

sembly have not added one shilling to the taxation; but they have *repealed* the tax on live stock, potatoes, and vegetables, and would have removed the other taxes on bread and other provisions could they have done so with due regard to the engagements bequeathed them by their predecessors.

At the close of the year, a large amount of the appropriations of 1837 and 1838, for roads and for other purposes, remained unexpended in the public chest, and I think I can state that it is the fixed determination of the present House of Assembly not to add to if they cannot reduce, the present rate of imposts. The present House voted in two years thirty-one thousand pounds for the making of roads throughout the island—more than any sum expended for the permanent improvement of Newfoundland since the time of Henry VII.

The present House voted sums for a geological survey of the island, and for the encouragement of steam navigation, and displayed a readiness on all occasions to promote any measure intended for the benefit of the trade and fisheries, as many of their acts will most clearly demonstrate.

If a parallel is to be drawn between the present and the former House of Assembly, it must be by comparing their respective legislative acts. The first House of Assembly flooded the country with new laws,—many of them have since been found unsuitable to the country, and have fallen into disuse; most of the others are the principal cause of the local complaints, and must continue a fruitful source of agitation until they are repealed. The principal merit of the present House is, that they passed fewer laws, and these have not been complained of by any party.

I would wish to draw your Lordship's attention to the great and most important subjects the respective Houses legislated upon,—the criminal law,—and the expenditure of public money for making and repairing roads.

The first House of Assembly passed what they called "The Banishment of Offenders Act." This law is in direct violation of the English criminal law. It gives discretionary power to the judges to banish for minor offences, which under the English law can only be punished by fine or imprisonment; and gave them power to order minor offenders to work manacled on the high roads and streets; and they can make such regulations for the discipline of prisoners, before and after conviction, as they think proper.

The present House of Assembly, by a simple act, adopt the British criminal law with all its progressive improvements, and leave the Newfoundland judges to be governed alone by precedents in the Courts at Westminster.

The first House passed acts for the repairing and making of roads, without placing the slightest control over the expenditure; the consequence of which was, the money voted by them was