falsehood I have seen repeated twice in the *Examiner*, the newspaper published by the hon. member. This statement is at once uncourteous, unreasonable and uncalled for. Now, Sir, I turn to the debates of last Session, and I find myself reported to have said, that the opposition to which I had referred was to be expected, "when the parties from whom it emanated had been endeavouring for eight years to settle the question, which the resolutions would *probably* do in eight *months*." Now, Sir, not only did I mention months instead of weeks, as I am represented to have done, but you will observe that I used the word "probably"—thus showing that I did not intimate any particular time; and any man who would do so on such a subject, would stultify himself. I, for one, am happy to state that my most sanguine expectations have been realized. Nine months have not elapsed since the Address was transmitted, and now we are told that it has been graciously received, and that certain causes of delay have prevented the appointment of the Commission. These causes it is easy to find. At the period when the Address was received in England, a change of Ministry had just occurred, and the Duke of Newcastle assumed the seals of the Colonial Office in succession to Sir E. B. Lytton. Then the complications arising from the Italian war necessitated the postponement of action in the matter until the prorogation of the Imperial Parliament. Another cause of the delay is to be found in the difficulty of communicating with the principal Proprietors, many of whom might be on the Continent, and whose consent would be essential to the efficiency of the Commission, and who would naturally take some time to consider whether they would bind themselves to abide by the terms of the Address. The Proprietors acted with wise caution in adopting as their rule of action the motto of Erasmus—"*Festina lente*," (hasten slowly) The hon. member has expressed some anxiety for the production of the correspondence, but, when the Speech informs us that the arrangement of the preliminaries has only been recently effected, I think he will feel that he is somewhat premature. Did he ever hear of official documents being submitted while merely the preliminaries of the subject to which they referred had been arranged! Perhaps he considers that the Government should have them published in the *Examiner*. When the proper time arrives they will be produced, and not sooner. As to the magnificent promises which the hon. member states I made, I can only say that this assertion is on a par with the one which I have already refuted. I, Sir, made no promises; I but told the people that I would do all I could to benefit them. I have done so, and shall continue to do so, for such a course of action is matter of duty. I will, however, enlighten the hon. member on another point. His disappointment at the non-production of the correspondence may possibly be mitigated by the expression of my belief, which I now give as a member of the Executive, that ere the present Session shall have terminated, the Commission will have been appointed, and will, soon after, be in operation, and I trust that it will not be long ere the country will receive the benefit of that operation. In connection with this subject, Mr. Chairman, I think it not out of place that I should refer to a matter which has gone forth to the public, on the subject of the action of the Executive and this House on this question. In the *Examiner* of the 7th instant, I find an account of a meeting of the constituents of the hon. members, Messrs. Coles and Kelly, held at Battery Point, at which meeting the following resolution is alleged to have been agreed to:—

"*Resolved*, That the unsettled state of the Land Question requires the united action of the whole country; and the enforcement of the back rents, pending the address of the House of Assembly on that question, is an arbitrary and tyrannical exaction, and requires the interference of the Executive, as the proposal to remit those rents met the approval of the whole Government, as well as an enquiry into the Proprietors' titles to the Township Lands; but this meeting have cause to believe that the action of the present Government was only a piece of deception to mislead the tenantry."

Now, Sir, I cannot for a moment believe that both of those honorable members were not fully aware that the Executive had no shadow of authority to interfere between the Landlord and his Tenant—between the creditor and his debtor. Well did they know that the Government of Prince Edward Island could not assume powers of a nature which the Sultan of Turkey, although invested with authority over the lives and deaths of his subjects, found it necessary to abrogate by a Hatti Scheriff. Thank God no such power is acknowledged in any part of the dominions of Britain. I can but wonder that the people can be misled by those who assert the principle involved in the resolution, more particularly when I remember that both of the hon. members voted for the Address—in fact, every member present at the division, save Mr. Cooper, supported it.

