

PROVINCIAL PARLIAMENT.

[From Mr. Taylor's Reports.]

LEGISLATIVE COUNCIL.

SATURDAY, April 16.

A Bill to increase the Capital Stock of the St. John Water Company. Committed and Passed.

Hon. Mr. Robertson explained the Bill and the amendments.

Hon. Mr. Hazen hoped there would be no further objections to the Bill, but thought it would pass with the amendments.

Hon. Mr. O'Dell would be most happy to support the Bill now, and also the amendments. There were, he thought, some inaccuracies in it yesterday, but believed that it was all right now.

Hon. Mr. Robertson said he asked a question a few days ago whether the Government intended to amend the 14th Section of the act passed last year in reference to the sale of intoxicating liquors, and received an answer that they did not intend to interfere with the Law. He then stated that he had waited a few days to ascertain what the Lower House intended to do, but as nothing had been done he would now inform their honors that he had prepared a bill to amend the 14th Section of said Law, and would move that it be received and read a first time.

Hon. Mr. Hamilton thought that there were other Sections in the Law even more objectionable than the one referred to, that ought to be repealed or amended.

Hon. Col. Hatch thought the sooner the law went into operation the better. He considered the passing of such a law an infringement on the rights of the people of this Country.

Hon. Mr. Hazen agreed with the last speaker that the sooner the law went into operation the better. He did not think it at all likely that any of their Honors had changed their minds much since last Session. He considered the 14th Section of the law very objectionable, and had expressed himself so on a former occasion. The first day of June next was the time appointed for it to go into operation. When the licence question came up in the Court at St. John he voted with the majority of the magistrates, not to extend Licences beyond the first of June, although there were some Counties which had granted them for a year, and there was a Section in the law that fully justifies them in doing so. Therefore a person could ride through a temperance County one day, and the next where liquor was allowed to be sold. After the law had gone into operation and received a trial, persons could then judge whether it would work well or not.

A Bill to protect the Coast Fisheries committed and passed. Mr. Hazen in the Chair.

Hon. Mr. Botsford would wish to know why the present Bill came up on parchment, as it was customary only for money bills to come up in this way. He did not feel disposed to let the Bill pass without expressing his opinions on the subject. He thought the Council had a right to express their views on the present Bill, and also to amend it if necessary. Although he did not wish to amend it, as he believed it would answer the purposes contemplated as it was, but its coming up on parchment seemed to intimate that it could not be amended by their Honors. Such doctrine he could not subscribe to.

Hon. Mr. Chandler.—It is a Bill framed with the strictest care, partly from the Nova Scotia law, and partly from Acts of Parliament. He agreed with the Hon. gentleman who had last spoken that it was only customary to send up money bills on parchment, and why this should be made an exception to the rule he could not tell, but he believed it made but little difference whether it came up on parchment or paper, as to its great importance there could be no doubt, and was looked for with a great deal of anxiety, and it would go to show that the Government and the Legislature of the Country are determined to protect the fisheries.

Hon. Mr. Robertson did not intend to oppose the Bill, but fully agreed with the hon. member as to its coming up on parchment. He did not think it required any alterations, and if its

principles were carried out must be very beneficial to the interests of the Country.

Hon. Col. Hatch felt much pleased that a Bill of such a nature, and of so great importance had been introduced into the Legislature. As it has for its object one of the most important subjects in which the Country was interested, it made but little difference to him whether it came up on parchment or otherwise, so that its principles were carried out. If they were, it would prove of the utmost benefit to the best interests of the people of the Province. Adjourned.

MONDAY, April 18.

Progress made in a Bill relating to Patents for useful inventions.

A Bill to prevent the interment of dead persons in the town of St. Andrews re-committed.

Hon. Mr. Robertson had made enquiries respecting the Bill, since it was last under consideration, and from all that he had heard, was of opinion that the Bill had better stand over until another year, particularly as the Hon. Chairman himself thought it imperfect.

Hon. Mr. Brown, although he thought the Bill of much importance, but as it would not if passed, come into operation until next January, and not being perfect, he thought it had better stand over if the Hon. Chairman (Col. Hatch,) had no objection, to be taken up the next session of the Legislature.

