

The Newfoundland.

No. 6,570.

St. John's, Wednesday, February 17, 1869.

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THE STOMACH.
What is the operation of the Pills? They attack and irritate the stomach into a natural state of the system from sickness to health.

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The system undergoes the most important and specific in every disorder to which they are safeguard against evil consequences.

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HOUSE OF ASSEMBLY.

TUESDAY, Feb. 9.

House met pursuant to adjournment. On motion of Mr. GODDEN, the House resolved itself into Committee of the Whole on the Address of thanks, Mr. KNIGHT in the chair. Mr. GODDEN moved the adoption of the 4th section.

Mr. HOGSETT.—The section now before the House was one of the most vital importance to this country. It was important because it involved a right which had been conceded years ago, to the Imperial Government, which had been sanctioned by treaty, and which, only a few months ago, had been ignored by a Colonial Secretary of the name of CARARVON. He (Mr. H.) contended that it was the most important clause in the Address. Before, however, he went into the consideration of the question he would refer to the whole of His Excellency's speech. Now he had heard hon. members speak of it as a glorious speech, as the most wonderful one which had ever been delivered by a Governor. It opened up such an expanse of view, and suggested so many remedies that all hon. Government members have fallen down on their knees and worshipped it. Well now, we have had a good deal said, session after session, about Outport Steam. The Surveyor General was a great supporter of Outport Steam. It would be in his opinion the panacea for every ill in Newfoundland. Every egg that would be laid in Bonaville; every lobster that was caught along our coast, every halibut that was at the Northward, were to find their way to the St. John's market by Outport Steam. Poverty was not to be known. Well, we have no steam communication now, and there was not a word about it in the speech. The little "Ariel" was lying in the harbor motionless. Now do the Government mean to abandon Outport steam communication? Do they mean to forsake their first love. They were silent upon the subject, and are we then wrong in saying that they are a party of do-nothings who thus allow their own offspring to perish. Now that was the first omission in the speech. Now we had been paying for some years past seven or eight hundred a year for a Geological survey of the Island. Is there a single word about the exploration? No not one word. What did this show? Why that the Executive were lax in their duty in not knowing what their employees were about. There was not even a report from that gentleman, and hence the Government are unable to congratulate the country on the expenditure that had been made for this service. But the public had an opinion upon this matter, and that was that the Dominion Government were in possession of that information which we should of right have. Leaving the Geological survey, he would now refer to the St. John's Hospital. There was not a man that entered that building but got infected with typhus fever. The matter had been brought before the Executive two years ago, and a promise had been made by the Government that it would be attended to, and yet it never had been. These were some of the dilemmas upon which we hang the Government. They had left not a single monument, a mark of progress during their administration, except the mark which is ever seen in the face of a man, fed upon Indian meal and molasses. The only promise which the Government made was the one they made to themselves, to receive their salaries every quarter day. Here the hon. member referred to that portion of the Speech relative to the Reciprocity Treaty, and said that a more insulting paragraph had never been seen in a Governor's speech, addressed to a deliberative Assembly. We had got Reciprocal Free Trade before, and when there was no New Dominion, and we could get it again at the present moment. If we were merely in this House to obey Imperial behests, what was the use of a Representative form of Government, and telling the people that we could do this and the other thing? This then was the great speech which after four years they had come down with, and expect the public to endorse. The time was not far distant when the people would be fully alive to the way in which they had been deluded. The whole burden of this speech was Confederation, Confederation, Confederation. Then we come to the next insult that had been offered, and that was the clause referring to the French Shore. Here the hon. member read the clause and continued. This House did not delegate His Excellency to go to England, any more than they did the hon. Receiver General. He went there of his own motion, and he botched the matter, and if he wishes now to throw dust in the eyes of the people, this House should meet him on the threshold, and put the public, or at least those of them, who may be inclined to invest money on that part of the coast, on their guard, before they place themselves in a position

