

PRINCE EDWARD
ISLAND.

Enclosure 1, in No. 3.

In the House of Assembly, Friday, 5 February 1841.

Encl. 1, in No. 3.

1. WHEREAS this House, in its last session, passed a Bill to enable the Crown to purchase the township lands of this island, and settle the inhabitants: And whereas the Legislative Council have declared its opinion of the said Bill as follows:—"That it is the opinion of this committee, that any equitable arrangement, by voluntary sale on the part of the proprietors by which the Crown can be re-invested with the said lands, so as to enable the Crown to sell the same at a reasonable rate to actual occupiers, would tend greatly to increase the settlement of this colony, and advance its prosperity, and would be considered as a boon calling for the utmost extent of gratitude from its inhabitants: That although this committee thus far recognize the principle of the Bill, they cannot concur in its details; and, in fact, they deem any enactment on the subject not only premature, but inexpedient and unnecessary, until the consent of the Crown and proprietors to the measure contemplated by the said Bill shall be first obtained:" And whereas the Right honourable Lord John Russell, Her Majesty's Principal Secretary of State for the Colonies, by a despatch bearing date the 22d September 1840, has declared, that, "Although this question originates in motives of private interest, shared equally by landlords and tenants, it assumes, in effect, the character of a public question, and as such must be treated. It is Her Majesty's earnest desire to remove every just cause of complaint in all parts of her dominions, and Her Majesty has been accordingly pleased to desire me to enter into communication with the resident proprietors in this country, with a view to learn whether, by any further proposition on their part, means may be found to determine a question which has, for so long a period, agitated the colony:" And whereas the former offers of these proprietary claimants to the tenantry were most unreasonable; and as the whole conduct of the association of these claimants, styling themselves the Proprietary Association, has been most decidedly hostile to the interests of the colony; therefore this committee has no expectation that any proposition which said association may make, in consequence of the communication to be held by the Secretary of State for the Colonies and said association, will be such as the country could accept; but that such negotiation, on their part, will be industriously prolonged, with a view, by delay, to break the opposition to their tyrannical proceedings: Therefore Resolved, That it is the opinion of this committee, that it is expedient to pass a Bill of the same tenor as that passed last year by this House for the settlement of the colony, in the hope that the Imperial Government will either accede to that, or, by some other reasonable measure, decide satisfactorily this question.

2. Resolved, That with a view to prevent the evils which may result from misrepresentation, and to establish, by further evidence, the statements contained in the Addresses and Petitions forwarded by this House, a committee be appointed to take such evidence, with power to send for persons, papers and records.

Friday, April 23, 1841.

1. Resolved, That the people of this colony are highly dissatisfied with the measures pursued towards them by the claimants of townships. That as the conduct of these claimants and their agents has been in almost every instance oppressive, and in many instances both oppressive and fraudulent, there is no prospect of the dissatisfaction being done away with, by refusing, year after year, the popular requests for redress.

2. Resolved, That the House may be dissolved, the representative part of the constitution suspended or abrogated, but these measures will bring neither prosperity nor even peace; because it is not a desire for an extension of political power which mainly agitates the people, but a desire for even-handed justice, and for land on such terms as that, by an union of labour, hardihood and economy, they may live upon it, and leave their dear-bought property to their children; and until this be conceded, every branch of industry must languish; and every impartial man, confessing that the people are deeply wronged, will look for the bitter fruits which spring from oppression long persisted in.

3. Resolved, That this House has derived considerable satisfaction from the despatch of the colonial minister, stating that henceforth the land question "must be considered a public question, and treated accordingly."

4. Resolved, That this House have no expectation that the correspondence which in said despatch the Colonial Secretary purposes to open with the proprietary claimants, will result in any equitable offers being made by said proprietary claimants.

5. Resolved, That this House maintain that the rights of the Crown authorize the escheats of the townships of this island, and that the real interests of the inhabitants would thereby have been greatly promoted, and that the sales of the land would have cleared off part of the arrears of the civil list due by those proprietary claimants to the British Government, amounting to upwards of 120,000 £., and would, at all events, have made ample provision for said civil list, for many years to come.

6. Resolved, That though the colonial minister, in 1802, ordered said escheat to be carried into effect, yet as the Bill prepared in conformity with his instructions, and passed through the Legislature of this colony, was believed to have been concealed or abstracted after the Crown had assented thereto; and as the influence of the proprietary claimants prevailed so far as to throw obstacles in the way of any similar enactment; and as from the year 1830 to 1839, the colonial ministers uniformly refused to sanction escheat; the present House