

Documents read.

You will recommend to the Council and Assembly to pass an act in amendment of the present, for the repeal of this provision, acquainting them that, in the meantime, his Majesty's decision will be suspended."

No. 3.]

*Extract from a Despatch from the Secretary of State for the Colonies, to Governor Henry Prescott, Esq. C. B. dated 12th April, 1835.*

"Before I notice the substance of this measure, ("the act for limiting the duration of the Legislature,") I must advert to one peculiarity in its form. In this, as in many other acts of the Assembly of Newfoundland, the style of Parliament is adopted and followed in a manner for which no precedent is to be found in any Colonial Legislature deriving its authority from the King's Commission and General Instructions. The Bill professes to be enacted by the Governor, Council and Assembly "in Colonial Parliament assembled," and provides for the cessation of what is again termed "the Colonial Parliament."

It might seem a matter of little or no importance by what title a Colonial Legislature thought fit to designate themselves. But I am not disposed to deviate without some sufficient reason from forms which are sanctioned by an invariable usage, reaching back to nearly two centuries, in the older British Colonies. Further it is evident that the adoption of this very unusual style has been dictated by the wish to claim for the Council and Assembly of Newfoundland Powers analagous to those of the Houses of Peers and Commons of the United Kingdom.

For the present purpose it is unnecessary that I should either deny or admit the existence of any such analogy. If really existing, it must of course be subject to many qualifications, and his Majesty, therefore, cannot acquiesce in this deliberate and solemn use of a title which would seem to imply the contrary.

You will therefore acquaint the Council and Assembly that it will not be in his Majesty's power to confirm this or any other act specially reserved for his Majesty's confirmation, in which they shall assume to themselves the designation of a "Parliament."

In some acts which have been left to their operation by his Majesty in Council, the same phraseology was employed. But in those cases the public inconvenience which would have arisen from insisting on the objection overbalanced the weight really due to it. When, as in the present case, the King is called upon finally to enact a Law, it is not possible to overlook that objection.

In all acts which may be hereafter tendered for your acceptance, whether containing suspending clauses or otherwise, you will require the other Branches of the Local Legislature to adhere to the style employed in the Royal Commission and Instructions to which they owe their existence as Legislative Bodies, and in the Act of Parliament by which they are recognized in that character."

No. 4.]

*Extract of a Despatch from Lord Glenelg to His Excellency Captain Prescott, dated, Downing Street, 31st August, 1835.*

"I now proceed to consider in what manner I shall be enabled, by the liberality of Parliament, to offer a temporary relief to those Gentlemen for whom the House of Assembly have refused to provide either salaries or retired allowances, amongst whom the most prominent are