

justice of which grave differences of opinion had existed; but on one point all were unanimously agreed—namely, that the system of Leasehold tenure was a bad one, and should if possible be destroyed. He then referred to the resolutions of the House of Assembly on this question, passed in 1859; and the Statute of the last Session based on these resolutions, which, he contended, clearly gave to the Commissioners ample power to deal finally with all the vexed questions connected with the Township lands of the Island, not only those pointedly referred to in the Resolutions, but other questions which had largely occupied the public mind—namely, Escheat for non-performance of the conditions of the original Grants, and the payment of the arrears of Quit Rents. He stated that, at the outset of the case, he and his learned associate (Mr. Thomas) held, as their instructions or brief from the Government, the Resolutions alluded to; and it was their intention to bring the points referred to in the Resolutions, in the first instance, before the Commissioners, as they embody the views of the majority of the House of Assembly, who were represented by the present Government; but at the same time, he begged leave to state, and wished clearly to make it known, that the Government—although they did not themselves advance the questions of Escheat and the payment of Quit Rents—desired that it should be open to any one who wished to have those questions considered, to come into Court and seek its decision respecting them, so as to make the present investigation full and comprehensive, and, if possible, embrace all views and points in dispute. He referred then to the Resolutions in detail, and explained, that whilst they referred to other matters, they pointed principally at a remission of the arrears of rent due, and the settling a price by the Commissioners at which the Proprietors should be called upon to sell the Freehold of the land to the Tenant. The latter, he contended, should be at a low figure; for whatever value might now attach to the lands in this Island, had been entirely created by the industry and exertions of the tenantry. He hoped the Commissioners would visit some of the wild and distant settlements of the Island, look at the heavy trees which the tenant had to clear away and root out before the land was fit for tillage; and they could not but return with the conviction on their minds that he who sells the trees and clears the forests should be the freeholder, and not the far-distant proprietor, who, perhaps, has never set eyes upon the wilds of America or encountered the cold blasts of its winter. Some seemed to think that the tenants deserved no consideration at all. It was said that they must, whatever their difficulties, pay their rents to the uttermost farthing, because they had taken leases wherein they had solemnly undertaken to do so. The proprietors, too, when they took their grants, had as solemnly bound themselves within a certain time to settle the lands in a certain way, otherwise the grants were to be void; and had also as solemnly undertaken to pay certain amounts of Quit Rents—yet, as he believed, these conditions were not even in a single case punctually observed or performed by any of the grantees; but indulgences and discharges had been from time to