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JOURNAL

OF THE

GENERAL ASSEMBLY

OF

NEWFOUNDLAND,

ANNO SEXTO VICTORIÆ REGINÆ.

HIS EXCELLENCY
MAJOR GENERAL SIR JOHN HARVEY, K. C. B. & K. C. H.
Governor and Commander in Chief, &c. &c.



FIRST SESSION OF THE THIRD GENERAL ASSEMBLY.

St. John's, Newfoundland.

W. B. SHEA, PRINTER, DUCKWORTH-STREET.

MDCCCXLIII.

ERRA TA.

Page 172.—At the head of this page, insert the following words :

Moved by Mr. Glen, seconded by Mr. Munn.

— 173.—*4th line from the bottom*—for *inserted*, read *insisted*.

— 175.—*Line 8*—For *Wednesday the 19th*, read *Monday the 17th*.



PROCLAMATION.

(L. S.)
H. PRESCOTT.

*VICTORIA, by the Grace of God of the
United Kingdom of Great Britain and
Ireland, Queen, Defender of the
Faith.*

To all to whom these presents shall come, greeting ;

WHEREAS We have thought fit to **DISSOLVE** the present **GENERAL ASSEMBLY** of the **FREEHOLDERS** and **HOUSEHOLDERS** within our **Island of NEWFOUNDLAND**, which stands **Prorogued** to **MONDAY** the 10th day of **May** now next ensuing : **NOW KNOW YE** that we do, for that end, publish this our **Royal Proclamation**, and do hereby **DISSOLVE** the said **GENERAL ASSEMBLY** accordingly : and the **Members** of our **COUNCIL** and of the said **GENERAL ASSEMBLY** are discharged from their meeting and attendance on the said 10th day of **May** next ensuing. In testimony whereof we have caused these our **Letters** to be made patent under the **Great Seal** of our said **Island**.

Witness our trusty and well-beloved **HENRY PRESCOTT**, Esquire, Companion of the most Honorable Military Order of the Bath, our **Governor** and **Commander-in-Chief** in and over our said **Island** and its **Dependencies** at **St. John's**, in our said **Island**, this **Twenty seventh** day of **April**, in the **Fourth Year** of our **Reign**.

By his Excellency's command,

JAMES CROWDY,

Secretary.



ANNO QUINTO & SEXTO.

VICTORIÆ REGINÆ.

CAP. CXX.

An Act for amending the Constitution of the Government of *Newfoundland*.

[12th August, 1842.]

WHEREAS by a Commission under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, bearing Date at *Westminster* the Second Day of *March* in the Year One thousand eight hundred and thirty-two, His late Majesty King *William* the Fourth did give and grant unto the then Governor of the Island of *Newfoundland* full power and authority, with the Advice and Consent of the Council of the said Island, from Time to Time, as need should require, to summon and call General Assemblies of the Freeholders and Householders within the said Island and its Dependencies, in such Manner and Form, and according to such Powers, Instructions, and Authorities as were granted or appointed by certain Instructions under His late Majesty's Sign Manual and Signet accompanying the said Commission; and His said late Majesty did by the said Commission declare, that the persons so elected, having taken certain oaths therein mentioned, should be called and deemed the General Assembly of the said Island of *Newfoundland*; and the said Governor, by and with the advice and consent of the said Council and Assembly or the major part of them respectively, was by the said Commission empowered and authorized to make, constitute, and ordain Laws, Statutes, and Ordinances for the public Peace, Welfare, and good Government of the said Island and its dependencies, and the people and inhabitants thereof, and such others as should resort thereto, and for the benefit of his late Majesty, his heirs and Successors: And whereas by the before mentioned instructions so referred to as aforesaid in the said Commission the said Governor was authorized to issue a proclamation dividing the said Island into districts or counties, towns or townships, and appointing the limits thereof, and declaring and appointing the number of representatives to be chosen by each of such districts or counties, towns or townships respectively: And whereas the Proclamation referred to in the said last-mentioned instructions was accordingly issued by the said Governor in the name and on the behalf of his said late Majesty, whereby the said Island was divided into nine districts for the purpose of the election of the Members of the said Assembly; and it was by the said proclamation, amongst other

things, declared, that every man being of the full age of twenty-one years and upwards, and being of sound understanding, and being a natural-born subject of his said late Majesty, or having been lawfully naturalized, and never having been convicted in due course of law of any infamous crime, and having for two years next immediately preceding the day of election occupied a dwelling House within the said Island, as owner or tenant thereof, should be eligible to be a Member of the said House of Assembly ; and it was by the said proclamation further declared, that every man who for one year next immediately preceding the day of election had occupied a dwelling house within the said Island, as owner or tenant thereof, and who in other respects might be eligible, according to the regulations aforesaid, to be a Member of the said House of Assembly, should be competent and entitled to vote for the election of Members of the said Assembly in and for the district within which the dwelling house so occupied as aforesaid by him might be situated : And whereas, in pursuance of the said Commission, Instruction, and Proclamation, General Assemblies have since been elected and holden in and for the said Island of *Newfoundland* in the manner therein prescribed ; and the said commission and instructions have from time to time been renewed on the appointment of the successive Governors of the said Island, and divers laws have been made in pursuance thereof by the said Governor, Council, and Assembly : And whereas it is expedient that the changes herein-after mentioned should be made in the Constitution of the Government of the said Island : be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that it shall be lawful for her Majesty in or by any commission or commissions under the great seal of the United Kingdom, to be hereafter issued for the Government of *Newfoundland*, and in and by any instructions under her Majesty's signet and sign manual accompanying and referred to in any such commission or commissions, to establish a Qualification in respect of income or property in right of which any person may be hereafter elected to serve as a Member of the said Assembly ; provided that no such qualification shall be fixed at more than a net annual income, arising from any source whatsoever, of one hundred pounds, or the possession of property, clear of all incumbrances, exceeding five hundred pounds in amount or value.

Her Majesty empowered to raise the Qualification of Members of Assembly.

II. And be it enacted, that it shall be lawful for her Majesty, in manner aforesaid to fix and determine the length of the period of residence within any electoral district in the said Island which shall be required in addition to any other qualification for voting at elections within such district, or for being elected to serve as a Member of the Assembly ; provided that such period shall not extend beyond the period of two years next preceding any such election.

Her Majesty empowered to lengthen period of residence of electors.

III. And be it enacted, that it shall be lawful for her Majesty, in manner aforesaid, to restrain the said Assembly from appropriating to the public service within the said Island any part of the public Revenue thereof, in cases where such services shall not have been previously recommended, or such grants of money shall not have been previously asked, by or on the behalf of her Majesty.

Her Majesty empowered to restrain appropriation of revenue.

IV. And be it enacted, that it shall be lawful for her Majesty, in manner aforesaid, to restrain and prohibit the election of Members to serve in the said Assembly, in different Districts, on successive or different days, and to re-

Her Majesty empowered to direct elections to be simultaneous.

(vi.)

quire that all such elections shall be simultaneous, and shall be completed within a time to be limited.

Her Majesty may appoint an Executive Council.

V. And be it enacted, that it shall be competent to her Majesty in manner aforesaid, to establish an Executive Council for advising the Governor of the said Island, apart and distinct from the Legislative Council thereof.

Her Majesty empowered to abolish the Council, as a distinct Branch of the Legislature ;

VI. And be it enacted, that it shall be lawful for her Majesty, in manner aforesaid, to abolish the Legislative Council of the said Island as a distinct House or branch of the Legislature thereof, and to authorize and empower the Members of the said Legislative Council to sit and vote in the House of Assembly as Members thereof, as fully in all respects as the elected Members of the said House : Provided always, that the number of Members so to be authorized to sit and vote in the said House of Assembly shall never be more than two fifths of the whole number of the Members of such House of Assembly : provided also, that it shall be competent to her Majesty again, in manner aforesaid, to re-establish the Legislative Council as a separate House of the Legislature of the said Island.

and to re-establish it.

Future Commissions to be laid before Parliament.

VII. And be it enacted, that any such future commission or instructions as aforesaid shall be laid before both houses of Parliament within thirty days next after the date thereof, should Parliament then be in Session, or if not, then within thirty days next after the commencement of the then next Session of Parliament.

Change in Constitution not to continue beyond a limited Time, unless Parliament shall otherwise direct.

VIII. Provided always and be it enacted, that no change which shall be made in the Constitution of the said Island under this act shall continue for a longer time than the first day of *September* one thousand eight hundred and forty-six, unless Parliament shall otherwise order ; but this enactment shall not be construed to annul or affect any laws, statutes, or ordinances made by the Legislature of the said Island as constituted under the Authority of this Act.

Act not to interfere with Prerogative of Her Majesty.

IX. And be it declared and enacted, that nothing herein contained shall extend or be construed to extend to take away or diminish any right or prerogative vested in her Majesty of enlarging, as to her Majesty may seem meet, any Franchise heretofore granted by his late Majesty or hereafter to be granted by her Majesty to her Majesty's subjects in *Newfoundland*.

Act not to effect the Act 2 & 3 W. 4 c. 78.

X. And be it enacted, that nothing herein-before contained shall extend or be construed to extend to repeal or alter the provisions of an Act passed in the third year of the reign of his late Majesty King *William* the fourth, intituled *An Act to continue certain Acts relating to the Island of Newfoundland and to provide for the appropriation of all Duties which may hereafter be raised within the said Island*.

Act may be amended, &c. this Session.

XI. And be it enacted that this act may be amended or repealed by any act to be passed during this session of Parliament.



(L. S.) **VICTORIA**, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To Our trusty and well beloved Sir JOHN HARVEY, Knight, Commander of the Most Honorable Military Order of the Bath, Major-General in Our Army, Our Governor and Commander in Chief in and over Our Island of Newfoundland and its Dependencies, Greeting :—

WHEREAS by a Commission under the Great Seal of the United Kingdom of *Great Britain and Ireland*, bearing Date at *Westminster* the Second Day of *March* in the Year One thousand eight hundred and thirty-two, His late Majesty King *William* the Fourth did give and grant unto the then Governor of the Island of *Newfoundland* full power and authority, with the Advice and Consent of the Council of the said Island, from Time to Time, as need should require, to summon and call General Assemblies of the Frecholders and Householders within the said Island and its Dependencies, in such Manner and Form, and according to such Powers, Instructions, and Authorities as were granted or appointed by certain Instructions under His late Majesty's Sign Manual and Signet accompanying the said Commission; and His said late Majesty did by the said Commission declare, that the persons so elected, having taken certain oaths therein mentioned, should be called and deemed the General Assembly of the said Island of *Newfoundland*; and the said Governor, by and with the advice and consent of the said Council and Assembly or the major part of them respectively, was by the said Commission empowered and authorized to make, constitute, and ordain Laws, Statutes, and Ordinances for the public Peace, Welfare, and good Government of the said Island and its dependencies, and the people and inhabitants thereof, and such others as should resort thereto, and for the benefit of his late Majesty, his heirs and Successors: And whereas by the before mentioned instructions so referred to as aforesaid in the said Commission the said Governor was authorized to issue a proclamation dividing the said Island into districts or counties, towns or townships, and appointing the limits thereof, and declaring and appointing the number of representatives to be chosen by each of such districts or counties, towns or townships respectively: And whereas the Proclamation referred to in the said last-mentioned instructions was accordingly issued by the said Governor in the name and on the behalf of his said late Majesty, whereby the said Is-

land was divided into nine districts for the purpose of the election of the Members of the said Assembly ; and it was by the said proclamation, amongst other things declared that every Man being of the full age of Twenty-one years and upwards, being of sound understanding, and being a natural born subject of his said late Majesty, or having been lawfully naturalized, and never having been convicted in due course of law of any infamous crime, and having for two years next immediately preceding the day of Election occupied a Dwelling House within the said Island as Owner or Tenant thereof, and who in other respects might be eligible according to the regulations aforesaid to be a member of the said House of Assembly, should be competent and entitled to vote for the Election of Members of the said Assembly in and for the district within which the Dwelling House so occupied as aforesaid by him, might be situated ; And whereas in pursuance of the said Commission, Instructions and Proclamation, General Assemblies have since been elected and holden in and for the said Island of Newfoundland, in the manner therein prescribed, and the said Commission and instructions have from time to time been renewed on the appointment of the successive Governors of the said Island, and divers laws have been made in pursuance thereof by the said Governor, Council and Assembly. And whereas we did, by certain Letters Patent, under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date Westminster the twentieth day of July, one thousand eight hundred and forty one in the fifth year of our Reign, constitute and appoint you the said Sir John Harvey to be our Governor and Commander in Chief in and over our said Island of Newfoundland and its Dependencies : And whereas by a certain act of Parliament passed in the sixth year of our reign, intituled An Act for amending the Constitution of the Government of Newfoundland, it is amongst other things Enacted that it shall be lawful for us, in or by any Commission or Commissions under the Great Seal of the United Kingdom to be hereafter issued for the Government of Newfoundland, and in and by any instructions under our Signet and sign manual accompanying and referred to in any such Commission or Commissions, to establish a qualification in respect of income or property, in right of which any person may be hereafter elected to serve as a member of the said Assembly, provided that no such qualification shall be fixed at more than a net annual income, arising from any source whatsoever, of One hundred Pounds, or the possession of property, clear of all incumbrances, exceeding Five hundred Pounds in amount or Value.

Now know ye, that we, reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said Sir John Harvey, of our especial grace, certain knowledge and mere motion have thought fit, by this our Commission under the Great Seal of our United Kingdom of Great Britain and Ireland, and in pursuance and exercise of the powers in us vested in and by the said recited Act of Parliament, to establish, and we do hereby establish, a qualification in respect of Income or Property, for all persons to be hereafter elected to serve as members of the said Assembly, (that is to say) the Qualification mentioned and set forth in and by the Instructions under Signet and Sign Manual accompanying and referred to in this our Commission ; and whereas it is by the said recited act further enacted, that it shall be lawful for us in manner aforesaid to fix and determine the length of the period of residence within any electoral district in the said Island which shall be required, in addition to any other qualification, for voting at Elections within such district, or for being elected to

serve as a member of the Assembly, provided that such period shall not extend beyond the period of two years next preceding any such election: Now we do therefore by this our Commission, and in pursuance of the powers in us vested in and by the said recited Act of Parliament, fix and determine the length of the period of residence within any electoral district in the said Island which shall be required in addition to any other qualification, for voting at Elections within such district, or for being elected (that is to say) the period set forth in and by the beforementioned instructions; And whereas it is by the said recited act of Parliament further enacted that it shall be lawful for Us, in manner aforesaid, to restrain the said Assembly from appropriating to the public service within the said Island any part of the public revenue thereof, in cases where such services shall not have been previously recommended or such grants of money shall not have been previously asked by Us or on our behalf. Now we do hereby, by this our Commission, and in pursuance of the powers in Us vested by the said recited Act of Parliament in that behalf, restrain the said Assembly from appropriating to the public service, within the said Island any part of the public revenue thereof in cases where such services shall not have been previously recommended, or such grants of money shall not have been previously asked by Us, or on our behalf; And whereas it is by the said recited act further enacted that it shall be lawful for us, in manner aforesaid, to restrain and prohibit the election of members to serve in the said Assembly in different districts on successive or different days, and to require that all such elections shall be simultaneous, and shall be completed within a time to be limited; And we hereby, by this our commission and in pursuance of the powers in us vested by the said recited Act of Parliament in that behalf, restrain and prohibit the Election of members to serve in the said Assembly in different districts on successive or different days, and do require that all such elections shall be simultaneous, and shall be completed within a time to be limited (that is to say) within the period of Ten complete days from the day of the receipt, by the Returning officer of each district, of the writ authorising such election, and that the polling at every such election shall be completed within eight successive hours next immediately following the commencement of each polling. And whereas it is by the said recited act further enacted that it shall be competent to us, in manner aforesaid, to establish an Executive Council, for advising the Governor of the said Island, apart and distinct from the Legislative Council thereof: Now we do hereby, by this our Commission, and in pursuance of the powers in us vested by the said recited Act of Parliament, establish an Executive Council, for advising the Governor of the said Island, apart and distinct from the Legislative Council thereof—which Executive Council shall consist and be composed of such persons as are mentioned or referred to in and by the instructions, under our Signet and Sign Manual, accompanying and referred to in this our Commission. And whereas it is by the said act further enacted, that it shall be lawful for us in manner aforesaid to abolish the Legislative Council of the said Island as a distinct house or branch of the Legislature thereof, and to authorise and empower the members of the said Legislative Council to sit and and vote in the House of Assembly as members thereof, as fully in all respects as the elected members of the said house.—Provided always that the number of members so to be authorised to sit and vote in the said house of Assembly shall never be more than two-fifths of the whole number of the members of such House of Assembly.

Now we do hereby, by this our Commission, and in pursuance of the powers in us vested by the said recited act of Parliament, direct that the Legislative

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Council of the said Island, shall no longer sit and vote as a distinct House or Branch of the Legislature thereof: and do authorise and empower the members of the said Legislative Council to sit and vote in the House of Assembly as members thereof, as fully in all respects, as the elected members of this House—It being our will and pleasure that the total number of the members for the time being of the said Council shall henceforward be equal to, but not more than two-fifths of the whole number of the members of the said House of Assembly. And Whereas it is necessary in order that the total number of the members of the said Council henceforth may be equal to two-fifths of the said House of Assembly, that the number of the members of the said Council at present appointed under our authority should be increased; and it is expedient that you, the said Sir John Harvey, should be authorised and empowered to appoint such additional number of members of the said Council as will make up the total number of the members for the time being to be equal to two-fifths of the said House of Assembly: We do therefore by this our Commission, authorise and empower you the said Sir John Harvey to nominate and appoint, from time to time, such and so many persons to be members of the said Council as will make up the total number of the members for the time being to be equal to two-fifths of the whole number of the said House of Assembly: Provided nevertheless, and it is our further pleasure, that the members of the said Council who may be so nominated and appointed by you shall hold their seats provisionally, and until our further pleasure shall be signified; and you are forthwith to report to us, through one of our Principal Secretaries of State the names and qualifications of the persons who may be so appointed by you to be members of the said Council, in order that we may, under our Signet and Sign Manual confirm or disallow any such provisional appointment as we may see occasion. And in case of your death or absence out of our said Island and its dependencies, We do hereby give and grant all and singular, the powers and authorities herein to you granted, to our Lieutenant Governor for the time being of our said Island, or in the absence of any such Lieutenant Governor to such person as we may by Warrant under our Signet and Sign Manual authorise and appoint to be the Administrator of the Government of our said Island, such powers and authorities to be by him executed and enjoyed during our pleasure. But if upon your death or absence out of our said Island and its dependencies, there be no person upon the place commissioned and appointed by us to be our Lieutenant Governor, or especially appointed by us to administer the Government within the said Island and its dependencies, our will and pleasure is that until you return from any such absence, or until our further pleasure shall be known, the Senior Military Officer for the time being in command of our Land Forces within our said Island of Newfoundland and its Dependencies, shall take upon him the Administration of the Government thereof, and shall execute this our Commission, and the instructions herein referred to, and the several powers and authorities herein and in the said instructions contained in the same manner and to all intents and purposes as other our Governor and Commander in Chief should or ought to do. And we do further declare our pleasure to be that this present Commission, and the instructions accompanying it, shall continue in force until the first day of September, one thousand eight hundred and forty six, and no longer, unless Parliament shall otherwise order. And we do hereby revoke and annul the said recited Letters Patent of the twentieth day of July one thousand eight hundred and forty-one, and our instructions under our Sign Manual and Signet accompanying and referred to in the said Letters Patent, so far as the same are in anywise repugnant to this our Commission and the said recited Act, or to either of them.

In Witness whereof We have caused these our Letters to be made Patent. Witness Ourselves, at Westminster the first day of September, in the Sixth year of Our Reign.

By Writ of Privy Seal,

EDMUNDS.



PROCLAMATION.

J. HARVEY.
(L. S.)

*VICTORIA, by the Grace of
God, of the United Kingdom
of Great Britain and Ire-
land, Queen, Defender of
the Faith, &c.*

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS by our Proclamation given at St. John's, in our Island of Newfoundland, and bearing date the third day of October in the sixth year of our reign, We have ordered and directed our Justices of the Courts of General and Quarter Sessions of the Peace in the several districts of our said Island to take order for procuring, making and revising true and faithful lists of the names of all Householders entitled to vote in the said districts respectively at the election of any Member or Members to serve in the General Assembly of our said Island, it being our will and purpose to issue Writs for a General Election of such Members, so that the said Writs may be delivered to the respective Returning Officers on the fourteenth day of December next ensuing the date of these presents ; We do therefore, by these presents, declare and make known to all our loving subjects within our said Island, that the said Election of Members of the said General Assembly shall for the greater convenience of the Electors of the same, be held at the several places herein-named within the said districts respectively, as follows:—

The election of **THREE** members of the said Assembly for the district of **SAINT JOHN** shall be held at St. John's, Torbay, Portugal Cove, and Petty Harbor.

The election of **FOUR** members of the said Assembly for the district of **CONCEPTION BAY** shall be held at Harbor Grace, Upper Island Cove, Spaniards Bay, Bay Roberts, Port-de-grave, Cupids, Brigus, Harbor Main, Cat's Cove, Killigrews, Carbonear, Broad Cove, Western Bay, and Lower Island Cove.

The election of **ONE** member of the said Assembly for the district of **FOGO** shall be held at Fogo, Tilton Harbor, and Twillingate.

The election of **ONE** member of the said Assembly for the district of **BONAVISTA** shall be held at Bonavista, King's Cove, Keels, and Greenspond.

The election of **ONE** member of the said Assembly for the district of **TRINITY BAY** shall be held at Trinity, Catalina, Heart's Content, Hant's Harbor, and Old Perlican.

The election of **ONE** member of the said Assembly for the district of **FERRYLAND** shall be held at Ferryland, Cape Broyle, Toad's Cove, Witless Bay, Bay Bulls, and Renewes.

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The election of TWO members of the said Assembly for the district of **PLACENTIA** and **SAINT MARY** shall be held at St. Mary's, Trepassey, Little Placentia, Sound Island, Isle of Valen, and Harbor Buffet in Long Island.

The election of ONE member of the said Assembly for the district of **BURIN** shall be held at Burin, Great St. Lawrence and Fortune.

The election of ONE member of the said Assembly for the district of **FORTUNE BAY** shall be held at Harbor Britain, Bellerum, and Gaultois.

And it is our will and pleasure and we do by these presents further order and direct, that the elections to be holden as aforesaid, within the before-mentioned several districts, shall be respectively opened, and the Candidates for election respectively first nominated and declared at *St. John's, Harbor Grace, Bonavista, Trinity, Fogo, Ferryland, Saint Mary's, Burin, and Harbor Britain* respectively; and at which places respectively the final result of the polls taken, and the return of the representative Member or Members who shall have been duly elected, be publicly declared.

And for the conduct of the said elections, and the due return of the Members so to be elected at the said next coming general election, it is our will and pleasure that the following further regulations be duly observed and kept, that is to say:—

That all the said elections shall be simultaneous and shall be completed within the period of ten complete days from the day of the receipt by the Returning Officer of each district, of our Writ authorizing such election; and that the polling at every such election shall be completed within eight successive hours next immediately following the commencement of each polling.

That the returning officer of each respective district, upon receipt of our Writ to him directed, shall immediately endorse upon it the day of his receiving it, and upon the same day the returning officer shall, at the principal place hereinbefore nominated and appointed for opening the election and nominating the Candidates for election within the district specified in the writ to him directed, at or about the hour of ten o'clock of the forenoon of the said day, at the polling station of the place, make proclamation and read the writ openly, and thereupon forthwith call upon the electors to nominate the candidates for election.

That every candidate proposed or offering himself for election, and before he shall be put in nomination, shall produce or cause to be produced and delivered to the returning officer, a declaration on oath signed by the person proposed as a candidate, and sworn before and duly attested by the returning officer, if the proposed candidate shall be present at the nomination of candidates, and if he shall not be then present, then such declaration shall be sworn before and duly attested by any stipendiary Justice of the Peace, and which declaration shall be according to one of the forms set forth in the schedule hereunto annexed, and as either of the said forms may be found most applicable to the proposed candidate's qualification, and as the same may be founded on income or property.

That if after proclamation shall have been made and the writ read, on the day of nomination as aforesaid, there shall not be, before the hour of four o'clock of the afternoon of the same day, any greater number of candidates proposed and duly nominated than the one or more representative members or member prescribed in the writ to be elected, then the returning officer shall, at

or immediately after that hour, proclaim and return such one or more Candidates or Candidate (as the case may be) so duly nominated, (of legal number only), as being duly elected.

That if on the day of nomination of Candidates, and before the hour of four o'clock in the afternoon of the said day, it shall be found that a greater number of Candidates are proposed and duly put in nomination than the number of representative members prescribed in the writ to be elected, the Returning Officer shall, at the said hour of four o'clock, publicly declare the names of the Candidates so nominated, and then make proclamation that the polls at such election will be taken at all the polling stations of the district on the sixth day after such nomination.

And the Returning Officer shall forthwith appoint his deputies for taking the polls at all the respective polling stations of the district, except the one at which he himself shall preside, and also without delay transmit to every such station a notice, written or printed, to be set up at every such station, notifying the electors that the polls will be taken on the day appointed for that purpose; and for the convenience of taking the polls, the Returning Officer shall at every polling station obtain the use of a house, or other convenient building, (not being a place of public worship) or provide, where necessary, suitable booths for such purpose.

That the Returning Officer and his deputies shall, before they proceed to the election, take and subscribe the oath as the same is in form set forth in the schedule hereunto subjoined, before a Justice of the Peace, in the presence of two Electors of the district, who shall subscribe their names thereto. Provided nevertheless, that in such cases wherein there shall not be within convenient distance any Justice of the Peace for the said officers to resort unto for administration of the said oath, then the Returning Officer, or any one of the poll clerks shall be authorized, and they are hereby respectively empowered to administer the said oath to the said deputies, and in like manner any one of the said deputies is also empowered to administer the said oath to the Returning Officer in the presence of two electors as aforesaid.

That the Returning Officer shall appoint a poll clerk for each of the polling stations, who shall, before proceeding to take the poll, take and subscribe the oath as the same is in form set forth in the schedule hereunto subjoined; and which oath the returning officer and his deputies are hereby respectively authorized to administer.

That the Returning Officer shall provide polling books wherein to register the names of the candidates and the names and places of abode of the electors or voters in the form by law prescribed.

That the Returning Officer shall give public notice within the district of all places where the polling stations will be established, and of the number of booths or places at such stations, where more than one shall be appointed for taking the polls; and he shall in such notice specify the particular section, division or portion of voters for the district that will be assigned and entitled to vote at each particular booth, place or station; and upon, against, or near to every such booth, place or station, he shall also affix a notice specifying the section, division or portion of voters that will be entitled to give their votes there.

That no elector shall be permitted to vote out of the district wherein the dwelling house of his occupation, which gives him a qualification to vote, is situate; nor shall his vote be received at any other station, place or booth, than that which shall be assigned and appointed for that section, division or portion of electors in which such voter shall be included in the division and classing of voters to be hereafter by our proclamation appointed and established. *Provided nevertheless*, that the electors for the districts of FOGO, BONA VISTA, PLACENTIA and ST. MARY, BURIN, and of FORTUNE BAY, shall give their votes respectively at such polling station as may to them be most convenient.

That every Elector on tendering his vote, and before his vote shall be received, shall declare to the Returning Officer or his deputy, his true name, and the place where the dwelling-house of his occupancy within the district for which he tenders his vote is situate; which particulars shall be duly entered in the poll book; and any voter, before his vote shall be received and entered on the poll book, shall, if so required by or on behalf of any candidate, or for any just cause that the Returning Officer or his deputy shall deem fit, be duly sworn by the Returning Officer or his deputy, and answer on oath the questions following, or either of them as may be required:—

1st—Are you the same person whose name and residence (*as A. B. of &c.*) are entered on the book of registry of voters for this district for the year 1842, and do you now continue in possession of the same household qualification as in the said registry is mentioned?

2nd—Have you already voted in this or any other polling place, upon this present election?

That in pursuance of the proclamation of his late Majesty King William the Fourth, bearing date the 26th day of July, 1832, the vote of any elector, being duly qualified, and whose name shall be duly registered in the book of registration of qualified voters at elections, and whose dwelling house shall be situate at a distance of more than fifteen miles from the nearest place of election within the district for which his vote is valid and may be tendered, may, without attending the poll in person, give his vote by a written notice made and subscribed in the form which is set forth in the schedule hereunto subjoined, and which notice shall be delivered to the Returning Officer or his deputy at such polling place as the said elector would be required to repair to, if he gave his vote by personal attendance; but such electors shall not, under the said privilege of voting by such notice as aforesaid, be exempt thereby from lawful exceptions being taken to the validity of their votes in the same manner as such exceptions might be taken if such electors appeared and voted in person.

That the Returning Officer or his deputy may enter apart on the poll book, the name of any person claiming to vote for any candidate on the ground of his two years' occupancy having been completed between the time of revising the last registry of voters, and the day of election;—and the said officers respectively shall and may in such cases decide on the validity of all such votes after the polling has ended, and before the enclosure and ensembling of the poll book.

That on the day appointed to take the polls at all the polling stations, the booths or places of poll shall be opened at seven o'clock in the morning, and the Returning Officer or his deputy shall then make proclamation thereof; and at the hour of eight o'clock the said officers respectively shall commence taking the polls, keeping them open for the space of eight hours and no longer, and finally closing at four o'clock of the same day; unless before that hour the election be duly determined, or the polling cease by consent of all the candidates.

The said officers respectively shall, at the close of the Poll at their respective stations, publicly proclaim the number of votes polled for each candidate, and the said officers and poll clerks respectively shall certify and sign the poll books and then enclose and seal them in presence of the electors. That the Deputy Returning Officers shall then forthwith deliver or safely transmit the poll books so sealed to the Returning Officer, who shall, on the day next ensuing the polling day, such day not being Sunday, but being Sunday, then on the Monday next ensuing, at the hour of ten o'clock of the forenoon of the said day, at the principal polling station, at which the Returning Officer himself shall preside, appoint a convenient time, & without unnecessary delay, when he shall in presence of the candidates and electors, or such of them as choose to attend, publicly break open the seals of the poll books, and sum up the whole of the polls, and declare the true number of votes given for each candidate, and proclaim the name or names of the Candidates who shall have been duly elected.

That the Returning Officers and their deputies respectively are hereby authorised and empowered to administer all such Oaths as are prescribed by law to be taken by the Electors and Witnesses in election of members of the General Assembly.

That the Returning Officers respectively shall, immediately after the due execution of the writs transmit the poll books, together with all affidavits, certificates and other documents, incident to such elections as aforesaid, putting the same securely under cover and seal, directed to our Colonial Secretary at his office in St. John's.

Given under the Great Seal of our Island of Newfoundland, at St. John's, in our said Island, the Ninth day of November in the Sixth year of Our Reign, anno Domini 1842.

Witness our trusty and well-beloved Major General Sir John Harvey, Knight, Commander of the Most Hon. Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, our Governor and Commander in Chief in and over our said Island of Newfoundland and its Dependencies.

By His Excellency's command,

JAMES CROWDY,
Secretary.

SCHEDULE.

Form of Oath of Returning Officer and his Deputy.

I (name of Returning or Deputy) do swear that I will honestly, impartially, and without favour to any candidate, take the polls at this Election; and that I have not directly or indirectly received, nor will I hereafter directly or indi-

rectly receive any money, gift or reward, promise, contract or security for money or other reward for or in respect of the conduct which I shall observe during the ensuing election of a member (or members as the case may be) of the General Assembly, for the district of (naming the district) or the return which I shall make at the close thereof, save and except such salary or other lawful compensation as I shall be entitled to receive in virtue of my appointment to and the Just and faithful Execution of my duty as Returning (or Deputy Returning Officer, as the case may be) at this election.

Signed (Deponent's name.)

Sworn at the day of 1842
in the presence of (signatures of two
Electors) before me (signature of a
Justice of the Peace, or other duly
empowered authority.)

—o—

Form of Poll Clerk's Oath.

I (name of the deponent) do swear that I will honestly, impartially, and without favour to any candidate, take the Poll at this Election for a member (or members, as the case may be) of the General Assembly for the district of (name of district) And that I have not directly or indirectly received, nor will I hereafter directly or indirectly receive any money, gift, reward, promise, contract, or security, for money or other reward, for or in respect of the conduct I sha'l observe during the ensuing poll, save and except such salary or other lawful compensation as I shall be entitled to receive in virtue of my appointment to, and the faithful and just execution of my duty as Poll Clerk, at the Election. And I do further swear that I will make oa fair and true entry of all such persons as shall tender their votes before me to be by me taken, and return the same truly to the Returning Officer by whom I am appointed, whenever and so often as I shall be thereunto required of him.

(Signed by the deponent.)

Sworn before me at the day of 1842
In presence of (Returning Officer's name.)

—o—

Affidavit of Candidate relating to Qualification of Income of £100.

I, A. B. of, &c. (name and addition of the candidate) do swear that I have occupied a dwelling house as (owner or tenant) thereof, at (name of place where

the dwelling house is situate) in the Island of Newfoundland for and during the period of two years next immediately preceding the day of this election of a member (or members) of Assembly for the district of (naming the district), And that I truly and *bona fide* am possessed of a net annual income of One Hundred Pounds sterling, according to the tenor and true meaning of Her Majesty's Royal Instructions declaring the qualification in respect of *income* or property for persons to be elected to serve as members of the Assembly of Newfoundland, and that my said income arises from, and consists of, (here specify the source from which the income is derived.)

[Signature of Candidate.]

Sworn before me at, &c.

— o —

Affidavit of Candidate, if his qualification consists in Property being of £500 in amount or value, clear of all incumbrances.

I, A. B. of, &c. [name and addition of Candidate] do swear that I have occupied a dwelling house as [owner or tenant] thereof, at [name of place where the Dwelling house is situate] in the Island of Newfoundland, for and during the period of two years next immediately preceding the day of this election of a member or members of Assembly for the district of ———— : And that I truly and *bona fide* am possessed of property, clear of all incumbrances, of Five Hundred Pounds in amount or value, according to the tenor and true meaning of Her Majesty's Royal Instructions, declaring the qualification in respect of income or property for persons to be elected to serve as members of the Assembly of Newfoundland, and that my said property consists of [here specify the character and description of the property, and where situate.]

[Signature of Candidate.]

Sworn before me at, &c.

— o —

Form of notice of voter privileged to vote by such notice, when his abode shall be more than fifteen miles distant from the place of Election.

To the Returning Officer for the district of ————

I, [name and place of abode of elector] in the district of [name of district] in the Island of Newfoundland, [occupation of elector] having occupied a dwelling house within the said district for the period of two whole years next preceding

the day of this election of a member (or members, as the case may be) of the General Assembly for the said district, and being otherwise duly qualified as an elector, and duly registered as a voter according to law, I do hereby give my vote for the election of (state the name of the candidate or candidates voted for) to be such member (or members as the case may be)

Dated, at (voters place of abode)
the day of 1842.

(Signed by the elector.)

Witnesses to the signature of the above named elector.

(The Signatures of the two last witnesses.)

Which two witnesses must sign a certificate at the foot of the above notice, in the following form—

We do certify that we verily believe that the matters set forth in the foregoing notice are true.

(Signatures of the above-described two witnesses.)



***WILLIAM the Fourth, by the
Grace of God, of the United
Kingdom of Great Britain
and Ireland, King, Defen-
der of the Faith, &c.***

To our trusty and well beloved Sir Thomas John Cochrane, Knight, greeting—

WHEREAS we did by our Letters Patent bearing date at Westminster, the 28th day of December, in the First Year of our Reign, constitute and appoint you, the said Sir Thomas John Cochrane, to be Governor and Commander in Chief in and over the Island of Newfoundland and Territories within the limits therein described, as by the said recited Letters Patent relation being thereunto had, may more fully and at large appear:

Now know you, that we have revoked and determined, and by these presents do revoke and determine, the said recited letters patent, and every clause, article and thing therein contained: and further know you, that we, reposing especial trust and confidence in the prudence, courage and loyalty of you, the said Sir Thomas John Cochrane, of our especial grace, certain knowledge and mere motion, have thought fit to constitute and appoint you, the said Sir Thomas John Cochrane, to be our Governor and Commander-in-Chief in and over our Island of Newfoundland and the Islands adjacent, and all the coast of Labrador, from the entrance of Hudson's Straits, to a line to be drawn due north and south from Ana Sablon on the said coast, to the 52d degree of north latitude, and all the Islands adjacent to that part of the said coast of Labrador, as also of all Forts and Garrisons erected and established, or to be erected and established, in the said Island of Newfoundland and the Islands adjacent, or on the coast of Labrador within the limits aforesaid, or in the said Islands adjacent to that part of the said coast, for and during our will and pleasure.

And we do hereby require and command you to do and execute all things in due manner that shall belong unto your said command and the trust we have reposed in you, according to the several powers and authorities granted or appointed you by the present commission and the Instructions herewith given you, or according to such further powers, directions and authorities as shall at any time hereafter be granted or appointed you under our Sign Manuel and Signet, or by our order in our Privy Council, or by us, through one of our Principal Secretaries of State, and according to such reasonable laws and statutes as shall hereafter be made and agreed upon by you with the advice and consent of the Council and Assembly of our said Island and its Dependencies under your government, when such Assembly shall be called.

And our will and pleasure is, that you, the said Sir Thomas John Cochrane, after the publication of these our letters patent, do take the oaths appointed to be taken by an act passed in the 1st year of the reign of King George the First, intituled, "An act for the further security of his Majesty's person and Government, and the succession of the Crown in the heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors," as altered and explained by an act passed in the 6th year of the reign of King George the third, intituled, "An act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the 7th year of her late Majesty Queen Anne, intituled, "An act for the improvement of the Union of the two Kingdoms, as after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of High Treason or Misprison of Treason," or in lieu thereof the oath required to be taken by an act passed in the 10th year of the reign of his late Majesty, intituled, "An act for the relief of his Majesty's Roman Catholic Subjects," according as the said former acts or the said last mentioned act shall be applicable to your case; and likewise that you take the usual oath for the due execution of the office and trust of our Governor and Commander-in-Chief in and over our said Islands and Territories, and for the due and impartial administration of justice; and further, that you take the oath required to be taken by Governors of plantations, to do their utmost that the several laws relating to trade and the plantations be duly observed; which oaths our Council of our said Island and its Dependencies, or any three of the Members thereof, have hereby full power and authority and are required to tender and administer unto you, and in your absence to our Lieutenant-Governor, if there be one on the place; all which being duly performed, you shall administer to each of the members of our said Council such of the said oaths mentioned in the said several acts as shall be applicable to the case of the individual member of our said Council taking the same; and you are also to administer to them the usual oath for the due execution of their places and trust

respectively ; all which oaths shall also be administered by the Governor or person administering the government of our said Island and its dependencies for the time being, to all such persons as shall hereafter be appointed to be of our said Council, before they respectively enter upon the execution of the duties of such their offices.

