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"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."—Euripides.

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COLONIAL LEGISLATURE.

HOUSE OF ASSEMBLY.

TENANT LEAGUE.

(Continued from our last No.)

Mr SINCLAIR Mr. Chairman, I have listened attentively to the many eloquent speeches by hon. members of the Government on this paragraph in the address; but they have failed to convince me that the Government were justified in importing Her Maj-sty's Troops from the other Provinces, to aid the civil power in carrying out the laws of the Colony. It appeared to me, at the time, and I think it was the opinion of a good many of the people, that it was done out of something like a spirit of revenge; that the Government, believing that the Tenant League had a great many sympathizers throughout the Island, were determined to make the people pay pretty dearly for the Tenant League follies. Indeed, some of the Government declared, in a boasting way, last Session, that they would spend the last shilling in the Treasury to crush out the obnoxious organization. Now, I do not believe such a course, for a Government placed and kept in power by the people, to be the very best one to allay discontent and disaffection among that people. I believe that counsel and advice, in the first instance, shewing the people the folly of seeking to redress their grievances by unconstitutional means, and also proving by their action, that they were what they professed to be the friends of the tenantry, and were also keenly alive to the necessity of having their grievances removed, would have a far greater effect in quieting the minds of the people, and preventing disturbances, than bringing in the aid of brute force against them. I do not, in any way, justify the conduct of the Tenant League: I think they ought to have known that it was folly for them to attempt to resist the laws of the land; that, before they could do so they must be prepared to resist the power of Great Britain; but I do see reasons which, in my mind, would, to some extent, palliate their offence. They have grievances to complain of, and grievances which they have almost despaired of seeing removed. The hon. member, Mr Longworth, said he could not see how this organization could have originated. I think I can account for its origin. The tenantry considered that they were deceived by successive Governments, that they were deceived by the proprietors, and even by the British Government. They agreed to submit the whole matter of dispute between them and the proprietors to the decision of impartial and disinterested men. The proprietors agreed to the same, as also the British Government. These men gave their verdict: it was confirmed by this Legislature on behalf of the tenantry; but the proprietors refused to submit to it, and the British Government, to its discredit, backed them out in their dishonorable conduct. The Government then, and the British Government passed a measure for settling the land question in lieu of the decision of the Commissioners, in opposition to the expressed wishes of the tenantry, and in opposition to numerously signed petitions from the tenantry to the Colonial Minister to have it disallowed. Is it any wonder, then, that the spirit of the people was aroused, and that they even exceeded the bounds of moderation? It is possible, sometimes, to excite a loyal, but spirited and independent-minded people to rash and unlawful deeds. A patient, docile, law-abiding, and peace-loving people is all very well, and certainly would be easily governed; but the very fact of their allowing themselves to be governed like slaves, would sufficiently prove them to be fit subjects to make slaves of others. I confess I would rather have a people who would even resist the law, than a people who would tamely submit to a monstrous wrong. I believe that had the Liberal party been in power, they would have had no difficulty in allaying the excitement of the people, without resorting to the means taken by the present Government. They would have counselled and advised the people, instead of irritating and exciting them; and, though out of power and in opposition to the Government, they, in the most magnanimous and liberal manner, even at the risk of their own popularity, gave the Government their assistance in allaying the excitement. I am afraid the Liberals would have received very different treatment, had they been in the place of the present Government. I was here last Spring when a Tenant League procession marched through the town. Some of them, no doubt, had been drinking, and were somewhat excited; and what did I see but a most imprudent and fool-hardy act, by an officer of the Government, the Deputy Sheriff. He was foolish enough to rush in to take a man out of that procession. Could anything else have been expected than a resistance to the lawful authorities in such a case? That officer was most obnoxious to the tenantry, yet he was persistently sent throughout the country to execute the writs and carry out the laws; thus exciting the tenantry to acts of resistence. I believe that if the Government had taken the trouble to advise the people, and had sent prudent officers, men who had respect for themselves and were respected by the people, there would have been no difficulty in executing the laws; therefore, I do not think the Government were justified in spending so large an amount of the public money to bring discredit upon the Colony. I will vote for the amendment submitted by the Hon. the Leader of the Opposition.

