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EDWARD WHELAN]

This is true Liberty, when Free-born Men, having to advise the Public, may speak free.—EURIPIDES.

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HOUSE OF ASSEMBLY.

WEDNESDAY, 31st March, 1858.

PUBLIC ACCOUNTS.

(Continued.)

Mr. McDONALD.—I hold in my hand a statement by which it appears, that there have been paid into the Treasury, up to the 31st of January, 1858, £1,936 13s. 6d., on account of sales of land, on the Worrell Estate and Lot 11; and that the receipts, in the Public Lands Office, up to that period, have exceeded the expenditure consequent upon the management of the concern, by the sum of £415 17s. 2½d.; the expenses of management altogether—including the salaries of the Commissioner and Surveyor General, the amounts paid to woodrangers, assistants to the Surveyor General, printing and advertising, stationery and travelling expenses—amounting to only £684 15s. 11d.; and for so large a concern—especially at the outset, when the difficulties to be overcome, and the involved details, which had to be disentangled, were so great—the expenditure must, I think, in the estimation of unprejudiced minds, be accounted a very moderate one; and the amount paid into the Treasury, as much as could reasonably have been calculated upon, in the way of returns, in so limited a period. And these figures, allow me to add, cannot be disputed, for they are those of the Auditors of the Public Accounts. In the report which I, as the chairman of the select committee on the Public Accounts, have had the honor to present to the House, there is no allowance made for the expenses incurred by the Commissioner on sales of Crown Lands, to the amount of £700, and of which amount he has paid £370 2s. 7½d. into the Treasury; the expenses incurred by him on that account are not expenses incurred on account of the management of the Public Lands, and ought not, therefore, to be allowed apparently to increase the amount of those expenses. But, yet, that part of the report, which exhibits the Commissioner's Accounts, shows exactly what amounts of money have been received severally on account of each of the two descriptions of Public Lands; that is, on account both of those especially denominated "the Public Lands," and of those known as "Crown Lands."

Mr. POPE.—The hon. member for Georgetown does not, I should imagine, mean to tell us that the Commissioner has omitted to charge the expenses incurred by him on account of sales of Crown Lands made by him. Certainly not; for, if he did mean any such thing, I am very sure that on examination of any detailed account of his travelling expenses, which might be furnished for our information, we should find that the Commissioner had not been quite so unmindful of himself as to forget to give himself credit even for the smallest amount of outlay which could be brought against the Colony, or the Public Lands, under the head of official expenses. And let the Commissioner and Committee out and carve the accounts of the Public Land Office as they please, I say again, even according to their own showing and in spite of themselves, the expenditure will be found to exceed the receipts.

