

such extensive credit to trespassers, especially when parties are able to pay. I cannot tell the reasons why this indulgence was granted to Mr. Connell. I do not know that I have any other similar obligations to this; I think there are some unsettled matters in the hands of Mr. Frazier, from Deputy Davidson. There are no monies that I know of, due the Department upon verbal promises, except Mr. Murray's.

"With regard to the Morrison matter. We had a correspondence with him. He was slow in paying. The Attorney General was directed to look after it, and followed him up vigorously and got the money. This was two years ago. We got the money soon after the Attorney General took it in his hands. If the Attorney General had taken steps similar to these with Mr. Murray, I think the money would have long since been paid.

Mr. Connell only claimed the offset lately, and the note was made some years ago. It must have been two or three years ago. [Here the Chairman read from Cap. 12, page 31, Sec. 5, of the Revised Statutes.] "Under this act I do not know whether the amount can be recovered from Mr. Murray or not. I think it is likely they drove the logs away themselves. They were seized, but that would not prevent them floating away. I have no doubt they went to Mr. Murray's benefit. The Crown never released these logs to Mr. Murray after they were seized. I don't think the claim against Mr. Connell comes under the Act which has been read, but in Murray's case I cannot give that answer. Deputy Davidson had great trouble, and has not yet got his pay, and the Crown is, I think, indebted to him for one quarter of the value of the stumpage on these logs and for the remainder to the Anderson's.

"I don't know whether the seizing officer would have looked after the matter or not, if left to himself, but I know there was no interference on the part of the Government to prevent him. Deputy Davidson says the amount is due to him from the Government, and the reason he has not been paid is, I think, because he has never pushed his claim before the Government. Deputy Davidson has no friends that I know of belonging to the Government, which he has kept back on account of this claim.

"I can give you all the information about the question you put to Mr. Inches this morning and which he could not answer.

"What he stated about the lands on the Woodstock road is quite true, but I don't know anything about Mr. McAdams' connection with them.

"When the present Government took office we found the previous Government had been selling land on the Railway reserve for actual settlement under the Law.

"We received applications under the Labour Act, and likewise under the auction system, with conditions of actual settlement, for land upon these reserves. The Railway Company protested against our selling the lands at all. We showed them we were acting under the law. It was optional whether we would sell these lands or not, but as the preceding Government had done so, we continued to do it too, though I did not consider that a judicious course, and succeeded in stopping it, after some 15,000 acres had been sold. 5,000 of these sold under the labor act were on the Woodstock post road. This is the land we have been speaking of, with regard to the claims of Messrs. McAdam, Chipman, Freeman, Todd, and Buchanan. Ten thousand acres on the other side of the reserve made up the 15,000 acres. The latter was on the other end of the reserve.

"We sent the order of survey on the Woodstock road for single lots, 100 acres each, under Labour Act, to Deputy Curran, and the other to Deputy Whitehead. I know nothing about Mr. McAdam, except what Mr. I. told you. I know something about the other, viz.—Messrs. Todd and Buchanan, that of the 5000 acres on the Woodstock road. A good many lots are settled and I was told a large number of them had got into Mr. Buchanan's hands, and another portion into Mr. Freeman Todd's. I heard, last winter, that Mr. Buchanan was keeping them, and not operating on them at all.

"Mr. Curran has laid out \$2,884, worth of labor on this road and improved it greatly.

I have heard nothing about Mr. McAdam except what Mr. Inches said. I did hear a rumor that Mr. McAdam had got some of these lands. I heard nothing distinctly, but that Mr. McAdam was connected in some way. I do not know from whom I heard it. I heard it when I was in Charlotte County, some time ago—before the House opened. I do not, however, put much dependence in rumours.

