

Kielley against the Speaker and others, were prepared by Mr. Archibald. The majority of the judges having decided in favour of the Assembly, the case was carried by appeal to the Privy Council, which reversed the decision of the Supreme Court sustaining, in almost identical terms, the judgment pronounced by Mr. Justice Lilly. The case, as well as the judgments of Mr. J. Lilly, excited no little attention at that period, both in England and in the colonies, and Lord Glenelg, Minister, learning from Governor Prescott Mr. Archibald's action in the matter, intimating his intention of advancing him to a seat on the Bench on the occurrence of a vacancy. The opportunity for this did not present itself until 1846, when Mr. Stums, Attorney-General, performing to be placed on the Bench, Mr. Archibald was promoted by Earl Grey to the office of Attorney-General.

In 1841 Mr. Archibald was summoned to give evidence before the House of Commons in regard to the unsatisfactory working of the legislative constitution of the colony, and in that year drew up and submitted to the Colonial Minister a plan for the temporary amalgamation of the Council and Assembly which was substantially followed in the Act of Parliament by which the Constitution was thus modified. In 1842 Mr. Archibald was elected Clerk of the new Legislature—being at the same time Chief Clerk of the Supreme Court—and so continued during the existence of the amalgamated Legislature. The estimation in which his services were held by it is evidenced by the following extract from the Journals of that body:—

"APRIL 28, 1846:

"Resolved unanimously that this House cannot separate without expressing its sense of the merits of Edward Mortimer Archibald, Esquire, Clerk of this House, and of his strong claims on its regard. Educated under the special care of his late lamented father when Speaker of the House of Assembly of Nova Scotia, he arrived in this country at the period of first introduction of a representative form of Government, and under his instructions the members of the first House of Assembly were initiated in a knowledge of those laws and rules so necessary for the guidance of deliberative bodies. From that time to the present period, with some slight interruption, he has filled the important situation of Clerk to the House of Assembly, in which office his unceasing industry, his great abilities, and his obliging disposition have, even under circumstances of the greatest political excitement, invariably won the lasting esteem of every member of the House; and they therefore deem it a duty they owe to him to place on record this public acknowledgment, and to express a wish that services and merits such as these may be appreciated by his Sovereign and his country.

In this year 1846, Mr. Archibald was again appointed an acting assistant Judge of the Supreme Court, and held the northern Circuit, on returning from which he received his appointment of Attorney-General and shortly afterwards that of Advocate-General. He became also a member of the Executive and Legislative Councils. The duties of these several offices he discharged for nearly nine years.

In 1849 he drew up an able and confidential paper which was submitted to the Colonial Minister, as well as to the British Minister at Washington on the subject of admitting the Americans to the free use of our fisheries in consideration of reciprocal free trade in agricultural produce as well as fish, between the British North American Provinces and the United States, a policy which he was among the first to advocate, and which was carried out by the Reciprocity Treaty of 1854.

During the time he filled the office of Attorney-General he was much occupied with the vexed questions growing out of the Fishery Treaties with France. In 1853, he was for several weeks associated in London with representatives of the Foreign and Colonial offices, in preparing proposed modifications of those treaties; but dissented from his colleagues who favored too extensive concessions to the French. His correspondence and opinions on this subject are contained in the Journals of the Newfoundland Legislature. The soundness of his views was confirmed by the subsequent collapse of the projected Treaty of 1856 with France, for the modification of the Treaties in question.

In 1855, on the concession of responsible Government to Newfoundland, Mr. Archibald retired from the office of Attorney-General on a pension from the Colony, receiving the thanks of Her Majesty's Government.

To be continued.

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AGENTS FOR HERALD.

The following gentlemen have kindly consented to act as our agents; all intending subscribers will therefore confer a favor by sending in their names and subscriptions that they may be forwarded to this office.

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THE CARBONEAR HERALD

"Honest Labor—our noblest heritage." CARBONEAR, N. F., NOV. 20.

The Proposed Graving Dock.