Mr. HASLAM. Mr. Chairman, I conceive it to be due both to the country and the Government, and to myself, that I should give some explanation of my own views touching the Tenant League movement. I am surprised, not at the strength, but the weakness of the arguments which have been advanced by members in opposition, in support of their condemnation of the policy adopted by the Government for the suppression of the League, the prevention of civil disturbances, and the protection of the sacred rights of property. And, I may say, I am also surprised at the disagreement, as respects the grounds, on which different hon. members on the other side of the House have, on this occasion, brought forward their charges against the Government. Some of those hon. members charge the Government with culpable remissness and want of determination in the discharge of their duty; inasmuch as they maintain that no serious disturbances would have been occasioned by the League, and that there would have been no necessity for calling in the troops, had they (the Government) at the first, caused a due and energetic exercise of the civil power for its suppression. Then, on the other hand, other hon. members in opposition charge them (the Government) with having been a great deal too precipitate; and argue that the best policy for the Government to have pursued would have been prudent, but vigilant, forbearance, gentleness, and good advice. Such different and contradictory grounds, assumed by hon. members in opposition for the basis of their condemnation of the Government—their having been too quick, with some; their having been too slow with others—reminds me very strongly of an anecdote which I have heard of a fellow who, on the road, was heard soliloquizing in a very determined, although strangely, contradictory manner, as he was reeling home, at night from the tavern. "Now," said he aloud, "if, when I get home, I find that my wife is not gone to bed I will beat her for sitting up so late, and wasting fire and candles." And, then, having made a reeling lurch to the other side of the road, he resumed his soliloquy, and said: "And, if she is gone to bed, I will beat her for not having sat up to get me my supper." Thus, it seemed, the drunken fellow's determination was to beat his wife at all events, whether he found her sitting up, waiting to give him his supper; or whether, to economize their coal and candles, she should be found, by him, to have gone to bed in good time; and, exactly in the same contradictory manner, hon. members in opposition condemned the Government,—one part for having been too quick, and another part for having been too slow, in having recourse to energetic action for the suppression of the foolish and unlawful proceedings of the Tenant League; but still, though thus divided as to their ground-of censure, they were perfectly at accord in their determination to condemn the Government at all events. It is, indeed, much to be regretted, I fully admit, that it has not been found possible to inflict legal punishment upon the mischievous and designing leaders of the League, who instigated numbers of poor and uninformed men to withhold the payment of their rents, and to organize themselves for the purpose of resisting the Law, whilst, they, themselves, at the same time, took care to pay their rents, although in a secret and covert manner. I have been told, by a gentleman in Town, that some of those leaders have entered his office in the dusk of the evening, paid their rents, and then gone off for the purpose of advising others, over whom, by their craft and plausibility, they had attained an ascendancy, to resist all demands for rent. Such mischievous and designing men were, undoubtedly, deserving of being punished with all the rigor of the law; but they had acted with so much caution and cunning, as respected their own individual interests, that it had been impossible to lay hold of them, for punishment, by any proceedings at law. There had, likewise, been a clique, in Charlottetown, who, for party political purposes, had, not only by evil counsels, but by liberal subscriptions, given encouragement to the League, and so induced the mass of its simple and uninformed members to believe, not only in the justice and propriety, but also in the safety and efficiency, of the course they were pursuing for their emancipation from the bonds of the leasehold system. These individuals, equally with the more open and ostensible leaders of the League, were certainly to blame for the extreme length to which the organization had proceeded, for the disturbance which had ensued; and for the great outlay of public money which had been consequent thereon, for the restoration of peace and good order in the community, and the due assertion of the supremacy of the law. The individuals who composed that clique — gentlemen of knowledge and education as they were—were, undoubtedly, morally guilty to as great an extent as any of the more openly active leaders and encouragers of the League; but they had acted with so much selfish prudence and reserve that it was impossible to make them amenable to the laws at the bar of public justice. There were nests of such designing crafty men—such instigators to rebellion and resistance to the law—in many parts of the country; and, as they were returning home, after they had been prevented, by the special constables from carrying into effect their intention of releasing Dickieson from the custody of the law, a party of them were met upon the road by a friend of mine, and, referring to the exciting occurrences of the day, and the object of their visit to Charlottetown, they told him the next time they made such an attempt they would be prepared to carry it into effect by force of arms: they would not go again unarmed for such a purpose. When such was known to be the determination of some of the most influential and most trusted leaders of the League, it was surely high time to think of calling in the aid of Her Majesty's Troops for the suppression of the organization, and for the preservation of life and property.

Mr. HOWLAN Did you as it was your duty to do, make the government acquainted with your knowledge of so alarming an intention on the part of leaders of the Tenant League?

