THE EXAMINER:

A Weekly Journal of Politics, Literature, and News.

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

Vol. XII. Charlottetown, Prince Edward Island, Monday, March 17, 1862. New Series.---No. 10.

Colonial Parliament.

HOUSE OF ASSEMBLY.

Debate on the Address in answer to His Excellency's Speech continued.

Hon. Mr. COLES--The hon. member is mistaken. The Commissioners say that they cannot interfere with bonds and warrants.

Hon. Col. GRAY--As regards the price of land, the decision of the Commissioners is all that should be desired. I have *nothing* to guide me in my remarks except the synopsis *of the Award* furnished by Mr. Howe; but, according to it, the *tenantry* will derive great advantages from what is known as the arbitration clause. I will give you an example of what will be gained by the Award. At Little York, where there is excellent land--in short it is almost the garden of the Island--the proprietors, Messrs. Montgomery, will not sell at all; but by the Award they will be compelled to do so at 20s. an acre. Is this not a great boon, when one of the tenants in that locality informed me that if he could *only* obtain the privilege of purchasing his farm he would be willing to pay forty shillings an acre for it! Again, in another part of the Island, where the Messrs. Montgomery hold land, Lot 59, by the arbitration clause they may not obtain more than 5s. or 6s. an acre, though the rent is about the same as at Little York. This is certainly a great privilege. This arbitration clause is all on one side; it is all against the proprietors, and all in favour of the tenants. I trust, now, that I have shown great good will result from the Award, and that the people of this Island will have reason to bless the hour in which the Commission was granted by Her Majesty. I will now refer to my hon. colleague's notes of the remarks made by the hon. Leader of the Opposition, and take them up *seriatim*. The first is, that there has been greater harrassing and distraining since the Commission was granted than was ever before on the Island. I am sorry to be necessitated to contradict hon. members, but I must deny that statement *in toto*. There has not been more trouble to the tenant on account of rent; on the contrary vast numbers have paid nothing. Several proprietors have complained that they have not obtained sufficient rent to pay their taxes--that they have not even received the one year's rent which was recommended. Another of the statements made by the hon. Leader of the Opposition was that the Commissioners offered the Government a copy of the Award. I, as a member of the Government, must also contradict this statement. I never heard of such an offer, and I suppose I would not be kept in ignorance of it.

Hon. Mr. COLES--I did not say it was offered to the Government, but that it was probably offered to the Governor, as it would of course be sent to him.

Hon Col. GRAY--I have ever found His Excellency the friend of the tenantry. It was chiefly through his efforts that the Earl of Selkirk was induced to sell his estates to the Government; and I am certain if His Excellency had received any notice on the subject he would have communicated it to me, knowing my anxiety for the welfare of the tenantry.

Hon. Mr. COLES--Did he communicate with you on the mission of the Spy?

Hon. Col. GRAY--I have a great many notes to answer, and I dare say the hon member's query will come up in order. The next point is that the Government have been too penurious, and have refused to pay some £50 for clerks The Government had no power to grant or refuse in the matter. The Commissioners had all power; they might have employed 100 clerks, and these clerks must have been paid. The hon. member says that the penuriousness of the Government was the reason that the Duke had refused to confirm the Award. I never heard *till now* that the Duke had refused to confirm the Award.

Hon. Mr. COLES--I did not say that he refused to confirm the Award, but *to send* it out to the Colony. I only threw out the hint in regard to the clerks to see if the report was correct.

Hon. Col. GRAY--I am only speaking from notes. I deny *in toto* that the Government refused to pay clerks, for the Commissioners never applied to us for anything of the kind. His next statement is that the Governor and the Leader of the Government knew that the Spy was here, and that this person occupied the Secretary's Office.

Hon. Mr. COLES--I did not say that exactly.

Hon. Col. GRAY--Will the hon. Leader of the Opposition then tell us what rooms he did occupy?

Hon Mr. COLES--He first occupied a room which was formerly the Secretary's private office; but this was found a little too public for him, and he was removed to an office up stairs. He had a person by the name of Job Bevan writing for him, who told me that Mr. Wightman had access to the public documents, and had a letter from the Colonial Secretary.

Hon. Col. GRAY--Well, I presume that the Leader of the Opposition had charge of the building for the time being when Mr. Wightman was here. In the next place, the hon. member says that the Spy had been discussing the project of a railway that was to pass somewhere about the Ten Mile House, with the people of that locality. I do not know what this House has to do with a railway there, any more than if it was a railway to the moon. But I dare say if that person had spoken of an intention to build a railway to the moon the people of Tracadie would have believed him. Then, again, the hon. Leader of the Opposition says the people of Bedeque had a dispute about where the railway was to be. I can scarcely credit this, for I do not think the people of Bedeque are so easily gulled. His next statement is in regard to dissatisfaction with the Award. Well, I have heard a report that the proprietors are quite displeased because the price of land has been fixed so low. Tenants, by the Award, will be able to purchase land worth £3 an acre for 20s.

Hon. Mr. COLES--What made it worth £3? Was it not their own labour?

