

Mr. G. may expect when he next solicits the support of the electors of Westmorland, whose confidence he has so shamefully betrayed.

The Surveyor General then enumerated the charges against his Department, as follows: 1st. A sale of 5,000 acres of land to Mr. Gibson—10,000 acres ordered to be sold by the late Government, and twenty-seven acres granted to Mr. Gibson to make up a deficiency in a sale to Mr. Chipman.

He called the attention of the House, in the first place, to the 2d, 3d and 4th sections of the Land Regulations, which are as follows:

2d. All applications shall be addressed by petition in the annexed form, to His Excellency the Lieutenant Governor, and transmitted to the Surveyor General.

3d. If the application be approved of, and the land applied for be not already surveyed, a warrant shall forthwith issue to authorize the survey to be executed at the expense of the applicant. No lot shall exceed two hundred acres.

4th. On the return of the survey, the description of the Land, the time and place of sale, and the upset price, will be announced in the *Royal Gazette*, and also by handbills publicly posted in the County where the land lies, at least twenty days previous to the day of sale.

Also to the order of Council in 1862.

"That pending the negotiations for the construction of the Inter-colonial Railway, none of the Crown Lands of this Province shall be sold, except with the condition of actual settlement attached."

That order only continued in force as long as the Act of Assembly for promoting the construction of the Inter-colonial Railway, and it expired on the 10th of April, 1860, and so the rule became a dead letter.

Mr. Botsford then showed, beyond a doubt, that the non-publication of the repeal of that order had no effect whatever one way or another on the sale of lands. That people continued to apply as before, who had no intention of complying with the conditions of actual settlement, ever since 1862. Such, for instance, as I believe the Hon. John Ferguson, 200 acres, in Gloucester; William Doherty, 200 acres, in Kent; Samuel J. Scovil, 274 acres, in King's; and many others who could never possibly be regarded as intending actual settlement. In the year 1862, 28,160 acres were sold at auction; in 1863, 18,397 acres; in 1864, 18,415 acres, and in 1865, 17,050 acres, conclusively showing that in 1865, in the latter year when the restriction was rescinded, less land was sold than in any of the three years preceding.

He next alluded to the statement of the hon. member from Carleton (Mr. Lindsay), that the people of that County were told that land could not be sold. [Mr. Lindsay here interrupted the Surveyor General, and the other hon. member for Carleton (Mr. Connell) rose and stated that the people did not know that they could purchase lands.] The Surveyor General then stated that the hon. member himself at least knew it, as also a number of other Connells, and produced petitions as follows:

Charles Connell,	100 acres,	25 Aug., '65.
do do.	100 do.	6 Oct., do.
Geo. H. do.	100 do.	18 do. do.
do do.	200 do.	6 do. do.
John do.	200 do.	6 do. do.
John W. do.	200 do.	7 Sep., do.

All under the auction system, and without a word of conditions of actual settlement.

The form of land petition used previous to, and after the order of 1862, has all along been the same, and never did embody the conditions of actual settlement. When the order was rescinded, the lands were advertised without conditions annexed, and the Deputy Surveyors were required to sell them absolutely.

The Surveyor General then explained the sale of 10,000 acres to Mr. Gibson—twenty-five different persons applied for 200 acres each. They were ascertained to be *bona fide* applicants who signed their own petitions. The land was surveyed and return thereof made in their names, but it was reported by the Deputy to be totally unfit for actual settlement, the usual notice of sale was given in the *Royal Gazette*, and when offered at auction, Mr. Gibson became the purchaser. Some hon. members had condemned the system of selling large tracts of such land, unfit for cultivation. He could only inform the House, that the wild land tax alone largely exceeds the sum that would be paid by Mr. Gibson for an annual licence to cut lumber, while it lasts, exclusive of the whole amount of the purchase money paid to the Government for the land.

He would now call the attention of the House to the 10,000 acres affair. A short time after he had been in office, Mr. Gibson called, and wished the tract brought to sale, which he stated the late Government had promised to do. On investigation he found, by documentary evidence, that the late Surveyor General, at Mr. Gibson's request, submitted this proposition to the Council.

"No. 4,561. Alexander Gibson prays leave to purchase a tract of land *without conditions of actual settlement*, which was affirmed in Council on the 18th of April, 1864."

Mr. McMillan now, however, states that notwithstanding this order, the Council had determined not to sell the land until the order for actual settlement had been rescinded.

He (Mr. Botsford) could only say that Mr. Gibson was never so informed, and was it consistent? Since Mr. Gibson had expressly asked whether they would sell the land without conditions, and it was answered in the affirmative, and the next piece of evidence condemns the ex-Surveyor General, as it were, out of his own mouth. Here it is. Mr. Gowan's letter, written to Mr. Gibson the very day after the decision of Council was made:

"CROWN LAND OFFICE, }
April 19th, 1864. }

"Sir:—Your application for leave to purchase a tract of land without the conditions of actual settlement, has been laid before the Council, and it is ordered that a survey be made as soon as you

designate by petition, the quantity which you wish offered, and the locality.

I am, sir, your obedient servant,
(Signed) R. COWAN."
ALEX. GIBSON, Esq.

Mr. Gibson then made out the desired petition, and the following was endorsed thereon:

"Let an order issue to Deputy Whitehead to survey 10,000 acres in two hundred acre lots, in the above situation.

(Signed) JOHN McMILLAN,
Surveyor General.

May 20th, 1864.

Mr. Gibson says he never was informed that the land would not be sold. On the contrary, the usual order of survey then issued in his name, the survey made at an expense to him of \$450, and the land ascertained to be unfit for settlement.

When the present Government assumed office, Mr. Gibson requested that the land be brought to sale, and as it did not feel disposed to break faith with Mr. Gibson, or cancel the solemn engagement made between him and the late Government in Council on the 18th November last, directed that the sale take place "*under the previous order*."

The usual notice was then publicly made, and the land sold at the Crown Land Office, to Mr. Gibson, at auction.

Mr. Botsford then requested the attention of the House to the twenty-seven acre lot granted to Mr. Gibson, which the hon. member from Albert (Mr. McClellan) told he had discovered from enquiries made at the Crown Land Office, and from information he had received from one of the subordinates there, had been given to Mr. Gibson without public action in lieu of other land, and selected at the outlet of a Lake in order to give Mr. Gibson control of the stream, and which appeared very extraordinary to that hon. member. The charge, however, is of the same complexion as the others, and when the facts are made known is found to be equally groundless.

Mr. Zachariah Chipman, of St. Stephen, purchased from the Crown 2,100 acres of land in the parish of Dumfries, and the then Surveyor General discovered that, when the grant was issued, there was a deficiency of twenty-seven acres. Mr. Chipman, therefore, received from the Department an authority to select other land to the extent of twenty-seven acres, wherever he thought proper, and this authority was transferred to Mr. Jack, who again transferred it to Mr. Gibson for the consideration of \$81. In February, 1864, Mr. Gibson applied to my predecessor, Mr. McMillan, for an order to survey the twenty-seven acres at the outlet of the Upper Nashuack Lake. The order was accordingly given, the survey was made at Mr. Gibson's expense, and the grant was issued to him in due course.

"CROWN LAND OFFICE, }
Feb. 6th, 1860. }

"Zachariah Chipman paid for 2,100 acres, south of the Simonds Grant, Dumfries. The grant only includes 2,073 acres, although called 2,100. Mr. C. is therefore entitled to a grant of any other lot of twenty-seven acres which he may select.

(Signed) ANDREW INCHES.

"Know all men by these presents,