

“ An act for ascertaining the time of the commencement of the acts of the Parliament of this Colony.” Documents read.

“ An act to incorporate the St. John’s Mechanics’ Society.”

“ An act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise in the Law in the several Courts in this Island.”

“ An act to declare the Legality of the collection of certain Duties by the Collector of his Majesty’s Customs.”

“ An act for appropriating the supplies granted to his Majesty during the present Session of the Colonial Parliament.”

“ An act for granting to his Majesty certain monies for the service of the year of Our Lord One thousand Eight hundred and Thirty-four.”

And Whereas the said Acts have been referred to the Committee of the Lords of his Majesty’s most Honourable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Lords of the committee have reported as their opinion to his Majesty that the said Acts should be left to their operation. His Majesty was thereupon this day pleased by and with the advice of his Privy Council to approve the said report,—whereof the Governor, Lieutenant Governor, or Commander-in-Chief of his Majesty’s Island of Newfoundland for the time being, and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

No. 2.]

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*Extract of a Letter from the Secretary of State for the Colonies, to Governor Henry Prescott, Esq. C. B. dated the 13th April, 1835.*

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“ The Act for declaring all Lands in the Colony Chattels Real, establishes or rather recognizes the Law of the equal distribution of immoveable property amongst the children of a person dying intestate, and supersedes in Newfoundland the Law of Primogeniture. To this extent this act has not appeared objectionable. Nothing can be more evident than the inapplicability of the English Rules of Inheritance in a society composed almost exclusively of persons engaged in the Fisheries and devoting all their capital and personal exertions to that pursuit. I observe, however, that the Executor is forbidden to alienate any part of his Testator’s land for more than a year, except with the sanction of the Supreme Court of Newfoundland. The practical effect of this rule must probably be to increase far beyond the limits either of necessity or convenience, the proceedings of the legal Tribunals of the Colony, and the expense of administering the estates of deceased persons. As often as an Executor has occasion to raise money by a sale or mortgage of his testator’s land or even to grant a lease of it for the benefit of the widow or infant children of the deceased, an application to the Court will be necessary, although not the slightest doubt may exist as to the expediency of the measure, and although the Executor may be far better qualified to estimate the prudence of it than the Judges to whose decision the question is to be referred. Yet every such application will necessarily be attended by fees and other costs; and when the Court has possession of a subject of this nature there is no reason to doubt that their Jurisdiction will be extended to every collateral object on which the Executor may desire relief from the responsibility of the office which he has assumed.