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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 Parliament.

HOUSE OF ASSEMBLY.

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

Hon. Mr. McALRAY—Mr. Chairman, we have been listening for the last three days to harangues which some hon. members may consider entitled to the designation of speeches. They have had but little reference to the paragraph before the Committee, which, unlike the remarks made upon it, is short and appropriately worded. "It is gratifying to hear that the Commissioners appointed to enquire into the Land Question have completed their laborious task, and forwarded their report to His Grace the Duke of Newcastle." I know that it is gratifying to all those who desire the welfare of the Island, though it may not afford pleasure to some others—I refer to those who opposed the Commission from the first—it is but natural to suppose that they will oppose the Award, and will say that it will confer no boon on the people. They would fain have it in their power to explain, with Hamlet, "O, my prophetic soul!" I do not intend to follow in the wake of those who have occupied the public time merely in the gratification of their propensity to talk. The Worrall and Skirk estates, Lot 54, E-beat, Quit Rents, Fishery Reserves, and in fact every public matter which has engaged the attention of Government or of the Legislature for the last 10 years has been dragged into this discussion, and lost there should be a death of irrelevant matter, the Award has been discussed without our knowing what it is. But, Sir, whatever the issue of the Commission may be, the tenants owe a debt of gratitude to the Government for having appointed as their advocates two able gentlemen of the legal profession to set as their advocates. What more could be expected of the Government? The very suggestion of the Commission was an admission that there was something to be settled, and the settlement was left to three distinguished gentlemen, two of whom are known as being possessors of a high degree of legal acumen, and the reputation of the third is too well known to need any panegyric from me. Those gentlemen, it is admitted by all parties, were fully capable of grappling with all the features of the subject, which had agitated the people of the Island for half a century. The great Liberals had been tinkering at it for, I know not how many years, and it had baffled all their efforts, and now they say that no good can result from the labours of the Commission. When they seek to invalidate the titles of the proprietors I ask you purchase; the famous Worrall Estate? If the title to that property was defective, why give the public money for it? If it were good, then the titles to the other proprietary lands are also good. The hon. Leader of the Opposition boasted that his Government, by the purchase and management of that property, made more freeholders than any other party or plan had done. Now, Sir, I want to know how many men were so made freeholders. The purchase of the Worrall estate entailed a debt of £20,000 on the Colony. The property was paid for by debentures to that amount. For the payment of these every man, freeholder or tenant, is liable in proportion to his means, and, therefore, this vaunted scheme has the effect of putting freeholders in the same category as leaseholders as far as the freedom of their properties is concerned. This is the freedom, this is the boon the Liberals offered upon the people, while in contrast to it, the Government can point with pride and satisfaction to the purchase of the Skirk estate and Lot 54, which properties will not entail a charge on the revenue to the amount of a single farthing. A great topic in this debate has been the employment of a Mr. Wightman, or as some hon. member style him, "the Spy." He has been held up as a perfect scoundrel. I was not surprised, as hon. members profess that they were when I heard that the Commissioners had employed an agent to collect evidence under circumstances which would enable them to form a judgment on the actual merits of the case. Last session I made some allusion to the probability of some person being employed to ascertain the actual condition of the people, and said that it might be within reach of my voice. An hon. member on my right said to me last session, McAlray you must have been in the secret. I was not, but it was merely a surmise of my own. I am accustomed to trace effects to their causes and causes to their effects, and I thought it likely some person would be so employed by the Commissioners. The hon. Leader of the Opposition said that it was reported that he had been the cause of Mr. Wightman being sent here. It is not improbable that such may be the fact, for I find the Hon. Col Swabey, himself a prominent Liberal, and by far the most talented and respectable of the whole crew, telling the Commissioners that it was necessary to receive the statements of witnesses with caution. Acting on this suggestion, the Commissioners, who are beyond the influence of Island Toryism or Stancherson, sent a shrewd practical farmer from Nova Scotia to personally see the condition of the people, the style of their houses, their manner of living, and from what sources the freeholders were enabled to purchase their farms. Because this gentleman did his duty according to his instructions—because when he was asked what business he had here, he chose to talk of railroads or fisheries, he has been denounced as a Spy. It may be that his visit will be found more beneficial to the Island than that of any man who ever put foot in it. Nothing but the purest and most exalted motives could have induced the Commissioners to have sent him here. I was amused last evening to hear the hon. member, Mr. Hensley, finding fault with the Award. Sir, if there is one member of this House who, more than another, should approach this question with modesty, it is that hon. member, for, in reflecting upon the Award, he reflects upon his own character as one of the advocates for the tenantry before the Commission, as his observation implied that he had done that justice to whom it was his bounden duty to do. I would not have addressed dry legal arguments to the Commissioners. I would have presented the equitable features of the case to show that the leasehold tenure was a clogging cancer and a curse to the Island. I would have supposed the case of a loyal, sober and industrious poor man going into the green woods to provide by his labour a home for himself and his family. Soon the forest yields to the axe. After turning the fallen trees a little crop is scratched into the virgin soil among the stumps, around which, in another year, small patches of verdure may be seen. By and by a row is reared, which contributes to the sustenance of the settler and his young family. In the course of another year a young cow may be obtained, to the delight of the poor man's children, who adopt it as the pet and idol of their forest home, for so they have begun to regard the red dog but which shelters them from the weather, and fondly call that little calf their own.