Mr. HASLAM. I admit that I gave no direct information to the Government concerning my knowledge of this determination on the part of such leaders of the League; for, having perfect confidence in the vigilance and wisdom of the Government, I believed they would not fail, by effective precautionary measures to anticipate and prevent any such insurrectionary proceedings on the part of the League. The hon. member then proceeded to say: By invitation, I attended a certain meeting which had been called by some of the Tenant League delegates and was held within two miles of my own house. The tenants assembled upon that occasion—none of whom were members of the League—said to me, in substance, on my appearing among them: "You have always professed to be our friend, and have frequently declared your readiness to lend your aid for the promotion of any just scheme, which may be devised for the lessening of our grievances under the leasehold system; and we would now be glad to know what you think of the Tenant League, and whether or not you would advise us to become members of it." Well, in order that, to my friends—the tenants there assembled—I might, in a way the most likely to be effectual, convince them of the folly and illegality of the League, and of the ruinous consequences which would inevitably attend, or follow the carrying of their dishonest and seditious principles into practice, I proceeded, by means of direct questions, put by me to the League delegates who had called the meeting to shew that what they called their Constitution was wholly based upon a seditious resolution or pledge, to resist "distraint, coercion, seizure, and sale for rent and arrears of rent, until their landlords should consent to sell their farms to them, at such a valuation as they (the Union) should place upon them." Having elicited this I endeavoured to convince the assembled tenants of the district of the dishonesty of the principles of the Constitution by which the League was governed and held together, and to prove to them how utterly impossible it would be by any such organization, to evade the just demands of their landlords or to resist the authority of the law and escape the ruinous consequences of such dishonesty, folly, and madness; and happily, so successful was I in my endeavours to that end, that not one of those for whose benefit my explanation and counsel were especially intended, either gave in his adhesion to the principles of the League, or subscribed one farthing to its funds. I have much satisfaction in thinking that, on that occasion, I was successful in my endeavours to defeat the mischievous designs of the Tenant League delegates who called the meeting; but I was sorry to find, afterwards, that greater success attended their mission in another quarter, not far distant, in which they, soon after, held other meeting; and as an evidence of the terrorism, by means of which, more than by the plausibility of their arguments, they succeeded in increasing their numbers and supplying their exchequer, I may mention that amongst others who attended those meetings, was a poor, illiterate man, a Scotch Highlander, who had the wit—more than he was suspected to possess—to expose both the dishonesty and impracticability of the Tenant League pledge, with respect to their intention of compelling proprietors to sell the fee simple of their lands at Tenant League valuation; and this he did by putting to one of the delegates, this simple question: "If I owed you £30, would you be willing to take from me 30s as full satisfaction for the whole debt?". So indignant, however, were the Leaguers, at this exposition of their dishonest principles, and so threatening, towards the poor man, were they in their words and looks, that, through very fear, he allowed himself to be enrolled a member of the association. His having done so, however, becoming known to the agent of his landlord, a writ was issued and served upon him, and he was mulcted in 50s costs; and that, he says, was the only benefit he derived from his connection with the Tenant League. The case of this poor man is not, I believe, a solitary one; for many—mechanics and others—through the force of the terrorism which was brought to bear against them, by the League, allowed themselves to be enrolled as members of it, and contributed to its funds, whilst, at the same time, they looked with just detestation upon the dishonest and seditious principles by which the organization was governed.

Hon. Mr. KELLY. The Hon. member as a justification for bringing the troops, says he heard it said in his neighbourhood by some person that stronger resistance would be made against the sheriff and constables the next time they returned, although he did not then advise the Government, thereof, I might also say that I heard similar ill tales in my locality, told by a person who escaped from the lunatic asylum some time previous, of which however I did not think it worth while to inform the Government.

