

## Crown Land Scandal of 1865-66

Morning News

Dec. 11, 1865

Mr. Alex. Gibson, of Nashwaak, who supported the Government so zealously during the late election in York, spending money freely, has made application for fifty-five lots of Crown Land in York, embracing over *ten thousand* acres! – Telegraph

What means this wholesale disposal of the public lands to a private speculator? Is there not now in force a regulation to prevent any one man from obtaining more than 100 acres of land except for actual settlement? Was not this law intended to prevent speculators from locking up the public lands? And why, in the entertaining of the application of Mr. Gibson, a warm supporter of the Anti-Confederate candidate in York, has it been set aside? Will the “organs” answer for the Government in this matter?

Morning News

Dec. 15, 1865

Another Outrage!

Some days ago we appended to a paragraph which appeared in the columns of our contemporary the Telegraph a few interrogatories for the benefit of the public. The “organs” vouchsafed no reply, for the very good reason, no doubt, that nothing satisfactory could be stated by them. Since then, the Telegraph, which first drew attention to the matter, has published a list of the lots applied for in the names of Mr. Gibson’s employees and purchased on his behalf, and also a list of lots subsequently applied for in the name of Mr. Gibson himself, and to be sold on Tuesday, Jan 2, 1866. The total number of acres in the former lots is 4,903, and in the latter 10,212, making a grand total of 15,115 acres that will be locked up should the second sale be completed!! For the Government to allow such proceedings to be perpetrated is an outrage upon the community, and a disgrace to the name of justice. The public no doubt well remember that the advances of speculators upon the public domain, and the probability of arrangements being completed for the construction of the Intercolonial Railway, induced the late Government to pass in April, 1861, an order prohibiting the sale of lands in all parts of the Province except for actual settlement. The greatest publicity was given to this order, and its enforcement was most rigid until after the advent of the present corrupt Ministry. By their decision, in June last, it was rescinded; but up to the present time no notice appears to have been given of it. Thus, then, the injury to the public is two-fold—firstly, in the opening to speculators of a door for the locking up of public lands along the line of the proposed Intercolonial Railway, which work is yet on the tapis; and secondly, in the neglect to give publicity to the annulment of a regulation, generally admitted to be suited to the circumstances of the country, which would have the effect of preventing competition. The course of the Government in this matter, however, charitably viewed, is reprehensible; but considered as a device whereby the services of political canvassers could effectually be rewarded, it is infamous.

Morning News

Dec 18, 1865

Crown Land Speculations

The government “organs” conveniently skim over the land speculating affair. One professes to regard the reference to it in the Opposition press as merely sensational; the other treats it as a “mare’s nest” discovery. One, for mere shame’s sake, asks to have the regulation of the late government suspending the sale of all Crown Lands published, or the source whence it may be obtained designated; and the columns of our contemporary the Telegraph on Saturday shows that his wish has been anticipated. Both organs, however, are seemingly anxious that the subject should fall stillborn on

the public ear. Their desire in this respect will not be gratified. The community are as much alive as they ever were to the designs of speculators upon the public lands, and they will consent to no Government acts which places those lands at an important crisis in our Provincial history at the mercy of canvassers as a reward for their services. All who have the welfare of the country at heart must admit that it is as important that the use of fictitious names should be prevented now, as when on the revision of the Crown Land Regulations, in April, 1861, the Government decided to do so; and that pending the settlement of the question in which is involved the construction of the Intercolonial Railway, there is now, as much necessity for confining the purchasers to actual settlers as there was when the order prohibiting their sale was passed on October 11, 1862, while negotiations were in progress. But even though it were expedient at the present time to sell *en bloc*, or under fictitious names, it is an indefensible act to so offer them for sale without public notice being first given of the rescission of the order preventing them from being so sold. Government "organs" may try to smooth over the conduct of their masters in this matter, but they will miserably fail, for the public cannot doubt that the iniquity was perpetrated with a view of indemnifying for his support the speculator whose assistance in York, powerful though it was declared to be, failed to roll up for the Government candidate anything more than an ordinary support. But when in addition to the wrong which the thing carries on its very face, the people throughout the Province remember the rigid enquiry into the Crown Land business in former years, and its result—when they recollect the opinion expressed in the Investigating Committee's report that the "policy of permitting large tracts of land, suitable for settlement, throughout the province, and along the line of Railway, to be locked up in the hands of speculators" was "detrimental to the public interests"—when they call to mind the promptitude with which the then Government acted upon the decision of the House on the Committee's report, and when they consider that the speculator whose name now figures largely in the Gazette had been refused by the late Government the monopoly which the present "Happy Family" have been induced to concede, their indignation will know no bounds. The act will prove another link in the chain by which the Anti-Government will ere long be dragged deep down beneath the waves of oblivion, and cause to be made another entry in the record of wrongs which will make the very name of "Anti Government" to be publicly execrated all over the province.

[Note: it would be interesting if Gibson's decision to move to Fredericton was prompted by the possibility of an Intercolonial in his future neighborhood]

Headquarters

Dec 20, 1865

The Crown land Sensation

The Confederate Press overdoes its opposition to the Government. Instead of growing more and more excited over its fast following sensations, languor and weariness creep over the mind; the tremendous leaders pall upon the taste; and the afflicted people, ardently desiring peace, would fain cry out to the "able editors," "rest, rest, perturbed spirits rest." The people attuning the minds to the spirit of the coming kindly season, would like to see "peace and good will" prevailing, if only for a short time, in the ranks of the press. They are certainly much more anxious to see the snow, to hear the tinkling of sleigh bells, and to make preparations of the Christmas festivities, than to receive their newspapers, and to read in them violent "diatribes" and incessant denunciations of the Government.

The Telegraph's discovery—of what the Freeman calls a "mare's nest"—regarding the mode of sale of certain tracts of Crown land, has come too late to create a profound sensation. Besides, a cool examination into the merits of the cases disclose no just grounds for indignation or excitement. The Telegraph, no doubt, wants to see the province proper, and to protect the rights of the hard-working settler. But it is transparent humbug to denounce the government for giving a certain enterprising lumber operator, who happens to be a very active Anti Confederate, (unfortunately for himself, if he values the favor of the Telegraph) the privilege of purchasing certain tracts of land, which, we are told, on excellent authority, are totally unfit for settlement, and the cry out "for the preservation of the public domain for the

hard working settlers whose honest labor have done so much already to place their country in its present proud position before the world.”

We have as much respect for the claims of the hard-working settler as the Telegraph, but we think that capital and enterprise, which here is not so plentiful as honest labor, have claims as well. Without them a country would be nothing, and in this Province everything should be done to encourage their efforts; no unnecessary bars should be placed in their way. We would not underrate the honest labors of the hard-working settlers, but, if the Province is ever really to occupy a proud position before the world, capital and enterprise must have legitimate scope and encouragement.

But what have the government done to call down on their heads the indignation of the Telegraph? Nothing more than what, as we will show, the late Government were prepared to do. The gravamen of the charge against the present Government is, that they have without giving special public notice, rescinded a resolution in Council of the predecessors, (adopted 15th October, 1862) that none of the public lands should be sold except with these conditions. But the terms under which the lands in question were sold, and are offered for sale, are equivalent to a public notice. They were and are advertised in the Royal Gazette weeks before the appointed day of sale, and thus, in this way, due notice is given to all interested in the sale and purchase of public lands, to attend the public auction and compete, if they so desire. The reasons why the government rescinded the order were sound and sufficient. 1. They did not believe—as the Telegraph affects to believe—in the immediate construction of the Intercolonial Railway, nor had they the slightest faith in or consideration for Fleming’s report, and 2. they found the resolution of 1862—that was made in anticipation of that event—standing in their way and preventing them issuing the grants on sale of land, (we hear to the number of 130,) which had been made in all parts of the Province. Were they to tie up the lands of the Province in dim prospect of a problematic event? They would not—as practical men, bound to attend to the immediate interests of the Province—have been justified in doing so.

With regard to these lands in question, there are two separate tracts—one of 4,903 acres, already sold, the other of 10,000 acres, offered for sale in the beginning of January. With regard to the sale of the first tract, applications were made in the names of 25 separate persons, and we are told that the Hon. Mr. Botsford, before he would entertain any one of them, took special trouble to ascertain that the signatures to them were bona fide. This mode of purchase is perfectly legal, and in strict accordance with the regulations, and granting—which cannot be denied—that the government had a right to rescind the resolution of their predecessors, everything was done in due form. Now, what do we find by information afforded us, that is open to all? Why, that the late government, in face of their standing resolution, were prepared to sell the lands to Mr. Gibson, ignoring the condition of actual settlement. What the present government did, they first rescinded the resolution and then sold the lands. What the late government were prepared to do—they would have sold the lands in defiance of their own law.

This will be seen, when we give the history of the 10,000 acre tract, that will be offered for sale in January. On the 18th of April, 1864, (when the order of October, 1862, was in existence) Mr. Gibson, through the then Surveyor General, Mr. McMillan, prayed for leave to purchase a tract of land in block, without the conditions of actual settlement, which was duly considered at a meeting of Council and a survey ordered. This was a departure from usage and the spirits of the regulation, for lands sold at public auction without conditions of settlement, which requires that applications shall be for lots not exceeding 200 acres, and that there shall be separate applicants for each lot. Mr. Gibson was duly notified of the fact. In a month afterwards he (in May 1864) went to the Surveyor General’s office and drew up a petition, which sets forth “that he is a British subject, and is desirous of purchasing 25,000 acres of wilderness Crown Lands, in tracts of 200 acres each, out of the land now under lease to him on the Nashwaak River, situated in the parish of Southampton and Northampton, in the county of York. Afterwards, we find that Mr. McMillan, on the 20th May, endorsed on the petition the following order: “Let an order be given to Deputy Whitehead to survey 10,000 acres in 200 acre lots, in the ?”

... compliant with the application. On the same day Mr. McMillan actually

issued this order of survey, and it was made in accordance, and in due time Deputy Whitehead made his returns. For this survey Mr. Gibson paid \$450. No further steps seem to have been taken by Mr. Gibson until the 18th November last, (great changes and sudden reverses having taken place in the interim, as all “the world” knows). Why he did not we are not perfectly informed. At any rate, he renewed his application to the present Government, and the result was the following order: “Let 10,000 acres be sold *under previous order.*”

This is the history of the 10,000 acre tract as read by the light of public records. It shows that the present government only completed what the late Government begun—only carried out their intention—but, before doing so, they rescinded the resolution of 1862, which its framers appear to have coolly disregarded.

Morning Freeman

Dec 21, 1865

The New Crown Lands Story—“A Capital Joke”

We have waited a whole week to allow the opposition papers to enjoy the pleasure they found in the Crown Lands Story, first told by the Telegraph, and to indulge in all the abuse they could lavish on the Government. We tried to coax or to shame the *Journal* into joining in the cry; but for reasons of its own that paper preserved a profound silence on a subject which seemed to be of such public importance. Its readers must surely wish to know why it was silent when there seemed to be such an excellent chance of attacking the Government.

We intended to wait until the *Reporter*, which promised to deal with the subject in the style and tone of the *Telegraph* itself, and the meek *Intelligencer*, had all contributed to swell the chorus; but as the *Telegraph* and *News* have become so impatient—the *Telegraph* complaining that not a word of reply had been vouchsafed, not a syllable of explanation had been offered, and that we were silent because we were the willing slaves of faction, and the *News* declaring that the “organs” dared not utter a word of defense, etc., etc., we have concluded to let them and the public into the secret we have kept for a whole week.

**THEY HAVE ALL THIS TIME BEEN ABUSING THEIR OWN FRIENDS AND MASTERS, THE LATE GOVERNMENT!!!**

This we have no doubt will astonish them very much, and it will astonish the person who has inspired the articles in the *Telegraph* quite as much. He ought to know all about the matter, and probably he thought he did know all; but since he played speculator and jobber himself, the affairs of the Crown Lands office received little attention from one absorbed in the grand scheme of founding a new nationality, and therefore he instructed his amanuensis to write in the second article on the subject which appeared in the *Telegraph* that—

“Mr. Gibson had for many months been striving to obtain a monopoly of certain extensive tracts of Crown Lands. Before the late Government left office he sought to get the Order in Council of October ’62 recalled. But he failed. In the March Election he did everything he could to defeat the Government and Confederation and elect Mr. Hatheway and the Anti Ticket.”

He did not fail as we shall presently prove by official documents; but perhaps the party who inspired those savage articles never knew that the order in Council made by his Government was subsequently carried out in a modified form by the Surveyor General of that Government. If he had known this, we would never have seen any of those thundering articles on Crown Land jobbing.

The writer of the first article misunderstood what he was told, and he opened his assault by stating that in April 1861 the Government decided that “henceforth no more Crown lands should be disposed of to private parties except for actual settlement.” We asked the *Telegraph* to publish this regulation or inform us where it could be found. The Crown Land regulations were revised about that time, but not such condition as this was expressed or implied in the regulations which appeared in the *Gazette* of April 24th, 1861, the condition of actual settlement being imposed only when lands were obtained under the labour act, and the only restrictions where lands are put up to auction being that the lands should be sold in lots of not more than 200 acres, and that “no person shall be allowed to purchase more than one hundred acres payable by installment.” No such regulation as the *Telegraph* stated was made. But

payable by instalment. NO such regulation as the telegraph stated was made. But after making the statement it added:--

“The sense of the country seemed to demand this measure of protection from speculators who had managed to lock up immense quantities of valuable lands. It was deemed necessary, also as a guarantee of good faith with the Provincial creditors abroad, who had advanced several millions of dollars on the implied security of the public property. It was especially important in view of the early construction of railroads, as, in the absence of the Regulation, speculators would speedily secure the vacant lands along the surveyed lines of railway, and hold them against settlers, until, by the expenditure of public money on railways and the untiring exertions of the inhabitants around them, the value should be greatly enhanced. The Regulation in our opinion was dictated by a wise regard for the interests of the Province as a whole.”

The speculators who had managed to lock up lands along the line of Railway were Tilley, Fisher and Co., themselves. The Telegraph goes on to say:--

“It soon became known that the era of speculation in the public domain was at an end. The Government, as was their duty, published the new Regulation in the Royal Gazette, from which it was copied into all the Provincial papers, and its appearance, hailed with general satisfaction. Of course, mere speculators—the men, who, possessing some money, were determined to invest it in such a way that the hard handed labour of the industrious should be made to increase the value of the investment—were very angry; and, while the Tilley-Mitchell Government were in power, strenuous efforts were made in certain quarters to have the Regulation rescinded. But that Government, whatever may have been their other faults, were firm on this point, and down to the time of their resignation, on the defeat of Confederation in March, they adhered to their resolution.”

Those who remember the great Crown Lands investigation, and the revelations then made, must laugh heartily at all this.

In October, 1862, when the Government had resolved to carry out the Intercolonial Railway scheme agreed on at Quebec, they did made the following conditional regulation:--

Crown Land Office, Oct. 11, 1862

“The following Order has been made by His Excellency the Lieutenant Governor in Council, and is published for general information:

“Ordered, that pending the negotiations for the construction of the Inter-Colonial Railway, that NONE OF THE CROWN LANDS OF THIS PROVINCE SHALL BE SOLD, EXCEPT WITH THE CONDITIONS OF ACTUAL SETTLEMENT ATTACHED.”

John McMillan, Sur. Genl.

This is on the very face of it a temporary regulation which must lapse as soon as the conditions on which it was based expired. This, however, is the regulation which, according to the Telegraph, put an end to speculation in the public domain, and which the present Government secretly and corruptly rescinded, in order to enable Mr. Gibson to get the 10,000 acres of land which are now offered for sale.

We shall now show that *the late Government were the parties who, in the very face of their own regulation, before it had lapsed or had been rescinded approved of Mr. Gibson's application and MADE THE ORDER OF SURVEY, under which those lands are now advertised.*

On the 13th of April, 1864, an application on behalf of Mr. Gibson was entered on the Surveyor General Schedule, to be submitted to Council, as follows:--

“Alex. Gibson prays leave to purchase a tract of land without condition of actual settlement.”

And the order of Council made thereon was MAKE A SURVEY.

There is no paper—petition or memorandum on the files of the Crown Lands Office, on which the application could have been grounded, and the probability is that Mr. Gibson had not at that time made a formal application; but on May 20th, 1864, Mr. Gibson sent in the following petition:--

“To His Honor Col. J. Amber Cole, Administrator of the Government Commander-in-Chief of the Province of New Brunswick, etc., etc.,

“The petition of Alex. Gibson, of the Parish of St. Stephen, in the County of Charlotte,

“Humbly sheweth

Handy showen,

“That he is a British subject and is desirous of purchasing 25,000 acres of wilderness Crown Lands in the tracts of 200 acres each out of the lands now under lease to him on the Nashwaak river, situate in the Parishes of Southampton and Northampton in the Counties of York and Carleton.

“And your petition, as in duty bound, will ever pray,

(signed) Alex. Gibson.”

Fredericton, May 20, 1864.

This petition was probably never laid before the Council, for on the very same day Mr. McMillan, then Surveyor General, believing no doubt that he was authorized, by the order in Council of April 18th, made the following endorsement on the petition:--

“Alexander Gibson praying leave to purchase 25,000 acres Wilderness Land on the Nashwaak river, in the Counties of York and Carleton,

“Let an order issue to Deputy Whitehead to survey 10,000 acres in 200 acre tracts in the above situation.”

(Signed) John McMillan, Surveyor General

May 20, 1864

And so energetically was the matter pushed forward, that on that very same day the order No. 3368 did issue as follows:--

SURVEYOR GENERAL'S OFFICE,

Fredericton, May 20, 1864

“Mr. Deputy Whitehead,

“You are directed forthwith to survey for Alexander Gibson, on his application and at his expense, ten Thousand acres of Vacant Crown lands, in tracts of 200 acres each, in the County of York, situate as follows, viz:

“On the river Nashwaak, and comprised within lands now under lease to him on that river (all of which would be within the County of York).”

.....

(Signed) John McMillan

Surveyor General

(To save space, we omit the printed regulations which are attached to all such order, and which in this case are immaterial.)

These—petition, endorsement, etc.—we copy from the original documents, which we applied for at the Crown Land Office, and which we will show with pleasure to any gentleman who calls on us within a few days.