Hon. Mr. WHELAN—Nothing about a little calf (laughter).
Hon. Mr. McALRAY—Yes, and there may be a little ass, too. (laughter.) By and by the landlord comes, demanding his rent. The settler is unable to pay it. He takes away the calf. The young ones, when they behold him driving off the animal, around which their young affections had entwined themselves, and which they had considered as their own, regard him as a thief and a robber. A bitter feeling of antagonism is created in their breasts, towards not only the individual who, they believe, has robbed them, but also to the very system which enabled him to act as he had. From such a state of things evils arise which the Award of the Commissioners will extinguish. As the Commissioners say, the adoption of the Award will cause a new era in the history of the Island. I do not expect that the Award will be sent out this winter. It contains a money clause. The loan of £100,000 cannot be sanctioned by the British Government without the intervention of the Imperial Parliament, so that it is probable that the question will not be finally disposed of till the end of next session. Whoever shall endeavour to impede the operation of the Award I consider an enemy to the best interests of the Island. Any man of common sense and sagacity need not wonder that the proprietors are dissatisfied at the Award, because they will lose money by it, and, Sir, if they lose, who will gain? The tenants, as a matter of course. A proprietor of a quarter of a township, in stating his opposition to the Award, told me that he would lose £700 by it. If equal results should

be experienced over the whole Island, the tenantry would be the gainers by at least £150,000. Whatever benefits the tenantry may gain from the Award they will have no reason to thank the hon. Leader of the Opposition for it. I am afraid that he thinks that the Commission will dig deep the Award, what does he propose to do towards settling the matter? He hopes to find, in contention and strife, the road to a return to power, knowing that peace and contentment would show him that his occupation was gone.