Hon. Mr. WHELAN Mr. Chairman, as it seems to be the determination of the Committee that we should come to a decision, at our present sitting, concerning the paragraph having reference to the Tenant League, which, together with the amendment submitted by the Hon. the Leader of the Opposition, is now the subject of discussion, I rise, though the hour is late, not only for the purpose of simply voting in favor of the amendment, but also with the intention of publicly declaring the reasons by which I am influenced in giving my support to that amendment. These reasons, I hope, it will be seen, as I state them to the Committee, are such as ought not, by any means, to subject me to the charge of having taken a mere party view of the question. I am decidedly of opinion that had due diligence been exercised, in the beginning by the Government, for the suppression of the Tenant League movement, it would never have been carried to the extreme height of illegality and danger to which it attained; nor would it have become necessary to have recourse to military aid to sustain the officers of the law in the due performance of their duty, and to bring about the re-establishment of peace and good order in those quarters of the Island in which they had been so unfortunately broken or disturbed. I do not deny that, by the serious disturbances which had arisen through the Tenant League movement, and the attitude of determined defiance of the law and the constituted authorities of the land,—the Government were perfectly justified in sending for a detachment of Her Majesty's Troops at the time they did so, six or seven months ago. But I maintain they should have done so at the time, when, confident in the power which the boasted magnitude of their organization gave them to resist the law, they boldly published, in their organ, *Ross's Weekly*, that dishonest and seditious pledge, by which they bound themselves, "individually and collectively," to withhold payment of their rents, and to resist every legal measure which might be had recourse to for the purpose of compelling them to pay them. In 1864 the League formed their Constitution, taking for its basis that seditious pledge, which I will now read. The Hon. member then read, as follows, the pledge to which he alluded:

"*Resolved*, That we, the Tenantry of ——— individually and collectively, virtually and solemnly pledge our honor and fidelity to each other to withhold the further liquidation of rent and arrears of rent; and thus voluntarily enroll our respective names, as a tenant organization, to resist the distraint, coercion, ejection, seizure, and sale for rent and arrears of rent, until a compromise be effected in conformity with resolutions proposed and carried by the meetings of Lot 48, 49 and 50; and further understood that each signature hereto annexed bear a proportionate share of expenses in connection with this organization."

Soon after this pledge was made public, I published in the *Examiner* my opinion of it, as well as my sentiments touching the propriety of the organization of the tenantry into Societies or Leagues, based upon lawful and constitutional principles, with a view to the acquisition of that power which they would derive from unity of action in their struggles against the leasehold system. What I wrote at that time, concerning the propriety and utility of such Societies or Leagues, I will now read. The hon. member then read as follows from the *Examiner* of ———1866:

"The organization of the tenantry into Societies or Leagues is very proper, and would, if managed with care and judgment, be eminently useful to the tenantry in their constitutional struggles against the leasehold system. Heretofore they have been only remarkable for their distrust of each other—for their national and religious antipathies—and for their disunion, where union was most required, at election contests. The Irishman and the Isle-of-Skye man—taking these as types of the tenant population of the country—have felt the yoke of landlordism more keenly than others in a like condition; yet the son of the Emerald Isle and the son of the Heather seldom meet without scowling upon each other, and without indulging in mutual taunts about religion and national characteristics. These taunts prompt them to pursue different courses when they go to the hustings; and we be old there the singular spectacle of two classes of men, both burning to break the shackles of the proprietary system, in fierce antagonism—one class voting dead against the supporters of that system, and the other upholding it, as far as they possibly can do, by voting for the creatures and nominees of the proprietary party." * * * * *

"Give us, then, a Tenant League, subdivided into as many branches as possible, that will serve to remove national and religious prejudices, that will work harmoniously for the attainment of a common object, and we shall most heartily encourage it to the utmost of our power. Such an institution would be a standing protest against the leasehold system as long as it lasts—it would keep landlord tyranny and oppression in check—it would rebuke the petty insolence and oppression of Agents and Bailiffs—and it would or should come to the relief of unfortunate tenants when cruelly distressed by unfeeling landlords. In these respects a Tenant League or Union would be of great benefit to the rent-paying portion of our population." * * * * *

"We agree with them that it is very desirable to have the tenantry united in giving a moral opposition to landlord oppression—we will labour with them to have the leasehold tenure abolished, in the speediest and most honest way, by Government purchase—we will join heart and soul with them to have their views fairly and fully represented in Parliament—we will help them, as far as we can, to destroy the Fifteen Years' Purchase Bill—we will encourage, to the extent of our ability, the good work of charity in sheltering the houseless and the helpless that may be singled out as the victims of landlord tyranny; but we shall never advise any man to repudiate his obligations, or to do what is still more foolish—to rebel against the constitution and the laws of the land in which he lives."

