

LEGISLATIVE COUNCIL
OF
NEWFOUNDLAND.

Fifth Session of the Eighth General Assembly.

FRIDAY, 27th January, 1865.

This being the day appointed for the meeting of the
Colonial Legislature,

At One of the Clock the House met.

House meets.

PRESENT :

The Hon. LAURENCE O'BRIEN, *President.*

Members present.

Hon'bles. MESSRS. MORRIS,
STABB,
PINSENT,
KENT,
TESSIER,
CLIFT,
CORMACK,
WHITE,
O'DWYER.

At Two of the Clock, P. M., His Excellency the
Governor having arrived at the Council Chamber, and
being seated on the Throne, the Honorable the Presi-
dent of the Council commanded the Gentleman Usher
of the Black Rod, attendant on the Council, to go to
the Commons House of Assembly and inform the
Speaker and Members thereof that it is His Excel-

Governor ar-
rives at Council
Chamber.

Assembly sum-
moned.

lency's will and pleasure that they do forthwith attend at the Bar of this House, and they being come thereto, His Excellency was pleased to open the present Session of the Legislature with the following gracious Speech to both Houses :—

Governor's
Speech.

Mr. President and Honorable Gentlemen of the Council :

Mr. Speaker, and Gentlemen of the Honorable House of Assembly :

We meet, in accordance with constitutional law and usage, to open the annual Legislative Session of the Colonial Parliament ; and on this occasion I use with pleasure the opportunity now for the first time afforded to me since I entered upon the Administration of this Government, to assure you of my grave sense of the responsibility of my office as the Representative of the Crown, and of my deep interest in all that concerns the welfare of the Community with whom it is my good fortune to be associated. I know that I am moved by profound anxiety to govern my official conduct in a spirit of the most unbiassed impartiality for the promotion of the common welfare of all classes of Her Majesty's subjects over whom, by Her favour, I have been appointed to preside ; and it is my earnest desire to be guided in that conduct by frank and conscientious attention to the loyal counsels that I confidently trust will always be thoughtfully tendered by you as constitutional guardians of the Public Interests and Liberties.

I ask you to believe that in any suggestions which I may from time to time offer for your consideration I am actuated simply by a single-hearted desire to be faithful to the Queen and to Her people in this Colony, and that I care only to aid in that which may conduce to their ultimate advantage and prosperity. Frankly I will lay before you, as occasion may require, the fruit of my own thought and observation, and with more than equal readiness I will listen to the advice and information which your knowledge of local wants and circum-

stances may enable you to afford, after due deliberation, on the various public affairs which may engage your attention. In this attitude of mutual confidence and support between the Chief Executive Officer and the Legislature of the Colony, will the community find the firmest security for the harmonious working of that system of constitutional government which it is our common pride to assist in administering.

Governor's
Speech, (conti-
nued.)

It was with much concern that I first heard of the total failure of the Seal fishery in the last year, and the heavy losses entailed on many by the destruction of vessels engaged in it; while I learned at the same time that the Shore Cod fishery had been unsuccessful, and that on the Coast of Labrador had scarcely yielded an average result; the Herring fishery being also almost entirely profitless.

The unproductiveness of the staple industry of the people, during the Spring and Summer months, has produced very general distress among the fishing population and those dependent on them.

The peculiar circumstances of this Colony, and the practice which has been allowed to be confirmed by the usage of years, have caused large demands to be made on the Executive Government for Eleemosynary support of numbers of persons neither diseased nor infirm.—Such relief as appeared unavoidably necessary has been furnished so far as possible by affording employment on Public Works, and for purposes in which the community has a general interest. But the field for labor in these respects is limited by the climate at this period of the year, no less than by the pecuniary resources of the Colony.