Hon. Mr. THORNTON—Mr. Chairman, the hon. member from Georgetown has favoured the Committee with half an hour's talk about the Award, as if it were before us, and I hardly know what subject he has not touched upon. Not satisfied with giving us his opinion on the past and the present, he lifts the veil of futurity and assumes the character of a prophet, for he says that he is sure that no debt will arise from the Skirk estate and Lot 54, while the Worrall estate is to entail a ruinous burden upon the country. He became quite poetical in depicting the hardships to be met and overcome by settlers in the forest. But, I would ask him, what aid towards their relief did he give when the Commissioners held their Court in Georgetown? When he was asked if he would go before the Commission and give his opinion on the subject of their enquiries, he said he would. It is true, Sir, he was present in the Court, but it is equally true that while there he remained quiet. Why, if he is so convinced of the struggles of the poor people of this Island, did he not give evidence before the Commissioners? Why is all his sympathy to be expressed in this House, where he knows that it can have no practical influence? With reference to the Mr. Wightman (I suppose he will not do to call him a Spy, as we have been told that it is ungentlemanly to apply that term to him) we are not in a position to judge of the result of his employment, because the Award is not yet before us. But I have no hesitation in saying that the manner in which he came, and the character in which he travelled about the Island, are anything but creditable. If the Commissioners were not satisfied with the statements made openly before them, and, in consequence, sent this Mr. Wightman with instructions to act as he is reported to have done, and shall have based their Award upon his statements, the tenantry need not expect much benefit from the Commission. At Sturgeon, I was informed that a strange gentleman had been staying at Mr. Kearney's, and was daily driving about the country. I asked what was his object. That was not known. He talked of buying land; asked if there was a good place to establish a fishery in; supposed the people would ask a pretty good price for their lands, and made other remarks in a similar strain. He took notes of the results he received. He acted in the same manner on the Shorick's road. Sir, I say that such conduct is a disgraceful mode of throwing discredit on the evidence of hundreds of respectable individuals given openly before the Commission. As to the arbitration clause in the Award, as explained by Mr. Howe, I think it would have been better for the people if the Commissioners had fixed a definite value on the lands say 10s. or 12s. or even 15s. per acre than have adopted a scheme so cumbersome and difficult of operation.

Hon. Mr. LONGWORTH—I have no wish, Mr. Chairman, to protract this debate, the length of which is not attributable to the Government side of the House, although the Leader of the Opposition and some of his supporters charge the duration of the discussion to the speeches of the majority. The whole course of the Opposition shows that they are actuated solely by a desire to thwart the Government and hold it up to ridicule, if they possibly can, and not by any regard for the interests of the tenantry. The hon. Leader of the Opposition at first stated that he did not intend to go into the merits of the Award, but in his anxiety to damage the Government, he gradually opened up the whole subject, and has singled out particularly the arbitration clause and has disingenuously argued as though the 20 years' purchase had been the rate definitely fixed by the Award. He has been told and we know that rate is the maximum price; if it were positively fixed no one would support it. If the Award shall appear to be beneficial to the people it will be confirmed, if otherwise, or if it is to be frittered away piecemeal, then it will be opposed.

Hon. Mr. COLES—The Government are opposed to the Award.