About monies I collected for fines, in Charlotte County:—

In June, 1855, Deputy Jack paid	£131 9 8
"Sept " Jno. Campbell "	725 10 3
From a note due to Deputy Mahood, I collected the note and paid to Receiver General.	87 11 1
In March, 1855, Mr. McAdam paid for Dep. Campbell.	99 17 10
In Oct. Mr. McAdam for Dep. C.	209 0 0
" Feb. '57, Dep. Jack paid,	71 5 0
" Oct. '57, " " "	48 7 11
" May '58, " Curran,	9 5 0
" Oct. " " "	20 9 9
" " " " "	428 12 1
" Dec. '58 " Curran,	5 7 0

"May, 59, I paid Mahood's 1/2 part. 29 0 0
by Dep. Curran, last payment. 2 6 10

Making Total, £1911 3 5

"I don't know whether the Department has power to withhold Licenses from defaulters under trespass or not. I have been unsuccessful in York, though Connell's and Murray's are the only cases I now remember of.

"Deputy Campbell used to go around and inspect lumbermen's brows, and they settled the matter before the lumber left the brow. I might have got the money, if I had pursued the same course toward Mr. Murray that Deputy Campbell did on the Schoodie. The Deputies there acted by themselves without interference. I don't know of any case on St. John waters where trespassers have paid. I think there have been trespassers on the St. John, but nothing has been got from them to speak of.

"About shifting the Deputies.—I have been six years and two months in the office of Surveyor General. When I first went into office, I found Deputy Mahood incapacitated on account of insanity. Mrs. Mahood had a letter from the previous Sur., Gen. M. Wilmot promising her, if he should be restored to his health, he should get his situation again. In the meantime Deputy Jack was appointed until Mr. Mahood should recover.—He did recover and was reinstated. Jack blamed me for reinstating him, I pleaded Wilmot's letter, and Dr. Gove's certificate of his sanity. Mr. Mahood was taken ill again, and carried to Lunatic Asylum and shortly after died. Then Mr. Jack was appointed Local Deputy for the whole County of Charlotte. The district was extensive and more than Deputy Jack could attend to, and Mr. Campbell was appointed Seizing Officer at the upper end of the County. By and by they complained that the County ought to be divided into two districts. Most of the people wanted this, Mr. McAdam at one end of the County, and Mr. Gilmour at the other. They both lumbered extensively and wanted the two districts established. I made the Diglegwash the dividing line, and put Jack on one side, and Curran on the other. I remember, when they called upon me so loudly for another Deputy, I told them we had no other person in the County fit, but Mr. Jack, and, if they must have another I would send for Mr. McCready from Kings. They would not listen to this. Curran has been practised running lines and knew how to handle a compass, and we sent for him to come to Frederickton to be examined. He was under the instruction of Inches for a time; then we gave him a deputiation, and appointed him Local Deputy for one half of the County of Charlotte,—the Western half.—Then John Campbell, as we had no occasion for his services as Seizing Officer where the other was Seizing Officer too, was dismissed. He retired without grumbling. There was no complaint against him, and this is all I have to say about the matter.

Committee adjourned till to-morrow.

WEDNESDAY, March 6th.

The Surveyor General this morning submitted a written paper to the effect of his opening remarks, as expressed in my Minutes of yesterday. Stating at the same time that he observed, in the "Colonial Empire" a paragraph saying that he was incompetent to fill his office.

The Surveyor General stated that he had a great deal more to say this morning to the Committee. The statements of Mr. Inches with regard to incompetency and misconduct of the Deputies are perfectly correct, in my opinion.

"I think the habit of making surveys on paper, and pretending to have run lines which actually they have not run, is one of the worst faults a Deputy can have.

"Many of the Deputies are very efficient, but the qualifications of some are not what they ought to be.

"Three incompetent Deputies have been removed; there are several others that ought to be removed, but I cannot state on account of my Oath, as Executive Councillor whether I have taken steps to have them dismissed. I have never examined Stiles' certificate in W. H. St. Eve's case, but have heard a good deal about it. Respecting that part of his duty I cannot give an opinion; but Stiles has been removed. Apart from Stiles' political bias, I think he was not a very correct Surveyor, but do not think the charge of incompetency was the cause of his dismissal. I think it arose from his inattention and the want of confidence in his Reports. I think his political views may have also been a cause; he would have been dismissed before, if the members for that County could have agreed upon his successor. In making local appointments it has been the general opinion that the members for the County where the appointment was to take place, should be consulted, and their wishes be complied with. This I think has been the case irrespective of politics. There is no other person that would know of the incorrectness of Stiles' reports out of the office; but I cannot tell whether I made representations to have him removed, because as before stated I am an Executive Councillor.

