

SUPPLEMENT TO THE "HERALD."

HOUSE OF ASSEMBLY.

MONDAY, February 23.

House opened at 3.30 p.m.

Mr. Little presented a petition from the inhabitants of Codroy, West Coast; also a petition from the inhabitants of St. George's Bay, both praying for the repeal of measures now in operation for the enforcement of law and order on that Coast.

Mr. Little concurred in the prayer of these petitions. The people asked to be restored to the position in which they were placed before the enactment of the measures to which they referred. He did not censure the Government, because he thought they were powerless in matters where Imperial interests were involved; yet he ventured to state that the administration of justice had been brought into contempt in consequence of the manner in which it had been carried out on that shore. They had passed a representation bill, but would require the sanction of the Imperial authorities before carrying it into effect. The people on that coast pay their taxes and receive a share of the revenue; but he believed they had just cause for complaint in not being represented and not having sufficient title to the land granted to them. At the present moment it was not in his power to acquaint the House with the result of negotiations between the Imperial and Colonial Governments on this subject.

Mr. Conroy had heard through a most reliable source that the people on that coast had obtained substantial advantages from the operation of the measures passed by the Legislature. If the Government did not give representation they might give land grants. He would be quite satisfied with grants of land, in that part of the Island, from the Government of Newfoundland.

Hon. Attorney General, in moving the second reading of the Bill respecting Wreck and Salvage, which would affirm this principle of it, would not go in to any lengthy discussion of its merits, as he had decided to move for the appointment of a Select Committee that the various Sections might be considered to the fullest extent. The law as it at present existed, was deficient in many respects, and it was thought did not afford sufficient protection to the owners of shipping. The Act contemplated giving in some cases a summary jurisdiction to Magistrates, while in others the Supreme Tribunal would be still the arbiters. A great deal had been written reflecting upon our people, in respect to the conduct in cases of wrecks upon our coast, and very exaggerated accounts had appeared in the columns of the press; very much that he (hon. A.G.) did not admit to be correct. During a residence of a long series of years in Newfoundland there were few instances in which the action of our people would not favorably compare with that of the residents of other countries. It was, however, the case that the residents of isolated localities had become imbued with the erroneous impression, that when the position of a vessel became dangerous or when she touched the ground they were entitled to board her and to assist in saving the vessel or cargo as they expressed it. No such right was conferred on anyone as against the owner who was represented by his agent the captain. No one had a right to interfere with a vessel any more than he had to interfere with property upon the land. Doubtless before a Select Committee the several sections would be fully discussed and better conclusions arrived at than if the measure was more hastily disposed of by the House.

Mr. Little had just obtained a copy of the Bill and from a cursory glance at its contents was at a loss to find anything in it beyond the provision to increase the jurisdiction of certain Magistrates which provision would not be carried out. It was a matter of regret that there was in general a want of activity and zeal amongst Magistrates, whilst some were over zealous. If Magistrates were in general more zealous in the discharge of their duties, many cases would be disposed of without having the Supreme Court trouble with them. The hon. the Attorney General had in his (Mr. L's) opinion taken a prudent course in relegating this measure to the consideration of a select committee. It was gratifying to hear the hon. gentleman repudiating the libel that has been passed on our people, that of being wreckers and plunderers. Despatches had been received characterising them as such. Looking at our peculiar geographical position—in mid ocean—the gales of wind and fogs our coast is subjected to, the many vessels that were wrecked thereon, he (Mr. L.) maintained that for honesty and humanity our people would compare favorably with those of any other country. Many of the men characterised as wreckers had performed acts of heroism in saving life and property at the risk of their own lives.

