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JOURNAL
OF THE
HOUSE OF ASSEMBLY

OF
Newfoundland.

ANNO SEXTO REGIS GULIELMI IV.

SIXTH SESSION OF THE FIRST GENERAL ASSEMBLY.

Wm. M. Carthy
1836



St. Johns, Newfoundland.

JOHN SHEA, PRINTER TO THE HONORABLE THE HOUSE OF ASSEMBLY.

1836.



Proclamation.

(L. S.)
H. PRESCOTT.

*By His Excellency HENRY PRESCOTT,
Esquire, Companion of the most
Honorable Military Order of the
Bath, Governor and Commander-
in-Chief, in and over the Island of
Newfoundland and its Depend-
encies, &c. &c. &c.*

WHEREAS the GENERAL ASSEMBLY of this Island stands prorogued until *Saturday* the 31st day of *October* next : And whereas I think fit further to prorogue the said General Assembly until *Thursday* the *seventh* day of *JANUARY* next :

I do therefore, by these presents, further prorogue the said GENERAL ASSEMBLY until *Thursday* the *seventh* day of *JANUARY* next, *then to meet for the dispatch of business*; of which all persons are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand and Seal, at the Government House, at St. John's, in the said Island, the 21st day of *September*, 1835, in the Sixth Year of His Majesty's Reign.

By His Excellency's Command,

JAMES CROWDY, Secretary.

JOURNAL

AND

PROCEEDINGS

OF THE

House of Assembly of Newfoundland.

THURSDAY, JANUARY 7, 1836.

THE House having been, by his Excellency's Proclamation of the 21st of December last, prorogued until this day, then to meet for the despatch of business, met pursuant to the said Proclamation accordingly.

A Message from his Excellency the Governor was delivered by Robert Haly, Esquire, acting Usher of the Black Rod :

Mr. Speaker and Gentlemen of the House of Assembly,

It is his Excellency the Governor's pleasure that you attend him immediately in the Council Chamber.

Accordingly Mr. SPEAKER and the House went up to attend his Excellency in the Council Chamber.

And being returned ;

Mr. SPEAKER reported that the House had been in attendance on his Excellency in the Council Chamber, where his Excellency had been pleased to make a speech to both Houses, of which Mr. Speaker said he had, to prevent mistakes, obtained a copy, which he read to the House as follows :

Mr. President and Honorable Gentlemen of the Council—

Mr. Speaker and Gentlemen of the House of Assembly—

I have to announce to you that his Majesty has been graciously pleased to leave to their operation all the acts of this Legislature passed in *March, June and September, 1834*, with two exceptions.

“ The Act for increasing the number of Representatives in the House of Assembly, is suspended for the signification of his Majesty's pleasure. The questions raised by this act are of so much importance that his Majesty is unwilling to pronounce any decision upon them until after some further experience shall have been obtained of the practical effects, whether beneficial or otherwise, of the representative system, as at present in force, and so recently established in Newfoundland.”

Members Assemble.

Message from the Governor commanding the attendance of the House.

House attend his Excellency.

Mr. Speaker reports.

His Excellency's speech.

His Excellency's Speech.

Of the "Act for declaring all property in Newfoundland Real Chateaux," the proviso at the end of the first clause is deemed objectionable. I am consequently directed "to recommend to you to pass an act in amendment of the present for the repeal of this provision, and in the meantime his Majesty's decision will be suspended."

The only act of the last session upon which his Majesty's pleasure has been signified to me is that "for limiting the duration of the Parliaments of this Colony." His Majesty has suspended his decision upon this act also in consequence of a peculiarity in its form; but it is left to you to prepare a bill "in the appropriate style, as the enactment of the Governor, Council, and House of Assembly," to which I am empowered to assent on his Majesty's behalf.

I am authorized by his Majesty's Government to suggest the expediency of dating the commencement of the quadrennial period of the present House of Assembly from the close of this session, so that its existence may be legally continued until 1840, should circumstances render unadvisable an earlier dissolution. "If the Local Legislature shall be willing to leave in the hands of the Executive Government such a discretion, it will be satisfactory to his Majesty to learn that the proposed law has been framed in that manner." I am, however, expressly directed to inform you, that this is a matter entirely for your consideration; and let your determination respecting it be what it may the bill will not require a suspending clause.

Extracts of the Despatches from his Majesty's principal Secretary of State for the Colonies, shall be prepared for you, that you may be fully acquainted with the objections made to the *proviso* of the second and the *form* of the last named act.

Mr. Speaker and Gentlemen of the House of Assembly—

It affords me much gratification to inform you that the revenue has proved so productive as to enable me to call in the "Treasury Notes," all interest on which, accordingly, ceased on the 19th day of December.

The Estimate for the approaching financial year shall be laid before you without delay.

His Majesty's Government has decided that the Brig *Maria*, hitherto attached to the service of this Island, shall no longer be supported by the Parent State; you will therefore resolve whether she shall be maintained in future by Colonial resources, or dismissed.

In the latter case I shall be compelled to forego my intended inspection of the outports in the ensuing summer, unless you think proper to provide some other similar means of conveyance.

I have been directed to defray the charge of keeping the Government Buildings in repair from the Rent Fund when sufficient for that purpose. This item will consequently not appear upon the Estimate for 1836.

I can assure you of my continued desire to practise the strictest economy in the public expenditure.

Mr. President and Honorable Gentlemen of the Council—

Mr. Speaker and Gentlemen of the House of Assembly—

I am desirous of offering for your early and careful deliberation the important subject of our Magistracy and Police.

Although great good is derived from the exertions of gentlemen in the commission of the Peace, yet an entire abandonment of private pursuits, and an exclusive gratuitous devotion to public interests, cannot reasonably be expected.

You will reflect whether the number of Stipendiary Magistrates may be advantageously enlarged; and whether such functionaries, aided by honorary services, and supported by a sufficient constabulary, would not prove most effectual in the maintenance of individual safety and general tranquillity. Prevention of crime is ever better than punishment; but

when, as has very lately occurred in a small district of this Government, the processes of justice are resisted, its officers maltreated, and its mandates defied, it becomes my first duty to assert the supremacy and vindicate the dignity of the Laws.

I request your attention to a dilemma in which I may find myself placed by the want of some retiring allowance for worn-out public servants.

When there is no alternative between retaining a man in a post for which age or infirmity has rendered him unfit, and consigning him for the remainder of his days to wretchedness and destitution, it is clear that the very principle of humanity is brought into operation against the public welfare.

Having pointed out what seems of highest consequence, inasmuch as without security of person and property there can be no happiness, I would next propose the encouragement of education—some aid will be well bestowed on the different associations for the promotion of that benevolent purpose ; and this I know, if given at all, will be given with strict impartiality.

In connexion with this subject I have further to observe, that the foundation of a public seminary for the higher branches of learning and useful and elegant accomplishments, would do honour to our society, and spare its wealthier and middle classes the painful necessity of parting from their children at an age when parental care and supervision are supremely requisite.

I will cause to be laid before you copies of the instructions under which surveyors are marking out roads, in pursuance of your votes and intentions ; as also of such reports as have been or shall be made by them. From one of these gentlemen I have received very gratifying accounts of the character of the soil on the line between St. John's and the Bay of Bulls.

The sum as yet allotted for this judicious preliminary survey will not be sufficient to cover the expense, but the guardians of the public purse will feel with me the great advantage of a liberal appropriation of money to an object so essential as a ready communication between the scattered settlements of this extensive colony.

The Hospital at River Head in its present state is, I regret to say, rather a disgrace than a credit to the community. I commend it to your protection, and will joyfully resign any rights of Government therein, provided you will convert it into a public institution. An additional wing should be built, and special care should likewise be taken for the separate accommodation of lunatics—both in compassion to them, and in commiseration of other patients who now suffer extremely from the occasional turbulence of those unfortunate creatures.

We have of late been enduring a severe infliction of small pox, which has committed great ravages amongst the inhabitants of St. John's and its vicinity. This evil has been aggravated by the unhappy prejudice existing here against vaccination, a discovery which, duly appreciated and universally and properly applied, would, if it failed wholly to eradicate the disease, at least render it nearly innocuous—and might therefore well be ranked amid the greatest blessings of Providence.

It appears to me that an arrangement for the diffusion of vaccination and the free distribution of *lymph*, with printed directions and instructions for its use, might be united with the proposed establishment of a public Hospital.

You will perceive by documents which shall be forwarded, that a portion of land on "Church Hill" was granted by Government as a site for the construction of a Market Place. Several years having elapsed with-

His Excellency's speech.

out any progress being made towards the accomplishment of that project, the lease of the property which had been surrendered on a precise stipulation that it was to be so employed is now reclaimed, and unless you combine this measure with that of a suitable structure for the accommodation of the Legislature in Session, the opportunity of so convenient a situation will be lost.

An accurate census of our population is a *desideratum*. Provision should be made for its correct and periodical repetition, to facilitate which I would recommend its not being mixed up with other points of statistics.

In my address at the commencement of the past year I alluded to our difficulties and the financial crisis at which we had then arrived. We are now in a very different position—our debt is discharged—our coffers are well supplied. The impost by which this change has been effected has not operated injuriously in any particular. There has been no diminution of Imports, no enhancement of prices beyond the ordinary fluctuations of trade.

Should the Revenue be allowed to remain upon its present footing with modifications resulting from further experience, the prudent application of such a surplus fund to internal objects will produce improvements which a few years since could not have been contemplated. Industry will be excited by the constant demand for labour,—artisans and mechanics will resort to us in greater numbers—and agriculture, the beneficial effects of which are already felt in the increased abundance and reduced cost of produce, will advance with accelerated rapidity.

Mr. Speaker, and Gentlemen of the House of Assembly,

The observations and propositions which I have addressed generally, being necessarily connected with, and dependant on, matters of financial detail, I shall in the event of their adoption by the Legislature, confidently rely on your liberality for such supplies as may be requisite to give effect to any measures founded upon them.

On motion of Mr. CARSON, seconded by Mr. Row,

Resolved, that an humble address be presented to his Excellency the Governor, in reply to his Excellency's speech at the opening of this Session.

Ordered, that Mr. CARSON, Mr. ROW, Mr. KENT, Mr. CARTER and Mr. KOUGH, be a committee to prepare the said address.

Mr. CARSON gave notice that, on this day week, he would move for leave to bring in a bill for the establishment of an Academy.

Also, that at an early day, he would move that an address be presented to his Excellency, praying that his Excellency will cause to be laid before the House a copy of the "Blue Book."

Mr. KOUGH gave notice that he would, at an early day, move for the appointment of a committee to prepare and bring in a bill to regulate the Fisheries.

Mr. KENT gave notice that he would, on an early day, move for leave to bring in a bill to repeal such parts of the Act of the Imperial Parliament, 5 George 4, cap. 67, as relate to the preferable claims of Current Suppliers.

Mr. CARTER gave notice that he would, on an early day, move for the appointment of a committee to consider and report by bill, or otherwise, on such parts of the Act 5 George 4, cap. 67, as authorize the Judges of the Supreme Court to impose fees.

Then the House adjourned until Monday next, at twelve of the clock.

Address of thanks moved.

Committee to prepare address.

Notice of Bill to establish an Academy.

Notice of address for the "Blue Book."

Notice of motion for committee to prepare Fishery Bill.

Notice of Bill to repeal part of the Act Geo. 4, cap. 67.

Notice of motion for committee to report upon the authority of the Judges to impose fees under 5th Geo. 4th, cap. 67.

MONDAY, JANUARY 11, 1836.

MR. CARSON reported from the committee appointed to prepare an address to his Excellency the Governor in reply to his Excellency's speech at the opening of the Session, that the committee had prepared the draft of an address accordingly, and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read throughout.

Report of committee to draft address in reply to the Governor's Speech.

On motion of Mr. CARSON, seconded by Mr. Row,

Ordered, that the said address be referred to a committee of the whole House.

Committed.

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the said address.

House in committee thereon.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. HOYLES reported from the committee that they had gone through the said address, and had made some amendments therein which they had directed him to report to the House; and he delivered the address with the amendments in at the Clerk's Table.

Address reported with amendments.

And the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Amendments adopted.

Ordered, that the said address as amended be engrossed and read a third time to-morrow.

3d reading for to-morrow.

A message from his Excellency the Governor.

Joseph Templeman, Esquire, Acting Colonial Secretary, acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows:

A message from the Governor, transmitting certain Documents.

MESSAGE.

"H. PRESCOTT"

The Governor transmits to the House of Assembly the following Documents, viz.

No. 1.—Copy of an order in Council conveying his Majesty's approval of certain acts passed by the Legislature of this Colony.

No. 2.—Extract of a Despatch from the Secretary of State for the Colonies relative to the "Act for declaring all property in Newfoundland Real Chattels."

No. 3.—Extract of a Despatch from the Secretary of State pointing out a technical objection to the form of the "Act for limiting the duration of the Parliaments of this Colony."

No. 4.—Extracts of a Despatch from the Secretary of State relative to Messrs. Broom and Phipard.—Also, relative to the Colonial Vessel.

No. 5.—Copy of a Despatch from the Secretary of State in reply to the address of the House of Assembly on the subject of a sum of money paid by order of Sir Thomas Cochrane from the Colonial Treasury into the Military Chest.

No. 6.—Copy of a Despatch from the Secretary of State in reply to the Address of the House of Assembly on the subject of the difficulties thrown in the way of the Island Fisheries by natives of France.

Government House, }
11th January, 1836. }

Documents read.

The Documents accompanying the said Message were then read by the Clerk and are as follow :

No. 1.]

*At the Court at St. James's,
the 13th May, 1835.*

Present.

The **KINGS' Most Excellent MAJESTY.**

Lord PRESIDENT,	Viscount HOWICK,
Lord PRIVY SEAL,	Lord HOLLAND,
Lord STEWARD,	Lord AUCKLAND,
Lord CHAMBERLAIN,	Lord GLENELG,
Marquis of WINCHESTER,	Mr. WM. ADAM,
Earl of ALBERMARLE,	Sir WM. FREEMANTLE,
VISCOUNT PALMERSTON,	Mr. POULETT THOMSON,
VISCOUNT MELBOURNE,	Mr. SPRING RICE.

WHEREAS the Governor of his Majesty's Island of Newfoundland with the Council and Assembly of the said Island did, in the year 1834, pass twenty-four acts, which have been transmitted entitled as follow :

VIZ.

“ An act for the further increase of the Revenue.”

“ An act to regulate the cutting of channels in the ice in the various ports and harbors of this Island.”

“ An act to prevent dangerous of gunpowder being kept within the town of Harbor Grace, and to provide for the safestoring of the same.”

“ An act to provide for the banishment of persons convicted of certain offences, and also to provide certain modes of punishment in divers criminal cases.”

“ An act for the establishment of Light Houses.”

“ An act to regulate the making and repairing of Roads and Highways in this Island.”

“ An act to provide for the maintenance of Bastard Children.”

“ An act to afford relief to Wives and Children deserted by their husbands and parents.”

“ An act to regulate the standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber.”

“ An act for the establishment of a Savings Bank in Newfoundland.”

“ An act for the relief of Insolvent Debtors taken in execution.”

“ An act for ascertaining the damages to be paid upon protested Bills of Exchange.”

“ An act for registering the names of Persons entitled to vote at Elections.”

“ An act to regulate the packing and inspection of Pickled Fish for exportation from this Island.”

“ An act to provide for the management of a certain public Wharf and Landing in the Town of St. John's.”

“ An act to explain certain acts passed for the safekeeping of gunpowder, and to remove doubts respecting the same.”

“ An act to repeal so much of an act of the Imperial Parliament passed in the fifth year of the Reign of his late Majesty King George the Fourth entitled “an act for the better administration of Justice in Newfoundland and for other purposes” as relates to the institution of a Court of Civil Jurisdiction on the coast of Labrador and the Islands adjacent thereto.”

“ An act for ascertaining the time of the commencement of the acts of the Parliament of this Colony.” Documents read.

“ An act to incorporate the St. John’s Mechanics’ Society.”

“ An act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise in the Law in the several Courts in this Island.”

“ An act to declare the Legality of the collection of certain Duties by the Collector of his Majesty’s Customs.”

“ An act for appropriating the supplies granted to his Majesty during the present Session of the Colonial Parliament.”

“ An act for granting to his Majesty certain monies for the service of the year of Our Lord One thousand Eight hundred and Thirty-four.”

And Whereas the said Acts have been referred to the Committee of the Lords of his Majesty’s most Honourable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Lords of the committee have reported as their opinion to his Majesty that the said Acts should be left to their operation. His Majesty was thereupon this day pleased by and with the advice of his Privy Council to approve the said report,—whereof the Governor, Lieutenant Governor, or Commander-in-Chief of his Majesty’s Island of Newfoundland for the time being, and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

No. 2.]

Extract of a Letter from the Secretary of State for the Colonies, to Governor Henry Prescott, Esq. C. B. dated the 13th April, 1835.

“ The Act for declaring all Lands in the Colony Chattels Real, establishes or rather recognizes the Law of the equal distribution of immoveable property amongst the children of a person dying intestate, and supersedes in Newfoundland the Law of Primogeniture. To this extent this act has not appeared objectionable. Nothing can be more evident than the inapplicability of the English Rules of Inheritance in a society composed almost exclusively of persons engaged in the Fisheries and devoting all their capital and personal exertions to that pursuit. I observe, however, that the Executor is forbidden to alienate any part of his Testator’s land for more than a year, except with the sanction of the Supreme Court of Newfoundland. The practical effect of this rule must probably be to increase far beyond the limits either of necessity or convenience, the proceedings of the legal Tribunals of the Colony, and the expense of administering the estates of deceased persons. As often as an Executor has occasion to raise money by a sale or mortgage of his testator’s land or even to grant a lease of it for the benefit of the widow or infant children of the deceased, an application to the Court will be necessary, although not the slightest doubt may exist as to the expediency of the measure, and although the Executor may be far better qualified to estimate the prudence of it than the Judges to whose decision the question is to be referred. Yet every such application will necessarily be attended by fees and other costs; and when the Court has possession of a subject of this nature there is no reason to doubt that their Jurisdiction will be extended to every collateral object on which the Executor may desire relief from the responsibility of the office which he has assumed.

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

Messrs. Broom and Phipard and Mr. Carter.—I need hardly assure you, that in endeavouring to provide this temporary relief, I am far from assenting to the arguments which have been put forward by the Assembly for throwing upon the Government of the Mother Country the burthen of their retired allowances : on the contrary I feel compelled to state that after an attentive perusal of the address of the House of Assembly, transmitted in your Despatch No. 15, the arguments of my predecessor upon this subject appear to me to be still unanswered. But considering the advanced age and long services of those Gentlemen I cannot without pain contemplate a decision which should now throw them upon the world entirely unprovided for ; and I entertain a confident hope that the House of Assembly will in the next Session take a different view of this question. In the meantime, and to mitigate the embarrassments to which they might otherwise be exposed, I shall be ready to recommend to the Lords of the Treasury that out of the present Parliamentary Grant a gratuity should be made to them.

It only remains for me to notice the vote on account of the Colonial Vessel.—I have already informed you that this vote includes, not only the charge for the present year, but also the arrears for the year 1834. This latter sum will, according to Mr. Cunard's application, be paid to his agents in this Country ; but on account of the vote for the present year you will be at liberty to draw upon the Lords of the Treasury.—It is, however, necessary to apprise you that no application can hereafter be made to Parliament upon this account ; and you will therefore refrain from renewing the existing contract with Mr. Cunard. If any Vessel is indispensable for conducting the Public Service of the Colony, I cannot doubt that the House of Assembly will be ready to provide the funds necessary for its support ; if it is not so, the expenditure must for the future be done away with. To their local knowledge and experience the question may be safely entrusted, and I am confident that the interest which they and their constituents have in the welfare of the Colony will be the surest guide in determining their decision.

No. 5.]

Downing Street, }
22nd August, 1835. }

SIR,—I have had under my consideration your despatch of the 17th April, No. 11, transmitting an address from the House of Assembly of Newfoundland to His Majesty, on the subject of the payment by Sir T. Cochrane, from the Colonial Treasury to the Military Chest, of a sum of £853 6 11 for expenses incurred in the establishment of a Legislature in the Island.

I have had the honor to lay this address at the Foot of the Throne, and I have also communicated on the subject with Sir T. Cochrane.

His Majesty commands me to express to the House of Assembly, his regret that such an occasion of complaint should have arisen. He admits in the most unequivocal terms that the course adopted by Sir T. Cochrane of issuing a warrant upon the Colonial Treasurer without a previous communication to the House of Assembly, was inconsistent with the rights of that body ; at the same time he disclaims, for his confidential advisers, any intention of authorizing such a proceeding.—Sir T. Cochrane acted, it would appear, on a misunderstanding of the Minute of the Lords Commissioners of the Treasury, enclosed in Mr. Spring Rice's despatch of 26th July, 1834.—On reference to that document you will perceive that no instruction was intended to be conveyed to Sir T. Cochrane. He was merely informed that the sum of £853 6 11 had been disallowed in his accounts, and that "it must be provided for from Funds

Documents read.

at the disposal of the Legislature.”—It is impossible that the Lords of the Treasury could contemplate the appropriation, upon the sole authority of the Governor, of funds which in the same sentence they so distinctly described as at the disposal of the Legislature. The error into which Sir T. Cochrane fell was probably owing to his inexperience of the mode of proceeding in Colonies having Local Legislatures, and in some measure, perhaps, to the peculiar arrangement respecting the finances of the Island, which existed when the expence in question was originally defrayed.

The preceding communication will, I trust, satisfy the Colonial Assembly, that no intention exists, on the part of his Majesty's Government, to disregard their privileges, or to countenance any proceeding inconsistent with their character as the Representatives of the people. But the object of vindicating their authority and guarding against the establishment of a precedent having been thus answered, I cannot but hope that the Assembly will not feel called upon to press this matter any further.—The expenses which constitute the sum in question are so entirely personal to the Legislative bodies that it is impossible to doubt that the Assembly, if the subject had been properly brought before them, would willingly have agreed in the view taken of it by the Lords Commissioners of the Treasury. I cannot suppose, after this explanation and disclaimer on the part of his Majesty's Government, that the Assembly would now desire to compel the repayment by Sir T. Cochrane of a sum disbursed on account of their own indispensable services. I have therefore to desire that, in communicating to them a copy of this Despatch as an answer to their address to the King, you will express to them the confidence felt by his Majesty's Government that the object of that address being fulfilled, they will not decline to recognize the payment of those charges from Colonial funds.

I have the honor to be

Sir,

Your most obedient Servant,

(Signed)

GLENELG.

No. 6.]

Downing Street, }
18th July, 1835. }

SIR,—I have had the honor to receive your Despatch of the 7th May, No. 13, enclosing an address from the House of Assembly of Newfoundland on the subject of difficulties placed in the way of the Island Fishery by natives of France. In reply I have to inform you that I have communicated upon this subject with the Lords Commissioners of the Admiralty, and that their Lordships have consequently instructed the Admiral on the Station to take the necessary steps for repressing the encroachments complained of by the Assembly.

I have, &c.

(Signed)

GLENELG.

Ordered, that the said Message and Documents do lie upon the table to be perused by the Members.

Mr. P. BROWN gave notice, that on Tuesday next, the 19th instant, he would move for leave to bring in a Bill for the appointment of Sheriffs in the several Districts of this Island, and for the better regulation of the Office of Sheriff.

Mr. CARTER moved, seconded by Mr. KOUGH, that it be—

Resolved, that a committee be appointed to communicate with the Council on the subject of certain Books purchased for the use of the Legislature :

Committee appointed to communicate with the Council on the subject of the Books

Which, being put, passed in the affirmative.

Ordered, that Mr. CARTER, Mr. KOUGH, and Mr. CARSON do compose the said committee.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, JANUARY 12, 1836.

PURSUANT to the order of the day, the engrossed address to his Excellency the Governor was read by the Clerk as follows :

Engrossed address of thanks read

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

We his Majesty's faithful subjects the Commons of Newfoundland in Colonial Parliament assembled, humbly thank your Excellency for your speech at the opening of this Session.

It is satisfactory to the House of Assembly to learn that, with the exceptions noted by your Excellency, his Majesty has been graciously pleased to leave to their operation the acts of the Legislature passed in March, June, and September, 1834.

The amendment of the Chattels Real act, recommended by your Excellency, as well as the act of last Session limiting the duration of the Colonial Parliaments, will both become subjects of our early deliberation, and will not fail to receive from us all the consideration to which they are by their great importance entitled.

We are much gratified by the information of your Excellency that the revenue has proved so productive as not only to enable you to pay off the Treasury Notes but to leave a considerable surplus fund.

We feel the fullest confidence in the desire of your Excellency to practise the strictest economy.

Every subject relating to the Police of the Country, its Magistracy and Constabulary, will demand our anxious attention. We lament to learn from your Excellency's speech that any District of this Island should be so unmindful of what is due to the administration of justice as to stand in the way of its legitimate course, for we deem the security of persons and property the primary objects of all Government.

The education of the people, so feelingly and so judiciously recommended by your Excellency, we shall deem it our duty essentially to promote ; this important subject and also the formation of Roads in aid of our infant agriculture, and for the purpose of facilitating intercourse through the Island, alike necessary, are doubtless in the existing state of the Colony subjects of primary importance for the deliberation and acts of the Legislature.

We, equally with your Excellency, deplore the ravages of existing Small Pox,—this important subject, with the state of the Newfoundland Hospital, shall have our serious consideration.

Address read.

In your Excellency's observations respecting the Market Ground on Church Hill and the necessity of a correct census of the population we also concur, and these subjects together with the other important topics recommended by your Excellency shall receive our early attention.

We thank your Excellency for your promise of details in regard to our Finance, to which we shall be ready (when received) to devote our strictest attention.

Mr. Row thereupon moved, seconded by Mr. CARSON,

Amendments made at the Table of the House.

That the words "the latter so necessary" be inserted between the words "*Roads*" and "*in*" in the fifth line of the seventh paragraph—and that the words "alike necessary" be struck out of the seventh line of the same paragraph ;—which, being put, passed in the affirmative.

And the said amendments were made at the Table of the House accordingly.

Address passed.

Resolved, that the said address do pass, and that it be presented to his Excellency by Mr. Speaker and the whole House.

Committee to know his Excellency's pleasure when he will receive the same.

Ordered, that Mr. CARSON and Mr. Row be a committee to wait upon his Excellency to know his Excellency's pleasure when he will be attended by the House with the said address.

Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, JANUARY 13, 1836.

Time for receiving address of thanks fixed.

MR. CARSON reported from the committee appointed to wait on his Excellency the Governor to know when his Excellency would be pleased to receive the address of the House passed yesterday, that the committee had waited on his Excellency accordingly, and that his Excellency had been pleased to appoint to-morrow, at twelve of the clock, for receiving the said address.

Notice of committee of supply.

Mr. SWEETMAN gave notice that, at an early day, he would move that the House do resolve itself into a committee of the whole House to consider of a supply to be granted to his Majesty.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, JANUARY 14, 1836.

Address of thanks presented.

PURSUANT to order, Mr. SPEAKER and the House proceeded to Government House to present the address of the House in reply to his Excellency's speech at the opening of the Session :—

Mr. Speaker reports.

And being returned, Mr. SPEAKER reported that the House had been in attendance on his Excellency, to present to him the address of the House in reply to his Excellency's speech at the opening of the Session, and that, in reply thereto, his Excellency was pleased to say—

His Excellency's reply.

Mr. Speaker and Gentlemen of the House of Assembly—

I receive this address with great satisfaction, and feel convinced that the result of your deliberations during the Session, will prove highly beneficial to the public.

Message from Governor, transmitting documents relative to Roads—the Hospital and the Market House.

A Message from his Excellency the Governor.

Mr. Acting Secretary TEMPLEMAN acquainted the House that he had a Message from his Excellency the Governor, signed by his Excellency.

and he presented the same to the House; and the said Message was read by the Speaker (all the Members being uncovered) and is as follows:—

MESSAGE.

H. PRESCOTT.

The Governor transmits to the House of Assembly the following Documents connected with the subject of Roads—the state of the Hospital—and the lease of a portion of the land on “Church Hill”—viz.

No. 1.—Copies of Instructions under which Surveyors are acting in laying out lines of Road.

No. 2.—Copy of Mr. Sweetland’s report of his survey of the line of road between St. John’s and Bay of Bulls, together with his plan of the same.

No. 3.—Copy of Mr. Blackburn’s report of his survey of the line of road between Holy Rood and Placentia—with Plan.

No. 4.—Copy of correspondence with Commissioners of Roads at St. John’s, representing the insufficiency of the vote for rebuilding the “King’s Bridge.”

No. 5.—Copy of correspondence with the Commissioners of Roads at Port-de-Grave relative to the insufficiency of the sum voted for the erection of Bridges in that district.

No. 6.—Copy of the address of the Grand Jury at St. John’s relative to the state of the Hospital at River-head—with reply thereto, and the Book containing the Hospital Records.

No. 7.—Copy of the authority to grant the land on “Church Hill,” intended for the construction of a “Market Place,” and of the lease of a portion thereof, together with the application of the Lessees reclaiming the property.

Government House,
14th January, 1836.

The Documents accompanying the said Message were read by the Clerk.—(See Appendix.)

Documents read.

Ordered, that the said Message and Documents do lie upon the table beperased by the Members.

On motion of Mr. PETER BROWN, seconded by Mr. KENT,

Ordered, that the reports of Messrs. Sweetland and Blackburn of their respective surveys of the lines of road between St. John’s and Bay Bulls—and between Holy Rood and Placentia—be printed for the use of the Members of the House.

Reports of road surveyors to be printed.

On motion of Mr. CARSON, pursuant to notice, and seconded by Mr. HOYLES,

Resolved, that a select committee be appointed to prepare and bring in a bill for establishing an Academy in the town of St. John’s.

Committee appointed to prepare Academy Bill.

Ordered, that Mr. CARSON, Mr. HOYLES, Mr. KENT, Mr. CARTER, and Mr. KOUGH be a committee for that purpose.

Mr. P. BROWN gave notice that, at the next sitting of the House, he would move that an Address be presented to his Excellency the Governor, praying that his Excellency would cause to be laid before the House a detailed Return of the expenditure of the sum of £500 voted last Session for the relief of the Poor.

Notice of Address for return of Expenditure of £500 for the relief of the Poor.

Mr. CARTER moved, pursuant to notice, and seconded by Mr. SWEETMAN, that it be—

Resolved, that a select committee be appointed to enquire and ascertain what fees, poundage, perquisites and other emoluments are received

Resolution for committee to enquire and report upon fees &c.

Resolution &c.

or receivable or are enjoyed by each and every officer, or by any person or persons in and about the Courts of Justice and other departments in this Colony. And that the said committee be instructed to ascertain and report under and by what Law or authority the said fees, poundage, perquisites and emoluments respectively were created or established, and if any and what alterations have from time to time been made in the said fees, poundage, perquisites and other emolument, and by what authority and when were the same made,—and that the said committee have power to send for persons and papers.

Committee

Ordered, that Mr. CARTER, Mr. SWEETMAN, Mr. HOOPER, and Mr. CARSON do form such committee.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, JANUARY 15, 1836.

Message from Governor
transmitting petitions
from Harbor Grace rela-
tive to small pox.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows:

MESSAGE.

“H. PRESCOTT”

The Governor considering the urgency of the subject of the accompanying Petition, from the Inhabitants of Harbor Grace, loses not a moment in transmitting it for the consideration of the House of Assembly, together with the copy of a letter from the Commissioners for the relief of the poor, as a demonstration that no funds remain at his Excellency's disposal to meet the wishes of the Petitioners.

*Government House, }
15th January, 1836. }*

The petition from the inhabitants of Harbor Grace to his Excellency the Governor, accompanying the said Message, was then read by the Clerk, setting forth, that the petitioners with the utmost respect begged to approach and inform his Excellency that the confluent Small Pox had made its appearance in that division of the District, and they lamented the poverty and general depressed circumstances of a large proportion of its inhabitants particularly expose them to its influences, and prevent them the power of contributing to the relief of their more necessitous brethren.

The petitioners also represent the calamitous consequences that will inevitably result from the disease spreading through the district, where a very considerable number of its inhabitants are without the means of providing food, clothing and the necessary medical aid to meet the contagion, which the petitioners are convinced will make the most fearful ravages, and by its effects, in a great measure, prevent the prosecution of the ensuing seal fishery, on which many thousands depend for their support.

The petitioners feel that as no incentive can be urged on his Excellency's humanity and wisdom to induce him to interpose his high authority and exert his influence that a proportion of the money voted for the general relief of the poor by the Legislature of the Island during the last Session, or from any contingent fund under the controul of his Ex-

cellency may be placed at the disposal of a committee to enable them to provide for the necessities of the indigent and distressed who may suffer from the disease, and thus place in their hands the means, under Divine Providence, of averting the calamities that are now impending.

The Petitioners humbly pray that in the event of his Excellency not having any of those funds remaining at his disposal, he will be pleased to submit the Petitioners' claims to the Honorable the House of Assembly for such a sum as may be requisite to meet the exigencies of the case, and to defray the expenses already incurred, amounting to Thirty pounds in the said town of Harbor Grace alone, which had been expended for the purpose of providing nurses and necessaries for the sick, and in guarding as far as was practicable against the spreading of the disease, exclusive of any charge for medical attendance.—

The Petitioners further respectfully solicit his Excellency to appoint the Medical Men of that Division of the District, at the public expense, to vaccinate the poorer classes of the community, and to attend on and provide medicines for the necessitous who may labour under Small Pox.

The letter from the Commissioners for the relief of the Poor was also read by the Clerk as follows :

St. John's, 11th January, 1836.

SIR,—We have the honor to request you will be pleased to state to his Excellency that the sum voted by the Legislature for the relief of the poor will not be sufficient for that purpose, notwithstanding our having rejected every application except in cases of the most extreme destitution, and that there are at present outstanding claims upon us to the amount of One hundred and Fifty pounds sterling, which, together with the sums already received from the Colonial Treasurer, will make Four hundred and Six pounds Sixteen shillings and Four pence, leaving the small balance of Five pounds Thirteen shillings and Four pence to defray the expenses of the quarter to end on the Thirty first day of March next, so that there will probably be a deficiency of at least One hundred and twenty pounds at that date. Very much additional expense has, we regret to state, been occasioned by the prevalence of small pox, as well as providing passages for infirm persons and distressed seamen, who would, had they not been removed from this Island, have become a charge of large amount upon the district. In no case has relief been granted without a report from the District Surgeon, stating the necessity of so doing.

We have the honor to be, &c.

JAMES BLAIKIE, *J. P.*
PETER W. CARTER, *J. P.*
AARON HOGSETT.

To Joseph Templeman, Esq. }
Acting Secretary. }

Ordered, that the said Message and documents do lie upon the table to be perused by the Members of the House.

Mr. HOVELS gave notice that, on Monday next, he would move for leave to bring in a Bill for the benefit of disabled Fishermen and Seamen and the Widows and Children of deceased Fishermen and Seamen.

Mr. P. BROWN gave notice that to-morrow he would move that the House do resolve itself into a Committee of the whole House on the consideration of his Excellency's message relative to the Small Pox at Harbor Grace.

Petition &c.

Letter from the commissioners of the poor stating that there are no funds at their disposal.

Notice of bill for the relief of sick and distressed seamen &c.

Notice for committee on Governor's Message relative to small pox.

Message referred to the Committee.

Ordered, that the said Message and the documents accompanying the same be referred to a Committee of the whole House.

On motion of Mr. PETER BROWN, seconded by Mr. SWEETMAN.

Address moved for return of Expenditure of Sums voted for the relief of the poor, and for unforeseen contingencies.

Resolved, that an Address be presented to his Excellency the Governor praying for a detailed amount of the expenditure of the sum of Five hundred pounds granted last session for the relief of the Poor of the Island, with particulars of the manner in which it was expended, the District, Town, and Harbour, where the same was expended, and the names of the parties relieved. Also a detailed return of the appropriation and expenditure of the sum of Five hundred pounds voted for unforeseen contingencies.---

Draft of an Address presented and read.

Mr. PETER BROWN accordingly presented to the House the draft of an Address for that purpose, which was read by the Clerk and is as follows :

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

The House of Assembly respectfully request that your Excellency will be pleased to cause to be laid before them a detailed expenditure of the sum of Five hundred pounds granted last Session for the relief of the poor of the Island, with the particulars of the manner in which the same was expended, and distinguishing the district, towns or harbours, where the same was expended, with the names of the parties relieved.

Also, a detailed statement and return of the appropriation and expenditure of the sum of Five hundred pounds, granted during the last Session, for "unforeseen contingencies."

Adopted,

Resolved, that the said address be adopted and engrossed.

Committee to present the same.

Ordered, that Mr. P. BROWN and Mr. SWEETMAN be a committee to present the same to his Excellency.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, JANUARY 16, 1836.

Notice of Bill to limit the duration of the Assemblies of the colony.

MR. PACK gave notice that, on Tuesday next, he would move for leave to bring in a bill to limit the duration of the present and all future Assemblies of this Colony.

A Message from his Excellency the Governor.

Message from the Governor transmitting Documents relative to Police, Magistracy & Court Houses &c.

Mr. Acting Secretary Templeman acquainted the House that he had two messages from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Messages were read by Mr. Speaker (all the Members being uncovered) and are as follow :

MESSAGE.

"H. PRESCOTT"

The Governor transmits to the House of Assembly the following documents connected with the subject of the Magistracy, Police, &c.—viz.

No. 1.—Copy of presentments of various Grand Juries in the Southern District.

2.—Copy of application from the Magistrates of Twillingate for an allowance for one Constable at Fortune Harbor, and Exploits Burnt Island.

Message &c.

3.—Copy of petition from Luke Colliers, Gaoler at Placentia, praying an increase of salary.

4.—Copy of petition from the inhabitants of Western Bay, representing the want of a Court of Sessions and Police there.

5.—Copy of petition from Mr. G. Skelton, Magistrate at Trinity, praying a salary.

Also—

The following documents, representing the want of Court Houses and Gaols in certain districts of the Colony—and of repairs to the like buildings in others :

No. 6.—Copy of a letter from the Magistrates at Twillingate, representing the want of a Court House and Gaol there.

7.—Copy of a letter from the Magistrates at Port de Grave, to the like effect.

8.—Copy of presentment of Grand Jury at Harbor Grace, of certain alterations required to be made in the fence of the Gaol Yard.

9.—Copy of a letter from the Deputy Sheriff in the Southern district, respecting certain repairs required for the Court House at Placentia.

Government House, }
16th January, 1836. }

MESSAGE.

H. PRESCOTT.

The Governor sends to the House of Assembly the copy of a letter from the Collector of his Majesty's Customs, which seems to require immediate attention.

Message transmitting Documents relative to Custom House.

He takes the same opportunity of transmitting copies of correspondence relating to the appointment of a Sub-Collector of Customs at Fogo. The amount of additional Salary for the current Financial year, authorized by the Governor, will be £12 10, in consequence of Mr. Lawler having been paid that sum for the quarter ending 31st September last.

The Governor likewise transmits an extract of a letter from Mr. Nicholl, a merchant holding an establishment at La Poile, pointing out the necessity of a Sub-Collector at that Port.

Government House,
16th January 1836.

The several documents accompanying the said message were then read by the Clerk.—(See Appendix.)

Ordered, that the said message and documents do lie upon the table to be perused by the Members of the House.

On motion of Mr. P. BROWN, pursuant to notice, and seconded by Mr. SWEETMAN,

Resolved, that this House do now resolve itself into a committee of the whole House to take into consideration the message of his Excellency the Governor, presented to the House yesterday, transmitting the Petition from Harbor Grace relative to the prevalence of Small Pox.

House in committee on Governor's message relative to small pox at Harbor Grace.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Mr. CARTER reported from the committee that they had had the said Message of his Excellency under their consideration, and had come to a Resolution thereupon, which they had directed him to report to the House. And he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read as follows :

Resolution reported from Committee.

Resolved, that it is the opinion of this committee that the sum of Five hundred pounds be placed at the disposal of His Excellency the Governor, for the purpose of stopping the ravages of the Small Pox, by the liberal and extensive application of the vaccine preventive and other means—

Amendments thereon moved

Whereupon, Mr. P. BROWN moved in amendment, and seconded by Mr. SWEETMAN, that all the words of the said Resolution after the word "Governor" be struck out, and that the following words be substituted in lieu thereof, viz. "to be appropriated towards the prevention of the spreading of Small Pox, agreeably to the undermentioned distribution, " that is to say—

	£.	s.	d.
" St. John's.....	100	0	0
" Conception Bay.....	133	6	8
" Trinity Bay.....	33	6	8
" Bonavista Bay.....	33	6	8
" Fogo and Twillingate.....	33	6	8
" Ferryland.....	33	6	8
" Placentia, St. Mary's and Trepassey.....	66	13	4
" Burin.....	33	6	8
" Fortune Bay.....	33	6	8
£500 0 0			

Which being put, and the House dividing thereon, there appeared, for the amendment four ; against it, seven.

and

For the amendment.

Against the amendment.

Mr. SWEETMAN
— P. BROWN
— HOOPER
— MARTIN

Mr. HOYLES
— KOUGH
— POWER
— KENT
— CARSON
— CARTER
— ROW

Negatived.

So it passed in the negative.

The original Resolution put and carried.

The original Resolution as reported from the committee was then put, and passed in the affirmative.

On motion of Mr. CARSON, seconded by Mr. PACK,

Motion for Address to Governor praying him to issue his Warrant for the sum above granted, &c.

Resolved, that an address be presented to his Excellency the Governor, acquainting him that the House have taken his Excellency's Message into consideration, and that they have come to the foregoing resolution thereon, and requesting that his Excellency will issue his Warrant to the Treasurer of the Colony for the sum mentioned in the said Resolution, or so much thereof as may be necessary, and that this House will make good the same

Draft of an address for that purpose

Mr. CARSON accordingly presented to the House the draft of an address for that purpose, which was read by the Clerk, and is as follows :

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

Presented and read.

May it please your Excellency,

The House of Assembly respectfully beg leave to acquaint your Excellency that they have taken into consideration your Excellency's Message of the 15th instant, transmitting to the House a petition from Harbor Grace relative to the appearance of Small Pox at that place and at other places in the District of Conception Bay, and with reference to that part of your Excellency's speech at the opening of the Session which relates to the prevalence of that disease elsewhere; and with a view to prevent all communication to other parts of the Island, the House have come to a resolution to place at the disposal of your Excellency the sum of Five hundred pounds, for the purpose of stopping the ravages of the Small Pox, by the liberal and extensive application of vaccine preventive and by other means—to be drawn by your Excellency's Warrant upon the Treasurer of the Island; which sum this House of Assembly will make good.

Resolved, that the said address be adopted and engrossed.

Adopted.

Ordered, that Mr. CARSON and Mr. PACK be a committee to present the same to his Excellency.

Committee to present the same.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, JANUARY 18, 1836.

MR. CARSON reported from the committee appointed to present to his Excellency the Governor the address of the House passed on Saturday last, placing at the disposal of his Excellency the sum of £500 for the purpose of preventing the spreading of Small Pox, that the committee had presented the said address to his Excellency accordingly, and that his Excellency was pleased to make the following reply thereto:

Report of committee to present address relative to the vote of £500 to prevent Small Pox.

Gentlemen,

I have great satisfaction in receiving this address; and will endeavour to apply the money placed at my disposal, in such manner as shall best accord with the wishes of the House of Assembly.

Governor's reply thereto.

Mr. SWEETMAN reported from the committee appointed to present to his Excellency the address of the House passed on Friday last, praying for sundry returns, that the committee had presented the said address to his Excellency, and that, in reply thereto, his Excellency was pleased to say he would cause the returns mentioned in the said address to be laid before the House.

Report of Committee to present Address praying for Returns &c.

Mr. HOYLES gave notice that he would, on Monday next, move for leave to bring in the Bill for the relief of sick and disabled Fishermen and Seamen, of which he had given notice for to-day.

Notice of Seamen's relief Bill.

A Petition of William Martin, late High Constable of the Northern District, was presented by Mr. P. BROWN, and the same was received and read, setting forth, that for fifty four years past Petitioner has been employed in the service of his Majesty; that during the whole of this long period (in which he has acted as Constable and afterwards as High Constable in the various Courts of Law and Justice which from time to time have been instituted and holden in Conception Bay) it has ever been

Petition of William Martin, praying for a retiring Salary presented and read.

Petition &c.

his good fortune to receive the unqualified approbation of his superiors in office who have frequently given him testimonials to that effect. That within the last few years all other means of support except those accruing from his public services have entirely failed him. That having been superseded in his office in July last, he is now left without any provision for decrepitude and age. That the necessitous state of Petitioner's circumstances obliges him to make this application to the House, humbly beseeching that his long services, unimpeachable integrity, the infirmities attendant upon his great age (being upwards of fourscore), may be taken into the favourable consideration of the House, and that a retiring salary may be afforded him during the residue of his days.

Ordered, that the said Petition do lie upon the Table.

Then the House adjourned until to-morrow, at twelve of the clock.

To lie on table.

TUESDAY, JANUARY 19, 1836.

Bill to limit the duration of Assemblies presented and read a *first* time.

MR. PACK, pursuant to notice, and leave granted, presented a Bill to limit the duration of the Assemblies of this Colony, and the same was received and read a first time.

2d reading.

Ordered, that the said Bill be read a second time on Saturday next.

Bill to regulate the office of Sheriff, presented and read a *first* time.

MR. P. BROWN, pursuant to notice and leave granted, presented a Bill to regulate the Office of Sheriff and for establishing Sheriffs in the several Districts of this Island, and the same was received and read a first time.

2d reading.

Ordered, that the said Bill be read a second time on Saturday next.

Bill to be printed.

On motion of **MR. SWEETMAN**, seconded by **MR. KENT**,

Ordered, that the said Bill be printed for the use of the Members.

Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, JANUARY 20, 1836.

Bill for relief of disabled Seamen, presented and read a *first* time.

MR. HOYLES, pursuant to notice and leave granted, presented a Bill for the relief of sick and disabled Seamen, Fishermen and other persons, and the same was received and read a first time.

d reading.

Ordered, that the said Bill be read a second time on Friday next.

Notice of Bill to establish summary jurisdiction.

MR. P. BROWN gave notice that, on Monday next, he would move for leave to bring in a Bill for the purpose of superseding the necessity of a Jury in the trial of Civil Actions for sums under a certain amount.

On motion of **MR. CARTER**, seconded by **MR. CARSON**,

Conference to be asked with H. M. Council on the subject of the Books.

Resolved, that a conference be asked with his Majesty's Council on the subject of the safekeeping and management of the Books recently purchased for the use of the Legislature.

Ordered, that **MR. CARTER** do go up to the Council and desire the said conference.

Instructions to Managers.

Ordered, that the Committee of Conference with his Majesty's Council be instructed to state to the managers on the part of the Council, that the House of Assembly being desirous of making arrangements for the safe-keeping and proper management of the books lately purchased for the use of the Legislature, submit to the Council the propriety of appropriating one of the Rooms in this building for that purpose, under such regulations as may be agreed upon by a Joint Committee of the Council and House of Assembly.

Mr. CARTER, from the committee appointed to enquire into and report upon the subject of Fees, reported, that Mr. HOOPER, one of the Members of the committee, had left the Island, and thereupon—

Mr. Kough added to the committee on Fees.

On motion of Mr. CARTER, seconded by Mr. CARSON,
Ordered, that Mr. KOUGH be added to the said committee.

Mr. KOUGH gave notice that, on Monday next, he would move that a select committee be appointed to prepare and report the draft of a Bill for the better conduct of the Fisheries of this Island.

Notice of committee to draft Fishery Bill.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, JANUARY 21, 1836.

MR. CARTER gave notice that, on Thursday next, he would move for leave to bring in a bill to prohibit the selling of bait, timber, and other necessaries to the subjects of France, carrying on the Fishery in the neighbourhood of the shores of this Island.

Notice of bill to prevent the exportation of bait.

Mr. Row then moved, seconded by Mr. KOUGH.

That this House do now adjourn until to-morrow, at twelve of the clock—which being put, and the House dividing thereon, there appeared for the motion, two ; against it, four.

Motion to adjourn.

For the motion—
Mr. Row
— KOUGH

Against the motion—
Mr. CARSON
— KENT
— SWEETMAN
— P. BROWN.

So it passed in the negative.

Negatived.

On motion of Mr. SWEETMAN, seconded by Mr. CARSON,
Resolved, that a Supply be granted to his Majesty.

Motion for Supply.

Mr. SWEETMAN gave notice that, on Monday next, he would move that the House do resolve itself into a committee of the whole House to consider of a supply to be granted to his Majesty,

To be considered in committee on Monday next.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, JANUARY 22, 1836.

PURSUANT to order, a Bill for the relief of sick and distressed seamen, fishermen, and other persons, was read a second time.

Seamen's relief bill read 2d time.

On motion of Mr. HOYLES, seconded by Mr. CARTER,
Ordered, that the said bill be committed to a committee of the whole House.

Resolved, that this House will, on Thursday next, resolve itself into a committee of the whole House on the said Bill.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he had four messages from his Excellency the Governor, signed by his Excellency ; and he presented the same to the House. And the said Messages were read by Mr. Speaker (all the Members being uncovered) and are as follow :

Four Messages from the Governor.

MESSAGE.

“ H. PRESCOTT ”

The Governor transmits to the House of Assembly a copy of a circular letter on the subject of remuneration to the constables taking lists of per-

Message transmitting documents and accounts relative to taking lists of voters.

Message &c.

sons entitled to vote at Elections of Members—as also of the only claims which have as yet been made on account of such service. His Excellency recommends these for favourable consideration.

Government House,
21st January 1836.

The documents accompanying the said message were then read by the Clerk, and are as follow—viz.

No. 1.—Copy of circular Letter to Magistrates relative to remuneration to constables for taking lists of voters.

No. 2.—Copies of applications from the Magistrates at Trinity and Greenspond for remuneration to the constables in those districts for taking lists of voters.—(See Appendix.)

MESSAGE.

H. PRESCOTT.

The Governor requests the attention of the House of Assembly to the state of the Court House Buildings; the reports and estimates for the repairs and alterations in which, were laid before the House by Sir Thomas Cochrane, on the 26th February, 1834.

Government House, }
21st January, 1836. }

MESSAGE

H. PRESCOTT.

The Governor transmits for the consideration of the House of Assembly, the following documents connected with the subject of Finance, viz.

No. 1.—Copy of a report from Commander HOPE, of H. M. Sloop *Racer*, relative to the intrusion of the French fishermen on the fisheries in Fortune Bay.

No. 2.—Copy of a letter from the Commissioners of the Harbor Grace Light House, representing the necessity of the sum of £1000 beyond the amount already voted by the Legislature, in order to render the Light an efficient one.

No. 3.—Copy of a Presentment of the Grand Jury at Harbor Grace, of the necessity of a Lock-up house at Carbonear.

No. 4.—Copy of a letter from the Magistrates at Twillingate, relative to the case of a poor man named *Richards*.

Government House,
21st January, 1836.

The documents accompanying the said Message, and therein mentioned, were then read by the Clerk.—(See Appendix.)

MESSAGE

H. PRESCOTT.

The Governor transmits for the consideration of the House of Assembly the following Memorials, viz.

No. 1.—From Assistant Judge Brenton praying to be allowed to retire from his Office with such a pension as may be deemed adequate to his services.

No. 2.—From the Colonial Treasurer, praying an increase of Salary.

Also, a Letter from the Magistrates of Harbor Grace, stating that in consequence of the age and other infirmities of Mr. Matthew Stevenson, he was no longer capable of performing the duties of his office, and he

Message calling the attention of the House to the state of the Court House Buildings.

Message transmitting documents connected with finance.

Message transmitting memorials from Assistant Judge Brenton and the Colonial Treasurer, and Letter of Magistrates of Harbor Grace, relative to Mr. Stevenson.

having therefore been removed from that situation, the Governor recommends him for a suitable pension.

Government House,
21st January, 1836.

The documents accompanying the said Message were then read by the Clerk—for which (*See Appendix.*)

Mr. Acting Secretary Templeman also presented to the House, by direction of his Excellency the Governor, the following Documents, viz.

Estimate of the sum necessary to defray the charge for the Civil Establishment of the Colony of Newfoundland for the year ending on the 31st day of March, 1837.

Financial Statement of the sums voted for the service of the Colony during the past year.

Detailed Statement of the expenditure of the sum of £500 voted for "Unforeseen Contingencies."

Copy of Instructions to the Commissioners for the relief of the Poor, for the distribution of the sum placed at their disposal.

Also, detailed account (and other Documents having reference thereto) of the expenditure of the sum of £500 voted for the relief of the Poor.

The said Documents were then read by the Clerk, for which (*See Appendix*)

On motion of Mr. SWEETMAN, seconded by Mr. KENT,

Ordered, that the Estimates laid before the House by his Excellency be printed for the use of the Members of the House.

On motion of Mr. KOUGH, seconded by Mr. PETER BROWN,

Resolved, that a committee be appointed to select such papers and documents laid before the House as they may deem necessary and proper to be printed, and to report the same from time to time to the House.

Ordered, that Mr. KOUGH, Mr. P. BROWN and Mr. POWER, do form such committee.

Mr. KENT gave notice that, to-morrow, he should move an Address to his Excellency, praying him to direct that there be laid before the House copies of the returns made by the respective Magistrates or other Officers of the Registration of the Voters, with the names, places of abode, and other particulars, in the various Districts of this Island.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, JANUARY 23, 1836.

MR. POWER moved, pursuant to notice, and seconded by Mr. CARSON, that it be—

Resolved, that an address be presented to his Excellency the Governor, praying that he will cause to be laid before the House Returns shewing the amount of Revenue collected for the four quarters ending on the 5th January inst., arising from duties under acts of the Imperial Parliament as well as of the Colonial Legislature. Also, a detailed statement of the sums disbursed during the same period for the payment of the reserved salaries and the salaries of the Officers of H. M. Customs, together with a Return of such additional officers as have been appointed for the more effectual collection of the Revenue during the past year, with the salaries and allowances severally payable to the same. A state-

Estimates and Financial Documents laid before the House,

Estimates to be printed,

Committee to report upon Documents necessary to be printed,

Notice of motion for Returns of lists of Voters.

Motion for Custom House Returns.

ment of the amount paid by the Collector of H. M. Customs into the hands of the Colonial Treasurer for the above period ; with an Estimate of the probable amount of Revenue for the quarter ending the 31st March next. Also, a statement of the amount received by the Colonial Treasurer for the granting of Licenses, and on account of fines, penalties and forfeitures.

Which, being put, passed in the affirmative.

Address thereon presented and read.

Mr. POWER accordingly presented to the House the draft of an address in pursuance of the above Resolution, which was read by the Clerk, and is as follows :—

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

We, his Majesty's faithful subjects the Commons of Newfoundland, in General Assembly convened, respectfully request that Your Excellency will cause to be laid before the House the following Documents, viz.

A Return shewing the amount of Revenue collected for the four quarters ending the 5th January instant, arising from duties under acts of the Imperial Parliament as well as of the Colonial Legislature. Also, a detailed statement of the sums disbursed during the same period for the payment of the reserved salaries and the salaries of the Officers of H. M. Customs, together with a Return of such additional Officers as have been appointed for the more effectual collection of the Revenue during the past year, with the salaries and allowances severally payable to the same. Also a statement of the amount paid by the Collector of H. M. Customs to the Colonial Treasurer for the above period, with an Estimate of the probable amount of Revenue for the Quarter ending the 31st March next. Also a statement of the amount received by the Colonial Treasurer for the granting of Licenses, and on account of fines, penalties and forfeitures.

Address adopted.

Resolved, that the said address be adopted and engrossed.

Ordered, that Mr. POWER and Mr. MARTIN be a committee to present the same to his Excellency.

Documents relative to the charge for "Fog guns" laid before the House.

The SPEAKER laid before the House a letter from Mr. Acting Secretary Templeman transmitting, by direction of his Excellency, certain Documents in explanation of that part of the Estimates which refers to the charge for the firing of Fog Guns, for which—(*See Appendix.*)

Ordered, that the said Documents do lie upon the table to be perused by the Members of the House.

Limitation of Assemblies bill read 2d time

Pursuant to order, a Bill to limit the duration of the Assemblies of this Colony was read a second time.

and

On motion of Mr. PACK, seconded by Mr. CARSON,

Committed.

Ordered, that the said bill be committed to a committee of the whole House.

Resolved, that this House will, on Monday next, resolve itself into a committee of the whole House on the consideration of the said Bill.

Sheriff's bill read 2d time

Pursuant to order, a Bill to regulate the Office of Sheriff and for the appointment of Sheriffs in the several Districts of this Island, was read a second time.

On motion of Mr. P. BROWN, seconded by Mr. PACK, and
Ordered, that the said Bill be committed to a committee of the whole House. Committed.

Resolved, that this House will, on Monday next, resolve itself into a committee of the whole House on the consideration of the said Bill.

Mr. KOUGH, seconded by Mr. MARTIN, moved that it be—

Resolved, that a select Committee be appointed to prepare and report a Bill for the better conduct of the Fisheries,—which being put, and the House dividing thereon, there appeared for the motion, seven ; against it, three. Committee appointed to prepare fishery bill

For the motion—

Mr. SWEETMAN
 — POWER
 — MARTIN
 — CARTER
 — KOUGH
 — PACK
 — HOYLES

Against the motion—

Mr. CARSON
 — KENT
 — P. BROWN

Division

So it passed in the affirmative.

Ordered, that Mr. HOYLES, Mr. MARTIN, Mr. SWEETMAN, Mr. POWER, Mr. CARTER, and Mr. ROW be a Committee to prepare the said Bill. Committee.

Mr. SPEAKER laid before the House a letter from Mr. Acting Secretary Templeman, acquainting him, for the information of the House, that his Excellency would receive a Committee of the House with the Address passed this day, on Monday next at eleven o'clock. Time for receiving Address fixed.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, JANUARY 25, 1836.

MR. POWER reported from the committee appointed to present to his Excellency the address of the House passed on Saturday, that the committee had presented the said address to his Excellency accordingly, and that in reply thereto his Excellency was pleased to say he would cause the Returns therein mentioned to be laid before the House. Report of Committee to present Address.

Mr. CARSON reported from the committee appointed to prepare the Draft of a bill for founding and establishing a classical Academy in this Colony, and he presented to the House the draft of a Bill for that purpose which was received and read a first time. Bill for establishing an Academy presented and read 1st time.

Ordered, that the said Bill be read a second time on Monday next. 2d reading.

On motion of Mr. PACK, seconded by Mr. P. BROWN.

Ordered, that the said Bill be printed for the use of the Members of this House. To be printed.

Mr. P. BROWN, pursuant to notice and leave granted, presented a Bill to authorize summary proceedings in the Circuit Courts in certain cases; and the same was received and read a first time. Bill to establish summary jurisdiction presented & read 1st time.

Ordered, that the said bill be read a second time on Wednesday next. 2d reading.

The order of the day for the House to resolve itself into a committee of the whole House on the bill for the limitation of the duration of the Assemblies of this Colony, being read— Order of day read

Mr. PACK moved, seconded by Mr. P. BROWN,

Motion thereon.

That Mr. HOYLES do take the chair of the committee,—which being put—

Amendment moved and negatived.

Mr. CARTER moved, seconded by Mr. Row, in amendment, that Mr. PETER BROWN do take the chair of the committee,—which, being put, passed in the negative.

House in Committee on duration of Parliament bill

The original motion was then put and passed in the affirmative. The House then resolved itself into a committee on the said bill. Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report Agreed to.

Mr. HOYLES reported from the committee that they had gone through the said bill and had agreed to the same without any amendment; and he delivered the bill in at the Clerk's Table.

Bill to be engrossed.

Ordered, that the said bill be engrossed.

3d reading

Ordered, that the said Bill be read a third time to-morrow.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, JANUARY 26, 1836.

Letter from His Excellency transmitting sundry Financial Documents

MR. SPEAKER lays before the House a letter from Mr. Acting Secretary Templeman, transmitting, by direction of his Excellency the Governor, an account of the sums received by the Colonial Treasurer for the Granting of licenses, and on account of fees, penalties and forfeitures.

The said account was read by the Clerk, and

To lie on table

Ordered, that the said Documents do lie on the table to be perused by the Members of the House.—(See Appendix.)

Duration of Assemblies bill read 3d time

Agreeably to the order of the day, an engrossed Bill to limit the duration of the Assemblies of this Colony, was read a third time, and thereupon—

Amendment thereto moved

Mr. Row moved, seconded by Mr. KOUGH, that all the words of the first section after the word "determine" be expunged, and that in accordance with the suggestion of his Majesty's Government contained in his Excellency's speech at the opening of the present Session, the following words be inserted in place of the words so expunged, viz., "on the thirty first day of December, which will be in the year of Our Lord One thousand Eight hundred and Thirty nine."—

House divide thereon

Which, being put, and the House dividing thereon, there appeared, for the amendment, four; against it, six.

For the amendment.

Mr. CARTER
— ROW
— HOYLES
— KOUGH

Against the amendment.

Mr. P. BROWN
— PACK
— CARSON
— SWEETMAN
— POWER
— KENT

Amendment negatived

So it passed in the Negative.

Mr. PACK, seconded by Mr. P. BROWN, moved—

Motion for bill to pass with House divide thereon

That the said Bill do pass, and that the title be "An act to limit the duration of the present and all future Houses of Assembly of this Colony" whereupon the House divided, when there appeared for the motion, six; against it, four.

For the motion—

Mr. CARSON
 — POWER
 — KENT
 — P. BROWN
 — PACK
 — SWEETMAN.

Against the motion—

Mr. ROW
 — KOUGH
 — CARTER
 — HOYLES

So it passed in the affirmative.

Ordered, accordingly.

Ordered, that Mr. PACK do carry the Bill up to the Legislative Council and desire their concurrence.

Mr. SPEAKER laid before the House a letter from Mr. Acting Secretary Templeman transmitting, by direction of his Excellency the Governor, certain Returns relative to the Revenue, prayed for by the House in their address of Friday last.

The said Returns were then read by the Clerk.—(See Appendix.)

Ordered, that the said Documents do lie upon the table.

On motion of Mr. SWEETMAN, seconded by Mr. POWER.

Resolved, that this House do now resolve itself into a committee of the whole House to consider of a supply to be granted to his Majesty, And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. POWER reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again.

On motion of Mr. SWEETMAN, seconded by Mr. CARSON,

Ordered, that the Estimates and Financial Statements laid before the House by his Excellency the Governor be referred to the committee of Supply.

On motion, the House again resolved itself into a committee of the whole House on the consideration of a Supply to be granted to his Majesty.

On motion of Mr. P. BROWN, seconded by Mr. KENT,

Ordered, that Mr. HOYLES do take the chair of the said committee.

The House then resolved itself into the said committee.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. HOYLES reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again

Resolved, that this House will, on Thursday next, again resolve itself into the said committee.

On motion of Mr. P. BROWN, seconded by Mr. PACK,

Resolved, that a select committee be appointed to enquire into and report upon the state of the Police in the Outports, and also to report such alterations and changes therein as they may deem necessary.

Motion carried.

Bill sent to Council.

Letter from the Secretary transmitting Revenue Returns.

To lie on table.

House in Committee of Supply.

Report-
 Progress

Estimates &c. referred to committee of Supply.

House again in committee of Supply.

Chairman thereof appointed.

Report-
 Progress.

Leave to sit again

On Thursday next.

Select committee appointed to report upon Out-Port Police establishments

Committee named.

Ordered, that Mr. P. BROWN, Mr. PACK, Mr. CARTER, Mr. POWER, Mr. SWEETMAN and Mr. ROW do form such committee.

Then the House adjourned until Thursday next, at twelve of the clock

THURSDAY, JANUARY 28, 1836.

Bill to establish summary jurisdiction read 2d time.

A Bill to authorize summary proceedings in the Circuit Courts in certain cases, was read a second.

Committed

On motion of Mr. P. BROWN, seconded by Mr. MARTIN,

Ordered, that the said Bill be committed to a committee of the whole House.

For Saturday next.

Resolved, that this House will, on Saturday next, resolve itself into a committee of the whole House on the consideration of the said Bill.

House in committee on Sheriffs Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill to regulate the Office of Sheriff.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report amendments thereon,—which were

Mr. POWER reported from the committee that they had gone through the said bill and had made several amendments to the same, which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's Table.

Agreed to.

And the said amendments having been read throughout a first and second time, were, upon the question put thereon, agreed to by the House.

Bill to be engrossed.

Ordered, that the said bill as amended be engrossed.

3d reading.

Ordered, that the said Bill be read a third time to-morrow.

Message from Council

A Message from his Majesty's Council.

Mr. Robinson, one of the Masters in Chancery, brought down from his Majesty's Council the following Message.

“ Council Chamber, 28th January, 1836.

According to the conference requested.

“ His Majesty's Council acquaint the Assembly, that they accede to the conference requested, and have appointed two Managers to meet the Managers from the Assembly in the Committee room of the Council, at one o'clock on Monday next.”

“ H. J. BOULTON ”

And then the Messenger withdrew.

Managers appointed.

Ordered, that Mr. CARTER, Mr. CARSON, Mr. HOYLES and Mr. PACK do manage the said conference on the part of this House.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, JANUARY 29, 1836.

Sheriffs Bill read 3d time.

A GREEABLY to the order of the day, an engrossed Bill to regulate the Office of Sheriff, was read a third time.

Passed.

On motion of Mr. P. BROWN, seconded by Mr. POWER,

Resolved, that the said Bill do pass, and that the title be “ An act to regulate the Office of Sheriff and for the annual appointment of Sheriffs in the several Judicial Districts of this Island.”

Sent to Council:

Ordered, that Mr. P. BROWN do carry the Bill up to his Majesty's Council and desire their concurrence.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House, on the consideration of the bill for the relief of sick and disabled seamen, fishermen, and other persons.

House in committee on Seamen's relief bill.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. POWER reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered, that the said committee have leave to sit again.

Resolved, that this House will, on Monday next, again resolve itself into the said committee.

Mr. CARTER gave notice that, on Tuesday next, he would move for leave to bring in a bill to amend an act passed in the fourth year of his Majesty's Reign, entitled "An act for declaring all Landed Property in Newfoundland Real Chattels."

Notice of bill to amend the Real Chattels Act.

Mr. MARTIN gave notice that, on Monday next, he should move an address to his Excellency the Governor, praying for copies of accounts furnished to his Excellency by the surveyors appointed for surveying and marking out highways, in pursuance of the vote of last Session,—and a detailed statement of the sums severally paid and disbursed to such surveyors.

Notice of Address for returns relative to road surveyors.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, FEBRUARY 1, 1836.

A Petition of Robert Brown, Jun., Jonas Soper and others, inhabitants of Brigus and Cupids, was presented to the House by Mr. P. Browns, and the same was received and read, setting forth—that the petitioners (the inhabitants of Brigus) are a community of some twelve or fifteen hundred *residents* prosecuting extensive seal and cod fisheries, by which means, at certain seasons of the year, the population is nearly doubled,—that in consequence of the newly-appointed Stipendiary Magistrate residing in Port de Grave, the petitioners are put to a considerable degree of inconvenience, attended with great pecuniary loss and waste of time, as well as personal risque, in crossing the Bay of Port de Grave at all seasons of the year in order to obtain Justice, or in attendance on the Court as Grand Jurors, or witnesses, or otherwise. The petitioners, (the people of Cupids) a population of about hundreds, feel the injury in common with the inhabitants of Brigus, as their signatures to the said petition would testify, and that the people of the upper parts of the Bay would find it much easier and safer to come to Brigus than to go to Port de Grave—the one journey they can perform by land in a few hours—the other must be done on the water, or by walking all round the southern Gut, a distance of many miles; on the other hand the inhabitants of Bay Roberts and the neighbourhood, would suffer nothing by the removal of the Court, owing to their proximity to Harbor Grace, the seat of the Northern Circuit Court, and the residence of a regular Magistracy.

Petition from the inhabitants of Brigus & Cupids relative to the stipendiary Magistrate.

That the petitioners would therefore humbly represent to the House that if the resources of the colony will afford but one stipendiary Magistrate to the said part of the Bay, Port de Grave is not a fit place for his residence; in confirmation of which petitioners beg to state the fact that in making up a Grand Jury, *three-fourths of its Members are sum-*

Petition, &c.

moned from *Brigus and Cupids*, who have to attend the summons of the Court, at all seasons and in all weather, or subject themselves to a fine for non-attendance.

That of the four Magistrates residing at Port de Grave, *three* (including the stipendiary Magistrate) are *mercantile men*, principals of the only three houses of business in that place. That the petitioners conceive the appointment of *commercial Magistrates* to sit in matters of dispute between *Suppliers and Dealers*, is incompatible with the true administration of Justice,—that the *Stipendiary Magistrate, at least*, should be free from the trammels of business. That the petitioners have paid into the Custom House, the past twelve months, between two and three hundred pounds for Colonial and Imperial Duties, while the neighbouring district of Port de Grave has not contributed as many shillings. The petitioners, therefore, humbly submit to the House that their comparative commercial importance—the number and increasing nature of their population—their vicinity to many other populous settlements—and *their contributing towards the Colonial Revenue*—entitle them to the favourable protection and assistance of the Local Government, and therefore humbly pray the House will see fit to appropriate a sum of money for the salary of a stipendiary Magistrate *to reside at Brigus*, and that the House will recommend his Excellency the Governor to appoint a person of competent talents, and *wholly unconnected with business* to fill the situation. The petitioners further pray that the House will vote a further sum of money for the erection of a lock-up house, with a small sessions room adjoining—the petitioners having frequently been obliged to make prisons of their own dwellings, much against the safety and peace of themselves and families.

On motion of Mr. P. BROWN, seconded by Mr. PACK,

Referred to the committee on Police.

Ordered, that the said petition be referred to the select committee appointed to enquire into, and report upon, the Police of the Island.

Conference on books held

The time for holding the conference with his Majesty's Council on the subject of the custody of the Books lately purchased for the use of the Legislature, being arrived—

The names of the managers were called over, and they went to the conference.

Report.

And being returned, Mr. CARTER reported that the managers had been at the conference, and had complied with the instructions of the House.

Petition presented and withdrawn for informality

A petition of Thomas Gamble was presented by Mr. PACK, and read, praying pecuniary aid, and thereupon, on motion—

Ordered, that Mr. PACK have leave to withdraw the said petition for informality—his Excellency the Governor's consent to the presenting of the same not having been obtained.

Academy bill read 2d time

Agreeably to the order of the day, a bill to establish a Classical Academy in this Colony, was read a second time.

On motion of Mr. CARSON, seconded by Mr. KOUGH,

Committed.

Ordered, that the said bill be committed to a committee of the whole House.

Resolved, that this House will, on Friday next, resolve itself into a committee of the whole House, on the consideration of the said bill.

House in committee on the seamen's relief bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the Bill for the relief of sick and disabled seamen, fishermen, and other persons.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. POWER reported from the committee that they had gone through the said bill and had made several amendments therein, which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's Table. And the said amendments having been read throughout a first and second time, were, upon the question put thereon, agreed to by the House.

Ordered, that the said bill as amended be engrossed.

Ordered, that the said Bill be read a third time on Thursday next.

A Message from his Majesty's Council.

The Master in Chancery brought down from the Council the following written Message.

Mr Speaker,

His Majesty's Council request a conference with the House of Assembly on the subject of the last conference, and have appointed Managers to meet the Managers from the Assembly in the Committee room of the Council presently.

H. J. BOULTON.

Council Chamber, }
1st February, 1836, 2 P. M. }

And then the Messenger withdrew.

On motion of Mr. CARTER, seconded by Mr. CARSON,

Resolved, that the conference requested by his Majesty's Council be agreed to.

Ordered, that Mr. CARTER do go up to his Majesty's Council and acquaint them that this House have agreed to the Conference requested by them.

Ordered, that the Managers of the last conference do manage this conference.

And their names being called over they went to the conference.

And being returned,—Mr. CARTER reported that the Managers had been at the conference and had agreed to report as follows:—

That it is the opinion of his Majesty Council that a Book-Case be provided and placed in the Committee Room up stairs, and that three Keys be provided to the Lock upon the same, one Key to be for the use of the President of the Council, another for the Speaker of the House of Assembly, and a third to be kept by the Librarian or such person in whose charge the Books may be placed.

Ordered, that the said report do lie upon the table.

Mr. CARSON gave notice that, to-morrow, he should move that the message from his Majesty's Council this day delivered to the House, requesting a conference, be referred to a committee of the whole House on privileges.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill for authorizing summary proceedings in the Circuit Courts in certain cases.

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report amendments thereon—which were

Agreed to.

Bill to be engrossed

3d reading.

Message from Council

Requesting a conference.

Conference agreed to.

Council acquainted thereof-

Managers appointed—and

went to conference

Return and Report.

Notice of motion for a Committee on Privileges.

House in committee on bill to authorize summary jurisdiction.

Report, and amendment thereon

Mr. COZENS reported from the committee that they had gone through the said Bill and had made an amendment therein, which they had directed him to report to the House; and he delivered the Bill with the amendment in at the Clerk's Table.

Amendment agreed to.

And the said amendment having been read throughout a first and second time was, upon the question put thereon, agreed to by the House.

Bill to be engrossed.

Ordered, that the said Bill as amended be engrossed.

3d reading.

Ordered, that the said Bill be read a third time to-morrow.

Mr. MARTIN moved, pursuant to notice, and seconded by Mr. PACK, that it be—

Address to his Excellency moved for Surveyors accounts.

Resolved, that an address be presented to his Excellency the Governor, praying that he will cause to be laid before the House copies of the accounts furnished to his Excellency by the Surveyors appointed to survey and mark out lines of highways in pursuance of the vote of the Legislature of last Session for that purpose, and a detailed statement of the sums severally paid and disbursed by such Surveyors :—

Agreed to.

Which, being put, passed in the affirmative.

Draft of the address presented and read.

Mr. MARTIN accordingly presented to the House the draft of an address in pursuance of the foregoing Resolution, which was read by the Clerk, and is as follows :—

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

The House of Assembly respectfully request that your Excellency will be pleased to direct that there be laid before the House copies of the accounts furnished to your Excellency by the Surveyors appointed to survey lines of roads and highways pursuant to the vote of the Legislature of last Session for that purpose, and a detailed statement of the sums severally paid to such Surveyors for their services.

Adopted

Resolved, that the said address be adopted and engrossed.

Committee to present same

Ordered, that Mr. MARTIN and Mr. PACK, be a committee to present the same to his Excellency.

Further notice of Bill to prevent exportation of Bait

Mr. CARTER gave further notice for Thursday, of the Bill to prevent the selling of Bait to aliens of which he had given notice for to-day.

Notice of motion for bill to repeal Law Society act.

Mr. PACK gave notice that, to-morrow, he should move for leave to bring in a Bill to repeal an act passed in the fourth year of his Majesty's reign entitled "an act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island."

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, FEBRUARY 2, 1836.

Time for receiving address of Yesterday fixed

MR. SPEAKER laid before the House a letter from the Acting Colonial Secretary, acquainting him, for the information of the House, that his Excellency would receive a Committee of the House with the address passed yesterday, on Thursday next at eleven of the clock.

Pursuant to the order of the day an engrossed bill to authorise summary proceedings in the Circuit Courts of this Island in certain cases, was read a third time.

On motion of Mr. P. BROWN, seconded by Mr. PACK,

Resolved, that the said Bill do pass, and that the title be "An act to authorise summary proceedings in the several Courts of Law in this Island in certain cases."

Ordered, that Mr. P. BROWN do carry the bill up to his Majesty's Council and desire their concurrence.

A Petition of the Police Constables of the Central District, was presented by Mr. KENT, (who stated in his place that his Excellency the Governor being acquainted with the subject matter of the said petition, consents that the House proceed thereon, as they may think fit) and the said petition was received and read, setting forth—that the petitioners comprise the whole of the Stipendiary Constables, in and for the said district,—that they have large families depending upon them for their daily support, and have, during past years, devoted the whole of their time, both day and night, as occasion required, to the public service in their said capacity. That, until of late years, the petitioners enjoyed, independent of their salaries (which were upon an average £35 per annum) the perquisites arising from the Sheriff's office, for Bailiff's fees, and fees arising from their attendance upon the Superior Courts, which with the fees derived from the Police office, made a salary of about £70 each, and yielding a competent allowance for the maintenance of themselves and families. That by the reduced sum voted last session for the support of the Police establishment of the said Central District, His Excellency the Governor was obliged to lessen the number of Constables last spring from *nine* to *six*, to perform the requisite duties, besides which the sum voted did not even then realize the salaries they before received. That from various Legislative enactments recently made, the petitioners have had (although lessened in number) great additional labour thrown upon them, whilst at the same time they have been deprived of *all* the fees arising from the Sheriff's office—the benefit of £50 per annum, voted the last session *to the Constables* for superintending the convicts, at hard labour upon the roads—and subjected to a great decrease of fees in the Police Department (which for the last year did not exceed £3 each,) and yet are obliged to attend officially upon the sittings of every superior Court.—That in consequence of such reduction and additional duty, the petitioners are actually unable to maintain themselves, and devote the whole of their time to their respective situations, with the present small salaries allowed them,—and praying the House to take their case into consideration, and grant them such as to the House may seem meet.

Bill to authorize summary jurisdiction read 3rd time

Passed Title

Sent to Council!

Petition of the Constables for the Central District presented and read

On motion of Mr. KENT, seconded by Mr. MARTIN,

Ordered, that the said Petition be referred to the select committee appointed to report upon the Police of the Island.

Mr. CARTER, pursuant to notice and leave granted, presented a bill to amend an act passed in the fourth year of his Majesty's Reign, entitled "An act for declaring all landed property in Newfoundland Real Chattels," and the same was received and read a first time.

Ordered, that the said bill be read a second time on Friday next.

Mr. PACK, pursuant to notice and leave granted, presented a bill to repeal an act passed in the fourth year of his Majesty's Reign, entitled "An act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island," and the same was received and read a first time.

Referred to the select Committee on Police

Bill to amend Real Chattels Act read 1st time

2d reading.