Such were my sentiments concerning Tenant League associations at the time when I wrote what I have just read; and such they continue to be. Upon the Constitution which they framed upon the illegal and seditious pledge which I have just read, the League continued to act, as was well known to the Government, and, indeed, to the whole country, from August, 1864, to August, 1865, or thereabouts, when they made a slight alteration in the basis of their union, to the effect that it was permitted, to all such members of the League as felt disposed to do so, to pay their rents. How magnanimous! Now, Sir, I beg leave to ask why did the Government, as respects the League, remain inactive all that time? Why were no efforts made by them to put it down? Was it because it had its origin in two districts—one of which is represented in this House, by a member of the Government and the other by another hon member of this branch of the Legislature, a quondam supporter of the Government—I know not, indeed, whether or not he is so now; but if not so at present, it is not impossible he may be so again? Was it, I ask, because of the existence of the Tenant League in these two districts, that the Government so long forbore to have recourse to proper and efficient means for its extinction? I fear it was; nay, indeed, I really believe it was the sole reason by which they were so long restrained from the adoption of stringent and energetic measures for the suppression of the Tenant League movement. When the improper pledge by which the members of the Tenant League had bound themselves together, first appeared in their organ, *Ross's Weekly*, I did not hesitate to condemn it in the columns of the *Examiner*, and published my condemnation without previously consulting either my hon friend, the Leader of the Opposition, or any other member of the Liberal party. I took the whole responsibility of doing so upon myself, and there I am satisfied that it shall remain. I have, indeed, been indirectly censured by my hon. friend on my left (Hon. Mr. Coles) for what he considers the rather undue asperity of the language in which I conveyed my detestation of the principles which the League had laid down as their rule of action; but considering the adoption of those principles—principles in every point of view dangerous and disloyal—directly calculated to loosen the bonds of society, in the fervour of the abhorrence which their adoption by the League excited in my mind, I believe I was not over nice in the choice of epithets by which to characterise the guilty leaders and instigators of the contumacious and seditious movement; and, even now, I do not regret the language which I used, in condemnation of the Tenant League leaders and of the principles which they instilled into the minds of the misguided and ill-informed people whom they urged on to the commission of breaches of the peace, and to such a course of resistance to the lawful demands of their landlords, as have brought upon them incalculable distress and misery. Nevertheless, I am very far from denying that the tenantry had many causes of complaint, both against proprietors and the Government, or from saying they had not very good and sufficient reasons for organizing themselves into Leagues or Societies with a view to their struggling more successfully, by means of such organizations, than they could do singly, to free themselves from the burthens which weigh them down under the leasehold tenure. On the contrary, I believe the non-fulfilment of the promises made to them by the party now in power, on their assuming the reins of Government, in 1859, to have been the primary cause of all the disaffection which has lately been manifested by large bodies of the tenantry, to the Government; and also of all the civil disturbances which lately took place in the Colony. At that time, the party at present in power, denouncing, even through the mouth of His Excellency, the previous acts of their predecessors in power as illusory, assured the tenantry that by means of their superior wisdom, and through the efficacy of a measure which they were about to introduce and carry through the Legislature, complete redress of their grievances might be afforded in less than eight months; and even His Excellency the Lieutenant Governor himself was not one whit behind the members of his Government and their supporters in his denunciations of the measures of the party which had just gone out of power, and in the exuberance of his promises of speedy and effectual relief to the tenantry; and in directly addressing them, he bade them confidently rely upon *him*, and denounced the very best, the most equitable, the most practicable measure which had ever been devised for their relief—the Land Purchase Bill—*as visionary and delusive.*

Hon. Col. GRAY. Mr. Chairman, I would wish to put this question to the hon. member: *Did he himself hear* His Excellency so express himself with reference to the Land Purchase Bill; or has he it under his Excellency's *own handwriting* that he so expressed himself?

Hon. Mr. WHELAN. I certainly did not myself *hear* His Excellency so express himself with reference to the Land purchase Bill; and neither have I it under *his own hand-writing* that he did so; but the words to which I have alluded, as used by His Excellency, condemnatory of the Land Purchase Bill, may be found, I think, in a reply of His Excellency to an address presented to him by the Belfast tenantry.

Hon. Col. GRAY. I accompanied His Excellency in his tour through my District and never heard him give utterance to any thing of the sort. On the contrary, I have not a shadow of a doubt, that his Excellency, neither in the reply alluded to, nor at any other time, will be found to have expressed such sentiments as that the Land Purchase Bill was "visionary and delusive." Still I will say without doubting the hon. member's veracity, I doubt very much his source of information, and I would now ask the hon member to produce the address alluded to and His Excellency's reply.