Mr. Kent failed to see that any necessity existed for any such measure as the

one under discussion. In his opinion the law at present existing was sufficient to meet every case that had hitherto arisen or was likely to arise. Last year he (Mr. K.) had referred to certain despatches reflecting upon the people and the Government, and he had given a notice respecting certain other despatches referred to in those published, but his speech had been burked and his notice remained unanswered. These despatches which appeared in the journals of 1879 characterised our people as wreckers, but inferentially blamed the laxity and supineness of the Government for this state of things. These despatches informed the Government that the remedy was in their own hands, and they failed to use it. And because the Government had not been careful to make due and proper inquiries into all the questionable losses that had occurred on our coast, we were stigmatised as wreckers and plunderers. The Board of Trade asserts it, and Sir Michael Hicks Beach endorses the statement in the most emphatic manner, "Wrecking in Newfoundland has become not only a Colonial but an Imperial scandal." These are the words of the Board of Trade, endorsed by the Secretary for the Colonies. That is to say, wherever the British flag flies Newfoundlanders will become a byword, and a reproach as wreckers and plunderers. In his (Mr. K's) opinion it was the duty of the Government to have indignantly denied and repudiated such a charge. We were all the representatives of a maritime people and should be especially tender of their reputation in this respect. The first of these despatches bore date 14th of August, 1877. The hon. gentleman here referred to various cases of wrecks which occurred upon our coasts and the despatches connected therewith and continued as follows: He (Mr. K.) did not impute blame to the present Government alone, doubtless their predecessors in office were not sufficiently active. These despatches too had been in the hands of the Government since 1878, and yet it was not till Feb., 1880, that the Government saw fit to take any steps. Our people were always ready and willing to offer a helping hand to those in distress, and he must repeat that any such charge should have been at once indignantly repudiated. If this act were passed it would be the means of building up a wall between those in danger on the sea and those upon the shore, who, if it were not in existence would willingly do what they could to avert such danger. The people would fear to move unless a commissioner was at their side, and in such case we would probably receive another despatch taxing the people with a want of humanity in not rendering assistance to ships in peril. We want capitalists to invest their money in opening up our minerals, but we are met, if the stigma upon our people be not removed, with some such observation as this: what security have we, that after we have invested our money in opening up your mines and shipping mineral, that when shipped, if the vessel were wrecked on your coast, the property would not be plundered? We are liable to have this taunt hurled at us at any time. The 37th section of the Act was most objectionable in character. It contemplated placing in the hands of men frequently without discretion almost irresponsible power. It was not in the power of the Government to supply discretion to their commissioners and other officers, and unless they could do this it would be most unwise to give them such immense power. For these reasons he (Mr. K.) was opposed to the second reading of the Bill, and to test the opinion of the House he would move that it be read that day six months.

Mr. Scott felt pleasure in seconding this motion. It was astonishing that no measures of this kind had been deemed necessary when losses of a very questionable character were occurring in localities supposed to be favourable to the Government, with such frequency that the Board of Trade thought it necessary to communicate with the Colonial Office upon the subject. After reviewing various cases and despatches from the Imperial Government on the same subject, the hon. gentleman continued. The language of those Imperial communications grossly exaggerates the facts, and this Bill plainly endorses what these despatches say. Shall we then, knowing the facts and the good character of our people, endorse views and expressions every one of which is a base libel on our people? He (Mr. S.) thought not. He relied upon the good sense of this House to accede to the proposal so ably and eloquently put before the House by the hon. member Mr. Kent, and have this Bill read this day six months. The hon. introducer has shown no necessity for the measure. He has not shown where the defects exist in the present law. It may be necessary to make amendments in the old Bill concerning the Wreck Commissioners, but the wholesale legislation of this Bill is unnecessary. It is not only unnecessary but absolutely pernicious. Some of the proposed sections are outrageous and not only insulting to the people, but to the House which is asked to pass them. How can we ex-

pect our people to render assistance to distressed shipwrecked mariners as they are constantly doing, if the consequences to these salvors may be their lives. It is puerile to have the time of this House occupied in discussing such measures. We ought to be going into the financial business of the Colony and inquiring into the expenditure of £250,000 by the Government this year, instead of discussing a measure, every section of which is an insult to the people. It looks like robbing them first and then insulting them. If there really was any necessity for this Bill why was it not referred to a select committee like all other Bills this session. The reason is very plain, measures such as the Bill concerning juries, affect the rich and the great, but this measure affects only the rights and liberties of the poor fisherman, and consequently it is hurried through the House with ill-advised haste, and without due consideration of its precious provisions. As Mr. Kent wisely remarked, it is stamping the people of the country with a character they do not deserve. The probabilities are that the Government will pass the measure over a second reading and into committee of the whole, but he (Mr. S.) hoped that every gentleman in the House will give it his best consideration, and not permit a Bill to pass into law which will do such an injustice to the fisherman of this Island.

Mr. Parsons fully endorsed all that had been said by his hon. colleagues respecting the evil consequences of this proposed measure concerning wreck and salvage. Here was an important Bill affecting the rights, liberties and character of our people hurried through the House with undue haste and before hon. members had an opportunity of inquiring into the effect of any or all of its provisions. We have at present a law respecting the same matters with which this Bill proposes to deal, and he (Mr. P.) was at a loss to comprehend what necessity there existed for legislation in the proposed form. Here is a measure after a few days notice attempted to be pushed into Committee and hurried through its different legislative stages, having most extraordinary provisions and conferring most unheard of powers on a number of ignorant outport Commissioners of wreck most of whom can hardly read or write. In addition to this there is a power given to the Receiver General in person or by proxy, to kill every man, woman, or child who dares to interfere with him or his officers. He (Mr. P.) was opposed to the Bill in its present form and thought the motion of Mr. Kent a most reasonable one. It has been remarked by an hon. member who preceded him that instead of being engaged upon Bills of this character we ought to be doing something advantageous to the people and to the general interests of the colony. We have now been in session since the 12th of February, and although there was no opposition to the Address we have done nothing since we met except to heap up enormous expense and introduce Bills to stamp the hardworking fishermen of the country as criminals. If the Government would introduce some measure which would in some degree ameliorate the present condition of our working classes by giving employment upon some work of great public utility, such as the Railway to Harpor Grace, or the Graving Dock in St. John's, they would receive his hearty support and the praise of the people. But no, nothing is attempted to be done except bringing in Bills which benefit no one except the printer. Every step the Government takes is a blunder, from their enormous expenditure of \$1,000,000 down to their latest appointment to the office of Financial Secretary, one whose first act was to find a mistake in the Government accounts of \$500 in the single vote for shipwrecked crews. He (Mr. P.) was opposed to this measure and supported the motion so ably put and so eloquently spoken to by his hon. colleague Mr. Kent.