Hon. Mr COLES.—Mr Chairman, the resolution which has been referred to by the hon member, is the expression of the opinion of my own and Mr. Kelly's constituents; and if any of the members of the Government had attended at the meeting, they would have found it rather difficult to browbeat the men who were present. It is true that I, in common with others who are opposed to the present Government, voted for the Address, but not until we had lost several amendments, and then we withdrew opposition, in order to test the sincerity of the Government, and prevent them from saying that the project failed, because the minority opposed it. As a proof that the measure was a mere deception—that the epithet "delusive," used in the preamble to the resolutions on which the Address was based, is more applicable to the present, than to the late Government, we have seen the proprietors employing bailiffs to distrain for the back rents before the boasted Commission shall come into operation, so that there may be no arrears to be remitted. Tenants have also been dragged into the Supreme Court, and the Sheriff has been sent, with executions, to take all the property of the poor man, who has been unable to pay his rent; and by the proceedings adopted, an addition of ten or fifteen pounds has been made to the burden, already too heavy to bear. When such facts are matters of general notoriety, the people are justified in calling upon the Executive to interfere, and request them to use their influence to induce the proprietors to postpone the collection of the arrears until the Commissioners shall have made their report. Such action will, at least, show that the Government are sincere. The only reason, I can imagine, for the introduction into this discussion of the resolutions agreed to at the meeting at Battery Point is, that the Government intends to commit my hon colleague and myself, for being present at a meeting where resolutions were passed, reflecting upon the House If my supposition be correct, I hope they will have the candor to avow their intention to muzzle the people. As to the time necessary to obtain the consent of the proprietors, which has been assigned as one of the reasons for the delay, I think it will be some considerable time before that consent will be obtained. Since I first came into the House, I have ever advocated the equitable settlement of the land question; but I, and the party with which I am associated, have invariably received the opposition of the proprietors. When the Imperial Government recommended the extension of the benefits of the Land Purchase Bill by means of the Loan, I was in hopes that the long agitation of this question would be settled. Had that Loan been obtained, the lands could have been purchased at a low rate, and the proprietors would have received their money. But the tenants, having been led to believe that the arrears would be remitted, have naturally enough not made provision for payment of them. The paragraph is not such as should emanate from a party professing to be so eminently the friends of the tenantry. I shall now, Sir, move the following amendment to the paragraph before the Committee:—

"We are gratified to learn that the Address passed by this House last Session, recommending the appointment of a Commission to investigate the whole question of the Land Tenures, has been graciously received by Her Majesty; but the delay which has occurred in appointing this Commission, since the Address was laid before Her Majesty, has caused much disappointment to the inhabitants of the Colony; and should the benefits expected from the contemplated Commission not prove satisfactory, the House of Assembly deem it their duty to observe, that the only other way in which the question of the Land Tenures can be satisfactorily and equitably settled would be by instituting an enquiry, through the agency of a Court of Escheat, into the conditions of the original grants. In the meantime, the House respectfully request that your Excellency will use your influence with the claimants of Township Lands, with the view of postponing the enforcement of the payment of the back rents, in accordance with the suggestion made by the House of Assembly in the address of last session, now under the consideration of Her Majesty's Colonial Minister."

Hon. Mr. YEO.—Mr. Chairman, as the hon. member has alluded to the fact of proceedings having been taken against some tenants, I presume he refers to the case of a party on Lot 61, a property for which I am agent. That tenant never paid any rent, and, being lessee of two farms, he sold one of them to his son, without making any arrangements for the payment of his rent. I ask, Sir, how is it to be expected that proprietors can pay the taxes imposed upon their lands, if they receive no rent from their tenants? Do the members of the opposition think, that if a man becomes an Executive Councillor, he must, therefore, give up all claim to his debts; or, if an agent, the property of others? As to my own conduct, either as proprietor or agent, I leave it to any one to point out, if he can, a single instance in which I have oppressed a tenant; on the contrary, I have been too lenient.