Bill to repeal Law Society Act read 1st time,

2d reading.

Ordered, that the said bill be read a second time on Thursday next.

On motion of Mr. MARTIN, seconded by Mr. KENT,

House in committee of Supply.

The House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report Progress

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Leave to sit again.

Ordered, that the said committee have leave to sit again.*Resolved*, that this House will, on Monday next, again resolve itself into the said committee.

Message from his Excellency transmitting Report of Statute Labor Commissioners

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows:

MESSAGE

"H. PRESCOTT"

The Governor transmits for the consideration of the House of Assembly a Report which has been made by the Commissioners appointed under the Statute Labour Act, for the Central district, stating that in the execution of their duty certain expenses have been incurred, and proposing improvements at the head of "Maddox's Lane" and near "Beck's Cove." The concluding paragraph of the said report his Excellency likewise recommends to the consideration of the House.

Government House,

2d February 1836.

And then the Messenger withdrew.

Report read

The Report mentioned in the said Message was read by the Clerk.—*(See Appendix.)*

To lie on table

Ordered, that the said documents do lie upon the table for the perusal of the members of the House.

Letter from the Colonial Secretary, transmitting road commissioners Report for Central District

Mr. SPEAKER laid before the House a letter from Mr. Acting Secretary Templeman, transmitting, by command of his Excellency to be laid before the House, pursuant to the Colonial Act of the last session, cap. 13., a report which has been made by the Commissioners of roads in this district of their proceedings during the past season. That on the subject of the 'King's Bridge,' referred to in the said report, a correspondence with the commissioners had already by his Excellency's desire been laid before the House.

Report read

The report and accounts accompanying the said letter were read by the Clerk.—*(See Appendix.)*

To lie on table

Ordered, that the said letter and documents do lie upon the table to be perused by the Members of the House.

Notice of bill for a supply to prevent the spreading of small pox.

Mr. PACK gave notice that, on Friday next, he would move for leave to bring in a bill to place at the disposal of his Excellency the Governor the sum of five hundred pounds to prevent the spreading of small pox.

Then the House adjourned until Thursday next, at twelve of the clock.

THURSDAY, FEBRUARY 4, 1836.

PURSUANT to the order of the day, an engrossed bill for the relief of sick and disabled seamen; fishermen, and other persons, was read a third time, and thereupon—

Seamen's relief bill read 3d time.

Mr. SWEETMAN moved, seconded by Mr. P. BROWN,

That the word "Forty" be struck out of the 5th line of the 16th section, and the word "Twenty" be substituted in lieu thereof.

Amendment thereon—

Which being put, passed in the affirmative; and the said amendment was made in the bill at the table of the House.

Agreed to.

On motion of Mr. HOYLES, seconded by Mr. PACK,

Resolved, that the said Bill do pass, and that the title be "An act for the relief of sick and disabled seamen, fishermen and other persons."

Passed
Title

Ordered, that Mr. HOYLES do carry the bill up to his Majesty's Council and desire their concurrence.

Sent to Council.

Several Members having retired, and there being present Mr. SPEAKER, Mr. ROW, Mr. KENT, Mr. MARTIN, and Mr. POWER,—at ten minutes past one P. M. Mr. SPEAKER adjourned the House for want of a Quorum.

House adjourn for want of a Quorum.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, FEBRUARY 5, 1836.

MR. SPEAKER laid before the House a letter from Mr. Acting Colonial Secretary Templeman, transmitting, by command of his Excellency, a Return of the sums severally disbursed to the surveyors appointed to survey and mark out lines of roads and highways—in compliance with the address of the House presented yesterday.

Letter from the Colonial Secretary, transmitting account of disbursement paid to road surveyors.

The said Returns were read by the Clerk.—(*See Appendix.*)

Ordered, that the said Returns do lie upon the table.

To lie on table

A Petition of Thomas Gamble, of Carbonear, merchant, was presented by Mr. PACK, (who stated in his place that his Excellency the Governor being acquainted with the contents thereof, consents that the House proceed thereon, as they may think fit) and the said petition was received and read, setting forth—that on the eighth day of July last the petitioner received from Liverpool, by way of St. John's, in the schooner *Unity*, sundry bales, with their invoices, accompanied with the invoices of other goods, which, upon examination, were found not to have arrived into the said schooner. That the value of the goods which did not arrive was invoiced at £342 2s. 5d. That petitioner's Agents in St. John's, Messrs. Rendell & Co., presuming on the receipt of the invoices that all the articles named in them were on board of the said schooner, forthwith, on the said eighth day of July, paid the duty of two and a half *per cent.* upon the amount of *all* the invoices into the hands of the Honorable the Collector of the Customs, thereby overpaying the sum of Eight pounds and Eleven shillings, sterling, being the amount of duty

Petition of Thomas Gamble praying relief, received and read.

Petition &c.

on the articles not arrived. That on the tenth of September, in the year aforesaid, the goods corresponding to the invoice No. 3, arrived in the Brig *Dash*, by way of Liverpool, at St. John's, (they having been previously forwarded to Derry, in Ireland) upon which the duty of *two and a half* per cent. was again paid by the petitioner's agents. That the original cause of the mistake in forwarding the useless invoices arose from the circumstance of the petitioner's correspondent having purchased at the same period goods for petitioner as well as for two Establishments in Ireland,—and praying the House will take his case into its consideration, and direct the said overpaid sum of eight pounds and eleven shillings to be refunded to him.

On motion of Mr. PACK, seconded by Mr. POWER,

Referred to a select Committee

Ordered, that the said petition be referred to a select committee to examine and report upon, with power to send for persons and papers.

Ordered, that Mr. PACK, Mr. POWER, and Mr. HOYLES do compose the said committee.

Petition of S. J. Daniel presented and read

A petition of Stephen J. Daniel, of Carbonear, Gentleman, was presented by Mr. PACK, (who stated that his Excellency the Governor being acquainted with the contents of the said petition, consents that the House proceed thereon as they may think fit,) and the same was received and read, setting forth—that the petitioner having been appointed Inspector of Weights and Measures for the district of Carbonear and Western Bay, by the Magistrates of the Northern District, applied to the Hon. the Treasurer of the Colony, for a set of standard weights and measures, similar to those imported in the year 1822, but was informed that no funds had been voted by the House for that purpose. Petitioner, notwithstanding, considering it his duty, and impressed with a desire that so essential an act should not be inoperative, purchased at his own expense a set of standard weights and measures, marked and stamped by the Inspector for the district of St. John's, as also the necessary stamps, &c. for the particulars of which, together with other expenses, petitioner refers to attested accounts annexed, by which it would appear that he had not only not been compensated for his trouble, but has been at a pecuniary loss; and praying the House will take the circumstance into their consideration, and award him such remuneration as his services deserve.

On motion of Mr. PACK, seconded by Mr. POWER,

Referred to committee of Supply.

Ordered, that the said petition be referred to the committee of supply.

Petition of J. F. Tobin presented and read

A petition of James F. Tobin, whose name was thereto subscribed, was presented by Mr. Row, (who stated in his place that his Excellency the Governor being acquainted with the contents of the said petition, consents that the House proceed thereon as they may think fit,) and the same was received and read, setting forth—that he was master of the Brig *Norman*, of Halifax, while on a voyage from Annapolis to St. John's,—was wrecked in the Bay of Placentia, on the third of December last, himself and his crew of five men, after enduring much hardship and privation, arrived at St. John's, overland, on the eighteenth of December,—that himself and the said men were entirely destitute and unable to support themselves,—that the said crew are all natives of Nova Scotia, and are all anxious to return thither—and that an opportunity now offers, by which they may be conveyed to Halifax,—and praying the House will be pleased to grant the crew a sufficient sum to defray their expenses while here, and also to afford them a conveyance to their native country.

On motion of Mr. Row, seconded by Mr. PACK,

Referred to committee of Supply.

Ordered, that the said petition be referred to the committee of supply.

A Petition of the Inhabitants of the Town of Harbor Grace, was presented by Mr. P. BROWN, and the same was received and read,—setting forth—that in the year 1826 a sum of about Three hundred pounds, raised by subscription from the Inhabitants of Harbor Grace and Carbonear, was expended in improving the public Road between these places. That at present the said road is highly dangerous, and quite impassable for carts or any other vehicle, and from the localities of its line it is impossible to make it a good one, without expending on it a larger sum than would be required to construct a new road on a more eligible line. The Petitioners submit the obvious necessity of affording the Public the facility of a better communication between the said Towns, which from their central position are the thoroughfares of the District of Conception Bay, and praying that a sum of money sufficient to defray the expense of making a more eligible road with the necessary bridges, be granted by the House, and that a survey of the same be directed.

Petition of the Inhabitants of Harbor Grace, praying for aid to construct a new Road between that place and Carbonear.

On motion of Mr. P. BROWN, seconded by Mr. KOUGH,

Ordered, that the said Petition be referred to the committee of supply.

Referred to committee of supply.

Mr. SWEETMAN gave notice that, to-morrow, he would move that an address be presented to his Excellency the Governor, praying that he will be pleased to acquaint the House whether he has received any information from his Majesty's Principal Secretary of State for the Colonies, relative to the sum of £9000, said to have been granted by the Imperial Parliament for the service of this Colony; and that he will be pleased to lay the same before the House.

Notice of motion for an Address to his Excellency relative to a grant of £9000 to the Colony.

also

Mr. P. BROWN gave notice that, to-morrow, he would move that an address be presented to his Excellency the Governor, praying that he would cause a Return of the fees, poundage and perquisites of the Sheriff of the Colony, for the last year, to be laid before the House.

For a return of Sheriff's fees, &c. for the past year.

Mr. PACK, pursuant to notice and leave granted, presented a Bill for granting to his Majesty the sum of Five hundred pounds, towards preventing the spreading of small pox, and the same was received and read a first time.

Bill to grant £500 for preventing the extension of small pox, read a first time

Ordered, that the said Bill be read a second time to-morrow.

2d reading.

Mr. PACK gave notice that, at the second reading, he should move that the Rules of the House, in reference to the passing of Bills, be suspended so far as related to the said Bill.

Notice of motion to suspend the Rules of the House in reference to the said Bill.

A Message from the Governor.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of four messages from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Messages were read by Mr. Speaker (all the Members being uncovered) and are as follow, viz.

Message transmitting Memorial from J. Blaikie, Esq.

MESSAGE

“ H. PRESCOTT ”

The Governor having received the accompanying Memorial from Mr. Blaikie, transmits the same, in compliance with that Gentleman's request, for the consideration of the House of Assembly.

Government House,
3d February 1836.

The Memorial accompanying the said address was then read by the Clerk and is as follows :

To His Excellency HENRY PRESCOTT,
Esq., C. B. Governor, &c.

The Memorial of James Blaikie, respectfully sheweth—

Memorial &c.

That in consequence of the Legislature of this Island having consolidated the Offices of Clerk of the Supreme and Central Circuit Courts, your Excellency's Memorialist was deprived of the latter Office and of a salary of Two hundred pounds *per annum*.

That on the 13th March, 1835, Memorialist addressed your Excellency, setting forth the particulars of the very numerous and various important public offices which he had filled in this Island for a great many years (to which your Memorialist begs leave to call your Excellency's attention), and praying your Excellency to transmit the said memorial for the consideration of the House of Assembly, with such observations as your Excellency might be pleased to make thereon. Your Memorialist feels truly grateful for the prompt attention with which your Excellency was pleased to recommend his claims for the favorable consideration of the Colonial Legislature, whereby he received a grant of £100 towards compensating him for loss of Office.

That your Memorialist on the 8th May 1835, again addressed your Excellency, recapitulating his former statements, and praying that he might be appointed Clerk of the said Courts, and that in the event of your Excellency's not being able to comply with your Memorialist's request, that your Excellency would be pleased to submit such statement for the favorable consideration of his Majesty's Government.—

To this application, on the 19th August last, by your Excellency's directions, Memorialist was furnished with the following answer:—

“Extract of a despatch from the Right Honorable Lord Glenelg, to his Excellency Governor Prescott, dated Downing Street, 20th June, 1835”—“You will inform Mr. Blaikie, in answer to his Memorial, that “if an opportunity shall hereafter occur of promoting him, his services will not fail to be considered.”

That as no provision has as yet been made for your Excellency's Memorialist, and as the means at present at his disposal are inadequate to the maintenance and education of his large family, your Memorialist again begs leave to press his claims upon your Excellency's consideration, and to request that your Excellency will be pleased to recommend to the Honorable the House of Assembly to grant such further aid to Memorialist as may seem meet.

And as in duty bound he will ever pray.

(Signed.)

St. John's, }
1st February, 1836. }

JAMES BLAIKIE.

MESSAGE.

H. PRESCOTT.

The Governor transmits to the House of Assembly the accompanying Petition, addressed to the House by Mr. Thomas Danson, one of the Magistrates at Harbor Grace.

Government House, }
5th February, 1836. }

The said Petition was then read by the Clerk, setting forth—

That the Petitioner has resided many years from his youth, at Harbor Grace: was honoured with his first Commission of the Peace in the year 1817, by his Excellency Governor Pickmore—by his Excellency Sir Charles Hamilton, Baronet, the Petitioner about three years afterwards was appointed Keeper of the Rolls for Conception Bay District,

Message transmitting the Memorial of T. Danson, Esq.

and in January, 1826, was by his Excellency Sir Thomas Cochrane appointed Keeper of the Rolls for the Northern District.

Memorial &c

That the Petitioner believes it is well known to most of the Members of the House, that for many years he was engaged extensively in mercantile concerns, and that he once possessed very ample means to support himself and family in the most respectable manner ;—that losses in trade, with heavy losses by failures in trade in England and other parts, occasioned Petitioner to make an honorable retreat from mercantile business some years ago, leaving him little besides his household goods, which was many years accumulating, and since bequeathed him and his family. The loss of all Petitioner's household goods, &c., with all family clothing and apparel, with other property belonging to his family, by the dreadful Fire that consumed the town of Harbor Grace in 1832, is also well known ; that Petitioner and family met the very heavy loss of nearly £2000, added to the loss of his two sons (mariners) the same year, in consequence of which, other resources besides his salary were nigh exhausted, and Petitioner and his family suffered great deprivation without the means of replacing the loss. That in the beginning of the year 1817 a great scarcity of provisions prevailed, when Petitioner was obliged to distribute £60 or £70 in provisions, &c., to distressed persons from whom no remuneration could be expected, to appease an infuriated mob—and contributed £30 besides, to refuse which would have endangered life ; and, by order of the then Magistrates here, £200 of provisions was advanced, for which Petitioner never received any remuneration from Government or otherwise. That the great trade and extensive population of Conception Bay, have required Petitioner's daily attendance in the Office many hours for several years past ; and since it has pleased his Majesty to give to Newfoundland a Colonial Parliament, the various Acts passed thereby have still rendered more arduous the duties of Stipendiary Justices of the Peace here—equal to those of such Justices residing in the Metropolis. That Petitioner has good reason to believe that in the performance of his magisterial duties he has had the pleasing satisfaction of obtaining the good will and approval of the public generally,—was such deemed requisite by the House it could be ascertained. With much economy Petitioner finds the present salary is much inadequate to support him in comfortable independence in the office he has so many years had the honor to fill—(no private sources remaining) ; and praying that the House will be pleased to take his case into favorable consideration, and grant him such advance of salary as shall seem meet.

MESSAGE.

H. PRESCOTT.

The Governor having received from John Currie, the Gaoler at Harbor Grace, the accompanying Petition, praying that his Salary might be increased, transmits the same for the favorable consideration of the House of Assembly.

Message transmitting the
Petition of John Currie.

Government House, }
5th February, 1836. }

The said Petition was read by the Clerk setting forth—

That the petitioner when appointed to the office of Gaoler at Harbor Grace, was paid a salary of £40 per annum, which, in the following year, was reduced, and now remains at £30 per annum, which petitioner states is inadequate to his services,—and praying that his case may be taken into consideration, and an increase be made to his salary.

MESSAGE.

" H. PRESCOTT"

Message transmitting Accounts for taking lists of Voters in Conception Bay.

The Governor thinks it right to transmit, for the consideration of the House of Assembly, certain accounts connected with the Registration of Voters in Conception Bay, forwarded to him by some of the Magistrates of that district.

His Excellency's remarks thereon.

By the copy of a Circular Letter from the Colonial Secretary to the Magistrates, dated 19th May, 1835, already in possession of the House, it will be seen, that in the event of "the additional duty imposed on the Constables proving in any cases very onerous, his Excellency would recommend them for a suitable compensation," but beyond this it was never his Excellency's intention to authorise any expenditure in connexion with this subject.

Petition of Constables at Harbor Grace and Carbonear.

The Governor also transmits a petition (addressed to the House) from the Police Constables at Harbor Grace and Carbonear, praying remuneration for certain extra duties performed by them under several Acts of the Colonial Legislature.

Government House, }
5th February 1836. }

The accounts mentioned in the said Message were then read by the Clerk.—(See Appendix.)

The petition from the Police Constables of Harbor Grace and Carbonear was also read by the Clerk, setting forth—

Constables petition read.

That petitioners have been called on by certain acts passed by the House to perform duties hitherto unknown to them, viz.—The nuisance act, the road act, and the voters act—the two latter of which have taken up a great portion of petitioners' time—and in performing the said duties petitioners had provided themselves with all necessaries in travelling, &c. That petitioners' salaries are so low they are unable to support themselves and families in any way comfortable, and praying that the accounts presented with the petition may meet the approbation and attention of the House.

Motion for second reading of Bill to repeal the Law Society act.

The order of the day for the second reading of a Bill to repeal an act passed in the fourth year of his Majesty's reign, entitled "An act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island," being read—and a motion being made that the said Bill be now read a second time :

Amendment to reject the Bill.

Mr. Row moved, in amendment, and seconded by Mr. HOYLES— That the said order of the day be discharged, and the said Bill be read a second time this day six months ;—which being put, and the House dividing thereon, there appeared, for the amendment, six ; against it, five.

Division thereon.

For the amendment.

Against the amendment.

Mr. KOUGH

Mr. CARSON

— ROW

— KENT

— HOYLES

— POWER

— MARTIN

— PACK

— CARTER

— P. BROWN.

— COZENS.

Amendment carried.

So it passed in the affirmative, and

Ordered, that the said Bill be read a second time this day six months.

Bill to repeal the 25th & 26th Sections of the 5th Geo. IV, cap. 67, sent down from Council.

A Message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council a Bill entitled "An act for repealing the twenty fifth and twenty sixth

sections of an act passed in the fifth year of the Reign of his late Majesty entitled 'An act for the better administration of Justice in Newfoundland and for other purposes,' and to make further provision for the distribution of the estates of Insolvent Debtors"—to which the concurrence of this House was requested.

And then he withdrew.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, FEBRUARY 6, 1836.

MR. PACK reported from the select committee to whom was referred the Petition of Thomas Gamble; and he read the report in his place as follows:—

The select committee appointed to examine and report upon the petition of Thomas Gamble beg leave to report, that they have enquired into the allegations contained in the said petition, and they find from the evidence of Mr. J. M. Rendell, whom the committee have had before them, that he, as the agent of the petitioner, did actually pay duties twice upon articles imported on account of the petitioner, and that the sum so overpaid by him was, as stated in the petition, Eight pounds and eleven shillings sterling. Your committee therefore recommend the prayer of the said petition to the favorable consideration of the House.

On motion of Mr. PACK, seconded by Mr. POWER,

Ordered, that the said petition and report be referred to the committee of supply.

A petition of Alfred Mayne, of Harbor Grace, Clerk of the Peace for Conception Bay, was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented to the House by Mr. PETER BROWN, and the same was received and read, setting forth—that the petitioner was during the month of July last appointed by his Excellency the Governor Clerk of the Peace for Conception Bay, for which office a sum of Fifty pounds per annum had been appropriated by the House, with the understanding, as petitioner conceived, that the person filling the said office should be a Barrister, and one qualified to conduct the Criminal and Civil Prosecutions. Petitioner begs to call the attention of the House to the great increase of Criminal business in the General Quarter Sessions, and of a consequent decrease in that of the Northern Circuit Court, by which the House will perceive that a very considerable saving has been effected last year to the Colony. That for many years previous to Criminal trials being under the cognizance of the Magistrates, the Clerk of the Peace used to receive a considerable sum of fees for pauper cases, besides eighteen pounds for keeping the Records, and Petitioner thus receives only Thirty-two Pounds for conducting all the increase of business: That owing to great additional duty nearly the whole of Petitioner's time is occupied in the Magistrates office; that he has frequently to employ an assistant, and that he finds the salary at present granted him altogether inadequate to remunerate him for the trouble and anxiety which he must necessarily undergo in the conducting of Crown Prosecutions;—and praying the House to take his case into favorable consideration and grant him such addition to his salary as the House may think his arduous and responsible duties entitle him to.

On motion of Mr. POWER, seconded by Mr. MARTIN,

Ordered, that the said Petition be referred to the select committee appointed to enquire into and report upon the police of the Island.

Report of Select committee on T. Gamble's Petition.

Referred to committee of supply.

Petition of A. Mayne presented & read.

Referred to the committee on Police.

Petition presented and withdrawn for informality

A petition of Matthew Stevenson, of Harbor Grace, was (with his Excellency the Governor's consent that the House may proceed thereon as they shall think fit) presented to the House by Mr. P. BROWN, and the same was received and read, praying pecuniary aid,—and thereupon,

On motion of Mr. SWEETMAN, seconded by Mr. HOYLES,

Ordered, that Mr. P. BROWN have leave to withdraw the said petition, the same being informal.

Petition of the members of the Protestant Episcopal Church at Harbor Grace presented and read.

A petition of the members of the Protestant Episcopal Church at Harbor Grace was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented by Mr. P. BROWN, and the same was received and read, setting forth—that in the year 1764, the first Church was built at Harbor Grace,—in the year 1816, an increased population required its enlargement, which was accomplished at the cost of £2008 17s. 1d.; unfortunately, however, it did not long remain a comfort to the people; it was destroyed by fire in 1816. Another church was building in 1817, when a gale of wind blew it down and destroyed it, at a loss of nearly £200. The late church, which was acknowledged by all to be a very handsome edifice, was commenced and completed at an expense of £3870, wholly raised by the inhabitants, with the exception of £300 contributed by the Propagation Society. This church was also destroyed at the great conflagration which reduced Harbor Grace to ashes on the 16th August, 1832—thus shewing that in the short period of 16 years no less a sum than £5778, being at the rate of £360 a year, has been raised and expended in Harbor Grace for the Church, exclusive of contributions to the present church to the very utmost limits of the people's means. That two churches built of wood having been destroyed by fire, it was deemed advisable to attempt the erection of a stone church, the foundation of which was laid on the 28th July, 1835, the cost of the completion of which is estimated at £1800,—to meet that expense petitioners have received from various sources sums amounting in the whole to £700, a sum far below the estimated cost above stated. That the monies collected in Newfoundland have been cheerfully and bountifully contributed by all classes and by all creeds. That the commercial and individual distress consequent upon the fire of 1832, leave petitioners little room to hope that they can expect any more money from the people of Harbor Grace beyond their present engagements. That petitioners having made out an unprecedented and peculiar case, such as they fervently hope will never be the untoward lot of any other congregation in the Colony, humbly pray that the House will be pleased to take their case into consideration and grant them such pecuniary assistance as may seem meet and proper.

On motion of Mr. P. BROWN, seconded by Mr. SWEETMAN,

Ordered, that the said petition be referred to the committee of supply.

Mr. P. BROWN gave notice that, on Monday next, he would move for leave to bring in a bill to regulate the office of Sheriff in this colony.

Mr. P. BROWN, seconded by Mr. PACK, moved—

That this House do now adjourn until to-morrow, at twelve of the clock.—Which being put, and the House dividing thereon, there appeared for the motion, four; against it seven.

For the motion—

Mr. PACK
— POWER
— P. BROWN
— CARSON.

Against the motion—

Mr. COZENS
— ROW
— SWEETMAN
— KOUGH
— HOYLES
— MARTIN
— CARTER.

Referred to committee of Supply.

Notice of bill to regulate the office of Sheriff.

Motion to adjourn made and negatived.

So it passed in the negative.

On motion, the bill sent down from his Majesty's Council entitled "An act for repealing the twenty-fifth and twenty-sixth sections of an act passed in the fifth year of the Reign of his late Majesty, entitled "An act for the better administration of Justice in Newfoundland and for other purposes," and to make further provision for the distribution of the Estates of Insolvent Debtors," was read a first time.

Bill to repeal the 25th & 26th sections of 5th Geo. IV. cap. 67, read 1st time.

On motion of Mr. Row, seconded by Mr. MARTIN,

Ordered, that the said bill be printed for the use of the Members of the House.

To be printed.

A bill to amend an act passed in the fourth year of his Majesty's Reign entitled "An act for declaring all landed property in Newfoundland Real Chattels," was read a second time.

Bill to amend the Real Chattels Act read 2d time.

On motion of Mr. CARTER, seconded by Mr. HOYLES,

Ordered, that the said bill be committed to a committee of the whole House.

And Committed for

Resolved, that this House will, on Tuesday next, resolve itself into a committee of the whole House on the consideration of the said Bill.

Tuesday

Pursuant to the order of the day the House resolved itself into a committee of the whole House, on the consideration of a bill to establish a Classical Academy in this colony.

House in committee on Academy bill.

Mr. SPEAKER left the chair.

Mr. SWEETMAN took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. SWEETMAN reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same,—and thereupon,

Report.

Mr. BROWN moved, seconded by Mr. SWEETMAN,

That the said committee have leave to sit again this day six months; which being put, and the House dividing thereon, there appeared for the motion, four; against it, four.

Motion to reject the bill.

For the motion—

Against the motion—

Mr. KENT

Mr. CARSON

— POWER

— CARTER

— P. BROWN

— HOYLES

— SWEETMAN.

— PACK.

And the House being equally divided, Mr. Speaker gave his casting vote against the motion, and so it passed in the negative.

Motion negatived.

Ordered, that the said committee have leave to sit again

Resolved, that this House will, on Monday next, again resolve itself into the said committee.

Committee to sit on Monday next.

Pursuant to notice, Mr. SWEETMAN moved, seconded by Mr. PACK, that it be

Resolved, that an address be presented to his Excellency the Governor, praying that he will be pleased to acquaint this House whether he has received any information from his Majesty's Principal Secretary of State for the Colonies relative to a sum of £9000, said to have been granted by the Imperial Parliament during its last session, for the service of this Colony, and of the appropriation of the same; and that his Excellency will be pleased to lay the same before the House.

Resolution for an address for information relative to the grant in aid of the funds of the colony.

Which, being put, passed in the affirmative.

Draft of address presented and read.

Mr. SWEETMAN then presented to the House the draft of an address in pursuance of the said Resolution, which was read by the Clerk, and is as follows :—

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

The House of Assembly beg leave to acquaint your Excellency that various applications have been made to them for pensions and retiring allowances, by several aged servants of the Crown; and the House having reason to believe that the Imperial Parliament in its last Session granted a sum of money for the service of the Colony, respectfully request that your Excellency will be pleased to acquaint them, whether your Excellency has received any information on the subject from his Majesty's Principal Secretary of State for the Colonies, and that your Excellency will be pleased to communicate such information to the House, as the House are desirous of ascertaining whether any of the persons who are making the applications above mentioned have been provided for by his Majesty's Government out of that fund.

Adopted.

Resolved, that the said address be adopted and engrossed.

Committee to present it

Ordered, that Mr. SWEETMAN and Mr. PACK, be a committee to present the same to his Excellency.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, FEBRUARY 8, 1836.

Bill for granting £500 to prevent the spread of Small Pox read 2d time, and

AGREEABLY to the order of the day, a bill for granting to his Majesty the sum of Five hundred pounds, to defray the expense of preventing the extension and spread of Small Pox, was read a second time.

On motion of Mr. PACK, seconded by Mr. HOYLES,

Resolved, that the Rules of this House, in reference to the passing of Bills, be suspended so far as relates to this Bill.

On motion of Mr. PACK, seconded by Mr. P. BROWN,

Committed.

Ordered, that the said Bill be now committed to a committee of the whole House.

House in committee thereon.

And the House resolved itself into a committee of the whole House on the said Bill accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Mr. HOYLES reported from the committee that they had gone through the said Bill, and had made an amendment therein, which they had directed him to report to the House; and he delivered the Bill with the amendment in at the Clerk's Table.

And the said amendment having been read throughout a first and second time was, upon the question put thereon, agreed to by the House.

Ordered, that the said bill as amended be engrossed and read a third time this day.

To be read a 3d time this day.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the Bill for establishing a Classical Academy in this Colony.

House in committee on Academy Bill.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. HOYLES reported from the committee that they had gone through the said bill and had made several amendments therein, which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's Table.

Report.

On the question for receiving the report the House divided, when there appeared, for receiving it, eight ; against it, four.

Division on bringing up report.

For the report—

Against the report—

Mr. PACK

Mr. P. BROWN

— COZENS

— SWEETMAN

— ROW

— POWER

— CARSON

— KENT.

— KOUGH

— HOYLES

— MARTIN

— CARTER.

The said amendments were then read throughout a first and second time, and on the motion put thereon were agreed to by the House.

Report adopted and Bill to be read a 3d time on Wednesday next.

Ordered, that the Bill as amended be engrossed.

Ordered, that the said Bill be read a third time on Wednesday next.

Mr. CARSON gave notice that, on Wednesday next, he would move for a committee to prepare the draft of a Bill for establishing common Schools throughout this Island.

Notice of motion for committee to draft common School Bill.

Mr. SPEAKER laid before the House a letter from Mr. Acting Secretary Templeman, transmitting, by command of his Excellency, sundry Returns from the Custom-House, in reference to the Colonial Revenue, pursuant to the address of the House on the 23d ult.

Custom House Returns laid before the House.

The said documents were read by the Clerk, and are as follow :

Statement shewing the amount of Revenue collected under acts of the Colonial Legislature in the year ended 5th January instant.

An estimate of the probable amount of Revenue for the Quarter ending the 5th April next.

Statement of Colonial Duties paid by the Collector of his Majesty's Customs into the hands of the Colonial Treasurer, in the year ended 5th January instant.

A Return of officers appointed during the year ended 5th January instant to assist in the collection of the Revenue levied under acts of the Colonial Legislature, and of the salaries and allowances severally payable to the same.

Statement shewing the sums disbursed during the year ended 5th January instant, on account of salaries of Officers appointed to assist in the collection of the duties levied under acts of the Colonial Legislature.

—(See Appendix.)

On motion of Mr. POWER, seconded by Mr. HOYLES,

Ordered, that the said Returns and Documents be referred to the committee of supply.

Referred to committee of Supply.

Bill for granting £500 to prevent the spread of small pox, read third time and passed

Pursuant to order, an engrossed bill for granting to his Majesty the sum of five hundred pounds, for preventing the extension and spread of small pox, was read a third time.

On motion of Mr. PACK, seconded by Mr. HOYLES,

Resolved, that the bill do pass, and that the title be "An act for granting to his Majesty five hundred pounds to defray any necessary expenses that may be incurred in preventing the extension and spread of small pox."

Ordered, that Mr. PACK do carry the Bill up to his Majesty's Council and desire their concurrence.

Time for receiving address fixed.

Mr. SPEAKER laid before the House a letter from Mr. Acting Secretary Templeman, acquainting him, for the information of the House, that his Excellency would receive the address of the House passed on Saturday, to-morrow, at eleven o'clock.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, FEBRUARY 9, 1836.

Report of the committee to present address relative to grant in aid of the funds of the colony.

MR. SWEETMAN, from the committee appointed to present to his Excellency the Governor the address of the House passed on Saturday last, reported, that the committee had presented to his Excellency the said address, to which his Excellency was pleased to make the following reply:—

Gentlemen—

I have to acquaint the House of Assembly, in answer to the address just presented by you, that there has been a Grant of £5000, in aid of the Colony of Newfoundland.

The salary of the Judge of the Admiralty has been made good for 1834, and will, I presume, be paid for the current and future years from this Fund.

Mr. Garrett's emoluments have also been made up for the first three quarters of the year to his former rate of salary—the abrupt reduction of which was thought a hardship upon that gentleman.

The claims of the late Mr. Broom and Mr. Phipard are still under consideration.

An outstanding debt of £79 16s. 11d. for stationery supplied to the Secretary's Office, in the years 1826 and 1827, has also been paid from this Grant.

I know of no other appropriation—but as his Majesty's Government has decided against applying for any further Parliamentary assistance, I may venture to say it will not consent to an immediate disbursement of this money. It will, I believe, be reserved for prospective contingencies.

On this subject, I would refer to the extract (marked 4) of a Despatch from Lord Glenelg, which accompanied my message to the House of Assembly, on the 11th January last.

On motion of Mr. MARTIN, seconded by Mr. P. BROWN,

Ordered, that the said Reply be printed for the use of the Members of the House.

To be printed.

Sheriff's bill read 1st time

Mr. P. BROWN, pursuant to notice and leave granted, presented a bill to regulate the Office of Sheriff in this colony; and the same was received and read a first time.

Ordered, that the said Bill be read a second time to-morrow.

Several Members having retired, and there being present Mr. SPEAKER, Mr. MARTIN, Mr. KOUGH, Mr. CARTER, and Mr. KENT,—at five minutes before one o'clock, Mr. SPEAKER adjourned the House for want of a quorum.

2d reading.

House adjourned for want of a quorum.

WEDNESDAY, FEBRUARY 10, 1836.

PURSUANT to the order of the day, an engrossed bill to establish a Classical Academy in this colony, was read a third time.

Academy bill read 3d time

Mr. CARSON moved, seconded by Mr. HOYLES,

That the bill do pass, and that the title be "An act for establishing a Classical Academy in this Island,"—whereupon

Mr. P. BROWN, seconded by Mr. POWER, moved in amendment—

That the further consideration of the said bill be postponed until this day six months,—which being put, and the House dividing thereon, there appeared for the amendment, three ; against it, eight.

Motion to reject the bill.

For the amendment.

Against the amendment.

Mr. KENT
— POWER
— P. BROWN

Mr. CARSON
— CARTER
— HOYLES
— PACK
— ROW
— MARTIN
— KOUGH
— COZENS.

So it passed in the negative.

The question on the original motion was then put, when the House divided thereon, and the names were taken down as follows :—

Negatived.

Motion to pass the bill.

For the motion—

Against the motion—

Mr. CARTER
— MARTIN
— COZENS
— PACK
— ROW
— HOYLES
— KOUGH
— CARSON.

Mr. POWER
— KENT
— P. BROWN.

Division.

So it passed in the affirmative, and

Resolved, that the bill do pass, and that the title be "An act to establish a Classical Academy at St. John's, in this Island."

Bill passed and sent to Council.

Ordered, that Mr. CARSON do carry the Bill up to his Majesty's Council and desire their concurrence.

A Message from the Governor.

Mr. Acting Secretary Templeman acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency ; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows :—

A Message from the Governor transmitting accounts for taking lists of Voters at Port de Grave.

MESSAGE.

"H. PRESCOTT"

The Governor transmits for the consideration of the House of Assem-

bly, certain accounts of expenses connected with the Registration of Voters in the Port de Grave division of Conception Bay, together with an extract of a letter from the Stipendiary Magistrate at that place on the same subject.

Government House, }
9th February, 1836. }

And then the messenger withdrew.

The documents accompanying the said Message were then read by the Clerk.—(See Appendix.)

Ordered, that the said message and documents do lie upon the table to be perused by the Members of the House.

On motion of Mr. P. BROWN, seconded by Mr. MARTIN,

Resolved, that a committee be appointed to search the Journals of his Majesty's Council, to ascertain what proceedings have been had upon the bill sent up from this House, entitled "An act to regulate the office of Sheriff, and for the annual appointment of Sheriffs in the several judicial districts of this colony."

Pursuant to the order of the day, the House resolved itself into a committee of the whole House, on the consideration of the bill to amend an act passed in the fourth year of his Majesty's Reign, entitled "An act for declaring all landed property in Newfoundland Real Chateaux."

Mr. SPEAKER left the chair.

Mr. P. BROWN took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. P. BROWN reported from the committee that they had gone through the said bill, and had agreed to the same without any amendment; and he delivered the bill in at the Clerk's table.

Ordered, that the said Bill be engrossed.

Ordered, that the said bill be read a third time on Friday next.

On motion of Mr. CARSON, pursuant to notice, and seconded by Mr. MARTIN, it was—

Resolved, that a committee be appointed to prepare and bring in a bill to assist in establishing primary schools throughout the Colony.

Ordered, that Mr. CARSON, Mr. MARTIN, Mr. KOUGH, Mr. HOYLES and Mr. KENT, do form the said committee, and that such Members of the House as attend the same may have a voice therein.

Mr. HOYLES gave notice that, on Friday next, he should move for the appointment of a committee to examine and audit the public accounts for the past year.

Then the House adjourned until Friday next, at twelve of the clock.

FRIDAY, FEBRUARY 12, 1836.

A Petition of John Gibbons and others, Inhabitants of the South Side of the Harbor of St. John's, was (with his Excellency the Governor's assent that the House may proceed thereon as they shall think fit) presented by Mr. CARSON, and the same was received and read, setting forth—the great inconvenience and privations petitioners suffer from the want of a Bridge to connect their settlement with the shops and stores of the North Side, particularly during the season of winter, when it fre-

Committee to search Council's Journals relative to Sheriff's Bill,

House in Committee on the bill to amend the Real Chateaux Act

Bill Reported without amendment

To be read a 3d time on Friday

Committee to prepare common School Bill

Notice of motion for committee to audit the public accounts

Petition of Inhabitants of the south side of St John's Harbor praying aid to build a Bridge across the said Harbour

quently happens that it is impossible to cross in boats.—They also beg leave to call the attention of the House to the great increase of the population thus inconvenienced, being, as the petitioners conceive, about Seven hundred, and that in case of sickness it is next to impossible to avail themselves of the prompt attention of medical men. That in case of fire, an Engine cannot be brought to their assistance, although no part of the community have been more ready to assist the Inhabitants of the North side when they have been visited with this awful calamity. That the petitioners, in common with the Inhabitants of the Colony, contribute their proportion of its Revenue, and, as petitioners conceive, without receiving the advantages to which they are fairly entitled. That the poor people, and those who cannot at all times command boats and servants, are put to the greatest inconvenience, and in the event of the building of a Bridge, the expense of which would consist principally in labour, that class of persons would derive the chief benefit; and seeing that grants of money have been made for similar purposes, the Petitioners confidently rely on assistance from the House to further them in their present undertaking. That the petitioners, impressed with the necessity and importance of a Bridge, have subscribed and collected subscriptions for the object to the amount of £150; and pray that the House will grant them a further sum to enable them to complete their undertaking.

Petition &c

On motion of Mr. CARSON, seconded by Mr. KOUGH,

Ordered, that the said Petition be referred to the committee of supply.

Referred to committee of Supply

A Petition of Patrick Morris and others, Inhabitants of the town of St. John's, was presented by Mr CARSON, and the same was received and read, setting forth—that the said town consists of more than seventeen thousand Inhabitants, and is rapidly increasing in population and mercantile importance. That the petitioners are without a market place—their streets pathless and unlit, and that they do not enjoy those protective municipal Laws which experience proves to be so necessary wherever the people are congregated together in large masses;—and praying the House to take the premises into consideration and pass a Law incorporating the town of St. John's, on the principles and agreeably to the constitution of the reformed corporations in England.

Petition of Inhabitants of St John's for an act of Incorporation

Ordered, that the said Petition do lie upon the table.

A Petition of Patrick Morris was presented by Mr. CARSON, and the same was received and read, setting forth—that a Bill is now in progress before the House to repeal the 25th and 26th sections of the act 5 Geo. 4, cap. 67. That the interests of the petitioner, as an Inhabitant of Newfoundland and as a Merchant, will be materially injured should the said Bill pass into a Law;—and humbly praying to be heard at the Bar of the House against the passing of that Bill.

Petition of P. Morris praying to be heard against the passing of the Act to repeal the 25th & 26th sections of 5th Geo. IV. cap. 67.

Ordered, that the said petition do lie on the Table.

A Petition of the Reverend Michael Anthony Fleming, Roman Catholic Bishop, was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented by Mr. PACK, and the same was received and read, setting forth—that the petitioner has always regarded Education as the handmaid of Religion, and as a Christian Minister has always felt solicitous to see its blessings widely diffused among the people of Newfoundland, and therefore has learnt with heartfelt satisfaction, that it is the intention of the Commons' Assembly to vote a sum from the Revenues of the country for its promotion. That the petitioner has already proved the sincerity of his advocacy of the right of the Poor to this great good, by the personal sacrifice, within these three years, of upwards of Nine hundred pounds to procure for the female portion of the community only, the advantage of

Petition of Bishop Fleming for aid to the Convent School

Petition &c

an education having religion and virtue for its basis. That having thus at his own personal expense, and by laying aside many comforts that he heretofore enjoyed, established the Presentation Convent of St. John's, for the sole purpose of leading into life the poor female children of Newfoundland, in the paths of virtue, the petitioner feels he has a claim upon the Representatives of the people for assistance. That omitting to urge the many arguments that might be adduced in support of his prayer, Memorialist cannot refrain from reminding the House, that by extending to the female poor of Newfoundland that care and attention with which they are taught the sacred duties they owe to God and to society, and to imprint which upon their tender minds is the great object of that institution, many of these little female innocents, instead of becoming pests to society, will be patterns of domestic excellence—creatures who, devoid of that solid and useful education which now guides their steps to the paths of honour and virtue, of morality and industry, would have proved a disgusting burthen to the community, a curse to themselves, and a stain upon their country. That among the many difficulties which presented themselves to the petitioner in supporting an Institution whose inmates are seldom under 700, and often number one thousand children, is an enormous rent of £85 14s. 8d., while every establishment for gratuitous education in the Island is held rent free. That petitioner did not calculate upon the continuance of this charge on the introduction of the Institution; having memorialled his Majesty in Council for a grant of Ground on which to erect a structure worthy of the country and the cause for which it was raised, he anticipated success, but some delay has nevertheless interposed to retard the accomplishment of his desires;—and praying the House to grant him aid towards paying the rent and meeting the various and weighty charges of maintenance, school materials, books, &c., attendant upon an Institution so important.

On motion of Mr. PACK, seconded by Mr. POWER,

Ordered, that the said petition be referred to the committee appointed to prepare the draft of a bill for establishing primary schools.

Referred to committee on Schools

Petition of Inhabitants of Carbonear praying aid to build a Sessions Room &c

A Petition of Thomas Chancey and others, inhabitants of the town of Carbonear, was (with his Excellency the Governor's assent that the House may proceed thereon as they shall think fit) presented by Mr. PACK, and the same was received and read, setting forth—that the said town of Carbonear, containing upwards of three thousand inhabitants, is without any kind of Gaol or Lock-up House for the securing of criminal or other disorderly persons, and that thereby the Laws cannot be carried into execution, and the public peace is frequently broken with impunity. That the holding of a Court of Sessions at Carbonear would be attended with very beneficial effects, by forwarding the administration of Justice and carrying the Laws into operation; and that, therefore, the erection of a place in which to hold a Court of Sessions is highly necessary. That owing to the extensive trade of Carbonear it contributes annually a large sum to the Revenue, and therefore should become a Port of entry and have a Custom House. That there are no bridges across certain streams called "the Gut" and "Powell's Brook," both of which are on the high road leading from Carbonear to Harbor Grace, and the passing of which, particularly the former, has sometimes been attended with loss of life;—and praying the House to grant such sum or sums of money as may be thought sufficient and necessary for the erection in the said town of a Public Building which could be appropriated to the purpose of a Gaol, Court of Sessions and Custom House, as well as for the erection of two good and sufficient Bridges over the beforesaid Rivers.

On motion of Mr. PACK; seconded by Mr. POWER,

Ordered, that the said petition be referred to the committee of supply.

Referred to the committee of supply

On motion, the Report of the committee of the last Conference with his Majesty's Council on the subject of the books purchased for the use of the Legislature, was read and considered,—and thereupon,

Report of conference on Books considered

On motion of Mr. CARSON, seconded by Mr. SWEETMAN,

Resolved, that this House concur with the committee in the said Report, and that the arrangement proposed by his Majesty's Council be adopted.

Proposal of the council adopted

Ordered, that a message be sent to his Majesty's Council to acquaint them thereof.

Pursuant to the order of the day, an engrossed Bill to amend an act passed in the fourth year of his Majesty's Reign, entitled "An act for declaring all Landed Property in Newfoundland Real Chattels" was read a third time.

Bill to amend the Real Chattels Act read 3d time and passed

On motion of Mr. PACK, seconded by Mr. KOUGH.

Resolved, that the Bill do pass and that the title be "An act to amend an Act passed in the fourth year of his Majesty's Reign, entitled 'An act for declaring all Landed Property in Newfoundland Real Chattels.'"

Sent to Council

Ordered, that Mr. PACK do carry the said Bill up to his Majesty's Council and desire their concurrence.

Mr. KOUGH from the committee appointed to prepare the draft of a Bill for the regulation of the Fisheries, reported that the committee had prepared the draft of a bill for that purpose, and he presented the same to the House, and the said Bill was read a first time.

Bill for the better conduct of the Fisheries read a first time

Ordered, that the said bill be read a second time on Saturday, the twentieth instant.

2d reading.

On motion of Mr. SWEETMAN, seconded by Mr. PACK.

Ordered, that the said Bill be printed for the use of the Members of the House.

To be printed.

Mr. KENT moved, seconded by Mr. POWER,

That this House do now adjourn until to-morrow, at twelve of the clock.

Motion to adjourn until to-morrow.

Mr. SWEETMAN, moved in amendment, seconded by Mr. MARTIN.

That this House do adjourn until Monday at twelve of the clock,—which being put, and the House dividing thereon, and the names being called for were taken down as follows:—

Amendment to adjourn until Monday next.

For the amendment.

Against the amendment.

Division

Mr. ROW

Mr. COZENS.

— SWEETMAN

— POWER

— CARSON

— KENT

— MARTIN

So it passed in the affirmative, and

The House adjourned until Monday next, at twelve of the clock.

Amendment carried.

MONDAY, FEBRUARY 15, 1836.

MR. P. BROWN from the committee appointed to search the Journals of his Majesty's Council, in order to ascertain what proceedings have been had upon the Bill sent up from this House entitled "An act to regulate the office of Sheriff, and for the annual appointment of Sheriffs in the several Judicial Districts of the Island," reported that the committee had searched the Journals of the Council accordingly,

Report of select committee to search Council's Journals relative to the Sheriff's Bill.

Report &c.

and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read and is as follows :

“ *February 1, 1836.*

“ The Bill to regulate the office of Sheriff, &c., brought up and read a first time, and

“ *Ordered*, to be read a second time to-morrow.”

“ *February 4, 1836.*

“ The said bill was read a second time.

“ *Ordered*, to be committed to-morrow.”

“ *February 5, 1836.*

“ The said Bill was committed.

“ The Hon. the Collector in the chair.

“ After some time the House resumed.

“ The Chairman reported that it is the opinion of the committee that the Bill should be read on this day six months.”

“ *Ordered*, that the report be received and adopted.”

Ordered, that the said report do lie on the table.

A Message from his Excellency the Governor.

Message from Governor,

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of two messages from his Excellency the Governor, signed by his Excellency ; and he presented the same to the House. And the said Messages were read by Mr. Speaker (all the Members being uncovered) and are as follow :—

MESSAGE.

H. PRESCOTT

The Governor acquaints the House of Assembly that in consequence of the death of William Armstrong, the sum of £50, included in the Estimate for the ensuing year as a pension to that Individual, will not be required.

*Government House, }
15th February, 1836. }*

Acquainting the House of the death of Mr. Armstrong

MESSAGE.

H. PRESCOTT.

The Governor transmits for the consideration of the House of Assembly the accompanying account, which has been received from the Magistrates at Port de Grave, of expenses attending the Registration of Voters on the South Shore of Conception Bay.

*Government House }
15th February, 1836. }*

Transmitting accounts of expenses of registering Voters on the South Shore of Conception Bay

Ordered, that the said Message do lie upon the table.

A Message from his Majesty's Council by Mr. Ayre, Clerk of the Council.

Mr Speaker,

His Majesty's Council have passed the Bill sent up from the Assembly, entitled “ An act to limit the duration of the present and all future Houses of Assembly in this Colony,” with some amendments, to which the concurrence of the Assembly is requested.

His Majesty's Council have also passed the Bill sent up from the Assembly, entitled “ An act for granting to his Majesty the sum of Five hundred pounds to defray any necessary expenses that may be incurred

Message from the Council

in preventing the extension and spread of Small Pox," without amendment.

And then the Messenger withdrew.

The amendments made by his Majesty's Council in the said Bill were then read by the Clerk, and are as follow :

Amendments to the Bill
for limiting the duration
of Assemblies

1st Section, 4th line. Expunge the words "last day of the present session of the General Assembly of this Colony," and insert in their stead "1st day of January, One thousand Eight hundred and Thirty eight."

2nd Section, last line. Expunge the word "*such*."

Ordered, that the said amendments do lie upon the table.

Mr. P. BROWN, from the committee appointed to enquire into the salaries of Magistrates, Constables, and Goalers, and to report upon the state of the Police of the Island in general, reported that the committee had come to a report thereon, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows—

Report of select commit.
tee on Police

Upon the propriety of the Gaoler at St. John's being allowed a competent salary in place of fees of office and profit on the dietry supplied by him to the Prisoners under his charge, your committee have examined the Gaoler, Prisoners and others, and are of opinion that any change made would not be for the public good, and recommend that the system heretofore pursued should be continued. Owing to the unprotected state of the Outports, and the heavy expenditure that will be necessary for a due protection therein, your committee cannot recommend any further increase of expenditure on account of the police of St. John's for the present year.

Upon the subject of the Police of the Island, your committee recommend that the Clerk of the Peace for Conception Bay should be paid from the funds of the Colony without any fees of office either for collecting License Money, or otherwise; that he should be apart from any business, and if a Barrister, preferable, and should not practise unless in criminal business in the Circuit Court or Court of Sessions, for which he should receive no additional fee; and your committee recommend a sufficient salary in lieu of all fees to induce a respectable man to fill the situation.

Your committee are of opinion that at all general Quarter Sessions of the Peace, not only for Conception Bay, but for the Island generally, in order to insure a Quorum of Magistrates, one pound *per diem* should be paid for the attendance of one honorary Magistrate where there are not two Stipendiary Magistrates present, and not for more than four days each Quarter Sessions—the Magistrate whose name takes precedence in the general commission of the Peace, being in attendance, to be entitled to the sum recommended.

Your committee are also of opinion that the four under Constables at Harbor Grace and Carbonear should have an addition to their salaries of Five pounds a year each, thereby making their salaries Twenty five pounds each, and there should be also an additional Constable with the same salary in Carbonear; and in consequence of a Magistrate being lately appointed at Bay de Verds, your committee suggest the propriety of a Constable being stationed there with a salary of Ten pounds a year.

Your committee being also opinion that Brigus being the most central part of the district of Conception Bay, and being more accessible by land and by water than Port de Grave, recommend to the House the propriety of Brigus being the residence of the Stipendiary Magistrate, as also the most fit place for holding the Court of Sessions, and that the

Report &c.

two constables of Brigus and Port de Grave be allowed the same salaries as the under constables of Harbor Grace, and to attend the Court of Sessions when required. That owing to the extensive trade of Carbonear and its large population, your committee believe that a good substantial lock-up house with a Magistrate's office and Sessions Room attached thereto, would add greatly to the peace and good order of that town, and that the same remarks would extend to Brigus if the House in its wisdom should think fit to remove the Stipendiary Magistrate thither. They also recommend to the consideration of the House the propriety of an increase in the salaries of the Stipendiary Magistrates in Conception Bay.

The committee also recommend to the consideration of the House the necessity of building a good substantial stone wall round the prison yard at Harbor Grace, and that owing to the insecure state of the wooden fence at said place, the prisoners are obliged to be kept confined in the cells of the prison, thereby greatly endangering their health.

Your committee further recommend that the constable at Bay Bulls should have a yearly stipend (in consequence of his being frequently obliged to act as Gaoler) of twenty-five pounds,—as also a constable at Toads Cove, ten pounds a year,—and that an addition of fifteen pounds a year be made to the salary of the constable at Ferryland, making it altogether twenty-five pounds; also, ten pounds a year to a constable at Fermeuse,—and that the salary of the Gaoler at Ferryland should be twenty-five pounds a year.

That owing to the distance from St. Johns, and the uncertainty of the Circuit Courts, Placentia being the most Central Town of the Southern District claims the particular consideration of the House, and your committee earnestly impress upon it the propriety of a Magistrate with a stipend being placed there, so that the public may not be disappointed in the ends of Justice, and that the Gaoler should be placed on the same footing with the Gaoler at Ferryland, with additional Constables, one at Little Placentia, one at Barren Islands, and one at Merasheen, at ten pounds a year each; and that the Constable at Great Placentia, being the Town where the Court is held, should have a salary of twenty five pounds a year. And if the House in its wisdom should think fit to vote a stipend for a Magistrate to reside at Placentia, the committee would recommend the Records being kept there, as also the Clerk of the Southern Circuit Court to reside there.

The committee would recommend a Salary of ten pounds a year for a Constable to reside at Exploits Burnt Islands and the residence of a Magistrate. And they are further of opinion that Twillingate being the residence of a Magistrate, as also having a large population would require a small Lock-up-House, with a Magistrate's office thereto attached.

The committee consider that owing to the extent of trade in the Harbour of Trinity as also its being in the midst of a populous District, would recommend a salary for a Stipendiary Magistrate as a matter deserving the serious consideration of the House.

Burin being a port of considerable trade, and being a Central Town on the West side of Placentia Bay, as also being contiguous to the French settlements of St. Peters and Miquelon, would require a stipendiary Magistrate and also an additional Constable.

All which is humbly submitted,

Committee Room, } P. BROWN, Chairman.
February 11, 1836. }

Mr. Row, moved, seconded by Mr. KOUGH,

That the said report be not adopted ; which being put, passed in the negative.

Motion for not receiving the report put and negatived

On motion of Mr. P. BROWN, seconded by Mr. KENT.

Ordered, that the said Report be adopted and referred to the committee of Supply.

Report adopted and referred to the committee of Supply

On motion, a bill to regulate the office of Sheriff, and for the appointment of an annual Sheriff in this Colony, was read a second time,

Sheriff's bill read 2d time

On motion of Mr. P. BROWN, seconded by Mr. KENT,

Ordered, that the said bill be committed to a committee of the whole House.

Committed for

Resolved, that this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

To-morrow.

Mr. P. BROWN gave notice that, to-morrow, he should move for the appointment of a select committee to consider and report upon the best mode of making roads throughout the Island.

Notice of motion for the appointment of committee to report upon roads.

Mr. P. BROWN also gave notice that, to-morrow, he should move that the House resolve itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.

Notice for to-morrow of committee of Supply.

Mr. HOYLES gave notice that, to-morrow week, he would move for leave to bring in a bill to authorise the raising money by loan for erecting a public market-house in the town St. John's.

Notice of bill for the erection of a public Market-house in St. John's.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, FEBRUARY 16, 1836.

A GREEBLY to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to regulate the office of Sheriff, and for the appointment of an annual Sheriff.

House in committee on Sheriff's bill

Mr. SPEAKER left the chair.

Mr. SWEETMAN took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. SWEETMAN reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Report

Ordered, that the said committee have leave to sit again.

To sit again on.

Resolved, that this House will, on Friday next, again resolve itself into the said committee.

Friday next.

On motion of Mr. P. BROWN, seconded by Mr. MARTIN,

Resolved, that this House do now resolve itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.

House in committee on supply.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. HOYLES reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Report.

To sit again on

Ordered, that the said committee have leave to sit again.

Saturday next.

Resolved, that this House will, on Saturday next, again resolve itself into the said committee.

On motion of Mr. P. BROWN, seconded by Mr. CARSON,

Committee appointed to prepare road bill.

Resolved, that a select committee be appointed to prepare and bring in a bill to regulate the mode of making public roads and highways in this colony.

Ordered, that Mr. P. BROWN, Mr. CARSON, Mr. MARTIN, Mr. PACK, Mr. KOUGH, Mr. COZENS, Mr. CARTER, and Mr. SWEETMAN, do form the said committee.

On motion of Mr. ROW, seconded by Mr. P. BROWN,

Report of committee to be printed.

Ordered, that the said report of the committee on Police be printed for the use of the Members of the House.

Notice of Census bill.

Mr. PACK gave notice that, on Saturday next, he should move for leave to bring in a bill for taking a Census of the population and other statistical information.

Notice of bill for completing Harbor Grace Island Light House.

Mr. PACK also gave notice that, on Monday next, he should move for leave to bring in a bill to authorise the raising a further sum of money by loan for completing the erection of the Harbor Grace Island Light-house.

Then the House adjourned until Thursday next, at twelve of the clock.

THURSDAY, FEBRUARY 18, 1836.

Present.

House adjourn for want of a quorum.

MR. SPEAKER, Mr. KOUGH, Mr. MARTIN, Mr. KENT, and Mr. POWER.

And, at 30 minutes past twelve o'clock, Mr. SPEAKER adjourned the House for want of a quorum.

FRIDAY, FEBRUARY 19, 1836.

Petition of Aaron Hogsett presented and read.

A Petition of Aaron Hogsett, late Sheriff of this colony, was (with the consent of his Excellency the Governor that the House may proceed thereon as they may think fit) presented by Mr. PACK, and the same was received and read, setting forth, that memorialist has been employed in his Majesty's service for a period of twenty-nine years, the last twenty of which have been spent in this colony in situations of high public trust, and that during this time he has always endeavoured to discharge the duties of his office to the utmost of his ability, and to the best advantage for the public service, reasonably anticipating that a diligent and faithful discharge of those duties, during so large a portion of his life, would entitle memorialist to the consideration of his country, and establish for him a claim to such appointment as he might be thought capable of filling with advantage to the public, and that it would at the same time yield such emolument as might afford a moderate competency to memorialist and his family. That memorialist had, until very lately, great reason to believe that his expectations had been crowned with

success, inasmuch as that, upon the resignation of Captain Buchan, of the office of High Sheriff of this Colony, which he had held for ten years, his Excellency the Governor had appointed memorialist to succeed him by commission under the Great Seal, bearing date the first day of September last, and memorialist has every reason to believe that his Excellency in making this appointment was actuated solely by a consideration for those claims which such long and faithful services merited. That memorialist conceiving that, in consequence of the salary formerly granted by the Home Government to the office of Sheriff having ceased, the right of appointment had become exclusively within the patronage of his Excellency, agreeably to the usages in other colonies, and which gave to memorialist the greater confidence in accepting the same, in no wise doubting that he would be permanently established therein. That memorialist has, to his great disappointment and concern, been superseded in the said office of Sheriff under a letter of instruction from his Majesty's principal Secretary of State for the Colonies, to his Excellency the Governor, bearing date the 7th day of October last. That his Excellency has manifested a strong disposition of kindness towards memorialist, and has forwarded to his Majesty's Government several petitions from the inhabitants of this Colony, praying for a confirmation of his Excellency's appointment, and memorialist is given to understand that there are several other documents of a similar nature addressed to his Excellency since the former were transmitted to England. That his Excellency, in consequence of instructions contained in the despatch before mentioned from Lord Glenelg, the Colonial Secretary, has been further pleased to appoint Memorialist to be Clerk and Registrar of the Southern Circuit Court of this Island, with a salary, as memorialist believes, of One hundred pounds per annum, which measure is fraught with the most alarming consequences to memorialist, and which, with his numerous family, cannot fail to involve him in very serious embarrassments;—and praying that under these circumstances the House will take his case into its favorable consideration, and to extend in his behalf such interposition as to the House may seem meet.

Petition of A. Hoggatt:

Ordered, that the said petition do lie upon the table.

A petition of Matthew Stevenson, of Harbor Grace, Gentleman, was (with his Excellency the Governor's assent that the House may proceed thereon as they shall think fit) presented by Mr. P. BROWN, and the same was received and read, setting forth—that petitioner, in the year 1812, was appointed Clerk of the Peace and Clerk of the Surrogate Court at Harbor Grace in Conception Bay, the duties of which situations he continued to discharge until the year 1826, at which time the Surrogate Court was abolished by the establishment of the Northern Circuit Court. That in consequence of such alteration, petitioner was deprived of an office he had filled for fourteen years, with satisfaction to the public, and, he trusts, credit to himself, without any remuneration whatever having been made him for such loss. That petitioner from that period struggled to support a large family on the emolument he derived from the Office of Clerk of the Peace alone, until the month of July last, when his age and infirmities became such as to oblige his Excellency the Governor to remove him, and thus after nearly Twenty three years service he is now left in the decline of life with a family in the utmost distress, destitute of every means of support, and totally unable at his advanced age and ill state of health to earn a single shilling,—petitioner, under the foregoing circumstances feels himself compelled to lay this statement of his condition before the House, praying them to take it into favorable and humane consideration, and grant him such pecuniary aid, as the

Petition of Matthew Stevenson presented and read.

House may conceive his long services and melancholy situation deserve and entitle him to.

Ordered, that the said petition do lie upon the table.

Petition of J. V. Nugent
presented and read.

A petition of John Valentine Nugent, of St. John's, Gentleman, was presented to the House by Mr. KENT, and the same was received and read, setting forth—that having devoted many years of the prime of his life to the accomplishment of an extensive course of education, petitioner applied during four years to the study of the Law, but nevertheless was deterred from the hope of reaching the Bar in his own Country, by the pressure of unforeseen domestic difficulties. That the circumstances of Newfoundland however—a Country that had not thitherto had the advantage of any of those institutions, the early establishment of which would have justified the creation of a Bar—and the recent institution of a Supreme Court of Judicature with power to admit persons to sustain the several forensic characters of Barrister, Advocate, Solicitor, Attorney and Proctor, in the several Courts of the Island, leading the petitioner to conclude that the Courts of Newfoundland were *open*, he was readily induced to embark his hopes and fortunes for this Colony, with a confident expectation of free permission to practise at the Bar. That petitioner had judged that upon the establishment of such a Tribunal in a young Country, in the absence of a University or College, or any institution, where persons qualified could have regularly graduated, gentlemen must have been admitted having for their sole qualification only a general intelligence not directed by education or previous study, to the profession of the Law;—and upon landing on the shores of Newfoundland in May, 1833, he discovered that his opinions on that subject were well founded. That this fact strengthened the hopes of petitioner; and upon seeing that the Catholic inhabitants of the Island, who form fully three fourths of a population of One hundred thousand people, had not been permitted to enjoy the advocacy of an individual of their own creed, he could not imagine that it would be attended with difficulty to attain the accomplishment of his wishes. That for these reasons and with these views, the petitioner made application to the Honorable Henry John Boulton, Chief Judge of the Supreme Court, through the Right Reverend Doctor Fleming, Catholic Bishop of Newfoundland, for admission to practise at the Bar, and on this occasion so confident was the Right Reverend Gentleman that the reasonableness of the request would ensure success that the application was made orally. That to this demand there was no objection made on the part of the Honorable Judge, but a reply was suspended until he could ascertain whether the Bar could with advantage admit of increase; and the question having been referred to the Bar themselves for solution, Petitioner learned that the Bar voted that the persons at present in practice were sufficient for the business of the Courts, and the circumstance of his not having been admitted convinced him of the correctness of the information. That upon the opening of the January term of the Supreme Court in 1834, and subsequently to this application, petitioner observed at the Bar, exclusive of the Honorable the Attorney General and Solicitor General, only six individuals to conduct the causes of a population of One hundred thousand, in all the varied relations of Barrister, Advocate, Solicitor, Attorney and Proctor; and when he found that of these six only *one* had regularly qualified to practise as Attorney, he could not help thinking that the resolution before alluded to, and whereby he had been excluded, had not been dictated by a desire to promote the public interest. That in the spring of 1834, one of the Gentlemen of the Bar having died, petitioner judged that the only objection that had been hitherto started to obstruct his admission was now removed, but on renewing that application through the

same Right Reverend Gentleman, the written reply of the Honorable Judge, while it expressed concurrence in the claim of petitioner, embodied a new objection founded on the probability that a bill which that Honorable Individual had introduced for the purpose of regulating the Bar (the Lawyers' Incorporation Act), would pass shortly into a Law, which Law would have had the effect of rendering the Supreme Court incompetent to admit the claimant without a second appeal to that Bar by whom he had been before rejected. That it now appeared evident to the petitioner that some motive other than had been until then pleaded had induced the rejection of petitioner's claims, because as the petitioner was ready to meet the strictest scrutiny into his qualifications, whether moral or professional,—as in fact the existence of these qualifications had been at first tacitly but now explicitly admitted, petitioner was reluctantly compelled to attribute the hostility he encountered to objections extrinsic of these qualifications, and he forebore to press a claim that had thus been rendered hopeless. That petitioner nevertheless, and the public with him, had long since seen that in numbers the existing Bar were by no means sufficient for the transaction of the business of the Courts; and when they saw that although the Bar only now consisted of *five* individuals, exclusive of the Attorney and Solicitor General, to do all the business of One hundred thousand people, as Solicitors, Attornies, Proctors, Barristers and Advocates, and that of these *five* only *one* had been a regularly qualified Attorney, all considered that an act having for its object to convert the Bar Practice of Newfoundland into a monopoly for these few unqualified Lawyers, and to prevent the possibility of the admission of any who should be likely to command the public confidence—an act empowering these *few* men by certain bye-rules to tax the entire people of Newfoundland to any extent they please, in the shape of fees, without permitting an appeal—an act, in fine, which provides that in order to secure to Newfoundland “a learned and honorable Bar,” none shall be admitted to practise but those who, without education, or previous study, or the possibility of attaining these qualifications, shall qualify by a mere apprenticeship to the present unqualified practitioners,—all considered that such an act as this was calculated to produce the worst consequences to the public interests, and the necessity of a change was observed by all. That at length circumstances arose that led the Catholic public to appreciate more forcibly than ever, the want of a Catholic at the Bar, in whom the public could repose confidence,—a charge of libel had been concocted against a respectable Clergyman of that persuasion, and although the friends of the Rev. Gentleman had induced him to consent to retain a Professional agent, yet so far was he from entertaining that confidence which was requisite to be reposed in the advocate, that he refused to hold personal communication even with his professional agent, through want of confidence in the Bar, and made the necessary arrangements for conducting his own defence; and on each succeeding day did new cases arise, developing still more fully the injustice of the exclusion of the only individual of that communion who had solicited admission to practice at the Bar, since the establishment of the Supreme Court of Newfoundland under his Majesty's Charter. That this injustice was not alone observed by Catholics—people of all persuasions concurred in the impropriety of compelling the population of Newfoundland from remaining for five years longer without a hope of gaining an accession, whether numerical or otherwise, to the Bar,—and people of all persuasions admitted that to forbid the Catholic people, who form three-fourths of the community, from having a Catholic advocate at the Bar, was not calculated to promote confidence in the impartial administrat. That on a recent occasion on the exhibition of another charge against another Catholic Clergyman whose feelings

Petition of J. V. Nugent

were still more strongly manifested, and an increase of the Bar loudly called for by the concurrent Petitions of the Catholics of St. John's, and those of Harbor Grace, and the people of Carbonear generally ; and although the Judges themselves were cognizant of the fact, that the present Practitioners are not competent to transact all the business of all the suitors with propriety, and although the charter reserves to the Supreme Court a right to increase the Bar when deficient in number, which right has not been abrogated by the "Lawyers Incorporation Act"—and although it was matter of public notoriety that the Petitioner would have been the person selected had these petitions succeeded and that the Clergyman himself would have united in the prayer did he imagine he could have done so consistently with his safety—nevertheless, in every case where any of these petitions had been presented to the Supreme Court were they by that Honorable Tribunal *refused to be received!*

That in the course of the proceedings during the late term of the Central Circuit Court held in St. John's, the Honorable the Chief Justice, in open Court, more than once felt himself called upon to reprove, and in the presence of the petitioner, the members of the Bar generally with severity, for the manner in which they arranged their evidence ; and particularly in a case in which a Mr. Pope was a party, having severely rebuked the counsel for the Plaintiff, for bringing a cause into Court with which he was unacquainted, took occasion in censuring the Counsel for the Defendant to say "*I do not mean to apply the remark to you Mr. — alone but I say that you all Gentlemen of the Bar come into Court unacquainted with the causes in which you are engaged, and incapable of doing Justice to your clients.*"

That it did not appear astonishing to the Petitioner that such a remark should be applicable.—To execute the entire business of the populous Central District there were but three Gentlemen to act as Barristers, Advocates, Solicitors, and Proctors (the other two having gone upon the other Circuits) and of these remaining *three*, only one had been a regularly qualified Attorney, and another of the three had publicly refused to take any case for a Fisherman against a Merchant, for the recovery of his Wages, and therefore the complex mass of business of this Court devolved upon two individuals ; and yet with this cognizance of the absolute necessity of an immediate increase of the Bar, were petitions of the people of Carbonear and of the Catholics of Harbor Grace, for that increase refused to be received. That under these circumstances Petitioner having learned that his Excellency Governor Prescott had addressed an enquiry to the Supreme Court on the subject of the application of Catholics for admission to practise at the Bar in Newfoundland, and that the reply of that Honourable Court had been that no such application had been made, the petitioner felt for a moment astonished, as he had considered that he had made at least two such applications, but immediately concluded that as the want of an increase to the Bar was now universally admitted, he ought not to delay laying before the Court a formal memorial praying for admission. That this memorial the petitioner accordingly transmitted to the Honorable the Supreme Court, through the Clerk of that Court, on Monday the first instant, but that Honorable Tribunal has deferred its reception until its next session. That petitioner humbly conceives when the previous rejection of his former applications is taken into consideration—when the very small number of the Bar, in proportion to a population so extensive, is regarded—when the refusal on the part of the Honorable the Supreme Court to receive the petitions of the people of Harbor Grace and Carbonear for its increase is contemplated—and when keeping in mind that those Rules of the Honorable the Supreme Court which would seem to require that all applications for

admission to practise at the Bar should be made, not during the season but a week antecedent thereto, and not *in Court* but in *Chambers*, are now by the new Rules and the "*Regulæ Generales*" rescinded; and that, therefore, that Honorable Court may with propriety *at any time* receive such applications, keeping this in mind, when the adjournment of the reception of petitioner's memorial to an indefinite period is considered, Petitioner humbly conceives that in regarding that adjournment as a preconceived determination to reject him, he will not be thought unreasonable. That the Supreme Court of Newfoundland is a Tribunal which by the Charter of our August Sovereign has been created to guard at all times the lives, the liberty, and the property of his Majesty's subjects, and in the establishment of so high a Tribunal it is a legal presumption that its portals are *at all seasons* open, and it is a right inherent in every individual *always* to have access to the Bench by petition, and on no legitimate occasion to have justice delayed: The petitioner nevertheless, notwithstanding that Suitors require the assistance of Advocates, &c., during the vacation as well as in term,—Petitioner having been consulted during the last vacation by *several hundred Suitors*, who, had he been permitted to practise at the Bar, would have employed him professionally, and is, during the present vacation, also daily consulted by parties solicitous for his assistance; and notwithstanding that several Sessions of the Circuit Courts at which Suitors may again have to complain with the Honorable Judge that the Bar are incapable of doing them Justice, may, and probably will intervene before the next Session of the Supreme Court,—notwithstanding this, petitioner is told—and the people of Newfoundland are told by that Honorable Tribunal—that a petition to increase the Bar, or deprive it of its character of exclusion, or to restore it to confidence, whether it be from an humble individual, as in the case of petitioner, or from large communities, as in the cases of the Petitions of Harbor Grace and Carbonear—that in *all cases* such a petition is doomed to be contemptuously rejected by the Honorable the supreme Court. Petitioner humbly prays the House to interpose and accelerate the attainment of the wishes of the Catholic people of Newfoundland, to have a person admitted to the Bar of their communion, in order to promote among that large, respectable and loyal portion of the population, that confidence in the administration of justice essential to the well being of the community. That when the present gentlemen before their incorporation held their tenure as a *Bar*, only on the security of the dictum of the Honorable the Supreme Court, the Legislature of the Country interposed, judging it "necessary that all doubt of their independence should be removed," and a legislative enactment invested them with the dignity of a Bar which had been denied them by that Honorable Tribunal;—and praying that the House will by such means as may seem most suitable have the grievances of petitioner redressed by placing his name on the list of the Bar of Newfoundland.

Petition of J. V. Nugent.

Ordered, that the said petition do lie upon the table.

Mr. KENT gave notice that, on Monday next, he should move for leave to bring in a bill to enable John Valentine Nugent to practise as a Barrister and Attorney in the several Courts of this Island.

Notice of Bill to enable J. V. Nugent to practise as Attorney & Barrister.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the bill to regulate the office of Sheriff, and for the appointment of an annual Sheriff.

House in committee on Sheriff's Bill.

Mr. SPEAKER left the chair.

Mr. SWEETMAN took the chair of the committee.

Mr. SPEAKER resumed the chair.

- Report.** Mr. SWEETMAN reported from the committee that they had gone through the said bill, and had made several amendments therein, which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's table.
- Amendments agreed to** And the said amendments having been read throughout a first and second time, were, upon the question put thereon, agreed to by the House.
- Engrossed.** *Ordered*, that the said bill as amended be engrossed.
- 2d reading.** *Ordered*, that the said bill be read a second time on Monday next.
- House in committee of supply.** On motion, the House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.
- And the House resolved itself into the said committee accordingly.
- Mr. SPEAKER left the chair.
- Mr. HOYLES took the chair of the committee.
- Mr. SPEAKER resumed the chair.
- Report** Mr. HOYLES reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.
- To sit again** *Ordered*, that the said committee have leave to sit again.
- To-morrow.** *Resolved*, that this House will, to-morrow, again resolve itself into the said committee.
- Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, FEBRUARY 20, 1836.

- Census bill read 1st time.** MR. PACK, pursuant to notice and leave granted, presented a bill for taking a Census of the population and other statistical information, and the same was received and read a first time.
- 2d reading.** *Ordered*, that the said bill be read a second time on Tuesday next.
- Fishery bill read 1st time** Agreeably to the order of the day, a Bill for the better conduct of the Fisheries was read a second time-
- Committed for** On motion of Mr. KOUGH, seconded by Mr. MARTIN, *Ordered*, that the said bill be committed to a committee of the whole House.
- Wednesday.** *Resolved*, that this House will, on Wednesday next resolve itself into a committee of the whole House on the consideration of the said bill.
- House in committee on Supply** Agreeably to the order of the day, the House resolved itself into a committee to consider further of a supply to be granted to his Majesty.
- Mr. SPEAKER left the Chair.
- Mr. HOYLES took the chair of the committee.
- Mr. SPEAKER resumed the chair, on a question of order.
- The Chairman resumed the chair.
- Report** After some time the House resumed, and the Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.
- To sit again on** *Ordered*, that the said committee have leave to sit again.
- Thursday.** *Resolved*, that this House will, on Thursday next, again resolve itself into the said committee.

Mr. KOUGH gave notice that, on Monday next, he should move that it be a standing Order of the House, that upon any occasion when two sums of money shall be proposed to be granted for any particular service the smaller sum be first put, and that upon an equality of votes the Chairman shall decide by voting for the smaller sum.

Notice of motion of standing order.

Then the House adjourned until Monday, at twelve of the clock.

MONDAY, FEBRUARY 22, 1836.

AN engrossed Bill to regulate the office of Sheriff was, pursuant to order, read a third time.

Sheriff's Bill read 3d time

On motion of Mr. P. BROWN, seconded by Mr. PACK.

Resolved, that the said bill do pass, and that the Title be "An act to provide for the annual appointment of a Sheriff in this Colony, and to regulate the fees of such Office."

Passed Title

Ordered, that Mr. P. BROWN, do carry the Bill up to his Majesty's Council and desire their concurrence.

Sent to Council.

Mr. PACK, pursuant to notice and leave granted, presented a bill to authorize the raising by loan a further sum of money to complete the erection of the Light House on Harbor Grace Island, and the same was read a first time.

Bill to complete the erection of Harbor Grace Island Light House read 1st time.

Ordered, that the said bill be read a second time on Thursday week.

2d reading.

Mr. KENT, pursuant to notice and leave granted, presented a bill to enable John Valentine Nugent to practise as a Barrister and Attorney in the several Courts of Law in this Island and for other purposes, and the same was read a first time.

Bill to enable J. V. Nugent to practise presented and read 1st time.

Ordered, that the said bill be read a second time on Wednesday next.

2d reading

Mr. PACK gave notice that, on Wednesday next, he should move the second reading of the Amendments made by the Council in the bill for limiting the duration of the Assemblies of this Island.

Notice of motion for 2d reading of amendments to limitation of Assemblies bill.

Mr. P. BROWN gave notice that, on Wednesday next, he should move that the House resolve itself into a Committee of the whole House on the consideration of the Public Roads.

Notice of motion for committee on roads.

Mr. HOYLES gave notice that, on Wednesday next, he would move for the appointment of a committee to examine and report upon the expiring Laws.

Notice of motion for committee on expiring Laws

A Petition of Joseph Templeman was (with his Excellency the Governor's consent that the House may proceed thereon as they shall think fit) presented to the House by Mr. PACK, and the same was received and read setting forth—that having published an Index and Digest of the Acts of the Legislature of this Colony down to the last Session, Petitioner begs to approach the House with a copy thereof. That while he most gratefully acknowledges the grant of £25 voted him last Session on account of the said Index, he respectfully submits that that sum will be no compensation for the bare labour and mental exertion which the said work required, nor, taking into consideration its great utility to the public at large, will the said grant be any remuneration to him or operate as an encouragement to continue the said work for the acts of subsequent Sessions. That the great expense attending the publication of said Index in a Community where, notwithstanding its universally acknowledged merits, there is little or no sale for a work of this description, and the little prospect there is of the copies which have been struck off being disposed of, will leave petitioner a loser by an undertaking from which he hoped

Petition of Joseph Templeman presented and read

to derive substantial benefit. That from the favourable manner in which the House was pleased to receive his former petition on the above subject, but more especially particularly from the flattering report made by the select committee with respect to the said Index, Petitioner is encouraged to hope the House will deem him deserving of some further remuneration,—and praying the House will grant him such further sum of money as in their wisdom may seem meet.