And we do hereby give and grant unto you full power and authority to suspend any of the Members of our said Council from sitting, voting and assisting therein, if you shall find just cause for so doing : and if it shall at any time happen that by the death, departure out of our said Island and its dependencies, suspension of any of our said Councillors, or otherwise, there shall be a vacancy in our said Council, any three of them we do hereby appoint to be a quorum, our will and pleasure is that you signify the same unto us, by the first opportunity, that we may, under our signet and sign manual, constitute and appoint others in their stead : but that our affairs at that distance may not suffer for want of a due number of Councillors, if ever it shall happen that there be less than seven of them residing in our said Island and its dependencies, we do hereby give and grant unto you, the said Sir Thomas John Cochrane, full power and authority to choose as many persons out of the principal freeholders, inhabitants of our said Island and its dependencies, as will make up the number of our Council to be seven and no more, which persons so chosen and appointed by you shall be to all intents and purposes Councillors for our said Island and its dependencies, until they are confirmed by us, or that by the nomination of others by us, under our sign manual and signet, our said Council shall have seven or more persons in it.

And we do hereby give and grant unto you full power and authority, with the advice and consent of our said Council, from time to time as need shall require, to summon and call general assemblies of the freeholders and householders within the said Island and its dependencies under your government, in such manner and form, and according to such powers, instructions and authorities as are granted or appointed by your General Instructions accompanying this your Commission, or according to such further powers, instructions and authorities as shall be at any time hereafter granted or appointed under our Sign Manual and Signet, or by our order in our Privy Council, and our will and pleasure is, that the persons thereupon duly elected by the major part of the freeholders of the respective towns or districts, and so returned, shall before their sitting take such of the oaths mentioned in the said several acts as shall be applicable to the case of the individual taking the same, which oaths you shall commission fit persons, under the seal of our said Island and its dependencies, to tender and administer unto them ; and until the same shall be taken, no person shall be capable of sitting though elected : and we do hereby declare that the persons so elected and qualified shall be called and deemed the General Assembly of our said Island of Newfoundland, and you the said Sir Thomas John Cochrane, by and with the advice and consent of our said Council and Assembly, or the major part of them respectively, shall have full power and authority to make, constitute and ordain laws, statutes, and ordinances for the public peace, welfare and good government of our said Island and its dependencies, and the people and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us, our heirs and successors, which said laws, statutes and ordinances are not to be repugnant, but as near as may be agreeable, to the laws and statutes of this our United Kingdom of Great Britain and Ireland.

Provided that all such laws, statutes and ordinances, of what nature and duration, soever, be, within three months or sooner after the making thereof, transmitted to us, under the public seal of our said Island and its dependen-

cies, for our approbation or disallowance of the same, as also duplicates thereof, by the next conveyance. And in case any or all of the laws, statutes or ordinances not before confirmed by us shall at any time be disallowed and not approved, and so signified by us, our heirs or successors, under our or their sign manual and signet, or by order of our or their Privy Council unto you, the said Sir Thomas John Cochrane, or the Commander-in-Chief of our said Island for the time being, then such and so many of the said laws, statutes and ordinances as shall be so disallowed and not approved shall from thenceforth cease, determine and become utterly void and of none effect, anything to the contrary thereof notwithstanding. And to the end that nothing may be passed or done by our said Council and Assembly to the prejudice of us, our heirs or successors, we will and ordain that you the said Sir Thomas John Cochrane, shall have and enjoy a negative voice in the making and passing such laws, statutes and ordinances as aforesaid, and that you, or, in your absence, the officer administering the government, shall and may from time to time, as you or he shall judge it necessary, adjourn, prorogue or dissolve all general assemblies as aforesaid.

And we do hereby authorise and empower you to keep and use the public seal for sealing all things whatsoever that shall pass the seal of our said Island and its dependencies. And we do further give and grant unto you, the said Sir Thomas John Cochrane, full power and authority from time to time, and at any time hereafter, by yourself, or by any other to be authorized by you in that behalf, to administer and give such of the said oaths in the said several acts contained as shall be applicable to the case of the individual to whom the same shall be administered, to all and every such person or persons as you shall think fit who shall hold any office or place of trust or profit, or who shall at any time or times pass into our said Island and its dependencies, or shall be resident or abiding therein.

And we do by these presents give and grant unto you, the said Sir Thomas John Cochrane, full power and authority, with the advice and consent of our said Council, to constitute and appoint, in cases requisite, Commissioners of Oyer and Terminer, Justices of the Peace, Sheriffs, and other necessary officers and ministers in our said Island and its dependencies, for the better administration of Justice, and putting the said laws into execution, and to administer, or cause to be administered, unto them such oath or oaths as are usually given for the due execution and performance of offices and places, and for the clearing of truth in judicial causes. And we do hereby give and grant unto you full power and authority, where you shall see cause or judge any offender or offenders in criminal matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and to remit all such offences, fines and forfeitures, (treason and wilful murder only excepted,) in which cases you shall likewise have power upon extraordinary occasions to grant reprieves unto the offenders, until and to the intent our royal pleasure may be known therein.

And we do by these presents authorize and empower you to present to the Bishop of the Diocese of Nova Scotia for institution any person or persons to any churches, chapels, or other ecclesiastical benefices within our said Island and its dependencies as often as any of them shall happen to be void.

And we do hereby give and grant unto you, the said Sir Thomas John Cochrane, by yourself, or by your Captains and Commanders by you to be authorized, full power and authority to levy, arm, muster, command and employ all persons whatsoever, residing within our said Island and its dependencies, and as occasion shall serve, them to march from one place to another, or to embark

them for the resisting and withstanding of all enemies, pirates and rebels, both at sea and land, and to transport such forces to any of our plantations in America, if necessity shall require, for the defence of the same against the invasion or attempt of any of our enemies, and such enemies, pirates and rebels, if there shall be occasion, to pursue and prosecute in or out of the limits of our said Island and its Dependencies, or any of them, and if it shall so please God them to vanquish, apprehend and take, and to execute martial law in the time of invasion, war, or other times when by law it may be executed, and to do and execute all and every other thing and things which to our Governor and Commander-in-Chief doth and ought of right to belong. And we do hereby give and grant unto you full power and authority, by and with the advice and consent of our said Council, to erect, constitute and establish in our said Island and its dependencies, such and so many counties, townships, parishes, cities, boroughs and towns, as you, by the advice aforesaid, shall judge necessary.

And forasmuch as divers mutinies and disorders may happen by persons shipped and employed at sea during the time of war, and to the end that such as shall be shipped and employed at sea during the time of war may be better governed and ordered. We do hereby give and grant unto you, the said Sir Thomas John Cochrane, full power and authority to constitute and appoint captains, lieutenants, masters of ships, and other commanders and officers, and to grant unto such captains, lieutenants, masters of ships and other commanders and officers, commissions to execute the law martial during the time of war, according to the directions of an act passed in the twenty-second year of the reign of King George the second, intituled "An act for amending, explaining and reducing into one act of Parliament the Laws relating to the Government of his Majesty's ships, vessels, and forces by sea," as the same is altered by an act passed in the nineteenth year of the reign of King George the third, intituled "An act to explain and amend an act made in the twenty-second year of the reign of his late Majesty King George the second, intituled, "An act for amending, explaining and reducing into one act of Parliament the laws relating to the Government of his Majesty's ships, vessels, and forces by sea," and to use such proceedings, punishments, corrections, and executions upon any offender or offenders who shall be mutinous, seditious, disorderly or anyways unruly, either at sea or during the time of their abode or residence in any of the ports, harbors or bays of our said Island and its dependencies, as the case shall be found to require, according to martial law, and the said directions during the time of war, as aforesaid; provided that nothing herein contained shall be construed to the enabling you, or any by your authority, to hold plea, or have any jurisdiction of any offence, cause, matter or thing committed or done upon the high seas, or within any of the havens, rivers and creeks of our said Island and its dependencies under your government, by any captain, commander, lieutenant, master, officer, seaman, soldier or other person whatsoever, who shall be in actual service or pay in or on board any of our ships of war or other vessels acting by immediate commission or warrant from our commissioners for executing the office of High Admiral of our United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being, under the seal of our Admiralty, but that such captain, commander, lieutenant, master, officer, seamen, soldier, or other person so offending shall be left to be proceeded against and tried as their offences shall require, either by commission under our Great Seal of this Kingdom as the statute of the twenty-eighth of King Henry the eighth directs, or by commission from our said Commissioners for executing the office of High Admiral of our United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being, according to the aforementioned act, passed in the twenty-second year of the reign of King George the second, as altered by the said act passed in the nineteenth year of the reign of King George the third; provided nevertheless, that all disorders and misdemeanors committed on shore by any captain, commander, lieutenant, master, officer, seamen, soldier, or other

person whatsoever, belonging to any of our ships of war or other vessels acting by immediate Commission on or warrant from our Commissioners for executing the office of High Admiral of our United Kingdom of Great Britain and Ireland for the time being, under the seal of our Admiralty, may be tried and punished according to the laws of the place where such offences, disorders, and misdemeanors shall be committed on shore, notwithstanding such offender be in our actual service, and borne in our pay on board any such our ships of War or other vessels acting by immediate Commission or Warrant from our Commissioners for executing the office of High Admiral of our United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being as aforesaid, so as he shall not receive any protection for the avoiding of Justice for such offences committed on shore, from any pretence of his being employed in our service at sea.

And our further will and pleasure is that all public monies raised, or which shall be raised by any act hereafter to be made within our said Island and its dependencies, be issued out by warrant from you by and with the advice and consent of the aforesaid Council, (and not otherwise,) and disposed of by you for the support of the Government, or for such other purpose as shall be particularly directed or appointed in and by such act, and not otherwise. And we do likewise give and grant unto you full power and authority, by and with the advice and consent of our said Council, to settle and agree with the inhabitants of our said Island and its dependencies, for such lands, tenements and hereditaments as are now, or hereafter shall be in our power to dispose of and them to grant, to any person or persons, upon such terms and under such moderate quit rents, services and acknowledgments to be thereupon reserved to us, as you or they by the advice aforesaid shall think fit, which said grants are to pass, and be sealed by our public seal, of our said Island & its dependencies, and being entered upon record, by such officer or officers as shall be appointed thereunto, shall be good and effectual in law against us, our heirs and successors. And we do hereby give you, the said Sir Thomas John Cochrane full power and authority, to order and appoint fairs, marts and markets, as also such and so many ports, harbors, bays, havens and other places for the conveniency and security of shipping, and for the better loading and unloading of ships and merchandizes, in such and so many places as by and with the advice and consent of our said Council shall be thought fit and necessary.

And We do hereby require and command all officers and ministers, civil and military, and all others the inhabitants of our said Island and its dependencies, to be obedient aiding and assisting unto you, the said Sir Thomas John Cochrane, in the execution of this our Commission, and of the powers and authorities herein contained ; and in case of your death or absence out of our said Island and its dependencies and Government, to be obedient, aiding and assisting as aforesaid unto such person as shall be appointed by us to be our Lieutenant Governor, or to the Commander in Chief for the time being of our said Island and its dependencies, to whom we do therefore by these presents give and grant all and singular the powers and authorities herein granted to be by him executed and enjoyed during our pleasure, or until your arrival within our said Island and its dependencies ; and if upon your death or absence out of our said Island and its dependencies there be no person on the place commissioned or appointed by us to be our Lieutenant Governor, or specially appointed by us to administer the government within our said Island and its dependencies our will and pleasure is that the Councillor whose name is first placed in our instructions to you, unless it shall therein be otherwise directed, and who shall be at the time of your death or absence residing within our said Island and its dependencies, shall take upon him the administration of the Government, and to execute our said Commission and Instructions, and the several powers and authorities there-

in contained, in the same manner, to all intents and purposes as other our Governor or Commander in Chief should or ought to do, in case of your absence, or until your return, or in all cases until our further pleasure be known thereon; and we do hereby declare, ordain and appoint that you, the said Sir Thomas John Cochrane, shall and may hold, execute and enjoy, the office and place of our Governor, and Commander in Chief in and over the Island and territories aforesaid, together with all and singular the powers and authorities hereby granted unto you, for and during our will and pleasure.

In witness, &c. witness, &c.

Dated 2d March, 1832.

(Countersigned)

BATHURST.



PROCLAMATION.

— 0 —

(L. S.) Thos. Cochrane.

*WILLIAM the Fourth, by the
Grace of God, of the United
Kingdom of Great Britain
and Ireland, King, Defen-
der of the Faith, &c.*

To all to whom these presents shall come, greeting.

WHEREAS by our Letters Patent under the Great Seal of our United Kingdom aforesaid, bearing date at Westminster the 2nd day of March

1832, in the second year of our reign, We have given and granted to our trusty and well beloved Sir Thomas John Cochrane, Knight, our Governor and Commander in Chief of our Island of Newfoundland, full power and authority to summon and call a General Assembly of the Freeholders and Householders within our said Island :—It is therefore our pleasure, and we do hereby declare and make known to all our loving subjects within the same, that for the purpose of the Election of the members of the said Assembly, the said Island shall be divided into nine districts, to be called respectively—

The District of St. John

The District of Conception Bay

The District of Fogo

The District of Bonavista

The District of Trinity Bay

The District of Ferryland.

The District of Placentia and St. Mary's

The District of Burin

The District of Fortune Bay.

And it is our further will and pleasure, and we do hereby declare, that the beforementioned district of St. John shall consist of and include all that part of our said Island, bounded by the shore, which is situate and lying between Petty Harbor and Broad Cove.

And that the beforementioned district of Conception Bay, shall consist of and include all that part of our said Island which, bounded in like manner is situate and lying between Broad Cove and Bay de Verds Head.

And that the beforementioned district of Fogo shall consist of and include all that part of our said Island which, bounded in like manner, is situate between Cape St. John and Fogo Island, including that Island.

And that the beforementioned district of Bonavista shall consist of and include all that part of our said Island which, bounded in like manner, is situate and lying between Cape Freels and Cape Bonavista.

And that the beforementioned district of Trinity Bay shall consist of & include all that part of our said Island, which, bounded in like manner, is situate and lying between Cape Bonavista and Cape Verds Head.

And that the beforementioned district of Ferryland shall consist of and include all that part of our said Island which, bounded in like manner, is situate and lying between Petty Harbor and Cape Race.

And that the beforementioned district of Placentia and St. Mary shall consist of and include all that part of our said Island which, bounded in like manner, is situate and lying between Cape Race and Rushoon.

And that the beforementioned district of Burin shall consist of and include all that part of our said Island which, bounded in like manner, is situate and lying between Rushoon and Garnish.

And that the beforementioned district of Fortune Bay shall consist of & include all that part of our said Island, which, bounded in like manner, is situate and lying between Garnish and Bonne Bay.

And we do further signify and declare our pleasure to be that the said district of St. John shall be represented in the said Assembly by three members.

And that the said district of Conception Bay shall be represented in the said Assembly by four members.

And that each of the said districts of Fogo, of Bonavista, of Trinity Bay, and of Ferryland, shall be represented in the said Assembly by one member.

And that the said districts of Placentia and St. Mary, shall be represented in the said Assembly by two members.

And that each of the said districts of Burin and Fortune Bay shall be represented in the said Assembly by one member.

And it is our will and pleasure that the Governor, for the time being, of our said Island, do appoint some fit person to be the Returning Officer within each of the said districts.

And we do further declare our pleasure to be, that our said Governor do issue in our name, writs for the election of the members of the several districts before mentioned, which writs shall be addressed to the several Returning Officers aforesaid, and shall by them be returned to the Colonial Secretary for the time being of our said Island.

And it is our will and pleasure that every man being of the full age of twenty one years and upwards, and being of sound understanding, and being our natural born subject, or having been lawfully naturalized, and never having been convicted in due course of law of any infamous crime, and having for two years next immediately preceding the day of election occupied a dwelling house within our said Island as owner or tenant thereof, shall be eligible to be a member of the said House of Assembly.

And it is our further will and pleasure that every man who, for one year next immediately preceding the day of election hath occupied a dwelling house within our said Island as owner or tenant thereof, and who in other respects may be eligible according to the regulations aforesaid, to be a member of the said House of Assembly, shall be competent and entitled to vote for the election of members of the said Assembly, in and for the district within which the dwelling house so occupied as aforesaid may be situate.

And it is our pleasure that the votes for the Members of the said Assembly shall be taken by the said several Returning Officers, at such one or more place or places within each of the said districts as shall for that purpose be appointed in the body of the writ addressed to the Returning Officer of every such district respectively, and at or within such time or times as shall for the purpose be therein limited. But, inasmuch as by reason of the difficulty in internal communication within our said Island, many persons entitled to vote might be prevented from the exercise of such their franchise, if, in every case, it were necessary to attend in person for that purpose: We do therefore declare our pleasure to be, that in respect of any dwelling-house situate at the distance of more than *fifteen* miles from the nearest place of election, within any of the said districts, the vote of any householder duly qualified as aforesaid may be given without his personal attendance, by a *written notice* subscribed by such voter in the presence of two credible witnesses, and duly attested by their signatures; which notices shall be in such form as our Governor, for the time being, of our said Island, shall from time to time direct.

And it is our further pleasure, that if any candidate or voter, at any such election, shall object to any vote then tendered, it shall be the duty of the Returning Officers to hear such objection, and what may be alleged in support of, or in answer to the same; and to examine, on oath, the parties by or against whom such objection may be raised; and any person or persons who may be adduced as a witness or as witnesses on either side, and upon such hearing to admit, or to overrule any such objection as may to such Returning Officer appear just and right.

And we do further declare our will to be, that the persons in favor of whom the greater number of votes shall be given in any such district, shall be publicly declared by such Returning Officer to be duly elected to be the Representatives thereof in the said General Assembly, and shall thereupon be returned and take their seats accordingly. Provided always, that in cases of peculiar doubt or difficulty, it shall be competent to any such Returning Officer to make a special return, setting forth the grounds of such doubt, upon which the said House of Assembly shall afterwards decide.

And it is our will, and we do further declare, that the Assembly so to be chosen as aforesaid, shall continue only during our pleasure; and that the said Assembly shall not proceed to the despatch of any business, unless six Members, at the least, shall be present at and during the whole of the deliberations of the said House thereupon.

And whereas it may be necessary, in order to the complete execution of the several purposes aforesaid, that farther regulations should be made for the conduct of the said Elections and the return of Members to serve in the said House of Assembly, we have therefore authorized, and do hereby authorize our Governor, for the time being, of our said Island, by any proclamation or proclamations, to be by him from time to time issued, in our name, and in our behalf, to make such farther regulations as may be necessary for the conduct of the said Elections, and for the return of Members to serve in the said House of Assembly, and for the due discharge of the duties of the said Returning Officer; and which regulation shall be of full force, virtue, and effect, until provision be otherwise made by law; it being nevertheless our pleasure that the regulations so to be made, as aforesaid, be not repugnant to, nor inconsistent with, the several provisions hereinbefore contained, or any of them.

Given at our Court, at St. James's on the twenty-sixth day of July, 1832, in the third year of our reign.

PROCLAMATION.



(L. S.) Thos. Cochrane.

*WILLIAM the Fourth, by the
Grace of God, of the United
Kingdom of Great Britain
and Ireland, King, Defen-
der of the Faith, &c.*

To all to whom these presents shall come, greeting.

WHEREAS by our proclamation given at our Court at St. James's, & bearing date the 26th of July, in the third year of our reign, we have declared and made known to all our loving subjects within our Island of Newfoundland, that our trusty and well-beloved SIR THOMAS JOHN COCHRANE, Knight, our Governor and Commander-in-Chief of our said Island, hath our full power and authority to summon and call a GENERAL ASSEMBLY of the Freeholders and Householders within our said Island; and that, for the purpose of the Election of the Members of the said Assembly, the said Island shall be divided into the several NINE districts in our said Proclamation mentioned and appointed:

And whereas we have also, by our said proclamation, made known, enjoined and prescribed, certain other rules and regulations to be observed and kept in execution of the purposes in our said proclamation declared; wherein we have also provided, that in case it may be necessary, in order to the complete execution of the said purposes, that further regulations should be made for the conduct of the said Elections and the return of Members to serve in the said House of Assembly, our Governor for the time being of our said Island shall, by any proclamation or pro-

clamations, to be by him from time to time issued in our name and on our behalf, make such further regulations as may be necessary therein. In furtherance, therefore, of the purposes in our said recited proclamation declared, and of the provisions therein contained, we do, by these presents, declare and make known to all our loving subjects within our said Island, that the said Election of Members of the said General Assembly shall, for the greater convenience of the electors of the same within the said respective districts, be held at the several places herein-named, within the said districts respectively, as follows--

The election of three Members of the said Assembly, for the district of St. John, shall be held at St. John's, Torbay, and Portugal Cove; which election shall commence and be opened at St. John's.

The election of four Members of the said Assembly, for the district of Conception Bay, shall be held at Western Bay, Carbonear, Harbour Grace, Port-de-Grave, Brigus, and Harbor Main; which election shall commence and be opened at Harbor Grace.

The election of one Member of the said Assembly, for the district of Fogo, shall be held at Burnt Island, Twillingate, and Fogo, which election shall commence and be opened at Fogo.

The election of one Member of the said Assembly, for the district of Bonavista, shall be held at Cape Freels, Green's Pond, King's Cove, Keel's and Bonavista; which election shall commence and be opened at Bonavista.

The election of one Member of the said Assembly, for the district of Trinity Bay, shall be held at Catalina, Trinity, New Harbor, Heart's Content, Hants Harbor, and Old Perlican; which election shall commence and be opened at Trinity.

The election of one Member of the said Assembly, for the district of Ferryland, shall be held at Bay Bulls, Cape Broyle, Ferryland, and Renews; which election shall commence and be opened at Ferryland.

The election of two Members of the said Assembly, for the district of Placentia and St. Mary, shall be held at Trepassey, St. Mary's, Great Placentia, Little Placentia, Barren Island, Merasheen, Paradise, and Oderin; which election shall commence and be opened at St. Mary's.

The election of one Member of the said Assembly, for the district of Burin, shall be held at Burin, St. Lawrence, Lamalieu, and Fortune; which election shall commence and be opened at Burin.

The election of one Member of the said Assembly, for the district of Fortune Bay, shall be held at Garnish, Grand Jervey, Harbor Mille, Bellerum, St. John's Harbour, Harbour Britain, Hermitage Cove, and Bonne Bay; which election shall commence and be opened at Harbor Britain.

And it is our will and pleasure that the Members of the said Assembly be elected within the respective districts aforesaid, between the twenty-fifth day of this instant month of September, and the eighth day of December next ensuing (both days inclusive), and on certain days within the said period, to be hereafter appointed and made known within the said respective districts by the respective Returning Officer of the same.

And for the conduct of the said elections, and the return of the Members so to be elected, it is our will and pleasure that the following further regulations be duly observed :

That the Returning Officer of each respective district, upon receipt of our writ to him directed, shall immediately endorse upon it the day of his receiving it, and without delay make proclamation throughout the district of the places and days of the election.

He shall also obtain the use of a house or other convenient building (not being a place of public worship) for the purpose of taking the polls at each place of election.

He shall provide a poll book to register the names of the candidates, and the names and places of abode of the electors, or voters in the manner prescribed.

Every Returning Officer shall, before he proceeds to the election, take and subscribe the oath, as the same is in form set forth in the schedule hereunto subjoined before a Justice or Conservator of the Peace, in the presence of two electors of the district, who shall subscribe their names thereto.

The Returning Officer shall respectively appoint a Poll Clerk, who shall, before he enters on duty, take and subscribe the oath, as the same is in form set forth in the schedule hereunto subjoined, before a Justice or Conservator of the Peace, in presence of the Returning Officer.

That at opening the election on the first day, at the first district station herein respectively appointed for holding and opening the elections in each respective district, the Returning Officer shall make Proclamation and read the writ openly : whereupon the Returning Officer shall call upon the electors to name the Candidates.

That every candidate proposed or offering himself for election and before he shall be put in nomination, shall produce or cause to be produced a certificate signed by two electors, who shall be present at the nomination of such candidate at the place of election, and which certificate shall be in the form set forth in the schedule hereunto subjoined.

That if after Proclamation made and reading of the writ as aforesaid, on the first day of election at the first place appointed herein for each respective district, there shall be more candidates named or proposed in the form and manner aforesaid than the legal number of Representatives assigned to the respective district, before the hour of four o'clock of the afternoon of the said first day of election, the Returning Officer shall, if required on behalf of any candidate duly nominated, proceed to take the polls.

That if, after Proclamation made and reading of the writ aforesaid, at such first place of election herein appointed for the opening of the election within each respective district, on the first day of the election there shall not be more candidates duly nominated than the legal number assigned to the respective district, before the hour of four o'clock of the afternoon of the said day, then the Returning Officer shall, at or immediately after that hour, return such one or more candidate or candidates so duly nominated, of legal number only, as being duly elected.

That no elector shall be admitted to vote out of that district wherein the dwelling house of his occupation which entitles him to vote, is situate. But any elector, voting in person, may give his vote at any one of the places of election within the respective district.

That every elector, on tendering his vote, shall declare to the Returning Officer his true name and the place where the dwelling house of his occupation within the district for which he tenders his vote is situate, before his vote shall be taken. All which particulars shall be entered upon the poll book. And any voter shall, before his vote be registered, if so required on behalf of any Candidate duly nominated, or for any just cause that the Returning Officer shall see fit, be duly sworn by the Returning Officer, and answer on oath the questions following, or any of them—

1st. Are you of the full age of 21 years ?

2d. Are you a natural born subject of His Majesty King William the Fourth ?

3d. Are you a lawfully naturalized subject of His Majesty King William the Fourth ?

4th Have you ever been convicted in due course of Law of any infamous Crime ?

5th Have you already voted, either here or elsewhere, at this Election ?

6th. Have you as owner or tenant and in which character, if in either, occupied within this district of [naming the district] a dwelling house for and during the period of one whole year immediately preceding this day of Election ?

7th At what place is the dwelling house you have so occupied situate, and do you now occupy it ?

That the Returning Officer may enter apart on the Poll Book the vote of any elector objected to by himself or on behalf of any Candidate duly nominated, if it shall be found more convenient to the ends of justice to hear witnesses for and against such objected vote at a future time, but all such objected votes shall be determined at the Election station of the district where they shall be tendered, and before the close of the poll, at such station or place of election.

That on the respective days to be appointed by the Returning Officer, for holding the elections for each district respectively, the polling shall be opened at the hour of ten o'clock in the morning, by making usual proclamation, and the polls shall be kept open until four o'clock in the afternoon of each day, unless by consent of all the candidates, the polling shall cease before that hour, or the election be duly determined ; and the Returning Officer shall, at the close of the poll each day, publicly declare the true state of the poll. Nevertheless, on the first day of election within each district, the Election shall be kept open until four o'clock of the afternoon.

The Returning Officer is authorised to administer to Candidates, Electors, and Witnesses, respectively, the oaths prescribed to be by them taken at the respective elections aforesaid.

All votes tendered by written notice on the part of electors whose dwelling house shall be situate at the distance of more than fifteen miles from the nearest

place of Election, shall be delivered to the Returning Officer at such nearest place within the hours of polling at such place of election. And such written notice shall be in the form which is set forth in the schedule hereunto subjoined. Nevertheless, if due qualification of such elector shall be disputed, satisfactory proof thereof must be adduced by the evidence of any person or persons being electors of the district.

That the sums to be paid to the Returning Officers in remuneration of their services, and all other costs and expenses that may be incurred in the necessary proceedings and conduct of the said election of the members of the said General Assembly, and all such charges (if any) as ought to be borne and paid by the respective candidates, at such election, shall be subject to the consideration and provision of the said General Assembly.

Given under the Great Seal of Our Island of Newfoundland.

Witness our trusty and well beloved Sir Thomas
John Cochrane, Knight, our Governor
and Commander in Chief in and over our
Island of Newfoundland, at St. John's,
the 20th day of September 1832, in the
third year of our Reign.

By His Excellency's Command,

JAMES CROWDY,
Secretary.

SCHEDULE.

—o—

Form of Returning Officer's Oath.

I [name of Returning Officer] do swear that I will honestly, impartially, and without favour to any Candidate, take the poll at this Election, and that I have not directly or indirectly received, nor will I hereafter directly or indirectly receive, any money, gift or reward, promise, contract or security for money or other reward, for or in respect of the conduct which I shall observe during the ensuing election of [a member, or members, as the case may be] the General Assembly for the district of [name of district] or the return which I shall make at the close thereof, save and except such salary or other lawful compensation as I shall be entitled to receive in virtue of my appointment to, and the just and faithful execution of, my duty as Returning Officer at this Election.

[Signed]

[Deponent's name.]

Sworn at the day of 18 in the presence of [names of the two electors present] before me [name and signature of the Justice or Conservator of the Peace.]

[Names and signatures of the two Electors present.]

Form of Poll Clerk's Oath.

I [name of the deponent] do swear that I will honestly, impartially, and without favour to any Candidate, take the poll at this election for [a member or members as the case may be] of the General Assembly for the district of [name of district.] And that I have not directly or indirectly received, nor will I hereafter, directly or indirectly, receive any money, gift, reward, promise, contract or security, for money or other reward, for or in respect of the conduct I shall observe during the ensuing poll, save and except such salary or other lawful compensation as I shall be entitled to receive in virtue of my appointment to, and the faithful and just execution of, my duty as Poll Clerk at the election. And I do further swear that I will make a fair and true entry of all such persons as shall tender their votes before me, to be by me taken, and return the same truly to the Returning Officer by whom I am appointed, whenever and so often as I shall be thereunto required by him.

Signed by the deponent.

Sworn before me, at the day of 1832, in the presence of [Returning Officer's name.]

(Signed by the Justice or Conservator of the Peace.)

Form of Candidate's Certificate.

We [names and places of abode of two electors of the district] do certify that we have good knowledge that [name of the Candidate] who is proposed to be put in nomination to be elected a member of the General Assembly of Newfoundland, for the district of [name of district] has occupied a dwelling house as [owner or tenant] thereof at [place where the dwelling house is situate] in the Island of Newfoundland, for and during the period of two years next immediately preceding the day of this election. And we do verily believe that he is in all respects qualified to be elected as such member aforesaid, according to the provisions of His Majesty's Proclamation bearing date the 26th day of July, 1832. And the truth of all which, we are ready and willing to verify on oath, if so required.

(To be signed by two Electors.)

Form of Notice of Voter privileged to vote by such notice, his abode being more than fifteen miles distant from the nearest place of Election.

—o—

To the Returning Officer for the district of————

I [name and place of abode of the Elector] in the district of [name of district] in the Island of Newfoundland [occupation of the voter] having occupied a dwelling house within the said district as (owner or tenant as the case may be) thereof, for the period of one whole year next immediately preceding the day of this Election of a member of the General Assembly for the said district; and being otherwise qualified as an elector according to the provisions of His Majesty's Proclamation of the 26th day of July, 1832, I do hereby give my vote for the election of (name of the Candidate voted for) to be such member.

Dated at (voters place of abode) the day of 18

Signed by the elector.

Witnesses to the signature of the said Elector.

(Names of two witnesses and places of abode.) Which two witnesses must sign a certificate in the following form—

We do certify that we verily believe that the matter set forth in the foregoing notice is true.

Signed by both the above witnesses.



PROCLAMATION.

J. HARVEY.
(L. S.)

By his Excellency Major-General Sir John Harvey, Knight, Commander of the Most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

WHEREAS Her Majesty, by certain Letters-patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the twentieth day of July one thousand eight hundred and forty one, in the fifth year of her Majesty's reign, hath given and granted unto me full power and authority to summon and call General Assemblies of the Freeholders and Householders within this Island; and in pursuance of the said authority, and by and with the advice and consent of her Majesty's Council of the said Island, I have caused Writs in due form to be issued for a General Election of Members of the said Assembly: I do, therefore, by these presents, further summon and call the MEMBERS of the said GENERAL ASSEMBLY so elected to Assemble and meet at the Town of St. John, in the said Island, FOR THE DESPATCH OF BUSINESS, on SATURDAY the FOURTEENTH day of this instant month of January; and of which all persons concerned therein are hereby required to take due notice and govern themselves accordingly.

Given under my hand and seal at the Government House at St. John's aforesaid, this seventh day of January, one thousand eight hundred and forty three, and in the sixth year of her Majesty's Reign.

By his Excellency's command,

JAMES CROWDY,

Colonial Secretary.



PROCLAMATION.

J. HARVEY.
(L. S.)

VICTORIA by the Grace of God of the United Kingdom
of Great Britain and Ireland, Queen, Defender
of the Faith.

To all to whom these Presents shall come, Greeting :

WHEREAS by our Proclamation issued under the Great Seal of our Island of Newfoundland, and bearing date the ninth day of this instant month of November.— We have (*inter alia*) established a form of declaration on Oath, or Affidavit, to be made, subscribed and sworn, by every person who shall at the next ensuing General Election of Members of the General Assembly of our Island be proposed as a Candidate for Election : And whereas, We deem it requisite and necessary to make further provision in respect to such persons who may become Candidates for Election, and not be present at the said Election, or at the nomination of Candidates : We do therefore by these presents further order and direct, that every such Candidate, not being present as aforesaid, shall, before he shall be put in nomination for Election, cause to be produced and delivered to the Returning Officer of the District for which he shall be proposed as a Candidate, a declaration on oath signed by such proposed Candidate, and duly sworn before and attested by any Stipendiary Justice of the Peace; and which declaration shall be made in one of the forms set forth in the Schedule hereunto subjoined, and as either of the said Forms may be found most applicable to the proposed Candidate's qualification

in respect to his Income or Property. And every such Candidate, before being put in nomination, shall also cause to be produced and delivered to the Returning Officer a certificate signed by Two Electors who shall be present at the nomination of such Candidate at the place of Election, and which Certificate shall be in form set forth in the Schedule hereunto subjoined.

Given under the Great Seal of our Island of Newfoundland, at St. John's, in our said Island, the Twenty-second day of November, in the Sixth Year of our Reign, A. D., 1842.

Witness our trusty and well-beloved Sir JOHN HARVEY, Knight Commander of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, our Governor and Commander-in-Chief, in and over our said Island of Newfoundland and its Dependencies.

By His Excellency's Command,

JAMES CROWDY.
Secretary.

SCHEDULE.

Affidavit of Candidate relating to Qualification of Income of £100.

I, A. B. of &c. (name and addition of the Candidate) do swear that I truly and *bona fide* am possessed of a net annual income of One Hundred Pounds Sterling, according to the tenor and true meaning of Her Majesty's Royal Instructions declaring the qualification, in respect of income or property, for persons to be Elected to serve as Members of the Assembly of Newfoundland; and that my said Income arises from, and consists of, [here specify the source from which the Income is derived.]

Signature of Candidate.

Sworn before me, &c.

Affidavit of Candidate if his Qualification consists in Property being of £500 in amount or value, [clear of all incumbrances.

I, A. B. of &c. (name and addition of Candidate) do swear that I truly and *bona fide* am possessed of Property, clear of all incumbrances, of Five Hundred Pounds in amount or value, according to the tenor and true meaning of Her Majesty's Royal Instructions, declaring the Qualification in respect of Income or Property for Persons to be Elected to serve as Members of the Assembly of Newfoundland—and that my said Property consists of [here specify the character and description of the Property, and where situate.]

Signature of Candidate.

Sworn before me at, &c.

FORM OF CANDIDATE'S CERTIFICATE

We, (names and places of abode of two Electors of the District) do certify that we have good knowledge that (name of the Candidate) who is proposed to be put in nomination to be elected a Member of the General Assembly of Newfoundland for the District of (name of the District) has occupied a Dwelling House as (owner or tenant) thereof at (place where Dwelling House is situate) in the Island of Newfoundland, for and during the period of Two Years next immediately preceding the day of this Election.

(To be signed by Two Electors.)



JOURNAL AND PROCEEDINGS

OF THE

GENERAL ASSEMBLY

OF NEWFOUNDLAND.

BEGUN and holden at St. John's, in the said Island of Newfoundland, on Saturday the Fourteenth day of January, in the year of Our Lord, One Thousand Eight hundred and Forty-Three, and in the Sixth Year of the Reign of VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c. &c.

His Excellency HENRY PRESCOTT, Esq. C. B. late Governor of the Colony, having by Proclamation under the Great Seal of the Island, bearing date the Twenty-Seventh day of April, One Thousand Eight Hundred and Forty-One, (hereto prefixed) dissolved the last General Assembly of this Island; And Her Majesty having by her Commission under the Great Seal of the United Kingdom, bearing date at Westminster, the First day of September last, (hereunto prefixed) issued in pursuance of an Act passed in the last Session of the Imperial Parliament, entitled "An Act for amending the Constitution of the Government of Newfoundland," among other things, in virtue of the Powers by the said Act vested in her Majesty, directed that the Legislative Council of this Island, shall no longer sit and vote as a distinct House or Branch of the Legislature thereof, and having by the said Commission further authorised the Members of the said Legislative Council to sit and vote in the House of Assembly as Members thereof, as fully in all respects as the elected Members of the said House: And His Excellency the Governor having by several Proclamations under the Great Seal of the Island bearing date respectively the Ninth and Sixteenth days of November, hereto prefixed, summoned

Meeting of the Assembly.

and called a General Assembly of this Island, and having appointed the same to meet for the despatch of business this day, the following are the names of the members of the Honorable the Legislative Council above mentioned, viz.

The Hon. JAMES SIMMS, Her Majesty's Attorney General.
 " " JAMES CROWDY, Colonial Secretary.
 " " JOHN DUNSCOMB.
 " " WILLIAM THOMAS.
 " " PATRICK MORRIS, Colonial Treasurer.
 " " WILLIAM BICKFORD ROW.
 " " JAMES TOBIN.
 " " JOSEPH NOAD, Surveyor General.
 " " CHARLES FOX BENNETT.
 " " JOHN KENT.

Members returned.

The following are the names of the Members returned duly elected by the Returning Officers for the several districts of the colony, to represent the same in the said General Assembly, summoned to meet as before mentioned, viz.

District of St. John's—LAWRENCE O'BRIEN.
 JOHN VALENTINE NUGENT.
 WILLIAM CARSON.

District of Conception Bay—THOMAS RIDLEY.
 JOHN MUNN.
 JAMES LUKE PRENDERGAST.
 EDMUND HANRAHAN.

District of Trinity Bay—RICHARD BARNES.

District of Bonavista Bay—ROBERT CARTER.

District of Ferryland—THOMAS GLEN.

District of Placentia & St. Mary's—JOHN DILLON.
 SIMON MORRIS.

District of Burin—CLEMENT BENNING.

District of Fortune Bay—BRYAN ROBINSON.

District of Fogo—Return not yet received.

Commission for administering State Oaths to elected Members.