Hon. Mr. LONGWORTH—The Award must be taken full. The hon. member would like to reject the arbitration and take a vote. A resolution to that effect was proposed at a public meeting, which was lost, and that submitted in opposition to it to the effect that the whole Award should be adopted, was carried. If the present Government shall be in power when the Award becomes law, I admit that, if we could buy up lands at such prices as would enable us to do so, we should adopt the rate definitely fixed by the Award. We should do so. Notwithstanding what has been said against it, the Award, judging of it from the synopsis given by Mr. Howe, will compare favorably with any plan hitherto devised for the settlement of the land question. I admit that the hon. Leader of the Opposition did all in his power for the tenantry, but he himself admits that he failed. His policy was to deny, to adopt the position that the Government were wrong, and to have been followed by the proprietors in the Loan Bill and other measures he introduced. In 1855 he was most strenuous in denouncing Escheat; it was then a "delusion," a "chimera," the day for it had gone, and it was utterly unobtainable. Now he has passed his tactics. But, Mr. Chairman, if the Loan Bill has passed, I doubt if the Government of that day had been more successful in their policy than the Government of the present position. If the Government were to effect a change in the present relations of landlord and tenant, I was amused yesterday at a statement which fell from the hon. member from Prince-town, Mr. Sinclair. He coolly attacked the Government for not having appeared as the advocates of the tenantry alone. He censured us, as a Government, for not having gone before the Commission as partisan advocates of the tenantry. This is certainly novel doctrine, and the hon. member ought for some knowledge of constitutional principles, but when he made the statement I refer to, he must have forgotten that it is the duty of the Government to hold the scales of justice equally between both parties. Any Government, descending into the arena, as suggested by the hon. member, would deservedly forfeit the confidence of the people. But, Sir, the Government appointed two able legal gentlemen to advocate the interests of the tenantry, and bring their claims as prominently as possible before the Commissioners. Will the hon. member say that these gentlemen did not do their duty, that they did not put the tenancy case in as favorable a light as possible before the Court? I was surprised to hear such a charge made by that hon. member, when I recollect that he had received a letter inviting him to go before the Commission. Did he do his duty, Sir, and give the Commissioners his opinion? He did not. If his constituents are tenants, as I believe the majority of them are, why was he not present to establish their case? Is it honest or fair that he should charge the Government with dereliction of duty, for not having improperly taken upon themselves duties which it was incumbent on him to have performed, and which he omitted either from policy or cowardice. He may select the narrowest horn of the dilemma he prefers. The hon. member stated that the Commissioners sent Mr. Wightman here because they had no faith in the evidence adduced before them. If the opposition are such friends of the tenantry as they are fond of representing themselves, it is passing his party but a poor compliment to say that the Commissioners did not believe them. The hon. Leader of the Opposition attacked me on the nature of the evidence I gave before the Commission, and stated that I put an undue value on the lands; but, Mr. Chairman, I would be perfectly willing to place my evidence in contrast with that given by himself, and let the public judge whose was more favourable to the interests of the tenantry. I put a reasonable value on the land, and the idea to be gleaned from my statements was that of a fair valuation, for I know that some lands may be worth more than others, or be more fertile, while others in particular localities may be worth as much as 20s. My opinion may be wrong, but I was sincere in the expression of it; however, I am con-

tent to let it speak for itself. When all the other planks of his political platform had slipped from beneath his feet, then the subject of the Quit Rents was brought up by the hon. member before the Commission. Years ago, when Mr. B. Davies, then a member of this House, brought in his report on this subject, it was generally believed that the hon. member laughed it out of the House. After his opposition to Mr. Davies's views on this question, the matter had been allowed to die out, till his ashes were raked up and the hon. member, not being particular as to the value of consistency, went fully into the subject before the Commission. He should have guarded the rights of the Colony to the quit rents during the eight years he was in power.

Hon. Mr. COLES—I did so, as a reference to the Civil List Bill will show, and I deny that I ridiculed Mr. Davies's views. I differed with him as to the hearing of the land tax on the question, and recommended an address to the Home Government to ascertain what had been paid on account of those rents. All quit rents were surrendered on our paying the Civil List Bill.

Hon. Mr. LONGWORTH—Yes, and so were all mines and minerals, but what is the use of words in the Act if we have not the articles they designate? In reviewing the proceedings of the Commissioners, the hon. Leader of the Opposition was very unfortunate in charging them with neglect of the appointment of the manner in which the occupier was to be right to the reserves, but by the Bill introduced some years since by the hon. member it was provided that they should be vested in the Crown.

Hon. Mr. COLES—In the Government which is responsible to the people.