On motion of Mr. P. BROWN, seconded by Mr. KENT,

Ordered, that the said Petition be referred to a select committee to examine and report upon.

Ordered, that Mr. P. BROWN, Mr. KENT, Mr. CARSON, Mr. CARTER, and Mr. PACK, do form the said committee.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows:—

MESSAGE.

H. PRESCOTT

The Governor acquaints the House of Assembly that in pursuance of directions from his Majesty's Government, he has caused to be repaid into the Colonial Treasury, (out of the proceeds of sales of certain King's Stores at the Navy Yard) the sum of £66 0 5, being the amount of expenses incurred by his Predecessor in repairing a Naval Storehouse, intended as a Cholera Hospital, on the south side of the Harbor, in the year 1834.

Government House, }
22d February, 1836. }

Ordered, that the said Message do lie upon the table.

Then the House adjourned until Wednesday next, at twelve of the clock.

WEDNESDAY, FEBRUARY 24, 1836.

Report of select committee on elementary schools.

MR. CARSON from the committee appointed to enquire into and report upon the best mode of establishing primary schools throughout the Colony, reported that the committee had considered of the matters to them referred, and had come to a report thereon, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:

That the importance to the interests as well of the Government as of the people, of the diffusion amongst all classes of subjects of such a system of public education, as may best tend to improve the morals and religious habits, encourage and direct the industry, and ensure the happiness and tranquillity of the people, has long been acknowledged in every well regulated state both in the old and in the new World.

In the older Countries of Europe the facilities afforded to the poorer classes of attaining the advantages of Education are great in proportion as the poorer portion of the population had been more barbarous, and in every instance has it been found that as education advanced, and the minds of the people were enlightened, vice and crime dwindled away. When some person proposed special Laws for the repression of crimes in

Lombardy the Emperor Francis replied,—“Teach the people, and when they are able to read they will no longer stab.” (Valary Vol. 1, P. 158.) And since his time the same principle has been acted upon in almost every European Country.

Popular Education in the Austrian Dominions commenced under Maria Theresa, and ever since popular elementary education has not only been fostered but *enforced* by the Imperial Government, and these elementary schools are frequented by the thirteenth part of the population; and in the Kingdom of Lombardy, before alluded to, this compulsory system has been in operation for the last twelve years. Every Village must have its school, which is supported from the municipal funds—or when the commune is too small, two are united, and already have the happiest effects resulted.

In the Venetian States the numbers attending at the Elementary schools are not so great in proportion to the numbers of inhabitants—for we find that out of a population of 1,894,000, only 6590 are in attendance, being about one *thirtieth*; and we find that as each Country advances in civilization the population will be found to increase—and if we pass from the extreme South to the extreme North of Europe—from Italy to Russia—we find this exemplified,—one eleventh part of the population deriving benefit from these establishments in the latter Country.

With every desire to extend to the poor of Newfoundland all the advantages that have accrued to other countries from the diffusion of education, your committee at a season when communication cannot be had with the distant outports, are deprived of the means of acquiring such information on the state of education generally in this Island as would enable them to furnish a full report, and from the very imperfect data before them, therefore, they cannot form a correct estimate of the state of *gratuitous* education in particular.

From the Charity Schools which had already had existence in this Colony, the Parent Government withdrew the support that had previously been given upon the establishment of a Local Legislature, and then the support of these institutions devolved upon the benevolence of individuals or charitable societies. Of these the Orphan Asylum School of St. John's, and the St. Patrick's Free School at Harbor Grace, had never enjoyed the patronage of Government, but owed their establishment and support to the benevolence of all countries, but particularly to the Benevolent Irish Societies of both places; and the Presentation Convent School was founded and has been hitherto maintained solely by the Right Rev. Dr. Fleming.

Your committee consider that in this part of the Island the voluntary system works advantageously, and therefore they would recommend that assistance be given by the Legislature by immediate grants of money, to be placed at the disposal of the several societies and individuals who direct and govern, for the gratuitous education of the poorer classes, schools of such importance as to claim the attention of the Legislature. Your committee consider the following schools of such extent and utility as to come within the foregoing remarks;—

In St. Johns,—Newfoundland and North American School Society's School.

—The Orphan Asylum School.

—Presentation School.

At Harbor Grace,—St. Patrick's Free School.

Having recommended the enabling the parties who take so warm an interest in the promotion of education among the poor of St. John's and

Report &c.

Harbor Grace, to conduct their schools with more advantage to the public and more ease to themselves, the next consideration with your committee is the devising the best means for the establishment of elementary or primary schools in the several outports.

This your committee regard as of vital importance, but they are aware, so extensive is the want of these establishments, that the surplus funds of the colony would be by no means sufficient to meet the exigency, and therefore they would lay it down as a general principle that in those harbours wherein the inhabitants generally, or benevolent societies or individuals give practical illustration of their desire to promote education by the erection or establishment of school houses, a preference in the apportionment of the funds should be given as a reward for the past and an incentive to future exertion.

For this purpose your committee recommend that the colony be divided into nine districts, agreeably to the present electoral division, and that in each district there shall be a board of education consisting of twelve individuals, of whom seven shall be a quorum, and of whom again no fewer than five shall be a majority.

That the several representatives of these several districts form a portion of these respective boards, and also that the senior or superior Clergyman of each of the several religious persuasions, being actually resident within the district, be a member of the board; and that the remainder to make up the number of twelve, be supplied by his Excellency the Governor or Acting Governor for the time being.

In the constitution of these Boards of Education your committee consider it advisable to endow them with ample powers; but in the exercise of these powers would they desire to have them under the immediate controul of the Legislature.

Your committee further recommend that for the better government of these Boards and to promote still more the cause of Education, an annual meeting of each Board be held on the first day of October for the purpose of making bye-Laws, choosing chairmen and other officers, auditing accounts, and transacting such other business connected with their institution as may come before them, and that the several Chairmen shall each year, as soon after the meeting as they conveniently can, through the respective members of the House of Assembly, transmit to his Excellency the Governor for the time being a detailed report of the proceedings for the information of the Legislature.

Your committee recommend that provision be made to empower his Excellency the Governor, after the passing of whatever act may result of this their report, to certify to the Magistrates in the respective districts to assemble the members of the respective boards at the places at which the annual meetings shall be held, viz.—For the district of St. John's at the town of St. John's.—For the District of Conception Bay at Harbor Grace. For the district of Trinity at Trinity. For the district of Bonavista at Bonavista: For the district of Fogo at Twillingate. For the district of Ferryland at Ferryland, For the district of Placentia and St. Mary's at Great Placentia. For the district of Burin at Burin—and for the district of Fortune Bay at Grand Bank, for the purpose of carrying into effect its provisions.

Your committee recommend that a sum of money be voted to enable the several Boards to fulfil the object of their institution, and that in allocating these monies the apportionment be in proportion to the extent of the population of each District.

In those parts of the Island where education has been hitherto promoted, your committee strongly recommend that as the seeds have been already sown, they be fostered by the Legislature; and according as the

means of the Country shall permit and the growing intelligence of the people require, it is their anxious desire that Grammar Schools be instituted, and schools even of a higher order to succeed them. And, finally, your committee are of opinion that, from the great extent of the population of Conception Bay, and the increasing respectability of its principal Towns, an annual grant should be made in order to the immediate establishment and future support of a Grammar School in Harbor Grace.

Report &c.

On motion of Mr. KOUGH, seconded by Mr. KENT,

Ordered, that the said report be printed for the use of the Members of the House.

To be printed.

Mr. KENT moved, seconded by Mr. PACK, that it be—

Resolved, that, in future, strangers be admitted to the lower gallery of the House without Tickets, at the discretion of the Speaker of this House;—which, being put, the House divided thereon as follows:—

Motion for admission of strangers without tickets

For the motion.

Against the motion.

Mr. PACK
— P. BROWN
— KENT
— CARSON.

Mr. ROW
— KOUGH
— HOYLES
— CARTER.

And the House being equally divided, Mr. SPEAKER gave his casting vote against the motion, and so it passed in the negative

Negativd by casting vote of Speaker.

Pursuant to order, the amendments made by his Majesty's Council in the Bill entitled "An act to limit the duration of the present and all future Assemblies of this Colony," were read a second time.

Amendments to limitation of Assemblies Bill read 2^d time, and

On motion of Mr. PACK, seconded by Mr. KOUGH,

Ordered, that the said amendments be committed to a committee of the whole House.

Committed.

Resolved, that this House will, to-morrow, resolve itself into a committee of the whole House to consider of the said amendments.

A message from his Majesty's Council.

Mr. Robinson, one of the Masters in Chancery, brought down from his Majesty's Council a Bill entitled "An act to alter and amend the practice of the Supreme and Circuit Courts of this Island," passed by his Majesty's Council, to which the concurrence of this House was requested.

Message from Council with Bill to amend the practice of the Supreme & Circuit Courts.

And then the Messenger withdrew.

The said Bill from his Majesty's Council was then read first time.

Bill read 1st time.

On motion of Mr. MARTIN, seconded by KOUGH,

Ordered, that the said Bill be printed for the use of the Members of this House.

To be printed.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of two messages from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Messages were read by Mr. Speaker (all the Members being uncovered) and are as follow:—

Two Messages from the Governor.

MESSAGE.

H. PRESCOTT

The Governor transmits to the House of Assembly the accompanying Petition from the Inhabitants of Broad Cove, the prayer of which, that a Branch Road from "Cody's Well" (on the road to Portugal Cove) to that place, might be opened, his Excellency thinks worthy of favorable consideration.

Government House, }
24th February, 1836. }

The Petition accompanying the said Message was read by the Clerk as follows :

*To His Excellency Captain Prescott,
Governor, &c. &c. &c.*

Petition of the inhabitants of Broad Cove for a branch road to the Portugal Cove road

The humble petition of the inhabitants of Broad Cove and places adjacent upon the southern shore of Conception Bay, sheweth—That petitioners reside near Broad Cove, a settlement distant about ten miles from St. John's : that there is no direct road to their settlement from the capital, but that petitioners when bringing provisions from St. John's, or taking up to town the produce of their farms, or going thither on other necessary business, are obliged to go by way of Portugal Cove. By this circuitous route, which is difficult, and in some parts even dangerous for cattle, much needless labour is incurred, and much valuable time lost, Portugal Cove being no nearer to St. John's than Broad Cove, and the whole intervening distance between the two settlements being quite out of their direct path. Your Petitioners therefore request that your Excellency will be pleased to recommend that some competent Surveyor be employed to make examination into the practicability of cutting a direct path from the neighbourhood of Cody's Well and of Richard Gladney's Tilt, on the present Portugal Cove road ; by this route a level road, your petitioners, from their knowledge of the country, feel assured, may be made, without any interruption from ponds, to the river which discharges itself at Broad Cove Beach. Thus three miles at the least may be saved to your petitioners and their families, to and from town ; and such inhabitants of Belle Isle and the North Shore of Conception Bay as are frequently obliged to put into Broad Cove when the wind will not permit their reaching Portugal Cove in their boats, will find the projected new road a vast public convenience. If, to ensure to your petitioners and the other inhabitants of this Bay the advantage of a public convenience, your Excellency will be further pleased to recommend to the Legislature that a sufficient sum of money to effect the same be granted from the public revenue, your petitioners, as in duty bound, will ever pray, &c.

MESSAGE.

H. PRESCOTT.

Message transmitting concluding part of Mr. Sweetland's report.

The Governor transmits to the House of Assembly the accompanying plan and report of the concluding part of Mr. Sweetland's survey of the line of road from St. John's to Trepassey. For this service the sum of £125 has been awarded to Mr. Sweetland, out of which he has disbursed for necessary assistance and actual expenses about £55, leaving the sum of £70 as a personal remuneration for the survey, which appears to his Excellency to have been executed in a very creditable manner.

*Government House,
24th February, 1836.*

The report and documents accompanying the said Message were then read by the Clerk,—(See Appendix.)

Ordered, that the said Messages and Documents do lie upon the table.

House in committee on Fishery bill

The order of the day for the House in committee on the bill for the better conduct of the Fisheries, being read—

The House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. P. BROWN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Report

Ordered, that the said committee have leave to sit again.

Resolved, that this House will, to-morrow, again resolve itself into the said committee.

On motion of Mr. HOYLES, pursuant to notice, and seconded by Mr. CARSON,

Resolved, that a select committee be appointed to enquire into and report upon such Laws as are about to expire.

Committee to report upon expiring Laws

Ordered, that Mr. HOYLES, Mr. CARSON, and Mr. Row, do form the said committee.

The order of the day for the second reading of the bill to enable John Valentine Nugent to practise as a Barrister and Attorney in the several Courts of Law in this Island and for other purposes, being read—

Order of day postponed

On motion of Mr. KENT, seconded by Mr. P. BROWN,

Ordered, that the said order of the day be postponed.

Ordered, that the said bill be read a second time on the 20th March next.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, FEBRUARY 25, 1836.

MR. HOYLES, pursuant to notice and leave granted, presented a bill for authorising the appointment of commissioners for building a Market-house in the town of St. John's, and for raising by loan a sum of money for that purpose,—and the same was read a first time.

Bill to authorise the building of a Market House in the town of St. John's presented and read

And it appearing that the said bill was a private bill, and that the rules of the House in reference to private bills had not been complied with—on motion,

Bill withdrawn, being private, and rules of the House not being complied with

Ordered, that Mr. HOYLES have leave to withdraw the said bill.

Pursuant to the order of the day, the House resolved into a committee of the whole House on the consideration of the amendments made by his Majesty's Council to the bill sent up from this House entitled "An act for limiting the duration of the present and all future Assemblies of this colony."

House in committee on amendments to limitation of Assemblies Bill

Mr. SPEAKER left the Chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair

Mr. HOYLES reported from the committee that they had gone through the said amendments and had agreed to the same.

Report

Ordered, that the said Report be received and adopted.

Amendments adopted

Ordered, that the said amendments be read a third time to-morrow.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the bill for the better conducting of the fisheries.

House in committee on Fishery Bill

Mr. SPEAKER left the chair.

Mr. P. BROWN took the Chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Mr. P. BROWN reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered, that the said committee have leave to sit again.

Resolved, that this House will, to-morrow, again resolve itself into the said committee.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, FEBRUARY 26, 1836.

Amendments to limitation of Assemblies Bill read 3d time, and

PURSUANT to the order of the day, the amendments made by his Majesty's Council in the Bill sent up from this House entitled "An act to limit the duration of the present and all future Assemblies of this Colony," were read a third time.

On motion of Mr. PACK, seconded by Mr. P. BROWN,

Resolved, that the said amendments do pass.

Passed.

Council informed thereof.

Ordered, that Mr. PACK do go up to his Majesty's Council and acquaint them that this House have concurred in the said amendments.

House in committee on Fishery Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the Bill for the better conduct of the Fisheries.

Mr. SPEAKER left the chair.

Mr. P. BROWN took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Mr. P. BROWN reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered, that the said committee have leave to sit again.

Notice of Bill for registering the names of the Editors and Proprietors of newspapers.

Mr. ROW gave notice that, on Monday next, he should move for leave to bring in a Bill to direct the registration of the names of the Editors and Proprietors of public newspapers.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, FEBRUARY 27, 1836.

2d reading of Census Bill postponed.

THE order of the day for the second reading of the Bill to authorize the taking a Census of the population and other statistical information, being read—

On motion of Mr. PACK, seconded by Mr. HOYLES,

Ordered, that the said order of the day be postponed until Monday next.

Report of select committee on schools committed.

On motion of Mr. CARSON, seconded by Mr. KENT,

Ordered, that the report of the select committee on Elementary Schools be referred to a committee of the whole House.

Resolved, that this House will, on Monday next, resolve itself into a committee of the whole House to consider of the said report.

Notice of Bill to regulate elections of Members of the Assembly.

Mr. P. BROWN gave notice that, on Saturday next, he would move for leave to bring in a Bill to regulate the mode of holding elections of Members of the House of Assembly, and of trying contested elections;

and also for declaring vacant, under certain circumstances, the seats of Members of the House.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, FEBRUARY 29, 1836.

A Petition of the inhabitants of the town of Harbor Grace was presented by Mr. P. BROWN, and the same was received and read, setting forth—That a Free School for the admission of children free of any charge, unless such as parents might wish to contribute voluntarily, was established in the said town in the year 1826, in which instruction has been given yearly to upwards of 150 children. That the voluntary contributions of the humane and charitable were the only means by which the said school was supported. That since the Fire of August, 1832, and the failures of the fisheries, a great many of the principal supporters of that School have been greatly reduced in pecuniary circumstances, and that in consequence thereof a large debt, which the petitioners have not been able to collect funds to liquidate, has been incurred. That it is with great exertion and difficulty a sufficient sum can be raised to defray the expenses necessary to continue the said school, and that unless the House in its wisdom afford its countenance and support by granting a sum adequate to the maintenance of the said establishment, the petitioners with grief foresee that the school must be given up, which will deprive great numbers in the said town of the means of obtaining instruction; and praying that the House will take said circumstances into favourable consideration, and grant such support as the House may deem meet and proper.

Petition of the inhabitants of Harbor Grace for aid to their Free School.

On motion of Mr. P. BROWN, seconded by Mr. CARSON,

Ordered, that the said petition be referred to the committee of the whole House on the report of the select committee on Elementary Schools.

Referred to Committee on Schools.

Agreeably to the order of the day, a bill for ascertaining a Census of the population and other statistical information, was read a second time.

Census Bill read 2d time.

On motion of Mr. PACK, seconded by Mr. CARTER,

and

Ordered, that the said bill be committed to a committee of the whole House.

Committed for

Resolved, that this House will, on Thursday next, resolve itself into a committee of the whole House to consider of the said bill.

Thursday next.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows:—

Message from Governor transmitting audited account of Duties, and Memorial from Collector of Customs.

MESSAGE.

H. PRESCOTT

The Governor transmits to the House of Assembly the accompanying account (as audited in pursuance of the Act of last Session, cap. 1.) of the Colonial Revenue for the year ending 5th January last.

His Excellency takes this opportunity of laying before the House the annexed memorial from the Collector of his Majesty's Customs, praying a suitable remuneration for himself and the several Sub-Collectors in

the Outports, for their trouble and responsibility in the collection of the Colonial Revenue, and which he recommends as deserving of favorable consideration.

Government House,
29th February, 1836.

The account accompanying the said Message was then read by the Clerk.—(See Appendix.)

Memorial of the Collector
of Customs read.

The memorial from James M. Spearman, Collector of his Majesty's Customs, accompanying the said message was also read by the Clerk, setting forth—That in Nova Scotia the Officers of his Majesty's Customs do not assist in the collection of the duties imposed by the Provincial Legislature. That in Prince Edward Island these duties are not collected by the officers of his Majesty's Customs, but by those of a separate and distinct establishment. That in New Brunswick, the collection of these duties devolves, not upon the officers of his Majesty's Customs, but upon the Colonial Treasurer and his Deputies. That, in the Bermudas, the collection of the local duties in like manner devolves not on the officers of his Majesty's Customs, but upon the Treasurer of the Colony. That to avoid the inconvenience and expense which would necessarily attend the institution of similar establishments in this Island, a committee of the House of Assembly proposed to the memorialist to assume the collection of these duties concurrently with those levied under acts of the Imperial Parliament, on condition of receiving two and a half *per centum* on the amount collected for his services. That the memorialist, concurring in the views of the committee, signified his readiness to undertake the proposed responsibility and labour on the terms offered, provided he could obtain the sanction of the honorable the Commissioners of his Majesty's Customs, whose officer memorialist is. That the memorialist applied to the honorable the Commissioners of his Majesty's Customs for permission to collect the duties about to be imposed by the Local Legislature, forwarding at the same time copy of the said bill. That, in reply to his application, the memorialist had the honour to receive the instructions of the honorable the Commissioners in these words—"We acquaint you that the Collector of Customs cannot be legally compelled to assist in the collection of duties imposed by Colonial Legislatures. We direct you, however, in the event of a similar bill passing the several branches of the Legislature, to forward to us a regular copy of the act by which that duty is sought to be imposed upon him, for our further consideration, adopting in the meantime such steps as may be deemed expedient upon communicating with his Excellency the Governor." That the Legislature having passed the act 4 Wm. 4. cap. 1., the Acting Collector (memorialist being then absent on leave) transmitted copy of it to the honorable the Commissioners of his Majesty's Customs, and received their sanction to the collection of the duties by the officers of the Customs in the manner proposed and on the terms enacted. That on the return of memorialist to his duty in July, 1834, he learnt with surprise that he and the several Collectors under him had been deprived of the remuneration on the faith and in consideration of which they had originally undertaken the labour and responsibility of the collection. That it is manifest from the foregoing facts, which memorialist, if necessary, is prepared to prove, that the services rendered, and the risk and responsibility incurred by him and the officers under him in collecting the Colonial Revenue, are unusual and gratuitous,—and praying the House will take the said facts into favourable consideration, and will grant to him and the officers under him compensation for the services already rendered; and will fix such a rate of remuneration for their future service as to the House shall seem just and reasonable.

The Clerk also read two letters attached to the said memorial, the one from the Honorable Wm. Thomas, stating the terms upon which memorialist undertook the collection of the Colonial Duties,—the other, from the Honorable the Commissioners of his Majesty's Customs to memorialist.

Ordered, that the said message and documents do lie upon the table.

Agreeably to the order of the day, the House resolved itself into a committee of the whole on the report of the select committee on Elementary Schools.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered, that the said committee have leave to sit again to-morrow.

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written Message:—

Mr Speaker,

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act to amend an act passed in the fourth year of his Majesty's reign, entitled "An act for declaring all landed property in Newfoundland Real Chattels," with an amendment, to which the concurrence of the Assembly is requested.

Council Chamber,
29th February, 1836.

H. J. BOULTON.

And then the Messenger withdrew.

The amendment made by the Council in the said bill was then read a first time, and is as follows:—

Between the words "*Executor*" and "*shall*," expunge the words "or Administrator."

Ordered, that the said amendment be read a second time.

Mr. CARTER gave notice that, to-morrow, he should move an address to his Excellency the Governor praying for a return of the annual income of every person holding offices under the Crown in the colony, distinguishing such part as is derived from salary from fees, poundage and other emoluments—together with a statement of the amount of such income when the officer was first appointed, and of the annual amount of the same for the last ten years. Also, copies of the several tariffs under which such fees have been received, and any alterations which have from time to time been made in any such tariff or tariffs, and the authority under which such alterations have been made.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, MARCH 1, 1836.

Present.

MR. SPEAKER, Mr. CARSON, Mr. KENT, Mr. CARTER, & Mr. PACK.

And, at 40 minutes past twelve o'clock, Mr. SPEAKER adjourned the House for want of a quorum.

Memorial &c.

House in committee on report of select committee on Schools.

Report.

Message from Council agreeing to bill in amendment of Real Chattels act with amendment.

Amendment read 1st time

Notice of motion for address for return of official incomes, &c.

House adjourned for want of a quorum.

WEDNESDAY, MARCH, 2, 1836.

Notice of motion for call of the House

MR. CARSON gave notice that, to-morrow, he would move for a call of the House, on the 16th instant.

Report of select committee on expiring laws

Mr. HOYLES, from the committee on expiring Laws, reported, that the Act 3d Wm. IV. cap. 7., entitled "An act for the regulation of Pilots and the Pilotage of Vessels at the port of St. John's,"—and the act 4th Wm. IV. cap. 1., entitled "An act for the further increase of Revenue," will severally expire at the end of the present Session,—also, that the 4th Wm. IV. cap. 11., entitled "An act for the relief of Insolvent Debtors taken in execution," will expire on the 12th June next.

Ordered, that the said report do lie upon the table.

Notice of bills to continue expiring Laws

Mr. HOYLES gave notice that, on Monday next, he should move for leave to bring in bills to continue the said expiring acts.

On motion of Mr. CARTER, seconded by Mr. CARSON,

Motion of address for returns of incomes, fees, &c

Resolved, that an address be presented to his Excellency the Governor praying that he will cause to be laid before the House a return shewing the amount of salary and emoluments received during the year ended the 1st January last, by every officer of the Civil Establishment of this Colony—distinguishing the amount of salary from the fees, poundage, perquisites, emoluments and other allowances whatsoever. Also, a similar return of the salary and emoluments received or receivable by such officers respectively during the first year they were appointed to office—and a similar return of the annual amount of the salaries and emoluments of their respective offices during the last ten years. Also, copies of all and every tariff or tariffs now in force and under which any fees, poundage, or other emoluments whatsoever are received or receivable by any such officer of the Civil Establishment of the Colony as aforesaid, as also of all tariffs heretofore in force, and a return of such changes and alterations as have from time to time been made in such tariff or tariffs, and of the authority by which such tariffs and the alterations thereof respectively have been made.

Committee to prepare it

Ordered, that Mr. CARTER, Mr. KENT, and Mr. PACK, be a committee to draft an address in pursuance of the said resolution

Petition of St. John's Factory committee presented and read.

A petition of the committee of management of the St. John's Factory was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented by Mr. CARSON, and the same was received and read, setting forth—that the petitioners having observed with concern the number of poor persons in the said town who were anxious to earn a livelihood for themselves and families, but were deprived of the means by the want of any Institution or Establishment wherein employment could be obtained by them during the inclement season of the year, and having been firmly convinced that gratuitous and indiscriminate charity is in most cases not only injurious to the individual relieved, but pernicious to the general interests of society, did, by subscriptions and donations, in the year 1832, succeed with considerable difficulty in founding the St. John's Factory. That the good which the said institution has already effected in promoting habits of industry, in suppressing mendicancy, and in relieving distress, has amply rewarded petitioners for any trouble they have had in its establishment; and when they see the comfortable and spacious building which has been erected—the number of poor men, women and children, of every creed and country, who daily receive shelter and employment under its roof, and the great improvement which it has been the means of producing in the conduct and morals of many of their fellow creatures, they anxiously look forward for a continuance of its prosperity and usefulness.

That the voluntary contributions of the inhabitants of St. Johns are too precarious and uncertain to be relied on for the sole maintenance and support of an institution so extensive in its design, and so beneficial in its effects,—and praying the House will grant towards the support of the said Institution such assistance as to the House may seem meet.

On motion of Mr. CARSON, seconded by Mr. HOYLES,

Ordered, that the said petition be referred to the committee of Supply.

Agreeably to the order of the day, the House resolved itself into a committee of the whole on the report of the select committee on Elementary Schools.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered, that the said committee have leave to sit again to-morrow.

Mr. Row, pursuant to notice and leave granted, presented a bill for registering the names of the printers and proprietors of public Newspapers, and the same was received and read a first time.

Mr. CARSON, seconded by Mr. P. BROWN, moved—

That the said bill be read a second time this day six months.

Mr. Row, seconded by Mr. HOYLES, moved in amendment, that the said bill be read a second time on Friday next.

And the question being put that the bill be read a second time this day six months, the House divided thereon as follows :

For the motion—

Against the motion—

Mr. KENT

Mr. HOYLES

— CARSON

— ROW

— PACK

— CARTER

— P. BROWN.

So it passed in the affirmative, and

Ordered, that the said bill be read a second time this day six months.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, MARCH 3, 1836.

ON motion of Mr. Row,

Ordered, that so much of his Excellency's speech, at the opening of the session, as relates to the Colonial Vessel, be now read.

And the same was read accordingly.

Mr. Row gave notice that, to-morrow, he should move that the said part of his Excellency's speech be taken into consideration.

Pursuant to the order of the day, a bill to authorise the raising by loan of a further sum of money to complete the erection of the Light-house on Harbor Grace Island, was read a second time.

On motion of Mr. PACK, seconded by Mr. P. BROWN,

Ordered, that the said bill be committed to a committee of the whole House.

Resolved, that this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

Referred to committee of supply.

House in committee on report of select committee on schools

Report.

Bill for registering the names of printers and proprietors of newspapers brought in and read first time,

Motion to reject it.

Amendment moved for 2d reading on Friday next.

Division.

Negatived.

His Excellency's speech relative to Colonial Vessel read.

Notice of motion thereon

Bill to complete Harbor Grace Island Light House read 2d time, and

Committed.

Message from Council with seamen's relief bill agreed to with amendments.

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written Message:—

Mr Speaker,

His Majesty's Council have passed the bill sent up from the Assembly, entitled "An act for the relief of sick and disabled seamen, fishermen and other persons," with an amendment, to which the concurrence of the Assembly is requested.

Council Chamber,
3d March, 1836.

H. J. BOULTON.

And then the Messenger withdrew.

Amendments read 1st time

The amendments made by his Majesty's Council in and upon the said bill for the relief of sick and disabled seamen, fishermen and other persons, were then read a first time, and are as follow :

Expunge all the sections of the bill, and insert the following in their stead, viz.—

1st.—Be it therefore enacted by the Governor, Council and Assembly of Newfoundland, that for the carrying into effect the objects and provisions of this act, and for the constant and ordinary management and disposal of the monies intended to be raised and collected hereby, there shall be elected in manner and form hereinafter provided, a board of fifteen directors in each of the several electoral districts of this colony, as the same are divided in and by his Majesty's Royal Proclamation, seven of whom shall form a quorum for the transaction of business.

2.—And be it further enacted that for the purpose of electing such directors in each respective district, it shall and may be lawful for the owners and masters of vessels owned in the said several districts, and in such district or districts where there may not be thirty registered vessels, then the owners and masters of all vessels owned in each district, together with the planters and boat-keepers residing therein, on the second Monday in May now next ensuing, upon ten days public notice being given by one or more of the Justices of the Peace in each district, of the time and place of meeting, to meet and assemble respectively at the following places in their several districts, and then and there for so many of such persons as shall be present to elect from among themselves directors for such districts, that is to say—St. John's in the district of St. John's; Harbor Grace in the district of Conception Bay; Trinity in the district of Trinity; Bonavista in the district of Bonavista; Twillingate in the district of Fogo; Ferryland in the district of Ferryland; Placentia in the district of Placentia and St. Mary's; Burin in the District of Burin; Harbor Britain in the district of Fortune Bay, —and the persons who shall be elected by a majority of such owners and Masters of vessels, or other persons as aforesaid, lawfully present and voting at such meetings, shall be directors for the purposes of this act for the said several districts for which they shall respectively be so elected; Provided always that should no such election take place on the day aforesaid, it shall be lawful for any Justice of the Peace to appoint a subsequent day for that purpose.

3d.—And be it further enacted that the said Directors so elected in the several Districts of this Colony and its Dependencies, shall be and continue in such office for the period of 4 years from the said second Monday of May, when a new election of such Directors shall take place in manner and form aforesaid, and so thereafter at the end of every further period of four years.

4th.—And be it further enacted that the rates and dues hereinafter authorised to be assessed, levied and collected in each District, together with all other Monies, Goods and chattles, Lands and Tenements, which shall come into the hands or possession of the said several Boards of Directors, or be in any manner appropriated towards the endowment of, or to or for the use and purposes of, the several Hospitals to be founded under the provisions of this act, shall be vested in the said Boards of Directors respectively, to and for the use, benefit, maintenance and support of the said Hospitals.

5th.—And be it further enacted that each Board of Directors shall elect from among themselves a President and Vice President, and shall have power from time to time to appoint, and at their pleasure remove, a Treasurer and Secretary, with such other officers as shall to them appear necessary, for managing the affairs and business of the said Boards, and shall also have power to provide proper Medical and other attendance upon the sick who may from time to time be received into the said Hospitals, or who may be ordered to be relieved as out patients.

6th.—And be it further enacted that it shall and may be lawful for the said Boards of Directors, in their respective Districts, to make rules and regulations as to the mode and manner of receiving and disposing of the rates and dues hereby imposed, and of affording and granting relief to the persons entitled to the benefit of this act, for the management of the respective Hospitals, and also for the regulating of the times and manner of the meetings of the said Directors in their several Districts, and other general purposes ; Provided the same be not in anywise repugnant to this act.

7th.—And be it further enacted that it shall and may be lawful for the said Boards of Directors, in their several Districts, from time to time to appoint under them Collectors for the purposes of this act, who are hereby authorized within their respective districts to receive all rates and dues imposed under or by virtue of this act. And such Collectors shall severally keep clear and distinct Books of accounts of all rates, dues, and sums of money by them respectively received, together with the names of the seamen, fishermen, or other persons on account of whom the same may be received ; and the said Collectors shall account for and pay all sums of money so received by them at such times and in such manner as the respective Boards of Directors of each District shall require ; and such Collectors shall severally be allowed for the due collection and payment of such monies received by them such compensation as such Boards of Directors shall respectively award and determine.

8th.—And be it further enacted, that all masters, mates, and seamen, above the age of seventeen years, belonging to all or any ships or vessels which are registered or owned or employed in the coasting trade or fisheries of this Colony and its Dependencies, shall severally pay and contribute towards the purposes of this act, a sum at the rate of sixpence per man per month in each year in which such master, mate, or seaman respectively shall be employed ; and each and every master, shareman, sealer and servant engaged in or about the seal fishery shall pay for the aforesaid purposes the sum of three pence in the pound on the full amount of his or their respective wages or shares arising from the sealing voyage in each year, after deducting his or their berth money ; and each and every fisherman, shoreman and other person above the age of seventeen years engaged in or about the cod or other fisheries of this Colony and its Dependencies, shall pay and contribute for the aforesaid purposes the sum of 2s. 6d. for each fishing season.

9th.—And be it further enacted, that the master of each and every

ship or vessel as aforesaid, and each and every planter or other person carrying on a fishery in this Colony or its Dependencies, shall, and they are hereby respectively required to, retain and stop from time to time from and out of the respective wages or shares of each seaman, fisherman, shoreman, sealer and servant, as aforesaid, under the command or in the service and employ of such master, planter, or other person as aforesaid, all such respective rates and dues as aforesaid which shall be owing and payable by each respective seaman, fisherman, sealer, shoreman and servant as aforesaid; and each and every such master and every such planter or other person carrying on a fishery in this Colony shall keep a correct muster roll of his respective seamen, fishermen, sealers, shoremen and other servants, and also a correct account of all such rates and dues stopped or retained by him or them as aforesaid; and when the same shall be so stopped or retained shall pay to the Collector of such rates and dues for each respective District (the same being lawfully demanded) the full amount of all such monies, and deliver a correct account of the same, together with a true copy of the muster roll of all his or their seamen, fishermen, sealers, shoremen or other servants; such account and muster roll to be verified on oath before a Magistrate, if so required, by such Collector, or by the Board of Directors of the District; in default whereof each and every master, planter and other person offending herein, shall be liable to a penalty of treble the amount so retained, or which ought to have been so retained and stopped as aforesaid by him or them respectively; and if any master, planter, or other person aforesaid, shall neglect or omit to stop or retain the rate or due of or payable by any seaman, fisherman, sealer, shoreman, or other servant as aforesaid in his employment or service, such respective master, planter, or other person as aforesaid, shall, in every such case, pay the full amount of such rate or due.

10th.—And be it further enacted, that all such rates and dues, payable by or on account of any seaman or other person on board any vessel engaged on a foreign voyage, shall be paid on the arrival of such vessel at her port of discharge in this Colony, and no such vessel shall be entered inwards by the Officers of his Majesty's Customs until a receipt for the due payment of such rates and dues, signed by the respective Collector thereof, shall have been produced, or the amount paid to such Officers of his Majesty's Customs; and all rates and dues payable by any seaman or sealer engaged in a coasting or sealing voyage, shall be paid at the conclusion of each respective voyage; and all rates and dues payable by each and every fisherman, shoreman and other servant as aforesaid, shall be paid at the conclusion of their respective current fishing voyages.

11th.—And be it further enacted that if any of the rates or dues aforesaid, or any sum or sums of money vested in the said boards of directors, or applicable for the purposes of this act, shall happen to be due by, or in the hands of, any person or persons living or residing or carrying on trade in this Colony who may become bankrupt or be declared insolvent, the full amount of the monies so respectively due or owed, shall be first paid out of the estate and effects of such bankrupt or insolvent before any other payment or dividend thereof shall be made.

12th.—And be it further enacted, that each and every seaman, fisherman, or other person having paid rates or dues under this act, and who may be afflicted with sickness; or who may have incurred any severe bodily injury, shall on application to the Board of Directors of the District in which he may then be, be entitled to such relief as the nature of his case may require, and the Board of Directors of such District shall be entitled to claim the expenses incurred for such sick or disabled

person from the Board of Directors of that District in which such person paid the last yearly dues.

13th.—And be it further enacted, that each and every the Collectors of rates or dues who may be appointed under this act shall, on the reasonable request of any seaman, fisherman or other person, from whom or in whose name any rates or dues may have been received, grant a certificate signed with the name of such Collector, of the payment of such rates or dues by, or in the name of, such seaman, fisherman, or other person ; and any person who shall fraudulently obtain or alter or counterfeit any such certificate, or cause or procure the same to be altered or counterfeited, shall be deprived of any benefit which such persons would otherwise derive under this act, and shall, on conviction, be imprisoned for a period not exceeding three months, provided always, that no person shall be entitled to demand a certificate after the expiration of six months from the time when he shall have paid his rates or dues.

14th.—And be it further enacted, that the master of each and every ship or vessel arriving at any port in this Colony, and not being registered or owned therein, shall on his arrival at such port, give bond or security in the sum of £20 to the King's Most Excellent Majesty, that no seaman brought to this Colony or its Dependencies by him, and discharged therein, shall become destitute and require relief within this Colony as a sick or disabled seaman for the period of 12 months from such discharge ; such bond to be taken by the Collector of the Customs at the port of entry.

15th.—And be it further enacted, that all actions and suits touching or concerning the affairs of the said Hospitals, shall be brought by or against the several Boards of Directors by the style of "The Directors of the Hospital" of each District respectively, without naming the individuals ; and that all matters of debt under £20 shall be sued for, heard, and determined in a summary way, before any one or more of his Majesty's Justices of the Peace residing in the District where such debt shall be due, and shall be levied by distress and sale of the parties goods together with costs of suit ; and that all penalties and forfeitures incurred under the provisions of this act shall in like manner be sued for and recovered on the complaint of the Collector or other officer named by each Board of Directors for that purpose ; and that one half of such penalties shall go to the Informer, and the other half be applied for the use of the Hospital of the District where such penalty shall have been incurred.

16th.—And be it further enacted, that each and every of the said Boards of Directors shall, on or before the 1st day of December in each year, transmit to the Governor of the Colony, to be laid before the Legislature, true and correct statements of the number of persons paying rates and dues, and of all monies by them the said Collectors respectively received under or by virtue of this act, and of the appropriation of the same, according to the form in the schedule to this act annexed, marked A.

Amendments &c.

A.

Return of the Persons paying Rates and Dues with the amount thereof.

<p>(a) 539 persons engaged in the seal fishery paying three pence in the pound on their shares.....</p> <p>230 Masters, Mates and Seamen, belonging to 39 registered Vessels, paying sixpence per month on their wages.....</p> <p>175 Masters, Mates and Seamen, belonging to 50 Vessels and Boats not registered, but employed in the Coasting trade.....</p> <p>500 Fishermen, Shoremen and Servants, engaged in the cod and other fisheries, paying 2s. 6d. per season.....</p> <hr/> <p>1444</p>	<p>} £</p> <p>} £</p> <p>} £</p> <p>} £62 10 0</p>	<hr/> <p>Total.....£</p>
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(a) 430 of these men were also employed in the cod fishery, to be deducted.

1014 men employed in the fisheries and merchant service in the District of Trinity.

Ordered, that the said amendments be read a second time to-morrow.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill for ascertaining a census of the population and other statistical information.

Mr. SPEAKER left the Chair.

Mr. CARSON took the chair of the committee.

Mr. SPEAKER resumed the chair

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered, that the said committee have leave to sit again to-morrow.

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written Message:—

Mr Speaker,

His Majesty's Council request a conference with the Assembly on the subject matter of some amendments made by the Council in and upon the Bill entitled "An act for establishing a Classical Academy at St. John's in this Island," and have appointed two conferrees to meet the Managers from the Assembly in the committee room of the Council presently.

Council Chamber,
3d March, 1836.

H. J. BOULTON.

And then the Messenger withdrew.

On motion of Mr. CARSON, seconded by Mr. KOUGH,

Resolved, that the conference requested by the Council be agreed to.

Ordered, that Mr. CARSON do go up to his Majesty's Council and acquaint them that this House have agreed to the said conference.

Ordered, that Mr. CARSON, Mr. KOUGH, Mr. PACK and Mr. HOYLES, do manage the said conference on the part of this House.

2d reading.

House in committee on Census bill.

Report.

Message from Council requesting a conference on the Academy bill.

Conference agreed to.

Conferrees.

And they went to the conference.

And being returned,

Mr. CARSON reported that the Managers had been at the conference, and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

Report of committee of
conference

The committee have requested this conference with the House of Assembly on the subject of the bill for establishing a Classical Academy at St. John's, with the most earnest desire to render the bill as efficacious as possible in order to the complete achievement of its important purposes; embracing, as the bill does, in the measures it proposes, the interests of the whole community, and in particular those of the middle orders of society.

The Council do not concur in the provisions of the second clause of the bill, limiting the authority of the Trustees and Directors in their office to the period of two years, because they consider that frequent elections of new officers in such an institution would be likely to produce changes in the system of management and discipline, prejudicial to the improvement of the scholars; and because it is obvious that the arrangements required in the selection of masters, &c. must necessarily absorb a considerable portion of the first year; and the Trustees and Directors would not probably be enabled within the remainder of their limited term to judge by that experience which a fair trial alone can afford, of the effect and propriety of those rules which may in the inception of the institution be established for its government.

This frequent change in the direction would also render the appointment of the masters so exceedingly precarious, that the difficulty of procuring those of adequate attainments incident to the peculiar and very unusual provisions of this bill would be materially enhanced.

The Council seeing that by the provisions of the 5th clause clergymen and teachers of Religion are excluded from being elected as masters, and that by such exclusion the institution will be deprived of the advantages to be attained by a selection of masters among so large a section of the most learned and best educated portion of society, consider it the more requisite to ensure the selection of efficiently qualified teachers, by requiring that the masters shall be Graduates of some University or College in the United Kingdom or in some one of the British Possessions abroad, and the Council have introduced a provision to that effect.

In the sixth clause of the bill it is provided that there shall be three masters appointed to the Academy, who shall severally be paid the sums of £350, £250 and £250 per annum, in full for all services exclusive of house-rent, coals and candle-light; and in order to pay which salaries and other expenses aforesaid, *together with other charges incidental to the said Academy*, the sum only of six hundred pounds is provided by the bill.

The Council seeing so great a discrepancy in the provisions of this clause, wherein the ascertained expenses, exclusive of the contingencies (which must necessarily be considerable on the first establishment of the institution) exceed the provisions of the bill by the sum of £250, can refer the incompatibilities of such provisions alone to a clerical oversight or omission, and have therefore supplied in the third line of the clause such words as appear to them to have been accidentally omitted in the bill, and which appear necessary in order to render the clause consistent and intelligible.

The Council have proposed by an amendment in the last clause of the bill to extend the term of its operation to ten instead of five years, under

Report &c.

a conviction that so short a period would not allow a reasonable prospect of placing the institution on a successful footing in the first instance, or afford time sufficient to mature or even develop the benefits which are sought to be obtained by its means, particularly when it is considered that the institution can scarcely be brought into operation within a period much less than a year. The Council are impressed with the belief that if the bill be limited to five years, the difficulty of obtaining competently qualified masters will be greatly increased, for it appears to them obvious that few persons of character and talent would be induced by salaries so moderate to leave their native country and abandon their connexions under the prospect of their appointment terminating at the end of five years.

2d reading of Report

Ordered, that the said report be read a second time on Saturday next.

Message from Governor
transmitting accounts of
extra expenditure

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows:—

MESSAGE.

H. PRESCOTT

The Governor transmits for the information of the House of Assembly certain accounts this day furnished by the Attorney General and Clerk of the Peace, of expenses incurred during the last quarter for "Civil and Criminal Prosecutions," and which consequently were not calculated for in the column of "probable amount of money required" under that head for the current quarter, inserted in the Financial Statement laid before the House on the 21st January last.

Also, two accounts for Smiths' work on the Gaol and Court House, which are similarly circumstanced.

His Excellency will feel it necessary to issue warrants for the payment of these accounts.

Government House,
3rd March, 1836.

The accounts accompanying the said message were then read by the Clerk.—(See Appendix.)

Ordered, that the said message and documents do lie upon the table.

Report of select committee
to draft address relative
to fees & emoluments, &c.

Mr. CARTER reported from the committee appointed to prepare an address to his Excellency the Governor in pursuance of the resolution of the House passed yesterday; and he presented to the House the draft of an address for that purpose, which was read by the Clerk, and is as follows:

*To His Excellency HENRY PRESCOTT,
Esquire, Companion of the most
Honorable Military Order of the
Bath, Governor and Commander-
in-Chief in and over the Island of
Newfoundland and its Depend-
encies, &c. &c. &c.*

May it please your Excellency,

We his Majesty's faithful subjects the Commons of Newfoundland in General Assembly convened, respectfully request that your Excellency will be pleased to direct that there be laid before us a Return shewing the amount of salary and emoluments received during the year ended the 1st day of January last, by every officer of the Civil Establishment of

this Colony, distinguishing the amount of salary from the fees, poundage, perquisites, allowances, and other emoluments whatsoever. Also, a similar return of the salary and emoluments received or receivable by such officers respectively during the first year they were appointed to Office, and a similar return of the amount of the salaries and emoluments of their respective offices during the last ten years. Also copies of all and every tariff and tariffs now in force and under which any fees, poundage, or other emoluments whatsoever are received or receivable by any such Officer of the Civil Establishment of the Colony as aforesaid, as also of all tariffs heretofore in force, and a return of such changes and alterations as have from time to time been made in such tariffs, and the alterations thereof respectively have been made.

Ordered, that the said address be adopted and engrossed.

Ordered, that Mr. CARTER and Mr. KENT be a committee to present the same to his Excellency.

Mr. Row gave notice that, on Saturday next, he would move for leave to bring in a Bill for preventing the mischiefs arising from the publication of Newspapers and other papers of the like nature by persons unknown, and to provide regulations for printing and publishing the same.

Mr. Row also gave notice that, to-morrow, he would move the second reading of the Bill sent down from his Majesty's Council to alter and amend the practice of the Supreme Court.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, MARCH 4, 1836.

A Petition of the Wardens, Captains and Officers of the Fire Companies of the Town of St. John's was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented by Mr. KOUGH, and the same was received and read, setting forth, that the petitioners in their experience have found that in all cases of fire in the said town the greatest difficulties have arisen from the want of a sufficient supply of water. Petitioners further state that at present there are three good and effective engines, and four well organized Companies, which are incomplete and in a great measure ineffective for want of supplies of water to be provided in reservoirs, and for this purpose Petitioners have made enquiry, and have ascertained that two reservoirs could be built at an expense from three to four hundred pounds. Petitioners are exceedingly anxious to protect this Town as much as possible against the serious consequences of fire—it being the great emporium of the trade of the whole Island, wherein is deposited the provisions annually imported—the Petitioners therefore consider it to be their imperative duty to apply to the House to grant them such a sum of money towards the erection of two reservoirs, so requisite and necessary for the preservation of the said town against the dreadful calamity of Fire.

Mr. KOUGH, seconded by Mr. HOYLES, moved that the said Petition be referred to the Committee of Supply.

Mr. P. BROWN, seconded by Mr. CARSON, moved, that all the words of the said motion after the word "*referred*" be expunged, and that the words following be inserted in their stead,—“to a select committee to enquire into and report upon”—whereon the House divided as follows :

Address adopted.

Committee to present same.

Notice of bill to prevent mischiefs of publications by unknown persons.

Notice of 2d reading of Supreme Court practice bill.

Petition of the Officers of the St John's Fire Companies.

Motion to refer to committee of supply.

Amendment to refer it to select committee.

Division

For the amendment.

Against the amendment.

Mr. KENT
— CARSON
— P. BROWN.

Mr. HOYLES
— ROW
— PACK
— CARTER
— KOUGH

Negatived.

So it passed in the negative.

Division

The original question was then put, whereon the House divided as follows :

For the motion—

Against the motion—

Mr. HOYLES
— ROW
— PACK
— KOUGH

Mr. CARSON
— P. BROWN
— KENT
— CARTER.

Mr. Speaker gives his casting vote in favour of the motion

And the House being equally divided, Mr. SPEAKER gave his casting vote in favour of the motion, so it passed in the affirmative, and

Referred to committee of supply

Ordered, that the said Petition be referred to the Committee of Supply.

The Governor's speech relative to the Colonial Vessel read

On motion—so much of his Excellency the Governor's speech at the opening of the present Session as relates to the Colonial Vessel, was read, and thereupon,

On motion of Mr. Row, seconded by Mr. CARTER,

House in committee

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the said matter.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

And Mr. HOYLES reported from the committee that they had considered of the matter to them referred and had come to a resolution thereon which they had directed him to report to the House ; and he delivered the said resolution in at the Clerk's Table where it was read as follows :

Report read, and

Resolved, that it is the opinion of this committee that it is not expedient in the present state of the Revenue to continue the Colonial Vessel "Maria" in the public service of the colony.

adopted

Resolved, that this House concur with the committee in the said Resolution.

On motion of Mr. Row, seconded by Mr. HOYLES,

Address to the Governor thereon moved & adopted

Resolved, that the following Address in pursuance of the said Resolution, be presented to his Excellency the Governor :

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

The Commons House of Assembly having taken into consideration that part of his Excellency's speech, at the opening of the present session, in reference to the Colonial Vessel "Maria," and also that part of your Excellency's Message transmitted to the House on the 11th day of

January last, which relates to the same subject, humbly beg leave to acquaint your Excellency that in the present state of the public Revenue, they do not deem it expedient to include in their votes of the present year any sum for the service of that vessel.

Ordered, that Mr. Row and Mr. HOYLES, be a committee to present the said address to his Excellency.

Committee to present the same,

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill for raising a further sum of money to complete the Harbor Grace Island Light House.

House in committee on Harbor Grace Island Light House Bill.

Mr. SPEAKER left the chair.

Mr. ROW took the chair of the committee.

Mr. SPEAKER resumed the chair

The Chairman reported from the committee that they had gone through the said Bill and had agreed to the same without any amendment, and he delivered the Bill in at the Clerk's table.

Bill reported without amendment.

Ordered, that the said Bill be engrossed and read a third time tomorrow.

Agreeably to the order of the day, the amendments made by his Majesty's Council in and upon the Bill for the relief of sick and disabled seamen, fishermen and other persons, were read a second time.

Amendments to seamen's relief Bill read 2d time,

and

On motion of Mr. HOYLES, seconded by Mr. KENT,

Committed.

Ordered, that the said amendments be committed to a committee of the whole House.

Resolved, that this House will, on Monday next, resolve itself into a committee of the whole House to consider of the said amendments.

The order of the day for the House in committee of the whole on the Bill for taking a census of the population, being read—

Order of the day for committee on Census Bill read, and postponed.

On motion of Mr. PACK, seconded by Mr. P. BROWN,

Ordered, that the said order of the day be postponed until Monday next.

Ordered, that the said Bill be printed.

Bill to be printed.

The order of the day for the second reading of the Bill sent down by his Majesty's Council entitled "An act to alter and amend the practice of the Supreme and Circuit Courts," being read—

Order of the day for 2d reading Supreme Court practice Bill read—

Mr. P. BROWN moved, seconded by Mr. KENT, that the said Bill be read a second time this day six months, whereon the House divided as follows :

Motion for rejecting the Bill.

For the motion—

Against the motion—

Mr. HOYLES

Mr. Row.

— CARTER

— KENT

— PACK

— P. BROWN

— CARSON.

Division.

So it passed in the affirmative, and

Ordered, accordingly.

Bill rejected.

Mr. Row gave notice that, on Monday next, he should move the second reading of the Bill sent down from his Majesty's Council for repealing the 25th and 26th sections of the act of the Imperial Parliament 5 Geo. 4, cap. 67.

Notice of 2d reading of Bill for repealing 25 and 26 sections 5 Geo. 4, cap. 67.

Mr. CARTER gave notice that, on Tuesday next, he would move the second reading of the amendments made by his Majesty's Council in the

Notice of 2d reading of amendments to real Chateaux act.

Bill to amend the act for declaring all landed property in Newfoundland Real Chattels.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, MARCH 5, 1836.

Bill to complete Harbor Grace Island Light House read 3d time, and

A GREEABLY to order, an engrossed bill for raising a further sum of money to complete the Harbor Grace Island Light House, was read a third time.

On motion of Mr. PACK, seconded by Mr. KOUGH,

Passed
Title

Resolved, that the bill do pass, and that the title be "An act to authorise the raising by loan of a further sum of money for the completion of the Light House on Harbor Grace Island."

Sent to Council.

Ordered, that Mr. PACK do carry the bill up to his Majesty's Council and desire their concurrence.

Report of committee of conference on Academy bill, read 3d time, and

Pursuant to the order of the day, the report of the committee of conference with his Majesty's Council on the bill for establishing a Classical Academy at St John's, in this Island, was read a second time.

On motion of Mr. CARSON, seconded by Mr. KOUGH,

Committed.

Ordered, that the said report be committed to a committee of the whole House.

Resolved, that this House will, on Wednesday next, resolve itself into a committee of the whole House to consider of the said report.

Bill for preventing the mischiefs arising from the printing and publishing of newspapers, &c. by unknown persons, presented and read a first time.

Mr. Row, pursuant to notice and leave granted, presented a bill for preventing the mischiefs arising from the publication of newspapers and other papers of the like nature by persons unknown, and to provide regulations for the printing and publishing of the same,—and the same was read a first time—whereupon

Mr. KENT moved, seconded by Mr. P. BROWN,

Motion for printing the bill with one rejected on a former day.

That the said bill, together with the bill rejected by the House on Wednesday last, entitled "A bill for registering the names of the printers and proprietors of Newspapers," be printed,—whereon the House divided as follows :—

For the motion—

Against the motion—

House equally divided.

Mr. PACK
— CARSON
— KENT
— P. BROWN.

Mr. CARTER
— HOYLES
— ROW
— KOUGH.

Mr. Speaker votes against the motion

And the House being equally divided, Mr. Speaker gave his casting vote against the motion, and so it passed in the negative.

On motion of Mr. Row, seconded by Mr. P. BROWN,

Bill to be printed

Ordered, that the said bill, just read a first time, be printed for the use of the Members of the House.

Present.

House counted

Mr. SPEAKER, Mr. KOUGH, Mr. ROW, Mr. KENT, Mr. HOYLES, and Mr. CARTER.

Notice of 2d reading.

Mr. Row gave notice that, on Tuesday next, he would move the second reading of the said bill.

Several Members having retired, and there being present Mr. SPEAKER, Mr. KOUGH, Mr. ROW, Mr. HOYLES, and Mr. CARTER.

And, at 40 minutes past 3 o'clock, P. M. Mr. SPEAKER adjourned the House for want of a quorum.

House adjourned for want of a quorum.

MONDAY, MARCH 7, 1836.

MR. Row, from the committee appointed to present to his Excellency the Governor the address passed on Friday last relative to the Colonial Vessel, reported that the committee had presented the said address to his Excellency accordingly.

Report of committee to present address relative to Colonial Vessel.

Mr. HOYLES, pursuant to notice and leave granted, presented a bill to continue an act passed in the fourth year of his Majesty's Reign, entitled "An act for the further increase of the revenue," and the same was read a first time.

Bill to continue the Revenue Act brought in and read first time.

Ordered, that the said Bill be read a second time on Thursday next.

2d reading.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the amendments made by his Majesty's Council in the Bill for the relief of sick and disabled seamen, fishermen and other persons.

House in committee on amendments to Seamen's relief Bill.

Mr. SPEAKER left the chair.

Mr. P. BROWN took the chair of the committee.

Mr. SPEAKER resumed the chair

The Chairman reported from the committee that they had gone through the said amendments and had made several amendments to the same, which they had directed him to report to the House whenever it should be pleased to receive the same.

Amendments reported with amendments thereon.

Ordered, that the said report be received to-morrow.

The order of the day for the House in committee of the whole on the Census Bill, being read—

Order of the day for committee on Census Bill postponed.

On motion of Mr. PACK, seconded by Mr. HOYLES,

Ordered, that the said order of the day be postponed until Thursday next.

Mr. CARSON gave notice that, to-morrow, he should move that the House resolve itself into a committee of the whole House on the further consideration of the report of the select committee on Elementary Schools.

Notice for committee of whole on schools.

Mr. HOYLES gave notice that, on Thursday-next, he would move for leave to bring in a Bill to provide for the general regulation and collection of the Customs raised, levied or collected under or by authority of any act or acts of the Legislature of this Colony.

Notice of Bill to regulate the collection of Colonial Duties.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, MARCH 8, 1836.

ON motion of Mr. Row, seconded by Mr. CARTER,

Ordered, that the Bill to prevent the mischiefs arising from the printing and publishing of Newspapers and other papers of that nature by unknown persons, and to regulate the printing and publishing the same, be now read a second time.

Bill to prevent the mischiefs of unknown publications read 2d time, and

And the said Bill was read a second time accordingly.

On motion of Mr. Row, seconded by Mr. HOYLES,

Committed.

Ordered, that the said Bill be committed to a committee of the whole House.

Resolved, that this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said Bill.

Report of committee of whole on amendments to Seamen's relief Bill—brought up and read.

Mr. HOYLES, from the committee of the whole on the amendments made by the Council in the Bill for the relief of sick and disabled seamen, reported according to order the amendments made by the committee thereon, and he read the same in his place.

Report committed.

And thereupon, on motion of Mr. HOYLES, seconded by Mr. CARTER, *Ordered*, that the said amendments be recommitted to a committee of the whole House for the purpose of reconsidering the 14th amendment.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. PACK took the chair of the committee.

Mr. SPEAKER resumed the chair on a question of order.

The Chairman again took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee the amendments made by them on the said amendments made by the Council, which were read by the Clerk, and are as follow :

Amendments read.

Seventh Section, line 4.—Between the words “*act*” and “*who*” insert the words following : “Who shall enter into sufficient security to the satisfaction of such Boards of Directors respectively for all and every sum and sums of money which shall come into their hands as such Collectors and”—

Add to this Section the following Proviso : “Provided always that such Collectors shall not be Members of the Boards of Directors for any of the said Districts.”

Section 10, line 13. Between the words “*Customs*” and “*and*” insert the following words : “or to such persons as shall be appointed by them to receive the same.”

Add to this Section the following Proviso :—“Provided always that all rates or dues paid by any Master, Mate, Seaman or Shareman, or on board any ship or vessel upon her entry inwards at any port in this Island, from any foreign, coasting, sealing or fishing voyage, shall, in all cases, be accounted for and paid over to the Collector of rates and dues for the District in which such ship or vessel shall be owned.”

Expunge the 11th and 14th Sections.

Section 16. Strike out the words “and of the appropriation of the same” and in lieu thereof add to this Section the following words “and also a correct statement of the appropriation of the same.”

Adopted.

Resolved, that this House concur with the committee in the said amendments.

Ordered, that the amendments be engrossed and read a third time to-morrow.

Petition of West India Merchants for a reduction of the duties on Wines & Spirits presented and read.

A Petition of John Nichols and other Inhabitants of the Town of St. John's interested in the West India Trade, and in the importation and sale of West India produce, was presented by Mr. KOUGH, and the same was received and read, setting forth—That the petitioners, impressed with a conviction that it is the desire of the Legislature to dispense equal and impartial justice to all his Majesty's subjects trading in this Island, beg leave to call the attention of the House to the Duties at present levied

under the Colonial Acts on spirits and low priced wines. That the duty of one shilling sterling per gallon (old measure) now payable on Rum, amounts to the enormous ratio of nearly One hundred per cent on the prime cost of the article, and that on low wines from seventy to seventy-five per cent, whilst other goods are only subject to a duty of two-and-a-half per cent. That although the effect which the imposition of such heavy duties would have upon the trade was from the first sufficiently apparent to the petitioners, yet whilst there remained a possibility of doubt, they refrained from addressing the House on the subject; but now that experience has shown the practical operation of the measure, they can no longer abstain from claiming the consideration of the House. That since the imposition of the present duties the consumption of Rum—the most important article of West India importation—has greatly diminished,—as an instance of which it may be mentioned, that in the very first year the imports for consumption fell short of those of the preceding year one thousand and twenty puncheons. That in Demerara the duty which is there supposed to press unjustly on the importation of the West India produce into this Island has already been met by a duty on fish to the extent of ten pence a quintal, and petitioners have been alarmed with threats of similar retaliation from the other West India Colonies, which, if carried into operation, would go far towards depriving this Colony of all benefit from one of its most extensive markets. That as the price of fish in the West India markets depends not on the first cost of the article, but on the quantity brought to market, the whole of the duty so paid upon its importation there will fall not upon the consumer, but upon the importer, and thus will the people of Newfoundland be compelled to pay a considerable sum towards the revenue of those Colonies; whilst on the other hand the duty on rum here necessarily requiring that the importers should demand as part of the price of the article a profit upon the duties so paid, as well as upon the first cost, this branch of the trade of the Colony is acted upon with double pressure. That at present the West Indies afford the only considerable market for the inferior qualities of Cod Fish, and give employment to a great number of persons here, not only in catching and curing the fish, and in husbanding, screwing and shipping the same, but also to woodmen and coopers in cutting and dressing staves and hoops and making them into casks. That since the passing of the act imposing the present duties, petitioners have good reason to believe that illicit trade has been carried on to a considerable extent—that in many instances large quantities of spirits have been landed without paying any duty, that in others the deficiency has been supplied to a great extent by unwholesome if not deleterious substitutes—and that a practice has already commenced of distilling in the Island, which if the present duties are continued will probably soon, as it has almost done in a neighbouring province, wholly defeat this branch of the revenue, or render its collection subject to the necessity of an expensive excise. That the labouring people here not having as in England the means of supplying themselves with malt liquor, a moderate consumption of spirituous liquor, has been found by experience to be almost indispensable to them in sustaining their exertions when exposed as they are in the most inclement season of the year to the fogs and cold of a rigorous climate; but now the importer having to advance so much cash is unable as heretofore to sell for fish payable at the return of the voyage, and it follows that the fisherman must either be deprived of the use of rum altogether, or he must be supplied by illicit importations, or else by spirits of a much pernicious quality distilled in the Island, or with a still more pernicious substitute. That in trading to the West Indies the neighbouring colonies have the means of making up assorted

Petition, &c.

cargoes, and the petitioners think that the same could often be done here with advantage, if the duty on all goods imported could be drawn back on their re-exportation ;—and praying that such relief may be afforded in the premises as to the House shall seem meet.

Referred to a select committee to report upon.

Ordered, that the said petition be referred to a select committee to enquire into and report thereon.

Ordered, that Mr. KOUGH, Mr. ROW, Mr. CARSON, Mr. PACK, and Mr. CARTER, do form the said committee.

Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, MARCH 9, 1836.

A Message from his Excellency the Governor.

Message from the Governor transmitting correspondence with Dr. Shea, relative to his remuneration as public Vaccinator.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency ; and he presented the same to the House. And the said Message was read by Mr. Speaker (all the Members being uncovered) and is as follows :—

MESSAGE.

H. PRESCOTT.

The Governor transmits to the House of Assembly a correspondence between the Acting Colonial Secretary and Dr. Shea, by which it will be perceived that Dr. Shea desires to submit his claims to the consideration of the House, in preference to receiving the remuneration which his Excellency had deemed adequate to the services rendered by him as a public Vaccinator.

The Governor recommends this matter to the consideration of the House of Assembly, having every reason to be satisfied with the manner in which Dr. Shea performed the duties prescribed to him on the occasion in question.

Government House,
9th March, 1836.

The correspondence accompanying the said Message was then read by the Clerk, for which—(See *Appendix*.)

Ordered, that the said Message and documents do lie on the table.

Petition of inhabitants of St. John's against the bill to prevent the mischiefs arising from publications by unknown persons, presented and read.

A petition of Patrick Doyle and others, Inhabitants of the town of St. John's, was presented by Mr. PACK, and the same was read, setting forth—That petitioners view with considerable alarm a Bill at present before the House, entitled “ A bill to prevent the mischiefs arising from the printing and publishing of Newspapers and other papers of that nature by unknown persons, and to regulate the printing and publishing the same,” which was read a first time on Saturday, and a second time on Tuesday, and before the public could possibly have learned of its existence. That beside the exceedingly pressing haste with which this bill is hurried through the House of Assembly, the fact of its having been read a first time within three days of the rejection of a bill of a similar nature enhances the alarm of petitioners at this attempt of an infant Legislature to cramp the rising genius of Newfoundland, and check the progress of its literature, by flinging fetters round the Press. That in the several actions which have been instituted against the Press in Newfoundland there never was found the least difficulty in discovering the publishers of the newspapers, and the printer's name has at all times appeared upon every newspaper in Newfoundland. That in the actions brought against the *Patriot* newspaper the publishers were always dis-

covered without difficulty ; and the unjust sufferings of the printer of that Journal prove that *he* never shrunk from his responsibility, and that, therefore, as no prosecution whether civil or criminal has been stayed by reason of the difficulty of discovering either the printer, the publisher, or the proprietor of a newspaper, petitioners deny that mischiefs have arisen or are likely to arise from their publication by “ unknown persons,” and therefore the bill before the House they regard as unnecessary. Petitioners humbly urge that the principle of the bill rejected was the registration of the names of the printers and publishers of newspapers, and that the very same being the principle of the present bill, it is highly unconstitutional to introduce it during the session in which that principle was repudiated ; and praying the House to pause before they touch a subject so fraught with danger to the public liberties as to shackle the liberty of the Press.

Petition, &c.

Mr. KENT moved, seconded by Mr. PETER BROWN,

That this House do now resolve itself into a committee of the whole House on Privileges—whereon a debate ensued, when strangers were excluded from the Gallery ; and thereupon,

Motion made that the House resolve itself into a committee on Privileges.

Mr. PETER BROWN moved, seconded by Mr. KENT,

That strangers be re-admitted to the Gallery of the House.

Strangers having been excluded, motion made that they be re-admitted.

Mr. ROW moved, seconded by Mr. CARTER,

That this House do now proceed to the orders of the day—whereupon,

Motion for the orders of the day.

Mr. PETER BROWN moved, seconded by Mr. KENT,

That this House do adjourn—whereupon the House divided as follows ;

Motion thereon to adjourn.

For the motion—

Against the motion—

Mr PACK,

Mr. HOYLES,

— KENT

— CARTER,

— P. BROWN,

— KOUGH,

— CARSON.

— ROW.

House equally divided.

And the House being equally divided Mr. Speaker gave his casting vote against the motion, and so it passed in the negative.

Mr. Speaker votes against the motion to adjourn.

The motion that the House do now proceed to the orders of the day was then put and carried.

Motion for the orders of the day put and carried.

Agreeably to the order of the day, the engrossed amendments made by this House upon the amendments made by his Majesty's Council in the bill for the relief of sick and disabled seamen, fishermen and other persons, were read a third time.

Engrossed amendment on Councils amendments to Seamen relief Bill read a 3d time.

On motion of Mr. HOYLES, seconded by Mr. KOUGH,

Resolved, that the said amendments do pass.

Amendments adopted.

Ordered, that Mr. HOYLES do go up to his Majesty's Council and acquaint them that this House have passed the amendments made by them in the said bill with certain amendments thereon, to which the concurrence of the Council is requested.

Sent to Council.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the report of the committee of conference on the bill for establishing a Classical Academy at St. John's, in this Island.

House in committee on report of conference on Academy bill.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair

Mr. HOYLES reported from the committee that they had made some progress in the business to them referred, and were of opinion that a further conference should be requested with his Majesty's Council on the subject of the last conference.

Report.

Further conference to be asked.

Ordered, that the said report be adopted.

On motion of Mr. CARSON, seconded by Mr. KOUGH,

Committee to prepare reasons

Resolved, that a select committee be appointed to prepare reasons to be offered at the said conference for not concurring in the said amendments proposed to be made in the said bill by his Majesty's Council.

Ordered, that Mr. KOUGH, Mr. ROW, Mr. CARSON, and Mr. PACK, do form the said committee.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, MARCH 10, 1836.

PRESENT.

No quorum

MR. SPEAKER, Mr. ROW, Mr. KOUGH, Mr. HOYLES, and Mr. CARTER.

And, at 40 minutes past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

FRIDAY, MARCH 11, 1836.

PRESENT.

No quorum

MR. SPEAKER, Mr. ROW, Mr. HOYLES, Mr. CARTER, and Mr. KOUGH.

And, at a quarter before one, p. m. Mr. Speaker adjourned the House for want of a quorum.

SATURDAY, MARCH 12, 1836.

PRESENT.

No quorum

MR. SPEAKER, Mr. CARTER, Mr. ROW, Mr. HOYLES, and Mr. KOUGH.

And, at half past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

MONDAY, MARCH 14, 1836.

PRESENT.

No quorum

MR. SPEAKER, Mr. PACK, Mr. P. BROWN, Mr. KENT, and Mr. CARSON.

And, at forty minutes past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

TUESDAY, MARCH 15, 1836.

PRESENT.

No quorum

MR. SPEAKER, Mr. CARSON, Mr. KENT, Mr. PACK, and Mr. P. BROWN.

And, at forty minutes past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

WEDNESDAY, MARCH 16, 1836.

PRESENT.

MR. SPEAKER, Mr. KENT, Mr. PACK, Mr. P. BROWN and Mr. CARSON. No quorum.

And, at half-past twelve o'clock, Mr. SPEAKER adjourned the House for want of a quorum.

THURSDAY, MARCH 17, 1836.

PRESENT.

MR. SPEAKER, Mr. PACK, and Mr. CARSON.

And, at forty minutes past twelve o'clock, Mr. SPEAKER adjourned the House for want of quorum. No quorum.

FRIDAY, MARCH 18, 1836.

PRESENT.

MR. SPEAKER, Mr. P. BROWN, Mr. CARSON, Mr. KENT and Mr. PACK. No quorum.

And, at forty minutes past twelve o'clock, Mr. SPEAKER adjourned the House for want of a Quorum.

SATURDAY, MARCH 19, 1836.

PRESENT.

MR. SPEAKER, Mr. CARSON, Mr. KENT, Mr. PACK and Mr. P. BROWN. No quorum.

And, at half-past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

MONDAY, MARCH 21, 1836.

PRESENT.

MR. SPEAKER, Mr. CARSON, Mr. KENT and Mr. PACK.

And, at half-past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum. No quorum.

TUESDAY, MARCH 22, 1836.

PRESENT.

MR. SPEAKER, Mr. PACK, Mr. KENT, Mr. P. BROWN and Mr. CARSON. No quorum.

And, at 40 minutes past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

WEDNESDAY, MARCH 23, 1836.

PRESENT.

No quorum.

MR. SPEAKER, Mr. KENT, Mr. PACK, Mr. P. BROWN and Mr. CARSON.

And, at half-past twelve o'clock, Mr. SPEAKER adjourned the House for want of a quorum.

THURSDAY, MARCH 24, 1836.

PRESENT.

No quorum.

MR. SPEAKER, Mr. PACK, Mr. ROW, and Mr. CARSON.

And, at half-past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

FRIDAY, MARCH 25, 1836.

PRESENT.

No quorum.

MR. SPEAKER, Mr. P. BROWN, Mr. KENT and Mr. PACK.

And, at half-past twelve o'clock, Mr. Speaker adjourned the House for want of a quorum.

SATURDAY, MARCH 26, 1836.

Petition of J. Armstrong
presented and read.

A Petition of Joanna Armstrong was (with his Excellency the Governor's consent that the House might proceed thereon as they shall think fit) presented to the House by Mr. HOYLES, and the same was received and read, setting forth—That petitioner is the Widow of William Armstrong, lately deceased, who for several years previous to the establishment of the Local Legislature received as a pension the sum of £50 sterling per annum from the Parent Government, and which was allowed him to the period of his death. That the said William Armstrong died in the 88th year of his age, after having served his country in civil and military capacities since his 20th year, 48 of which he was a resident of this Island, eight at Bay Bulls as Deputy Sheriff, and for many years at St. John's as Marshall of the Supreme Court, for which long services he has been hitherto deemed worthy of the consideration of the Parent Government, as also of the Local Legislature. That the Petitioner was married to the said William Armstrong nearly fifty one years, during which time she shared with him the toils and vicissitudes of life—not few in number—having had a large family to maintain and educate, whose many wants her husband's annual stipend was quite inadequate to supply. That Petitioner has no means of support left; is now in her seventieth year, is fast declining in health, and must soon become totally incapable of exertion; and praying the House to take her husband's long services into consideration, and allow her such aid for her support during the remainder of her days, as to the House may seem meet.

On motion of Mr. HOYLES, seconded by Mr. KENT,

Ordered, that the said petition be referred to the committee of supply.

A Petition of the Inhabitants of Port de-Grave and Bay Roberts was presented by Mr. HOYLES, and the same was received and read, setting forth, that the Petitioners have been informed that a petition from some of the Inhabitants of Brigus had been presented to the House, praying that provision might be made for a Stipendiary Magistrate to reside at Brigus instead of Port de-Grave. That while petitioners would rejoice at any benefit which the House might be pleased to confer on another settlement, they ardently hope the House will not deprive the Petitioners of the advantages they now possess from the location of a Stipendiary Magistrate among them. That the population of the two settlements in which petitioners reside exceeds four thousand in number, and consequently it is very desirable that there should be a well ordered Police established therein for the protection of the industrious and peaceable, and the existing Court of Sessions continued for the easy and advantageous decision of such local causes as must arise in so numerous a community. Petitioners therefore highly appreciating the benefits which have been conferred on the community in which they live by the location of a Stipendiary Magistrate at Port de-Grave, earnestly beg the House to make provision for his continuance in that settlement.

Petition from the inhabitants of Port de Grave relative to the Stipendiary Magistrate.

On motion of Mr. HOYLES, seconded by Mr. MARTIN,

Ordered, that the said petition be referred to a select Committee to examine and report upon.

Referred to committee to report upon.

Ordered, that Mr. HOYLES, Mr. MARTIN, Mr. KENT, Mr. PACK, and Mr. POWER, do form such committee.

Pursuant to notice and leave granted, Mr. HOYLES presented a bill to continue an act entitled "An act for the regulation of Pilots and the pilotage of Vessels at the Port of St. John's," and the same was read a first time.

Bill to continue Pilots' act presented and read 1st time.

Ordered, that the said bill be read a second time on Monday next.

2d reading.

On motion, the order of the day for the House in committee of the whole House on the consideration of the bill for preventing the mischiefs arising from the printing and publishing of newspapers and other papers of that nature by unknown persons, and to regulate the printing and publishing of the same, was read, and thereupon,

The order of the day for committee on Press bill postponed.

On motion of Mr. Row, seconded by Mr. HOYLES,

Ordered, that the said order of the day be postponed until Monday the 11th day of April next.

Resolved, that this House will, on the said 11th day of April, resolve itself into a committee of the whole House to consider of the said bill.

Pursuant to the order of the day, a bill to continue an act entitled "An act for the further increase of the revenue," was read a second time.

Bill to continue revenue act read 2d time.

On motion of Mr. HOYLES, seconded by Mr. MARTIN,

Ordered, that the said bill be committed to a committee of the whole House.

Committed.

Resolved, that this House will, on Tuesday the 5th April next, resolve itself into a committee of the whole House to consider of the said bill.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, MARCH 28, 1836.

Petition of inhabitants of Fermeuse relative to the bill for the admission to the Bar of J. V. Nugent.

A Petition of James Duffy and others, inhabitants of Fermeuse, was presented by Mr. KENT, and the same was received and read, setting forth—that the petitioners view with alarm the exclusive state of the Bar of Newfoundland, particularly since the Law latterly has given the present six or seven Lawyers the power of keeping out men of talent or integrity, confining the practice of the Bar to themselves, to the great injury of the inhabitants generally. That it would be a great advantage to the country if the Executive had the power of admitting persons to practise at the Bar, when a want of such persons occurs, without consulting the members of that Bar. Petitioners therefore beseech the House to pass a Law for enabling the petitioners to procure the assistance of persons at the Bar in whom they can feel confidence, and as at the present moment the persons at the Bar are not sufficient for the practice of the Courts, the petitioners further pray the House to place the name of John Valentine Nugent on the list of the Bar of Newfoundland.

Ordered, that the said petition do lie upon the table.

Petition from inhabitants of the head of Conception Bay relative to the residence of the Stipendiary Magistrate.

A petition of the inhabitants of Holyrood, Harbor Main, Chapels Cove, Cats Cove, Colliers, and other parts in the head of Conception Bay, was presented by Mr. PETER BROWN, and the same was received and read, setting forth—that petitioners have heard it is in the contemplation of the House to grant a salary to a magistrate, and a sum of money for building a small Sessions House in Brigus or Port de Grave; and petitioners assure the House that the interest, convenience, and well-being of the inhabitants living between Brigus and Holyrood would be materially benefitted should the House make Brigus the residence of the magistrate and the seat of the Court of Sessions. That nearly all the inhabitants of the harbors and coves situated between Brigus and Holyrood aforesaid have more or less transactions which, in the prosecution of their various avocations, cause them to have very frequent communications with Brigus, from which circumstance justice, if administered in that place, would in effect be almost at their doors; that they can reach Brigus in a comparatively short space of time by land when the weather is too rough to go by water, whilst the journey to Port de Grave is considerably longer and must effectually be effected by wading the northern and southern Guts at the great risk of health, and frequently at the hazard of life itself. That Brigus being a central place it will not be more difficult for the people in the neighbourhood of Port de Grave and Bay Roberts to repair thither than for the petitioners. That the population between Brigus and Holyrood who would be benefitted by the prayer of petitioners being granted may be safely estimated at six thousand, and that if numbers were an object there is not one but would cheerfully subscribe to this petition. That the petitioners are composed of planters, boat-keepers, fishermen and small farmers, and that the daily affairs of life bring them into contact with the supplying merchants and traders in the neighbourhood, out of which litigation if any would almost exclusively arise;—petitioners therefore pray the House to appoint a magistrate wholly unconnected with business, from whom they might expect impartial justice, and in whose decisions confidence may be placed beyond even the suspicion of being influenced by personal motives. That from the relative situation which the bulk of the petitioners bear towards the mercantile interest, a merchant could

scarcely sit upon the Bench without being interested (directly or indirectly) in his own decisions. The petitioners therefore pray that the House will be pleased to appoint a magistrate out of business, and that the residence of the magistrate be fixed at Brigus, together with the Lock-up house and Sessions room.