By virtue of a Commission under the Great Seal of the Island, directed to the Hon. James Simms, the Hon. John Dunscomb, and the Hon. Joseph Noad, which is as follows :—

J. HARVEY.
 (L. S.)

VICTORIA, by the Grace of God, of the
 United Kingdom of Great Britain and
 Ireland, Queen, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING,—

KNOW YE that We have constituted and appointed, and by these Presents do constitute and appoint the Honorable James Simms, John Dunscomb, and Joseph Noad, Members of Our Legislative Council, of Our Island of New-

foundland, to be Commissioners, they or either of them, jointly or severally, to tender and administer the usual state oaths according to Law, to all and to every Person and Persons who is, are, or shall be elected a Member or Members of the General Assembly of our said Island, appointed by Proclamation of our Governor of our said Island, to be holden at St. John's on the fourteenth day of this instant month of January, giving to them or either of them our said Commissioners full power and authority to perform the matters hereinbefore mentioned; ratifying and confirming all and whatsoever they or either of them shall do and perform in this behalf: And thereof they or either of them are to make due return under their hands and Seals, unto our Governor of our said Island, with these presents annexed.

Given under the Great Seal of our aforesaid Island,

WITNESS our Trusty and well beloved Major-General Sir JOHN HARVEY, Knight, Commander of the Most Honorable Military Order of the Bath, and of the Royal Hanoverian Guelphic Order, Our Governor and Commander-in-Chief in and over our said Island and its Dependencies, at St. John's, in our said Island, the eleventh day of January, 1843, in the sixth year of Our Reign.

By His Excellency's command,

JAMES CROWDY.

The said Commissioners came between the hours of twelve and two o'Clock on the said Fourteenth day of January, into the Assembly Room, and the following Members who appeared took and subscribed the Oaths prescribed by Law, in the presence of the said Commissioners, viz.—

Members sworn in.

Lawrence O'Brien, Esq.
 John Valentine Nugent, Esq.
 William Carson, Esq.
 Thomas Ridley, Esq.
 John Munn, Esq.
 James Luke Prendergast, Esq.
 Edmund Hanrahan, Esq.
 Richard Barnes, Esq.
 Robert Carter, Esq.
 Thomas Glen, Esq.
 John Dillon, Esq.
 Simon Morris, Esq.
 Bryan Robinson, Esq.

MONDAY, JANUARY 16, 1843.

THE Members of the Hon. the Legislative Council appointed to sit and vote in the House of Assembly, and the elected members of the said House of Assembly, having assembled in the principal Committee Room,

Message from the Govern-
or

A Message from His Excellency the Governor was delivered by Joseph Templeman, Esq. Usher of the Black Rod.

Honorable Gentlemen and Gentlemen—

His Excellency the Governor commands your immediate attendance in the Assembly Room.

Members attend on his
Excellency.

Accordingly, the Members present attended His Excellency in the General Assembly Room, when the Hon. the Attorney General, by command of his Excellency, said—

Honorable Gentlemen, and Gentlemen,—

Directed to choose a
Speaker

His Excellency's commands to you are, that you proceed in the choice of one of your Body to preside over your Legislative deliberations as your Speaker; and that you be prepared to present the Member so elected for His Excellency's approbation in this Chamber, on to-morrow at two o'clock.

His Excellency is of opinion that it would involve an infringement of the privileges conferred upon a portion of the Members of this General Assembly, by their nomination received from the Crown, if they should be required to exercise their Legislative functions under the superintendence of a Speaker or President in whose selection they have had no choice.

The Members then retired, and shortly after returned to the General Assembly Room—Robert Roberts Wakeham Esq., Clerk of the late General Assembly, attending in the House—and the Members being seated,

Mr. O'Brien (addressing himself to the Clerk) moved, seconded by Mr. Nugent,

Hon. W. Carson proposed.

That the Hon. William Carson do take the chair of this House as Speaker—whereupon

The Hon. William Thomas in like manner moved, seconded by Mr. Ridley,

Hon. J. Crowdy proposed.

That the Hon. James Crowdy do take the chair of this House as Speaker.

Question put as to the Hon
W. Carson.

The question was then put by the Clerk, that the Hon. William Carson do take the chair of this House as Speaker; and the House dividing thereon, there appeared for the motion, nine; against it, twelve:

Division.

For the motion—

Against the motion—

The Hon. Mr. Tobin
“ “ Mr. Kent
Mr. Nugent
Mr. Morris
Mr. Hanrahan
Mr. O'Brien
Mr. Prendergast
Mr. Dillon
The Hon. Mr. Carson.

The Hon. Attorney General
“ “ Mr. Dunscomb
“ “ Thomas
“ “ Row
“ “ Noad
“ “ Bennett
Mr. Robinson
Mr. Carter
Mr. Barnes
Mr. Glen
Mr. Ridley
Mr. Munn.

So it passed in the negative.

Lost

The question was then put by the Clerk, that the Hon. James Crowdy do take the Chair of this House as Speaker; and the House dividing thereon, there appeared for the motion, twelve; against it, nine, as follows:

Question put as to the Hon J. Crowdy.

For the motion—

Against the motion—

Division.

The Hon. Attorney General
 “ “ Mr. Dunscomb
 “ “ Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Robinson
 Mr. Carter
 Mr. Barnes
 Mr. Glen
 Mr. Ridley
 Mr. Munn.

The Hon. Mr. Tobin
 “ “ Mr. Kent
 Mr. Nugent
 Mr. Morris
 Mr. Hanrahan
 Mr. O'Brien
 Mr. Prendergast
 Mr. Dillon
 The Hon. Mr. Carson.

So it passed in the affirmative, and resolved accordingly—whereupon

Hon. J. Crowdy elected Speaker.

The Hon. Mr. Crowdy was conducted to, and placed in the Chair by the Hon. Mr. Thomas, and Mr. Ridley, when he addressed the House as follows:

Honorable Gentlemen, and Gentlemen,—

Mr. Speaker addresses the House.

I should indeed be insensible did I not feel highly gratified at the honor you have conferred on me, and the only alloy to that gratification arises from the apprehension I entertain, as to my ability worthily to discharge the duties of the high office to which you have elected me.

I am however cheered by the assurance that I shall, on all occasions, receive the cordial support and assistance of every Member of this House, and with such support and assistance, I humbly hope I may be enabled so to fulfil my duties as to justify the confidence reposed in me, and that I shall be found on all occasions, anxious to protect the privileges of this House.

Then the House adjourned until to morrow at half past one of the clock.

TUESDAY, JANUARY 17, 1843.

THE House met pursuant to adjournment, in the Committee Room.

A Message from His Excellency the Governor by Joseph Templeman, Esq., Usher of the Black Rod.

Message from his Excellency

Mr. Speaker elect, Honorable Gentlemen, and Gentlemen,—

It is His Excellency the Governor's pleasure that you attend him immediately in the General Assembly Room.

House attend his Excellency.

Mr. Speaker elect, with the House, attended upon his Excellency accordingly, when Mr. Speaker elect was presented to his Excellency, by the hon. William Thomas, who addressed his Excellency as follows :

Speaker presented

May it please your Excellency,—

The General Assembly, in obedience to your Excellency's commands, have proceeded to the choice of a Speaker, and have chosen the hon. James Crowdy, one of their body, to be their Speaker ; and by their direction, I beg now to present him for your Excellency's approval:—Whereupon,

The hon. the Attorney General, addressing the hon. James Crowdy, said,

and approved.

I am commanded by his Excellency the Governor to inform you, that his Excellency approves of the Speaker whom the General Assembly have chosen.

His Excellency retires

After some time, his Excellency the Governor having retired, the hon. Mr. Speaker took the chair.

Mr. Speaker reports his Excellency's approval, &c.

The hon. Mr. Speaker reported that his Excellency the Governor had been pleased to approve of the choice the House had made of him to be their Speaker, and that he, Mr. Speaker, had addressed his Excellency to the following effect,

May it please your Excellency,—

Prayer of privilege.

Your Excellency having been pleased to approve of the choice which the General Assembly have made of me to be their Speaker, it becomes my duty, in the name of the Assembly, humbly to demand their accustomed privileges ; that they have freedom of speech in their debates—that they and their servants be free from arrest—and that I, as their Speaker, have free access to your Excellency.

And I would add the expression of my most earnest hope, that your Excellency will, on all occasions, put the most favourable construction on my conduct in discharging the duties of this important office.

The hon. Mr. Speaker further reported that the hon. the Attorney General, by command of his Excellency, said,—

MR. SPEAKER,—

Governor's reply.

I am commanded by his Excellency the Governor to assure you, that he will extend to you the fullest privileges which have been enjoyed by your predecessors.

Mr. Speaker also reported that his Excellency had been pleased to make a speech, of which Mr. Speaker said he had, to prevent mistakes, obtained a copy, which he read to the House, and which is as follows,—

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

His Excellency's speech.

The Imperial Parliament having, during its recent session, passed an act which has received the Royal assent, and by which material alterations have been introduced into the constitution of this Island, it has become my duty to convene you in General Assembly, and to assure you of the earnest desire which I feel, that through our united exertions the affairs of this ancient and loyal colony may be so administered, under this new form of constitution, as to fulfil

the anxious wishes of our benignant and maternal Sovereign, by the advancement of the true interests of all classes of her Majesty's subjects in Newfoundland; but before I proceed to invite your attention to those measures which appear to me to call for prompt legislation, I deem it proper to remind you, that the constitutional act under which you are assembled, is of a temporary character, being limited in its duration to the period for which Provincial Legislatures usually sit, viz. FOUR years,—and that its re-enactment may depend in some measure upon your own wishes and those of your constituents, but mainly upon the manner in which, after having undergone a fair trial, it may be found to promote effectual legislation, and thereby to counteract the evils arising out of the conflicts of opinion on the part of two distinct bodies, possessing separate and independent functions, which confessedly existed, and by which the best interests of her Majesty's subjects in this valuable colony have been most injuriously affected.

In the anxious hope that the amicable and unreserved interchange of opinions, between all parties and all interests in free discussion, in a single chamber, may have the effect of promoting a better understanding, and lead to useful practical legislation for the benefit of the colony and the particular interests, and assuredly not for the purpose of promoting any general interest, still less for the object of affording a triumph to one party, or of inflicting mortification on any other. In this hope, and on these grounds, our gracious Sovereign has been induced to give her sanction to this temporary, experimental, and as it is hoped it may prove, *remedial* measure.

It has been justly observed, 'that reasonable sacrifices on the part of all, for the sake of public peace and tranquillity, are as necessary as the surrender by all of certain natural rights for the sake of social harmony.' If we apply this forcibly expressed axiom to legislative proceedings, we have clearly presented to us the only source from whence can flow that legislative harmony from which is to issue the public good, and by which alone the blessings of our free and happy constitution can be fully diffused among all classes of her Majesty's subjects in this ancient and loyal possession of the British Crown.—Permit me then to invite you—laying aside the recollection of all past differences—cordially to unite with me in endeavouring to advance the objects common to us all,—the general happiness and prosperity of Newfoundland,—by allowing no other consideration to interfere with this our paramount duty, and by so exercising the functions and powers which the constitution has confided to us respectively, as to require the highest rewards to which we can aspire—the approbation of our sovereign, of our fellow-subjects, and of our own consciences,—and here I would I would indulge in the expression of a sanguine hope, that the peaceable and orderly manner in which the constituency of this Island have exercised their franchise during the late elections, may be regarded as an earnest of the harmony and good feeling which are about to pervade your deliberations and to mark your legislative proceedings.

Before I lay before you my suggestions as the objects to which it appears to me that a portion of the Provincial Revenues may be most beneficially applied, it is my pleasing duty to offer to you my heartfelt congratulations upon that auspicious event which has crowned the hopes and wishes of the nation since the last meeting the Legislature of this Island. I refer to the birth of a male heir to the throne;—an event which leaves to her Majesty's loyal subjects little to apprehend, in connexion with the happy prospect of the secure succession to the Crown of these Realms of the issue of their beloved Queen;—and in the fervent gratitude which pervades every British heart to-

wards that protecting Providence which has continued to shield the precious life of our Sovereign from the blow of the assassin, Her Majesty's loyal subjects in this portion of her dominions have, I know, warmly participated.

Mr. Speaker, Hon. Gentlemen, and Gentlemen,

Together with a detailed account of the actual state of the Public Revenues, including all the receipts and disbursements which have taken place since the last meeting of the Provincial Legislature, I have directed that a separate account be laid before you of the various sums of which I have taken upon myself to order the payment since my arrival in Newfoundland; and as the circumstances which have appeared to me to render the assumption of this responsibility on my part an act of imperative duty towards the Queen's subjects in this colony, must be fully within your knowledge, it may only be requisite for me to say with reference to those payments, that I have, as a general rule, confined myself to such items respecting which there appeared to have existed no difference of opinion between the Council and Assembly. With you, therefore, it rests to decide how far it may be expedient or just to exonerate me for having, under such circumstances, taken upon myself to give effect to an act of Legislative appropriation, which had unhappily been left unperfected by the usual and necessary constitutional forms.

I am happy to be enabled to inform you that up to the period of the expiration the Revenue Act, the state of the public revenues and the general financial condition of the colony afford grounds of reasonable satisfaction; but I recommend to you to take it into your *immediate* consideration the means by which the very heavy deficiency arising from the unavoidable discontinuance in the collection of Colonial Duties since the first day of July last, and amounting, as appears by the statement which will be laid before you, to not less than £20,000, may be repaired so as to press with least weight upon the community—whether by passing an act to continue or to revive the expired Revenue Act, by giving a retrospective operation to its provisions, as recommended by the Right Hon. the Secretary of State for the Colonies,—or by the imposition of such an increase of duty on articles of consumption as may hold out a reasonable prospect of replacing the deficiency by raising the general amount of the public revenue for a given period. To any well considered measure for effecting the important object in view, I am ready to give my assent, and in reference to this subject, I recommend to your attentive consideration the act recently passed by the Imperial Parliament for establishing a revised Tariff of duties to be levied on certain articles of British produce and manufacture from and after the 5th day of July, 1843, of which a copy will be laid before you. The renewal of such other temporary Acts as may have expired, or be about to expire, will also receive your early attention.

The estimates which will be presented to you of the sums which are required for the public service of the colony, have been framed in accordance with the instructions of Her Majesty's Government, by which the expenditure is required to be brought strictly within the anticipated amount of the Revenue, and are therefore less in accordance with the actual exigencies of the colony, more especially with respect to ROADS, than with its present available means. Of the latter, I confidently anticipate a regular and progressive increase, which will, I doubt not, be attended by a corresponding liberality on your part, in making increased provision for the several objects of the public service, to which I will now proceed to draw your attention.

In giving a well merited precedence to the important subject of 'Education,' I

will confine myself upon the present occasion, to repeating my often-expressed and deep-felt conviction, that by no exercise of our Legislative functions can we confer so great a boon upon the rising generation, as by bringing within the easy attainment of the youth of every class of the community, the blessings of useful education, based upon sound principles of religion and morality. Such a foundation is in reality all that is necessary to enable any British subject, possessing integrity, industry, sobriety, and ordinary abilities, to raise for himself, with the blessing of Divine Providence upon his endeavours, such a superstructure of happiness and independence as is attainable, under no other form of Constitution in the civilized world.

Entertaining these views, and upon these grounds, I indulge a confident hope, that you will not only cheerfully vote the sums necessary to enable the Educational Institutions of the colony to continue their operations, but will be found ready to place increased means of usefulness at their disposal, whenever the state of the Provincial Revenues may enable you to do so, with a due regard to other objects.—And here I would express a confident hope, that this important colony will not long be allowed to remain without the advantage of a Collegiate or Academical Institution, as may afford to its youth the means of acquiring instruction in the *higher* branches of education,, without having to seek them, at great expense and inconvenience, in Europe, or in the neighbouring States or Colonies.

Upon the subject of Roads, of Agriculture, and of Immigration generally, I know not that I can place my ideas more forcibly before you, than by inviting your attention to some observations having reference to those deeply interesting objects which were addressed by me to a public meeting held in this city in January last, for the purpose of forming a society for the encouragement of Agriculture, of which a copy will be laid before you, and which you will perceive from the copy of the despatch from the Right Hon. the Secretary of State, by which they will be accompanied, have obtained the approbation of her Majesty's Government.—I would at the same time express my inmost conviction that the subject is one which more closely connects itself with the future prosperity, happiness, and independence of her Majesty's loyal subjects of Newfoundland, than appears to be generally supposed.—And here I will not deny myself the satisfaction of recording this public declaration of my conviction, derived from such observation and information as a residence in the Island of upwards of a year has enabled me to acquire, that both as respects climate and agricultural capabilities, Newfoundland, in many respects, need not shrink from a comparison with the most favoured Provinces of British America. Its summers, tho' short, exhibit an extraordinary degree of vegetative power, which only requires to be duly taken advantage of,—its winters are neither unusually long or severe,—and its autumnal seasons are as open and fine as those of any of the surrounding colonies,—and though the Island generally does not abound in timber, yet amply sufficient is found for every useful purpose,—and in point of *rich natural grasses*, no part of British North America produces greater abundance. Newfoundland, in fact, appears to me to be calculated to become essentially a rich grazing country, and its varied agricultural resources appear only to require roads and settlements, to force them into highly remunerative development,—but in a country where those treasures and capabilities are only partially found, it is obviously expedient that the ordinary rules of improvement should be departed from to suit its particular circumstances.—Thus, in the original settlement of the timber-

growing colonies, individual enterprize and improvement have generally *preceded roads*, which have been subsequently constructed for the purpose of connecting detached settlements with each other, or with navigable waters; but circumstanced as is this Island, having few navigable streams, interior settlement can only *follow* explorations and surveys, and the construction of practicable roads of communication with the common highway, "the sea."

In connexion in some measure with the preceding remarks, I would observe to you, that Newfoundland appears to stand alone among the Western Colonies of the British Empire, in several very essential respects;—1st. That she is without practicable roads of communication for connecting the various settlements of the Island with the Provincial Capital, and themselves with each other,—and 2dly. without a Militia Force of any kind. So long as this unexampled state of things—more especially as respects the Roads—is suffered to continue, this colony must remain—what it would almost appear to have been designed to keep it—little beyond a *Fishing Station*. Emigration to it, beyond the number of labourers required for the prosecution of that single pursuit, cannot be expected, no other encouragement being held out. But by opening up its interior by means of good roads and communications upon lines carefully surveyed and carried through lands,—and it is known that such are to be found—capable of repaying the labour of the settler, and therefore holding out inducement to that class of emigrants, you will, I have elsewhere said, 'discover treasures which, though they may not offer 'in the first instance rewards so tempting and so immediately available as those 'of the surrounding deep, are nevertheless quite as essential to the prosperity of 'your Island Home as are the fisheries themselves.'

While on the subject of 'Roads,' I will remind you that several lines of cross and other roads, intended to connect the capital with the neighbouring out-harbours and settlements, have been judiciously commenced, but in almost every instance have been left in an unfinished state for want of funds; these you will, I doubt not, concur with me in thinking, should be completed at as early a period as may consist with our ability—and there are other lines of roads to the importance of which I anticipate your concurrence with equal confidence,—I refer to a communication to be made practicable for carriages at all seasons for connecting the provincial capital and the Northern and Eastern districts of the peninsula of Avalon, including the shores of Conception and Trinity Bays, with those of St. Mary's and Placentia, as also that for completing the proposed coast road between St. John's and Trepassey. It must be wholly unnecessary for me to expatiate to you upon the great importance to the general interests of the Island of such means of access to its western and southern coasts and bays, not only as facilitating inter-communication between many of its most valuable ports and settlements, (with which there exists at present little other communication than by sea,) but also with the sister colonies of British America. These ports being known to be accessible, —particularly Trepassey—to vessels during the winter season, when those to the Eastward are obstructed by ice.—Of the line of road first adverted to, an exploratory survey has recently been made, which, with the report by which it is accompanied, will be laid before you.

With regard to the 'Militia Force,' although I am aware that there are circumstances arising out of the ordinary pursuits of the great body of the adult population of this Island which may be regarded as constituting essential points of difference between them and the population of other colonies, yet I confess myself unable to perceive any which ought to raise so remarkable a line of distinction as is exhibited by the unprecedented fact of the entire absence in Newfoundland of

that Constitutional force which presents so prominent and interesting a feature, which exhibits so much of loyal enthusiasm, which constitutes a source of such well-founded confidence, and inspires such a spirit of laudable pride and satisfaction in every other colony of her Majesty's dominions with which I am acquainted, as its '*Militia*':—Nevertheless, in suggesting to you to relieve your Island and its hardy and loyal population from the imputation which at present attaches to it on this subject, by passing a Militia Law, it is far from my wish or intention to recommend,—because the circumstances of the colony do not appear to call for it,—that its provisions should be at all of a stringent or onerous character as respects the periods of musters, trainings or inspections—which might be made very infrequent, and an act be so administered as to avoid any material interference with the ordinary avocations or occupations of the people:—all I would propose, in the first instance, is such a bill as would merely effect the organization of a Militia Force by the enrolment of all the male population of the Island, within certain ages, for the defence or protection of the colony, in cases of foreign invasion, or internal commotion, with power to the Governor for the time being to call upon their services in either of these cases of emergency.—I am not in ignorance of the fact, that the inhabitants of this Island are very generally accustomed to the use of fire-arms, and I am therefore satisfied that a very short training would be found sufficient to put them upon a full equality with the Militia force of any other colony:—but in order to be placed in a state of necessary preparation for such training, it is requisite that the Head of the Government should be empowered by Law to form them into Battalions and Companies, and to appoint Officers, and one or more days in the year for muster, &c. The details of the proposed measure will however, be best explained by the draft of a bill which will be laid before you, and to which I invite your favourable attention.

The entire absence of Steam Vessels of any kind in this Island must be regarded as another circumstance in which Newfoundland exhibits a marked distinction from the other colonies of this Hemisphere.—Its Legislature has, I know, with considerable liberality, sanctioned the application, from the Colonial funds, of a sum of one thousand pounds per annum, for a term of three years, in aid of the conveyance, by Steam vessels, of her Majesty's Mails to and from Halifax, which grant has been met, in a spirit of corresponding liberality, by the Legislature of Nova Scotia, by one for the same object, and for the same period, of half that amount; but it is much to be feared, that without some extension of these grants, or some spirited exertion on the part of individuals or associations, the very desirable object of quick and regular communication with the Mother Country and the neighbouring colonies must remain unattained, and this Island continue to suffer by its exclusion from any participation in those benefits so largely enjoyed in this respect by all the rest of her Majesty's North American Possessions.

The liberality which has usually distinguished the votes of the Legislature for the support of the Poor, satisfies me that I have only to call your attention to the necessity of a provision for the widows, orphans, and impotent, and aged persons, who are comprised in what is termed the "Permanent Pauper List," to insure the extension of relief to those sufferers.—A statement of the sum now due on this account, as well as for the Indigent Sick in the Hospital, and including that class of our fellow beings whose claim upon all our sympathies must ever be regarded as irresistible, "Pauper Lunatics," will be laid before you.

Before closing this part of my subject, I feel myself impelled also to propose that a small sum should be placed at the disposal of the Executive, to be applied in the event of any favourable occasion presenting itself to the solution

of that most interesting problem, the continued existence or otherwise, in this Island, of that unhappy and deeply to be commiserated class of beings, its "Aboriginal Inhabitants."

"With reference to the great staple of the Island, its 'Fisheries,' I would submit to you whether the existing state of the Laws, respecting the recovery of the wages of Fishermen and Sea-faring men employed in that pursuit, might not be made the subject of wholesome revision.—The rights and privileges of this valuable class of men, as well as those of their employers, ought, in my opinion, to be so strictly guarded and so clearly defined by legal enactment, as to render redress on either side a matter of cheap and easy attainment;—and more especially is this desirable, with a view more effectually to promote and more closely to cement that union of interests, which ought ever to subsist between the fisherman and those by whom he is employed and supplied. I would further observe, that in a colony where there cannot as yet be expected to be found, any considerable numbers of educated resident gentlemen and respectable individuals, who can conveniently afford to devote the whole of their time and attention *gratuitously* to the discharge of those duties which attach to the Magisterial, & Ministerial machinery of the public service, it must evidently consist with the public interests to have recourse to the only mode by which this evil can be remedied:—to neglect such a course must entail upon the inhabitants the injurious consequences which flow from a defective administration of the Laws, and must often amount to a denial of justice. On these grounds I propose to you some additional provision for an increase of the Stipendiary Magistracy and of the Police Establishment, as well in the provincial capital, as in the rural districts and out-ports;—and in connexion with this subject I invite you to take into your consideration, whether by such increase, coupled with an extension of the powers of the Magistrates in some of the more remote sections of the Island, it may not be found practicable to relieve the colony from the great, and as appears to me, unnecessary expense occasioned by the present 'Circuit Courts.'

"With regard to bounties, or other encouragement to the Whale, Seal, or any other branch of fisheries, you will yourselves be the most competent judges, both of the expediency of granting such encouragement, and of the amount; but I would submit to your patriotic consideration with respect to 'Agriculture,' that without some Legislative aid in the commencement of its operations, the 'Society' which has recently been formed with the object of promoting that important branch of the provincial interests, will be found unable to overcome the prejudices and difficulties against which it will have to contend.—I would, therefore, propose to you to make a moderate grant in aid of this association, to be continued for such a period as may be deemed sufficient to enable the Colony to form a correct judgment, as to the amount of benefit which it may be likely to render to its Agricultural interests.—The disposal of this fund, I would propose, should be left under the control of the Society itself, which, including as it does, individuals of the highest respectability in the Island, who stand before the public pledged to use their utmost endeavours to carry out the views which led to the formation of the Association, offers the most satisfactory guarantee for its prudent and useful application.

"On the subject of 'Bounties,' I would further submit to your consideration, whether it might not consist with a wise policy, to give all due encouragement to Native talent and enterprise, as respects so useful a branch of ma-

nufacture as the construction, in this, and other parts of the Island, of Ships and Vessels, not only suited for the prosecution of the deep-sea fisheries, but capable of conveying the manufactured produce to any part of the commercial world. Such an encouragement would, as appears to me, be in strict accordance with that principle which every country should keep steadily in view, of increasing the amount of the export of its staple commodities, especially in a *manufactured* shape, by every means in its power.—Thus, in corn and timber growing colonies, the benefit of manufacturing the grain into flour and meal, and the timber into deals, boards, and ships for exportation, should, if possible, be confined to the inhabitants of such colonies ;—and though this island has at present, neither surplus grain nor timber to export, yet it has recently shown to the inhabitants of this port that vessels of sufficient size, of strong fabric, and beautiful model, may be successfully constructed by ‘Native’ talent, duly encouraged, and of timber of ‘native’ growth.

A bill for regulating the sale of waste Land ‘of the Crown’ in this Colony, will be laid before you ; but you will be aware that the provisions of such a bill must remain, in a great measure, inoperative in this Island, until such ‘Surveys’ shall have been executed as may enable the Surveyor-General to describe, and to estimate, with a due degree of accuracy, the lots which may be applied for, or offered for sale, and the general circumstances affecting them.—For such Surveys, in connexion with those for certain lines of roads, already adverted to, due provision should be made. In reference to this subject, it is my intention to propose to her Majesty’s Government to sanction an arrangement by which all persons of British origin, who may have been in the actual occupation of lands,—though without license, lease or grant,—for a given period, shall be enabled to acquire a title to such lands, on such conditions as may be considered just and reasonable, with reference to the circumstances of such case, and with a view to secure them and their heirs in the free enjoyment of the improvements which they may have made therein.

Upon a subject of so much importance as the Administration of Justice in the Supreme Court of this Island, upon terms as moderate as may consist with the various professional rights and interests involved, I have directed to be laid before you a Despatch from the Right Hon. the Secretary of State for the Colonies, inviting your consideration of the subject, with a view to submit to her Majesty’s Government, by bill or otherwise, such propositions for the limitation of those powers, which, at an earlier period of the history of this Colony, it was deemed expedient to confer, by Charter, upon the Chief, and other Judges of the Supreme Court, of making ‘Rules,’ which are in effect ‘Laws,’ affecting the Public Revenue, by regulating the amount of fees to be received in that Court. Copies of the existing ‘Rules’ of Court and Tables of Fees, as well as of the two new Rules, the subject of Lord Stanley’s despatch, will be laid before you, and the important points involved, will, I doubt not, be considered by you with a due regard, as well to the interests of the suitor, as those of the legal profession.

The liberty and privileges of the subject are so deeply involved in the equitable provisions and due administration of the laws affecting ‘Bankrupts,’ as well as those for the regulation of Prisons, that I feel it an imperative part of my duty to invite your attention to those important objects of Legislation, with a view to endeavour to extend to this Island the full benefit of the many wise and humane regulations which have been introduced into the Acts of the Imperial Parliament on these subjects.

Although I am impressed with a conviction that nothing but an Act of ‘Incorporation’ can effectually confer upon the City of St. John’s all those benefits which the inhabitants of the commercial capital of a colony whose annual ‘Exports’ amount, on the average, to little less than a million sterling ought to enjoy, yet I will not abstain from offering [by Message] a few observations and suggestions

for its improvement, particularly as some of the improvements suggested, can, perhaps, only be effected by Legislative aid and enactment.

There is yet another subject to which I deem it my duty briefly to advert,—viz., the deficiency which exists in this Colony of a suitable building for holding its Legislative Sessions: and I would suggest to you to combine with the consideration of this subject, that of the requisite accommodation, as well for the Supreme Court of Judicature, as for all the principal Officers of the Legislature, and of the Government, including places of secure deposit for the Public Records of each department. It has been suggested that the building at present occupied as a residence by the Queen's Representative would afford ample space for all these purposes, and that the most economical measure, as respects the Colony, might be for the Legislature to address her Majesty's Government for the consent of the Crown to such an appropriation of that Building, upon condition of a suitable residence being erected by the Colony for the Governor. Concurring in the opinion as to the advantage to the Colony with which this arrangement would be attended, I shall be found ready to support, by my recommendation, any proposition which you may be induced to address to me to this effect.

Mr. Speaker, Hon. Gentlemen, and Gentlemen.

I am well aware that I have considerably exceeded the limits to which it is usual to confine addresses of this nature: but if, upon this, the first occasion of my meeting you in Provincial Legislature, I have been induced to give free expression to some of the views and opinions which I have been led to form since my arrival in Newfoundland, I indulge the hope that you will at least see in this proceeding the evidence of an anxious desire on my part to identify myself with all its interests, and to do all that may depend upon my position, as the Representative of a benignant and maternal Sovereign, to co-operate with you in promoting them, and in endeavouring to secure to her Majesty's loyal subjects in this Island the fullest measure of benefit which their new Constitution may be found capable of conferring upon them. And although the views and suggestions which I have laid before you may appear too comprehensive for the present means of the Colony, and quite incapable of being realized otherwise than very gradually, yet I have not on that account deemed it the less to consist with my duty to avail myself of an occasion which may be regarded as constituting a new era in the Political History of Newfoundland, for the purpose of placing upon the records of its Legislature such suggestions as a long acquaintance with the British American Provinces has enabled me to offer, for effecting those improvements in the condition of this Island, which, by tending to develop its varied resources, appear to me to be alone wanting to place it upon a footing with the most favoured of those Provinces, and which may, I trust, supply a motive to its Legislature to endeavour to raise the Revenue of the Island to as high a point as may be considered consistent with the interests of its inhabitants, for the purpose of being applied to objects of so much general importance.

In conclusion, I would remark, that to us, as separate, co-ordinate, and independent branches of the Provincial Legislature, is respectively confided the conservation of the rights of the People, and of the Prerogative of the Crown—principles which are so beautifully blended in our admirable Constitution that the latter cannot be infringed without a violation of the former.—Our relative duties, therefore, are rendered plain and easy;—

and while we shall always be found ready to co-operate in the endeavour to reform any acknowledged abuse, we shall feel it to be as much at variance with our duty to our Sovereign, and to her Majesty's loyal subjects of this colony, to acquiesce in any measure which may appear to us to be inconsistent with any acknowledged constitutional principle, as it would be to sanction any infraction of the known laws of the land. I would finally record my conviction that by no other course of proceeding than that which has been the object of the preceding observations and suggestions to urge upon your consideration, can the loyal inhabitants of this ancient possession of the British Crown be so effectually rescued from the imputation which it has been sought to affix upon them, of being less fitted than their fellow subjects of the neighbouring Provinces for the due exercise of those privileges, which are conferred by the usual Representative form of Constitution.

If any material point to which I may have omitted to advert, should arise or suggest itself in the course of the session, it shall be made the subject of a communication with you by message,—& I feel that I cannot close this lengthened address in a manner more in accordance with my own feelings, as well as with my sense of public duty, than by inviting on your part the most free and unreserved communication with me whenever you may be of opinion that the advancement of any question connected with the public interests can be thereby promoted or facilitated.

On motion of Mr. Barnes, seconded by Mr. Munn,

Resolved,—That an address be presented to his Excellency the Governor, thanking his Excellency for his gracious speech at the opening of the session, and that a committee be appointed to prepare the same.

Address of thanks voted

Ordered,—That Mr. Barnes, Mr. Munn, the Hon. Mr. Row, the Hon. Mr. Tobin, and Mr. Nugent, do form such committee.

Committee to prepare.

Mr. Robinson, seconded by Mr. Carter, moved,

That Edward Mortimer Archibald, Esq., be elected and take his place as Clerk of this House ;—which being put, the Hon. Mr. Carson, seconded by the Hon. Mr. Kent, moved,

E. M. Archibald proposed as Clerk.

That Robert Roberts Wakeham, Esq. be re-appointed Clerk of this House.

R. R. Wakeham proposed as Clerk.

A lengthened debate having ensued—

On motion of the Hon. Mr. Noad, seconded by Mr. Nugent,

Ordered,—That the debate be adjourned.

Moved by Mr. Nugent, seconded by the Hon. Mr. Kent,

That this House do adjourn until Saturday next.

Mr. Barnes, in amendment, seconded by Mr. Carter, moved,

That the words “ Saturday next” be struck out, and “ To-morrow” be substituted in lieu thereof.

Which being put, and the House dividing thereon, there appeared for the amendment ten, against it nine.

For the amendment—

The Hon. Attorney General
 “ Mr. Dunscomb
 “ “ Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Robinson
 Mr. Carter
 Mr. Glen
 Mr. Munn.

Against the amendment—

The Hon. Mr. Tobin
 “ “ Mr. Carson.
 “ “ Mr. Kent
 Mr. Nugent
 Mr. Morris
 Mr. Hanrahan
 Mr. O'Brien
 Mr. Prendergast
 Mr. Dillon

So it passed in the affirmative.

Then the House adjourned until to-morrow, at one o'clock.

WEDNESDAY, JANUARY 18, 1843.

Mr. Benning takes the oaths and his seat for Burin.

CLEMENT BENNING, Esq., returned duly elected Member for the District of Burin, having taken and subscribed the Oaths prescribed by Law, at the table of the House, in the presence of the Hon. the Attorney General and the Hon. Joseph Noad, two of the Commissioners appointed by his Excellency the Governor for that purpose, took his seat in the House.

Notice of Jury Bill, and of bill to encourage ship building.

Mr. Nugent gave notice that on Saturday next, he would move for leave to bring in a bill to regulate the manner of empannelling Juries,—and on Monday next, for leave to bring in a bill to encourage the building of ships and vessels in this colony.

Notice of address as to Bonavista Light House

The Hon. Mr. Kent gave notice that to-morrow he would move an address to his Excellency the Governor, for a return of all monies raised on loan for the purpose of erecting a Light House on Cape Bonavista, and the reasons why the light is not now exhibited.

Notice of motion for printing his Excellency's Speech.

The Hon. Mr. Morris gave notice that to-morrow he would move that five hundred copies of his Excellency's speech at the opening of the Legislature, be printed for the use of the members.

Order of the day read.

The order of the day was read, that the adjourned debate be resumed on the motion that Edward Mortimer Archibald, Esq., be elected, and take his place as Clerk of this House,—and on the amendment

That Robert Roberts Wakeham, Esq. be re-appointed Clerk of this House.

On motion of Mr. Robinson, strangers were ordered to withdraw.

Moved by Mr. Nugent, seconded by Mr. Prendergast,

That the doors be opened,—which being put, and the House dividing thereon, there appeared for the motion twelve, against it, eleven.

For the motion.

Against the motion.

The Hon. Mr. Morris.
 “ “ “ Tobin
 “ “ “ Carson
 “ “ “ Kent
 Mr. Nugent
 “ Prendergast
 “ O'Brien
 “ Benning
 “ Dillon
 “ Hanrahan
 “ S. Morris
 “ Munn.

The Hon. Attorney General
 “ “ Mr. Dunscomb
 “ “ “ Thomas
 “ “ “ Row
 “ “ “ Noad
 “ “ “ Bennett
 Mr. Barnes
 “ Ridley
 “ Robinson
 “ Glen
 “ Carter.

So it passed in the affirmative.

Ordered,—That strangers be admitted.

The order of the day was again read, that the adjourned debate be resumed on the motion that Edward Mortimer Archibald, Esq., be elected, and take his place as Clerk of this House—and on the amendment,

Debate on the appointment
of Clerk resumed

That Robert Roberts Wakeham, Esq. be re-appointed Clerk of this House.

After a lengthened debate, the question on the amendment was put, and the House dividing thereon, there appeared for the amendment eleven, against it, twelve.

For the amendment.

Against the amendment.

The Hon. Mr. Morris
 “ Mr. Tobin
 “ Mr. Carson.
 “ Mr. Kent
 Mr. Hanrahan
 Mr. O'Brien
 Mr. Prendergast
 Mr. Dillon
 Mr. Nugent
 Mr. S. Morris
 Mr. Benning

The Hon. Attorney General
 “ Mr. Dunscomb
 “ “ Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Robinson
 Mr. Carter
 Mr. Glen
 Mr. Munn.
 Mr. Ridley
 Mr. Barnes,

So it passed in the negative.

The question on the original motion was then put, and the House dividing thereon, there appeared for the motion twelve, against it eleven.

For the amendment—

The Hon. Attorney General
 “ Mr. Dunscomb
 “ “ Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Robinson
 Mr. Carter
 Mr. Glen
 Mr. Munn.
 Mr. Ridley
 Mr. Barnes,

Against the amendment—

The Hon. Mr. Morris
 “ “ Mr. Tobin
 “ “ Mr. Carson.
 “ “ Mr. Kent
 Mr. Hanrahan
 Mr. O'Brien
 Mr. Prendergast
 Mr. Dillon
 Mr. Nugent
 Mr. S. Morris
 Mr. Benning

So it passed in the affirmative, and

E. M. Archibald elected
 Clerk.

Resolved,—That Edward Mortimer Archibald be elected and take his place as Clerk of this House.

Moved by Mr. Nugent, seconded by the Hon. Mr. Noad,

Notice to adjourn till Sa-
 turday.

That this House do adjourn until Saturday next.

Mr. Ridley, seconded by the Hon. Mr. Bennett, moved, in amendment,

Amendment to adjourn till
 to-morrow.

That this House do adjourn until to-morrow.

The question being put, upon the first motion, and the House dividing thereon, there appeared for the motion twelve, against it eleven.