Hon. Mr. LONGWORTH—Then they would be vested in the hands of a few individuals who would have the power to coerce poor men into the acceptance of whatever terms they might choose to impose, and the tenant would have no right to them. It is certainly a boon to the occupier that the Commission has confirmed his possession. As to the employment of this Mr. Wightman, as has been stated by my hon. colleagues, the Government are in no wise responsible for his appointment, but the hon. member says that when he was put in confidence to him. It was the Act of the Commissioners, and all that the hon. member could do was to comply with their request to facilitate his investigations and not divulge his errand. It was necessary that His Excellency should confer with the Leader of the Government, who was by every consideration bound not to make the matter known. The hon. member, Mr. Palmer, knew nothing about him, and I never heard of him until he had closed his mission and left the Island. Had the hon. member refused to accede to the request of the Commissioners, they would have been justified in abandoning the whole question referred to them, and the Secretary for the Colonies would have, in all probability, approved of their going further than to give information to the tenantry, and credit for having carried the Government into practical work, although the idea of it emanated from another source. While the Government is conscious of having done its duty, it fears no attacks of its opponents. And I hope the day is not far distant when we may receive the benefits of the Award. I may be disappointed in some particulars of it, but until we have the document before us our opinions are premature. I may mention, as a proof of this, the reservation by a proprietor of 1500 acres. Now, I take it, this reservation must be in one block, and that it is not contemplated to let the proprietor select different lots at his pleasure. If, however, it should be so, I will not approve of that portion of it, but if it is decided upon, I will not object to it. The hon. member of the Award, he supported the Commission and has no reason to object. When he considers the important interests involved, and the various questions to be considered, he should not be surprised if even three years should elapse ere the Award had undergone the searching scrutiny which it will receive from the Imperial Government. I know that Government requires time and consideration to mature a measure of this nature, and that Bill, comparatively unimportant, has been longer under consideration at the Colonial Office than the Award. It has probably been printed in England, with a view to examination by proprietors resident there, and also for submission to the proper officers whose opinions it may be required to be considered.

Progress reported.

THURSDAY AFTERNOON, Feb. 27.

Committee on the Address resumed.

Hon. Mr. SINCLAIR—The hon. member, Mr. Longworth, I suppose, considers that he has demolished my arguments, and expects to close the debate. When I was addressing to the Committee the evidence in the report of the Commissioners, I had not proceeded far before I was twitted by the hon. member for Tryon, and asked if I appeared before the Commission myself. I was present at the Commissioners' Court during two days, but I made no statement before them; and I consider that if the hon. member for Tryon had done the same, he would have rendered us great service by having the document before us our opinions are premature. I received a circular from the Commissioners to attend their Court, I did so; and so full was the evidence which I heard presented to them that I knew nothing more which I could state for their information: They received almost too much evidence, for it was not so much that they required as that the subject should be presented clearly to them by those who were in the best position to do so. I was asked the question, "What had the hon. leader of the Government in this House acting the part of a catechist, and putting so many questions to an hon. gentleman who was addressing the Court, that he refused to answer them, saying they were impertinent, and if I mistake not, the Commissioners also checked him. I need not be assumed to name the gentleman to whom they were put; it was the hon. Mr. Wightman." Now, I intend such questions on the part of a member of the Government was calculated to bring the whole matter into ridicule, and weaken the force of the evidence which was being laid before the Court. The hon. member, Mr. Longworth, says he considers it was improper for the members of the Government to advocate the cause of the tenantry, and that they were not to be considered as advocates of the tenantry, but the hon. member, Mr. Longworth, says he considers it was improper for the members of the Government to advocate the cause of the tenantry, and that they were not to be considered as advocates of the tenantry, but the hon. member, Mr. Longworth, says he considers it was improper for the members of the Government to advocate the cause of the tenantry, and that they were not to be considered as advocates of the tenantry.

Hon. Mr. HOWAT—I did give a value, and if I had the pamphlet I would prove it.

Hon. Mr. SINCLAIR—The hon. member was asked the question, but declined to answer it; he was asked again, and still declined to answer; but afterwards, I believe, he came forward with the value he had put on the land, and that value was 10s. per acre. I received a circular from the Commissioners to attend their Court, I did so; and so full was the evidence which I heard presented to them that I knew nothing more which I could state for their information: They received almost too much evidence, for it was not so much that they required as that the subject should be presented clearly to them by those who were in the best position to do so. I was asked the question, "What had the hon. leader of the Government in this House acting the part of a catechist, and putting so many questions to an hon. gentleman who was addressing the Court, that he refused to answer them, saying they were impertinent, and if I mistake not, the Commissioners also checked him. I need not be assumed to name the gentleman to whom they were put; it was the hon. Mr. Wightman." Now, I intend such questions on the part of a member of the Government was calculated to bring the whole matter into ridicule, and weaken the force of the evidence which was being laid before the Court. The hon. member, Mr. Longworth, says he considers it was improper for the members of the Government to advocate the cause of the tenantry, and that they were not to be considered as advocates of the tenantry, but the hon. member, Mr. Longworth, says he considers it was improper for the members of the Government to advocate the cause of the tenantry, and that they were not to be considered as advocates of the tenantry.