Hon. COL. SECRETARY.—The allowance, made, by individual Proprietors, to their Agents, who have little to do but to receive, or enforce payment of, rents, out of which to remunerate themselves for the trouble of doing so, and then to remit the surplus, if any surplus be left to remit, after deducting their own salaries and expenses, to their principals, in the Old Country, is, I believe, generally £200 a year. Now, when the amount paid to individuals, on account of such comparatively trifling agencies, and the expenses attendant thereon besides, are compared with the whole expenditure, on account of the management of the Public Lands, amounting to 84,254 acres, which, for the last year, is not more in all than £685; surely, as the hon. member for Georgetown (Mr. McDonald) has said, the expenses must, to every unprejudiced mind, appear to be kept within a very moderate amount. The object of the amendment submitted by the hon. member for Princetown, (Hon. T. H. Haviland) is to make it appear that both the Account of the Commissioner of Crown Lands and the Report before the Committee are fallacious, in making it appear that the total amount of cash receipts from Public Lands, last year, was £2,338 6s. 1½d.; inasmuch as the gross amount of receipts on account of lands sold during the year, was only £1,957 3s. 6d.; and the hon. member from Summerside follows in the track, and joins in the cry of "falsification of statement," only, very characteristically, with much less candour and liberality of sentiment than have been manifested by the hon. member for Princetown, in submitting his amendment. The former seems to have been brooding over "a mare's nest" ever since he entered the house; and, now that he fancies he has found one indeed, all I shall say to him, at present, is, that he is welcome, for me, to sit in it as long as he pleases. As for the fallaciousness, as it is called by the hon. member for Princetown, of the Report before the Committee with respect to the Public Lands, I will endeavor, and successfully I hope, to show that neither is there any fallaciousness in it, nor could any deception have been intended by it. It plainly distinguishes between those lands which are particularly called "Public Lands," and those which are styled "Crown Lands;" and particularly shows what has been received on account of each. The only difference between the report before the Committee, and the amendment, submitted by the hon. member for Princetown (Hon. T. H. Haviland) as they respect the receipts and expenditure of the Public Lands Office, last year, is, that, in the first, besides its being shown that £1,957 3s. 6d. have been received on account of "Public Lands," £380 2s. 7½d. have been received on account of sales of "Crown Lands;" in all £2,338 6s. 1½d.; and that against this there is charged, interest on purchase money, loss of land tax, Commissioner's and Surveyor General's salaries, and all incidental expenses, amounting to £1,992 8s. 11d., leaving a balance, in favor of the Public Lands Office, of £415 17s. 2½d.; and, in the other, the gross amount, received on account of "Public Lands," is stated to be £1,957 3s. 6d., (the amount received on account of "Crown Lands," £380 2s. 7½d., being altogether disregarded, on the credit side, whilst, at the same time, no allowance or deduction is made, on the debit side, for expenses incurred by the Commissioner in the sale of "Crown Lands,") against which amount of £1,957 3s. 6d., there is placed, as in the statement contained in the Report, the interest on purchase money, salaries, and all incidental expenses, making it fallacious, I say, appear that there is a balance, on account of last year, against the Public Lands Office of £34 14s. 7d., instead of, as there truly is, a balance in its favor of £415 17s. 2½d. The Crown Lands, ceded to the Colony, are a part of the Public Lands and the management of them, as well as of the other Public Lands,