From correspondence recently published in the "Montreal Gazette" we are much gratified to learn that our worthy Premier, the Hon. V. V. Whiteway, during his recent visit to Britain, brought under notice of the Imperial authorities, the above-mentioned subject, urging with characteristic zeal and ability, the claims of this colony to aid from the Imperial treasury, in the construction of a work which, when completed, could not fail to prove of infinite value and importance not alone to local but to international shipping interests generally, from the facilities afforded, more particularly for the repairs of the larger class of ocean steamers. We learn that Mr. Whiteway's proposal, that the interest on the estimated capital required for the undertaking, namely, £110,000, stg., should be guaranteed, one half by the Imperial and the remainder by the local government, was favorably received by the Colonial office, and that "there is a fair probability that the request of our Government will be complied with." In referring to the subject, the writer gives to our energetic Governor, Sir John Glover, the honor of originating the project. Now, whilst without wishing, even in the slightest degree to detract from the universally acknowledged energy and deep and lively interest manifested upon various occasions by our much-respected Governor in the promotion of our local interests since his arrival in this colony, we regret being obliged to differ somewhat from the correspondent of the "Montreal Gazette" as to the period of its initiation, the subject being mooted some years previously, in the columns of our metropolitan press, the "North Star," "Courier" and "Free Press" being amongst the most strenuous and warmest advocates of the project. As an evidence that the patriotic zeal and ardor of our contemporary the "North Star," have not in this respect at least, been permitted to abate or cool by the lapse of time, we are happy to notice in his issue of the 15th, under the comprehensive and suggestive caption of "Another Appeal for the New Graving Dock," a most able and effective article on the same subject. In expressing our entire concurrence with the views of our contemporary as to the superior advantages offered by the port of St. John's for the construction of such a dock, as compared with any of the neighbouring provinces, we at the same time unite with him in the feeling of surprise that advantages so decidedly superior, have not, long ere this, been utilized to a degree equal at least to those of American ports, in every respect far inferior. To whatsoever motives may be attributed, or whatsoever causes may be assigned for

past apathy and indifference in connection with a subject of such vast importance to international maritime interests, we agree with our contemporary in the opinion that in the face of the recent disaster to the "Arizona" the time has arrived when, in justice to our own interests and those of humanity we are bound to take such decisive action in the matter, as will tend to the construction, at as early a date as possible, of such a dock as will not alone be creditable to the country, but also calculated to assure effective aid and assistance to such ocean steamers or other shipping generally as may sustain serious damage or injury in the vicinity of our coast.

In giving insertion to the letter of our correspondent "Senex," which appears in our columns to-day, we wish it to be distinctly understood, that in the present as in any other instance, we do not hold ourselves responsible for the opinions of correspondents. With reference to the present communication we would, however, observe, that whilst our opinions, as to the priority of claims to political or other preferment on the part of natives of this country, are in perfect accord with those of our correspondent, we at the same time beg to differ with him as to the applicability of the term of "foreigner" to those of our fellow-colonists long resident in the country, born in either of the three Kingdoms, or any of the dependencies of the British Crown. We would, however, at the same time, avail of the opportunity to express our most unqualified endorsement of the statement of our correspondent as to the unjust and exclusive policy with regard to the just rights of natives pursued by those, who finding in Newfoundland that bread and employment denied them in their own country, would in their hour of prosperity, repay the debt of gratitude so justly due, by the most glaring injustice and exclusiveness to those born upon her soil. We perfectly agree with him also, as to the salutary lesson inculcated by the spirit of unity evinced by other nationalities, and we sincerely regret with him, the comparative absence of that mutual confidence and good feeling amongst our fellow-countrymen, so essential to the true prosperity of our country. In this latter respect however, we are not without much hope, as the sunshine of Enlightenment, Patriotism and Progress now happily dawning upon us, must inevitably dispel the clouds of Ignorance, Disunion and Intolerance by which we have been so long surrounded.

Correspondence.

To the Editor of the "Carbonear Herald." St. John's, Nov. 17, 1879.