On motion of Mr. P. BROWN, seconded by Mr. PACK,

Ordered, that the said Petition be referred to the committee appointed to report upon the petition of the Inhabitants of Port de Grave.

Referred to committee on Port de Grave Petition.

Ordered, that Mr. CARSON and Mr. SWEETMAN be added to the said committee.

Mr. PACK gave notice that, to-morrow, he would move that the House resolve itself into a committee of the whole House on the consideration of privileges.

Notice of motion for committee of privileges.

Mr. CARSON from the committee appointed to prepare reasons to be offered at a conference with H. M. Council for disagreeing to the amendments proposed to be made in the Bill entitled "An act for establishing a Classical Academy at St. John's in this Island," reported that the committee had prepared the draft of such reasons accordingly, and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read and is as follows:—

Report of committee to prepare reasons for disagreeing to Council's amendments to the Academy Bill.

The Commons House of Assembly do not concur in the amendments which H. M. Council propose to introduce in the said Bill for establishing a Classical Academy at St. John's in this Island.—That which provides that the Masters of the Academy shall be Graduates of some University or College in the United Kingdom, or in some one of the British possessions abroad, is of a character quite too exclusive for the Assembly to sanction, and is calculated to create religious distinctions, which in the institution intended to be established it is particularly desirable to avoid. The class of persons to which the Council would thus limit the choice of teachers to conduct an Academy in which the young of all creeds and persuasions are to be educated, is composed almost without exception of members of the Church of England, and the Assembly by no means agree with the Council that it is necessary to have recourse to this exclusive class in order to obtain Masters of competent talents and acquirements for the purposes of the Academy.

The amendments which the Council propose introducing in the *sixth* section, and which would have the effect in some measure of diverting the application of the monies voted by the Bill, and also the amendment proposed to be made in the last section of the Bill extending the duration of the act from five to ten years, the House of Assembly are precluded from entertaining, as they would otherwise sanction an interference on the part of the Council with their privileges which they are desirous on all occasions to preserve inviolate.

Resolved, that the said report be adopted by the House.

Adopted.

On motion of Mr. CARSON, seconded by Mr. PACK,

Resolved, that a conference be requested with his Majesty's Council on the subject of the last conference.

Conference requested on academy Bill.

Ordered, that Mr. CARSON do go up to the Council and desire the said conference.

A Message from his Majesty's Council.

The Master-in-Chancery brought down from H. M. Council the following message:

Mr Speaker,

His Majesty's Council request the Commons House of Assembly will furnish to this House the evidence produced to the Assembly previous

Message from Council requesting evidence for the passing of Bill to complete the Harbor Grace Island Light House.

to the passing of the Bill entitled "An act to authorize the raising by loan of a further sum of money for the completion to the Light House on Harbor Grace Island."

Council Chamber, }
10th March, 1836, }

H. J. BOULTON.

And then the Messenger withdrew.

A Message from his Majesty's Council.

The Master-in-Chancery brought down from H. M. Council the following message :

Mr. Speaker,

Council agree to conference on academy Bill.

His Majesty's Council accede to the conference requested by the Assembly on the subject of the last conference on the Bill for establishing a Classical Academy at St. John's, and have appointed Managers on the part of the Council to meet the Assembly's Conferrees in the committee room of the Council, at half-past one o'clock to-day.

Council Chamber, }
28th March, 1836. }

H. J. BOULTON.

And then the Messenger withdrew.

Committee of conference.

Ordered, that Mr. CARSON, Mr. PACK, Mr. KOUGH and Mr. KENT do manage the said conference on the part of this House.

Order of the day for committee on Census Bill postponed.

The order of the day for the House in committee of the whole on the Bill for ascertaining the Census, being read—

On motion of Mr. PACK, seconded by Mr. P. BROWN,

Ordered, that the said order of the day be postponed until to-morrow.

Conference on academy Bill held.

The time for holding the conference with his Majesty's Council being arrived—the names of the managers were called over, and they went to the conference.

Report.

And being returned—Mr. CARSON reported that the managers had been at the conference and had complied with the instructions of the House.

House in committee on report of select committee on schools.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the report of the select committee on Elementary Schools.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Mr. HOYLES reported from the committee that they had considered of the matters to them referred and had come to certain resolutions thereon, which they had directed him to report to the House ; and he delivered the said resolutions in at the Clerk's table where they were read as follow :

Resolved, that it is the opinion of this committee that the free schools at present in existence should receive the fostering care and support of the Legislature, namely, the schools of the Newfoundland and British North American School Society, the Orphan Asylum School at St. John's, the St. Patrick's Free School at Harbor Grace, and the Presentation Convent School at St. John's.

Resolved, that it is the opinion of this committee that towards the support of the said free schools, the sum of £300 per annum should be granted to the Newfoundland and British North American School Society in aid of their schools in the several districts in this Island,—the sum of £100 per annum in aid of the Orphan Asylum School at St. John's

—the sum of £100 per annum in aid of the St. Patrick's Free School at Harbor Grace,—and the sum of £100 per annum in aid of the Presentation Convent School at St. John's ; and that the said several sums be granted for the period of five years.

Report &c

Resolved, that it is the opinion of this committee that the sum of £1500 should be granted towards the establishment and support of common schools, to be placed at the disposal of the Boards of Education to be appointed in the several Districts, according to the following scale :—

The District of St. John's,	£200
———— of Conception Bay	400
———— of Placentia & St. Mary's.....	200
———— of Ferryland	125
———— of Burin	100
———— of Fortune Bay	125
———— of Trinity Bay	125
———— of Bonavista	100
———— of Fogo & Twillingate	125

And the said Resolutions having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Report adopted

On motion of Mr. PETER BROWN, seconded by Mr. KENT,

Resolved, that a committee be appointed to prepare a bill in pursuance of the foregoing Resolutions.

Bill to be prepared in pursuance of the said resolutions.

Ordered, that Mr. P. BROWN, Mr. KENT, Mr. HOYLES, and Mr. CARSON do form such committee.

A Message from his Majesty's Council.

Message from Council.

The Master-in-Chancery brought down from H. M. Council the following message :

Mr Speaker,

His Majesty's Council agree to the amendments made by the Assembly on the amendments made by the Council in the bill entitled " An act for the relief of sick and disabled seamen, fishermen and other persons."

Amendment to Seamen's relief bill adopted.

Council Chamber, }
28th March, 1836, }

H. J. BOULTON.

And then the Messenger withdrew.

Mr. P. BROWN gave notice that, to-morrow, he should move that the House resolve itself into a committee of the whole to consider of Roads.

Notice of motion for committee on roads.

Mr. SWEETMAN gave notice that, on Wednesday, he should move the House into a committee of the whole on Supply.

Notice of motion for committee of supply.

Then the House adjourned until to-morrow, at eleven of the clock.

TUESDAY, MARCH 29, 1836.

A Petition of Richard Anderson and others, inhabitants of Harbor Grace, was presented by Mr. PACK, and the same was received and read, setting forth—That petitioners are proprietors and occupiers of Lands in the neighbourhood of Harbor Grace, the cultivation of which have put them to great labour and expense. That frequent depredations are committed upon their lands by cutting down and carrying away the fences and young trees growing thereon, their only remedy for which is by suing the offenders in the Circuit Court, a procedure both slow and expensive. The petitioners therefore pray the House will confer

Petition from the Inhabitants of Harbor Grace presented and read

Petition &c.

upon the Magistrates jurisdiction, so that summary punishment may be awarded against all persons who shall wilfully and maliciously damage or trespass upon private property, and thereby afford petitioners that protection which their fellow-subjects in Great Britain enjoy under the Imperial act 1 Geo. 4, cap. 56.

Ordered, that the said petition do lie upon the table.

Petition of W. Warford,

A petition of William Warford, of Harbor Grace, was presented by Mr. P. BROWN, and the same was read, praying to be appointed Pilot of Harbor Grace.

Ordered, that the petition do lie on the table.

Petition of Inhabitants of Harbor Grace and Musquito against the caplin manure act.

A petition of Charles Dalton and others, inhabitants of Harbor Grace and Musquito, was presented by Mr. P. BROWN, and the same was received and read, setting forth—that the petitioners, in common with a large proportion of the inhabitants of Conception Bay, have suffered considerable loss and injury by the operation of the Law which prohibits the taking and using of caplin as manure. That had petitioners been aware of such an enactment being in contemplation, they would have been prepared to produce ample evidence to prove that such a prohibition was neither in accordance with the wishes of any considerable portion of the inhabitants of the said Bay, or that the practice of using caplin as manure was detrimental to the interests of the shore fishery. The petitioners beg to draw the attention of the House to one of many facts which could be adduced in support of their prayer, that at no place has the fishery been more uncertain or precarious than at the French Shore and the Labrador, where no caplin has even been used as manure. That the said law if continued in force would produce the most distressing consequences,—and praying the House to take their prayer into consideration, and to repeal the said law.

Ordered, that the said petition do lie upon the table.

Notice of Bill to repeal the Act for preventing the using of Caplin for manure.

Mr. P. BROWN gave notice that, on Thursday next, he would move for leave to bring in a bill to repeal the act for the taking and using of caplin for manure.

Bill for regulation of customs presented and read: 1st time.

Mr. HOYLES, pursuant to notice and leave granted, presented a bill to provide for the general regulation and collection of the Customs raised, levied and collected under and by authority of any act or acts of the Legislature of Newfoundland, and the same was read a first time.

On motion of Mr. HOYLES, seconded by Mr. MARTIN,

To be printed

Ordered, that the bill be printed for the use of the Members of the House.

Mr. KENT moved, seconded by Mr. P. BROWN—

Motion to reject the Bill

That the said Bill be read a second time this day six months.

Mr. KOUGH, seconded by Mr. HOYLES, moved in amendment—

Amendment to postpone the consideration of it for the present session

That the further consideration of the said Bill be postponed for the present session ;—whereon the House divided as follows—

For the amendment.

Mr. HOYLES
— MARTIN
— KOUGH.

Against the amendment.

Mr. CARSON
— KENT
— P. BROWN
— SWEETMAN
— PACK.

Lost

So it passed in the negative.

Original motion put and carried

The original motion was then put, and the House divided thereon as follows :

For the motion.

Mr. P. BROWN
— KENT
— CARSON
— PACK
— SWEETMAN.

Against the motion.

Mr. KOUGH
— HOYLES
— MARTIN.

So it passed in the affirmative, and

Ordered, accordingly.

Pursuant to order, a Bill to enable John Valentine Nugent to practise the profession of the Law in the Courts of this Island, and for other purposes, was read a second time, and thereupon,

Mr. KENT moved, seconded by Mr. SWEETMAN,

That the said Bill be committed to a committee of the whole House to-morrow.

Mr. Row, seconded by Mr HOYLES, moved in amendment—

That the said bill be printed ;—whereon the House divided as follows :—

For the amendment.

Mr. KOUGH
— MARTIN
— ROW
— HOYLES.

Against the Amendment.

Mr. CARSON
— P. BROWN
— KENT
— SWEETMAN
— PACK.

So it passed in the negative.

Mr. HOYLES, seconded by Mr: Row, then moved in amendment of the original motion—

That the said Bill being a private Bill, be not further proceeded with; whereon the House divided as follows :

For the amendment—

Mr. HOYLES
— Row
— KOUGH;

Against the amendment—

Mr. CARSON.
— KENT
— MARTIN
— PACK
— P. BROWN
— SWEETMAN.

So it passed in the negative.

The original motion was then put, and the House divided thereon as follows—

For the motion—

Mr. P. BROWN
— SWEETMAN
— PACK
— CARSON
— KENT.

Against the motion—

Mr. Row
— HOYLES
— KOUGH
— MARTIN

So it passed in the affirmative, and

Ordered, that the said bill be committed to a committee of the whole House to-morrow.

A message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he had several messages from his Excellency the Governor, signed by his Excellency ; and he presented the same to the House. And the said messages were read by Mr. Speaker (all the Members being uncovered) and are as follow :—

Bill rejected.

Bill to enable J. V. Nugent to practise at the Bar read 2d time

Motion to commit

Amendment that it be printed

Amendment lost

2d amendment moved

and lost

Original question put and carried

Bill committed for to-morrow

Message from the Governor transmitting outstanding accounts of the past year

MESSAGE.

Message &c

H. PRESCOTT.

The Governor transmits to the House of Assembly the accompanying accounts, amounting to £29 9s. 10d. (outstanding from the year ending 31st March, 1835) which have just been furnished by the Clerk of the Peace at Ferryland, and for which his Excellency considers that provision should be made.

Government House,
15th March, 1836.

The accounts accompanying the said message were then read by the Clerk.—(See *Appendix.*)

Message.**H. PRESCOTT.**

Also submitting correspondence relative to the salary of the Clerk of the Southern Circuit Court

The Governor considers it his duty to submit, for the consideration of the House of Assembly, the annexed extract of a despatch from his Majesty's Principal Secretary of State for the Colonies, dated 3rd October last, relative to the salary of the Clerk of the Southern Circuit Court; and at the same time to express the satisfaction it would give him should the House decide on restoring the said salary to its former amount.

Government House,
29th March, 1836.

The said extract was then read by the Clerk, and is as follows—

“I extremely regret that in the selection of Mr. Garrett for the Office of Sheriff, I should have caused any disappointment to Mr. Hogsett, a Gentleman whose character appears to be so highly esteemed by his fellow Colonists. At the same time I trust that the appointment of Clerk of the Southern Circuit Court, which I have tendered for his acceptance, will appear to him scarcely less advantageous than the situation of Sheriff under the present arrangement, more especially as the Assembly may perhaps be induced during their present Session to revise their decision of last year in regard to the emoluments.”

Message.**H. PRESCOTT.**

Also transmitting order of King in Council approving of certain acts

The Governor transmits to the House of Assembly the annexed copy of an Order of his Majesty in Council, bearing date the 28th October last, directing that certain acts therein mentioned which had been passed by the Legislature of this Colony should be left to their operation.

Government House, }
28th March, 1836. }

The said Order in Council was read by the Clerk.—(See *Appendix.*)

Message.**H. PRESCOTT.**

Also transmitting Report of Mr. J. Green's survey

The Governor transmits to the House Assembly the accompanying Report and Plans of portions of Mr. Joshua Green's survey of the lines of Road intended to be opened between various parts of Conception and Trinity Bays.

Government House, }
23rd March, 1836. }

The said report was then read by the Clerk:—(See *Appendix.*)

Message.

H. PRESCOTT.

The Governor transmits to the House of Assembly, the annexed account of expenses incurred by an Officer and Boat's Crew of his Majesty's Sloop Racer whilst employed, during the last summer, in protecting the fisheries on the south coast of this Island.

Message transmitting account of expenses of boats crew of H. M. S. Racer

In recommending that provision should be made for the payment of these expenses, his Excellency refers the House to Commander Hope's report on the foregoing subject, and his reply thereto, which were submitted for consideration on the 21st day of January last.

*Government House, }
29th March, 1836. }*

For the account annexed to the said Message—(See Appendix.)

On motion of Mr. SWEETMAN, seconded by Mr. MARTIN,

Ordered, that the Report of Mr. Joshua Green, transmitted to the House this day by his Excellency the Governor, be printed for the use of the Members of the House.

Mr. J. Green's Report to be printed

Mr. SPEAKER laid before the House a Letter from Mr. Acting Secretary Templeman, acquainting him for the information of the House, that his Excellency the Governor would proceed to the Council Chamber to-morrow, at one of the clock, to give his assent to the bill for the relief of sick and disabled seamen, fishermen, and other persons.

His Excellency signifies his intention of assenting to the seamen's relief bill to-morrow

Pursuant to order, a bill to continue an act for the regulation of pilots and the pilotage of vessels at the port of St. John's, was read a second time.

Bill to continue Pilots' act read 2d time

On motion of Mr. HOYLES, seconded by Mr. MARTIN,

Ordered, that the said bill be committed to a committee of the whole House to-morrow.

Committed

Mr. CARSON gave notice that, on Tuesday next, he would move that the House resolve itself into a committee of the whole House on the consideration of his Excellency's message relative to the Land on Church Hill.

Notice of committee of whole on "church bill" ground

Mr. KOUGH gave notice that, on Saturday, he would move that the House resolve itself into a committee of the whole to resume the consideration of the Fishery bill.

Notice for committee on fishery bill

Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, MARCH 30, 1836.

A Message from his Majesty's Council.

Message from Council.

The Master-in-Chancery brought down from H. M. Council the following written message :

Mr. Speaker,

His Majesty's Council have passed the bill sent up from the Assembly entitled " An act for establishing a Classical Academy at St John's, in this Island," with some amendments, to which the concurrence of the Assembly is requested.

Academy bill passed with amendments

*Council Chamber, }
28th March, 1836. }*

H. J. BOULTON.

And then the Messenger withdrew.

The amendments made by the Council in the said bill were read a first time and are as follow :—

Amendments read 1st time

Amendments read

In the 5th Section of the Bill, 4th Line—Expunge the word “ three” and insert the word “ two” in its stead. After the words “ Provided “ always” insert the words following :—“ that each of the said Masters so chosen and appointed shall be a Graduate of some University “ or College in the United Kingdom or in some one of the British Possessions abroad, and”—

Section 6, 2nd Line—Expunge all the words after the word “ paid” down to the word “ from” in the 11th line—also, in the 13th line, the words commencing “ there shall” and ending “ heirs and successors” in the 14th line—and add after the words “ six hundred pounds,” in the 15th line, the words following :—“ in such proportions as the Directors shall determine and agree upon”

Section 12th—Expunge the word “ five” and insert the word “ ten” in its stead.

2d reading

Message from his Excellency commanding the attendance of the House in the Council Chamber

Ordered, that the said amendments be read a second time to-morrow.

A Message from his Excellency the Governor, by the Acting Usher of the Black Rod.

Mr. Speaker, and Gentlemen of the House of Assembly,

His Excellency the Governor commands the immediate attendance of this Honorable House in the Council Chamber.

House attend his Excellency

Accordingly, Mr. Speaker and the House went up to attend his Excellency in the Council Chamber.

Report

And being returned, Mr. Speaker reported that the House had been in attendance on his Excellency in the Council Chamber, where his Excellency was pleased to assent to the following bills :

Seamen's relief bill, and

An act for the relief of sick and disabled seamen, fishermen and other persons.

Bill for prevention of small pox assented to

An act for granting to his Majesty the sum of £500 towards preventing the extension and spread of Small Pox.

A Message from his Excellency the Governor.

Message from the Governor with correspondence relative to the bridge at Magotty Cove

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of two Messages from his Excellency the Governor, signed by his Excellency, and he presented the same to the House ; and the said Messages were read by Mr. Speaker, (all the Members being uncovered) and are as follow :

MESSAGE.

H. PRESCOTT.

In compliance with directions from his Majesty's Principal Secretary of State for the Colonies, the Governor transmits to the House of Assembly an extract of a Despatch from his Lordship dated the 7th of October last, with an accompanying report made by Lieut.-Colonel Oldfield, Royal Engineers, respecting the bridge at Magotty Cove, and the road between it and Signal Hill ; and his Excellency suggests to the House the propriety of providing funds for maintaining both in good repair.

Government House,
30th March, 1836.

The extract of the Despatch of the Secretary of the Colonies, accompanying the said Message, was then read by the Clerk as follows :

“ You will also attend to Colonel Oldfield's suggestions in regard to the road between Magotty Cove and the Ordnance Boundary, in so far as to require the proprietors on either side to conform to any conditions which may have been inserted in their Grants, as to the width of the road, its construction or repairs :—but I have to inform you that the Master-General and Board have signified to me, that they are not prepared to

act upon Colonel Oldfield's suggestions by taking over this road, or by assuming any portion of the expense of maintaining; but have proposed that, as the concentration of the military works at Signal Hill is a measure from which the colony will derive a permanent advantage, that expense should be sustained by the Colonial Government. It is hardly necessary for me to remind you that the Crown has no funds at its disposal which could be applied to this purpose; and I can only, therefore, direct you to bring the subject under the consideration of the Legislature at their next meeting."

Message.

H. PRESCOTT.

The Governor transmits to the House of Assembly the accompanying Letter, which has just been received from the Magistrates of the District of Bonavista, representing the necessity of further provision for Constables there; and which his Excellency considers deserving the attention of the House.

*Government House, }
30th March, 1836. }*

Message transmitting letter from Bonavista relative to Constables.

The Letter accompanying the said Message was then read by the Clerk, and

Ordered, that the said Message and Documents do lie on the table.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill for ascertaining a census of the population and other statistical information.

House in committee on Census Bill.

Mr. SPEAKER left the chair.

Mr. CARSON took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill and had made several amendments therein which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's table, and thereupon

Bill reported with amendments.

Mr. P. BROWN moved, seconded by Mr. PACK,

That the said Report be amended by substituting the word "sixty" for "fifty" after the words "Conception Bay"—and by substituting the word "thirty" for "forty" after the word "contingencies;"—which, being put, passed in the affirmative,—and the said Report was amended accordingly.

Motion to amend, made

and carried.

And the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Ordered, that the bill as amended be engrossed.

Ordered, that the Bill be read a third time on Saturday next.

The order of the day for the House in committee of the whole on the consideration of roads, being read.

Order of the day for committee on Roads read.

Mr. P. BROWN, seconded by Mr. KENT, moved that the said order of the day be postponed until to-morrow.

Motion to postpone it.

Mr. KOUGH, seconded by Mr. HOYLES, moved in amendment—

That this House do adjourn until twelve o'clock to-morrow; which, being put, passed in the negative.

Motion to adjourn—lost.

The question on the original motion was then put and passed in the affirmative, and

Ordered, that the said order of the day be postponed until to-morrow.

Order of the day postponed.

House in committee on Bill to enable J. V. Nugent to practise.

On motion of Mr. KENT, seconded by Mr. P. BROWN, The House resolved itself into a committee of the whole House on the consideration of the bill to enable John Valentine Nugent to practise in the Law in the Courts of this Island and for other purposes.

Mr. SPEAKER left the chair.

Mr. Row took the chair of the committee.

Mr. SPEAKER resumed the chair.

Bill reported with amendments.

The Chairman reported from the committee that they had gone through the said bill and had made several amendments therein which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's table.

On the question for receiving the Report, the House divided as follows :

For the report.	Against the report.
Mr. P. BROWN	Mr. KOUGH
— KENT	— HOYLES
— CARSON	— Row.
— PACK	
— SWEETMAN.	

Report adopted.

Ordered, that the Report be adopted by the House.

The amendments made in the said bill were then read throughout a first and second time and agreed to by the House.

Ordered, that the bill as amended be engrossed.

3d reading.

Ordered, that the bill be read a third time to-morrow.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, MARCH 31, 1836.

Bill to enable J.V. Nugent to practise &c. read 3rd time.

PURSUANT to the order of the day, an engrossed bill to enable John Valentine Nugent to practise the Law in the Courts of this Island, and for other purposes, was read a third time.

Mr. KENT moved, seconded by Mr. PETER BROWN,

Motion for passing

That the said bill do pass ;—whereon the House divided as follows :—

Division.

For the question—	Against the question—
Mr. P. BROWN	Mr. Row
— SWEETMAN	— HOYLES
— PACK	— KOUGH
— CARSON	— MARTIN
— KENT.	

Passed.

So it passed in the affirmative, and

Title.

Resolved, that the said Bill do pass, and that the title be “ An act to authorize his Excellency the Governor to admit persons to practise the profession of the Law in the several Courts of this Island.”

Sent to Council.

Ordered, that Mr. KENT do carry the Bill to the Council and desire the concurrence.

Bill to repeal the Act for preventing the use of Caplin as manure, read 1st time.

Mr. P. BROWN, pursuant to notice and leave granted, presented a bill to repeal the act for the taking and using of Caplin for manure, and to make further provisions for protecting the Fishery,—and the same was read a first time.

Ordered, that the said Bill be read a second time on Saturday next.

Pursuant to order, the House resolved itself into a committee of the whole House on the consideration of the bill for continuing the act for the regulation of Pilots and the pilotage of vessels at the port of St. John's.

Mr. SPEAKER left the chair.

Mr. CARSON took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill and agreed to the same.

Ordered, that the bill be engrossed.

On motion of Mr. P. BROWN, seconded by Mr. PACK,

The House resolved itself into a committee of the whole House on the consideration of the making and repairing of roads and bridges.

Mr. SPEAKER left the chair.

Mr. PACK took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again on Saturday next.

On motion of Mr. SWEETMAN, seconded by Mr. HOYLES,

The House resolved itself into a committee of the whole House on the consideration of a Supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered, that the said committee have leave to sit again.

Mr. P. BROWN gave notice that, on Saturday, he would move an Address to his Excellency the Governor praying that his Excellency will dissolve this House of Assembly at the close of the present session.

Mr. P. BROWN also gave notice that, on Saturday next, he would move to rescind the Order of this House, made on Saturday last, for the consideration in committee of the whole House, on the 11th day of April next, of the bill for preventing the mischiefs arising from the printing and publishing of newspapers and other papers of that nature by unknown persons, and to regulate the printing and publishing of the same.

Then the House adjourned until Saturday next, at twelve of the clock.

SATURDAY, APRIL 2, 1836.

A Petition of John Mallard and others, inhabitants of Quidi Vidi, was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented by Mr. PACK, and the same was received and read, setting forth—That the petitioners, who number about forty families, suffer much from a circumstance which deprives them of the value of one-half of their time—the mouth of their harbour being obstructed by rocks which are covered with water only when the tide flows. That the said rocks if blasted and removed, would open a passage to their harbour, which would permit

House in committee on
Bill to continue Pilots act.

Report.

House in committee on
roads and bridges.

Progress.

House in committee of
supply.

Progress.

Notice of motion for Ad-
dress to his Excellency to
dissolve the House.

Notice of motion for re-
scinding the order for
committee on Press bill.

Petition of inhabitants of
Quidi Vidi for aid in the
removal of obstructions to
the navigation of the Har-
bour.

boats to enter at all times. That petitioners have been informed and believe that the same might be easily removed ;—and praying the House to grant a sum of money for the purpose of removing the said obstructions.

Ordered, that the said petition do lie on the table.

Census bill re-committed.

The order of the day for the third reading of the bill for ascertaining a census of the population of this Island and other statistical information, being read—

On motion of Mr. PACK, seconded by Mr. ROW,

Ordered, that the said bill be re-committed to a committee of the whole House for the purpose of re-considering the second section.

House in committee thereon.

And the House resolved itself into a committee of the whole House accordingly.

Mr. SPEAKER left the chair.

Mr. CARSON took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The Chairman reported from the committee that they had re-considered the said second section and had made an amendment therein which they had directed him to report to the House ; and he delivered the bill with the amendment in at the Clerk's table.

adopted.

And the said amendment having been read throughout a first and second time was agreed to by the House.

3d reading

Ordered, that the bill as amended be engrossed and read a third time on Tuesday next.

Bill to continue Pilots' act read 3d time

Agreeably to order, an engrossed bill to continue an act for the regulation of Pilots and the pilotage of vessels at the port of St. John's, was read a third time

Passed

On motion of Mr. HOYLES, seconded by Mr. MARTIN,

Title

Resolved, that the said bill do pass, and that the title be " An act to continue an act passed in the third year of the reign of his present Majesty, entitled ' An act for the regulation of Pilots and the pilotage of vessels at the port of St. John's.' "

Sent to Council

Ordered, that Mr. HOYLES do carry the bill up to his Majesty's Council and desire their concurrence.

Amendments to Academy bill read 2d time and considered.

Agreeably to the order of the day, the amendments made by his Majesty's Council in the bill entitled " An act for establishing a Classical Academy at St. John's, in this Island." were read a second time—and thereupon,

Mr. CARSON, seconded by Mr. KOUGH, moved—

Motion for free conference thereon

That a free conference with his Majesty's Council be asked on the subject of the last conference.

Mr. P. BROWN moved, seconded by Mr. KENT,

Amendment moved

That the said motion be amended by adding to it the words "this day six months"—whereon the House divided as follows :—

For the amendment.

Against the amendment.

Division

Mr. P. BROWN

Mr. KOUGH

— KENT

— HOYLES

— PACK

— ROW.

— SWEETMAN

— CARSON

— MARTIN.

and carried.

So it passed in the affirmative, and

Ordered, that a free conference with his Majesty's Council be asked on the subject of the last conference this day six months.

Conference to be asked this day six months.

On motion, the House resolved itself into a committee of the whole House on the further consideration of the bill for the better conducting of the Fisheries of this Island.

House in committee on Fishery Bill.

Mr. SPEAKER left the chair.

Mr. P. BROWN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Report.

Ordered, that the said committee have leave to sit again.

The order of the day for the second reading of the Bill to prevent the taking and using of caplin for manure, being read,—

Order of the day for 2d reading of Bill to repeal Caplin manure act read.

Mr. Row moved, seconded by Mr. HOYLES,

That the said Bill be read a second time this day three months ;— which being put, passed in the negative.

Motion to reject it made and negatived.

The said Bill was then read a second time.

Bill read 2d time.

Mr. P. BROWN gave notice that, on Friday next, he would move the address to his Excellency the Governor of which he had given notice for to-day.

Then the House adjourned until Tuesday, at twelve of the clock.

TUESDAY, APRIL 5, 1836.

AN engrossed bill for ascertaining a census of the population and other statistics, was read a third time, and,

Census Bill read 3d time.

On motion of Mr. PACK, seconded by Mr. PETER BROWN,

Resolved, that the said Bill do pass, and that the title be "An act for ascertaining the census of this Colony and other statistical information."

Passed.

Title.

Ordered, that Mr. PACK do carry the Bill up to his Majesty's Council and desire their concurrence.

Sent to Council.

Mr. CARSON reported from the select committee appointed to prepare the draft of a Bill for the establishment and support of Common Schools ; and he presented to the House the draft of a Bill for that purpose, and the same was read a first time.

Bill for the establishment of Common Schools reported and read 1st time.

Ordered, that the bill be read a second time to-morrow.

2d reading

On motion of Mr. Row, seconded by Mr. KOUGH,

Ordered, that the said Bill be printed for the use of the Members.

To be printed.

A petition of William Donnelly and others, Inhabitants of Spaniards Bay, was presented by Mr. P. BROWN, and the same was received and read, setting forth,—that the petitioners are obliged to repair frequently to the town of Harbor Grace where the Government Offices are situate, but that the road between the two places is so bad that petitioners and all who are obliged to travel it suffer the greatest inconveniences and distress. That the petitioners and other inhabitants of Spaniards Bay, number about six hundred ;—and praying that a sum of money be granted for the improvement of the said road.

Petition from the inhabitants of Spaniards Bay, for repairs to the Road to Harbor Grace.

Ordered, that the said petition be referred to the committee on roads.

Message from Governor

A message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House; and the said message was read by Mr. Speaker (all the Members being uncovered) and is as follows:—

Message.

H. PRESCOTT.

calling the attention of the House to the over-expenditure of last year

The Governor considers it necessary to draw the attention of the House of Assembly to those items of the contingent expenses of the colony (as shewn by the financial statement already before the House) in which the expenditure exceeded the sums voted for the year ending the 31st ult., and to suggest the propriety of immediately providing funds to meet the same in order to prevent that inconvenience which must otherwise occur to the public service.

Government House, }
5th April, 1836. }

Ordered, that the said Message do lie on the table.

House in committee on roads

Pursuant to the order of the day, the House resolved itself into a committee of the whole House to consider of the making and repairing of roads and bridges.

Mr. SPEAKER left the chair.

Mr. PACK took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again.

Mr. P. BROWN, seconded by Mr. PACK, moved that it be—

Motion for address to his Excellency to dissolve the House made and carried

Resolved, that an address be presented to his Excellency the Governor, praying that he will dissolve this present House of Assembly, now four years in existence, immediately at or after the close of the present session.

Which, being put, the House divided thereon as follows;—

For the motion—

Mr. P. BROWN

— SWEETMAN

— PACK

— KENT

— CARSON.

Against the motion—

Mr. ROW

— HOYLES

— KOUGH

— MARTIN

So it passed in the affirmative, and

Resolved, accordingly.

Committee to present the address

Ordered, that Mr. P. BROWN, Mr. KENT, Mr. PACK, and Mr. CARSON be a committee to prepare the said address.

Order of day for committee of whole on bill to continue revenue act, postponed

The order of the day for the House in committee of the whole on the bill to continue the revenue act, being read—

On motion of Mr. HOYLES, seconded by Mr. KOUGH;

Ordered, that the said order of the day be postponed until this day week.

Order of day for committee on fishery bill postponed

The order of the day for the House in committee of the whole on the fishery bill, being read—

On motion of Mr. HOYLES, seconded by Mr. KOUGH,

Ordered, the said order of the day be postponed until to-morrow, and that it stand first on list of the orders of the day.

Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, APRIL 6, 1836.

PURSUANT to the order of the day, a bill for the support and encouragement of education, was read a second time.

Education Bill read 2nd time.

On motion of Mr. CARSON, seconded by Mr. HOYLES,

Ordered, that the said bill be committed to a committee of the whole House.

and committed.

Resolved, that this House will, on Friday next, resolve itself into a committee of the whole House on the consideration of the said bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the bill for the better conduct of the Fisheries of this Island.

House in Committee on Fishery Bill

Mr. SPEAKER left the chair.

Mr. P. BROWN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Progress

Ordered, that the said committee have leave to sit again.

Mr. P. BROWN reported from the select committee appointed to prepare the draft of an address to his Excellency the Governor, in pursuance of the resolution of yesterday, that the committee had prepared the draft of an address for that purpose, and he read the same in his place as follows :—

Report of select committee to prepare address to his Excellency praying for a dissolution of the Assembly.

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

We his Majesty's dutiful and loyal subjects the Commons of Newfoundland in Parliament assembled, having faithfully discharged the onerous duties of Representatives of the People of Newfoundland for four years, during which period we have met in six sessions of the Legislature, are now solicitous to resign into the hands of our constituents the trust reposed in us.

Address read.

From the time of the convention of the Legislature of Newfoundland, to the present day, the principle of short Parliaments has been acknowledged by the House of Assembly, and each succeeding year has a bill received the sanction of that Branch of the Legislature founded thereon.

In the first and second years bills had passed the House of Assembly to exonerate the Members from their charge in three years from the commencement. In the third year, 1835, a bill passed both Houses of the Legislature, and received the sanction of the Executive, upon the quadrennial principle, and again during the present session have the Commons reiterated their demand to be relieved after the expiration of four years ; and although they have concurred in passing the present

Address &c.

bill which goes to extend *their* duration to six, while it limits all future Assemblies to four years—they have been influenced in acceding that concurrence only by a desire to secure at all events to this colony a measure of such moment.

We further beg to impress on your Excellency that the inhabitants of Newfoundland in the first use of that franchise ceded to them by our Most Gracious Sovereign, could not exercise it with that judgment necessary for the good government of the colony—the workings of the principles of self government were unknown to them—the characters of men anxious to take part in the public affairs were not developed, and the trust to be reposed in their representatives was but very imperfectly understood,—the lapse of time, and above all, the result of our labours, have awakened in the public mind a sense of the importance of legislative power; we are, therefore, desirous to return to our constituents the trust reposed in us, so that with the advantage of experience and increased political knowledge they may confer it on those in whose integrity and abilities they can rely.

Taking all these circumstances into consideration—that many of the Members returned to serve in this Assembly came in pledged to their constituents to limit the duration of Parliament to *three* years—that for two years they sought to pass a measure of that nature, but unable to procure the concurrence of the other Branch of the Legislature they were induced to look for a quadrennial act, the main principle of which has *once* solemnly received the sanction of the three Estates, and a second time has been admitted by two—and that two or three members have been unable to attend to their parliamentary duties—throwing the entire burthen upon the remainder and thus enabling a few by withdrawing from the House to interrupt the progress of business—and that the present Representatives were elected at a time when the principles of self government were but imperfectly understood:—Taking all these circumstances into consideration we beg respectfully to request your Excellency will be graciously pleased, by dissolving the present House of Assembly at the close of this session, to accede to the wishes of the people of Newfoundland, expressed through us their Representatives, to place the present on a footing of equality with all succeeding Parliaments.

Mr. P. BROWN moved, seconded by Mr. SWEETMAN.

That the said address be adopted by the House.

Mr. ROW moved, seconded by Mr. KOUGH—

That all the words of the said motion after the word “that” be struck out and the following words inserted in their stead, viz.—“in order to preserve due decorum in the proceedings of the House, the address to his Excellency now presented to the House for dissolving the Legislature do pass through the same forms as it has been usual to adopt in addresses to the Governor on opening the Session of the Legislature,” which being put and the House dividing thereon, there appeared, for the amendment, four; against it, five.

For the amendment.

Mr. KOUGH
— HOYLES
— ROW
— MARTIN.

Against the amendment.

Mr. P. BROWN
— KENT
— PACK
— CARSON
— SWEETMAN.

Motion to adopt the address.

Amendment moved thereon.

Amendment negatived.

So it passed in the negative.

The original motion was then put when the House divided thereon as follows:—

For the motion—

Mr. P. BROWN
— SWEETMAN
— PACK
— KENT
— CARSON.

Against the motion—

Mr. Row
— HOYLES
— KOUGH
— MARTIN.

So it passed in the affirmative, and

Ordered, that the said address be adopted by the House.

Mr. P. BROWN moved, seconded by Mr. SWEETMAN, that it be—

Resolved, that the address now adopted be engrossed and presented to his Excellency by Mr. Speaker and the whole House, agreeable to a precedent of the first session of the Assembly—whereupon,

Mr. Row moved, seconded by Mr. HOYLES, that all the words of the said Resolution after the word "*Resolved*," be struck out and the following inserted in their stead, viz :—"that the address to his Excellency for the purpose of dissolving the Legislature having been got up in the absence of several Members, when there are but nine Members in Town, besides the Speaker, and carried with a majority of only one; and having been hurried through the House without attendance to the forms usual on occasions of great importance, a second reading having been refused, apparently for the purpose of preventing the Members now absent from voting thereon, the same be presented this day six months"—which, being put, the House divided thereon as follows—

For the amendment.

Mr. KOUGH
— MARTIN
— HOYLES
— ROW

Against the amendment.

Mr. CARSON
— SWEETMAN
— P. BROWN
— KENT
— PACK.

So it passed in the negative.

The original motion was then put, and the House dividing thereon, the names were taken down as follows :—

For the motion.

Mr. PACK
— SWEETMAN
— P. BROWN
— CARSON
— KENT,

Against the motion.

Mr. ROW
— KOUGH
— HOYLES
— MARTIN.

So it passed in the affirmative, and

Ordered, accordingly.

Mr. P. BROWN moved, seconded by Mr. SWEETMAN—

That a committee be appointed to wait on his Excellency the Governor, to know when he will be pleased to receive the House to present the said address :—which being put, the House divided thereon as follows, viz. :

For the motion.

Mr. PACK,
— P. BROWN,
— SWEETMAN,
— KENT,
— CARSON.

Against the motion.

Mr. ROW,
— KOUGH,
— HOYLES,
— MARTIN.

So it passed in the affirmative, and

Ordered, accordingly.

Address adopted.

Motion for presenting the address.

Amendment moved thereon.

Amendment lost.

Original motion put

and carried.

Committee to know when His Excellency will receive the address.

Ordered, that Mr. P. BROWN and Mr. SWEETMAN be a committee for that purpose.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, APRIL 7, 1836.

The Councils message requesting evidence for the passing of Bill for completing Harbor Grace Island Light House, read.

On motion, the message from his Majesty's Council requesting the evidence produced to this House before the passing of the act to authorize the raising by loan of a further sum of money for completing the Light-house on Harbor Grace Island was read, and thereupon—

Mr. PACK moved, seconded by Mr. P. BROWN,

Motion thereon and Message to Council.

That a message be sent to his Majesty's Council with the copy of the Letter from the Commissioners of the said Light-house to the Executive, transmitted to this House by his Excellency the Governor, setting forth the necessity of a further sum of money for effectually completing the said Light-house ;—which, being put, passed in the affirmative.

Ordered, that Mr. PACK do communicate the said message to his Majesty's Council

Report of select committee to know when his Excellency will receive the address.

Mr. SWEETMAN reported from the committee appointed to wait on his Excellency the Governor to know his pleasure when he would receive the House with the address of yesterday, that the committee had waited on his Excellency accordingly, and that his Excellency was pleased to appoint to-morrow, at half-past eleven o'clock.

Notice for committee on Bill to repeal Caplin manure act.

Mr. P. BROWN gave notice that, to-morrow, he would move that the House resolve itself into a committee of the whole House on the consideration of the bill to repeal the act for preventing the taking and using Caplin manure.

Notice of Bill to reduce Duties.

Mr. ROW gave notice that, on Saturday, he would move for leave to bring in a bill to reduce the existing scale of duties.

On motion of Mr. PACK, seconded by Mr. KOUGH,

Quidi Vidi Petition referred to committee of supply

Ordered, that the petition of the Inhabitants of Quidi Vidi, presented to the House on Saturday last, be referred to the Committee of Supply.

On motion of Mr. CARSON, seconded by Mr. KOUGH,

The Governors Message relative to Church Hill ground referred to committee of the whole

Ordered, that that part of the message of his Excellency the Governor, transmitted to this House on the 14th day of January last, which refers to the land on Church-hill, be referred to a committee of the whole House.

House in committee thereon.

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the said message.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. MARTIN took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The Chairman reported from the committee that they had considered of the matters to them referred, and had agreed to certain Resolutions thereon which they had directed him to report to the House ; and he read the said Resolutions in his place, and afterwards delivered them in at the Clerk's Table, where they were again read as follows :

Report read.

Resolved, that it is the opinion of this committee that the vacant ground on Church-hill, in the town of St. John's, (in reference to which his Excellency the Governor transmitted to the House certain documents on the 14th day of January last) should be secured for the purpose of

erecting thereon a Colonial Building, to serve as well for the accommodation of the Legislature as for a public Market-house for the town of St. John's, and for other public purposes.

Report read.

Resolved, that it is the opinion of this committee that for the purpose of the erection of the said Colonial Building, a sum sufficient for that purpose should be raised by loan upon the credit of the Colony, and placed at the disposal of his Excellency the Governor, under such regulations as may be hereafter adopted by the House in an Act to be passed for that purpose.

And the said Resolutions having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Report adopted.

On motion of Mr. SWEETMAN, seconded by Mr. KOUGH,

Resolved, that a select committee be appointed to prepare and bring in a bill for carrying the foregoing Resolutions into effect.

Committee to prepare a Bill accordingly.

Ordered, that Mr. SWEETMAN, Mr. KOUGH, Mr. CARSON, Mr. PACK, Mr. HOYLES, and Mr. P. BROWN, do form such committee.

Agreeably to the Order of the day, the House resolved itself into a committee of the whole on the further consideration of a supply to be granted to his Majesty.

House in committee of supply.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, APRIL 8, 1836.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House; and the said message was read by Mr. Speaker (all the Members being uncovered) and is as follows:—

Message from his Excellency

H. PRESCOTT.

Message.

The Governor acquaints the House of Assembly, that as he has received his Majesty's commands not to sanction any proceeding of the Colonial Legislature in which the title of "Parliament" is assumed; and as he observes in the address now prepared for presentation that they denominate themselves "the Commons of Newfoundland in Parliament assembled"—allude afterwards to "their parliamentary duties," and again, in concluding, speak of the present and succeeding "Parliaments"—he cannot receive it in its present form.

Acquainting the House that he is unable to receive their address owing to some objectionable terms therein.

Should the House think fit to strike out these objectionable passages, and designate themselves according to his Majesty's direction, the House of Assembly of Newfoundland, his Excellency will be happy to receive them with their Address, so amended, at half-past eleven o'clock to-morrow forenoon.

Government House, }
 8th April, 1836. }

Mr. P. BROWN moved, seconded by Mr. SWEETMAN,

Address referred to committee of the whole.

That the address mentioned in his Excellency's message be referred to a committee of the whole House for the purpose of being re-considered.

Mr. Row moved in amendment, seconded by Mr. HOYLES,

Amendment moved

That the address never having been duly considered by the House, the same be read a second time to-morrow, and afterwards submitted to a committee of the whole House on such day as the House may agree to ; —which being put, the House divided thereon as follows :—

For the amendment.

Against the amendment.

Mr. ROW
— MARTIN
— HOYLES

Mr. CARSON
— SWEETMAN
— P. BROWN
— KENT
— PACK.

and rejected.

So it passed in the negative.

Original motion carried.

The original motion was then put and passed in the affirmative.

House in committee on the address.

Resolved, that the House do now resolve itself into a committee of the whole House on the said address.

On motion of Mr. KENT, seconded by Mr. PACK,

Ordered, that Mr. HOYLES do take the chair of such committee.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had gone through the said address and had made several amendments therein, which he was directed by the committee to report to the House ; and he delivered the address with the amendments in at the Clerk's Table.

And the said amendments having been read throughout—

Mr. Row moved, seconded by Mr. HOYLES, that it be—

Motion for not receiving the report.

Resolved, that by the 22d rule adopted for the proceedings of this House, it is declared that in forming a committee of the whole House, before leaving the chair the Speaker shall appoint a chairman to preside subject to appeal to the House ; and the chairman of the committee on this address not having been so nominated, the report of the committee be not received,—whereupon,

Mr. KENT moved, seconded by Mr. P. BROWN,

Amendment moved and adopted.

That the word "not," in the said resolution, between the words *he* and *received*, be struck out,—which being put, passed in the affirmative.

Motion as amended put

The resolution, as amended, was then put, and the House dividing thereon, there appeared for the motion, five ; against it, four.

For the motion.

Against the motion.

Mr. PACK
— SWEETMAN
— P. BROWN
— CARSON
— KENT,

Mr. ROW
— KOUGH
— HOYLES
— MARTIN.

and adopted.

So it passed in the affirmative, and

Resolved, accordingly.

The address, as amended, was then read by the Clerk, and is as follows :—

Address read

*To His Excellency HENRY PRESCOTT,
Esquire, Companion of the most
Honorable Military Order of the
Bath, Governor and Commander-
in-Chief in and over the Island of
Newfoundland and its Dependen-
cies, &c. &c. &c.*

May it please your Excellency,

We his Majesty's dutiful and loyal subjects the representatives of the people of Newfoundland in General Assembly convened, having faithfully discharged the onerous duties imposed upon us for four years, during which period we have met in six sessions of the Legislature, are now solicitous to resign into the hands of our constituents the trust reposed in us.

From the time of the convention of the Legislature of Newfoundland, to the present day, the principle of short Assemblies has been acknowledged by the House of Assembly, and each succeeding year has a bill received the sanction of that Branch of the Legislature founded thereon.

In the first and second years bills had passed the House of Assembly to exonerate the Members from their charge in three years from the commencement. In the third year, 1835, a bill passed both Houses of the Legislature, and received the sanction of the Executive, upon the quadrennial principle, and again during the present session have we reiterated our demand to be relieved after the expiration of four years; and although we have concurred in passing the present bill which goes to extend our duration to six, while it limits all future Assemblies to four years—we have been influenced in acceding that concurrence only by a desire to secure at all events to this colony a measure of such moment.

We further beg to impress on your Excellency that the inhabitants of Newfoundland in the first use of that franchise ceded to them by our Most Gracious Sovereign, could not exercise it with that judgment necessary for the good government of the colony—the workings of the principles of self government were unknown to them—the characters of men anxious to take part in the public affairs were not developed, and the trust to be reposed in their representatives was but very imperfectly understood,—the lapse of time, and above all, the result of our labours, have awakened in the public mind a sense of the importance of legislative power; we are, therefore, desirous to return to our constituents the trust reposed in us, so that with the advantage of experience and increased political knowledge they may confer it on those in whose integrity and abilities they can rely.

Taking all these circumstances into consideration—that many of the Members returned to serve in this Assembly came in pledged to their constituents to limit the duration of Assemblies to *three* years—that for two years they sought to pass a measure of that nature, but unable to procure the concurrence of the other Branch of the Legislature they were induced to look for a quadrennial act, the main principle of which has *once* solemnly received the sanction of the three Estates, and a second time has been admitted by two—and that two or three members have been unable to attend to their legislative duties—throwing the entire burthen upon the remainder and thus enabling a few by with-

drawing from the House to interrupt the progress of business—and that the present Representatives were elected at a time when the principles of self government were but imperfectly understood :—Taking all these circumstances into consideration we beg respectfully to request your Excellency will be graciously pleased, by dissolving the present House of Assembly at the close of this session, to accede to the wishes of the people of Newfoundland, expressed through us their Representatives, to place the present on a footing of equality with all succeeding Assemblies.

Mr. SWEETMAN moved, seconded by Mr. P. BROWN,

Motion for presenting the address,

That the said address be now adopted and engrossed, and presented to his Excellency the Governor by Mr. Speaker and the House, to-morrow at half-past eleven of the clock, agreeably to his Excellency's Message of to-day ; which being put, and the House dividing thereon, there appeared for the motion, five ; against it, four.

For the motion—

Mr. P. BROWN
— SWEETMAN
— PACK
— KENT
— CARSON.

Against the motion—

Mr. ROW
— HOYLES
— KOUGH
— MARTIN.

So it passed in the affirmative, and

Ordered, accordingly.

House in Committee on Education Bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole House to consider of the bill for the support and encouragement of education.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Bill reported with amendments.

The Chairman reported from the committee that they had gone through the said bill, and had made several amendments therein which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's table.

Amendments adopted

And the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Ordered, that the said bill as amended be engrossed.

3d reading

Ordered, that the said bill be read a third time on Monday next.

Then the House adjourned until to-morrow, at eleven of the clock.

SATURDAY, APRIL 9, 1836.

House attend his Excellency with Address.

PURSUANT to order, Mr. Speaker and the House went up to Government House to attend his Excellency the Governor with the address of the House passed yesterday.

And being returned, Mr. SPEAKER reported that the House had been in attendance on his Excellency with the address of yesterday, and that his Excellency was pleased to make the following reply to the same :—

Mr. Speaker and Gentlemen of the House of Assembly—

His Excellency's reply.

I can have no hesitation in telling you, in answer to your address, what I should otherwise have told you at the end of the Session, that it is not

my intention again to convene the present House of Assembly unless under circumstances of peculiar emergency.

I embrace this occasion of pointing out the necessity of completing without delay the financial arrangements, and any other important matters now before the House; as I am anxious to close a session already protracted to an inconvenient period.

A petition of Thomas Williams, Assayer of Weights and Measures for the Central District, was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented by Mr. PACK, and the same was received and read, setting forth—that the fees of his said office are not adequate to the expense, labour and responsibility, together with the onerous duty of visiting quarterly all shops, stores, &c. in time to come and to examine all weights and measures where there is a suspicion of fraud. That at the termination of the present half year, by which time he supposes the whole of the weights and measures of the district will have been assayed, the office will yield scarcely any emolument for years to come. Petitioner suggests the expediency of paying all fines into the Colonial Treasury, and prays that a fixed salary may be allowed him commensurate with the nature of his duties.

Petition of Thomas Williams presented and read

On motion of Mr. PACK, seconded by Mr. MARTIN,

Ordered, that the said petition be referred to the Committee of Supply.

Referred to committee of supply.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to repeal the act preventing the using of caplin for manure.

House in committee on bill for repealing caplin manure act

Mr. SPEAKER left the chair.

Mr. SWEETMAN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill, and had made some amendments therein which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's table.

Bill reported with amendments

And the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Amendments adopted

Ordered, that the said bill as amended be engrossed, and read a third time on Monday next.

3d reading

Pursuant to order, the House resolved itself into a committee of the whole on the consideration of the bill for the better conduct of the Fisheries.

House in committee on fishery bill

Mr. SPEAKER left the chair.

Mr. PACK took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill and had made several amendments therein, which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's table.

Bill reported with amendments

And the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Amendments adopted

Ordered, that the said bill, as amended, be engrossed.

Ordered, that the said bill be read a third time on Monday next.

3d reading

Notice of bill for Grammar School at Harbor Grace

Mr. P. BROWN gave notice that, on Tuesday, he would move for leave to bring in a bill for establishing a Grammar School at Harbor Grace.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, APRIL 11, 1836.

Motion to adjourn.

MR. CARSON moved, seconded by Mr. PACK—That this House do adjourn until to-morrow, at twelve of the clock,—which being put, the House divided thereon as follows :—

Division:

For the motion—

Mr. P. BROWN
— SWEETMAN
— PACK
— KENT
— CARSON.

Against the motion—

Mr. ROW
— HOYLES
— KOUGH
— MARTIN
— CARTER.

Lost by casting vote of Mr. Speaker

And the House being equally divided, Mr. Speaker gave his casting vote against the motion, and so it passed in the negative.

Mr. KOUGH moved, seconded by Mr. MARTIN,

2d motion to adjourn

That the House adjourn until two o'clock this day,—which being put, the House divided thereon as follows.

Division

For the motion—

Mr. KOUGH
— ROW
— HOYLES
— MARTIN
— CARTER

Against the motion—

Mr. PACK
— CARSON
— KENT
— SWEETMAN
— P. BROWN.

Motion lost by Mr Speaker's casting vote

And the House being equally divided, Mr. Speaker gave his casting vote against the motion, and so it passed in the negative.

Education Bill read a 3d time

Agreeably to the order of the day, an engrossed bill for the establishment and support of Elementary Schools, was read a third time.

On motion of Mr. P. BROWN, seconded by Mr. KOUGH,

Amendment made therein

Ordered, that the word "October," in the third section, be expunged, and the word "July" inserted in its stead.

Mr. KENT moved, seconded by Mr. PACK,

That the words "by and with the advice of his Majesty's Council," in the second section of the bill, be expunged ;—which being put, the House divided thereon as follows :

For the motion—

Mr. CARTER
— CARSON
— KENT
— PACK
— P. BROWN.

Against the motion—

Mr. SWEETMAN
— HOYLES
— MARTIN
— ROW.

So it passed in the affirmative.

And the said amendments were made in the bill at the table of the House.

On motion of Mr. CARSON, seconded by Mr. P. BROWN,

Bill passed
Title

Resolved, that the said bill do pass, and that the title be "An act for the encouragement of education in this colony."

Ordered, that Mr. CARSON do carry the bill up to his Majesty's Council and desire their concurrence.

Sent to council

Agreeably to the order of the day, an engrossed bill to repeal an act entitled "An act for preventing the taking and using of Caplin for manure," was read a third time.

Caplin Bill read a third time.

On motion of Mr. P. BROWN, seconded by Mr. PACK,

Resolved, that the said Bill do pass and that the title be "An act to repeal an act passed in the fifth year of the Reign of his present Majesty entitled 'An act for preventing the taking and using of caplin for manure.'"

Bill passed

Title.

Ordered, that Mr. P. BROWN do carry the Bill up to his Majesty's Council and desire their concurrence.

Sent to council

Agreeably to the order of the day, an engrossed Bill for the better conduct of the fisheries was read a third time.

Fishery Bill read a third time.

On motion of Mr. KOUGH, seconded by Mr. SWEETMAN,

Resolved, that the said bill do pass, and that the title be "An act to provide for the better conducting of the Fisheries of this Colony and to regulate the payment of current supplies and servants wages."

Passed

Title

Ordered, that Mr. KOUGH do carry the bill up to his Majesty's Council and desire their concurrence.

Sent to council

The order of the day for the House in committee of the whole on the Bill to prevent the mischiefs arising from the printing and publishing of Newspapers and other papers of a like nature by unknown persons, and to regulate the printing and publishing the same, being read—

Order of the day for committee of the whole on the Press Bill read.

Mr. SPEAKER nominated Mr. SWEETMAN to the chair of the committee.

Nomination of chairman.

Mr. CARSON moved, seconded by Mr. KENT—

That Mr. CARTER do take the chair of the committee.

Motion thereon.

Mr. ROW moved in amendment, seconded by Mr. KOUGH,

That Mr. SWEETMAN do take the chair of the committee ;—which being put, passed in the affirmative.

The House resolved itself into a committee of the whole on the said bill.

House in committee

Mr. SPEAKER left the chair.

Mr. SWEETMAN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill, and had made several amendments therein, which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's Table.

Bill reported with amendments.

And the said amendments having been read throughout, were, upon the question put thereon, agreed to by the House.

Amendments adopted

Ordered, that the said bill as amended be engrossed.

Ordered, that the said bill be read a third time tomorrow.

3d reading

Mr. KOUGH reported from the committee appointed to prepare a bill for authorizing the erecting of a Colonial House and other public buildings, in pursuance of the Resolutions adopted on Thursday last ; and he presented to the House the draft of a bill for that purpose, and the same was read a first time.

Bill for the erection of a Colonial House reported and read a first time.

Ordered, that the said bill be read a second time on Thursday next.

On motion of Mr. ROW, seconded by Mr. HOYLES,

Ordered, that the said bill be printed for the use of the Members of the House.

To be printed

Notice of Address for the Royal assent to the act for the increase of members.

Mr. Row gave notice that, to-morrow, he would move that an address be presented to his Excellency praying that he will use his interest with his Majesty's Government towards obtaining his Majesty's assent to the Bill which passed the Legislature in the first Session of 1834 for the increase of the number of Members of this House.

Notice of bill relative to selling of bait.

Mr. CARTER gave notice that, on Wednesday next, he would move for leave to bring in a bill for preventing the selling of Bait to Foreigners and for the protection of the Fisheries.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, APRIL 12, 1836.

Order of the day for the 3d reading of the press bill read.

THE order of the day for the third reading of the bill to prevent the mischiefs arising from the printing and publishing of Newspapers and other papers of that nature by unknown persons, and to regulate the printing and publishing the same, being read—

Motion to reject the bill.

Mr. P. BROWN moved, seconded by Mr. KENT,

That the said order of the day be discharged, and the bill be read a third time this day six months—whereupon.

Amendment for 3d reading this day week.

Mr. HOYLES moved in amendment, and seconded by Mr. MARTIN—

That the said bill be read a third time this day week ;—which being put, the House divided thereon as follows :—

For the amendment.

Mr. ROW
— MARTIN
— HOYLES
— KOUGH
— CARTER.

Against the amendment.

Mr. CARSON
— SWEETMAN
— P. BROWN
— KENT
— PACK
— POWER.

Amendment lost.

So it passed in the negative.

Original motion carried.

The original motion was then put and the House divided thereon as follows :—

For the motion.

Mr. PACK
— SWEETMAN
— P. BROWN
— CARSON
— KENT
— POWER.

Against the motion.

Mr. ROW
— KOUGH
— HOYLES
— MARTIN
— CARTER.

Bill rejected.

So it passed in the affirmative, and

Ordered, that the said order of the day be discharged, and the said bill be read a third time this day six months.

Committee of supply postponed.

Ordered, that the order of the day for the committee of the whole on supply be postponed until to-morrow.

Committee on Revenue Act postponed.

Ordered, that the order of the day for the committee of the whole on the bill to continue the Revenue Act, be postponed until to-morrow.

Bill to establish a Grammar School read a first time.

Mr. P. BROWN, pursuant to notice and leave granted, presented a bill for the establishment of a Grammar School, and the same was read a first time.

Ordered, that the said bill be read a second time to-morrow.

Notice of address praying that the Royal Assent may be withheld from the increase of members act.

Mr. P. BROWN gave notice that, to-morrow, he would move that an address be presented to his Excellency the Governor praying that he will use his influence with his Majesty's Government towards withhold-

ing his Majesty's assent to the act which passed the Legislature in 1834 for the increase of the number of the Members of the House of Assembly.

Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, APRIL 13, 1836.

MR. PACK reported from the committee to whom was referred the Petition of Joseph Templeman, and he read the report in his place, and afterwards delivered it in at the Clerk's Table where it was again read as follows.

Report of select committee on J. Templeman's Petition.

Your committee have examined into the allegations of the said petition, and they find that the Printer's charge amounts to the sum of £45 16 8 for 160 copies ; that sixty five copies only have been sold, at eight shillings and sixpence a-piece, amounting to £27 12 6,—That the House allowed the petitioner last session the sum of £25 towards defraying the expense of the publication of the said work, thereby leaving the small sum of only £6 15 10 for his time and labour, provided no more of the copies are sold. Taking into consideration that the Members of the two branches of the Legislature and the various Courts of Sessions throughout the Island are furnished with the acts of the Colony, your committee recommend that each person so furnished should be also supplied with a copy of the said Digest and Index.

On motion of Mr. PACK, seconded by Mr. HOYLES,

Ordered, that the said Report be referred to the committee of supply.

Referred to committee of supply.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House ; and the said message was read by Mr. Speaker (all the Members being uncovered) and is as follows :—

Message from the Governor, transmitting accounts for the registration of Voters for the Central District.

H. PRESCOTT.

Message.

The Governor transmits to the House of Assembly, for their consideration, the accompanying accounts furnished by the Magistrates of St. John's of expenses connected with the registration of voters in that District.

Government House, }
13th April, 1836. }

The accounts accompanying the said message were then read by the Clerk, and

Ordered, that the message and documents do lie on the table.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill for continuing the act for the further increase of the Revenue.

House in committee on bill to continue Revenue Act.

Mr. SPEAKER left the chair.

Mr. MARTIN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill and had agreed to the same without any amendment.

Bill reported without amendment.

Ordered, that the said bill be engrossed and read a third time to-morrow.

Notice of address for copy of List of Voters for St. John's.

Mr. KENT gave notice that, to-morrow, he would move for an address to his Excellency the Governor, praying that he will be pleased to direct that a copy of the List of Voters for the District of St. John's be laid before the House.

House in committee of supply.

Pursuant to the order of the day, the House resolved itself into a committee of the whole on the further consideration of a supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again.

Grammar School Bill read a second time.

Pursuant to the order of the day, a bill for the establishment of a Grammar School, was read a second time.

Mr. P. BROWN moved, seconded by Mr. KENT, that it be—

Resolution for an address of thanks to his Majesty for withholding the Royal assent from the increase of members act,

Resolved, that an address be presented to his Majesty, through his Excellency the Governor, thanking his Most Gracious Majesty for his watchfulness of the just representation of his dutiful and loyal subjects the Inhabitants of this Colony, by withholding his Royal Assent from an act passed in the third Session of the Legislature of this Colony entitled "An act for increasing the number of Representatives to serve in the General Assembly of this Island," said act having passed in the absence of several Outport members, and contrary to the wishes of the inhabitants of this colony,—and that a committee be appointed to prepare the same;—which being put, and the House dividing thereon, there appeared for the motion, five; against it, four.

For the motion—

Mr. P. BROWN

— PACK

— KENT

— CARSON

— POWER.

Against the motion—

Mr. ROW

— KOUGH

— HOYLES

— CARTER.

So it passed in the affirmative, and

Resolved, accordingly.

Committee to prepare address.

Ordered, that Mr. P. BROWN, Mr. KENT and Mr. CARSON be a committee to prepare such address.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, APRIL 14, 1836.

Petition of the Inhabitants of Brigus against the caplin manure act presented and read.

A Petition of Walter Whelan and others, Inhabitants of Brigus, was presented by Mr. PACK, and the same was read, setting forth—that the petitioners have felt considerable injury from the effects of the act preventing the use of caplin for manure, whereby agriculture has been retarded, petitioners' lands impoverished, and the Fisheries not in the least improved, and from these means the sustenance of the poorer class is diminished. That from the sterile nature of the soil at the said place and in other parts of Conception-Bay, potatoes and other vegetables cannot be raised without the aid of animal manure. That the Fisheries have not been benefitted by the prohibition in question has been serious—

ly felt by the poorer classes, who, with an exceeding short catch of fish, are left with only half the usual crop of potatoes. That there is no evident diminution of the quantity of caplin by reason of their having been used for manure,—that the prohibition is a serious check to agriculture,—and praying that the said act may be repealed.

Ordered, that the said petition do lie on the table.

A petition of Luke Browne was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented by Mr. KOUGH, and the same was received and read, setting forth—that the petitioner was appointed by the Magistrates of Ferryland Assayer of weights and measures for the said District;—that with the assistance of his servant and others engaged for that purpose, the petitioner travelled by land and water through the whole of the said District, in extent above forty miles, and assayed 319 weights and 117 measures, and found defective 178 weights and 76 measures, thereby shewing the salutary effects of such an enactment in that District. That in the performance of his duties in so extensive a district, petitioner in travelling to the several remote places therein for that purpose, was put to an expense of fifteen pounds, exclusive of his own loss of time; while the sum received by him as fees amounted to five pounds nine shillings only, thereby subjecting him to great personal inconvenience besides serious pecuniary loss;—and praying the House to take the circumstances into avourable consideration, and grant him such remuneration as to the House may seem meet.

Petition of Luke Browne presented and read.

Ordered, that the said petition be referred to the committee of supply.

Referred to committee of Supply.

A petition of John Livingston M'Kie was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented to the House, and the same was received and read, setting forth—that petitioner has held the Commission of the Peace for the District of Bay Bulls for the last twenty-four years, and has never received any remuneration whatever for his services. That he still continues to hold the commission and perform the duty of Magistrate in said District, where there is a population of about fifteen hundred souls;—and praying the House to take his case into consideration and allow him for his future services such salary as in the wisdom of the House may appear to be just and reasonable.

Petition of J. L. M'Kie presented and read

On motion of Mr. CARTER, seconded by Mr. HOYLES,

Ordered, that the said petition be referred to the Committee of Supply.

Referred to committee of supply.

An engrossed bill to continue the act for the further increase of the revenue was, pursuant to order, read a third time.

Bill to continue the Revenue act read a 3d time.

Mr. HOYLES moved, seconded by Mr. CARTER,

That the said bill do pass;—whereon the House divided as follows:

Passed

For the motion—

Against the motion—

Mr. PACK

Mr. KOUGH

— CARSON

— ROW

— HOYLES

— MARTIN

— KENT

— POWER

— CARTER

— SWEETMAN

— COZENS.

So it passed in the affirmative, and

Resolved, that the said bill do pass, and that the title be “An act to continue an act passed in the fourth year of the Reign of his present Majesty entitled ‘An act for the further increase of the revenue.’”

Sent to Council

Ordered, that Mr. HOYLES do carry the bill up to his Majesty's Council and desire their concurrence.

Colonial House bill read 2d time,

Agreeably to order, a bill to authorise the erection of a Colonial House and other Public Buildings, and the raising a sum of money on loan to effect the same, was read a second time.

Committed.

On motion of Mr. SWEETMAN, seconded by Mr. KOUGH,

Ordered, that the said bill be committed to a committee of the whole House.

Resolved, that this House will, on Saturday next, resolve itself into a committee of the whole on the said Bill.

The Council's amendment to the bill in amendment of the Real Chattels act, read and considered.

The amendment made by the Council in the bill entitled "An act to amend an act passed in the fourth year of his Majesty's Reign, entitled 'An act for declaring all landed property in Newfoundland Real Chattels,'" was read a second time and considered,—and thereupon,

On motion of Mr. CARTER, seconded by Mr. PACK,

Resolved, that the said amendment be not agreed to.

Committee to prepare reasons

Ordered, that Mr. CARTER, Mr. PACK and Mr. KENT be a committee to prepare reasons to be offered at a conference with his Majesty's Council for disagreeing to the said amendment.

On motion of Mr. KENT, seconded by Mr. PACK,

Resolved, that an address be presented to his Excellency the Governor praying that he will cause to be laid before the House a copy of the List of Voters for the District of St. John's.

Motion for address for copy of the List of Voters for St. John's.

Address.

Mr. KENT accordingly presented to the House the draft of an address for that purpose, which was read by the Clerk, and is as follows :

To His Excellency HENRY PRESCOTT, Esquire, Companion of the most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

The House of Assembly respectfully request that your Excellency will be pleased to direct that there be laid before them a copy of the List of Persons entitled to vote for Members to represent the District of St. John's in the General Assembly, taken under the act 4 Wm. 4, cap. 15 ; also a copy or copies of the notice or notices posted, together with a sworn statement of the date on which they were posted.

Address adopted

Resolved, that the said address be adopted and engrossed.

Committee to present same

Ordered, that Mr. KENT and Mr. PACK be a committee to present the same to his Excellency.

A message from his Majesty's Council.

Message from Council with bill to continue pilots act.

The Master-in-Chancery brought down from his Majesty's Council the following written messages :—

Mr. Speaker,

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act to continue an act passed in the fourth year of his Majesty's Reign, entitled 'An act for the Regulation of Pilots and of the Pilotage of vessels at the Port of St. John's,'" without amendment.

H. J. BOULTON.

Council Chamber,
April 14, 1836.

And then the Messenger withdrew.

Mr. P. BROWN gave notice that he would, tomorrow, move that the bill for establishing a Grammar School be committed to a committee of the whole House.

Notice for committal of Grammar School Bill.

A Message from his Excellency the Governor.

Mr. Acting Secretary Templeman acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House ; and the said message was read by Mr. Speaker (all the Members being uncovered) and is as follows :—

Message from the Governor, with copy of Despatch relative to the act for increasing the number of Members to serve in the General Assembly.

H. PRESCOTT.

Message.

The Governor considers it proper to lay before the House of Assembly the accompanying copy of a despatch from the Secretary of State for the Colonies relative to the act of the Colonial Legislature for increasing the number of Representatives in the General Assembly.

Government House, }
13th April, 1836. }

The copy of the despatch mentioned in the said message was read by the Clerk and is as follows :

(No. 33.)

“ Downing Street, 27th September, 1835.

“ SIR,—I have received your despatch dated 8th August, No. 38, in which you solicit instructions for your guidance in the event of a New Bill being passed by the Council and Assembly of Newfoundland for establishing a new Electoral District, comprising the settlements between Bonne Bay, in longitude 56 25, and another Bay of the same name in longitude 58.

“ The objection which you urged against the enactment of any such Law is unanswerable. It would in appearance at least, and I apprehend in reality, be an infringement of the Treaty of Versailles of September, 1783 ; but even on the opposite supposition such an act would necessarily raise that question with the French Government in a form the most inconvenient and embarrassing ; because the act once allowed by his Majesty could not be annulled except by the consent of the House of Assembly, however conclusive might be the arguments urged by the Government of France against it, and because any popular feeling in Newfoundland would be opposed to such repeal. As no practical inconvenience is felt by the existing rule which limits the elective franchise to persons not resident beyond the first of the two Bays—the mischiefs consequent upon the passing of such a Law might be gratuitously incurred ; of course, therefore, you will not give your assent to any such Law if enacted.

“ I have the honor to be, &c.

“ GLENELG.”

Ordered, that the said message and despatch do lie on the table.

Agreeably to the order of the day, the House resolved itself into a committee of the whole on the further consideration of a supply to be granted to his Majesty.

House in Committee of Supply.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again to-morrow.
Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, APRIL 15, 1836.

ON motion of Mr. PACK, seconded by Mr. P. BROWN,

Message to be sent to the Council with information relative to the Bill for repealing the caplin Manure Act.

Ordered, that a message be sent to his Majesty's Council with the Petitions from the Inhabitants of Harbor Grace and Brigus, presented to this House, praying for a repeal of the act to prevent the taking and using of Caplin for manure.

Ordered, that Mr. PACK do communicate the said message to his Majesty's Council.

Bill for protection of the Fisheries presented and read a first time.

Mr. CARTER, pursuant to notice and leave granted, presented a Bill for preventing the encroachments of Foreigners on the British Fisheries, and for the further protection of the Fisheries of this Island, and the same was received and read a first time.

Ordered, that the said bill be read a second time on Monday next.

On motion of Mr. KENT, seconded by Mr. KOUGH,

Ordered, that the said bill be printed for the use of the House.

Notice of Address for copy of Despatch relative to the Increase of Members act.

Mr. P. BROWN gave notice that, to-morrow, he would move that an address be presented to his Excellency the Governor, praying that he will cause to be laid before the House a copy of his Excellency's despatch to his Majesty's Principal Secretary of State for the Colonies, dated the 8th of August last, No. 38, relative to the act for increasing the number of Representatives in the General Assembly.

A message from his Majesty's Council.

Message from Council, with census Bill amended

The Master-in-Chancery brought down from his Majesty's Council the following written message :—

Mr. Speaker,

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act for ascertaining the census of this Colony and other statistical information," with some amendments, to which the concurrence of the Assembly is requested.

*Council Chamber, }
April 16, 1836. }*

H. J. BOULTON.

And then the messenger withdrew.

Amendments read 1st time

The amendments made by the Council in the said bill were then read a first time, and are as follow :

4th section, 9th line. After the word "enter" insert the words "in the day time."

6th section, 10th line. After the word "answer" insert the words "on oath."

7th section, 2nd line Expunge the word "person," between the words "every" and "who," and insert in its stead the words "adult member of any family:

— *5th line.* Between the words "appointed" and "shall" insert the words "to obtain the same as aforesaid."

2nd reading.

Ordered, that the said amendments be read a second time to-morrow.

House in committee of Supply.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again.

Mr. HOYLES gave notice that, to-morrow, he would move for leave to bring in a bill to continue an act for granting to his Majesty certain duties on wines and spirits,—and also that he would move that the rules of the House in reference to the passing of bills be suspended, so far as relates to the said Bill.

Notice of Bill to continue Revenue act, &c.

Mr. CARTER reported from the committee appointed to prepare reasons to be offered at a conference with his Majesty's Council for disagreeing to the amendment made by the Council in the bill entitled "An act to amend an act passed in the fourth year of his Majesty's Reign entitled 'An act for declaring all Landed Property in Newfoundland Real Chattels,'" and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read, and is as follows:—

Report of committee to prepare reasons for disagreeing to amendment to Real Chattels Bill.

The House of Assembly disagree to the said amendment, because as the reasons assigned for the objections stated in the Despatch of his Majesty's Principal Secretary of State for the Colonies (dated the 13th April last) to the clause in the act which the bill in question proposes to amend, apply equally as well to the office of Administrator as of Executor, it is apprehended that if the amendment proposed by his Majesty's Council be adopted, the objections will not be removed, and that his Majesty's sanction to the bill will still be withheld.

Resolved, that the said report be adopted by the House.

Report adopted.

On motion of Mr. CARTER, seconded by Mr. KOUGH,

Resolved, that a conference be asked with his Majesty's Council on the subject of the said amendment.

Conference to be asked.

Ordered, that Mr. CARTER do go up to his Majesty's Council and desire the said conference.

Mr. Row gave notice that, to-morrow, he would move for leave to bring in a bill to reduce the duties on certain articles imported into this Colony.

Notice of Bill to reduce duties.

Mr. Row also gave notice that, to-morrow, he would move that the Resolution passed on Wednesday last, for an address to his Majesty, with reference to the act for increasing the number of the Members of the House of Assembly, be rescinded.

Notice of motion to rescind resolution of Wednesday.

Mr. KOUGH gave notice that, to-morrow, he would move for leave to bring in a bill for increasing the number of the Members of the House of Assembly of this Island.

Notice of Bill for increasing the number of Members.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, APRIL 16, 1836.

MR. KENT reported from the committee appointed to present to his Excellency the Governor the address of the House praying for a copy of the list of Voters for the district of St. John's, that the

Governor's reply to address for copy of List of Voters for St. John's.

Governor's reply, &c.

committee had waited on his Excellency with the said address, to which his Excellency was pleased to make the following reply :—

Gentlemen,

I give into your hands for the inspection of the House of Assembly the list of voters for the district of St. John's, which has been deposited in the Office of the Colonial Secretary. The House will have the power to cause it to be copied or printed as they may think fit. I have only to request that it may be returned as early as circumstances will permit. I will direct copies to be prepared according to the terms of the address.

Mr. KENT also laid upon the Table of the House the Register of Voters for the district of St. John's.

On motion of Mr. KENT, seconded by Mr. KOUGH,

Ordered, that the Clerk do cause a copy of the said Register of Voters to be made with all convenient speed.

Mr. P. BROWN reported from the committee appointed to prepare an address to his Majesty in pursuance of the resolution of this House adopted on Wednesday last, that the committee had prepared the draft of an address accordingly ; and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

To the King's Most Excellent Majesty.

THE HUMBLE ADDRESS OF THE HOUSE OF REPRESENTATIVES OF THE ISLAND OF NEWFOUNDLAND, IN GENERAL ASSEMBLY CONVENED.

May it please Your Majesty—

We the Representatives of Your Majesty's faithful and loving subjects the people of Newfoundland, beg leave most humbly to approach Your Majesty with sentiments of unshaken fidelity to Your Majesty's Government, and loyalty and attachment to Your Majesty's Royal Person.

Ever grateful to your Majesty for graciously according this ancient Colony the great privilege of self-government, we hail in your Majesty's suspension of approval of the act for increasing the number of Representatives to serve in the General Assembly of this Island, the amplest evidence of your Majesty's parental solicitude for the maintenance of the purity of that branch of the Local Legislature.

In the division of this Island into nine districts, each to be represented by one or more members, your Majesty would seem desirous to establish an analogy with the British Shires—strongly calculated to promote public liberty in Newfoundland—the Electors throughout each district voting for the return of the member ; and this provision in the Royal Instructions we deem of the greatest importance to the interests of Newfoundland, as calculated to neutralize individual influence, which preponderating in small partitions, would be likely to be exercised from motives of personal advantage rather than the public good.

The principle of the bill before alluded to is, by subdividing these electoral districts, to sweep away at one blow that magnificent arrangement made by your Majesty, and to substitute for the large districts a number of insignificant towns and villages—abolishing the county system and adopting the borough.

We shall only trouble your Majesty with one instance to pourtray the great injustice contemplated by that bill, but in the selection of this one case, we seek not the *most* striking, the *most* unjust, but we choose that which is nearest. The District of St. John's at present comprehends

Copy of Register of Voters to be made.