The survey was made, and returned to the office by Mr. Whitehead, the survey expenses, amounting to \$450 having been paid by Mr. Gibson, who made no further move in the matter until Nov. 18th, 1865, when on his application the order of sale was made as a matter of course, in these terms:--

“Let 10,000 acres be sold *under previous order.*”

In order to show that the present Government really had no discretion in the matter, but were bound to make this order, we now quote the 3rd and 4th of the revised regulations published in 1861:

“3rd. 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 to exceed 200 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 by the Royal Gazette, and also by handbills publicly posted in the County where the land lies, at least twenty days previous to the time of sale.”

So that the application having once been approved of, and the survey ordered and *made at the applicant's expense*, the sale follows as a matter of course.

The Telegraph makes it an aggravation of the is great public wrong that Mr. Gibson, the applicant, is also lessee of the right to lumber on the lands for which he is an applicant. His petition shows that he was lessee when the later Government approved of his application.

The Telegraph charges the present Government with concealing the fact that the Crown Lands have been again thrown open to speculators. It was the late Government which, while their regulation was still in force, while their law providing for the Intercolonial Railway was still on the Statute Book—we quote the Telegraph:

“Not openly but *secretly*—not publicly but privately—not in the light of day, and through the public journals, but in the privacy of the Council Chamber and known only to a select few—have placed millions of acres of the public domain at the mercy of a speculation crew, at whose hands the country has already suffered most severely.”

The present government have openly and publicly advertised the 10,000 acres for sale—all in the name of Alexander Grant as applicant.

Having thus clearly and conclusively shown by whom this thing was done, let us now enjoy what the opposition press say of the conduct of their dear friends—those immaculate men, those patriotic politicians—supposing all the time they were abusing the present Government.

The Telegraph says:

“The consequences of this secret action are easily seen. The facts we are about to state may explain the conduct of certain persons during Election times. Mr. Alexander Gibson of Nashwaak, supported Mr. Hatheway and the Anti Confederates during the March Election and helped to swell the Anti Majority at Nashwaak and Douglas. Afterwards, he conceived the idea that he would like to hold and possess some tracts of Crown Lands in those parishes. Accordingly, he used his influence to secure the rescinding of the Regulation which prevented speculation in the public lands.”

So it was for election purposes the order was made—was it? The Tilley-Mitchell Government did not rescind the resolution, but acted in defiance of it.

And again the Telegraph:

“If men of means cannot reverse the action of the Government, they can at least prevent ten thousand acres of choice lands in York from being appropriated by a Government canvasser, for a merely nominal sum. We expect to hear, besides, that the outrageous conduct of the men in power has awakened in the country an amount of indignation that will sweep them out of existence.”

Then the News says:

“For the Government to allow such proceedings to be perpetrated is an outrage upon the community, and a disgrace to the name of justice. The public no doubt will remember that the advances of speculators upon the public domain, and the probability of arrangements being completed for the construction of the Intercolonial Railway, induced the late Government to pass in April, 1861, an order prohibiting the sale of lands in all parts of the Province except for actual settlement.”

And again the News:

“The course of the Government in this matter, however charitably viewed, is reprehensible; but considered as a device whereby the services of political canvassers could effectually be rewarded, it is infamous.”

REMEMBER THAT THE ACT THUS DENOUNCED IS THE ACT OF THE LATE GOVERNMENT

In the next article the Telegraph quotes from the Report of the Committee of Assembly who held the famous investigation:

“the Committee beg to say that they consider the policy of permitting large tracts of land, suitable for settlement, throughout the Province, and along the line of Railway, to be locked up in the hands of speculators, as detrimental to the public interests.”

And it says:

“But it seems that the Government were determined to try and discover to what extent they could venture to outrage public sentiment. In the fact of the solemn declarations of the Legislature, in the very teeth of public opinion throughout the Province, having in ‘full view’ the evils that had arisen from land speculation and the outcry of honest settlers whose labors went to increase the value of the wild lands of non-residents in their districts, the Government of the day have taken speculators under their wing and bidden them appropriate the public lands to any extent. They have chosen to do this wrong at a time, of all others, most favorable to speculators.”

And again:

“But, strong as the public generally may feel in opposition to the Government’s policy on this question, earnestly as that policy may be denounced, there may be differences of opinion on the subject, since after all it is a matter of opinion. But with regard to the *secrecy* which they have maintained in rescinding the

Order of Council appropriating the lands of the Province for Actual Settlement only, there can be no difference of opinion. On the evil effects of this secrecy all must be agreed. No person but some one in the secret, and who has profited by it, will defend it for one moment. Nothing can be more opposed to the spirit of our Constitution and laws when the absence of publicity in matters in which the public as a whole are interested, especially where the public property is concerned, and in such cases as that now under consideration.”

What an awful thrashing they were giving their friends, supposing all the time that they were hitting their enemies. Oh! Truly, “’tis the sport to see the engineer hoist with own petard.” But this was not all. The News, following up the attack, said in its next issue:

“Government ‘organs’ may try to smooth over the conduct of their masters in this matter, but they will miserably fail, for the public cannot doubt that the iniquity was perpetrated with a view of indemnifying for his support the speculator whose assistance in York, powerful though it was declared to be, failed to roll up for the government candidate anything more than ordinary support. But when in addition to the wrong which the thing carries on its very face, the people throughout the Province remember the rigid enquiry into the Crown Land business in former years, and its result—when they recollect the opinion expressed in the Investigating Committee’s report that the ‘policy of permitting large tracts of land, suitable for settlement, through the province, and along the line of railway, to be locked up in the hands of speculators’ was ‘detrimental to the public interests’—when they call to mind the promptitude with which the then Government acted upon the decision of the House on the Committee’s report, and when they consider that the speculator whose name now figures largely in the Gazette has been refused by the late Government the monopoly which the present ‘Happy Family’ have been induced to concede, their indignation will know no bounds.”

On Tuesday, the Telegraph, glorying in the apparent success of his grand attack, and not knowing that he had only charged a mine to be exploded under the feet of those for whom he thought he was working, said:

“These most willing slaves of faction appear to be thoroughly non-plussed; but it may be that they are only awaiting orders from headquarters as to the line of defense to be adopted. We knew, indeed, that it would be utterly impossible for the Government Press to defend the acts to the satisfaction of the people; we know that any attempt to persuade the people that Mr. Gibson of Nashwaak, was entitled to as many acres of the public lands as he should choose to call his own, would fail of its intended effect; and we were satisfied beyond the shadow of a doubt that, whatever differences of opinion might exist on other points, the most plausible reasons that could possibly be urged in favor of a government, which having opened up the Crown Lands to speculators, *furnished the information to a few persons, but withheld it from the people generally*, would be treated with the utmost contempt by the people at large. On this last point public feeling is very strong and properly so. It may well be difficult to find a champion for a cause as forlorn in itself, or a policy so dangerous to public interests. The man who will stand up to defend the Government in not giving public notice that the Crown Lands were again open for sale without conditions of Actual Settlement, must be a besotted partisan or a splendid specimen of a fool.”

All this remember said by those paper of the act and conduct of the Tilley-Mitchell Government!!

Mr. Gibson, in his petition, stated that he held a license to lumber on the lands which he sought to buy, and the Telegraph says:

“His next step was to apply to purchase outright. This he has done boldly in his own name! But, why in his own name, when he concealed his own and used the names of his employees when applying for the Douglas tract? The reason is obvious. He does not fear opposition on sales’ day. Mr. Gibson holds a three years timber license of the tract. When the land will be purchased, it must be *subject to that license!* If any competitor chooses to oppose Mr. Gibson, and purchase the land, why Mr. Gibson would strip the land of every stick of timber before the expiry of his three years license. This is the risk that no competitor would run; and it is such a risk as no person, with a knowledge of the facts, will care to face. As previously remarked, the Government have managed their Jobbery so thoroughly that there is no possibility

whatever of saving any portion.”

And on Wednesday the News said:

“The ‘organs’ have not, up to the time of the present writing, dared to utter a word of defense of the land jobbing to which the Government has been a party, and they are too much of time-servers to address one word of condemnation or one note of warning to their masters. They well know that it was wrong for the Government to fly in the face of a recommendation of an Investigating Committee which received endorsement by the House when there was no greater need of land speculating being restrained than there is now, but being satisfied that it is much easier, though no less reprehensible, to tolerate than to essay to defend that which is indefensible, they are silent. They know it is a gross outrage.”

What a pity that the Journal, even while supposing the accusations against the present Government to be well founded, maintained for some mercenary, private reason, so profound a silence; what a pity that the Reporter and Intelligencer have not had a chance to join in these overwhelming denunciations of the conduct of their great friends.

As it is evident from the regulation of October 1862 itself, it ceased to be of force as soon, at all events as the Intercolonial Railway Act of 1863 expired; but the present Government, we believe, more as a matter of form than from any idea of the necessity of doing so, made an order formally rescinding it in the early part of last summer. They did this, not to please Mr. Gibson, as the Telegraph asserts, but they found the Crown Lands office, like all the other departments, in a state of almost irretrievable confusion. Among other matters demanding immediate action were no less than 130 claims for land actually sold by the previous Government. The money was in all, or nearly all, these cases paid, and yet the grants were not issued, because, as was alleged, the regulation of October 1862 was in the way. The Government, in defiance of the regulation, sold lands to 130 persons and ordered a survey for Mr. Gibson of 10,000 acres, they but could not, or would not, give grants to those whose money they took. Many of those cases had become very complicated, by reason of the death of the original applicants, and from other causes, and the Surveyor General and Council had no little labour in settling them all satisfactorily. Grants were issued in all these cases, and yet the Telegraph pretends to believe that the present Government acted improperly and *secretly* because they did not publish an unimportant and really unnecessary order which rescinded a regulation that had already died a natural death.

The Telegraph bases its accusations partly on the sale of 4903 acres of land, which were sold before the 10,000 acres. This land, which, by the way, is reported unfit for settlement, was applied for after the regulation of October 1862 had expired, by several parties who are not fictitious but real persons, and the present Government ordered that it be sold. The Telegraph says of the regulations of 1861 that:

“Other stringent provisions were insisted on, the Government, all the while acting in accordance with the spirit of the Report adopted by the Legislature, and which discountenanced further speculation in the public property. It was considered that the demand for the real name of the applicant would of itself put an end to a nefarious system which could only be carried out under the cloak of secrecy.”

In this case those stringent provisions were carefully enforced. We have ascertained that the applicants, with one or two exceptions, appeared in person at the crown Lands Office and signed their own names. These lands were sold for \$2,353.44, which was paid. If the parties who purchased chose to transfer to Mr. Gibson, there is nothing in the regulations to prevent it; nothing even to prevent his attending the sale and purchasing the whole himself, and such a transaction would be perfectly legal and legitimate. So much for this part of the charge which really applies to the present Government.

But for the order for the survey, and consequent sale of the 10,000 acres, made while the late government were yet in office, what a torrent of invectives, what a wonderful amount of indignation do their own papers unwittingly heap upon them. Were ever men so served? Was every party so ruined by its own machinations? So completely overwhelmed by the fierce and furious onslaughts of their mercenaries, who have proved to their own entire satisfaction that the conduct of the late Government in their management of the Crown Lands has been “corrupt,” “outrageous,” “infamous,” etc., etc.,

Reporter

Dec 22, 1865

It is amusing to see how apparently indifferent the government papers are on the great land swindle which has recently been perpetrated by their friends of the Executive. Indeed they have scarcely alluded to it, or if mentioning it all, they have merely done so as a subject beneath the notice of the people.

*Our readers will well remember that it is only a few years ago since the whole of this province was agitated by the noise which was made concerning the purchase of tracts of land by certain persons who were said to have such knowledge of their respective localities as to enable them to have a decided advantage over the ordinary class of purchasers on such occasions.* will also remember that a valuable head Clerk in the Crown Land office was discarded on account of his having bought some of those lands at the public sales, and that in fact the affair came very near ending in a disruption of the Government, one of its most influential members being obliged to retire from it, on account of his having made a purchase of four or five hundred acres. They will also remember how active the leader of the present government, Mr. Smith, was in raising a committee, which was occupied with the subject for several weeks, and which examined upon oath the Surveyor General and several other members of the government, and that after putting the Province to vast expense a book was published containing the evidence of the respective witnesses. Shortly after, Mr. Brown, against who no particular wrong was even insinuated, lost his election in Charlotte and his place as Surveyor General was supplied by Mr. McMillan. It was then that the Tilley Government, in order fully to reassure and satisfy the people on the subject of Crown Land speculation, passed and published the following Minute of Council:

Crown Land Office

Oct 11, 1862

“The following order has been made by His Excellency to Lieut. Governor in council, and is published for general information:

“Ordered, that pending the negotiations for the construction of the Intercolonial Railroad, that none of the Crown Lands of this province shall be sold except with the conditions of actual settlement attached.”

Signed, John McMillan

Surveyor General

This order was steadfastly adhered to during the existence of the Liberal Government; but it now appears on the present party obtaining office, they rescinded it in private, thus laying open the valuable wilderness lands once more—not to the public, but to their own immediate friends, who would of course be put in possession of the valuable secret, by which large fortunes might be realized with *Railroad speed*.

We have no personal dislike to gratify in our allusions to the Hon. Mr. Smith; on the contrary, our personal feelings would lead us in another direction. But truth and candor compel us to state the fact that it is he, the very man who instigated the Commission which resulted in the retirement of Mr. Fisher from the government, who has since sat as President of the Council which has repealed the McMillan order, thus privately throwing the most valuable lands in the Province into the hands of the friendly supporters of the government, while all others must have remained profoundly ignorant on the subject.

Such is a short abstract of the proceedings of the government upon this occasion, as recently brought to light by the *Saint John Telegraph*, for which that paper deserves the thanks of the Province.

And now we ask the Farmers whose sons have left the province to earn a precarious living in an alien and we fear unfriendly country, because they could not find employment on their own lands and in their own country—we ask the lumberers who have been driven from one small tract to another for their legitimate operations, or who are finally driven to Canada for that material which rightfully belongs to them at home—we ask the tradesmen who have from year to year supplied the operative of the wilderness—is it right or just that our most valuable, or rather we should say

invaluable land, should be rendered the exclusive property of Government hirelings and supporters? If these lands are to be disposed of at all under present circumstances, in the name of all that's just let them be thrown open to public competition upon those terms laid down by late government, and which have never yet been publicly rescinded.

We will now with the simple announcement of a rumor here that certain members of the Government are as much interested in these land spoliations as is Mr. Gibson, leave the subject, first to the *Telegraph*, and next to the people of New Brunswick. We quote: [presumably from the *Telegraph*]

#### How the Crown Lands are Going

In April, 1861, the Government of the Province decided in council that henceforth no more Crown Lands should be disposed of to private parties, except for Actual Settlement. The sense of the country seemed to demand this measure of protection from speculators who had managed to lock up immense quantities of valuable lands. It was deemed necessary, also, as a guarantee of good faith with the Provincial creditors abroad, who had advanced several millions of dollars on the implied security of the public property. It was especially important in view of the early construction of Railroad, as in the absence of the Regulation, speculators would speedily procure the vacant lands along the surveyed lines of Railway and hold them against settlers, until by the expenditure of public money on railways and the untiring exertions of the inhabitants around them their value should be greatly enhanced. The Regulation, in our opinion, was dictated by a wise regard for the interests of the Province as a whole. The Government of the day, at all events, could not disregard the wishes of the people, and the sentiments of the Legislature which were and are strongly opposed to further land speculation. The widest publicity was given to the new Regulation. It soon became known that the era of speculation in the public domain was at an end. The Government, as was their duty, published the new Regulation in the Royal Gazette, from which it was copied into all the Provincial papers, and its appearance hailed with general satisfaction. Of course mere speculators—the men who possessing some money, were determined to invest it in such a way that the hard-handed labor of the industrious should be made to increase the value of the investment—were very angry; and while the Tilley-Mitchell Government were in power, strenuous efforts were made in certain quarters to have the Regulation rescinded. But the government, whatever may have been their other faults, were firm on this point, and down to the time of their resignation, on the defeat of Confederation in March, they adhered to their resolution. The successors, the Smith-Anglin government, were sworn into office of 1st of April. They had signalized their struggle for power by extraordinary avowals of purity of motive, rectitude of conduct, and most thorough and whole-souled “patriotism.” They had not held the reins of power many weeks before men who had supported them during the canvas pressed for the rescinding of the Regulation which had shut out speculation in the public domain. It was hardly to be expected that a Government which contained Mr. Gillmor, Mr. Hatheway, Mr. Hutchinson and others largely interested in abolishing the Regulation, would pay much regard to the interests of the country as a whole. *In June last the Regulation was actually rescinded* the Government in Council, but extraordinary to relate, NO PUBLIC NOTICE OF THE GOVERNMENT'S ACTION HAS TO THIS MOMENT BEEN GIVEN, *either official or unofficial*. There may have been (and as facts now known prove these certainly were) some few persons in the secret, but the country at large have not, until this moment, been cognizant to the fact that the Crown lands have again been thrown open to speculators everywhere! We are confident the people will be startled by this announcement; and the results of the secret act on the Government, already known, will not reassure them. It is an astounding fact that when railways are being projected through wilderness lands in several parts of the Province—when valuable mineral discoveries are being made in various quarters—when new railway surveys point to public lands in certain localities as likely to become valuable a short time hence—this of all others, is the occasion when the Government of the Province, not openly but secretly—not publicly but privately—not in the light of day and through the public journals, but in the privacy of the Council Chamber and known only to a select few—have placed millions of acres of the public domain at the mercy of a speculating crew, of whose heads the country has already suffered most severely.

crew, at whose heads the country has already suffered most severely.

The consequences of this secret action are easily seen. The facts we are about to state may explain the conduct of certain persons during Election times. Mr. Alexander Gibson of Nashwaak, supported Mr. Hatheway and the Anti-Confederates during the March Election, and helped to swell the Anti majority at Nashwaak and Douglas. Afterwards he conceived the idea that he would like to hold and possess some tracts of Crown lands in those parishes. Accordingly he used his influence to secure the rescinding of the Regulation which prevented speculation in the public lands. The Government were sworn into office in April; the Regulation was secretly rescinded in June; and in October Mr. Alexander Gibson succeeded in obtaining one block, four thousand nine hundred and three acres of Crown Lands not an acre of which was applied for in his own name. the advertisement preliminary to the sale of the lands is dated Oct. 3rd, and is signed by "Bliss Botsford, Surveyor General." The same number of the *Gazette* announced the appointment of Mr. Allen to the Bench, which, of course, made a vacancy in the representation of York County, and pointed to an early election. We quote the lots applied for and sold, and the name of the "applicants." The latter are recognized as in Mr. Gibson's employment. (This process of bringing lands to sale is quite as simple as the system of "fictitious names!")