Hon. Col. GRAY--The hon. member asks what made it so valuable? At Little York it was not solely the labour of the tenants, but chiefly the fine turnpike road which runs through the settlement, and its proximity to the capital. The quality of the soil is, I believe, just as good on some of the other Montgomery estates, yet not having these advantages the land is not nearly so valuable. The hon. member's next statement is that the New London Tories burnt Mr. Howe in effigy, and there was one Frenchman present. Well, it is known that the French are a polite people, and I suppose this one was present to see fair play. (Laughter.) But, Sir, if the New London Tories performed such a deed it was because grossly false reports were circulated as to the nature of the Award. It was stated in one of the public prints that the tenants would be required to pay 20 years' purchase.

Hon. Mr. WHELAN--I will show the hon. member that statement under the hon. Commissioner's own handwriting, and he may read it if he pleases.

Hon. Col. GRAY--Will the hon. member hand me the document? I must say I think I have some reason to complain that this matter has been concealed from me. What does this document purport to be? Is it Mr. Howe's exposition of the Award?

Hon Mr. WHELAN--Yes.

Hon. Col. GRAY--This, then, I have seen before, and Mr. Howe does not say that the tenants will have to pay 20 years' purchase for their land; far from it. By the arbitration clause the price may be very much less. And had the people of New London heard the truth of the matter, I believe they would have been satisfied. The hon. Leader of the Opposition denounces the *Government* because the Award is not what they led the people to expect, and alluded to me as taking credit to myself for originating the Commission. I will refer to the Parliamentary Reporter; what I said is there. I did not originate the matter; it originated in the despatches of the Colonial Minister, as is admitted in the preamble to the resolutions which I asked this house to accede to. [The hon. member here read the preamble and two or three of the resolutions. See Journals of 1859] I also made a similar admission in my speech on the occasion of moving these resolutions. I read from the Parliamentary Reporter, p. 50:--

"Hon. Col. GRAY--Mr. Chairman, I now rise for the purpose of bringing under the notice of the hon. Committee the subject which, of all others, I consider to be the most important, and which urgently demands the co-operation of hon. members on both sides of the House to bring it to a speedy and final settlement. Sir, we have now before us two despatches from a Minister of State whose high private character, brilliant talents and profound knowledge of all that concerns the institutions of these Colonies, afford me the surest guarantee that never in the history of this Island was there a brighter prospect opened to us for a fair and equitable settlement of the land question."

This shows I did not take the credit to myself, but attributed all to the despatches.

"Sir, here we find the Secretary of State himself coming forward and meeting us, as it were, half way, and yet, in the face of so much courtesy and condescension, we have those among us who resuscitate from the tomb in which I, and I firmly believe, almost all the people of this Island had supposed it to have been buried and forever set at rest, not only from lapse of time but also by the repeated decisions of the Home Government, a question, the agitation of which, at the present juncture, in the very teeth of these despatches, is not only very uncourteous to the Secretary of State individually, but is also a manifest insult to the majesty of the British Government, and which, if countenanced by this House, although I feel sure that such will not be the case, may produce results but little conducive to the prosperity of this Island, annexation to Nova Scotia or New Brunswick, and the entire deprivation of our rights and privileges as a separate Government. But, Sir, I would ask, are we to leave ourselves open to the imputation that there are those among us who do not desire a settlement of the land question, but who would prefer keeping it open, regardless of the injury they may inflict upon a too credulous people, [such as those, for example, who believed that a railway was about to be built near the Ten Mile House] and who, by the agitation from time to time of one or more of its phases, would make it subservient to their own aims and selfish purposes. And, Sir, I cannot help expressing my astonishment at the specious reasoning of the hon. member lately at the head of the Executive, to account for his present agitation of what he must well know is but a delusion, a mockery and a snare. However, we have now the Secretary of State himself inviting us to come forward, and I trust a considerable majority of this hon. House will agree with me, and not subject ourselves, by complicity in such agitation, to a deprivation of that kind consideration for the affairs and claims of the tenantry of the Island, which in these despatches we see the Right Hon. Secretary so plainly, although it may be, inferentially promising. Sir, I have therefore to propound, for the consideration of hon. members, certain Resolutions which I have drawn up without partiality, favor or affection, but which, I am convinced, will be found most conducive to the final settlement of this long vexed question--the fruitful source of much of the bickerings and heart-burnings which have for so many years distracted the people of this Island, and which will also give real relief to their present burdens, and designate the only way in which, by a persistent course of honest industry, every tenant in the Island may in a few years become a freeholder, and that without subjecting the people to the enormous taxation which the wild and reckless proposition of the hon. member in his Loan Bill would inevitably entail upon them and their posterity."

Sir, surely I have read enough to show that it cannot be said in this case that resolutions are one thing and hon. member's speeches another. I have never given the tenantry reason to believe that they would receive anything but what was prayed for in the resolutions. I was desirous that some arrangement should be made whereby the industrious tenant, who had fallen into arrears to such an extent as to have lost all heart, should be relieved; and those wishing to convert their leaseholds into freeholds, might be enabled to do so at a fair rate. Those were the two leading points embraced in my resolutions, and when I proposed them I had come to the conclusion that no more should be asked for, because no more could be granted. But the proprietors, when the resolutions were submitted to them, wished to have the several questions that had so long agitated the people of the Colony discussed, which was agreed to, and consequently the Commissioners entered into an investigation of these matters; therefore it is that we have loyalist claims, quit rents, escheat and fishery reserves all noticed in their report. That the loyalists should have their lands restored to them at this time of day appeared to me, in my most dreamy moments, a very utopian idea. I have the best reason to complain of the loyalists being deprived of their rights, knowing as I do the wrongs my father had to endure, notwithstanding he lost all on account of his attachment to the British throne; but I long ago gave up thinking that agitation on this subject would be of any avail. I have never failed to hold up that escheat, quit rents, and fishery reserves were a delusion and a snare--were such as an hon. member of this House when he had a majority at his back, denominated as "impracticable and absurd."

