

and resume their lands, but as to getting an assurance from the department to this effect, it was impossible to do it. (Hear.) With reference to the subject matter of the resolutions, to which he would refer before remarking on the mode in which it was proposed to carry them out, it is intended to deal with that portion of the public lands which are yet unpatented. Of the four classes of which the public lands of the country consisted, two of them the resolutions proposed to deal with.

By an amendment which the hon. Commissioner intended to introduce, he was glad to hear that power was to be taken to deal with the third; but the fourth class was not touched at all. There was no doubt that at one time school, clergy, and grammar school lands might have been looked upon as trust lands. Of these three classes, only one remained at this time a trust fund in the sense in which this Province was interested, namely, the amount of money which was obtained from this land. This was the clergy lands, the only one with which the hon. Commissioner now proposed to deal; the other two had ceased to be trust funds, so far as Ontario was concerned, by the action of his own Government. Last session the hon. Treasurer introduced a measure, with which he (Mr. Blake) heartily agreed, sweeping away the special funds of the grammar and common school lands, and providing that the amount of moneys that could be got from them should be paid to the consolidated revenue of the country.

Hon. Mr. WOOD—There is no doubt of that.

Mr. BLAKE read the Act referred to, and proceeded to say that the hon. Commissioner of Crown Lands was consequently inaccurate in referring to the income from these lands as now belonging to special funds. He would turn their attention to the amount of arrears as they stood on the 31st December, 1868, which was the latest date at which the House had any information. Of course, there had been considerable payments since that time, but for all practical purposes this account would do. It seemed that the total amount that was due on Crown lands at that time, both principal and interest, was \$1,105,000; the total amount on clergy lands, \$1,113,000; making a total of \$2,145,000. The total on common school lands was \$1,287,000. Of the four classes the common school was the largest in amount, and represented a very large portion of the aggregate. Taking the four counties of Bruce, Grey, Huron and Perth, which were the counties, with the exception of Wellington, most largely indebted to the Crown, he found that there was due on Crown lands, by the four counties, the sum of \$654,000; on clergy lands, \$119,000; on grammar school lands, \$116,000, situate wholly in the county of Grey; and on common school lands, \$1,288,000. The hon. gentlemen proposed to recognise the propriety of aiding the settlers on the grammar school lands, and therefore he would withdraw that amount from his comparison, and add it to the Crown and clergy lands. He found that in round numbers two-thirds of the amount of arrears were due upon lands which would not be dealt with at all. He was extremely glad that the hon. gentleman had come to the decision he had with reference to the grammar school lands, because he had reason to believe that the whole of the township of Proton was composed of grammar school lands, of an extremely inferior character. While he was glad to observe this more liberal policy on the part of the Government, he deplored that the seeds of discontent, from a feeling of wrong and injustice, should be proposed to be sown in these four counties by the course the Government proposed to take. (Hear.) Take the case of his own county: He found that there were \$210,000 on Crown lands, while there was \$570,000 on common school lands; in Grey, \$144,000, on Crown lands, and \$22,000 on Clergy, and \$116,000 on Grammar School lands, while there was \$500,000 on Common School lands. In Huron \$85,000 on Crown, and \$6,500 on Clergy, while there was \$167,000 on Common School lands. In Perth \$142,000 on Crown and Clergy lands, and \$51,000 on School lands. (Hear.) What would be the case if the men in one township were to be told that because they bought lands which were to be devoted to Common School funds, but which were now to a large extent devoted to revenue, they were to obtain no relief, while other men who had settled on clergy and other lands should receive relief? (Hear.) He did not believe that the House would inflict upon the settlers on Common School lands this injustice.

Hon. Mr. WOOD—(Ironically) Hear, hear.

Mr. BLAKE—My hon friend cries "hear, hear" before he is out of the wood. (Loud laughter.) It was said and with some degree of truth, that having regard to the disposition of Common School lands, the Province would stand in a very different position with reference to the settlers on these lands than with those on the Crown and Clergy lands. It was worthy of consideration whether relief should be extended to the settlers on Common School lands upon the same principle in its entirety as was to be followed in the case of the other settlers. But supposing it was said that because Lower Canada was receiving a certain proportion at the present time—four-ninths—and after 1871 a much smaller proportion of the proceeds of these lands, that they could not abate upon the whole arrears in these lands, he wanted to know why if they could not do entire justice, they could not do partial justice? (Hear.) Was there any reason why, to the very large extent that Ontario herself was going to receive of the proceeds of these Common School lands, it was not possible for them to do full justice? If they could not give to these poor people the whole of the abatement to which they would be entitled if they were settlers on Crown, clergy, or Grammar School lands, why could they not give them the five-ninths which the Province was entitled to receive? Such a plan might require some consideration to see how they were going to arrange with these persons to do them justice. But it must not be forgotten that the Government had in its hands the collection of this money, and there could be no difficulty in devising a scheme whereby, to the extent the Province received of the fund, justice should be done to these settlers. The hon. Commissioner of Crown Lands had stated that the arrears of principal and interest on some of these lands were so large that the settlers could not pay them.

Mr. WOOD—Not on these lands.

Mr. BLAKE said the hon. Commissioner had spoken of the high price of lands in 1854 and 1855, and these lands were then sold.

Mr. RICHARDS—They were all sold at \$2 an acre.