Report of select committee to prepare address of thanks to his Majesty for withholding his assent from the act for the increase of the number of Representatives,

the town of St. John's, together with the small fishing villages of Torbay, Petty Harbor and Portugal Cove, the last being the most distant, yet only nine miles, but connected with the town by an excellent road; and this District is represented by three Members—while the new bill would subdivide this into *four Districts*, restricting the District of St. John's to *two* Representatives, while each of the three Fishing Villages before mentioned elects *one*, although the most populous of them contains not one-twentieth of the inhabitants, and although there resides not within the three one individual gentleman, clergyman, merchant, professional man, public officer, or probably not one regular mechanic.

That in this manner, by giving representatives to small and poor places inhabited only by humble fishermen, who frequently depend for their sole support on one or two great Commercial Houses for the most part in St. John's, is there attempted to be introduced that most flagrant system of boroughmongering which by the benign influence of Your Majesty has just been driven from the shores of Britain.

An increase of the number of Representatives of the people of Newfoundland in their Assembly would be of incalculable advantage to the interests of the country, but in according that increase we cannot think the public interests could be improved by in the slightest degree interfering with the wise arrangements already made by Your Majesty. We would therefore humbly beg to represent that, as like the Counties of England our Districts have their representatives, so, like the towns of England, our towns too may be represented.

But the bill from which we thus beg leave to dissent will to Your Majesty be still more objectionable when we acquaint Your Majesty that it is directly opposed to the wish of the people. A similar bill thereto—founded on the same principle—was in the first Session of the Legislature rejected by a majority of seven to three members; and neither at that time nor in the session when it passed, during the absence of several of the Outport members, had it been called for by the petition of a single individual of the constituency.

Under these circumstances we again beg to return Your Majesty our unfeigned and grateful thanks for rescuing the liberties of Your Majesty's loyal subjects of this ancient British colony from the danger that impended from that measure, by expunging from the statute book of Newfoundland a bill of so exceedingly obnoxious a character.

Pursuant to the order of the day, the House resolved itself into a committee of the whole on the bill to authorize the erection of a Colonial House, and the raising on loan of a sufficient sum to effect the same.

House in committee on Colonial House bill.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again on Tuesday next.

A Message from his Majesty's Council.

The Master-in-Chancery brought down from his Majesty's Council the following written messages:

Message from Council, with Bill to regulate the printing of newspapers.

Mr. Speaker,

His Majesty's Council have passed a bill entitled "An act for preventing the mischiefs arising from the printing and publishing of books,

newspapers, and papers of a like nature, by persons unknown, and to regulate the printing and publishing the same," to which they desire the concurrence of the Assembly.

Council Chamber, }
April 16, 1836. }

H. J. BOULTON.

Mr. Speaker,

Conference on real chattels bill acceded to,

His Majesty's Council accede to the conference requested by the Assembly on the subject of the amendment made by the Council in the bill entitled "An act to amend an act passed in the fourth year of his Majesty's Reign, entitled 'An act for declaring all Landed Property in Newfoundland real Chattels,'" and have appointed two managers to meet the conferees from the Assembly in the committee room of the Council presently.

Council Chamber, }
16th April, 1836, 1½ P. M. }

H. J. BOULTON.

And then the messenger withdrew.

Conferees appointed.

Ordered, that Mr. CARTER, Mr. KOUGH, Mr. KENT and Mr. HOYLES, do manage the said conference on the part of this House.

Conference held.

And they went to the conference.

Report.

And being returned, Mr. CARTER reported that the managers had been at the conference and had complied with the instructions of the House.

Mr. KENT moved, seconded by Mr. CARSON—

Motion for rejection of bill to regulate printing of newspapers.

That the bill sent down from his Majesty's Council entitled "An act for preventing the mischiefs arising from the printing and publishing of books, newspapers, and papers of a like nature by persons unknown, and to regulate the printing and publishing the same," be read a first time this day six months.

Mr. Row moved in amendment, and seconded by Mr. KOUGH—

Amendment for 1st reading.

That the said bill be now read a first time ;—which, being put, passed in the affirmative.

Bill read a first time:

And the said bill was read a first time accordingly.

Mr. KENT moved, seconded by Mr. CARSON—

Motion for second reading this day six months.

That the said bill be read a second time this day six months.

Mr. Row moved, seconded by Mr. KOUGH—

Amendment moved,

That the said motion be amended by striking out of it the words "this day six months," and by inserting in their stead the words "Monday next ;—which being put, the House divided thereon as follows :

For the amendment.

Against the amendment.

Mr. CARTER,
— HOYLES,
— ROW,
— COZENS,
— MARTIN,
— KOUGH.

Mr. KENT,
— CARSON,
— SWEETMAN,
— PACK,
— POWER,
— P. BROWN.

And carried by Mr. Speaker's casting vote.

And the House being equally divided, Mr. Speaker gave his casting vote in favour of the motion, and so it passed in the affirmative, and

2nd reading of bill.

Ordered, that the said bill be read a second time on Monday next.

On motion of Mr. Row, seconded by Mr. KOUGH,

Bill to be printed.

Ordered, that the said bill be printed for the use of the members of the House.

Mr. PETER BROWN moved, seconded by Mr. KENT—

That a message be sent to his Majesty's Council requesting that they will furnish this House with any evidence produced before them to induce them to pass the act for preventing the mischiefs arising from the printing and publishing of books, newspapers and papers of a like nature by unknown persons, and to regulate the printing and publishing the same ;—which being put, the House divided thereon as follows :—

Message to Council requesting information, &c

For the motion.

Mr. PACK
— P. BROWN
— CARSON
— KENT
— POWER

Against the motion.

Mr. ROW
— KOUGH
— HOYLES
— MARTIN
— CARTER.
— SWEETMAN
— COZENS.

So it passed in the negative.

Motion lost

During the debate on the foregoing motion, Mr. KENT made use of the following words, which were ordered to be taken down, viz., "Aye, the Treasurer might rob the public chest as has been done before."

Words used in debate taken down

On motion of Mr. SWEETMAN, seconded by Mr. KENT,

Ordered, that the said order of the day, for the House in committee of the whole on the consideration of a supply to be granted to his Majesty, be postponed until Monday next, and that it stand first on the order of the day.

Mr. KOUGH moved, seconded by Mr. KENT,

That the draft of the address to his Majesty, this day reported to the House, be received and adopted.

Motion for receiving the address this day reported

Mr. ROW moved in amendment, and seconded by Mr. MARTIN—

That the said address be not received, and that the resolution of this House, adopted on Wednesday last, wherein the same was founded, be rescinded,—which being put, the House divided thereon as follows :—

Amendment for rejecting it and rescinding the resolution on which it was founded

For the amendment.

Mr. ROW
— MARTIN
— HOYLES
— KOUGH
— CARTER.
— COZENS.

Against the amendment.

Mr. CARSON
— SWEETMAN
— P. BROWN
— KENT
— PACK
— POWER.

And the House being equally divided, Mr. Speaker gave his casting vote in favour of the amendment, and so it passed in the affirmative, and

Amendment carried by casting vote of Speaker

Resolved, accordingly.

The amendments made by his Majesty's Council in the Bill entitled "An act for ascertaining the Census of this Island and other Statistical information," were, pursuant to order, read a second time and considered, and

Amendments to census bill read 2d time, and

On motion of Mr. PACK, seconded by Mr. CARTER,

Resolved, that the said amendments be adopted.

adopted

Ordered, that Mr. PACK do go up to his Majesty's Council and acquaint them that this House have agreed to the said amendments.

Mr. CARSON moved, seconded by Mr. KENT,

That this House do adjourn until to-morrow, at twelve of the clock,—which being put, the House divided thereon as follows—

Motion to adjourn

For the motion—

Mr. PACK
— POWER
— KENT
— SWEETMAN
— P. BROWN
— CARSON.

Against the motion—

Mr. COZENS
— KOUGH
— MARTIN
— HOYLES
— ROW
— CARTER.

Motion lost by casting
vote of Speaker

And the House being equally divided, Mr. Speaker gave his casting vote against the motion, and so it passed in the negative.

Motion for committing the
Grammar School bill

Mr. P. BROWN moved, seconded by Mr. KENT,

That the bill to establish a Grammar School be committed to a committee of the whole House.

Amendment moved, and

Mr Row moved, seconded by Mr. CARTER,

That the words "this day six months" be added to the said motion,—which being put, the House divided thereon as follows —

For the amendment.

Mr. ROW
— CARTER

Against the amendment.

Mr. HOYLES
— SWEETMAN
— P. BROWN
— KENT
— POWER.
— MARTIN
— COZENS
— KOUGH

Lost

So it passed in the negative.

Bill committed

The original motion was then put and passed in the affirmative, and *Ordered*, accordingly.

Resolved, that this House will, on Thursday next, resolve itself into a committee of the whole House on the consideration of the said Bill.

Bill for continuing the act
for granting duties on
wines and spirits read 1st
time

Pursuant to notice and leave granted, Mr. HOYLES presented a bill to continue an act passed in the third year of his Majesty's reign entitled "An act for granting to his Majesty certain duties on all Wines and on all Brandy, Rum, Gin, and other spirituous liquors imported into this Island," and the same was read a first time.

2d reading

Ordered, that the said bill be read a second time on Tuesday next.

Bill to repeal part of the
act for granting duties on
all articles imported into
the colony, read 1st time

Pursuant to notice and leave granted, Mr. Row presented a Bill to repeal certain parts of an act passed during the last session entitled "An act for granting to his Majesty certain duties on all articles imported into this Island," and the same was read a first time.

Motion for 2d reading

Mr. Row moved, seconded by Mr. CARTER,

That the said bill be read a second time on Monday next, whereupon

Mr. HOYLES moved, seconded by Mr. P. BROWN,

Amendment moved for
throwing out the bill, and
lost

That the words "this day six months" be substituted for the words "Monday next," in the said motion ;—which being put passed in the negative.

Motion for a 2d reading
carried

The original motion was then put and passed in the affirmative, and

Ordered, that the said bill be read a second time on Monday next.

Bill for increasing the number
of Members read 1st
time

Pursuant to notice and leave granted, Mr. KOUGH presented a bill for increasing the number of Members to serve in the General Assembly of this Island, and the same was read a first time.

Ordered, that the said bill be read a second time on Monday next.

Mr. CARTER gave notice that, on Monday next, he would move for leave to bring in a bill to repeal a part of the judicature act.

Notice of bill to repeal part of the judicature act.

Mr. ROW gave notice that, on Monday next, he would move for leave to bring in a bill to continue the act for the relief of Insolvent Debtors.

Notice of bill to continue Insolvent Debtors Relief Act.

Mr. KOUGH gave notice that, on Monday next, he would move the second reading of the bill sent down from his Majesty's Council to repeal the 25th and 26th sections of the act 5 Geo. IV, cap. 67.

Notice of motion for second reading of Bill to repeal 25th and 26th sections of 5 Geo. IV, cap. 67.

Mr. CARTER gave notice that, on Wednesday next, he would move for leave to bring in a bill to extend the Jurisdiction of the Courts of Sessions.

Notice of bill to extend Jurisdiction of Sessions Courts.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, APRIL 18, 1836.

PURSUANT to notice and leave granted, Mr. CARTER presented a bill to repeal so much of the act 5 Geo. IV, cap. 67, as relates to the Records of the Surrogate Courts, and the same was read a first time.

Bill to repeal certain parts of judicature act brought in and read 1st time.

Ordered, that the said bill be read a second time to-morrow.

On motion of Mr. SWEETMAN, seconded by Mr. P. BROWN,

Resolved, that a message be sent to his Majesty's Council requesting them to furnish this House with the amount of their contingencies for the present session.

Message to be sent to Council requesting amount of their contingencies.

Ordered, that Mr. SWEETMAN do communicate the said message to his Majesty's Council.

A message from his Majesty's Council.

The Master-in-Chancery brought down from his Majesty's Council the following written message :—

Message from Council.

Mr. Speaker,

His Majesty's Council have passed the bill sent up from the Assembly entitled " An act for the encouragement of enducation in this colony," without amendment.

Education bill passed without amendment.

Council Chamber, }
 April 18, 1836. }

H. J. BOULTON.

And then the messenger withdrew.

Pursuant to order, the House resolved itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

House in committee of Supply.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again to-morrow.

On motion of Mr. SWEETMAN, seconded by Mr. MARTIN,

Resolved, that a select committee be appointed to examine and report upon the contingencies of this House during the present session.

Committee to report upon contingencies.

Ordered, that Mr. SWEETMAN, Mr. MARTIN, Mr. PACK and Mr. POWER, do form such committee.

Committee.

On motion of Mr. P. BROWN, seconded by Mr. KOUGH,

Governor's message relative to the compensation to be made to Dr. Shea referred to select committee.

Resolved, that the message of his Excellency the Governor, transmitted to this House on the 9th day of March last, relative to the amount of compensation to Dr. Shea for his services as public Vaccinator, be referred to a select committee to enquire into and report upon.

Ordered, that Mr. P. BROWN, Mr. KOUGH and Mr. SWEETMAN do form such committee.

Bill to continue Insolvent Debtors relief bill read a first time:

Pursuant to notice and leave granted, Mr. Row presented a bill to continue an act passed in the fourth year of his Majesty's Reign, entitled "An act for the relief of Insolvent Debtors taken in execution," and the same was read a first time.

Ordered, that the said bill be read a second time to-morrow.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, APRIL 19, 1836.

Bill to prevent the encroachments of aliens on the Fisheries read 2d time, and

PURSUANT to order, a bill to prevent the encroachments of aliens on the Fisheries of this Island, and for the further protection of the same, was read a second time.

On motion of Mr. CARTER, seconded by Mr. MARTIN,

Committed,

Ordered, that the said bill be committed to a committee of the whole House to-morrow.

Bill to repeal the 25th & 26th sections of 5 Geo. 4, cap. 67, read 2d time.

A bill from the Council entitled "An act for repealing the twenty-fifth and twenty-sixth sections of an act passed in the fifth year of the Reign of his late Majesty, entitled 'An act for the better administration of Justice in Newfoundland and for other purposes,' and to make further provision for the distribution of the Estates of Insolvent Debtors," was read a second time.

On motion of Mr. KOUGH, seconded by Mr. CARSON,

To be committed this day six months.

Ordered, that the said bill be committed to a committee of the whole House this day six months.

Report of select committee upon Governor's message relative to Dr. Shea's compensation.

Mr. P. BROWN reported from the select committee to whom was referred the message of his Excellency of the 9th of March, relative to the compensation to be made to Dr. Shea, that they had enquired into the nature of the services performed by Dr. Shea, and were of opinion that the sum of Sixty Pounds would be a fair compensation for the services in question, and for defraying the expenses incurred in the performance of those services.

Report adopted.

Resolved, that the said Report be adopted by the House.

On motion of Mr. P. BROWN, seconded by Mr. SWEETMAN,

Resolved, that the following Address be presented to his Excellency the Governor:—

Address to the Governor thereon.

*To His Excellency HENRY PRESCOTT,
Esquire, Companion of the most
Honorable Military Order of the
Bath, Governor and Commander-
in-Chief in and over the Island of
Newfoundland and its Depend-
encies, &c. &c. &c.*

May it please your Excellency,

The House of Assembly respectfully beg leave to acquaint Your Excellency, that they have taken into consideration Your Excellency's message of the 9th March last, relative to the compensation to be made to

Dr. Shea for his services as public Vaccinator, and the Assembly are of opinion that the sum of Sixty pounds would be a fair compensation for the services in question and for the defrayal of the expenses incurred by Dr. Shea in the performance of them.

Ordered, that Mr. P. BROWN and Mr. SWEETMAN do present the said address to his Excellency.

Committee to present same

Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, APRIL 20, 1836.

A Message from his Majesty's Council.

Message from the Council

The Master-in-Chancery brought down from his Majesty's Council the following written messages :

Mr. Speaker,

His Majesty's Council recede from their amendment in and upon the bill sent up from the Assembly entitled " An act to amend an act passed in the fourth year of his Majesty's Reign entitled ' An act for declaring all Landed property in Newfoundland Real Chattels.' "

receding from their amendment on the Real Chattels act amendment bill

Council Chamber, }
20th April, 1836, }

H. J. BOULTON

Mr. Speaker,

His Majesty's Council acquaint the Assembly in reply to their request of the 18th inst., that they have adopted the following Resolution upon the subject of their contingencies during the last and present sessions of the Legislature :—

Communicating the contingencies of H. M. Council

Resolved, that the sum of One hundred and twelve pounds nineteen shillings and seven pence sterling be paid to the Clerk to defray the contingencies in his Office during the last and present sessions of the Legislature ; and that the sum of Seven pounds, eleven shillings and eleven pence, be paid to the Usher of the Black Rod to defray the contingencies of his office during the last and present sessions of the Legislature ; and that the Master in Chancery, the Clerk, the Usher of the Black Rod and the Doorkeeper of this House, be placed in point of emolument on a footing with the Solicitor, Clerk, Serjeant-at-Arms and Doorkeeper of the House of Assembly.

Council Chamber, }
20th April, 1836 }

H. J. BOULTON.

And then the Messenger withdrew.

The order of the day for the second reading of the bill for preventing the mischiefs arising from the printing and publishing of books, newspapers and papers of a like nature, by unknown persons, and to regulate the printing and publishing the same, being read—

Order of day for 2d reading of bill to regulate the printing of newspapers read

Mr. CARSON moved, seconded by Mr. KENT,

That the said order of the day be discharged, and that the said bill be read a second time this day six months,—whereupon

Motion to discharge the order of the day

Mr. Row moved in amendment, and seconded by Mr. KOUGH—

That the said bill be now read a second time ;—which being put, the House divided thereon as follows —

Amendment moved that the bill be now read a 2d time.

For the amendment.

- Mr. CARTER,
- HOYLES,
- ROW,
- COZENS,
- MARTIN,
- KOUGH.

Against the amendment.

- Mr. KENT,
- CARSON,
- SWEETMAN,
- PACK,
- POWER,
- P. BROWN.

Motion carried by casting vote of Speaker

And the House being equally divided, Mr. Speaker gave his casting vote in favour of the question, and so it passed in the affirmative.

2d reading

And the said bill was read a second time accordingly.

Motion for committing the bill on Friday next

Mr. Row moved, seconded by Mr. MARTIN—

That the said bill be committed to a committee of the whole House on Friday next,—whereupon

Amendment for committing it this day 6 months

Mr. P. BROWN moved, seconded by Mr. KENT—

That the words “Friday next,” be struck out of the said motion, and that the words “this day six months,” be inserted in their stead ;—which being put, a debate ensued thereon.

Then the House adjourned until to-morrow at twelve of the clock.

THURSDAY, APRIL 21, 1836.

Debate resumed

THE motion made yesterday for the committal of the Bill for preventing the mischiefs arising from the printing and publishing of Books, Newspapers, and papers of a like nature by unknown persons and to regulate the printing and publishing the same, being read, and

Question put on the amendment

The amendment proposed thereon being also read, the debate on the said amendment was resumed ;—and the question thereon being put the House divided as follows :

For the amendment.

Against the amendment.

Mr. PACK

Mr. COZENS

— POWER

— KOUGH

— KENT

— MARTIN

— SWEETMAN

— HOYLES

— P. BROWN

— ROW

— CARSON.

— CARTER.

Amendment lost

And the House being equally divided, Mr. Speaker gave his casting vote against the amendment, and so it passed in the negative.

No quorum

Several members having retired and there being present Mr. SPEAKER, Mr. HOYLES, Mr. CARTER, Mr. ROW and Mr. COZENS,—at three o'clock P. M. Mr. Speaker adjourned the House for want of a quorum.

FRIDAY, APRIL 22, 1836.

Leave granted to Mr Row for withdrawing his motion to commit the bill to regulate the publishing of newspapers, &c

ON motion of Mr. Row, seconded by Mr. P. BROWN,

Ordered, that Mr. Row have leave to withdraw the motion made by him for committing to a committee of the whole House the bill for preventing the mischiefs arising from the printing and publishing of books, newspapers, and papers of a like nature, by persons unknown, and to regulate the printing and publishing the same.

Notice for committal

Mr. Row gave notice that, to-morrow, he would move that the said bill be committed to a committee of the whole House.

On motion of Mr. SWEETMAN, seconded by Mr. POWER,

Committee to search Council's Journals relative to their contingencies

Resolved, that a committee be appointed to search the Journals of his Majesty's Council relative to their contingencies.

Ordered, that Mr. SWEETMAN and Mr. POWER do form such committee.

Mr. SWEETMAN reported from the select committee appointed to enquire into and report upon the contingencies of the House during the present Session, and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

Report of select committee upon contingencies of the House.

The select committee appointed to examine into and report upon the contingencies of the House during the present Session, beg to report that they find the following sums to be due for the undermentioned services, viz.—

	£	s.	d.
John Shea, for Stationery.....	8	11	2
————— for printing bills, &c. during the present session	49	0	0
William Freeman, Carpenter's repairs.....	17	1	9
Thomas M'Grath, Smith's repairs.....	1	15	2
Perchard & Boag, sundries for Speaker's Room.....	3	4	8
C. F. Bennett & Co., amount of expense of Hat, Sword, &c. of the Serjeant-at-Arms	9	10	10
Henry Winton, for Stationery and books	3	3	2
E. M. Archibald, duties paid on sundry books imported for the use of the House	1	2	6
Sheriff's account for proportion of fuel and light	18	0	0
John Stevenson, for copying Register of Voters for the District of St. John's	8	0	0
John Shea, estimated expense of printing and binding the Journals.....	130	0	0

Your Committee also recommend the following sums to be allowed to the undermentioned persons, viz. :

John Cox, extra Doorkeeper.....	20	0	0
Richard Perchard, Housekeeper	10	0	0
The Clerk, for extra services and to defray the expenses of Copying Clerks.....	75	0	0

Committee Room,
22d April, 1836.

R. F. SWEETMAN, *Chairman.*

On motion of Mr. SWEETMAN, seconded by Mr. POWER,

Ordered, that the said report, together with the Message sent down from his Majesty's Council on Wednesday last, relative to their contingencies, be referred to the committee of supply.

Report and Message of Council relative to their contingencies, referred to committee of supply.

On motion, the House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.

House in committee of supply.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had come to certain resolutions thereupon, which they had directed him to report the House whenever it shall be pleased to receive the same, and had directed him to move for leave to sit again.

Report,

Ordered, that the said committee have leave to sit again.

Ordered, that the Chairman do report the said resolutions to-morrow, and that the consideration of the said report be the first item on the order of the day.

To be brought up to-morrow.

A Message from his Majesty's Council.

Message from Council.

The Master-in-Chancery brought down from his Majesty's Council the following written message :

Mr. Speaker,

Bill for completing the Light House on Harbor Island, passed with an amendment.

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act to authorise the raising by loan of a further sum of money for the completion of the Light House on Harbor Grace Island," with an amendment, to which they request the concurrence of the Assembly.

Council Chamber, }
22d April, 1836 }

H. J. BOULTON.

And then the Messenger withdrew.

Amendment read.

The amendment made by his Majesty's Council in the said bill was then read a first time, and is as follows:—

Add the following Proviso to the 1st section—

"Provided always that no part of the said sum of money hereby authorised to be raised, shall be raised or expended until a specification of the work to be performed, and of the machinery to be provided, shall have been laid before the Governor and Council, and the estimate of the expense thereof shall have been by them approved."

2d reading

Ordered, that the said amendment be read a second time to-morrow.

Message from the Governor with copies of notices pursuant to the Voters Registration act.

A message from his Excellency the Governor.

The Acting Colonial Secretary being admitted within the bar, presented to the House copies of notices posted in the district of St. John's, in pursuance of the act for the registration of voters, together with sworn statements of the dates when the same were posted.

And then he withdrew.

Ordered, that the said documents do lie on the table.

Order of day for second reading of bill to reduce duties, read.

The order of the day for the second reading of a bill to repeal certain parts of an act passed during the last session of the Legislature, entitled "An act for granting to his Majesty certain duties on all articles imported into this colony," being read—

Motion to reject the bill.

Mr. CARSON moved, seconded by Mr. P. BROWN—

That the said bill be read a second time this day six months,—whereupon

Mr. ROW moved, seconded by Mr. KOUGH,

Amendment that the bill be now read a 2d time.

That the said bill be now read a second time;—which being put, the House divided thereon as follows:

For the amendment.

Against the amendment.

Mr. KOUGH
— MARTIN
— ROW
— CARTER.

Mr. COZENS
— KENT
— SWEETMAN
— P. BROWN
— CARSON.
— PACK
— POWER

Amendment lost

And so it passed in the negative.

Original motion carried.

The question upon the original motion was then put, and passed in the affirmative, and

Bill rejected.

Ordered, that the said bill be read a second time this day six months.

Order of day for 2d reading of increase of members bill, read.

The order of the day for the second reading of the bill for the increase of the number of the members of the House of Assembly, being read—

Mr. P. BROWN moved, seconded by Mr. PACK,

That the said bill be read a second time this day six months,—whereupon

Motion to reject the bill.

Mr. KOUGH moved, seconded by Mr. CARTER, in amendment—

That the said bill be read a second time to-morrow ;—which being put, the House divided thereon as follows :—

Amendment moved for 2d reading to-morrow.

For the motion.

Against the motion.

Division.

Mr. ROW
— KOUGH
— CARTER
— COZENS
— MARTIN

Mr. SWEETMAN
— CARSON
— P. BROWN
— PACK
— KENT
— POWER.

And so it passed in the negative.

Amendment lost.

Mr. KOUGH moved in amendment of the main motion, and seconded by Mr. MARTIN,

That the said bill be read a second time on Monday next ;—which being put, the House divided thereon as follows —

2d amendment moved.

For the motion.

Against the motion.

Division.

Mr. CARTER,
— MARTIN,
— KOUGH.
— ROW,

Mr. KENT,
— POWER,
— P. BROWN.
— SWEETMAN,
— PACK,
— CARSON,

And so it passed in the negative.

2d amendment lost.

Mr. KOUGH then moved in amendment of the main motion, and seconded by Mr. MARTIN—

That the House having been informed by his Excellency the Governor that a dissolution will soon take place, the Bill for the increase of Representatives is of very great importance to the whole Island ; and it being now several hours after the usual hour of adjournment, and so few members now present, this question ought not to be presently determined, and that the debate thereon be therefore adjourned until to-morrow ;—which being put the House divided thereon as follows :

3d amendment moved

for adjourning the debate

For the motion.

Against the motion.

Division.

Mr. KOUGH
— MARTIN

Mr. SWEETMAN
— POWER
— P. BROWN
— KENT
— CARSON
— PACK.

And so it passed in the negative.

Amendment lost.

The question on the original motion was then put, and passed in the affirmative, and

Original motion carried.

Ordered, that the said bill be read a second time this day six months.

Bill rejected.

Mr. P. BROWN gave notice that, to-morrow, he would move that the House do resolve itself into a committee of the whole on Roads.

Notice for committee on Roads-

Mr. P. BROWN also gave notice that he would, to-morrow, move that an address be presented to his Majesty through his Excellency the Governor, thanking his Most Gracious Majesty for his watchfulness of the just representation of his dutiful and loyal subjects the Inhabitants of Newfoundland, by withdrawing his Royal Assent from an act passed in the third Session of the Legislature of this Colony, entitled " An act for

Notice of motion for address of thanks to his Majesty.

increasing the number of Representatives in the General Assembly of this Island," said act having passed in the absence of several Outport Members and contrary to the wishes of the Inhabitants of this Colony, and that a committee be appointed to prepare the same.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, APRIL 23, 1836.

Report of committee of Supply brought up and read.

MR. HOYLES reported, according to order, the Resolutions of the committee of supply; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

1st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £200 sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Executive Council, from the first day of April, One thousand Eight hundred and Thirty-six, to the thirty-first day of March, One thousand Eight hundred and Thirty-seven.

2d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £400 sterling, be granted to his Majesty towards defraying the salaries of two Clerks in the Secretary's Office, for the same period.

3rd.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £105 sterling, be granted to his Majesty towards defraying the salaries of an Office Keeper and for a Messenger in the Secretary's Office, for the same period.

4th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £200 sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Northern Circuit Court, for the same period.

5th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Southern Circuit Court, for the same period.

6th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £60 sterling, be granted to his Majesty towards defraying the salary of the Crier and Tipstaff of the Supreme Court, for the same period.

7th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £500 sterling, be granted to his Majesty towards defraying the salaries of two Police Magistrates at St. John's, for the same period.

8th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £200 sterling, be granted to his Majesty towards defraying the salaries of six Police Constables at St. John's, for the same period.

9th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £365 sterling, be granted to his Majesty towards defraying the salary of the Colonial Treasurer, and in full for office rent and contingencies, for the same period.

10th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £250 sterling, be granted to his Majesty towards defraying the Attorney General's fees and in lieu thereof, for the same period.

11th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £50 sterling, be granted to his Majesty towards defraying the pension of William Armstrong, late Marshall of the Supreme Court, for the same period.

12th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £150 sterling, be granted to his Majesty towards defraying the salary of the Senior Police Magistrate of Conception Bay, resident at Harbor Grace, for the same period.

13th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £120 sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate whose office and residence shall be on the north side of the Harbor of Carbonear, for the same period.

14th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £120 sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate to reside at Brigus and hold the Court of Sessions there, for the same period.

15th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £290 sterling, be granted to his Majesty towards defraying the salaries of the Police constables and Gaoler of Conception Bay, for the same period, as follows:—Three constables at Harbor Grace, at £25 each—three constables at Carbonear, at £25 each—two constables at Port de Grave and Brigus, at £25 each—one constable at Cats Cove—one constable at Bay de Verds—one constable at Harbor Main—one constable at Western Bay—one constable on the South Shore—at £25 each—and the Gaoler at Harbor Grace, £30.

16th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £350 sterling, be granted to his Majesty towards defraying the expenses of erecting a Gaol and Court-house at Brigus.

17th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding, £350 sterling be granted to his Majesty towards defraying the expense of erecting a Lock-up house and Magistrate's Office at Carbonear.

18th.—*Resolved*, that it is the opinion of this committee that the following sums be granted to his Majesty towards defraying the salaries of Gaolers and Constables in the Out-ports, for the same period, viz.—The Gaoler at Ferryland £25—a constable at Ferryland £25—a constable at Bay Bulls, £25—a constable at Toads Cove, 10*l.*—a constable at Fermeuse, 10*l.*—the Gaoler at Placentia, 25*l.*—a constable at Placentia, 25*l.*—a constable at Little Placentia, 10*l.*—a constable at Merasheen, 10*l.*—a constable at Barren Islands, 10*l.*—the Gaoler at Burin, 25*l.*—a constable at Burin, 25*l.*—a constable at Lameline, 10*l.*—two constables at Trepassey and St. Mary's, 10*l.* each—two constables in Fortune Bay, 10*l.* each—the Gaoler at Trinity, 25*l.*—a constable at Trinity, 25*l.*—an additional constable at Trinity, 10*l.*—a constable at Catalina, 10*l.*—a constable at Perlican, a constable at Hearts Content, a constable at Hants Harbor, and a constable at New Harbor, at 10*l.* each—two constables at Bonavista, 25*l.*—one constable at Greenspond, 15*l.*—a constable at Twillingate, 25*l.*—a constable at Exploits Bay, 10*l.*—two constables at Fogo and Twillingate, 10*l.* each—a constable at Witless Bay, 10*l.*—a constable at Brigus by south, 10*l.*—a constable at Petty Harbor, 20*l.*—a constable at Torbay, 18*l.*—and a constable at Renews, 20*l.*

19th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 36*l.* sterling, be granted to his Majesty towards defraying the salary of the Gaoler at St. John's, for the same period.

20th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 50*l.* sterling, be granted to his Majesty towards compensating constables superintending convicts at hard labour, for the same period.

21st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 800*l.* sterling, be granted to his Majesty towards defray-

Report, &c.

ing the salaries of the additional officers required for the collection of the Colonial Revenue, for the same period.

22d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 300*l.* sterling, be granted to his Majesty towards defraying the expense of Civil and Judicial printing, stationery, &c., for the same period.

23d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 600*l.* sterling, be granted to his Majesty towards defraying the expense of Civil and Criminal Prosecutions, for the same period.

24th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 700*l.* sterling, be granted to his Majesty towards defraying the expenses of Gaols throughout the Island, for the same period.

25th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 120*l.* sterling, be granted to his Majesty towards defraying the expenses of Coroners throughout the Island, for the same period.

26th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 200*l.* sterling, be granted to his Majesty towards defraying the expense of fuel & light for public Buildings, for the same period.

27th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards defraying the expenses of the ordinary repairs of Court Houses and Gaols throughout the Island, for the same period.

28th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling, be granted to his Majesty towards defraying the expense of postages and other incidentals, for the same period.

29th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £600 sterling, be granted to his Majesty towards defraying the expense of relieving the poor of the Island, for the same period.

30th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £460 sterling, be granted to his Majesty towards defraying the expense of the conveyance of the Judges and their incidental expenses on the Circuit, for the same period.

31st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £74 12s. 5d. sterling, be granted to his Majesty towards discharging the balance due Captain Buchan, late High Sheriff of the Colony.

32d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £200 sterling be granted to his Majesty towards defraying the expense of removing the rocks and obstructions in the mouth of the Harbor of Quidi Vidi.

33d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £36 sterling, be granted to his Majesty towards discharging the arrears of Rent due for the Office of the Clerk of the Southern Circuit Court, and to defray the charge of the said Rent the present year.

34th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £447 4s. 5d. sterling, be granted to his Majesty towards discharging the arrears of expense of firing Fog Guns, and to defray the expense of firing the same for the present year.

35th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £400 sterling, be granted to his Majesty towards defraying the expense of erecting a Gaol and Court House at Twillingate.

36th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £50 sterling, be granted to his Majesty towards defraying the Salary of the Clerk of the Peace of Conception Bay, for the present year.

37th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 6*l.* sterling, be granted to his Majesty towards defraying the expense of repairing the Magistrate's Office at Harbor Grace.

38th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards defraying the expense of erecting a Lock-up-house and Magistrate's Office at Harbor Britain.

39th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards defraying the expense of erecting a Lock-up-house at Grand Bank.

40th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 89*l.* sterling, be granted to his Majesty towards defraying the expense of painting the wook-work and erecting a fence round the Gaol and Court House at Placentia.

41st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 150*l.* sterling, be granted to his Majesty towards defraying the expense of enlarging and repairing the Court House and Gaol at Ferryland.

42d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards defraying the expense of repairing the Gaol at Bay Bulls.

43d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 60*l.* sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Bay Bulls, for the present year.

44th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 160*l.* sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Burin, for the same period.

45th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Grand Bank, for the same period.

46th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 60*l.* sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Placentia, for the same period.

47th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £60 sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Trepassey or St. Mary's, for the same period.

48th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £60 sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Ferryland, for the same period.

49th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £120 sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Trinity, for the same period.

50th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Twillingate, for the same period.

51st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling, be granted to his Majesty towards defraying the salary of a Police Magistrate at Bonavista, for the same period.

52d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £200 sterling, be granted to his Majesty in aid of the funds of the St. John's Factory.

Report, &c.

53d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling, be granted to his Majesty in aid of the funds of the Indigent Sick Society of St. John's.

54th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 50*l.* sterling, be granted to his Majesty in aid of the funds of the Dorcas Society of St. John's.

55th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 23*l.* 18*s.* 11*d.* sterling, be granted to his Majesty towards discharging the balance due upon the importation of the Standard Weights and Measures.

56th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 70*l.* sterling, be granted to his Majesty towards increasing the salaries of the Police Magistrates at St. John's, for the present year.

57th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 200*l.* sterling, be granted to his Majesty towards aiding the erection of the new Protestant Episcopal Church at Harbor Grace, in consideration of the former Churches there having been destroyed by fire.

58th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 378*l.* sterling, be granted to his Majesty towards defraying the expenses of such of the Members of the House of Assembly representing Outport Districts as do not reside in St. John's, for their attendance in the House of Assembly during the present session;—each of such Members to be entitled to receive payment for his expenses at the rate of One Pound *per diem*; provided that no such Member shall receive payment for his expenses for any greater period than forty two days, to be ascertained by the certificate of the Speaker of the House of Assembly.

59th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 20*l.* sterling, be granted to his Majesty towards compensating James F. Tobin for expenses incurred by him in the maintenance of the crew of his vessel after suffering shipwreck.

60th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 15*l.* 16*s.* 6*d.* sterling, be granted to his Majesty towards compensating Stephen J. Daniel, Assayer of Weights and Measures at Carbonear, for his services as such Assayer.

61st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 29*l.* 11*s.* 0*d.* sterling, be granted to his Majesty towards compensating Luke Browne, Assayer of Weights and Measures for the District of Ferryland, for his services, and towards defraying sundry expenses incurred by him as such Assayer.

62d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 30*l.* sterling, be granted to his Majesty towards compensating Thomas Williams, Assayer of Weights and Measures for the District of St. John's, for his services as such Assayer.

63d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 8*l.* 11*s.* 0*d.* sterling, be granted to his Majesty towards refunding to Thomas Gamble that sum overpaid by him as duties on sundry articles imported by him.

64th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 17*l.* 10*s.* 0*d.* sterling, be granted to his Majesty towards defraying the expense of providing the members of the Legislature and Courts of Session with copies of Joseph Templeman's Index and Digest of the acts of the Legislature.

65th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards compensating James Blaikie, Esquire, for loss of office.

66th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 26*l.* sterling, be granted to his Majesty towards compensating Matthew Stevenson for his past services as Clerk of the Peace for Conception Bay.

67th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 26*l.* sterling, be granted to his Majesty towards compensating William Martin for his past services as High Constable of Conception Bay.

68th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 12*l.* 18*s.* 5*d.* sterling, be granted to his Majesty towards defraying sundry expenses incurred by Commander Hope, R. N., in protecting the Fisheries on the Southern Coasts of this Island last year.

69th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 50*l.* sterling, be granted to his Majesty towards defraying the expense of protecting the Fisheries on the Southern Shores of this Island during the present year.

70th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £500 sterling, be granted to his Majesty towards defraying the excess of expenditure incurred during the last year for contingencies beyond the sums voted for that service.

71st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards increasing the salary of the Chairman of the Sessions for the District of St. John's.

72d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £170 sterling, be granted to his Majesty towards defraying the expense of building a Stone Wall round the Gaol Yard at Harbor Grace.

73d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £74 14*s.* 6*d.* sterling, be granted to his Majesty towards defraying the expense of taking and registering the names of voters for the District of Conception Bay, and to be applied in payment of the expenses and for the services of the following persons, viz. :—

William Stirling, J. P.,	10	10	0
Richard Rankin, J. P.,	10	10	0
John Buckingham, J. P.,	2	2	0
Thomas Danson, J. P.,	8	8	0
James Sharp, Constable	8	11	0
Samuel Rumson, ditto	3	3	0
Benjamin Rowe, ditto,	3	3	0
Jonathan Martin, ditto	0	7	6
Moses Gosse, ditto	1	2	6
Joseph Baggs, ditto,	0	7	6
John Bowes	4	10	0
Benjamin D. Barnes, ditto	4	10	0
Thomas Butler, ditto	3	0	0
George W. Crawford, ditto	3	0	0
Robert Connell, ditto,	3	0	0
William Mallowney, ditto	3	0	0
William Smith, ditto	2	10	0
William Branscombe, for room hire	3	0	0

74th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £42 8*s.* 1*d.* sterling, be granted to his Majesty towards

Report, &c.

defraying the expense of taking and registering the names of voters for the District of St. John's, to be applied as follows, viz. —

Henry Winton, for Stationery	6	15	10
James Findlay, making out and copying lists of voters and Index	17	14	6
To the Constables employed, for their services	13	19	3
To defray sundry expenses incurred by John M'Lenan, one of the Constables, for boat hire and lodging	4	8	6

75th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 15*l.* sterling, be granted to his Majesty towards defraying the expense of taking and registering the names of voters for the District of Trinity Bay.

76th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £40 sterling, be granted to his Majesty towards defraying the expense of painting and repairing the stone-work of the Harbor Grace Gaol.

77th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 354*l.* 9*s.* 3*d.* sterling, be granted to his Majesty towards defraying the contingencies of the House of Assembly, during the present Session.

78th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards defraying the salary of the Clerk of the House of Assembly, for the present year.

79th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling, be granted to his Majesty towards remunerating the Solicitor attending the House of Assembly, for his services in drafting bills, during the present session.

80th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 50*l.* sterling, be granted to his Majesty towards defraying the salary of the Serjeant-at-Arms attending the House of Assembly, during the present session.

81st.—*Resolved*, that it is the opinion of this committee that a sum not exceeding, £35 sterling be granted to his Majesty towards defraying the salary of the door-keeper of the House of Assembly during the present session.

82d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £25 sterling, be granted to his Majesty towards defraying the salary of the Messenger of the House of Assembly, during the present session.

83d.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 112*l.* 19*s.* 7*d.* sterling, be granted to his Majesty towards defraying the contingent expenses in the office of Clerk of his Majesty's Council, during the last and present sessions.

84th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 7*l.* 11*s.* 11*d.* sterling, be granted to his Majesty towards defraying the contingent expenses in the office of the Usher of the Black Rod, during the last and present sessions.

85th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling, be granted to his Majesty towards defraying the salary of the Clerk of his Majesty's Council, during the present session.

86th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 100*l.* sterling, be granted to his Majesty towards compensating the Master-in-Chancery attending his Majesty's Council, for his services during the present session.

87th—*Resolved*, that it is the opinion of this committee that a sum not exceeding £50 sterling, be granted to his Majesty towards defraying the salary of the Usher of the Black Rod, during the present session.

88th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding 35*l.* sterling, be granted to his Majesty towards defraying the salary of the door-keeper of his Majesty's Council, during the present session.

89th—*Resolved*, that it is the opinion of this committee that a sum not exceeding 500*l.* sterling, be granted to his Majesty towards defraying the expense of unforeseen contingencies, during the present year.

And the first of the said resolutions being again read,

Mr. PACK moved, seconded by Mr. MARTIN, that the words "towards defraying the salary of the Clerk of the Executive Council," be struck out, and the following words be inserted in their stead, viz., "in addition to the salary of the Colonial Secretary ;"—which being put, passed in the negative.

Motion to amend 1st resolution made and

negatived.

The said first resolution was then, upon the question put thereon, agreed to by the House.

1st resolution adopted.

And the *second* to the *fifth* resolutions being again read, were, upon the question put thereon, agreed to by the House.

2d to 5th resolutions adopted.

And the *fifth* resolution being again read, Mr. SWEETMAN moved, seconded by Mr. PACK—that the words "one hundred," in the said resolution, be struck out, and the words "two hundred," inserted in their stead ;—which being put, passed in the affirmative.

5th resolution amended &

The said *fifth* resolution, as amended, was then, upon the question put thereon, agreed to by the House.

adopted.

And the *sixth* to the *eleventh* resolutions being again read, were, upon the question put thereon, agreed to by the House.

6th to 11th resolutions adopted.

And the said *eleventh* resolution being again read—

Mr. SWEETMAN moved, seconded by Mr. PACK—that the words "towards defraying the pension," in the said resolution, be struck out, and the words as a gratuity to the widow" be inserted in their stead :—which being put, passed in the affirmative.

11th resolution amended

and

The said *eleventh* Resolution, as amended, was then, upon the question put thereon, agreed to by the House.

adopted.

And the *twelfth* to the *fifteenth* Resolutions being again read, were, upon the question put thereon, agreed to by the House.

12th to 15th resolutions adopted.

And the said *fifteenth* Resolution being again read,—Mr. PACK moved, seconded by Mr. Row,

15th resolution amended

That the words "Two hundred and ninety" be struck out, and the words "Three hundred" be inserted in their stead,—and that the words "*Three Constables at Harbor Grace*," be struck out and the following words inserted in their stead, viz.—"*The Chief Constable of Conception Bay Thirty five pounds.—Two Constables at Harbor Grace ;*"—which being put, passed in the affirmative.

The said Resolution was then, as amended, on the question put thereon, agreed to by the House.

and adopted.

And the *sixteenth* to the *eighteenth* Resolutions being again read, were, upon the question put thereon, agreed to by the House.

16th to 18th resolutions adopted.

And the said *eighteenth* Resolution being again read—

Mr. SWEETMAN moved, seconded by Mr. MARTIN—that the words "*ten pounds*," throughout the said Resolution, be expunged, and the

18th resolution amended

words "*twelve pounds*" inserted in their stead ;—which being put, passed in the affirmative.

and adopted.

The said *eighteenth* Resolution was then, upon the question put thereon, agreed to by the House.

19th to 54th resolutions adopted.

And the *nineteenth* to the *fifty fourth* Resolution being again read, were, upon the question put thereon, agreed to by the House.

And the said *fifty fourth* Resolution being again read—

Mr. SWEETMAN moved seconded by Mr. P. BROWN—

Motion to amend 54th resolution made and

That the words "Two hundred" in the said Resolution, be expunged, and the words "One hundred" be substituted in their stead ;—which being put, the House divided thereon as follows :—

For the motion.

Against the motion.

Mr. CARTER

Mr. ROW

— P. BROWN

— MARTIN

— SWEETMAN

— KENT

— POWER.

— CARSON

— PACK

— COZENS

— KOUGH

— HOYLES.

negatived.

So it passed in the negative.

54th resolution adopted.

The said *fifty fourth* resolution was then, upon the question put thereon, agreed to by the House.

55th to 79th resolutions adopted.

And the *fifty fifth* to the *seventy ninth* resolutions being again read, were, upon the question put thereon, agreed to by the House.

And the said *seventy ninth* resolution being again read—

Mr. SWEETMAN moved, seconded by Mr. PACK.

79th resolution amended

That the whole of the said resolution after the words "*not exceeding*" be expunged, and the following words inserted instead "ninety four pounds and ten shillings sterling be granted to his Majesty towards compensating the Solicitor attending the House of Assembly for thirty Bills drafted by him during the present session at the rate of three pounds and three shillings a Bill";—which being put, passed in the affirmative.

and

adopted.

And the said *seventy ninth* resolution as amended was then, upon the question put thereon, agreed to by the House.

80th to 82d resolutions adopted.

And the *eightieth* to the *eighty second* resolutions being again read, were, upon the question put thereon, agreed to by the House.

And the said *eighty-second* resolution being again read—

On motion of Mr. SWEETMAN, seconded by Mr. PACK,

82d resolution amended and

Ordered, that the words *twenty-five*, in the said Resolution, be struck out, and the word "*thirty*" inserted in their stead.

adopted.

The said Resolution as amended was then put and passed in the affirmative.

83d to 86th resolutions adopted.

And the *eighty-third* to the *eighty-sixth* Resolutions being again read, were, upon the question put thereon, agreed to by the House.

And the said *eighty-sixth* Resolution being again read—

On motion of Mr. SWEETMAN, seconded by Mr. KENT,

86th resolution not adopted—Message to be sent to H. M. Council thereon.

Resolved, that the said Resolution be not adopted, and that a Message be sent to his Majesty's Council requesting that they will acquaint this House of the number of Bills drafted by the Master-in-Chancery attending his Majesty's Council during the present Session.

Ordered, that Mr. SWEETMAN do carry the said message up to his Majesty's Council.

And the *eighty-seventh* to the *eighty-ninth* of the said Resolutions inclusive being read, were upon the question put thereon agreed to by the House.

87th to 89th resolutions adopted.

On motion of Mr. SWEETMAN, seconded by Mr. P. BROWN,

Ordered, that Mr. SWEETMAN, Mr. P. BROWN and Mr. HOYLES, be a committee to prepare and bring in a bill pursuant to the said resolutions.

Committee to prepare a bill pursuant to the report

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill for authorizing the erection of a Colonial House, and the raising by loan of a sufficient sum of money to effect the same.

House in committee on Colonial House Bill.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again on Monday next.

Pursuant to order a Bill for continuing an act passed in the fourth year of his Majesty's Reign entitled "An act for granting to his Majesty certain duties on all Wines and on all Rum, Gin, Brandy and other spirituous Liquors imported into this Island," was read a second time.

Bill for continuing Revenue act read 2d time, and

On motion of Mr. PACK, seconded by Mr. COZENS,

Ordered, that the said bill be committed to a committee of the whole House on Tuesday next.

Committed.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, APRIL 25, 1836.

PURSUANT to order the House resolved itself into a committee of the whole House on the further consideration of the bill for authorizing the erection of a Colonial House and other Public Buildings and the raising by loan of a sum of money for that purpose.

House in committee on Colonial House Bill.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again.

A Message from his Excellency the Governor.

Message from his Excellency the Governor.

Mr. Acting Secretary Templeman, being admitted within the Bar, presented to the House by direction of his Excellency the Governor a Return of the Salary and Emoluments of the several Officers on the Civil Establishment of this Colony together with tables of fees received by them, as required by an address of the House, dated March 2d, 1836.

Transmitting Returns of fees, &c.

And then he withdrew.

On motion of Mr. KENT, seconded by Mr. KOUGH,

Ordered, that the said Documents be printed for the use of the House.

Supply Bill reported and read a first time.

Mr. SWEETMAN, from the committee appointed to prepare a bill for granting the Supplies, reported that the committee had prepared the draft of a Bill for that purpose, and he presented the same to the House, and the same was read a first time.

2d reading.

Ordered, that the said bill be read a second time to-morrow.

Notice of motion in reference thereto.

Mr. CARSON gave notice that he would, to-morrow, move that the Rules of the House in reference to the passing of bills be suspended so far as relates to the said bill.

Mr. P. BROWN moved, seconded by Mr. KENT—

Motion that it be first on the order of the day made and rejected.

That the second reading of the said bill for granting the Supplies be the first item on the order of the day ; which being put, and the House being equally divided thereon, Mr. SPEAKER gave his casting vote against the motion and so it passed in the negative.

Message from H. M. Council.

A Message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written Message.

Mr. Speaker,

Fishery Bill passed with amendments.

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act for the better conducting of the Fisheries of this Island and for regulating payment of servants wages and of current supplies," with some amendments, to which the concurrence of the Assembly is requested.

*Council Chamber, }
24th April, 1836 }*

H. J. BOULTON.

And then the messenger withdrew.

Amendments read first time.

The amendments made by the Council in the said bill were then read a first time and are as follow :—

In the title of the bill—Expunge the words after the word "Colony" and insert in their stead the words "and to repeal part of an act passed in the fifth year of the Reign of his late Majesty entitled 'An act for the better administration of justice in Newfoundland and for other purposes, and to make further provision for the distribution of the Estates of Insolvent Debtors.'"

Expunge the 7th section.

8th section, 14th line—Between the words "Gaal" and "and" insert the words "for any period not exceeding thirty days." Expunge all the words after the words "Provided always" and insert in their stead the words "that nothing herein contained shall extend or be construed to " extend to any fisherman, shoreman or other servant to whom any " spirits, cordials or any other liquor containing spirits shall during " such his employment or hiring have been sold by his master, hirer " or employer or by any other person by his consent or procurement, " nor unless such master, hirer or employer shall use his best exertions " to reclaim and bring back such fisherman, shoreman or other servant to his duty so soon as his absence shall be discovered."

After the 8th section insert the following clauses :—

And be it further enacted, that it shall and may be lawful for any master, hirer or employer or for any person having the charge or command of any fishing vessel, boat or fishing crew, to confine and restrain either on board any such fishing vessel or boat or when employed on land, in any convenient place on shore where such fishing crew shall be employed, any fisherman, shoreman or other servant who shall become intoxicated, until he shall be sober.

And be it further enacted, that if any inn-keeper, victualler alehouse-keeper or tavern-keeper shall sell any spirituous liquor, cordial or liquor containing spirits to any seaman, shoreman or other servant or labourer who shall come to such inn, victualling house, alehouse or tavern drunk or intoxicated, or shall labour or permit or suffer any seamen, fisherman, shoreman or other servant or labourer to remain or continue in such inn, victualling-house, ale-house or tavern, drinking or tipping therein, he shall forfeit his license, and shall not keep any such inn, victualling-house, ale-house or tavern, or sell any spirituous liquors, cordials, or liquors containing spirits, for the space of one year next after his conviction for any such offence; and for a second offence shall be deemed and taken to be the keeper of a disorderly house.

And be it further enacted, that all complaints, differences, or disputes between Masters or Mistresses and servants in the fishery hired for any certain period or the voyage, and either upon wages or shares, shall and may either on the complaint of the master or mistress or of the servant be determined in a summary way by any Justice of the Peace near the place where the cause of dispute shall have arisen, which Justice shall examine on oath any witness or witnesses touching such complaint, and upon proof of any misconduct or ill treatment towards such servant shall make order for the payment of such wages as shall appear to be due to such servant for his service or employment, or in case any misdemeanour, miscarriage or ill behaviour on the part of the servant in such his service or employment to furnish the offender either by abatement of the whole or any part of his wages, and the discharge of such servant from his employment, or by fine and imprisonment for any period not exceeding two months, as to such Justice shall seem just and reasonable: Provided always that no unpaid Magistrate residing within five miles of a Stipendiary Magistrate shall hear any complaint under the provisions of this act.

And be it further enacted that it shall not be lawful for any master or employer of any seaman, fisherman, shoreman, or other servant or labourer to sell, dispose of in barter or payment for wages due or to grow due to any such seaman, fisherman, shoreman or other servant or labourer, any rum, brandy, spirits, or other liquors containing spirits; nor shall any rum, brandy, spirits, cordials or other liquor containing spirits be charged in any seaman, fisherman, shoreman, or other servant or labourer's account, or be recoverable in any Court in this Island.

And whereas the several laws heretofore in force in this Island for the more effectually securing the payment of fishermen and seamen's wages having been allowed to expire it is but just and reasonable that so much of an act passed in the fifth year of the reign of his late Majesty entitled "An act for the better administration of Justice in Newfoundland and for other purposes" as declares that creditors for current supplies for the fisheries shall be considered as privileged creditors upon the distribution of the estates of Insolvent Debtors, should be repealed, to the end that the merchant, planter and fisherman be all placed upon the same footing, and be equally left to their common law remedies for the recovering of their respective debts without any preference being given to the one over the other: Be it therefore enacted that the twenty-fifth and twenty-sixth sections of the said in part recited act shall be, and the same are hereby repealed, and that none of the parties aforesaid shall have any claim or preference the one over the other in obtaining payment of their respective debts any law or custom to the contrary thereof in anywise notwithstanding: Provided always that in all cases of insolvency which may take place before the first day of December which will be in the year of Our Lord One thousand Eight hundred and Thirty-seven, all

Amendments, &c.

debts incurred subsequent to the first day of November last for supplies issued for the fisheries, for servants wages, boat hire, bait money and fish-making shall be first paid twenty shillings in the pound out of the estate and effects of such insolvent before any dividend be made thereof amongst any other creditors.

And be it further enacted that as often as any person carrying on trade in Newfoundland or in any place or territory within the Government thereof, shall die, and the estate and effects of such person shall not be sufficient to pay and satisfy all his or her just debts, the estate and effects of such person shall be distributed in like manner as the estate and effects of persons declared insolvent: Provided always that nothing herein contained shall be construed to affect the right of any creditor having a judgment or special security for his or her debts.

And be it further enacted that no dividend shall be declared upon any debt subsisting prior to the first day of November last until all debts subsequently contracted shall first have been paid twenty shillings in the pound.

Expunge the 10th section of the bill.

In the 11th section, 4th line, expunge all the words after the word "Fishery."

Section 12—Expunge the 2d line of this section.

— "—Line 8—Insert the word "pecuniary" before the word "fines."

Ordered, that the said amendments be read a second time to-morrow. Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, APRIL 26, 1836.

Amendments to fishery bill read 2d time and considered.

PURSUANT to the order of the day, the amendments made by his Majesty's Council in the bill for the better conducting of the Fisheries and to regulate the payment of current supplies and servants wages, were read a second time and considered, and thereupon,

On motion of Mr. KOUGH, seconded by Mr. CARTER,

Resolved, that a select committee be appointed to prepare reasons to be offered at a conference with his Majesty's Council for disagreeing to the said amendments.

Ordered, that Mr. KOUGH, Mr. CARTER, Mr. PACK and Mr. POWER, do form such committee.

Pursuant to order, the House resolved itself into a committee of the whole House on the bill for preventing the encroachments of Foreigners and for the further protection of the fisheries.

Mr. SPEAKER left the chair.

Mr. MARTIN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again.

Resolved, that this House will, to-morrow, again resolve itself into the said committee.

Then the House adjourned until to-morrow, at twelve of the clock.

Committee to prepare reasons for disagreeing to them.

House in committee on bill for protecting the fisheries

Progress.

WEDNESDAY, APRIL 27, 1836.

MR. SPEAKER laid before the House a letter from Mr. Acting Secretary Templeman, acquainting him for the information of the House that it is his Excellency's intention to prorogue the Legislature on Friday the 6th May next, at twelve o'clock.

His Excellency acquaints the House of his intention to prorogue them on the 6th May.

The order of the day for the House in committee of the whole on the bill for preventing the encroachments of foreigners and for the further protection of the fisheries, being read—

Order of the day read.

Mr. KENT moved, seconded by **Mr. P. BROWN**,

That the bill for granting supplies to his Majesty be now read a second time ; whereupon the House divided as follows :—

Motion that the supply bill be read a 2d time, made

For the motion.

Against the motion.

Mr. PACK
— **KENT**
— **POWER**
— **CARSON**
— **P. BROWN**

Mr. HOYLES
— **CARTER**
— **SWEETMAN**
— **COZENS**
— **MARTIN**
— **KOUGH**

So it passed in the negative.

and negatived.

The House then resolved itself into a committee of the whole House on the said bill for the protection of the fisheries.

House in committee on bill for protecting the fisheries

Mr. SPEAKER left the chair.

Mr. MARTIN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had gone through the said bill and had made several amendments therein, which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's table.

Bill reported with amendments.

And the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Amendments adopted.

Ordered, that the said bill as amended be engrossed and read a third time to-morrow.

3d reading.

A Message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written Messages.

Message from H. M. Council on the subject of the Library.

Mr. Speaker,

His Majesty's Council acquaint the Assembly that they have adopted the following Rules on the subject of the management of the Library, provided for the Legislature, to which they request the concurrence of the Assembly :—

That the Librarian be appointed by the President of the Council and Speaker of the Assembly, in whose care the Books shall be placed.

That the Librarian do prepare an alphabetical catalogue of the Books, and enter the same in the front leaves of a diary to be kept on the table for the reference of Members.

That none but Members shall be entitled to take any book out of the Library, although the officers of both Houses may have access thereto at all reasonable hours.

That the Librarian shall not deliver any book to a Member until he shall have entered his name in the diary, the day when taken and the vo-

lume taken, and that only one book at a time shall be delivered to any Member to be used out of the House, nor shall a second be delivered until the former shall have been returned and the day when it shall have been returned, entered in the diary.

No Member shall keep a book longer than a week at a time, nor shall he take a book except for his own use, nor shall he lend the same to any other person.

No Member who shall knowingly infringe the foregoing rules shall be permitted to take a book out of the Library again for six months.

Any Member who shall lose, destroy or materially injure any book shall upon decision of the President of the Council and the Speaker of the Assembly, cause the injury to be immediately repaired or the book or set repaired, and the old book shall remain in the Library for the use of the legislature until it be so replaced with a new one.

The Librarian shall be in attendance during the sitting of the Legislature from eleven o'clock in the morning until one in the afternoon, and from thence until the adjournment of both Houses on each day.

Council Chamber, }
25th April, 1836 }

H. J. BOULTON.

Mr. Speaker,

His Majesty's Council acquaint the Assembly, with reference to their message of the 23rd instant, that they have adopted the following resolutions :

Resolved, that it is one of the inherent privileges of this House to determine what duties its Officers shall perform and the extent of those duties.

Resolved, that the message from the Assembly transmitted to this House on the 23rd of this instant month of April, requesting that the House will acquaint them of the number of bills drafted by the Master in Chancery attending this House for the use of its members during the present session, is an attempt to interfere with the internal conduct and management of the business of this House, and with the particular employment of its Officers, and is inconsistent with the usages of Parliament.

Council Chamber, }
27th April, 1836. }

H. J. BOULTON.

And then the messenger withdrew.

Supply Bill read 2d time

A bill for granting to his Majesty the supplies voted during the present session, was read a second time.

and

On motion of Mr. SWEETMAN, seconded by Mr. POWER,

Committed.

Ordered, that the said bill be committed to a committee of the whole House to-morrow—and that it stand first on the order of the day.

House in committee on
Grammar School Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill for the establishment of a Grammar School.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee:

Mr. SPEAKER resumed the chair.

Progress.

The Chairman reported from the committee that they had made some progress in the business to them referred and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again.

Mr. KENT moved, seconded by Mr. CARSON—

That this House do now adjourn until to-morrow at twelve o'clock—
and the House being equally divided thereon Mr. Speaker gave his casting
vote against the motion and so it passed in the negative.

Motion to adjourn made
and

negatived.

Mr. Row moved, pursuant to notice, and seconded by Mr. KOUGH—

That the bill for preventing the mischiefs arising from the printing
and publishing of Books, Newspapers and papers of a like nature by
unknown persons and to regulate the printing and publishing the
same, be committed to a committee of the whole House to-morrow,
whereupon

Motion made for commit-
ting the bill to regulate
the printing of Newspa-
pers.

Mr. KENT moved, seconded by Mr. PACK,

That this House do adjourn until to-morrow at twelve o'clock ;—which
being put passed in the negative.

Motion made that the
House adjourn till to-
morrow—and negatived.

Mr. KOUGH then moved, seconded by Mr. MARTIN—

That this question be now put ; whereupon

Previous question moved.

Mr. KENT moved, seconded by Mr. P. BROWN—

That this House do now adjourn ;—which being put, and the House
dividing thereon, there appeared for the motion, two ; against it, five.

Motion to adjourn there-
on.

For the motion.

Against the motion.

Mr. P. BROWN,
— KENT.

Mr. KOUGH,
— ROW,
— COZENS,
— MARTIN,
— CARTER.

And so it passed in the negative.

Motion negatived.

The question being then put, that “ this question be now put,” the
House divided thereon as follows :—

Previous question put and

For the question.

Against the question.

Mr. ROW,
— KOUGH,
— MARTIN,
— CARTER,
— COZENS.

Mr. KENT,
— P. BROWN.

So it passed in the affirmative.

carried.

The main question was then put and passed in the affirmative, and
Ordered, that the said bill be committed to a committee of the whole
House to-morrow.

Main question put and
carried.

Then the House adjourned until to-morrow, at twelve of the clock.

THURSDAY, APRIL 28, 1836.

AN Engrossed bill to prevent the encroachments of Foreigners on the
Fisheries of this Island was, pursuant to order, read a third time.

Bill for protection of fish-
eries read 3d time.

On motion of Mr. CARTER, seconded by Mr. SWEETMAN,

Resolved, that the said bill do pass and that the title be “ An act to
prevent the encroachments of Aliens on the Fisheries of this Island, and
for the further protection of the said Fisheries.”

Passed.

Title:

Ordered, that Mr. CARTER do carry the bill up to his Majesty's
Council and desire their concurrence.

Sent to Council.

On motion, the House resolved itself into a committee of the whole on
the bill for authorizing the erection of a Colonial House and the raising
of a sum of money for that purpose.

House in committee on
Colonial House Bill.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Bill reported with amendments.

The Chairman reported from the committee that they had gone through the said bill and had made several amendments therein which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's Table.

Report adopted.

And the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House

Ordered, that the bill as amended be engrossed and read a third time to-morrow.

House in committee on Supply Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill for granting the supplies voted to his Majesty.

Mr. SPEAKER left the chair.

Mr HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Progress.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to ask for leave to sit again

Ordered, that the said committee have leave to sit again to-morrow.

On motion of Mr. SWEETMAN, seconded by Mr. POWER,

First for to-morrow.

Ordered, that the said committee do stand first on the order of the day.

Report of committee to prepare reasons for disagreeing to amendments to fishery bill.

Mr. KOUGH reported from the select committee appointed to draw up reasons to be offered at a conference with his Majesty's Council for disagreeing to the amendments made by the Council in the bill for the better conducting of the fisheries and to regulate the payment of servants wages and current supplies, that the committee had prepared the draft of reasons accordingly ; and he read the report in his place and afterwards delivered it in at the Clerk's table where it was again read.

Ordered, that the said report be read a second time to-morrow.

2d reading.

Council's amendment to Harbor Grace Light House Bill read 2d time.

The amendment made by the Council in the bill for raising a further sum of money to complete the Light House on Harbor Grace Island, was read a second time.

3d reading.

Ordered, that the said amendment be read a third time to-morrow.

Then the House adjourned until to-morrow, at twelve of the clock.

FRIDAY, APRIL 29, 1836.

Colonial House bill read 3d time, and

AN engrossed bill for authorizing the erection of a Colonial House was, pursuant to order, read a third time.

Passed.

On motion of Mr. SWEETMAN, seconded by Mr. CARSON,

Title

Resolved, that the said bill do pass, and that the title be " An act to authorize the erection of a Colonial House in the town of St. John's, and the raising by loan of a sum of money for that purpose."

Sent to Council.

Ordered, that Mr. SWEETMAN do carry the bill up to the Council and desire their concurrence.

Amendments to Harbor Grace Light House Bill read 3d time, and

The amendment made by his Majesty's Council to the bill for raising by loan a further sum of money for the completion of the Light-house on Harbor Grace Island, was read a third time.

On motion of Mr. PACK, seconded by Mr. P. BROWN,
Resolved, that the said amendment be adopted by the House.

adopted.

Ordered, that Mr. PACK do go up to his Majesty's Council and acquaint them that this House have concurred in the said amendment.

Council acquainted thereof.

The order of the day for the House in committee of the whole on the bill for granting the supplies being read,

Order of the day read for committee of whole on Supply Bill.

On motion of Mr. SWEETMAN, seconded by Mr. MARTIN,

Ordered, that it be an instruction to the committee on the said bill to sever from the said bill so much of it as relates to the contingencies of the Legislature and to make two bills of the one.

The House then resolved itself into a committee of the whole House on the said bill.

House in committee.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had gone through the said bill and in pursuance of the instructions of the House had made two bills of the one—and had also made several amendments therein, which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's table.

Report.

And the said amendments having been again read—

Amendments.

Mr. SWEETMAN moved, seconded by Mr. KENT—

That so much of the report as relates to the expunging of that part of the first section granting the sum of £200 in aid of the erection of the new Protestant Episcopal Church at Harbor Grace, be not adopted;—which being put passed in the affirmative.

Motion thereon.

And the rest of the said amendments having been read throughout a first and second time were, upon the question put thereon, agreed to by the House.

Amendments adopted.

Mr. SWEETMAN moved, seconded by Mr. KENT—

That the bill for granting a sum of money for defraying the contingencies of the Legislature, be engrossed and read a third time to-morrow, and that it do stand first on the order of the day;—which being put the House divided thereon as follows:—

Motion that the bill for defraying the contingencies be read a third time to-morrow.

For the motion.

Against the motion.

Mr. PACK

Mr. HOYLES

— KENT

— CARTER

— POWER

— ROW

— CARSON

— COZENS

— P. BROWN

— MARTIN

— SWEETMAN

— KOUGH

Division thereon.]

And the House being equally divided Mr. SPEAKER gave his casting vote against the motion and so it passed in the negative.

Motion lost by casting vote of Speaker.

Mr. CARTER moved, seconded by Mr. Row,

That the said bill be read a second time to-morrow;—which being put passed in the affirmative, and

Bill to be read a second time to-morrow.

Ordered, accordingly.

Mr. CARSON moved, seconded by Mr. KENT—

That the bill for granting to his Majesty the supplies for the service of the present year as amended be engrossed and read a third time to-morrow;—which being put the House divided as follows:—

Motion that the supply bill be read a 3d time to-morrow.

For the motion.

Mr. Row,
— KOUGH,
— MARTIN,
— CARSON,
— COZENS,
— HOYLES.

Against the motion.

Mr. KENT,
— P. BROWN,
— SWEETMAN,
— POWER,
— CARTER,
— PACK.

Motion lost by casting
vote of Speaker

And the House being equally divided Mr. SPEAKER gave his casting vote against the motion and so it passed in the negative.

Report of committee to
prepare reasons for dis-
agreeing to amendments to
fishery bill read 2d time
and

Pursuant to the order of the day, the report of the select committee to prepare reasons to be offered at a conference with his Majesty's Council for disagreeing to the amendments made in the bill for the better conducting of the fisheries, was read a second time.

Committed

On motion of Mr. KOUGH, seconded by Mr. MARTIN,

Ordered, that the said report be committed to a committee of the whole House to-morrow.

House in committee on bill
to continue revenue act

Pursuant to order, the House resolved itself into a committee of the whole on the bill to continue an act for granting to his Majesty certain duties on Wines and on Spirituous Liquors.

Mr. SPEAKER left the chair.

Mr. PACK took the chair of the committee.

Mr. SPEAKER resumed the chair.

Bill reported with amend-
ment.

The Chairman reported from the committee that they had gone through the said bill and had made an amendment therein which they had directed him to report to the House; and he delivered the bill with the amendment in at the Clerk's Table.

Amendment adopted

And the said amendment having been read throughout, was, upon the question put thereon, agreed to by the House.

Ordered, that the bill as amended be engrossed and read a third time to-morrow.

Message from Governor

A message from his Excellency the Governor.

Mr. Acting Secretary Templeman being admitted within the Bar presented to the House two messages from his Excellency the Governor, signed by his Excellency; and the said messages were read by Mr. Speaker (all the Members being uncovered) and are as follow:—

Message.

H. PRESCOTT.

The Governor transmits for the consideration of the House of Assembly the accompanying copy of a report of the repairs required to be made in the Sheriff's apartments at the Court House; the expense of which is estimated at Sixty pounds.

Government House,
29th April, 1836.

Message.

H. PRESCOTT.

The Governor transmits for the consideration of the House of Assembly the annexed account of the expense attending the registration of Voters in the district of Bay Bulls.

Government House,
April 30, 1836.

The Documents accompanying the said message were then read by the Clerk.

Transmitting report of re-
pairs to be made to Sher-
riff's apartments

also,

Amount of expense of tak-
ing lists of voters for Bay
Bulls.

On motion of Mr. CARTER, seconded by Mr. MARTIN,

Ordered, that the message of his Excellency relative to the registration of Voters in the district of Bay Bulls, be referred to the committee of the whole House on the supply bill.

Accounts of expense for taking lists of voters referred to committee of supply.

On motion of Mr. SWEETMAN, seconded by Mr. POWER,

Ordered, that the select committee appointed to enquire into and report upon the contingencies of this House, do report further on the contingencies of this House.

Committee on contingencies to report further.

Mr. P. BROWN moved, seconded by Mr. PACK,

That the House do now resolve itself into a committee of the whole on the consideration of Roads and Bridges—whereupon

Motion for committee of the whole on Roads.

Mr. KENT moved, seconded by Mr. SWEETMAN,

That the House do adjourn until to-morrow at twelve of the clock,—which being put, and the House being equally divided thereon, Mr. Speaker gave his casting vote against the motion, and so it passed in the negative.

Motion to adjourn thereon lost by casting vote of Speaker.

Mr. CARTER moved, seconded by Mr. SWEETMAN, in amendment of the main motion—that the House do resolve itself into a committee of the whole on Roads to-morrow,—which being put, passed in the affirmative, and

Amendment to main motion moved and carried.

Ordered, accordingly.

Then the House adjourned until to-morrow, at twelve of the clock.

SATURDAY, APRIL 30, 1836.

PURSUANT to order, an engrossed bill for continuing the act for granting to his Majesty certain duties on wines and spirits, was read a third time.

Bill to continue revenue act read 3d time, and

On motion of Mr. HOYLES, seconded by Mr. PACK.

Resolved, that the said bill do pass, and that the title be “ An act to continue an act passed in the fourth year of his Majesty’s reign entitled ‘ an act for granting to his Majesty certain duties on all wines and on all brandy, rum, gin, and other spirituous liquors imported into this Island and its Dependencies.’ ”

Passed.

Title.

Ordered, that Mr. HOYLES do carry the bill up to the Council and desire their concurrence.

Sent to Council.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the report of the select committee to prepare reasons for disagreeing to the amendments made by the Council in the bill for the better conducting of the fisheries.

House in committee of whole on report of reasons for disagreeing to amendments on fishery Bill.

Mr. SPEAKER left the chair.

Mr. MARTIN took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said report without any amendment.

Report.

The said report was then read by the Clerk, and is as follows :—

The Assembly do not concur in the amendments made by his Majesty’s Council in the act to provide for the better conducting of the fisheries of this colony and to regulate the payment of current supplies and servants’ wages, for the following reasons :—

Report read

Report

1st.—In the title of the bill.—As the Assembly do not concur in the opinion that it would be expedient to repeal the 25th and 26th sections of an act passed in the fifth year of the reign of his late Majesty entitled “an act for the better administration of justice in Newfoundland and for other purposes,” and to make further provision for the distribution of the estates of Insolvent Debtors, they cannot agree in the amendment made by his Majesty’s Council.

2d.—The Assembly cannot agree to expunge the 7th and 10th sections of the bill, as they feel persuaded that the interests of the Trade and Fisheries will be best promoted and secured by assuring to the Supplying Merchant who shall have afforded to the Planter the necessary supplies for carrying on the Fishery, and to the Fisherman and Shoreman who shall have caught and cured the fish, the most certain means of receiving so much of the proceeds of the fishing voyage as will pay for those supplies had from such merchant and those wages which shall be due to the servant.

3d.—The Assembly have no objection to the amendment proposed in the fourteenth line of the 8th section, by inserting the words “for any period not exceeding thirty days,” but they cannot concur in the Proviso made by the Council, as it would in its operation prevent any hirer or employer from making good any charges of neglect of duty or disobedience of orders against any servant to whom at any time during the season such hirer or employer might have sold any “spirits, cordials, or any other liquors containing spirits.”

4th.—The Assembly do not concur in the expediency of adopting the clause proposed by his Majesty’s Council, that it should be lawful “for the Master of any fishing vessel, boat, or crew, to confine and restrain either on board any such fishing vessel or boat, or when employed on land in any convenient place on shore where such fishing crew may be employed, any fisherman, shoreman, or other servant, who shall become intoxicated, until he be sober,” as the Assembly are of opinion that it would be highly dangerous to commit such power to men who for many reasons might be induced to make a wrong and oppressive use of it.

5th.—The Assembly do not concur in the fifth amendment made by the Council which would prevent Tavernkeepers and others from selling spirituous liquors or cordials containing spirits to seamen, shoremen, or other servants, as they are of opinion that such an enactment is not necessary, and that if passed into a Law it would afford frequent opportunity for frivolous and vexatious complaints.

6th.—The Assembly are unwilling to agree to the sixth amendment made by his Majesty’s Council which would give such extensive powers to one Magistrate, as they are of opinion that in all cases where the wages of seamen, fishermen or shoremen, shall become a question, they should possess the benefit of having their case heard and determined by at least two Magistrates or in one of the Superior Courts.

7th.—The Assembly refuse their assent to the seventh amendment proposed by the Council which would repeal the 25th and 26th sections of the act 5, Geo. 4, cap. 67, for the reasons stated in the second clause of this Report, and because these sections seem calculated to carry into effect, in cases of Insolvency, the general principle of that priority of payment to the servants and current supplier of the Planter, on the proper maintenance of which the Assembly consider that the prosperity of the Fisheries of this Colony mainly depends.

On motion of Mr. KOUGH, seconded by Mr. MARTIN,

Resolved, that a Conference be asked with his Majesty’s Council on the amendments made in the bill for the better conduct of the fisheries.

Ordered, that Mr. KOUGH do go up to his Majesty's Council and desire the said Conference.

Mr. SWEETMAN moved, seconded by Mr. KENT,

That the bill for granting to his Majesty a sum of money for defraying the contingencies of the Legislature, be now read a second time ; which being put, the House divided thereon as follows :

Motion that the contingencies bill be read a 2d time.

For the motion.

Against the motion.

Mr. KENT,
— P. BROWN,
— SWEETMAN,
— POWER,
— CARSON,
— PACK.

Mr. ROW,
— KOUGH,
— MARTIN,
— CARTER,
— COZENS,
— HOYLES.

And the House being equally divided Mr. SPEAKER gave his casting vote against the motion and so it passed in the negative.

Motion lost by casting vote of Speaker

Mr. P. BROWN gave notice that he would, on Monday next, move that the House resolve itself into a committee of the whole on the Grammar School Bill.

Notice for committee of whole on Grammar School bill.

Pursuant to order, the House resolved itself into a committee of the whole House on the consideration of Roads and Bridges.

House in committee on roads and bridges

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred and had come to certain resolutions thereon which they had directed him to report to the House ; and he read the report in his place and afterwards delivered it in at the Clerk's table, where it was again read, and is as follows :

Report.

Resolved, that it is the opinion of this committee that the following sums of money be granted to his Majesty towards defraying the expense of opening, making, building and repairing the undermentioned roads and bridges, viz.—

The road from St. John's to Holy Rood by Topsail, eight hundred pounds.

From Holy Rood to the head of Colliers Bay, two hundred and seventy pounds.

From Colliers to the head of Port de Grave Bay, three hundred and sixty pounds.

From Port de Grave to Harbor Grace, three hundred and sixty pounds.

From Harbor Grace to Carbonear, four hundred pounds.

From Carbonear to Hearts Content, four hundred and twenty pounds.

From St. John's southward to Renew's, one thousand five hundred pounds.

From Holy Rood to Placentia, four hundred and ninety pounds.

Towards building a bridge across the river head of Harbor Grace, one hundred pounds.

The Road from Holy Rood to St. Mary's, two hundred and forty pounds.

From Trinity to Kings Cove, one hundred and thirty pounds.

From Trinity to Catalina, two hundred pounds.

From Catalina to Bonavista, one hundred pounds.

Report &c.

From Great Placentia to Little Placentia, two hundred pounds.

Towards building a bridge at Brigus, two hundred and fifty pounds.

To repair the Portugal Cove road, two hundred pounds.

To defray the excess of expenditure incurred by the commissioners of roads for the district of St. John's, one hundred and nineteen pounds and seven shillings.

Towards building a bridge across the river head of St. John's, three hundred pounds.

To defray the excess of expenditure incurred in the building of the King's Bridge, and to complete the same, two hundred pounds.

Towards completing the Bridges across the northern and southern guts of Port de Grave, two hundred pounds.

To repair and improve the road to Torbay and northward to Cape St. Francis, one hundred and fifty pounds.