in which they cannot protect themselves, and in what His Excellency may not be able to help them, because he will be far away. If His Grace informed His Excellency there was only one way in which it could be done with courtesy to the Governor and to the Colony, and that did not appear to have been adopted. "I am informed," says His Excellency, that his Grace sees no reason why grants should not be sanctioned by the Governor of the Island. Go where the good diggers go; where the aborigines used to dwell, long, long ago, and dig and delve, and when mines are found, you dare not bring your minerals to the sea shore. His Excellency goes on, "provided that no right is granted which will enable buildings to be erected on the strand, or which would cause the French to apprehend any interruption to the full enjoyment by them of any of the privileges belonging to their Fishery rights." This was the grand boon, the great work accomplished by his Excellency during his four months' absence from the Colony. The matter stands exactly as it did last session. It is not one whit advanced. The French are just as secure in their rights, and the difficulty of working mines by British subjects on British soil is as great as when that celebrated despatch to which his Excellency alludes was written. The policy indicated in that despatch is emphatically declared by his Excellency to be the policy of the British Government, and it was to believe his Excellency, it remained unaltered up to the time he left England. That despatch read as follows:—

DOWNING STREET,
7th December, 1866.

SIR.—I have had under my consideration your Despatch No. 116, of the 8th August, 1866, reporting your return from a visit to the South and West Coasts of Newfoundland, and communicating to me the impressions you derived from the journey. I have also received from you a more recent despatch, enclosing a memorial from Mr. C. F. Bennett, who appears to have been engaged in searching for Minerals on the West Coast of Newfoundland. Mr. Bennett does not seem to be fully aware that some of the conclusions which have been advocated from time to time by the British Government in relation to the French Shore, and to its neighboring waters, have never been admitted by the Government of France, and that it is the difference which has hitherto existed on these points between the two Governments which creates a difficulty in dealing with the Coasts of Newfoundland in the manner most calculated to develop the resources of the Colony. Her Majesty's Government much regret the unsettled state of this question, and the serious inconvenience to which this leads. But it would be a far graver evil to enbroll the Government of England in a dispute with that of France on the grounds which a careful consideration of existing Treaties did not clearly justify. They are unable, therefore, to treat as decided questions which are really matters of controversy. They would, however, most readily re-open the negotiations with the French Government, which were broken off in 1861, if only satisfied that there were a reasonable prospect of bringing them to a successful termination. Meanwhile, pending the settlement of the questions of French and British rights on the coast, I am unable to authorize the appointment of a British Magistrate on the so-called French Shore, nor have I any alternative but to instruct you, for the present, not to make any grants of land on that Coast. There is no doubt that the provisions of the existing Treaties, as they stand, are ill adapted to meet the real exigencies either of the French Fishermen or of the Newfoundland Colonists; and might be greatly modified for the advantage of both parties. And I should gladly resume negotiations with a view to such a modification; but I think it necessary to add that any such negotiations must be attended with considerable difficulty, so long as it is liable to be disturbed by unforeseen objections on the part of the Colony.

I have the honour to be, Sir,
Your most obedient humble servant,
(Signed,) GARNARVON.
Governor Musgrave, &c., &c., &c.
That is the despatch which His Excellency tells us he kept intact, and that its principles still actuate the British Government. What does the Governor say? "In anticipation of the formal agreement, which has been proposed to the French Government. I have been acquainted by His Grace the late Secretary of State that he approves of the policy indicated in Lord Carnarvon's Despatch of the 7th December 1866, that no action should be taken which could in any way be construed into interference with the French in their fishery rights." Is not that a recital of the despatch? Lord Carnarvon does not say that grants shall not be issued of the interior, but only that he has "no alternative but to instruct you for the present not to make any grant of land on that coast." Was not that the whole question between this Legislature and the Imperial Government? What then has His Excellency done? (Mr. H.) did not think he need point the House to the addresses and resolutions and debates and the stern opposition given to the despatch of Lord Carnarvon. We are told they may go into the interior, but must not come near the coast. We might as well be told we could dig into the bowels of the earth like moles. Was this namby pamby speech the only reply to the house was to have its resolutions and addresses? Common courtesy should be at least shown to the acknowledged receipt of our despatches. How are we treated by the Imperial Government with all due respect and with words of loyalty, but yet breathing out our deep feelings of grievances on this subject? We sent home joint addresses, which were received at the usual channel, and yet we have received no reply to them, at least from the only person that is to say from the office of the Secretary of State for the Colonies. There had been no modification of the Colonies. There still stood out in bold relief, Carnarvon policy, the policy of the Colony. Written in letters of gold but of disgrace, and deeply imprinted in the minds of the people. It was now a matter of time, not of place, before the foot of the issue to talk of issuing grants when the foot of the issue was to have its resolutions and addresses? As had ever trod. Our people were in the wild woods of Canada, where they were to be sent to work at Railways. If hon. gentlemen, who had the interest of selves patricians and say they have the interest of the country at heart, can be content with such a policy as these, all others could do was to pry into them, to try to arouse them, and if they cannot find them in a right direction, then appeal to the people whose voice they must hear and whose

