

THE FREEBORN

A Weekly Journal of Politics, Literature, and News.

"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."—Euripides.

Vol. XV.

Charlottetown, Prince Edward Island, Monday, March 27, 1865.

New Series.—No. 17.

COLONIAL LEGISLATURE.

LEGISLATIVE COUNCIL.

WEDNESDAY, March 8.
Hon. Mr. McLAREN, a member of the Government, by command of His Excellency, presented to the House the Accounts of the Public Land Office, for the year ending 31st January, 1865.

THE PETITION OF THE UNDERSIGNED INHABITANTS OF P. E. ISLAND humbly sheweth: That the present Licence Act, for regulating the sale of Spirituous Liquors, provides that no person shall procure a Tavern Licence without the consent of a majority of the householders in the School District in which it is proposed to open such Tavern. But as the present Act allows a party to renew his Licence before the year for which it was taken has expired, without again consulting the wishes of the householders in the District, though their views regard it may be entirely changed, your petitioners would humbly pray the Hon. House to amend the Act so as to provide that no Tavern Licence be granted, or at any time renewed, without the consent of a majority of the householders in the School District in which the Licence may be sought. Your petitioners would also humbly ask that, in connection with the above petition, which is granted free of most of the restrictions imposed upon those applying for Tavern Licences, the consequence of which is, that in some Districts where a Tavern Licence is not allowed to be obtained, a Store Licence is taken, and thus the evil sought to be remedied is continued in another form. Your petitioners would, therefore, humbly pray, that applicants for the latter be required to submit to the same restrictions as the former in procuring Licences.

(Signed) DAVID FITZGERALD, DAVID LAIRD, JOHN SCOTT, and 2500 others.

On motion of Hon. Mr. Beer, a committee was appointed to report on the above petition, by bill or otherwise. Committee—Hon. Messrs. Beer, Attorney General, Dingwell and McDonald.

Adjourned till to-morrow at eleven o'clock.

THURSDAY, March 9.

Hon. Mr. McDonald obtained leave of absence till Monday next.

Hon. Mr. McLAREN, a member of the Government, by command of His Excellency the Lieutenant-Governor, presented to the House a number of public despatches, which were read by the Clerk and ordered to be laid on the table.

Hon. Mr. Ramsay presented a petition of Charles Lord, Tryon, praying for remuneration for expenses incurred in defending a Crown prosecution, the Supreme Court having decided that there was no ground for the action.—Read, and ordered to be laid on the table.

A bill to continue the Seduction Act was read a second time, passed through committee, and agreed to without any amendment.

Hon. Mr. McLAREN presented the Colonial Treasurer's Accounts for the past year—Received and laid on the table.

Adjourned till to-morrow at three o'clock.

FRIDAY, March 10.

On motion of the Hon. Mr. Beer, a bill to continue the Seduction Act was read a third time and passed.

A message was brought from the House of Assembly by the Hon. Mr. Longworth, with a bill to amend the Act to authorize the establishment of a Bank for Savings in Prince Edward Island. Read a first time.

A message was also brought from the House of Assembly by Mr. Haslam, with a bill to authorize the appointment of Hog Reeves in certain districts in this Island, and to prevent the going at large of swine within the same. Read a first time; to be read a second time on Tuesday next at 3 o'clock.

Adjourned till Tuesday next at 3 o'clock.

TUESDAY, March 14.

SAVINGS BANK ACT AMENDMENT BILL.
On motion of the Hon. Mr. Lord, a Bill to amend the act to authorize the establishment of a Bank for Savings in Prince Edward Island, was read a second time, and committed to a Committee of the whole House.

Hon. Mr. GOFF: The act to incorporate the Savings Bank provides that the Banks are to be made up quarterly, and that interest should only be allowed to the depositors from the commencement of each quarter. For instance, if a quarter commences on the first of January, and I believe it does, any money deposited soon after that time, would not bear interest till the first of April, so that it would be dead for nearly three months. This Bill provides that the Banks shall be made up monthly, and interest allowed on all deposits from the first of each month. This will prevent the money from lying idle so long, and as I think the amendment is necessary, I will support the Bill.