Hon. Mr. WHELAN--What is the definition of the term "Impracticable?"

Hon. Col. GRAY--I do not profess to be a great scholar, but I should say something that cannot be obtained. The Colonial Treasurer and other members also in the House of that day, pronounced escheat as impracticable. The hon. member for the third district of King's County only has been a consistent advocate of this question; and had I been in the House some 30 years ago, when he first agitated this measure, I would have co-operated with him. Where I differ from him is, in endeavouring to sail the ship long after she has gone to the bottom. After she is sunk, and I am left sitting on a spar, I would say "good bye to the ship." (Laughter.) The subject of quit rents I consider something of the same nature. So that it was on these grounds that I concluded it would be useless to introduce these questions into the resolutions which I proposed. And by the Award we have obtained as much as we could expect. We asked for a large remission of arrears of rent, and all have been given up except 3 years--17 out of the 20 that might be claimed. We asked for the tenant an opportunity to purchase on fair terms, and the Commissioners have declared that no proprietor shall demand more than 20s. an acre, even for the most valuable mill site, though it may be worth £500. And, besides, they give the poor man the opportunity of purchasing his land at a fair valuation, whatever may be its quality or advantages. In view of all this I consider the Commissioners have acted as honest and patriotic men.

Mr. DOYLE--I wish to ask the hon. Leader of the Government a question about his statement regarding mill sites. He says the proprietor can receive only 20s. an acre for them, though they may be worth £500. But, if these mill sites are let at a high rent, they may almost cost more than £500, if the price that can be demanded is 20 years' purchase. Again, if the Award says that a proprietor may retain 1500 acres for himself, he will no doubt keep those places, such as mill sites, which yield him the highest rent.

Hon. Col. GRAY--I have not seen the Award; but I understand that the proprietor is to be allowed to retain this quantity of land, as the lord of a manor in the old country, for his own use if he choose. I cannot think that the landlord will be permitted to keep 100 acres here and another there; such I think would be absurd.

Hon. Mr. WIGHTMAN--I think it is irregular to discuss a matter which is not before us. When the Award does arrive, however, I cannot understand how we can do other than confirm it. This House almost unanimously agreed upon the Commission, and it cannot well set their decision aside. There are some parts of the Award of which I approve, and others not. I have consulted my constituents, but they appeared unwilling to express an opinion upon it until it arrives. I will offer one remark on what Mr. Howe said respecting the mission of my namesake, Mr. Wightman. He stated that as there was a prejudice in the minds of the people here, they could not be expected to give fair evidence, and for this reason Mr. Wightman was employed to collect more reliable information. This I consider is a libel upon the people of the Island. I approve of the arbitration clause of the Award, and think it will confer a boon upon the country. This clause, I am of opinion, is the best in it; but I do not consider it necessary to go into a discussion of its contents at present.

Hon. Mr. THORNTON--I did not intend to speak on this subject, but as this debate has taken a wide range, I may offer a few remarks. I conceive that when the Award comes we must confirm it--the whole Award and nothing but the Award. But it appears that the present Government, if they had their own way, would not carry out a part of it; according to their own statements they would set aside the clause relating to a loan. When the Commissioners recommended that one year's rent be paid, it was believed that no more would be demanded; but now it seems that three years' rent will have to be paid. I am not so much in favour of the arbitration clause as some who have spoken; still I admit that it may prove a benefit. I am not opposing the Commission--I did not oppose it from the first, for I hoped that it would effect a settlement of the question. As to escheat I never thought that anything would be gained by it, and as to the loyalists, I think the Commissioners have determined very unfairly that if they can make good their claims, they are to receive compensation out of the Government lands. Since the passing of the first Land Assessment Act, quit rents, I always considered, as thrown to the winds. But there is one part of the Award which is very good, and I shall certainly give my voice in favor of it, namely, the clause which provides that the Indians shall hold Lennox Island, and have the use of the hay lands and all. This discussion I consider is premature, as the Award is not before the House.

