

PRINCE EDWARD
ISLAND.

decisions on record causes, and 92 in other causes—say, on summary causes and appeals: the natural conclusion appears to be, that the amount of time occupied and business transacted ought not to be considered as excessive for one individual of competent legal acquirements, and in the ordinary state of health.

2. Resolved, That taking the facts referred to in the former Resolution into account, it is inexpedient, at present, to make any provision for a salary for an assistant judge.

3. Resolved, That in case, on the evidence taken before the committee, and on the letter of the chief justice, the Imperial Government should, on his withdrawal, appoint another chief justice, it would be for the benefit of the colony that the said appointment should be conferred on some individual not a native of or long resident in this colony, and still less one connected with the claimants of the townships therein.

27 April 1841.

1. RESOLVED, That it is the opinion of this committee, that it has been the fashion of interested individuals, of late, to represent the soil of the island as much more valuable than the cultivated portions of the neighbouring colonies; but that this is contrary to fact, and that its capabilities for agriculture were faithfully represented in the Resolution of this House, of the 24th April 1839 (folio 78 of its Journals), and are confirmed by the examinations of Messrs. Bell and Miller, of township No. 35, and Messrs. Arthur and Johnston, of township No. 23, taken before the committee of evidence this session; and still more indubitably by the report of the late Captain Holland, who, as Surveyor-general of British North America, examined and reported on this island in 1763.

2. Resolved, That if the Legislative Council, in their representations of the members composing the majority of the present House of Assembly, had stated that many of said majority were cultivators, under lease, of land which they had cleared from the wilderness—that only six or eight of them lived on freehold farms—that many of them were not possessed of more than a very moderate amount of property—that none of them were ashamed to labour to raise the bread they ate—that many of them were pledged by the country to pursue that line which they have followed—that the urgent entreaties of their neighbours prevailed on some to accept an office honourable to them, but exposing them, if they voted according to their conscience and pledge, to the bad offices of men in power—the House of Assembly must have confessed that all these were facts.

3. Resolved, That as the Legislative Council have repeatedly rejected the Bill for the settlement of the Inhabitants—the Bill for opening Roads—the Bill for relieving Tenants from bearing the entire burden of the Land Assessment—the Bill for the relief of the Loyalists and Disbanded Soldiers—and have, by their amendments to the Fishery Reserve Bill, for this and the two previous Sessions, gone contrary to the evident meaning of Lord Glenelg's despatches—therefore, in regard to a joint Address to the Throne, the House of Assembly are obliged to conclude, that there is great doubt whether said Council will agree to any Address making any close approach to a real redress of grievances; and as the Imperial Government seem to think that every colony exaggerates its own grievances, the Address thus frittered down by the Council, and modified in meaning by the Home Government, would end in something akin to nothing: Therefore, resolved, That the House of Assembly must leave to the Council to state its own views to the Imperial Government, with this understanding, that if, any time before the close of the Session, the Legislative Council shall agree to the amended Address transmitted to them by the House of Assembly, the House of Assembly, laying aside a separate procedure, will heartily concur with the Legislative Council in said Address.

4. Resolved, That the Legislative Council having requested a free conference with the House of Assembly, and the House having agreed to the same, the managers of said conference, on the part of this House, on their return handed in, as the subject of said conference, an Address to the Crown, drawn by the Legislative Council, with blanks left at the proper places, to be filled in with the words "House of Assembly," in case the House should agree to said Address—that the House could not agree thereto, for the reasons stated in the Resolutions which they entered into thereon, but sent up such an Address as they could concur with, through the medium of the same committee who managed the former conference, who handed the said original Address, and the amended Address, to the managers on the part of the Council—that the said amended Address was drawn up in regular form, headed "To the Queen's most Excellent Majesty," and was evidently an Address, and not reasons for not concurring, and was not stated to be reasons for not concurring—that it would seem strange how the Legislative Council could ever have mistaken an Address to be concurred in, for reasons for not concurring—that thereafter, when such astonishing misapprehension was removed, the Legislative Council, through the same medium of conference, endeavoured to impress on the House, that, in amending an Address sent down as this had been, the House of Assembly had violated all rule and precedent, and was bound to accept or reject the document as sent down; and that when by undeniable precedent, the House of Assembly proved their own procedure to be correct, the Legislative Council appear to have made some objections to form (which objections, however, the House of Assembly do not think well founded), and having desired no further conference on the said subject: Therefore, resolved, That the House of Assembly have, in the whole procedure,