Hon. THE PRESIDENT: I do not think there is any objection to the alteration, and therefore move that the Bill, as read, be agreed to.

years ago, there were petitions frequently presented to the Legislature from different districts for an act to prevent hogs from running at large, and it was thought better to pass a general Act for the whole Island. He considered it a very good Act. It had been in operation in the district where he resided, and many who were opposed to it at first, now saw the beneficial results of it. A number of districts throughout the Island had acted upon it. He did not wish, however, to press it upon the House, but he thought they might go into Committee upon it, and if there were any objectionable points, they might be amended, or progress might be reported, and let it stand over for some future time when they would have a fuller House.

Hon. Mr. LORD said he was not aware that such an Act had been in operation for three years. He thought hogs were only prevented from running at large within the bounds of Charlottetown, Prince-town, and one or two other places; but as such an Act as his honor the President had proposed had been in operation for three years, and as he had not heard any complaints against it, he presumed that the people were satisfied with it, and therefore, he would not offer any opposition to the Bill.

Hon. in Committee—Hon. Mr. GOFF in the Chair.
Hon. Mr. BEER said he was aware that a petition had been sent in from the country, praying to have the Act which had expired, re-enacted, but it had not been presented, because the bill had been initiated in the other branch of the Legislature before the petition had been received. He believed that the Act was a good one, and that it was an annoyance to the country, and that it was particularly about places where farmers were in the habit of hauling their grain to market. It had given satisfaction, as far as he was aware, in the places where it had been put in operation, and he would, therefore, support the bill.

Hon. Mr. HENDERSON said there was a great deal of prejudice against the bill at first, but since the act had gone into operation, many of those who were formerly opposed to it, had changed their views, and had seen that it was an advantage to themselves to keep their pigs upon their own premises. He was sorry that he could not do so, and that he included geese, as they were just as great an annoyance as pigs.

Hon. Mr. ANDERSON said he was in favor of the Bill, but he thought three days was too short a time to advertise a pig after it had been taken up by the Hog Reeve; he would rather advertise it for a week, and thought the Hog Reeves should be compelled to feed the pigs while they were in their possession, and make the owners pay for it.

Hon. Mr. HENDERSON said that when he looked at the narrow limits of a school district, he thought it was very unlikely that any Hog Reeve would incur the expense of having a dog to guard his premises, and that he would be compelled to keep it for a certain time; therefore, when he viewed the matter in that light, he thought it was unnecessary to make any provision for feeding the pig. If it were not left entirely in the hands of the people themselves, he might be disposed to raise some objection to the bill, but he was not prepared to do so.

Hon. Mr. ANDERSON said he was in favor of the Bill, and that he would be prepared to state something, either positively or negatively, in reply to the Hon. Mr. Lord's question, to-morrow morning.

A message was brought from the House of Assembly, by the Hon. Mr. Longworth, with a bill to amend the Act relating to the Oyster Fisheries of this Island, and to make other provisions in lieu thereof.

The said bill was read a first time, and ordered to be read a second time to-morrow.

Adjourned till to-morrow at eleven o'clock.

WEDNESDAY, March 15.

Hon. Mr. DINGWELL obtained leave of absence till Monday next.

A bill to amend the Savings Bank Act, and a bill to authorize the appointment of Hog Reeves in certain districts of this Island, were severally read the third time and passed.

Hon. Mr. BEER presented a petition of divers inhabitants of Lot 35, praying for an amendment of the present Education Act. The said petition was read and ordered to be laid on the table.

Hon. Mr. HENDERSON presented a return of the Bank of Prince Edward Island, up to the 7th of March, 1865. Laid on the table.

OSTER FISHERY BILL.
Hon. Mr. LORD moved that the Bill to repeal the Act for the protection of the Oyster Fisheries of this Island, and to make other provisions in lieu thereof, be now read the second time.

Hon. Mr. GOFF: There was a great difference of opinion on this Bill last year, and I think it should not be taken up without a full H. U.

Hon. Mr. LORD: I have not altered my mind with regard to this Bill since last year, but I do not like to oppose a bill which has been brought forward a second time, by order of the Government. I almost always vote against a Government measure, and it would, perhaps, be a little reflection on the Government to throw out their bill a second time. I do not know if it is worth our while to oppose a bill which has been passed by the House of Assembly, and if they could be persuaded to amend it, I believe the people would support such a measure. If they are determined to carry such a bill in the other branch of the Legislature, the people should not blame us.