belongs, under the Government, to the Commissioner of Public Lands and the Surveyor General, and it would, certainly, be forming a very false estimate of the services of these officials, as weighed against the salaries allowed them and the expenses incidentally incurred by them, if nothing were taken into account, but what is done by them, with respect to, or upon the Worrell Estate and Lot 11. Last year the Commissioner made sales of Crown Lands to the amount of upwards of £700, (which of itself was quite as much as was formerly done by the Surveyor General, when he was in the receipt of a salary of £300 a year,) whilst, at the same time, he fully discharged all his duties with regard to the Public Lands, especially so called. And, it ought to be remembered, with respect to the Surveyor General, that, although his salary and incidental expenses, are wholly charged against the Public Lands, or the Worrell Estate, yet he is not altogether employed upon, or concerning, those lands; but, for the same salary, is required to perform many other professional services for the public; as, for instance, the surveying and laying off lines of new roads, one of which of the length of 20 miles, in his capacity of Surveyor General, and on account of the salary which he receives as such, he completed last year, besides at the same time discharging all his duties with respect to the Crown Lands. Now, if a fair allowance, at an average rate, were made for such extra official services, as I have instanced, which are performed by the Commissioner of Public Lands and the Surveyor General, (as most certainly there ought to be,) it would materially lessen the amount charged against the Public Lands or the Worrell Estate, for the management, or what is usually called the working thereof. That the management of the Public Lands is, notwithstanding all drawbacks, and in spite of every misrepresentation made concerning it, of a most satisfactory and encouraging kind, is quite clear from that indisputable statement, to which the hon. member for Georgetown (Mr. McDonald) has just referred,—indisputable, inasmuch as the figures thereof are those of the Auditors, who certainly will not be suspected of having falsified the account to benefit the Government. That statement is, of itself, a sufficient answer to the complete failure of the speculation, announced by the hon. member from Summerside, and which, I feel certain, he so devoutly wishes. He has said he is willing to stake his life upon it, that every penny now due from the Worrell Estate will be spent in collecting it, and that the debt incurred by the purchase of the Public Lands, will ultimately have to be paid by the people; but if figures, the most closely scrutinized, and deductions, the least extravagant, from experience, are at all to be depended upon, the concern will, most assuredly, within the lapse of the ten years—allowed for the final winding up of its affairs—have completely cleared off all its liabilities. No one who immediately sought to induce the speculation, or who, from the first, has been immediately connected with it, was so blind as to expect that it would, at its very commencement, make full and adequate returns for the purchase money and the expenses which would be incurred by necessary surveys, the bringing of it into proper working order, and the general management thereof. But now, the arbitrary difficulties and expenses having all been overcome and disposed of, if the Government should purchase as much more land, the expenses consequent upon the management of the whole, would be little, if anything, more than they are at present. The state of the speculation being so satisfactory and promising, if the hon. member from Summerside stake his life against its success, as he says he is willing to do, his comparative organ must be amazingly small, (which, however, as respects calculations of another kind, does not appear to be the case,) or else he must set but little value upon his existence. At the hazard on which he himself seems willing to set it, his life must, I think, be worth but a very few years' purchase. The hon. member from Port Hill, Mr. Yeo, had, formerly, much to say, and even, in the present session, has said much, against the purchase of Lot 11, by the Government; representing the settlers thereon, as a most wretched and poverty-stricken class of men, who, instead of being able to buy and pay for their farms, were not able to buy the common necessities of life; and yet we find that these very men have purchased 6,190 acres of the Lot, for £2,689 14s. 11d., and have paid on their Deeds £1763. Does this look the ruination, predicted, by that gentleman, with respect to that Lot? No; very far from it indeed I think. The Commissioner has paid a visit to that Lot, since the meeting of the Legislature; when every one of the purchasers met him; and all but three made payments to him on account of their lands. They were aware of the contemptuous and disparaging manner, in which the hon. member from Port Hill (Mr. Yeo) had spoken of them; and great was their indignation against him in consequence of it; whilst, at the same time, they most gratefully, appreciated the policy of the Government, with respect to the purchase of the Township, whereby they had been enabled to exchange their state of tenant bondage for that of freemen. In support of the statement of the financial state of the Colony, set forth in the Report now before the committee, I need not, I think, say any more, except that, in the (the Hon. T. H. Haviland) has set forth in a memorandum, the amount, £15,032 due on the sales of Public Lands, although it is excluded from the Dr. and Cr. Account of Public Lands, as well as from the general Dr. and Cr. Account of the Government, as stated in that amendment; so that the balance against the Colony, as made up, appears to be £29,870 4s. 3½d., instead of £14,868 3s. 2½d., as it is correctly stated in the Report submitted by the committee if the £20,550 of Debitures are to be charged against the Colony; although the time for making that charge against it, is not yet arrived, as the hon. member for Princetown himself (Hon. T. H. Haviland) has so candidly admitted.

Hon. T. H. HAVILAND.—As I think my doing so may save time, I move that the whole of the report, which I have read, be substituted for that now in the hands of the chairman of the committee.

Hon. E. PALMER.—I second the motion. When the magnificent scheme for the purchase of Township Lands, or the Worrell Estate, was first projected, and when it was at length set in operation, the answer, made to all prudent and cautious objections or doubts, expressed concerning it, was, that it would prove a grand panacea—a sovereign remedy for all the distress and discontent experienced in the country; and that it would be self-sustaining from the beginning to the end; and, even now, in spite of facts which most clearly establish the contrary—facts which all the ingenuity of the Government, and the managers of the scheme, cannot conceal—facts the most stubborn and unyielding—we are told it is and will be self-sustaining to the last. The debtor and creditor account of the Public Lands Office, as set forth in the report, which has been presented to the House as that of the select committee appointed to report, on the public accounts, makes it appear that the working of the scheme, last year, has left a balance of £415 17s. 2½d., in favor of the Colony. Now, the question is, is that a fair and correct balance, or is it not? I say, confidently, it is not. In order to show that balance in favor of the Colony, they have fallaciously thrust into the account £380 2s. 7½d., proceeds of last year's sales of Crown Lands—a fund which has nothing in the world to do with the Worrell Estate, or the Worrell Estate with it. Let that sum be struck out, as it manifestly ought to be; and then, without at all meddling further with the account, their balance will be reduced to £35 14s. 7d. That may be deemed, almost by their own showing, the balance in place of £415 17s. 2½d., as most unfairly set forth in the report now in the hands of the Chairman. Any common place observer must perceive that the £380, received last year for Crown Land sales, should be kept in a distinct part of the public accounts, and not mixed up with the Worrell Estate; and how it happened that so great a quantity of the Crown Lands was thrown into the market last year, it may not be very easy to explain to the credit of the Government. [Hon. E. Whelan.—It happened because they were in demand. Hon. the Speaker.—It happened because they were applied for. I, for one, applied. Well, even if £1,000 worth had been applied for, and sold; the money paid on account of the sales