Here follow 25 applications, total 4,903 acres:

The lands were duly sold at the Crown Land Office, Fredericton, on Nov 7th, and purchased on behalf of Mr. Gibson, who, up to this time, had not appeared publicly in the transaction; he had, however, just about this time, worked strenuously and spent money freely, to defeat Mr. Fisher and elect the Government candidate, Mr. Pickard!

Just a month after receiving these 5,000 acres, we hear of Mr. Gibson again. Emboldened by his success on the 7th of November, we find him on Dec. 5th applying, in his own name, for TEN THOUSAND TWO HUNDRED AND TWELVE ACRES MORE!

Here follow 25 applications, total 10,212 acres.

This sale will be held at the Crown Land office, Fredericton, on Tuesday, Jan 2nd, 1866. If Mr. Gibson can secure it without competition, and if the Intercolonial Railway take a central route surveyed by Mr. Fleming, Mr. Gibson will have amassed a handsome fortune. Mr. Fleming, detailing his survey of a Central Route, at page 43 of his Report, says:--

"Crossing the north-west branch of the River Miramichi, about a mile westerly from the 'Forks,' the line ascends by Turtleshell Brook without difficulty to the watershed between the last name River and the Nashwaak, which it reaches at the beginning of the 40th mile at an elevation of 950 feet. Descending on a favorable grade for about a mile, the line then follows the River Nashwaak on the Westerly side, and on nearly level grades to the 51st mile, where the Two Slater brooks fall into the main stream. At this point the Nashwaak leaves the Southerly direction which it previously maintained and turns nearly at right angles to the east. *The line however continues southerly, and ascending by one of the Two Sisters, the Keswick summit at about the 14th mile, and at this point attains a height above the tide of 105 feet. From the summit the line descends on a 65 feet grade for a distance of about a mile, to a point a little easterly from Lake Beccaguimic, where this section of the survey terminates.*"

These are but two transactions. Perhaps others of a similar character might be discovered by closer investigation. There certainly are other suspicious advertisements in the *Royal Gazette*, but we content ourselves, at present, with dealing with the "operations" of one individual only, reserving for future discussion whatever other jobbery has been perpetrated or may now be on foot.

Now that the publicity has been given to the movements of the Government and their friends it is to be expected that these valuable lands will not be sacrificed. If men of means cannot reverse the action of the Government, they can at least prevent ten thousand acres of choice lands in York from being appropriated by a Government canvasser, for a mere nominal sum. We expect to hear, besides, that the outrageous conduct of the men in power has awakened in the country an amount of indignation that will sweep them out of existence."

The following order has been made by His Excellency the Lieutenant Governor in Council, and is published for general information:--

“Ordered, That pending the negotiations for the Intercolonial Railway, that NONE OF THE CROWN LANDS OF THIS PROVINCE SHALL BE SOLD, EXCEPT WITH THE CONDITIONS OF ACTUAL SETTLEMENT ATTACHED.”

--John McMillan, Surveyor General

In this state, then, matters remained for several years. Speculation was at an end. Persons desirous of securing large blocks of land situated near profitable Railway routes were discountenanced. We dare say that if the truth were known, the late Government made many enemies, in certain quarters by the step. But they adhered to their act, which gave general satisfaction throughout the country, and preserved the public lands for the people themselves, for the new generation that is coming up, and for worthy immigrants from any quarter of the globe.

The Order in Council continued in force, as stated by us in Thursday's issue, until the "model" Government came into power, when it was quietly rescinded and the public lands again thrown open to speculators. This was surely bad enough. But it seems that the Government were determined to try and discover to what extent they could venture to outrage public sentiment. In the face of the solemn declarations of the Legislature, in the very teeth of public opinion throughout the Province, having in full view of the evils that had arisen from land speculations and the outcry of honest settlers whose labors went to increase the value of the wild lands of non-residents in their districts, the Government of the day have taken speculators under their wing and bidding them appropriate the public lands to any extent. They have chosen to do this great wrong at a time of all others, most favorable to speculation; when the construction of the Intercolonial Railway as a fixed fact, although its route is yet undecided; when Western Extension to the States, Eastern Extension in Nova Scotia, the St. Stephen branch, the Woodstock branch, the Fredericton branch are all projects that will be carried out to a successful termination at an early day, some of them being already progressing rapidly. But, strong as the public generally may feel an opposition to the Government's policy on this question, earnestly as that policy may be denounced, there may be difference of opinion on the subject, since after all it is a matter of opinion. But with regard to the *secrecy* which they have maintained in rescinding the Order of Council appropriating the lands of the Province for Actual Settlement only, there can be no difference of opinion. On the evil effects of this secrecy all must be agreed. No person but some one in the secret and who has profited by it will defend it for one moment. Nothing can be more opposed to the spirit of our constitution and laws than the absence of publicity in matters in which the public as a whole are interested, especially where the public property is concerned, and in such cases as that now under consideration. Mr. Gibson had for many months been striving to obtain a monopoly of certain extensive tracts of Crown Lands. Before the late Government left Office he sought to get the Order in Council of October '62 recalled. But he failed. In the March Election he did everything he could to defeat the Government and Confederation, and elect Mr. Hatheway and the Anti Ticket. He was soon after rewarded by the rescinding of the Order; but secrecy being necessary before the sale of the 5,000 acre tract, secrecy of course was observed by the Government. 5,000 acres, however were only a drop in the bucket. Mr. Gibson, fearing the success of the Confederate side as affecting him further acquisition of the public lands, threw himself most zealously into the November election in York; his boastings of what he would do are only remembered to be laughed at. Although he spent much money, he failed in his object. Finding the government shaky in spite of his "influential" support, he has come to the conclusion to play a bold game and seize what he can while his friends are in power, His ambition, we understand, is not confined to York; Mr. Gibson has an eye on lands in Kings and Queens, also. We would advise him to buy up all he can while his friends are in power, for we can assure him that the first act of their successors will be to shut out speculators and preserve the public domain for the hard working settlers of the Province, whose honest labours have already done so much to place their Country in its present proud position before the world."

All the special pleading of the *Freeman* and *Head Quarters* and the curt observations of the *Globe* on the subject of the Public Land Spoliations are not worth a brass farthing.

The *Freeman* :

But for the order for the survey, and consequent sale of the 10,000 acres, made while the late Government were yet in office what a torrent of invectives, what a wonderful amount of indignation do their own papers unwittingly heap upon them.”

This is a manifest falsehood. Orders for survey were frequently made, but they did not imply at all that the land surveyed were to be brought to sale. These very lands of Mr. Gibson’s were surveyed, but the Government, notwithstanding Mr. Gibson’s incessant applications, absolutely refused to sell them.

The whole story concerning the late Crown Land developments is in a nutshell. In October, 1862, in view of the construction of the Intercolonial Railway, the Tilley government passed an Order in Council, ordaining that no Crown Lands should be disposed of except under conditions of actual settlement. In May, 1864, Mr. Gibson applied to the Government to have the minute of Council rescinded, and although the Intercolonial scheme was held over at that time is consequence of the action of the Nova Scotia Government, they did not comply, but simply ordered a survey of 10,000 acres. From that time until the time of their resignation, notwithstanding Mr. Gibson’s frequent applications, they adhered to their policy, as the Intercolonial, under the Quebec scheme, was looking up, and became more than a probability. But on the advent of the present party, as early as June last they privately rescinded the order, no public notice being given, and these lands with 5,000 acres additional were brought to sale.

St. Croix Courier

David Main, Editor and proprietor

Dec 25, 1865

Our Crown lands No, III (First two missing)

When we commenced the publication of a series of articles upon this subject, we did not expect that so soon a case should occur so fully to justify the position we had adopted, and illustrate the wretched character of the present system, as that which is presented by recent land speculations on the Nashwaak. It appears from several articles published in the *Telegraph*, and as yet uncontradicted that Mr. Alex. Gibson, a prominent supporter of the present Government, first applied for, and obtained, over fictitious names, 4903 acres of he public land in the parish of Douglas, the regulation provided that “all applications for Crown Lands shall be made in the name of the real applicant,” being first secretly rescinded by the Government. Emboldened by his success in the first instance, Mr. Gibson next applies in his own name for 10,212 acres more, and this lot is to be sold on the 2nd proximo. It is open to competition, of course, but Mr. Gibson already holds a license granted him by the government of the whole tract, on the district understanding that the should ultimately become an applicant for the purchase. Herein consists the great iniquity of the government, and there is no denying the fact that it is the most wholesale piece of jobbery which has come under the notice of the pubic since the great Crown land revelation of 1862.

It can be seen at a glance that no one will compete with Mr. Gibson for these lands at the time of sale, because in three years the time for which he holds his license, he might strip the land of all its timber, and thus render it valueless to any other purchaser. There is no doubt, therefore, that Mr. Gibson will get the land at the upset price of fifty cents an acres.

Now it seems to us, looking at the case calmly, and from an impartial standpoint, (having no interest in needlessly condemning the government, on the one hand, or defending its acts on the other), that *the fault is not in Mr. Gibson, nor yet wholly in the government, but in the system which we have hitherto been denouncing., and which permits any government thus to play into the hands of its favorites.*

It may be said, in reply to this, that the government being the guardian of the public interests, it ought not to make use even of a bad system to advance its own ends, but it must be remembered that perfection is rarely to be found anywhere, and in purely political circles it is altogether out of the question. If, therefore, the existing government have helped a partisan friend of theirs to a pretty large slice of the public

domain, it is their misfortune,, perhaps, more than their fault, and it will doubtless prove a very great misfortune to them in the present case. The whole regulations of the Crown Lands are wrong from beginning to end, and instead of one party harping at the government for malpractice, or another attempting their justification, let the Press arise in its might, and with unanimous voice fulfill its duty to the people by denouncing the present arrangements until a more just and equitable basis shall be effected.

If it is wrong to lock up whole blocks of land, containing thousands of acres, by sale to one man, it is infinitely worse and more ruinous to the public interests by far, to lock them up by license at the cost of four dollars a square mile, as has been done regularly for many years past. Of two evils it is better to choose the least, and a very simple calculation will suffice to show how very much superior is direct sale to licensure under the present plan. The direct sale of a square mile—640 acres—at 50 cents a acre, would realize \$320. This amount in the public chest would be worth six per cent interest or \$19.20 a year; if to this be added the Wild Land Tax of a cent an acre, it will realize an aggregate of \$25,60 a year for a square mile in perpetuity, which is certainly a great deal better than four dollars a square mile for a few years, or as long as the lumber lasts. Do not let it be supposed that we are favorable to sale at 50 cents an acre; we only say that of the two it is the lesser evil, but we are firmly of opinion that a plan could be devised preferable to either. The average revenue for stumpage on private lands within the Province is \$100,000 a year, whilst the net returns from the whole of the pubic domain do not exceed an average of \$7,000 a year. It can thus be seen how greatly a reform of existing arrangements is needed. In our next we shall enter into a comparative examination of mileage and direct sale, showing in each case how the revenues of the country are affected, with the hope that the public attention may be aroused, and, if possible, directed to a “more excellent way.”

Morning Freeman

Dec 26, 1865

The Crown Lands Story

When the opposition papers found that the act which they had denounced so fiercely and bitterly was really the act of the late Government, two courses were open to them. The one was to drop the subject at once, and evermore preserve the most profound silence about it; the other was to brazen out and defy public opinion and the common sense of the community.

The opposition papers, which discovered the truth in time to avoid committing, themselves most prudently maintain absolute silence. Not the remotest allusion to this subject is made by the Intelligencer, or the Visitor, and the Journal, which was silent from the first for private reasons, is silent still.

The News, the Telegraph, and the Reporter make a desperate effort to maintain the fight in which they were thoroughly defeated the moment we exploded the mine they had charged with such terrible missiles, and volunteers flock from all quarters to the aid of the mercenary regulars, but only to share in the overwhelming disaster which neither despair nor cunning can avert or mitigate. The task they now work at it perfectly hopeless.

They try to argue that the order of survey made by the late Government, and the approval of Mr. Gibson’s application were of little moment, and that until the lands were actually advertised for sale nothing was done. The regulations themselves are the best answer to all that nonsense. They show clearly and unmistakably that when the application is approved of the survey and sale follow as a matter of course. We may as well publish those Regulations again for the general benefit:

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

3rd. 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.

These regulations are very plain and easily understood, and no sophistry can hide their meaning from anyone who is not willfully blind. It is perfectly useless, when these are before the public, to pretend that the approval of the application was of little consequence, when the regulations so clearly show that it was all-important—that it was, in fact, a definitive decision, all that followed being merely the executive fulfillment of the decision then made. The application having once been approved of, the survey ordered and made, *at Mr. Gibson's expense*, the Government was bound to him and the public faith was pledged to him, and the sale should have followed as a matter of course.

And remark that the Government, in approving of the application, violated not only the regulation of Oct. 1862, but also the spirit of the regulations of 1861, as for the first time the survey of the whole of this tract was ordered on the application of one person, whereas previously no single application for more than 200 acres would be entertained.

But say those who strive to relieve the late Government from the odium they so energetically heaped upon it a week ago, the order for survey was of no moment, and although the late Government ordered the survey they refused—absolutely refused—notwithstanding Mr. Gibson's frequent applications either to rescind the regulation or to sell the lands. This the News, Reporter, and Telegraph all assert. We wonder who told them that Mr. Gibson made such repeated applications and met so many refusals. The public records prove nothing of the kind. Applications of that sort ought to appear on the Surveyor General's schedules; but nothing of the kind does appear on any of them. The Government, in approving the application, had violated the regulation, and evidently that did not stand in their way. The whole story must be regarded as a falsehood invented to meet the case we presented to the public. The Reporter says:

“In May, 1864, Mr. Gibson applied to the Government to have the minutes of Council rescinded, and although the Intercolonial scheme was held over at that time in consequence of the action of the Nova Scotia Government, they did not comply, but simply ordered a survey of 10,000 acres. From that time until the time of their resignation, notwithstanding Mr. Gibson's frequent applications, they adhered to their policy as the Intercolonial, under the Quebec scheme, was looking up, and became more than a probability.”

And a writer in the Telegraph says:

“Mr. Gibson knew the regulation of 1862; he therefore knew the survey and charges were at his own risk, and that *after the survey* the Government could PUBLICLY, if they chose, rescind the resolution; but if they did not rescind it, Mr. Gibson must run the chances!!! But it was never intended to rescind secretly, if at all. But the truth is this. The survey was made, and upon that survey and report it was found that Mr. Gibson was making a bold bid for some thousands of acres of the best Lands in the Province, *immediately contiguous to the proposed Central route of the Inter-Colonial Railway* and from that time, although Mr. Gibson haunted the office of Mr. Tilley and Mr. Hatheway, begging, threatening and persuading,—the Government refused to go further, refused to rescind the order of 1862, and refused to bring the Tracts to sale of Mr. Gibson's terms.”

In stating what is so obviously untrue, those papers this they but follow the instruction they have received. Mr. Gibson may have talked to members of the government, but having at the time a three years license for lumbering on those very lands, he was probably in no hurry about the sale, the approval of his application having secured to him all he desired. It may be, indeed, that the Government were ashamed to expose what they had done by advertisement of the sale of so large a tract, and therefore preferred to postpone such an exposure as long as possible; but how absurd it is to pretend that the survey revealed the fact that the lands were on the proposed central line of Railway, and that this influence the Government, who knew before the survey, just as well as they did after, where those lands are situate.

But the public must not imagine, as those parties would wish them to imagine, that this approval of Mr. Gibson's application was the only instance in which the regulation of 1862 was violated by the late government, and that the lands were ever sold in disregard of that regulation. In no less than 130 cases were lands actually sold

to parties who paid the price, but could not get their grants because the Government, though it violated the regulation so recklessly, would not issue the grants while it remained unrescinded—a curious compromise with public opinion and propriety. In all these cases grants have been issued by the present government.

But says one writer:

“We never yet knew that the *Crimes* of one government were an heir-loom, a legacy to another; and that acts of wrong and rapine commenced by one act of officials were necessarily to be adopted and carried out by their successors. Let us see. If a Bank President should be deposed for uttering counterfeit money, his successor would be bound to continue the villainy because some of the bogus notes were found in the bank vaults, not yet placed in circulation! Every man of honesty and decency will scout such a monstrous proposition.”

If a Bank had paid out over its counter such spurious notes, could it be justified in refusing to redeem them? The obligations contracted by a government, however improperly, can not be repudiated by its successor, if public faith and credit would be maintained inviolate as they should be.

But says the same writer the late government only *intended* to do this great wrong. The regulations show that in this he is mistaken. The wrong was done when the application was approved of.

Another absurd effort those writers make is to persuade the public that the negotiations respecting the Intercolonial Railway, on which the regulation of 1862 was based, were still pending when the regulation was rescinded. These were the negotiations opened in 1862 in Quebec which led to the passage of the Railway Act of 1863. All those negotiations came to and end long ago, and the Act itself expired in the Spring of this year. At present, this Province is not engaged in Railway negotiations of any kind.

But says another the present government have kept all this matter secret, and a few interested parties possessing the exclusive information have had millions of acres of the public lands completely in their hands. Millions of acres!!! Is that not dreadful. The House of Assembly some time ago resolved that Crown Lands notices should be advertised only in the Gazette. We do not believe that what is advertised “for at least twenty days” in the Gazette can be a very great secret. The Telegraph was able to discover there that 4,903 acres were advertised in the name of several parties without condition of settlement, and 10,000 acres in Mr. Gibson’s name, and what the Telegraph saw, all others may have seen. The late government did, indeed, keep their gross violation of the regulation a profound secret. The present government at once gave publicity to their acts in their official public organ the Royal Gazette—a rather strange mode the public will think of keeping a secret.

We have no pantomime in Saint John, and usually the public sadly lack amusement for the Christmas Holidays. The contortions and writhings, the many artifices and devices of the opposition press, and their efforts to undo the great mischief they have done their own friends will this season afford rare sport to all parties.

Morning Freeman

Dec 26, 1865

The Telegraph chooses to tell its readers that we admit several things, not one of which we do admit. This is a cunning, a disreputable mode of dealing with an adversary. The object is to put him on the defensive, if possible, when the public interest requires that he should take the offensive; but this trick will not succeed with us. The late government violated their own regulation most flagrantly; they did not refuse to rescind, but they violated that regulation at Mr. Gibson’s request; they and not the present government gave Mr. Gibson the 10,000 acres, so far as it has been given, and what the latter have done they have done openly, advertising the lands for sale, as the regulations require. To allege that we admitted anything to the contrary of this, is to state what our readers know to be grossly untrue.