Hon. Mr. WHELAN. It is in the Royal Gazette, I cannot lay my hand on it now, but can easily get it by tomorrow. The hon. gentleman then continued his speech as follows: I wished only to shew that the expectations which were excited in the minds of the tenantry by the large and confident promises made to them by the Government and their parliamentary supporters, and the great and grievous disappointment which, in consequence of the non-fulfilment of those promises, has, for a length of time past, preyed upon the minds of the tenantry, have, together, caused the combination, the unlawful proceedings of which, too long disregarded and unrepressed by the Government, have brought about the necessity of sending for troops. At the time the Tenant League Constitution made its appearance in print, after having been signed by the poor uninformed men who had been duped into a recognition of its principles by the crafty organizers and prompters of the League, I wrote the editorial article which I have just read. The sentiments thereby expressed were my sentiments at the time; they are my sentiments still; and by them I am prepared to stand though good report and through evil report. If, as it is stated in the letter of the Sheriff, Mr. Dodd, which was read a short time since, the aid of 20 or 30 constables would have been sufficient to enable the Sheriff—whether it may have been Sheriff Morris or Sheriff Dodd—to discharge his official duties among the tenantry, are not the Government very culpable in not having afforded that assistance, and thereby warded off the necessity of sending for the troops? As for their having sanctioned the calling out of the *Posse Comitatus* by the Sheriff in doing so they exposed themselves, the Sheriff, and the whole *Posse* itself to ridicule and contempt; the greatest share of which was, however, due to the Government; and well may they be derisively asked, "How could they expect that the man to be apprehended by the *Posse*, would, after having had three or four days' notice of their design, stupidly remain at home to be arrested at his own fireside, or possibly in his bed?" If, however, the Sheriff, Mr. Morris, himself, accompanied by one or two respectable men, acting as constables, under his direction, had, in due time, gone quietly about the business, there is little doubt that it could easily have been effected. But instead of recommending the Sheriff to adopt so prudent and easy a course, they intimated to him his power to call out the *Posse Comitatus*; and, worst of all, allowed him to put the whole under the guidance and direction of the most obnoxious character in the country. The Hon the Solicitor General had defended the Sheriff for having had recourse to the ridiculous measure of calling out the *Posse Comitatus*, as a proceeding fully authorised and sanctioned by law in every country in which the British Constitution prevails. But I would ask him, is he not, as a lawyer, very well aware that there are still extant upon the Statute Book of Great Britain, many absurd and antiquated laws, which though unrepealed, have been rendered completely obsolete, merely in consequence of their gross absurdity? And will he pretend seriously to maintain that this statute which empowers the Sheriff to call out the *Posse Comitatus*, is not one which ought to come under the same category as many others which have been silently allowed to become dead letters in law, simply on account of their absurdity. And, besides, I think it very unfair on the part of the Government to throw the onus of having called out the *Posse Comitatus* wholly upon the Sheriff. He wrote to the Government, requesting instructions as to the course which he ought to pursue, in the difficult position in which he found himself; and, in reply, they referred him to the power of calling out the *Posse Comitatus*, with which he, in his official capacity, was alone vested. This reference he doubtless understood as a suggestion from them that the best course for him to pursue would be to call out the *Posse Comitatus*; and, therefore, I say that the Government, and not the Sheriff, are fairly chargeable with the folly of having caused recourse to be had to so absurd and antiquated a practice.

Hon. the Solicitor General (Mr. HAVILAND) rose to a point of order, and explained that the law empowering the Sheriff to call out the *Posse Comitatus*, is so far from having become obsolete that when he (the Sheriff) finds himself unable to execute a writ by ordinary means, the calling out of the *Posse Comitatus* is the only way by which he can secure himself against the civil consequences for having failed to effect its execution.