Hon. Mr. GOFF: My objection to this, or a similar bill last year, was that I was under the impression that the bill was to be granted without any oyster beds from which oysters are at present obtained, and thus prevent the people from enjoying a privilege. But your honors, who are acquainted with and represent the localities, have had some to ascertain whether such is the case or not. It is not, now, so that there can be any objection to the bill. I would not wish to encroach on the privileges of the people, and your honors who represent the places proposed to be granted, should feel a particular interest in protecting their rights. There are markets for oysters all around us, and if they could be cultivated to a large extent, and at a small cost, it would be a good business and a great benefit to the Island. However, I would rather defer going into committee on the bill till we would have a fuller House.

Hon. Mr. ANDERSON: I do not think there can be any objection to the principle of the bill, but there are some clauses in it which I cannot consent to: one of which is giving authority to the Government to grant certain localities for a term of twenty years, with the privilege of renewing the lease at the option of the grantee.

Hon. Mr. RAMSAY: I do not think there can be any just grounds to object to the bill, as it is a measure which will be a great benefit to the Island, and it is in our power to do something to assist the petitioners. It is a very great in-

cessfully cultivated, there is no doubt but it would be a great benefit to the Island, yet I would not consent to giving an exclusive right to any one person, but to the oysters at present, and I am under the impression that there is an oyster bed in the place proposed to be granted in Richmond Bay. The bill does not interfere with farmers taking up mud for manure, or with the navigation of any rivers, but still I do not like the idea of the Government doing that. How we are to be a party preparing to go into the business largely as soon as this bill becomes law.

Hon. Mr. HENDERSON: I cannot agree, your honors, with some of the remarks made by your honor from the First District of Prince Edward Island, and I do not think we are bound in any way to pass a bill because it was introduced by a member of the Government. I, for one, do not feel disposed to do so. If I support the bill at all it must be upon its own merits. There were several important objections urged against the bill last year. It was considered that it would be an infringement on the rights of the poor; and the extended term of leases proposed to be granted was also objected to. It was thought that it would be a greater benefit to the individuals who should obtain the grants than it would be to the inhabitants of the Island generally. If, however, the Government are determined to pass the bill, it should be properly protected by the bill—that there is no undue interference with the farmers taking up mud for manure—with the navigation of rivers or the deepening of their channels, and if your honors are satisfied that the period of time for which the Act is proposed to be granted is not unreasonably long, and if the bill is not objectionable to the petitioners, I would not object to the speculation being profitable and a source of revenue to any person or company who might engage in it. I would feel glad that any party, under fair restrictions, would make use of the resources of the Island, and open up a trade which would bring money into the country. I therefore think that the bill is open to a fair discussion upon its own merits, and the more so, as we indicated last year, that it would be an advantage to have our sentiments go forth to the people, that they might have a fair chance of petitioning against an opinion which they did not approve of. I am sorry that I cannot do so, and that, therefore, the measure if they are satisfied with it. When the people delegate the protection of their rights to us, we are bound to see that they are protected upon fair and general principles.

Hon. Mr. BEER: It is certainly the duty of the Government to see that the people do everything they can to increase and develop the resources of the Colony. It is well known that in many countries great attention is paid to the cultivation of oysters; it is made a lucrative speculation to individuals generally. A good deal of labor is employed in raising the general wealth of the country. There are many places where there were oysters formerly, but where there are none now. The grounds are lying idle and they might be made a considerable source of revenue to the Colony. Were a bill of this kind to become law, we might soon have plenty of those nice shells which are so much valued by the people, and which, but at present we are acting a sort of dog-in-the-manger policy. Oysters are becoming very scarce. We will soon have none to use ourselves; but, by proper management, we might have plenty for our own use as well as for exportation.

Hon. Mr. LORD: We passed a bill to repeal oysters from being taken up, or exported at a certain season of the year; but I am aware that in Beedee they paid no attention to the Act, for oysters were consumed in their saloons and exported during the prohibited season, and that in the very month of the year, when the use of the Act when it is set at defiance in that manner?