For the motion.

The Hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Noad
 ‘ ‘ ‘ Carson
 ‘ ‘ ‘ Kent
 Mr. Nugent
 “ O'Brien
 “ S. Morris
 “ Prendergast
 “ Dillon
 “ Hanrahan
 “ Benning

Against the motion.

The Hon. Attorney General
 ‘ ‘ Mr. Dunscomb
 ‘ ‘ Thomas
 ‘ ‘ Row
 ‘ ‘ Bennett
 Mr. Carter
 ‘ Barnes
 ‘ Ridley
 ‘ Munn
 ‘ Robinson.
 ‘ Glen

So it passed in the affirmative, and the House adjourned until Saturday next, at one of the clock.

SATURDAY, JANUARY 21, 1843.

Journals read by late Clerk
 Assistant.

MR. Holden, late Clerk Assistant of the House of Assembly, in the absence of Robert Roberts Wakeham, Esq., took the Clerk's chair, and read the minutes of the last day's proceedings, by direction of the House.

Mr. Nugent moved, seconded by Mr. Prendergast,

That the doors be opened for the admission of Strangers ;—whereupon,

Motion to admit strangers.

The hon. Mr. Row, seconded by the hon. Mr. Kent, moved in amendment,

That Mr. Archibald, the Clerk elect, do take the oaths of office in the Speaker's Chamber, before two Members of the House, being Magistrates, to be named by the hon. Mr. Speaker.

Amendment that the Clerk elect be sworn in.

Which, being put, passed in the affirmative—and,

Carried.

Ordered, accordingly.

The hon. Mr. Speaker having named the hon. Mr. Morris, and the hon. Mr. Noad, (being Magistrates) those gentlemen retired to the Speaker's Chamber—and,

Clerk elect takes the oaths of office, &c.

Being returned, accompanied by Mr. Archibald, the Clerk elect, the hon. Mr. Morris reported that Mr. Archibald had, before the hon. Mr. Noad, and himself, taken the oaths of office ; and Mr. Archibald took his place at the table of the House as Clerk accordingly.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Kent,

Resolved,—That the hon. Mr. Speaker do order Robert Roberts Wakeham, Esq., to hand over to the Clerk of the House, the Journals and Records of his late office as Clerk of the House of Assembly.

Late Clerk ordered to hand over documents and records of his office.

Mr. Nugent moved, seconded by the hon. Mr. Tobin,

That the thanks of this House be conveyed to Robert Roberts Wakeham, Esq., for the zeal and fidelity with which, during a period of more than five years, he discharged the duties of Clerk of the House of Assembly, and that he attend at the bar of this House to receive the same ;— which, being put, passed in the affirmative.

Vote of thanks to the late Clerk.

The hon. Mr. Morris, pursuant to leave granted, presented a petition from Thomas Murphy and others, Master, and Journeymen Coopers, of St. John's, and the same was received and read, setting forth—

Petition of the Master and Journeymen Coopers presented.

That many of the Petitioners being burthened with large families, and the Seal Fishery, for the last few Springs, having been very unsuccessful, many in the line of life of Petitioners have been compelled to seek employment as labourers on the wharves, or emigrate from the Colony. That large quantities of manufactured Cooperage are daily imported into the Colony, to the great prejudice of Petitioners, and to the great hindrance of the sale of Cooperage manufactured in the Colony. That the manufacture of Cooperage in the Colony gives employment to a great number of Fishermen and Shoremen in the Winter Season—and praying for the protection of the interests of the Petitioners, that the House would impose a duty on imported Cooperage.

Ordered,—That the petition do lie on the table.

Mr. Robinson gives notice—

That on Saturday the 4th of February next, he will move for leave to bring in a Bill for the establishment of an Academy in this Island.

Notice of Academy Bill

Petition of Joseph Barter to be appointed a doorkeeper.

Mr. Robinson, pursuant to leave granted, presented a petition from Joseph Barter, and the same was received and read—

Praying that the Petitioner may be appointed Door Keeper to this House.

Ordered,—That the Petition do lie on the table.

Petition of David Rogers to be appointed doorkeeper.

Mr. Robinson, pursuant to leave granted, presented a Petition from David Rogers, and the same was received and read,—

Praying that Petitioner may be appointed one of the subordinate officers of this House.

Ordered,—That the Petition do lie on the table.

Petition from electors of Burin against the return of C. Benning, Esq.

Mr. Robinson, pursuant to leave granted, presented a petition from Joseph Hollett, and others, electors of Burin, and its neighbourhood, and the same was received and read, setting forth—

That the Petitioners having been, by Proclamation, called upon to elect a suitable person to represent them in the Legislature of the Country, did, on the fourteenth day of December, nominate a person, when much insult and open violence was offered to the peaceable part of the Electors for daring to exercise their constitutional privilege in nominating a person whom they were desirous of representing them. Under these circumstances, and apprehensive of the fatal consequences that might arise out of a contested election, in the absence of Military or Civil aid, that Petitioners deemed it expedient to apply to the Stipendiary Magistrate to have a sufficient number of Special Constables appointed, which he refused to do.

That for several days previous to the day of polling, persons were in different parts of the district intimidating the voters, by informing them of the disastrous consequences that would result, (no less than loss of life, and that in a manner too strong to be repeated) if they would venture to vote otherwise than as the majority of their neighbours wished.

That on the day previous to that of Election, a mob of upwards of two hundred persons collected from various parts of the district, marshalled by leaders, for the purpose of intercepting the arrival of voters coming from a distance; that persons so coming were met by said mob, and were insulted and maltreated, as will appear by depositions herewith forwarded.

That on the day of Election, persons were by force carried to the Polling Room, and made vote against their inclinations.

That the Petitioners feel themselves much aggrieved by being deprived of their rights by such unlawful proceedings, and that in order that the peace of the Community might not be disturbed in the absence of any authority to restrain such uncalled for conduct, the Petitioners did not appear at the hustings, for fear of threats so often repeated being put in execution.

That considering the unlawful manner in which the majority of the Electors of the district were so unconstitutionally deprived of their birthright, they most respectfully pray that the House will be pleased not to receive the return of the person said to be elected, but allow the petitioners, who are peaceable and

loyal inhabitants, an opportunity of returning a Member in whom they shall have confidence, that he will attend to their interest, and the welfare of the Country, unbiassed.

Ordered,—That the petition do lie on the table.

Mr. Nugent, pursuant to leave granted, presented a petition from Thomas Casey, and others, inhabitants of St. John's, and the same was received and read—

Petition of Inhabitants of St. John's, for re-appointment of R. Holden as Clerk Assistant.

Praying that Richard Holden, Esq., be re-appointed Clerk Assistant of this House.

Ordered,—That the Petition do lie on the table.

Mr. Nugent, seconded by Mr. Dillon, moved, that it be

Resolved,—That the consideration of the question of the appointment of the Assistant Clerk of this House be deferred until Monday next;—whereupon,

Motion to defer consideration of appointment of clerk Assistant.

The hon. Mr. Thomas, seconded by Mr. Glen, moved in amendment of the motion,

That Mr. James Shannon Clift be appointed, and take his place as Clerk Assistant of this House : and thereupon a debate ensuing,

Amendment moved, that Mr. J. S. Clift be appointed Clerk Assistant.

The Hon. Mr. Kent, seconded by the hon. Mr. Tobin, moved,

Motion to adjourn,

That this House do adjourn ;

Which being put, and the House dividing thereon, there appeared for the motion, ten, against it, eleven.

For the adjournment—

Against the adjournment—

The Hon. Mr. Morris
 “ “ Tobin
 “ “ Kent
 Mr. Dillon
 “ Hanrahan
 “ Benning
 “ S. Morris
 “ O'Brien
 “ Prendergast
 “ Nugent.

The Hon. Attorney General
 “ “ Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Carter
 “ Barnes
 “ Glen
 “ Munn
 “ Ridley
 “ Robinson.

So it passed in the negative.

Lost,

The debate being continued,

Mr. Nugent, seconded by Mr. Prendergast, moved,

That the House do now adjourn,—which being put, and the House dividing thereon, there appeared for the motion, five, against it, eleven.

Adjournment again moved.

For the adjournment—
 The Hon. Mr. Kent
 Mr. Prendergast
 “ Nugent
 “ O’Brien
 “ Dillon.

Against the Adjournment—
 The Hon. Attorney General
 “ “ Mr. Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Barnes
 “ Carter
 “ Glen
 “ Robinson
 “ Munn
 “ Ridley.

Lost.

So it passed in the negative.

The question upon the amendment to the original motion being then put ;

Mr. Nugent, seconded by Mr. Dillon, moved,

Adjournment again moved,

That the House do adjourn :

Which being put, and the House dividing thereon, there appeared for the motion, five, against it, eleven :

For the adjournment—
 The Hon. Mr. Kent
 Mr. Prendergast
 “ Nugent
 “ O’Brien
 “ Dillon.

Against the adjournment—
 The hon. Attorney General
 “ “ Mr. Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Barnes
 “ Carter
 “ Glen
 “ Robinson
 “ Munn
 “ Ridley.

and lost.

So it passed in the negative.

And the question upon the amendment to the original motion being put—

Mr. Nugent, seconded by Mr. Dillon, moved,

Adjournment again moved,

That this House do now adjourn ;— which being put, and the House dividing thereon, there appeared for the motion five, against it, eleven :

For the adjournment—
 The Hon. Mr. Kent—
 Mr. Prendergast
 “ Nugent
 “ O’Brien
 “ Dillon.

Against the adjournment—
 The Hon. Attorney General—
 “ Mr. Thomas
 “ “ Row
 “ “ Noad
 “ “ Bennett
 Mr. Barnes
 “ Carter
 “ Glen
 “ Robinson
 “ Munn
 “ Ridley.

and lost.

So it passed in the negative.

And the question upon the amendment to the original motion being again put—

Mr. Nugent, seconded by Mr. Dillon, moved,
That this House do now adjourn.

Which being put, and the House dividing thereon, there appeared for the motion five, against it, eleven. Adjournment again moved,

For the motion.

Against the motion.

The Hon. Mr. Kent
Mr. Nugent
‘ Prendergast
‘ O’Brien
‘ Dillon

The Hon. Attorney General
‘ ‘ Mr. Thomas
‘ ‘ ‘ Row
‘ ‘ ‘ Noad
‘ ‘ ‘ Bennett
‘ ‘ ‘ Barnes
‘ ‘ ‘ Carter
‘ ‘ ‘ Ridley
‘ ‘ ‘ Munn
‘ ‘ ‘ Robinson.
‘ ‘ ‘ Glen.

So it passed in the negative.

and lost.

And the question upon the amendment to the original motion being put, and the House dividing thereon, there appeared for the motion, eleven, against it, five.

Question on amendment put, and

For the motion.

Against the motion.

The Hon. Attorney General
“ “ Mr. Thomas
“ “ “ Row
“ “ “ Noad
“ “ “ Bennett
Mr. Barnes
“ Ridley
“ Robinson
“ Glen
“ Carter.
“ Munn

The Hon. Mr. Kent
Mr. Nugent
‘ Prendergast
‘ O’Brien
‘ Dillon.

So it passed in the affirmative, and

Carried.

Resolved,—That Mr. James Shannon Clift be appointed and take his place as Clerk Assistant of this House.

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

MONDAY, JANUARY 23, 1843.

MR. Nugent, pursuant to leave granted, presented a petition from Thomas Houlton, and the same was received and read, praying to be appointed door-keeper of this House, or any other situation in the gift of the House.

Petition of T. Houlton for office of door-keeper.

Ordered,—That the said petition do lie on the table.

Petition of T. W. Gaden
for office of door-keeper.

Mr. Carter, pursuant to leave granted, presented a petition from Thomas W. Gaden, and the same was received and read, praying to be appointed door keeper, or any other situation within the gift of the House.

Ordered,—That the said petition do lie on the table.

Petition of J. T. Burton,
to be appointed printer.

The Hon. Mr. Row, pursuant to leave granted, presented a petition from John Thomas Burton, and the same was received and read, praying that he may be appointed Printer of this House.

Ordered,—That the said petition do lie on the table.

Petition of M. Power for
office of door-keeper.

Mr. Barnes, pursuant to leave granted, presented a petition from Michael Power, and the same was received and read, praying to be appointed door-keeper of the House.

Ordered,—That the said petition do lie on the table.

Petition of J. A. Keith
for office of door-keeper.

Mr. Barnes, pursuant to leave granted, presented a petition from Joseph A. Keith, and the same was received and read, praying for the appointment of door-keeper of the House.

Ordered,—That the said petition do lie on the table.

Mr. Wakeham attends at
the bar to receive the thanks
of the House

The Hon. Mr. Speaker acquainted the House that pursuant to the resolution adopted on Saturday last, for conveying the thanks of the House to Robert Roberts Wakeham, Esq., he had notified Mr. Wakeham, who was now in attendance in the Committee room, for the purpose of attending at the Bar to receive the thanks of the House.

Ordered,—That Mr. Wakeham do now attend at the Bar.

Mr. Wakeham having accordingly appeared at the Bar, the Hon. Mr. Speaker addressed him as follows

Mr. Wakeham,

The pleasing duty devolves upon me of acquainting you that this House has passed the following resolution :

Resolved,—That the thanks of this House be conveyed to Robert Roberts Wakeham, Esq., for the zeal and fidelity with which, during a period of more than five years, he discharged the duties of Clerk of the House of Assembly, and that he attend at the bar of the House, to receive the same.

The honor conferred by such a resolution of the General Assembly needs no remark from me to enhance its value, but I cannot refrain from expressing my gratification, at being the medium of conveying to you so high a testimony of the zeal and fidelity, with which, during a period of more than five years, you discharged the duties of your late office.

And then Mr. Wakeham withdrew.

On motion of Mr. O'Brien, seconded by Mr. Nugent,

Late Clerk to have a seat
with the Solicitor.

Resolved,—That the late Clerk, Robert Roberts Wakeham, Esq., be accommodated with a seat in that part of the House appropriated to the Solicitor, and that the Clerk do notify him of the same.

The Hon. Mr. Thomas, seconded by the Hon. Mr. Kent, moved—

That the House do now resolve itself into a Committee of the whole House, on the consideration of Ways and Means ; and that all the rules of this House which require notice of such motion, be in this case suspended ;—whereupon,

Motion to go into committee on Ways and Means.

Mr. Nugent moved in amendment, seconded by Mr. Barnes,

That this House will, To-morrow, resolve itself into a Committee of the whole House on the consideration of Ways and Means ;—which, being put,

Amendment to go into committee to-morrow, moved.

Passed in the negative.

and lost:

The question upon the original motion was then put, and passed in the affirmative—and

Original motion put and carried,

Resolved accordingly.

The House then resolved itself into the said Committee.

House in committee.

Mr. Speaker left the Chair.

Mr. Carter took the Chair of the Committee.

Mr. Speaker resumed the Chair upon a question of order.

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 thereon, which they had directed him to report to the House ; and he read the said resolutions in his place, and afterwards delivered them at the Clerk's Table, where they were again read, and are as follows :—

Report:

1st.—Resolved—That it is the opinion of this Committee, that the Table of Duties upon Goods, Wares and Merchandize, imported into Newfoundland and its dependencies, as prescribed in an act of the General Assembly of Newfoundland, passed in the fourth year of the Reign of her present Majesty, entitled “ An act for granting to her Majesty certain duties on all Goods, Wares, and Merchandize imported into this Colony and its dependencies,” be adopted—

Resolutions from committee of Ways and Means.

2d.—Resolved—That it is the opinion of this Committee, that the several provisions contained in the said act, providing for and connected with the collection of the said duties imposed under the same, and the exemptions contained therein, be re-enacted.

3d.—Resolved—That it is the opinion of this Committee, that a clause be inserted in any Revenue Bill that may be passed, enabling the General Assembly to amend or repeal the said act during the present Session.

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

Resolutions adopted.

The Chairman also reported, that he was directed by the Committee to move for leave to sit again on the further consideration of Ways and Means.

Ordered—That the said Committee have leave to sit again.

On motion of the Hon. Mr. Thomas, seconded by the Hon. Mr. Kent,

Resolved—That a Committee be appointed to prepare and bring in a Revenue Bill in conformity with the foregoing resolutions.

Ordered—That the Hon. Mr. Thomas, Hon. Mr. Kent, and Mr. Robinson, do form the said Committee.

Mr. Barnes reported from the Committee appointed to prepare the draft of an address of thanks to his Excellency the Governor, in reply to his Excellency's speech from the Throne 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.

On motion of Mr. Barnes, seconded by the Hon. Mr. Thomas,

Ordered,—That the said address be read a second time to-morrow.

Mr. Barnes gave notice that he should, to-morrow, move that the rules of the House be suspended in reference to the committing and passing of the said address.

Mr. Simon Merris gave notice that to-morrow he should ask leave to present a petition complaining of an undue return of Thomas Glen, Esq., as member of the House of Assembly for the district of Ferryland.

The Hon. Mr. Thomas gave notice, that he should, to-morrow, move that the rules of the House in reference to the passing of Bills, be suspended, so far as relates to the Revenue Bill, to be brought in by the committee, this day appointed for that purpose.

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

TUESDAY, JANUARY 24, 1843.

Petition against the return of Thomas Glen, Esq.

MR. S. Morris, pursuant to leave granted, presented a petition from William Ryan, of Renew's, and the same was received and read, setting forth—

That prior to the late election of a member to represent in the House of Assembly the district of Ferryland, Thomas Glen, Esq., and Peter Winsor, Esq., presented themselves by address to the Electors as Candidates, for the said Representation, and on the fourteenth day of December, One thousand Eight hundred and Forty-two, were severally put in nomination, to wit, at the town or settlement of Ferryland, in the said district,—and on the Twentieth day of the same month the

polls were taken in the several polling places by Proclamation of his Excellency the Governor, appointed, to wit, at Ferryland, Renews, Cape Broyle, Witless Bay, Toads Cove, and Bay Bulls,—and subsequently the said Thomas Glen, Esq., was, by the Returning Officer, Robert Carter, Esq., declared duly elected, by a majority of twenty-nine votes, and was returned accordingly.

That the said Thomas Glen, ought not to have been so declared duly elected, nor so returned, because he, the said Thomas Glen, the petitioner verily believes, and can prove by evidence, is not, nor had been, at the time of the said election, qualified according to the laws and constitution of Newfoundland, which require that the person so returned shall have been the occupier of a dwelling house for and during the full space of two whole years, before the said day of election, to stand as a candidate for the said representation, but was for a considerable space of time, to wit, for and during the space of several weeks, without a house, and residing with and in the dwelling house of William Grieve, Esq., of St. John's, and for a considerable time, to wit, the space of several months, residing in the dwelling house of John Gibbons, of St. John's, Watch-maker, as a lodger; and further the petitioner urges that for the reasons aforesaid, and because the said Peter Winsor, of Aquafort, in the said district of Ferryland, Esq., was, on the said 14th day, and on the said Twentieth day of December, fully qualified both as to residence and property, as well as in all other respects required by the laws and constitution of Newfoundland, to stand as a candidate for the said representation, the said Peter Winsor ought to have been declared by the said Returning Officer duly elected, and by the said Returning Officer duly returned.

That prior to the said election the lists of voters had been improperly taken by parties opposed to the return of the said Peter Winsor, and favourable to the return of the said Thomas Glen, such parties having been for the said service of taking such lists throughout the southern division of the said district, appointed by the said Robert Carter, Stipendiary Justice of the Peace, subsequently appointed Returning Officer, which said Robert Carter was himself opposed to the return of the said Peter Winsor, and favourable to the return of the said Thomas Glen, and took an active part with, and accompanied the Committee of the said Thomas Glen, in opposition to the said Peter Winsor, and for the said Thomas Glen canvassing the electors of Ferryland, aforesaid; and in the Northern District, by John Levingston M'Kie, Esq. Stipendiary magistrate, of the said Northern division of the said district, which said John Levingston M'Kie, Esq., was in like manner opposed to the said Peter Winsor, Esq., and favourable to the said Thomas Glen, as candidate for the said representation.

That upon the said lists of Voters many names of persons were inserted, not qualified by law to have been so inserted, all of whom were opposed to, and almost all of whom subsequently voted against the said Peter Winsor—to wit, at Bay Bulls, the following unqualified persons were taken against the said Peter Winsor, and had their votes allowed, as good and valid voters for the said Thomas Glen:—William Roche, William Mokler, John Welsh, William Cody, Edmund Monahan, Jeremiah Brien, jun., William Williams, John Drew, Christopher Brien, Michael Welsh, Joseph Lannen, Thos. Coady, John Hall, Edmund Ryan, Thomas Glen, Thomas Welsh and Patrick Kehoe.

At Toads Cove, the following unqualified voters were taken against the said Peter Winsor, as good and valid votes for the said Thomas Glen:—John Blackler, John Driscoll, Cornelius Driscoll, James Keefe, Patrick Fortune, Bryan Lovel, Thomas Bramby, Dennis Phynn, Edward Power, and James Carew. At Ferryland—Francis Geary and Luke Brown. At Witless Bay—Michael Norris, John

Norris, jun., John Yard, George Frisby, Peter Mullooney, Matthew Murphy, Patrick Dea, George Yard, Michael Armstrong, John Dunn, Thomas Fitzgerald, Stephen Yard, James Carew, William Norris, John Armstrong, William Norris, Edward Carew, Thomas Butler, James Mullooney, Thomas Tobin, Lawrence Tobin, John Carew, and John Carew, son of Joseph Carew.

That upon the said lists there were improperly omitted to be placed the names of several persons legally qualified to vote at the said election, of whom the following having tendered their votes for the said Peter Winser, were refused to be taken as legal votes, and thereby were improperly and illegally deprived of their franchise, to the grievous wrong of the Petitioner, being an Elector of the said district, and to the injury of the said Peter Winser,—To wit., at Cape Broyle, John Fitzgerald, Maurice Fleming, Pierry Power, James Condy, Jacob Smith. At Ferryland—John Bolan, Robert Brenan, John Sisk, John Shanahan, Patrick Tobin. At Renewa—Thomas Gearon, Patrick Ryan, William Brothers, Patrick Wickins, Joseph Squires, Laurence Neil, Junior, Michael Mahoney, Laurence Neil, Senior, Christopher Tobin, Richard Rose, James Lawless, James Gearon, Richard King, John Maher, James Roche, Patrick Fowler, John Murphy, John Rodgers, and Nicholas Whelan.

That of the latter persons so improperly omitted from the Register, and refused to be permitted to exercise their franchise in favor of the said Peter Winser, Thomas Gearon has been the sole owner and occupier of a House and Plantation during the last six years, Patrick Wickens of a House during the last twenty years, Richard Rose, a house and plantation for a period of thirty years, Richard King, a house for four years, James Roche, of a house for twenty five years, John Maher, of a house for three years, Patrick Fowler of a house for forty seven years, Christopher Tobin of a house for ten years, Michael Mahoney, of a house for six years, Laurence Neil, Senior, of a house for eight years, Nicholas Whelan the occupant of a house, either as owner or tenant, for nearly three years, and James Gearon, both owner and tenant of a house for a period of about fifty years.

That the said Peter Winser is legally entitled to have the said fifty two improper and illegal votes stricken off the said Poll Books, where they are in manner aforesaid recorded for the said Thomas Glen, and to have the said thirty votes, so improperly refused to be taken as aforesaid, for the said Peter Winser, placed upon the said Poll Books, in his favour, together with the votes of the following persons, whose names have been duly registered, and yet, notwithstanding such registry, were refused to be taken for the said Peter Winser. To wit., at Cape Broyle, James Doyle, John Power, Michael Aylward, Michael Bryan,—whereupon, the said Poll Book will exhibit a majority in favour of the said Peter Winser, of fifty seven votes.

That under these circumstances, the petitioner humbly prays the House to take the premises under its consideration, and finding that the said Thomas Glen has not been duly qualified to stand as a Candidate for the said Representation, and that the said Peter Winser being duly qualified, is legally entitled to a majority of votes at that Election, the House will order that the return to the writ of election be amended, and the name of the said Thomas Glen be struck out, and the name of the said Peter Winser subscribed for the same.

Ordered,—That the said petition do lie on the table.

Mr. Simon Morris gave notice that he will, on an early day, move that a select Committee be appointed and sworn, to consider the petition of William Ryan, and take evidence before them of the same, and report thereon to the House.

Notice of motion for Committee on the said petition.

Pursuant to the order of the day, the address of thanks to his Excellency the Governor in reply to his Excellency's Speech from the Throne at the opening of the Session, was read a second time,—and,

Address of thanks read 2d time.

On motion of Mr. Barnes, seconded by the hon. Mr. Kent,

Resolved,—That the Rules of the House, in reference to the passing of Addresses, &c., be suspended, and that this House do now resolve itself into a Committee of the whole House upon the said Address.

Rules suspended, and address committed.

And the House resolved itself into the said Committee accordingly.

The hon. Mr. Speaker left the chair.

Mr. O'Brien took the chair of the Committee.

The hon. 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 subject thereof.

Progress.

Ordered that the said Committee have leave to sit again.

To sit again.

The hon. Mr. Thomas from the select Committee appointed to prepare and bring in a bill for raising a Revenue, in pursuance of the Resolution yesterday, reported from the Committee of the whole House on Ways and Means, reported that the Committee had prepared the draft of a bill accordingly, and he presented the same to the House.

Report of Select Committee to frame Revenue Bill.

And the said bill was read a first time.

Bill read 1st time.

On motion of the hon. Mr. Thomas, seconded by Mr. Nugent,

Resolved,—That the Rules of the House, in reference to the passing of bills, be suspended, so far as relates to the bill just read a first time, and that the same be now read a second time.

Rules in reference to bills suspended.

And the bill was read a second time accordingly.

Bill read 2d time.

On motion of the hon. Mr. Thomas, seconded by the hon. Mr. Bennett,

Resolved,—That the said bill be now committed to a committee of the whole House.

Bill committed.

And the House resolved itself into the said committee accordingly.

House in committee.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress.

The Chairman reported from the Committee that they had made some progress in the bill to them referred, and had directed him to ask for leave to sit again this day.

To sit again this day.

Ordered,—That the said Committee have leave to sit again to day.

On motion of the hon. Mr. Thomas, seconded by the hon. Mr. Tobin,

House in committee of Ways and Means.

Resolved,—That this House do now resolve itself into a Committee of the whole House on the further consideration of Ways and Means.

And the House resolved itself into the said Committee accordingly.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the Committee.

The hon. Mr. Speaker resumed the chair.

Resolution reported from the committee

The Chairman reported from the committee that they had considered of the matter to them referred, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the resolution in his place, and afterwards delivered it in at the Clerk's table, where it was again read, and is as follows:—

Resolved,—That it is the opinion of this Committee, that it is expedient to raise the duty at present payable on unrefined or clayed sugar, from *two* shillings to *five* shillings per hundred weight.

Resolution adopted.

And the said resolution having been read throughout, was, upon the question put thereon, agreed to by the House.

The Chairman also reported that he was directed to move for leave to sit again, on the further consideration of Ways and Means.

Leave to sit again.

Ordered,—That the said Committee have leave to sit again.

On motion of the hon. Mr. Thomas, seconded by Mr. Nugent.

Resolution referred to the committee on Revenue bill.

Resolved,—That the Resolution reported from the Committee of the whole House upon Ways and Means, be referred to the Committee of the whole House upon the consideration of the bill for raising a Revenue.

House in committee on Revenue Bill.

Resolved,—That the House do now resolve itself into a Committee of the whole House, upon the further consideration of the said bill for raising a Revenue.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the Committee.

The hon. Mr. Speaker resumed the chair.

Bill reported with amendments

The Chairman reported from the Committee that they had gone through the said bill to them referred, 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.

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. To be engrossed and read a 3d time to-morrow.

Mr. Nugent, seconded by Mr. Prendergast, moved,

That the House do adjourn until to-morrow at eleven o'clock,—which being put, passed in the negative. Adjournment moved and negatived.

Mr. Nugent, seconded by Mr. Dillon, moved,

That the House do adjourn until to-morrow, at quarter past ten o'clock. 2d adjournment moved & negatived.

Which being put, and the House dividing thereon, there appeared for the motion seven, against it, ten.

For the adjournment.

Against the adjournment.

The Hon. Mr. Tobin.

The Hon. Attorney General

Mr. Nugent
' Prendergast
' O'Brien
' Dillon
' Glen
' S. Morris

' ' Mr. Thomas
' ' ' Morris
' ' ' Noad
' ' ' Kent
' ' ' Bennett
Mr. Robinson
' Carter
' Barnes
' Hanrahan.

So it passed in the negative.

Mr. Nugent, seconded by Mr. O'Brien, then moved,

That the House do adjourn until to-morrow at twelve o'clock,—which being put, passed in the negative. 3d adjournment moved & negatived.

The Hon. Mr. Morris, seconded by Mr. Barnes, moved,

That the House do now resolve itself into a committee of the whole House on the further consideration of the address of Thanks in reply to his Excellency's speech,—whereupon, Motion to go into committee on the address.

Mr. Nugent moved in amendment, seconded by Mr. Prendergast,

That the House do adjourn.—Which being put, and the House dividing thereon, there appeared for the adjournment, seven, against it, ten. Adjournment moved and lost.

For the adjournment.	Against the adjournment
The Hon. Mr. Tobin	The Hon. Attorney General
Mr. Nugent	“ “ Mr. Thomas
‘ Prendergast	“ “ ‘ Morris
‘ O’Brien	“ “ ‘ Kent
‘ Dillon.	“ “ ‘ Noad
‘ S. Morris	“ “ ‘ Bennett
‘ Glen.	Mr. Barnes
	‘ Hanrahan
	‘ Robinson
	‘ Carter.

So it passed in the negative.

Then, on motion of the Hon. Mr. Kent, seconded by Mr. Nugent,

The House adjourned until to-morrow, at half-past ten of the clock.

Adjourn.

WEDNESDAY, JANUARY 25, 1843.

Revenue bill read a third time.

PURSUANT to the order of the day, the engrossed bill for raising a Revenue, was read a third time.

On motion of the Hon. Mr. Thomas, seconded by Mr. Glen,

Bill passed.
Title.

Resolved,—That the said Bill do pass, and that the title be, “ An act for granting to Her Majesty certain duties on Goods, Wares and Merchandize imported into this colony and its dependencies, and to revive certain parts of an act passed in the fourth year of the Reign of Her said Majesty, entitled ‘ An act for granting to her Majesty certain duties on Goods, Wares and Merchandize imported into this Colony and its dependencies.’ ”

On motion of Mr. Barnes, seconded by the Hon. Mr. Noad,

House in committee on the address of thanks.

Resolved,—That this House do now resolve itself into a committee of the whole House on the further consideration of the address of Thanks in reply to his Excellency’s speech from the Throne.

And the House resolved itself in the said committee accordingly.

The Hon. Mr. Speaker left the Chair.

Mr. O’Brien took the Chair of the Committee.

The Hon. Mr. Speaker resumed the Chair.

Address reported with amendments

The Chairman reported from the Committee that they had gone through the said Address, paragraph by paragraph, and had agreed to the same with some

amendments thereon, which they had directed him 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 a first and second time, were, upon the question put thereon, agreed to by the House.

Amendments adopted.

The said address, as amended, was then read throughout, and is as follows :

Amended address read.

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

The humble Address of the General Assembly of Newfoundland, in Legislature convened.

May it please your Excellency,

We the Members of the General Assembly, in the name of Her Majesty's faithful Commons of Newfoundland, beg leave to thank your Excellency for the speech with which your Excellency has been pleased to open the present session of the Legislature of the Colony.

Strongly impressed as are all her Majesty's subjects with a conviction of the superiority over all others of a form of Government constructed on the model of the incomparable Constitution of the Mother Country, we cannot but express our regret that any circumstances should have rendered necessary, in this portion of her Majesty's dominions, a departure from the principle of a Legislature consisting of three separate and independent branches. We beg, however, to assure your Excellency that it is our most earnest desire to meet the wishes of her most gracious Majesty, and to carry out and fulfil the views and intentions of the Imperial Parliament, under the altered form of Constitution which it has been deemed advisable to establish in this Colony, and on our part nothing shall be wanting to give a fair trial to this avowedly experimental measure; and we sincerely trust that during such time as it may remain in existence, it may lead to beneficial results.

The deep gratitude felt to an overruling Providence for shielding the precious life of our beloved Sovereign from the repeated traitorous attacks upon it, was only equalled by the heartfelt joy which pervaded the breasts of the entire population of this Island, upon the auspicious event of the birth of the Prince of Wales; and we cordially reciprocate the congratulations of your Excellency upon this happy event, by which the succession to the Throne of these realms is secured to the issue of our beloved Sovereign.

We thank your Excellency for the promise made by your Excellency, to lay before us the detailed accounts of the actual state of the Revenue; and we have no reason to doubt that the disbursements made by your Excellency, and the responsibilities which your Excellency has felt yourself justified in assuming, will prove to have been such as we shall be warranted in confirming.

We are happy to learn that the financial condition of the Colony, up to the period of the expiration of the late Revenue Act, was such as to afford reasonable ground of satisfaction. The expiration of the Act in question we regret, no less on account of the loss of revenue which resulted therefrom, than for the consequent derangement of the general interests of the Colony. We shall give our prompt attention to the remedy of this evil, and to the adoption of such a system of taxation as shall consist with the recent alterations of the Tariff, made by the Imperial Parliament, to come into operation in July next, and as shall, by reasonable imposts upon the trade of the Colony, raise such an amount of Revenue as shall be required for the public service.

To the sentiments expressed by your Excellency on the subject of education, we cordially respond. The precedence which has been given to it is peculiarly gratifying to us; and we flatter ourselves that the Revenues of the Colony will be found sufficient to enable us not only to continue the support which our present educational Institutions require, but to extend the same. We also trust, that ere long, the Colony will not be without those collegiate advantages to which your Excellency refers.

Upon the subject of Roads, Agriculture, and Immigration in general, we feel the same deep interest displayed by your Excellency; and among the first things to which our attention shall be directed, will be the best means of promoting the prosperity of the Colony, by the encouragement of all and every of these important objects. The improvement and perfection of those lines of road which your Excellency has more especially recommended to our notice, shall meet with due attention.

To the recommendation made by your Excellency of the establishment of a Militia Force in this Island, we shall be ready to give our best consideration, as soon as the details of the proposed measure shall have been laid before us.

A more speedy communication by steam vessels with the Mother Country and the neighbouring Colonies, is unquestionably a most desirable object; and it shall be our endeavour to give to it such encouragement from the funds of the Colony as shall be consistent with a due regard to economy. With the aid and co-operation which we doubt not will be afforded by the Imperial Government, in conjunction with that of Nova Scotia, we entertain the well-grounded hope that we shall secure a participation in the benefits which steam communication will undoubtedly afford.

We shall not fail to give to the claims of the sick and Indigent Poor our earliest and best consideration.

The question of the probable existence of any remains of the unfortunate Aborigines of the Colony, is one of a most interesting nature, and we shall be happy to co-operate with your Excellency in the adoption of any feasible plan which may be proposed for the solution of it.

With regard to the Fisheries, and the encouragement of them by bounties on the manufacture of the staple produce, and more especially with reference to the enactment of laws for securing to that hardy portion of our population who are embarked in the prosecution of them, a greater certainty in the payment of their wages, we shall feel it our duty to give to these matters attentive consideration: and we shall we trust, adopt such wholesome enactments on these highly important subjects, as shall benefit the Trade and Commerce of our Island in general, and the condition of the labouring classes in particular.

We shall also be prepared to give every consideration to the bill for the sale of Waste Lands of the Crown in the Colony, and to attend to your Excellency's suggestions in reference to the subject, so soon as the proposed measure shall have been laid before us.

The due administration of Justice in the Supreme and Inferior Courts, and the increase of facilities for extending the Administration of Justice in the more remote outports, are matters, which, as they require it, shall have our best and early consideration; and we shall endeavour, by such provisions as are obviously required, to amend the laws in force relating to Bankrupts, and for the regulation of prisons throughout the Colony.

It will afford us satisfaction to receive any suggestions which your Excellency may deem it proper to make in reference to the improvements of which this, the Capital of the Colony, so manifestly stands in need, and we shall give due consideration to the question, whether these improvements may, or may not, best be attained by an act of incorporation.

The necessity of some place of deposit for the Public Records of the Colony, more secure than the building in which we are now assembled, has been long felt. In reference to this subject, we shall not fail to consider the observations which your Excellency has been pleased to make, upon the desirableness of employing the present Government House for the convenience of the meetings of the Legislature, and for the Public Offices; and also of the expediency of constructing a new residence in its stead for the Representative of the Sovereign.

Without at present entering more into detail upon all the subjects which your Excellency in your speech has so fully explained and elucidated, and upon which we are fully sensible of the great advantage we derive from your Excellency's experience in Colonial Government, we beg you to believe that all in their turn shall command our best consideration, and finally trust that by the "amicable and unreserved interchange of opinions among ourselves," and by the able co-operation of your Excellency, we shall, with the blessing of Divine Providence upon our labours, fulfil the purposes for which we are assembled, and adopt such measures as shall conduce to the true and lasting happiness and prosperity of the Colony.

On motion of Mr. Barnes, seconded by Mr. Robinson,

Resolved,—That the said address as amended be engrossed and presented to his Excellency by Mr. Speaker and the House.

Amended address engrossed, and to be presented to his Excellency at 2 o'clock this day.

The hon. Mr. Speaker having acquainted the House that his Excellency would receive the House with the Address at two o'clock this day,

The House adjourned until two o'clock accordingly,

Adjourn until 2 o'clock.

At two o'clock the House met pursuant to adjournment, and proceeded to Government House, to present to his Excellency the address of the House, in answer to his Excellency's speech at the opening of the Session.

The House proceed to Government House to present the address.

And being returned,

The hon. Mr. Speaker reported that the House had been in attendance on his Excellency, with the address in answer to his Excellency's speech at the opening of the Session, and that his Excellency was pleased to reply as follows:—

His Excellency's reply,

Mr. Speaker, Hon. Gentlemen, and Gentlemen,—

The gratification with which I receive this address, is proportioned to the conviction which it conveys to my mind, that a Legislative Body, animated by such sentiments and purposes as you have expressed, cannot fail in fulfilling the important duties imposed upon it by the Constitution, in a manner advantageous to the interests of the Queen's subjects in this Colony, and therefore highly satisfactory to our gracious Sovereign.

For myself it only remains for me to renew to you the assurance of my readiness at all times, cordially to concur with you in giving effect to any measure of public utility.

(Signed)

J. HARVEY.

Government House, Jan. 25, 1843.

Mr. Speaker acquaints the House that his Excellency will come down to assent to the Revenue Bill at half-past 3 o'clock to-day.

The hon. Mr. Speaker further reported that he had acquainted his Excellency that the House had passed a bill for raising a Revenue, and that the same was ready for his Excellency's assent; and that his Excellency in answer, was pleased to say, that he would come down at half past three o'clock this day, for the purpose of giving his assent to the said Bill.