Hon. Col. Hatch thought the Bill as it stood would not answer, and therefore would not object to the motion made, that it stand over for another year, to be taken up at the next meeting of the Assembly.

Agreed to, and Chairman reported accordingly.

A Bill committed to authorise the Church Wardens and Vestry of St. Mary's Church, Richibucto, to sell certain lands, and to invest the proceeds in other lands.

Hon. Mr. Brown did not intend to object to the Bill, but would like to hear from the Hon. Chairman, (Mr. Wark.)

Hon. Mr. Wark.—The object of the Bill is to allow the Corporation to sell the balance of a lot of land they now hold, which is of but little use to them, and to purchase other lands that would be of more benefit.

Hon. Mr. Saunders.—The principle of selling such Public Lands by private sale was wrong, and thought that that part of the Bill ought to be struck out.

Hon. Mr. Robertson did not approve of selling such lands by private sale, and would move that the Bill be so amended to prevent it by striking out the words "or private sale."

Hon. Mr. Wark.—As there is a Tenant on the land to whom the Corporation may wish to sell the lands, as he had made improvements on it, by striking out the words mentioned it might have a tendency to embarrass them.

Hon. Col. Minchin.—If the Tenant will give more than any other person, he is sure to get the land if sold by Auction. Bill passed with the alteration.

A Bill to amend the law to prevent the sale of spirituous liquors committed.

Hon. Mr. Robertson.—The object of the bill is to prevent the law that is to come into operation next June, from having a retrospective operation, and to remove all doubts as to the legality of debts now due up to the first of June next, so as not to interfere with Mortgages or other securities given previous to that time.

Hon. Mr. Hill did not think it necessary to legislate on the subject, as it was not intended that the law should have a retrospective operation, and his opinion was that such would not be the case. But as the law was to be amended, he would move one or two amendments.—The first was that no licences should have any effect after the first of June, and that Ale, Porter, and Cider, be restricted, the same as other liquors.

Hon. Mr. Steves.—The less we legislate on the law before it comes into operation the better. He thought progress had better be reported in order that the Bill and the amendments spoken of may be examined. As to the Sessions granting Licences to extend longer than the first of June next, there could be no doubt but what there was a Section in the Law that fully justified it. In some Counties such had

been done, and in others it had been refused.

Hon. Mr. Chandler thought that if the amendments spoken of were sustained, and the Bill went down to the Lower House, the whole question would be opened up again and the Bill would be lost. The Bill he considered a very necessary one, and hoped it would pass without the amendments being attached to it.

Hon. Mr. Brown fully agreed with the last speaker, that the present Bill was necessary, but hoped that the amendments spoken of would not be carried, as it would open up the whole matter again. He wished that they could have been introduced in the Bill last year, but as such had not been the case, he did not wish to have the present Bill lost by making such amendments that could not possibly be carried this year.

Progress reported.

TUESDAY, April 19.

A Bill passed to amend the law relating to the Traffic in intoxicating liquors.

Hon. Mr. Robertson said this Bill is to be declaratory and not to effect demands, contracts, bonds, or mortgages already given, or which may be given up to the first of June next, when the law prohibiting the sale of intoxicating liquors comes into operation.

Resolutions of appropriation were next committed. The first grant that came was one to pay Sheriff Johnston, of St. John, a balance of £15 13s. expenses incurred at the last Election in that place.

Hon. Mr. Steves would like to have some further information on the subject before the grant passed. On looking over the journals of last year, he found that a sum of £21 had been paid Sheriff Johnston. How it was that this account had come up this year was a point on which he wanted further information.

Hon. Mr. Botsford.—The items in the account vouchers, was not produced last year, but this year they have been sent to the Legislature, and the Grant has passed the Lower House.

Hon. Mr. Chandler thought that no officer was so badly paid as that of Sheriff, and had long thought that a certain salary should be paid them by the Province. It so happened that they were mostly all poor men, and frequently had to do a considerable duty in attending Courts, and received but little pay for it. The present grant he believed was a just one, and that all the information was before them that ought to be required.

Hon. Mr. Hill.—All that is required is information to know upon what grounds the grant is made.

Hon. Mr. Ryan thought that such information ought to be before the Council as was before the Lower House, before the Grant passed.

