

THE GLEANER.

And Northumberland, Kent, Gloucester, and Restigouche Schediasma.

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Nec araneorum sane textus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.

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THE GLEANER.

LEGISLATIVE NEWS.

NEW BRUNSWICK

Fredericton Sentinel, Feb. 3.

After some conversation and objections being urged against going into the consideration of the Bill for restraining the operations of the 5th Section of the Civil List Bill, the House again resolved itself into committee.

Mr FISHER said if he had thought gentlemen would have urged on the consideration of the subject that morning, he would have been prepared with a section, that he wished to introduce with reference to the grants of land to half pay officers, but having been forced on in the manner it had, he should propose other amendments. It would be remembered that he moved an address, prying that lands might be disposed of without paying for them immediately; but that payment should be made by instalments. From the terms of the Civil List Bill, it was not in the power of the Executive to comply. Last session, he introduced a bill into the house, which was passed, but was afterwards lost in the Council, for modifying the terms on which lands were to be granted to actual settlers. There was another reason why the consideration of the subject should have been delayed.—There was a committee on emigration, and which would probably report on the best manner in which the wild lands of the Province, should be granted, and immigration promoted; and if the House were serious on those subjects, they would attend to the suggestions of that committee. The house had learnt from a despatch which was sent down a day or two since, that any Bill altering the mode of granting or disposing of lands, must be passed with a suspending clause. With reference to the payment by instalments, the learned gentleman said the members of the committee probably had not made up their minds; and if he could have a section introduced relative to half pay officers he should not have gone further; as with reference to their grants the bill for taxing wild lands would not meet the evil. The hon. and learned member for Kent had said, there were no petitions before the house complaining of the operations of the present Act. But had he forgotten that on a former session, the table was loaded with petitions against the duty on timber. And if the bill before the committee were to pass for two years longer, he should despair of having it altered. He said he had yesterday expressed himself very fully on the subject of grants to half pay officers, a boon voluntarily granted to them, when the hearts of the Representatives of the people, as had been stated, were overflowing with love and loyalty. If it were granted merely as a reward for past services, without any reference to the settlement of the Province, then every sergeant and soldier should have a similar allowance, according to their rank. If the House were earnest in their desire to reform the abuse to which he alluded, caused by the locking up of large blocks of land, which were granted to officers who had no intention of settling, let them accompany the gift with the terms upon which it was made, and let those gentlemen understand that unless they would settle the land they should not have it. And these terms should be embodied in a bill; for unless that were done, there was no chance of any reform taking place in this respect. If the dose must be swallowed, let there be some improvement in the mode of administering it. He should therefore try an amendment with reference to instalment, which he had hastily prepared, although for the sake of peace, as he had before observed, he should have limited himself to the grants of land to half pay officers. He knew there were objections to be urged against creating crown debts; but from his experience on the subject, he was satisfied that one of two things must happen.—either the instalment system must be adopted, or the number of squatters must increase. This was the case at present, and he knew of many places where persons had set themselves down without any authority; because the amount of purchase money was required upon the delivery of the grant. But even if crown debts were created, the public had the best security in the improvement of the land and the industry of the settler. His object was to encourage emigration and promote the settlement of the Province; and if by a more liberal mode of granting lands, persons could be induced to go back into the woods, and commence clearing them, the population of the country must increase more rapidly, and great public benefit would be the result; as many of the best settlers in the country had received their lands by instalments.

The learned gentleman was here about to propose an amendment, which he had hastily prepared, when