Morning Freeman

Dec 26, 1865

For the Freeman

The serious charges lately brought by the Telegraph against the present government regarding Crown Lands applied for by Mr. Gibson having for a few days remained unanswered, emboldened Mr. Livingston, and in his issue of Tuesday last he uses stronger language and ventures upon new falsehoods. Since then, however, it has been abundantly proved that the application for the 10,000 acres advertised for sale on the 2nd of January next was made—complied with—under the *late* government, the entry on the Council Schedule expressly stating “without conditions of actual settlement;” that when the warrant of survey for that tract issued, it was in consequence of an order signed by the late Surveyor General, the Hon. John McMillan himself; and that Mr. Gibson, and he alone, was the applicant for the whole of that quantity—10,000 *acres in one name*—a precedent *not* followed by the present Surveyor General.

It was thus that the *late* government disregarded and virtually set aside their own Minute of Council of 1862, requiring actual settlement, and the practice recognized by the Regulations, always before observed, of refusing to receive an application from any one man for more than 200 acres. The government is now merely allowing the transaction thus begun, and in the progress of which Mr. Gibson had spent so much money, to go on to its completion. The transaction certainly did not originate with it.

Had Mr. Livingstone been aware of all this before Tuesday last, he would, no doubt, have hesitated before he brought the following extraordinary and false additional indictment against the government. He says: “The public sale of timber licenses was held in July (1865, or course). At this sale Mr. Gibson bought a license of the land for which he now applies for three years, there *being a private understanding* at that time that he was to become the purchaser of the tract ultimately.” And again he says: “His (Mr. Gibson’s) next step was to apply to purchase outright.”

Now let us see what are the facts, after all this bold and unblushing assertion that the present government sold the three years license to Mr. Gibson, in July last, and that he applied to buy the land itself *after that*.

The three years license was actually sold to Mr. Gibson by the late government, so long ago as 1863 (see page 48 of the Crown Land Office Report for the following year), and the application of Mr. Gibson to buy the land, received and acted upon by the late government, “without conditions of actual settlement,” as already mentioned, was really made on the 20th day of May, 1864! Let Mr. Livingstone deny this if he dare.

The credit, or blame, whichever it may be, which attaches to the system of selling a whole group of timber licenses, covering *fifty-two and a half square miles*, in one situation to one man, (Mr. Gibson,) to extend three years into the future without any power of revocation or restriction whatever during all that period, under any circumstances; and the reception of an application from that ‘self same man to purchase *ten thousand acres on one block* of that very same land “without conditions of actual settlement” during the existence of these licenses, and with all the advantage which that circumstance gives to him, belongs as has been above set forth, and without a shadow of doubt, not even in part to the present, but wholly and solely to the late government.

We would recommend the Telegraph hereafter to be particular about its information, and more truthful and careful, before it again undertakes to ask the “country to hear him on other *facts* in connection with the management of Crown Lands.

--Impartial

Headquarters

Dec 27, 1865

The Crown Land Affair

The Confederate press, as a matter of course, are still rampant over the Crown lands. They are pressed on by some power behind, and are industriously helped by correspondents, who assume the cognomens of “Honesty,” “Investigator,” etc. They pretend that the Freeman and Headquarters were at their wits end for an answer to the Telegraph’s sensation story, when the fact is, the Freeman was only keeping himself in reserve, malice prepense, in order to make his exposition of the accumulated arguments of the opposition more trenchant, while we had so earlier afforded us the

arguments of the opposition more trenchant, while we had so earnestly urged us than last Wednesday. The opposition declare that the late government did refuse the urgent solicitations of Mr. Gibson to sell the lands, without the condition of actual settlement—but the very strong presumption is—in fact, the records we quoted last week prove—that they had seriously entertained Mr. Gibson's petition, had ordered the survey, and had gone so far that the rules of the office made the sale of the land surveyed imperative—whatever the reason the matter was not brought to a conclusion. The opposition cannot deny that the resolution of 1862 was binding on the late Government, or, however, they evade it, that it was the intention of that government to act in the face of it. All they can say, with reason—of course, without it, they say anything—against the present Government is, they rescinded the resolution of 1862 without giving official notice. But, it is maintained for the Government, that the resolution debarring the sale of lands, except on condition of actual settlement, pending the negotiations regarding the Intercolonial Railway, had no effect, seeing that the negotiations had come to nothing, and that there was no prospect . . . opposed to the scheme, of which that railway was supposed to be the necessary condition. When they entered upon the administration, that resolution was really defunct, but, as a matter of form, they at once rescinded it, so as to make no doubt of the legality of their after acts. The Government, without doubt, will be able to show good and sufficient reason when they come to be categorically questioned by “the indignant” opposition on the rescission of the resolution, and their reasons of their mode of doing it. The opposition make a tremendous outcry about the wrong done the Province by the sale of these lands to Mr. Gibson. But, in a pecuniary point of view, it is a question whether or not the country is a gainer by selling the lands outright, rather than leasing them and allowing their valuable lumber to be stripped off at \$4 per square mile. Setting aside the purely political aspect of the question, the right or wrong of the government in rescinding the resolution as they did, and the fact that the opposition, hungry for power, impatient of being kept out in the cold, are pretending an immense amount of patriotic indignation—it would be a great service to the country if, instead of making the Crown Land cry a mere one of battle, the opposition would harmoniously unite with the Government party and devise some plan by which the Crown Lands would be made to yield the greatest return to the revenue of the province, having in view the rights of the settler, and the legitimate claims of capital and enterprise. However, the opposition may denounce, for their own purposes, the sale of lands to Mr. Gibson, as a political act, they can hardly deny—viewing it economically, and in sight of all he has done for the promotion of settlement and the employment of labour—that such men as he are most likely to make the best use of the lands they purchase.

Standard

Dec 27, 1865

Crown Land Jobbing

From able and lengthy articles in the Saint John papers, we learn that a system of land jobbing has been, and is still carried on, under the present Administration, which far outstrips the “Crown Land Investigation” of 1862. The evidence presented is so strong and positive, that it will be very difficult to meet the charges successfully, if indeed it will be attempted. The system formerly in vogue of using names for the purchase of Crown Lands has been used during the present year, and large tracts of land sold to one individual, Mr. Alexander Gibson, a native of this County but now a resident at the Nashwaak, York Co. He was a strong supporter and canvasser at the March election for the Anti-Confederates; and succeeded in inducing the government to rescind the Order of 1862, which they did so secretly, that it was known only to Mr. Gibson and a few others. The following is a copy of the order:

Crown Land OFFICE

Oct 11, 1862

The following Order has been made by His Excellency the Lieutenant governor in Council, and is published for general information:

Ordered, That pending the negotiations for the construction of the Intercolonial Railway, that **NONE OF THE CROWN LANDS OF THIS PROVINCE SHALL BE SOLD EXCEPT WITH THE CONDITIONS OF ACTUAL SETTLEMENT ATTACHED**

John MacMillan, Sur. Genl.

Certainly the public never heard anything of thing before the recent expose in the Saint John papers. Such wholesale plunder of the public lands—some of the best in the Country—will soon leave the Province in a state of bankruptcy. Where are now the lands to be granted to the Intercolonial Railway? Why, if this is one of the “blessings of Responsible Government” the soon a return is made to the old irresponsible system, the greater the security of the public—for under it at all events, there was no such plunder of the public domain. Where is the venerable “John Gape,” and what is he about? Surely he did not dream of any such game being played on the political chessboard, or he would have put on his “gydinnring,” and exposed the wholesale raid on the Crown Lands.

The Evening Globe

Dec 27, 1865

The Crown Lands

(To the Editor of the Globe)

Sir—In the late city papers a great deal has been said relative to purchases of Crown land on the Nashwaak river by Alexander Gibson, Esq. There are time when suggestions from even the most humble may tend to the advancement of the interests of the country; such I deem the present.

One would think that no disinterested person could, for one moment, support a system under which our Crown Lands are disposed of for \$4.50 per square mile. The only line of argument attempted is, that “it was intended for the benefit of the poor man,” who, in reality, is more injured by it than is any other person. What are the facts? A. B., who has a very large amount of capital, applies for a lease of fifty square miles; the poor man cannot compete with him, and he (A.B.) becomes the purchaser; the other is compelled to lumber on these lands for him, and rather takes supplies at an exorbitant rate, or pays a large amount of stumpage that might just as well have gone into the public treasury. Among extensive lumbermen it is considered highly dishonorable—little better than robbery—to bid against an applicant for a license, which impression tends to continue the monopoly that many in the Legislature enjoy.

It has been correctly shewn by the St. Croix Courier, that by sale of these lands at the upset price, \$25.60 could be obtained in perpetuity. The purchaser would not keep them idle; if he did, the interest and cost of protection would soon eat up the profit. He would, as a matter of course, operate upon them; and, in the hands of a private individual, the very great waste which arises under the present system would be avoided. As matters are now, the licenses having only one year’s interest in the property, takes only the very best of the timber, and leaves a vast amount of valuable wood decaying in the forests as food for fire, to burn up what he may not have cut. In the course of fifteen years’ experience in the forests of New Brunswick, I have known of hundreds of thousands of dollars worth of valuable lumber left to rot on the ground after having been cut down, on every thousand of which the export duty has been lost to the province. The actual log-hauler, a poor man about whom our Legislature talk to much, would receive just as much for log-hauling if the lands were owned by individuals as if they were owned by the Government. In proof of this we may look at the St. Croix, where the lands on the English, as well as on the American side are in the hands of individuals. No more prosperous lumbermen can be found than these living in the vicinity of St. Stephen.

Under the present system, the clearing out of streams is almost entirely prevented. Suppose, for example, that A. B. licensed land for one, or even three yeas, and spent \$5,000 to render a stream navigable, at the expiration of the license he would lose all his improvements. I might adduce the case of Mr. Gibson. He became the purchaser of 4,903 acres of land on the Nappudoggan, of which I was the explorer; this tract is spruce land and unfit for settlement; from a casual glance at the brook, I should imagine that, at least, \$3,000 would have to be spent on it before the spruce adjacent could be made available. Now, supposing that he had spent this monev on the stream under the license svstem. how would he have been situated? At

the mercy, of course, of any speculator in licenses who might choose to bid against him at any future date.

I am not one of those who would lock up lands from the settler; but, as timber lands are seldom or ever good farming lands, there is not much danger of the settlement of the country being impeded by purchases of large tracts of timber land. At any rate, there would be no difficulty in reserving agricultural lands from sale. I have thought sometimes that the timber lands should be made to help the farming lands in some such way as this: let a certain portion of the proceeds of sales of timber lands be applied to making roads into and through vacant farming lands. I do not hesitate to say that by some system of this kind, good roads (the settler's great difficulty) could be made through most of the settling lands of the Province, and the interests of all be greatly advanced.

Dec. 27th, 1865. Edward Jack

Reporter

Dec 29, 1865

Crown Land Swindle

Never was a more thorough swindle more thoroughly exposed. Even the tangent-flying, unstable *Freeman* is overwhelmed with the most convincing proofs and arguments, and contents itself with the argument that what the Tilley-Government originated, the Anglin-Government only consummated. But the order of survey was one thing, the sale was another, and the secret rescinding of a former Order of Council for the special benefit of one individual was yet another. From the onus of this they can never be relieved. Mr. Gibson himself, so far as the purchase is concerned, only did what many others conversant with the law which takes care of number one would do under similar circumstances, but the principle of allowing any one individual to buy up immense tracts of our best land, and that on the proposed route of the great Intercolonial Railway is a bad one. These lands under Confederation and the proposed construction, must increase in value, and the purchase cures an immense fortune at the expense of the whole Province. But beyond this, it enables one man to control the entire lumbering interest of a community. His money enables him to buy up thousands of acres, and his poorer neighbors are compelled to lumber on his lands, subject completely to his terms, or they must go idle; and on a place like the Nashwaak, where everyone in the winter session is a lumberer, the effect is apparent at once. One of the principal grievances brought by Ireland's agitators against the British Government was that immense estates were held by a few titled nobility, to the exclusion of the millions who had to starve on a "half-acre." Bearing in mind that the arable land in Ireland is greater than in New Brunswick, how can we reconcile the righteous soul of Mr. Anglin, vexed with the Duke of Leinster with his 72,000 acres, the Earl of Ormonde with his 100,000 acres, the Marquis of Sligo with his 50,000 acres. However it may turn out for Mr. Gibson it is likely to prove a bad investment for the Government; the people are conscious that a great wrong has been perpetrated, and they must answer for it at the next session of the Legislature.

Reporter

Dec 29, 1865

Mr. Edward Jack, Mr. Gibson's surveyor, has written a communication to the *Globe*, the drift of which would seem to be exhibit the advantage to the Province of Mr. Gibson, and others like him, buying up the timber lands, instead of taking out licenses yearly.—*Telegraph* [see also Dec 22, 1865 and March 3, 1865]

St. Croix Courier

Dec 30, 1865

Our Crown Lands, No. IV

We return to this subject, and in the recent article it shall be our object to state some leading facts connected with past and present management of Public lands, and leave our readers to draw their own conclusions. The average income from the Crown Lands for the last three or four years has not exceeded \$17,000, and the expense of managing the same has fully averaged \$10,000, leaving a balance of \$7,000, or

between five and six cents per thousand feet for the timber cut, whilst the owners of private lands readily obtain a stumpage of \$1.50 per thousand. Is this not a manifest waste of public property?

It is urged in some quarters that the lumbering interest cannot bear any additional burdens to those already imposed upon it, but nothing can be more erroneous than such an idea. We will mention a case. We know of a large operator who purchased a tract of 26,000 acres—it is not necessary to state where—at 50 cents an acre—the whole tract thus costing him \$13,000, and he has cut from it forty millions superficial feet of logs, which, had he had to pay the stumpage at \$1.50 a thousand—the charge imposed by the Maine Government, and considerate moderate—would have cost him \$60,000. Here is a saving to him on that item along of \$47,000., and in addition to that he still retains the land, which is worth the original cost to him. Here is one operator who, out of one tract of land alone has netted nearly seven times as much as the Government of New Brunswick nets per year out of the whole public domain. Again, had the same gentleman taken a lease of this tract from the government, at \$4 a square mile, for five years, (the whole term for which, in that case, the lumber would probably have lasted) the total returns to the revenue would have been but \$800! And will it be believed, or has it ever occurred to our readers, that the revenue to the Crown lands., as compared with those of Maine, or with the lands held by private individuals within our Province, is in the ration of \$60,000 to \$800, or., in other words, that instead of every \$800 now received from crown lands, we ought to receive at least \$60,000.

The present system has the effect of placing a monopoly of the timber lands in the hands of large operators, with little or no corresponding benefit. The tract of 15,000 acres secured by Mr. Gibson, on the Nashwaak, already adverted to, is a case in point. We believe that is no more valuable timber land in the province than that. A gentleman of practical experience, and well acquainted with the locality, informs us that it is well worth \$2 an acre, at the very least; and yet Mr. Gibson will get it for fifty cents an acre, or at a clear loss to the province on this one purchase of \$22,500. And even that is better than the mileage system which prevails in other parts of the province; for if Mr. Gibson did not purchase he would monopolize the same land, at a rental of \$4 a square mile, and the country would absolutely lose the land and all benefit from it. The gross average income for the three years previous to the present, from 3336 square miles under license (or 2,135,320 acres) was \$16,639. If that same land had been sold, even at 50 cents an acre, it would have realized \$1,067,520, which prudently invested at 6 percent, would yield a perpetual annual interest of \$64,051.20, and \$21,350.40 more in Wild Land Tax. What a splendid result this gives over the mileage plan! But how very much better a result would it not give if the land realized anything like its value. If it sold for only \$1.50 an acre, which would still be below its value, the amount realized, according to the same calculation, would produce, adding the Wild Land Tax, \$213,504.00 a year, in perpetuity. In the Crown Lands of this Province, there is a perfect mine of wealth, which only requires proper management to make it produce the most desirable results.

We hope the people will soon awake to a sense of the wholesale waste which is now carried on, and which is well calculated to produce in every patriotic breast a feeling of the most profound alarm. An absolute necessity exists that the representatives of the people should be charged with the duty of effecting a complete change.

Evening Globe

Dec 30, 1865

Some of the newspapers are urging upon the Government not to sell the lands applied for by Mr. Gibson. We hope the Government will sell them. It is just the proper thing to do; and the Government could scarcely be justified if they did not do so.

Freeman

Jan 2, 1866

The St. Croix Courier, which but echoes the sentiments of all St. Stephen's landowners, when it argues that the Crown lands should be managed with a view to the raising of a large revenue, says:

“The gross average income for the three years previous to the present, from 3336 square miles under license (or 2, 125,040 acres) was \$16,639. If that same land had been sold, even at 50 cents an acre, it would have realized \$1,067,520, which prudently invested at 6 percent would yield a perpetual annual interest of \$64,051.20, and \$21,350,40 more in Wild Land Tax. What a splendid result this gives over the mileage plan!”

The Evening Globe

(Saint John Globe)

Jan 2, 1866

Mr. Alexander Gibson, an enterprising and thriving New Brunswicker, purchased an old saw mill a short distance from the mouth of the Nashwaak river. He renovated and refitted it. He put in a new gang of saws, and new saws into the old gangs; he added patent haul-up machinery; he improved the dam; built lines of piers, and constructed new booms in the river. In addition to this, he built a school house near his mill; furnished it, stocked it with school apparatus, a first-rate library and a teacher; he built a church; he erected comfortable dwellings for himself and his employees; he made roads, and did everything that money could do to improve the locality where he is to make his home for many years. We don't know how many thousands of dollars all this took; but it took a great many. If it required twenty thousands or a hundred thousands, it was all the same to Mr. Gibson. He does not do things by halves. We visited the place some years ago. It seemed like a “deserted village;” everything about it was so crazy-and-tumble-down looking. Last year when we saw it with all Mr. Gibson's improvements, we hardly knew it. The neat cottages, the modest school houses, the smiling fields of grain, and the well cultivated gardens, had entirely changed its appearance. It is the most natural thing in the world that Mr. Gibson should, in the laying out of all the money necessary for the work we have described, have an eye to the future. To continue the good work that he commenced; to repay him for all his outlay,—his mill must be kept running; and, a prudent and sagacious man, his idea, no doubt, was to secure a large tract of land contiguous to the stream that might ensure to him a supply of logs for many years. In compliance, then, with the Provincial law, and strictly in accordance with that law, Mr. Gibson proceeded. He did nothing which may not be done by any other persons. He sought no favor of any Government (the Tilley Government was then in power) which may not be sought by another. The law of the land treats all alike. Well, the territory was surveyed, Mr. Gibson paying the expense of the survey, and, as a consequence, the land is to be sold this day at public auction. It is open to any man in the Province, who wants the land, to buy it, provided he is willing to pay more for it than Mr. Gibson. The only blame that appears to attach to any one, is to the late Government for having taken the preliminary steps for the sale of the land, in the face of a Minute of Council suspending the Provincial law. But we do not blame that Government for it is well to remember that Minutes of Council cannot, or, at least, ought not, to suspend forever solemn acts of the Legislature. The suspension we refer to was a conditional one. It was held not to be desirable to dispose (except under condition of actual settlement) of any of the public lands, pending the negotiations for an Intercolonial Railway. But the Government, no doubt, felt—certainly they would be justified in the feeling—that, as there was no immediate prospect of obtaining the railway, they could not deny Mr. Gibson's petition. The attempt to manufacture political capital out of this affair has resulted in failure. We regret, however, to see some of our contemporaries attack Mr. Gibson as though he was engaged in doing something that is dishonest and nefarious. One of our contemporaries has him pilloried as though he were a public robber. We cannot see the good of that. If the system is wrong, let it be altered by the people who instituted it. But nothing will ever be done in the way of improvement so long as the press treat the question from a mere party standpoint, or use it as a means of inflicting personal injury.

