for such rent or sum claimed, or his or their agent shall previously thereto make and subscribe an affidavit in the form prescribed in the schedule to this Act, marked (A.), in the presence of, and before the Clerk of the Court out of which the summons may issue, in addition to any other affidavit which may be otherwise required by this Act; and it shall be incumbent on the plaintiff or plaintiffs, in any such summons mentioned suits, upon the trial thereof, to give evidence on the truth or correctness of such affidavit; and if it shall appear that the material averments therein contained are incorrect or untrue, it shall be lawful for the Court before whom the same shall be heard, and it is hereby required, to give judgment of non-suit against the plaintiff or plaintiffs, with payment of the defendant's costs, sustained by reason thereof."

That, until the passing of this Act the Small Debt Courts were open to suits for rent as far as pecuniary debt, no distinction being known to exist under any previous statute, and the mode of suing "as well as the form of procedure under an execution from such Courts, was by much the least expensive coercive measure that could be adopted for the recovery of debt, and, consequently the most advantageous to the tenant. And your Memorialists deem the prohibition to obtain a summons, unless property can be proved to have been on the premises, by search made at some time within seven days, previous to the day of application, including that day, is altogether a piece of class legislation, calculated to afford undue favor to the tenantry and also to interfere with the customary usually contained in leases in this colony, whereby it is provided, that if the rent reserved by such leases shall be unpaid for a certain number of days after the time appointed for the payment thereof, it shall be lawful for the landlord "either to sue or distrain for the same."

And the 52d section of the said Act prohibits actions from being brought in the Supreme Court for sums under £10, though sums heretofore as low as £5 were recovered therein.

And as lands are usually held in parcels of from 50 to 100 acres, and generally but a small portion of each parcel is either enclosed or cleared, great facilities are afforded for driving cattle into the woods and thus evading a distress whenever the disposition to do so, and the difficulty, if not the actual impossibility, in many cases of obtaining sufficient proof to justify the oath required by the Small Debt Act, must be obvious to every person acquainted with the country.

That in the preceding portion of the eighth section of the Act, whence the foregoing extract is taken, appears the following enactment, namely—that by an Act passed in the 14th year of the reign of Her present Majesty Queen Victoria, intituled "An Act to regulate the costs of distress levied for payment of rent, and to amend the laws, relating to distress," such laws have been so regulated as to afford additional security, both to landlord and tenant, in all proceedings thereunder; and by the law relating to such distresses, landlords are prohibited from selling property taken by them as distress, save and except at certain specified periods of the year, &c.

That your Memorialists deny that any greater security is afforded to landlords by the amended Act referred to; for the prohibition from selling stock distrained, except between the months of June and November, is felt by your Memorialists seriously to obstruct the collection of rents; and it is with great difficulty that a bailiff can be induced to undertake the execution of a warrant, under the very slight prospect of success: for between the months of June and November cattle are generally suffered to roam at large over the uncleared parts of the country, and hence arises a great difficulty in seizing or identifying them: and if distrained during the winter months, a bond is usually given by the tenant, by which the ordinary time of sale is postponed by the statute, and the consequence is, that frequently it is ultimately sold; although stock is known to bring as high a price during the months of March, April and May, as during any other months in the year, but in many instances it is impossible to find a market within five miles of the premises whereon the distress is levied, and the law prohibits its being removed to a greater distance, without the consent of the tenant, though it is only in towns and populous neighbourhoods that bidders of stock can be obtained.

That the discretionary power assumed by the Legislature, in passing a Bill of so much importance as the Small Debt Act without a clause suspending its operation until her Majesty's pleasure thereon be made known, is, in the opinion of your Memorialists, at variance with the 17th section of the Royal Instructions as transmitted to Sir John Colborne, for the guidance of the Governor or Lieut. Governor of this Colony, for the time being, and dated at Windsor the 13th December, 1838.

Wherefore, your Memorialists humbly pray that you will be pleased to recommend Her Majesty to disallow both the Acts mentioned in the preceding memorial: the Education Bill, because it is opposed to the principles of liberal rational taxation; and the Small Debt Act, because it excludes your Memorialists from an ordinary remedy at law to which, in common, with other classes of Her Majesty's subjects, they hold themselves justly entitled to,

And your Memorialists will ever pray,

Signed

T. H. Haviland, Proprietor of Lot 56, and part of Lots 8, 40 and 43.

David Stewart, Proprietor of Lots 7, 10, 12, Lennox Island, ¼ Lot 47, and the part of Lot 47 Lady Bruce Stewart his Attorney.

Donald M'Donald, Proprietor of ½ of Lot 36 and ½ of Lot 35.

James H. Conroy, Proprietor of ½ Lot 26, parts 8 and 15.

P. Stewart, for the Assignees of his Estate.

Wm. Hodges, Agent for William Hodges Winslow, Proprietor of Townships Nos. 2 and 3.