Mr. BEER--Mr. Chairman, my only reason for supporting the Government in their general policy, is that I believe they are honestly endeavouring to bring about remedial measures that will eventually prove of immense advantage to the Colony. Had I reason to believe that they are not sincere in their professions, I would not support them, as I have nothing to gain or lose by their retaining or giving up office. I am free to confess that my interests are intimately blended with the prosperity of the farmers or tenantry; the merchant prospers with the increased wealth of the country, but the distiller thrives by the continued poverty of the country. As a general rule the poorer the settlement the more the distiller gets out of it, as the poor man is obliged to thrash out his barley early in the season, and sell it to him at a low price; whereas the wealthy settler who can afford to wait until he has made the most of all his crop, is then enabled to purchase to a considerable amount from the merchant. I make these observations to show that I am really interested in obtaining for the tenantry as much benefit out of this Land Commission as possible. The hon. member for the third district of Queen's County stated that there has been more distraining and distress occasioned by the Land Commission than ever took place in the Island before. Sir, even if this were true, the Government are not to be blamed for it, as they are endeavouring to give every man the opportunity of converting his leasehold into freehold on the most moderate terms. But I believe there has been very little distraining on the estates of the Messrs. Cunard, of the Messrs. Montgomery, or of Mr. Sullivan. What writs have been issued have been mostly on the estates of proprietors who refused to give their assent to the Commission; and I may say principally on the Tracadie estate, the settlers on which are really to be pitied. We have heard a long story about the Spy, and a torrent of abuse has been heaped upon him. I have nothing to say in his favor, and regret that the Commissioners should have thought it necessary to send a person here to obtain information in such a questionable manner, though I am not surprised at their having done so, owing to the conflicting statements that were made before them. But, Sir, it is possible that the tenantry may obtain better terms than they otherwise would on account of the visit of Mr. Wightman. To come more to the point, I believe from the bottom of my heart that the Award, if correctly made known to us by Mr. Howe, should it become the law of the land, will in the hands of a good honest Government prove a blessing to the country, notwithstanding it has been so thoroughly denounced by the organ of the Opposition. To those tenants who took the advice of the Commissioners, and I am proud to believe that the great majority did, the Award throws off all arrears of rent except those of two years. It remits all arrears up to May 1858; the Commissioners were here in 1860, and as they advised the payment of the then accruing year's rent, *those tenants* who did *so*, and *again* paid their one year's rent in the fall of 1861, will not be indebted for two years' rent until May, 1862, though before the appointment of the Commission they may have been £60 or £70 in arrears.

Hon. Mr. WHELAN--According to Mr. Howe's statement arrears are remitted only to 1858, therefore it is clear that those who have paid nothing since, will have to make good four years' arrears.

Mr. BEER--I am speaking of those who have complied with the recommendation of the Commissioners. It may be stated in reply that all arrears were *given up on the* Worrell estate. Sir, I admit that such was the case, but it was done at the expense of the settlers in all other parts of the Island, for though that estate has been purchased upwards of seven years, it has not yet returned sixpence to the pound of its first cost.

Hon. Mr. COLES--By the account of the Commissioner of Public Lands last year, there was a credit of £24,000 shown as paid from the estate since it was purchased.

Mr. BEER--Yes, but that sum has all been eaten up by expenses and loss of land assessment, so I am still correct. The Selkirk estate was bought on much better terms, and being also better managed, the Government were justified in throwing off all arrears of rent and selling the land at a moderate price, and notwithstanding all this the estate will be self-sustaining. Now, Sir, by the Award the maximum or highest price the proprietor can charge for his land is 20 years' purchase or 20s. an acre. I have no doubt but a few of the farms may be worth 20s. per acre, such as have mill sites, marshes, or are near mussel-beds and an abundance of sea-manure; but the great majority of farms are not at all worth that sum. In these cases the tenant has the privilege of getting his farm at a valuation, should the proprietor refuse to sell it at the price the tenant offers. Oh, but says the Editor of the 'Examiner,' the tenant may as well go to law with the proprietor as attempt to purchase by arbitration; "the first man," says he in his paper of the 9th of September, "who tries it stands a fair chance of being ruined." Sir, the leaders of the Opposition are either hypocrites now in putting forth such statements, or they were hypocrites a few years ago when they introduced the famous Tenants' Compensation Bill, which provided for an exactly similar arbitration in case the tenant desired to give up his farm to the proprietor.

Hon. Mr. COLES--It was different; if the tenant thought he did not receive fair play under the arbitration, he could appeal to the Supreme Court.

Mr. BEER--Arbitration was everything that was good then; but now it is everything that is bad. I have no doubt at all of the working of the arbitration clause; it must operate well. Possibly this House *may* have to pass a short Act to fix the amount of expenses in conducting an arbitration, which should be made very small, and also to provide against the contingency of the arbitrators not being able to agree upon the choice of a third man. If I were called upon to act as an arbitrator, I would take as a criterion the prices paid for land on the Worrell and Selkirk estates; and if the tenants get their lands on some such terms as these, I think they will have no just ground for complaint. The hon. Leader of the Opposition stated yesterday that if the tenants get their lands at 15 years' purchase it will be about an equivalent and they ought not to pay more.

Hon. Mr. COLES--I uttered no such words; what I said was, that if they could get it for that the Award might be some advantage, but if they had to give more, they would be better to continue paying rent. And I said also that the proprietors would have been too well pleased to get 15 years' purchase.

Mr. BEER--Well, I was astonished to hear the hon. member utter such sentiments, and I think his constituents will not thank him for such an opinion. I do not hesitate to say that even on Lot 34 there are several farms of poor sandy soil, not worth that money, while on Lots 35, 36 and 37, the greater part of the land is not worth more than 5 years' purchase. In fact the greater number of the settlers on the Tracadie estate are in the most deplorable circumstances; every now and then they are distrained upon, and their stock and crop sacrificed for a trifle. This has been the case with them for the last 25 years. We have heard a great deal about the delay of the Award, and the Government have been twitted for keeping it back. Now, all the delay that has occurred is not to be wondered at. The Commissioners who went home from the other Colonies to negotiate in reference to the Inter-colonial Railway, after waiting months had to come away without receiving an answer. We have then but little reason to complain that the Award has not yet been received here. Hon. members on the other side of the House also object to the Award, because it has confirmed the proprietors' titles. The late *Government* were those who confirmed those titles when they denounced escheat as a 'will-o'-the-wisp,' and when they bought the Worrell estate and Lot 11. I understand that some of the proprietors are doing all in *their power to oppose* the Award, and it appears that the leaders of the Opposition are doing all they can to assist them. They have been sending out resolutions to be passed at public meetings to send home to the Colonial Office, to show that the tenantry are dissatisfied with the Award, and thereby get it quashed. Those resolutions, however, did not meet with much favour except by the people of King's County, who are perhaps the *most ignorant in the Island*. I believe that before long the tenantry will look upon those who have advised this course as the greatest enemies that they have had, as the Award, in my opinion, will prove a great blessing to the country.