Towards opening a road from Broad Cove to Coady's well on the Portugal Cove road, one hundred and fifty pounds.

To repair and improve the road from St. John's to Petty Harbor, two hundred pounds.

Towards building a bridge across the Gut at Carbonear One hundred pounds.

adopted.

And the said report having been read throughout a first and second time was, upon the question put thereon, agreed to by the House.

On motion of Mr. KOUGH, seconded by Mr. CARSON,

Committee to prepare bill in pursuance of resolutions.

Resolved, that a committee be appointed to draft a bill in pursuance of the foregoing Resolutions.

Ordered, that Mr. KOUGH, Mr. CARSON, Mr. SWEETMAN Mr. PACK, Mr. Row, Mr. P. BROWN and Mr. KENT do form such committee.

Notice of motion for suspending rules.

Mr. SWEETMAN gave notice that, on Monday next, he would move that the rules of the House in reference to the passing of Bills be suspended so far as relates to the two Bills for granting the supplies.

Then the House adjourned until Monday next, at twelve of the clock.

MONDAY, MAY 2, 1836.

MR. SWEETMAN moved, seconded by Mr. KENT—

Motion for 3d reading of supply bill.

That the bill for granting the supplies to his Majesty be now read a third time, whereupon—

Mr. KOUGH moved, seconded by Mr. Row—

Amendment for orders of the day.

That the House do proceed to the orders of the day ;—which being put the House divided thereon as follows :—

For the motion.

Mr. HOYLES
— CARTER
— ROW
— COZENS
— MARTIN
— KOUGH

Against the motion.

Mr. PACK
— KENT
— POWER
— CARSON
— P. BROWN
— SWEETMAN

Amendment carried.

And the House being equally divided Mr. SPEAKER gave his casting vote in favor of the motion and so it passed in the affirmative.

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written message.

Message from H. M. Council agreeing to conference on Fishery Bill.

Mr. Speaker,

His Majesty's Council accede to the conference requested by the Assembly on the subject of the amendments made in the bill for the better conducting of the Fisheries of this Colony and to regulate the payment of current supplies and servants wages, and have appointed conferrees to meet the managers from the Assembly in the committee room of the Council presently.

Council Chamber, }
2d May, 1836 }

H. J. BOULTON.

And then the messenger withdrew.

Ordered, that Mr. KOUGH, Mr. MARTIN, Mr. PACK and Mr. KENT do manage the said conference on the part of this House.

Managers.

Ordered, that the committee to manage the said conference on the part of this House be instructed to make use of the reasons for disagreeing to the amendments on the bill in question, reported from the committee of the whole House on Saturday last.

Instructions.

And the names of the managers being called over, they went to the conference; and being returned, Mr. KOUGH reported that they had been at the conference and had complied with the instructions of the House.

Conference held.

Report.

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written message:—

Message from H. M. Council agreeing to Colonial House Bill.

Mr. Speaker,

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act to authorize the erection of a Colonial House in the Town of St. John's, and the raising by loan of a sum of money for that purpose," without amendment.

His Majesty's Council have also passed the bill sent up from the Assembly entitled "An act to prevent the encroachments of aliens on the Fisheries of this Island and for the further protection of the said Fisheries," with some amendments to which they request the concurrence of the Assembly.

Also to Bill for the protection of the Fisheries with amendments.

Council Chamber, }
2d May, 1836 }

H. J. BOULTON.

And then the messenger withdrew.

The amendments made by the Council in the said bill for preventing the encroachments of aliens on the Fisheries of this Island and for the further protection of the said Fisheries, were read a first time as follow:

Amendments read.

In the 4th section, 18th line—Between the words "exchanged" and "to" insert "or which may be found on board any such ship, vessel, boat or other craft belonging to the owners, master or crew of such ship, vessel, boat or other craft as aforesaid."

5th section, 9th line—Between the words "act" and "and" insert "together with the bait, timber, brushwood and all other goods, chattels, money and effects found on board the same, or recently removed therefrom to avoid seizure."

Add the following sections to the Bill—

And be it further enacted, that upon an affidavit being made before any of his Majesty's Justices of the Peace or before a Commissioner of the Supreme Court appointed by his Majesty's Chief Justice of the Is-

Amendments, &c.

land to take affidavits in the said Court setting forth that any alien or stranger not residing in this Colony has committed any offence which by the provisions of this act is subjected to any penalty imposed by this act, it shall and may be lawful for any such Justice or Commissioner, as the case may be, to issue his warrant for the apprehension of such person and to hold him to bail to appear at the next term of the Supreme or Circuit Courts to answer for such offence, and in default of bail to commit him to prison, there to remain until delivered by due course of Law.

And be it further enacted, that all seizures made under this act which shall upon the oath of two competent sworn Appraisers be valued under Fifty pounds, may be heard and determined in a summary way before any Court of Sessions of the Peace in the District where the seizure shall be made.

And be it further enacted, that if any Officer of his Majesty's Navy or any of his Majesty's Customs, Justice of the Peace, Constable or other Peace Officer or person aiding or assisting them or any of them in the seizure of any ship, vessel, boat, net, seine or other fishing craft or tackle, or of any bait, timber, brushwood, goods, chattels, money or effects or other thing whatsoever, shall be sued or prosecuted for anything done under and by virtue of the powers and authority of this act, he may plead the general issue, and give this act and the special matter in evidence, and if in such suit the Plaintiff shall be nonsuited, or judgment given against him, the defendant shall recover double costs; and in case any information shall be commenced and brought to trial on account of the seizure of any ship, vessel, boat, net, seine, craft, tackle, bait, timber, brushwood, goods, chattels, money or effects whatsoever, as seized or forfeited under this act wherein judgment shall be given for the claimant, and it shall appear to the Court or Justices before whom the same shall be tried that there was a probable cause of seizure, the Court or Justices shall certify on the Record that there was a probable cause of seizing the same, and in such case the defendant shall not be entitled to any costs whatsoever, nor shall the person who seized or those acting in his aid be liable to any action or prosecution on account of such seizure; and in case any action or prosecution shall be commenced and brought to trial against any person whatsoever, on account of any such seizure as aforesaid, and whether the cause of such seizure shall have been heard and determined or not, if the Court before whom such action shall be brought shall certify as aforesaid that there was a probable cause for such seizure, then the plaintiff (besides the ship, vessel, boat, or other thing seized, or the value thereof when the same shall not have been restored, shall not be entitled to more than one shilling damages nor to any costs of suit.

Ordered, that the said amendments be read a second time to-morrow.

Notice of 3d reading of Supply bill.

Mr. SWEETMAN gave notice that he would, to-morrow, move that the bill for granting to his Majesty the supplies for the service of the present year, be read a third time.

Also, of 2d reading of contingencies bill.

Mr. SWEETMAN also gave notice that he would, to-morrow, move that the bill for granting a sum of money to defray the contingencies of the Legislature, be read a second time—and that the rules of the House in reference to the passing of bills be suspended so far as relates to the said Bill.

And, of motion to suspend Rules in reference thereto

Mr. PACK moved, seconded by Mr. P. BROWN,

Motion to adjourn made and negatived.

That this House do now adjourn,—which being put, passed in the negative.

House in committee on bill to regulate the printing of newspapers.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the bill sent down from his Majesty's

Council entitled "An act for preventing the mischiefs arising from the printing and publishing of books, newspapers and papers of a like nature by unknown persons, and to regulate the printing and publishing the same.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill, and had made several amendments therein which they had directed him to report to the House, and he delivered the bill with the amendments in at the Clerk's table.

Bill reported with amendments.

The said amendments were read throughout and are as follow :—

Section 1, Line 1.—Between the words "Assembly" and "that," insert the words "of Newfoundland."

Amendments read.

— " *Line 2.*—Expunge the words "the passing of this Act," and insert instead thereof the words "and after this act shall come into operation."

— " *Line 6.*—After the word "Secretary," and wherever it occurs throughout the act, insert the words "or Acting Secretary."

— " *Line 5.*—Between the words "affidavits" and "affirmation" insert the words "or in case of persons commonly called Quakers, an."—

Section 2, Line 6.—After the words "Proprietors of the same and" insert the words "all the Proprietors."

Section 3, Line 5.—After the word "changed" expunge the remainder of the section.

Section 4, Line 2.—Between the words "be" and "in" insert the words "made by the Printer or Publisher or one of the Proprietors of such newspaper or other paper and shall be."

— " *Line 3.*—Between the words "Majesty's" and "Justices" insert the word "Stipendiary."

Section 6.—Add to this section the following proviso—

" Provided also that no such affidavit or affirmation shall be admitted as evidence against any person or persons other than he, she, or they, who shall have made the same, unless it shall be proved that a copy thereof was furnished to such person or persons or left at his, her or their usual place or places of abode before the publication of the matter or thing concerning which such proceedings shall have been instituted."

Section 7, Line 8.—After the word "shall" expunge the remainder of the section and insert instead thereof the words "forfeit and pay to our Lord the King his heirs and successors the sum of fifty pounds."

Section 10, Line 2.—Expunge the words "within twenty days from and after the passing of this act," and insert instead thereof the words "from and after twenty days after this act shall come into operation."

Amendments &c.

Section 10, Line 8.—After the word “direct” insert the words “and
“such printer or publisher shall be entitled to be
“paid half-yearly the usual and ordinary price for
“such paper, and the said Secretary or Acting Se-
“cretary is hereby authorised to pay for the same
“out of such monies as may from time to time
“be at his disposal for disbursing the contingencies
“of his office.”

——— “**Lines 11 & 12.**—Expunge the words “be taken and deemed to be guilty of a misdemeanour” and insert instead thereof the words “forfeit and pay to our
“Lord the King his heirs and successors the sum
“of fifty pounds.”

——— “**Line 19.**—Expunge “his expense,” and insert instead thereof “the expense of such party.”

Section 11, Line 2.—Expunge “the passing of this act,” and insert instead thereof the words “this act shall come into
“operation.”

——— “**Line 14.**—Expunge the words “be taken and deemed to be guilty of a misdemeanour,” and insert instead thereof the words “forfeit and pay to our Lord the
“King his heirs and successors the sum of twenty
“pounds.”

Add to this section the following words—

“Nor to any paper printed and published by any
“Clergyman, and containing religious instruc-
“tion only.”

Section 12, Line 1.—After the word “enacted” expunge the remainder of the section, that insert the following words instead thereof:—“and all fines, penalties and for-
“feitures by this act imposed shall be recovered by
“action of debt, bill, plaint, or information in any
“Court of Record in this Island in the name of his
“Majesty’s Attorney or Solicitor General, and the
“money arising from such fines, penalties and for-
“feitures when recovered shall be paid to the
“Treasurer of this Island to and for the use of
“our Sovereign Lord the King his heirs and suc-
“cessors.”

Add the following section to the Bill—

“And be it further enacted that this act shall not
“be of any force or effect until his Majesty’s plea-
“sure thereon shall have been first duly signified.”

Amendments adopted,

And the said amendments having been read throughout a first and time were, upon the question put thereon, agreed to by the House.

3rd reading of bill.

Ordered, that the said amendments be engrossed and the bill as amended, be read a third time to-morrow.

House in committee on
bill to continue Insolvent
Debtors relief Act.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the bill to continue the act for the relief of Insolvent Debtors taken in execution.

Mr. SPEAKER left the chair.

Mr KOUGH took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through

the said bill and had agreed to the same without any amendment.

Ordered, that the said Bill be engrossed and read a third time to-morrow.

3d reading.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the bill for repealing so much of the act of the 5, Geo. 4, cap. 67 as relates to the Custody of the Records of the Surrogate Courts.

House in committee on bill for repealing part of Judicature Act.

Mr. SPEAKER left the chair.

Mr. ROW took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred and had directed him to move for leave to sit again.

Progress.

Ordered, that the said committee have leave to sit again to-morrow.

Then the House adjourned until to-morrow, at twelve of the clock.

TUESDAY, MAY 3, 1836.

ON motion of Mr. SWEETMAN, seconded by Mr. POWER,

Resolved, that his Majesty's Council having in their Message of the 20th April, acquainted this House of their Resolution "that the Master in Chancery, the Clerk, the Usher of the Black Rod and the Door-keeper, be placed in point of emolument on a footing with the Solicitor, Clerk, Serjeant-at-arms and Doorkeeper of the House of Assembly," and this House having resolved that the Solicitor attending this House should be paid for bills drafted by him at the rate of three guineas each, which appears correspondent with the rate fixed by his Majesty's Council under their fiftieth Rule to be paid to the Master in Chancery for the like services in the Council, it therefore became necessary in order to ascertain the amount of compensation to the Master in Chancery that this House should be made acquainted with the number of Bills drawn by the Master in Chancery, and without which information this House cannot place the Master in Chancery in point of emolument on a footing with the Solicitor attending this House.

Resolution in reply to Council's Message relative to the compensation to the Master in Chancery.

Resolved, that this House disavow any wish or intention by their message of the 25th April to interfere with the internal conduct and management of the business of his Majesty's Council or with the particular employment of its Officers.

Resolved, that a message be sent to his Majesty's Council acquainting them of the foregoing resolution.

Council acquainted thereof.

Ordered, that Mr. SWEETMAN do communicate the said message to his Majesty's Council.

An engrossed bill for granting to his Majesty the supplies voted for the service of the present year was read a third time, and thereupon,

Supply Bill read 3d time.

On motion of Mr. MARTIN, seconded by Mr. CARTER,

Resolved, that the words "Trepassey or" in the line of the third page be expunged.

Amendments made therein.

On motion of Mr. KOUGH, seconded by Mr. PACK,

Resolved, that the salaries of the Gaolers at St. John's and Harbor Grace respectively be made fifty pounds.

On motion of Mr. HOYLES, seconded by Mr. CARTER,

Resolved, that the sum of sixty pounds be granted to a Police Magistrate at Harbour Britain, and that such an entry be made in the first section of the bill.

And the said several amendments were made in the bill at the table of the House.

On motion of Mr. SWEETMAN, seconded by Mr. POWER,

Bill passed.

Resolved, that the said bill do pass and that the title be "An act for granting to his Majesty a sum of money for defraying the expense of the Civil Government of this Colony and for other purposes for the year of Our Lord One thousand Eight hundred and Thirty-six."

Title.

Sent to Council.

Ordered, that Mr. SWEETMAN do carry the bill to his Majesty's Council and desire their concurrence.

Bill to regulate the printing of Newspapers read a 3d time.

Pursuant to order, the amended bill for preventing the mischiefs arising from the printing and publishing books, newspapers and papers of a like nature, by unknown persons, and to regulate the printing and publishing the same, was read a third time.

Mr. PACK moved, seconded by Mr. P. BROWN,

Motion to amend the same

That the words "fifty pounds" in the seventh section be struck out, and the words "one farthing" be substituted in their stead,—whereupon

Amendment moved thereon that the bill do pass.

Mr. ROW moved in amendment of the said motion, and seconded by Mr. KOUGH—

That the said bill do pass ;—which being put the House divided thereon as follows :—

Division.	For the motion.	Against the motion.
	Mr. ROW,	Mr. KENT,
	— KOUGH,	— P. BROWN,
	— MARTIN,	— SWEETMAN,
	— CARTER,	— POWER,
	— COZENS,	— CARSON,
	— HOYLES.	— PACK.

Bill passed

And the House being equally divided Mr. SPEAKER gave his casting vote for the motion, and so it passed in the affirmative, and

Resolved, accordingly.

and sent up to H. M. Council.

Ordered, that Mr. ROW do carry the bill up to His Majesty's Council and acquaint them that this House have passed the said bill with some amendments to which their concurrence is requested.

Further report of Select Committee on Contingencies.

Mr. SWEETMAN reported further from the select committee on contingencies, and he read the Report in his place and afterwards delivered it in at the Clerk's table, where it was read and is as follows :—

The select committee appointed to report upon the contingencies recommend to the House to grant the following sums to the Serjeant-at-Arms and Doorkeeper of the House for the extra labour imposed upon them in consequence of the length of the present session, to be included in the sum granted to the Clerk to defray contingencies—viz. the Serjeant-at-arms, £10 ; the Doorkeeper, £5.

Your committee also recommend that the sum of Three hundred pounds should be added to and included in the sum granted to the Clerk to defray the contingencies of the House, for the purpose of defraying the expenses incurred by Members of the House representing Outports who do not reside in St. John's, for their attendance in the Assembly during the present session—the said sum to be disbursed by the Clerk :—Provided that no such Member shall be entitled to receive any greater sum towards defraying the expenses incurred by him than £42 in the whole.

Committee Room, }
May 3, 1836. }

R. F. SWEETMAN, Chairman.

Resolved, that the said Report be adopted by the House.

A bill for granting a sum of money to defray the contingent expenses of the Legislature was read a second time.

Contingencies Bill read 2d time.

On motion of Mr. SWEETMAN, seconded by Mr. PACK,

Resolved, that the Rules of the House in reference to the passing of bills be suspended so far as relates to the said bill, and that the same be now committed to a committee of the whole House.

Rules suspended and Bill committed.

And the House resolved itself into a committee of the whole House accordingly.

House in committee thereon.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill and had agreed to the same without any amendment.

Bill reported without amendment.

Ordered, that the bill be engrossed and read a third time to-morrow.

Pursuant to order, an engrossed bill for continuing the act for the relief of Insolvent Debtors taken in execution, was read a third time.

Bill to continue Insolvent Debtors' Relief Act read 3d time.

On motion of Mr. ROW, seconded by Mr. CARTER,

Resolved, that the said bill do pass and that the title be "An act to make perpetual an act passed in the fourth year of his Majesty's reign, entitled 'An act for the relief of Insolvent Debtors taken in execution.'"

Bill passed.

Title.

Ordered, that Mr. ROW do carry the said bill up to his Majesty's Council and desire their concurrence.

Sent to Council.

Mr. HOYLES gave notice that he would, to-morrow, move for leave to bring in a bill to continue the act imposing duties on wines and spirits; and also that he would move that the Rules of the House in reference to the passing of bills be suspended so far as relates to the said Bill.

Notice of Bill to continue Act imposing duties on Wines and Spirits.

Pursuant to order, the amendments made by his Majesty's Council in the bill for preventing the encroachments of aliens on the Fisheries of this Island, and for the further protection of the said Fisheries, were read a second time.

Amendments to Bill for protection of Fisheries read 2d time, and

On motion of Mr. CARTER, seconded by Mr. MARTIN,

Ordered, that the said amendments be committed to a committee of the whole House to-morrow.

committed

Mr. KOUGH gave notice that he would, to-morrow, move that the rules of the House in reference to the passing of bills be suspended so far as relates to the bill to be reported from the committee appointed to draft the bill for the making of Roads.

Notice of motion for suspending the Rules on Road Bill.

Mr. P. BROWN gave notice that he would, to-morrow, move that the Rules of the House in reference to the passing of bills be suspended so far as relates to all bills now before the House.

Notice of motion for suspending Rules in reference to all Bills before the House.

Then the House adjourned until to-morrow, at eleven of the clock.

WEDNESDAY, MAY 4, 1836.

A Petition of George Hipplesley was presented by Mr. P. BROWN, and the same was received and read, setting forth—That he had been appointed Inspector of Weights and Measures for the District of Harbor Grace. That he has hitherto executed the duties of the said office with promptitude and to the best of his ability. That the amount of fees received by Petitioner has not by any means remunerated him for the time and trouble it cost him in attending to the duties of such office,

Petition of George Hipplesley presented and read

as will appear by the accounts annexed to the said petition ;—and praying that the House will award him such remuneration as the House may deem proper.

Ordered, that the said petition do lie on the table.

Pursuant to order, an engrossed bill for granting a sum of money to defray the contingencies of the Legislature was read a third time.

Mr. Row moved, seconded by Mr. KOUGH, that it be—

Resolved, that of the sum of Six hundred and sixty nine pounds, nine shillings and three pence, stated in this bill as being for the contingencies of the House, Three hundred pounds are for the wages of the Members for Conception Bay, Placentia and St. Mary's, Ferryland and Burin ;—that the only just method of making such partial compensation would be by an assessment on the Districts represented by the respective Members, it being evident that the granting of wages out of the general fund to the Representatives of one part of the Colony and not to those of the other parts does in effect oblige the Districts whose Members are not compensated to pay the Members of the other Districts. That the including of this sum of £300 in the aggregate item of contingencies, and not suffering its appropriation to appear in the bill, is derogatory to the character of this House, as it does in the first place put money into the pockets of Members under a fictitious vote, and, secondly, suffers it to be supposed that all the Members of the House participate in its distribution,—and that therefore the words “ Six hundred and sixty nine ” be expunged from the first section of the bill, and the words “ three hundred and sixty nine ” be inserted in place thereof ;—which being put the House divided thereon as follows .—

For the motion.

Mr. Row,
— KOUGH,
— MARTIN,

Against the motion.

Mr. KENT,
— P. BROWN,
— SWEETMAN,
— POWER,
— PACK.
— CARTER,
— COZENS,
— HOYLES.

Division thereon.

And so it passed in the negative.

On motion of Mr. KENT, seconded by Mr. SWEETMAN,

Resolved, that the words “ at the rate of three guineas a bill, ninety four pounds and ten shillings,” be expunged from the first section of the bill, and the words “ and for his attendance in the House of Assembly, One hundred pounds ” be inserted in their stead.—Also, that in the Grant for the services of the Master-in-Chancery the word “ Fifty ” be expunged and the words “ One hundred ” be inserted in its stead.

And the said amendments were made in the bill at the table of the House.

Mr. KENT moved, seconded by Mr. SWEETMAN,

That the said bill do pass ;—which being put the House divided thereon as follows :—

For the motion.

Mr. HOYLES
— CARTER
— SWEETMAN
— P. BROWN
— CARSON
— POWER
— KENT
— COZENS.
— PACK.

Against the motion.

Mr. Row
— KOUGH
— MARTIN

Motion negatived.

Amendment made in the Bill.

Bill passed.

Contingencies Bill read 3d time.

Motion thereon to amend the Bill.

So it passed in the affirmative, and

Resolved, accordingly.

Mr. SWEETMAN moved, seconded by Mr. KENT,

That the said bill be entitled "An act for granting to his Majesty a sum of money to defray the contingent expenses of the Legislature during the present session."

Title moved.

Mr. ROW moved, seconded by Mr. KOUGH,

That the following words be added to the title of the bill:—"and wages of the Members for Conception Bay and some other Districts;"—which being put passed in the negative.

Amendment moved and negatived.

The main motion was then put and passed in the affirmative, and

Ordered, accordingly.

Ordered, that Mr. SWEETMAN do carry the bill up to his Majesty's Council and desire their concurrence.

Bill sent to Council.

Mr. KOUGH reported from the select committee appointed to draft a bill in pursuance of the Resolutions reported from the Committee of the whole House on Roads, and he presented to the House the draft of a bill for that purpose and the same was read a first time.

Road Bill reported and read a first time.

On motion of Mr. KOUGH, seconded by Mr. PACK,

Resolved, that the Rules of the House in reference to the passing of bills be suspended so far as relates to this bill, and that the same be now read a second time.

Rules suspended in reference to the passing of this Bill.

And the said bill was read a second time accordingly.

Read 2d time.

Pursuant to the order of the day the House resolved itself into a committee of the whole on the amendments made by the Council on the bill for preventing the encroachments of aliens on the Fisheries of this Island and for the further protection of the said Fisheries.

House in Committee on Council's amendments to Bill for protection of fisheries.

Mr. SPEAKER left the chair.

Mr. CARSON took the chair of the committee.

Mr. SPEAKER resumed the chair.

Mr. CARSON reported from the committee that they had gone through the said amendments and had agreed to the same with an amendment thereon which they had directed him to report to the House; and he delivered the said amendment in at the Clerk's Table.

Report.

And the said amendment having been read a first and second time was, upon the question put thereon, agreed to by the House, and is as follows:—

Amendment adopted and entered on Journal.

Amendment 3, Line 9—Expunge the words "or Commissioner" as the case may be."

On motion of Mr. CARTER, seconded by Mr. CARSON,

Ordered, that Mr. CARTER do carry the said amendments up to his Majesty's Council and acquaint them that this House have agreed to the same with an amendment thereon to which their concurrence is requested.

Sent to Council.

A message from his Majesty's Council.

Message from Council.

The Master in Chancery brought down from his Majesty's Council the following written message:—

Mr. Speaker,

His Majesty's Council request a conference with the Assembly on the subject matter of the amendments made by the Council in and upon the bill entitled "An act to provide for the better conducting of the fisheries of this Colony, and to regulate the payment of current supplies and

Requesting Conference on Fishery Bill.

servants wages, and have appointed two managers to meet the conferrees from the Assembly in the committee room of the Council immediately.

Council Chamber, }

May 4, 1836 }

H. J. BOULTON.

And then the messenger withdrew.

Conference acceded to.

On motion of Mr. KOUGH, seconded by Mr. MARTIN, *Resolved*, that the said conference be acceded to as requested by his Majesty's Council.

Ordered, that Mr. KOUGH do go up to his Majesty's Council and acquaint them that this House have agreed to the said conference.

Conferrees.

Ordered, that Mr. KOUGH, Mr. MARTIN, Mr. POWER and Mr. CARTER do manage the said conference on the part of this House.

Conference held.

And the names of the managers being called over they went to the conference.

And being returned—

Report.

Mr. KOUGH reported that the managers had been at the conference and that his Majesty's Council have had under their consideration the instructions given by the House of Assembly to their committee of conference on the amendments made in the bill entitled "An act to provide for the better conducting of the fisheries of this colony and to regulate the payment of current supplies and servants' wages," and that they recede from their amendment upon the 8th section, commencing with the words "Provided always," and ending with the words "shall be discovered,"—and also from their amendments comprised in the first two additional clauses they have inserted after the 8th section, but that they insist on their amendment in the title of the bill, and upon expunging the 7th and 10th sections, and that they also insist upon the 3d and 5th clauses inserted after the 8th section.

At this late period of the session the Council forbear entering into the discussion of the general merits of the provisions contained in the 7th & 8th sections of the bill as originally presented to the consideration of the Council, and which they have expunged, but by assuring to the fishing servants the same priority of claim upon the estates of Insolvents which the Judicature act confers upon creditors for current supplies, and by extending the period at which all distinction between one creditor and another as regards their priority of claim upon the estates of Insolvents shall cease to the 1st December 1837. The Council are of opinion they have shewn a desire to protect the public from what might otherwise be regarded as a sudden abrogation of existing rights.

If by the provisions of the 3d clause inserted by the Council as an amendment to the bill it were imperative on servants and masters to refer their differences to a single Justice the objection of the Assembly to this clause would be more apparent, but since there are many parts of this Colony where trifling disputes may arise, and where not more than one Justice may be found, the benefits which the Council anticipate from this provision would be much diminished by requiring the presence of two Justices instead of one. If the Assembly however upon further reflection still desire that two Justices instead of one should be clothed with the proposed authority, the Council would not oppose any amendment in the clause which the Assembly may deem necessary to accomplish this end.

Ordered, that the said report do lie on the Table.

Message from Council.

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written message.

Mr. Speaker,

Agreeing to general supply bill.

His Majesty's Council have passed the bill sent up from the House of Assembly entitled "An act for granting to his Majesty a sum of money

for defraying the expense of the Civil Government of this Colony and for other purposes for the year of Our Lord One thousand eight hundred and thirty six," without amendment.

Council Chamber, }
4th May, 1836. }

H. J. BOULTON.

And then the messenger withdrew.

Pursuant to notice and leave granted, Mr. HOYLES presented a bill for continuing certain acts therein mentioned concerning the Revenue, and the same was read a first time.

Bill for continuing acts concerning the revenue read 1st time.

On motion of Mr. HOYLES, seconded by Mr. CARSON,

Ordered, that the Rules of the House in reference to the passing of bills be suspended and that the said bill be now read a second time.

Read a 2d time, and

And the said bill was read a second time accordingly.

On motion of Mr. HOYLES, seconded by Mr. CARSON,

Ordered, that the said Bill be committed to a committee of the whole House to-morrow,—and that the Rules of the House in reference to the passing of Bills be suspended so far as relates to the said bill.

Committed for to-morrow

Mr. HOYLES gave notice that, to-morrow, he should move for leave to bring in a bill for continuing the quarantine act, and that he should move that the rules of the House be suspended in reference to the passing of the said bill.

Notice of bill to continue Quarantine act.

A Petition of James Finlay, of St. John's, Gentleman, was (with the consent of his Excellency the Governor that the House may proceed thereon as they shall think fit) presented to the House by Mr. HOYLES, and the same was received and read, setting forth—that the Petitioner had been appointed by the Magistrates for the Central District High Constable and Superintendant of Police for the Town of St. John's. That there are no fees or perquisites whatsoever attached to the said office and the Magistrates have no means of remunerating Petitioner for the performance of his duties,—and praying the House to take his case into favorable consideration and grant Petitioner such salary as the House may deem suitable to the responsible and important duties attached to the said office.

Petition of James Finlay presented and read.

Ordered, that the said Petition do lie on the table.

Pursuant to the order of the day, the House resolved itself into a committee of the whole on the bill for the making and repairing of Roads.

House in Committee on Road Bill.

Mr. SPEAKER left the chair.

Mr. PACK took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred and had directed him to move for leave to sit again.

Ordered, that the said committee have leave to sit again to-morrow.

A message from his Majesty's Council.

Message from Council

The Master in Chancery brought down from his Majesty's Council the following written message :—

Mr. Speaker,

His Majesty's Council request a conference with the Assembly on the subject matter of their amendments made in and upon the bill entitled "An act for preventing the mischiefs arising from the printing and publishing of books, newspapers and papers of a like nature by unknown persons, and to regulate the printing and publishing the same," and

Requesting conference on bill to regulate the printing of Newspapers, &c.

have appointed conferrees to meet the managers from the Assembly in the committee room of the Council presently.

Council Chamber, }
May 4, 1836 }

H. J. BOULTON.

And then the messenger withdrew.

Mr. Row moved, seconded by Mr. MARTIN,

That the conference requested by his Majesty's Council be acceded to,—whereupon

Mr. KENT moved, seconded by Mr. P. BROWN,

That the said conference be not agreed to;—and the House dividing thereon, there appeared for the motion, four ; against it, five.

Motion for acceding to Council's request.

Amendment not to accede to it.

Division.

For the motion.

Mr. KENT,
 — P. BROWN,
 — SWEETMAN,
 — PACK.

Against the motion.

Mr. Row,
 — KOUGH,
 — MARTIN,
 — CARTER,
 — POWER.

Amendment lost.

So it passed in the negative.

Division on original motion

The original motion was then put, and the House divided thereon as follows:—

For the motion.

Mr. ROW
 — KOUGH
 — CARTER
 — MARTIN
 — POWER.

Against the motion.

Mr. SWEETMAN
 — P. BROWN
 — PACK
 — KENT.

Conference agreed to.

So it passed in the affirmative, and *Ordered*, that the said request of the Council for a conference be acceded to.

Managers.

Ordered, that Mr. Row, Mr. KOUGH, Mr. MARTIN, and Mr. CARTER do manage the said conference on the part of this House.

Conference held.

And they went to the conference.

And being returned—

The House adjourned until to-morrow, at eleven of the clock.

THURSDAY, MAY 5, 1836.

Report of committee of conference on Press Bill.

MR. Row reported from the committee of conference held yesterday with his Majesty's Council, and he read the report in his place and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

The committee appointed to attend a conference with his Majesty's Council on the subject of an act for preventing the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature by persons unknown, and to regulate the printing and publishing the same, beg to report that they have attended the conference and received from the conferrees on the part of the Council the following communication :

His Majesty's Council have requested this conference for the purpose of acquainting the Assembly that they have agreed to all the amendments made by that House in and upon the bill entitled " An act for preventing the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature by persons unknown, and to regulate the printing and publishing the same," except the last adding a suspending clause to the bill. To this amendment the Council cannot assent.

1st.—Because it is unusual to add suspending clauses to bills not establishing new principles in Legislation, nor trenching on the Royal Prerogative.

2nd.—Because by adding a suspending clause to this Bill the Legislature will express a doubt of the propriety of its passing it on its own responsibility, and

3rd.—Because by adding a suspending clause to this bill the Legislature defer the operation of a measure which the Council consider to be of imperative importance to the peace and well-being of society.

Mr. P. BROWN moved, seconded by Mr. KENT,

That the House do proceed to the order of the day,—whereupon

Mr. Row moved, seconded by Mr. HOYLES, in amendment,

That a conference be asked with his Majesty's Council on the subject of the last conference,—which being put, passed in the affirmative, and

Ordered, accordingly,—and that Mr. Row do go up to his Majesty's Council and request the said conference.

On motion of Mr. Row, seconded by Mr. KOUGH,

Resolved, that the committee appointed to manage the said conference on the part of this House, be instructed to state to the conferrees on the part of his Majesty's Council, that the Assembly have requested this conference for the purpose of acquainting his Majesty's Council with reference to the last conference on the subject of the amendments made by the House of Assembly in and upon the bill entitled "An act for preventing the mischiefs arising from the printing and publishing of books, newspapers, and papers of a like nature by persons unknown, and to regulate the printing and publishing the same," that the suspending clause was added to the bill not from any doubt of the expediency of the bill or of the propriety of passing it on the responsibility of the Legislature, nor with any desire to defer its operation, but because it is the desire of the House of Assembly, that the Law on this subject should as nearly as possible assimilate with that of England; and the act from which the provisions of the bill are for the most part extracted being understood to have undergone some amendments in the last Session of Parliament, which by reason of the amending act not having yet reached this Island are not precisely known, the addition of the suspending clause appeared to the House of Assembly as the most convenient method of attaining that object in case the alterations introduced by the amending act should be found to be material; the House of Assembly therefore adhere to their amendments.

Pursuant to order the House resolved itself into a committee of the whole on the bill for continuing certain acts therein mentioned concerning the Revenue.

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill and had agreed to the same without any amendment; and he delivered the bill in at the Clerk's Table.

Ordered, that the said bill be engrossed and read a third time this day.

Pursuant to notice and leave granted, Mr. HOYLES presented a bill for continuing the act concerning quarantine, and the same was read a first time.

Ordered, that the said bill be now read a second time.

And the same was read a second time accordingly.

On motion of Mr. HOYLES, seconded by Mr. PACK,

Report &c.

Motion for the order of the day.

Conference to be asked with H. M. Council on subject of last conference

Instructions to committee of conference.

House in committee on bill for continuing Revenue acts.

Bill reported without amendment.

3d reading.

Bill to continue Quarantine Act read 1st time.

Read 2d time.

Committed.

Ordered, that the said bill be now committed to a committee of the whole House.

House in committee thereon.

And the House resolved itself into a committee thereon accordingly.

Mr. SPEAKER left the chair.

Mr. KENT took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had gone through the said bill and had agreed to the same without amendment; and he delivered the bill in at the Clerk's Table.

Ordered, that the said bill be engrossed and read a third time this day.

Message from H.M. Council

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written message.

Mr. Speaker,

with contingencies bill passed without amendment.

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act for granting to his Majesty a sum of money to defray the contingent expenses of the Legislature during the present Session," without amendment.

*Council Chamber, }
4th May, 1836. }*

H. J. BOULTON.

And then the messenger withdrew.

House in committee on Road Bill.

Pursuant to order the House resolved itself into a committee of the whole House on the bill for making and repairing of Roads.

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

Bill reported without amendment.

The Chairman reported from the committee that they had gone through the said bill and had made several amendments therein which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's Table.

Mr. P. BROWN moved, seconded by Mr. CARTER,

Amendments moved upon report.

That so much of the said report as granted Two hundred and fifty pounds for the service of Roads and Bridges in the District of St. John's be not received;—which being put, passed in the affirmative.

Mr. HOYLES moved, seconded by Mr. KOUGH—

That so much of the said report as granted Two hundred and fifty pounds for building a bridge at Brigus be not received;—which being put passed in the negative.

Mr. CARTER moved, seconded by Mr. P. BROWN—

That the said report be amended by inserting in it a grant of the sum of One hundred pounds towards building a bridge at Magotty Cove on the road to Signal Hill;—which being put, passed in the affirmative.

And the said report as amended being again read throughout was, upon the question put thereon, agreed to by the House.

3d reading.

Ordered, that the said bill as amended be engrossed and read a third time this day.

Message from Council

A Message from his Majesty's Council.

The Master-in-Chancery brought down from his Majesty's Council the following written Message.

Mr. Speaker,

Agreeing to conference on Press Bill.

His Majesty's Council accede to the conference requested by the House of Assembly on the subject of the last conference on the bill enti-

ted "An act for preventing the mischiefs arising from the printing and publishing of books, newspapers and papers of a like nature by persons unknown, and to regulate the printing and publishing the same," and have appointed conferrees on the part of this House to meet the managers from the Assembly in the committee room of the Council Assembly.

Council Chamber, }
5th May, 1836. }

H. J. BOULTON.

And then the messenger withdrew

Ordered, that Mr. Row, Mr. KOUGH, Mr. KENT, and Mr. PACK do manage the conference on the part of this House.

Managers appointed.

And they went to the conference.

Conference held.

And being returned, Mr. Row reported that the Managers had been at the conference and had complied with the instructions of the House.

Report.

Pursuant to order the engrossed bill for continuing certain acts therein mentioned concerning the Revenue was read a third time.

Bill for continuing Revenue Act read a third time.

On motion of Mr. HOYLES, seconded by Mr. PACK,

Resolved, that the said bill do pass and that the title be "An act for continuing certain acts therein mentioned concerning the Revenue."

Passed.

Title.

Ordered, that Mr. HOYLES do carry the bill up to his Majesty's Council and desire their concurrence.

Sent to Council.

The engrossed bill for continuing the quarantine act was read a third time.

Bill to continue Quarantine act read a 3d time.

On motion of Mr. HOYLES, seconded by Mr. PACK,

Resolved, that the bill do pass, and that the title be "An act to continue an act passed in the third year of his Majesty's Reign entitled an act for the performance of quarantine and more effectually to provide against the introduction of infectious or contagious diseases and the spreading thereof in this Colony."

Passed.

Title.

Ordered, that Mr. HOYLES do carry the bill up to his Majesty's Council and desire their concurrence.

Sent to Council.

Then the House adjourned until half-past six o'clock P. M.

At half-past six o'clock P. M. the House met pursuant to adjournment.

Pursuant to order the engrossed bill for the making and repairing of Roads was read a third time.

Road Bill read a 3d time.

On motion Mr. KOUGH, seconded by Mr. KENT,

Resolved, that the said bill do pass, and that the title be "An act for granting to his Majesty a sum of money for the making and repairing of Roads and Bridges in this Colony."

Passed.

Title.

Ordered, that Mr. KOUGH do carry the Bill up to his Majesty's Council and desire their concurrence.

Sent to Council.

A message from his Majesty's Council.

The Master in Chancery brought down from his Majesty's Council the following written message.

Message from H.M. Council

Mr. Speaker,

His Majesty's Council have passed the bill sent up from the Assembly entitled "An act to continue certain acts therein mentioned concerning the Revenue of this Colony,"—and also the Bill sent up from the Assembly entitled "An act to continue an act passed in the the third

Bill to continue Revenue Act—and

Bill to continue Quarantine Act passed without amendment.

year of his Majesty's Reign entitled an act for the performance of quarantine and more effectually to provide against the introduction of infectious or contagious diseases and the spreading thereof in this Island," without amendment.

Council Chamber, }
5th May, 1836. }

H. J. BOULTON.

And then the messenger withdrew.

On motion of Mr. Row, seconded by Mr. MARTIN,

Resolved that a select committee be appointed to examine and report upon the rules for the government of the Library, sent down from his Majesty Council by their message of the 27th of April.

Ordered, that Mr. Row, Mr. MARTIN and Mr. KENT do form such committee.

Then the House adjourned until to-morrow, at one of the clock.

FRIDAY, MAY 6, 1836.

ON motion of Mr. POWER, seconded by Mr. PACK,

Ordered, that the bills of supply be printed by the printer of the House as speedily as possible, and copies thereof be transmitted to the Members of the House.

Mr. Row reported from the select committee appointed to report upon the Rules relative to the Library, and he read the report in his place as follows :

The committee appointed to report on the message from his Majesty's Council of the 27th of April acquainting the Assembly that they had adopted certain rules therein mentioned on the subject of the management of the Library provided for the Legislature, and requesting the concurrence of the Assembly, beg leave to report that they have examined the said rules and consider them fit to be adopted by the House, and have only to recommend the following rule in addition thereto, viz.—

“ That the Librarian be paid an annual salary of fifteen pounds.”

W. B. ROW, *Chairman*.

Resolved, that the said report be adopted by the House.

Ordered, that Mr. HOYLES do go up to his Majesty's Council and acquaint them that this House have agreed to the Rules for the management of the Library, contained in their message of the 27th April last, and have added another rule thereto, to which the concurrence of his Majesty's Council is requested.

On motion of Mr. HOYLES, seconded by Mr. P. BROWN,

Resolved, that the following address be presented to his Excellency the Governor, viz.—

*To His Excellency HENRY PRESCOTT, Esquire,
Companion of the most Honorable Military
Order of the Bath, Governor and Com-
mander-in-Chief in and over the Island
of Newfoundland and its Dependencies,
&c. &c.*

May it please your Excellency,

The House of Assembly beg leave to acquaint your Excellency that two petitions have been presented to the House, one from James Finlay, who has been appointed High Constable for the Central District, pray-

Select committee to report upon Rules concerning library.

Supply bills to be printed for the use of the members.

Report of Select committee on rules of Library.

Additional rule.

Report adopted.

Council acquainted thereof.

Address moved to his Excellency, for paying of the fund for casualties the Salary of the High Constable of St. John's, and compensation to the Assayer of Weights & Measures, Harbor Grace.

ing that a salary may be granted him ;—and the other from George Hip- pesley, Assayer of Weights and Measures, at Harbor Grace, praying compensation for his services as such assayer,—which petitions having been presented after the Supply Bill had passed, it was too late for the House to make the necessary provision for the Petitioners. As the As- sembly are, however, of opinion that the Petitioners should be provided for, and that the sum of Eighty pounds should be granted for the salary of the said High Constable, and the sum of Fifteen pounds as a compen- sation for the services of the said assayer, they respectfully request that your Excellency will issue your Warrants in favour of those persons, to be paid out of the sum voted for casual and unforeseen contingencies.

Ordered, that Mr. HOYLES and Mr. P. BROWN be a committee to present the said address to his Excellency the Governor.

Committee to present Ad- dress.

A message from his Majesty's Council.

Message from Council

The Master in Chancery brought down from his Majesty's Council the following written messages :—

Mr. Speaker,

His Majesty's Council acquaint the Assembly that they have passed without amendment the bills sent up to this House entitled—

agreeing to sundry Bills.

“ An act for granting to his Majesty a sum of money for the making and repairing of roads and bridges in this colony.”

Road Bill.

“ An act to make perpetual an act passed in the fourth year of his Ma- jesty's Reign entitled ‘ An act for the relief of Insolvent Debtors taken in execution.’ ”

Insolvent Debtors relief act.

His Majesty's Council also acquaint the Assembly that they have passed the amendments made by that House in and upon the bill entitled “ An act for preventing the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature by persons unknown, and to regulate the printing and publishing the same,” without amend- ment.

Amendments on Press bill

Council Chamber, }
6th May, 1836. }

H. J. BOULTON.

Mr. Speaker,

His Majesty's Council acquaint the Assembly with reference to their message of this day, relative to the management of the Library, that they concur in the additional rule adopted by that House.

Agreeing to additional Rule for the Library.

Council Chamber, }
May 6, 1836 }

H. J. BOULTON.

And then the messenger withdrew.

Mr. HOYLES, from the committee to present to his Excellency the Governor the address passed this day, reported that the committee had presented the said address, and that in reply thereto his Excellency was pleased to say he would comply with the same.

Report of committee to present Address of to day

A message from his Excellency the Governor by Robert Haly, Esq., Usher of the Black Rod.

Message from his Excel- lency commanding attend- ance of the House.

Mr. Speaker, and Gentlemen of the House of Assembly,

His Excellency the Governor commands your attendance forthwith in the Council Chamber.

Accordingly Mr. Speaker and the House went up to attend his Excel- lency in the Council Chamber, when his Excellency was pleased to assent to the following bills, viz. :—

House attend his Excel- lency who assents to bills passed.

His Excellency's assent.

"An act to prevent the encroachments of Aliens on the Fisheries of this Island, and for the further protection of the said Fisheries."

"An act for ascertaining the census of this Colony and other statistical information."

"An act to amend an act passed in the fourth year of his Majesty's reign entitled 'An act for declaring all landed property in Newfoundland Real Chattels.'"

"An act to continue certain acts therein mentioned concerning the Revenue of this Colony."

"An act to limit the duration of the present and all future Houses of Assembly in this Colony."

"An act to continue an act passed in the third year of his Majesty's reign entitled 'An act for the regulation of Pilots and the pilotage of vessels at the Port of St. John's.'"

"An act to continue an act passed in the third year of the reign of his present Majesty entitled 'An act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases and the spreading thereof in this Island.'"

"An act to make perpetual an act passed in the fourth year of his Majesty's reign entitled 'An act for the relief of Insolvent Debtors taken in execution.'"

"An act for preventing the mischiefs arising from the printing and publishing of books, newspapers, and papers of a like nature, by persons unknown, and to regulate the printing and publishing the same."

Mr. SPEAKER then addressed his Excellency as follows;—

May it please Your Excellency,

In the name of his Majesty's faithful Commons of Newfoundland I beg leave to present to Your Excellency several bills granting to his Majesty the necessary supplies for defraying the expense of the Civil Government of this Colony,—for the encouragement of Education,—for the making of Roads and Bridges,—and for the promotion and completion of other internal improvements; and respectfully crave Your Excellency's assent to the same.

Supply Bills assented to.

His Excellency was thereupon pleased to give his assent to the said bills which are entitled as follow:—

"An act to authorize the raising by loan of a further sum of money for the completion of the Light House on Harbor Grace Island."

"An act for the encouragement of Education in this Colony."

"An act to authorize the erection of a Colonial House in the Town of St. John's, and the raising by loan of a sum of money for that purpose."

"An act for granting to his Majesty a sum of money for the making and repairing of Roads and Bridges in this Colony."

"An act for granting to his Majesty a sum of money for defraying the expense of the Civil Government of this Colony and for other purposes, for the year of Our Lord One thousand eight hundred and thirty-six."

"An act for granting to his Majesty a sum of money to defray the Contingent Expenses of the Legislature during the present Sessions."

And then his Excellency was pleased to make the following Speech to both Houses:—

Mr. President, and Hon. Gentlemen of the Council,—

Mr. Speaker, and Gentlemen of the House of Assembly,—

I am happy that the public service enables me to relieve you from the duties of a protracted Session.

Mr. Speaker addresses his Excellency and presents Supply Bills.

His Excellency's Speech to both Houses.

Mr. Speaker, and Gentlemen of the House of Assembly,—

I thank you for the supplies, which shall be duly and economically administered. As I have already informed you that unless under circumstances of extreme urgency, I shall not again convene the present House of Assembly, I embrace this occasion of expressing my best wishes for your health and happiness. Whether you retire to private life or again return as Representatives, you will naturally look back with pride and pleasure to having been members of the first Legislative Assembly of this Colony. Your appropriation of funds for the encouragement of education and facilitating your internal communication, especially entitles you to general gratitude, and merits the warmest approbation.

Mr. President, and Hon. Gentlemen of the Council,—

Mr. Speaker, and Gentlemen of the House of Assembly,—

It is with much regret that I find myself compelled to support the processes of Justice at St. Mary's by the presence of a Military Force, about to be despatched, and to be stationed there until its services shall no longer be required. I hope that the Inhabitants of that place may have awakened from their delusion, and that they will not again attempt to oppose themselves to the Law. As I am myself strictly responsible for my conduct, and should be brought to a severe account for any act of injustice or oppression practised towards the humblest individual, so likewise am I bound to prevent others from judging in their own cause. Prosecution is not to be confounded with persecution, nor is accusation synonymous with conviction. It cannot be too generally inculcated here, that in every case, let the station, profession, or faith of the accused be what it may, his innocence can be ascertained or his guilt established only by a judicial enquiry. You will, I feel confident, promote the knowledge of this simple but important truth, and exert yourselves in your respective districts to allay angry and sectarian feelings where such may exist, and to excite and cherish harmony and concord.

After which the President of His Majesty's Council said,

*Honorable Gentlemen of His Majesty's Council, and
Gentlemen of the House of Assembly,—*

It is His Excellency the Governor's will and pleasure that this General Assembly be prorogued until Tuesday the first day of November next: And this General Assembly is accordingly prorogued until Tuesday the first day of November next, then here to be holden.

Assembly prorogued until
the 1st of November.

EDWARD M. ARCHIBALD,

Clerk of the General Assembly.

END OF THE SIXTH SESSION.

APPENDIX

TO THE

JOURNAL OF THE SIXTH SESSION

OF THE

HOUSE OF ASSEMBLY

OF

Newfoundland.

1836.

REPORTS

OF SURVEYS AND DOCUMENTS RELATIVE TO ROADS AND BRIDGES.

(See *Journal*, Pages 15, 36, 37, 70, 104.)

General Instructions

TO BE OBSERVED IN MARKING OUT ROADS.

I.

TO ascertain by careful examination from commanding eminences, or by other judicious means, the most direct line of Road, then to keep as closely to that line as may consist with the nature of the country.

II.

Steep hills and ponds must of course be avoided, and rivers must be crossed where the breadth will not be inconveniently great for the construction of Bridges.

III.

The trees are to be marked in such a manner that the road may be distinctly traced without the possibility of mistake when it is required to be made.

IV.

You must deliver into the Secretary's Office plans of the lines of Road so marked out, being as particular as possible in the bearings and distances, giving a general description of the country and of the size and character of the timber, and pointing out such branch roads as you may think desirable to be formed hereafter for the purpose of connecting any particular places with the main lines.

V.

You must always bear in mind that these lines are designed for high roads fit for the passage of carriages and carts of all descriptions.

Guided by the foregoing General Instructions, Mr. Benjamin Sweetland is to connect St. John's with Trepassey by the Bay of Bulls and Renews, ascertaining how far the road from St. John's to Petty Harbor may be made available without materially increasing the distance to the Bay of Bulls.

Mr. Josiah Blackburn is to proceed from Kelligrews to Holy Rood, thence over the Salmonier River by the head of Colliers Bay to Placentia; also from St. Mary's to the point in this line most conveniently situated for connecting that place with St. John's.

Mr. J. Green is from the most convenient point of the Placentia line near the head of Conception Bay to open a main line along the northern shore as high as Carbonear or still

higher should it lead to a better place from whence to form a connecting line between that Bay and Trinity Bay. This connecting line will lead either to Hearts Content or New Perlican, or between those places, as in the judgment of the Surveyor upon a careful examination shall seem most advisable.

He is also to mark out a main line between Brigus and New Harbor, Trinity Bay, crossing the Conception Bay coast line; and another main line from New Harbor along the south shore of Trinity Bay, crossing the upper connecting line between those Bays in the neighbourhood of New Perlican near the extremity of the peninsula.

MR. SWEETLAND'S REPORT OF HIS SURVEY OF THE LINE OF ROAD BETWEEN ST. JOHN'S
AND THE BAY OF BULLS.

St. John's, September 25, 1835.

SIR,—I have the honor to acknowledge the receipt of your letter of the 12th June, conveying to me his Excellency's directions to survey and mark out the best line of Road from St. John's to Bay Bulls, Renewes and Trepassey, and to ascertain by careful examination how far the line of Road now making towards Petty Harbor might be made available towards Bay Bulls.

After having received his Excellency's instructions I lost no time in proceeding to St. John's from thence to commence my labour, by going to such hills as afforded the best view of the country and by examining the line of Road marked out to Petty Harbor, which did not afford any encouragement to pursue it, as no part of the 5th article of his Excellency's Instructions, viz. that of making a road passable for carriages of all descriptions, could be accomplished after leaving Petty Harbor without returning towards St. John's to find the level of "Goose Marsh," thereby increasing the distance something considerable—consequently I made choice of the "Coots Marsh" Road, particularly as the line of Road in that direction is in progress of making, and reduces the Road to be made to Bay Bulls about 10 miles. Influenced by a desire to escape 4th Pond, which is nearly parallel to Coots Marsh and only divided by a hill of small magnitude, as also to avoid "Forest Pond," as well as to avoid the necessity of building five Bridges, three of which would be expensive, in so small a space as two miles, I proceeded more to the Westward than the direct line would point out, thereby preserving a better level, passing through a forest abounding in spruce and common fir, with birch and larch of more than common size; the soil of the best description, will afford the cultivator a finer field for his exertions than can be met with in most other districts. Approaching the "Gold Pond" is a natural meadow of about thirty acres producing abundance of coarse grass, not at all marshy but occasionally flooded; passing on the right of this meadow, which is divided from the wood by a river, the line of road reaches the "Gold River" 53 feet wide; on crossing the river, the road will ascend a little making a rise of about 30 feet in a mile, with a deep ravine on the right, through which runs the river from Bay Bulls large pond, falling into the "Gold River" above the place marked for the bridge; at the end of a mile through wood of luxuriant growth is "Goose Marsh" three quarters of a mile long, terminating near the edge of "Bay Bulls large Pond"—this is a peaty marsh bounded by very good wood; passing between the pond and the "Ridge" there is not much more space than will be required for the road; wood small, the hill above naked. From the commencement of Goose Marsh the road will be perfectly level until within a quarter of a mile of Bay Bulls leaving all the ponds on the right; there will not be any river to cross, the ground is swampy, but not peaty, and may be drained at little expense; the marshes produce a coarse grass, the wood is of much better description than that last mentioned, and the soil generally very good. From Bay Bulls to Witless Bay, a distance of 3 miles, the Road has been opened and is in a fair state of repair under the management of the Rev. P. Cleary; a small sum would complete a "Drift Road"; the land between these two settlements is principally white clay not well covered with wood—although the interior abounds with timber of the best description; passing through the settlement of Witless Bay, the street is narrow, leading occasionally un-

der flakes. From Witless Bay to Moble, in order to lessen the steepness of the hill and keep on the back of the Fishing Rooms, it is necessary to go through some private property, of no great value. On gaining the summit of the hill the country is level and barren until in the immediate vicinity of Moble, where is a path cut 10 feet wide for which we are also indebted to the Rev. P. Cleary. On these two roads are 4 bridges, all of which, with that of Bay Balls, are being repaired out of the vote of £100 for repairs of bridges in the district of Ferryland; one new bridge of 10 feet span will be required between Witless Bay and Moble. From Moble bridge the road will lead behind the gardens and through brush wood winding in and out between hills and rocks until it reaches Toads Cove pond, passing behind Toads Cove about half a mile. The last five miles of road presents in scenery much of what is termed uncultivated ugliness.

From "Toads Cove" pond a Hill very capable of cultivation is to be ascended until the Road reaches Capelin Cove Marsh which forms the summit of the Hill; on the left is a ridge running S. W. covered with Wood, which ridge divides the Road from "Burn Cove," "Capelin Cove," and "Baulin;" on the right an extensive Wood reaching to "Rousing Hill." Descending from "Capelin Cove" Marsh, the Hill not being steep, I pass to the E. end of "Rousing Hill" pond—(the river from this pond runs West and falls into La Manch;)—from Rousing Hill Pond winding by side other Hills we arrive at La Manch, where a Bridge 50 feet by 10 is contracted for, to be finished by the last day of October, being nearly 20 feet above the Water. About 20 yards above this Bridge is a Fall of 10 or 12 feet, and 200 yards above this waterfall is a ford, on each side of which is a post shewing by marks in feet the depth of water, which from appearance can never exceed 3 feet, the river being gun shot wide, the bed very level, which is its common character for 6 or 7 miles, the vale opening gradually on both sides of the river; the soil is not to be surpassed in any part of the Country, bearing on its surface spruce and common fir more than 40 feet high, with larch and birch, the latter in prodigious quantities; the vale below the Fall widens by side of the pond, terminating in hills also thickly covered with wood, the whole presenting a most luxuriant appearance. Leaving this vale the country suddenly merges into sterility "Hell Hill," and continues so with very little intermission until the fall of ground towards Cape Broyle where it is much better, although the soil does not produce any thing above the common size timber. Passing the Cape Broyle pond, where a Bridge of 66 feet with one butment requires to be built, the Road will take a winding course in order to avoid rocks and lessen the steepness of the hill towards the river head, where a Bridge 34 feet by 10 is contracted for, also to be finished by the last day of October. On the South side of this Bridge the Hill, commencing at the Cape, passes in a N. W. direction 3 miles into the Country without any fall by which the road could be carried other ways than over the hill—the ground is good, but too steep to be cultivated with convenience.—From the Barrens on the top of the hill there is little in beauty or fertility to be seen; small wood, barren or peat marsh composing the whole line of Road to Renew's. Crossing a small river which runs to Capelin Bay I have marked out a branch road to Ferryland $3\frac{1}{2}$ miles, passing through the settlement of Capelin Bay, 2 miles of which at present forms a bridle road, but cannot be easily converted into a cart road without a new cut. From the Spout river I also marked a branch road to Ferryland for those coming from the South (3 miles.) A Bridge 25 feet span 2 butments over the Spout river is required for the main road, and also one of 15 feet over the "quarry river" for the branch.

On the way to Renew's is the Aquafort river also requiring a 20 feet bridge on butment.

There not being any money for building these bridges, without which the latter part of this road cannot be made available, it is the intention of the Commissioners, with the approbation of His Excellency the Governor, to expend the old vote of £100 in opening the road North and South of La Manch.

Submitting the accompanying plans of roads for the approbation of His Excellency,

I have, &c.,

(Signed) B. SWEETLAND.

JAMES CROWDY, Esq. &c. &c.

MR. BLACKBURN'S REPORT OF HIS SURVEY OF THE LINE OF ROAD BETWEEN HOLYROOD
AND PLACENTIA.

As soon after having received His Excellency's Instructions to lay out the line of Road from Placentia to Kellygrews, (touching at Collinet and Salmonier,) as I could make the necessary preparations, I commenced my labours by starting from the Head of the South East arm of Placentia.

From this place to Clam Brook Ponds, a distance of nearly $4\frac{1}{2}$ miles, the Route is nearly straight and free from hills of any consequence. The land for the first mile is fit for cultivation, bearing Spruce and Birch, and some Spars of from 30 to 40 feet long; the rest of the land in the above distance is barren and marshy, but affording materials for Road Making.

From Clam Brook Ponds to the end of the seventh mile the line was of necessity kept well to the Southward, the hills and ponds to the Northward making it impossible to carry the Road in that direction, while the line established is on a very fair level—the land on either side this latter distance is very inferior and not fit for cultivation.

From the Seventh mile to North Harbour River, a distance of nearly eight miles, the line again runs nearly straight through land partly Barrens and Marshy, and partly covered with stout Fir, Spruce and Birch, from which plank could be taken of 10 to 12 inches wide. In this distance occurs the greatest Hill in the whole line, but which presents no difficulty that loaded carts may not readily overcome. The land on either side this distance is partly fit for cultivation, and materials for making roads readily procured.

From North Harbour River (where a Bridge will be required of from 30 to 40 feet) the distance to Collinet is about $3\frac{1}{4}$ miles; in reaching this latter place Rocky River must be crossed, the stream of which is about 180 yards wide, and which cannot be crossed at a more favourable place than that marked on the Plan. The width of this River—the rapidity with which the stream occasionally runs—and the vast accumulation of ice in the winter—will, I conceive, prevent the possibility of throwing a Bridge of sufficient strength across it, and which will consequently require the establishment of a Ferry.—The land adjacent to both North Harbor River and Rocky River may be cultivated. The remaining part of the land included in the last mentioned distance is of a very inferior description, and much intersected with water. A farmer, named John Davis, lives within half a mile of Rocky river, and close to Collinet River. Materials for roads can be readily procured on this distance.

From Collinet to Little Harry Cove Pond, a distance of about $3\frac{1}{4}$ miles, the route, which is nearly straight, and free from hills of any consequence, runs through marsh and barren Land, bearing no good timber, and a very small proportion fit for cultivation. Nearly at the commencement of this distance Collinet River must be crossed, the stream of which is about 150 yards wide, and for the same reasons as apply to Rocky River, I conceive the establishment of a Ferry indispensable. Materials for road making may be obtained with little difficulty.

From Little Harry Cove Pond to Black Duck Ponds, a distance of nearly two miles, the line is again nearly straight, and passes principally through marsh and barren Land, affording no good Timber and very little of it fit for cultivation—but materials for road making can easily be procured.

From Black Duck Pond to Salmonier, a distance little more than $3\frac{1}{4}$ miles, the route lays through marshy land, and it is as straight as it can be made—very much intersected with water, and affording some good timber. Materials for road making may be procured, and the land in the vicinity of Salmonier river can be cultivated to a considerable extent.

The river last mentioned, like Collinet and Rocky rivers, is too great a breadth (about 90 yards) to admit of a bridge being easily erected over it; and the rush of the tide is so great, that none but a bridge of utmost stability could resist it; a Ferry therefore would be also necessary here. The advanced state of the season when I reached Salmonier, and the fatigue of myself and the five men I had with me, having been a month in completing the before mentioned distance, and the greater part of that time without any shelter but such as temporary Tilts afforded us, prevented my going farther. The remainder will be completed as early as I can go to work in the spring. Wherever the line of road ran through

Woods, I opened a path of not less than three feet wide, and the line throughout is marked by Posts bearing a board of 7 inches by 2 inches, with the words "Rd. to Placn." painted on them. Of these boards thus marked there are 85 in number.

(Signed)

JOSIAH BLACKBURN,
Deputy Surveyor.

Placentia,
16th Nov. 1835.

Correspondence

WITH COMMISSIONERS OF ROADS ON THE SUBJECT OF THE INSUFFICIENCY OF THE VOTE FOR THE KING'S BRIDGE.

St. John's, 15th September, 1835.

SIR,—I am requested by the Road Commissioners to state that as the amount allotted by the Legislature for the building a stone bridge over the "King's River" was limited to £250 sterling, they could only contract for a bridge of such dimensions as that sum would command, and which after due publicity they did. In the progress of the work they have been induced to entertain serious doubts whether the bridge is sufficiently large to carry off the volume of water that may be expected each Spring and Autumn; and having consulted practical men on the point, who have examined the work and the proposed plan, they concur with the Commissioners in opinion that the span of the bridge should be extended to thirty feet.

The effect of the bridge being completed on the present plan will be an overflowing of the road on each side the bridge whenever the stream rises beyond its usual bounds, and a consequential weakening of the masonry.

The Commissioners have to request that you will be good enough to lay the above facts before his Excellency the Governor with their respectful solicitations that he will be pleased from any fund under his Excellency's control to place at their disposal such an additional sum as will enable them to enlarge the bridge to the necessary size, and for which from ninety to one hundred pounds sterling would be sufficient.

The Commissioners beg to enclose a copy of the opinion given by the persons to whom they have before referred.

I have, &c.

(Signed)

J. NOAD,

Chairman of Road Commissioners.

The Hon. JAMES CROWDY,
Colonial Secretary.

St. John's, 14th September, 1835.

SIR,—We beg to inform you in reply to your letter of the 12th inst. that we cannot with certainty report on the character of the mason work now in progress in building the stone bridge, not having been present at laying the foundation. What we can see appears to be rough and strong, and in our opinion is in keeping with the specification, and of sufficient strength to support an arch of twenty-four feet span.

We beg leave also to state that in our opinion an arch of the size proposed and being now building will not answer the end designed, not being sufficiently large to admit the water to pass through when the stream is increased by the floods in the Spring and Fall; and we would strongly recommend that the arch be increased to thirty feet span, and raised eighteen in the crown.

We have, &c. &c.

(Signed)

PATRICK KOUGH.
WILLIAM HADDON.

J. NOAD, Esq.

Secretary's Office, 16th September, 1835.

SIR,—I have received and laid before the Governor your letter of yesterday's date, and in reply I am directed to acquaint you, that from personal observation his Excellency is quite of opinion with the Commissioners that the present span of the intended new bridge is not sufficiently large, but as his Excellency has no fund from which to advance the sum which will be required (beyond the vote of the Legislature) to meet the additional expense contemplated for widening the bridge, he recommends the Commissioners proceeding, notwithstanding, with the erection of a bridge of adequate dimensions, and on the meeting of the Legislature his Excellency will represent the necessity of the case, and he has no doubt the additional sum required will be readily voted.

I have, &c.

(Signed)

JAMES CROWDY,
Secretary.

J. NOAD, Esq.

CORRESPONDENCE

WITH THE COMMISSIONERS OF ROADS AT PORT DE GRAVE, RELATIVE TO THE INSUFFICIENCY OF THE SUM VOTED FOR THE ERECTION OF BRIDGES IN THAT DISTRICT.

Port de Grave, 20th October, 1835.

SIR,—We beg leave to state to you for the information of his Excellency the Governor, that we have publicly advertised for Contracts for building Bridges over Northern and Southern Guts, Port de Grave, and for repairing the Bridge over Spaniards Bay Gut. We have personally inspected the rivers and their banks, and have determined on what we consider the best situations for the Bridges. We have had a plan drawn and an estimate made of the cost of them, and we have made numerous inquiries relative to the cost of materials, labour, and skill required for their erection.

The result of our investigation is that we believe it will require the sum of Two hundred pounds sterling, to effect the building of the contemplated Bridges over the Port de Grave Guts, and the efficient repair of that of Spaniards Bay; and as the sum of one hundred pounds only is voted for those purposes, we do not know how to proceed, but are desirous to learn whether his Excellency will sanction our entering into any contract relative to the Bridges for an amount beyond the hundred pounds already granted by the Legislature.

Awaiting his Excellency's command,

We have the honor be
&c. &c. &c.

(Signed)

ROBERT JOHN PINCENT
JOSHUA GREEN

Commissioners of Roads and Bridges.

To
JOSEPH TEMPLEMAN, Esq.,
Acting Colonial Secretary, St. John's.

Secretary's Office, 29th October, 1836.

GENTLEMEN,—Having laid before the Governor your letter of the 20th inst. representing the inadequacy of the sum voted for building and repairing Bridges in your District, I am directed by his Excellency to acquaint you in reply, that under the circumstances you have stated; and considering the advanced period of the season, his Excellency is of opinion

that it will not be advisable to commence the erection of the Bridges in question until next year, and that in the mean time he will bring the matter under the consideration of the Legislature.

I am, &c.
(Signed)

J. TEMPLEMAN,
Acting Secretary.

The Commissioners Roads
and Bridges, Port de Grave.

Report

OF THE ROAD COMMISSIONERS FOR THE DISTRICT OF ST. JOHN'S FOR THE YEAR 1835.

The sum of One Hundred Pounds having been voted by the Legislature, to be expended towards opening a Road from Saint John's to Torbay, and thence northward to Cape St. Francis, and as there was a mere track existing, leading from Torbay towards the latter place, and that hardly passable for foot passengers, the Commissioners, after due examination of the Country adjoining those places, have opened a new line of Road from Torbay as far as Pouch Cove, in the direction of the Cape above named.

This new line, after leaving Torbay, runs for about half a mile on the side of a hill, the rise of which presents but an ordinary difficulty; and the levelling, which will be necessary for the passage of any wheel carriages, may be done without any great expense.—About three miles and a half from Torbay the Road passes near Flat Rock, which it leaves on the right, and where there is a settlement of about sixteen families.—From Flat Rock to Pouch Cove is a distance of six miles and a half; the line here is partly on the old route, on which no expense has yet been incurred, but which requires to be widened.

At Shoe Cove Pond, which is about two miles Southerly from Pouch Cove, occurs the greatest Hill in the whole distance from Torbay, except another just before entering Pouch Cove itself. Both these Hills will, however, admit of being so remedied as to present no insurmountable obstacle to the free passing of loaded Carts.—The land between Torbay and Pouch Cove is of a very fair quality, and generally fit for cultivation. The best of the Timber has been cut, but, except in the immediate vicinity of Torbay, a sufficiency still remains to answer the purposes of the Farmer, both for fencing and firewood; materials for Road-making can be readily procured throughout the whole distance. In Pouch Cove there are about forty families, and it contains two places of Public Worship.

TOPSAIL ROAD TOWARDS HOLYROOD.

The sum of One Hundred Pounds having been allotted towards opening a communication between the above named places, the Commissioners, after ascertaining the most desirable route, have opened a new line of Road in the direction of Holyrood, as far as Kelligrews, a distance of six miles and a half from Topsail Pond. They have also erected Bridges in the above distance wherever necessary, in order that the road may be at once of service to the public, and which the Commissioners have pleasure in stating has already been the case.

Some of the streams over which Bridges have been built, are of a great breadth; and as it was impracticable to carry the road in a better direction, it was, consequently, not possible to avoid them.—The chief rivers to be crossed are "Manuals,"—that at the South-West arm of Long Pond,—and that at "Fox Trap." The first of these, "Manuals," is about one hundred and twenty feet wide, but having an Island in the middle, which can be adopted as a natural Pier, a Bridge can be readily thrown across it. The next stream,—that at Long Pond,—is about seventy feet wide, and that at "Fox Trap" not exceeding thirty;—

over these streams the Commissioners have thrown Bridges, together with Twenty-nine others over smaller streams, at an average of $13\frac{1}{2}$ each ; and the Commissioners believe they are of sufficient durability to last several years, unless subjected to any unusual and extraordinary pressure. The only communication between Topsail and Kelligrews has heretofore been along the beach, where Horses could with difficulty travel, and where Carts could not be taken. The new Road runs through land of the most fertile description, possessing a richness and depth of soil, that offers to the agriculturist the means of realising his most sanguine hopes.

The best of the Timber in the immediate neighbourhood of this road has been taken away, but sufficient remains to show that it has been of the largest kind, and that it embraces all the varieties usually found in the Island. At a distance of from half a mile to two miles South of the road, groves of Hardwood are yet to be found, where plank of about 16 feet long, and 8 or 10 inches wide, may be procured.

PETTY HARBOUR ROAD.

The money allotted for this Road has been chiefly expended in draining, and the erection of Bridges :—of the latter twenty-five have been completed, and nearly three miles of draining. This has made the road passable, and travellers have used it through the past summer. Horses, too, have occasionally been brought through, but a good deal of levelling and blasting is yet required, and the removal of some large stones, which in places obstruct the road, will be also necessary, before it can be termed a good Bridle Road.

ON THE TOPSAIL ROAD

The Commissioners have expended £91 18s. 3d. Sterling, chiefly in draining, and the road has thereby been placed in such a state that Horses have not unfrequently travelled between St. John's and Topsail the past summer. To make a fair bridle road, much yet remains to be done in gravelling some of the marshes that most particularly require it, and in levelling some of its most difficult and worst parts.

ROAD TO BAY BULLS.

No part of the £100, voted towards opening a road to that place, has yet been expended. The Commissioners were furnished by His Excellency with Mr. Sweetland's plan and report, but, before they had an opportunity of seeing that Gentleman, and of proceeding with him to the point where his proposed new line commences, in order to possess themselves of the necessary information for entering into Contracts, the severity of the weather put a stop to their proceedings.—The above amount, therefore, remains to be expended in the present year.

ON THE OUTER COVE ROAD

Nothing has been done the past year—no sum having been allowed for it by the Legislature. The new line opened in 1834, by the Commissioners, has consequently not been much travelled. If two Bridges were built on this road, the Commissioners conceive it would be thereby brought into a state of usefulness and of much service to that part of the Country.

STONE BRIDGE ACROSS THE KING'S RIVER.

The Commissioners had before the honor of intimating to His Excellency the Governor, that after they had entered into an engagement for the best Bridge that could be built for the sum voted by the Legislature, they were led to entertain serious doubts whether it was on a scale sufficiently large for the purpose intended ; and His Excellency having concurred with them in opinion, that it was not, and having recommended the erection of a Bridge of adequate dimensions, the Commissioners therefore, instead of a Bridge of twenty-four feet span, as was at first intended, have built one of thirty feet span, which is now nearly

completed, and which the Commissioners believe will be fully in accordance with the intention of the Legislature, and prove of lasting advantage to the public.

The additional expense incurred amounts to £94 4s. 11d. sterling, including £15 the Commissioners agreed to pay Mr. Hannigan for his services in being in constant attendance at the Bridge while building;—the Commissioners considering themselves justified in making such an arrangement, in order to ensure the faithful performance of a work in which the public are so much and so generally interested.

The commencement of the Quiddy Viddy road has been unavoidably interfered with in the prosecution of the above work,—this inconvenience, however, a small sum will rectify; and if, in addition to the £250 already voted by the Legislature, a further sum of £100 were placed at the disposal of the Commissioners, it would enable them, after paying the above amount, to remedy the inconvenience which has arisen to the Quiddy Viddy road, and also to give a coat of paint to the wood work of the Bridge.

PORTUGAL COVE ROAD.

The sum allowed for this Road (£20) has been expended in clearing and building covered drains where most necessary; to keep this Road in repair would require not less than £50 annually. In expending the money entrusted to their care, the Commissioners' first object has been to open a communication, with as little delay as possible, between the various places which the roads were intended to connect. They have, therefore, been obliged to regulate the width of the roads they have opened, rather by the sums placed at their disposal, than by their own opinions as to what was desirable. In no case, however, have they contracted for a less width than nine feet—neither have they been able to exceed that—and the Commissioners feel it their duty to suggest the expediency of widening the roads referred to, as soon as means can be conveniently allotted for that purpose; as they are apprehensive, that from the frequent use that is already made of them, but more especially from the droves of cattle which in the summer months resort there in search of pasturage, the natural result of their being suffered to remain for any length of time in their present limited state, will be a filling up of the drains.

The Commissioners have bestowed as much of their personal attendance on the work, which has been performed under their control, as their respective occupations would admit; but finding it impossible to give all that attention which was necessary in order to ensure a faithful performance of the various contracts they had entered into, they were compelled (as were the former Commissioners) to employ a person who, under their direction, should exercise a general superintendance over the work contracted for, as well as to ascertain and prepare plans of any new line which it was necessary to adopt. The person they have employed for such purposes, is Mr. Thomas Byrne, who acted under the former Commissioners, and from whose services they consider they have been enabled to effect a much more economical and judicious expenditure of the money than would otherwise have been in their power. And the Commissioners in conclusion, would suggest that if a sum sufficient to ensure the whole of Mr. Byrne's time could be allowed, they are satisfied that he may be most beneficially employed in superintending all matters connected with Roads in this and the adjoining districts, and they have no hesitation in saying that, in their opinions, he possesses the qualifications necessary for the discharge of such duties.

(Signed)

JOSEPH NOAD
WM. RICHARDS
ROBERT JOB
C. F. BENNETT

Commissioners of Roads under Appropriation Act, 5 Wm. 4, (Sess. 2) c. 13.

St. John's, 30th January, 1836.

Account

OF MONIES EXPENDED BY THE COMMISSIONERS OF ROADS FOR THE DISTRICT OF ST. JOHN'S FOR THE YEAR 1835.

	Currency.	Sterling.
<i>Portugal Cove Road.</i>		
Cash paid Whelan for clearing 336 perches Drains <i>a</i> 11d.....	15 8 0	
Making 7 Drains <i>a</i> 10d. and 1s. 6d.....	4 12 0	
	20 0 0	
		17 6 8
<i>Pouch Cove Road.</i>		
Paid Moses Power for opening 4m. 7r. 24p. new road <i>a</i> £14 per mile.....	69 6 0	
Do. do. opening $\frac{1}{4}$ mile of winter path.....	2 0 0	
Do. do. for Labourers in assisting to make out the line for the Contractors to follow.....	3 18 0	
Paid Labourers in assisting to measure work.....	3 15 6	
Paid for Flags 5s., for drawing $\frac{1}{2}$ Contract 4s. 6d.....	0 9 6	
	99 9 0	
		68 17 2
<i>Road from Topsail Road towards Holyrood.</i>		
Paid Roach and Nevil opening 6m. 4r. new road <i>a</i> £12 per mile, less £2 for unfinished work.....	76 0 0	
Paid do. for erecting 32 Bridges on do. at an average of 13s. 2d. each	21 2 0	
Paid Labourer 8 days assisting to measure said Road <i>a</i> 3s.....	1 14 0	
Paid Labourers assisting to ascertain and mark out the line of road for guidance of Contractor.....	8 8 0	
	106 14 0	
		92 9 6
<i>King's Bridge.</i>		
Paid Parker & Croke on acct.....	276 18 5	
— for a Plan.....	1 1 0	
Amount in hand.....	10 9 10	
	288 9 3	
		250 0 0
<i>Petty Harbor Road.</i>		
Paid Cuddehy building 20 Bridges.....	18 0 0	
— Foley and Toole opening 4r. 14p. of new road at £14 per mile	7 11 8	
— Welsh and M'Donald for 246 perches draining (less 5s. 6d. for unfinished Work) <i>a</i> 1s. 3d.	15 2 0	
— Foley and Toole for 2 miles of draining <i>a</i> 1s. 3d. per perch	40 0 0	
— Foley 10 perches draining <i>a</i> 1s. 3d.....	0 12 6	
— Do. work undone by Walsh and M'Donald.....	0 10 0	
— Cuddehy building 2 bridges.....	6 0 0	
— Jas. Toole altering road.....	1 2 6	
Amount of Contracts entered into and not completed.....	9 4 0	
	98 2 8	
		85 1 0
		513 14 4

	Currency.	Sterling.
<i>Topsail Road.</i>		
Paid Philip Stamp 476 perches of Drains <i>a</i> 1s. 3d. per perch.....	29 15 0	513 14 4
for 23 covered ones.....	10 18 6	
200 perches new road.....	8 15 0	
Sinking the bed of a River &c.....	1 11 6	
Paid M. Murphy & Ennis 312 perches Drains 1s. 3d.....	19 10 0	
21 covered do. 10s.....	10 10 0	
Sinking bed of a River.....	1 0 0	
Changing course of a Brook.....	2 0 0	
Clearing road of laying timber.....	0 6 0	
Paid Quigley clearing 25 perches of a Brook <i>a</i> 1s. 6.....	1 17 6	
Building 8 Bridges.....	15 0 0	
Paid James Murphy keeping the Road clear of wind-falls last winter	1 10 0	
Paid Wm. Quigley for opening drains.....	3 7 6	
	106 1 0	
<i>Incidentals.</i>		
Paid Thos. Byrne for his services to the 1st June 40 days <i>a</i> 5s....	10 0 0	91 18 3
— Ryan for Advertising &c. 15s. 6d., 35s.....	2 10 6	
— Shea do. do.....	0 12 6	
— M'Coubrey do. do.....	0 12 6	
— Parsons do. do.....	1 18 0	
— for work at the Kings Bridge.....	0 10 0	
— for Plank to complete Quidi Vidi Bridge.....	3 17 0	
Nails for do.....	1 5 11	
Iron Work do.....	1 0 4	
— for Stationery.....	0 10 8	
— Thos. Byrne for his services in generally superintending work on the Roads, exploring new lines of Roads, and preparing plans of the same, &c.....	50 0 0	
— for 1 bag of Nails omitted to be charged on Kelligrews Road	1 3 0	
	74 0 6	64 3 0
	Sterling	£669 15 7

Dr. Account Current of the Road Commissioners for 1835. Cr.