The House having retired to the Committee Room,—

Message from the Governor.

At half-past three o'clock a message from his Excellency the Governor was delivered by Joseph Templeman, Esq., Usher of the Black Rod.

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

His Excellency the Governor commands the immediate attendance of this House in the General Assembly Room.

House attend his Excellency.

Accordingly Mr. Speaker and the House attended his Excellency in the General Assembly Room, when the hon. Mr. Speaker was pleased to address his Excellency the Governor as follows:

May it please your Excellency,—

Mr. Speaker presents the Revenue Bill.

The General Assembly, with a view to remedy the evil which has resulted from the expiration of the last Revenue Act, have passed a Bill for raising a Revenue, which, in their name, I beg to present to your Excellency, and humbly crave your Excellency's assent to the same.

Revenue Bill acceded to,

His Excellency was, thereupon, pleased, in the name of her Majesty, to give his assent to the said Bill, which is entitled as follows:—

“An Act for granting to her Majesty certain duties on Goods, Wares, and Merchandize, imported into this Colony and its Dependencies, and to revive certain parts of an Act passed in the fourth year of the reign of her said Majesty, entitled ‘An Act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies.’”

And then his Excellency withdrew.

Adjournment moved and lost.

Mr. Nugent moved, seconded by Mr. Dillon,

That the House do adjourn until one o'clock To-morrow,—which being put, passed in the negative.

The hon. Mr. Morris, seconded by the hon. Mr. Kent, moved,

That the House do adjourn until To-morrow at one o'clock,—which being put, passed in the affirmative, and the House adjourned accordingly. Adjourned

TUESDAY JANUARY 26, 1843.

ON motion of the hon. Mr. Row, seconded by Mr. Nugent,

Resolved,—That Hugh William Hoyles, Esq., be appointed the Solicitor of the House, and that Mr. Speaker do notify him accordingly. H. W. Hoyles, Esq. appointed Solicitor.

Mr. Glen, seconded by Mr. Prendergast, moved,

That the Proprietor of the Newfoundlander Newspaper be the Printer of the Journals of this House; which being put, Motion to appoint Proprietor of Newfoundlander Newspaper Printer of the Journals.

The hon. Mr. Morris moved in amendment, seconded by Mr. Hanrahan,

That it is the opinion of this House that it is expedient that the printing of the Journals be done by tender;—which being put, and the House dividing thereon, there appeared for the amendment, *seven*; against it, *fourteen*. Amendment moved to print by tender.

For the amendment—

The hon. Mr. Morris
 “ “ “ Kent
 Mr. S. Morris
 “ O'Brien
 “ Hanrahan
 “ Dillon
 “ Nugent.

Against the amendment—

The hon. Attorney General
 “ “ Mr. Dunscomb
 “ “ “ Row
 “ “ “ Tobin
 “ “ “ Noad
 “ “ “ Bennett
 Mr. Barnes
 “ Prendergast
 “ Carter
 “ Robinson
 “ Benning
 “ Glen
 “ Munn
 “ Ridley.

Division.

So it passed in the negative.

Amendment lost.

The question upon the original motion was then put, and passed in the affirmative,—and Original motion carried.

Resolved accordingly.

On motion of the Hon. Attorney-General, seconded by Mr. Carter,

Queen's Printers to print
Miscellaneous Papers.

Resolved, that Her Majesty's Printers be appointed to execute the printing that may be required in the miscellaneous department of the House.

The Hon. Mr. Morris, seconded by Mr. O'Brien, moved,

Mr. J. Delaney proposed
as Doorkeeper.

That Mr. John Delaney be appointed Doorkeeper of this House ;—which being put—

Amendment.

Mr. Munn, seconded by Mr. Robinson, moved in amendment of the motion,

Mr. G. Anderson proposed
as Doorkeeper.

That Mr. George Anderson be appointed Doorkeeper of this House ;—which being put, and the House dividing thereon, there appeared for the amendment, *eleven* ; against it, *ten* :

Division.

For the amendment.

Against the amendment.

The Hon. Attorney General
" " Mr. Dunscomb
" " " Row
" " " Nead
" " " Bennett
Mr. Carter
" Robinson
" Ridley
" Glen
" Munn
" Barnes

The Hon. Mr. Morris
" " " Tobin
" " " Kent
Mr. Nugent
" S. Morris
" Hanrahan
" Dillon
" Benning
" Prendergast
" O'Brien

Amendment carried.

So it passed in the affirmative, and

Resolved, that Mr. George Anderson be appointed Doorkeeper of this House.

Mr. Carter, seconded by Mr. Barnes, moved,

Mr. T. W. Gaden proposed
as Assistant Doorkeeper.

That Mr. Thomas W. Gaden be appointed Assistant Doorkeeper of this House ;—whereupon,

Amendment.

Mr. Nugent moved in amendment, seconded by Mr. Glen,

Mr. P. Brown proposed as
Assistant Doorkeeper.

That Mr. Philip Brown be appointed Assistant Doorkeeper of this House ;—which being put, passed in the affirmative,—and

Amendment carried.

Resolved, that Mr. Philip Brown be appointed Assistant Doorkeeper of this House.

The hon. the Attorney General, seconded by the hon. Mr. Tobin, moved,

Valentine Borne proposed
as Messenger.

That Valentine Borne be appointed Messenger of this House ;—which being put—

Amendment.

Mr. Hanrahan, seconded by Mr. Dillon, moved in amendment of the motion,

David Walsh proposed as
Messenger.

That David Walsh be appointed Messenger of this House ;—which being put, and the House dividing thereon, there appeared for the amendment, *six* ; against it, *fourteen* :

For the amendment.

Against the amendment.

Division.

The hon. Mr. Kent
Mr. Hanrahan
“ Dillon
“ S. Morris
“ Prendergast
“ Nugent.

The hon. Attorney-General
“ “ Mr. Dunscomb
“ “ “ Morris
“ “ “ Row
“ “ “ Tobin
“ “ “ Noad
“ “ “ Bennett
Mr. Benning
“ Ridley
“ Munn
“ Barnes
“ Robinson
“ Glen
“ Carter.

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.

Resolved, That Valentine Borne be appointed Messenger of this House.

Mr. Nugent, seconded by Mr. O'Brien, moved,

That Murtagh Dunn be appointed Assistant Messenger of this House :—
whereupon,

M. Dunn proposed as Assistant Messenger.

Mr. Barnes, seconded by Mr. Carter, moved in amendment of the motion,

Amendment.

That Michael Power be appointed Assistant Messenger of this House ;—
which, being put, passed in the affirmative,—and

That Michael Power be appointed Assistant Messenger.

Resolved, That Michael Power be appointed Assistant Messenger of this House.

Carried.

On motion of Mr. Robinson, seconded by the Hon. Mr. Kent,

The House adjourned until Tuesday, the Seventh of February next, at One of the clock.

TUESDAY, FEBRUARY 7, 1843.

THE Hon. Mr. Dunscomb gave notice that, on Monday next, he should move for leave to introduce a Bill to allow of drawbacks on the export of Goods that have paid impost duties.

Notice of Bill for granting Drawbacks.

Mr. Simon Morris (pursuant to leave granted) presented a petition from Peter Winsor, and the same was received and read, setting forth,—

Petition of Peter Winsor against the return of Mr. Glen, presented and read.

Petition.

That the Petitioner, previous to the Election of a Member to serve in the House for the District of Ferryland, offered himself as a Candidate for the representation of that District ; and on Wednesday, the fourteenth day of December last, by Robert Carter, Esquire, Returning Officer of the said District, on the motion of Mr. Maurice Brazil of Ferryland, seconded by Mr. Michael Deveaux of the same place—(the Petitioner's affidavit of qualification in conformity with the Proclamation of His Excellency the Governor, bearing date at Government House the Twenty-sixth day of November, having been publicly on the Hustings attested on the same day before the said Returning Officer)—was put in nomination for election by the Electors for the said District ; and Thomas Glen, of Saint John's, Esquire, was nominated on the same day.

That on Tuesday, the Twentieth day of the said month of December, the polls were taken at Ferryland, Renew's, Cape Broyle, Toads Cove, Witless Bay, and Bay Bulls ; but, in the said several places, many persons were, by the said Returning Officer, and by his Deputies, admitted to vote for the said Thomas Glen, Esquire, who were not by the Charter, and the Act passed in the last Session of Parliament, entitled "An Act for the amendment of the Constitution of the Government of Newfoundland," qualified to vote as such Electors :—To wit, at Bay Bulls, Eighteen of such unqualified persons ; at Witless Bay, Twenty-six ; at Toads Cove, Ten ; and at Ferryland, Two of such unqualified persons.

And that at the said several places, many persons who, under the said Charter or Proclamation of His late Majesty, bearing date at the Court of Saint James's, the Twenty-sixth day of July, One Thousand Eight Hundred and Thirty-two, and under the said Act, passed in the last Session of Parliament of the United Kingdom of Great Britain and Ireland, entitled "An Act for the amendment of the Constitution of Newfoundland," were fully qualified and entitled to vote, were prohibited, by the said Returning Officer and his said Deputies, from giving their votes for the petitioner :—To wit, at Cape Broyle, Ten of such qualified Electors ; at Ferryland, Five ; at Witless Bay, One ; and at Renew's, Nineteen of such Electors so qualified, as aforesaid, to the great injury of the Petitioner and of the Electors of the said District,—the said Thomas Glen, Esquire, having been, in consequence thereof, declared duly elected, and returned accordingly.

The Petitioner therefore humbly and respectfully throws himself under the protection of the House, and prays that the premises be taken into your high consideration ; and that, awarding in a spirit of justice in the case, the House will order that the return wherein the said Thomas Glen, Esquire, has been represented as duly elected be amended, and the name of the Petitioner substituted for that of the said Thomas Glen, Esquire.

Ordered,—That the said Petition do lie on the Table.

The Hon. Mr. Noad acquainted the House that he had a Message from His Excellency the Governor, signed by His Excellency, which he had the commands of His Excellency to present to the House ; and he presented the said Message to the House, and the same was read by Mr. Speaker (all the Members being uncovered), and is as follows :

MESSAGE.

J. HARVEY.

For the reasons assigned in the correspondence herewith transmitted, I invite the House to take into its favourable consideration the expediency of making

Message from the Governor relative to the salary of his Excellency's Private Secretary.

reasonable provision for the office of "Private Secretary," from the date of the appointment to that office, notified in the Royal Gazette of the 21st September, 1841.

Government House, 18th Jan. 1843.

The Documents accompanying the said Message were read by the Clerk, namely—

Extract of a despatch from his Excellency to the Right Hon. Lord Stanley, H. M. Principal Secretary of State for the Colonies, dated 28th Dec. 1841.

Despatch of the Right Hon. Lord Stanley, in reply, dated 9th Feb. 1842.

Appointment of Henry John Harvey, Esq., as Private Secretary, dated 18th September, 1841.

(See Appendix, No. 1.)

Ordered,—That the said message and documents do lie on the table.

To lie on the table.

The Hon. Mr. Noad, by command of his Excellency the Governor, presented to the House the following documents, viz. :

Estimate and Financial Statements laid before the House.

1. Estimate of the charge of defraying the expenditure of the Colony for the year ending the 30th June, 1843.

(See Appendix, No. 2.)

2. Statement of sums paid by his Excellency the Governor, out of the Colonial Revenue, on his undivided responsibility.

(See Appendix No. 3.)

3. Statement of sums paid by his Excellency the Governor, the appropriation of which had been concurred in by the Council and House of Assembly.

(See Appendix, No. 4.)

4. Treasurer's Cash Account from the 1st January, 1841, to the 31st December, 1842.

(See Appendix, No. 5.)

5. Treasurer's Cash Account from 1st December, 1842.)

(See Appendix, No. 6.)

6. Copy of Despatch from the Secretary of State directing that the Legislature be called on to consider the propriety of narrowing the authority of the Judges of the Supreme Court to make Rules, and also a copy of the Rules of Court.

Copies of despatches relative to Rules of Court.

(See Appendix, No. 7.)

7. Copy of Despatch from the Secretary of State on the subject of Messrs. Robinson & Brooking's Claim to Land on Church Hill.

Claim to land on Church Hill.

(See Appendix, No. 8.)

Merchant seamen deserting
8. Copy of a Despatch from the Secretary of State with enclosures on the subject of Merchant Seamen deserting from their vessels.

(See Appendix, No. 9.)

Light house on Cape Pine
9. Copy of a Despatch from the Secretary of State on the subject of the establishment of a light house on Cape Pine.

(See Appendix, No. 10.)

Leaving acts to their operation.
10. Copy of a Despatch from the Secretary of State transmitting an order in Council leaving to its operation "An Act to establish fees and costs in the Police Offices and Courts of Sessions of this Colony."

(See Appendix, No. 11.)

11. Copy of Despatch from the Secretary of State transmitting Orders in Council of Acts allowed and disallowed by Her Majesty.

(See Appendix, No. 12.)

12. Copy of Despatch from the Secretary of State with Order in Council directing that the Pickled Fish Act be left to its operation.

(See Appendix, No. 13.)

Copies of new Colonial Trade Act,
13. Copy of an Act to amend the laws for the regulation of the Trade of the British Possessions abroad.

(See Appendix, No. 14.)

and of Act amending the Constitution.
14. Copy of an Act for amending the Constitution of the Government of Newfoundland.

(See Appendix, No. 15.)

Ordered,—That the said documents do lie on the table.

Petition of Henry Winton against return of C. Benning.
Mr. Robinson, pursuant to leave granted, presented a petition from Henry Winton, and the same was received and read, setting forth—

That the petitioner was at the late election for a member to serve in the present Legislative Assembly of this Island, a candidate to serve in the said Assembly for the district of Burin. That the said election was holden in pursuance of Proclamation at Fortune, St. Lawrence, and Burin, within the said district, on the 20th day of December last. That on the 24th day of the same month, Clement Benning, Esq., the candidate opposed to the Petitioner, was certified by the Returning Officer, William Hooper, Esq., to have been "duly elected on that day so far as regards a majority of votes," a member of the General Assembly for the district of Burin.

That the majority thus declared in favor of the said Clement Benning, Esq., was obtained by illegal and outrageous means and devices, and that the election of the said Clement Benning Esq., was illegal and void, and ought to be set aside as such by the House, and that the name of the Petitioner ought to

be substituted in lieu of that of the said Clement Benning, Esq., the present Sitting Member, for the reasons hereinafter stated.

That previous to, and during the said Election, there was established, and acted upon, an organised system of agitation, menace, violence, and outrage, for the purpose of intimidating and terrifying the Electors of the said District, who should be willing and anxious to give their votes in favor of the Petitioner, and that means were used to enkindle animosity amongst the lowest and most uneducated classes in the said District, against the Petitioner and all who should present themselves at the Poll in his interest. That on Sunday, the eighteenth day of December, about fifty men in the interest of the said Clement Benning, Esq., arrived from Mortier Bay, and these were joined on the following morning by every man in the same interest, whether voters or otherwise, from Rashoon and Corbin; and that to the amount of several hundreds they paraded the town of Burin with colours flying, bearing the insignia of the Cross, and headed by a man in the employment of the said Clement Benning, Esq. That on the afternoon of the same day (the day previous to that of the Election) as about thirty Voters were proceeding to Burin for the purpose of recording their votes on the following day in favor of the said Petitioner, they were met at a part of the road known by the name of "Purser's path and Hill" by a large mob of persons, headed by a person in the service of the said C. Benning Esq., when they were set upon, cruelly beaten, and ill-used, & driven back, as will be seen by the accompanying depositions, taken before the Returning Officer, by some of the persons so maltreated. That for the purpose of further intimidating the Electors of Burin from giving their votes in favor of the Petitioner, two large Pits, or Graves, of the respective dimensions of seven feet, by six and seven feet deep, were dug in a place known by the name of "The Marsh," within about fifty yards of the Court House, where the Returning Officer was stationed for the purpose of taking the Poll; and that a loaded cannon, believed to be the property of the said Clement Benning, Esq., was placed within about eighty yards of the said Court House, and pointed in the direction from which many of the Petitioner's Voters were expected to reach the Polling Station. That in consequence of these and other lawless and outrageous proceedings, application was made to the Returning Officer, (who is also a Stipendiary Magistrate) of the said District, to have Twenty Special Constables sworn in for the preservation of the Peace, and to enable the Petitioner's voters freely to exercise their Elective Franchise; but that in reply to this second application for that aid, the Returning Officer replied that he had been considering the matter for the last twenty-four hours, but that he must decline compliance with the application, for the only effect it would be that the Special Constables would be the first to be sacrificed; that from information he had received there was a determination to murder any one who might vote for the Petitioner, or words to that effect. That the Returning Officer advised the applicants to send round in various directions, recommending the Petitioner's Voters not to come to the Poll on the following day, for the reasons stated, which advice, in the dead hour of night, was acted upon—the Returning Officer having further observed, that an Election so conducted could not be valid as against the Petitioner.

That in consequence of these and such like circumstances, and owing to the absence of any Military or Civil force employed to protect the passage of Voters to the place of Polling, every thing like freedom of Election was at an end at the said Election, and that a comparatively small portion of the Registered Electors of the said District were permitted to vote for the Petitioner, and not one for the Harbor or Town of Burin.

That but for the system hereinbefore set forth, and the violent and brutal practices above detailed, the Petitioner (who was at the head of the Gross Poll in the other parts of the District) is fully persuaded, and firmly believes, that a very considerable majority of votes would have been given at the said Election to the Petitioner, who, in that case, would have been returned as the sitting Member for the said District. That (beside the fact that several Voters were forcibly and violently carried in upon the shoulders of the crowd, and compelled from fear to give their votes for the said Clement Benning, Esq., contrary to their will and inclination,) several of the votes given at the said Election to the present sitting Member are bad and illegal, and your Petitioner respectfully submits that such votes ought to be struck off the Poll of the said Member, and that the votes of those Electors which were only prevented from appearing on the Poll of the Petitioner by actual violence, or by imminent apprehension thereof, ought to be admitted, and entered upon the Poll in his favor.

And your Petitioner prays that the House will be pleased to take the above-mentioned circumstances into your gravest and fullest consideration, and to declare that the said sitting Member, Clement Benning, Esq. was not duly elected, and ought not to have been returned thereas, and to direct the said return be amended accordingly by the erasure of the name of the said sitting Member, and the insertion of that of the Petitioner instead thereof, and that the House will take such other further means for vindicating the freedom of Election in the said District of Burin, with regard to the past and the future, as to the House shall seem meet.

Ordered,—That the said Petition do lie on the table.

Petition of John Barron
against return of Mr. S.
Morris.

Mr. Barnes (pursuant to leave granted) presented a petition from John Barron, and the same was received and read, setting forth—

That the Petitioner was a Candidate for the Representation of the District of Placentia and St. Mary's. That the Petitioner stood next on the Poll to the sitting Member for that District. That the Petitioner has good reason for believing that the return of one of the sitting Members aforesaid, Simon Morris, Esq., is invalid, the said Simon Morris, Esq., having inserted in his oath of qualification that he was possessed of property to the extent of five hundred pounds (as required by Law), and that such property was Land situate on the Topsail Road; and which Land the Petitioner is credibly informed, and fully believes, is considerably less in value than the said amount of five hundred pounds. That the Petitioner believes therefore, that the said Simon Morris, Esq., has not been legally qualified to hold his Seat, and that the Petitioner is unjustly deprived of his position as Representative of the District aforesaid, humbly prays the House to cause inquiry to be instituted into the premises, with a view to the unseating of the said Simon Morris, Esq., and the establishment of the just rights of the Petitioner.

Ordered,—That the said Petition do lie on the table.

Petition of inhabitants of
Torbay for aid to make
road.

A Petition from Thomas Costello, and others, inhabitants of Torbay, was presented by Mr. O'Brien, and the same was received and read, setting forth, that the Road from St. John's to Torbay is greatly out of repair, and praying for aid towards repairing the same.

Ordered,—That the said Petition do lie on the table.

Road petition from inhabi-
tants of Flat Rock.

A Petition from John Kehoe, and others, inhabitants of Flat Rock, was presented by Mr. O'Brien, and the same was received and read,—

Praying for aid towards repairing the road from St. John's to Flat Rock.

Ordered,—That the said Petition do lie on the table.

Mr. O'Brien gave notice, that on Friday next he would move that the House do resolve itself into a Committee of the whole House upon the consideration of Roads and Bridges.

Notice for Committee of the whole on Roads.

On motion of Mr. Dillon, seconded by Mr. Hanrahan,

Resolved,—That Mr. William Beck be appointed Reporter of the Debates in this House.

Mr. W. Beck appointed Reporter.

On motion of the hon. Mr. Kent, seconded by Mr. Robinson,

Resolved,—That a Select Committee be appointed, to communicate with the Proprietors of the different Newspapers, upon the subject of the best mode of publishing the reports of the Debates in this House; and also to enquire into the expediency of requiring the Journals of the House to be furnished daily in a printed form.

Select Committee upon printing of Journals and Debates.

Ordered,—That the hon. Mr. Kent, Mr. Robinson, and Mr. O'Brien do form such Committee.

The hon. Attorney General gave notice that To-morrow he should move for leave to bring in a Bill to establish a Militia in this Island.

Notice of Militia Bill,

Also, that To-morrow he should move for leave to bring in a Bill to regulate the mode of Selling and Granting Waste Lands of the Crown in this Colony.

Notice of Crown Lands Bill,

On motion of the hon. Mr. Kent, seconded by Mr. O'Brien,

Resolved,—That an Address be presented to his Excellency the Governor, praying that his Excellency will be pleased to direct that there be laid before this House an account of all Monies raised by loan, on the authority of an Act passed for building a Light House on Cape Bonavista—also, a detailed account of the amount expended. And that his Excellency will be pleased to order that the House be informed the cause why, after a lapse of one year and ten months since the passing the Act 4 Victoria, Cap. 6, entitled "An Act to make provision for the establishment of a Light House on or near Cape Bonavista," no Light has been exhibited.

Address moved for information as to Bonavista Light House.

Mr. Robinson (pursuant to notice and leave granted) presented a Bill to provide for the establishment and support of two Colleges in this Colony, and the same was received and read a first time.

College Bill presented and read 1st time.

Ordered,—That the said Bill be read a second time on Friday, the 17th instant.

2d reading.

Ordered,—That the Bill be printed.

Printed.

Mr. Barnes gave notice that on Thursday, the 16th instant, he should move for leave to bring in a Bill for the encouragement of Education in this Colony.

Notice.

On motion of the hon. Mr. Noad, seconded by Mr. Robinson,

Resolved,—That a supply be granted to her Majesty.

Supply granted to her Majesty.

Committee on supply made order of the day for the 14th.

Resolved,—That this House will, on Tuesday next, resolve itself into a Committee of the whole House to consider of the supply to be granted to her Majesty.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Kent,

500 copies of Speech at the opening of the Session to be printed.

Ordered,—That five hundred copies of his Excellency's Speech at the opening of the Session be printed for the use of the Members.

Notice of Fishery Bill.

The hon. Mr. Morris gave notice that To-morrow he should move for leave to introduce a Bill for regulating the mode of paying the Wages of Fishing Servants, and to explain the Laws in force relating to the Fisheries.

Then the House adjourned until To-morrow at One of the Clock.

WEDNESDAY, FEBRUARY 8, 1843.

Recent Acts of Parliament presented to the House by the Governor.

THE hon. Mr. Noad acquainted the House that he had the commands of His Excellency the Governor to present to the House three volumes of the recent Acts of the Imperial Parliament; and he presented the same to the House accordingly.

Ordered,—That the said volumes be placed in the Library of the Legislature.

Draft of Address relative to Bonavista Light House presented and read.

The hon. Mr. Kent presented to the House a draft of an Address to his Excellency the Governor, in pursuance of the Resolution adopted yesterday, and the same was read by the Clerk, and is as follows:—

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &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 an account of all sums of Money raised by loan, on the authority of an Act passed for building a Light House on or near Cape Bonavista; also, a detailed account of the amount expended. Also that your Excellency will be pleased to order that the House be informed the reason why, after the lapse of one year and ten months since the passing of the Act 4 Victoria, Cap. 6, entitled "An Act to make provision for the establishment of a Light House on or near Cape Bonavista," no Light has been exhibited.

On motion of the hon. Mr. Kent, seconded by Mr. O'Brien,



Resolved,—That the said address be adopted by the house.

Address adopted, and

Ordered,—That the said address be engrossed and presented to his Excellency by a select committee.

to be presented by a committee

Ordered,—That the Hon. Mr. Kent and Mr. O'Brien be a committee for that purpose.

The Hon. Mr. Speaker acquainted the House that he had the commands of His Excellency to state that he would receive the committee with the address at twelve o'clock to-morrow.

at 12 o'clock, to-morrow.

On motion of Mr. Robinson, seconded by the Hon. Mr. Kent,

Resolved,—That this House do now resolve itself into a committee of the whole House on privilege.

House in committee on privilege

And the House resolved itself into the said committee accordingly.

The Hon. Mr. Speaker left the chair.

The Hon. Mr. Dunscomb took the chair of the committee.

The Hon. 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 to-morrow.

Progress.

Ordered,—That the said committee have leave to sit again to-morrow.

To sit again to-morrow

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

THURSDAY, FEBRUARY 9, 1843.

THE Hon. Mr. Noad, by command of his Excellency the Governor, presented to the House the following documents, viz. :

Letters and Petitions for relief from Northern Out harbors laid before the House.

Letter from the Rev. James C. Harvey, Protestant Missionary at Fogo, to his Excellency the Governor, praying for aid in behalf of the pauper inhabitants of that place.

Fogo

Petition from inhabitants of Tilting Harbor, praying for aid.

Tilting Harbor

Letter from the Rev. Wm. Hoyles, Protestant Missionary at Morton's Harbor, to his Excellency the Governor, praying for aid in behalf of the pauper inhabitants of that place.

Morton's Harbor

Petition of certain inhabitants of Trinity, praying for aid.

Trinity

Bonavista

Copy of a letter from the Stipendiary Magistrate at Bonavista, enclosing one from the Rev. T. Wood, on the subject of the distress at that place, and paying relief.

(See Appendix, No. 16.)

Ordered,—That the said documents do lie on the table.

Militia Bill introduced and read 1st time

The Hon. the Attorney General, pursuant to notice and leave granted, presented a bill for the establishment of a Militia in this colony, and the same was read a first time.

Ordered,—That the said bill be read a second time.

Printed

Ordered,—That the said bill be printed.

Crown Lands Bill introduced and read 1st time.

The Hon. the Attorney General, pursuant to notice and leave granted, presented a bill to regulate the mode of selling and granting Waste Lands of the Crown, in this colony, and the same was read a first time.

Ordered,—That the said bill be read a second time.

Printed

Ordered,—That the said bill be printed.

Bill to secure fishermen's wages introduced and read 1st time.

The Hon. Mr. Morris, pursuant to notice and leave granted, presented a bill to explain the laws in force relating to the fisheries, and to make provision for securing the wages of seamen, fishermen and other persons employed in the fishery, and the same was read a first time.

Ordered,—That the said bill be read a second time this day fortnight.

Printed

2d reading.

Ordered,—That the said bill be printed.

House in committee on privilege

Pursuant to the order of the day, the house resolved itself into a committee of the whole on privilege.

The Hon. Mr. Speaker left the chair.

The Hon. Mr. Noad took the chair of the committee.

The Hon. 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 to-morrow.

Ordered,—That the said committee have leave to sit again to-morrow.

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

FRIDAY, FEBRUARY 10, 1843.

Message from the Governor relative to expenses incurred with passengers wrecked in the Britannia.

THE Hon. Mr. Noad 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 Hon. Mr. Speaker (all the members being uncovered) and is as follows :

Message

MESSAGE.

J. HARVEY.

The Governor acquaints the General Assembly that a vessel bound to New York with emigrants, having been wrecked on the shores of this Island (near Ferryland,) in the month of July last, and it having been represented that these poor people had lost all their effects in the ship, and were consequently in a state of utter destitution,—that they consisted chiefly of artisans, and could find no employment in this colony, and were on their way to join their families already settled in the United States, His Excellency deemed it expedient to bring the circumstances connected with the case under the consideration of Her Majesty's Council, who expressed an unanimous opinion (in which he fully concurred) that it would better consist with the interests of the colony, as well as with those of humanity, at once to incur the expense of sending them forward to their place of destination, rather than expose the colony at large, & this community in particular, to the certainty of their becoming a heavy burthen upon them during the winter.

An account of the disbursements connected with this unfortunate occurrence will be laid before the House, as well as the report of a Magistrate of this Island, who was instructed by His Excellency when in England, to use his endeavours to obtain from the owners of the wrecked vessel the return of a reasonable proportion of the passage money which had been paid by the emigrants upon their embarkation at Liverpool.

Government House, Jan. 1843.

The document accompanying the said Message was read by the Clerk, namely :—

A letter from Charles Simms, Esq, J. P., to the hon. the Colonial Secretary, dated 20th January, 1843.

(See Appendix.)

Ordered,—That the said message and letter do lie on the table.

The Hon. Mr. Noad, by command of his Excellency the Governor, presented to the House two copies of the Blue Book for 1840 and 1841.

Blue Book for 1840 and 1841 presented to the House.

Ordered,—That the said Books do lie on the table.

A petition from James Barron and other inhabitants of Great Placentia was presented by Mr. Dillon, (who stated in his place that he had obtained the leave of His Excellency the Governor to present the same) and the said petition was received and read, setting forth—

Petition of James Barron and others, Placentia.

That the petitioners suffer great inconvenience from the streets and thoroughfares being frequently inundated by the ebb and flow of the tides, to remedy which a grant of five hundred pounds would be required ;—that such a grant had been passed in the House of Assembly in former sessions ;—that petitioners feel greatly the discontinuance of the grant for the support of schools. That the proposed Packet Station, at Ship Harbor, is an improper one. And praying that the House would take the foregoing circumstances into their con-

sideration, and also grant a sum of money for opening and completing the proposed line of road from St. John's towards the south east arm of said harbor of Great Placentia.

Ordered,—That the said petition do lie on the table.

House in committee on privilege

Pursuant to the order of the day, the house resolved itself into a committee of the whole House on privilege.

The Hon. Mr. Speaker left the chair.

The Hon. Mr. Noad took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

Resolutions reported from the committee on privilege as to the mode of trying controverted election petitions

The chairman reported from the committee that they had made some progress in the business 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, and are as follow :—

Time to be appointed and notified for taking petition into consideration

1st. *Resolved*,—That it is the opinion of this committee that when any petition complaining of an undue election or return of any member to serve in the General Assembly of Newfoundland, or complaining that no return has been made to any writ issued for the election of any member or members to serve in the said General Assembly ; or complaining of any matter contained in or connected with any such return, shall be presented to this House within such time as shall be from time to time limited by the House : a day and hour shall be appointed by the House for taking the same into consideration ; and notice thereof in writing shall be given by the Speaker to the petitioners, or their agent, and to the sitting member or party who may be permitted to defend his seat : or, in case there has been no return to the party complained against, requiring their attendance at the Bar of the House at the time appointed, by themselves, their counsel or agent.

Time limited for receipt of petition

2d. *Resolved*,—That it is the opinion of this committee that no election petition be received by the House after the expiration of thirty days from and after the election to which the said petition shall refer ; nor if the said election should be holden before the opening of the Legislature, after the expiration of thirty days, from the first day of the session. And every person who shall present a petition to the House against the return of any member shall be required to move for a select committee for trying the merits of such petition within seven days from and after the presentation thereof.

Parties petitioning to give security

3d. *Resolved*,—That it is the opinion of this committee that unless the petitioners, or some or one of them, or some one on their behalf shall, before the day appointed for taking the said petition into consideration, enter into a bond with two sufficient sureties, unto the party petitioned against, in a sum to be named by the House, conditioned to prosecute the said petition, without delay, and to pay such costs and expenses, and to perform such order as the select committee hereinafter mentioned shall direct and report, (which sureties shall first be approved of by the Speaker, after due notice shall be given to the said party petitioned against)

such Petition shall be dismissed, and no Petition on the same subject shall be subsequently received from the same parties.

4th. *Resolved*,—That it is the opinion of this Committee, that the Member Petitioned against in any Election Petition, shall, before he be permitted to defend his return, enter into a Bond, with two Sureties, to the parties Petitioning, or to such person in their behalf as they shall appoint, in such a sum as the House shall name, conditioned to pay such costs and perform such order as the said Select Committee shall order and report; and that unless the Member so Petitioned against shall, before the said time so to be appointed for taking the said Petition into consideration, have perfected his Securities as aforesaid, the Petitioners may proceed *ex parte*.

Sitting Members to give security.

5th. *Resolved*,—That it is the opinion of this Committee, that on the day appointed for the selection of a Committee to try the validity of the return of any Member of the House of Assembly, the Member Petitioned against, or a Member of the House, at his request, and on his behalf, shall name one Member of the House; the Party Petitioning, or a Member of the House, on his behalf, and at his request, shall name a second, and so on, until each party shall have named three Members; and these six Members (of whom four shall be a quorum) shall form the Committee to try the validity of the return.

Mode of forming committee to try, &c.

6th. *Resolved*,—That it is the opinion of this Committee, that the said Select Committee shall, before they enter upon their duty, be sworn before the Speaker, to well and truly try the merits of the Petition, and a true report give, according to the evidence, and shall sit daily in discharge of their said duty, unless by leave of the House from time to time they be excused, until they deliver their report; and shall have power to send for persons and papers, and to examine witnesses on oath.

Committee to be sworn, & to sit daily.

7th. *Resolved*,—That it is the opinion of this Committee that it be recommended to the House, that a Bill be introduced, based upon the foregoing Resolutions.

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

Report adopted.

On motion of Mr. Robinson, seconded by Mr. Nugent,

Resolved,—That a Select Committee be appointed to prepare and bring in a Bill in conformity with the Resolutions reported from the Committee of the whole House on Privilege.

Bill to be introduced pursuant to the Resolutions.

Ordered,—That Messrs. Robinson, Nugent, and the hon. Mr. Noad do form such Committee.

The hon. Mr. Bennett gave notice, that he would, on Monday next, move that a Select Committee be appointed to Audit the Public Accounts laid before the House.

Notice of Committee of Audit.

On motion of the hon. Attorney General, seconded by Mr. Nugent,

Resolved,—That Tuesday's and Friday's be open days, and that in future the House do not sit on those days.

Tuesdays and Fridays to be open days.

Then the House adjourned until Monday, at Twelve of the Clock.

MONDAY, FEBRUARY 13, 1843.

Message from the Governor, notifying the appointment of Dr. S. Carson as District Surgeon.

THE hon. Mr. Noad acquainted the House that he had three 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 the hon. Mr. Speaker, (all the Members being uncovered) and are as follow :—

MESSAGE.

J. HARVEY.

The frequent applications made to the Governor by persons suffering from disease, but whose circumstances would not admit of their paying for Medical assistance, induced his Excellency to appoint Dr. Samuel Carson, a professional gentleman of high character, to the office of District Surgeon; and in now submitting a statement of the services performed by Dr. Carson since his appointment, his Excellency recommends to the General Assembly to make such provision for that office as may be deemed an adequate remuneration for the duties which it imposes.

Government House, }
13th February, 1843. }

The statement accompanying the said Message was then read by the Clerk.

(See Appendix.)

MESSAGE.

J. HARVEY.

Message transmitting Memorial of Dr. Kielley.

The Governor recommends to the favourable consideration of the General Assembly the accompanying Memorial of Mr. Kielley.

Government House, }
13th February, 1843. }

The Memorial of Mr. Kielley, accompanying the said Message, was then read by the Clerk.

(See Appendix.)

MESSAGE.

J. HARVEY.

Message relative to Library of Supreme Court.

The Governor transmits, and recommends to the favourable consideration of the General Assembly, the accompanying communication, addressed to him by

the Chief Justice, on the subject of the defective state of the Library of the Supreme Court.

Government House, }
13th February, 1843. }

The documents accompanying the said Message, viz., two letters from the Chief Justice, dated the 23d and 28th January, 1843, and a list of Books, were read by the Clerk.

(See Appendix.)

Ordered,—That the said Messages and Documents do lie on the Table.

To lie on Table.

The hon. Mr. Noad, by command of his Excellency the Governor, presented to the House a copy of a Despatch from the Secretary of State, in reply, on the subject of a Speech addressed by his Excellency the Governor to a Meeting of the Agricultural Society of the Island. Also, a copy of the Speech referred to.

Governor's speech at the meeting of the Agricultural Society laid before the House.

(See Appendix.)

Ordered,—That the said documents do lie on the table.

On motion of the hon. Mr. Bennett, seconded by Mr. Glen,

Resolved,—That a Committee be appointed to audit the Public Accounts laid before the House.

Committee of Audit appointed.

Ordered,—That the hon. Mr. Bennett, Mr. Glen, the hon. Mr. Kent, Mr. O'Brien, and Mr. Munn, do form such Committee.

A Petition of Laurence Maccasey, and others, Inhabitants and Proprietors of Property at Fresh Water, in the District of St. John's, was presented by the hon. Mr. Morris, and the same was received and read, setting forth,—that in consequence of the absence of a Bridge over the Freshwater, near Moses Neil's, it is impossible for a considerable period, during the Fall, Winter, and Spring, for the numerous Settlers at the North Side to communicate with St. John's; that the communication with Broad Cove would be very greatly improved by continuing the Road by Freshwater, and praying a grant of money to build the Bridge across the said stream.

Petition of Laurence Maccasey and others.

On motion of the hon. Mr. Morris, seconded by Mr. Nugent,

Ordered,—That the said Petition be referred to the Committee of the whole House on Roads and Bridges.

Referred to committee on Roads and Bridges.

The hon. Mr. Kent, from the Select Committee appointed to communicate with the Proprietors of the different Newspapers, upon the subject of the best mode of publishing the reports of the debates in the House, and also to enquire into the practicability of having the Journals furnished daily in a printed form, reported that the Committee had communicated with the Editors of the several Newspapers published in St. John's, touching the matter to them submitted, and they recommended to the House that the Reporter be ordered to furnish a distinct transcript of his notes of Monday's debates to the Editors of the *Patriot* and *Times*—of Wednesday's debates to the Editors of the *Star* and *Public Ledger*—of Thursday's debates to the Editor of the *Indicator*, and of Saturday's debates to the Editor of the *Public Ledger*.

Report of Select Committee on the publication of the debates.

They also recommended that the House direct the Printer of the Journals, and the Printers of the Miscellaneous Papers, to publish in their respective Papers, an abstract of the preceding week's debates ; and they recommended that at the end of the Session a reasonable allowance be made to the Proprietors of the said PUBLIC LEDGER, TIMES, PATRIOT, STAR, and INDICATOR Newspapers, for the trouble and expense they may have necessarily incurred in such publication, taking into consideration the increased circulation of such papers from the publication of the debates, without their Proprietors incurring any expense in reporting.