Mr. OWEN--The hon. member for Charlottetown has referred to the tenantry of King's County, and characterized them as the most ignorant in the Island. I would recommend to him the words of Robert Burns:

> "O wad some power the giftie gie us,
> To see oursel's as others see us."

As to the Award I do not think that the people of this Island will gain much by it. With respect to 20 years' purchase, I may say that I would be very sorry to see the *proprietors get so much*. I have not been in favour of the Award since I heard the exposition of it given by Mr. Howe. In reference to the employment of the Spy, I consider that to adopt such a course of gaining information was a most disgraceful proceeding, because it was taking the people of the country at a disadvantage. Notwithstanding the Award has not met with my expectations, I do not think anything will be gained by its rejection; taking it altogether it may be some benefit. The loan clause I consider is just as good as the rest of it. I was surprised to hear last evening that the Spy was paid out of the public funds. This, in my opinion, is the worst part of the whole affair. I never heard that he was so paid until it was admitted by Mr. Longworth last night; and I must express my belief that it will give much dissatisfaction in the country. If the Award comes--and I do not much care whether it ever does or not--it will be our duty to ascertain if the Spy has endeavored to prove the evidence of the tenantry incorrect.

Mr. COOPER--It is not to be wondered at that the home authorities should take some time to decide respecting the report of the Commissioners. The Crown law officers will have to investigate the whole matter. It is not called an Award, it only receives the name of a report; consequently I think though it be not confirmed, it will be the means of something being done for the Colony. They must know at home that we have a right to a Court of Escheat, and being informed by the Commissioners' report of the state of matters here, will certainly take up the case of the tenantry. But I do not think it is necessary to discuss this question until the Award arrives.

Mr. MONTGOMERY--I was sorry to learn from His Excellency's speech that the Award had not been forwarded to this Island. As regards the result of the Commission, I think two classes of men must derive great benefit from it, namely, those who are in arrears of rent, and those who desire to become freeholders; that is if the Award is what we have heard it to be from the Hon. Mr. Howe. The hon. Leader of the Opposition has referred to a foul and disgraceful act committed at New London. It cannot be denied that it was committed, but by whom I have not yet been able to learn. He says the people of Mill Vale were blamed for the deed.

Hon. Mr. COLES--I did not say they were blamed. I said there was a report to that effect in Charlottetown.

Mr. MONTGOMERY--I do not believe the people of Mill Vale would be guilty of such an act, as they have other business to attend to. I know not who took part in the affair, except the Frenchman as stated by Mr. Coles.

Mr. SINCLAIR--I would have preferred to see the Award before us while discussing this subject. The hon. Leader of the Government remarked this morning that the Award was all that he expected, and more. I dare say he has *not* been disappointed. The Commissioners as appointed were to investigate all the questions in dispute, whether escheat, quit rents, or fishery reserves; and at the time they received their commission there was a despatch sent out stating that they were to come here, and that the Government was to be prepared to give them all information that they required, but no provision was made to this effect by the members of the Executive.

Hon. Mr. HAVILAND--I would like the hon. member to give the date of the despatch, for I never heard of it.

Mr. SINCLAIR--That was the tenor of the despatch, though I have it not here to refer to.

Hon. Mr. LONGWORTH--The hon. member should be more careful in regard to facts. There was no despatch received to say that we should be prepared with evidence.

Hon. Mr. COLES--These were the words.

Hon. Mr LONGWORTH--The statement was in reference to making arrangements.

Mr SINCLAIR--Notwithstanding this despatch, it was the members of the opposition, who laid nearly all the information before the Commissioners which they received.

Mr. HOWAT--Did you say none of the supporters of the present Government appeared before the Commission?

Mr. SINCLAIR--A few of them did, but the most of the persons who came before it, were from the other side in politics

Mr. HOWAT--Did the hon. member himself appear before the Commission?

