

Coun. Parker on Settlement of Crown Lands

Interesting Address Delivered at Weaver's Siding Last Evening on Question of Vital Importance to Northumberland County

On the evening of the 17th instant a fair sized audience met at Weaver's Siding to hear the address of Thos. Parker, on the settlement of the Crown Lands. The speaker discussed his subject in a masterly manner, showing that he was well versed on public questions. The most prominent characteristics of the speech, were a vein of humour tinged occasionally with sarcasm, great facility in expounding the Labor Laws, and a certain solemn declamation, apparently born of enthusiasm in the subject. The address which covered an hour and a half, was listened to with rapt attention and culminated with applause. The lecturer made it clear that while the Settlement laws of the province were favorable enough to induce for young men to settle on the public lands, the policy of the various governments for the past thirty years had been discouraging. The population of the Province which was practically at a standstill had been arrested in its increase, in consequence of this want of a vigorous Settlement policy. The provisions of the Act to facilitate Settlement had been practically ignored, and a sort of contravening "Regulations" substituted in their place. Several humorous observations were thrown out here, as to why these "Regulations" had been introduced. The speaker would not hint that anybody had an axe to grind, nor that there was a nigger in the woodpile anywhere, for that would be ungenerous. He would allow his hearers to guess at the reason, provided they would be charitable in their conjectures, for charity covered a multitude of sins.

At length plunging into his subject in a more earnest way, Mr. Parker said in part: The only authority the Labor Act gives Executive Governments to make Regulations may be found in Section 7, of the Act which reads as follows: "The Governor in Council is hereby authorized to make any Regulations which may be necessary to carry out the provisions of this Act." Now mark you, the power here given to Government to make Regulations is to carry out, not to defeat the provisions of the Act, as has undoubtedly been done. All the provisions of the Labor Act tend to encourage settlers to locate on the Crown Lands. The very title of the Act shows its intent. It is entitled "An Act to facilitate the Settlement of the Crown Lands." The word "facilitate" here employed to indicate the character and spirit of the Act, signifies to make easy, to forward, to hasten the settlement of the Crown Lands. Both the letter and the spirit of the law, its plain object and intent, is to facilitate Settlement. It follows therefore, that any Regulations which Executive Governments have authority to make must tend to facilitate the carrying out of the object which the Act has in view, which is Settlement, since the authority here given is to carry out the intent of the law. In other words, the Regulations in order to have any legal force, must conform to the law, and no conflict or cross. Its express provisions. There is not a Lawyer in broad Canada, fit to carry a Brief who will deny this statement. If the Governor in Council could make Regulations to defeat the express terms of the law, then it would have the power of the Legislature, the power to make, amend or repeal laws. But the Executive has no such power. It is the prerogative of the Legislature to make law, it is the function of Executive Government to administer it. When Executive govern-

ment passes an order in Council contrary to law, they exceed their jurisdiction, for command the order is null and void. It does not require Daniel to interpret the Constitution. It is so plain that he that runs may read. "The wayfaring man, though a fool need not err therein" Once when pointing out this fact a man laughed scornfully, as if the government, the Cabinet, composed of six or five men, exercised the powers of the Legislature. It was a harsh sardonic grin, for as Solomon says, the laughter of fools is like the cracking of thorns under a pot. But to you gentlemen I can confidently appeal, for you know how to appreciate the truth when you hear it.

I am now going to show you that these Regulations do conflict with the law, and consequently are null and void. I shall not ask you to take anything on trust, I will read the law and the "Regulations" and prove my contention. Listen to Section 4 of the Act. Referring to the Settler it says: "Such person so located may, after having built a house, as aforesaid, and cleared and cultivated two acres of the said land, and paid twenty dollars in advance, or performed labor on the Roads and Bridges, to the extent of ten dollars or upwards, cut and haul lumber and veneer from and off the said lot, but he shall not sell, or otherwise dispose of the standing timber, until he shall have obtained a grant of the said lot." Now it is clear that the Settler when he has complied with the requirements, here laid down, may cut timber from any, and every part of his lot of one hundred acres, for the law does not restrict him to any part of it. What does the Regulation say touching this? It says: "No timber to be cut upon the lot approved to the applicant, beyond the ten acres upon which he is making his Homestead, and such cutting shall be 'Approved' before the applicant can dispose of the marketable timber." Who gave the Executive the power thus to restrict the Settler's wishes? Where did the four or five men composing the cabinet, who derive all their authority from the favor of the people, get the power to deprive the people of their guaranteed rights? Restless and unstable minds, dissatisfied with the Act as it stands, and wanting in ability to improve it, fall to tampering with it. Listen to Section 5 of the Act, again referring to the Settler. "He shall commence improving his location immediately after obtaining permission to occupy the same, and shall within two years thereafter satisfy the Governor in Council that he has built a house thereon of not less dimensions than sixteen by twenty feet, and is residing thereon, and that he has cleared at least two acres of the said land."