Hon. Mr. Steves.—If the Sheriffs in the Province are so poorly paid, perhaps it would be a legitimate subject for the Government to turn their attention to and provide a remedy. If the Sheriffs are so very poor it is quite evident that the Deputies are not all so, or that they have not been all willing to give up such situations. It did appear somewhat singular to him that £21 should be paid last year, and that another claim should come up again this year. He did not pretend to say that the grant was not just, but satisfactory information should be before them.

Hon. Mr. Robertson did not know the income of Sheriff Johnston, but believed that the emoluments of the office were not so great as they had been years ago. He believed it to be a fortunate thing for the Country that such was not the case, as there was far less suing done now than formerly. He thought the claim properly vouched for, and that no further information was required.

Passed.

A grant of £25 to aid in building a Wharf at the Long Reach caused some discussion.

Hon. Mr. Botsford thought that the St. John River and St. John got rather more than an equal share of the public moneys for such purposes.

Hon. Mr. Chandler.—No grants do more good than those for wharves. They cannot strictly be called local, as they were for public accommodation for all the steamers and other vessels on the river.

Hon. Mr. Saunders thought no appropriations more meritorious than those made for wharves, and thought it was just as right to give money for building wharves where necessary, as for roads and bridges.

Hon. Mr. Harrison was glad to hear the remarks made by the two last Hon. members, and thought that aid from the Province toward building public wharves where required, was very just and necessary.

Hon. Col. Hatch approved of grants for public wharves, and when such cases came up Hon. members should divest themselves of all local feelings. He thought public wharves on the St. John river very necessary, and would most heartily support the present one.

From the Fredericton Reporter

WEDNESDAY, April 20.

The Council went in Committee this morning upon a bill brought up from the other branch for the regulation of weights and measures.

Hon. Mr. Gilbert complained that the Bill was far too stringent. It contemplated the destruction of all the weights and measures now in use in the Province if not brought to a certain standard, which it would be next to impossible to comply with; or in other words the party using any of them would be liable to a fine of ten pounds. The Bill involved all imperfect weights and measures alike, not excepting even those which were too large or too heavy. He would be willing to enforce the law against all persons using small measures or light weights; but he would not bring it to bear against parties having their weights or measures too large or too heavy.

Hon. Mr. Steves.—There the Bill is perfectly right; for those who sell with a scanty weight or measure, may buy with an over large or weighty one. The object of the law is to give the whole Country a uniformity.

Hon. Mr. Wark, while every way friendly to the Bill, would like to place it beyond the reach of being abused by an overstretch of power. An importer, for instance, might have on hand a number of steelyards just received, and if they did not turn out correct it would be hard to subject him to such a heavy penalty.

Hon. Mr. Chandler briefly observed that in the enactment of all penal laws it was necessary to maintain a certain amount of stringency; but those laws afterwards always received a liberal construction in their administration.

Hon. Col. Hatch had for a long time seen the necessity for such a measure as the present.—It was necessary to obtain a general uniformity; and the law contemplated the punishment of those persons only who acted dishonestly.

Hon. Mr. Ryan observed that the Bill would apply to those only who kept improper weights and measures, and it was only right that such persons should be punished.

Hon. Mr. Harrison remarked that it was a common thing for hay scales both in St. John and Fredericton to get out of order, and it would be a hard case to fine the owner for every such accident.

Hon. Mr. Gilbert again contended that though persons might get their weights and measures stamped by the Town Clerk, those same measures would afterwards get out of order, and subject the owner to a heavy fine. The law was too stringent, and honest men would be injured by its operation.

Hon. Mr. Botsford replied that the law was not made to control honest men but rogues; an honest man would, in the event of his weights or measures getting out of order, soon have them adjusted to the legal standard. It was necessary to protect the fair dealer from imposition.

Hon. Mr. Harrison said it would be impossible for the owners of hay scales to know when they got out of order. He had heard that even in Fredericton where they have the best means for adjusting such matters, that their scales frequently vary from one to three hundred weight.

Hon. Mr. Wark.—Then if there are scales in the country which are 300 lbs. wrong, it only shows the necessity for such a law as the present to make them all right and uniform. It will be the business of the Town Clerk to make those weights right, and keep them so.

Hon. Mr. Steves.—In this instance a man should be punished for his carelessness; for why should one portion of the community suffer from the carelessness of the other?