Mr. SINCLAIR--I did not; but it was not my duty, whereas it was the duty of the Government to furnish the Court with all necessary information. And because they did not attend to this duty, I suppose the Commissioners had to adopt the course of sending a spy here, who procured his information in a disgraceful manner, by exciting in persons minds the expectations of great improvements in the country. The report of the Spy has been connected with the Award, and sent to the Colonial Office, and I would not be surprised to hear if it should operate there to the detriment of the people of this Colony. The Commissioners' report is not what the people were led to expect. It confirms the proprietors in more than they asked; it says that they are to have full value for their lands, the quit rents are to be given up, and they are allowed to retain possession of the fishery reserves. The Award certainly shows that whatever may be the value of the land, the proprietors interest in it is only 20 years--purchase, so that by obtaining this amount he receives all that it is worth to him, and he makes no sacrifice though the real value of the land should be £2 or £3 an acre, as it might be in the cases referred to by the hon. member for Belfast. But if the land is worth less than 20 years--purchase, they may obtain it for less by the arbitration clause; and this is the only benefit which I see will be derived from the Award. As to the arrears of rent being given up until 1858, I do not consider it will be much advantage to the tenant, because as the Commissioners say, what is left is about as much as the proprietors would ever be able to collect. So that all the benefit dwindles down to what will be gained by the arbitration clause. But I question if ever this will be obtained. When the evidence of Mr. Wightman is examined by the authorities at Home, it will probably lead them to conclude that the people of this Colony are not to be trusted as arbitrators, since they made such statements before the Commissioners. In regard to the Loan clause, I cannot see that great benefit will result from it, as another part of the Award confirms the titles, consequently the proprietors will not be disposed to sell on such reasonable terms as before. Mr. Howe appears to be blamed by a great many of the people of the Island; but I cannot admit the justice of this, since he has given them more than was asked for by the Government. I do not entertain any very sanguine expectations in regard to the Award, even though it should be confirmed as it is; but I question whether it will come out as it was sent home. Having had the despatch which I referred to, handed to me I will now read that part of it which relates to the meeting of the Commissioners:--

"The time of meeting in Prince Edward Island will be best determined by the Commissioners themselves, who will be able to communicate with you on any points which they wish to ascertain as bearing on the question of the most convenient period for the purpose.

"It will be desirable that previous arrangements should be made as far practicable, *for having at hand all witnesses and all documentary evidence which the Commission is likely to require*, so that the time needed for their actual sitting in the Island may be reduced within the most moderate compass consistent with the due and complete accomplishment of the enquiry."

Hon Col. GRAY--I am waiting for the hon. member to read the despatch which he said was received.

Mr. SINCLAIR--This is it

Hon. Col. GRAY--This is quite a different one; it is not such a despatch as he stated.

Mr. SINCLAIR--It goes to prove that the Government was to arrange that "witnesses and documentary evidence" were to be at hand.

Hon Col. GRAY--I may explain that I am not astonished at the remarks made by the hon. member, when I consider that he was one of the few who voted against the resolutions which I proposed for the appointment of a Commission.

Hon. the SPEAKER--When the Commissioners were at St. Eleanor's they expressed to me their astonishment at the indifference of the tenants around Charlottetown, in regard to the object of their investigation. I explained to them that it was owing to an impression which had gone abroad that the people were not to be permitted to appear before them. They said it was the people they desired to hear, and not the Government. I am at a loss to perceive then, why hon members should bring a charge against the Government for a dereliction of duty in this matter.

Committee rose, and progress was reported.

D. LAIRD, Reporter.

WEDNESDAY AFTERNOON, Feb. 26.

Committee on Address resumed.