J. H. Byrne, for self and others, Proprietors of ½ Townships No. 46, and Township No. 48.

R. B. Stewart, Proprietor of Lot 30, and part of Lot 29.

James Yeo, M. P. P., Proprietor of part of Townships No. 3, 8 and 17.

J. Ellis Ware, Proprietor of part of Township Nos. 8 and 52.

Alex. M'Donnell, Proprietor of part of Lot 35.

Henry Palmer, one of the Proprietors of Lot 1.

George Irving, Proprietor of parts of Lots 28, 29 and 30.

Wm. Hodges, Freeholder of part of Lot 24.

Charles Wright, Owner of land on part of Townships Nos. 55 and 50.

Charlottetown, P. E. Island, June 25, 1852.

A Great Chance.—In 1788 Mr. Matthias Denman of New Jersey purchased 800 acres of land in Hamilton county, Ohio, for fifteen pence per acre. On that purchase now stands Cincinatti, the "queen city of the west."

HOUSE OF ASSEMBLY.

House in Committee on the Extension of the Elective Franchise Bill—Hon. J. Jardine in the chair.

Friday, Feb. 20.

Mr. Longworth characterized the Bill as one got up for the express purpose of swamping the most consistency of Charlottetown, and of ousting their present representatives from the Assembly. It was the determination of the Government party to carry it; and, as they were in the majority in the House, it was useless to oppose it. He, (Mr. L.) therefore, beyond a simple expression of his opinion concerning it, and the recording of his vote against it, he would offer it no other opposition. With respect to the people, and the country throughout the Island generally, it would have the effect of giving a superiority to men without property over those who possessed the stake in the country, which would ensure due preponderance into the hands of democratic servants.

Hon. Mr. Palmer took his stand against the Bill on the ground that it would give a political ascendancy to those who possessed no property, who possessed it. He argued that there could be no sympathy, on many probable occasions, on the part of the former with the interests of the *unpropertied* with the *propertied* classes: as would, for instance, in all likelihood be seen, he said, if the Bill passed,—when it should become necessary to make a further provision by increased taxation, for the support of the free education system. Then, he apprehended, the *unpropertied* classes, being a majority of the electors, would be induced to vote for those men who would pledge themselves that any increase of taxation should not fall upon them, but upon the *propertied* portion of the community. He was very far from arguing or supposing that the representatives, in any such instance, or in any honesty and independence, was to be estimated by the amount of his worldly goods, or the extent of his worldly possessions; but he maintained, without fear of contradiction, that the representatives of no property could not, in cases of taxation of property, be expected to have any sympathy with the possessors of property, and that those men would give the Bill his best consideration, with a view to making it a more equitable measure than it then appeared to be, though the originators of the measure would agree to a registration of voters, which would very easily be effected; and without which there could be but very feeble guarantees afforded for the honest working of the measure. He was not prepared to accede to that proposal, he would interfere no further with the measure, and merely record his vote against it.

Mr. Haviland was opposed to the Bill. His chief objection to the measure appeared to be, that it would put *strangers* upon an equal political footing with *natives*. He confessed that he was, and always had been, so prejudiced as to desire to see the control of our public affairs placed in the hands of men who were natives of the soil. He thought it was very unjust indeed that such men should be compared to migratory birds, men who merely came to try the country, should, after a brief residence, have extended to them the same privileges as those enjoyed by natives. He would desire to see each man having a passing power with respect to the mere passing measures of the day, if to such measures it could be confined; but what he most objected to was, that it was a mere legislation, which might not only bind the present generation of natives, but materially affect the interests of their latest posterity. Strangers could not become fully acquainted with the nature of the people, the resources of the Colony, the dependence of one class upon another, or, in fact, any of our social relations, unless they had been resident in the Island for a period of four or five years; the least, he said, until then, no stranger should be permitted to have a voice in our Island Legislation, or any share in the management of our affairs. He would, however, not extended to strangers in any other portion of the British dominions—no, nor yet any where else.

Mr. Moore was opposed to Mr. Longworth's dread of the evils which he fancied would result from the extension of the elective franchise to domestic servants; and earnestly declared his own opinion that there was not, in any country, a more faithful domestic servant, than a faithful domestic servant, nor one more worthy of enjoying the esteem and confidence of a master, or master employer, than a faithful domestic servant. The rights and privileges of a freeman. Chain up a mastiff, said the hon. member, and he will become fierce, savage, and dangerous; feed him well, and let him have his liberty, and he will prove to be faithful, sive, but seek to be your faithful companion, your guardian, and your friend. So, in like manner, when men are treated as if they were slaves, they become, or abused, they can inspire their oppressors with no feelings but those of dread and alarm. But let those men have their chains in bondage, strike off their shackles, and elevate them to the position, and assume rights and privileges of a freeman. Chain up a mastiff, said the hon. member, and he will become fierce, savage, and dangerous; feed him well, and let him have his liberty, and he will prove to be faithful