Hon. Mr. WHELAN resumed. I will not, Mr. Chairman, trespass upon your time much longer, considering how long you have been in that chair this evening. I support the Resolution in amendment, because it is nothing but a simple proposition affirming what I believe to be a fact, namely, that the alleged open and systematic defiance of the Law might have been averted by a more prompt and energetic use of the civil authority when the danger of disturbances first became manifest, and, thereby, the necessity of sending for the Troops have been avoided. That necessity was, however, allowed to arise; and I, for one, freely acknowledge that such was the dangerous and inflammable state of the country, that the Troops were not sent for a moment too soon. Their presence has had the desired effect, that of reducing the disaffected and contumacious to obedience to the Law; and peace and order now happily again reign within our borders. The presence of the military has the effect of imparting to the community, socially and individually, that sense of security, as respects the possession and retention of whatever we highly prize or hold dear, without which we can know no real pleasure or happiness. Their presence imparts to the minds of the well disposed a feeling of satisfaction, arising from the conviction that, do erred by it, the most evil-disposed amongst us will make no attempts at riot or commotion—that the laws will not be set aside, nor the administrative power be contemned, insulted, or defied. In another point of view also, I regard the presence of the Troops as highly beneficial. Their officers are almost invariably found to be men of talent, education and knowledge—men actuated by a most scrupulous sense of honor, and possessed of all the accomplishments and graces of mind and body which are so acceptable and so highly prized in good society; and I feel certain that, in the social intercourse accorded to them—and which is always extended to their class in this community—they will, in every circle in which they move, be found the means of adding much to its refined and intellectual enjoyments, and of calling forth into more expanded form and into greater activity all its social amenities—every grace, accomplishment and virtue, by which it is adorned. I will now say no more, but that I shall vote for the amendment, because I believe that, as set forth in that amendment, had proper means been had recourse to, at first, to repress the insubordination of the Tenant League, there would have been no necessity for having recourse to the "extraordinary measures" referred to in His Excellency's Speech.

Mr. HOWAT said, he felt himself placed in a very peculiar position, relative to the question under discussion. He could not support the paragraph in the address, which gave rise to that debate, and neither could he conscientiously vote for the amendment submitted by the hon leader of the opposition. From the wording of that amendment and the arguments advanced in support thereof, it would appear that the principal complaint against the Government was, that action had not been taken at an earlier period than it, was to suppress the tenant movement, by which, it was argued, much of the trouble that had subsequently arisen might have been avoided. On that point he must differ with the supporters of the amendment, because he had failed to hear any arguments advanced on either side of the House, to change his views on the matter—that no emergency had arisen to justify the sending for troops, at any period in the history of that movement from the time of its commencement up to the present date. No people in the world could be more loyal and law-abiding than the large majority of the people of this Colony. In fact, the main body of the Tenant League organization were never guilty of the resistance to the laws, which has been attributed to them. Those who were unfortunately suffering imprisonment for an infraction of the law, were placed in that painful situation more through ignorance, than from any wilful intention on their part to commit breaches of the peace. There were, in his opinion, sufficient means at the disposal of the Government within the Island, for the suppression of any trouble that had arisen, and it was the duty of the Government to have tried those means before they sent for troops. He had no desire to attribute improper motives to the Government, but he would not admit that they were infallible. The opposition censured the Government for not having taken action sooner for the suppression of the League movement; but he was of the opinion that they took action too soon as respected the sending for the troops. The hon. member for Murray Harbor (Mr. Duncan) appeared to think that no member of the majority should offer any opposition to the action of the Government on any question. He (Mr Howat) however would not bow with submission, and yield implicit obedience to all the actions of any party. He was sent to that House to guard the rights of the people and he would unflinchingly discharge the trust reposed in him by his Constituents regardless of the insinuations of that hon. member. In regard to the question before the Committee, as he conscientiously differed, not only from the opinion set forth in the draft Address, but likewise from that expressed in the amendment submitted by the Hon. the Leader of the Government, he could not vote for either. The Resolution in amendment which he then held in his hand briefly expressed his own opinion relative to the question under consideration, which, by permission, he would read, and then submit as an amendment to the amendment which had been submitted by the Hon. the Leader of the Opposition. The hon. member then read and submitted his amendment, as follows:

"That the House of Assembly regret the disturbances and troubles which occurred in this Colony in the past year; but the House, at the same time, are of opinion that the alleged open and systematic defiance of the law might have been set aside by a further recourse to the aid of the Civil Power at the disposal of the local authorities, before calling in the aid of Her Majesty's troops."

(To be continued.)

R. B. IRVING, Reporter.

SUMMARY OF PROCEEDINGS IN THE HOUSE OF ASSEMBLY.

MONDAY, April 30.

The Bill to extend the provisions of the Savings' Bank Act, was read a second time and reported agreed to.

The Bill to amend the Act relating to the running at large of Hogs in the Royalty of Charlottetown, was read a third time and passed.

On motion of Mr. McLennan, the House went into Committee on matters relating to Roads, Bridges and Wharfs.

Mr McLennan directed the attention of the Committee to the repairing of a Road in the vicinity of Summerside with the shore stone to be had in that vicinity.

Hon. Mr Coles said that any attempt to Macadamise roads with the Island sandstone, would prove a failure, and alluded to experiments made in the vicinity of Charlottetown in proof of his remarks.