Hon. Mr. HENSLEY--Before I enter into the merits or demerits of the clause before the Committee, Mr. Chairman, I must thank the hon. member for the city, Mr. Beer, for the complimentary manner in which he referred to the constituency which I have the honor to represent. He saw fit to characterize them as ignorant. I would show myself very ungrateful, Mr. Chairman, after the general and unsolicited support which I received from those to whom the hon. member applied the term, if I allowed his remark to pass unnoticed. It may be that the hon. member is so narrow minded as to deem all ignorant, whose opinions do not coincide with his own. If such be the case, I am afraid that he will find a *good* many will be included in the same category with my constituents. I wish to cast no reflections upon any other constituency; each has a right to select such representatives as it may please, and if the hon. member was as well acquainted with the electors of the district I represent, as I am, he would probably have hesitated, ere he expressed himself as he has done. And now, Sir, I must say that all our discussion on the Award has been premature. We have been fighting with shadows--contending with an ideal subject. All that we know of the matter is from the exposition given by the Hon. Mr. Howe, during a short visit to the Island. That exposition, I confess, disappointed me in some respects, but it may be that the Award itself, when received, may be more favorable to the tenantry than we have been led to expect. There can be no doubt that some parties will be disappointed, and it cannot be expected to be otherwise. I was pleased to hear the remarks which fell from the hon member, Mr. Owen, this morning. That gentleman reflected, I have no doubt, the views of his constituents, and I presume the hon. member for the city will not stigmatize them as ignorant. With reference to the 20 years purchase, I cannot look upon that as any great boon to the tenantry, for, at the rate of £5 11s. annual rent for 100 acres, a man would have to pay £111 for the fee simple of his farm, while if he had funded the sum of £95, he would, at the current rate of interest charged at the Bank, effect a saving of £16 by continuing as a tenant instead of purchasing the freehold of his farm. In the cases to which allusion has been made in which the land may be worth £2 or £3 per acre, that high value has not been caused by the action of the proprietors, but has been created by the industry and capital of the tenant, and therefore, it would, in my opinion, be unjust to make the tenant pay for what he has himself created. As to what has been said about the advantage to the tenant of buying the fee simple of a mill site, under the provisions of the Award, I do not take the same view of it as the hon. leader of the Government, for I think that it will be found that leases covering property of this description will be found to bear a rent proportionate to the value of the privilege, so that those properties will form no exception to the general operation of the Award. Perhaps the case *may* be different in the instances of leases for no more than 40 years, but these, we have been led to believe, are exempt from the operation of the Award. As I said before, we are premature in discussing the matter at present. The Award may turn out better or worse than we expect, but whatever its nature, I am, thanks to the *ignorance* of those who sent me here, at perfect liberty to vote on it as I may see fit. The retention by a proprietor of 1500 acres and the Fishery Reserves, and in fact, the various branches of the general subject referred to the Commissioners, cannot, with any confidence, be discussed before we shall have received the Award. It may be that a proprietor may revive the whole question of the Fishery Reserves, by selecting as a portion, or the whole of the 1500 acres, he may elect to retain, a strip of land along the rivers and bays of the Island. I merely mention this, as one among other reasons, why I consider this debate as irregular and premature, as I have shown the purchase of the fee simple at 20 years' rent, will exceed the amount the proprietor at present receives; but it may turn out that the arbitration clause will be found to work beneficially, and I will not prejudge it, until more specific and official information shall have been laid before us. Being anxious that the long agitated land question should be finally disposed of, I agree with the expression of regret at the absence of communication with reference to the Award, embodied in the clause of the address before the Committee, and I am far from charging the Government with any desire of delaying it,--I am willing to believe that they have done all in their power to expedite its receipt. I am always happy to accord praise when I think it merited; and I must give the hon member from Tryon, Mr. Howat, the credit of having done the best he could for the tenantry, when he appeared before the Commissioners. And, sir, while I freely concede to others the right of dissenting from, and actively opposing, my views, I claim an equal privilege of differing from them; and, if I dislike it, of opposing the confirmation of the Award when it shall have been submitted to us, without incurring the imputation of disinterested motives. I must say, Mr. Chairman, that I was surprised at the unparliamentary and uncourteous references made to myself, yesterday, by the hon. member for Georgetown, Hon. Mr. McAulay. He alluded to me as an ex-Attorney General, and implied that my conduct in this House was influenced by the loss of £350 a year. I have no wish to follow the bad example set by that hon. member, and shall therefore merely give my opinion on his conduct, as being to a high degree unbecoming in a member of this House. With reference to the employment of Mr. Wightman, who has figured so prominently in this debate, I must say, that I think it a strange thing that he should have been employed by the Commissioners in the manner he is represented to have been. Those gentlemen held open Court here for more than a month, and if they deemed that the evidence adduced before them was unreliable, they could have re-opened their investigations. Supposing that Mr. Wightman has been misled, as his employment would seem to prove that the Commissioners had been, and the Award should be framed in accordance with his statements, it would be unsatisfactory to the Government and the Country, especially as being based upon secret information. When hon. members of the Government state that they were unaware of the presence of Mr. Wightman in the Island or of his mission, I cannot doubt their assertion, although previously to their disavowal of all knowledge of that individual, I was certainly under a different impression.

Hon. Col. GRAY--Mr. Chairman, having addressed the Committee at some length this morning, it was not my intention to have spoken again to-day; but I feel obliged to contradict some statements made by the hon. leader of the Opposition. Before I do so, however, I shall remark upon some of the observations which have fallen from the hon. member who last addressed you. That hon. member has enunciated statements which, I presume, he would rather should go before his constituents than before the combined intelligence of the community. He repelled the reference to them, made by the hon. member for the city, Mr. Beer; but if he expects that their intelligence will induce or enable them to swallow the political clap-trap he has uttered, they must be more ignorant than they were styled this morning. He argued, Sir, as though 20 years purchase was absolutely fixed as the price of the lands.

Hon. Mr. HENSLEY--I rise to explain. I did not argue in the manner attributed to me by the hon. member. I stated that the right of buying the fee simple at 20 years purchase was no boon to the tenantry, and I expressly referred to the arbitration clause, which I said might be of some benefit.

Hon. Col. GRAY--I was particular in taking down the words of the hon. member. He said that 20 years' purchase would be no boon. He made no allusion to 5 or 10 years purchase. It may be no boon to a man to make him pay 20s. per acre, who is paying 1s. per acre rent, but will he say that it is no boon to let the tenant who pays that 1s. rent secure the freehold of his land for 10s. or, it may be, 5s. per acre? The Commissioners' say that in no case need the tenant pay more than 20 years purchase. Even although he might have previously offered 30 years purchase, he will be in a position to demand it at the former rate. We know, sir, that there are lands in particular localities, such as at Little York, and on the East River, which are worth 20 years purchase, but the Commissioners have had to deal, not with a few isolated cases, but have had to devise a general measure of relief for the tenantry at large--have had to recommend a scheme affecting the interests of thousands who may receive the boon of purchasing for 5 or 10 shillings an acre, lands for which they are and have been paying a rent of 1s. an acre. And I believe that in forty-nine out of every fifty cases, that boon will be conferred, and that the people will duly appreciate it. I am aware that many people hold to the opinion that in politics, as in war, everything is fair, but there is something very suspicious in the constant harping upon this 20 years purchase, as being an established price. But, sir, I will come to the statement made this morning, by the hon. leader of the opposition, to the effect that the Colonial Secretary had given a Circular letter to this Mr. Wightman, who has been the subject of such virulent abuse by hon. members on the opposite side of the House. Having, in consequence of that statement, applied to the Colonial Secretary for information on the subject, I was informed by him, that so far from having given him any letter, he was in utter ignorance of his business and, in fact, never saw him.

