

96 CORRESPONDENCE RESPECTING THE GOVERNMENT OF

NEWFOUND-
LAND.

Enclosures in No. 5.

(No. 1.)

Secretary's Office, 29 Aug. 1834.

Enclosures in No. 5.

Sir,

THE Governor having observed, during the last session of the General Assembly, that the style or title of the member of the Council presiding over its deliberations had been altered to that of "Speaker of the Council," I am to request you will do me the favour to explain, for his Excellency's information, what circumstance has led to this alteration, and whether it is to be understood that it has arisen from the Speaker having been elected or chosen to that office, or whether it is merely an appellation to distinguish the senior member of the Council from the other members of that body.

The Honourable the Chief Justice.

I have, &c.
(signed) *Jas. Crowdy.*

(No. 2.)

St John's, Newfoundland, 29 August 1834.

Sir,

THE subject matter of your letter of this date having a reference solely to the privileges of that branch of the legislature to which I have the honour to belong, I do not feel myself warranted in offering any explanation upon the points, to which, for his Excellency's information, you have adverted.

The Honourable Mr. Secretary Crowdy.

I have, &c.
(signed) *H. J. Boulton.*

(No. 3.)

Secretary's Office, 30 August 1834.

Sir,

I AM directed by the Governor to transmit to you the accompanying copy of a letter from me to the chief justice, with his reply, and to request you will acquaint me with what you may deem the proper and regular course to pursue to attain the information desired.

The Honourable the Attorney-General.

I have, &c.
(signed) *Jas. Crowdy.*

(No. 4.)

Attorney-General's Office, 2 Sept. 1834.

Sir,

I BEG the honour to acknowledge the receipt of your letter of the 30th ultimo, together with copies of the correspondence therein referred to, relating to the alteration adopted in the proceedings of the Legislative Council in respect to the title of the presiding councillor, who is now styled Speaker instead of President, as heretofore, and requesting I will inform you what I may deem the proper and regular course to pursue, in order that his Excellency may be made acquainted with the cause of this alteration.

In answer to which inquiry I beg leave to state that if the journals of the Council do not yield the information required, I am not aware of any more proper method by means of which his Excellency may ascertain the matter than that of his Excellency sending a message requesting to be informed upon the point.

But it appears to me that such inquiry might raise a question of privilege, if such title of President or Speaker remain within the discretion of the Council to adopt at their election, since precedents are to be found in the legislative constitutions of the British colonies.

But if the style or title of the presiding member of the Council be predicated by His Majesty's Instructions relating to the institution of the General Assembly of this colony, any deviation from the style so fixed, may be, I conceive, noticed by his Excellency in the form of a message remonstrating against such deviation, if such alteration do not meet with the concurrence of his Excellency, and such proceeding would, I apprehend, lead to the explanation required.

The Hon. Mr. Secretary Crowdy.

I have, &c.
(signed) *James Simms.*

(No. 5.)

THE Governor having observed in the journals of the Council a rule of that body, which provides "that four members with the Speaker shall constitute a quorum," his Excellency is desirous of calling the attention of the Council to the circumstance of the rule in question being in opposition to that clause in the King's Instructions which fixed any three as the number of the quorum, and also of being acquainted, for His Majesty's information, whether the title of Speaker embraces anything more than another appellation for the senior member present.

Government House, 4 September 1834.

(signed) *Thos. Cochrane.*