Morning Freeman

January 2, 1866

The *Religious Intelligencer* has not a word this week about the Crown Lands story. What a pity he was frightened off too soon by the leaking out of the truth. We should

like to have his denunciations of the act of the late government. How he would have raved about it if he had not heard that his own friends were the parties responsible for it.

The Evening Globe

Jan 3, 1866

Our respected contemporary in Canterbury street—the News—appears to have “land” on the brain. He was somewhat behind time in entering upon what he calls “The Crown Land Jobbing,” and so he appears now to be trying to make up for past deficiencies. Today, he devotes something like six columns to attacks upon the present Government, for their doings in connection with the public lands. Amid all the statements made and contradicted, it must puzzle the public to decide who is right and who wrong. If we understand the News aright, its position is, that during the ten years the last Government was in power, it never did anything with which the least fault could be found in reference to the management of the Crown Lands, whilst the present Government had scarcely got into power before it commenced to plunder. This practice of attributing to your opponent noting but dishonesty, and claiming for yourself to be the real Simon Pure, is pretty well played out, and none but the merest party hacks—and the News—now resort to it. If our contemporary is really anxious to benefit the country, why don't he grapple with the system which produces the wrongs of which he complains? Why don't he show how the evil is to be right? What will the public gain by his squabbles with the Freeman, or the Globe, so long as he confines himself to word-twisting and sentence-twining, in which there is not a single ray of originality or an idea that is of use to anyone but the editor of the Freeman, to whom the News is invaluable? If the News is a heaven-born reformer, his field seems to be in the wild lanes of the Province. Let him at once preach a crusade against the present system, and as soon as he can show how a better may be substituted for it, he shall receive our warmest support.

Evening Globe

Jan 4, 1866

The Crown Lands

(To the Editor of the Globe)

[Edward Jack]

Sir,—From the number of defects and abuses which exist in our system of Crown Land management, the public are led to look upon every sale of Crown territory with affright, which emotion has been fostered by members of the Legislature for their own purposes. How often have representatives promised their constituents that the poor man should be cared for, telling him that the Crown Lands are his property; but in the course of a long experience, I have never found that the poor fellow earned any more when working on Crown than he did on granted lands—he was still the poor man. All the electioneering promises were but splendid illusions—the cup of happiness sparkling and glittering in the distance, like that of Tantalus, always evaded his lips. For my own part, I can see noting to be alarmed at in the sale of our public territory. On the contrary, many advantages, certain to accrue, present themselves to the view.

As far as our lumber lands are concerned, the question resolved itself into this:--Which is the better course, to sell these for their value and take the money to pay our debts with, or give them away to speculators in licenses. And we should remember that, by the loss of the wood growing on them, these are year by year becoming of less value. Now many tracts can be sold, which ten years hence will be worthless. Had we not better get the money when we can? There are hundreds of thousands of acres now wasted by cutting and fire, for which the Province might have their fifty cents per acre, but for which they will never get anything. By the sale of lands, a very large amount of capital might and would be brought into the Province. Our Neighbors, the Americans, are too shrewd business men to invest their money in building mills on streams where they cannot own their lumber land, and where they would be subject to the uncertainty of yearly competition for their supply of logs, and we know ell that success brings competition. Who ever heard that the Nashwaak was a valuable lumber property until within the past two or three years. Nor was it generally known that Pokiok was of any value until Mr. Bradbury, by his industry and

intelligence, had demonstrated it to the public. And are we to injure the very parties who are building up the country by forcing them to have the land from which they derive the source of supply for their mills, offered to yearly competition, thus placing them at the mercy of any passing speculator who might wish to make money out of their labors.

Under the present system the extent of land that can be licensed is unlimited, and a purchaser may, and often has the absolute control of perhaps a hundred thousand acres of land, without being bound to cut a single stick. If this is not monopoly, I do not know what is, and yet there are those who would uphold so preposterous a system. There is in reality no reason why more money should not be made from the wilderness lands, either by sale, or by a proper business-like system of licensing. As a case in point, I may mention that when I was land agent for the St. Andrews Railroad Company, they made a contract with C. F. Clinch, by which he bound himself to erect a steam saw mill on the Digdeguash river and cut three million feet of logs per year for ten years, for which lumber he agreed to pay \$3,000 per year during that period, of the lands on the head of the stream. For the last seasons operations he will probably pay \$5,000 in stumpage, about half as much as is got from the lumber on all the Provincial lands, and this from a small stream that has not quarter as much lumber on it as the Nackawick [sic] has.

Enough money might be got by a proper disposal of a comparatively small portion of the Crown Lands in the Counties of York and Sunbury to actual lumber operators to build the Branch Railroad to connect Fredericton with the proposed Western Extension, at Hartt's Mill. And yet we say that we are too poor and cannot complete our projected roads, nor make any for emigrants.

By a sale of public lands, neither the soil nor the timber is carried off—both remain. Nor will a purchaser allow property to remain idle; therefore lumbering operations will be carried on, even though the lands are sold to private individuals, just the same as before; but the Provincial Treasury will be the gainer by fifty cents per acre and upwards. Should the people, however, not desire to sell the right of soil, tracts might be leased to lumberers at an upset price of from 25 to 50 cents per acre, cash down, such lease to be for a period of twenty years, or such other term as might be agreed on—not, however, to interfere with the actual settlement of the country. The fact of such lease expiring within a reasonable period, would, of course force the lessee into operating on his purchase. In conclusion, I might say that a total change of system is most imperatively called for in the Crown Land management, before the wood on this land is wasted or burned, which sooner or later will be the case.

Edward Jack

Reporter

Jan 5, 1866

2 articles on Gibson.

\*\*The Saint John Globe of Tuesday furnishes us with a warm picture of the extensive improvements made by Mr. Gibson in the vicinity of the Nashwaak, and we have no hesitation in saying that thus far it is not overdrawn. The gentleman alluded to has made great improvements in his mill, erected a dwelling house which a prince might reside in, built a fine school-house for the benefit of the settlement, and also a set of erections for the use of his employees which cannot perhaps be equaled in the province. But we are utterly at a loss to know what all this has to do with the point at issue before the public, namely, the action of the Government in *privately* rescinding an Order passed in Council and published by their predecessors, prohibiting the sale of our Crown lands, excepting in 100-acre lots for actual settlement.

We know that a crooked attempt has been made by the prompters of the Government papers to prove that an order of survey issued by the former Government is synonymous with its actual, we may say *private* sale, by the present one; but no man of common sense in the Province will subscribe to this apology for a great public fraud—a fraud which deprive the poorer operatives of the Province, and the Province itself, of a valuable property which is so justly their due. Indeed the Globe, unfortunately for that side of the question which it has been led to adopt, has taken all the poetry out of its own argument by the following—no doubt unintentional—admission:

*“To continue the good work that he commenced, to repay him for all his*

*to continue the good work that he commenced, to repay him for all his outland, his mill must be kept running; and a prudent and sagacious man, his idea, no doubt was to secure a large tract of land contiguous to the stream, that might ensure to him a supply of logs for many years."*

Well, we cannot blame Mr. Gibson, "as a prudent and sagacious man," for his policy to obtain as much land as he could to keep his "mill running," and of course his sagacity led him on two occasions to oppose the party which had denied request, and to sustain that which had privately complied with his wishes; but all this, as we said before, is entirely wide of the mark. It is not Mr. Gibson's effort to obtain those lands, but the bad policy and deception of the Government in disposing of them under a constitutional prohibition, that we complain of; and we are much mistaken if all the articles which the *Freeman* and *Globe* can publish until Doomsday can whitewash this act of flagrant injustice to the people of this Province.

If we had not discovered the secret, in the iniquitous manner in which the present party . . . and their purely selfish object in retaining it, we should be surprised how it is possible that any clique of men could have crowded into the space of ten short months all the acts of gross misgovernment which have at once disgraced their administration and brought the Province to the verge of ruin. Prompted beyond doubt by the numerical strength which they obtained at the last general elections, they have totally forgotten those principles of abstract and general rights by which themselves should be governed—have forgotten everything excepting their own personal aggrandizement; and if, as it is said, a feeble voice was occasionally raised in expostulation within the reckless circle, it was sure to be drowned by the harmonious yeas or nays of the majority. "Are we not sustained by the largest number of heedless partisans ever known in the House of Assembly," they would naturally say, "and may we not so carve out the isolated destiny of the Province as will best sustain our own wishes and interests?"

The country is however, now pretty well acquainted with the tricks which have been perpetrated by the Government; and if the Representatives of the people come to the ensuing session of the Legislature without learning the wishes of their constituents, we shall be much surprised. In this County we know that no ignorance prevails on the subject, and that the people are anxiously awaiting, as they are in Saint John, the moment when they will have an opportunity of exchanging their rulers, and we believe the same feeling exists in every section of the province. On this subject one of the most intelligent gentlemen in the County of Kings—himself never personally engaged in politics—writes us as follows:

*"The events of the day in which we now live awaken a feeling of sadness, and I sometimes ask what is the cause which has brought such things upon us, as the rule of our Province has fallen into hands that disregard the claims of justice and real merit, and lavish their favors on their sycophants.*

But nothing has troubled me so keenly as the way Mr. Justice Wilmot has been treated. I have wondered if the people of Fredericton would pass over the insult given to their most talented townsman, and I have thought that such an insult would have produced a burst of indignation as would be felt over the Provinces. Surely, I thought, there would be indignation meetings called, and resolutions passed that would show the public sentiment in regard to such an outrage.

I trust the Fenian Government has nearly completed its term, and that the end is at hand. The Governor's laudation of the Fenians at St. Andrews has disgusted the Protestant population in this section. They take it as an insult, but generally look upon it as a piece of low artifice by the Government."

It is nevertheless somewhat odd to find one of our great speculators in exclusive home stock office to Washington at the present time to urge (in connection with those dreadful Canadians) the subject of reciprocity with the United States. After having effectually, for the time being, closed the door against Canadian reciprocity—after having abused the three millions of their fellow subjects in that noble Province, and placing our Province in the attitude of a moth dancing on the point of a needle—after having erected a barrier to the construction of an Intercolonial Railway, and sending hundreds of our young men abroad for the working patronage which they should have at home, it is certainly, to say the least of it, singular that Mr. Smith is away to Washington on the subject of reciprocity; unless, indeed, his mission be to retard its extension to New Brunswick

But what is now the apology advanced by the friends of the Government for its opposition to a Union with Canada? It is just this—"We are," they say, "in favor of a Union, but not on the terms of the Quebec conference." This simply means anything or nothing, so it leave the anti-Confederates in possession of a margin and latitude which they have never yet defined; and which, however they might be defined by the Unionists, they would of course oppose. It is true that the Hon. Commissioner of Crown Lands who had just then returned from Canada, pledged himself, some months ago, to the Editor of this paper, and in the presence of several others, that in three weeks from that period more favorable terms than those of the Quebec scheme would be tendered by Canada; but three weeks and six more have since elapsed, and the terms yet remain without a single overture of change on one side or expostulation on the other. Have we not a precious Government?

Mr. Gibson has obtained the 10,000 acres without any opposition of course, paying into the Crown Land Office the sum of \$4,485 or thereabouts, equal to say 45 cents per acre. And this is the way the public domain is disposed of. A few more such grants as this and the intending emigrant may stay at home, so far as New Brunswick is concerned. And just as the City of Fredericton has been circumscribed in its growth in consequence of its environs being held in the possession of a few gentlemen, who will neither improve it themselves nor sell to others, so the entire disposable lands of the Province will fall into the hands of a few money individuals, to the exclusion of the improving, industrious settler

Evening Globe

Jan 5, 1866

. . . We again urge upon the News, if it is actuated by patriotic motives, and not by the paltriest ones, to take up the whole of the Crown Land Question in a comprehensive spirit. Let it deal with the important facts made public by Mr. Jack in his letter published in this journal yesterday. If there is anything wrong in the Crown Land system let us get a better one. It was charged against the Tilley Government that it was a land jobbing Government, certainly with no show of reason, as far as at present appears. But, those who know declare that the system is bad. Let the Don Quixote of the News break a lance at that by way of change.

Morning Freeman

Jan 4, 1866

After a pause of some days Mr. Tilley and his friends made another desperate effort in Wednesday's *News* to raise a great dust about the Crown Lands case, and if possible blind the public, or a portion of them, so that they may not be able to understand the truth which is so very clear. As the work of each handicraftsman is known by some peculiarity in style or finish, so is the work of the late Prov. Secretary, known in this case by the character of the materials he furnishes, and by the peculiar skill with which he mingles facts and fiction. Nearly four columns of the *News* are devoted to this subject. Much of what is said is mere repetition; much is an effort to distort the meaning of the regulations and of the articles in the Freeman, and some is new matter.

They try to make capital of the fact that the present Surveyor General, finding Mr. Gibson's application, and so many other cases, still open, brought the whole subject before the Council. This they say proved that Mr. Gibson's—

"Was not an '*ordinary*' case, and the sale did *not* follow as a matter of course, on the survey! Very true; and the italics are *ours*, and the truth is out!"

No one ever said that it was an ordinary case. It was because it was rather extraordinary that it was made the subject of special investigation, the result of which was to show that the Tilley Government had pledged the public faith to Mr. Gibson, and that the lands must be offered for sale if public faith were to be kept inviolate.

The case was extraordinary because the Tilley government acted in direct violation of their own regulation when they approved of Mr. Gibson's application and ordered the survey. This most important fact the writers in the *News Telegraph* can neither keep out of sight nor weaken. The act—the crime as they themselves call it, was all their own. The regulation of 1862, notwithstanding all the efforts those parties make to show that it cancelled the regulation of 1861. does not cancel or annul any

one of them. It was merely an addition to them which did not alter in any way the mode of bringing lands to sale. After that regulation, as before, when an application was approved of, the survey and sale followed as a matter of course. But says the News:

“The Anglin Faction, with a disgraceful species of political Jesuitism, inserted on the public records an order for sale *‘under previous order.’* We demanded to see that ‘previous order.’ The Freeman could not produce it, for it never existed, but he argued that a mere order for survey of an undefined ‘Tract of Land’ was ‘ordinarily’ an order in itself, under the Regulations of 1861. We then showed as we show above, that the Rule of ’61 had been ‘annulled abrogated and suspended,’ and that his inferences fell to the ground in this extraordinary case. This settled that part of the discussion.”

“But driven to desperation, the Freeman now admits that there was no ‘previous order,’ that their own entry to that effect was a fraud and a forgery and that, after Mr. Bliss Botsford, Barrister at Law, had by an intuitive knowledge, brought order and regularity out of the office (?) ‘then the council made the order on which he acted!’ Thus the last subterfuge of the Freeman vanishes! Was ever discomfiture so thorough? Driven from point to point—from one refuge of falsehood to another—in a fit of desperation the paper which always maintains the truth lets the truth out by accident, ‘his great mine exploded under his own feet,’ for adds the gentle Freeman:

“When the business of the office was in such dreadful confusion, the Surveyor General very properly sought *the advice of his colleagues and the authority of the Council* in all cases of doubt and difficulty.”

“And having obtained the ‘advice of his colleagues *and the authority of the Council*’ they ‘then made the order on which he acted!’ Thus the order for sale, and the only one, was made by the Surveyor General under ‘the authority of the Council,’ and with the full consent of Mr. George L. Hatheway, who, having been a member of the Tilley Government had himself personally refused to consent to the issue of the grants or make the sale, and was only conveniently converted after the Anglin Faction came into power and the ‘valuable support’ of Mr. Gibson was to be ‘purchased or secured.’

“Having made this last, and self-overwhelming admission, we shall anxiously wait to see how the Freeman will evade its effect. In the meantime, the people must perceive that the Freeman’s charge against the Tilley Government is swept away. Because he now confesses that the Rules of 1861, which ‘ordinarily’ applied, did not apply in the Gibson case, and that the act of the Anglin ‘patriots’ was not a mere ratification of an imaginary wrong done by a former Government but was a deliberate act of the Council on application of its own Surveyor General!”

The Freeman produced the “previous order” in the first article it published on the subject. The previous order was the order made by the Tilley Government on the application of Mr. Gibson, viz., “Make a Survey,” This, as the regulations show, was in fact the only order the Council were expected to make, and when the present Government discovered how the matter stood, they made no new order, but merely Directed that the previous order should be carried out.

The regulation of 1862, we need not repeat, did not cancel a single line of the regulations of 1861—not a line, and it is an insult to the readers of the news to tell them so repeatedly that it did. It was but an addition to those regulations as we have more than once clearly shown.