opinions they must respect. Though in the struggle between the French and English Governments, the French should have the best of it, was this the House to ignore the rights of the people of the Colony? If the British Government commit a wrong, why let them let this House at all events discharge its duty to the people. Why should the House be called on to congratulate the Government or any delegate in a question which by his own acknowledgment is still open? The British Government is only about to submit terms to the French. Are these terms agreed on between them? Are they not still going on with negotiations. When we are still without that reply to which a Representative body we are entitled, are we to take the opportunity of any man who chooses to go on a rambling excursion? This House is not dead yet, nor is the country killed yet, neither are our representative institutions yet worn out, and though hon. gentlemen with large salaries in my mind it difficult to stem the difficulties which surround them. Yet though poor as the people are, their skeleton forms will rise up to assert their rights, show their power and beat their opponents. The hon. and learned gentleman concluded by moving the following amendment:— [Here the hon. member read the Amendment, and moved its adoption.]

Hon. A. SHEA.—The matter before the chair had reference to a question of very great importance. He had no fault to find with the way in which the hon. and learned gentleman who spoke last treated it. But he (hon. Mr. S.) differed with him in his conclusions. To hear him, one would suppose that we were in a position to determine this question for ourselves. This question was a very old one, and had been matter of consideration for almost every legislature which had sat in the Colony. It is a matter on which the British Government alone can pronounce definitively. There were two parties concerned; and as far as could be seen by the correspondence, they had not arrived at any conclusions by which the exercise of their rights should be defined. It was well known that this was a subject which was always approached, with great tenderness by the British Government. France attached great importance to these fisheries, and in the absence of any clear definition of their right, Great Britain was not in disposed to a compromise which might lead to such a definition. The subject was brought before the House last session, and petitions to Parliament and to the Imperial Government were adopted. There was much difference of opinion as to the expediency of this course, and it was the opinion of many that it would not be wise to bring the matter before Parliament. Parliament, they thought, would be unwilling to take any extreme course in the matter, and the effect of eliciting the opinion of Parliament would be to relieve the Executive of the day from any responsibility it might feel in view of the representations of this House. As the event showed, they were justified in their anticipations. British statesmen say that they cannot proceed in the question with too much care, that the interests of the Empire are in a measure involved with it, and that they are not prepared to risk a war with France for its settlement. It was idle to suppose that the British Government would, for any interest of our jeopardise their good relations with France; and it would be unreasonable in one part to expect it. The result of our application was that it did not place the matter in any favourable light. There was not a man in Parliament who would support the Colonial view, for they all regarded the matter in an Imperial light, and said it would be impolitic and dangerous to carry out our views. It was a false move on our part to give them such an opportunity of pronouncing on the matter. It had been stated that his Excellency had no authority from this House to visit England and enter into negotiations on this matter. His Excellency was not responsible to this House, and did not for a moment suppose he was acting under its authority. It was by the special instructions of the Imperial Government he visited England. The Government supposed that one who took such a deep interest in the question, and had written so ably on it, would be of valuable assistance in its settlement; and on that account and that alone, and independently of this House, he went home. He is not responsible to this House, nor is the Imperial Government responsible to this House for the course they may pursue respecting this matter. The Imperial Government felt that we were largely interested in this matter, and they had exhibited every disposition to meet the views of the people of the Colony. But when asked to do that which would conflict with their policy towards France they demurred. It was perfectly idle to imagine that any consideration for our interests would ever induce them to abandon their Imperial policy. He (hon. Mr. S.) did not say that we should be down quietly and, as the expression was, "accept the situation." He thought it would be advisable to jog the memory of the Imperial Government, to induce them to use every means consistent with their avowed policy, for the definite settlement of our rights. Though we have not accomplished all we aimed at, nor obtained such a settlement of the question as would enable the Government to issue clear grants, we have nevertheless acquired a very important advantage, which would enable parties requiring tracts of land to obtain these lands, and work them virtually free from all these obstructions with which the letter of the law might seem to encumber them. This advantage was owing entirely to the personal exertions of the Governor, who had in this matter displayed an ability and a zeal which entitled him to the gratitude of every man who was in-