Ten years ago one of my predecessors remarked from this place that the rapid growth and present extent of pauperism constitute indeed an evil of appalling magnitude: Since that time—although the intervention of some years of almost unprecedented success in the

Governor's
Speech, (conti-
nued.)

fisheries for a while diverted attention from the subject,—the evil has steadily increased in importance. And, now, on a succession of years in which the fisheries have been unfortunate, it has attained proportions which must force it upon our serious consideration. It is apparent that with the growth of the population, which has been considerable, the average means for their maintenance from the production of the fisheries have not increased, while the system which has charged the relief of the needy upon the general revenue derived from indirect taxes has erroneously treated the subject as one with which only the Executive Government for the time being are concerned, instead of regarding it as that which the interest no less than the duty of every member of the community demands to have dealt with upon sound principles. I am not ignorant of the difficulties which surround this subject; but I would submit to you, for consideration, that we have it in our power first to endeavour to develop additional applications of industry, and at the same time strive to establish checks to abuses in the administration of poor relief, which can hardly be sufficiently controlled while it is allowed to be a duty charged solely upon the Executive Government. I cannot too strongly urge upon you the wisdom of making each District responsible, so far as possible, for furnishing and administering relief to its own necessities from local rates. By such means, the details of which I believe it would not be difficult to devise, thriftiness of administration may be accomplished, which we shall fail to secure by any other mode.

As encouraging the application of industry in new directions, a proposition will be submitted for your consideration for affording some inducement to resume the Mackarel fisheries and the Cod fishery on the Banks. These have latterly been entirely neglected by the British fishermen, but there is good reason to believe would prove to be not less remunerative than in former years, if the necessary capital should be devoted to the collection of the wealth they can afford.

Besides giving attention, however, to the possible provision of more extended employment for our people in those maritime pursuits which have hitherto formed almost the only object of their energies, the altering condition of the Colony calls for such effort as can be made to foster improvement in agriculture and the other branches of husbandry, and to attract to these occupations the surplus population, who, it is becoming obvious, do not find certain or regular maintenance in the fisheries.

Governor's
Speech. (continued.)

I commend to your thoughtful consideration that much might be done to encourage the breeding of Sheep, for which this Island affords excellent pasturage; and there is little doubt, from experiments already made, that the cultivation of Flax, which is always in demand for textile fabrics, might be established with profit. Judicious assistance to the Agricultural Society in promoting these objects, might be attended with most valuable results.

A subject not altogether unconnected with the observations I have offered is the annual provision for highways, which I would suggest should be made permanent. The formation and repair of roads are a service which can scarcely with advantage be treated as a Contingent expense, and under any circumstances no benefit can be derived by the repetition in each succeeding Session of the same enactments, which must always be necessary unless care for the roads is altogether abandoned.

Facilities for communication being acknowledged as of the first importance in growing communities, it is a matter of regret to the Government that they have failed during the past year to effect that improvement in the Coastal Steam Service which it was hoped to accomplish. Hitherto it has not been found possible to make arrangements for the purpose on terms which would be likely to obtain your approbation. But this subject still commands the attention which it deserves,

Governor's
Speech, (conti-
nued.)

and I am sure that you will not withhold such reasonable means as are in your gift for obtaining the object in view. It has been ascertained, as regards the Mail Service in Conception Bay, that advantages in new arrangements would be immediately derived from the erection of a Breakwater at Portugal Cove, a structure which would also confer considerable benefit upon the seafaring population of that locality. The details of this useful work will be submitted for your information, and your sanction is sought to obtain the necessary means for its accomplishment.

Several other measures of public utility will be introduced by the Government for your favorable consideration, among which I may notice one aiming at the more efficient application of the funds appropriated by you for the great cause of Education. It has been found difficult to procure duly qualified teachers for the Schools, and many obstacles have thwarted the attempts hitherto made to train persons who are disposed to take service in this capacity. On obtaining the authority for which it is necessary to apply to you, it is proposed to establish a Normal School for the preparation of teachers, which it is hoped might overcome some of the difficulties which are now experienced. Institutions of this kind have, within my own knowledge, produced great benefit in other places.

