

PRINCE EDWARD
ISLAND.

to the country," and by the Honourable the Attorney-general Robert Hodgson, that it is "competent for the representative of his Majesty in this colony to appoint a commissioner or commissioners of escheats therein." (See the examination of these gentlemen, March 1832, folios 81 and 82 of Journals of House of Assembly.) Lastly, that in 1832, 1833, 1834 and 1835, the majority of the House of Assembly supported escheat as justifiable, and also as necessary for the welfare of the country, and in that matter showed no determination to reserve aught for the holders of these forfeited claims to townships; whereas the present House in its first measure proposed a reservation, and in its second measure offered a price to said claimants.

11. Resolved, That unless the House of Assembly could believe that self-interest, relationship, intimate connexion, tenure of lucrative office (which, according to all former precedent, would have been taken from the holders, if they turned against the proprietary claims), would have no influence on the minds of men, they could not exclude the conviction that a majority, both in the Legislative and Executive Councils, would be and had been operated on by these various feelings and motives to resist the demands of the agriculturists.

12. Resolved, That the present House of Assembly, in their Resolutions as to the construction of the Legislative and Executive Councils, independent of their own experience, were borne out by the Resolutions of former Houses, and in particular by the Resolutions of the House of Assembly of 1834 (see Journals of that year, pages 87 and 88), and that the Honourable George Dalrymple, now of the Legislative Council, and the Honourable Joseph Pope, now of the Executive Council, moved for the Legislative Council being elective.

13. Resolved, That the conduct of the Executive Council on sundry occasions is depicted in the Address of the House of Assembly of 1831, at which time only two individuals of the present House (neither of them voting with the present calumniated majority) were members of that House, in which Address it is stated, that a large proportion of the revenue being under the control of the Governor and Executive Council, has enabled them in some instances to administer the Government without the intervention of the House of Assembly, and in direct opposition to the real interests of the colony. (Journals of 1831, folio 71.)

14. Resolved, That the Legislative Council (vaunting its superior "vested interest,") might possibly be supposed more worthy of credence than the House of Assembly, and that therefore the House of Assembly might have felt a doubt how far truth should prevail over prejudice; but that they have the good fortune of possessing the testimony of one in whom the Imperial Government reposed the highest confidence, and who, though dead, yet speaketh,—to the report of the Earl of Durham they refer; and when he describes those claims which the Legislative Council call the sacred rights of property, the committee feel confident that the representatives of the House of Assembly will gain credence.

15. Resolved, That as appears from sundry advertisements in London newspapers, a number of these proprietary claimants have formed themselves into a society styling themselves "The Proprietors of Prince Edward Island." That many of their Resolutions and representations thus published appear deceptive; but the committee not having present access to such papers, can refer specifically to such representations only on one subject, viz. on the "commutation of quit rents," and that in the correspondence thereon, their agent states to the colonial minister, that "at the suggestion of Sir John Harvey, and the present Lieutenant-governor, they have yielded to every reasonable demand made upon them in behalf of their tenantry, they have removed every ground of, or pretence for, complaint, and have actually, and of their own accord, offered to sell their lands upon more liberal terms than if they remained under the control of the Government." (See Letter from G. R. Young to Lord Glenelg, 4th April 1838.)

Whereas at that time the faithful representatives of the people were under arrest, and the people were suffering without abatement all the evils of which they had so long complained; and their acceptance of the deceptive offer made would in nowise have relieved them. That in said correspondence the said society express their unwillingness to "*take a position hostile to the officers of the local government,*" at the danger of their being forced into a controversy with the "local authorities on the island;" and therefore resolved, that said society, styling themselves the Proprietary Association, have been guilty of gross misrepresentation, and of evidently trying to mislead and perplex the colonial minister in regard to the concerns of this colony, and of attempting to control and even to supersede the Colonial Legislature; and that a few interested individuals resident at a distance from the island, but within reach of Downing-street, should be allowed to continue to put forth such falsehoods, and frame such intrigues, has been highly injurious to the prosperity of the colony, and may be destructive of its peace.

16. Whereas, in numerous instances in this colony, individuals have been located on leaseholds in the wilderness, and that such leaseholds are short of the number of acres stipulated, but that such individuals have never been able by proceedings at law to obtain that deduction from their rent corresponding to such deficiency, nor any deduction, and that from the case of James Douglas and Dingwell, detailed in Appendix to Journals 1840, and from the examination of their counsel, Messrs. Binns and Young, there seems no prospect of their attaining it, and as the same appears from the case of Lunn to be the decision of the court as to land within the fishery reserves, therefore it is important to exhibit to the Imperial Government such hardships, and with this view resolved, that the queries put by the special committee of the House of Assembly in 1839, to the Honourables the Attorney and Solicitor-general be printed, and form part of the Appendix to the Journals of this year, and of the documents to be printed for the Imperial Parliament.

17. Resolved,