Hon Mr. Davies said it would be a useless expenditure of public money to attempt effecting any permanent improvement on roads subject to much traffic, with Island stone, and referred to a portion of the Charlottetown Royalty road where an attempt of that nature had been made, but which had proved a useless waste of public money.

Hon. Mr Pope observed that it was customary to leave the expenditure of grants for roads with hon. members representing such districts, to be appropriated where they, in their wisdom, considered it most required; he was, therefore, in favor of allowing the representatives for Summerside to exercise their own judgment in regard to using the shore stone, which would cost but a trifle compared with the imported material used in the vicinity of Charlottetown.

Hon. Mr. McLennan said it was well known to his honor the Leader of the Government that, some six years ago the roads in the vicinity of Summerside were a perfect bog. The hard stone taken from the shores of that place were found to answer the purpose of improving the roads very materially, and he had the authority of the Mail Stage driver for stating that the roads at Summerside and vicinity were in a better state of repair than those of Charlottetown and Royalty.

Messrs Howat and Haslam concurred with Mr. McLennan, and supported the propriety of using the shore stone as the best material that could, under existing circumstances, be applied.

The Resolution in question, with several others, were then reported agreed to.

On motion of Mr. Duncan, the Bill to amend the Act to Incorporate the Church at Valleyfield, Brown's Creek was read a third time and passed.

The Despatch which accompanied the Blue Book for the year 1864, was then submitted by the Leader of the Government, as asked for by the Hon. Leader of the Opposition.

Mr. Howlan asked for the correspondence relating to the dismissal of Robert Gordon from the office of Justice of the Peace.

Hon. the Leader of the Government said the documents alluded to, would be submitted.

Hon. Mr. Coles gave notice that, on to-morrow, he would ask the Government for a copy of the tenders relating to Steam Communication on Hillsborough River.

Hon. Mr. Kelly asked for the report of the proceedings that had taken place relative to certain charges alleged against James McQuaid, a Justice of the Peace.

Hon. Leader of the Government said the papers asked for would be submitted.

Mr. Duncan presented a petition from divers inhabitants of Prince Edward Island, relative to the appointment of a third Judge of the Supreme Court, alleging that the time had arrived when the increased business transactions, as well as the resources of the Colony imperatively demanded that such an appointment should be made.

Hon. Mr. Coles moved for the withdrawal of the petition on the ground that it had for its object the granting of money, and should therefore have been presented through the Executive Government. He then quoted authority on that point.

Hon. Sol. General said that the objections offered could not effect the motion to receive the petition, because of the Rule of that hon. House, adopted in the year 1853, and under which that House acted.

Hon Mr. Warburton supported the motion to withdraw the petition, on the ground that the subject to which it alluded should have originated with the Government.

Mr. Howat said he was inclined to support the motion for the withdrawal of the petition on the ground that any action on the subject thereof would be premature until it would be submitted to the people, they were the proper tribunal to pronounce on its merits.

Hon. Mr Pope said that it would be a want of courtesy on the part of that hon. House to vote for the withdrawal of the petition. It was not the intention of the Government to introduce any Bill on the subject of the petition, yet it was but fair and proper to receive it, and order that it do lie on the table, that being the ordinary mode of procedure in such cases.

Hon. Mr. McEachen said that a large number of his constituents, as well as others, had, by petition, made application for a third Judge on the Bench. On that question, he would vote as an independent member of that House; he deemed it his duty to the country to support the receiving of the petition.

Hon. Mr. Longworth said it would be highly improper to deal with the petition in the summary manner proposed by the Hon. Leader of the Opposition. It was but ordinary justice to the country to have the subject laid before that House.

Hon. Mr. Davies said that the allegations set forth in the petition were not without foundation; the prayer of the petitioners should not therefore be treated discourteously.

Mr. Brecken said the motion to withdraw the petition was a very illiberal one indeed; to throw out a petition on a subject of such vast importance would, in his opinion, be a very illiberal act, and an insult to the people.

Hon. Mr. Coles said he wished it to be distinctly understood that his principal objection was to the mode in which the matter was attempted to be received. The Government should have grappled manfully with the subject, and submit it to that hon. House, in the same manner as all Bills for the institution of money votes were received.

Hon. Mr. Laird saw no reason for submitting the matter at that late stage of the Session, especially as the Government were not prepared to take action on the subject.

Hon. Mr. Hensley would support the motion to receive the petition without expressing any opinion on its merits, on the ground that he considered it in perfect harmony with the rule of the House, as quoted by the Solicitor General, to receive it.