Your Committee further report that they have communicated with the printer of the Journals, with a view to ascertain the practicability of having a printed copy of the Journals daily furnished to the House, and they find that the Journals are so much in arrear that at present they fear such an object cannot be attained ; but they recommend that the Speaker do intimate to the Printer of the Journals the necessity of using all possible despatch in getting up the arrears.

Resolved,—That the said report be adopted by the House.

Report of committee to present address relative to Bonavista Light House.

The hon. Mr. Kent reported from the Committee appointed to wait on his Excellency the Governor with the address of the House, praying for information on the subject of the Bonavista Light House, that in reply to the said Address his Excellency was pleased to say that he would direct the information required to be laid before the House.

On motion of Mr. Robinson, seconded by the hon. Mr. Kent,

Committee appointed to examine into the state of the Library, &c.

Resolved,—That a Committee be appointed to examine into the state of the Library, and prepare, and report to the House, such further regulations for its future management as may appear necessary.

Ordered,—That Mr. Robinson, the hon. Mr. Kent, and the hon. Mr. Row, do form such Committee.

Notice of motion for committee on Fishery and Agriculture.

The hon. Mr. Morris gave notice, that on Saturday next, he should move for the appointment of a Select Committee to enquire into, and report upon, the present state of the Bank and Shore Fisheries. Also, for a Select Committee to inquire into, and report upon, the present state of Agriculture in this Colony.

Petition of Thomas Ryan and others, Pearl Town.

A Petition from Thomas Ryan, and others, inhabitants of Pearl Town, was presented by Mr. Nugent, and the same was received and read,—

Praying for a grant to open a Road from Mount Pearl towards the Southward, to meet the Bay Bulls Road.

Ordered,—That the said Petition be referred to the Committee of the whole on Roads and Bridges.

Notice of committee of expiring Laws.

The hon. Mr. Row gave notice, that on Wednesday next, he should move for the appointment of a Select Committee to report upon expiring Laws.

Notice of bill to regulate practice of Supreme Court

Also, that on Monday next, he should move for leave to introduce a bill to regulate the practice of the superior Courts, and to enlarge the powers of the Courts of Sessions.

Mr. Nugent gave notice that on Wednesday next he would move that an address be presented to His Excellency the Governor, praying that a copy of the qualification oath of Simon Morris, Esq., member for Placentia and St. Mary's, be laid before the House.

Notice of address for copy of qualification oath of S. Morris, Esq., and for

Also, that a copy of the Report of the Commissioners for revising the Criminal Laws, be laid before the House.

Copies of Criminal Law Commissioners Report

Mr. Nugent, pursuant to notice and leave granted, presented a bill to regulate the mode of empannelling Grand, Special and Petit Juries in the Supreme and Central Courts, and to ascertain the qualifications of Jurors; and the same was read a first time.

Jury bill read 1st time.

Ordered,—That the said bill be read a second time on Wednesday week.

Ordered,—That the said bill be printed for the use of Members.

Printed

The Hon. Mr. Kent gave notice, that on Wednesday next he would move an address to his Excellency the Governor, praying that a return of the annual amount of the Crown Rent Fund, and existing claims thereon, be laid before the House.

Notice of address for return of Crown Rent fund.

Mr. Nugent, pursuant to notice and leave granted, presented a bill to encourage the building of ships and vessels in this colony, and the same was read a first time.

Ship building bill read 1st time.

Ordered,—That the said bill be read a second time on Monday next.

Ordered,—That the said bill be printed for the use of members.

Printed

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

WEDNESDAY, FEBRUARY 15, 1843.

THE Hon. Mr. Noad 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.

Message from the Governor or-

And the said messages were read by the Hon. Mr. Speaker (all the members being uncovered) and are as follow :

MESSAGE.

J. HARVEY.

The Governor deeming it essential to the satisfactory administration of Justice, that a third Stipendiary Magistrate should be appointed in this city, did, on the first day of March, in the past year, make such appointment accordingly, and recommends to the General Assembly to make the necessary provision for that office.

Government House, Feb. 15, 1843.

MESSAGE.

J. HARVEY.

Transmitting memorial of
C. Ayre.

The Governor transmits and recommends to the General Assembly a memorial from Mr. Christopher Ayre, Clerk of the late Legislative Council of this Colony.

Government House, Feb. 1843.

The memorial accompanying the said message was then read by the Clerk.
(See Appendix.)

Ordered,—That the said messages and documents do lie on the table.

Return of loss of Revenue.

The Hon. Mr. Noad also presented to the House, by command of his Excellency the Governor, a statement of the actual loss of revenue arising from the expiration of the late revenue act.

Wolves certificate laid before the House.

Also a certificate of the return of the numbers of Wolves killed.
(See Appendix.)

Ordered,—That the said documents do lie on the table.

Petition of C. Dalton and others of Bryants Cove.

A petition of the Rev. Charles Dalton and others, inhabitants of Bryant's Cove in Conception Bay, was presented by Mr. Prendergast (who stated in his place that he had the consent of his Excellency the Governor to present the same) and the same was received and read, praying for a grant of money to complete the road from the southside of Harbor Grace to Bryant's Cove aforesaid.

Petition of J. Griffin and others Spaniards Bay.

A petition of Joseph Griffin and others, inhabitants of Spaniards Bay, was presented by Mr. Prendergast (who stated in his place that he had the consent of his Excellency the Governor to present the same) and the same was received and read, praying for a grant of money to open a road from the Northern Cove of Spaniards Bay to Bishop's Cove.

On motion of Mr. Prendergast, seconded by Mr. Ridley,

Referred to committee on Roads and Bridges.

Ordered,—That the said petitions be referred to the committee of the whole House on roads and bridges.

Petition of John Byrne, Holyrood.

A petition of John Byrne, of Holyrood, fisherman, to his Excellency the Governor, was (with the assent of his Excellency) presented by Mr. Prendergast, and the same was received and read, setting forth—

That with a view to obviate the danger of crossing the southern gut of Holyrood, the petitioner had in 1838, erected a bridge across the said gut, trusting for remuneration to the justice of the Legislature,—that the said bridge has been well approved, and that a sum of fifty pounds was by the road bill of the last session proposed to be granted to the petitioner, which owing to the bill not passing into law, was not paid to him, and praying for a grant to compensate him for the expense of a work so promotive of the public benefit.

On motion of Mr. Prendergast, seconded by Mr. Munn,

Referred to committee of Supply.

Ordered,—That the said petition be referred to the committee of Supply.

Petition of John Dunn, Brigus.

A petition of John Dunn, of Brigus, Conception Bay, to his Excellency the Governor was (with the assent of his Excellency) also presented by Mr. Prender-

gast, and the same was received and read, setting forth—That the petitioner was, in the fall of 1839, employed by the Commissioners of Roads, to blast and remove a large rock which obstructed the entrance to Salmon Cove River Bridge, near Harbor Main, for which he was to be paid Twenty Pounds,—that in consequence of a misunderstanding between the Commissioners, they refused to pay the petitioner,—that in the performance of the work, he incurred great expense in the purchase of powder, and blasting instruments,—and praying that his case may be taken into consideration, and compensation be made to him.

On motion of Mr. Prendergast, seconded by Mr. Munn,

Ordered,—That the said petition be referred to the committee of Supply.

Referred to committee of Supply.

Mr. O'Brien gave notice that he should, to-morrow, move that the house resolve itself into a committee of the whole house on Roads and Bridges.

Notice of Roads & Bridges Committee

The Hon. Mr. Dunscomb, pursuant to notice and leave granted, presented a bill for granting drawbacks upon the exportation from the island of goods, wares and merchandize on which duties of impost had been paid, and the same was read a first time.

Bill for granting Drawbacks read 1st time.

Ordered,—That the said bill be read a second time on Monday next.

Ordered,—That the said bill be printed for the use of Members.

Printed

A petition of Richard Shea and James Lannen, of Harbor Grace, Farmers, to his Excellency the Governor, was (with the assent of his Excellency) presented by Mr. Ridley, and the same was received and read, setting forth—

Petition of R. Shea and J. Lannen

That three years ago petitioners agreed with the Commissioners of Roads and Bridges for Harbor Grace to make the approach to the Bridge over Sampson Cove Brook, for fifty pounds sterling, and on condition of receiving compensation on the opening of the Legislature,—that they performed the work, and paid labourers out of their own pocket, but have never received any compensation ; and praying for a grant to compensate them for the same.

On motion of Mr. Ridley, seconded by Mr. Munn,

Ordered,—That the said petition be referred to the Committee of Supply.

Referred to Committee of Supply.

A petition of John Lundergan, of Upper Island Cove, to his Excellency the Governor, was (with his Excellency's assent) presented by Mr. Ridley, and the same was received and read, setting forth—

Petition of J. Lundergan, U. Island Cove

That the Commissioners of Roads in making a straight road through Island Cove settlement aforesaid, took a considerable portion of the ground of Petitioner, which he assented to, on condition of being paid therefor,—that he has received no compensation for the said ground, is a poor man, unable to bear the loss, and praying compensation for the same.

On motion of Mr. Ridley, seconded by Mr. Munn,

Ordered,—That the said petition be referred to the Committee of Supply.

Referred to Committee of Supply.

Petition of Charlotte St. John

A petition of Charlotte St. John, of Harbor Grace, widow of Oliver St. John, late of the same place, J. P., and eldest daughter of the late Charles Garland, to his Excellency the Governor, was (with the assent of his Excellency) presented by Mr. Ridley, and the same was received and read, setting forth—

That petitioner is the owner of certain property in Harbor Grace, in the vicinity of Cochrane street,—That for the safety of the town after the fire of 1832, in the formation of the said Cochrane street 60 feet wide, it was necessary to run it through a narrow but very valuable piece of Ground belonging to the petitioner, which had but just undergone a reduction of fifty feet by nearly two hundred in the widening of the main street,—that the petitioner has thus lost four thousand feet of ground without compensation; that lying in the very heart of the town; it was of very great value, and that frequent applications had been made to her for it.—Setting forth also, the services of her late father, and praying that compensation may be made to her for the said piece of ground.

On motion of Mr. Ridley, seconded by Mr. Munn,

Referred to Committee of Supply.

Ordered,—That the said petition be referred to the Committee of Supply.

Petition of C. Noseworthy and others

A petition of Charles Noseworthy and others, inhabitants of Bryant's Cove in Conception Bay, was presented by Mr. Ridley (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the same was received and read, praying for a grant of money to open up a road to the neighbouring settlement of Island Cove.

Referred to committee on Roads and Bridges.

Ordered,—That the said petition be referred to the committee of the whole House on roads and bridges.

Petition of J. Vicars and others

A petition of the Rev. J. Vicars and others, inhabitants of Port de Grave and Barenced, was presented by Mr. Ridley, (who stated in his place that he had the assent of his Excellency the Governor to present the same) and the same was received and read, praying for a grant of money to complete a good and sufficient road from Port de Grave to the main road at the River head.

Referred to committee on Roads and Bridges.

Ordered,—That the said petition be referred to the Committee on Roads and Bridges.

Notice of Seal Fishery Bill.

Mr. Prendergast gave notice that on Saturday next he would move for leave to introduce a bill to regulate the seal fishery.

On motion of Mr. Nugent, pursuant to notice, and seconded by the Honorable Mr. Tobin,

Address moved for copy of Mr. S. Morris's qualification oath.

Resolved,—That the following address be presented to His Excellency the Governor, viz.

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, & Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly request that your Excellency will be pleased to order that a copy of the Affidavit of qualification, made and subscribed by Simon Morris, Esq., a Member of this House, as Candidate at the late Election of Members for the District of Placentia and St. Mary's, be laid before the House.

Ordered,—That the said Address be engrossed, and presented to his Excellency by a Select Committee.

Ordered,—That Mr. Nugent and the hon. Mr. Tobin be a Committee for that purpose.

Committee to present.

On motion of Mr. Nugent, pursuant to notice, and seconded by the hon. Mr. Tobin.

Resolved,—That the following address be presented to his Excellency the Governor, viz :—

Address for copy of Criminal Law Commissioners Report.

To His Excellency Major-General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, and Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly request that your Excellency will be pleased to order that a copy of a report made by the Commissioners, appointed by his Excellency Governor Prescott, upon the adaptation of the Criminal Code of England to this Colony, be laid before the House.

Ordered,—That the said Address be engrossed and presented to his Excellency by a Select Committee.

Ordered,—That Mr. Nugent, and the hon. Mr. Tobin be a Committee for that purpose.

On motion of the hon. Mr. Row, seconded by Mr. Muir;

Resolved,—That a Committee be appointed to enquire into, and report upon, what Acts are about to expire, and what Acts have expired since the last Session of the Legislature.

Committee on expiring Laws appointed.

Ordered,—That the hon. Mr. Row, the hon. Mr. Morris, and Mr. Nugent, be a Committee for that purpose.

Petition of T. Fitzpatrick and others, River head St. John's.

A Petition of Thomas Fitzpatrick, and others, owners of, and interested in Lands, and others, inhabitants residing at River Head, St. John's, was presented by the hon. Mr. Noad, (who stated in his place that he had obtained the assent of his Excellency the Governor to present the same) and the same was received and read, praying for a grant of money to open a Road from the River Head aforesaid, to Waterford Bridge, on the South Side of the stream.

Referred to committee on Roads and Bridges.

Ordered,—That the said Petition be referred to the Committee on Roads and Bridges.

Memorial of Alfred Mayne.

A Memorial of Alfred Mayne, Clerk of the Peace for Conception Bay, to his Excellency the Governor, was (with his Excellency's assent) presented by the hon. Mr. Noad, and the same was received and read, together with a return accompanying the same, for which

(See Appendix.)

On motion of the hon. Mr. Noad, seconded by Mr. Prendergast,

Referred to committee of Supply.

Ordered,—That the said Memorial and Return be referred to the Committee of Supply.

Memorial of A Hogsett.

A Memorial of Aaron Hogsett, Clerk of the Peace of the Central District, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, together with a Return accompanying the same, for which

(See Appendix.)

On Table.

Ordered,—That the said Document and Return do lie on the Table.

Petition of M. Stevenson, late Clerk of Peace, Conception Bay.

A Petition of Matthew Stevenson, of Harbor Grace, to his Excellency the Governor, was (with the assent of his Excellency) presented by the hon. Mr. Noad, and the same was received and read, setting forth,—

That Petitioner was appointed Clerk of the Peace for Conception Bay, and Clerk of the Surrogate Courts in 1812, which Offices he filled until 1826, when, by the establishment of the Northern Circuit Court, he was deprived of the latter Office, the duties of which he had performed for fourteen years; that in 1835, Petitioner was, from ill health, obliged to resign the Office of Clerk of the Peace, and a compensation of forty pounds a year was allowed him by the Legislature, until 1838, when it was reduced to twenty six pounds, the last payment received by him being in October, 1841; that the reduction of fourteen pounds has been severely felt by him, and praying that his case may be taken into consideration, and relief be extended to him.

On Table.

Ordered,—That the said Petition do lie on the Table.

Petition of Mrs. Blaikie:

A Petition of Sarah Blaikie, widow of the late James Blaikie, Esq. to his Excellency the Governor, was (with the assent of his Excellency) presented by the hon. Mr. Noad, and the same was received and read,—

Praying for a continuance of the annual stipend granted to her by the Legislature, in consideration of the long public services of her late husband.

Ordered,—That the said Petition do lie on the Table.

On Table.

A Petition of John Casey, and others, inhabitants of St. John's, Farmers, in the Western Suburbs, was presented by Mr. Nugent, and the same was received and read, setting forth,—

Petition of J. Casey and others.

That the Road leading from McKennan's, taking in Duckworth Street, to the North Side of Monday Pond, one of the most ancient outlets of the Town, is at present greatly out of repair, and impassable for beasts in draught ; it is a road much used by persons for hauling fuel in Winter, and by Farmers at all Seasons ; and praying for a grant of money for repairing the same.

Ordered,—That the said Petition be referred to the Committee of Roads and Bridges.

Referred to committee on Roads and Bridges.

Mr. Ridley gave notice, that on Wednesday next, he would move for leave to bring in a Bill for the establishment of a Grammar and Scientific School in Conception Bay.

Notice of Conception Bay Grammar School Bill.

Mr. Nugent gave notice, that he would, to-morrow, move for leave to introduce a Bill to declare vacant the seats of Elected Members of the Assembly in certain cases, and to provide for the Election of others in their stead.

Notice of bill to declare vacant seats of Members.

The order of the day for the House resolving itself into a Committee of the whole House on Supply, being read,

Order of the day for committee of supply read and postponed.

On motion of the hon. Mr. Noad, seconded by Mr. Nugent,

Resolved,—That this House will, on Saturday next, resolve itself into such Committee.

Ordered,—That the Estimates and other Financial Documents laid before the House by order of his Excellency the Governor, be referred to the said Committee of Supply.

Estimates, &c., referred to the committee of supply.

Ordered,—That the Estimates be printed for the use of Members.

Then the House adjourned until To-morrow, at Twelve of the Clock.

THURSDAY, FEBRUARY 16, 1843.

THE hon. Mr. Speaker acquainted the House, by command of his Excellency the Governor, that his Excellency will receive the Committees appointed to present the Addresses adopted yesterday, on To-morrow at twelve o'clock.

Time for receiving addresses appointed.

The hon. Mr. Noad 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.

Message from the Governor, transmitting detail of public accounts.

And the said Message was read by the hon. Mr. Speaker, (all the Members being uncovered) and is as follows :—

MESSAGE.

J. HARVEY.

In transmitting to the General Assembly a statement of claims upon the Colony, which, when paid, will very much reduce the Revenue, the Governor deems it to be his duty, no less from his own conviction, than from the avowed opinion of her Majesty's Government, to press upon the Assembly the necessity of adopting such measures as will ensure to the Colony a sum equal in amount to that of which it has been deprived by the expiration of the late Revenue Act ; and to urge its serious consideration of the consequences which may result from such provision not being made, more especially as the increased Importation during the last six months may have the effect of materially lessening the Revenue of the current year.

Government House, 7th Feb., 1843.

For Documents and Statements accompanying the said Message

(See Appendix.)

To lie on the Table.

Ordered,—That the said Message and Documents do lie on the Table.

Suggestions of his Excellency for the improvement of St. John's, presented to the House.

The hon. Mr. Noad, by command of his Excellency the Governor, presented to the House a copy of the suggestions of his Excellency for the improvement of the town of St. John's, adverted to in his Excellency's Speech at the opening of the Session ; and the same were read by the Clerk as follows :—

Suggestions.

Suggestions

FOR CERTAIN IMPROVEMENTS IN THE CITY OF ST. JOHN'S, ALLUDED TO BY THE GOVERNOR IN HIS SPEECH.

1st.—A regular and abundant supply of pure Water, as well for the use of the City, and of the Shipping, as for greater security against Fire in the Winter Season, and for obtaining which the adjoining Lakes and Ponds offer the greatest facility.

2d.—The removal to the South Side of the Harbour of such Manufactures of Oils, &c., as are injurious to the health or comfort of the Inhabitants.

3d. Lighting the principal Streets of the City.

4th.—Repairing and rendering commodious the Public Wharf, or landing place for Boats, and placing it under proper Regulations.

5th.—A commodious Road of connection between the upper parts of the East and West ends of the City.

6th.—A small provision to encourage and assist the painting of the exterior of Wooden Houses in this City.

7th.—A Town Clock.

Ordered,—That the said document do lie on the table.

A petition of John Murphy, to his Excellency the Governor, was (with his Excellency's assent) presented by the Hon. Mr. Noad, and the same was received and read, setting forth—

Petition of John Murphy.

That the petitioner was recently employed as a special messenger to convey the writ for the election of a member for the district of Fogo, to Twillingate, and also the writ for Bonavista,—that petitioner in performance of that duty was exposed to great danger, and to the risk of himself and crew, and lost his boat and craft at Cat Harbor,—and praying for compensation for his services and losses, in addition to the sum of fifty pounds paid him.

A statement accompanying the petition was read by the Clerk.

(See Appendix.)

Ordered,—That the said petition and statement do lie on the table.

A petition of William Ash and Francis Ash, was presented by Mr. Munn, (who stated in his place that he had the assent of his Excellency the Governor to present the same) and the same was received and read, setting forth—

Petition of W. Ash and F. Ash

That the petitioners are the brothers and executors of Nicholas Ash late of Carbonear, Planter, who was drowned in June last, leaving a widow and eight children with but little means of support,—that the said Nicholas Ash had his house and every thing in it burned during the riots that took place during the previous elections,—that he had applied to the late Governor, Council and Assembly for remuneration for his losses, but had not obtained any ; that proper affidavits in support of his statements had been sent to the office of the Colonial Secretary,—and praying for a grant to compensate the widow and orphans of the said Nicholas Ash, for the losses he sustained.

Ordered,—That the said petition do lie on the table.

A petition of the Rev. Wm. Faulkner and others, inhabitants of Carbonear, was presented by Mr. Munn (who stated in his place that he had obtained the leave of his Excellency the Governor to present the same) and the same was received and read, recommending to the favourable consideration of the House, the case of Ann Ash widow of Nicholas Ash, late of Carbonear, Planter, deceased, and eight orphan children, and praying the house to make them a grant in consideration for the loss of property sustained by the said Nicholas Ash during the popular disturbances which took place at the election of 1840.

Petition of Wm, Fauikner and others

Ordered,—That the said petition do lie on the table.

A petition of John Vinnacomb and others, Branch Pilots of St. John's, was presented by the Hon. Mr. Bennett, and the same was received and read, praying that the Act concerning them may be continued.

Petition of St John's Pilots

Ordered,—That the said petition do lie on the table.

To lie on the table

Petition of H. Earle and others

A petition of Henry Earle and others, tailors, of St. John's, was presented by the Hon. Mr. Row, and the same was received and read, setting forth—That petitioners are greatly injured by the extensive importation of ready made articles of clothing not necessary for the fishery, and praying that protection may be afforded them.

Ordered,—That the said petition do lie on the table.

Road petitions presented.

The following petitions for and towards making of roads and bridges, were presented by Mr. O'Brien, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same were received and read as follow :

A petition of Patrick Hynes and others, householders, residing near the new road, in that part of St. John's called Tarahan's Town, praying that a new line of road may be opened up through the part of the town inhabited by the petitioners to meet the new road.

A petition of Thomas Cuddigan and others, inhabitants of Logy Bay, praying for a grant of money to open and complete a branch road from the cross road at the head of the harbor to the north arm.

A petition of Denis Hanlan and others, inhabitants of Portugal Cove, praying for a grant of money to complete the line of road from Goff's bridge to the western point of Portugal Cove.

A petition of Patrick Ryan and others, inhabitants of the North side of Logy Bay, praying for a grant of money to open up a branch road through that part of the settlement to meet the Outer Cove road.

Referred to committee on Roads & Bridges

Ordered,—That the said petitions be referred to the committee of the whole House on roads and bridges.

Petition of R. Allen and others

A petition of Richard Allen and others, inhabitants of Flat Rock, was presented by Mr. O'Brien, (who stated in his place that had obtained the leave of his Excellency the Governor to present the same,) and the same was received and read, setting forth—That petitioners have had a Teacher for the last four years under the direction of the Board of Education, but are greatly inconvenienced for want of a school house,—that they are hauling cut and preparing timber for one,—and praying aid towards the completion of it.

Ordered,—That the said petition do lie on the table.

Petition of John Kehoe.

A petition of John Kehoe, school Teacher, at Flat Rock, was presented by Mr. O'Brien (who stated in his place that he had obtained the assent of his Excellency to present the same,) and the same was received and read, praying for an augmentation of his salary as such Teacher.

Ordered,—That the said petition do lie on the table.

Election petitions bill presented and read first time.

Mr. Robinson, from the committee appointed to prepare and bring in a bill in conformity with the Resolutions reported from the committee of the whole house on Privilege, for regulating the mode of trying Election Petitions, 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.

Ordered,—That the said bill be read a second time on Monday next.

Ordered,—That the said bill be printed for the use of Members.

A petition of Francis C. K. Hepburn and others, inhabitants of Trinity and its settlements situated between the Horse Chops and Shilling Harbor, to his Excellency the Governor, was (with his Excellency's assent) presented by Mr. Barnes, and the same was received and read, praying for aid towards opening roads to connect the town of Trinity with the settlements abovementioned,

Petition of F. Hepburn & others

Ordered,—That the said petition do lie on the table.

A petition of Henry Earle, was presented by Mr. Barnes (who stated in his place that he had obtained the leave of his Excellency the Governor to present the same) and the same was received and read, praying compensation for trouble and expense incurred by him as Poll Clerk during the contested election for the district of Trinity Bay in October and November, 1836.

Petition of H. Earle

Ordered,—That the said petition do lie on the table.

Mr. Nugent pursuant to notice and leave granted, presented a bill to declare vacant the seats of elected members of the House of Assembly, in certain cases, and to provide for the election of others in their stead ; and the same was read a first time.

Bill for declaring vacant seats of members read first time.

Ordered,—That the said bill be read a second time this day week.

2d reading

Ordered,—That the said bill be printed for the use of members.

Printed

The Hon. Mr. Row gave notice that on Saturday next he should move for the appointment of a select committee to enquire into and report what alteration in the duties upon goods, wares and merchandize imported in this colony is effected by the Imperial Act 6 Vic. c. 49, to come into operation on the 5th July next.

Notice of committee upon new duties

Mr. Prendergast gave notice that on Saturday next he would move for leave to bring in a bill to regulate the seal fishery.

Notice of seal fishery bill.

Then the House adjourned until Saturday next, at Twelve of the Clock.

SATURDAY, FEBRUARY 18, 1843.

THE Hon. Mr. Noad, by command of his Excellency the Governor, presented to the House (in compliance with the address of the House pre-

Documents relative to Bonavista Light House, and

Reports of Commissioners
of Light Houses presented
to the house

sent to his Excellency praying for information relative to the Bonavista Light House) the following documents, viz.

A letter from the Chairman of the Commissioners of Light Houses transmitting a copy of the account of the expenses incurred in the building and fitting of the Light House at Bonavista.

A statement of sums raised by loan for the building of the said Light House.

Also a copy of the Report and accounts of the Commissioners of Light Houses for the year 1841.

Also a copy of the Annual Report of the Commissioners of Light Houses till the 31st December, 1842.

(See Appendix.)

To lie on the table

Ordered,—That the said documents do lie on the table.

Consolidated accounts current
presented to the house

The Hon. Mr. Noad, by command of his Excellency the Governor, also presented to the house, a consolidated account current of Receipts and Payments for the year ended 5th January, 1842.

Also, a similar account for the year ended 5th January, 1843.

(See Appendix.)

To lie on the table

Ordered,—That the said documents do lie on the table.

Petitions for aid to Common
Schools

The following petitions for aid towards the support and encouragement of Common Schools, were presented by Mr. Dillon (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same were received and read, viz. :

From Rev. E. Troy
and others, Merasheen.

From the Rev. Edward Troy and others, inhabitants of Merasheen, in Placentia Bay, praying for a grant of money to enable them to erect a suitable building, and make provision for a school master.

Ordered,—That the said petition do lie on the table.

From P. Gambane and
others, Presque

From Patrick Gambane and others, inhabitants of Presque, in Placentia Bay, praying for a grant to build a school house, and provide for a teacher.

Ordered,—That the said petition do lie on the table.

From E. Leonard & others
Olivers Cove.

From Edward Leonard and others, inhabitants of Olivers Cove, Placentia Bay, praying for a grant towards erecting a school house and providing for a school master.

Ordered,—That the said petition do lie on the table.

Mr. Nugent, from the Committee appointed to present to his Excellency the Governor the Address of the House for a copy of the oath of qualification of Simon Morris, Esq., Member for Placentia and St. Mary's, reported that his Excellency, in reply, was pleased to say, he would direct a copy of the document prayed for to be laid before the House.

Report of committee to present addresses for copy of qualification oath of S. Morris.

Mr. Nugent also reported from the Committee to present to his Excellency the Governor the Address praying for a copy of the Report of the Commissioners upon Criminal Law, that in reply, his Excellency was pleased to say, he would cause a copy of the report prayed for to be transmitted to the House.

Report of committee to present address for copy of report of Criminal Law Commissioners

The hon. Mr. Morris gave notice that he would, on Wednesday next, move for the appointment of the Committees on Agriculture, and the Fisheries, of which he had given notice for To-day.

Notice postponed.

A Petition of Robert Job, and others, Inhabitants of St. John's, was presented by Mr. Glen, and the same was received and read, setting forth,—

Petition of inhabitants of St. John's against College bill.

That the Memorialists have, with astonishment and regret, perused a Bill introduced into the House for the purpose of founding and endowing two Collegiate Seminaries in St. John's.

That the language employed even in the preamble of this Bill is powerfully calculated to awaken the jealousies, and call forth the opposition of all those whom an uncourtous and untrue phraseology classes under the general designation of "Dissenters," in a Colony where there is no Established Church.

That the Memorialists are not a little startled at the idea of the Colonial Legislature being required to recognise one particular section of the Christian Vineyard as "The Reformed Church," to the disparagement of other Denominations; and thus to give the impress of Legislative authority to an invidious distinction, and an undue preference, totally untenable on grounds of truth or Scripture.

That your Memorialists are prepared to disprove the expediency, or necessity, in the present state of this Colony, of establishing Colleges teaching the principles either of the Reformed, or Roman Catholic Religion.

That an Educational Institution so directed, must array itself against the active and unchangeable hostility of large masses of the Population; that the religious instruction of youth is more safely and satisfactorily intrusted to their Parents, their Guardians, and Spiritual Guides. That in St. John's the means for communicating this instruction are amply and adequately possessed by each several denomination; that a sound, practical, secular, education is that which the circumstances of the Colony more imperatively require; that such an education is not sectarian, but essentially Catholic, and that he who would trammel or impede the general diffusion of useful learning by the peculiarities of the dogmas of an exclusive creed, cannot be under the influence of a wise and enlightened patriotism.

That several of the Provisions contained in the Bill appear to the Memorialists equally objectionable and offensive with the spirit and language of its preamble.

That the discipline exercised in the Churches of which the Memorialists are severally Members, has the necessary effect of rendering the Members, who are in full communion with these Churches, much smaller, in proportion to the aggregate number that avow their principles, than will be found in other Churches where discipline is differently exercised; and that consequently, the tendency of the second Provision of the Bill would be to disfranchise many es-

timable individuals for a scrupulous obedience to the dictates of their conscience, and to give other denominations, whose views of communion are not equally stringent, an undue advantage in the appointment of Directors.

That to the Memorialists it appears very evident a question of this nature should not in any place be left to depend upon a mere superiority of numbers, but that more especially in a Colony, situated as Newfoundland is, intelligence and property should not be disregarded in forming an educational constituency; and that if these principles were adequately recognised, the religious denominations whom the Memorialists represent, would have no cause to complain of being in an unjust minority.

That the Memorialists are utterly unable to discover on what principles of fairness it is made indispensable that the "Bishop of Newfoundland" should, *ex officio*, be a Member of the Board of Directors.

That whilst the Bill leaves it at the option of the Executive whom he shall select as the Representative of the several denominations, that provision which particularizes the Right Rev. Dr. Spencer and his Successors in office, and places their appointment on a basis different from that of all the other Directors, cannot but be regarded as offensive and injurious to those Scriptural Bishops whom the Memorialists acknowledge in their several Churches.

That the mode by which the Bill contemplates to fill up such vacancies as may occur at the Board of Directors, appears to the Memorialists exceedingly unsafe, and unsatisfactory—because it does not render it necessary that the Directors so appointed should be chosen from the denomination in which the vacancy occurs, but leaves it in the power of the Executive to increase at the Board the influence of a favoured denomination.

That the respect which the Memorialists owe to the House prevents them from designating, in terms commensurate to its merits, the Provision in the Bill, that the "Senior Professor" in the proposed Institution, shall be a Graduate of Cambridge, Oxford, or Trinity College, Dublin.

That such a Provision goes at once to blot out from the chart of enlightened Literature and Science, the London University, the Educational Institutions of Dissenters in England, and all the Colleges and Universities in Scotland.

That whilst the hon. Member who introduced this Bill into the House, found it necessary to employ the mighty name of Chalmers in elucidation of his views, the provisions of his own Bill would effectually preclude even Dr. Chalmers from holding a chair in the proposed Newfoundland College; and thus casting the reproach of incompetency on a man whose fame belongs to the civilized world, would limit the office of Teacher to those whose attainments may confidently be anticipated to pale before the vaster acquirements of that great Christian Philosopher.

That this provision in the Bill is not more unjust to the merits of other lands and other Seminaries, than it is injurious to the growing intelligence and advancing claims of Native talent; that by an unwise exclusiveness it for ever shuts against the children of the soil one path to distinction most dear to genius; and branding them with a perpetuated stigma of inferiority in the intellectual race, it is fatally calculated to repress all the movements of a legitimate ennobling ambition.

That the Memorialists pretend not to explain why a Provision, wounding to the feelings of the several bodies whom they represent, and prejudicial to the best interests of the proposed Institution, should thus be introduced; but that whilst avowing their determination by all lawful and constitutional means to resist so extreme an act of injustice in its every stage, they, at the same time, cherish the hope that the House will not suffer the sanction of its authority to be given to its perpetration.

That the Memorialists are satisfied one Educational Institution, totally free from all religious tests, and sectarian domination or preferences, would amply meet the

exigencies of St. John's, would secure the harmonious and united support of the different denominations in Town and Country, might best be made available for the practical purposes of life, and is alone suitable to the present state of this community.

That two Collegiate Institutions cannot simultaneously be endowed without an extravagant and unnecessary expenditure of Public monies, nor without frittering those resources, and weakening those energies, which, combined and harmonised, would have the happiest effects on the education and the social feelings of the Community.

That to recognise the necessity of two Collegiate Institutions, based upon antagonist principles, would be to engender and perpetuate uncharitable distinctions, to give Legislative countenance and aid to rancorous animosities, and to rear up the youth of the land in a jealous and sectarian hatred of each other; and that to establish these Institutions according to the Bill now before the House, would be, by a refinement and ingenuity of injustice, to shut out from their legitimate share in their controul, and from all future benefit in their operations, those very parties in the Community whose enterprise and capital contribute so essentially to their pecuniary support; and praying the House to take the premises into its favorable consideration, and withhold its assent from the proposition to found and endow two Collegiate Institutions; to grant the liberal endowment of one Educational Seminary, free from all religious test, and sectarian bias, and to secure the equal rights of all denominations in its management.

Ordered,—That the said petition do lie on the table.

To lie on the table

On motion of the hon. Mr. Row, seconded by the hon. Mr. Thomas.

Resolved,—That a committee be appointed to report to the House what alterations in the duties payable on Goods, Wares, and Merchandize, imported into this Colony, will be effected by the Imperial Statute, 5 and 6 Victoria, chap. 49, which comes into operation on the 5th July next.

Committee on new duties appointed.

Ordered,—That the hon. Mr. Row, hon. Mr. Thomas, and Mr. Ridley, be a Committee for that purpose.

Two Petitions of Thomas Hutchings, on behalf of the Inhabitants of Bay de Verds, was presented by Mr. Prendergast, (who stated in his place that he had obtained the leave of his Excellency to present the same) and the same was received and read,—praying for a grant of money to complete the line of main Road from Carboncar towards Bay de Verds, aforesaid.

Petition of T. Hutchings.

Also, praying for a grant to open and complete a Road from Bay de Verds to Grates Cove.

Ordered,—That the said petitions be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

Mr. Prendergast (pursuant to notice and leave granted) presented a Bill to regulate the Seal Fishery, and the same was received and read a first time.

Bill to regulate the Seal Fishery read a first time.

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

2d reading.

Ordered,—That the said bill be printed for the use of Members.

Bill to be printed.

The order of the day for the second reading of the Bill to provide for the establishment of two Colleges in Newfoundland, being read;

Order of the day for 2d reading of College Bill read

Mr. Robinson moved, seconded by the hon. Mr. Thomas,
That the said Bill be now read a second time,—whereupon,

Mr. Glen moved in amendment, seconded by Mr. Munn,

That the Bill be read a second time this day six months ;—which being put, passed in the negative.

The question upon the original motion was then put, and passed in the affirmative.

Bill read 2d time.

The said Bill was then read a second time accordingly.

On motion of Mr. Robinson, seconded by the hon. Mr. Thomas,

Resolved,—That the said Bill 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 on the said Bill.

Then the House adjourned until Monday next, at Twelve of the Clock.

MONDAY, FEBRUARY 20, 1843.

Time for receiving address fixed.

THE Hon. Mr. Speaker acquainted the House, by direction of his Excellency the Governor, that his Excellency would receive the Committee appointed to present the address for a return of the Crown Rent Fund, on Wednesday next, at half past eleven o'clock.

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 consideration of the Supply granted to Her Majesty.

The Hon. Mr. Speaker left the chair.

The Hon. Mr. Noad took the chair of the committee.

The Hon. 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 on the subject thereof on Wednesday next.

Ordered,—That the said committee have leave to sit again on Wednesday next.

Election petitions bill read 2d time.

Pursuant to the order of the day, a bill to regulate the mode of trying Election Petitions, was read a second time.

On motion of Mr. Robinson, seconded by the Hon. Mr. Row,

Resolved,—That the said bill be committed to a committee of the whole House.

Committed

Resolved,—That this house will, on Thursday next, resolve itself into a committee of the whole house on the said bill.

On motion of the Hon. Mr. Bennett, pursuant to notice, and seconded by Mr. Munn,

Resolved,—That the following address be presented to his Excellency the Governor—

Address for documents for Committee of Audit moved and carried.

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly respectfully request that your Excellency will be pleased to order the Colonial Treasurer and Board of Control to furnish the house with such documents as the Committee of Audit may from time to time require.

Ordered,—That the said address be engrossed, and that the Hon. Mr. Bennett and Mr. Munn be a committee to present the same to his Excellency.

Committee to present

Then the House adjourned until Wednesday next at twelve of the clock.

WEDNESDAY, FEBRUARY 22, 1843.

THE Hon. Mr. Noad acquainted the house that he had three messages from his Excellency the Governor, signed by his Excellency, and he presented the same to the house.

Message from the Governor or transmitting first report of Commissioners on Criminal Laws

And the said messages were read by the Hon. Mr. Speaker (all the members being uncovered) and are as follow :

MESSAGE.

