

AFTERNOON SITTING.

MONDAY, March 16.

Committee on the Address to Her Majesty, with respect to the Land Question, resumed.

Mr. HOWAT—was disposed to support the Address to Her Majesty, brought forward by the hon. leader of the Government. What had called it forth, was the refusal of the Duke of Newcastle to sanction the two Acts passed last session relative to the Award. As to the Award itself, he (Mr. H.) thought it was the best measure that could be obtained for the tenantry; and that was all he need say respecting it at present, as the subject had been very fully discussed. He did not think that we should be bound by the Duke's opinion, and maintained, that before we relinquished the Award, we should ask that its legality be tested by a proper judicial tribunal. He contended that as the Home Government were a party to the Commission, they were bound in fairness to carry out its decision, unless it were proved to be illegal. No charge could be brought against the majority of the former house in regard to the Award; they were willing that it should go into operation. But how had the British Government done their part? It might be said to be presumption for us to bring a charge against the Duke of Newcastle, but, if we had just reason, we might bring an accusation against any individual, from the highest to the lowest in the Kingdom. It was folly to say that we were bound to acquiesce in his views, merely because he occupied such a high position. There were others in the British Government and in the House of Commons who stood equally as high as he, and they might call in question his proceedings in our case. If the simple fact of a person being in a high position screened him from blame, there could be no justice in the affairs of the nation. He, (Mr. H.) however entertained the opinion that if the subject of the Award were brought formally before the notice of the British Government, this Colony would obtain redress. If the Government refused to take action in the matter, there might be some one on the Government side of the House of Commons who would espouse our cause; and, if none could be found among them, perhaps some member of the Opposition might take it up, as it was probably the case in Britain as here, where it was known there were some very active gentlemen in the Opposition. [Laughter]

Mr. HASLAM—remarked that there was a compact entered into between the tenantry, the proprietors, and the British Government; all the parties were bound to abide by the decision of the Commission; at least, we had reason to doubt that if the Award had been more favourable to the proprietors, the tenantry would have been compelled to keep by it. The only inference which could be drawn from the various Despatches of the Duke of Newcastle on the subject, was, that all parties were to be bound; this being the case, we had a very strong reason why we should support the Address proposed by the hon. leader of the Government. The Duke, in his Despatch of the 9th August, 1862, says:

"I must instruct you, therefore, however unwillingly, to treat the Commissioners' Award only as an expression of opinion, which, however valuable as such, cannot be made legally binding on the parties concerned; and which, therefore, ought not to be allowed to stand in the way of any other proposal which promises an amicable settlement of the question."

Here His Grace said the Award was only to be treated as an expression of opinion, and referred to some other proposal for settling the question. He (Mr. H.) believed he was correct in saying this allusion was to what was called the proprietors' bill, in which he understood they proposed 15 years purchase as the terms on which the tenants should obtain the fee simple of their lands. The proprietors had found fault with the Award, but what had they offered in its stead? They had not proposed an equitable measure. The Award, however, was equitable, because it provided

by the arbitration clause for a difference of price, according to the quality, as it was well known that while some farms were worth 15s. an acre, others were not worth 5s. The Commissioners themselves, while they laid down 20 years' purchase as the highest rate, had stated £100,000 would purchase so much at 2s 6d an acre. This shows that they considered there ought to be a variety in the price, though he did not agree with them that land fit for cultivation could be obtained at the latter price.

Hon Mr COLES—They took the Selkirk Estate as the basis of their calculation.

Mr HASLAM—They ought to have taken the Worrell Estate into consideration as well as the Selkirk Estate. The proprietors seemed to have taken alarm at the arbitration clause as perhaps a low price, such as was given for the Selkirk Estate, might be fixed upon. He thought we had no course open but to prosecute the Award. The British Government were in duty bound to do us justice, and settle this question which had troubled the country for so long a time. If it be not settled soon no person can see the end.

Hon Mr COLES thought we were about as far off from getting this question settled as ever we were. The hon. member who had just sat down spoke as if there was some great calamity about to come over the country. He (Mr. C.) supposed he meant that the Volunteers were to be called out to protect the tenantry, as they were now pretty well dispersed all over the Colony. But the proprietors would likely be able to enforce their claims, notwithstanding the hints of the hon. member. The hon. the leader of the Government evidently had not forgotten the old family compact which was in existence in the Colony when he left it years ago, as he appeared to be suspicious of the influence of family relationship in the old country. He seemed to think that as Sullivan was a brother-in-law of Lord Palmerston, the Duke of Newcastle was afraid he might offend the Premier if he consented to the Award.

Hon Col GRAY explained that these were not his own views, but what others stated.

Hon Mr COLES—Perhaps he had misunderstood the hon. leader of the Government. With respect to the Address which had been moved, he (Mr C.) never heard such a rigmorole of old documents. He believed there was scarcely ever a paper of such length read which ended in so little. The hon. member for Tryon said they were not going to yield to the Duke of Newcastle; he must be brought up before the British Parliament, and if he did not do what the little Colony of Prince Edward Island wanted, he must take his walking ticket. All this was just a waste of words, as it was not probable that His Grace acted in such an important a matter as the rejection of the Award without consulting his colleagues. The hon. member for Belfast said when he introduced his famous resolutions that the whole question might be settled in 8 months, but it would take 8 years at the rate the majority were proceeding. All this in reference to settling the Land Question had arisen out of various discussions which had taken place on the subject. A good deal of it had originated with the passing of the Rent Roll and Tenants' Compensation Bills. These Bills were served by the Colonial Minister pretty much as were the Bills of last Session, relating to the Award. Labouchere, in a despatch dated 21st December, 1855, in reviewing the correspondence respecting the Rent Roll and Tenant's Compensation Bills, said:—

"I will not now repeat arguments which have been urged on various occasions by my predecessors; it will be sufficient for me to express my decided opinion, that whatever character may properly attach to the circumstances connected with the original grants, which have been often employed against the maintenance of the rights of the proprietors, they could not, with justice, be used to defeat the rights of the present owners, who have acquired their property by inheritance, by family settlements, or for valuable consideration."