

serves, by permitting Sir Francis Brady's retirement upon terms honorable alike to himself and to the Colony.

SATURDAY, 25th June, 1864.

AT A COUNCIL HELD THIS DAY,

His Excellency laid before the Council a communication from Sir Francis Brady, Chief Justice, setting forth that his health had become so infirm as to render it desirable that he should be relieved from the labour incident to his office, and praying that arrangements might be made for permitting him to retire upon a pension, and asking also for leave of absence for the coming winter.

*Whereupon it was unanimously resolved :*

That the Council, while learning with sympathy and regret of the infirm state of the Chief Justice's health, are of opinion that his long and meritorious services in this Colony fully entitle him to retire upon a liberal allowance ; and that the Council will be happy to promote the attainment of this object by recommending his claim to the favourable consideration of the Legislature, (who alone have power to grant his application,) at its next session ; and that, in the mean time, the Council will, in accordance with his request, grant him leave of absence from the Colony at the close of the Supreme Court in December.

The following is the Letter of the Chief Justice above referred to.

*To His Excellency Sir A. BANNERMAN, and the Honorable the Members of the Executive Council.*

The last year having just closed, I am desirous to submit most respectfully for your consideration my claim to be relieved, upon what you may consider just and honorable terms, from the office of Chief Justice, which I have so long held.

This application will not give you any surprise, because you are all well aware of my failing health for some years ; and it is to me now a grateful duty to acknowledge the kind and good feeling which actuated the late and the present Government in permitting me, upon Medical certificates, to spend every second winter Europe during the last six years. I can however assure you, with perfect truth, that while that has been a great indulgence, the transmission of my family home and back to this country has been attended with considerable and unavoidable expense. It is my anxious wish and desire, knowing that any arrangement for my retirement cannot be effected without the sanction of the Legislature, to continue to perform my duties during the Autumn and Fall of this year, if my health permits me ; but I am equally desirous, before the end of the year, when the winter sets in, to proceed to Europe : and when I hear that my claim for retirement has been acceded to, I will immediately resign the office of Chief Justice. But if I am again obliged to return to Newfoundland, I hope it will not be considered unreasonable in me soliciting from you leave of absence from the date of my departure until the Court meets in May, next year. When I returned to the Colony in