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tioners. We need not go to Canard's estate, for, perhaps, as he was one of the principal parties in getting up the Commission, he may not have caused distraint warrants to be issued. Are we, who are the friends of the tenantry, going to be called upon by the members of the Government, who get angry, and that agent that whisper to the tenantry from the benches behind them? Sir, there has been too much whispering of that kind in this House. It has been stated that when we are aiding the proprietors to thwart the Commission, but when do we see any of them or their agents coming to whisper to hon. members on this side of the House? It cannot be done by the Commission and tyrannical by the proprietors, of which we hear, has been caused by the Commission. What, then, can be the motive for all these questions? If the hon. leader of the Government does not know what is going on in the country, he ought to know; he should come out among the people, and not keep himself caged up in his market-house of a cottage, so that no person can see him.

[Some altercation took place here, the hon. Mr. Haviland rising to order, and insisting that the hon. member ought to be taught to use proper language, and not allowed to make disparaging comparisons in regard to the private property of members of this House.]

Hon. Mr. COLES—I can tell the hon. leader of the Government that agent this or that, of course, will not do. There is no person to speak for themselves, as we had here yesterday, in the case of a tenant who told the tale of his distress with tears in his eyes. The proprietor had sent the bailiff to seize some of his property, and it was brought in and sold on the Square. I believe the hon. member for Charlottetown himself took pity on the poor tenant, and enabled him to buy in his horse. With this and other cases known to hon. members, I am astonished that the hon. leader of the Government should ask such a question.

Hon. Mr. SINCLAIR—I was surprised to hear the hon. member, Col. Gray, affirm that my statement in regard to the questions which he put to me, Mr. Warburton was without foundation. Will the hon. member say that when he was putting a question to Mr. Warburton that gentleman did not state that he would not answer it, as he considered it was impertinent?

Hon. Col. GRAY—I wish the hon. member would confine himself to facts. There are four other hon. members present in this House who attended the Commissioners' Court at St. Eleanor's, and I expect to them to decide between us.

Hon. Mr. SINCLAIR—The only part of my statement which the hon. leader of the Government can question, was where I said that if I mistake not, the Commissioners also checked him. But I qualified this expression. It is all very well for the hon. gentleman to say that my statements were wholly unfounded, because I suppose he imagines his assertions will go farther than to reside, but I consider the land on it is something better than on the other Townships which I have the honor to represent; when asked the general question as to the value of land, I felt at a loss to answer. That night, however, I went out to Lot 19, and the next day I made such a statement as I and the people whom I consulted thought I had a right to make. Did he appear before the Commission in public meetings held in the district. I afterwards came down to Charlottetown and handed into the Commission a statement in writing of what I considered the price of land should be. The hon. member, Mr. Hensley, admits that I made a fair statement before the Court. I cannot understand why the hon. member for Prince-town should be offended because I had an opinion of my own, and that I considered every public meeting held in the district. I afterwards came down to Charlottetown and handed into the Commission a statement in writing of what I considered the price of land should be. The hon. member, Mr. Hensley, admits that I made a fair statement before the Court. I cannot understand why the hon. member for Prince-town should be offended because I had an opinion of my own, and that I considered every public meeting held in the district. I afterwards came down to Charlottetown and handed into the Commission a statement in writing of what I considered the price of land should be. The hon. member, Mr. Hensley, admits that I made a fair statement before the Court. 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