could not, with anything like a show of propriety, have been placed to the credit of the Public Lands, or the Worrell Estate. The Public Lands or the Worrell Estate and the Crown Lands, are two totally distinct and separate concerns; and however, or by whomsoever, they may be managed, the accounts of them ought not to be blended. The object of their now having been thrown together is, however, quite evident. It is merely to have an apparent balance in favor of the Government; although even on their own showing the balance, in their favor on the Public Lands Account, is palpably no more than £35 14s. 7d. But if there be brought into the account, as there certainly ought to be, and placed against the receipts, the interest of the £6,000, still due to the vendors of the Worrell Estate, which, for the last year, is £300, the balance against the Colony will, by my calculation, be £261 5s. 5d. [Hon. E. Whelan.—By your calculation? Yes, by my calculation; and I defy the Queen's Printer, with all his fancied ingenuity and eloquence, to dispute it. The Public Lands Account—when thus rectified, by the striking out of the Crown Lands sum of £380 2s. 7½d., (a sum which has been most unfairly placed to the credit of it) and the charging against it of £300, the interest of the £6,000 due from the Worrell Estate, a sum which has, quite as unfairly, been left out of the account—will show, as I have already said, a balance of £261 5s. 5d. against the Colony. Now, surely if this fact proves anything at all, it is that the concern, so far from being a self-sustaining one, is rapidly verifying the predictions of those who, from the first, said it would benefit none but those whom the Government might employ in the management of it; and would assuredly eventuate in the dead loss, to the Colony, of the purchase money. If this be the state of the concern; and, in spite of all mystification and manœuvring of accounts to make it appear otherwise, it is evidently its veritable state; if this, I say, be the real state of the concern, when all the best lands have been sold, and all the best instalments have been paid, it goes very far indeed, I think, to sustain the view taken of it by the hon. member from Summerside (Mr. Pope) and to render most probable the absorption of whatever moneys may be due from it, in the expense of collecting them; much as the Hon. Col. Secretary would have us to believe, he is amused by the prediction. As to the amount paid to the Clerk of the Councils, for his services, no one, upon this side of the House, is at all disposed to argue, for one moment, that he is overpaid. On the contrary, we freely admit that he is not; still we cannot but remember, when we observe the liberality with which he is paid, what an outcry was raised, what a hubbub was created, by hon. members on the other side of the House, before they came into power, on account of any similar allowances, made for such services. The services, they then said, were not required; they were a mere pretence, whereby to countenance extravagance, and needless expenditure of public money; but now, when the public money is at their disposal, they imitate the practice which they, formerly, so vehemently condemned. All that I have to say of it, otherwise, is, that we may see by it how little they were, formerly, actuated by public principle, and also how little they have regarded consistency, since they came into power. The Government party say, that the £250 a year paid to the Surveyor General should not all be charged against the Worrell Estate; but as they thought proper to abolish the office of Surveyor General when they came into power, and before the Worrell Estate was purchased by them, because, as they said, there was nothing for a Surveyor General to do. [Hon. Col. Secretary.—But that office was required when the Public Lands were purchased? Then why not charge all his salary to the Public Lands fund? If, after the purchase of the Worrell Estate, I say, they received that office, and appointed a Surveyor General, to be employed in making surveys of that estate, his salary ought, most undoubtedly, to be charged against that estate. And as for the extravagant allowances or payments made to John Doirant, for his superintendance of the construction or erection of certain wharfs and bridges, I say that, notwithstanding his skill and knowledge, with respect to such works, may be as great as they are represented by some, and, notwithstanding that the work of the kind, completed under his superintendance, may be accounted, and justly so too, amongst the best, or even the very best, most efficient and substantial in the Island; yet his services have not been, and are not required, to the extent to which they have been in request by the Government; and neither when they have fairly been required ought he to have been paid for them, at so extravagant a rate as either 23s. 4d., or 17s. 6d. a day. Doirant may be a very experienced, good and skilful workman; but he is no more. He is certainly not an educated and scientific architect; and to pay him, even when he is most fairly employed, as if he were a builder of the highest order, is positively most extravagant and unwarrantable; and I hesitate not to say, that, were it not for ulterior purposes, the Government would neither employ him as such, nor pay him for his services at so high a rate, as they do. But it is idle to blink the matter, or to speak at all doubtfully or obscurely about it. The fact is patent to all: the Government had that Doirant makes a very pliant and useful political agent; and, as such, he serves, and can well afford to serve, them at the rate at which he is paid, whilst ostensibly engaged merely in superintending the erection of some public work, such as a wharf or a bridge. But it is altogether unnecessary to have either him, or any other superintendent, employed, daily. It might, just as reasonably, be said that it is necessary for Lloyd's Agent to be daily in every ship-yard while the ship is in progress of building. A visit, two or three times a week, from the Superintendent of Public Works, who lived in the neighbourhood, and who is very well paid for his services, might easily have saved all the money paid to Mr. John Doirant, and would have done so, I imagine, if public economy had been the only object in view by the Government, when directing that the erection of Prince-street Wharf should be properly superintended. With these views, I second the amendment.