Hon. Mr. HAVILAND.—When he characterised the Speech with which the Lieut. Governor opened the Session, as the most extraordinary one he ever knew, the hon. member Mr. Whelan must have forgotten, that a few years ago he stated that the chief merit of a speech consisted in its having nothing in it. In 1858, when the hon. member's party was in power, the Lieutenant Governor's Speech contained but one suggestion, the object of which was the prevention of smuggling. I must suppose, as the hon. member, Mr. Wightman, then held the position of Chancellor of the Exchequer, that from his zeal for the increase of the revenue, the suggestion emanated, and it reflects great credit upon him. But the Speech of this Session contains references to no less than eight measures. I cannot, sir, admit the force of the observations of the hon. member Mr. Whelan, as to the indefinite character of the Speech. His Excellency states that the addrsses was graciously received, and that the necessary preliminaries had been arranged. As to the delay which is mentioned in the Speech, the hon. member Col. Gray gave most cogent reasons to account for it. Why, sir, when we reflect that, in consequence of the position in which Great Britain was placed by the Italian War, the consideration of the Reform Bill, a matter on which the public mind had been most strongly excited, was deferred, we surely have no reason to complain of neglect when we are placed, in this respect, on the same footing as our fellow subjects in the Mother country. However, Mr. Chairman, I am happy to give the hon. member the benefit of my belief that the Commission will soon be organised, and the long vexed question speedily settled. When the members of the opposition affect surprise at the delay which has occurred, do they remember how long they knocked at the door of the Colonial Office with the celebrated Loan Bill? As a member of the Government I am prepared to justify every paragraph in the Speech, the only objection to which is the quibbling assertion that it promises nothing about the production of the despatches I will now state, although under no obligation to do so, that, ere this precious amendment was concocted, the despatches alluded to had been copied and are now in this House in the desk of a member of the Government, ready to be laid before the House, when the proper time shall arrive. The hon. member Mr. Coles stated that the Government wished to muzzle the people, to stop the free expression of public opinion. Sir, we sit in the Executive Council, solely in deference to public opinion, which must rule; and in accordance with which any Government must be carried on. I, for one, am not terrified by the resolutions passed at Battery Point. In that locality the hon. member, Mr. Coles, is cock of the walk, and can get any resolution passed, which he may please. But when the Government shall have brought to their notice, resolutions condemnatory of their conduct emanating from districts containing the wealth and intelligence of the Island, they will be prepared to bow to the opinions they expressed, with becoming deference; but the tone of these resolutions reminds me of the celebrated addresses of the three Tailors of Tooley Street, who modestly styled themselves "the people of Great Britain." The hon. member, Mr. Coles, has stated that he expects no good from the Commission. Why then, sir, did he vote for it? Political honesty would dictate the propriety of a member opposing any measure of which he did not conscientiously approve. The recommendation in the amendment that the Executive should interpose to cause the postponement of the payment of the arrears of rent, the hon. member knows cannot be complied with. It would be an act of tyranny worthy of the worst days of the Stuarts. No Government has the power to interfere with private rights unless it be given by Law; and a member of the Executive Council, by accepting the office, does not abnegate his private rights. Moreover, Sir, the case cited by the hon. member did not arise since the present Government's accession to power. The suit was brought some two years since, and the execution was issued and placed in the hands of the Sheriff not with any expectation that it would realize the back rent, but because the party denied the claim of his Landlord; the defendant was a person who came under the class which the French designate as *mauvois sujets*. The hon member appears to know the minds of the Proprietors better than they themselves, for he says that they will not consent to the remission of arrears. Surely, if they are willing to submit their titles to investigation, *a fortiori*, their right to the back rents is involved. I am sorry for the reputation for consistency which some future historian of the Island, some yet unborn Macaulay, will award to the hon. member. He now advocates Escheat—he the most strenuous opponent of the venerable apostle of Escheat—he who designated it as a will of the wisp, a delusion, an *ignis fatuas*, who has, time after time, asserted that it would never be granted, now openly proclaims his belief in its necessity. As to the hon. member Mr. Wightman, I must give him credit for consistency on this question, if I cannot award the same praise to other parts of his political career. But why, I ask, if the country was bleeding from so serious wounds, did not the leader of the opposition, when he ruled supreme, apply the balm which is to be so efficacious now. Ah no! then they championed the rights of property, but the loss of office has induced a change in the spirit of their dream.

The House then adjourned till the afternoon.

MONDAY AFTERNOON, 20th Feb.

