

The Council perceive that the appropriation for paying the constable at Ferryland and Bay Bulls is reduced from 25*l.* to 12*l.* in each case, and that the salary of the gaoler at Ferryland is reduced from 25*l.* to 20*l.*; while in St. Mary's, being a place of less importance, the salary of the constable is raised in the same proportion, viz. from 12*l.* to 25*l.*; while one constable at Trinity has been struck off altogether, and the salary of another at Cabalina has been doubled, it being raised from 12*l.* to 24*l.*; and at Greens Pond the constable's salary has been reduced from 15*l.* to 12*l.*; while no appropriation at all is made for paying the salary of the constable at Torbay, one of the larger settlements of the central district.

The Council are of opinion that 12*l.* is a sufficient salary for any of the constables at the smaller settlements and outposts; and if a salary were about to be granted, for the first time, to a constable at Bay Bulls or Ferryland, for instance, they would concur with the Assembly in deeming that sum sufficient; but then they could not agree to double that amount being given to constables in places of no greater importance; and therefore they deem it unjust to raise one man's stipend at the expense of the salary paid to another person similarly situated.

The individuals receiving these stipends are, it is true, in an humble station of life, and the amount paid to each is inconsiderable; but they ought not on that account to be treated with a less regard to justice, nor ought their claims to be viewed less favourably than if they had it in their power to advance their own pretensions within the walls of the General Assembly of the island.

The remuneration to the medical attendant of the gaol at St. John's is for the first time separated from the general expenses of that branch of the public service, as well as the stipend to the gaol barber. The salary formerly paid to the surgeon out of the general fund appropriated for gaol expenses, it is true, is continued; but it is coupled with a restriction which would deprive him of another situation, that of district surgeon, with a larger stipend; while the remuneration to the barber is raised from 12*l.* (an allowance quite adequate, and which has been apportioned for years past by the Government) to 15*l.* Such a course of proceeding the Council can never consent to become parties to.

The grant for the support of the poor should, in the opinion of the Council, form the subject of a separate bill, inasmuch as certain provisions ought to be contained in such a measure to guard and regulate the expenditure. The Council are of opinion that the bill should ascertain the persons to whom the money is to be dispensed, by some more definite term than that of "the poor," and it ought not to be left to the discretion of the commissioners to dole out the public funds to such persons as they may think proper to bestow it upon; but that a portion of the sum granted should be defined and set apart for the relief of the aged, sick, infirm and impotent poor.

Enclosure 3, in No. 10.

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HER Majesty's Council have requested this conference, upon the resolution of the Assembly transmitted to them on Monday last, acquainting that House that "Her Majesty's Council had passed the bill sent up from the Assembly, intituled, 'An Act for granting to Her Majesty certain Monies for the making and repairing of Roads and Bridges in the Colony, and to provide Regulations respecting the same,' with some amendments, to be a violation of the privileges of the House of Assembly," and "that that House cannot recognize a right in Her Majesty's Council to make any amendment in a bill granting monies to Her Majesty," for the purpose of acquainting the Assembly that, while the Council has no disposition to interfere with any privilege claimed by the Assembly, so long as that House shall confine its pretensions within reasonable and convenient bounds, yet as the King's letters patent, from whence the powers of legislation are so recently derived to both Houses, confer no especial privilege upon either, the Council cannot permit a mere assumption of privilege as peculiar to the Assembly to be carried to such lengths as would, if acquiesced in, concentrate all power and authority, in matters connected with supply, in the Assembly; depriving the Council of that wholesome and salutary check upon the proceedings of the Assembly which they possess upon those of the Council.

Although there must obviously be a wide and manifest distinction between the privileges incident to or assumed by the House of Commons, as one branch of the British Parliament, exercising from a period of high antiquity supreme authority over a vast empire, and those which are applicable to a subordinate colonial assembly, recently called into existence by Royal authority, yet the Council will cheerfully acquiesce in the exercise by the Assembly of such a modification of the privileges assumed by the House of Commons as shall reasonably be found to comport with the useful development of their legislative powers. Upon this principle, the Council have no hesitation in admitting that all Bills for the granting or appropriating the public money, or for laying any additional burthen upon the people, should naturally originate in the representative branch of the Legislature; but that no amendment can be made by the Council, even in such parts as do not affect the quantum of the supply to be granted or appropriated, would be extending the claim beyond those limits which the Council conceive may safely be conceded without inconvenience to the public service.

During the short period that the Legislature of Newfoundland has existed, many precedents are to be found of amendments being made by the Council in Money Bills, very