

In making the motion, Mr. BLAKE said he desired very shortly to state the position in which this matter was at the commencement of this Parliament, and also the position in which it now stood. For some years before the new order of things had been instituted, the Land Improvement Fund had been assumed to be discontinued, although considerable feeling, as was natural, had existed in the localities interested touching the injustice which the settlers conceived had been perpetrated upon them. So far as he could find, no action had been taken by the old Legislature to remedy that injustice. No doubt there existed at that time many difficulties in the way of remedying the injustice, but when they met in that chamber to discuss those affairs which concern themselves, he thought it his duty, as a representative of the county most materially interested in this matter, at an early stage to call the attention of the House to it. As a basis of action, he therefore moved on the 19th February, 1868, for a return of the fund as it would have stood had the order in Council discontinuing the fund not been issued. That return involved considerable labour and difficulty, and it was not brought down during that session. In January, 1869, when he called attention to this, the Government said the labour had been very great, and that the return would be brought down at once. It was, however, nearly the close of the session before it was presented, at a time too late for any action to be taken on it. Early in the third session, his hon. friend from Huron, a county also considerably interested in the fund, enquired of the Administration whether they intended to pay over to the townships interested the amount of the fund, and as to the course to be pursued. The reply by the Atty. General was that the transactions relating to the fund had been made with and by the late Province of Canada, and that this Government had no funds out of which to meet the demands on a fund which had been extinguished ten years previously; and that it was a very serious matter to ask this Government to revive a fund which had been extinguished by the Government under which it was created. When that answer was made it was obvious that further progress could only be made in the matter by an independent member pressing it upon the attention of the House. He (Mr. Blake) consequently introduced a series of resolutions stating shortly the facts of the case, and the conclusions which, it appeared to him were fairly to be drawn from the facts. His hon. friend, the Treasurer, had stated at an anterior period, that if the facts of the case were as alleged that the claim was valid, and proposed that a Select Committee should be appointed to enquire what the facts of the case really were. He (Mr. Blake) could not hesitate a moment in accepting that Committee, because if the facts were not as alleged, and no title existed to relief on the part of these settlers, the country, the House, and all parties would be satisfied with the investigation. The Committee was struck from both sides of the House, and was composed to a great extent of members uninterested or interested adversely in the question. After examining several witnesses and documents, a report was presented to ask the House, from which it appeared that at an early day there had been set apart by the Government in reference to these counties, then almost unsettled, a certain proportion of the purchase money of Crown and School lands for the purpose of public improvements, that this order had been made widely known, and that settlers had been informed of its existence by the Crown lands agents. The intention of the fund it was stated, was to erect bridges and roads, the absence of which constituted one of the greatest hindrances to the settlement of those districts. The inevitable result of the facts found by the committee and established by the evidence, was that there was not a claim for favour, not a claim for kind consideration, but a claim to the justice of the Crown. (Hear, hear.) That it was clearly made out that these settlers were entitled, upon grounds which, if the arrangement had been made between private individuals, would entitle them to assert these claims in a court of law. Under these circumstances, he proposed to the House to concur in the report, but it was brought in so late, and there was so much public printing in hand, that it was not possible to place it in the hands of hon. gentlemen. He consequently adopted the suggestion of the hon. gentlemen opposite, and abstained from pressing concurrence. He had felt it to be his duty, at the earliest stage of this session, to ask the House to concur in the report which had been placed in their hands. He also added two further resolutions, intended to indicate what in the mind of this House should be the consequences of

the facts found by the committee. The peculiar cause of the third resolution was the difficulty that besets every private member in obtaining a grant from the public treasury. It was not competent for him to propose to the House to agree what money should be granted, and therefore he could only propose abstract resolutions which would indicate the opinion of the House. So far as he had endeavoured to trace out the course of the question in this House, it was simple justice that he should add that his hon. friend the Treasurer had from an early period pressed the question, with that knowledge of which they all know he was capable, upon the attention of the arbitrators, and upon the attention of the Government of Canada, and, as the arbitration award just handed in would probably show, with considerable success. (Hear.) It was material to the interests of the Province that this question should be so pressed, for the reason that the funds out of which these settlers sought payment were to a considerable extent received anterior to July, 1867, by the Government of Canada. He believed that it was settled by the award of the arbitrators that the arrears on school lands, and the amount actually paid, should be set apart for the purposes of this fund, thus admitting the validity of the claim. The same view would necessarily follow in reference to future payments. In reference to the

payment of Crown lands since July, 1867, there could be no difficulty, because these payments had been received by this Province. With regard to those payments which had been received before, he was unable to conjecture what the position of the case might be. In conclusion, he believed that there was such a general sense of justice in the people of this country that these claims would be satisfied equally as if any man amongst them would determine that any honest debt of his should be paid. (Cheers.)

Hon. Mr. WOOD—After referring to the remarks of the Attorney-General, alluded to by Mr. Blake, and which he said were founded on the assumption that reference was made to that portion of the fund received by the late Province, and that the matter had not at that time been fully considered by the Government—proceeded to say that he had always been of the opinion, from his first examination of the subject in 1863, that the settlers were legally—he would not say honourably—but legally entitled to have the agreement under which they took and settled these lands honestly and faithfully carried out.