Questions were now put by Mr. Wilmot to Mr. Inches as follows.

Ques. "Has there been any understanding with you, or any other person with whom you are connected, and myself, with regard to the course I was to pursue as a member of this Committee?"

Ans. Most certainly not.

Question by Mr. Wilmot: "To your knowledge, was I, when Surveyor General, directly or indirectly connected with the purchase of any Crown Land?"

Answer by Mr. Inches: "You were not that I am aware of; if you had been I should have known it."

Question by Mr. Wilmot: "Do you think that I was in any way aware, while Surveyor General that parties had obtained Land, payable by instalments, beyond the quantity limited by order in Council?"

Ans. "I think you were not."

Question by Mr. W. "Was it not my practice to carry out the orders in Council, as strictly as possible, and that any deviations were referred to Council?"

Ans. "I say it was."

Question by Mr. W.: "Did I in my management of that Department, allow political influences to affect injuriously the public interests?"

Ans. "I do not think it would. This remark may apply equally to Mr. Bro wa and Mr. Montgomery in that respect as regards their individual capacity."

By Mr. Tibbits: "Has Mr. Wilmot ever during this investigation intimated to you, that in the event of his return to office, that you would be restored to your former position in the Land Office?"

Ans. "I have never heard the subject alluded to before."

The Committee adjourned at 1 1/4 A. M. in order to afford the Surveyor General time to obtain permission from His Excellency to divulge to Committee, movements and conduct in Executive Council.

At 2 P. M. Committee resumed. The Hon. the Surveyor General stated that he had received a qualified permission from His Excellency, but did not say to what extent. His examination was continued.

"The first officer in the Land Department is the Surveyor General; his duty is to superintend all the business of the Department. This consists of various miscellaneous services, comprising an extensive correspondence with the Deputies, and other persons, in all parts of the Province.

"The Surveyor General has to sign all Grants and Licenses, and to prepare all the disputed cases which occur from time to time, to lay before the Council for decision. These comprise a very great number of complicated cases, transfers of lots and exchanges of land, and numerous cases connected with the Licenses. This is the Surveyor General's duty in brief.

"Next is the Head Draftsman, his business is, first to attend to all enquiries made by the public regarding land purchased, timber licenses &c., &c., and the questions growing out of them. He has to communicate by letter with the Deputies, same as Surveyor General. He has to prepare a portion of the official letters for the Surveyor General's signature, and the Surveyor General prepares a portion of them himself; the duty is divided between them. He prepares and arranges all the matters connected with the Department which have to go before the Council, upon the schedule. Then he inspects all returns of surveys, and the plans and descriptions of the Grants. Then, he has to arrange all the Timber Berths for Licenses, and take care they do not interfere with one another. Then he has to re-visit and correct the maps of Timber Berths from time to time, as the lands are sold, and to inspect those corrections.

"Next is the Accountant. This is a department by itself. The Accountant keeps a record of all the land sales; he prepares all the licenses for the signature of the Surveyor General. He prepares all the accounts of the Department.—He corresponds with all the Labor Commissioners in the Province, and keeps an account of the labor returns; he submits to the Surveyor General the certificate of the performance of the labor and settlement duties under the Labor Act, previous to the Grants being issued under that Act.

"Next is an Assistant Draftsman; he compiles all the new maps from recent surveys, and he renews such as are worn out. This is one man's business.

Next is an Assistant Draftsman; his business is to copy from the returns of survey, the plans of the lands surveyed, and then write out the descriptions for the grants to be prepared, in words at length.

The next officer is also another Assistant Draftsman; his business is to enter all the applications for land, to mark out all the orders for survey, and to prepare the advertisements for the Royal Gazette.