Mr STREET said he had turned his attention to the subject, and as he had agreed with the learned gentleman who had just sat down, as related to the instalment system, he had prepared a section, which he thought would meet his views. It would however be necessary to alter the title of the Bill, and having repealed the objectionable section to introduce another. The great objection to the present Bill arose from the Governor in Council not being vested with a discretionary power to grant land, upon payment by instalment in any case; he was desired that this should be given them, and that it should not be necessary to expose lands at public sale. The terms upon which lands are now granted he said, operated against the settlement of the country, as many valuable settlers were driven away from the Province, because they could not pay down the purchase money on lands. New the section he proposed introducing, gave authority to the Executive government to sell at private sale, to those who were settled on lands subsequent to the passing of the act of 1837, without the sanction of government, as that act merely referred to those who were settled before that time; and it also empowered them to dispose of lands upon such terms as they might deem proper. This would enable them to encourage the settlement of the Province, and to dispose of land to an individual either upon payment of the money down, or upon paying for the same by instalments; and would prevent emigrants from leaving the country. It had been urged by his honor the Speaker, that persons coming into the country, who had not the means of purchasing land, should obtain employment, until they could save enough for that purpose. This might answer with reference to single men, but men having families to support could not do this, and the practical operation of the present system afforded evidence of that. But if they could pay for land by instalment, their families could be employed, and in the course of a few years, they would be able to pay for their land. But if this were refused, their families would be kept idle, and be wasting their lives in miserable habitations, exposed to every temptation. The learned gentleman said, from facts within his own observations, he was satisfied that the present plan militates against the settlement of the country; and they should look upon that object as one of equal importance with the obtaining a revenue; because these people by improving and cultivating the land, were enabled to purchase dutiable articles. It was not men of capital who were doing this, but those who by necessity were compelled to labour; and every man who was thus occupied, contributed to the increase of the revenue. He knew of numerous instances, where persons had gone on land without authority, and in two years had enhanced its value five fold, besides supporting their families. He recollected a man of the name of Murphy, whom he met the second year after his arrival in this country—and who had set down on land without obtaining a grant. He subsequently made application for the land, which was at first refused, but afterwards complied with, and he had gone on with his improvement, and paid up his arrears. The learned gentleman said he mentioned this instance to show the fallacy of persons waiting till they understood the nature of the country, by which means their families would be kept in idleness and drinking, whereas if they went on land, they would become ambitious, and be out of the way of temptation. The Governor in Council therefore, should have the power to dispose of lands in all cases for actual settlement, upon such terms as they should think proper; by which good would be produced in every respect, the difficulty that now exists would be removed, the cause of humanity promoted.—With reference to that part of the act which applied to half pay officers, no practical evil had been felt in the country which he represented, from the manner in which grants were made. There might be cases in other parts of the Province, where they had left the country, but probably that was owing to their having exhausted their means, as their education and habits seldom fitted them for the life of a farmer. Such results therefore could not have as injurious effects, as flowed from the operation of the first section of the Act, of which every day's experience satisfied him more fully. And when he heard honorable members from St. John, who spent their time in that city or at head quarters, express the sentiments which had been uttered, he regretted that they had not extended the sphere of their observation, and witnessed the practical effects of the plan at present in operation. If they did, he was satisfied his honor the Speaker would alter his

mind, and would say that a discretionary power should be exercised, and would coincide with him. And as the members of the Executive Council were actuated by patriotic motives, he was satisfied of the fact, that any additional duty which might thus be imposed, would not weigh upon their minds, when they perceived how much more beneficial would be a more enlarged policy. If only some half dozen settlers were secured to the Province, it would be productive of advantage to the country. And when he considered the beneficial results that had flown from the effects of the instalment system in the section of the Province which he represented, and where it had come under his notice, he could not refrain from the expression of an earnest hope that the motion would be carried.

Hon. Mr JOHNSTON said he did not think the course which it was proposed to pursue was a proper one; and if this alteration was carried, the next step would be to propose a reduction of the duty on timber and logs. He thought it would be more advisable to introduce another Bill. The question before the committee was, whether lands should be paid by instalments; and the learned gentleman for Northumberland who had gone into the subject at great length, had only produced one solitary instance of any beneficial results he had witnessed. For his part he wanted nothing more to satisfy him:—If of the injurious consequences of the instalment system, than the 700 cases reported by the Attorney General, where three instalments remain unpaid, and that if it were attempted to collect the arrears, the expense would exceed the amount that was due. When he was made acquainted with this fact therefore, he felt satisfied that the instalment system was a bad one. It would be better at once to survey the land, and to say to persons desirous of settling, that there would be no charge; for besides the first payment no money would be received. It had been stated that no loss would result to the Province from instalments, as the land would still remain with whatever improvements would have been made. But what security would there be that lands would not be taken up in this way for lumbering purposes, and that parties would not after paying the first instalment, strip the land of the lumber and then leave it.—To remedy this inconvenience, however, it had been proposed that a certain quantity of land should be cleared, before an individual should obtain a grant, by which speculations of that nature would be prevented. But even if the measure was not liable to these objections, he was afraid that if any such alteration were made, the Bill would be lost elsewhere; and that instead of lands being obtained as at present, they must be disposed of at auction. In Lower Canada, the instalment system had been abolished, and a fixed price had been set on lands there. With this information before the House, members of the committee must be satisfied that the system operated also injuriously here, and he was therefore opposed to the proposed alteration.

