

for persons and papers, and to report thereon ;” and in this Report the Committee declare that they are of opinion that the House has an original and inherent right to appoint and control its own officers, whenever it may be thought expedient to exercise it, which no usage or practice heretofore admitted has or can take away. A contrary doctrine is highly dangerous to the privileges of this House ;” and they go on to say—“ Your Committee are well aware that the officers of the British House of Commons are appointed by the Crown ; but the principal officers of that House hold their offices for life. In this Province, however, the case is different—all the officers of this House hold their offices under a precarious tenure, viz. during pleasure.”

Copy of Address of Assembly of Newfoundland accompanying letter of Speaker.

In the Province of Nova Scotia this right is exercised by the House of Assembly, nor is it any longer disputed in Prince Edward Island ; and in New Brunswick it would also seem that it is the practice of the House of Assembly to appoint its officers ;—and, under such circumstances of precedent crowding on precedent to induce this House to consider itself entitled to similar rights, have we been influenced in their assertion and exercise.

In looking upon the Journals of the House of Assembly of Newfoundland, we find that, from the very first day on which the first House of Assembly took their seats in this country, the right of the Crown to the privilege of the appointment has been at all times controverted.

Judging, then, by the opinions so solemnly expressed by Viscount GODERICH, by Mr. RICE, and by Lord GLENELG,—in fact, judging from a late Despatch of His Lordship to a neighbouring Colony where His Lordship very properly advises the Executive, if the House of Assembly should persevere in their appointment, not to disturb them or come unnecessarily into collision with that Body—judging from all these opinions concurrently, we have come to the mature conclusion that, in our Acts and Proceedings we had to regard the Acts and Proceedings of other Colonial Assemblies and not the British Parliament. In examining into the practice of other Colonial Assemblies, we find the right asserted and exercised of appointing the Officers—consulting our own Journals we find only one precedent, and that is, that it is the right of the House to appoint them, and we find that precedent reiterated Session after Session, with this host of Authorities before us, we on Monday, after a solemn deliberation of several hours, resolved to assume its exercise, and having so resolved after a deliberation and examination continued through the lapse of a period of nearly five years, we have felt ourselves compelled to persevere, and we trust that Your Excellency’s wisdom will induce you to feel that we had no alternative but a discreditable one, to abandon the just, the well defined and clearly established privileges of the House of Assembly—and therefore we beg most respectfully to assure Your Excellency that, impressed with a deep sense of the importance to the public interests of the existence of harmonious relations between the several Branches of the Legislature, we have not, in the most distant way, been actuated by a wish to create an unpleasant feeling between the Executive and the popular Branch of the Legislature, but as the Representatives of the People we felt it our duty to proceed upon this subject in a manner consonant with the wishes of our constituencies.

Mr. Richardson, seconded by Mr. Shaver, moves, that the Clerk of this House be instructed to procure from the publisher sixty-five copies of the Revised Statutes of this Province—and that he do also procure the like number of Acts passed between 1832 and the last Session, (inclusive) to be bound for the like purposes.

Motion to procure 65 copies of Revised Statutes, and of Acts passed between 1832 and last Session.

On which the Yeas and Nays were taken, as follows :—

Division.

Y E A S.

Messieurs Caldwell, Gowan, Kearnes, Manahan, McDonell, of Stormont, Richardson, Shaver—7.

Yeas—7.

N A Y S.

Messieurs Armstrong, Attorney-General, Cartwright, Cornwall, Dellar, Ferrie, Jarvis, Lewis, Malloch, McCrae, McDonell of Northumberland, McIntosh, McKay, Murney, Morris, Norton, Parke, Shade, Sherwood, Solicitor-General, Thomson, Tharburn, Woodruff—23.

Nays—23.

The question was decided in the negative by a majority of sixteen.

Lost, majority 16.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Cornwall, moves that it be *Resolved*, That an humble Address be presented to His Excellency, requesting His Excellency to inform this House whether any communications have been received from the Colonial Secretary upon the subject of the bills passed the two Branches of the Legislature during its first Session and reserved for His Majesty’s Assent ; and if so, that His Excellency will transmit copies of the same for the information of this House ; and that Messrs. Ferrie and Caldwell be a committee to draft and report the same.

Address on reserved bills ordered.

Which was carried.