The next is still another Assistant Draftsman; he is a Copyist. He copies all the letters, drafts and tracings, and does other kind of service.

Last of all is a Messenger, whose business is to make fires, take care of office, and do other like services.

To get the grants and licenses prepared, and survey the land, sell it, receive the money, prepare the grants and issue the license is the object of the department. There is another important duty—that is to protect the Crown Lands and look after them. The department is by far the most important of any in the Province.

It refers to the public domain—the success of the present, and the hopes for the future all depending upon its proper management. On the 11th April, 1850, in the House, on motion of Mr. McClean, it was resolved that an Address should be presented to His Excellency setting forth that,—"Whereas the expenses connected with Public Departments, and the administration of the affairs of the Province are beyond the necessities

and requirements of the Public service; and whereas in the present state of financial affairs, occasioned by the prosecution of the public works, and taking into consideration the existing Tariff and population, it becomes necessary that every legitimate means should be adopted to curtail such expenses, and bring the same within the capabilities of the Province; whereupon—

Resolved,—That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased during the recess to take such steps and adopt such measures, by and with the advice of the Executive Council, as will cause an investigation of the Public Departments and administration of affairs, with a view to greater economy, commensurate with the position of the Province, an exigency of the Public service, and cause the same to be laid before the Legislature at its next meeting."

In consequence of this Resolution, as head of the department, I considered it my duty to make out a statement of the expenditure with a view to see if I could recommend any decrease in it. The Surveyor General's salary was, £600

Head Draughtsman, 300

Accountant, 250

Assistant Draftsman, 180

Assistant, whose duty it was to make copies, &c., and write description of ground, 200

Mr. Luckwood, 150

Timothy O'Conner holds the salary of £200 now; the £180 salary is vacant. The Copyist had £170; the messenger had £50; the stationary and binding cost £91; postages £156; printing £680; sundry contingencies £64; in all, £2,901, including advertising. I then proposed to reduce the salary of the Surveyor General to £500; and the cost of printing to £450 instead of £680, which would make a reduction, in that year, of £380. I brought this before the Government, but it was not concurred in; and I now give it in evidence. The Government thought it was not expedient. I thought I could do just as well with £500 as £600 a-year, and make as much money in the year, for they get it all away from me, any way.

I mentioned then, that it was the duty of the Head Draftsman to prepare the schedule to lay before the Council.

I am generally in the Office at nine in the morning, and from that until ten at night. I attend to the business of the Office first, and write my own letters afterwards. I used to make up my own notes to lay before the Executive Council. This did not take up any of Mr. Inches time, as I always did it myself. Mr. Inches said my predecessor used to make the schedule itself up.

I will now allude to a case of John Stirling, at Grand Falls. It was a very complicated case, but I got it all settled at last. The case came before the Council. We used then to settle as many as we could, and the rest had to "stand over." In reference to the Government, I have no salary as member of the Board of Works, except my travelling expenses. My duties as member of the Board of Works, interfere with my duties as Surveyor General.

I wish to show the difference between the two Governments. I took two years transactions of the late Government, and two years of the present one.

I find that from 27th Nov. 1851, for two years there were forty-three cases that came before the Council; from this date to the end of two years, forty-three cases for enquiry, twenty-eight other cases referred to the Law Officers, fifty-one ordered to "stand over," and three hundred and forty-three decided, refused, or adopted. They were disposed of.

Within the last two years there have been thirty-one for enquiry, twenty-three to Law Officers, sixty to stand over, two hundred and twenty six decided. Of the first two years, there appears to have been 122 cases set aside for the time being to be afterwards disposed of. In the last two years there are 114 similar cases. You will see by this analysis that the result of the two Governments does not differ so materially. This is the best criterion that I could institute to shew the workings of the two Governments.

About surveying of the Lands, you will see by looking into Journals of last year, a paragraph in Governor's Speech, which reads thus: "It cannot be doubted that intending settlers on wild lands, derive much advantage from combining together, in their applications for wild lands. Tracts of land suited for settlements of this description will be surveyed in different parts of the Province, and roads will be laid out."

