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Nec aranearum sane textus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.

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LEGISLATIVE NEWS.

NEW BRUNSWICK.

HOUSE OF ASSEMBLY, April 5.

REPORT OF THE COMMITTEE ON FISHERIES.

Mr GRAY, from the committee appointed on the eleventh day of February last, to take into consideration all matters connected with the Fisheries of this Province, submitted their Report; and he having read the same, handed it in at the Clerk's Table, where it was again read and is as follows:

The Committee to whom was referred the subject of the Fisheries, beg to Report— That they have taken the same into consideration, and in addition to the various Petitions and documentary evidence brought before the Committee, have examined several practical men extensively engaged in the Fisheries: That they are unanimously of opinion, that the Fisheries, which from the Geographical position of this Province, ought to constitute one of its most valuable resources, and which at one time formed an extensive article of export, have during the last twenty years fallen off at least forty per cent: That this remark is applicable both to the river and harbor Fisheries, and to the deep sea Fisheries; and for the better information of this honorable house, the committee will separately assign the reasons to which they attribute that depreciation.

First, with regard to the River and Harbor Fisheries: The injury has resulted from building Dams and making other obstructions across the streams and rivers to which the Salmon and other Fish have been in the habit of resorting for spawning—from throwing saw dust and mill rubbish into the streams and rivers—and from spearing, catching, or destroying the fish on the spawning grounds, in those cases where the rivers, not being obstructed, the spawning grounds can be reached. These causes tend to divert the Fish from their old haunts, to drive them away from the rivers and harbors of the Province, and to disturb and destroy them while breeding.

Secondly, as to the Deep Sea Fisheries: The decrease, more especially as regards the Herring Fishery, has resulted from the destruction of the fish during the spawning season on the spawning grounds, particularly at the southern head of Grand Manan—from throwing gurry or offal overboard on the fishing grounds—from the improper mode in which the Fish for exportation, in many instances, are cured—from the Americans, in direct violation of the treaty between Great Britain and the United States, resorting in large numbers to our fishing grounds, and carrying on the fisheries in our own waters, under advantages (resulting from the high protective duties and the bounties given by their Government) with which it is impossible for our Fishermen to compete—from the want of proper inspectors of the cured and pickled fish—and from the insufficiency of the existing Laws in not providing for proper officers to look after and enforce the provisions made by Law respecting the Fisheries.

With regard to the River and Harbor Fisheries, they would recommend that one or more Wardens or Officers be appointed in each County, to look after and enforce the provisions of the several Laws respecting the Fisheries, and the ordinances made by the authorities of the respective counties, by virtue of any powers conferred upon them by Law; and particularly to see that in every dam or other obstruction now built, or hereafter to be built or placed across the various streams and rivers of this Province, a proper and suitable fish-way shall be made and kept: That no saw dust or mill rubbish shall be allowed or put, directly or indirectly, by any persons, in any of the rivers or streams of the Province. That no killing or spearing of the Fish be permitted on the spawning grounds during the spawning season. Such Wardens or Officers to be paid or remunerated as provided by a Law hereafter to be submitted to this Honorable House by the committee for that purpose.

With regard to the Deep Sea Fisheries, they recommend that strong Legislative enactments should be made to prevent the destruction or the catching of the Fish on the spawning grounds during the spawning season in the Bay of Fundy and the Gulf of St. Lawrence—to prevent the throwing of gurry or offal overboard on the fishing grounds—to establish a stringent inspection of all cured and pickled fish intended for sale—and that provisions should be made by law to that effect, and officers appointed thereunder to enforce them.

But there are other important considerations connected with the Deep Sea Fisheries to which it is the duty of this committee to

call the attention of the House. Whilst they are of opinion that if placed upon an equal footing with others, the fishermen of this Province would require no encouragement, save the returns which always follow from steady industry and honorable competition, they do not hesitate to state to this honorable house, that the advantages possessed by the American fishermen above set forth, are such as utterly to prevent a fair or successful prosecution of the Fisheries by our own people, and one of three things is absolutely necessary; either

1st. That the stipulations of the Treaty between Great Britain and the United States, as respects the Fisheries of this Province, should be rigidly enforced: or

2nd. That arrangements should be made with the United States Government to admit the productions of our Fisheries into their markets, free from the present protective duties: or

3rd. That such Bounties should be given by our local Government as would put our Fishermen upon equal terms with the American Fishermen.

The practical men examined before this Committee, all state that with either of these alternatives they would be content; that they ask no favor, but simply fair and impartial justice; and the committee cannot hesitate to coincide in the correctness of these views, and to say, that one or the other of the above alternatives must be carried out if the valuable Deep Sea Fisheries of this Province are, in the opinion of this house, worth preserving.