The effort to brazen the matter out, and to misrepresent what is so clear, is worthy of the party. To declare the present government responsible for the acts of the late government is a bold mode of covering a retreat. Had Mr. Tilley known that the order of survey had been used by Mr. McMillan, the public would never have heard a word about this great land jobbing. When the mine was sprung, and the truth was made known, Mr. Tilley and his friends were cowed and abashed for a time. But feeling that it would never do to allow all the odium they had heaped on their own heads to rest there, they now make the desperate effort to throw the responsibility of their own acts on their successors—a desperate but most unavailing effort, as every one knows and understands precisely what has been done. It is amusing to find them accuse the Freeman of resorting to subterfuges, etc. We have merely stated the facts of the case, and quoted the regulations themselves, and these proved conclusively all that

we sought to prove, viz., that the application of Mr. Gibson was approved of by the Tilley government, and the order for survey issued by them, and that this approval involved an order of sale. There is a fact, however, which we have not yet seen, and the course taken by Mr. Tilley and his friends make it important. They allege that Mr. Gibson repeatedly applied to Mr. Tilley and Mr. Hatheway to have the lands put up for sale, and that those gentlemen positively refused. Finding this pass uncontradicted, [funny Gibson himself didn't contradict it!] they repeated it in every article, and in this article in the News it is used again to prove that the Tilley Government refused to "consummate the crime," which they must now confess they commenced. We met Mr. Gibson a few days ago, and in reply to some enquiries on this point he assured us that *he never once made any such application to either Mr. Tilley or Mr. Hatheway*; that as his application had been approved of, and he held a three years' lumber license, he was in no hurry to have the sale made if the Government were not. Mr. Gibson is a man whose word will be taken by all who know him or his character; especially as what he says is so manifestly probably, and this statement of his destroys the great foundation on which the case of the Tilley Government now wholly rests, viz., that although they approved of the application, they refused to put up the lands for sale. They never did refuse, for they were never asked to do so, and no minute or order was ever made rescinding their order of April 1864.

Freeman

Jan 4, 1866

The St. Andrews Railway Land

Mr. Tilley explains, after his own fashion, how it came to pass that his government gave the land to the St. Andrews Railway Company, just on the even of an election. He says:

"Under the act of Construction, the public lands had been pledged by the Legislature, for five miles on each side of the Route. In 1861 or 1862 the Company applied to the Government for more land, alleging among other reasons that they would thereby be enabled to satisfy capitalist and others in England of the stability of the concern, and been able to go on with this great work. The Government were not satisfied with the application, the conditions not having been fulfilled, but the government consented, *at their own expense*, and not as in Gibson's case, to survey 30,000 acres, and said if you can satisfy the government as to the fulfillment of the conditions, the grants shall issue in the ensuing spring, and for the purpose of operations in England a letter to that effect was given the Company. In 1862 or 1863, the Company reported the conditions fulfilled, and required the grants, and being satisfied upon investigation an order passed in Council that, upon the Company's paying the £ 200 cost of survey, (as part of the original agreement) the grants should issue. This assurance they also obtained in writing, and feeling thus secured, they did not press their claim further for many months, as by delay they not only retained the £ 300 per annum, while, in the meantime, the government enjoyed the stumpage and the Company felt perfectly secure. But in 1863 or 1864 the Company *went into bankruptcy*, having many respectable creditors in this Province, as elsewhere, and when the Agent applied for the grants, the government, under the advice of the Law Officers of the Province, refused them until they should be satisfied that the creditors would participate generally in the benefit of the appropriation as assets of the Bankrupt concern, and that no preferences should be improperly made. This information was fully and satisfactorily accorded to them, and then, according to the provisions of the law and the contract, the £ 2000 were paid and the grants issued, and when the matter came before the Legislature, the whole proceeding was reviewed and investigated, AND THE ACTION OF THE GOVERNMENT WAS RATIFIED AND APPROVED BY AN ALMOST UNANIMOUS VOTE!!

Compare this transaction with Gibson's. In the St. Andrews Railway case everything was open and honorable; in Gibson's case it was secret and dishonorable. The former in perfect accord with the law; the latter in a direct violation of law. The former was according to sound policy, law and equity, for the furtherance of a great public work; the latter was a private speculation to enhance the fortunes of one man to the detriment of the whole province. In the former case, instead of the government of the day proceeding to purchase support through the medium of a sale,

before a general election, they effected the sale contrary to the opinion of Connell, McAdam, and other warm friends of the Government; in the latter case, the Anglin Faction made the sale the price of the support of a local canvasser! Thus notwithstanding the opposition of the Tilley Government, as the Freeman itself admits, ‘feeling the public faith was pledged, and that it must be maintained inviolate, refused to stay the issue of the grants.’ How entirely different from the Anglin Jobbing. One in direct accordance with the law; the other in direction violation of it!” [is this quoted from a speech of Tilley, or from one of his supportive “organs”? or is it paraphrased?]

This would be a very nice story if it were quite true; but it so happens that the order for the issue of the grant was made just prior to the late general election—say in March last, and before the Legislature met, the Tilley government had ceased to exist. The grant was actually issued by the present Government, not by the Tilley government. What the present House of Assembly approved of, was the conduct of the present Government. They, in fact, refused to enquire into the merits of the case at all further than to be satisfied that the late government had ordered that the grant issue. They never directly, or indirectly approved of the conduct of that Government in this transaction.

In Charlotte County, the usual stumping is \$1.00 to \$1.50 per thousand. Now believe, if you can, that the Company, to save \$300 a year wild land tax, neglected to take out the grant, and were satisfied that Mr. McAdam, “honest John,” as he is ironically called, who, in defiance of law and right, got a license to operate on those lands should strip them of all the valuable lumber. The Company did press their claim, but until the even of the election the influence of Connell, McAdam and the other friends of the Government was stronger than justice and right. “To the victors belonged the Spoils,” and honest John was reaping a rich harvest from the Company’s lands, paying the Province not \$1.50 a thousand, as he would have to pay the Company, but the paltry 20s a square mile, or something of that sort.

The action of the Tilley government in the St. Andrews Company affair, was, we believe, infinitely more criminal and indefensible than their violation of their own regulation in the Gibson case, although that was bad enough. The nice story that Mr. Tilley now tells will deceive nobody, who knows how the Company and the Province have been defrauded to pay for the support of honest John and his friends in Charlotte.

Morning News

Jan 5, 1866

One Hundred and Thirty Jobs!!

The Crown Lands Again

In our paper of Wednesday, after exposing the Freeman’s fallacious “defense” of the Government Jobbing on public lands, we said, “we shall show that the Freeman’s frequent allusions to other grants, so far from helping the present Government, will reveal to the people about ONE HUNDRED AND THIRTY TWO JOBS PERPETRATED BY THIS SAME GOVERNMENT OF SIMILAR CIRCUMSTANCES IN ALMOST EVERY RESPECT. ONE HUNDRED AND THIRTY TWO JOBS by the Anglin patriots, not only in direct defiance of the law, but contrary to positive agreement made by the Tilley Government with the applicants!!!”

The Freeman has said (the italics are ours):

“Among the matters demanding immediate action, were no less than 130 claims for land *actually sold* the previous Government. *The money was in all or nearly all, the cases PAID, and yet the grants were not issued,* , as was alleged, the REGULATIONS of 1862 WERE IN THE WAY. *The Government in defiance of the Regulations sold lands to 130 persons, ordered a survey for Gibson for 10,000 acres, but they could not , or would not, give grants to those whose money they took.*”

And again,

“We told them of the 130 other cases in which the late Government had sold lands in violation of the regulation, and in which the present Government consummated what had thus been commenced. We could relate numerous other instances in which the present Government found themselves counseled by their regard for public faith and credit to consummate the crimes.”

A careful perusal of these paragraphs will discover their own overwhelming refutation, and how vilely the truth is perverted!

Now, in the first place, the Records of this Crown Land Office are open to the Editor of the Freeman. We have had them thoroughly examined. And now we state, without the fear of successful contradiction, that there is not a shadow of ground for the Freeman's assertions against the late government. There is not a case of the kind supposed by him on record, and WE DEFY HIM TO THE PROOF!

By the first extract from the Freeman it will be seen at a glance that these 130 cases—just two less than we thought—were, so far as the Tilley Government was concerned, under, and not “in defiance” of the Regulations of 1862. Why?

We find, by the Freeman's own showing, that the lands were “actually sold”, “the money was in nearly all the cases *paid* and yet the grants were not issued”, “they COULD NOT, or would not give the grants to those whose money they took.” Now, why was this? Under the regulations of 1862, which provided for the sale of Crown Lands *only* on condition of actual settlement, and also by the long-established rule in reference to all cases of purchase for actual settlement, two things, after survey, were necessary: *First*, that the *purchase money* should be “actually” *paid*, and, *after the payment*, it was incumbent on the purchasers, *before the grants could legally issue*, satisfy the Government that the “conditions of actual settlement” had been fulfilled. For see: before the payment no interest in the land accrued to the applicants and they could not even go into possession; or, if the grants issued immediately upon payment, the applicants might laugh at the “conditions,” and compel the Government to a forcible ejection. This has never been the case under any Government; but, *after* payment of the money and then after satisfactory proof that the conditions of actual settlement have been complied with, the grants issue, and not till then; both are conditions precedent to the grants. *And every one of these 130 applications was made and the monies paid, under the Regulations of the Crown land Office applicable to sales for actual settlement!* This was the contract made between the Tilley government and the 130 applicants! Now, up to the time of the Tilley Government resigned, the conditions of actual settlement had not been complied with, and the Tilley government—with the full knowledge and consent of Mr. G. L. Hatheway again—on that ground refused to issue the grants. The applicants knew why—the present Government knew and know why. Had they issued the grants, here were 130 violations of the law. *During the Tilley Government the applicants acquiesced in this most proper view.* knew they had not complied with the law. But the Tilled Government resigned and the Anglin faction came into power. Here were 130 “applicants” to conciliate. The Government found by the public records, that their predecessors had left these cases just as we have stated, and the wholesome Regulations of 1862 intact, inviolate. What did the “patriots” do? Finding the rare opportunity of conciliating 130 voters, they deliberately and without precedent refused to keep the “public faith inviolate,” *ignored the solemn contracts made by their predecessors with 130 persons,* THE APPLICANTS FROM ALL CONDITIONS OF ACTUAL SETTLEMENT, and, “in defiance of the regulations of 1862,” and in defiance of the arrangements of the Government with the applicants, issued the grants to them, the law and the contract and the public faith from that day forward standing violated and broken in every particular! Where was the great regard for the pledged “public faith and credit” then?

And these are the 130 cases repeatedly and unblushingly referred to by the Freeman!!!

These violent infringements of the law, and violations of the public faith, open up another very serious reflection. Gibson's grants were contrary to law, and we have overwhelmed the Freeman with proof of this from its own columns. They were to the gross injury and an injustice to all other lumber merchants, because they were issued in the dark, after a secret ignoring of the Regulations of 1862. But these last outrages are a gross injustice to hundreds of others who paid their money, fulfilled their conditions and afterwards got their grants!

It is unnecessary to prolong comment. The boldness, the recklessness, the illegality of these jobs appear too plainly to require further observation. Having once placed their hands upon the public property—having votes to purchase, and elections to corrupt, and positions of pay to retain, these precious “patriots” have allowed

nothing to stand in their way. The pledged public "faith and credit" distinct laws and regulations, solemnly made contracts, and common justice to honest and hard-working dealers, have all been swept aside that "this strongest Government" might make havoc of the public rights and convert the public domain to their own illegal uses!

Fifteen thousand acres bartered in the dark, contrary to law, to *oneman*; and 130 Jobs—involving we know not yet how man thousands of acres more—perpetrated in defiance of law contracts, common decency and the public faith! If the editor of the Freeman can successfully satisfy his "friends" that all these outrages are right, he will truly have earned another "elegant" and more valuable testimonial! We shall quietly await the verdict of the people!

Freeman

Jan 6, 1866

The Intelligencer most ungenerously left the Telegraph and News to fight the Crown Lands battle without its aid. For weeks, like the Journal, it was silent—profoundly silent—on a subject which its party deemed of such vast importance. At length it makes a feeble utterance, and confesses that it does so because we have forced it to do so. It says:

*"The Crown Land Agitation.* We have avoided saying anything about this matter, which has agitated the secular press for some weeks, and we had intended to have past it by altogether in silence, as we felt very little interest in the affair. *But Mr. Anglin seems very anxious that we should refer to it;* and some of our readers have suggested that we would hardly be doing justice to those who depend exclusively on the Intelligencer for the news, if we did not make some statement relative to it."

Of course, being compelled to say something, it tries to throw the blame on the present Government; but it depends mainly on the story—which it gives as merely a statement—that—

"Both Mr. Tilley and Mr. Hatheway, both of whom were then in the government, said to Mr. Gibson that they *could not* of this tract to him because it would be 'a gross violation of the Regulation of 1862.' No sale took place, and no advertisement for sale was published by the Tilley Government."

What will it say when it learns that Mr. Gibson positively denies that either Mr. Tilley or Mr. Hatheway said anything of the kind?

Then it says:

"The present government came into power last spring, and was aided to power by Mr. Gibson. It would *seem* that he then renewed his application for the land in question."

Nothing of the kind took place. He did not renew his application. The approval of his only application was found duly recorded, and the Government merely directed that the "previous order" made by the Tilley Government should be completed.

Again it says:

"A similar tract of about 5,000 acres was also applied for in the names of persons in his employ, and obtained in November last. But to comply with Mr. Gibson's application for the large tract, it was necessary to rescind the regulation of 1862. This was done *secretly* by the Smith and Anglin Government—or at least *no public notice was given of its being set aside*, arrangements were made by the Crown Land Department to put Mr. Gibson in possession of the 10,000 acres, as well as the 5000 previously. (It should be remembered that Mr. Gibson was a most strenuous canvasser during the late election in York.)"

Another mistake. The advertisement of the sale of the lands on application of Mr. Gibson was ample notice of the rescinding of the regulation, if any notification were required. The negotiations which were pending when that temporary regulation was made had ripened into a law, and that law every one knew expired last Spring, and with it the regulation, which, according to its own express terms, was to be of force only "pending negotiations." To all interested in Crown Land matters the advertisement of sale of the \$4,903 acres on application of several parties was ample notice that the Government regarded the regulation of 1862 as no longer in existence.

It adds:

"The charge against the Government is that they should thus reward their friends for their support with valuable public lands at a nominal price; and that in

riens for their support with valuable public lands at a nominal price; and that in order to do this they *not only rescinded* the regulation made by the Tilley government to protect the public domain, but *gave no public notice of this change*. We do not see that any blame can be attached to Mr. Gibson. The Smith and Anglin Government were the parties who *disposed* of this valuable public property (it is said as a reward for services rendered, and on them and them alone, the blame must rest.”

Mr. Gibson will, perhaps, feel under deep obligation to the Intelligencer for being told that no blame should attach to him for accepting what the Intelligencer pretends to regard as a bribe. This is “high morality” with a vengeance. But the truth is the Intelligencer knows well that it was no bribe on the part of the present Government at all events, who merely fulfilled the pledges by which their predecessors bound them, and that Mr. Gibson got the lands on Tuesday last, not for a nominal price, but for the highest market price that could be got for them at public sale after all the puffing of the Telegraph, New and Reporter.

The Intelligencer, after this short collection of statement, the greater number of which it prefaces by “it is said,” asks “Is Mr. Anglin now satisfied?” Not quite. We would have very much preferred that it had dealt with the subject before it discovered that the late Government had approved of the application. We would have then delighted to see with what ferocity it would have denounced their act.

Freeman

Jan 6, 1866

The parties who now prepare and write the leading editorials of the News still rave about the Crown Lands story. They work hard to stop the universal laugh raised at their expense, but their efforts only cause the public to laugh all the more. Their position is most mortifying and humiliating, and they feel keenly the ridicule they have brought on themselves. They feel that all their attempt at mystification do not, to the smallest extent, hide the fact that it was the Tilley Government who sanctioned Mr. Gibson’s application and ordered the survey at his expense, and that the sale of the lands must follow if public faith were not violated. A whole hogshead of printer’s ink would not now hide this important truth, and all the articles in the News only serve to make bad worse; for not only do they lack what Dr. Tupper calls the *essential element*, truth, but they expose the recklessness and audacity of the men who would throw the responsibility for their own act on the shoulders of others after they had committed the egregious blunder of declaring that act a great crime, and denouncing it most furiously when they imagined that they could persuade the public that it was the act of their successors.

They now try to show that by issuing grants in the other 130 cases, of which we made mention, the present government perpetrated 130 jobs. The late Government sold the lands in those cases and took the money for them, and by doing this they virtually violated their own regulation of 1862, for we all know that when parties buy lands in our Crown Lands Office, and pay for them, the lands become virtually theirs. No Government would venture to put up such lands to sale again. No purchaser would ever dream of applying for them. The withholding of the grants was on the part of the government of the day a mere sham, vexatious indeed to the purchasers, but of no use otherwise. The present government found all these matters in a confused, unsatisfactory state, and all pretence for the non-issue of the grants having absolutely ceased when the act for the construction of the Intercolonial Railway expired they after, having as a mere matter of form rescinded the regulation, ordered that the grants in those cases should issue to the parties who had paid for the lands, or to their representatives. In doing this the writers in the News pretend that the Government did a great wrong to secure political strength. We do not suppose that the members of the Government knew a dozen of the 130, or whether they were friends or opponents. They did what they believed justice and the public interests demanded.

But say they the 130 applications were made under the regulation applicable to sales for actual settlement. This, by contrast, would make their conduct in the Gibson case infinitely worse. They insisted, they say, on actual settlement when dealing with the small men, and although they took their money they would not give them their grants; but when the large man asked for 25,000 acres without the condition of actual settlement, they did not hesitate a moment to approve of his application: and these are the men who now talk of the rights of the poor man and the

application, and these are the men who now talk of the rights of the poor man and the evils of monopoly.

Freeman

Jan 6, 1866

Mr. Gibson made 'no such *application* to Mr. Tilley or Mr. Hatheway, as his application had been approved.' In this the Freeman attaches a strict technical meaning to the word, and refers only to the formal 'application.' Now, that may be cunning, but it won't answer. Did he make 'application' to Mr. Tilley or Mr. Hatheway, or, probably we had better say, did he *ask* either or both of them, to rescind the Regulations, long and often after the mere formal 'application' had been made? And, after the Anglin Faction came into power, did he again press Hatheway and the Government to rescind? And meeting a gentleman about this time, was the question put to him. 'Well, Gibson, have you got those regulations rescinded yet?' or to that effect. And did he reply, 'The present Government had rescinded them, or would rescind them at the next meeting,' or to that effect. Did he learn from the present Government, and so informed gentlemen at the time, that he had at last succeeded?"—News

Mr. Gibson will probably not choose to take the witness stand to answer all such interrogatories, relevant or irrelevant, as the writers in the News may choose to put to him. He is more usefully employed. We have say, however, that the Freeman did not attach a strict technical meaning to the word "application" which we but borrowed from the News. When we happened to meet Mr. Gibson some days ago in Saint John we asked him whether there was any truth in the assertion that he had frequently applied to Mr. Tilley and Mr. Hatheway to have the lands put up for sale, and the precise words of his answer, as nearly as we can recollect them, were "I never spoke to either of them about it; I was in no hurry to have the land sold if the Government were not." From this it is manifest that *he did not* "ask either or both of them to rescind the regulation," and indeed it was plainly unnecessary to ask them to rescind a regulation, which, as far as he was concerned, the Government had already violated.