Evidence in many shapes, and from different quarters, has been presented to me of serious detriment to the source of wealth in the Salmon Rivers of this Government by indiscriminate fishing, over which no control is exercised, and which threatens the destruction of possessions very valuable to the Colony. In other neighbouring Provinces, the Streams are made a source of Revenue to some extent; but even regarding Revenue so derived for other purposes as an object of secondary importance, I would suggest to you, as matter for enquiry, how far it would be possible, by the adoption of provisions similar to those of Canada and New Brunswick, to establish a kind of Marine Police

Regulations for the protection of the Salmon fisheries in Labrador and Newfoundland, of which the expense might be covered by Income produced from this source.

Governor's
Speech, (cont'
nued.)

The Volunteer Organization Act, passed in 1861 and continued in 1863, will expire at the end of this Session. I hope that you will not only provide for the maintenance of the Volunteer Corps already in existence, but encourage extension of the organization. The public spirit which has been displayed, and the efficiency which has been attained by the Companies now established, deserve this at your hands. All effort which shows self-reliance, induces respect for the community; and I believe the moral influence of well-disciplined Volunteer Protective Forces, as regards the preservation of internal order, to be much greater than is commonly attributed to them by inattentive observers.

The useful measure passed in 1863 for the regulation of the Currency, has, in accordance with the provisions of the 15th Section, been put into force by Proclamation, from the beginning of this year. A sufficient quantity of Copper Coinage has been imported to give effect to the intention of the Legislature, by superseding the debased Copper Currency hitherto in circulation; and gold and silver coins are in preparation at the Royal Mint for more fully carrying out the design of the enactment. I do not doubt that you will see the propriety of still further perfecting the adjustment of the metallic currency of the Colony by doing what is necessary to call in the silver coin, of value inferior to its nominal worth, which is still current in the Colony to a considerable amount.

Compilation and consolidation of the Local Laws is a subject worthy of your consideration. It is a work which cannot be performed effectually without authority given by the Legislature. But the necessary expense will not be great, while what is unavoidable will be more than compensated by the great advantage to

Governor's
Speech, (conti-
nued)

be derived from placing at the command of every member of the community a codification, in condensed form, of the laws actually in force. These at present have to be sought among a mass of obsolete and repealed enactments; and in some cases no printed copies of the Laws can be procured.

Mr. Speaker and Gentlemen of the Honorable House of Assembly :

The Public Accounts for 1864, and the Estimates for the current year, will be promptly laid before you. It will be gratifying to you that the former show a Revenue, during the last year, of more than an average amount. The Supplies which you will be asked to grant are estimated with a due regard to economy, keeping in view public interests and requirements; as you will bear in mind that effective thrift in fiscal administration scarcely consists so much in mere abstinence from expenditure as in the judicious use of means for the development of public services, the promotion of the common welfare, and the general progress of the community.

Mr. President and Honorable Gentlemen of the Council :

Mr. Speaker, and Gentlemen of the Honorable House of Assembly :

You will be furnished with the Report of the Delegates from the several British North American Provinces, who met at Quebec, in October last, to consider a proposition for the Confederation of these Colonies, and with a copy of a Despatch from the Secretary of State upon this important subject, conveying the general approval of Her Majesty's Government of the proceedings of the Conference. The question to which these papers refer is one of the deepest interest to the whole community, without exception of any party or section, and I am confident that I need not exhort you to approach the consideration of the propo-

sal submitted by the Conference in a spirit of calm examination. Its bearing upon the immediate welfare of the population of Newfoundland will no doubt most concern you, but future beneficial consequences likely to flow from the arrangement, if carried into effect, will not escape your enquiry. I have been acquainted, by the Governor General of Canada, that the Canadian Parliament was summoned to meet on the 19th instant, and it is intended by his Government to propose an Address to the Queen from both branches of the Legislature, embodying the Resolutions of the Quebec Conference, and praying Her Majesty to cause a Bill to be introduced into the Imperial Parliament to enact the Union of these Colonies, on the basis of these resolutions.