DEAR SIR,— In my former letter it was my intention to give you some explanation of the manner in which the West End Elections were conducted, but an unavoidable circumstance arose which debarred me from doing so. It is however, not too late to refer to one point upon which our locals at the time dwelt very strongly, and which I think has a peculiar interest to us at all times and in all places. I allude to the cry of "nativism" alleged to have been raised in the above-named contest. Now sir, I think the manner in which this cry of "influence" was used was of a most proper and discretionary nature, and in the absence of an "issue" (even of the most trifling description) to a certain extent unavoidable. The speaker for Mr. White stated on behalf of that gentleman that he (Mr. W.) was a native of the country with a wife and family to support, and consequently there was a tie or link between the people of St. John's, Mr. White and their common country, which could hardly exist between them and Mr. McLoughlan, who has no kin red here, no claim upon the country as his birthplace, and who may, in the absence of these circumstances, leave Newfoundland at any

moment. This was the use of the "Whites" made of the terrible missile, and with all due deference to superior judgment and wisdom, I fail to see its illegitimacy or its improper application, and more, that had they to have gone further and stated that it was the "duty of the West End people to return a Newfoundland man in preference to a foreigner"—presuming the equality of the Newfoundland man to be equal or greater than that of the foreigner—I for one should hesitate before condemning the feeling which gave such a dogma birth, and would be loth to doubt the direction with which it was put in force before seeing its consequences. You will please understand Mr. Editor, that I would not deny a foreigner the privilege of being a member of our House of Commons, for to entertain such an idea of monopoly on our parts would indicate me to be a degraded and a gross bigot or one that had lately escaped from Belem or the Lunatic Asylum; but I contend where there are two candidates one a Newfoundland man and the other a foreigner—having equal ability, mind you—the first named has a pre-emptive claim, and naturally should be returned before the other. The case is quite different, certainly, where the foreigner is superior or has more claims upon the colony than the native, as a matter is not, or at least should not be returned through friendship or through social feeling, but through an honest conviction that he has the necessary essentials to represent the colony honorably and faithfully, and an interest in its future welfare himself. It is generally known that the majority of the Dry Good shops here are owned by either Englishmen or Scotchmen, and from them we can obtain a justification for having a wish to advance the natives of our own soil before those of any other.—"A most all their 'head men' as they are called, have sprung from the country to which their masters belong. And, sir, is it not a fact that it is at your peril you speak in derogating terms of an Irishman or Scotchman without good cause before an Irishman or Scotchman, whereas the most flimsy and ill-considered charge is huried at a poor miserable Newfoundland man with impunity,—and why is there this difference? Simply,—if the truth must be told—because one loves the other in consequence of the same country having given them birth, whilst the other looks upon the same fact as of no consequence,—an accident unworthy of any consideration whatsoever. This is a subject not unworthy of deliberation and consideration the lesson we learn from other countries, viz. that "Unity is strength," it is only fair to presume that if more good feeling could be infused amongst us there would be more chance of realizing that grand prosperity of our Island Home to which we all look forward.

As I am now going to the Bazaar, the great centre of attraction at the present time, and as I have already trepassed too much upon your space, I will say au revoir!

Your's truly, SENEX.

A Trip to the Dominion.

No. 2.

Upon arrival at Halifax, cold and inclement as our weather had been up to the time of departure, I found that here what is considered a more favorable climate the authority of old King Frost was asserted with a more extreme degree of severity than in our proverbially rigorous and icy atmosphere. 'Tis true that a very respectable amount of ice and snow was to be found in the vicinity of St. John's and its environs at this season of the year, it is probably to the extent of some two or three inches and snow lay upon the ground one foot in depth, but here at Halifax the great metropolis of the maritime provinces of the New Dominion, a coating of ice some feet in thickness covered the ground in all directions whilst super-imposed in appropriate contrast on its gassy surface, lay a no means insignificant supply of beautiful snow. My first impression regarding the city upon landing at the wharf, through some of its principal thoroughfares, was that of its similitude to some quaint old Dutch or German town the antique and peculiar construction of many buildings in different parts of the city, leaving ample ground for such a supposition. As however my stay at Halifax was necessarily of but short duration and the weather at the time not being of a character to admit of my visiting the different quarters or leading buildings of the city, I shall not venture into anything like a general description, but shall merely give for the benefit of the

