

[SECOND MESSAGE.]

J. HARVEY, Lieutenant Governor.

In laying before the House of Assembly certain documents connected with the proceedings of a Public Meeting held at Hay River, in King's County, on the 20th December last, and to which proceedings the names of William Cooper, John W. Le Lacheur and John Mackintosh, Esquires, three of its Members, are subscribed, as having presided in their capacities of Representatives of the County—the Lieutenant Governor has no other object, than to bring the question which these Documents involve, and by which this Island has been so long agitated, its prosperity obstructed, and its peace disturbed, fully and fairly under the calm and dispassionate consideration of the popular branch of the Legislature, and through it, to appeal to the loyalty and good sense of the Colony at large.

Lengthened as is the statement upon which the arguments of the Petition and Resolutions agreed to at this Meeting rest, to the Lieutenant Governor it appears that the real question may be reduced into a very narrow compass. However unfortunate it may have been for the interests of a colony possessing, as this Island eminently does, so many agricultural capabilities, (and that it was most unfortunate, no one can be more thoroughly convinced than is the Lieutenant Governor,) that it should originally have been granted in large blocks to persons upon whom an almost impracticable condition of settlement was imposed, these Grants did not the less firmly convey that indisputable title to the Grantees, and their heirs and assigns, which the Crown had an undoubted right to concede; and so long as the Crown is pleased to recognize the continuance of those rights, so long must they remain unimpaired.

The following extract from an opinion given by the highest law authorities of the realm, may serve to place these rights in a point of view which cannot be mistaken.—‘It is an established maxim of the Law of England, founded upon the plainest principles of justice and convenience, that no Tenant shall be permitted to question the title of the Landlord from whom he has taken the premises. When the Landlord sues for rent, or distrains, he makes a conclusive case by merely shewing that the Tenant took the premises from him—his Title cannot be inquired into.’

When to this conclusive legal authority is added a recent declaration by our gracious, just, conscientious and paternal sovereign, “that no consideration, however urgent, of temporary or apparent expediency, could reconcile His Majesty to any measure the principle of which would endanger the foundation of all proprietary titles, and social rights,” the Lieutenant Governor trusts

that he has sufficiently shewn the utter inutility of repeating applications to the Throne, for that extreme measure which the petition advocates, and which His Majesty feels himself restrained equally by law and by conscience from entertaining, and from which it appears to the Lieutenant Governor to be the duty of every loyal subject to abstain—more especially after the clear and explicit declaration of His Majesty's decision upon this subject, conveyed in the Colonial Secretary's Despatch of the 10th August last.

With these views of the subject, it appears to the Lieutenant Governor that for any person, but more especially for individuals occupying the prominent and influential position of Representatives of the people, to tell their constituents that they are at liberty to violate a compact, deliberately and advisedly entered into (whether by themselves or their ancestors) and ratified by every necessary form of law under the plea, not of any departure from that compact by the other party, but of a defect having been subsequently suspected or discovered in the character of the title which that party derived from the Crown, is to hold language and to inculcate sentiments inconsistent alike with law and with common honesty; but to go still further, and to tell these deluded men, or to insinuate in language the meaning of which cannot be misunderstood, that it is their duty and their right to take the law into their own hands, by forcibly resisting the legal measures which the Landlord may think proper to adopt for the recovery of his rights, appears to the Lieutenant Governor to be conduct so utterly at variance with the well being of society within the Colony, as to call upon the House of Assembly to record their reprobation of the dangerous doctrine promulgated in the Resolutions referred to.

If instead of such conduct, the Tenantry, acting under sounder and kinder advice, had adopted the only proper mode of proceeding, by throwing themselves upon the consideration of their Landlords, for the purpose of making the best terms they could as respects the past, or in the event of the failure of such an appeal, by relinquishing the possession of lands, with the tenure of which they were dissatisfied, and in such case petitioning the King representing their distressed state, and praying for fresh grants of land in this or any other of His Majesty's North American Colonies, and even for pecuniary aid to enable them to remove their families, and to establish themselves upon those lands—for the attainment of such objects they should, and still shall, if they think fit to avail themselves of them, have the Lieutenant Governor's assistance and best exertions in their behalf.

It only remains for the Lieutenant Governor to state, that while it will always be his most pleasing duty, to