Mr. COOPER.—There is a very great difference between ship-building and wharf and bridge-building. The former has been reduced to a perfect science; and is now carried on on principles so truly scientific, that, when once the mould and tonnage of a ship have been determined upon, the quantity of timber, planks, and bolts which will be required to finish her, can be determined to the greatest nicety; and, at any stage of her progress towards completion, a man who thoroughly understands the present scientific mode of ship-building, may, on a careful inspection, easily tell whether or not the work which has been done has been faithfully and scientifically performed, and whether or not she is progressing to completion according to the original design. Hence, although Lloyd's Agent may be called upon to inspect every vessel being built in the Island; he alone is perfectly competent to discharge the duty. But the case is widely different with respect to the construction of wharfs and bridges, at least in this country; and, unless such works be contracted for, and undertaken, by men of unquestionable integrity and of much more than ordinary knowledge of, and skill in such matters, they will never be efficiently and substantially built, except when the construction and erection of them is carried on under the close and constant superintendance of a man thoroughly acquainted with the art, and who knows exactly how every piece of timber ought to be placed, and where and how every bolt ought to be driven. The public benefits derived from such superintendance, and the public loss consequent upon the neglect of such precaution, were both pretty fully exemplified in the building of the Sonris Bridge; that part which was built and completed under the direction and superintendance of Doirant was found to be quite efficient and substantial; whilst that portion of it, which was built before he was placed as a superintendent

upon the work, proved to be quite the reverse. I think there is great wisdom and economy both, in placing a man of Doirant's practical skill and experience upon such works; and the Government, instead of being censured, ought to be commended for so doing.