reader, a mere passing sketch of a portion which came directly under my personal observation. Commencing with Water Street, I must certainly say that notwithstanding the entire absence of any attempt at engineering skill, in the construction of the leading business thoroughfare of St. John's, which by the way glories in a similar aquatic designation, that of the metropolis of the sister province, still as to the construction of its buildings its civic and other general features as the main artery, or highway of the trade and commerce of the city, it far surpasses in all these respects, the leading business thoroughfare of Halifax. Nor was Water Street alone the least attractive various other streets in the very heart of the city, presented an appearance, if possible far less progressive and an admirable Granville and Hollis Streets were the only two streets coming under my observation, in any way calculated to impart a civic or progressive character, to what otherwise, I must say would appear as an antiquated country town of either of the nationalities above referred to. On the morning of my arrival at Halifax the dull leaden appearance of the sky and the wind blowing strong from the southwest gave every indication of an approaching storm and towards the afternoon these indications were most unmistakably verified by the springing up of a snow storm which for violence and density, during the time it continued, about two hours far exceeded anything within my previous experience in a climate, peculiarly generally regarded in the sister provinces, as one of almost arctic severity. Yes, within the short space of time referred to, a quantity of snow had fallen in the city sufficient to impede a local traffic for some hours, and the afternoon train from Richmond became completely blocked before its arrival at Truro. The weather having cleared and all obstacles to railway travel having been removed throughout the entire line, in the afternoon of the next day I secured a through ticket for Ottawa via Portland and started by the five o'clock train en route for St. John, N. B., where, after the usual delay at various intervening stations, I arrived about two o'clock on the following Sunday morning. Arrived at St. John after partaking of a few hours rest, followed by a substantial breakfast, I proceeded about 11 o'clock, to the Roman Catholic Cathedral for the purpose of attending Divine Service. This magnificent building, a perfect gem of gothic architecture is a standing monument to the apostle's zeal and artistic talent of the late lamented and universally revered Archbishop Connolly of Halifax, by whom it was erected, during his tenure of the important diocese of New Brunswick, Sunday being the day of rest all railway communication being necessarily suspended, I was afforded an opportunity of visiting different quarters of the city, the impression created in my mind during my progress being quite in favorable contrast to that of previous Halifax experience. Notwithstanding the "universal quiet and entire absence of business activity, natural and incidental to the Sabbath, still from the large number of factories and other buildings whose cumbersome and lofty chimneys whose cumbrous proportions and lofty chimneys appeared in every direction, I could easily recognize that so far at least, as manufacturing industry was concerned St. John occupied no unimportant position amongst her sister cities of the New Dominion.

Local and other Items.

The extensive circulation of the "Herald" throughout Conception Bay and the various outport districts of the colony render it a most desirable medium for advertising purposes. We would direct the particular attention of business men generally to the above mentioned most significant fact.

The S. H. Morse, noticed in our last issue as having been purchased by Messrs. Duff & Balmor, and brought on to this port from Labrador, is now on the Patent Ship in Harbor Grace, undergoing repairs. It seems this vessel sustained considerable damage while in Penguin; the whole of the false keel, about ten feet of main keel, with garbet planks and the foot of stem stern post will have to be replaced anew.

The Tracey Jane, LeMarchant, from Bridgewater, with cargo of lumber, and the Jane Ainslie, Kennedy, from Sydney, with coal, shingles and beef, arrived here Sunday last, to Messrs. J. & R. Maddock.

The Alpine, Udell, master, arrived here yesterday, in the height of the snow storm, from St. John's, having on board a large quantity of provisions, &c., for this port.

We have been requested to state for the information of our Carbonear readers, that Mr. H. Y. Mott will be in town early next week for the purpose of repairing and tuning Piano

and Orga... The Res... sailed 18... cargo fis... Rofke... Capt. Mil... We hav... ty-four... ered the... son. The... about nin... continued... a strong... prevailing... The 'I... T. A. H... 28th inst... By late... the Baza... Church e... attractions... on ex... ligator, p... of Bristol... We tea... Mr. R... is at pres... necessary... recently v... coast. M... cessful o... tion with... most sinc... We ha... per mail... Hope Da... ly got up... We wish... The s... arrived a... morning... the passe... Arizona... 8 o'clock... We we... tion of... tisement... Lor Gra... to-day... can reco... cially of... extensive... which en... reasonable... Kennedy... In our... the count... in biogr... bald, Es... Consul G... man and... nction w... which we... the 'H... pen of I... Truro, N... McNeil... ed Stipe... ear... From... Lord B... ceived f... Arizona... a thanks... dental p... incurred... that ves... Forty... plicity... embassy... Insur... Railw... Order... ic read... counterr... Arche... Queen... ceeds to... Italia... Spain... surre... Italia... Famili... Czars... Sulta... dant of... Minor... Frey... tion to... priests c... ommissi... Snow... dredges... 33 drew... Expl... in Call...