Governor's
Speech, (continued.)

With respect to the question of the Customs' Tariff of the proposed Union, which naturally engages much consideration, it is obviously impossible for the Government of any one Province to give any pledge which would be binding upon the Government or Parliament of the Union; but I am in a position to state, that, if the decision rested with the members of the present Canadian Administration, their desire would be to arrange the charges in the tariff so as to meet the views of all the members of the proposed Union.

His Excellency Lord Monck has expressed to me his opinion that the course of action will be in a direction that will be satisfactory to your Honorable Bodies, and that no apprehension need be entertained in Newfoundland that a system of excessive import duties will be introduced.

The Report shall be laid before you of the Geological Surveyor who, during the past summer, was engaged in exploring the mineral resources of the Northern Districts of the Island. The opinion of Mr. Murray affords reason to hope that valuable mineral products will be found to be among your possessions.

Already in one locality not visited by him, private

Governor's
Speech, (conti-
nued.)

enterprise has commenced the working of Copper Mines which promise to be highly productive, and, apart from profits to the individuals who have engaged in this undertaking, it may reasonably be expected, if successful, to prove a rich source of advantage to the Colony, in providing a new employment for a portion of the population. Any causes which may attract capital from elsewhere to the expansion of our trade, and to increase the demand for labour, which can at present be directed to but few profitable purposes, must operate directly to improve the circumstances and augment the importance of the Colony.

It will not be out of place to notice on this occasion the well-grounded expectation that the ensuing summer will witness the achievement of that great work, the laying of the Atlantic Telegraph Cable, which has once already been so near successful completion. When this gigantic undertaking shall have been accomplished, the ancient and loyal Colony of Newfoundland will be the foremost of the children of the United Kingdom, as it were, to clasp the hand of the Mother Country in closer communication, and, let us hope, for the future, in more dignified while not less affectionate relations, than before. The prominent position she will so occupy should excite among her people a noble ambition to emulate those virtues and cultivate that character which has made the Parent State great among Nations. Rejecting unworthy and narrow-minded views of local questions, let all classes strive, in amicable rivalry, for the promotion of good to the community in which their fortunes are embarked ; providing, in temperate and independent public opinion, that effective regulation of the conduct of public affairs, whether by one party in the state or another, which forms no mean element in the success of constitutional forms of Government.

Gentlemen, I leave you now, after this formal opening of the Legislative Session, to discharge the duties which especially devolve upon you. On doing so I am

sure you will join with me in the prayer that the Almighty Ruler of all events may bless your labours, will direct them for the good of the people whose interests are in your keeping, and crown your deliberations with results promoting the good order, the peace, and the prosperity of the community to which we belong.

Governor's Speech, (continued.)

The House of Assembly having withdrawn, His Excellency was pleased to retire.

Assembly withdraws.

A Copy of His Excellency's Speech having been left with the Honorable the President, it was read by the Clerk.

On motion of the Hon. Mr. Pinsent,—

Ordered,—That a Select Committee be appointed to draft an Address to His Excellency the Governor in reply thereto, and

Ordered—that Honorables Messrs. Pinsent, Kent, and Morris, be a Committee for that purpose.

Committee on draft of Address

On motion of the Hon. Mr. Pinsent,—

Ordered,—That the Speech of His Excellency the Governor be printed.

Speech to be printed.

Hon. Mr. Morris gives notice that on an early day he will move an Address of Condolence to the family of the late Hon. Dr. Rochfort, expressive of the sympathy of this House with them in their recent bereavement.

Notice of Address of sympathy with family of late Hon. Dr. Rochfort.

Hon. Mr. Pinsent gives notice that he will on tomorrow move the appointment of a Select Committee on the Printing and Contingencies of the House.

Notice of Motion.

On motion made and seconded, the House adjourned until Monday next, at 4 o'clock, P. M.

House adjourns.