Mr. BLAKE—Does that determine that that was a right price for the whole of them? Would the hon. gentleman say that under such a sale no case of hardship or injustice could occur? (Hear, hear.) With reference to the mode in which it was proposed to deal with the subject matter of these resolutions, he agreed with the hon. Commissioner in his remarks that there was no wider field for the exercise of patronage and influence by the Government—if it was disposed to exercise it—than in the Crown Lands Department; and the hon. gentleman had proceeded to point out that the Government—on which he had bestowed the laboured eulogy, which very possibly he felt in reference to the Crown Lands Department, but which few interested in the question were disposed to censure—felt the difficulty, and did not act. No, it had not acted; but it said, "let us act—give us power. We acknowledge to you that there is no field in which the Government may exercise more influence and patronage improperly than in the Crown Lands Department," and, making that frank declaration, adds, "we take credit to ourselves that we have not acted in this matter without asking you to say to us, 'we give you power to interfere at your own sweet wills in what you yourselves say is a most fertile field for partiality and undue influence.'" (Hear.) He took the hon. gentleman's admission and he drew from it the moral that the House ought to be extremely careful before it gave them the power. (Hear, hear.) The hon. gentleman said there was a case of principal and one of interest, and laid down a rule of decision for the first, and with reference to the second he said at the opening of his speech that a line might be drawn somewhere, and at its close that it was impossible to draw a line at all. (Laughter.) He believed that the House must find at any rate some principle, some limit, on which this question of interest should be considered. The House should recollect that the arrears of interest were very nearly equal to the arrears of principal. They were asked to draw a line with regard to one half of the funds treated of, but with regard to the other half, they were to leave that to be treated in a manner which might appear equitable and just to the Commissioner. He thought the House should call for some sure, definite *ratio decidendi*—that some declaration should be made of the grounds upon which relief was to be extended. (Hear.) Then it was stated that it was a matter to be dealt with on the responsibility of the Government. To that statement in a qualified

25
sense he was not averse to agreeing. He would qualify it in this important point. He maintained the House would be abnegating its duty entirely—particularly after the admission of the hon. Commissioner as to the use that might be made of this matter—if it did not lay down rules, and the mode of action to be pursued, not only in reference to the present Government, but to any Government that might come after it.

Mr. RICHARDS.—Then you must change the present law, which gives the Government power to fix the price of land.

Mr. BLAKE said he was not talking about the price of land. The observation was evidently of little moment, from the fact that the lands remaining unsold were of comparatively little value.

Mr. RICHARDS.—But we have the power.

Mr. BLAKE said the hon. member could not mean to say that this power was at all analogous to that of remitting a debt due to the Crown. (Hear.) He would quote from the hon. gentleman's remarks last session as to the lax practice which existed in this respect. The hon. gentleman stated that it was wrong in principle to leave it to the discretion of the Commissioner to throw off interest, and that the only way to deal with it in a satisfactory manner was by the appointment of inspectors, who would deal with the matter impartially.

Mr. RICHARDS—I say so now.

Mr. BLAKE—The hon. gentleman may say so; the resolution does not. (Hear.)

Mr. RICHARDS—The resolution refers to inspection.

Mr. BLAKE—That is not here now, but I intend that it shall be. (Cheers.) He thought they ought not to give this power to the Government, except after and upon the report of commissioners or inspectors who have seen the locality and taken the evidence. Mr. Blake then quoted from THE GLOBE'S report of Mr. Richards' speech in the debate on the 22nd December, 1869:

"Now he had no hesitation in saying that it was wrong in principle to leave it in the discretion of the Commissioner of Crown Lands to throw off interest due on lands at his own pleasure, or at the suggestion of any hon. member. He (Mr. Richards) would not be a party to carrying out such a system."

It was wrong, then, notwithstanding the hon. gentleman's speech that afternoon.

Atty.-Gen. MACDONALD and Mr. WOOD—Go on.

Mr. BLAKE—I am going on. (Laughter.)

"The only way to settle it in a satisfactory manner was to appoint inspectors, who could deal with the matter impartially."

Were they to have inspectors now?

Mr. RICHARDS—I tell the hon. gentleman that we are to have inspectors. (Hear.)

Mr. BLAKE maintained that nothing should be done except on the report of the inspector, the Government assuming the responsibility when acting on his report; and if dissatisfied with it they should have the power of ordering a new one to be taken. They ought to have this in the resolutions before them. It was a difficult and delicate question for the House to have to deal with. They must recollect the cases of a large number of settlers who had paid for their lands, and they must take care that they did not legislate in such a way as to do injustice, or excite any feeling in the minds of the older settlers that injustice has been done. Full justice and liberality in everything necessary for fair and liberal dealing between the Crown and the new settler, he was confident the older settlers would agree to and endorse; but they will be extremely jealous of the provisions which would give the Government, without any *ratio decidendi* or basis upon which to decide, the power, at its own pleasure, to remit the interest of a million and a half dollars, or remit the principal also in some cases. He held they were entitled to demand that there should be full security that there should be no injustice done. The resolutions, or the measure founded on them, would require serious amendment; and a distinct pledge, or guarantee, would have to be given by the Government that they would fairly and impartially exercise the power granted to them. He concluded by referring to the changes which had taken place in the views of the Hon. Commissioner of Crown Lands, the Attorney-General and the Treasurer, all of whom had once considered that the country was governed very corruptly, though the conversion of the latter two had taken place at a later day.

Hon. Mr. WOOD said he had never changed his opinions. However, the past was past, and we had now to deal with the present.