Hon. Mr. COLES--Well, Mr. Chairman, I am glad that I have stirred up the government at last. I presume, sir, that my informant had in his hands the letter in question. He was present in an office in this building where Mr. Pope, the Colonial Secretary, was in conversation with Mr. Wightman. When the Secretary found that rather too public a place, Mr. Wightman was put into the Grand Jury Room. And, sir, it was admitted, last night, that Mr. Wightman had been paid by the Government. If that admission is true, there must have been an order in Council to authorize such payment, and consequently the Government must have known something about him and his business. And I maintain that any Government paying from the public funds a man sent here to deceive the public, by making false statements in contradiction of those openly given by the people, are as bad as the spy they have paid. The newspaper which is the organ of the government, stated that only the Lieut. Governor and one member of the government knew that Mr. Wightman was here, but I have reason to know that he was waiting in this building for an official to give him introduction to the public buildings. As to the circular letter referred to, the person employed by Mr. Wightman as his clerk, informed me of the existence of that document. When I was in New Brunswick, last summer, one of the Commissioners, Mr. Gray, in the course of conversation informed me that Mr. Wightman had made a lengthy report. I asked who he was and on what subject he had reported, and then I was told the nature of his business. Mr. Gray answered that the Lieut. Governor was aware of it. On my return to the Island, a gentleman from New Brunswick informed me that he knew that Mr. Wightman had been here, and he was aware of the nature of his business--that he occupied an office in the Colonial Building. Under these circumstances, I maintain that the Government should be held responsible. If the Lieut. Governor had received a note from the Commissioners on the subject of this man's mission, and had kept it to himself, his Government should hold him responsible. The leader of the Government stated at a public meeting that the Lieut. Governor had sent a private letter to England on the subject of the Commission and had received a private reply. I contend, Sir, that all communications on the subject should have been public and official. We have had too many of those private notes on public business. We have heard of them in connection not only with this Land Commission, but also with the purchase of Lot 54, and the hon. leader of the Government in this house said that he handed a private note to Mr. Thompson, one of the counsel before the Commission, advising him to urge the remission of rents up to 4 years. It would have been better if he had come *openly before the Commissioners* and stated his wishes publicly. It may suit the leader of the Government to have the tenantry at large bound to pay four years' back rent, when his own *constituents have* had all their arrears forgiven; but does this prove him a friend to the rest of the tenantry? In a portion of the district which I represent, for instance, Lot 34, the land may be worth 20s. an acre, while, in his district, 5s. would be the value of a great portion. But, Mr. Chairman, it was the labor of the tenants which made the difference in the value of the land. That being the case, I ask what benefit will it be to the tenants on Lot 34 to buy their lands at 20 years' purchase. The object in view should be, not the making of a few freeholders here and there, but the general change of the land tenure. It would be better that the proprietors should sell their estates, as in the instances of the Selkirk and Worrell properties. We have been asked, what policy we may adopt, if the Award be not accepted. Sir, it is not our duty, as a Minority, to *propose* any measures to the Government, but this I do say, that the country is beginning to find that the plans introduced by the Liberals have made, and are making, more freeholders than it is likely will be settled by this Award. Had it not been for the opposition to the Loan Bill, the Land Question would have been settled. The outcry against that measure was, that the country would be ruined by the immediate burden of £100,000 bearing interest. Now, Sir, that objection was baseless, for it was never contemplated to draw any portion of the money, except what might be required from time to time, as particular properties might be purchased by Government, and *on* that alone would interest be payable, but the party now in power succeeded in defeating the measure: however, the people have now got their eyes open. With reference to a late meeting, called in King's County, the leader of the *Government*, as I have been informed, sent a letter to a Captain of a Volunteer Company at Belfast, advising him to proceed with his men to attend a meeting about to be held in King's County, and outvote any resolutions the poor tenants might endeavour to pass. To that meeting they took the Colonial Secretary, who could not show his face in many parts of the Country, unless surrounded by Orangemen. [Here an interruption occurred, several members speaking at once, after which Mr. Coles proceeded.] What, I would like to ask, would be said if the so-called ignorant men from the East Point should go in a body to a public *meeting* at Tryon, and outvote the residents of that place? Would the decision of a meeting so composed be entitled to be considered a fair expression of public opinion? The parties who have acted as I have stated would be the first to denounce the outrage. And we heard, Sir, last evening, from the hon. member, Mr. Longworth, a denial of the truth of the answer he made to Mr. Commissioner Ritchie. I have the report under my hands, and in it I find as follows:--

"Com. Ritchie--Do you think if time were given a person could buy his farm at, say, 18 or 19 years purchase?

"Mr. Longworth--They could in general, though there are exceptional cases, such as the one we heard last evening, where little or nothing could be paid."

Then long after the statement had been made, and after the Commissioners had closed their labors, the hon. member got the reporter to insert in the middle of his report some kind of a contradiction or refutation in these words--

"They might in some cases, but not generally, and there are exceptional cases, such as the one we had last evening, where little or nothing could be paid."

Well, Sir, I do not see much difference in effect between the two statements.

Hon. Mr. LONGWORTH--The hon. member misunderstood the nature of the evidence I gave before the Commission. The whole scope and tenor of it was in favor of the interests of the greater portion of the people.

Hon. Mr. COLES--I understand it quite well. Here is the printed report of what he did actually say. At the time, I thought it extra-