1835.	Sterling.	1835.	Sterling.
To this sum received of the Colonial Treasurer on accot. of the Portugal Cove Road....	20 0 0	This sum expended on the Portugal Cove Road.....	17 6 8
Road to Holyrood.....	100 0 0	On the Pouch Cove Road....	68 17 2
Petty Harbor..	100 0 0	Holyrood Road.....	92 9 6
Topsail.....	100 0 0	Petty Harbor Road....	85 1 0
Pouch Cove....	100 0 0	Topsail Road.....	91 18 3
On accot. the Kings Bridge...	250 0 0	King's Bridge.....	250 0 0
This sum received from the Commissioners for 1834, being the balance of their accot.....	39 3 0	Incidental expenses.....	64 3 0
£45 3 6 cy.			669 15 7
	£709 3 0	Balance in the hands of the Road Commissioners.....	39 7 5
			£709 3 0

Report

OF COMMISSIONERS FOR SUPERINTENDING THE MAKING AND REPAIRING OF HIGHWAYS,
IN THE CENTRAL DISTRICT UNDER THE ACT 4, WM. IV. C. 6.

The Commissioners appointed by his Excellency the Governor to carry into effect the act to regulate the making and repairing of highways in this Island, beg to lay before his Excellency a Report of their proceedings up to the present time.

On the Road to Block Makers Hall—

The Road to Brookfield—and on

The Fresh Water Road, as well as on the streets and bridges through the town of Saint John's, considerable improvements have been made, and from the various returns made to them by the Surveyors, they find that 1241 days of manual labour, and about 275 days of horses and carts have been expended in performing the same.

In commencing and carrying on the above work, the Commissioners found it necessary to purchase tools and implements, and to order the repairs of the same, which have cost the sum of £44 4s. 7d.

In consequence of so small a part of the labour required having been commuted for, the Commissioners have not the means of paying Mr. Thomas Byrne (the Surveyor whom they appointed in accordance with the act) but a small part of his salary. That the said Byrne is still employed in superintending the levelling of snow in the streets during the winter months, and has yet to receive the sum of Fifty pounds.

The Commissioners have also purchased Plank and other materials to complete some bridges and drains which were absolutely necessary to the safety of the passengers in the King's Road, at the foot of Cochrane-street and Water-street in this town, which, together with the labour necessary to apply the same over and above the statute labour performed, has amounted to the sum of £25 2s. 5d.

The beforementioned expenses which have been unavoidably incurred, together with the salary of the Road Surveyor—amounting together to the sum of £119 7s. 0—the Commissioners, for the reasons they have named, are quite unable to liquidate, and they are consequently compelled to request that his Excellency the Governor will be pleased to adopt any measure he may think proper to put them in funds, to enable them to pay the amounts alluded to.

They further beg leave to call the attention of his Excellency to the followeng necessary improvements in Duckworth-street,—

To the state of the road at the head of Maddox's Lane, where a retaining wall is required to make the road safe,—also, to the necessity of building a bridge across a stream of water, which runs into Beck's Cove—both of which the Commissioners contemplate may be effected for about £150 sterling.

C. F. BENNETT.
ROBERT JOB.
WILLIAM RICHARDS.
JAMES CLIFT.

MR. GREEN'S

SURVEY OF THE SEVERAL LINES OF ROAD INTENDED TO BE OPENED BETWEEN VARIOUS
PARTS OF CONCEPTION AND TRINITY BAYS.

SIR,

Port de Grave, 1st March, 1836.

I have the honor to enclose my report together with the plans of roads marked out and surveyed by me in Conception and Trinity Bays, which I had hoped I should have been enabled to have completed and transmitted before, but the distance allotted to me to mark out, being upwards of one hundred miles, and the weather being set in with unusual severity

the early part of the winter, rendered it impossible for me to finish although every exertion has been used by me to effect so desirable an object. In accordance with his Excellency's Instructions I made use of all the means in my power, in conjunction with my own knowledge of the country, to ascertain by examination the best lines for roads, and commenced my survey at "Burnt Point Pond," about half a mile from the north west arm of Holyrood; not knowing where the Placentia line would cross this line, I did not conceive it requisite to carry my line further to the southward until the survey from Placentia is completed.

From Burnt Point Pond to southern arm of Gasters Salmon Cove, a distance of $2\frac{1}{3}$ miles, the line of road is carried on a perfect level through small woods composed principally of fir, across a shallow marshy soil easily drained. Approaching Salmon Cove, a circuit is made round the base of a hill in order to make the descent more easy,—a bridge of 132 feet is required over the river here, the water being only two or three feet deep, and the timber being near at hand, a small sum would be sufficient to erect a bridge over it;—another bridge of 13 feet is required over Chapel Cove Brook—one branch road to Harbor Main is marked out from this line.

From this place, to the northern arm of Gasters Salmon Cove, when a river of 20 feet wide is crossed, the line of road is preserved on a fair level; in this distance of $1\frac{1}{2}$ mile the soil is exceedingly fine, bearing spruce, birch and fir, of more than ordinary size,—and another river or gully is crossed requiring a bridge of 20 feet.

From the northern arm of Gasters Salmon Cove river, to Colliers river, over which a bridge is required of 22 feet, the distance $1\frac{1}{4}$ mile—the soil is good, and the wood of a superior description to that last mentioned.

From the River at Colliers, a distance of $2\frac{1}{2}$ miles, to the river running into the west corner of Three Island Pond, of 66 feet wide, the road has to ascend "Bedlam Ridge," in the neighbourhood of Colliers Bay; keeping in a northerly direction over the hill, the steepness is greatly reduced; the soil after leaving "Bedlam Ridge" is remarkably fine, bearing large quantities of very fine birch and fir, running from 40 to 60 feet high. From this river, until the line reaches the road to "Cochrane Dale,"—the hills being inaccessible in a northerly direction—the road is continued easterly, where a gradual rise and fall of the land is found,—the soil may be considered middling, the timber has been all more or less injured from the ravages of a fire which happened about 4 years since;—Brigus Gully river of 60 feet wide, is to be crossed in this distance, of $3\frac{1}{4}$ miles. One branch road to Brigus is pointed out as desirable, as per plan, continuing less than $\frac{3}{4}$ of a mile on the road to "Cochrane Dale," at the end of which the line of road is carried towards the east, as far as Port de Grave northern Gut, a distance of $2\frac{1}{2}$ miles, over which a bridge is required to be built of the greatest strength, with a span of not less than 60 feet, as the rush of water which in the spring of the year frequently accompanies the thawing of the ice and snow, (the river also being affected by the tide) renders such a one indispensable; another bridge is also required on this line across the river running into Cupids Pond of 33 feet—the soil similar to that last described—with the wood totally destroyed by fire. From southern Gut to northern Gut, a distance of $\frac{3}{4}$ of a mile, over which a bridge is required of the same span and similarly constructed as that described, as desirable over southern Gut, the road is carried across the beach between "Clarke's Pond" and the shore, where there is not more room than will be required for the road,—the remainder of the line to make the road of sufficient breadth must pass through some private property of little value. One hundred pounds has been granted to build the bridges over northern and southern Guts, and repairing Spaniards Bay Bridge; but the Commissioners appointed for expending that sum, have deemed it advisable not to lay it out in building temporary bridges—the sum granted not being sufficient to build substantial ones, and they considering that any money laid out in building Spaniards Bay Bridge would be entirely thrown away. A bridge erected on the site of the old bridge at Spaniards Bay could not be expected to stand more than two or three years, the beach continually shifting with every heavy sea from the eastward; a good site for a bridge has been marked out by me across the pond inside the remains of the old bridge, where the water is never more than three feet deep, and in a direct line with the road; a bridge erected here, upon piles, would stand until the wood decayed,—the cost of which would probably be £100.

From Rocky Pond (about $\frac{3}{4}$ of a mile from where the Conception Bay coast line will cross this line when continued to Spaniards Bay from northern Gut) to the Barrens towards New Harbor, the road is nearly level, there not being a hill of consequence in that direction; the soil poor, bearing common sized fir and birch—the distance about $4\frac{1}{2}$ miles;—crossing the barrens the line is carried nearly direct, keeping a dry level for $2\frac{1}{2}$ miles; to the south-east of this, (distant half a mile) are the berry hills, abounding with partridge berries, from 20 to 30 tons of which are picked annually by the inhabitants of Conception Bay, the greater part of which are afterwards exported;—after leaving the barrens the road is kept more to the north-west, and leads through a thick wood composed principally of fir and spruce, the soil remarkably poor and stony, with but a small proportion fit for cultivation—the distance from the barrens to New Harbor nearly $5\frac{1}{2}$ miles;—there are six bridges required as per plan. Since this road has been marked, the commissioners appointed for opening it, have entered into contracts for that purpose, and about eight miles have already been completed;—the hundred pounds granted for that object, will pay for cutting the whole distance, and also build two bridges, which are contracted for,—the contract will be completed by the 1st May. £150 more would, I am of opinion, if judiciously expended, form a bridle path the whole way—all marshes of consequence having been carefully avoided in the draining line.

From New Harbor to Hope-all River, a distance of upwards of $1\frac{3}{4}$ miles, the road is carried through small fir and spruce, and over one or two small marshes, the soil good, the river here 66 feet wide, with timber close to it, a bridge can be built at a small expense.

From Hope-all to Witless Bay River, passing through Green's Harbor, where one bridge is wanting of 165 feet; from thence the line of road keeping at the foot of the Hare Hill, where there is a very fine ridge of young birch, about $1\frac{1}{2}$ miles square, but the land rather steep to admit of its being easily cultivated; the soil is good, and bears besides the birch above stated, large quantities of fir and spruce, fit for all the purposes of house and store building,—the distance upwards of $5\frac{3}{4}$ miles—here there is a river 72 feet wide to be crossed. Leaving Witless Bay for Hearts Delight, a distance of $6\frac{3}{4}$ miles, the road is from necessity kept near the shore for about one mile, after which it is carried further to the right, passing between Shoal Harbor Long Pond and the round Pond where the soil, and timber, consisting of fir and birch, is found much superior to that on the first mile from Witless Bay; from thence, crossing half a mile of barrens, the woods become smaller until the line reaches Brook Cove River, 20 feet wide, when the soil and timber assumes a better description than that last mentioned, and which continues so, as far as the main brook at Hearts Delight, of 66 feet wide,—there is a bridge necessary over Shoal Harbor Long Pond River, of 99 feet, and one over Bright's Brook of 21 feet.

From Hearts Delight, to Hearts Content, a distance of 9 miles, (the road passing through Hearts Desire,) the line to the latter place leads through woods of large dimensions comprising fir, spruce and birch, the soil and timber surpassing in quality any yet met with on this route; one bridge is required over the Rattle Brook at Hearts Desire, of 33 feet; continuing this line 2 miles further the land appears good, bearing large sized spruce, birch, juniper and fir; from thence, the line is continued across the barrens intersected with small patches of woods, presenting nothing worthy of remark, until descending into Hearts Content, when the road passes through some large fir wood, the soil poor, and stony. Terrences Brook, of 27 feet, and Seal Cove Brook, of 35 feet wide, both requiring bridges, are to be crossed on this line.

From Hearts Content, I have marked a line of road to the barrens, about 3 miles towards Carbonear, leaving the Gunners Rock Barrens a mile to the northward, thereby greatly shortening the distance and preserving an excellent line of road, that way, but not having time to survey it there is no part of it appearing on the accompanying plans.

I have, &c.

(Signed,)

JOSHUA GREEN.

JOSEPH TEMPLEMAN, Esq., }
Acting Secretary. }

CONCLUDING PART OF MR. SWEETLAND'S SURVEY OF THE LINE OF ROAD FROM ST. JOHN'S TO TREPASSEY.

St. John's, February 23, 1836.

SIR,—Herewith I have the honor to present for his Excellency's information, a plan of a line of road from Renew's to Trepassey, through the small settlement of Biscay Bay, making about $23\frac{1}{2}$ miles, reducing that which was computed to be nearly one hundred miles from St. John's, to very little more than 71.

From the south west side of Renew's, the road as marked out will rise gently and pass through wood of rather inferior size, the soil not altogether unfit for cultivation; for another mile there are occasionally marshes and barrens, interspersed with small patches of trees, at the end of which it passes "Momus Hill," and proceeds to the "Three Wells," at which station the traveller takes leave of every thing like shelter from rain and snow storms; the track for nearly 12 miles passing mostly over dry barrens, covered with white moss, forbidding the growth of almost every thing but the hurtle berry shrub, the unhealthy appearance of which bears ample testimony of the unfitness of the land for agricultural purposes. On the approach to Biscay Bay, through a few scattered trees, it meets the river, about 100 feet wide, on leaving which the road must necessarily pass over Biscay Bay Farm, from whence to Trepassey, nearly 4 miles, the country does not improve much in appearance; abounding in materials, roads may be made at little expense.

I have the honor be, Sir,

J. Templeman, Esq.
&c. &c. &c.

Your obedient, humble servant,

B. SWEETLAND.

Estimate of Bridges on the line of Road from St. John's to Trepassey.

Golds or Petty Harbor river	£40
Witless Bay bridge	20
Moble bridge	5
2 Bridges at the foot of Toads Cove Pond	20
Over the river at the end of Hell Hill pond	10
Cape Broyle Spout river, 66 feet wide	40
To improve the approach to the bridge at the head of Cape Broyle,.....	10
Over Caplin Bay river	5
Over Spout River, Aquafort, 2 butments & approaches	36
Over the Quarry River, near Ferryland	10
Over the Aquafort River head	20
Renews River head ..	50
"Old Momans" river ..	6
Biscay Bay river	50
River between Biscay Bay and Trepassey	20

£342 Sterling.

The principal span of Moble bridge is built for £6,—the Contractor will undertake to complete the whole for £10, half of which is in hand.

The above Estimate does not include any river that may be passed at moderate flood without danger to human life.

B. SWEETLAND.

DETAILED STATEMENT

Of the Sums severally paid and disbursed (out of the Vote of £450 for "laying out the best lines of Road from St. John's to Holyrood and Placentia, Trepassey, and Trinity and Conception Bays") to the respective Surveyors appointed for that purpose.

PURSUANT TO AN ADDRESS OF THE HONORABLE THE HOUSE OF ASSEMBLY, DATED
1ST FEBRUARY, 1836.

Road from Holyrood to Trepassey.

1835		£
Sept. 3.	Advanced the Surveyor (Josiah Blackburn)	40
1836.		
Jan. 9.	—————Do.—————Do.—————	45
		85

Roads from Conception Bay to Trinity Bay.

1835.		
Sep. 10.	Advanced the Surveyor (Joshua Green)	40
		40

Road from St. John's to Trepassey.

Sep. 21.	Advanced the Surveyor (B. Sweetland)	40
Nov. 14.	—————Do.—————Do.—————	40
		80

Total amount advanced £205

Secretary's Office, 4th Feb. 1836.

N. B. The abovenamed Surveyors have not yet finished their surveys, nor furnished any accounts of their disbursements.

DOCUMENTS

RELATING TO THE CUSTOMS AND REVENUE.

[See Journal Pages, 19, 28, 47, and 74.]

Port of St. John's, JAMES M. SPEARMAN, Collector.

A CONSOLIDATED ACCOUNT

OF THE GOODS IMPORTED IN THE YEAR ENDED THE 5TH OF JANUARY, 1836, SHEWING THE AGGREGATE QUANTITIES AND VALUES OF THE VARIOUS ARTICLES, WITH THE AMOUNTS OF DUTY COLLECTED THEREON, UNDER ACTS OF THE COLONIAL LEGISLATURE

Articles Imported.	Quantity Imported.	Value.	Duty.
Wine— <i>videlicet</i> :—			
Ist Class.....	420 2-5ths Gallons	218 6 0	31 10 7
2nd ditto.....	10,157 $\frac{1}{2}$ „	3,034 3 0	507 17 6
3rd ditto.....	13,711 $\frac{1}{2}$ „	1736 3 9	514 3 8
4th ditto.....	26,300 3-10ths „	1981 8 10	657 10 1
Spirits.....	278,967 „	17,819 11 5	6974 3 6
Apples.....	1242 Barrels	1241 10 0	31 1 0
Beef and Pork (salted).....	35,514 2 12 Cwts.	45,389 2 6	1256 16 0
Bread or Biscuit.....	94,211 1 0 „	42,507 13 0	1177 13 1
Butter.....	12,755 3 2 $\frac{1}{2}$ „	31,865 8 4	951 13 4 $\frac{3}{4}$
Cattle (neat).....	2,040 Head	3,506 15 0	510 0 0
Coals.....	9,973 Tons	6,134 18 0	249 6 7
Flour.....	47,901 Barrels	46,764 13 6	1795 18 3 $\frac{1}{2}$
Goods, Wares, and Merchandise, not otherwise enumerated or described.....		219,917 18 4	5497 18 11 $\frac{1}{2}$
Hogs.....	19	14 5 0	0 9 6
Horses, Mares, or Geldings.....	53	636 0 0	26 10 0
Lumber.....	2,437,932 Feet	5,026 11 7	121 17 10 $\frac{1}{2}$
Oatmeal.....	2,056 $\frac{1}{2}$ Barrels	1577 7 8	51 8 3
Timber (Ton) and Balk, of all kinds, including Scantling.....	613.35 Tons	612 2 5	15 7 1
Sheep.....	1876 Head	1129 12 0	46 18 0
Shingles.....	1120 M.	560 0 0	18 13 4
	Totals	431,673 10 4	20,436 16 8 $\frac{1}{4}$

Custom-House, St. John's, }
The 5th day of January, 1836. }

J. M. SPEARMAN.
Collector.

Dr. CONSOLIDATED ACCOUNT CURRENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED THE 5TH DAY OF JANUARY, 1836.

Cr.

January 5. To amount of outstanding Bonds } 5th January, 1835 } " This sum due at Little Bay as per } account current 5th January, 1835 } " Duties on Goods imported viz. St. John's 940 16 8 Harbor Grace 117 2 4 ³ / ₄ Port de Grave 1054 10 7 Trinity 29 14 5 ³ / ₄ Ferryland 448 7 7 Little Bay 119 11 8 Placentia Burrin 443 17 0 ¹ / ₄ Twillingate 3,154 0 4 ³ / ₄	1214 18 6 76 11 3 17,282 16 3 ¹ / ₂	January 5. By Balance from last Year 0 19 11 Drawbacks 16 0 4 Over and double entries 18 1 10 Stationery 21 0 3 Canvas and Twine 0 12 7 ¹ / ₂ An Office Desk, &c. 8 13 0 John R. M. Cooke, Salary 100 2 9 Edward L. Moore, do 100 2 9 John Canning, do 66 15 2 Lorenzo Moore, to 10th Oct. 1835 19 7 0 Tide Waiters 97 5 8 Outstanding Bonds 2,063 10 4 Cash paid the Treasurer 18,654 5 7 This sum due at Harbor Grace 166 9 5 ³ / ₄ Ditto Trinity 394 19 9	£21,728 6 5 ¹ / ₄
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I do hereby declare that the foregoing Accounts are just and true in every particular, to the best of my knowledge and belief.

Custom-House, St. John's, }
The 6th day of February, 1836. }

J. M. SPEARMAN,
Collector

We do hereby certify that we have duly audited the foregoing Accounts, and that we have finally settled and closed the same.

St. John's, Newfoundland, }
The 27th day of February, 1836. }

JOHN DUNSCOMB }
W. B. ROW } Auditors.
PATRICK KOUGH }

Port of St. John's, Newfoundland, and its several Out-Bays.

AN ACCOUNT

Of Vessels entered Inwards, and cleared Outwards, in the Year ended 5th January, 1836, as compared with the Year ended 5th January, 1835.

	Year ended 5th January, 1836.						Year ended 5th January, 1835					
	INWARDS.			OUTWARDS			INWARDS.			OUTWARDS.		
	Number.	Tons.	Men.	Number.	Tons.	Men.	Number.	Tons.	Men.	Number.	Tons.	Men.
United Kingdom	208	30510	1753	156	20055	1193	253	27510	2107	138	16760	884
Gibraltar— British Vessels	2	264	14	3	451	27	1	165	9	4	218	24
Foreign Vessels				1	169	9						
Guernsey and Jersey	16	2184	134	4	583	38	20	2247	145	4	530	34
British West Indies, in- cluding Demerara, Ber- bice and Bermuda	62	7169	449	71	8835	559	58	6210	400	84	10186	633
Foreign West Indies— Porto Rico, Martinique, Saint Thomas'							1	112	8	1	75	5
British North America....	265	22741	1146	322	36170	1795	287	24030	1264	358	40731	2046
Foreign Vessels..							1	150	11	3	424	18
Saint Peter's	3	90	11	3	134	12	3	90	13	4	195	20
Foreign Europe— British Vessels..	236	32955	1865	200	25331	1561	219	29708	1704	230	29309	1878
Foreign Vessels..	1	142	13	12	1794	152	8	1266	75	14	2116	124
Madeira	2	213	11	2	226	13	1	57	3	3	258	16
United States of America— British Vessels..	33	3382	177	23	3076	155	41	4361	235	24	2650	157
Foreign Vessels..	6	984	48	3	372	19	11	1562	71	1	74	4
Havanna, Foreign Vessels	10	1363	116				2	510	25	1	123	6
Cape Verd Islands— British Vessels..				1	57	3						
Brazil— British Vessels..				24	3391	200	6	1067	60	21	3502	200
Foreign Vessels..				1	155	7				1	222	10
Azores— British Vessels..							3	251	16	2	207	19
Foreign Vessels..										1	70	6
TOTAL.....	844	101997	5737	826	100799	5743	915	109296	6146	894	107650	6076

AN ACCOUNT

OF THE STAPLE ARTICLES, THE PRODUCE OF THIS ISLAND, EXPORTED IN THE YEAR ENDED 5TH JANUARY, 1836, AS COMPARED WITH THE YEAR ENDED 5TH JANUARY, 1835.

Description of Articles, &c.	Year ended 5th January, 1836.	Year ended 5th January, 1835.
Dry Cod Fish.....	712588 Quintals	806265 Quintals
Core Fish.....	3931 Quintals	3940 ———
Salmon.....	2477 Casks	2625 Casks
Herring.....	3212 ———	2135 ———
Mackerel.....	85 ———	147 ———
Fish Tongues, Sounds, and Caplin...	1371 Casks & Packages	1525 ———
Cod and Seal Oil.....	11785 Tuns & 156 Galls.	9127 Tuns and 251 Gallons
Whale Oil.....	29 Tuns & 240 Gallons	
Dog Fish Oil.....	224 Gallons	
Seal Skins.....	557494	341195
Calf Skins.....	480	90
Sheep Skins.....	233	
Hides.....	1234	1388
Furs of all kinds.....	4035 Skins	4106 Skins
Castorum.....	19 lbs. 3 oz.	10 $\frac{3}{4}$ Lbs.
Berries.....	8972 Gallons	8085 Gallons
Whale Fins.....	43 Cwt.	61 Cwt.
Knees and Stauncheons.....	359	68
Oars.....	440	24
Sarsaparella.....		3 Casks
Staves.....	21180	28780
Boards.....	3500 feet	30585 Feet
Wood Hoops.....	1234 Bundles	1065 Bundles
Firewood.....	8 Cords and 1600 Sticks	5700 Sticks
Pickets.....		1500
Billets.....	3700	
Whale Bone.....	74 $\frac{1}{2}$ Cwt.	
Tallow.....	3 Barrels.	

Statement

Shewing the amount of Revenue collected under Acts of the Imperial Parliament in the Year ended 5th January instant.

ITEMS OF RECEIPT.	AMOUNT.	TOTAL.
Duties received under acts passed prior to the 18 Geo. 3, cap. 12..	2021 5 1	} 13812 7 11
Duties received under acts passed subsequent to the 18 Geo. 3, cap. 12.....	11791 2 10	

Custom-House, St. John's, }
26th January, 1836. }

J. M. SPEARMAN,
Collector.

STATEMENT

Shewing the amount of Revenue collected under Acts of the Colonial Legislature in the Year ended 5th January instant.

ITEMS.	AMOUNT.	TOTAL.	OBSERVATIONS.
Saint John's Out-Bays	£17254 4 5 ¹ / ₂ 3154 0 4 ³ / ₄	£20408 4 10 ¹ / ₄	In this account are included the Out-Bay receipts for the Qr. ended 5th Jan. 1835, and not those for the 5th Jan. 1836. The returns for the latter Qr. not having yet reached this office.

Custom-House, St. John's, }
6th February, 1836. }

J. M. SPEARMAN,
Collector.

STATEMENT

Of sums paid into the hands of the Colonial Treasurer on account of Duties collected under Acts of the Imperial Parliament in the year ended 5th January instant.

ITEMS OF PAYMENT.	AMOUNT.	TOTAL.
Duties received under Acts passed prior to the 18 Geo. 3, cap. 12.....	1397 18 9	} 2,697 18 9
Duties received under Acts passed subsequent to the 18 Geo. 3, cap. 12.....	1300 0 0	

Custom-House, St. John's,
26th January, 1836.

J. M. SPEARMAN,
Collector.

STATEMENT

Of Colonial Duties paid by the Collector of His Majesty's Customs into the hands of the Colonial Treasurer in the Year ended 5th January, instant.

DATE OF PAYMENT.	AMOUNT.	TOTAL	OBSERVATIONS.
April 25	1286 2 6		Of this Total 1214l. 18s 6d. was paid to the Treasurer on account of Bonds outstanding on the 5th January, 1835. The amount of Bonds now in the Chest on account of Duties on Goods imported in the Year ended 5th January, 1836, is 2,063l. 10s. 4d. sterling.
July 8	4395 2 2		
October 15	7460 16 6 ¹ / ₂		
January 9	5304 12 8 ³ / ₄		
February 6	178 19 9 ³ / ₄	£18,625 13 9	

Custom-House, St. John's,
6th February, 1836

J. M. SPEARMAN,
Collector.

AN ESTIMATE

Of the probable amount of Revenue for the Quarter ending 5th April next.

ITEMS OF RECEIPT.	AMOUNT.	TOTAL	OBSERVATIONS.
Saint John's, probable Receipts	£500		This account is exclusive of the Bonds which will become payable within the period estimated for.
Out-bays, expected Remittances	£300	£800	

Custom-House, Saint John's, }
6th February, 1836. }

J. M. SPEARMAN,
Collector.

STATEMENT

Shewing, in detail, the several sums disbursed during the Year ended 5th January, instant, on account of Reserved Salaries.

OFFICERS.	SALARIES.	REMARKS
His Excellency the Governor	3000 0 0	
His Honor the Chief Justice	1172 5 8	
Assistant Judge Desbarres	696 3 11	
Ditto ditto Brenton	665 17 11	
Acting Assistant Judge Lilly	65 12 6	
The Attorney General	450 0 0	
The Colonial Secretary	500 0 0	
Total	£6550 0 0	

Custom-House, Saint John's, }
26th January, 1836. }

J. M. SPEARMAN,
Collector.

Statement

Shewing, in detail, the several sums disbursed during the Year ended 5th January instant, on account of the salaries and allowances of the Officers of His Majesty's Customs.

OFFICERS NAMES.	STATION.	EMPLOYMENT	SALARY.
James M. Spearman.....	Saint John's	Collector	800 0 0
George Bayly.....	do.	Controller	700 0 0
George J. Hayward.....	do.	1st Waiter & Searcher	350 0 0
George Edward Blyth.....	do.	2nd do.	200 0 0
Edward F. Stewart.....	do.	1st Clerk	150 0 0
Thomas Read.....	do.	2nd do.	100 0 0
James Winter.....	do.	3rd do.	100 0 0
Samuel Prowse.....	do.	Extra do.	58 2 11
Richard Furneaux..	do.	Locker	60 0 0
John Todridge.....	do.	Extra do.	43 19 0
James Bayly.....	Harbor Grace	Sub-Collector	250 0 0
Robert Bayly.....	Trinity	do.	150 0 0
Andrew Pearce.....	Twillingate	do.	100 0 0
John L. McKie.....	Bay Bulls	do.	100 0 0
Robert Carter.....	Ferryland	do.	100 0 0
W. G. Bradshaw.....	Placentia	do.	100 0 0
Thomas E. Gaden.....	Little Bay	do.	100 0 0
Joshua Green.....	Port de Grave	do.	100 0 0
George King.....	Burin	do.	100 0 0
	Saint John's	Boatmen	140 0 0
	do.	Tide Waiters	214 1 4
		Total	£4,016 3 3

N. B. The above are the actual salaries paid for the several duties performed during the Year, but Messrs. Stewart and Prowse only received, the one £54 17s. 11d. and the other £25, the balance having been paid to Messrs. Winter and Blaikie, who performed the duties of the office previous to the former's arrival.

Custom-House, Saint John's, }
26th January, 1836. }

J. M. SPEARMAN,
Collector.

A RETURN

Of such additional Officers as have been appointed during the Year ended 5th January instant, for the more effectual collection of the Imperial Revenue, and of the salaries and allowances severally payable to the same

OFFICERS NAMES	EMPLOYMENT	STATIONS	SALARIES	BY WHAT AUTHORITY APPOINTED.
Samuel Prowse	Extra Clerk	St. John's	£100	Commissioners H. M. Customs.
John Todridge	Extra Locker	do.	20	do.

The Locker is allowed in addition to his fixed salary 3s. a day for every day employed.
Custom-House, Saint John's, }
26th January, 1836. }

J. M. SPEARMAN,
Collector.

A RETURN

Of Officers appointed during the year ended 5th January, instant, to assist in the collection of the Revenue, raised under Acts of the Colonial Legislature, and of the Salaries and allowances severally payable to the same.

Officers' Names.	Employment.	Stations.	Salary, &c.	By what authority appointed.
John R. M. Cooke....	Tide Surveyor	Saint John's	£ 150	His Excellency the Governor
Edward Lee Moore....	Landing Waiter	Do.	150	Do.
John Canning.....	Clerk	Do.	100	Do.
Lorenzo Moore.....	Preventive Officer	Carbonear	50	Do.
James M. Winter.....	Sub-Collector	Fogo	100	Do.
	Tide Waiters	Saint John's		Do.

The allowance to Tide Waiters is 4s. 4d. sterling, per diem, when employed

Custom-House, St. John's, }
25th January, 1836. }

J. M. SPEARMAN,
Collector.

STATEMENT

Shewing the several sums disbursed during the year ended 5th January, instant, on account of Salaries of Officers appointed to assist in the collection of the Duties levied under Acts of the Colonial Legislature.

Officers' Names.	Salaries, &c.	Remarks.
John R. M. Cooke.....	£100 2 9	This Account does not include Mr. Winter's salary (£25) as Sub-Collector at Fogo, nor Mr. L. Moore's, (£12 10s.) as Preventive Officer at Carbonear. The Returns from those places not having reached this Office.
Edward Lee Moore.....	100 2 9	
John Canning.....	66 15 2	
Lorenzo Moore.....	19 7 0	
James M. Winter.....	" " "	
Tide Waiters (day pay).....	97 5 8	

Custom-House, St. John's,
26th January, 1836

J. M. SPEARMAN,
Collector.

CORRESPONDENCE

WITH THE COLLECTOR OF THE CUSTOMS RELATIVE TO THE APPOINTMENT OF A SUB-COLLECTOR AT FOGO.

Custom-House, St. John's, Sep. 12, 1835.

SIR,—I have the honor to report, for the information of his Excellency the Governor, that an Officershould, with as little delay as possible, be appointed at Fogo, in order that all obstructions in the way of the Trade of that place may be removed, and that the local revenue may be properly protected.

On my arrival at Twillingate I endeavoured to procure a person duly qualified to fill the situation of Preventive Officer at Fogo, at £50 per annum, as authorized by His Excellency in your letter of the 4th ult., but no person, either there or at Fogo, would be induced to give his services for what I found was considered so very inadequate a remuneration.

When I afterwards visited Fogo, I was obliged to request Mr. Lawler, the Agent of Messrs. Thomas Slade & Co. to allow the Clerk in their Office to continue his services in the situation till a permanent arrangement could be made; to which request Mr. Lawler kindly acceded.

Under all these circumstances, and upon a full consideration of the localities, trade, &c. of Fogo, I am induced to recommend to His Excellency the appointment of a Sub-Collector at that place with a salary of £100 per annum, to be paid out of the duties received under local acts, and that a duly qualified person be sent from this to fill the office.

I have, &c.

(Signed)

J. M. SPEARMAN

Collector.

The Hon. Secretary Crowdy.

Secretary's Office, 14th September, 1835.

SIR,—In reply to your letter of the 12th inst., I am directed by the Governor to acquaint you that he approves of your suggestion that a Sub-Collector be appointed at Fogo, and his Excellency authorizes your offering the appointment to Mr. James M. Winter, at the same time acquainting him that he will be paid at the rate of £100 sterling per annum until the 31st of March next, from which time he will receive such salary as may be voted by the Legislature for the situation in question.

I have, &c.

(Signed)

JAMES CROWDY.

The Hon. the }
Collector of H. M. Customs. }

LETTER

FROM THE COLLECTOR OF THE CUSTOMS, RESPECTING THE PROVISION FOR TIDE WAITERS IN THAT DEPARTMENT.

Custom-House, 15th January, 1836.

SIR,—With reference to Mr. Secretary Crowdy's letter of the 1st June last, communicating to me the Governor's sanction to employ Tide Waiters for the protection of the Colonial Revenue, to the extent of One hundred pounds, and then to report to His Excellency, who will decide whether any further expenditure shall be incurred, I have the honor to state, for His Excellency's information, that, of the above mentioned sum, only One pound Five shillings remain in hand; and that I am apprehensive that, without further aid, the system of petty smuggling which heretofore prevailed will be again resorted to, to the detriment of the fair Trader and injury of the Revenue.

I have also to request that you will make known to His Excellency the fact that the Honorable the Commissioners of His Majesty's Customs have authorized the employment of Boat-men at this Port only during three quarters of the year, and that I consequently discharged the crew and laid up the boat for the season on the 5th Inst.

I wish to draw His Excellency's attention to these facts, because I think it a matter of serious consideration, having regard to the Revenue levied under the Acts of the Colonial Legislature, whether these services ought to be discontinued for a single day.

I have, &c.

(Signed)

JOSEPH TEMPLEMAN, Esq.
&c. &c. &c.

J. M. SPEARMAN,
Collector.

EXTRACT OF A LETTER

FROM MR. JOHN NICOLLE TO HIS EXCELLENCY THE GOVERNOR, DATED "JERSEYMAN'S HARBOR, FORTUNE BAY, OCT. 2, 1835.

"I need not describe to your Excellency the geographical situation of our establishment at La Poile—we are perfectly willing and ready to pay all duties; nevertheless you will think it hard upon us that we are now obliged to come and go a distance of forty-five leagues, along a most dangerous coast, in order to enter and clear out our Vessels and their cargoes here with Sub-Collector Gaden; may I therefore urge on your Excellency the necessity of appointing forthwith an Officer for La Poile."

DR. *The Colonial Treasurer in account with the Colony for the year ending* Cr. *31st March, 1836.*

<p>To Balance remaining in the Chest from last account as laid before the House of Assembly, for the year ending 31st March 1835, 11l. 0s 2d.</p> <p>— License Money received from Outports after the accounts were furnished,..... 51l. 4s 9d.</p> <p style="text-align: right;">62 4 11</p> <p>Deduct this sum amount of Warrant No. 176 for repairs of Court House at Harbor Grace, it having been paid during that year..... 6 4 2</p> <p style="text-align: right;">56 0 9</p> <p>Cash received from Collector of H. M. Customs during the year ending 31st March, 1836.</p> <p>Colonial Revenue..... 19950 6 8</p> <p>From do, do, Imperial Revenue.. 2697 18 9</p> <p>From Clerk of Peace, License Fund 965 12 8</p> <p>From the Acting Colonial Secretary for the fitting up of a Cholera Hospital..... 66 0 5</p> <hr/> <p style="text-align: right;">23735 19 3½</p>	<p>Amount paid under the following heads during the year ended 31st March, 1836.</p> <p>Salaries..... 3514 3 10</p> <p>Printing, Stationery..... 301 15 5</p> <p>Civil and Criminal Prosecutions..... 838 0 0</p> <p>Gaol Repairs and Expenses..... 1018 16 8</p> <p>Coroner's Bills..... 132 10 7</p> <p>Fuel and Light..... 156 17 3</p> <p>Postages and Incidentals..... 112 18 3</p> <p>Government Buildings..... 249 19 7</p> <p>Circuit Courts..... 371 1 8</p> <p>Constable attending Convicts..... 68 16 0</p> <p>Roads and Bridges..... 1245 0 0</p> <p>Compensations..... 197 13 2</p> <p>Standard Weights and Measures..... 100 0 0</p> <p>Support of the Poor..... 851 16 6</p> <p>Library..... 100 0 0</p> <p>Vote of Credit..... 70 7 3</p> <p>Legislative Contingences..... 1253 11 11</p> <p>Treasury Bills..... 4450 0 0</p> <p>Interest of Treasury Bills..... 119 13 6½</p> <p>Prevention of Small Pox..... 500 0 0</p> <p>Balance carried to account..... 8082 17 7½</p> <hr/> <p style="text-align: right;">£23735 19 3½</p>
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The following Items are yet to be paid, Warrants not having been issued for them.

Roads and Bridges—Balance of sum voted	845 0 0
Fuel and Light	43 2 9
Salary of the Constable at Lamaline	10 0 0
Do. of Do. at Trinity	25 0 0
Do. of Do. at Twillingate and Pogo	35 0 0
1 Treasury Bill	100 0 0
	1058 2 9

E. E.

St. John's, Newfoundland, }
September 18, 1836. }

NEWMAN W. HOYLES,
Treasurer.

ACCOUNT
OF MONIES RECEIVED FROM THE CLERK OF THE PEACE,
FOR
Licenses, Fines, &c. &c.

1835.		£	s.	d.
Oct. 13.	By Cash for Licenses.....	314	12	0
Dec. 28.	Do. do.....	411	13	4
1836.				
Jan. 2.	Do. for Fines per account herewith.....	2	17	6
	Less 15s., half amount of two paid the Prosecutor.....	15	0	0
		2	2	6
		£754	7	10

January 26, 1836.

NEWMAN W. HOYLES,
Treasurer.

DOCUMENTS

RELATING TO THE REVENUE AND EXPENDITURE.

ESTIMATE

OF THE CHARGE OF DEFRAYING THE PUBLIC EXPENDITURE OF THE COLONY OF NEW-
FOUNDLAND, IN THE YEAR ENDING THE 31ST DAY OF MARCH, 1837.EIGHT THOUSAND SIX HUNDRED AND FIFTY-EIGHT POUNDS
SIXTEEN SHILLINGS AND TEN PENCE STERLING.Proposed distribution of the above Sum of £8658 16 10, for the service of the
Year 1836-7.

Salary of the Clerk of the Council.....	200	0	0	
_____ 2 Clerks in the Secretary's Office.....	400	0	0	
_____ Office Keeper of ditto.....	60	0	0	
_____ Messenger ditto.....	45	0	0	
_____ Clerk of the Supreme Court.....	300	0	0	(a)
_____ Northern Circuit Court.....	200	0	0	
_____ Southern Circuit Court.....	100	0	0	
_____ Crier and Tipstaff.....	60	0	0	
_____ Gaoler (St. John's).....	36	0	0	(b)
_____ 2 Police Magistrates ditto.....	500	0	0	
_____ 6 ditto Constables ditto.....	200	0	0	
_____ Magistrates, Gaoler, Clerk of the Peace and Con- stables in the Out Ports (as per detail annexed)..	840	0	0	
_____ Colonial Treasurer.....	330	0	0	
_____ Additional Officers of the Colonial Revenue.....	800	0	0	
_____ Superintendent of Convicts (at hard labour).....	50	0	0	
				4121 0 0
To defray the Attorney General's Fees.....	250	0	0	
Pension of William Armstrong.....	50	0	0	
				300 0 0
				Carried forward <u>£4421 0 0</u>

NOTES

(a) Although this Salary is provided for by a Special Act of the Legislature it is included here.

(b) The Governor would recommend a more competent Salary to be allowed to the Gaoler—and that he should not in future derive any advantage from Fees, or the Dietry of Prisoners

	Brought forward	£4421	0	0
To defray expenses of Printing, Stationery, &c.....	300	0	0	
————— Civil and Criminal Prosecutions.....	600	0	0	
————— Gaols.....	700	0	0	
————— Coroners.....	120	0	0	
————— Fuel and Light.....	200	0	0	
————— Ordinary repairs of Court Houses and Jails.....	100	0	0	
————— Postages & other Incidentals.....	100	0	0	
		2120	0	0
————— Relief of the Poor.....	600	0	0	
————— Opening, making and repairing Roads and repairs of Bridges.....	"	"	"	(c)
————— Conveyance of the Judges on Circuit....	460	0	0	
		1060	0	0
Balance due the late Sheriff (Buchan) on his accounts for the quarter ending 31st March, 1835, as per statement herewith (A)			74	12 5
Hire of Office for the Clerk of the Southern Circuit Court, for 2 years ending 31st March last, (omitted in Estimate for last year) (vide Paper B.).....	24	0	0	
Ditto for the year ending 31st March next.....	12	0	0	
		36	0	0
Expense of firing Fog Guns, from 1st July, 1834, to the 30th June, 1835, (vide Paper C.).....	177	4	5	
Ditto from 1st July, 1835, to the 31st March, 1837.....	270	0	0	(d)
		447	4	5
Unforeseen Contingencies.....		500	0	0
		£8658	16	10

(c) This Item left open for the consideration of the Legislature.

(d) The Ordnance account of this Item rendered only to the 30th June, 1835—and herewith sent (marked C.)

DETAIL OF SALARIES AND ALLOWANCES TO MAGISTRATES, CLERK OF PEACE, AND GAOLERS AND CONSTABLES IN THE UNDERMENTIONED OUT-PORTS.

OUT-PORTS.	Magistrates	Clerk of Peace.	CONSTABLES.		Gaolers.	Total
			No.	Allowance.		
Harbor Grace.....	£120	£50	3	£70	£30	£270
Carbonear.....	90	..	2	40	..	130
Port-de-Grave & Brigus.....	90	..	2	36	..	126
Western Bay and Harbor Main.....	..	..	2	24	..	24
South Shore and Cats Cove.....	..	..	2	20	..	20
Burin and Lameline.....	..	..	2	20	20	40
Placentia.....	..	..	1	10	20	30
Ferryland.....	..	..	1	10	20	30
Bay Bulls.....	..	..	1	10	..	10
Trinity.....	..	..	2	25	20	45
Bonavista.....	..	..	2	25	..	25
Greenspond.....	..	..	1	15	..	15
Twillingate.....	..	..	3	35	..	35
Trepassey and St. Mary's.....	..	..	2	20	..	20
Fortune Bay.....	..	..	2	20	..	20
						£840

[A]
AN ACCOUNT

Of disbursements by the High Sheriff under the authority of his Excellency the Governor, the Hon. the Judges and Magistrates, for the Quarter ending the 31st March, 1835.

GAOL EXPENSES.

1835.

June 16.	To Richard Perchard, prisoners' diet.....	62	4	10	
	-----ditto----- Gaol Contingencies.....	13	13	5	
	“ Elizabeth Sinnott, Gaol washing.....	6	18	8	
	“ John Phelan, Gaol Barber.....	3	0	0	
	“ Samuel Prowse, diet of prisoners.....	10	14	8	
	“ Nicholas Stabb, Deputy Sheriff, N. D.....	47	5	0	
	“ Benjamin Sweetland, ditto S. D.....	7	3	10	
					151 0 5

CIVIL and CRIMINAL PROSECUTIONS.

March 31.	To David Buchan, Sheriff.....	4	19	0	
June 16.	“ William Davidson, services performed.....	1	14	8	
	-----ditto-----ditto.....		17	4	
17.	“ Richard Sullivan, ditto.....	5	14	10	
	“ Nicholas Stabb, Deputy Sheriff, N. D.....	5	5	0	
	“ Benjamin Sweetland do. S. D.....	14	19	6	
					33 10 4

FUEL and LIGHT.

March 31.	To Benjamin G. Garrett, Clerk Southern District....	4	10	0	
June 16.	“ Perchard & Boag, candles, &c.....	18	9	2	
	“ Nicholas Stabb, Deputy Sheriff, N. D.....	6	10	0	
	“ Benjamin Sweetland, ditto, S. D.....	1	7	6	
					30 16 8

REPAIRS of COURT HOUSE.

June 16.	To Nicholas Stabb, Deputy Sheriff, N. D.....				6 4 2
----------	--	--	--	--	-------

Stationery and Printing.

	“ Henry Winton, Stationer.....	16	5	1	
	“ John Ryan, Printer.....	2	5	0	
					19 10 1

Postages of Public Dispatches.

	To Andrew Drysdale—postages.....	3	1	10	
	“ Perchard & Boag, ditto.....	2	2	0	
	“ Nicholas Stabb, Deputy Sheriff, N. D.....	2	6	4	
	“ Benjamin Sweetland, do. S. D.....	18	10	0	
					8 9 0

£249 10 8

Cash from the Colonial Treasurer by sundry warrants from his Excellency the Governor.....	£183 15 11
Balance due Sheriff.....	65 14 9

£249 10 8

Balance brought down.. 65 14 9
31st Dec.—Balance..... 8 17 7½

£74 12 4½ Due the Sheriff upon these accounts, the votes of the House of Assembly having been expended:

31st March, 1835.

D. BUCHAN, *Sheriff.*

[B]

LETTER

From the Clerk of the Southern Circuit Court relative to his allowance for the hire of an Office.

St. John's, 31st December, 1835.

SIR,—I beg leave to enclose, for his Excellency's approval, a duplicate of my usual annual account for Office Rent, the original of which was forwarded to Government House shortly after it became due, when I was informed by Mr. Crowdy that owing to an omission this sum had not been estimated for, but that he would see out of what fund it could be paid. As this is a sum which has been granted me since my first appointment, to provide a private office in Ferryland for the Records of the Southern District, and not any new charge, I hope his Excellency will be pleased to order its liquidation.

I have, &c.

Joseph Templeman, Esq.
Acting Secretary.

(Signed) **B. G. GARRETT,**
CLERK & REGISTRAR, SOUTHERN CIRCUIT COURT.

[C]

CORRESPONDENCE

WITH THE ORDNANCE DEPARTMENT RELATIVE TO THE EXPENSE ATTENDING FOG GUNS, UP TO 30TH JUNE, 1835.

*Office of Ordnance, Newfoundland, }
27th July, 1835. }*

SIR,—We have the honor to transmit, for the information of his Excellency the Governor, a Return shewing the quantity of Gunpowder, Paper Cartridges, Quill Tubes and Wads, expended in firing Fog Guns at this station, between the 1st January, and the 30th June, 1835, and to request his Excellency may be pleased to direct that the sum of £101 8s. 7d. sterling, be paid to the Deputy Ordnance Storekeeper, according to the arrangements made by the Master General and Board of Ordnance, as communicated to the respective Officers by their orders of the 20th June, 1834, ¹⁴⁹⁷, and 24th September, 1834, ¹⁷⁸³.

We have, &c. (Signed)

J. OLDFIELD,
Lt. Col. Com. Rl. Engineers.
GEO. B. FRASER,
Capt. Com. Royal Artillery.
GEO. WINTER,
Dy. Ordnance Storekeeper.

James Crowdy, Esq.
&c. &c. &c.

Secretary's Office, 3rd August, 1835.

GENTLEMEN,—In reply to your letter of the 27th ult., transmitting a return of the quantity of powder, &c. expended in firing Fog Guns during the half year ending the 30th June last, I am directed to acquaint you that as the fund from which it was contemplated this charge would be defrayed is quite inadequate to its discharge, the Governor will, on the meeting of the Legislature, bring it again under their consideration:

I have, &c.

Officers of Ordnance.

(Signed) **JAMES CROWDY,**
Secretary

Office of Ordnance, Newfoundland,
17th Aug., 1835.

SIR,—We beg to acquaint you, for the information of the Governor, that we have received a Letter from the Colonial Treasurer, under date of the 12th inst., wherein he states his inability to honor his Excellency's Warrant for £74 15s. 10d., the amount charged to the colony for the firing of Fog Guns, for the half year ending the 31st December, 1834, and to request to be favored with his Excellency's commands upon the subject before reporting the circumstances to the Board of Ordnance.

We have, &c. (Signed) **J. OLDFIELD,**
Lt. Col. Com. Rl. Engineers.
GEO. B. FRASER,
Capt. Com. Royal Artillery.
GEO. WINTER,
Dy. Ordnance Storekeeper.

James Crowdy, Esq.
&c. &c. &c.

Secretary's Office, 18th August, 1835.

GENTLEMEN,—In reply to your letter of yesterday, I am directed to acquaint you that on the meeting of the Legislature the Governor will transmit to them a recommendation to make provision for the expense incurred in firing Fog Guns for the half year ending 31st December last, but until that period his Excellency has no fund from which to defray it.

I have, &c.

Respective Officers
of the Board of Ordnance.

(Signed) **JAMES CROWDY,**
Secretary.

ARTILLERY OFFICE, NEWFOUNDLAND,
1st July, 1835.

DETAILED ACCOUNT

Of Ammunition, &c. expended in firing Fog Guns at Newfoundland between 1st January, and 30th June, 1835.

EXTRACTED FROM THE BOOK OF EXPENDITURE KEPT BY MAJOR BRERETON'S COMPANY.

	No. of Rounds, 12 lbs. each.	Gunpowder, lbs.	Paper Cartridges	Quill Tubes
January, 1835.	24	288	24	24
February, "	20	240	20	21
March, "	19	228	19	19
April, "	68	816	68	68
May, "	44	528	44	45
June, "	34	408	34	34
Total	209	2508	209	211
VALUATION, viz.—				
Gunpowder	2508 lbs.	8d.	£83 12 0	
Paper Cartridges	209	4 $\frac{3}{4}$	4 2 8 $\frac{3}{4}$	
Quill Tubes	211	44s. per ton..	9 3 $\frac{1}{4}$	
			£88 4 0	
		15 per cent	13 4 7	
			Total £101 8 7	

(Signed) **GEO. WINTER,**
Dy. Ordnance Storekeeper.

OFFICE OF ORDNANCE, NEWFLD.,
22nd January, 1836.

STATEMENT

Of the expense of firing Fog Guns at this station, from 1st July, 1834, to 31st Dec., 1835.

From 1st July to 31st December, 1834..... £74 18 11

This sum has been assessed by the Board of Ordnance on the quantity of ammunition expended.

From 1st January, to 31st December, 1835.

4740 Lbs. Powder..... at 8d. per lb. 158 0 0
395 Paper Cartridges..... at 4 $\frac{3}{4}$ d. each. 7 16 4 $\frac{1}{4}$
372 Quill Tubes..... at 44s pr 1000 16 4 $\frac{1}{4}$

166 12 8 $\frac{1}{2}$

Add 15 per cent..... 24 19 10 $\frac{3}{4}$

191 12 7 $\frac{1}{4}$

This quantity of ammunition has been actually expended, the value is charged, agreeably to the last assessment of the Board of Ordnance.

Fixing a Lock on Gun..... 1 0 7

Total..... 267 12 1 $\frac{1}{4}$

A. WALKER,
Captain, Royal Engineers.
GEO. B. FRASER,
Cap. Com, Royal Artillery.
GEO. WINTER,
Deputy Ordnance Storekeeper.

OFFICE OF ORDNANCE, NEWFLD.
22nd January, 1836.

ESTIMATE

Of the expense of firing Fog Guns at this station, from 1st Jan. to 31st March, 1836.

756 Lbs. Powder..... at 8d. per lb. £25 4 0
63 Paper Cartridges..... at 4 $\frac{3}{4}$ d. each. 1 4 11 $\frac{1}{4}$
63 Quill Tubes..... at 44s pr 1000 2 9 $\frac{1}{4}$

£26 11 8 $\frac{1}{2}$

Add 15 per cent 3 19 9

Total..... £30 11 5 $\frac{1}{2}$

Transcript of the ammunition expended in March Quarter, 1835.

A. WALKER,
Cap: Royal Engineers.
GEO. B. FRASER,
Cap. Com. Royal Artillery.
GEO. WINTER,
Dy. Ordnance Storekeeper.

FINANCIAL STATEMENT

Shewing the sums voted for Contingencies in the year ending 31st March, 1836—the amount expended under the several heads in the three Quarters ending 31st December, 1835—the probable amount required for the present quarter—the Excess (if any) of expenditure—and the Estimated charge for the ensuing year.

HEADS OF EXPENDITURE.	Amount voted for the year.	Amount of accots. rendered and paid in the three Quarters.	Probable amount required for the present Quarter.	Excess of Ex- pense (if any).	Estimated charge for 1836-7.
Printing, advertising, stationery, &c.	300	111 1 2	188 18 10	.. .. ..	300
Civil and Criminal Prosecutions...	500	611 16 6	60 0 0	171 16 6	600
Gaol Expenses.....	550	679 0 10	136 0 0	265 0 10	700
Coroners accounts.....	100	81 0 0	40 0 0	21 0 0	120
Fuel and Light.....	200	149 4 8	50 16 4	.. .. ..	200
Postages and other Incidentals.....	80	58 17 5	41 2 7	20 0 0	100
Repairs of Court Houses and Gaols.	100	76 9 9	23 10 3	.. .. ..	100
Conveyance of the Judges on Circuit	230	326 19 11	.. .. ..	96 19 11	460
Relief of the Poor.....	500	474 6 4	145 13 8	120 0 0	600
Unforeseen Contingencies.....	500	39 18 11	.. .. ..	.. .. ..	500
Roads and Bridges..	1640	853 14 0	.. .. ..	.. .. ..	..
Vote for laying out lines of Road....	450	205 0 0	245 0 0	.. .. ..	..

DETAILED STATEMENT

OF THE EXPENDITURE AND APPROPRIATION OF THE SUM OF £500, VOTED DURING THE LAST SESSION OF THE LEGISLATURE FOR " UNFORESEEN CONTINGENCIES."

Pursuant to an Address of the Honorable the House of Assembly dated 15th January, 1836.

Paid for cutting down the Trees on the sides of the Road between Harbor Grace and Carbonear (<i>vide Paper A.</i>).....	19 18 11
Paid H. Stabb (Surgeon) for Vaccinating poor people at Kelly-grews, Topsail, &c. (<i>B</i>).....	20 0 0
	39 18 11
Remains unappropriated.....	460 1 1
	£500 0 0

Secretary's Office, }
19th January 1836. }

[A]

INSTRUCTIONS TO THE MAGISTRATES AT HARBOR GRACE FOR THE CUTTING DOWN OF
THE TREES ON THE SIDES OF THE ROAD FROM THAT PLACE TO CARBONEAR.

Secretary's Office, 1st June, 1835.

GENTLEMEN,—It having been represented to the Governor that it is very desirable that the Wood on each side of the Road from Harbor Grace to Carbonear shall be cut down to the extent of at least 50 yards from the centre in order to prevent the recurrence of such atrocious attacks as that made on Mr. Winton, I am directed by his Excellency to request you will have this service performed in the most economical manner and with the least possible delay, and on your transmitting to me a certified statement of the expense incurred the amount will be immediately paid.

I am, &c.
(Signed)

JAS. CROWDY,
Secretary.

The Magistrates
Harbor Grace.

[B]

MEDICAL REPORT

OF MR. H. STABB (SURGEON) RELATIVE TO THE SMALL POX AT KELLIGREWS, &c.

On the 6th October I proceeded to Kelligrews and visited professionally Edward Nugent, whom I found labouring under confluent Small Pox, the disease had been in progress seven days.—The symptoms being all severe at this time, continued much the same till the ninth day, when the usual exacerbation took place, and from that day until the eighteenth the disease increased in severity, the patient suffering extreme prostration of strength and depression of mind; on the *evening* of that day, a favorable change took place, and thenceforward the Patient continued to improve rapidly, so that I was enabled to pronounce him out of danger, with every chance of recovery on the 21st inst.

The residence of this man is separate from all others, and as far as can be known, no communication has taken place between the Inmates and the Inhabitants of Kelligrews—no *Chloride of Lime* being procurable, I have left a sufficient quantity of Sulphuric Acid with the Nurses of Edward Nugent, to decompose a pound of Salt; this chemical process, being the best substitute, for disinfecting the Chamber, Clothes, &c. I have also directed them to wash the walls with Lime, after the recovery of the sick.—There is only one other case, of *modified* Small Pox, the Patient being Wife of Edward Nugent—she was vaccinated some years since—I have supplied her Nurses with Medicine for her use, with directions to inform me as often as possible of the progress of the disease; which I do not apprehend will be at all dangerous, from the apparent mildness of the attack.

The intervals of my visits to Edward Nugent were occupied in visiting the Inhabitants of Lance Cove, Upper and Lower Gullies, Kelligrews, Middle Bight, Fox Trap, Long Pond, Emanuels, Chamberlains, and Topsail. In these different places I vaccinated 187 Children and 70 Adults, whose names are in this Report.

I may add, that the Inhabitants of the South Shore of Conception Bay, when I first visited them, were in great consternation from fear of the virulent disease that had appeared amongst them; and their gratitude to his Excellency the Governor, for the Medical assistance afforded them, was proportionate.

(Signed)

HENRY H. STABB.
Surgeon.

St. John's, 24th October, 1835.

Miscellaneous Documents.

REPORT

Of Commander HOPE, (H. M. Sloop "Racer") relative to the intrusions of the French Fishermen on the Fisheries in Fortune Bay.

H. M. S. RACER, St. John's,
6th August, 1835.

SIR,—As it will be my duty to report to the Commander-in-Chief that I deem it essentially necessary for the effectual protection of the English Fishery in the neighbourhood of St. Pierres, that His Majesty's Ship ordered on that service should be supplied with extra boats, and that houses should be provided on the coast for the shelter of her boats' crews during bad weather. I take the opportunity of acquainting your Excellency therewith, in order that you may be prepared to meet the wishes of the Commander-in-Chief upon this head, and I further beg leave to add a short statement of the grounds upon which the above report will be founded, in order that your Excellency may be enabled to take this subject into your consideration without delay.

To prevent the depredations committed in the neighbourhood of the Burgeo Islands, an officer and ten men will suffice, and they should be provided with house-room ashore, to enable the ship to proceed at once to Lameline. An officer and ten men will be sufficient for the service at Lameline, except during the caplin season; but as this service will last from the beginning of May to the end of September, a house should be provided for them there.

From the 7th May—by which time the ship will have completed her arrangements at Lameline and Burgeo—to the 20th June, the ship will be disposable for any service when the protection of the caplin will require her return to Lameline.

The following is a statement of the boats, &c., required for this service, which will last to the 1st of August :—

At Lameline—A four-oared whale boat, to cruise between Lameline and Point May.

N. B. As this station would not require to be very closely watched, the boat would frequently be available for the season.

At Point May Pond—A four-oared whale boat to cruise between Point May Pond and Dantzic Point, having a station house on shore.

At Dantzic Cove—A four-oared whale boat, to cruise between Dantzic Point and Grand Bank, having a station house on shore.

At Grand Bank—A four-oared whale boat, to cruise between Grand Bank and Little Garnish, having the accommodation of house room on shore during the caplin season.

N. B. This station is important to prevent the sale of caplin by British subjects, but not so much so, with reference to the French.

At Lameline—A ship's cutter, to cruise between Lameline and St. Lawrence.

N. B. This station is not very important—the cutter would, therefore, occasionally assist the pinnace.

At St. Lawrence—A pinnace, to cruise between St. Lawrence and Cape Freills, having the accommodation of house room during the caplin season.

N. B. Including St. Mary's and Placentia Bays, very important.

At Lameline—A gig, to secure the necessary communication between the superintendents of the stations,—and jolly boat for ship's use.

The station houses should consist of a room sufficient to hold ten men, with a fire-place and cupboard for provisions, and require to be built, (in which the ship's artificers would assist.) The house at Lameline of two rooms, one for the officers, and one for the men, with a fire-place and a loft for the latter to sleep in, similar to that which they at present occupy, and which I have no doubt the owner would willingly permit to be occupied in future. The house room wanted at Grand Bank and St. Lawrence, might easily be procured at a trifling expense, and I should suppose the same would be the case at the Burgeo Islands, during the period of about three weeks that it would be required.

The number of boats required to be provided during the Caplin Season are four, and it would be advisable to keep two at Lameline during the whole of the fishing season for the use of the party stationed there, to obviate the necessity of the Ship being deprived of her boats when engaged on other service.

I beg further to represent to your Excellency, the inconvenience which will arise to the service (in consequence of the distance from Lameline at which the nearest Collector of the Customs resides) in the event of a strict adherence to the mode of proceeding, prescribed by Law, relative to the detained boats being required: and, I should propose, as a remedy, that the officer in command of the party stationed at Lameline, should receive an appointment as Sub-Collector of the Customs during his residence there.

I request your Excellency will obtain a legal opinion as to the practicability of carrying on the legal process necessary for the condemnation of detained boats, by way of affidavit, and that some arrangement may be entered into relative to their disposal when condemned—to obviate the necessity of their being brought to St. John's, a service upon which I should not recommend the employment of his Majesty's Ships.

The above in an outline of the plan which I shall propose to the Commander-in-Chief, in order to the effectual execution of instructions similar to those which I received this year. Should they meet with his approbation, and, ultimately, with the sanction of your Excellency, it will, then, not be difficult to arrange the details.

I beg leave to call your Excellency's attention to a new evil which has arisen during the late Caplin season not contemplated by the Law, and to the suppression of which its present state is wholly inadequate. I allude to the traffic in Caplin by English subjects; and I am prepared to prove to your Excellency, if required so to do, that although this year it considerably benefitted the fishermen and others, inhabitants of Fortune Bay, to be engaged in it, it is probable that the same advantage would not accrue to them next year—certain that it would not do so in subsequent years, and no less certain that, ultimately, it would destroy their fishing altogether.

I have to acquaint your Excellency, that, in accordance with the views stated, I have left Lieut. Wellington with an Officer and ten Men at Lameline; and as it is my intention that he should remain there till the close of the fishing season, I beg your Excellency will authorize me to defray, on the part of the Colonial Government, the trifling expense which will be incurred in housing his party; and will give him an appointment as Sub-Collector of the Customs, and a Commission of the peace.

I have, &c.

(Signed)

J. HOPE,
Commander.

To His Excellency Capt. }
Prescott, C. B. Governor. }

EXTRACT OF A LETTER FROM HIS EXCELLENCY THE GOVERNOR TO CAPT. HOPE OF
H. M. S. RACER, DATED 11TH AUGUST, 1835, IN REPLY TO THE FOREGOING.

“I have the honor to acknowledge the receipt of your letter of the 8th inst., and to state in reply, that, on the meeting of the Colonial Legislature, I will recommend to their consideration your proposed plan for the future protection of the Fishery on the Southern Shore; and as boats can be hired, and accommodation obtained on the spot indicated, I doubt not that the necessary funds will be provided.—In the mean time, I shall be prepared to defray the expense of lodging Lieut. Wellington and his people for the present season.”

Address

OF THE GRAND JURY AT ST. JOHN'S ON THE STATE OF THE HOSPITAL, WITH THE
GOVERNOR'S REPLY.

The Grand Jury having made particular enquiry into the state of the Newfoundland Hospital, find

That the original principle upon which the Hospital was founded in the year 1813 has for the want of funds been wholly departed from, and that it has for several years past assumed the character of a Boarding House rather than that of a Public Hospital.

On enquiry into the state of the various Wards now in use they are found to be perfectly clean, but so very cold that the health of the persons occupying them is frequently endangered.

The apartments allotted to the Lunatics are very unsuitable, being so near to the sick Wards that the lives of the Patients have been frequently endangered from the disturbances they are subject to ; and from the total want of fires, and the open state of the building, it is only wonderful that these poor creatures have not been frozen in their beds.

Under the circumstances above stated, the Grand Jury beg to call the attention of his Excellency the Governor to the miserable state of this once useful institution, and strongly recommend that his Excellency will be pleased to take the whole under his care, and to provide such stoves, fuel and bedding as he shall think necessary to protect it during the present inclement season, so that this important institution may not be permitted to fall into decay.

(Signed)

ROBERT JOB,
Foreman of the Grand Jury.

Grand Jury Room,
St. John's, Newfoundland, }
28th December, 1835 }

It is my intention to propose to the Legislature on its meeting, the conversion of the Hospital into a public institution.

In the mean time I will take upon me to direct that to be done which you represent as essentially necessary to the comfort, and even to the existence of the Patients. I am well aware of the unsuitable accommodation of the Lunatics ; but this is an evil which, I fear, cannot at present be remedied.

COPY OF SECRETARY OF STATE'S AUTHORITY

*For granting the Land on " Church Hill" for a Market Place, and of the application
of the Lessees reclaiming the Property.*

TO HIS EXCELLENCY HENRY PRESCOTT, ESQ.
C. B. GOVERNOR, &C. &C. &C.

THE MEMORIAL

OF GEORGE RICHARD ROBINSON AND THOMAS HOLDSWORTH BROOKING,

Humbly sheweth,—

That your memorialists for a period of many years held under lease from his Majesty's Government a certain ships room situated on the western part of the Church Hill in this town, and known by the name of " Church Hill Ships' Room," for which said

piece of ground your memorialists paid a Crown Rent of Sixty Pounds, sterling, per annum. That on the morning of the 11th January, 1831, the said ground was laid bare in consequence of a fire which accidentally broke out upon the premises, by which event your Excellency's memorialists suffered much pecuniary loss. That your memorialists being applied to by a considerable number of the respectable inhabitants of the town, were induced to surrender up their lease to Government under the express understanding with the late Governor Sir Thomas John Cochrane, that the said ground should be devoted to public purposes in the erection of a town Market House. That various difficulties have from time to time arisen to prevent the erection of the contemplated building; and a period of four years having now elapsed without the slightest prospect of the undertaking being commenced, your memorialists respectfully pray that your Excellency will be pleased to direct a fresh grant of the said ground to be made in their favour, that they may proceed to appropriate the same to some useful purpose, and respectfully beg to suggest to your Excellency that as they have sustained such serious loss from the destruction of their former premises by fire, and have also been deprived of the benefit which the ground in question would have yielded them for the past four years, had they not made such conditional surrender thereof to the public, it will be but equitable that the renewed rent should not commence until a protracted period in the present year. And your memorialists as in duty bound will ever pray.

(Signed)

GEORGE RICHARD ROBINSON,

THOMAS H. BROOKING,

By their Attorney,

WM. J. HERVEY.

St. John's, Newfoundland,
28th January, 1835.

APPLICATION

OF THE LESSEES OF GROUND ON "CHURCH HILL" (INTENDED FOR THE CONSTRUCTION OF A MARKET PLACE) RECLAIMING THE PROPERTY.

St. John's, Newfoundland, October 9, 1835.

SIR,—I have the honor to acquaint you for the information of his Excellency the Governor, that in the year 1831, when the Inhabitants of the Town had expressed a general wish to erect a Market House upon the Church Hill Ships Room, which had recently before been uncovered by fire, and his Honor Mr. President Tucker, then administering the Government, concurring in the design with a view to promote the comfort and convenience of the public, an arrangement was made for the surrender by Mr. Robinson and myself, of the lease we held of the greater part of the Church Hill, for the express purpose contemplated, and with the understanding, that, in the event of the ground not being used for a Market House, it should revert to the lessees.

Now, as four years have nearly elapsed since I made the conditional surrender, and no appearance of a Market House being about to be built on the Church Hill Ship's Room, I deem it right to notify the Government that if the ground so conditionally surrendered be not used for a Market House before the 10th of June next, I shall then reclaim the lease and possession of the premises.

I have, &c.
(Signed)

THOS: H. BROOKING.

*Downing-Street, London, }
26th February, 1832. }*

SIR,—I have the honor to acknowledge the receipt of your despatch of the 27th December last, enclosing an application which has been addressed to you by a committee of the Inhabitants of St. John's, Newfoundland, relative to a portion of Ground upon Church Hill upon which they are desirous that His Majesty's Government would authorize the erection of a Market Place—I have to acquaint you, in reply, that I feel at all times most ready to sanction any arrangement which can, consistently with the interests of the public, be made conducive to the comfort of the Inhabitants of St. John's, and having referred this application to the Governor of Newfoundland I am glad to have received from him a recommendation that this application should be complied with; you will, therefore, feel yourself authorized to take the necessary measures for appropriating the portion of Ground in question to the purposes of a Market Place.

I have, &c.
(Signed)

GODERICH.

Mr. President Tucker,
&c. &c. &c.

LETTER FROM THE COMMISSIONERS OF LIGHT HOUSES AT HARBOR GRACE FOR THE
SUM OF £1000 IN ADDITION TO THE AMOUNT ALREADY PROVIDED FOR BY THE
LEGISLATURE.

Harbor Grace, 5th January, 1836.

SIR,—We beg leave to acquaint you for the information of his Excellency the Governor, that the Light House erected on Harbor Grace Island under the authority of an Act of the Colonial Legislature of this Island, bearing date the 8th of May, 1835, intituled "An Act for the Establishment of a Light House on Harbor Grace Island," is in a state of forwardness, and, should the weather prove favorable, will be in a few weeks completed by the Contractor.

That we are exceedingly anxious the apparatus should be ordered as early as possible.

That the extensive trade carried on from the various Harbours in Conception Bay, by means of shipping, may have the advantages which a light placed in so desirable a situation must at all times afford, and thereby prevent loss of life and property.

That to enable us to afford satisfaction to so extensive a class of individuals, as the seafaring population of the said Bay, and persons engaged in commercial pursuits in the respective Ports to which shipping resort, we are convinced that it will be necessary to place on the said Island a light of considerable powers, and would most respectfully suggest, for the consideration of his Excellency, that the whole compass, as a circle, be lit by Lenses, to effect which we conceive that in addition to the sum of One thousand pounds sterling, already voted by the said Act of the Legislature, a further sum of One thousand pounds sterling will be required.

We have, &c.
(Signed)

W. STERLING,
JAMES BAYLEY,
THOS. CHANCEY, } *Commissioners.*
THOS. RIDLEY,
WILLIAM PUNTON, }

To Joseph Templeman, Esq.
Acting Secretary, &c. &c. &c.

Presentment of Grand Jury at Harbor Grace of alterations necessary to be made in the Fence round the Gaol Yard.

In the Grand Inquest of our Sovereign Lord the King for the Northern District of the Island of Newfoundland—

That the Gaol Yard round the Court House and Gaol of Harbor Grace is, positively, in its present state, quite insecure to permit prisoners to take an airing there with safety—and for the want of which these unfortunate beings must suffer in their health.

The Grand Jury, therefore, think this to be a great nuisance, and recommend, for the consideration of the Executive, to have a good and substantial stone wall substituted for the board fence now in existence.

(Signed)

For self and fellow Jurors,
ROBERT PACK, *Foreman.*

Court House, Harbor Grace,
May 18, 1835.

Extract from a Presentment of the Grand Jury at Harbor Grace, dated 28th November, 1835.

“That the town of Carbonear is supposed to contain a population of more than three thousand persons—besides being a place of large trade and the resort of ships and vessels—but the Magistrates have no place there to lock up prisoners for the night previous to their being brought to Harbor Grace Gaol to stand their trial, which is a great evil and injurious to the society at that place; therefore the Grand Jury recommend to the Government to cause a small prison or lock-up house to be erected at some suitable place at Carbonear, and a Sessions Room to be connected with it.”

Port de Grave, 31st August, 1835.

SIR,—We beg leave to state to you, for the information of his Excellency the Governor, that on the 13th inst. we held under the Governor's Proclamation the first Court of General Quarter Sessions of the Peace ever formed above Harbor Grace in this Bay: we had very respectable Grand and Petty Juries; and some judicious presentments were made. The establishment of the Court here appears to give great satisfaction to the people generally, and we think it will work well, and be practically very useful. There is, however, one thing wanting to complete its respectability and utility, and that is, a Court House. On the late occasion, we made a bad shift with a store, and we may be able to manage in the same inconvenient way until a Court House can be built; but it is clear that so indispensable an appendage to a Court, as a suitable building to hold it in, is an object most necessary and desirable. We have, in anticipation, taken possession of a piece of waste ground which we think is eligible for the site of a Court House, and we believe that a neat and commodious wooden building could be erected at an expense of from two to three hundred pounds—at any rate not exceeding the latter sum, when fully completed; and we have drawn a plan of a building, which we think would answer the purpose very well; it would not, on this plan, be any thing too large, for we feel assured that the business of the Court here, will, from the natural increase of the population of the neighbourhood, progressively accumulate, and while it is building it would be advisable to erect an edifice sufficiently spacious to meet the growing requirements of the community.

We enclose our plan of the projected building, and beg you will be pleased to lay it, with our remarks, before his Excellency the Governor, for whose consideration of the matter we most respectfully wait.

We have, &c.

(Signed)

ROBERT JOHN PINSENT, J. P.
JOHN JACOB, J. P.
JOSHUA GREEN, J. P.

The Hon. JAMES CROWDY,
Colonial Secretary.

PETITION OF THE INHABITANTS OF WESTERN BAY REPRESENTING THE WANT OF A COURT OF SESSIONS AND POLICE THERE.

*To His Excellency Henry Prescott, Esquire,
C. B. Governor, &c. &c. &c.*

The Petition of the Inhabitants of Western Bay and other parts situate on the North Shore of Conception Bay,

Humbly sheweth,

That the District from whence this Petition emanates, contains a Population of somewhat about Four thousand.

That it is totally devoid of any Police Establishment.

That in the whole of its extent dwells not one individual of the Grand Inquest.

That in case of a necessity to attend on the District Court at Harbor Grace, some of its Inhabitants have to travel no less a distance than Forty-five miles.

That the expence and labour of attending that Court is very great, and the inconvenience, at some periods of the year, very distressing, and that not one of the Acts of the Local Government have yet been brought into force.

That the consequence of this state of things are the great increase of petty offences, nuisances, and lawless acts of various kinds, which retard the improvement of the District and demoralize the great mass of the people.

That your petitioners humbly suggest to your Excellency that the establishment of a Local Court to be held in some central part of the District, as often as your Excellency may deem advisable, would check the advance of immorality and crime, and soon bring back the District to a wholesome state of subordination.

That by granting the prayer of this their Petition, your Excellency will confer on the Inhabitants of this District a blessing which time can never efface.

And your Petitioners, as in duty bound, will ever pray.

Signed by 273 Persons.

APPLICATION FROM THE MAGISTRATES AT TWILLINGATE FOR THE ERECTION OF A COURT-HOUSE AND JAIL.

*To His Excellency Henry Prescott, Esquire,
C. B. Governor &c. &c.*

The Government of this Island having been pleased to appoint a bench of Magistrates for the district of Twillingate, we would wish to apprise your Excellency that we have neither Court-Room, Jail, or Lock-up-House of any description, and finding in many instances our measures completely inoperative from their want, we solicit through the influence of your Excellency the sum of £450 for the erection of a building to carry into effect that authority which our commissions contain.

We have, &c.

(Signed)

ROBERT TREMLETT,
ANDREW PEARCE,
THOMAS M. LYTE,
JOHN MACHIN,
JOHN PEYTON,

PRESENTMENTS
OF VARIOUS GRAND JURIES

IN THE

Southern District.

FERRYLAND.