Hon. Mr. COLES—Mr. Chairman, the hon. member, Mr. Haviland, charged me this morning with saying that the Executive should interfere with the due administration of the law. I made no such assertion, nor had I any such idea. The amendment merely asks His Excellency to use his influence with the proprietors to induce them to defer the collection of the back rents until the Commission shall have arranged the land question, and all its contingent particulars in the terms mentioned in the Address. Probably we never had a Governor whose suggestions would have more weight with the proprietary body than the present; but His Excellency might feel delicate in using his influence in this matter unless supported by the request of the House. Last year, it is true, that the House did make such request, but it was supposed that the Executive Council would strengthen His Excellency's application by a Minute recommending him to make the application. As to the imputed change in my opinion on the subject of Escheat, I have always been of opinion that it was the only means of settling the question. True, I differed with the hon. member, Mr. Cooper, who advocated a general Escheat, on the grounds he based his action on. I never denied the abstract right of the Colony to a Court of Escheat. We have had a Court of Escheat already, and a reference to our Journals will show that a Bill was passed establishing the Court; and so clearly was the right acknowledged, that it was passed without a suspending clause. Not having been disallowed by the Home Government, within two years, it became, of course, the law of the land. Governor Smith acted on it, and Lots 15 and 55 were escheated under it. There is a note on our revised Statute Book, that the Bill never received the Royal sanction; that was not requisite to the validity of an Act which had no suspending clause. The Land Purchase Bill was introduced as a moderate and practicable measure, in consequence of the Imperial Government being so decidedly opposed to Escheat. I did not wait until I was out of office to declare my opinion on the subject, but I openly stated, while the late Goverment was in power, that if the Loan Bill were lost, I would support Escheat. I might justify any change of opinion on this subject by adopting the views expressed by the leader of the present Government, who, in the debate on Escheat, in the Session of 1858, stated as follows:—"Nor do I oppose the resolution, believing that its rejection will finally settle the agitation of the subject of Escheat Voting it down this evening will be so far from settling it that a refusal will only pave the way for subsequent applications, to be repeated until at length the House concedes it. Mr. Chairman, if I voted with a view to a final settlement of the question, I should have to give my support to the resolution, and say that nothing but the Court in operation would settle the matter. And when the first case which might be submitted to the decision of that Court, as being a competent tribunal, should be thoroughly argued and discussed, and fairly decided; and then if legal objections were taken to that decision, and it should be carried to the House of Lords, as the highest Court of appeal, and there receive its quietus—then I would say that every man should bow with respectful submission to the final settlement of the question." Now, Sir, what can be a more efficient and constitutional mode of settling the question than by the intervention of a tribunal the proposed establishment of which has elicited such observations from the leader of the Government. The Executive can appoint a Court, and a Jury of 12 independent freeholders would decide the cases submitted to them. Parties would have to submit to the decision of a Court of appeal, but not to that of a Commission. Now is the time to establish the Court, when the proprietary party is in power. If the Liberals were in office the measure would receive the opposition of that party, but now they can appoint their own tribunal. Some years since, the late Mr. McLean introduced a Bill to compel proprietors to sell their lands at a rate fixed by law. To that measure I was opposed, as being oppressive in its nature, but I maintain that, notwithstanding their opposition, the proprietors would have been largely benefited by the Land Purchase and Loan Bills. The Government can establish a Court without reference to the Imperial authorities. Did Governor Smith ask such sanction when he established a Court of Escheat? He did nothing of the kind. He would not have stopped with the forfeiture of Lots 15 and 25, had he not been directed by the Crown not to proceed in the cases of other properties. The Crown was then the Plaintiff, and by the Civil List Bill all the right to the lands of the Island, then vested in the Imperial Government, were transferred to the Government of the Island; and the former would be as justified in preventing the collection of a Bond in our Treasury or of the Quit Rents, as they would be in preventing any assertion of our control over any other property vested in our local Government. The hon. member, Mr. Haviland, need not twit this side of the House with inconsistency on the land question. He had better look at home, for I can refer to Journals wherein one of the hon members from Belfast, from Port Hill, and from New Glasgow, Hon. Mr. Laird, had no objection to a Court of Escheat. The argument that we have no cause of complaint of the delay which has occurred in the organization of the Commission, because the last Government had to submit to delay in the matter of the Loan Bill, falls to the ground, because there is no analogy between the circumstances of the two cases. When that Bill came up, the then minority insisted upon an amendment, to the effect that the people did not desire to have the loan effected. That amendment did not represent the feelings of the people as truly as the one at present before the Committee, which deserves the support of the House, though I am afraid it will not receive it. I am happy to award credit to the hon. member, Mr. Haviland, for the frankness of his statement, that the despatches were in the desk of an hon. member, ready for production to the House. For that production I do not feel disposed to press at present.