Mr. Conroy was not without hopes that the Government would be induced to withdraw the objectionable measure now submitted. It was supremely inopportune. It was not only inopportune but, considering the circumstances that have occurred within the past twelve months, it would be highly inadvisable to place the law now proposed on our Statute Book. We have from the Imperial Government various despatches in which the character of our people has been grossly and libelously assailed. Following in the wake of these despatches comes the event of the *Burgos*, and of the *Burgos* prosecutions. The public are well aware of the character of that loss and of those prosecutions. All the transactions connected with these prosecutions were discreditable to those who were concerned in them, and while they had the effect of rescuing the fair fame of our people from unmerited obloquy, they proved that in this, as in other losses, the captain and officers of the ship should have stood in the dock themselves. It is idle to deny that the Bill now before us is the result of that loss and those prosecutions. But while we do not charge the Government with openly and intentionally insulting our people by this high-handed

measure, we believe that they have been sufficiently complaisant as to act upon the views and suggestions of ill-informed and misinformed Imperial authorities. To yield to them at this juncture is to tamely acquiesce in their slanders, to accept the character which they have attempted to brand upon the inhabitants of this island. He was confident that when the Government had taken into consideration all the circumstances surrounding the introduction of this measure, they will see how inopportune it is having regard to the character and good name of the people of our Island home. No one will doubt that this measure gives a sanction to the charges hurled against us which are so utterly unfounded, which have been proved to be baseless—the solemn sanction of the representative of those so cruelly and wantonly accused and defamed. Let us then vindicate at once the sufficiency of our laws and the character of our people. He felt that the hon. the introducer of this Bill would agree with him that this is not the time for the introduction of such a measure. He felt he (Hon. Atty. Gen.) would at least see the propriety of relegating the question whether the Bill is needed or not to the consideration of a Select Committee of this House.

Hon. Atty. General was glad that the Bill before the House had had the effect of drawing out the hon. members on the other side and provoking such a discussion. The Hon. the Leader of the Opposition starts a hare or tries to raise a phantom of something that does not exist. There is not in the Bill, if hon. members will read it, any power given to any one to shoot any one or indemnify for them from the consequences of such an illegal act. The hon. Mr. Little ingeniously starts a hare, and the hon. gentlemen cry halloo, and follow their Leader. He (Honorable Atty. General) did not claim any originality in this measure, it had been adopted by him from the Statutes of the most liberty loving people in the world. It cannot be unknown to hon. members that this very act has now been in operation in Great Britain for a number of years, and it will not be argued that the English Parliament is regardless of the rights and liberties of British subjects. The present Bill is based upon the law now existing in Canada and Great Britain. Some little feeling has been shown about the affair of the wreck of the *Burgos*. He hoped that no hon. member in this House would think that he was influenced by any such motive as that suggested by some members, who had just spoken. The wreck of the *Burgos* took place during his (Atty. Gen's) absence, but he fully endorsed what had been done by those who acted in the matter. It was not for him to refer to the verdicts of the juries in those prosecutions. Juries are sworn to do their duty and their verdicts are matters between themselves and their consciences. All those engaged in the prosecution had to do was their public duty, but it will be remembered that the Chief Justice in receiving the verdict said that, although they were bound to receive the verdict, it was one with which the Court could not agree. He was of opinion that the magistrates should have jurisdiction in these matters, otherwise a host of cases which might now come before the Supreme Court would fall because the principal witnesses, such as the captain and officers, will have departed from the country, or could only be obtained at enormous expense to the colony. Why should the colony be put to the expense of bringing witnesses from foreign countries in the case of every wreck that takes place on our coast? Our magistrates are thoroughly able to perform any and all duties devolving upon them under the proposed measure. The hon. member for Ferryland calls the attention of the House to the fact that this Bill has not been referred to a Select Committee to consider and report thereon. He (hon. A. G.) was of opinion that he was doing the same thing in placing the whole matter before the House upon the basis of the Bill proposed leaving to the House to make whatever alterations, amendments or additions which they might think advisable. He (hon. A. G.) did not think it worth while to tax the time of the House by any further observation, than merely to remark that he was as desirous as any hon. member in the House to protect the rights and liberties of all and every section of Her Majesty's subjects in this island.

See Herald