J. HARVEY.

In transmitting to the General Assembly the Report of the Commissioners for adapting the Criminal Law of England to this colony, asked for in its address of the 15th inst., the Governor is desirous of bearing his testimony to the value of this document, which he regards as an able exposition of the necessity, as well as an admirable basis for the erection of such a criminal code as is obviously required, and as may best suit the condition of Society in Newfoundland; and he is

ready to acquiesce in any reasonable remuneration to the Commissioners for this valuable initiatory step in their labours; with the understanding, however, that they shall prosecute them to the conclusion, by presenting a *Final Report* within a reasonable period, which shall embrace suggestions for such remedial measures as they may concur in recommending to be embodied in any acts to be submitted for the consideration of the Local Legislature, say at its next session. The urgent want of 'Penitentiaries' or 'Houses of Correction,' is forcibly demonstrated by this Report; and their establishment, as appears to the Governor, might be at once adopted by the Legislature, upon the grounds herein presented, and so well known to exist,—and he entirely concurs with the Commissioners that this step should be preliminary to the introduction of any revised Code of Criminal Law, of which the Provisions and Penalties must remain in a great measure inoperative under the circumstances at present existing in the Colony,—viz., a just aversion to Capital Punishments, a virtual inability to transport, and a want of the means of inflicting "Correctional Confinement." Most especially does the Governor concur in the observations and suggestions of the Commissioners, in regard to the treatment of "Juvenile Offenders; and the distinction which the Commissioners have drawn in regard to the classification and denomination of offences, particularly as respects "Felonies" and "Misdemeanors," appear to him to be highly judicious. The proposition for basing the proposed enactments upon the "*Lex non Scripta*" of England is unanswerably sound, more especially as respects a Colony whose population is so thoroughly British as Newfoundland. Why should we, rejecting the experience of ages devoted to the perfecting of our own admirable Institutions, turn for improvements to those of any other country?

In conclusion, the Governor would observe, that the evident earnestness with which the Commissioners have grappled with the great work which they had undertaken, and the anxiety which is apparent throughout their Report, to carry it out to completion, afford most satisfactory conviction that to no other hands or heads can this great labour be more advantageously confided.

Government House, 21st Feb., 1843.

For the Report accompanying the said Message
(See Appendix.)

Ordered,—That the said Message and Document do lie on the table.

MESSAGE.

J. HARVEY.

The Governor transmits to the General Assembly, the copy of a Despatch addressed to him by the late Secretary of State for the Colonies, with its enclosure, on the subject of a Retiring Pension to Assistant Judge Brenton, and in compliance with his Lordship's directions, his Excellency recommends the Judges application to the favourable consideration of the Legislature.

The documents accompanying the said message were read by the Clerk, viz.—

Copy of Despatch from Lord John Russell, Her Majesty's Principal Secretary of State for the Colonies, dated 5th June, 1841, enclosing

Copy of a Letter from Assistant Judge Brenton, dated 21st May, 1841—and

Copy of a Letter from the Right Hon. R. Vernon Smith, Under Secretary for the Colonies, in reply, dated 5th June, 1841.—(See Appendix.)

Transmitting memorial of
Assistant Judge Brenton,
&c.

MESSAGE.

J. HARVEY.

It having been represented to the Governor by the Collector of her Majesty's Customs, that for the due collection of the Revenue, and the prevention of Smuggling, it was essential that an officer of the Customs should be appointed to reside at Lamaline, his Excellency did accordingly, on the 16th April last, make such appointment, and now recommends to the Legislature, to make the necessary provision for that officer, from the period above mentioned.

Recommending provision for Preventive officer at Lamaline.

Government House, 22d Feb., 1843.

Ordered,—That the said Message do lie on the table.

The Hon. Mr. Noad, by command of his Excellency the Governor, also presented to the House (in compliance with the address of the House to his Excellency for that purpose) a copy of the Qualification Oath of Simon Morris, Esq., as candidate at the late Election of members to represent the district of Placentia and St. Mary's.

Qualification oath of S. Morris Esq. presented to the House.

Ordered,—That the said document do lie on the table.
(See Appendix.)

On motion of Mr. Nugent, seconded by the Hon. Mr. Kent,

Ordered,—That the Message of his Excellency transmitting the Report of the Commissioners upon the Criminal Law, together with the said Report, be printed for the use of the members of the House.

Report of Commissioners on Criminal Law to be Printed,

The following four petitions for aid towards the encouragement of Common Schools, were presented by Mr. Barnes (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same were received and read, viz. :

Petitions for aid to common Schools, from

A petition of John Thompson and others, inhabitants of Old Perlican, setting forth, that the petitioners have built, and put in order, a school house at Old Perlican, aforesaid, and praying the house to grant a sum towards defraying the salary of the school master, and the support of the said school.

J. Thompson and others, Old Perlican

Ordered,—That the said petition do lie on the table.

A petition of John S. Addy, Chairman, on behalf of the Board of Education for the Trinity District, setting forth—

Board of Education Trinity

That for three years past the Board in carrying out the intentions of the Legislature have established five province Schools with efficient masters,—that upwards of Two Hundred and fifty children have been receiving the benefit of gratuitous education,—that their progress in learning has been satisfactory, and that five commodious school houses are in course of erection.

That petitioners deeply regret the expiration of the late Education Act. That there are many places in the district, such as Grates Cove, New Perlican,

Hearts Content, Bonaventure, Bird Island Cove, and many others, with a considerable population, urgently requiring schools, but which the Board are unable to provide for from their limited means,—and praying the house to make such further grants for educational purposes as may meet the wants of the said district.

Ordered,—That the said petition do lie on the table.

Rev. T.F.H. Bridge Su-
perindant of N. School So-
ciety

A petition of the Rev. Thomas F. H. Bridge, Superintendent of the Newfoundland School Society, for educating the poor, setting forth—

That the above Society commenced its benevolent operations in this colony, by founding a school in the capital in the year 1824,—that it shortly after extended them to the other principal settlements in the Island, and that it has continued to enlarge their sphere up to the present time.

That the said society has, within the period above specified, established no less than sixty Principal and Branch Schools, open to all denominations of christians, and that during the last year it had forty three of those institutions in operation, extending from the district of Fogo, in the north, to the Bay of St. George, in the south west.

That the said society, since it began its work and labour of love in this country, has educated nearly thirteen thousand adults and children, and that of that number, three thousand nine hundred and twenty-nine pupils were attending its various schools in the course of the last year.

That the masters and mistresses of the Society's schools at the Principal stations, have been and are paid out of the funds raised in the mother country, whilst the salaries of the teachers of the several Branch schools have been defrayed from local funds, aided by occasional grants from home.

That for the five years ending the 5th May, 1841, the Colonial Legislature assisted the society by an annual grant of three hundred pounds;—that his Excellency the Governor issued his warrant upon the Hon. the Colonial Treasurer in favour of the Society for the year ending the 5th May, 1842, but that his Excellency declined doing so for the current year, in anticipation of the calling together of your Hon. House.

That the Society, encouraged by the kindness of the Governor, and not apprehending the refusal which his Excellency deemed it his duty to give to the application of their Superintendent for the same assistance for the current year, incurred heavy liabilities by the engagement of Teachers for that period, which it is now without the means of meeting.

The Memorialist therefore requests the House to relieve the Society from its embarrassments, and further, in consideration of its long and widely spread efforts in the cause of education, to increase the annual grant to the said Society for future years.

Ordered,—That the said Petition do lie on the Table.

To lie on the table

Also, a Petition of the Rev. Thomas F. H. Bridge, Superintendent of the Newfoundland School Society for Educating the Poor, setting forth,—

2nd Petition of the Rev. T. F. H. Bridge for aid towards repairing and supporting the school houses of the Newfoundland School Society.

That the Society possesses in most of the principal, and in many of the smaller settlements of this Colony, property consisting of School Rooms, or Dwelling Houses for Schoolmasters, and in several instances of the two combined, which have been built partly by the aid in money, materiel, and labour of the Colonists, and partly out of the voluntary contributions of benevolent persons in the Mother Country.

That since the erection of the said premises, in some cases, as long as sixteen or seventeen years ago, the said Society has, from time to time, repaired and improved them almost wholly out of funds raised in Britain, and altogether without any assistance either from the Home, or from the local Government.

That in a large majority of the Towns and Harbors in which it is situated, such property of the said Society is now in a sadstate of dilapidation, from the Society's want of means to restore the ravages of time and climate, and that its condition must rapidly become worse, and ere long irremediable, unless the Society shall be enabled to make some immediate outlay upon it.

That the late House of Assembly, by a vote concurred in by the Legislative Council, and carried out by the Executive, in the interval between the last and present Sessions of the Colonial Legislature, granted the liberal sum of three hundred pounds for the enlargement and improvement of a single School Property in the Capital.

Your Memorialist therefore respectfully submits these premises to the consideration of the House, earnestly soliciting, in the name and on the behalf of the Society he represents, such a measure of aid towards the purpose herein specified from the Colonial Treasury, as in its wisdom and justice shall seem right.

Ordered,—That the said Petition do lie on the Table.

On Table

Mr. Barnes (pursuant to notice and leave granted) presented a Bill for the encouragement of Education in this Colony, and the same was read a first time.

Education Bill read 1st time.

Ordered,—That the said Bill be read a second time on the 11th day of March next.

2nd Reading.

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

Printed.

The hon. Mr. Speaker acquainted the House that his Excellency the Govern- or would receive the Committee appointed to present the Address for docu-

Time for receiving address fixed.

ments required by the Committee of Audit, to-morrow, at half-past eleven o'clock.

Road Petitions presented by Mr. Ridley.

The following four Petitions, for aid towards repairing the Roads and Bridges, were presented by Mr. Ridley, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same were received and read, viz. :—

Wm. Hanrahan and others, Carbonear.

A Petition from William Hanrahan, and others, inhabitants of Carbonear, praying for a grant of money for building a substantial Bridge to communicate with the Beach near the River Head of Carbonear, aforesaid.

Stephen O. Pack and others, Bay Roberts

A Petition of Stephen O. Pack, and others, inhabitants of Bay Roberts, praying for aid towards completing the Branch Road to the River Head, to join the Main Road from Harbor Grace to Brigus, and for aid towards completing the Branch Road to the River Head, to join the Main Road from Harbor Grace to Brigus; and also for aid towards building a Bridge over a stream in the centre of the said settlement of Bay Roberts.

W. M. Silly and others, Brigus.

A Petition of William M. Silly, and others, inhabitants of Cupids, praying aid towards opening and completing several Roads in and leading from the said Harbour.

Wm. Stirling and others, Harbour Grace.

A Petition of William Stirling, and others, inhabitants of Harbor Grace, praying for aid towards improving the road leading from that Town towards Carbonear, Bryant's Cove, and other places, and towards completing several Roads in, and leading from the said Harbour.

Referred to committee on roads and bridges.

Ordered,—That the said several Petitions be referred to the Committee on Roads and Bridges.

Petition from Rev. G. Addison and others, Harbour Grace, for aid to the poor.

A Petition of the Reverend George A. Addison and others, inhabitants of Harbor Grace, was presented by Mr. Ridley, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, setting forth,—

That a large number of the inhabitants of the Town and District are in a state of the greatest poverty and destitution, that some permanent fund for their maintenance, similar to that which has been established in St. John's, is requisite for their proper relief, and that medical aid is required for the indigent sick; and praying the House to grant such assistance as the necessity of their case may require.

On Table.

Ordered,—That the said Petition do lie on the Table.

Petition of Inhabitants of Harbour Grace, for a Grammar School

A Petition of the Rev. George A. Addison, and others, inhabitants of Harbor Grace, was also presented by Mr. Ridley, (who stated in his place that he had obtained the leave of his Excellency for that purpose) and the same was received and read, setting forth,—

That the inhabitants of the District of Conception Bay have hitherto been without the means of giving their children any instruction in classical knowledge, and the higher branches of literature; that the central position of Harbor Grace, in reference to the other parts of the District, and its healthy and pure air, render it peculiarly eligible for the establishment of a Public Institution, and praying the

House to grant them the means of supporting such an Institution at Harbor Grace, as aforesaid.

Ordered,—That the said petition do lie on the table.

On Table

Mr. Ridley, pursuant to notice and leave granted, presented a Bill for the establishment of a Grammar and Scientific School in Harbor Grace, and the same was read a first time.

Harbor Grace Grammar School bill read 1st time.

Ordered,—That the said Bill be read a second time on the 16th day of March next.

2d Reading.

Ordered,—That the said bill be printed for the use of Members.

Printed.

Mr. Prendergast gave notice, that on Saturday next, he would move for leave to bring in a Bill to empower the Governor to appoint seven persons as a Board of Commissioners, to appropriate the sums voted for the establishment of Schools at Carbonear.

Notice of bill relating to Grammar School at Carbonear.

Mr. Nugent gave notice, that to-morrow he would move for an Address to his Excellency the Governor, praying that a copy of the lists of Grand and Petit Jurors for the Central District, be laid before the House; also that a copy of the return to the Writ for the election of a Member for the District of Fogo, be laid before the House.

Notice of address for lists of Jurors, and return of writ for Fogo.

The order of the day for the House resolving itself into a committee of the whole House on the Bill for the establishment of two Colleges in Newfoundland, being read,

Order of day for committee on College bill postponed.

Ordered,—That the order of the day be postponed.

Resolved,—That this House will, on Saturday next, resolve itself into a Committee of the whole House on the said Bill.

The order of the day for the second reading of the Bill to regulate the mode of empannelling Juries in the Supreme and Central Circuit Courts, and also for the second reading of the Bill to encourage the building of Ships and Vessels in this Colony, being read,

Order of day for 2d reading of Jury bill, and Ship building bill postponed until Monday.

Ordered,—That the said orders of the day be postponed, and that the said Bills be read a second time on Monday next.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Supply to be granted to her Majesty.

House in committee of Supply.

The Hon. Mr. Speaker left the chair.

The Hon. Mr. Noad took the chair of the committee.

The Hon. 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 agreed to certain Resolutions thereupon, which they had directed him to report to the House; and he delivered the said Resolutions in at the Clerk's table.

Resolutions reported from the committee of Supply.

Committee to sit again.

The chairman also reported that he had been directed by the committee to move for leave to sit again on the further consideration of the supply granted to her Majesty.

Ordered,—That the said committee have leave to sit again.

The said Resolutions reported from the committee of the whole House were then read throughout by the Clerk, and are as follow :—

Private Secretary 200*l*.

1. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred Pounds sterling* be granted to her Majesty, towards defraying the salary of the Private Secretary of his Excellency the Governor, from the thirtieth day of June, one thousand eight hundred and forty two, to the thirtieth day of June, one thousand eight hundred and forty three.

Ditto arrears 155*l* 8 s.

2. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *One Hundred and Fifty Five Pounds Eight Shillings and Eightpence sterling*, be granted to her Majesty, towards defraying the arrears of the salary of the Private Secretary of his Excellency the Governor, from the twenty first of September, one thousand eight hundred and forty one, to the thirtieth day of June, one thousand eight hundred and forty two.

Clerk of Council 200*l*.

3. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred Pounds sterling*, be granted to her Majesty, towards defraying the salary of the Clerk of the Council, from the Thirtieth day of June, One Thousand Eight Hundred and Forty Two to the Thirtieth day of June, One Thousand Eight Hundred and Forty Three.

Clerks in Secretary's office 400*l*.

4. *Resolved*,—That is the opinion of this committee that a sum not exceeding *Four Hundred Pounds sterling* be granted to her Majesty, towards defraying the salaries of two Clerk's in the Colonial Secretary's Office, for the same period.

Messenger 60*l*,

5. *Resolved*,—That it is the opinion of this committee, that a sum not exceeding *Sixty Pounds sterling* be granted to her Majesty, towards defraying the salary of a Messenger in the Colonial Secretary's Office, for the same period.

Office keeper 60*l*.

6. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Sixty Pounds sterling* be granted to her Majesty, towards defraying the salary of an office keeper in the Colonial Secretary's Office, for the same period.

Treasurer 400*l*.

7. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Four Hundred Pounds sterling* be granted to her Majesty, towards defraying the salary of the Colonial Treasurer, for the same period.

Clerk N. C. Court 200*l*.

8. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred Pounds sterling* be granted to her Majesty, towards defraying the salary of the Clerk of the Northern Circuit Court for the same period.

Clerk S. C. Court 200*l*.

9. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred Pounds sterling*; be granted to her Majesty, towards defraying the salary of the Clerk of the Southern Circuit Court, for the same period.

10. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Sixty Pounds sterling* be granted to Her Majesty, towards defraying the salary of the Crier and Tipstaff of the Supreme Court, for the same period. Crier S C 60/
11. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Sixty Pounds sterling* be granted to Her Majesty towards defraying the salary of the Gaoler at St. John's, during the same period. Gaoler St John's 60/
12. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Nine Hundred Pounds sterling* be granted to Her Majesty towards defraying the salaries of three Police Magistrates at St. John's, for the same period. Police Magistrates StJohns 900/
13. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *One Hundred Pounds sterling* be granted to Her Majesty towards defraying the salary of one Police Magistrate from the first day of March, to the thirtieth day of June, One thousand Eight hundred and Forty-two. Ditto arrears 100/
14. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *One Hundred and Twenty Pounds sterling* be granted to Her Majesty towards defraying the salary of the Clerk of the Peace at St. John's, from the thirtieth day of June, One thousand Eight hundred and Forty-two, to the thirtieth day of June, One thousand Eight hundred and Forty-three. Clerk Peace St Johns 120/
15. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Eighty Pounds sterling*, be granted to her Majesty towards defraying the salary of the Chief Constable at St. John's, for the same period. Chief Constable St Johns 80/
16. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred and Seventy Pounds sterling* be granted to Her Majesty towards defraying the salaries of six Police Constables at St. John's, for the same period. Police Constables StJohns 270/
17. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *One Thousand Five Hundred and Ten Pounds sterling* be granted to Her Majesty, towards defraying the salaries of Magistrates in the Outports for the same period, according to the following detail, viz. Magistrates in out ports 1510/
- A magistrate at Harbor Grace £150; a magistrate at Carbonar £120; a magistrate at Brigus and Port de grave 120/; a magistrate at Ferryland £100; a magistrate at Bay Bulls £100; a magistrate at Placentia £100; a magistrate at Burin £100; a magistrate at Lamaline £100; a magistrate at St. Mary's £100; a magistrate at Harbor Britain, £100; a magistrate at Grand Bank £100; a magistrate at Trinity, £120; a magistrate at Bonavista £100; a magistrate at Twillingate and Fogo £100.
18. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Twelve Hundred and Sixteen Pounds stg.* be granted to Her Majesty towards defraying the salaries of the Clerks of the Peace, Gaolers and Constables in the Outports for the same period, according to the following detail, viz. Clerks of Peace, Gaolers & Constables in outports 1216/
- A Clerk of the Peace at Harbor Grace, £50; a Clerk of the Peace at Brigus and Port de Grave £20; a Clerk of the Peace at Ferryland, £20; a Clerk of the Peace at Placentia 20/; a Clerk of the Peace at Burin, £20; a Clerk of the Peace at Harbor Briton, £20; a Clerk of the Peace at Trinity £20; a Clerk of the Peace at Bonavista £20; a Clerk of the Peace at Twillingate and Fogo, £20; the Gaoler at Harbor Grace £50;

the Gaoler at Ferryland £25; the Gaoler at Placentia £25; the Gaoler at Burin £25; the Gaoler at Trinity £25; the Chief Constable at Harbor Grace £50; two other Constables at Harbor Grace £50; three Constables at Carbonear £75; two Constables at Brigus and Port de Grave £50; one Constable at Bay de Verds £12; one Constable at Harbor Main £12; one Constable at Cats Cove £12; one Constable at Western Bay £12; one Constable south shore £12; one Constable at Ferryland £25; one Constable at Brigus (south) £12; one Constable at Wireless Bay £12; one Constable at Renewse £12; one Constable at Bay Bulls £25; one Constable at Toads Cove £12; one Constable at Cape Broyle £12; one Constable at Caplin Bay £12; one Constable at Aquafort £12; one Constable at Fermeuse £12; one Constable at Placentia £25; one Constable at Barren Island £12; one Constable at Merasheen £12; one Constable at Little Placentia 12l.; one Constable at Burin, 25l.; one Constable at Saint Lawrence 12l.; one Constable at Lamaline 12l.; one Constable at Trepassey 12l.; one Constable at St. Mary's 25l.; one Constable at Harbor Briton 12l.; one Constable at Grand Bank 12l.; one Constable at Trinity 25l.; one Constable at Catalina 25l.; one Constable at Perlican 12l.; one Constable at Hearts Content 12l.; one Constable at Hants Harbor 12l.; one Constable at New Harbor 12l.; one Constable at Bonavista 25l.; one Constable at Greenspond 12l.; three Constables at Twillingate and Fogo, viz. one 25l. and two others 12l. each; one Constable at Exploits Bay, 12l.; one Constable at Petty Harbor, 20l.; one Constable at Portugal Cove 20l.; one Constable at Torbay 18l.

Gaol Surgeon 40l.

19. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Forty Pounds sterling* be granted to Her Majesty, towards defraying the salary of the Gaol Surgeon at St. John's, for the same period.

Gaol Surgeon H. Grace 20l.

20. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Twenty Pounds sterling* be granted to her Majesty towards defraying the salary of the Gaol Surgeon at Harbor Grace, for the same period.

Gate Keeper at Government House 20l.

21. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Twenty-six Pounds sterling* be granted to Her Majesty towards defraying the salary of the Gate Keeper at Government House for the same period.

Gaol Barber 15l.

22. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Fifteen Pounds sterling* be granted to her Majesty towards defraying the salary of the Gaol Barber at St. John's for the same period.

Attorney General's fees 250l.

23. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred and Fifty Pounds sterling*, be granted to her Majesty towards defraying the Attorney General's fees for the same period.

Solicitor General's fees 200l.

24. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred Pounds sterling* be granted to Her Majesty towards defraying the Solicitor General's fees for the same period.

Printing, Advertising, and Stationery, 450l.

25. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Four Hundred and Fifty Pounds sterling* be granted to Her Majesty towards defraying the expense of Printing, Advertising, and Stationery, during the same period.

26. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Five Hundred Pounds sterling* be granted to Her Majesty towards defraying the expense of Civil and Criminal Prosecutions for the same period. Civil and Criminal Prosecutions—500/
27. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Eight Hundred Pounds sterling* be granted to Her Majesty towards defraying the expenses of Gaols throughout the Island, for the same period. Expenses of Gaols—800/
28. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *One Hundred and Fifty Pounds sterling*, be granted to her Majesty towards defraying the expenses of Coroners throughout the Island for the same period. Coroners—150/
29. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred Pounds sterling*, be granted to her Majesty, towards defraying the expense of Fuel and Light, for the same period. Fuel and Light—200/
30. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *One Hundred and Twenty Pounds sterling* be granted to Her Majesty towards defraying the expenses of Postages and other Incidentals for the same period. Postages & Incidentals—120/
31. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Seven Hundred and Fifty Pounds stg.* be granted to Her Majesty towards defraying the expense of conveyance of the Judges and all other expenses on the Circuit for the same period. Conveyance of the Judges on the Circuit—750/
32. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred Pounds sterling* be granted to her Majesty, towards defraying the expenses of the repairs of Court Houses and Gaols for the same period. Repairs of Court Houses & Gaols—200/
33. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Five Hundred Pounds sterling* be granted to her Majesty, towards defraying the expenses of Unforeseen Contingencies for the same period. Unforeseen contingencies—500/
34. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Two Hundred and Fifty Pounds sterling* be granted to Her Majesty towards defraying the expenses of Lunatic Paupers, for the same period. Lunatic Paupers—250/
35. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *One Hundred and Twenty-Five Pounds sterling* be granted to Her Majesty, towards defraying the expenses of the Sick Poor in the Hospital, for the same period. Sick Poor in Hospital—125/
36. *Resolved*,—That is the opinion of this committee that a sum not exceeding *Four Hundred Pounds sterling* be granted to her Majesty, towards defraying the expenses of the Paupers on the permanent list, for the same period. Paupers on permanent list—400/
37. *Resolved*,—That it is the opinion of this committee that a sum not exceeding *Four Hundred Pounds sterling* be granted to her Majesty, towards defraying the expense of relieving the casual Poor for the same period. Casual Poor—400/

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

On motion of the Hon. Mr. Thomas, seconded by the Hon. Mr. Kent,

Committee to prepare supply Bill

Resolved,—That a select committee be appointed to prepare and bring in a Bill for granting a supply to Her Majesty in compliance with the foregoing Resolutions.

Ordered,—That the Hon. Mr. Thomas, the Hon. Mr. Kent and Mr. Nugent, be a committee for that purpose.

On motion of Mr. O'Brien, seconded by Mr. Hanrahan,

Committee on roads and bridges—order of the day for to-morrow.

Resolved,—That this house will, to-morrow, resolve itself into a committee of the whole house on the consideration of the roads and bridges of the colony.

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

THURSDAY, FEBRUARY 23, 1843.

Report of committee to present address for return of Crown Rent Fund.

THE Hon. Mr. Kent, from the committee appointed to present to his Excellency the Governor the address of the house praying for a return of the amount of the proceeds of the rents and sales of Ships' Rooms and Crown Lands for the past year, reported that in reply his Excellency was pleased to say that he would, for the fuller information of the house, cause to be laid before it a return of the nature prayed for, for several years past.

On motion,

Papers read by the Clerk.

The copy of the oath of qualification of Simon Morris, Esq., a Member of this House, as Candidate at the late Election of Members for the District of Placentia and Saint Mary's, laid before the House by command of His Excellency the Governor—

Also, the Petition of John Barron, complaining of an undue return to the writ for the election of Members for the District of Placentia and Saint Mary's, were read by the Clerk.

Report of committee to present address to his Excellency.

The Hon. Mr. Bennett, from the committee appointed to present to his Excellency the address of the house praying for documents to be furnished for the information of the Committee of Audit, reported that his Excellency in reply, was pleased to say he would give the necessary directions for that purpose.

On motion of Mr. Nugent, pursuant to notice, and seconded by Mr. Hanrahan,

Address moved for copy of writ for Fogo,—and Jury List

Resolved,—That the following address be presented to his Excellency the Governor, viz.

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly request your Excellency will be pleased to order that the writ for the election of a Member to represent the District of Fogo in the General Assembly, with the return to the same, and also a copy of the report of the Returning Officer upon the said Writ and return, be laid before the House. Also, that your Excellency will be pleased to direct that copies of the lists of Grand and Petit Jurors in the Supreme and Central Circuit Courts be laid before the House.

Ordered,—That the said address be engrossed and presented to his Excellency by a committee for that purpose.

Ordered,—That Mr. Nugent and Mr. Hanrahan do form such committee.

Committee to present.

The following Petitions, for aid towards the making and repairing of Roads and Bridges, were presented by Mr. O'Brien, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same were received and read, as follows :—

Road petitions presented.

A Petition of John Foote, and others, inhabitants of St. John's, praying for a grant of money towards improving the Road leading from Monday Pond to George's Pond.

From J. Foote and others
St. John's.

A Petition of John Kelly, and others, inhabitants of Middle Cove, praying for a grant to open up a branch Road from the Head of the Harbour to the Main Road, leading from St. John's.

J. Kelly and others, Mid-
die Cove.

A Petition of John Coughlan, and others, inhabitants of St. John's, residing in the vicinity of Waterford Bridge, praying for a grant to repair the old Road leading from Waterford Bridge to Mr. Dunscomb's Bridge.

J. Coughlan and others,
St. John's.

A Petition of George Hutchings, and others, inhabitants of St. John's, praying for a grant of money towards repairing the Road commonly called Pokeham path.

G. Hutchings and others,
St. John's.

A Petition of John Brine, praying for a grant to reimburse him the balance of expense incurred by him in erecting and building a public landing place in the cove to the Westward of the premises of Messrs. T. & J. Brocklebank, in the town of St. John's, which grant was voted to him during the last Session of the Legislature, but not received, as the Supply Bill failed to become law.

From John Brine, for
building a landing wharf.

Ordered,—That the said several Petitions be referred to the committee of the whole House on Roads and Bridges.

Referred to committee on
roads and bridges.

A Petition of William Andrews, and others, inhabitants of Ship Cove, Port de Grave, was presented by Mr. Munn, (who stated in his place that he had

Petition of W. Andrews
and others, Port de Grave.

obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the Road from Hibbs's Hole to Ship Cove, aforesaid.

Referred to committee on roads and bridges.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Road petitions.

The following Petitions, for aid towards repairing Roads and Bridges, were presented by Mr. Nugent, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same were received and read as follows, viz. :—

From G. Ashman & others Tarahan's town.

A Petition of George Ashman, and others, inhabitants and proprietors of that part of the town of St. John's, usually called Tarahan's town, praying for a grant of money to widen and improve the main inlets in the said part of the town from the Barren's and Gower Street.

D Cormack & others Waterford Bridge.

A Petition of Denis Cormack and others, inhabitants of the neighbourhood of Waterford Bridge, and Blockmaker's Hall, praying for a grant of money to widen and improve the Road leading from Waterford Bridge towards Petty Harbor.

Referred to committee on Roads and Bridges.

Ordered,—That the said Petitions be referred to the committee on Roads and Bridges.

The order of the day for the second reading of the Bill for granting drawbacks of the duties paid on Goods, Wares, and Merchandize imported into this Island, on their exportation therefrom, being read,

On motion of the hon. Mr. Dunscomb, seconded by the hon. Mr. Kent,

Drawback bill referred to select committee to report upon.

Ordered,—That the said Bill be referred to a select committee to report upon, with power to send for persons and papers.

Committee,

Ordered,—That the hon. Mr. Kent, the hon. Mr. Dunscomb, and the hon. Mr. Tobin be a committee for that purpose.

The order of the day for the second reading of the Bill for explaining the laws in force, in reference to the wages of Seamen, Fishermen, &c., being read,

Order of the day for 2d reading of the Fishery Bill postponed

Ordered,—That the said order of the day be postponed.

until Thursday next.

Ordered—That the said Bill be read a second time on Thursday next, and that it be the first item on the order of the day.

The order of the day for the second reading of the Bill to declare vacant the seats of Members of the General Assembly in certain cases, &c., being read,

Order of the day postponed.

Ordered,—That the said order of the day be postponed.

Members seats' bill to be read 2d time on Saturday.

Ordered,—That the said Bill be read a second time on Saturday next, and that it be the first item on the order of the day.

House in committee on election petitions 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 regulating the trials of controverted Elections.

The Hon. Mr. Speaker left the chair.

Mr. Hanrahan took the chair of the committee.

The Hon. 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 thereof. Progress, &c.

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until Saturday next, at Twelve of the Clock.

SATURDAY, FEBRUARY 25, 1843.

MR. Simon Morris gave notice, that on Monday he should present a Petition complaining of the undue return of Richard Barnes, Esq., as member for the District of Trinity. Notice of Petition against the return of the Member for Trinity.

A Petition of Robert Brown, and others, inhabitants of Brigus, Conception Bay, was presented by Mr. Munn, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for grants of money towards repairing the Roads and Bridges in and about the said town of Brigus. Petition of R. Brown and others Brigus, for aid towards roads.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges. Referred to committee on roads and bridges.

The hon. Mr. Kent from the committee appointed to prepare and bring in a Bill for granting a supply to her Majesty to defray the expense of the Civil Government of the Colony for the year ending the 30th June next, pursuant to resolutions reported from the committee of the whole House on Supply, reported that the committee had prepared the draught of a Bill accordingly; and he presented the same to the House, and the said Bill was read a first time. Report of committee to bring in Supply Bill.

Ordered,—That the said Bill be read a second time on Monday next. Bill read a first time.

The hon. Mr. Speaker acquainted the House that his Excellency the Governor would receive the committee appointed to present the address for a copy of the Writ for the District of Fogo, and for copies of the Jury Lists, on Monday next, at half past eleven o'clock. Second reading.

Mr. Munn gave notice that on the tenth day of March next, he should move for leave to introduce a Bill to empower his Excellency the Governor to cause a census of the population to be taken during the present year. Time for receiving address fixed.

Also, for leave to introduce a Bill to promote vaccination amongst the inhabitants of the several districts of the Island. Notice of Census Bill.

Notice of bill to promote vaccination.

House in committee on
controverted elections 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 to regulate the trials of controverted Elections.

The Hon. Mr. Speaker left the chair.

Mr. Hanrahan took the chair of the committee.

The Hon. 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 on the further consideration of the said Bill.

On motion of Mr. O'Brien, seconded by Mr. Nugent,

Roads and bridges order of
the day for Monday.

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole House on the consideration of Roads and Bridges, and that it be the first item on the order of the day.

On motion of the hon. Mr. Kent, seconded by Mr. Nugent,

Address to the Governor
on the subject of Cape
Pine Light House.

Resolved,—That the following address be presented to his Excellency the Governor:—

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-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 from a copy of a Despatch sent down to this House by your Excellency, dated Treasury Chambers, 11th May, 1841, they learn that “The Elder Brethren of the Trinity House having signified their opinion that the measure of lighting the South Eastern part of Newfoundland would be effectually accomplished by the erection of a Light House on Cape Pine, on the south easternmost extremity of that land, and of one also upon St. Pierre; and likewise that all vessels bound to or from Ports or places situate between St. John's and Cape Cod, in the United States of America, including the River St. Lawrence, would be benefited by the establishment of Light Houses in the above mentioned situations”—and further, that the Lords of the Treasury “adverting to the measures adopted in regard to the construction of Light Houses under very analogous circumstances on the coast of Nova Scotia, are prepared to recommend to Parliament such grant as may be requisite for

defraying the expense of constructing a Light House on Cape Pine, subject to the condition that provision shall be made by the Legislature of Newfoundland, either separately or with aid from the other North American Provinces interested in the establishment of the Light House, for the future maintenance of the light"—and said despatch after alluding to a report to be made by the Commanding Royal Engineer on this station, as to the most eligible arrangements for constructing the Light House, continue—"My Lords would further suggest to Lord John Russell, that it will be advisable to call for a similar report from the Governor of Newfoundland, or from any local authorities under whose directions the construction or management of other Light Houses on the coast of the Island has been placed." The House of Assembly feeling the great importance not alone to the Trade of this Island, but to that of Great Britain and Ireland, the neighbouring Colonies, and the United States, of the erection of a Light House on Cape Pine; and in order to enable the Secretary of State for the Colonies to carry out the very liberal suggestion of the Lords of the Treasury, now pledge themselves that, in the event of such Light House being erected, they will pass an act providing a sufficient sum of money to meet the maintenance of said Light.

The House of Assembly further respectfully request Your Excellency will be pleased to put yourself into communication with the Governmental Authorities of those of the neighbouring Provinces and the United States, whose vessels may be benefitted by such light, in order to induce their supplying their just proportion towards the annual maintenance of said light.

The House of Assembly also request that Your Excellency will be pleased to order the Commissioners of Light Houses to furnish, in order to be laid before the Lords of the Treasury, a report as to the most eligible arrangements for constructing said Light House, with reference to such other works of the same description as may have been erected in this colony, and the House of Assembly pledge themselves to make good any expense incidental on the investigation necessary for framing such report.

Ordered,—That the said address be engrossed, and presented to his Excellency by a committee.

Committee.

Ordered,—That the Hon. Mr. Kent and Mr. Nugent be a committee to present the same to his Excellency.

The Hon. Mr. Speaker acquainted the house that his Excellency would receive the committee with the said address on Monday next, at half past eleven o'clock.

Time for receiving address fixed.

On motion of Mr. Ridley, seconded by the Hon. Mr. Bennett.

Resolved,—That this house do adjourn until Wednesday the 8th day of March next, at twelve of the clock.

And the house adjourned accordingly.

WEDNESDAY, MARCH 8, 1843.

Documents laid before the house.

THE Hon. Mr. Noad, by command of his Excellency the Governor, presented to the house, in compliance with addresses of this house to his Excellency, the following documents, viz.

Copy of Crown Rents Account for the years ending respectively the Thirty first day of March, One thousand Eight hundred and Forty, One thousand Eight Hundred and Forty One, and One Thousand Eight Hundred and Forty-two.

Copy of writ for the election of a member of the General Assembly for the district of Fogo—of the Returning Officer's return thereon, and of a Letter from that officer accompanying the said return.

(See Appendix.)

Ordered,—That the said documents do lie on the table.

Petition from T. Mockler and others.

A Petition of Thomas Mockler and others, inhabitants of Bay Bulls, was presented by Mr. Glen (who stated in his place that he had obtained the leave of his Excellency for that purpose) and the same was received and read, praying for a grant of money towards repairing the roads and bridges in and about the said settlement.

Referred to committee on roads and bridges.

Ordered,—That the said Petition be referred to the Committee upon Roads and Bridges.

Petition of James Brine and others.

A Petition of James Brine and others, Inhabitants of Saint John's, was presented by Mr. Robinson (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the road leading from the premises of Messrs. T. & J. Brocklebank, towards Maggoty Cove.

Referred to committee on Roads and Bridges.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Petition of M. Hutchings and others

A petition of Monier Hutchings and others, inhabitants of St. John's, was presented by the hon. Mr. Row, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair that part of Duckworth street leading from the residence of James Feigus, Esq., south westward to Apple-tree Well, and thence to Pokeham Path.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee upon Roads and Bridges.

A Petition of Elizabeth Job, Treasurer, and Sarah Ward, Dispenser, on behalf of the Ladies of the Dorcas Society, was presented by the Hon. Mr. Tobin (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money in aid of the funds of the said Society.

Petition of Dorcas Society

Ordered,—That the said Petition do lie on the Table.

The Hon. Mr. Kent, from the committee appointed to present to his Excellency the Governor the address of the house on the subject of the erection of a Light House on Cape Pine, reported that in reply to the said address his Excellency was pleased to say he would comply with the same.

Report of committee to present an address relative to Cape Pine Light house.

Mr. Nugent, from the committee appointed to present to his Excellency the Governor the address of the house praying for a copy of the writ for the election of a member for the district of Fogo, and also for copies of the Jury lists of the Supreme and Central Circuit Courts, reported that in reply to the said address his Excellency was pleased to say he would cause the documents asked for to be laid before the house.

Report of committee to present address for copy of writ for Fogo—& Jury Lists

Mr. Prendergast, pursuant to notice and leave granted, presented a bill to authorise the appointment of Commissioners for the appropriation of certain monies heretofore granted for the establishment of a Grammar School at Carbonear, and the same was read a first time.

Bill to authorise appointment of Commissioners to appropriate sum granted for Carbonear Grammar School, read first time

Ordered,—That the said Bill be read a second time on the eighteenth day of March instant.

2d reading

Ordered,—That the said bill be printed for the use of members.

Pursuant to the order of the day a bill for granting to her Majesty a supply to defray the expense of the Civil Government of the colony for the year ending the thirtieth of June next was read a second time.

Supply Bill read 2d time

On motion of the hon. Mr. Thomas, seconded by Mr. Nugent,

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.

Order of day postponed

The order of the day for the second reading of the bill for regulating the seal fishery, being read,

2d reading seal fishery bill

Ordered,—That the said order of the day be postponed.

Ordered,—That the said Bill be read a second time on the thirteenth instant.

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 trials of Controverted Elections or Returns of Members to serve in the House of Assembly.

House in committee on controverted elections bill.

The Hon. Mr. Speaker left the chair.

Mr. Prendergast took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

Progress

The Chairman reported from the Committee, that they made some progress in the said Bill, and had directed him to move for leave to sit again to-morrow on the further consideration of the same.

Ordered,—That the said committee have leave to sit again to-morrow.

House acquainted of the death of Hon. W. Carson, member for St John's

Mr. Nugent, one of the members for the district of St. John's, acquainted the house that since the last adjournment, the Hon. Wm. Carson, one of the members representing the said district of St. John's in this house, had died, whereby a vacancy has been caused in the representation of the said district.