Hon. Mr. YEO—I wonder, Mr. Chairman, if the hon. member supposes that any member believes that he is honest in the course he has pursued. In 1857 and 1858 that hon. member thought he was about to confer a great boon by getting £100,000, out of which the Home Government was to be defrauded, to buy up lands which he now says ought to be escheated.

Hon. Mr. LAIRD—The hon. leader of the late Government, in his reference to me, has not stated the matter truly. I did all I could in favor of Escheat. That hon. member had said that he would not go for Escheat, while he had the people at his back. I, for one, tell him with the people at my back, I would go further for a Court of Escheat than that hon. member did when he had the leadership of a government strong in popular support.

Hon. Mr. LONGWORTH—After the satisfactory reasons assigned for the delay complained of by my hon. colleagues, Col. Gray and Mr. Haviland, it is not necessary that I should refer to them. It is sufficient to know that the Commission will be speedily organised and in operation. The principal objection to the paragraph urged by the hon. member, Mr. Coles, for the purpose of gulling the people, has been to the whole policy on which the Commission is based. I, as a member of the Government, am quite willing to subject our action on this subject with his celebrated measures, the Loan Bill and Escheat The Commission affords the best means of settling the question for the Home Government has repeatedly and emphatically declared that they will allow no interference with vested rights. Besides, common sense shows that repeated acts of legislation imposing taxes on property recognize the rights of the proprietors. It would be unconstitutional for any Government to stretch forth the strong hand of power to wrest their rights from private individuals. As far as my own interests are concerned, I may say that a Court of Escheat would benefit me and every member of my profession, to a very large amount. But, Sir, suppose the Court in operation, it would be competent for any one impleaded there to show that the Legislature had recognized his title by repeated acts affecting it. No matter whether the Judge of the Court came from Great Britain, the neighbouring Colonies, or the Island, the titles would be found good. I regret that the mode in which the lands were granted, was bad, and serious evils have resulted from it, but these evils arose some 80 or 90 years since; and we are not responsible for them. Are we, after having recognised the rights of the proprietors, by the legislation of years, to say that a Court of Escheat—a tribunal to be established to test the validity of titles which our own act has placed beyond dispute? That that Court would be productive of greater alleviation of the burdens of the tenantry than the Commission? The Commissioners are to enquire into the grievances of the tenantry, and recommend such relief as they think fair and equitable, after a careful investigation of all the circumstances affecting the case. We are not to infer that incompetent or interested persons would be appointed on the Commission, or that they would not take evidence fairly and impartially. Their report could be sanctioned by the Imperial Parliament, and the proprietors would be bound by the action of the Commission—by the assent they have already given—the time necessarily spent in getting which was the principal cause of the delay. The course pursued by the hon. member, Mr. Coles, on the land question, to my mind presents a very unfavourable contrast to that of the hon. member, Mr. Cooper, who, however widely I may differ from him on this and other questions, is entitled to credit for consistency on the subject of Escheat. It is a strange proceeding, Mr. Chairman, that any hon. member, particularly one who has had the long parliamentary experience of the hon. member, should have introduced an amendment, threatening the parties whom it is our desire and interest to conciliate, that we will establish a Court of Escheat, at the same time that we request His Excellency to interfere to solicit their clemency. Why should we, if the proprietors have no right to their property, ask His Excellency to interfere in this manner, and say at the same time that if our request be not complied with, we will turn them out of the properties to which they have right. No such suggestion was in the resolutions or memorial of last year, the only object of which was to get a Commissioner to settle the question. The hon. member, Mr. Coles, also stated that the whole policy of the Government was indefensible, because we had not requested the Lieut. Governor to memorialize the proprietors to withhold the payment of the back rents, till the question should be settled. If that were a valid objection to the present, would it not apply more forcibly to the late Government. Did they do anything of the sort? Did they make an effort in that direction? Why then should the members of the present Executive be charged with dereliction of duty, when they have done all they could, and more than their predecessors ever attempted? They transmitted the memorial, backed with the recommendation of His Excellency. It has been said that the so called old Family Compact was in favor of Escheat. I am not aware that such was the fact, but if it were, it shows that their foresight exceeded that of their predecessors, for there was a period when 13 or 14 townships might have been escheated, and by this time settled by freeholders. But the golden time was allowed to pass, unimproved, by the hon member, Mr. Cooper, whose sincerity of belief in his opinion I by no means impugn. He would be satisfied with nothing short of a general Escheat on the ground of the non-fulfilment of the conditions of the original grants. Had he confined his action to those lots to which indulgences had been granted, a partial Escheat would have been obtained. The Court, if established, must decide on legal principles, and the tenant, relying on his lease, or the proprietor on his grant, would show their titles confirmed by our own legislation, and the Judge would be bound to decide on legal principles, and consequently confirm the titles of the proprietors.