The Committee have, in accordance with the foregoing views, prepared three Bills, intitled severally—

A Bill for the protection and regulation of the Sea and River Fisheries of this Province.

A Bill to provide for the inspection of dried and pickled fish: and

A Bill for the encouragement of the Fisheries.

Which are herewith submitted; and they also beg to refer this honorable house to the suggestions contained in the Memorandum of Captain Robinson, R. N., a Member of this Committee, which is appended to this Report, and which, in the opinion of this Committee, are worthy of the most serious consideration.

The Committee cannot close this Report without strongly urging upon this House the importance of so valuable a source of wealth to this Province; they also think, that, if possible, Legislative encouragement should be given to the establishment of Nautical Schools in the Fishing Districts, thereby tending to elevate the character of a most deserving class of our countrymen, and to give them those privileges and benefits which are enjoyed by others, whose better destinies enable them to obtain a livelihood on an element less stormy and from pursuits less dangerous.

J. H. Gray,
J. T. Wiltiston,
B. Botsford,
J. J. Robinson,
R. Gordon,
Wm. Porter.

Committee Room, 5th April 1851.

Memorandum of J. J. Robinson, Commander Royal Navy, accompanying the foregoing Report.

The existing mode of protecting the fisheries in this Province by two Men-of-War, viz. one on the North Shore, or Bay Chaleur, the other in the Bay of Fundy, for a few summer months, does not answer the purposes contemplated, although the officers thus employed are most zealous in performing their duties while on the station for the two following most simple and evident reasons.

In the first place, they come too late and go away too soon; arriving in May or June and going away in October, the early herring fishery, (as witness this year,) and late line fishing, being thereby entirely neglected, and their generally coming to the Province as perfect strangers. By the time the Commander and Officers have learned the different localities and details, it is time by the orders from the Commander in Chief, to return to Halifax, and the same vessel seldom or ever comes a second time.

Secondly, The vessels are too large, and the risk too great for them to be daily moving about among the different small harbors, so essential to the proper performance of the duty; and coming, as those vessels generally do from the West Indies they are generally and naturally more alarmed at our fogs than the masters of fishing vessels and others navigating our waters. To remedy this, it is proper that the Imperial Government be addressed, to send from England four or five small Cutters, (such as are used in the different stations there,) to be permanently employed on our coasts, in lieu of the two Men-of-War already referred to. The expense of these vessels would not be more than one of these,

for a sloop's company of the first class would officer and man the whole of them; and by distributing them during the winter at the different towns on the coast, they would be ready to proceed early in the spring to their respective stations, as well as to render during the winter months, assistance, in case of fire, or perform any other services that might be required.

The Officers commanding these vessels should be clothed with power from the Lieutenant Governor of the Province for the time being, to assist in carrying into effect the different local laws relative to the Fisheries and Revenue, as well as the Treaties of the Imperial Government.

The immense importance also this arrangement would be to the trade and navigation of the Province, must not be lost sight of, in saving the crews and property of wicked vessels, for it is a fact known to every inhabitant of the Bay of Fundy, that the United States Revenue Cutter has assisted every British vessel in distress for years.

And his Excellency the Lieutenant Governor should be requested to forward a copy of such Address to the Admiral, Commander in Chief of the Station, requesting his advocating the measure; for every witness examined before this Committee most distinctly stated, that were the fisheries effectually protected, they would require no other bounty to compete with their neighbors, the inhabitants of the United States.

J. J. ROBINSON, Commander, R.N.
Committee Room, 5th April, 1851.

Ordered, That the Report be accepted.

Last week we published Mr Barberie's speech, delivered when the House was discussing the Bill for reducing the salaries of the Deputy Treasurers, in which he took Mr Johnson to task for some expressions made by that gentleman in the course of the debate. We copy below, from the Head Quarters, Mr Johnson's reply:

Mr JOHNSON rose and said, that the hon. and learned member from Restigouche had attempted to be witty at his expense, and also called him (Mr Johnson) to account for the language he had seen fit to use in debate. In the first place he would tell the hon. and learned member that the language he (Mr Johnson) used was parliamentary language, and that, standing as he did in a public capacity, he was accountable for the language he used, not to the hon. and learned member for Restigouche, but to that hon. House. There were circumstances which it would be improper and unparliamentary to explain on the floor of that House, but which it was perfectly parliamentary to allude to in debate, and the matter to which he alluded was one of those circumstances. He would, however, have no objection to give an explanation at the proper time and in the proper place, to the hon. member for Restigouche, or to any gentleman who was anxious to inquire into the matter, but this was neither the time nor the place for such an explanation, and therefore he would not give it. The hon. and learned member had favored the House with the opinion which he (Mr Barberie) entertained of his (Mr Johnson's) talents and attainments. It mattered little to him what opinions that hon. member entertained on that or any other point; but when the hon. member said that he was in the habit of trumpeting forth his own praise, that hon. member made an assertion which the whole House knew to be unfounded. He had too much respect for himself, and for the hon. House of which he was a member, to retort in the unparliamentary language indulged in by the hon. member for Restigouche, and had no wish to descend to personal scurrility. But he defied the hon. and learned member to point out a single instance in which he had indulged in the self laudation attributed to him. When he spoke of the clouds of young men leaving the Province, he could have had no reference to himself, for he had not left the Province—nor had he reference to young men belonging to the profession of which he had the honor to be a member; but he would tell the hon. and learned member what he had reference to. He had reference to the young men educated at the expense of the Province—for the Province paid largely for every educational establishment in the country—who, after having received that education, and acquired a knowledge of mercantile affairs, learned a trade, or devoted themselves to agricultural pursuits, that such young men, finding the doors to office and distinction barred against them, were driven from their native country, in order that others might enjoy the high salaries which should have gone to enrich the public treasury. These were the young men he had reference to. The intelligent, the honest, the energetic, and the industrious young men who were driven to foreign countries, to enrich with their talents and industry a foreign soil. The hon. member from Restigouche might entertain just what opin-

ion he pleased of his (Mr Johnson's) abilities either as a professional man, or as a member of that House. The profession and the public would form their own opinions on that point, irrespective of the hon. member from Restigouche. He was not ambitious of weighing himself in the scales against that hon. and learned member, for in one respect he would be found much lighter than the hon. member, but he was willing that the House and the country weigh both, and decide between them. With respect to the explanation sought for, he again repeated that it should not be given in that House, at the bidding of the hon. and learned member, but it would not be withheld, if properly asked for, from any gentleman, at a proper time, and in a proper place.

The St. John Freeman, received by Friday's mail, thus explains the mystery in which this business was enveloped:

Mr Johnson drew the attention of the house to a report in the Head Quarters of the preceding day, of the remarks made by Mr Barberie, when on a former occasion this same subject was under discussion. In that report Mr Barberie was made to say that an assertion of his (Mr J.'s) was a gross fabrication. He did not believe such language was used, as if he so understood the hon. member, he would have felt called on to move that the chairman do leave the chair.

After some further remarks, Mr Barberie said that the report of his speech on a former occasion, which had been read, was perfectly correct; he had said the language, and if there was any doubt about it, he would again adopt it.

Mr Johnson at once moved that the chairman do leave the chair. The standing Order was then moved, and the house cleared of strangers, &c. After an absence of nearly two hours, when we were re-admitted, we found the house again engaged in the discussion of the bill.

April 16.

The Debate on the State of the Province was resumed in the House.

Mr Cutler spoke first—said the Colonial Minister was not so much to blame, as he always attended to business and complied to the wishes of the people, unless other influences were brought to bear—assented the right of the house to the despatches, and upheld the Resolutions.

Mr Johnson next made an able argumentative speech. Said the Resolutions were *Magna Charta*, and Bill of Rights of the Colony, as they affirmed their rights—quoted Montgomery Martin to show what Responsible Government is—said they were justified in bringing on the question now.

Mr Botsford assented the right of the house to the despatches—would resist the interference of the Colonial Minister, but would do so by remonstrance—the Government had acted most prudently with the interests of the Country—salaries must be reduced—aluded to Mr Gray's speech.

Mr Gray denied that he was opposed to reduction, and alluded to the Salaries of the Attorney General and Secretary as not too high—he now asked Government not in order to satisfy him, but the tame followers of their own shattered administration, what reduction they intended to propose.

Mr Street was not allowed to speak—spurred the imputation with indignation.

Mr Hannington said a Responsible Government was the only one to bring the colony into a proper state—briefly defended the former Government—alluded to the Attorney General saying the Government were corrupt—to admit of appointments by Earl Gray, was to admit the foundation of British Supremacy on this continent—no Government can stand if not prepared to reduce Salaries—did not believe the Attorney General sincerely intended to do so—a fine system if the Governor could send home despatches without the knowledge of his Council—it should be stopped if in no other way, by having an Elective Governor, he would support the Resolutions because he believed they were for the interests of the country—reckless of the consequences. He had other resolutions to propose. That Mr Baillie be called upon to refund what he had been over-paid—that he approved of the despatch relative to Elective Councils and for the immediate reduction of salaries—the Governor to £1,500 and the Judges to £600.

Mr Needham followed in a very powerful speech—commented on the Despatches and the letter of the Governor—asserted that the Compact had been violated by the Home Government—advocated the reduction of the salaries of the Governor and Mr Shore and others, spoke two hours, Mr Wilmot attempted to speak, but the members were tired, and the House adjourned at half-past five.—He takes the floor in the morning.

April 17.

The division has been taken on Mr Ritchie's Resolutions.

On the first, for the amendment—Messrs