Here the Settler has two years in which to make his first Report of improvement to government. Now listen to Regulation 3 "If the petition be accepted the approval shall be published in the 'Royal Gazette' and within three months thereafter he shall improve and clear on his lot to the value of not less than \$20, and also within three months additional, to the value in all of not less than \$40". Mark the conflict here, the hard unreasonable terms imposed by the reasonable terms imposed by the "Regulations" as compared with the reasonable requirements of the Act. This is carrying out the Act with a vengeance. This is facilitating the Settlement of Crown Land (Laughter). Without multiplying instances of this duplicity, look again at Section 2 of the Act. Now mark this

Section. "That all lots so surveyed and laid off, and all other lots of Crown Land, which have been surveyed, and are eligible for Settlement, shall be reserved for actual Settlers, and shall not be disposed of to 'speculators or for lumbering purposes.' I suppose you all know how strictly this wise provision is carried out. Government's in the past, have not only convicted in the violation of this provision but they have actually authorized it. I hold in my hand a report, entitled: "Instructions to applicants applying for Crown Land under the Labor Act" This vicious missile was issued from the Crown Land Department, under Date of Oct. 1st 1916. Section 5 of it will show how faithfully the Government at that time proposed to carry out the provisions of the Labor Act in the interests of the poor man. Should the lot applied for be in lands reserved by the Government for lumbering purposes the lumberman will have one clear logging season during which he may remove all logs of legal size, or other merchantable lumber but none other." This would include all hard wood of any size for hard wood is merchantable lumber. Nothing could be more in the conflict with the law or more unjust to the Settler. The paper is not quite complete, it should be labelled "Made in Germany," or made in Topnot, might not be inappropriate (Laughter).

It is by late in the evening now to uncover any more of these tales that have been sown among the wheat, but they are almost all to the same effect. Hardly one of these Regulations that do not show the cloven foot. (Laughter). For twenty five or thirty years this shameful perversion of the settler's rights have been going on without one effort made on the part of Government to correct it. Nor has there been one in the Legislature, to raise his voice against it. Have the rights of a humble, though deserving, citizen perished on the floors of the Assembly, without a protest, without a voice to utter their rights with distinctness? Not one effort made to correct this abuse! Not one word of an attempt to lift this cruel yoke from the necks of the people. Not one blow struck in the interests of the poor man, while the battle of the giants has been going on all about him. (Applause).

Now what is this public abuse? It is nothing less than an attempt, only too successful, to over ride the law. It is not correct to say there is danger of the law being overthrown, for it has been already overthrown. Gentlemen, we should be wanting to ourselves, and to those who come after us, if without protest we suffer any class to be deprived of their rights. What security have any of us, either in our persons or property if the law shall be flouted and set aside? By what title do we hold that glorious heritage of liberty we enjoy? By what title the Magistrates sit to dispense Justice? By what title do you, Mr. Chairman, exercise the liberty of a free citizen, by what title do I exercise the right of free speech? Do not all these proceed from the law which regulates every department of the State, which binds all its members together as with a common bond, and like the sun in the sky nourishes and animates all within the circuit of its influence. On what ground then do men in authority treat the law with contempt, as if it were not the bond that holds them together, and justifies their existence? How dare they "set up every device and invention of ingenuity, or of address in opposition, or in preference to it" If the rights of one class are taken away or ignored, where is the remedy that others will be respected? Will other classes not be liable to suffer in like manner, when bribery offers a reward, or self interest suggests the expedient. As no man has a right to elect what laws, he will obey, and what he will not, so no government has a right to say what laws they will enforce, and what they will not enforce. If the duty of Government to execute the whole code, and failing in that they betray their trust, and ever waive themselves to the door of exit. The evil practice of suffering Corporations and the larger interests, to nullify the laws, because they cross some selfish interests, is full of danger. It works from a bad centre both ways. It demoralizes those who practice it, and it destroys the faith of those who suffer by it in the efficiency of the law as a good protector. There is a faith in the law as a remedy for wrongs. Darken that faith in a man's breast, and immediately he becomes the prey of vicious and dangerous suggestions. That State or Community which denies to any portion of its members their plain rights under the law, has severed the only safe bond of social order and general prosperity. That Community where law is the rule of conduct, where courts, not mobs hold control, is the only safe, or attractive field for business investments and honest labor.

If this evil practice obtain amongst us, in consequence of partiality shown toward the larger interests, it is not the less reprehensible for (Continued on page 6)



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