Mr CONNELL was desirous that the lands should be paid for by instalments. The present mode of granting lands he said, had produced much discontent in that part of the country which he represented; and he had known persons go across the lines, in consequence of the difficulty that attended getting lands in this Province. With reference to single men the plan might operate well, but in cases where persons had large families, he was convinced it would be a great benefit to the country if lands could be obtained in the manner proposed. With respect to large tracts of land held by half pay officers, whereby the advancement of the country was retarded, it was a crying evil, and even where roads were running through them and enhancing their value, the expense must be borne by the Province. When this boon was granted, it was under the impression that they would settle on the lands; and in that case there would be no objections to such grants. The hon. member for Queen's thought the present measure would lead to another, altering the duty on timber and logs, but for his part, he was satisfied that should remain at its present rate.

Mr END said it appeared that the proposition of the hon. gentleman who had introduced the subject, divided itself into two parts—the objectionable manner in which he considered lands were granted to half pay officers, and the introduction of the instalment system in the disposal of them to actual settlers. The latter however was the only motion before the committee, and he hoped gentlemen would confine themselves to the subject under discussion, and for the present turn their attention solely to the instalment system, and if after fair debate it appeared to be the preferable mode, he hoped the committee would adopt it. There was one very remarkable circumstance;

all the members in favour of the proposed alteration in the manner of granting the lands of the Province, had witnessed the exertions that had been made by persons who had obtained land in this way, and whose success in life had come under their own observation. And it struck him that their opinions should go a great way with the committee, and should make a proper impression on the minds of other gentlemen, who had not an opportunity of judging in this way for themselves. The learned gentleman said he must admit that were he in possession of a colony having a better climate, or were he for the first time about to introduce settlers, he should be more disposed to introduce the Australian plan, and he would seduce to it not only the laboring classes, but also the country gentleman, and he would make the price of land proportionally high. But this country had been very generally settled by poor people, many of them Irish, although he did not undervalue the exertions and industry of other descriptions of settlers. It therefore came to this, that the mode of granting land, must be adapted to the means and necessities of those persons who come to the Province.—He did not wish to flatter the hon. gentleman for Queen's, (hon. Mr Johnston) when he said that to his opinions he always paid the utmost deference: but in this instance he begged leave to differ with him. That gentleman had spoken of the 700 failures, but he had not brought the question fairly before the committee. He said nothing of the 70,000 successful persons. For his part he wished to hear both sides of a question before he came to a decision. It must be admitted he said, that the country had been improved by poor people. It was not the rich proprietor or capitalist that improved the country. And he would apply to the purchase of land, the same rule that applied to the ordinary concerns of life. If a person wanted an article, and had not the means of purchasing it, he obtained it on credit, and he would apply that to the obtaining of lands. He had known people who came to the Province utterly destitute, and it was saying a good deal for a country, when persons who come to it in rags and wretchedness, can in a short time place themselves by their own industry in comfortable circumstances. It was delightful to see persons thus unknown and unassisted settle down, and create for themselves thriving crops, and procure ample subsistence for their growing families. If the present system was to be pursued, the poor man must obtain advances from the merchant, and he, Mr End, would much rather that he should have the government for his creditor, who was always a merciful creditor, than be at the mercy of his fellow man. The sentiments of Sir Robert Peel, he said, had been very properly quoted on the preceding day, by the learned member for Northumberland, who had said that a government should rather turn its attention to the settlement of a country than the increasing its revenue.

The learned gentleman said, he would rather dispose of land by instalment, than give it for nothing;—he wished to see persons paying for their title; as people did not seem to realise the value of an article which they obtained for nothing. He could bear testimony to the correctness of the statements made by the learned member for Northumberland, with reference to poor men who obtained lands on the instalment system, and which he hoped to see renewed: for it was lamentable to see the subjects of Her Majesty passing from these shores, to become hostile citizens of another state; and who if facilities were afforded for the settlement of lands in this Province, would not go farther, for the man who would settle down in the wilderness, possesses more moral courage than the man who went into action. As had been properly observed, it was to be lamented that the members of the Executive government did not visit distant parts of the Province, and become acquainted with the state of those settlements which were every where springing up; and if his honor the Speaker would accompany him, he would show him thriving farms, that would not have been in existence, had it not been that their owners obtained the land by paying for it in instalments. The hon. Member for Queen's had alluded to the abandonment of the instalment system in Lower Canada, but there the price of lands had been fixed at six shillings and four shillings an acre. If they were to have the same system in this country, let them also have the climate. This country he said has improved rapidly, and at present was in a flourishing condition.—But they must thank the poor man for it. The learned gentleman concluded an eloquent speech, by referring to a man at New Brandon, where there was much individual industry and consequent success, upon whose behalf he had made a representation to the Executive, and was a little surprised to find himself mentioned in the Royal Gas