

take away, and render valueless the rights and privileges conferred upon memorialists by the Act 17 Victoria, chapter 2 in the following particulars *inter alia*:—

- (1.) Section 78 and 86 assume to transfer to the contractor the right to *occupy, take, operate, and work* land lines in Newfoundland.
- (2.) Sections 80, 81, 83, 85 and 88 assume to give to the Contractor the right to build, make, occupy, and operate land lines in Newfoundland, and to do so without regard to the restrictions contained in sections 6 and 14 of the Act 17 Victoria, chapter 2.
- (3.) Section 82 assumes to give to the Contractor the right to *construct, build, make, occupy, and work* both land lines and submarine cables without restriction of any kind. This is a clear and undoubted violation of the sole and exclusive rights of memorialists and a virtual confiscation of their rights and property without compensation of any kind.
- (4.) Section 90 assumes to give to the Contractor the right to *purchase, take, and operate* land lines in Newfoundland in violation of the rights of memorialists under section 14 of the Act 17 Victoria, chapter 2.
- (5.) In section 91 the Government undertake to procure the enactment of all legislation that may be necessary to sustain the Contractor in the violation of the rights and confiscation of the property of memorialists hereinbefore particularised.

10. Memorialists call particular attention to the provision of section 15 of the Act 17 Victoria, chapter 2, which confers upon the Government of Newfoundland the right to become the holders of the lines of telegraph and other property of memorialists, and to have the same transferred to, and vested in the Government upon payment of the appraised value of said property. Provision is made in said section for the appraisement of the property, and for the payment of its true and just value should the Government decide to become the holder of it and have it become the property of Her Majesty, for the benefit and public use of Newfoundland. The railway contract now under consideration assumes to destroy the rights of memorialists under this section, and to confiscate and hand over their property to the Contractor without compensation of any kind.

11. For the reasons hereinbefore expressed, memorialists emphatically protest against the enactment into law of the said Act now being considered by the legislature, and they ask as of right that His Excellency the Governor shall exercise his prerogative of (1) refusing to assent to the said Act, or (2) reserving said Act until the pleasure of Her Majesty shall be signified concerning the same.

12. Memorialists are British subjects, residing out of Newfoundland, and respectfully call the attention of His Excellency the Governor to the clause in his draft of instructions, which says that "Our said Governor is not to assent in Our name to any bill of an extraordinary nature or importance whereby the rights and property of Our subjects, not residing in Our said Colony, may be prejudiced." It cannot be denied that the Act complained of is one of the most extraordinary measures in its nature, scope, and importance that has ever been introduced into the legislature of Newfoundland, and, as memorialists have shown, it violates and prejudices, and in some of its sections confiscates and absolutely takes away, the rights and property of memorialists, who are British subjects, residing out of Newfoundland.

13. Memorialists, therefore, respectfully pray that His Excellency the Governor will be pleased to refuse to consent to the said Act, or to reserve the same until Her Majesty's pleasure shall be signified concerning it.

14. Memorialists further respectfully pray that Her Majesty's Principal Secretary of State, for the reasons hereinbefore set forth, will be pleased to advise Her Majesty to refuse to assent to the said Act.

And, as in duty bound, memorialists will ever pray, &c.

For the Anglo-American Telegraph
Company, Limited,

MORISON & HUTCHINGS,
Solicitors.

Dated at St. John's, Newfoundland,
this Fifth day of March, A.D. 1898.