"The gentleman," whoever he is, had better come out over his signature if he wants Mr. Gibson to answer his questions. The anonymous statements made to an anonymous writer demand no notice, and probably will receive none.

It is interesting to observe how the whole available resources of the party are brought into requisition in this case; but all the statements and misstatements of all their anonymous "gentlemen" leave the plain, hard, palpable facts just where they were.

Freeman

Jan 6, 1866

The News says:

"Gibson's grants were contrary to law, and we have overwhelmed the Freeman with proof of this from its own columns. They were to the gross injury and an injustice to all other lumber merchants, because they were issued in the dark, after a secret ignoring of the Regulations of 1862."

The grants to Mr. Gibson have, probably, not been issued yet, as the sale took place only on Tuesday last. The approval of the application by the late Government was, indeed, made "in the dark," but all that has been done by the present Government has been done in the broad light of day. After due notice in the Gazette, the lands were put up to public competition at which all men were publicly invited to bid.

Morning News

Jan 8, 1866

The Freeman's Defences

The parties who now prepare and write the leading editorials of the Freeman still rave about the Crown Lands. They work hard to stop the universal expression of condemnation raised at their expense, but their efforts only cause the public to be more indignant than before. Their position is most mortifying and humiliating. and

they feel keenly the odium they have brought on themselves. They feel that all their attempts at mystification do not, to the smallest extent, hide the fact that it was the Anglin Clique who bartered the public lands so mercilessly to one man at a nominal price, and contrary to law, A whole hogshead of printer's ink would not now hide this important truth, and all the article in the Freeman only serve to make bad worse; for not only do they lack what Dr. Tupper calls the *essential element*, truth, but they expose the recklessness and audacity of the men who would throw the responsibility of their own act on the shoulders of others after they had committed the egregious blunder of declaring they had only consummated what they call a crime, and denouncing it most furiously when they imagined they could persuade the public that it was the act of their predecessors."

So far we copy an article of the Freeman, which, however, we have taken the trouble to *revise* and CORRECT.

We now taken an extract, laden with untruth, from the Freeman intact:

"They now try to show that by issuing grants in the other 130 cases, of which we made mention, the present government perpetrated 130 jobs. The late Government sold the lands in those cases and took the money for them, and by doing this they virtually violated their own regulation of 1862, for we all know that when parties buy lands in our Crown Lands Office, and pay for them, the lands become virtually theirs. No government would venture to put up such lands to sale again. No purchaser would ever dream of applying for them. The withholding of the grants was on the part of the Government a mere sham, vexatious indeed to the purchasers, but of no use otherwise."

We stated that Anglin had misrepresented the case when he affirmed that the former government had sold the 130 lots contrary to the Regulations of 1862; we showed him that they were sold in all things consistently wit them; we reminded him that the Records of the Crown Land Office were open to him, and we defied him to his proof. The above is his answer!! It seems like throwing water on a drowned mouse to expose it, but it will afford the public some amusement, even at the expense of his further humiliation, to do so.

Now the ex-member of the Anglin government declares "that when parties buy lands in our Crown Lands Office, and pay for them, the land becomes *virtually theirs*." Pray what does he mean by "virtually"? Did he intend to say *nominally*? But we will take his answer as he give it—*virtually theirs*. Now, why not wholly, legally, completely theirs? Simply because, *after the payment*, as we have clearly demonstrated, the parties must satisfy the Government of the day that the conditions subsequent to the payment and precedent to the grants—namely, of "actual settlement"—have been complied with. Bu the adds: "The withholding of the grants . . . was a mere 'sham, vexatious indeed to the purchasers, but of no use otherwise.'" It is not unusual to find "purchasers" asserting that the terms of their own contracts are "vexatious," but their "vexation" must not alter the law, if the conditions were understood, as by the 130 applications they were, at the time they paid their money. "It is so nominated in the bond." But, we are willing to give the Freeman another chance. *We ask him to produce a single case, except under his own Government, in which Crown Lands were sold for actual settlement, and the grants were issued on payment of the purchase money, without evidence of the compliance with the conditions of sale!* It is no "sham," therefore, to require men purchasing under the law to comply with the law. We are wrong. We should have said that such used to be the case, but that under the Anglin *regime* of land jobbing, law, existing contracts, terms of sale, etc., are all so many "shams" which Mr. Anglin and his coadjutors may brush away to suit their own longings after political aggrandizement. The Regulations of 1862, under which the 130 acres began, were ignored—the contract made between the former government and the applicants was set violently aside—the "public faith pledged" was treated as a sham, and the 130 voters were purchased by the Anglin patriots by the issue of the grants to them, to which they had no right, or by the terms of their own contracts.

Su much for the subterfuges of Mr. Anglin in these cases. In another part of his paper, the ex-member says of his present Government's grants to Gibson:

"The News says:

"Gibson's grants were contrary to law, and we have overwhelmed the

Freeman with proof of this from its own columns. They were to the gross injury and an injustice to all other lumber merchants, because they were issued in the dark, after a secret ignoring of the Regulations of 1862.’

“The grants to Mr. Gibson, have probably, not been issued yet, as the sale took place only on Tuesday last. The approval of the applications by the late Government was, indeed, made ‘in the dark’ but all that has been done by the present Government has been done in the broad light of day. After due notice in the Gazette, the lands were put up to public competition at which all men were publicly invited to bid.”

“Probably the grants have not yet issued,” says the Freeman. We might simply reply—probably they have! But why does the Freeman thus endeavor to keep the great facts out of sight by this unseemly play upon words. If they have not issued by this time, with blanks for descriptions, the Government must be as slow and dilatory as it is reckless and unprincipled. It is unnecessary to refer to the attack on the former Government, the Freeman having “virtually” abandoned his base on that point. But a word as to the Freeman’s bunkum about the “public competition at which all men were publicly invited to bid.” Invited to compete with Mr. Gibson, who could attend the sale *with a three years’ licence to cut the timber from the land*, in his pocket! That would be a “competition” with a vengeance! There is another circumstance about this sale which we have not thought it worth while to notice, but the Freeman seems to have no mercy on his friends, and will drag them deeper and deeper into disgrace. Mr. Gibson lives within a short distance of the Crown Lands Office, the place of sale; the sale was ordered for noon on *Tuesday, the 2nd of January*. Now, if any person, at any distance from the place of sale—say from King’s, Queen’s, Charlotte, Saint John, etc.—had been so foolish as to wish to “compete” with Mr. Gibson and his three years’ licence, he must have traveled on New Year’s Day, or leaving home on Saturday have spent Sunday, Monday and Tuesday in Fredericton, for that great luxury. Mr. Gibson could be present in an hour or two. Of course the Freeman will say this was not so arranged; perhaps it was not. The public can, after considering the immense amount of most valuable land involved, draw their own conclusions.

The freeman volunteered some evidence from Mr. Gibson, *in reply to the News*. We asked another simple question, or rather denuded our former question of Mr. Anglin’s perversions, and put it. And now hear the Freeman:

“Mr. Gibson will probably not choose to take the witness stand to answer all such interrogatories, relevant or irrelevant, as the writers in the News may choose to put to him. He is more usefully employed.”

He took the stand—or the Freeman pushed him into it—and asked him an ambiguous question: being in the stand voluntarily, we put to him a plain interrogatory, whereupon off runs Mr. Anglin out of Court and Mr. Gibson after him! “More usefully employed”! We presume so, looking out for his grants, “probably.”

Having drawn the Freeman into this pitiable condition, we shall leave him for a little time, unless he is determined further to disgrace his Government by more revelations of their duplicity. In the meantime, the people are in possession of the facts. It will be interesting to “observe how the whole available resources of their (the Anglin) party are brought into requisition in this case; but all the statement and misstatements of all their anonymous gentlemen leave the plain, hard, palpable facts where they were.” And just there they will forever remain an unimpeachable witness of the recklessness, depravity and dishonesty of the vilest Government that ever plundered public domain or violated law, public faith and common decency to prop up their tumbling fortunes.

Evening Globe

Jan 8, 1866

The Wood Trade

All the deals now in this market are held by shippers, two or three of whom hold the greater portion, and we may therefore expect that prices here will remain firm. This fact, with but little tonnage offering, keeps freight rates at a fair modest figure, say to Liverpool, 67s6d to 70s; London, 72s6d; Clyde, 60s; Bristol Channel, 62s6d to 65s; Ireland, 65s to 75s, according to the port.

Between the 5th and 19th of December the total shipments to Great Britain were in 9 vessels, of 7,001 tons, being 226 tons birch, 534 tons pine, and 5,458,000

feet of deals, as follows: To Liverpool, 4 vessels, 3,414 tons, 3,010,000 feet of deals; to Clyde, 1 vessel, 942 tons, 201 tons birch, 534 tons pine, and 352,000 superficial feet of deals; to Bristol Channel, 1 vessel, 683 tons, 576,000 feet of deals; to Ireland, 2 vessels, 1,723 tons, 1,313,000 feet of deals; to "other port," 1 vessel, 239 tons, 25 tons birch, 207,000 feet of deals. On the 19th Dec. there were 17 ships, of 10,833 tons, in port; against 13 ships, 8,420 tons, same date of 1864, of which 4 were loading for Liverpool, against 5 in 1864.

From the 19th to the 31st December, the shipments were as follows: to Liverpool, 2 vessels, 1,316 tons, carrying 1,160,000 feet of deals; to London, 1 vessel, 936 tons, carrying 100 tons birch, and 734,000 feet of deals; to Bristol Channel, 2 vessels, 1,228 tons, carrying 1,034,000 superficial feet of deals; to Ireland, 1 vessel, 392 tons, carrying 321,000 feet of deals; to "other port," 1 vessel, 298 tons, carrying 290,000 superficial feet of deals—making a total of 7 vessels, 4,170 tons, which 106 tons birch, and 3,530,00 feet of deals.

The comparative shipments for the whole year, from 1st January to 31st December, 1865, are: in 1865, 282 ships, 212,419 tons, carrying 9,466 tons birch, 18,415 tons pine, and 159,791,000 superficial feet of deals; against in 1864, 280 ships, 195,147 tons, carrying 11,916 tons birch, 15,521 tons pine, and 150,371,000 superficial feet of deals; and in 1863, 9,442 tons birch, 19,164 tons pine, and 187,767,000 superficial feet of deals, carried in 333 vessels of 237,449 tons.

There were in port on 30th December, 10 ships, of 7,691 tons, against 14 ships, of 10,716 tons, at the same date in 1864, of which 3 were loading for Liverpool against 6 in 1874.

Freeman

Jan 9, 1866

The News still works away at the Crown Lands story. The writer of the last article on the subject complains that the sale was held on January 2nd, and that persons living at a distance who wished to compete for the lands would have had to leave home on the Saturday before, or travel on New Year's Day. Of course, the writer knows well enough that persons at a distance seldom care to bid for lands of the character of which they know nothing, and that when persons at a distance wish to purchase lands at the Crown Land Office, they can act through an agent, and that they generally do act through an agent.

He also repeats the complaint that Mr. Gibson hold a three year's lumber license of the lands; but this Mr. Gibson held when the Tilley Government approved of his application and ordered the survey.

To show the absurdity of some statements in the News, we said that as the sale only took place on Tuesday last, the grants had probably not even yet issued to Mr. Gibson. On which the News thus comments:

"Probably the grants have not yet issued," says the Freeman. We might simply reply—probably they have. But why does the Freeman thus endeavor to keep the great facts out of sight by this unseemly play upon words. If they have not issued by this time, with the grants almost entirely made up of printed matter, with blanks for descriptions, the Government must be as slow and dilatory as it is reckless and unprincipled."

The party who inspires the writers for the News knows well what the usual practice is, and that the grants, after they have been made out, must be submitted to the Attorney General for approval before they received the Governor's signature, etc., and that it is the exception rather than the rule that a grant issues in the same week in which the sale takes place. If because the grant to Mr. Gibson did not issue before the Saturday next following the Tuesday on which the sale took place, the present Government is to be adjudged dilatory and reckless, in the name of common sense what is to be thought of the late government?

Freeman

Jan 16, 1866

Here is another good Crown Lands story, which we take from the Carleton Sentinel. We know nothing of this case beyond what we find here stated. We believe that no application under the actual settlement condition have been made to the present

Government, and, therefore, we conclude that the whole transaction took place under the late government—the approval of the applications and the subsequent issue of what seems to have been a secret license to lumber on the very lands so promised to the applicants. The whole affair, if we may take this account as correct, must be regarded as very disgraceful to the Government that could act in such a manner. But “Honest John” was a great favorite, and could do what he pleased on the public lands, while the late Government were in office:

“Crown Land Management. Some parties—a Mr. Bunting, Mr. Golding and others—not a great while ago applied at the Crown Land Office for certain lots in the Maxwell settlement, York County, under the actual settlement condition. Subsequently their petition was confirmed. This fall or winter it was discovered that lumber was being cut on some of the lots, and the parties immediately wrote or telegraphed to the Crown Land Office, stating the circumstances. An answer was sent in reply that no license to cut lumber on those lots had been granted, and the local Deputy was informed of the facts from the office. On Friday last Mr. Whitehead went out to seize the lumber, when being requested by the Foreman to step into the camp he was there shewn a license dated subsequent to the approval of the settlers petition, giving John McAdam permission to cut and carry away timber, and thus the persons who in good faith had applied for the land and intended to settle it will see the best timber hauled away without a remedy. Comment is quite unnecessary.”

One would think so; yet the Sentinel does make comments, and, shameless as its fellows, tries to throw the blame of these misdeeds also on the present government.

Morning News

Jan 17, 1866

When the Telegraph and News laid bare before the public the irrefutable evidence of the plundering of the people’s domain by the miserable faction which now lords it over this province, the Freeman indulged in column after column of trash and abuse, endeavoring to turn the attention of the public from the damning evidence against it. Our readers know how miserably the Freeman failed.

But there was evidence accumulating against the Freeman, showing the recklessness of that paper, of which it little dreamed. It declared, with brazen face, that the rescinding of the Regulations of 1862 was open, honest, public; that there was no secrecy about it; that instructions to the Surveyor General to proceed with the sale had been given the Anglin faction on finding (as was falsely stated) that the former Government had approved Gibson’s claim; that all was well in reference to the sale; and that the people knew the Regulations were rescinded.

Will our readers believe that the Government HAD NOT THEN, AND HAS NOT YET, notified its own land agents throughout the Province of the rescinding of the order, but that they are yet acting UNDER THE REGULATIONS OF 1862!!!

We give an extract from the St. Croix Courier (improperly credited to the Herald) on Monday. We now subjoin the following from the Carleton Sentinel:

Crown Land Management

“Some parties,—a Mr. Bunting, Mr. Golding and others—not a great while ago applied at the Crown Land Office for certain lots in the Maxwell settlement, York County, under the actual settlement condition. Subsequently their petition was confirmed. This fall or winter it was discovered that lumber was being cut on some of the lots, and the parties immediately wrote or telegraphed to the Crown Land Office, stating the circumstances. An answer was sent in reply that no license to cut lumber of those lots had been granted, and the local Deputy was informed of the facts from the office. On Friday last Mr. Whitehead went out to seize the lumber when being requested by the Foreman to step into the camp *he was shown a license, dated subsequent to the approval of the settlers petition,* John McAdam permission to cut and carry away timber, and thus the persons who in good faith had applied for the land *and intended to settle it* will see the best timber hauled away without a remedy. Comment is quite unnecessary. When this state of things exists in eh department, *and when a regulation as that which confined the sales to conditions of actual settlement is rescinded, without any notice of such change being communicated to the local Deputies or the public, it proves something fearfully rotten in the state of Denmark.* While Mr. Gibson and others in the secrets of the Government have been securing

their choice of lands by absolute purchase, here in Carleton County and, we presume, in Victoria county, people have been in the dark as to the matter, *and the Deputy here we know told us but a month or two ago that no land could be purchased, except for actual settlement*, there were many persons desirous of purchasing. Never were men more righteously indignant, to judge from their expressions, than certain members of the present Government were when the grant land jobbing system was exposed, but it seems their regard for the interest of the public domain was forgotten when the sweets of office were tasted.”

Surely a grosser, viler outrage was never perpetrated. A few “tame followers”—probably “peculiarly” of the Anglin stripe—and Mr. Gibson, are taken into the confidence of this land-robbing Government, while the farmers of Charlotte, Carleton, Victoria, Queen’s, etc., are kept in ignorance. Surely the Anglin Faction have well deserved the name which Anglin himself suggested for them “The Old Land Pirates”!

Fredericton Branch Railway

Reporter

Jan 19, 1866

Important Railway Meeting

The first railway convention ever held in the city of Fredericton or County of York took place on Tuesday afternoon at the City Council Room. The origin of this meeting will be understood by reading the documents which we have commenced on our first page, and thus we have the first murmurings of an agitation which is destined to ring throughout the length and breadth of the land, and which involves considerations of a most serious and important character. Not merely to the City of Fredericton and County of York is this an important matter, but also to the contiguous County of Sunbury and the Province at large. The Road under discussion is that from Fredericton to Hartt’s Mills, there to unite with Western Extension, furnishing a grand highway of communication with the United States and the outer world. But there is another consideration which materially affects the interest of York, the city of Fredericton and the County of Sunbury, viz: the construction of this part of the road is the surest, almost certain, means of bringing the Intercolonial Railroad through this County to Fredericton, and so on via Hartt’s Mills to Western Extension, thus giving us further communication with all B. N. A. We are aware that railroads in any country necessitate taxation, and this hydra-headed monster, this bug-bear, rises up to frighten people half out of the wits by the very foreshadowing of such a monstrous evil; but it will be for men of liberal minds and enlightened views, men who looking beyond the things of today, are capable of grasping the requirements of futurity, to set the people right on this point, to show them that a trifling expense now is a rich reward hereafter, and the sooner the investment takes place the sooner the dividends are declared. This is a noble task. Railroads are not only a commercial, but, we might add, a social requirement; and it is absurd to say that because it does not pass directly by Mr. A’s door, therefore he is justified in voting against it; you cannot benefit one section of the County without benefitting the whole in a greater or lesser degree.