Hon. THE PRESIDENT: The act was imperfect, but it was perfect enough to expose the parties who violated it to the law. I will not say a bill to repeal the Act, but to amend it, so as to give the Government the power to regulate the trade, and to make other provisions in lieu thereof.

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Hon. Mr. BEER: I have heard complaints that parties from the United States and the neighboring Colonies are in the habit of coming here and fishing and taking away oysters in large quantities. I know it has been reported that a party from the States have the honor to represent. Now, I think there should be some clause in this bill to prevent this from being done. I do not think our oyster fisheries should be open to people from other countries.

Hon. Mr. GOFF: My objection to this, or a similar bill last year, was that I was under the impression that the bill was to be granted without any oyster beds from which oysters are at present obtained, and thus prevent the people from enjoying a privilege. But your honors, who are acquainted with and represent the localities, have had some to ascertain whether such is the case or not. It is not, now, so that there can be any objection to the bill. I would not wish to encroach on the privileges of the people, and your honors who represent the places proposed to be granted, should feel a particular interest in protecting their rights. There are markets for oysters all around us, and if they could be cultivated to a large extent, and at a small cost, it would be a good business and a great benefit to the Island. However, I would rather defer going into committee on the bill till we would have a fuller House.

Hon. Mr. ANDERSON: I do not think there can be any objection to the principle of the bill, but there are some clauses in it which I cannot consent to: one of which is giving authority to the Government to grant certain localities for a term of twenty years, with the privilege of renewing the lease at the option of the grantee.

Hon. Mr. RAMSAY: I do not think there can be any just grounds to object to the bill, as it is a measure which will be a great benefit to the Island, and it is in our power to do something to assist the petitioners. It is a very great in-

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Hon. Mr. HENDERSON: I cannot agree, your honors, with some of the remarks made by your honor from the First District of Prince Edward Island, and I do not think we are bound in any way to pass a bill because it was introduced by a member of the Government. I, for one, do not feel disposed to do so. If I support the bill at all it must be upon its own merits. There were several important objections urged against the bill last year. It was considered that it would be an infringement on the rights of the poor; and the extended term of leases proposed to be granted was also objected to. It was thought that it would be a greater benefit to the individuals who should obtain the grants than it would be to the inhabitants of the Island generally. If, however, the Government are determined to pass the bill, it should be properly protected by the bill—that there is no undue interference with the farmers taking up mud for manure—with the navigation of rivers or the deepening of their channels, and if your honors are satisfied that the period of time for which the Act is proposed to be granted is not unreasonably long, and if the bill is not objectionable to the petitioners, I would not object to the speculation being profitable and a source of revenue to any person or company who might engage in it. I would feel glad that any party, under fair restrictions, would make use of the resources of the Island, and open up a trade which would bring money into the country. I therefore think that the bill is open to a fair discussion upon its own merits, and the more so, as we indicated last year, that it would be an advantage to have our sentiments go forth to the people, that they might have a fair chance of petitioning against an opinion which they did not approve of. I am sorry that I cannot do so, and that, therefore, the measure if they are satisfied with it. When the people delegate the protection of their rights to us, we are bound to see that they are protected upon fair and general principles.

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Hon. Mr. GOFF: My objection to this, or a similar bill last year, was that I was under the impression that the bill was to be granted without any oyster beds from which oysters are at present obtained, and thus prevent the people from enjoying a privilege. But your honors, who are acquainted with and represent the localities, have had some to ascertain whether such is the case or not. It is not, now, so that there can be any objection to the bill. I would not wish to encroach on the privileges of the people, and your honors who represent the places proposed to be granted, should feel a particular interest in protecting their rights. There are markets for oysters all around us, and if they could be cultivated to a large extent, and at a small cost, it would be a good business and a great benefit to the Island. However, I would rather defer going into committee on the bill till we would have a fuller House.

Hon. Mr. ANDERSON: I do not think there can be any objection to the principle of the bill, but there are some clauses in it which I cannot consent to: one of which is giving authority to the Government to grant certain localities for a term of twenty years, with the privilege of renewing the lease at the option of the grantee.