Mr. COOPER—The hon. member who just sat down stated that Escheat might have been obtained in a partial degree. When, in 1833, I urged upon Lord Glenelg the propriety of testing the titles by the original grants, and he stated that it would be a great hardship to parties who had settled their lands in greater or less proportions, I pressed him to act upon the violation of the terms of the indulgence of 1816. His Lordship said that no action could be taken on that I maintain that the proclamation had no legal or constitutional weight. The document was not authenticated by any official seal, but the Governor affixed his own private seal to it.

Hon. Mr. LONGWORTH—Does the hon. member mean to say that there was no indulgence granted by the Prince Regent in 1824? or, if he admits that there was, that the Prince had not the power to grant it? or that Lord Glenelg said that he had no such power? Does he assert that it was a forgery? or deny that parties settled lands under it?

Mr. COOPER—The Government cannot shew that it is a legal document, or that the Government of that day had power to grant indulgences. Sir Charles Saxton asked if he could obtain a new grant if he paid for land on two townships. He received a reply to the effect that the Crown could not make a new grant, consequently, if they could not make a new one they had no power to alter the old one.

Hon. Mr. LONGWORTH.—The Crown had a right to dispense with the performance of the conditions of the grants, and it is absurd for the hon. member, after the property in the lands has changed hands so frequently, to question the validity of titles eighty or ninety years old.

Mr. BEER.—The hon. Leader of the late Government has said that the Commission would be of no use whatever—that it was a mere delusion and impugned the motives of the majority of the House, asserting that they had no faith in it; and in his amendment, he recommends a Court of Escheat, to try the titles, which, but two years since, he was anxious to buy up, and to pay for which he was ready to mortgage the whole revenue of the Island. But now, when the people have a reasonable prospect of obtaining an amicable settlement, satisfactory alike to proprietors and tenants, he, most inconsistently, denies that the former have good titles.

Mr. DOUSE.—I have, Mr Chairman, been a good many years in this Assembly, and have had experience enough to enable me to tell which way the wind blows. When I Sir, supported Escheat, the hon. member, Mr Coles, opposed it; and I only voted for it to humor the hon. member, Mr. Cooper, in his crotchet, not with the slightest expectation that it was to be granted. I, Sir, have got a little property—I worked hard for it. I have about 200 tenants on land of mine to the westward,—there is no ill feeling between the tenants and myself—we get on comfortably together—and really, Sir, I cannot see what the Commission or a Court of Escheat has to do with me. I really am at a loss to understand how the hon. member can introduce an amendment advocating Escheat Why, Sir, I can produce from the reported debates of this House any number of instances where that hon member and Mr. Whelan, with others of their party, denounced Escheat far more strongly than ever I did; and when such is the case I would like to know on what grounds he can suppose we believe him sincere now? Can any one think for a moment that he believes in his amendment himself? No, no, Sir, "there is something rotten in the State of Denmark," and I advise that hon. member to withdraw that amendment, in view of his own strong declarations against Escheat in days gone by. Let him shew if he can any reasons for his change of opinion. Let him shew that the Home Government are more favorably disposed to Escheat than they have been. But, Sir, I see some difficulty about this Commission. I would like to know why the industrious sober man, who has always paid his rents, should be put on the same footing as the idle and dissipated who never paid a farthing? It is not fair to hold out a premium to idleness or dishonesty; and if any should receive a benefit, it should be the industrious. However, if any good will result from it, I will give it a helping hand in order to settle the question. No good ever came of its agitation. The minds of the tenantry have been so tampered with by the hon. member, Mr. Cooper, that I have heard many curse, yes, Mr. Chairman, actually curse the day they ever saw the face of that hon. member. He told me the other day, that he was thinking of going to California. I for one, hope he will. His departure would be the best thing that could happen to the Island. (Laughter) As to the Commission, I hope that the Government may not be disappointed in their expectations. No good will result from it, unless the lands shall be sold at a low price, and time be given for payment.