The distance from Fredericton to Hartt’s mills is say 20 miles, and the estimated cost \$20,000 per mile, total \$400,000. Of this sum the government Subsidy of \$10,000 per mile, covers one half of the whole expenditure, leaving \$200,000 to be divided between York, Fredericton and Sunbury. Supposing just for argument’s and calculation’s sake that the city of Fredericton should take one half of this amount, \$100,000, some people might suppose in speaking of that large amount, that they were liable for and must pay the whole amount immediately, or in a short time at best, but such is not the case. Debentures are issued by the City for this amount made payable in 25 years, and it will be necessary to levy a yearly interest tax of 6 percent on the \$100,000 which amounts of course to \$6,000. Also in addition to this we must pay one twenty-fifth part of the whole, viz: \$4,000 year, to go into the Sinking Fund to pay off the whole amount when the Debentures fall due at the expiration of 25 years, making in all a tax of but ten percent yearly to discharge interest and principal. Any City, County or Company or individual, taking stock in the undertaking, providing the road should pay 3 percent over running expenses, would in reality receive 6 percent on the amount so takes, in consequence of the government subsidy paying one half of the whole expenses. In stating the question to the people they must

paying one half of the whole expenses. In stating the question to the people they must be made aware of the incalculable advantage which would accrue to the respective counties in the event of seeing an unbroken chain of connection between the United States and all British North America. Argument fairly put before the people cannot fail of conviction. They should not be frightened of taxation, because they cannot tell but that the whole amount might be taken up by Companies formed for the purpose, or private individuals, which is very likely to be the case with respect to the road in question, as it is sure to become a paying investment.

Referring to the Branch, Mr. Burpee says in his Report:

By making the terminus at Odell's grove, the whole distance is 21 ½ miles from Hartt's Mills, which is considerably shorter than the travelled road, and the nearest approach to an air-line that I think will be found practicable. The line was extended to the grounds of the agricultural society, which, though adding very little to the cost of the line is nearly one half mile longer. The ground in Fredericton and its immediate vicinity is so favorable for Railway construction that there will be no difficulty in taking the line to any point in it that the necessities of trade or the interests of the community may require. Of the characteristic features of the work there is little to be said. As will be seen by reference to the tables appended, the curvature and gradients are both favorable, while the works are more than ordinarily light. An iron bridge of 100 feet span is proposed over the Rushagonis, which, with three small bridges at other points, will cover all demands for that class of work. This line traversing nearly its entire length through barrens and unimproved lands, damages to property, except in the vicinity of Fredericton will be light.

The Convention alluded to originated in a Resolution from the City Council, inviting a Committee of the Municipalities of York and Sunbury to meet with them and discuss the matter in a friendly way, and suggest the best means for its accomplishment. In compliance with this request the various committees assembled on Tuesday afternoon in the City council Room—present, Messrs. Henry, Pugh, Whitehead, Robinson, Grosvenor, and Barker from York; Messrs. Clowes, Bailey, Stirling and Noble from Sunbury; and Messrs. Macpherson, Dowling, Grieves, McCausland, and Segee from the city.

The meeting was organized by calling Mr. Clowes, Warden for Sunbury, to the Chair. Mr. Pugh was requested to act as the secretary (and wonder of wonders in Fredericton, the reporters were provided with every accommodation.)

The secretary then read, on motion of Ald. Dowling, the various resolutions of the respective bodies assembled, and which we publish elsewhere in the paper after which Mr. Whitehead moved a resolution, expressing the desirability of devising means to carry out this great undertaking.

Councilor Stirling objected to the working of this resolution the feasibility was one thing, but desirability of devising means was another. Ald. Dowling thought the feasibility should come first and the desirability second. As he understood Mr. W's resolution, it was merely to pen up the question. The idea of the meeting was if possible to benefit the whole community.

Councillor Bailey said the question of railways was a large question. He first heard of this branch to Hartt's Mills through one of the newspapers, where Sunbury's proportion was set down at \$50,000. He was a railroad man if it would only go in the right place, but some of our highways had been located in wrong places, and it was found necessary to change them. Sometimes man built a barn and afterwards found it was in the wrong place and was obliged to move it. He had doubts in his own mind of the advantage to his constituents of a road to Hartt's Mills, and was afraid if it went in that direction there would be no road to Northfield on the Eastern side of the river, and spoke of the desirability of running in that direction, in view of the coal beds lying in that vicinity. But he had no desire to condemn the thing until he heard more about it. He was afraid, however, the public would cry out against the taxes, and would be included to resist them. He advised caution.

Ald. Grieves wished to hear from some of the Councilors who resided near a railroad whether it had proved a benefit or a blessing, and called upon Mr. Robinson or Mr. Grosvenor for an opinion. Mr. Robins spoke briefly on the point. He had certainly seen the advantages of railroads, and was so satisfied with respect to them that if he had only \$50 he would give ten to build a railroad. He thought they would do

that if he had only \$50 he would give ten to build a railroad. He thought they would do very wrong if they failed to agitate this thing, as its business advantages were apparent. He was not particularly interested in this branch, as he resided 30 miles distant.

Councilor Grosvenor thought as the City was most largely interested, they should take the initiative and speak first. It was certainly desirable that Fredericton should be connected with other portions of the route, and the feasibility of this undertaking was increased by the Facility Act, which covered one half of the whole expense of construction. For five months in the year Fredericton was shut out from the rest of the world, and the result was that in his party of the county where they had access by rail to other markets some kinds of goods are cheaper than in Fredericton. The question was, would the advantages balance the expenditure. He thought so certainly, and Fredericton was already paying her portion of taxes for railroads constructed in other parts of the province, he saw no reason why she should not have a branch of her own. It would enhance the value of the whole county of York, and Sunbury as well.

Ald. Segee said if the city of Fredericton was greatly interested, other places were equally as interested. As the city was advantaged just so the surrounding county, and vice versa. The produce market would be largely affected by this railroad, and he believed Fredericton would become the market for Sunbury, as she would be more likely to increase in proportion than Saint John, having more expansive power in her surroundings, and as the City increased so the County pro ratio. We should not make a selfish thing of it. It could not run past every man's door, and if he continued in the Council, he would go for the highest possible amount, although only 4 miles of the road was in York, and the rest in Sunbury. It would be better to come to Fredericton than to go to Hartt's Mills and then to Saint John, and he believed the County of Sunbury was quite as much interested in the undertaking as the county of York.

Coun. Sterling would like to see the railroad himself, but thought the people of Sunbury were unwilling to be taxed and looked unfavorably upon it. The parish of Blissville was a producing parish and in the event of Western Extension that parish was supplied, giving them Saint John for a market. On the eastern side of the river, the parish of Northfield, with its valuable coal mines, now without any facilities for transportation, might be benefitted by the Intercolonial Railway, but not by the Branch to Hartt's Mills. If the depot were at Hartt's Mills, part of Sheffield, being 20 miles from Fredericton, must come all that distance before they could avail themselves of the road at all. He would like to support the measure, but it was a question whether his constituents were sufficiently interested and willing to submit to the tax in view of the prospective benefits.

Mr. Whitehead, who understands the railroad question in all its bearing, and is fully alive to its importance, spoke convincingly on the question under discussion. He said it was a great question, affecting not only the counties of York and Sunbury, but every man in the province would be more or less benefitted by the construction. Railroad were commercially, morally and physically beneficial—physically, witness his blooming friend Mr. Robinson from Canterbury—commercially this road would benefit Fredericton and those depending upon it incalculably. At present its merchants were obliged to lay in heavy stocks in the fall, and the result was in the winter season an increase in the price of flour and other articles which all come out of the people at last. The railroad would obviate this, as it had done in Woodstock, since they had uninterrupted connection with the United States. Mr. W. here submitted statistics as to the expenses of construction, etc., which it is unnecessary to recapitulate at present. He asked his friends Robinson and Grosvenor what would they take and give up the railway? (Friend Robinson replied he would take his departure from the country.) And as Mr. R. was a man extensively engaged in the shipping and lumbering interests, giving employment to large parties of men and who, were it not for the facilities thus afforded, would have to invest his capital and transfer his energies elsewhere. But besides this what would strangers say of the country when told that the Metropolitan City was iced in from all the rest of the world during five months in the year; would they not point the finger of scorn at us? We should sink all local feelings; what would benefit the Capital would benefit the County, and if any man doubted let him wait and learn. Mr. W. here went into a calculation showing how the money might be raised and the Sinking Fund provided for without any heavy demands upon the people. He

concluded his remarks by a graphic description of St. Stephen before and after the railway—then with its houses tenantless and its streets deserted, but now with every house occupied, brim full of men and money. He hoped if any member at the Board was unable to speak in favor of this enterprise, at least he would not speak against it.

Alderman Dowling wished to know before they came to any conclusion, if the Committees from Sunbury and York were authorized to go into the matter and declare what proportion of the cost they were willing to assume.

Chairman explained they had no authority whatever.

A running discourse followed, in which it was acknowledged that the principal object of the meeting was in giving the members an opportunity of consulting with each other, talk the matter over, get all the information possible, and when they had ventilated the subject to their constituents they would be in a better position to enter upon the realities of the construction.

Councillor Barker said he had been opposed to railroads, but if the advantages were such as had been declared, he would go for it. He was willing to help the thing on, although at present his constituents, were opposed to it, perhaps when they understood the matter better, they would change their opinions.

Councilor Noble thought we would be a small-hearted people if we allowed the Trunk to be built, and did not secure the Branch to Fredericton. Our young men were all going to the States, but railways and railway construction would keep them at home.

Councilor Pugh was quite eloquent on the subject. He thought it well to have a text, something to bind us as individuals, and give outsiders a view of our opinions, and begged to move the following resolution which was seconded by Alderman Dowling:

While it is the opinion of this body, being now organized for the purpose of discussing matters relative to the projected Branch Railroad to Western Extension, so-called, that the said branch would prove highly conducive to the interest of the several constituencies represented at the Board; therefore resolved, that it is their wish that a Bill do pass the Legislature at its next session, entitled a Bill to facilitate the construction of a railway to Fredericton via Hartt's Mills, in order that the County of York and the city of Fredericton may take such action in the matter as they may deem necessary, either in stock as private individuals, or in their corporate character.

Mr. Pugh went on to state that he saw represented before him the various commercial interests of the province, and he thought they were well qualified to reflect the interests of the County in which we live. The advantages of the construction were self-evident, and he felt convinced something might be done if sectional feelings were left in abeyance. Our city and county were not beyond being improved, and this road, was just what was wanted. The great difficulty in the way was taxation a ghost that haunts everybody, but they would find a worse ghost than taxation haunting them if they strangled the thing in its nativity. If we wanted improvements we must set to work ourselves as we could not expect that foreigners and strangers would come in and take the initiative. It was unfair to look upon a railway as we would upon a horse, from which we might receive a direct advantage, but we should look at the advantages of opening up our county inducing emigration, and the improvements which were certain to follow. When we had the prospects of the Intercolonial Railway and connection with Canada, and when Western Extension gave us connection with the States, were we going to hesitate about building those few miles, which would unite us with both. He had himself personally experienced the effects of our isolation. Some time since he had occasion to import a wife, but how was it to be effected? The journey to the border was easy enough, but the grand difficulty was in getting to Fredericton. (The councillor insinuated that if all members of the board had to import their wives in winter time from the United States, they would soon have an engine running to Hartt's Mills.) . . . parts of his own parish were situated miles from Fredericton, but they believed in building it up, because they wished a larger market town. He had seen beef selling in the city for two and three cents a pound, and hay for \$6 per ton. Would that be the case if we had the whole world for a market. Everything was paralyzed in Sunbury as well as York simply for want of an outlet. Where was there a place in North America more behind the age than we were, the capital of the

province too? and he held that this was our only chance for ? The word taxation was calculated to mislead in this instance, for he believed if there was a road in all North America that would pay this was the road. Possibly the whole amount might be taken in stock, but in the meantime he would go as high as \$50,000 for the County of York, if necessary, to meet the demands of the construction.

Councillor Bailie was not altogether satisfied about voting for the resolution, but if his constituents wanted the road he had no disposition to stop them. He was not altogether satisfied with the road already constructed. They had been the cause of reducing the price of oats from 2s 6d to 1s 9d; he referred especially to the Shediac Line. H had himself, since his residence in North field, sold coal for \$6 per chaldron, and he had sold it for \$14 but he did not think this road would give him a permanent market. he believed the people in his parish were opposed to the Branch from Hartt's Mills.

Councillor Dowling said Mr. Pugh's resolution did not compromise Sunbury. It merely says each constituency *may* etc. etc. He admitted that it would materially benefit the City to have the Road, but it would benefit the county as well, and all interested should join in the undertaking.

Councillor Grieves was glad to hear from his friend Mr. Bailie that the railroads had made oats cheap, but he could inform him for his comfort that they would make coal dear. They would make a market for all the products of York and Sunbury. Why talk about the paltry sum required for the work; he's almost take a third himself. he had been opposed to railroad, but when he had travelled and experienced their advantage, he had been induced to change his mind. After some further remarks by Councillors Whitehead, Barker and others, the resolution carried with but one dissenting voice.

Alderman Macpherson was pleased to see the unanimity which had prevailed during the meeting. As to the desirability of railroad, there could be no doubt, and certainly none with respect to the advantages to be derived from the branch to Hartt's Mills. We had already paid towards the construction of railroads in other parts of the country, but it was also highly desirable that we should go still further, and aid this work by which we stood to derive a more directly benefit. When he looked at the little town of St. Stephen, and saw what they had done., we with our large population were brought to the blush. He would go heart and hand for the road, and backed up as we were by the government Subsidy, he had no fear of the great bugbear taxation. Looking at the benefits derived by other countries, from their construction, we should not shut our eyes to their importance. In his own day he remembered Portland and Eastport; both little fishing towns. Compare them now--Eastport without a railroad is still a fishing town, while on the other hand Portland, the great depot of International trade, is one of the most thriving towns in New England. Ere the Facility Bill expired, we should take advantage of it and before our people had gone to other lands. We might as well take the initiative in pressing this mater upon the people, for presently they would be pressing us. Mr. Macpherson then moved a resolution that public meetings should be appointed to be held in various parts of the counties of York and Sunbury, in order to diffuse information on the subject. After considerable discussion it was carried in the affirmative.

At the close of the meeting quite an animated discussion took place on a remark of Mr. Segee, that Fredericton would be willing to assume \$30,000 of the sum required. Councillor Whitehead thought such an amount quite insignificant for Fredericton; they should never speak of it again. Better speak largely, better bid high, for it was bad policy to start too low. Finally, it was concluded that before any apportionment was made it was better to open Stock books, and allow the thing the develop.

After a vote of thanks, had been carried to the Chairman, Alderman Dowling, on behalf of the citizen, invited the Committee to tea at the Barker House, and at the appointed time they did honor to his invitation. Mayor Needham, who was present, certainly made a most excellent speech on the railway project. Jas. S. Beak, Esq., and several other of the gentlemen present following in a similar manner. The effects of this convention were good, and the results cannot fail to be beneficial throughout the country.

Freeman

Jan 20, 1866

### The Land Story Again

In a late number of the St. Croix Courier we read the following paragraph:

“it is alleged by the apologists of the men in power that the survey of the Nashwaak block was made by order of the late government, and that the present Government only consummated what their predecessors had begun. At first sight there is some plausibility in this allegation, but on a closer examination it will be seen to have no force whatsoever. The application, as we learn, was made in the names of sundry parties for 200 acre lots, and it was because Mr. Gibson was not prepared to comply with the conditions of actual settlement that the land was not brought to sale. It required an abrogation of the rule—a condition with which the late Government, whatever might be its faults—would not comply.”

The Courier is yet in its infancy, and we should be sorry to see it acquire a character for willful, deliberate misrepresentation, such as some of contemporaries now enjoy. We published a copy of Mr. Gibson’s application, of which the late Government approved. We publish it again, for the especial benefit of the Courier, which we hope will correct its misstatement. The application was not in the names of several parties, but of Mr. Gibson alone, for 25,000 acres, “without conditions of actual settlement,” and of that application the late Government approved. Here it is, as it appears on the schedule of the Surveyor General, Hon. John McMillan:--

“Alex. Gibson prays leave to purchase a tract of land without condition of actual settlement.”

This application the Government approved of, and they ordered that, in compliance with it, a survey be made. It was some days after that Mr. Gibson presented a formal petition. This, too, we again publish, so that the Courier cannot mistake the facts of the case:--

“To His Honor, Col. J. Amber Cole, Administrator of the Government, Commander-in-Chief of the Province of New Brunswick, etc., etc.,

“The petition of Alex. Gibson, of the Parish of St. Stephen, in the County of Charlotte, Humbly sheweth, That he is a British subject and is desirous of purchasing 25,000 acres of wilderness Crown lands in tracts of 200 acres each out of the lands now under lease to him on the Nashwaak river, situate in the Parishes of Southampton in the Counties of York and Carleton.

“And your petitioner, as in duty bound, will ever pray,

(Signed) Alex. Gibson

Fredericton, May 20, 1864.

The late Government did comply with all Mr. Gibson sought when they approved of his application.

Freeman

Jan 23, 1866

The opposition papers are in a sad way for want of a grievance. They have looked for one in all directions, and nowhere can they find one. They thought their Crown Lands story a grand stroke of good luck, but poor fellows it recoiled on themselves fearfully, and all the abuse their rich vocabulary supplied now rests immovably on the heads of their own dear friends. . . .

Morning News

Jan 24, 1866

### Unsatisfactory and Inconclusive Productions

The “organs” feel that the government, of which they are the mouthpieces and defenders, is the weak, imbecile, tricky, plundering body which it has been painted, and in consequence their replies to the charges which have been adduced in its condemnation, are, as they could not otherwise be, unsatisfactory and inconclusive productions. The parceling out of the public domain to political canvassers the “organs” seek to palliate by falsely asserting that the blame, whatever it was, rested with their predecessors, and that the “actual settlement” conditions, a revision of which was effected in the ordinary course of things by governmental section and not by design and in secret, were no longer in force, even while they knew that the

Deputy Surveyors throughout the Province were still acting under them, and never regarded them as naturally lapsed, or received any notification of their alleged reversal from the department. The production of the “contract”—consummated by Mr. Smith on terms less favorable to the Provinces than the arrangement with his predecessors in office, and after the exaction of evidences of reliability less rigid than should have been required by a New Brunswick Executive in any case, they endeavor to shirk as much as they do to avoid explanation about the expenditure of two thousand dollars for the expenses of Mr. Smith’s pleasure trip. . . .