We, the Grand Jurors, upon our oath present the state and condition of the Gaol and Court House at Ferryland. That on our inspecting the Gaol at Ferryland, we have discovered that the wall which is at the back of the said Gaol, and which supports the back and part of the Court House, is very defective. That the water passes through the same and runs on the floor of the only cell in which offenders against the Laws are confined, to the distance of three feet. That it arises merely from the improper manner in which the said wall was first built. We recommend that the present passage leading to the aforesaid cell be altered, as well as the entrance into the Gaoler's apartment, and that such entrance be made at the north west corner of the aforesaid wall, and that the passage leading to the cells should also be from the said place by the said wall to the whole extent of the Gaol, and that a partition wall be built leaving a passage of five feet between the said walls. We also recommend that the condemned cell be altered and made suitable for the reception of prisoners, and we are induced to urge this more strongly as there is not any second cell into which female prisoners may be put and kept separate from the male prisoners, and, further, that the Gaoler's chamber be removed to the front instead of the back part of his apartments as at present. We have hereunto appended a plan of gaol and cells as they are at present, and also of the changes and alterations which are recommended, as well as the probable sum required to defray the expense that will be incurred in making the same. We further present the great necessity there is for the Court House being increased in length, so as to afford offices for the Clerks of the Court, Sheriff, and Grand Jury. That in consequence of there not being any room which can be used by these officers, the Colony is subjected to an annual charge of twenty-four pounds for office rent for those offices. We further recommend that the Records of the Sessions Court and Surrogate Courts which were deposited with the Clerk of the Southern Circuit Court on the Surrogate Court having been abolished, be restored to the custody or care of the senior Magistrate, and that a place of safety be built for the deposit of the said records in order that any accident by fire or other casualty may be guarded against; and we regret to observe that by reason of there being no office for the Clerk of Registrar of Deeds, the said records are at this moment kept in the house of Mr. Norris in Ferryland, and, as we conceive, not affording that security which documents of such serious importance deserve. We further present the great risk and danger to which we are nightly exposed, of having our houses and stores and other property destroyed by fire, from the inhabitants in the different towns carrying pieces of wood on fire in their hands through the streets and lanes in the said towns; and we are induced to draw your Lordship's attention more particularly to this matter, in consequence of the combustible materials with which our dwellings, stores and other property are constructed. We further present the great loss and inconvenience to which we have been subjected during the last nine years, by reason of the limited Civil Jurisdiction of our Courts of Sessions, which we conceive may be considerably increased, and thereby confer on the inhabitants and others having recourse to this district, great benefit in the prosecution of their business, and in the securing their property when at stake. And we further recommend that the Magistrates presiding in the Courts of Sessions be remunerated for their trouble and loss of time in attending to the public duty, and constables be more numerous, and salaries paid to them. That a Police Constable of thirty pounds per annum, be appointed at Ferryland as a suitable stipend; and in the other out stations, one Police Constable be also placed with a stipend; and we also recommend that the Gaoler's salary be increased. We take this opportunity of calling the attention of your Lordship and his Excellency the Governor to the pre-

sent licensing of Public Houses in this district, in as much as we conceive the licenses are rated at too high a price, and, consequently, have a tendency to encourage persons selling without license, and to deter others from taking them out who would, were they rated lower, be inclined to do so. It has also a tendency to encourage persons retailing Liquor *without* License, to deprive the community of that safety which they derive from moral obligation which they have when persons are bound for their good behaviour; nor can we refrain from the expression of our belief that the quantity of one gallon to which persons are restricted in selling to their servants &c., have been no other than a complete failure, in as much as it has not caused any decrease in the consumption of Spirituous Liquors, nor has it in anywise tended to lessen intemperance, but, on the contrary, have been attended with serious injury to the fishery by reason of the supplier being compelled to issue to his Servants or Dealers in not a less quantity than one gallon, which has made not only one individual but a whole boats crew intoxicated; and we are also convinced that a considerable increase on the Revenue would arise by the reduction in the price of the Licenses.

ROBERT CARTER, *Foreman*,
 JOHN M. SAUNDERS,
 JOHN HILLARD,
 MAURICE BRAZIL,
 HENRY WINSER,
 HENRY CORYER,
 MICHAEL DEVEREAUX,
 ROBERT PITT,
 WILLIAM SAUNDERS,
 WALTER SHELLY,
 THOMAS NORRIS,
 EDWARD POWER,
 JOHN POWER.

*Grand Jury Room, }
 3rd November 1835. }*

PLACENTIA.

The Grand Jury beg most respectfully to present the very great inconvenience and loss occasioned to the Public, by the removal of the Records of the Court of Sessions of Placentia to Ferryland; the Inhabitants having occasion frequently to refer to them, particularly as regards title to property—and as they are exclusively confined to matters of a Local nature, the Grand Jury are of opinion, there can be no reason to withhold them from this part of the District.

The Grand Jury have also to represent the want of a sufficient number of Constables to carry the Laws into effect. The Sheriff's Officer having been, in more than one instance, obstructed in the execution of his duty.

The Grand Jury have also to present the necessity of a Ferry being established across the Gut of Placentia.

For self and fellow Jurors,
 (Signed)

W. G. BRADSHAW.

*Grand Jury Room, }
 14th October, 1835. }*

BURIN.

We, the Grand Jury, acknowledge the high gratification we experience in finding that no indictment of either a Criminal or other nature is likely to come under our cognizance, and that it is a source of the greatest satisfaction to us, and we feel confident will be highly pleasing to your Honorable Court, by having it in our power to assert that the present state of society in this our district, both in a moral and religious point of view, is deserving our entire approbation.—Still we are sensible that the best societies and communities degenerate and too often become disorganized, where authority and discipline do not reign—and, although we cannot say we are without persons appointed to administer Justice, and who we

doubt not fulfil their duties with the greatest punctuality, still, considering as we do, that our district is not much inferior in trade, and far superior as regards the Fishery, to many in the Island: we, the Grand Jury, believe ourselves entitled to the same privileges our neighbouring districts enjoy, and we beg not only the laying these our opinions before the proper authorities, but the co-operation of this Hon. Court in adding all its weight in furthering these our just desires, viz.—

One Resident Police Magistrate with a liberal salary.

One Clerk of the Sessions Court.

One Constable in addition to the one now acting.

One Coroner.

One Notary Public.

For self and fellow Jurors,

(Signed)

CLEMENT BENNING,
Foreman.

Grand Jury Room,
10th Oct., 1835.

Report of repairs and alterations necessary to be made on the Court House and Gaol at Placentia.

St. John's, 22d November, 1835.

SIR,—I beg to communicate, for his Excellency's information, that the Court and Jury Rooms of the Court House of Placentia require two coats of white paint to assist in diffusing more light than is at present afforded by the windows, which are, of necessity, very low; the priming being dark lead colour, is calculated to produce a contrary effect.

I also beg leave to suggest the necessity of a board fence round the gaol yard, 220 feet rail, eight or ten feet high, with capping and spikes to prevent communication with prisoners; the whole to cost from £50 to £55, according to the height of the fence.

I enclose a requisition from the Magistrates also of Placentia for chairs and tables for the use of that Court House.

I have, &c.

(Signed)

B. SWEETLAND.

Joseph Templeman, Esq.
&c. &c. &c.

Great Placentia, 16th October, 1835.

Required for the use of the Court House at Great Placentia, six chairs and one table.

(Signed)

F. L. BRADSHAW, J. P.

W. G. BRADSHAW, J. P.

Instructions to the Commissioners for the relief of the poor, for the distribution of the sum placed at their disposal.

Secretary's Office, 11th May, 1835.

GENTLEMEN.—The Legislature have voted £500 only for the relief of the poor during the year ending 31st March next, from which must be deducted £87 10s. for the Surgeon* of the District; and I am directed to acquaint you that his Excellency has appointed Mr. Hogsett a Commissioner in conjunction with yourselves to expend the remaining £412 10s. which will be available for this service.

His Excellency further directs me to impress strongly on you the necessity of confining the expenditure within the sum voted, and of consequently rejecting every application for relief except in cases of the the most extreme destitution.

I have, &c.

(Signed)

JAMES CROWDY.

The Magistrates, St. John's.

* The Surgeon of the District was paid at the old rate of £100 per annum, for the Quarter ending 30th June last.

Newfoundland.

Dr. THE COMMISSIONERS FOR THE RELIEF OF THE DESTITUTE AND SICK POOR OF THE CENTRAL DISTRICT FOR THE THREE QUARTERS ENDING 1ST JANUARY, 1836, IN ACCOUNT WITH THE COLONIAL GOVERNMENT. **Cr.**

<p>1835. Aug. 11. To this amount received by War- rant from the Treasurer..... 131 16 8 Oct. 8. To do. do..... 125 0 0 1836. Jan. 12. To do. do..... 150 0 0 " 18. To Balance due the Commission- ers at this date.....</p>	<p>406 16 8 2 10 3</p> <hr style="width: 100%;"/> <p>£409 6 11</p>	<p>1835. July 1. By this sum expended for and paid to the destitute and sick, Or- phans, Bastards, Idiots and other Paupers, in the mouths of April, May, and June..... 122 15 3 " " By do. Casuals..... 5 7 6 Oct. 1. By this sum expended and paid as above, in the mouths of July, Au- gust and September..... 107 9 3 " " By do. Casuals..... 21 4 8 1836. Jan. 1. By this sum expended and paid as above, in the mouths of October, November, and December..... 136 6 3 " " By do. Casuals..... 16 4 0</p>	<p>128 2 9 128 13 11</p> <hr style="width: 100%;"/> <p>152 10 3</p> <hr style="width: 100%;"/> <p>Sterling £409 6 11</p>
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E. E.

Saint John's, Newfoundland, }
January, 1836.

JAMES BLAIKIE, J. P.
P. W. CARTER, J. P.
A. HOGSETT,
Commissioner.

Circular Letter to Magistrates relative to remuneration to Constables for taking lists of Voters.

Secretary's Office, 19th May, 1835.

GENTLEMEN,—As the period is approaching which by the Colonial Act of 5 W. 4, c. 2. is fixed for carrying into operation the "Act for registering the names of persons entitled to vote at Elections," I am directed by the Governor to express to you his earnest hope that every exertion will be made to carry its provisions fully and entirely into effect.

Should the additional duty imposed on the constables on this occasion be in any cases very onerous, and a certificate thereof be transmitted to me by the Magistrates in Session, his Excellency will recommend to the Legislature at its next meeting to make a moderate and suitable remuneration for such additional labour.

I am, &c.

(Signed)

JAMES CROWDY.

The respective Magistrates }
of the several Districts. }

ACCOUNTS

CONNECTED WITH THE REGISTRATION OF VOTERS, 1835.

(For sums voted see Report of committee of supply in Journal, pages 149 & 150.)

District of St. John's.

STATEMENT

OF DUTY PERFORMED BY THE UNDERMENTIONED CONSTABLES IN TAKING AND MAKING ALPHABETICAL LISTS OF ALL HOUSEHOLDERS ENTITLED TO VOTE AT ELECTIONS IN THE DISTRICT OF ST. JOHN'S.

TOWN OF ST. JOHN'S.

John Torr.....	8 days.....	7s. 6d.—	£3 0 0	
John Freeman.....	8 —	— —.—	3 0 0	
William Heaney.....	8 —	— —.—	3 0 0	
George Palk.....	8 —	— —.—	3 0 0	
John Hanley.....	8 —	— —.—	3 0 0	
				15 0 0
<i>From Broad Cove, in Conception Bay, to Petty Harbor.</i>				
John M'Lennan.....	12 days	7s. 6d.—	4 10 0	
Board and Lodging, and Boat Hire expenses.....			4 8 6	
				8 18 6
<i>Torbay, Middle Line, Freshwater, Pouch Cove, Biscayan Cove, &c.</i>				
Michael Cullen.....	8 days	7s. 6d.—	3 0 0	
James Finlay, copying and perfecting lists and register of Voters			20 12 0	
Henry Winton, Stationery, &c.....			7 16 9	
				31 8 9
				55 7 3

DISTRICT OF CONCEPTION BAY.

ABSTRACT OF ACCOUNTS RENDERED BY THE MAGISTRATES AND CONSTABLES IN THE HARBOR GRACE DIVISION, FOR DUTIES PERFORMED UNDER REGISTRATION ACT.

Thomas Danson, Esq.....	21	0	0
William Sterling, Esq.....	15	15	0
John Buckingham, Esq.....	10	10	0
Richard Rankin, Esq.....	10	10	0
James Sharp.....	14	16	6
Benjamin Rowe.....	7	4	0
Samuel Rumson.....	6	6	0
Moses Gosse.....	1	2	6
Joseph Baggs.....	0	7	6
William Branscomb (Room-hire).....	3	0	0
			<u>£90 11 6</u>

PORT DE GRAVE DIVISION.

John Bows, Constable.....	7	19	9	
Benjamin D. Barnes, acting Clerk Peace.....	7	19	9	
			<u>15 19 6</u>	
Thomas Butler, Bailiff.....	5	11	9	
G. W. Cranford.....	5	11	9	
			<u>11 3 6</u>	
Robert Connell.....		4	16	0
William Mullowney.....		4	8	0
			<u>£36 7 0</u>	

SOUTH SHORE.

William Smith.....			3	0	6
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DISTRICT OF TRINITY.

One Constable on North Shore, (including Boat-hire).....	11	0	0
One Constable, Grates Cove.....	2	0	0
One ditto, Old Perlican.....	2	0	0
			<u>15 0 0</u>

BAY BULLS DISTRICT.

Michael Coady.....			7	0	0
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TABLES OF FEES IN PUBLIC DEPARTMENTS.

A TABLE,

Now in force, of all Fees, Poundage, Perquisites and Emoluments received, or receivable, or enjoyed, by each and every Officer, or by any person or persons in and about the Courts of Justice.

In the Supreme and Central Circuit Courts.

FEES TO COUNSEL OR ATTORNEY ALLOWED AND TAXED AS BETWEEN PARTY AND PARTY ON THE PLEA SIDE OF THE COURT.

Warrant and instructions to sue or defend	3	4
Suing out Process	3	4
Drawing Declaration	6	8
Copy thereof for each Defendant	3	4
Drawing affidavit of debt or other special matter	3	4
Affidavit of service of Process, notice or other paper	1	0
Pleading general issue, with notice of set-off	3	4
Special plea, replication, or other special pleading, including a copy for opposite party	6	8
Putting in and perfecting special Bail	6	8
Entering proceedings on the Roll	6	8
Taking Cognovit where no process has been issued and entering judgment thereon	1	0
Same where process has been issued	6	8
Drawing summons to attend Judge in Chambers, and serving the same	3	4
For every attendance on summons before Judge in Chambers	6	8
Fee with Brief in matters over £10 and under £25	10	6
Fee with Brief in matters over £25 and under £50	1	1 0
Fee with Brief in matters over £50 and under £100	2	2 0
And one guinea for every additional £100 claimed in the particulars of the Plaintiffs demand.		
Entering final judgment and suing out execution	6	8

Provided, that in all actions arising ex contractu, where the sum bona fide sought to be recovered shall not exceed £10 sterling, no more than sixteen shillings and eight pence shall be allowed in taxed costs between party and party, as paid to the Attorney or Counsel in the cause.

By Rule of the Supreme Court, promulgated in January Term, 4 Wm. 4, 1834.

Fees allowed and taxed on the Equity Side of the Court, between party and party, viz. **Solicitor.**

Warrant and instructions to sue or defend	13	4
Drawing every bill or answer	1	1 0
Copy for each Defendant served	7	0
Drawing Demurrer or other plea	6	8
Copy and service thereof on each Defendant	3	4
Suing out process	5	0
Copy for each Defendant	1	8

Instructions for drawing Interrogatories	-	-	-	-	3	4
Drawing Interrogatories for the examination of every necessary witness	-	-	-	-	6	8
Drawing affidavit of service, and attending to swear the same	-	-	-	-	1	0
Every special affidavit	-	-	-	-	3	4
Drawing every rule of Court, copy and service	-	-	-	-	3	4
Every summons to attend a Judge or Master, and serving the same	-	-	-	-	3	4
Every special attendance before the Master or a Judge in Chambers, on summons	-	-	-	-	6	8
A brief statement of the bill, answer, pleadings, and evidence, to the time of hearing	-	-	-	-	1	1
Copies for the Judges, each	-	-	-	-	7	0
Fee on common Motions	-	-	-	-	10	6
Fee with brief on every special argument	-	-	-	-	1	1

Fee with brief on final hearing of the cause, to be taxed by the Master.

Master.

Every attendance upon an ordinary reference	-	-	-	-	10	6
Report thereon	-	-	-	-	6	8
Attendance on every special reference	-	-	-	-	1	1
And if occupied thereon more than one day—a Guinea each day.						
Report thereon	-	-	-	-	1	1
Every summons	-	-	-	-	1	0
Every certificate of facts	-	-	-	-	2	6
Taxing costs	-	-	-	-	6	8
Taking every affidavit	-	-	-	-	1	0

Poundage on sales, and for preparing deeds, if necessary,—Three per cent on the first hundred pounds, and One per cent on the residue of the purchase money.

By Rule of the Supreme Court, promulgated in July Term, 5th Wm. 4th, 1834.

Fees payable to the Sheriff, Jurors and Witnesses, viz.—

Sheriff.

ON THE CIVIL SIDE OF THE COURT.

For serving every writ of Summons	-	-	-	-	7	6
Necessary travelling to serve any process or proceeding, per mile	-	-	-	-	1	0
For every arrest	-	-	-	-	1	1
For every return to an attachment, bailable process, and writs of execution	-	-	-	-	3	4
For transmitting process to the Under Sheriff or Bailiff, out of the Central District	-	-	-	-	3	4

On attachment and levies under writs of execution, where the property attached or seized shall not exceed the value of £100—five per cent; and two and a-half per cent for any additional sum.

Executing every writ of Habere facias possessionem	-	-	-	-	1	1
Fee on every Jury sworn	-	-	-	-	5	0
Attendance in striking Special Jury, returning and summoning the same	-	-	-	-	1	2
Service of Subpœna—each Witness	-	-	-	-	1	0

CROWN SIDE.

	£	s.	d.
Drawing, summoning, and returning every Grand Jury	2	2	0
Drawing, summoning, and returning Petit Jury in obedience to the precept from the Judges	3	3	0

Jurors.

Special Jurors,—each	0	5	0
Petit Jury	1	1	0

Witnesses.

Per Diem, coming to, staying (after cause set down for trial) and returning from Court	0	3	0
And reasonable expenses, actually incurred, to be authenticated by proper accounts and vouchers, shewing their payment.			

Incidental.

To the Clerk, for every Process, to pay for the expense of printing and stationery in his Office	0	1	0
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By Rule of the Supreme Court, promulgated in July Term, 5th Wm. 4th, 1834.

N. B. No fee is payable to the Chief Clerk and Registrar of either the Supreme or Circuit Courts except of one shilling on each Process, towards defraying the expense of printing and stationery.

Fees payable to the Chief Clerk and Registrar of the Supreme Court upon Probates and Administrations:—“ In all cases where the value of the Estate of any person deceased, in which application shall be made for Administration, shall not exceed One hundred pounds,—a per centage at the rate of two and a half per cent in lieu of all fees.—And if the value of the Estate shall exceed One hundred pounds, the following Fees—viz:—”

	£	s.	d.
For taking proof of the Will in the Office	0	10	6
Registering the Will—every folio of 100 words	0	1	0
Taking proof of Will by <i>dedimus potestatum</i> , where necessary	1	1	0
Granting Probate of Letters of Administration	1	1	0
Taking Bonds from Administrators and Sureties, Affidavits &c.	0	10	6
Copy of Will to be annexed to Probate or Administration, every folio	0	1	0
Entry and Record of Probate or Administration	0	10	6
Filing and entering Inventory	0	5	0
Affidavit of the same	0	1	0
Filing and entering every annual Return and Affidavit	0	2	6
Every Search	0	1	0
Every form of Inventory and Affidavit	0	1	0

By Rule of the Supreme Court, promulgated in July Term, 5th Wm. 4th, 1834.

N. B.—An allowance of one fourth of all Fees is made to the respective Clerks of the Northern and Southern Circuit Courts, upon all Probates and administrations which come through their hands.

Fees payable to the Registrars of Deeds.

For the verification, indorsement and registry of a Deed or Will under £100—10s.,—and when the value exceeds £100 a per centage at the rate of one per cent for the first £100 and 5s. in the £100 for all above that amount.

“ If the value of the property to be registered shall not appear with sufficient certainty upon the face of the instrument, it must be ascertained by the Oath of the party tendering it for registration.”

For the registry of every Grant of Land under 100 acres	0	5	0
And for Grants exceeding 100 acres	0	10	0
For every certificate from the Record	0	5	0
For an inspection of the Record	0	1	0

By Rule of the Supreme Court, promulgated January 2d, 6th Geo. 4th, 1826.

Fees payable to Commissioners for taking affidavits and issuing Process in the Supreme and Circuit Courts.

To Commissioners for drawing affidavit and swearing the party to the same	0	5	0
To do. for every Oath administered, where the affidavit had been previously prepared	0	1	0
To do. for every Writ of Mesne Process issued by him	0	5	0
To do. for examining Witnesses de beneesse—each Witness	0	5	0

By Rule of the Supreme Court, promulgated in Nov. Term, 5th Wm. 4th, 1834.

N. B.—The following tariff of Fees established by Rule of the Supreme Court, December term, 6th Wm. 4th, 1836, will come into operation on the 1st March next :—viz :

Sheriff.

Poundage on Writs of *Capias ad satisfaciendum* as well as on other Executions ; and also a Fee of Five shillings upon every Bail Bond.

Clerks

OF THE SUPREME AND CIRCUIT COURTS—VIZ :

	£	s.	d.
For every Process signed and sealed by him (subpœnas excepted)	0	2	6
For every Writ of subpœna	0	1	0
For swearing Jury and entering Verdict	0	2	6
For entering and signing final judgment	0	2	6
For every Rule of Court	0	1	0
For every Affidavit	0	1	0
For every Search	0	0	6

NOTE.—Expense of Printing and Stationery to be paid out of these Fees, for which the Shilling fee (now abolished) was formerly allowed.

Copies of all tariffs of fees heretofore in force and of such alterations as have from time to time been made in the Fees, Poundage, Perquisites and Emoluments of Officers and persons connected with the Administration of Justice in Newfoundland, and of the authority by which the same were made respectively.

TABLE OF FEES PAYABLE IN THE COURT OF COMMON PLEAS ESTABLISHED IN NEWFOUNDLAND, IN THE YEAR 1789, BY COMMISSION FROM GOVERNOR MILBANKE.

	£ 2 to 10	£ 10 to 30	£ 30 to 60	£ 60 to 100	£ 100 to 200	£ 200 to 400
Filing Petition	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6
Affidavit	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6
Writ of Attachment	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0	0 5 0
Serving Do.	0 5 0	0 7 6	0 10 6	0 15 0	1 1 0	2 2 0
Copy of Petition	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0
Clerk of the Court	0 4 6	0 4 6	0 6 0	0 10 0	1 1 0	2 2 0
Expense of Trial	0 10 6	0 16 0	1 2 0	1 16 0	2 5 0	3 3 0
Writ of Execution	.. ..	0 4 6	0 7 6	0 10 0	0 15 0	1 1 0
	1 11 0	2 3 6	2 17 0	4 2 0	5 13 0	8 19 0

Extract (relative to the foregoing fees) from the evidence given by John Reeves, Esq., Chief Justice of Newfoundland before a Committee of the House of Commons appointed to enquire into the state of the Trade of Newfoundland in 1793.

In the year 1791, when this Table of Fees was settled, I did not think myself at liberty to make enquiry into the fees which the sheriff took beyond what are assigned him in this Table; he was an officer appointed by the Governor and I supposed he had usage for taking the fees he did. In the Act of last Session I am authorized to regulate the Sheriff's fees, and poundage which he receives independent of the Table; I accordingly made enquiry into this matter; I find that he charges Five shillings per day for a Bailiff keeping possession, or travelling by water and One shilling per mile for travelling by land; he says he takes no fee for levying money, which I understand to signify also the attaching of Debts in the hands of third persons; but for levying Goods and Chattels, for selling them, and paying the money over to the party he charges $2\frac{1}{2}$ per cent, which he says is the common allowance to all persons who sell Goods by commission and these are all the fees he takes. Comparing these fees with the fees paid for the same business to Sheriffs in England, the account will stand thus: The Sheriff of London upon levying Goods &c., charges 5*l.* per cent upon the first 100*l.* and $2\frac{1}{2}$ per cent upon every 100*l.* besides, which are higher fees than the Sheriff of Newfoundland receives for the same business. The Sheriff of London is allowed 2*s.* 6*d.* per day for a Bailiff being in possession; but the difference between this 2*s.* 6*d.* and the 5*s.* at Newfoundland must be charged to the difference in the price of labor in the two places. We know that in all new Colonies the price of labor is greater than in an ancient Country like this; and where there is so much active industry as in the great fishery of Newfoundland, the value of time and of labour is still higher. I am told that the wages to Carpenters and Masons is 4*s.* 5*s.* 6*s.* and 7*s.* per day in Newfoundland; and I know persons who, in order to have such artificers upon some reasonable terms, are obliged to hire them by the year at the rate of 30*l.* or 40*l.* besides their keeping. In Newfoundland it is a common thing to give a dollar to a Beggar. As to the 1*s.* per mile charged by the Sheriff for a Bailiff's travelling, I know it to be nothing more than the price paid to a common messenger."

A LIST OF FEES ESTABLISHED IN THE SUPREME COURT, BY CHIEF JUSTICE THE HON.
THOMAS TREMLETT, IN 1803.

Forty shillings and under.....	£0	5	0
From £2 to £5.....	0	15	6
“ 5 “ 20.....	1	2	6
“ 20 “ 50.....	1	13	6
“ 50 “ 100.....	2	9	0
“ 100 “ 300.....	3	12	6
“ 300 “ 600.....	5	4	0
“ 600 “ 1000.....	6	0	6
“ 1000 “ 2000.....	6	18	0
“ 2000 “ 3000.....	7	12	0
“ 3000 “ 4000.....	10	13	6

EXPENSES OF OBTAINING PROBATES AND OF LETTERS OF ADMINISTRATION.

	IN COMMON FORM.		BY COMMISSION.	
	Probate.	Administration.	Probate.	Administration.
	£	s. d.	£	s. d.
When the value is under £10.....	8	6	9	6
£10 and under £20	1	2 6	1	9 6
20 " 40			2	4 0
40 " 100	2	2 0	2	13 6
100 " 300.....	4	12 6	5	6 10
300 " 600.....	6	19 2	7	13 6
600 " 1000.....	8	2 6	8	16 10
1000 " 2000.....	9	5 10	10	0 2
2000 " 5000.....			10	19 6
5000 " 10000.....				11 5 2
10000 and upwards.....				
Seamen or Soldiers in the King's service	5	0	5	0
			10	0
				10 0

(L. S.)

By Sir John Thomas Duckworth, K. B., Admiral of the Blue, and Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies.

Whereas it has been found requisite that certain alterations should take place in the table of fees heretofore established for the several Courts of this Island, and the following appearing to me to be just and reasonable, I do hereby approve thereof, and such fees are in future to be received accordingly and none other.

Given under my Hand and Seal at Fort Townshend, St. John's, Newfoundland, 1st October, 1810.

T. J. DUCKWORTH.

TABLE OF FEES

IN THE SUPREME AND SURROGATE COURTS.

Sums sued for, from £2 and under £5.....	0	5	0
" 5 " 20.....	0	15	6
" 20 " 50.....	1	2	6
" 50 " 100.....	1	13	6
" 100 " 300.....	3	12	6
" 300 " 600.....	5	4	0
" 600 " 1000.....	6	0	0
" 1000 " 2000.....	6	18	0
" 3000 " 4000.....	10	13	6
" 4000 " 10000 and upwards.....	15	0	0
Drawing affidavit of cause of action and Oath.....	0	2	0
Rule to Summon a Special Jury.....	0	10	0
Common do.....	0	5	0
Writs of Attachment are to be numbered and continued from year to year.			
Special Jurors (if they choose to make the charge) to be allowed,—each..	1	1	0
Common do. do. do. do.....	0	5	0

High Sheriff.

Commission on sales for any sum not exceeding £200—five per cent.

All sums above £200—5 per cent for the first £200 and for the remainder 2½ per cent.

	£	s.	d.
For striking and returning a Special Jury		10	0
For returning a Common Jury		5	0
Bailiffs Fees on each Jury		5	0
Do. do. for summons of each Witness		1	0
Sheriffs Bond		2	6
Arrest of Person in Civil Causes	1	1	0

Advertising to be allowed.

If Guarantee is required, the Sheriff may undertake it on such terms as the Creditors may agree with him for.

For property attached in his possession, 5s. per day, and 2s. 6d. for maintenance of Bailiff, avoiding on all occasions unnecessary delay.

Hire of men at the customary rate, at the time it may happen.

The Sheriffs Books of Public Accounts, to be distinctly kept from all private transactions, so that he may be able to produce the same for inspection, together with all Vouchers and Documents relating to his Office.

In the Court of Sessions.

FIRST CLASS.			SECOND CLASS.			THIRD CLASS.			
District	1	1	0	District	10	6	District	4	6
Sheriff	4	6		Sheriff	4	6	Sheriff	4	6
Clerk of the Peace	12	0		Clerk of the Peace	10	0	Clerk of the Peace	2	6
Constable	2	6		Constable	2	0	Constable	2	0
	£2		0	0		£1		7	0
								£0	
								13	6

	s.	d.
Recognizance (District)	6	8
Summons (District)	2	6
Constable, Serving	2	0
Warrant (District)	5	0
Constable, serving	2	6
		4
		7
		6

Clerk of the Peace.

	£	s.	d.
Receipt for quarter Sessions, with a correct list of persons to serve as Jurors and delivery to the Sheriff	1	0	0
Attendance at each quarter Sessions	1	0	0
Making up Records of each quarter Sessions	1	10	0
Drawing Depositions and engrossing an Indictment or Information	1	1	0
Notice of Trial and Judgment according to Rule of Court		3	4
Recording acquittal or conviction on indictment or information		5	0
Drawing examinations or depositions taken before a Magistrate		2	6
— a Subpœna or Summons		3	4
— an Affidavit		1	0
— a Commitment		5	0
For each evidence examined in Court		1	0
Writing a Complaint		3	4
A Recognizance		6	8
Attendance taking Recognizances on granting Licenses to Publicans—recording the same, with a certified copy for the party	14		6

Constable.

Serving a Warrant or Summons.....	2	6
Apprehending and conveying to Gaol.....	2	6
Serving Subpœna to each Witness.....	1	0
Attending Trial per day.....	2	6
Executing precept at the General Quarter Sessions.....	10	0
----- for any other Jury.....	6	8

Extra allowance for boat-hire and travelling charges, to be adjusted as the Magistrates may deem adequate.

Gaoler.

(TO KEEP A REGISTER OF COMMITMENT AND DELIVERY.)

On commitment, to charge.....	13	4
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PROBATE COURT.

	IN COMMON FORM.			BY COMMISSION.		
	Probate.	Administration		Probate.	Administration	
Where the value is under £10	£ 8 6	£ 9 6	£ 17 0	£ 18 0		
£10 and under 20	1 2 6	1 9 6	2 1 0	2 8 0		
20 ----- 40		2 4 0		3 6 8		
40 ----- 100	2 2 0	2 13 6	3 12 10	3 18 6		
100 ----- 300	4 12 6	5 6 10	6 6 2	6 11 10		
300 ----- 600	6 19 2	7 13 6	8 12 10	8 18 6		
600 ----- 1000	8 2 6	8 16 10	9 16 2	10 1 10		
1000 ----- 2000	9 5 10	10 0 0	10 19 6	11 5 2		
2000 ----- 5000	12 0 0	12 12 0	13 0 0	13 13 0		
5000 ----- 10000	15 0 0	16 0 0	17 0 0	18 0 0		
10000 and upwards	20 0 0	21 0 0	22 0 0	23 0 0		
Seamen or Soldiers in the King's service	5 0	5 0	10 0	10 0		

THOMAS TREMLETT,
Chief Justice.

St. John's, Newfoundland, }
1st October, 1810. }

A Table of Fees established for the Supreme Court as promulgated in the General Rules and Orders of the said Court, on the 2d January, 1826.

Fees to be taken in the Probate Court.

Under £10	£0	5	0	Under £500	£2	12	6
" 20		7	6	" 750		3	10
" 40		10	0	" 1000		5	0
" 100		1	0	" 1500		10	0
" 200		1	12	" 2000		15	0
" 350		2	2	" 3000		30	0

FEES PAYABLE TO THE SHERIFF.

Original Process.

BY SUMMONS.			BY ATTACHMENT.			BY SUMMONS.			BY ATTACHMENT.		
Under 10 <i>l.</i>	.	7 6	10 9 0	Under 150 <i>l.</i>	12 5 0	12 14 0					
" 15	.	12 6	15 0	" 200	2 12 6	3 3 0					
" 20	.	17 6	1 1 0	" 300	3 2 6	3 15 0					
" 30	.	1 0 0	1 4 0	" 400	3 12 6	4 7 0					
" 40	.	1 2 6	1 7 0	" 500	4 2 6	4 19 0					
" 50	.	1 5 0	1 10 0	" 750	5 2 6	6 3 0					
" 100	.	1 15 0	2 2 0	" 1000	6 2 6	7 7 0					
				" 1500	7 12 6	9 3 0					
				" 2000	10 0 0	12 0 0					

Capias..... 1 1 0
 Bail Bond..... 10 0

Final Process.

Commission on Goods taken in Execution where the value does not exceed 200*l.*—5 per cent.—When above 200*l.*—5 per cent for the first 200*l.*, and 2½ per cent for all beyond that sum.

Jury Fees.

For returning and summoning a Special Jury..... 1 1 2 6
 Common Jury..... 5 0

Summoning Witnesses.

In ordinary cases for each Witness..... 1 0
 In extraordinary cases, an extra allowance according to the discretion of the Court.

FEES PAYABLE TO THE ATTORNIES.

For suing out a Writ when the Plaintiff proceeds by Summons only.. 5 0
 For suing out a Writ and preparing an affidavit of Debt..... 10 0
 For filing a Plea..... 5 0
 For the conduct of a cause either for the Plaintiff or Defendant to final Judgment and Execution 1 1 0

“ In other cases, additional fees commensurate to the service actually performed will be allowed by the Court.”

I certify the foregoing to be true copies, extracted from the records of the Supreme Court.
 E. M. ARCHIBALD,
 Chief Clerk & Registrar.

St. John's, 10th March, 1836.

TABLE OF FEES

TAKEN BY THE ATTORNEY GENERAL, AND COPY OF SECRETARY OF STATE'S AUTHORITY
FOR A COMMUTED ALLOWANCE OF £250 PER ANNUM IN LIEU THEREOF.

<i>Indictments.</i>		£	s.	d.
Perusing examination		1	1	0
Drafting and engrossing Indictments		2	2	0
Digesting case for Trial		2	2	0
Attending Grand Jury			10	6
Subpœnas—each			5	0
Conducting proceedings to judgment		2	2	0
<hr/>				
<i>Criminal Informations.</i>				
Drafting and engrossing		2	2	0
Filing do.			10	6
Copy for the Defendants		1	1	0
Digesting and preparing case for Trial		2	2	0
Subpœnas—each			5	0
Conducting proceedings to judgment		2	2	0
<hr/>				
<i>Civil Actions.</i>				
Drafting and engrossing		1	1	0
Filing do.			10	6
Copy for the Defendant			10	6
Subpœnas—each			5	0
Conducting case to judgment		2	2	0
Suing out execution		1	1	0
<hr/>				
<i>By Writ.</i>				
Suing out Writ			10	6
Bill of Particulars			10	6
*Affidavits—each		1	1	0
Subpœnas—each			5	0
Conducting cause to judgment		2	2	0
Suing out execution		1	1	0
<hr/>				
*This will be allowed for affidavits in all cases.				
<hr/>				
<i>Commissions to Magistrates</i>				
And other public Officers ; and Licenses to celebrate Marriages:				
Drafting a commission		2	2	0
Examining ditto, when not drafted by the Attorney General		1	1	0
<hr/>				
<i>Grants and Leases of Land.</i>				
Preparing and drafting		2	2	0
Examining ditto when not drafted by the Attorney General		1	1	0
<hr/>				
<i>Opinions.</i>				
Cases submitted by His Excellency the Governor, or by any public functionary through <i>His Excellency</i>		1	1	0

For Enquiries, Reports, and other Special business, performed by the direction of His Excellency the Governor, a fee according to the particular circumstances of each case, to be allowed under the certificate of the Judges.

Downing Street, 15th June, 1829.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 6th March last, bringing under my consideration the inadequate salary of the Attorney General, and suggesting that instead of a final additional salary it would be preferable to permit him to receive fees for his public duties to a certain extent, so that his present salary and fees shall not exceed the sum which may be considered a proper remuneration for his services.—In reply I have to acquaint you that considering Mr. Simms to receive a very inadequate Salary for the laborious and responsible duties required of him, I have no objection to his receiving fees to the extent of £250 per annum, in addition to his salary, and you will call upon the Judges to prepare a Table of Fees to be received by the Attorney General in which they will be guided by charges usually allowed in cases of a similar description. The High Sheriff may be authorized to discharge the Attorney General's account for fees to the extent which I have sanctioned, and of course include it in his account.

I am, &c.

(Signed)

G. MURRAY.

Governor
Sir Thomas Cochrane.

A STATEMENT OF FEES RECEIVED BY THE CLERK OF THE PEACE FOR THE
CENTRAL DISTRICT OF NEWFOUNDLAND.

	£	s.	d.
Drawing precept for Quarter Sessions, with a list of Jurors and delivery to Sheriff	1	0	0
Attendance at each Quarter Sessions	1	0	0
Making up Records of Sessions quarterly	1	10	0
Drawing deposition or examination before Magistrates	2	6	
----- a Subpœna or Summons	3	4	
----- an Affidavit	1	0	
----- a Commitment	5	0	
----- a Warrant	5	0	
For each evidence examined in Sessions Court	1	0	
Writing a complaint	3	4	
Drawing a recognizance	6	8	

The fees above mentioned have been received under a Table of Fees made by Thomas Tremlett, Esquire, on the 1st day of October, A. D. 1810, then Chief Justice of this Island, and approved by the then Governor Sir J. T. Duckworth.—This is the only Table of Fees respecting my Office of Clerk of the Peace of which I have any knowledge. The Coroner's fee is One Guinea for holding an inquest under ordinary circumstances;—receiving, however, an extra allowance in the proportion to the distance he may be called from St. John's in the discharge of his duty.

WM. DICKSON.

*Clerk of the Peace and Coroner,
Central District of Newfoundland.*

St. John's, }
10th March, 1836. }

TABLE OF FEES

TAKEN IN THE OFFICES OF COLONIAL SECRETARY AND SURVEYOR GENERAL,

ON COMMISSIONS AND APPOINTMENTS.

ESTABLISHED BY THE GOVERNOR, IN COUNCIL, 3RD JUNE, 1833.

+	Commission * to the Chief Justice.....	6	6	0
+	An Assistant Judge.....	5	5	0
+	The Attorney General.....	5	5	0
	Treasurer.....	4	4	0
+	Judge of the Admiralty.....	4	4	0
+	Registrar do.....	2	2	0
+	Marshal do... ..	2	2	0
	High Sheriff.....	4	4	0
	Do. (each renewal).....	1	1	0
	Clerk of Supreme Court.....	3	3	0
	Circuit.....	2	2	0
	Solicitor General.....	3	3	0
	Surveyor General.....	3	3	0
	Sheriff of Labrador.....	1	1	0
	Clerk of Peace (St. John's).....	2	2	0
	Collector of Customs.....	2	10	0
	Comptroller.....	2	0	0
	Of the Peace (each Justice).....	1	1	0
	All other Commissions.....	1	1	0

MISCELLANEOUS.

Commission of Notary Public.....	5	5	0
of Letters of Marque.....	5	0	0
Seal of the Governor in Special cases.....	2	2	0
Copies of official documents, every 72 words.....		1	0
Every Certificate.....		2	6
Leases or Grants of Land (for building on).....	2	2	0
License to celebrate Marriage.....	1	1	0
Colonial Act, } Registering certificates of do.....		1	0
3 W. 4, c. 10, s. 9 } Granting copies of do.....		2	6

* In cases where acting appointments are given to the Officers marked + half fees only to be taken.

Fees on Grants of Land, established by the Governor (1826) and approved by the Secretary of State.

WHERE THE GRANT IS	SECRETARY.	SURVEYOR.	CHAINMAN.
For 5 acres or under . . .	0 4 0	0 6 0	0 4 0
From 5 — to 10 acres . .	0 7 0	0 14 0	0 4 0
10 — to 20 — . . .	0 10 0	1 0 0	0 6 0
20 — to 50 — . . .	1 0 0	2 0 0	0 9 0
50 — to 100 — . . .	2 0 0	3 0 0	0 12 0
Every additional 100 acres or fractional part	0 3 0	0 5 0	$\frac{1}{2}$ per acre
<i>Allowance for travelling expenses.</i>			
Surveyor . 0 1 6 } per mile Dpy. Surveyor 0 1 0 } out, & the Chainman . 0 0 6 } same back		In all cases where a Deputy Surveyor has been employed the above Fees to be equally divided between him and the principal.	

Table of charges for the expense attending Grants of Land (previous to 1822) established by the Governor in 1813.

	Where the Grant is under 2 acres.	Where the Grant is for 2 acres	Where the Grant is for 4 acres	Where the Grant is from 4 to 8 acres.	Where the Grant is above 8 acres.
For the Surveyor - - -	0 10 6	0 15 0	1 1 0	1 11 6	2 2 0
For the Secretary, for all other trouble and expense attending the grant	0 10 6	0 15 0	1 1 0	1 11 6	2 2 0
	1 1 0	1 10 0	2 2 0	3 3 0	4 4 0

N. B. The above fees were, in 1822, reduced to one fourth.

*Port of St. John's, }
Newfoundland, }*

Statement of Fees received by the Surveying Officer of Shipping in the undermentioned years :—

Year ended 31st December, 1834 . . . £72 9 0
Year ended 31st December, 1835 . . . £76 2 6

Custom House,
12th April, 1836.

GEO. J. HAYWARD,
Surveying Officer.

Table of Fees received by the Surveying Officer of Shipping at Newfoundland.

On Vessels under 100 tons admeasurement . . . £0 10 6
On Vessels of 100 tons do. and upwards . . . £1 1 0

Custom House,
12th April, 1836.

GEO. J. HAYWARD,
Surveying Officer.

APPENDIX.

OFFICE.	EMOLUMENTS IN EACH OF THE YEARS UNDERMENTIONED.																			
	Emoluments in the year ending 31st Dec 1835.		1826		1827		1828		1829		1830		1831		1832		1833		1834	
	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.
<i>Judicial Department.</i>																				
Chief Justice	1200		1200		1200		1200		1200		1200		1200		1200		1200		1200	
2 Asst. Judges at 700% each	1400		1400		1400		1400		1400		1400		1400		1400		1400		1400	
Attorney General	450	250 0 0	300		450		450		450	250	450	250	450	250	450	250	450	250	450	250*
Solicitor General		43 0 0																		170
Clerk of Sup. Court and Clerk of C. C. Court		300 } 120 } 59 }	400 } 150 } 0 }	250 }	400 }	100 }	400 }	100 }	400 }	100 }	400 }	100 }	400 }	100 }	400 }	100 }	400 }	100 }	400 }	150 }
Clerk N. C. Court	200		200	99 12	200	97 13	200	72 16 4	200	95 1	200	83 5	200	116 5	200	121	200	116 12 6	200	137 5
Clerk S. C. Court	100	7 17 6	200	5 0	200	5 0	200	8 12 6	200	16 6	200	12 6 6	200	13 15 6	200	21 3 6	200	9 7	200	12
Crier and Tipstaff	60		60																60	
Sheriff		309 5 2	513 5	454 10 7	513 5		513 5		513 5	789 15 6	513 5	743 3 7	513 5		513 5	641 8 10	513 5		513 5	718 6 4†

* This Officer has since the year 1829 received an allowance of 250% per annum in lieu of Fees.

† In consequence of the absence of the late Sheriff, no return of Fees received by him can be obtained.—The Fees shewn to be received by the Sheriff in the year 1826—9 1830—2 and 1834 are the greatest amount, out of which he had to defray the charge of Deputies and Bailiffs.

APPENDIX.

OFFICE.	EMOLUMENTS IN EACH OF THE YEARS UNDERMENTIONED.																			
	Emoluments in the year ending 31st Dec 1835.		1826		1827		1828		1829		1830		1831		1832		1833		1834	
	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.	Salary.	Fees.
<i>Police Establishments, St. John's.</i>																				
2 Magistrates at 500	350		350		350		350		350		350		350		350		350		350	
2507, each		343 11 10		352 16 1		352 16 1		368 13 9		303 18 3		283 11 4		371 7 6		299 15 8				
6 Constables																				
Clerk of Peace																				
Coroners receive one Guinea for each Inquest besides an allowance for travelling expenses according to the distance.																				
<i>Conception Bay.</i>																				
1 Magistrate	120																			
2 Do. at 907, each	180																			
Chief Constable	30																			
4 Constables	80																			
<i>Gaolers.</i>																				
St. John's	36	105 11 9	36	153 13 2	36	153 13 2	36	91 5 2	36	26 3 3	36	85 4 4	36	92 17 1	36	138 8 8	36	84 3 8		
Harbor Grace	30	59 10 11½	20	5	20	5	20	20 15 10	20	38 14 6	20	40 10 9	40	67 13 1	20	106 7 6	20	60 15 1		
Trinity	20		20		20		20		20		20		20		20		20		20	
Ferryland	20		20		20		20		20		20		20		20		20		20	
Placentia	40		20		20		20		20		20		20		20		20		20	
Burin.	20		20		20		20		20		20		20		20		20		20	
<i>Vice Admiralty Court.</i>																				
Judge Registrar																				
Acting Marshal																				

* No returns received from these Gaolers, but as there are seldom any Prisoners in their custody they have consequently but few Fees.

INDEX

TO THE

JOURNAL OF THE SIXTH SESSION

OF THE

HOUSE OF ASSEMBLY

Of Newfoundland.

A.

ACADEMY at St. John's, establishment of, see *Bills* No. 3.

Accounts Public, see *Estimates*.

Acts of the Colonial Legislature approved by his Majesty, 7, 104.

Addresses—

To his Majesty—thanking him for withholding his assent from the act for increasing the number of Representatives to serve in the General Assembly moved, 126, reported, 132, report rejected, 135.

To his Excellency the Governor—

No. 1. Thanking him for his speech at the opening of the session, 6, 7, 13, presented, 14, his Excellency's reply, *ibid*.

2. Praying for a return of the Expenditure of the sum voted for the relief of the poor, and of the vote for unforeseen contingencies, 18. See *Returns*.

3. Praying him to issue his warrant for the sums voted to defray the expense of the prevention of small pox, 20, 21.

4. Praying for returns of the revenue and sums disbursed thereout on account of the reserved and other salaries, 25, 26, see *Customs*.

Addresses—

No. 5. Praying for a return of the sum disbursed to Road Surveyors, 34, return laid before the House, 37, see *Roads*.

6. Praying for information on the subject of the grant from the Imperial Parliament in aid of the colony, 46, reply, 48.

7. Praying for a return of the income, fees and emoluments of public officers, 76, 84, see *Returns* and *Appendix*.

8. On the subject of the Colonial Vessel, 86.

9. Praying his Excellency to dissolve the present House of Assembly moved, 112, reported, 113, proceedings thereon, 114, 115, Message in reference thereto, 117, Address re-considered, 118, 119, presented, 120, his Excellency's reply, *ibid*.

10. Praying a copy of the list of voters, for the District of St. John's, 128, reply, 131.

11. In reply to his Excellency's Message relative to Dr. Shea's claims, 138.

Addresses—

No. 12. Praying his Excellency to issue his warrant for the payment of the salary of the High Constable of St. John's, & the Inspector of weights and measures, Harbor Grace, 182, reply, 183.

Adjournment for want of a Quorum.—See *Quorum*.

Amendments to addresses and bills made and considered at sundry times, 14, 37, 65, 69, 71, 72, 75, 78, 87, 89, 90, 93, 106, 110, 128, 130, 135, 142, 154, 156, 160, 163, 167, 173, 175.

Aliens prevented from encroaching on the fisheries.—See *Bills* No. 26—and Captain Hope's report—*Appendix*.

Armstrong William, his death communicated by Message, 54.

————— *Joanna*, petition, 95.—See *Sup-
ply Report*.

Appendix, documents contained in—

ON THE SUBJECT OF ROADS AND BRIDGES—viz.

General Instructions to be observed in marking out roads, 189.

Mr. Sweetland's report of his survey of the line of road between St. John's and Bay Bulls, 190.

Mr. Blackburn's report of his survey of the line of road between Holyrood and Placentia, 192.

Correspondence with the commissioners of roads on the subject of the insufficiency of the vote for the King's Bridge, 193.

Correspondence with commissioners at Port de Grave on the insufficiency of the sums voted for the erection of bridges in that district, 194.

Report of road commissioners for the district of St. John's for the year 1835, 195.

Accounts of monies expended by said commissioners during the year 1835, 198.

Report of commissioners for superintending the making and repairing of highways in the central district under Act 4, W. 4, cap. 6, 200.

Mr. Green's survey of the several lines of road intended to be opened between various parts of Conception and Trinity Bays, 200.

Concluding part of Mr. Sweetland's survey of the line of road from St. John's to Trepassey, 203.

Detailed statement of sums disbursed out of the vote of last year for surveyors to be employed, &c., 204.

Appendix, Documents contained in—

RELATING TO THE CUSTOMS AND REVENUE—viz.

Consolidated account of duties, &c., under acts of the Colonial Legislature for the year ended 5th January, 1836, 205.

Consolidated account of receipts and payments for the same period, 206.

An account of vessels inwards and outwards for the years ended 5th January, 1835, and 5th January, 1836, 207.

An account of the staple articles, the produce of the Island, exported during the years ended 5th January, 1835, and 5th January, 1836, 208.

Statement shewing amount of revenue collected under Imperial acts for the year ended 5th January, 1836, 209.

Statement shewing amount of revenue collected under acts of the Colonial Legislature for the same period, *ibid*.

Statement shewing sums paid to the Colonial Treasurer on account of duties under Imperial acts, for the same period, *ibid*.

Statement of Colonial duties paid to the Colonial Treasurer for the same period, 210.

Estimate of probable amount of revenue for the quarter ending 5th April, 1836, *ibid*.

Statement of sums disbursed on account of reserved salaries for the year ended 5th January, 1836, *ibid*.

Statement of sums disbursed during the same period, on account of officers of H. M. Customs, 211.

Return of additional officers appointed for the more efficient collection of the Imperial revenue, *ibid*.

Return of officers appointed to assist in the collection of the Colonial Revenue, 212.

Statement of sums disbursed to officers appointed to assist in the collection of the Colonial Revenue, *ibid*.

Correspondence with Collector of H. M. Customs relative to the appointment of a sub-Collector at Fogo, *ibid*.

Extract of Letter from Mr. John Nicolle to his Excellency the Governor, 213.

Colonial Treasurer's account current for the year ended 31st March, 1836, 214.

Account of monies received from the Clerk of the Peace for Licenses, Fines &c., *ibid*.

Appendix, Documents contained in—

RELATING TO THE PUBLIC EXPENDITURE—VIZ.

Estimate of the Charge for the Public Expenditure for the year ending 31st March 1837 and Documents connected therewith, 215.

Correspondence on the subject of the expense of firing Fog Guns at this station, 218.

Detailed Accounts, Estimates, and Statements of the same, 219.

Financial statement of sums voted for contingencies last year and estimate for the present year, 220.

Detailed Statement of expenditure of sum of £500 voted last year for "unforeseen contingencies," 221.

MISCELLANEOUS DOCUMENTS—VIZ.

Report of Commander Hope, R. N., relative to the intrusions of the French Fishermen on the fisheries in Fortune Bay, 223.

Extract of Letter from His Excellency to Commander Hope in reply to the foregoing, 224.

Address of the Grand Jury on the state of the Hospital, with the Governor's reply, 225.

Copy of the Secretary of State's authority for granting the land on "Church Hill" for a Market place, and Documents connected therewith, 225.

Letter from Commissioners of Light Houses at Harbor Grace on the subject of an additional grant of £1000 to complete the Light House on Harbor Grace Island, 227.

Presentments of Grand Jury at Harbor Grace on the subject of the Gaol there and of the state of Carbonear, 228.

Letter from the Justices at Port-de-Grave, relative to the erection of a Court House there, *ibid.*

Applications from Western Bay and Twillingate representing the want of Court Houses and Gaols there, 228.

Presentments of the Grand Juries at Ferryland, Placentia and Burin, and Reports on the state of the Court Houses and Gaols there, 230.

Instructions to the Commissioners for the relief of the poor, for the distribution of the sum placed at their disposal, 232.

Account of Commissioners for the relief of the Poor for three quarters ending January 1, 1836, 233.

Appendix, Documents contained in—

Copy of circular letter to Magistrates relative to the remuneration to Constables for taking lists of Voters, and accounts connected with the registration of Voters, 234.

Detailed Tables of Fees in the public departments, also Tables of Fees heretofore in force, 236 to 250 inclusive.

Table of the Salaries and Emoluments of all the Officers on the Civil Establishment of the Colony, 251 to the end.

Assembly, dissolution of prayed for.—See *Addresses No. 9.*

Assemblies, duration of limited.—See *bills No. 5.*

B.

BAIT, the selling of to Foreigners prohibited.—See *Bills No. 25.*

Blaikie James, Petition of, 39.

Blackburn Joseph, his Survey and Report laid before the House, 15.—See *Appendix.*

Bill withdrawn, contrary to Rules relating to private Bills, 71.

Bills—

No. 1. For the better conduct of the Fisheries, 23, 27, 53, 64, 70, 71, 72, 111, 112, 121, 123, 154, 156, 163, 167, 176.

— 2. To regulate the Office of Sheriff, 22, 26, 30, 50.

— 3. For the establishment of a Classical Academy, 6, 15, 32, 45, 47, 49, 82, 88, 93, 99, 100, 105, 110.

— 4. For the relief of sick and disabled Seamen, 22, 23, 31, 32, 37, 78, 87, 89, 90, 93. G. A. 106.

— 5. To limit the duration of the Assemblies of this Island, 22, 26, 28, 29, 54, 65, 69, 71, 72. G. A. 184.

— 6. To authorize summary proceedings in the Circuit Courts, 22, 30, 33, 35.

— 7. To amend the Act relating to Real Chattels, 31, 35, 45, 50, 53, 128, 131, 133, 139. G. A. 184.

— 8. To repeal the act incorporating the Law Society, 35, 42.

— 9. For granting a sum of money to prevent the Spreading of Small Pox, 39, 46, 48, 55. G. A. 106.

— 10. To repeal the 25th & 26th Sections 5 Geo. IV, cap. 67.—H. M. C. 42, 45.

— 11. To regulate the Office of Sheriff, 48, 57, 63, 65.

Bills—

- No. 12.** For ascertaining the Census, 58, 64, 72, 73, 82, 107, 110, 111, 135. G. A. 184.
- 13. For completing the Light House on Harbor Grace Island, 58, 64, 77, 87, 88, 99, 116, 141, 160. G. A. 184.
- 14. To enable J. V. Nugent to practise at the Bar, 63, 65, 71, 103, 108.
- 15. To amend the practice of the Supreme and Circuit Courts, H. M. C. 69, 87.
- 16. For registering the names of the printers and proprietors of Newspapers, 72, 77.
- 17. For preventing the mischiefs arising from the publishing of Newspapers &c. by unknown persons, 88, 89, 90, 97, 123, 124.
- 18. To continue the act for the increase of the Revenue, 89, 97, 125, 127.
- 19. To continue the act concerning Pilots, 97, 105, 109, 110, 128, G. A. 184.
- 20. For the regulation and collection of the Customs, 102.
- 21. To repeal the Caplin Manure Act, 108, 111, 121, 123.
- 22. For the encouragement of Education, 111, 113, 120, 122, 137. G. A. 184.
- 23. For the erection of a Colonial House 123, 128, 133, 153, 159, 160, 167. G. A. 184.
- 24. For the establishment of a Grammar School, 124, 126, 158.
- 25. For preventing the encroachments of Aliens on the Fisheries, 130, 138, 156, 157, 159, 167, 173, 175. G. A. 184.
- 26. For preventing the mischiefs of the publishing of Books, Newspapers &c. by unknown persons, H. M. C. 133, 134, 139, 140, 159, 168, 172, 178, 180, 181, 183. G. A. 184.
- 27. To continue the Act granting duties on Spirits and Wines, 146, 153, 162, 163.
- 28. To repeal parts of the Act granting duties on all articles imported into the Colony, 136, 142.
- 29. For increasing the number of Members of the Assembly, 136, 143.
- 30. To repeal certain parts of the Judicature Act, relating to the Records of the Surrogate Court, 137, 170.

Bills—

- No. 31.** For granting supplies for the support of the Civil Establishment of the Colony, 154, 157, 158, 159, 160, 161, 166, 171, 176. G. A. 184.
- 32. To defray the contingencies of the Legislature, 161, 165, 173, 174, 175, 180. G. A. 184.
- 33. To continue the Act for the relief of Insolvent Debtors, 138, 170, 173, 183. G. A. 184.
- 34. For the making and repairing of Roads and Bridges, 175, 177, 180, 181, 183. G. A. 184.
- 35. To continue certain acts relating to the Revenue, 177, 179, 181. G. A. 184.
- 36. To Continue the Quarantine Act, 179, 180, 181. G. A. 184.
- Bonavista*, Constables of, message relative to their salaries, 167.
- Bonne Bay*, Electoral District of, despatch of Colonial Secretary relative to the boundaries thereof, 129.
- Books*, see *Library*.
- Brenton Assistant Judge*, Memorial of, 24.
- Brigus*, Petition of inhabitants of relative to the Residence of the Stipendiary Magistrate, 31.
- — — — — praying for a repeal of the Caplin Manure Act, 126.
- Broad Cove*, Petition of inhabitants of for a Branch Road to Portugal Cove Road, 70.
- Brown Luke*, Petition of for compensation as Assayer of Weights and Measures, 127.
- Broom John, Esq.*, Despatch of Colonial Secretary relative to his salary.

C.

- CAPLIN**, Bill to repeal the act preventing the use thereof for manure.— See *bills No. 21*.
- — — — — Petition for repeal of said act.— See *Petitions No. 35*.
- Carbonear*, Presentment of Grand Jury relative to Lock-up-House at, 24.
- — — — — Petition of inhabitants of praying aid for sundry purposes, 52.
- Census*, See *bills No. 12*.
- Chairmen of Committees of the whole House* appointed by special motion, 28, 29, 118, 123.
- Church Hill*, Message of Governor relative to land thereon to be appropriated for the purpose of a Market House, 15, proceedings thereon, 116.—See *bills No. 23*.

Clerk of the Southern Circuit Court, Message of his Excellency relative to his salary, 104.

Cochrane Sir Thomas, Despatch of Secretary for the Colonies in reply to the address of the House relative to the sum paid by his order out of the Colonial Chest, 7, 11.

Colonial Vessel, Despatch of Secretary of State for the Colonies relative to, *ibid.*

————— *House*, see *bills* No. 23.

Committees Select, appointed to report on various matters, see *Police, Petitions, Schools, Messages, Journals, Contingencies, Library, Expiring Laws.*

————— To draft addresses and bills, see *addresses, bills.*

————— To prepare reasons to be offered at conferences, 94, 128, 156, 160.

Conferences held on the subject of the management of the Library, 32, 33—on the Academy bill, 82, 100—on bill to amend Real Chattels act, 134—on bill for the protection of the fisheries 167—on fishery bill, 176—on bill for regulating the printing of Newspapers, &c., 178, 181.

Contingencies unforeseen, address for return of expenditure of sum voted for, 18—return laid before House, 25.

————— of House for the present Session referred to select committee to report, 137—first report, 140—committee to report further, 163—second report, 172.

————— of Council asked for by Message, 137—communicated to House, 139—Message to Council for information relative to the Master in Chancery's duties, 152—Council's reply, 158—answer of House thereto, 171—see *bills* No. 32.

Constables of Central district, petition of, 35.

————— of Conception Bay, petition of, 42.

Corporation, petition for by inhabitants of St. John's, 51.

Court Houses and Jails, sundry documents relative to the building and repairing of laid before the House, 19—repairs of Court House, St. John's, submitted to the notice of the House, 24, see *Messages.*

Current Supply, notice of bill to repeal the law relative thereto, 6, see *bills* No. 10.

————— petition of P. Morris praying to be heard against the repeal thereof, 51.

Currie John, petition of, 41.

Customs, Documents relative to laid before the House by Message, 19—address for returns from, 25, 26—returns laid before the House, 47, 73, see *Appendix.*

————— Collector of, his memorial, 74.

————— Bill for regulation of, 102.

D.

DANIEL STEPHEN J., Petition of, 38.

Danson Thomas, memorial of, 40.

Documents, committee to superintend printing of, 25.

E.

EDUCATION, report of select committee on, 66—referred to committee of whole House, 72—report, 100—see *bills* No. 22.

Evidence, for the passing of the bill for completing the Harbor Grace Island Lighthouse requested by Council, 99—communicated to them, 116.

Estimates and financial statements laid before the House, 25—referred to committee of supply, 29—see *Returns & Appendix.*

Expiring Laws, select committee to report upon, 71—report, 76.

Extra Expenditure, accounts laid before the House by his Excellency, 84, 104—attention of the House called thereto by Message, 112.

F.

FACTORY St. John's, Petition of committee of, 76—referred to committee of supply, 77—see report of committee of supply.

Fees and Emoluments, committee appointed to report upon, 15—address to Governor for returns of, 76, 84—see *Returns and Appendix.*

Fermeuse, petition of inhabitants of, 98—see *Petitions* No. 29.

Fleming Rt. Rev. Michael Anthony, petition of, 51—see *Petitions* No. 14.

Financial Statement laid before House, 25—see *appendix*.

Finlay James, petition of, 177—see *Petitions* No. 40.

Fire Companies, St. John's, petition of committee of, 85—see *Petitions* No. 24.

Fisheries, despatch from Secretary of State relative to encroachments of French thereon, 7, 12—Commander Hope's report on the same subject, 24—see also *bills* Nos. 1 and 25.

Fog Guns, accounts of expense of laid before the House, 26—see *appendix*, and report of committee of supply.

G.

GAMBLE Thomas, petition of, 37—see *petitions*, No. 4.

Governor, his Excellency the, speech of at the opening of the session, 3—at the close, 184—Transmits messages to the House on various subjects, see *messages*—His replies to addresses, see *addresses*—Notifies his intention of proroguing House, 157.

Grand Juries, presentments of laid before the House, 18.

Green Joshua, his survey and report laid before the House, 104, see *appendix*.

H.

HARBOR GRACE, petitions of inhabitants of, 39, 44, 73, 101, see *petitions* Nos. 7, 10, 21, 31.

Island Light-house on, 24, see *bills* No. 13.

Hippesley George, petition of, 173, see *petitions* No. 39.

Hogsett Aaron, petition of, 58, see *petitions* No. 16.

Holyrood, petition of inhabitants of, 98, see *petitions* No. 30.

Hope, Commander R. N., his report relative to the intrusions of the French fishermen on the fisheries in Fortune Bay, 24, see *appendix*.

Hospital of St. John's, documents relative to laid before the House by Governor, 15.

Hospitals to be established in different districts, see *bills* No. 4.

House of Assembly meet, 3—attend his Excellency, 3, 106, 183,—prorogued, 185—counted, 88.

— motion for address to his Excellency to dissolve it, and proceedings thereon, 112, 113, 114, 115, 116, 118, 119, 120.

I.

INSTRUCTIONS to committees of conference on sundry matters, see *Conference*.

Journals of Council searched, 53, 140.

K.

KING, HIS MAJESTY the, address of thanks to him moved for withholding his assent to the bill for the increase of Members, 126—reported, 132—rejected, and resolution for it rescinded, 135.

King's Bridge, correspondence on the subject of, 15, see Report of committee of supply and *appendix*.

L.

LAW Society, bill to repeal the incorporation thereof, see *bills* No. 8.

Library for the use of the Legislature, communication to be had with Council thereon, 13—conference asked thereon, 22—instructions to conferrees, *ibid*—conference held, 32—second conference held, 33—report, *ibid*—report considered, 53—Message to Council thereon, *ibid*—Message from Council with Rules, 157—referred to committee, 182—report, *ibid*—Message to Council thereon, *ibid*.

M.

- M**AGISTRACY, see *Messages* No. 4.
- Magotty Cove*, Documents relative to Bridge at, 106.—See Report of Committee on Roads.
- Martin William*, Petition of, 21.—See *Petitions* No. 1,
- Market House*, see *Messages* No. 2 and *Colonial House*.
- McKie J. L.*, Petition of, 127.—See *Petitions* No. 37.
- Mayne Alfred*, Petition of, 43.—See *Petitions* No. 9.

Messages From His Excellency the Governor, commanding the attendance of the House, 3, 106, 183.

- No. 1. Transmitting sundry Documents, relative to Acts of the Legislature approved by His Majesty—Despatches on the subject of the Real Chattels Act—the limitation of Parliament Act—the Colonial Vessel—the money drawn from the Treasury by Sir Thomas Cochran, and the encroachments of the French on the British Fisheries, 7 to 12.
2. Transmitting Documents on the subject of Roads—the state of the Hospital, and the Lease of the Land on the “Church Hill,” 15.—See *Appendix*.
3. Transmitting Petition from Harbor Grace relative to the Small Pox, 16—considered, 19, 20—Address in reply thereto, 21—and see *bills* No. 9.
4. Transmitting Documents connected with the Magistracy and Police—and relative to the building and repairing of Court Houses and Gaols, 18, 19.—See *Appendix*.
5. Transmitting copy of a letter from the Collector of the Customs, 19.
6. Transmitting documents relative to the Registration of Voters. 23.—See *Appendix*.
7. Calling the attention of the House to the State of the Court House buildings, 24.
8. Transmitting Documents connected with the subject of Finance—Captain Hope’s Report &c., 24. See *Appendix*.

Messages—

- No. 9. Transmitting Memorials of Judge Brenton and the Colonial Treasurer, and Letter relative to Mr. Stevenson, 24.
10. Transmitting Report of Commissioners under the Statute Labor Act for the Central District, 36.—See *Appendix*.
11. Transmitting Memorials of James Blaikie, Esq., 39—of Thos. Danson, Esq., 40—and of Mr. John Currie, 41.
12. Transmitting accounts of expense of registering Voters in Conception Bay and Petition of Constables, 42 and 49.—See *Appendix*.
13. Acquainting the House of the death of William Armstrong, a pensioner, 54.
14. Transmitting accounts of registering Voters in Conception Bay, 54.
15. Acquainting the House of the repayment into the Colonial Chest of a sum drawn therefrom, 66.
16. Transmitting Petition of Inhabitants of Broad Cove relative to a Road, 69.
17. Transmitting concluding part of Mr. Sweetland’s survey and report, 70.
18. Transmitting account of Revenue audited.—See *Appendix*—and memorial from Collector of Customs, 73.
19. Transmitting accounts of extra expenditure, 84.
20. Transmitting correspondence with Dr. Shea on the subject of his claim for public services, 92.
21. Four Messages transmitting accounts of extra expenditure—Extract of Despatch relative to the Clerk of the Southern Circuit Court—copy of order in Council approving of Acts passed—and Mr. Joshua Green’s survey of lines of Road between Conception and Trinity Bays, 103 and 104.—See *Appendix*.
22. Transmitting account of expenses of Boat’s Crew of H. M. S. *Racer*, 105.
23. Transmitting Despatch relative to Bridge at Magotty Cove, 106, and letter relative to Constables at Bonavista, 107.

Messages—

- No. 24. Calling the attention of the House to the over expenditure of last year, 112.
- 25. Acquainting the House that he cannot receive an address to be presented owing to some objectionable terms therein, 117.
- 26. Transmitting accounts of expense of registering Voters in St. John's, 125.
- 27. Laying before the House copy of despatch relative to the Act for the increase of Representatives, 129.
- 28. Transmitting returns of Fees and Emoluments, 153.
- 29. Transmitting report of repairs to be made in the Sheriff's Apartment at the Court House, 162— and expense of registering Voters at Bay Bulls, 162.
- From his Majesty's Council, viz :
Asking conferences, 33, 82, 175, 177.
Agreeing to conferences, 50, 100, 132, 167, 186.
With Bills sent down for Concurrence, 42, 69, 133.
— passed with amendments, 54, 75, 78, 105, 130, 141, 154, 167.
— passed without amendment, 55, 128, 137, 167, 176, 180, 181, 183.
Agreeing to amendments, 181, 183.
Receding from amendments, 183.
Requesting evidence &c. 99, 116.
Transmitting Rules of Library, 157—agreed to 183.
Communicating their Contingencies, 139.
Relative to the Master-in-Chancery, 158—reply, 171.
- to his Majesty's Council, viz :
With Bills for concurrence.—See *bills*.
With amendments agreed to, 72, 93, 135, 161, 175.
Asking conferences, 22, 99, 131, 165, 179.
Agreeing to conferences, 53, 82, 176.
Communicating information relative to Bills, 116, 130.
Requesting their Contingencies, 137.
On the subject of the Master-in-Chancery, 152, 171.

- Members*, Act to increase the number of—
Copy of Despatch relative thereto laid before the House, 129—motion for address of thanks to his Majesty for withholding his assent thereto, 126—Address reported, 132—and rejected 135.
- Representing Outports, their expenses while attending the House of Assembly to be paid, 42, 172.
- Motions* negatived, 23, 28, 44, 45, 49, 57, 69, 88, 92, 103, 107, 111, 114, 115, 118, 122, 135, 136, 140, 142, 157, 161, 162, 163, 174, 178.
- amended, 42, 53, 110, 124, 184, 135, 139.

N.

- N**EWSPAPERS, Bill for registering the names of the Printers and Proprietors thereof, and Bills for preventing the mischiefs arising from the printing and publishing thereof by unknown persons.—See *bills* Nos. 16, 17, 26.
- Nugent J. V.* Petition of, 60.—See *Petitions* No. 18.

O.

- O**RDERS of the day postponed, 71, 72, 87, 89, 97, 100, 107, 112, 124.

P.

- P**ARLIAMENTS, Act limiting duration of, Despatch of Secretary of State relative thereto, 7, 10.
- Title of used in an Address of the House to the Governor objected to by his Excellency, 117.—See *Messages* No. 25.
- Petitions*, withdrawn for informality, 32, 44.
- No. 1. From William Martin High Constable of the Northern District praying for a pension, 21.
- 2. From the inhabitants of Brigus and Cupids, praying that the Stipendiary Magistrate may be located at Brigus, 31—referred, 32.—See Report of Committee of Supply.

Petitions.

- No. 3.** From the Constables of the Central District praying an increase of salary, 35—referred to committee of supply, *ibid*—see *Supply Report*.
- 4.** From Thomas Gamble praying a return of duties twice paid, 37—referred to select committee, 38—report thereon, 43—referred to supply, *ibid*—see report of committee of supply.
- 5.** From Stephen J. Daniel praying compensation for services as Assayer of weights and measures for the Northern District, 38—referred to Supply, *ibid*—see report of committee of supply.
- 6.** From James P. Tobin, praying aid for the removal of shipwrecked seamen, 38—referred to committee of supply, *ibid*—see Report.
- 7.** From the inhabitants of Harbor Grace praying aid for opening a road to Carbonear, 39—see Report of committee on roads.
- 8.** From the constables of Conception Bay praying for increase of salary, 42.
- 9.** From Alfred Mayne, Clerk of Peace at Harbor Grace, praying increase of salary, 43—referred to committee on Police, *ibid*.
- 10.** From the Protestant Episcopalians of Harbor Grace praying aid towards rebuilding their church, 44—referred to committee of supply, *ibid*—see Report.
- 11.** From inhabitants of the Southside of St. John's harbor, praying aid towards building a bridge across the same, 50—see report of committee on roads.
- 12.** From Patrick Morris, praying to be heard at the bar against the passing of the bill to repeal the 25th & 26th sections of Judicature act, 57.
- 13.** From Inhabitants of St. John's praying for an act of incorporation, 51.
- 14.** From the Roman Catholic Bishop praying aid towards the maintenance of the Convent School, 51.

Petitions.

- No. 15.** From the inhabitants of Carbonear, praying aid towards building a lock-up house and improving the roads, 52—referred to the committee of supply, 53—see Report.
- 16.** From Aaron Hogsett, praying compensation for loss of office, &c., 59.
- 17.** From Matthew Stephenson, late Clerk of Peace for Conception Bay, praying for a pension, 59.
- 18.** From John V. Nugent, praying to be admitted to practise at the Bar, 60—see *bills* No. 14.
- 19.** From Joseph Templeman, praying aid towards completing his Index of the Laws, 65, referred to select committee, 66, report, 125, referred to committee of supply, *ibid*, see Report.
- 20.** From the inhabitants of Broad Cove, praying for a branch road to the Portugal Cove road, 70, see report of road Committee.
- 21.** From the inhabitants of Harbor Grace praying aid for the Free School of that town, 73, referred, *ibid*, see *Schools*.
- 22.** From the Collector of H. M. Customs, St. John's, praying compensation for the Collector of the Colonial Revenue, 74.
- 23.** From the committee of the St. John's Factory praying aid, 76, referred to committee of supply, 77, see Report.
- 24.** From the officers of the St. John's Fire Companies praying for a grant of money towards erecting reservoirs of water in said town, 85, referred, *ibid*.
- 25.** Petition of inhabitants of St. John's concerned in the West India Trade, praying for a reduction of duties on spirits, 90, referred, 92.
- 26.** From the inhabitants of St. John's against the passing of the bill to regulate the printing of Newspapers, 92.
- 27.** From Joanna Armstrong praying aid, 96, referred to committee of supply, *ibid*, see report.

Petitions.

- No. 28. From inhabitants of Port de Grave relative to residence of the stipendiary Magistrate, 97, referred, *ibid.*
29. From the inhabitants of FERMENSE praying for the passing of a bill to admit J. V. Nugent to practise at the Bar, 98.
30. From the inhabitants at the head of Conception Bay relative to the residence of the stipendiary Magistrate, 98.
31. From the inhabitants of Harbor Grace praying for sundry enactments, 101.
32. From Wm. Warford praying to be made Pilot of Harbor Grace, 102.
33. From the inhabitants of Quidi Vidi praying aid towards removing the obstructions in the mouth of their harbor, 109, referred to committee of supply, 116, see Report.
34. From inhabitants of Harbor Grace and Musquito praying for a repeal of the Caplin Manure act, 102.
35. From Thomas Williams praying compensation as Assayer of weights and measures for the Central District, 121, referred to committee of supply, *ibid.*, see Report.
36. From the inhabitants of Brigus praying for a repeal of the caplin manure act, 126.
37. From Luke Browne praying compensation as Assayer of weights and measures for the southern district, 127, referred to committee of supply, *ibid.*, see Report.
38. From John L. McKie praying compensation for his services as a Magistrate, 127, referred to committee of supply, *ibid.*
39. From George Hipposley, praying compensation as Assayer of weights and measures, 173.
40. From James Finlay praying for a salary as High Constable of Central District, 177, address to Governor thereon, 182.

Phipard William, Despatch of Secretary of State relative to his salary, 7, 10.

Pilots and Pilotage, see *Bills* No. 20.

Police and Magistracy, information on the subject of.—See *Messages* No. 4 and *Appendix*.

— Committee to report upon, 29— Report, 55.

Poor, Letter from the Commissioners of stating the expenditure of the sum for the relief of 17—Address to his Excellency for return of expenditure, 18—return laid before the House, 25—and see *Appendix*.

Port-de-Grave, Petition of Inhabitants of, 97.—See *petitions* No. 28.

Previous Question, moved, 159.

Proclamation proroguing the Assembly, 2.

Q.

QUARANTINE, Act continued.—See *bills* No. 37.

Quidi-Vidi, Petition from Inhabitants of, 109, 116.—See *petitions* No. 33.

Quorum, House adjourn for want of, 37, 49, 58, 75, 89, 94, 95, 96, 139.

R.

RACER H. M. S., Account of expenses incurred by her Boats Crew &c., 105.—See *Appendix*.

Real Chattels Act, Despatch of Secretary of State relative to, 7, 9.—And see *Bills* No. 7.

Reports of Committees of the whole House, on Bills, see *Bills*—on Address of thanks, 7—on Message relative to Small Pox, 20—on Message relative to Colonial Vessel, 86—on report of Select Committee on Schools, 100—on Message relative to Land on Church Hill, 116—on Supply, 144—on Roads, 165.

— of *Select Committees*, to present Addresses, 14, 21, 27, 48, 89, 131, 183— for framing Bills, see *Bills*—of conference, 33, 83, 176, 178—on Police, 55—on Petitions, see *Petitions*—on Schools, 66—on Expiring Laws, 76.—See *Conferences*, *Contingencies*, &c.

Returns laid before the House of License Money and Fines, 28—relative to the Revenue, 29, 47, 73—on other subjects, 36, 37.—See *Appendix*.

Revenue, Consolidated account of laid before the House, 74—Returns relating to, 29, 47.—See *Appendix*.

Roads, House in committee on, 109, 112, 165—Report, *ibid.*—See *Bills* No. 35, *Petitions*, *Messages*, and *Appendix*.

S.

SALARIES and Emoluments, Returns of moved for, 76—laid before House, 153.

—See *Addresses*, and *Appendix*.

Seamen, Bill for relief of.—See *Bills* No. 4.

Schools Elementary, select committee to report upon, 50—report, 66—referred and considered, 72, 75, 100.—See *Bills* and *Education*.

Sheriffs, Bill to regulate the office of.—See *Bills* Nos. 2, 11.

Shea Dr Joseph, Message relative to his claims, 92—referred to select committee, 138—report, *ibid.*—See *Messages*, and *Addresses*.

Skelton George, Petition of.—See *Messages* No. 4.

Small Pox, see *Messages* No. 3, *Addresses*, and *Bills* No. 9.

Spaniards Bay, Petition of Inhabitants of, see *petitions*.

Spearman James, Memorial of, 74.—See *petitions* No. 22.

Speaker Mr., gives casting votes on various occasions, 45, 69, 88, 93, 122, 134, 135, 136, 140, 161, 162, 165, 166, 172.

Speech of His Excellency, at the opening of the Session, 3—at the close 185.

Sweetland Mr. Benjamin, his survey and report laid before the House, 15, 70.

St. John's, Petitions of the Inhabitants of.—See *petitions* Nos. 11, 13, 24, 25, 26.

Statute Labor, Commissioners, report of for Central District, 36.—See *Appendix*.

Strangers, motion to admit them without Tickets negatived, 69.

Stevenson Matthew, Petition of, 24.—See *petitions* No. 17.

Supply, moved, 23—House in committee of, 29, 36, 57, 64, 109, 117, 126, 129, 130, 137, 141—report, 144

— Bills to be printed, 182.

T.

TEMPLEMAN JOSEPH, Petition of—see *petitions* No. 19.

Tobin James, Petition of—see *petitions* No. 6.

Treasurer Colonial, Memorial of, 24.

— his account current—see *Appendix*.

V.

VOTERS, Registration of, claims of Magistrates and Constables for compensation, 25, 42, 50, 54, 125, 142.—See *Messages* No. 6.

— for Central District, copy of Register of moved for, 128—laid before the House, 132—copy thereof made, *ibid.*—sworn copies of notices &c. laid before the House, 142.

W.

WARFORD WILLIAM, Petition of, 102.

West India Trade, Petition of persons interested, 91.—See *petitions* No. 25.

William Thomas, Petition of—see *petitions* No. 35.

Words used in debate taken down, 135.