(To be continued.)

WM. M. HOWE, Reporter.

A FAT COUPLE.—The Easton (Pa.) Express says:—Mr. and Mrs. Annin, residing near the High Bridge of the N. J. Central Railrord, are supposed to be the largest couple in this country. The gentleman's weight is 700 pounds, and the lady's weight 500. Mr. Annin's age is about 45 and Mrs. Annin's about 40. It requires six yards of cassimere for Mr. Annin's pants, and nine yars of cloth for a coat. He and his wife keep a public house at a place called Peg's Pebble. It is said that Barnum, of the New York Museum, offered the couple $1,500 a year and their expenses if they would come to New York, but they refused, telling him they did not wish to be looked at so much. They began to increase in size about seventeen years ago.

Correspondence.

TO THE EDITOR OF THE EXAMINER.

SIR,—Those Catholics who did not sufficiently appreciate the free and equal rights which they enjoyed whilst the late Government was in power, and who either opposed or gave it a luke-warm support, are, I trust, fully aware of the proscription and insult to which they are now subjected, and are resolved, with the thousands of liberal Protestants throughout the Island, to displace the men at present in power, who seem disposed to use the most unhallowed means to keep that power. What Catholic can vote for the present Government after the shameless manner in which every Catholic holding the pettiest office has been treated and after the false imputations of the *Islander*—the organ of the Government? The excuse for proscribing Catholics, is, that they *all* opposed the Government. If the Catholics in every district voted against Conservative candidates, who returned Messrs. James Yeo, John Yeo, D. Montgomery and Thomas Owen? Is it not well known that Catholics are in a majority in the districts which these gentlemen represent; and that they received a large share of Catholic votes? Yet we are told that *all* the Catholics voted against the Government, and therefore, they must be excluded. Without commenting on the unscrupulous editor of the *Islander*, I have only to say that Catholics deserve to be proscribed and insulted should they support such men in future. I must except the Messrs. Yeo, and other hon. members from the charge of being intolerant bigots; but they lend their aid to a Government which is intolerant. Where was the independence of the Conservative members on Thursday last, when Mr. Begley was dismissed from the Reportership of the House of Assembly? The little drama which was then acted revealed an amount of tyranny, meanness and prevarication, at which all honourable men must express their detestation. Mr. Begley, during the summer, had given expression to sentiments unfavourable to secret Societies and regicides; he must, therefore, be sacrificed. But instead of stating their real objections against him, they made the most paltry excuse—namely, he did not report Mr. D. Davies's speeches in full! Here was the only charge, and, although Hon. Messrs. Palmer and Longworth certified that he performed his work satisfactorily, and Mr. Longworth stated that he was satisfied with the report of his own speeches, the sixteen Tories in the House of Assembly voted against Mr. Begley, and appointed Mr. D. Laird. I may here remark that Hon. Col. Gray stated that the Government did not make it a party question, and that he for one was not aware till a few days previously that Mr. Begley was in the Island. The result of the division showed whether or not it was a party question, and every one who reads the Island papers knows that Mr. B. has been in the city during the last twelve months. In order, therefore, to exonerate the great Colonel from the charge of being the most ignorant man in the community of passing events, or of telling an untruth, we must conclude that, at the time, he was labouring under one of his periodical fits of hypochondria. On some future time I may offer some remarks on the speech of Mr. Douse. I will now conclude by observing, that the participation in a share of the public funds by Mr. David Laird is another proof that the exclusion of office-holders from the House of Assembly is a sham and delusion. What need the Hon. Alex. Laird care whether he holds an office himself or not, when he can vote, as he did on Thursday last, for his son David Laird to hold one? But more anon.

February 21, 1860. K. S.

TO THE EDITOR OF THE EXAMINER.