Hon. Mr. RAMSAY: I do not think there can be any just grounds to object to the bill, as it is a measure which will be a great benefit to the Island, and it is in our power to do something to assist the petitioners. It is a very great in-

cessfully cultivated, there is no doubt but it would be a great benefit to the Island, yet I would not consent to giving an exclusive right to any one person, but to the oysters at present, and I am under the impression that there is an oyster bed in the place proposed to be granted in Richmond Bay. The bill does not interfere with farmers taking up mud for manure, or with the navigation of any rivers, but still I do not like the idea of the Government doing that. How we are to be a party preparing to go into the business largely as soon as this bill becomes law.

Hon. Mr. HENDERSON: I cannot agree, your honors, with some of the remarks made by your honor from the First District of Prince Edward Island, and I do not think we are bound in any way to pass a bill because it was introduced by a member of the Government. I, for one, do not feel disposed to do so. If I support the bill at all it must be upon its own merits. There were several important objections urged against the bill last year. It was considered that it would be an infringement on the rights of the poor; and the extended term of leases proposed to be granted was also objected to. It was thought that it would be a greater benefit to the individuals who should obtain the grants than it would be to the inhabitants of the Island generally. If, however, the Government are determined to pass the bill, it should be properly protected by the bill—that there is no undue interference with the farmers taking up mud for manure—with the navigation of rivers or the deepening of their channels, and if your honors are satisfied that the period of time for which the Act is proposed to be granted is not unreasonably long, and if the bill is not objectionable to the petitioners, I would not object to the speculation being profitable and a source of revenue to any person or company who might engage in it. I would feel glad that any party, under fair restrictions, would make use of the resources of the Island, and open up a trade which would bring money into the country. I therefore think that the bill is open to a fair discussion upon its own merits, and the more so, as we indicated last year, that it would be an advantage to have our sentiments go forth to the people, that they might have a fair chance of petitioning against an opinion which they did not approve of. I am sorry that I cannot do so, and that, therefore, the measure if they are satisfied with it. When the people delegate the protection of their rights to us, we are bound to see that they are protected upon fair and general principles.

Hon. Mr. BEER: It is certainly the duty of the Government to see that the people do everything they can to increase and develop the resources of the Colony. It is well known that in many countries great attention is paid to the cultivation of oysters; it is made a lucrative speculation to individuals generally. A good deal of labor is employed in raising the general wealth of the country. There are many places where there were oysters formerly, but where there are none now. The grounds are lying idle and they might be made a considerable source of revenue to the Colony. Were a bill of this kind to become law, we might soon have plenty of those nice shells which are so much valued by the people, and which, but at present we are acting a sort of dog-in-the-manger policy. Oysters are becoming very scarce. We will soon have none to use ourselves; but, by proper management, we might have plenty for our own use as well as for exportation.

Hon. Mr. LORD: We passed a bill to repeal oysters from being taken up, or exported at a certain season of the year; but I am aware that in Beedee they paid no attention to the Act, for oysters were consumed in their saloons and exported during the prohibited season, and that in the very month of the year, when the use of the Act when it is set at defiance in that manner?

Hon. THE PRESIDENT: The act was imperfect, but it was perfect enough to expose the parties who violated it to the law. I will not say a bill to repeal the Act, but to amend it, so as to give the Government the power to regulate the trade, and to make other provisions in lieu thereof.

Hon. Mr. BEER: I have heard complaints that parties from the United States and the neighboring Colonies are in the habit of coming here and fishing and taking away oysters in large quantities. I know it has been reported that a party from the States have the honor to represent. Now, I think there should be some clause in this bill to prevent this from being done. I do not think our oyster fisheries should be open to people from other countries.

Hon. Mr. GOFF: My objection to this, or a similar bill last year, was that I was under the impression that the bill was to be granted without any oyster beds from which oysters are at present obtained, and thus prevent the people from enjoying a privilege. But your honors, who are acquainted with and represent the localities, have had some to ascertain whether such is the case or not. It is not, now, so that there can be any objection to the bill. I would not wish to encroach on the privileges of the people, and your honors who represent the places proposed to be granted, should feel a particular interest in protecting their rights. There are markets for oysters all around us, and if they could be cultivated to a large extent, and at a small cost, it would be a good business and a great benefit to the Island. However, I would rather defer going into committee on the bill till we would have a fuller House.

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