The Address contained a paragraph precisely responding to this.

These proposals were discussed in the House. It was adopted by all sides. There is no minute of Council made with respect to it; but the whole thing grows out of these two paragraphs in the Speech and Reply. There was an Association called "Working Man's Association," got up in St. John, they sent up an agent; his name was Bowes. He represented to Gov't. that they were anxious to settle a number of these working men on lots of land in the country, and the Government agreed on the application of any considerable number of these men, to issue a warrant for the Survey of a block of 10,000 acres. The applications came in to us from this Association to a very great extent. They wanted Warrants for Survey in different parts of the Province.

We told him we would survey the land, and lay it out in 100 acre lots. I directed my Deputy

to lay the block out in the form of a parallelogram, and to run the outside lines all around the block first; then begin at one end, and run a good road, and not a straight line with better, but don't always answer the purposes; the road has a good width, and was a good one. The consequence was considerable trouble to the Surveyor General, to make all the lots to front on the road contain 100 acres, and have a common boundary line. I want the "Colonial Empire" to read this and put it beside his notes respecting the incompetency of the Surveyor General, hearing.

"The 'Colonial Empire' is great credit to the Hon. James Brown, Surveyor General of Brunswick, for this notice. The 'Colonial Empire' does not believe that laying out acres on a crooked road, with the same width, is a great amount of ability in the Surveyor General; and it is clear from many of Mr. Brown himself, that he has many of these requisites. When you find persons like Wilmot and Arnold in office contrary to his expressed wish, and position by losing all control, and retiring instantly. His allowing other persons to be in office, as well as Deputy Curran, to ride over him in the conduct of his duties, affords such a display of incompetency, as ought to deprive him of the instant.

"On these blocks there were actual settlements attached.

"I cannot say that I did meet with any difficulty in getting the Government to pay schedule, but I certainly had a great deal of trouble in getting my schedule through the pressure of other business.

"Steps were taken by me to remove persons who were in the habit of putting up paper which they had not surveyed. Deputy Wilmot's case and that of Arnold before the Council. I was very anxious in the case of Arnold to procure his dismissal.

"Mr. Arnold was in the habit of writing for the Office, until they wrote for him, and he would know of their lands. He was not to be reason that a majority of the Deputies were in his favor. He was in the habit of laying the matter fully before the Council, and I considered this interference with my department as I thought responsible for the acts and directions of the Government.

"I do not think, in my capacity of the Office, that I could exercise surveillance over an officer of this kind, contrary to my wishes, as he would be like one who was retained with my whom I could dismiss.

"I do not know of Deputies being upon political grounds purely. Deputies was not in the habit of keeping people but he used to make paper surveys, and sent a line between two settlements, which was but a crooked road, and a great deal of difficulty and delay, and I have no confidence in him. I brought the matter before the Council, but did not advocate his dismissal, as I thought it was not his fault; but the same arose against his dismissal as in the case of Mr. Stiles.

"I never made a formal complaint against Deputy Stiles, but it was brought before the Council by another member. I thought it was not reliable. I did not know about this as an interference with my case was not so glaring as in the case of others. It was my opinion, that it was properly dismissed."

"My opinion is that the other Deputies were kept on the staff, and I was aware of Deputy Curran's incompetency, and we never employed him on a matter, so with Deputy Curran who was the same way.

"My own opinion is, that no land should be sold at all, except for settlement, and that it should be sold in small lots to that effect.

"I remember receiving a letter from the House, desiring that lands of this description should not be sold except by the same as Laborer, and that the member was Mr. Tibbits; I do not know of the letter.—no action was taken, and I did not know of any application for speculation in that quarter. The letter referred to a person who had no means of knowing whether or not he was applying for speculation purposes, except my knowledge that the land was for lumber. They might have been held unsettled till their value was ascertained by the labor of other settlers, and then they would have a most injurious growth of settlement. These lands were in Victoria County.

"I have taken no effective steps to interrupt and breaking up of the Executive, though I entertained some opinions. I have always been open to any suggestion, but I have never locked up this way, but never

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