SIR.—The *Islander*, being understood in this section of the country as the organ of the Government, and being edited by the Colonial Secretary, has been looked to, in vain, for months past for some information relative to those remedial measures promised the people at the last general election. But after being nearly a year in office, the only consolation afforded by the Government to the poor tentantry is an endeavour to excite our fears of the Roman Catholic priests, should we not be fools enough to continue our ill-requited support to the present party in power. It should remind us of the moral proverb, "when the fox preaches let the geese beware"; and so, I fear, we poor *tenants ought to beware*, when we have the Colonial Secretary, the paid servant of the Proprietors, who would so unscrupulously pluck from each of the tenants on the Westmorland Estate two guineas, under the pretence that the leases under which they have held their farms for the last thirty years, are not *legal*, although it is said most of such leases were given them by the present Chief Justice, when he was agent for that property! Why does not the Colonial Secretary inform us what has become of Colonel Gray's Resolution to get our arrears of rent remitted or forgiven us by our landlords? Why does he not tell us what proceedings the Government have taken, or will take, in order to exact the arrears of *Quit Rents* due from the Proprietary claimants of the Township Lands, and have the same paid into the Treasury, and so relieve us from an equal amount of taxation, or have it laid out in the purchase of Township Lands—so that we may get our farms on the same terms as the tenants on the Worrel Estate got theirs? Why not tell us what benefits "the present party in power" have conferred on the ill-used and down-trodden tenantry throughout the Island more than the late Government did? It is such information we want, and not his "raw-head and bloody-bones" trash of a Catholic ascendancy. He says, "the hostility of the Catholics to the Government is expressed through the eight Roman Catholics in the Legislature." Well if such be the case, and that their opposition arises from the *fact* of the Government, or a majority of those who compose it, being the *paid servants* of the Proprietary faction and "old Family Compact," who so long fed and fattened on the hard labour and industry of the struggling tenantry, so much the more ought the Catholics be respected and cherished by the tenant farmers of all denominations throughout the length and breadth of the Island. I have been credibly informed that Mr. Conroy's views and opinions are his own, and not those of his fellow-Catholics all over the Island, many of whom are considered quite able to judge for themselves. But Mr. Conroy, as an Irishman, is, no dou't, well aware of the many and great sufferings of his countrymen, the tenant farmers, owing to the tyranny of the landlord class; and if Mr. Conroy thought that his fellow-colonists here were about to be treated harshly by the claimants to the labours of the tenants, the Proprietors,—and that, "as an Irishman and a Catholic," he determined to support Coles's Government, in the confident hope, that by so doing he would be aiding in carrying such measures as would render the tenants free from their landlords—he acted the part of a benefactor to his adopted country; and the fact of his giving up his previous "Conservative opinions" for so laudable a purpose does credit to his head and heart; and until the Colonial Secretary will give unequivocal proof that *he* and the Government for whom, or on whose behalf he writes, are not the *hirelings* and sycophants of the Proprietary claimants, all his preaching hostility to Catholics, *because* they sympathise with the ill-used tenantry, will be "labour lost." If the Catholics be so much to blame for supporting a Government favourable to the hard-working tenants, how does the Colonial Secretary reconcile to himself the circumstance that his *father* also supported that Government, if none would do so unless abject tools"? It is since that time that the Colonial Secretary became the *paid servant* of the Proprietors, and perhaps that incident may make "all the difference." The present Legislature is composed of 42 persons, eight of whom, we are told, are Catholics, who wish to protect the tenant farmers from the rapacity of the *masters* of the Government, the landlords. Would it not be well for us poor tenants if we had four times that number of *friends* to support our cause in the Legislature, rather than have a boasted Protestant faction there, to grind us down for the benefit of their *Proprietary paymasters*? The fact is, we want our farms converted into *freeholds* at a moderate rate, and any Government who won't help us and aid us in doing so, *we never will support*. We must have our farms free from all tyranny of either landlords or agents; and if the present Protestant Government will give them to us, we are quite willing to be orthodox, and will sing out most lustily, "to h—ll with Pope and two guinea leases;" but if not, we shall prefer having our farms free under Coles and the Catholic Priests, to being slaves and tenants under the present Protestant Proprietary Government; and after we shall get our freedom, we shall be quite satisfied if the Catholic priests do nothing worse to us than they have done to the freeholders on the Worrell Estate, and shall be quite happy with our change.

Hoping to resume this subject at a future time,

I am, &c.,

A BELFAST TENANT.