

Landlord should be found to have exceeded his authority it should be known.

Hon. COL. SECRETARY said that the Hon. Member who had last spoken, had thrown quite a new light upon the Bill; he appears inclined to make it include all classes or settlers. But, Sir, this Bill is intended to apply merely to parties under agreement for rent, who may have been ejected before the expiration of the period specified in their leases. It is not proposed to extend its provisions to those tenants for short periods whose leases shall have expired; and it has been framed to meet the present settlement of the Country, and is required by the state of affairs caused by the original grants. By this Bill, if a tenant should fall into arrears of rent, it might be by outlay for improvements, he cannot be ejected for those arrears, without receiving the value of the improvements he has made upon the land. The Compensation which the Bill provides will encourage tenants to make improvements, as they will feel that they have a property in the results of their labor and outlay of capital. In cases where the value of the improvements, estimated by arbitrators, shall exceed the amount of the arrears, the tenant will receive the difference. If, Sir, the views of the Hon. Member (Mr. Cooper) be adopted, there will be no end of the matter and no beneficial conclusion can result. Better, Sir, to let this Bill pass, as we wish to benefit the tenant as far as possible. A Bill similar to this passed the House three years since; on that occasion it was maturely deliberated, and received very general support. The Hon. Member had better embody his views in a separate Bill, and not jeopardize the benefits sought by this measure, by the addition of other matters which might cause the loss of the whole.

Hon. Mr. MONTGOMERY had voted for the previous Bill, and would not oppose the present, although he did not think it would do all the good expected from it—if the Bill became Law, Landlords would not proceed against the tenants by the mode of ejectment, but would sue the tenants, as for any other debt, and thus avoid the necessity of paying for improvements.

Hon. COL. SECRETARY. The objection of the Hon. Member does not affect the Bill. For supposing that a Landlord should pursue the course stated by the Hon. gentleman, the land will be sold by the Sheriff at public auction, where competition will secure to the tenant the value of his property. The Sheriff must give ample notice of the intended sale, and if the property should bring £100, and the claim of the Landlord be but £30, the balance would be paid over to the tenant: without this Bill the tenant will have no security. I have heard many instances of agents of proprietors using the influence of their position according to their political bias, and in one instance, an agent, within 15 miles from Charlottetown, threatened to turn off a tenant because he was not on the same side in politics. Pass the Bill now before the House, and should such a case occur in future, the proprietor must pay the value that the tenant has conferred upon the land.

Mr. DOUSE, I do not know, Mr. Speaker, whether the Hon. gentleman alluded to me as the agent in the case he has mentioned, nor do I care. If, however, he does refer to me, I can tell him that his probable informant, should have been the last man to have said a word in the matter. He went on the land with the understanding that he was to take a lease, he never paid a farthing of rent, and refused to execute the lease which was prepared, stripped the land of the timber, and what arbitrators, I would ask, could estimate the damage sustained by the proprietor in such a case. Talk of paying such a person for his improvements! Why, Sir, the property would have been worth much more, if he had never

gone on it. I foresee that such men will endeavour to rob the proprietors by seeking shelter under this Bill. The allusions of the Hon. Secretary to the conduct of agents do not apply to me, I have managed extensive estates now for 22 years, in this Colony, and during that time I never have, and I trust I never shall feel obliged to eject an honest tenant for arrears of rent, God forbid that I should deprive any man of the fruits of his honest industry.

Mr. McINTOSH would wish that a Bill applicable to every case that could arise affecting lands should be introduced—the present Bill did not go far enough, but he would not oppose it on that account. The Hon. Member mentioned the case of Mr. Keefe, who had located himself upon Lot 40, without a lease or written agreement as to his tenure; after several years occupation the proprietor wanted the land, but the tenant would not give up possession without being paid for his improvements, the value of such improvements was referred to arbitrators who awarded to Mr. Keefe such a sum that, after deducting the Landlord's claim for rent, he was enabled to purchase a freehold property. He mentioned this as an instance of the benefits likely to accrue under the Bill. Labor should be protected whether the laborer were under lease or not.

Hon. Mr. WARBURTON recommended the reference of the Bill to Committee.

Hon. Mr. MOONEY stated that the present discussion was unnecessary, as the Bill had been before the House twice before, and had received its sanction. If it does not embrace all that some Hon. Members may require, I am willing to take it as an instalment of justice—it is good policy to take all we can get. Such a measure is necessary for the protection of the poor tenants, for the man who goes into the woods to make a living for himself and family. That man must, notwithstanding the complaint of the Hon. Member for Belfast, about the destruction of timber, cut down trees to clear the ground for crop, build his hut and must have a little wood for fire, if he would not be eaten up by the mosquitos, (laughter.) If the Hon. Member will only give leases for 999 years, I will promise him that there will be no destruction such as he has mentioned. I can state, from my own knowledge, the case of a tenant, who owed £50 for rent, whose farm was seized and sold for the rent. It brought £80, and the Landlord received not only the amount of his claim, but took the surplus. If this measure will have the effect of relieving even 20 tenants in such cases, it should be passed, and any alteration in its details, can be effected in Committee.

The Bill was then read by the Clerk, after which the House went into Committee on it, Mr. McDonald in the chair.

SUMMARY OF PROCEEDINGS.

WEDNESDAY, February 14.

The Hon Mr Speaker communicated to the House a letter, addressed to him by the Secretary of the Mechanics' Institute, Charlottetown, intimating, that by the rules of that Institute, the Members of the Legislature are admitted to the Lectures.

Resolved, That a committee of three members be appointed to examine what laws have lately expired or are near expiring, with leave to report from time to time, by Bills or otherwise.

Ordered, That Mr. Clarke, Hon Mr Wightman and Mr H Haviland do compose the said committee.

Mr Clarke in his place presented to the House the Impost Accounts for the District of Charlottetown, for the past year.

Ordered, That the said accounts be referred to the committee appointed to examine and report on the Public Accounts, to examine the same and report thereon.

Hon Col Secretary by command of His Excellency the Lieut.