Mr. BLAKE—(Hear.)

Mr. WOOD—Yes; I repeat, legally entitled to have the arrangement which they made with the Government carried out in respect of all those who, while that arrangement existed, took possession of their lands and complied with settlers' duties. If it were a question between two private parties, he believed a court of equity would sustain the claim, and there was the greater reason why a Government should do so. Such was the state of parties from 1863 to 1866 that it was impossible that any progress could be made in the matter. So soon as the return asked for, referred to by the hon. member for South Bruce—which was a very difficult one to compile, since every payment made on every particular lot, from 1861 to 1867, had to be examined—was brought, and he had an opportunity of examining it with the Orders in Council and the Acts relating to the fund, he came to the conclusion that the settlers had a claim upon the late Canadian Government for what it had received on lands sold during the time he had mentioned, amounting for school lands to \$124,000, and for Crown lands to \$101,000, in all, to \$225,000. He urged that it was a matter peculiarly within the province of the Dominion Government to take hold of the question, but they failed to act, and he consequently introduced the matter before the House last session. He had never made an appeal more earnestly to the Government for any section than he did on behalf of these hardy settlers who had made what was almost a wilderness into one of the finest parts of the Province. (Hear, hear.) His motion was defeated by a rule of order, made by the Speaker under influence brought to bear upon him and by a misconception of what was law. (Hear, hear.) The Speaker afterwards admitted that he had been in error. Determined not to be defeated by an erroneous ruling of the Speaker in so righteous a cause, he put a new notice on the paper and pressed the Government until Sir Francis Hincks stated that the matter had been discussed in the Council, and that the decision arrived at was, that as the arbitrators would have to deal with the Common School fund, and therefore must necessarily consider

and dispose of that portion of the Improvement fund paid into the Common School fund between 1861 and 1867, and must determine whether or not it should form part of the Common School fund, or should be deducted from it, and go to the credit of the Improvement fund. The Government would follow the decision of the arbitrators with respect to the receipts from Crown lands; and he (Mr. Wood) was informed that an order in council was passed that as the arbitrators decided with regard to the common school lands, so would the Government decide with regard to the crown lands. As a simple member of that House, he had no authority to accept any such arrangement, but he stated that individually he would be content that it should be so. One-fourth of all moneys received by the late Province since 1861, on account of common school lands and Crown lands sold between 1853 and 1861; all moneys received by the Ontario Government from the first of July down to the present time; and all moneys that might hereafter be received on account of these lands sold within the time mentioned, should be carried to the credit of the Upper Canada Land Improvement Fund. As to the money coming from the Dominion, the Dominion was bound to pay it over to this Province. The moneys from common school and Crown lands received by the late Province were, as I have stated, \$225,000. Provision would be made in the estimates for payment of the moneys received on account of that fund by Ontario, amounting in all to perhaps between \$150,000 and \$163,000; but the exact amount would be ascertained before the House went into committee of supply. The only real matter of any great public interest was—who should receive credit for obtaining these funds and distributing the money among the settlers? The Government never showed any opposition that he was aware of to the doing of justice to these settlers. For his part he was willing to allow all zeal on the part of the hon. member for South Bruce; but he (Mr. Wood) must say that at the last session of the Dominion Parliament, when he was taking steps in this very matter, he was not supported by members representing constituencies largely interested in the settlement of this question; as he thought he should have been. But notwithstanding that he stood almost alone, he made such an impression on the Dominion Government that it was obliged to yield. This one thing was certain, that somehow or another the whole House at Ottawa looked to those who were particularly interested in the government of Ontario to assert and defend the rights of this Province.

Hon. J. S. MACDONALD—The Canada Central Railway, for example.

Hon. Mr. WOOD said the Attorney-General had just reminded him of the Canada Central Railway. The members of the Ontario Government did not wish to deprive the Canada Central Railway of any right they possessed, but did not wish that Company to perpetuate rights to which they were not entitled. In regard to any credit to which he was entitled he would say the records of that House, if consulted, would show what he had done, both in his correspondence, in his efforts in the committee of the public accounts, and in his motions and speeches in the Commons of Canada in reference to this fund, as well as his anxious efforts in this behalf before the arbitrators. He thought the country was aware of this and fully appreciated it. At all events success had crowned his efforts, and he had done the best he could and he was content, and would leave others to pronounce judgment. There never was any difficulty with that portion of the fund exclusively under the control of this House. The difficulty was with that portion of it, \$225,000, in the hands of the Dominion. That was the difficulty with which he had grappled, first by

appealing to the Government at Ottawa, and, failing to get satisfaction from it by bringing the subject before Parliament, to which the Government itself was subject, and pressing the case before that tribunal until a satisfactory adjustment was extorted from the Government in the manner he had mentioned. As being cognate to this subject he might mention several other matters he had taken up and pressed upon the Government and Parliament of Canada with the best results—particularly the Upper Canada Building Fund, in which he had after a desperate struggle succeeded in securing at least \$40,000 to Ontario, and 1 per cent. of upwards of \$11,000,000 for all time to come. But he would not pursue this subject farther, as it was not exactly relevant to the subject under consideration.