terested in the welfare of the Colony. Under the authority obtained by His Excellency, power resides in him to issue grants of land, not exactly upon the sea coast, but more or less inland. No practical difficulty will obstruct the issue of three out of every four grants applied for on that shore. No Government could overturn the law of the treaties. No law could authorize the issue of any grants invading the occupation of any part of the sea coast which is reserved to the French; and such grants would necessarily be construed as an infringement of their treaty rights. Therefore, in any grants that may be issued, a reservation will be made against the erection of any building upon the sea coast, though it was not at all likely that parties would be necessitated to adhere to this condition, as the greater number of applications are for land upon that part of the coast where the French do not fish; and where already British subjects reside, against the letter of the treaties, but altogether unobstructed by the French. Already some very important grants have been issued to parties who, acquainted with the premises, are perfectly willing to take them with all the conditions. No doubt the subject would, in time, be satisfactorily dealt with, so that these things which we have now, by sufferance, would be confirmed as legal rights. Our proceedings of last year were doubtless perfectly well intended, but he (hon. Mr. S.) could not but repeat the opinion which he then expressed, that it was a grand mistake for us to go to the Imperial Parliament. We merely enabled the Government of the day to make a pronouncement that they would do nothing by which the Imperial relations with France might be disturbed. And it was unwise in us to call on a discussion which would necessarily have the effect of producing that expression of opinion. This was no case in which Parliament would bring pressure upon the Government. It was a matter of international obligation, approached on all sides with great caution, and Parliament could not but approve of the course of reticence which the ministry adopted. He (hon. Mr. S.) could not see the necessity of introducing in the speech from year to year a mention of the Geological Survey, which has now become a mere matter of routine. As to the suspicion that the Report of the Geologist is better known in Canada than here, it is most unfounded. Mr. Murray was a gentleman who had always most religiously respected the obligations which he owed to the local Government. He (hon. Mr. S.) was personally acquainted with the fact that in Canada complaints were made of Mr. Murray's reticence, so that his intimate friends had sought from him (hon. Mr. S.) information on the commonest affairs. Sir W. Logan is Mr. Murray's superior, and his (Mr. Murray's) relations require him to report to Sir William in the first place. In that professional course which these proceedings require, they have to pass through his hands before being communicated to us; and he (hon. Mr. S.) believed that they were just as religiously respected as if he were the sworn servant of the Colony. Supposing however that this suspicion were correct, do we care that all the world should know our resources? Would it not, as a matter of fact, be highly desirable that the attention of others should be directed to those resources which, of ourselves, we cannot develop. He would not justify Mr. Murray if he were to allow Canada to anticipate us with this information; but wrong as it might be in him, the results could not be otherwise than advantageous to ourselves. The hon. member had referred to the introduction of the reciprocity question into the speech, and had concluded upon a remark of his (hon. Mr. S.) which was not open to dispute. When he referred to the subject he had said that it was incidentally introduced. That was perfectly true, but nevertheless the question arose as a matter of prominent consideration in connection with Confederation. Reciprocity could not be obtained without the intervention of those agencies which under Confederation would be brought into play, at least until hon. members opposite introduced that plan which has been heralded with such a flourish of trumpets. We had had eleven years experience of reciprocity; and we had found it greatly to our advantage. The proposition of the hon. member, Mr. Glen, as to reciprocal duties, could hardly carry the slightest weight with it. We must know too that even if we were in a position to dispense with duties on the necessities of life, it was only through the Imperial or the Dominion Government that we could obtain a renewal of the treaty. We were not in the position of a great negotiating power, and it was fancied, as we should only place ourselves in the ridiculous position of the wisecracks of Prince Edward Island. Hon. gentlemen ought to be ashamed of themselves to talk at this time of day of reciprocal duties of 5 per cent. Such terms would never be proposed by the other Provinces, and the British Government will permit no playful policy. This allusion then had been properly introduced into the speech in the position it occupied, as an incidental matter powerfully bearing upon the main question, independently of this, to his (hon. Mr. S.) mind, the main question had sufficient attraction of its own. Reciprocity however is one of those things, which under Confederation we are certain to give, and it therefore occupied in the speech that place to which its prominence and its importance entitled it.