Hon. Mr. WIGHTMAN.—The Worrell Estate or the Public Lands are no sooner alluded to, in any debate in this House, than certain hon. members start up, one after another, like amateurs at a shooting match, every one determined to exhibit his skill; and the Worrell Estate is the target at which each of them, in his turn, levels his piece and directs his shot; and very glad, it seems, would they be should they be able to make as many holes in it as there are in a riddle. I must say that I very much regret the spirit in which some hon. members almost invariably approach this question, for it is not by any means characterized by due candour and moderation. The Land Purchase Bill passed this House with the almost unanimous consent of the members; it was passed without opposition by the Legislative Council; it was allowed by the Governor; and the Royal sanction was freely accorded to it at home. It is therefore, as was observed a few evenings ago by the hon. and learned member for Charlottetown, the law of the land; and as such it becomes us duly to apply and uphold it. With respect to the Public Lands—lands which have become public property through the operation of that law—each side of this House has an especial duty to perform, and one, by the due discharge of which, each of them may manifest unquestionable regard for the interests of their constituents. In the first place, it is the duty of members on this, the Government side of the House, to take care that the most particular and minute statements, respecting the management of the Public Lands and the state of the Public Lands' fund, the receipts and expenditure, shall be supplied to this House for their information and investigation, and, through them, for the information of the public at large; and this peculiar duty of this side of the House, with respect to the Public Lands, I am satisfied has been duly discharged, as appears by the report on the Table. That report, it is true, is not fully concurred in by both sides of the House; but its statements are so full and plain that no one can justly say they are defective, as respects either their scope or their intelligibility. The peculiar duty of hon. members in opposition, with respect to all the Public Accounts, but especially with respect to the Public Lands Account, is doubtless to investigate them with the most jealous and searching eyes, yet still in a spirit of fairness and candour. The working of the Land Purchase Act—the grand object of which is to annihilate the leasehold tenure which has been felt to be so great a grievance by the people, and which has so greatly retarded the prosperity of the Colony—may very fairly, I admit, be made a touchstone on which especially to try the character of the policy of the party at present in power. But, whilst I admit this, and so far allow the propriety of the course being at present pursued by some hon. members in opposition, I am at the same time fully convinced not only that the scheme was wisely and patriotically conceived, but that it has already effected much of the good which it was intended to accomplish, and will finally prove a complete remedy for all the evils and discontent, the removal of which was so long vainly sought in seeking and praying for the establishment of a Court of Escheat. The hon. and learned member for Charlottetown (Hon. Mr. Palmer) has said that the salary of the Surveyor General, £250 a year, should be charged against the Worrell Estate, because that officer's chief public employment has been making surveys upon that estate. He has also said that the £380, proceeds of last year's sales of Crown Lands, ought not to be placed to the credit of the Public Lands, because the Crown Lands' fund is a separate and independent one. Now such reasoning as this, I am sorry to say, savours but little, I think, of that spirit of fairness and candour in which hon. members, on which side of the House soever they may be, ought always to consider and examine such matters. It is very true that the present Surveyor General has, since his appointment, been chiefly engaged in making surveys upon the Worrell Estate; but it is well known that his public services have not been confined to that estate, and that he has otherwise been employed in the service of the public, and therefore his salary should not be regarded as paid to him solely on account of his services upon the Public Lands, but as also on account of such as were rendered by previous Surveyors General, when there were no public lands. And still less tenable, I think, is the position of the hon. and learned gentleman when he says that the £380, proceeds of Crown Lands sales, should not be placed to the credit of the Public Lands. The Crown Lands, since they were ceded to the Colony, has already been observed by the Hon. the Colonial Secretary, are in the strictest sense public property. They are only a portion of the public lands known by another name; and the Commissioner of Public Lands and the Surveyor General have just the like public services to perform, with respect to them, that they have to perform with respect to the Worrell Estate and Lot 11; consequently all proceeds of sales of Crown Lands must, if properly entered, be placed to the credit of the Public Lands; and the salaries of the Commissioner and the Surveyor General must, according to the least, to the proportion between the sales of Crown Lands and those of the two other portions of the Public Lands, be placed against the former as well as against the latter. The true state of the Public Lands Accounts—that which, were it not that party bias seems to turn away the minds of some hon. members from a true consideration of it, would, I think, be patent to all—is that which is given in the report which is now before the Chairman. But should it be made out on the principles stated by the hon. member from Finty Glen, and with which the hon. member from Summerside seems so much delighted; charging against the lands not only the interest due on the debentures, but the debentures themselves, to the amount of £20,550, together with the salaries and other items of expenditure to the amount of £894 18s. 11d., and giving credit, not only for the gross amount of receipts on account of lands sold during the year (£1,957 3s. 6d.) but for the moneys due on bonds and deeds, and on lands sold, but for which deeds have not yet been issued, in all £15,002 1s. 1d., and also for "the goods on the shelves," or 45,000 acres of land at 6s. per acre, that is for £27,000; the statement would show a balance of £7487 15s. 8d. in favour of the Colony. But, without contending for the correctness of this statement, further than by observing that it is the only one which can be made on the principles admitted to be the correct ones, even by the hon. member who has most directly and unsparingly impugned the working of the Land Purchase Bill or the management of the Public Lands; and without seeking to prolong the debate on this part of the Public Accounts—with respect to which nearly every thing of any moment which can be stated or said, either for or against it, has been fully brought forward and enforced—I will merely, in concluding my own observations in reference thereto, add,