Notice of address for new writ for a member for St. John's,

And thereupon, Mr. Nugent gave notice that he should, to-morrow, move an address to his Excellency the Governor, informing him of the said vacancy in the representation of the said district, and requesting his Excellency to order a writ to be issued on Monday the 1st day of May next, for the election of a member to represent the said district in place of the said Hon. Wm. Carson, deceased.

Then the House adjourned until to-morrow, at Twelve of the Clock.

THURSDAY, MARCH 9, 1843.

Petition of G. Jackman & others, Renewse

A Petition of George Jackman and others, inhabitants of Renewse, was presented by Mr. Simon Morris, and the same was received and read, praying for a grant of money to build a bridge across the river head of Renewse aforesaid, at the place called Preston's Point.

Referred to committee on Roads and Bridges.

Ordered,—That the said Petition be referred to the Committee upon Roads and Bridges.

Notice of address for writ for St. John's,

Mr. Nugent gave notice that he should, to-morrow, move an address to his Excellency the Governor, praying him to order a writ to be issued for the election of a member for the district of St. John's, in the place of the Hon. Wm. Carson, deceased.

Also, that he would move an address to his Excellency the Governor, praying him to suspend the issue of the writ for the election of a Member for the District of St. John's, until after the close of the Seal Fishery.

And of address praying suspension of Writ until after the Seal Fishery.

The hon. Mr. Noad, by command of his Excellency the Governor, presented to the House, in compliance with an Address of the House, a return of the names of Jurors on the panels of Grand and Petit Jurors in the Supreme and Central Circuit Courts.

Lists of Jurors laid before the House.

A petition of James Fitzpatrick, and others, inhabitants of St. John's, engaged in, and interested in the Seal Fishery, was presented by Mr. Nugent, and the same was received and read, praying that the bill to regulate the Seal Fishery, now before the House, may not pass into law.

Petition of J. Fitzpatrick & others against the Seal Fishery Bill.

Ordered,—That the said Petition do lie on the table.

To lie on table.

A Petition of John Walsh, Doctor of Medicine, was presented by Mr. Nugent, and the same was received and read, setting forth,—

Petition of J. Walsh, M. D. for protection to the Medical Profession.

That the Petitioner has practised the different branches of his profession for twenty two years in this Colony; that there are laws enacted in every other British Colony to regulate the surgical and obstetric branches of the profession, as well for Chemists and Druggists; and praying the House to make similar enactments in this Colony; also, that many lives have been lost by the mismanagement of women acting as midwives, and praying the House to enact a law, securing to the regularly bred Physicians, Surgeons, and Apothecaries, that protection which is enjoyed by them in Britain and the other Colonies.

Ordered,—That the said petition do lie on the table.

To lie on Table.

A Petition of William B. Dryer, and others, inhabitants of St. John's, was presented to the House by hon. Mr. Morris, (who stated in his place that he had the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the Cockpit Road.

Petition of W. B. Dryer and others, St. John's.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A Petition of Richard Brace, and others, Farmers and inhabitants of Quidi Vidi, and the White Hills, was presented by the hon. Mr. Morris, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money towards repairing the road from Quidi Vidi to the White Hills, and also a cross road between certain lots specified in the petition.

Petition of R. Brace and others, Quidi Vidi.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

The hon. Mr. Kent gave notice, that he would, to-morrow move an address to his Excellency the Governor, praying for a copy of the conviction of Luke Prendergast, at the Court of Sessions at Brigus, in October last, and of all the particulars relating to the offence, as taken before the Justices.

Notice of address for return of conviction of Luke Prendergast,

Mr. Nugent gave notice, that on Monday next he would move for leave to bring in a bill to abolish the oaths now required to be taken by the Members of the Legislature, and to substitute in their stead the oath of allegiance.

Notice of bill to abolish the oaths.

House in committee on
Election petitions bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the Bill to regulate the trial of controverted Elections, or Returns of Members to serve in the House of Assembly.

The hon. Mr. Speaker left the chair.

Mr. Hanrahan took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Bill reported with amend-
ments.

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 severally read throughout a first and second time, were, upon the question put thereon, agreed to by the House.

On motion of Mr. Robinson, seconded by Mr. Prendergast,

To be printed.

Ordered,—That the said bill as amended be printed for the use of Members.

To be engrossed.

Ordered,—That the said bill be engrossed and read a third time on Monday next.

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 the bill for granting to her Majesty a supply to defray the expenses of the Civil Government of the Colony, for the year ending the thirtieth of June, one thousand eight hundred and forty three.

The Hon. Mr. Speaker left the chair.

The hon. Mr. Noad took the chair of the Committee.

The Hon. 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 agreed to the same without any amendment.

Engrossed.

Ordered,—That the said bill be engrossed and read a third time on Saturday next.

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

SATURDAY MARCH 11, 1843.

Road petitions presented,

THE following petitions for grants towards repairing and making Roads and Bridges, were presented by Mr. Hanrahan, (who stated in his place

that he had obtained the consent of his Excellency the Governor for that purpose) and the same were received and read, as follows :—

A petition of Roger Hanrahan, and others, inhabitants of Musquito, in Conception Bay, setting forth the bad state of the Main Road to Musquito, and of the cross roads in and about it ; and praying for a grant of money to repair and complete the same.

R. Hanrahan and others
inhabitants of Musquito.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on
roads and bridges.

A petition of John Tricket, and others, of Salmon Cove, Perry's Cove, and Spout Cove, on the South side of Conception Bay, praying for a grant of money to rebuild a bridge across the river running through Salmon Cove, aforesaid.

J. Tricket and others, Sal-
mon Cove, &c.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Referred to committee on
roads and bridges.

A petition of John M'Carthy, and others, inhabitants of Carbonear, setting forth at great length the state and condition of the several Roads, Bridges, and Thoroughfares in and about Carbonear, aforesaid, and praying for a grant of money towards opening, repairing, and completing them.

J. M'Carthy and others,
Carbonear.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on
roads and bridges.

A petition of Henry Hearder, and others, inhabitants of Carbonear, was also presented by Mr. Haurahan, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money for the general education of the poor of the said town :—also, for a grant to complete a School House, partially built, and to erect another. Setting forth also, that in 1838, the sum of one hundred pounds per annum, for three years, was granted by the Legislature for supporting a Grammar School in the said town, but owing to the disagreement of the Commissioners the intention of the Legislature was defeated ; and praying the House to re-appropriate the said sum, and make such further grant as will carry out the original intention of establishing a Grammar School in the said town.

H. Hearder & others, Car-
bonear, for aid to Schools.

Ordered,—That the said petition be referred to a committee of supply.

Referred to committee of
supply.

A petition of John Brine, and others, inhabitants of St. John's, was presented by the hon. Mr. Noad, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money towards repairing the road leading from the Barrens towards Freshwater, commonly called the Pennywell path.

J. Brine and others, St.
John's.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on
roads and bridges.

A petition of Michael Scanlan, and others, inhabitants of St. John's and Torbay, was presented by the hon. Mr. Bennett, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was

M. Scanlan and others, St.
John's, and Torbay.

received and read, praying for a grant of money towards repairing the main road from St. John's to Torbay, more particularly the part nearest St. John's.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

J. Spard and others, Pouch Cove.

A petition of John Spard and others, inhabitants of Pouch Cove, was presented by the hon. Mr. Bennett, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money to repair the road leading from Harbor Grace into the interior, commonly called the "Hard Path."

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

J. Humberson and others, Feather Point.

A petition of James Humberson, and others, inhabitants of Bryant's Cove, and its neighbourhood, in Conception Bay, was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the shore road leading from Feather Point to Bryant's Cove, aforesaid.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

J. Tracey and others, St. John's.

A petition of James Tracey, and others, inhabitants of St. John's, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the cross road leading from the new Cathedral ground towards Freshwater.

Referred to committee on roads and bridges.

Ordered,—That the said Petition be referred to the Committee on Roads and Bridges.

C. Butler, and others, Broad Cove.

A petition of Charles Butler, and others, inhabitants of Broad Cove, and the vicinity, was presented by Mr. O'Brien (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the branch road from the Portugal Cove road at Coady's well, to Broad Cove, aforesaid.

Referred to committee on roads and bridges.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

James Gray and others; Blockmakers Hall,

A petition of James Gray, and others, residing in the neighbourhood of Blockmaker's Hall, in the District of St. John's, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to aid them in completing a School House in that vicinity, now partially built.

To lie on table.

Ordered,—That the said Petition do lie on the table.

John Hands, school teacher, Outer Cove.

A petition of John Hands, School Teacher at Outer Cove, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that he has continued his services as School Teacher at Logy Bay,

where he had been stationed by the Board of Education, since the expiration of the late Education Act, and praying for payment of the arrears of his salary as such School Teacher.

Ordered,—That the said petition do lie on the table.

To lie on Table.

A petition of Mary Bleak, school teacher at Logy Bay, was presented by Mr. O'Brien, (who stated in his place that he had obtained the leave of his Excellency for that purpose) and the same was received and read, setting forth—That she has continued her services as school teacher, notwithstanding the expiration of the late education act, at the request of the families at Logy Bay, aforesaid,—and praying for payment of the arrears of salary as such teacher.

Petition of Mary Bleak,
school teacher, Logy Bay.

Ordered,—That the said petition do lie on the table.

To lie on the table

A petition of Wm. Irwin, of St. John's, yeoman, was presented by Mr. Nugent, and the same was received and read, setting forth—That his father, Walter Irwin, deceased served his country in the army for a period of twenty-four years, and was discharged only in consequence of his wounds in the year 1802;—that two years afterwards he received from Sir Erasmus Gower an inferior piece of ground near the Barrens, which petitioner's father and himself spent a vast deal of time, labour and money in reducing into cultivation under very arduous circumstances, and the hostility of the Government to agriculture.

Petition of W. Irwin

That owing to the superior state of cultivation of the said piece of ground, his Excellency Sir Charles Hamilton, then Governor of the Island, on the renewal of petitioner's lease, increased the rent payable on the same threefold, to the great hardship and injury of petitioner; and praying the aid of the intervention of the house in procuring him relief from the payment of the said increased rent.

Ordered,—That the said Petition do lie on the table.

To lie on the table.

Mr. Nugent gave notice that on Wednesday next he would move an address to his Excellency the Governor, on the subject of the prayer of Wm. Irwin's petition.

Notice of address on foregoing petition.

The Hon. Mr. Row, from the committee appointed to enquire into and report to the house what acts are about to expire and have expired since the last session of the Legislature, reported that the committee had considered of the matters to them referred, 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 on expiring Laws.

The committee appointed to ascertain and report to the house what acts are about to expire or have expired since the last session of the Legislature, beg leave to report—

First—That the following acts have expired—

1st—3d Vic. (2d sess.) cap. 2, entitled “An act for granting to her Majesty certain duties on Goods Wares and Merchandize imported into this Colony and its dependencies.”

2d.—4 Vic. cap. 1, having the same title as the foregoing.

Second—That the following acts will expire with the present session—

1st—The 2d Vic. cap. 1, entitled “An Act to encourage the killing of Wolves in this colony.”

2d—The 2d Vic. cap. 5, entitled “An Act to amend several acts now in force respecting Light houses, and to make further provision for the said Light houses, and to consolidate the laws respecting the same.”

3d—The 3d Vic. cap. 6, (2d sess.) entitled “An Act to continue an act passed in the 5th session of the General Assembly of this Island entitled ‘An Act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices.’”

4th.—The 4th Vic. cap. 5, entitled “An Act to continue an Act passed in the second year of the reign of her present Majesty, entitled ‘An Act for the regulation of Pilots and the Pilotage of Vessels at the Port of St. John’s.’”

5th.—The 4th Vic. cap. 7, entitled “An Act to revive an Act passed in the 4th year of the reign of his late Majesty King William the Fourth, (2d sess.) entitled ‘An Act to afford relief to wives and children deserted by their husbands and parents.’”

6th.—The 4th Vic. cap. 9, entitled “An Act to revive an act passed in the 3d year of the reign of King William the Fourth, 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.’”

NOTE.—In the two last mentioned Acts there are no limitation clauses, but there are in the Acts revived, and the reviving Acts re-enact all the clauses of the former Acts.

Third—That the Act 3 Victoria (2d Sess.) Cap. 3d, entitled “An Act to establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony,” will expire on the 29th day of April next.

Fourth—That the Act 3, Victoria, Cap. 5 (2d Sess.) entitled “An Act to encourage the Whale Fishery in this Colony,” ceased to have operation upon payment of the bounties after the 1st of January, One thousand Eight hundred and Forty-two.

Report adopted.

Ordered,—That the said report be adopted by the house.

Bill to amend practice of Supreme Court, brought in and read 1st time.

The hon. Mr. Row, pursuant to notice and leave granted, presented a bill to amend the practice and to enlarge the jurisdiction of the Supreme and Central Circuit Courts and Courts of Session, and the same was read a first time.

Printed

Ordered,—That the said bill be printed for the use of members.

Notice of bill for improvement of justice in southern district.

Mr. Robinson gave notice that on Wednesday next he would move for leave to bring in a bill to provide for the more efficient administration of Justice in the southern district of this Island.

On motion of Mr. Nugent, pursuant to notice, and seconded by Mr. Prendergast,

Resolved,—That the following address be presented to his Excellency the Governor,—

Address moved for new
Writ for St. John's.

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-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 intimate to your Excellency the demise of the Hon. the late Wm. Carson, Esq., Doctor of Medicine, a member of this House, and request your Excellency will please order that a new writ issue for the election of a member in the room of the said Hon. the late Doctor Carson.

Ordered,—That the said address be engrossed and presented to his Excellency by a committee for that purpose.

Ordered,—That Mr. Nugent do form such committee.

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Resolved,—That the following address be presented to his Excellency the Governor, viz.

Address moved for suspension of issue of Writ for the District of St. John's.

To His Excellency Major General Sir John Harvey, Knight, Commander of the most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, 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 intimate to your Excellency that in the months of March and April a very large proportion of the constituency of the district of St. John's are necessarily absent from the colony, prosecuting the seal fishery; they therefore request your Excellency will please order that the issue of a writ for the election of a member to represent that district be suspended, until such time as shall, in your Excellency's opinion, afford that meritorious class of the constituency an opportunity of exercising their franchise.

Ordered,—That the said address be engrossed and presented to his Excellency by a committee for that purpose.

Ordered,—That Mr. Nugent and Mr. O'Brien do form such committee.

Notice of bill to amend Law of Attachment.

The Hon. Mr. Row gave notice that on Wednesday next he would move for leave to bring in a bill to amend the law of Attachment.

Supply Bill read 3d time.

Pursuant to the order of the day an engrosed bill for granting to her Majesty a sum of money towards defraying the expenses of the Civil Government of the colony for the year ending the thirtieth day of June next, was read a third time.

On motion of the Hon. Mr. Thomas, seconded by Mr. Nugent,

Bill passed—Title.

Resolved,—That the said bill do pass, and that the title be “An Act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of the Colony and for other purposes, for the year ending the thirtieth day of June, One thousand Eight hundred and Forty-three, and for regulating the expenditure of the same.”

Notice of Resolutions as to Colonial Agent.

The Hon. Mr. Kent gave notice that on Thursday next he would move a series of resolutions to the effect that it is expedient that an agent should be appointed to watch over the interests of this colony in England; that such agent should be remunerated by a salary, and that he should be a member of Parliament.

House in Committee of the whole on Roads & Bridges.

Pursuant to the order of the day, the House resolved itself into a Committee of the whole house on Roads and Bridges.

The Hon. Mr. Speaker left the chair.

The Hon. Mr. Tobin took the chair of the committee.

The Hon. 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 on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

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

MONDAY MARCH 13, 1843.

Message from the Governor, recommending payment of arrears of salary to School Teachers.

THE Hon. Mr. Noad 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 hon. Mr. Speaker (all the members being uncovered) and is as follows:

MESSAGE.

J. HARVEY.

The Governor acquaints the House of Assembly that applications have been repeatedly made to him by Schoolmasters employed by the Boards of Education under the Act 6, W. 4, C. 13, for remuneration for their services since the expiration of the said Act; that his Excellency, on such occasions, has stated to the Applicants his inability to give such remuneration, but has in all cases recommended them to continue their services, with the assurance that he would submit their claims to the favourable consideration of the Legislature; and his Excellency, in bringing these circumstances under the notice of the Assembly, suggests that such sum may be placed at the disposal of the Executive Government as may be deemed sufficient to remunerate those Masters whose claims may be established by full and satisfactory certificates of the respective Boards of Education.

Ordered,—That the said message do lie on the table.

A petition of Edward Purcell, and others, Farmers, residing on the road leading to Sweeney's Marsh, and near the Bay Bulls road, was presented by the hon. Mr. Noad, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to open a road to the locality in which petitioners reside.

Petition of E. Purcell and others, Sweeney's Marsh.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

Mr. Nugent, pursuant to notice, and leave granted, presented a Bill to abolish the oaths now by law to be taken by Members of the Roman Catholic Church, returned to serve as Members of the House of Assembly, and to substitute therefor the oath of allegiance, and to abolish the oaths of supremacy and abjuration, now by law to be taken, and the declaration against Transubstantiation, now by law to be made by Members of the several Protestant Churches, returned to serve in the said Assembly, and the same was read a first time.

Bill to abolish oaths taken by Members of the Legislature read 1st time.

Ordered,—That the said Bill be read a second time on Wednesday next.

Mr. Munn gave notice, that on Wednesday next he would move an address to his Excellency the Governor, praying for a copy of any despatch or despatches which his Excellency may have received from her Majesty's Principal Secretary of State for the Colonies, on the subject of limiting the expenditure of the Colony to the amount of its Revenue.

Notice of Address relative to the Colonial Expenditure.

Pursuant to the order of the day, an engrossed bill to regulate the trials of controverted elections, or returns of Members to serve in the House of Assembly, was read a third time: whereupon,

Controverted Elections bill read 3d time.

Mr. Robinson moved, seconded by Mr. Nugent,

That the following amendments be made in the Bill, viz:—in the *tenth* section, and *sixteenth* line, between the words *report* and *to*, the following words "such determination, award, and direction," be inserted; and in the same

Amendments made therein at the table.

line, between the words *house* and *the*, that the words "together with" be inserted; which being put, passed in the affirmative.

And the said amendments were made in the Bill by the Clerk, at the table of the House.

On motion of Mr. Robinson, seconded by Mr. Nugent,

Resolved,—That the said Bill do pass, and that the title be "An Act to regulate the trials of controverted elections, or returns of Members to serve in the House of Assembly."

Bill passed.
Title.

Order of day for Committee on College Bill read,

The order of the day for the House resolving itself into a committee of the whole House on the consideration of the Bill for the establishment of two Colleges in Newfoundland being read,—

Ordered,—That the said order of the day be postponed.

and postponed until Wednesday.

Ordered,—That the House do resolve itself into a committee of the whole House on the consideration of the said Bill on Wednesday next.

Petition of S. March and others,—Perlican,—for a School House.

A petition of Stephen March, and others, inhabitants of Old Perlican, was presented by Mr. Barnes, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to aid them in re-building their School House, lately destroyed by fire.

Ordered,—That the said Petition do lie on the table.

T. Cooper and others,—Grates Cove—for support of a School.

A petition of Thomas Cooper, and others, inhabitants of Grates Cove, was presented to the House by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards supporting a common School at Grates Cove, aforesaid.

Ordered,—That the said Petition do lie on the table.

Petition of the Rev. W. Faulkner and others, Conception Bay, in favour of Common Schools.

A petition of the Rev. William Faulkner, and others, Ministers and Congregations of Wesleyan Methodists residing in Conception Bay, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that petitioners believe it would be perfectly unnecessary for them to appear before the House to dwell for one moment upon the utility of carrying out an efficient system of instruction to the humbler classes, seeing that this principle has already been admitted by the House; but in the details of the question there are certain essential points on which, as a distinct and influential body of Christians, they would respectfully make known their views and requirements, for the consideration of the Legislature.

That in the year 1836, a considerable sum of money was appropriated by a Colonial Act, for the establishment of Schools, in which an attempt was made to educate children of different and conflicting creeds under one general scheme of intellectual training.

That the petitioners most humbly protest against this educational system on broad and fundamental grounds. It involves such a compromise of religious principles, such a tampering with things sacred, as to render it entirely objectionable in the eyes of your petitioners, and is, in fact, altogether subver-

sive of those many benefits and blessings which it was intended to confer, and that nothing but loss of time, fruitless expenditure of means, and ceaseless disappointment have been its results. That petitioners also protest against the educational system on the more secondary consideration of economy, conscious as they are, that by a division of the grant according to the number of the different religious bodies, a larger amount of good would be realised at a far less expense to the Colony, since the money awarded to each would receive proportionate additions from the funds of respective parties, who would, moreover, when thus rendered independent of each other, carry out their plans with far greater effect.

Petitioners therefore pray that the sum which may be voted during the present session of the Legislature, may be divided between the different religious bodies according to numbers, or that a separate grant be voted to the Wesleyan Methodists in aid of Schools already established, or to be established under their direction.

Ordered,—That the said Petition do lie on the table.

Pursuant to the order of the day, a Bill for the encouragement of Education in this Island, was read a second time.

Education Bill read 2d time

On motion of Mr. Barnes, seconded by Mr. Carter,

Resolved,—That the said Bill be committed to a committee of the whole House.

and committed.

Resolved,—That this House will, on Wednesday next, resolve itself into a committee of the whole House on the said Bill.

Pursuant to the order of the day, a Bill for regulating the mode of empannelling and summoning Juries in the Supreme and Central Circuit Courts, was read a second time.

Jury Bill read 2d time.

On motion of Mr. Nugent, seconded by the hon. Mr. Kent,

Resolved,—That the said Bill be referred to a select committee to enquire into, and report upon to this House.

Referred to Select Committee to report on.

Ordered,—That Mr. Nugent, the hon. Mr. Kent, and Mr. Carter do form such committee.

The hon. Mr. Speaker acquainted the House, that his Excellency would receive the committee to present the addresses moved on Saturday, to-morrow, at half past eleven o'clock, in the forenoon.

Time for receiving Address fixed.

Then the House adjourned until Wednesday next, at Twelve of the Clock.

WEDNESDAY, MARCH 15, 1843.

A petition of the Rev. Pelagius Nowlan, and others, inhabitants of Little Placentia, was presented by Mr. S. Morris, (who stated in his place that

Petition of the Rev. P. Nowlan and others, Little Placentia.

he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing Roads and Bridges, in and about Little Placentia.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition of J. Rielley and others, Little Placentia.

A petition of John Rielley, and others, inhabitants of Little Placentia, was presented by Mr. Simon Morris, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards establishing common Schools.

To lie on the table

Ordered,—That the said Petition do lie on the table.

Petition of L. Maccassey and others, Barter's Hill.

A petition of Laurence Maccassey, and others, inhabitants of St. John's, was presented by Mr. Dillon, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant to repair the Road leading from the town towards Barter's Hill.

Referred to committee on roads and bridges,

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition of Wm. Sancroix & others, Holyrood(S. D.)

A petition of William Sancroix, and others, inhabitants of Holyrood, in the Southern district, was presented by Mr. Dillon, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the Roads and Bridges in that locality.

Referred to committee on roads and bridges.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Notice of motion on Wm. Irving's petition deferred.

Mr. Nugent gave notice, that he should defer moving the address to his Excellency, on the subject of the petition of William Irving, of which he had given notice for to-day, until the second reading of the Bill for regulating the sale of waste Lands of the Crown.

On motion of Mr. Munn, seconded by Mr. Prendergast,

Address for despatches relative to Revenue and Expenditure.

Resolved,—That the following address be presented to his Excellency the Governor, viz.

To His Excellency Major General Sir John Harvey, Knight, Commander of the most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, 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 request your Excellency will be pleased to direct that the House be furnished with a copy of any despatch or despatches which

your Excellency may have received from her Majesty's Principal Secretary of State for the Colonies, on the subject of limiting the expenditure of the Colony to the amount of its annual Revenue.

Ordered,—That the said address be engrossed, and that Mr. Munn and Mr. Glen be a committee to present the same to his Excellency.

Committee to present the same.

Mr. Prendergast gave notice that on Saturday next he would move that an address be presented to his Excellency the Governor, on the subject of the appointment of a second stipendiary magistrate to reside at Harbor Grace.

Notice of address relative to second Stipendiary Magistrate at Harbor Grace.

Pursuant to the order of the day, a bill to regulate the seal fishery was read a second time.

Seal Fishery bill read 2d time and

On motion of Mr. Prendergast, seconded by Mr. Munn,

Ordered,—That the said bill be committed to a committee of the whole house.

committed,

Resolved,—That this House will, on Saturday next, resolve itself into a committee of the whole House on the said bill.

At three o'clock, the house having retired to the committee room, a message from his Excellency the Governor was delivered by Joseph Templeman, Esq., Usher of the Black Rod :

Message from the Governor commanding the attendance of the House.

Mr Speaker, hon. Gentlemen, and Gentlemen—

His Excellency the Governor commands your attendance immediately in the General Assembly Room.

Accordingly, the hon. Mr. Speaker, and the Members attended his Excellency in the General Assembly Room,

House attend his Excellency.

When the hon. Mr. Speaker addressed his Excellency as follows :

Mr. Speaker presents the supply bill.

May it please your Excellency,—

The General Assembly have passed a bill for granting to her Majesty a supply for defraying the expenses of the Civil Government of the Colony for the year ending the thirtieth day of June next, and in the name of the General Assembly I beg leave now to present the said bill to your Excellency, and humbly crave your Excellency's assent to the same.

Supply bill assented to by his Excellency.

His Excellency was thereupon pleased to give his assent to the said bill, which is entitled " An act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of the Colony and for other purposes, for the year ending the thirtieth day of June, one thousand eight hundred and forty-three, and for regulating the expenditure of the same.

His Excellency was also pleased to give his assent to a bill entitled " An Act to regulate the trials of controverted elections or returns of members to serve in the House of Assembly.

Controverted election trials bill assented to by his Excellency.

His Excellency having shortly afterwards retired—

The Hon. Mr. Speaker reported that the house had been in attendance upon his Excellency the Governor, who had been pleased to give his assent to the Bills abovementioned, and that before giving his assent to the said bills, his Excellency was pleased to address the house as follows :

Mr. Speaker, Hon. Gentlemen, and Gentlemen,

Although it may not be usual for the Representative of the Sovereign to address himself to the deliberative branch of the Legislature during the course of its session otherwise than by message, yet engaged as we jointly are in endeavouring to derive from the Constitution which has emanated from the will of the Imperial Parliament, and of our Gracious Sovereign, all the benefit to our fellow subjects in this Island, which through our means it may be found capable of conferring upon them, I do not allow conventional forms or usages to oppose themselves to the desire by which I feel myself impelled to avail myself of this occasion of offering to you in her Majesty's name my warmest thanks for the cordial disposition to advance the public interests, which you have manifested in all your proceedings since the commencement of the session, and to add the expression of a confident hope that that honorable unanimity—evidently based upon those high principles of public duty which can alone compel the sacrifice of all considerations of a personal nature to those which connect themselves with the *public interests*—will remain undisturbed to its close, and thereby acquire for you an increased claim upon the gratitude of the people of this Island not only on account of the substantial benefits which will have been conferred upon them by your Legislative labours, but also for having re-established the Legislative reputation of the country of your birth or adoption.

Mr. Speaker, Hon. Gentlemen, and Gentlemen,

The most urgent exigencies of the public service having been provided for by the bills which you have passed, and to which I have already and am now prepared in her Majesty's name to give my assent, I gratify myself with the conviction that during the remaining period which you may be enabled to devote to your Legislative labours, not only will many of the useful measures now under your consideration be brought to maturity, but that others will have been introduced and discussed, and the way thereby prepared and facilitated for their enactment at an early period of the next session.

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 and support of two colleges in Newfoundland.

The hon. Mr. Speaker left the chair.

Mr. Dillon took the chair of the committee.

The hon. 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, and that it be the first item on the order of the day.

House in committee on college bill.

Report.

The hon. Mr. Kent reported from the committee to whom was referred the Bill for granting Drawbacks, &c., that the committee had considered of the matters to them referred, and had taken the evidence of the Collector of her Majesty's Customs, and of other competent persons, upon the probable effect of the provisions of the said bill, and by direction of the committee, he reported the same to the house.

Report of Select Committee on Drawback Bill.

And he delivered the said report in at the Clerk's table.

(See Appendix.)

On motion of the Hon. Mr. Kent, seconded by Mr. Nugent,

Ordered,—That the said report be printed for the use of members.

To be printed.

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

THURSDAY MARCH 16, 1843.

A Petition of Joseph Ryan and others, inhabitants of the vicinity of Upper Long Pond, was presented by Mr. Nugent (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the road leading from St. John's to Upper Long Pond.

Petition of J. Ryan and others, Upper Long Pond.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to Committee on Roads and Bridges.

A petition of Dugald Makellar and others, inhabitants of the Middle eastern Ward of the town of St. John's, was presented by Mr. Nugent, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth—

Petition of D. Makellar & others, St. John's, for wells and tanks.

That almost all the inhabitants of the said ward have hitherto been supplied with pure fresh Water from a spring near the Congregational Chapel, called Chancey's Shoot,—that the ground in the rear of the spring having changed owners, the spring has become very seriously injured, as well as from a muddy stream in the vicinity being turned into a channel running close to the said spring, and that in the Spring and fall, this water cannot be used at all. That in case of fire there is no adequate supply of water within the said locality ;—and praying that the House would grant a sum of money for sinking wells and establishing pumps in the following places, viz. one in Gower Street, immediately in the rear of the said spring, and one as near to the said spring as the said stream may admit,—and also praying for a grant for establishing a reservoir on the upper side of Duckworth Street, which will contain a sufficient supply of water to be used in case of fire.

On motion of Mr. Nugent, seconded by Mr. Robinson,

Referred to select committee to report upon.

Ordered,—That the said petition be referred to a select committee to enquire into and report upon.

Ordered,—That Mr. Nugent, the Hon. Mr. Row, and Mr. O'Brien do form such committee.

J. Templeman and others, Old Portugal Cove Road.

A petition of Joseph Templeman and others, inhabitants of St. John's, was presented by Mr. Robinson, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the road leading from the head of King's road by the Bridge at Rennie's Mill, to the Portugal Cove Road, and for repairing the Circular Road.

Referred to committee on Roads and Bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition of R. Connell and others, Cats Cove.

A petition of Robert Connell, sen., and others, inhabitants of Cats Cove and Bacon Cove, Conception Bay, was presented by Mr. Hanrahan, (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the same was received and read, praying for a grant of money to repair the road from Bacon Cove to the main road at the head of Cats Cove.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

P. Ezekiel and others, Harbour Main.

A Petition of Peter Ezekiel and others, Inhabitants of Harbour Main, was presented by Mr. Hanrahan, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money towards opening and completing a road or street through the said settlement.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition from Saint John's Factory Committee.

A petition of Ambrose Shea, for and on behalf of the committee of the Saint John's Factory, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a renewal of the usual grant in support of the said institution.

Ordered,—That the said petition do lie on the table.

Notice of Bill to repeal part of Nuisance Act.

Mr. Nugent gave notice that on Monday next, he would move for leave to bring in a bill to repeal so much of the Nuisance Act as relates to the forfeiture of swine found at large.

Notice of motion to consider Statement of payments by Governor in Committee of the whole House.

Hon. Mr. Row 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 statement sent down to the house by the Governor of monies disbursed by his Excellency out of the Colonial Revenue on his own responsibility.

Harbor Grace Grammar School Bill read 2d time.

Pursuant to the order of the day, a bill for the establishment of a grammar and scientific school in Conception Bay, was read a second time.

On motion of Mr. Ridley, seconded by Mr. Glen,

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 said 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 establishment of two Colleges in Newfoundland.

The Hon. Mr. Speaker left the chair.

Mr. S. Morris took the chair of the committee.

The Hon. 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 Saturday. Progress,

Ordered,—That the said committee have leave to sit again on Saturday, and that it be the first item on the order of the day. To sit again on Saturday next.

The hon. Mr. Speaker acquainted the House that his Excellency the Governor would receive the committee to present his Excellency the address of the House, adopted yesterday, on to-morrow, at half past eleven o'clock. Time for receiving Address fixed.

Then the House adjourned until Saturday, at Twelve of the Clock.

SATURDAY, MARCH 18, 1843.

A Petition of Michael Howley, and others, inhabitants of New Perlican, was presented by Mr. Barnes, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the Roads in and about that place. Petition of of M. Howley and others of New Perlican.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges. Referred to committee on roads and bridges.

A petition of John Thompson, and others, inhabitants of Old Perlican, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the roads in and about that settlement, and the opening of roads to Grates Cove, Bay de Verds, and Lower Island Cove. J. Thomson and others, Old Perlican.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges. Referred to committee on roads and bridges.

William Kelson and others,
Trinity.

A petition of W. Kelson, and others, inhabitants of Trinity, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing certain streets and roads in the said town ; with an estimate of the probable expense of the same.

Referred to committee on
roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

W. Jestican and others,
Trinity.

A petition of William Jestican, and others, inhabitants of Trinity, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that under the Statute Labor Act, 5, W. 4, the Commissioners of Roads had taken the ground of various parties for the widening of the Streets and Lanes in and about the said town ; and had attempted to levy an assessment under the Act, for the payment of the price of the said ground, which had failed ; setting forth also, that it is impracticable to carry out the said act by assessment of the Grand Jury, and praying, therefore, that so much of said Act as relates to Trinity Bay may be repealed, and a sum of money granted for compensating the Proprietors of the ground in question.

To lie on table.

Ordered,—That the said Petition do lie on the table.

W. Thorne and others,
Torbay.

A petition of William Thorne, and others, inhabitants of Torbay, was presented by the hon. Mr. Row, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant towards building a bridge across the stream which runs into the head of Torbay, aforesaid.

Referred to committee on
roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition of Daniel Eagan
for arrears of salary as Road
Surveyor.

A petition of Daniel Eagan, was presented by Mr. Nugent, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that he was employed as Assistant Surveyor of Roads for the district of St. John's, at a salary of sixty pounds per annum, that the last quarter of the salary has remained due since 1840, and praying for payment of the same.

To lie on table.

Ordered,—That the said Petition do lie on the table.

Petition of the Rev. G. B.
Cowan and others, for Ma-
gistrate at Western Bay.

A petition of the Rev. George B. Cowan, and others, inhabitants of the North Shore of Conception Bay, was presented by Mr. Ridley, and the same was received and read, setting forth the great necessity of a resident Stipendiary Magistrate on the said Northern Shore, and praying that a Magistrate may be appointed to reside at Western Bay, as the most central part of the said Northern Shore.

To lie on Table.

Ordered,—That the said petition do lie on the table.

Petition of John King,
Broad Cove.

A petition of John King, of Broad Cove, Conception Bay, was presented by Mr. Ridley, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that the petitioner is of the advanced age of seventy years, that

he has served for a long series of years as a Constable at Broad Cove, aforesaid, and praying for a small allowance for his declining years.

Ordered,—That the said petition do lie on the table.

To lie on table.

A petition of James Allen, and others, inhabitants of Topsail, was presented by Mr. Munn, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant for the building of a School House, and the payment of a salary for a School Master at said place.

James Allen, Topsail, for a School House, &c.

Ordered,—That the said Petition do lie on the table.

To lie on Table.

A petition of the Rev. Ingham Sutcliffe, and others, inhabitants of the North Shore of Conception Bay, was presented by Mr. Munn, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the main road leading along the North Shore.

Rev. I. Sutcliffe and others North Shore C. Bay.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of the Rev. William Faulkner, and others, inhabitants of Conception Bay, was presented by Mr. Munn, and the same was received and read, setting forth, that the Memorialists ask permission to come before the House in order to express their deep felt conviction that the measure now under consideration, for the establishment of two Colleges in St. John's, is one, which, if passed into law, would inflict glaring injustice on the majority of the people of this Country, and in its results, exasperate rather than allay evils which are destructive of that mutual confidence which the different classes of society should repose in each other. Memorialists object to the College Bill, on the ground that it provides for placing in the hands of two great parties an unjustifiable extent of power and advantage, calculated to depress and discourage that numerous and influential class of persons who do not belong either to the Protestant Episcopalian, or Roman Catholic Churches. It also names the Protestant Episcopalian Bishop as *ex-officio* one of the Directors, while it invidiously passes by the Scripturally ordained Ministers of other Churches, and in reference to the whole Board, it is obvious, that whatever might be the peculiar views entertained, or suggestions offered by the two Directors representing the so called "dissenting interest," there can be no reasonable expectation that any beneficial influence would be exercised, seeing that such Directors must necessarily be in the minority, while the major part would decide any question at issue. Again, that Memorialists object to the Bill, because the advantages to be derived from it would be confined chiefly to St. John's, and to a class of persons who possess ample means for providing for their children a superior education, while the bulk of the population throughout the Island is altogether without the means of instruction, of whom it may be emphatically said "they are perishing for lack of knowledge;" and if, while this is the case, the House should pass the Bill in question, it would destroy the confidence of a great part of the Constituency in the acts of the Legislature, and be productive of the worst kind of discontent—discontent arising from a sense of the injustice done them. On the whole, Memorialists are confident that the effect of the Bill would be to widen and exasperate the already existing religious and political differences, by establishing

Rev. Wm. Faulkner and others, Conception Bay against the College Bill.

the ascendancy of one denomination over others, possessing equal claims on the favour and support of a paternal Government, and so would effectually subvert the unity and fraternal feeling which ought to be cherished by every philanthropist, every lover of his country, and every good man.

But waiving these objections to the Bill in detail, Memorialists submit that the raising a fund by loan, with high interest, payable out of the future resources of a Colony now in the infancy of its political existence, for any other purposes than such as are imperatively called for, is a measure rash, inexpedient, and impolitic. It is the decided opinion of Memorialists, that if *all* the funds available for public instruction, were divided to the different Religious Bodies, according to numbers, to be applied by themselves in the advancement of their own educational views and interests, none of the foregoing consequences would arise, their separate operations would be the result of their own convictions, and would not stand out in bold and offensive relief, as when established under Public Authority, and by Legislative enactment; but like families with different modes of economy, all would move harmoniously onward without interfering with each other, or in anywise disturbing the public tranquillity. Under these circumstances Memorialists beg leave humbly to remonstrate against the establishment of the two proposed Colleges, and hope that the honorable House will not deem it wise or expedient to pass the College Bill, but to apply all the available resources of the revenue to the dissemination of general education, as a primary and necessary step to that of a superior order.

On motion of Mr. Munn, seconded by Mr. Glen,

Referred with petition from St. John's, to committee on College Bill.

Ordered,—That the said petition, and the petition of Robert Job, and others, inhabitants of St. John's, be referred to the committee of the whole House on the Bill for the establishment of two Colleges in Newfoundland.

Report of committee to present address for despatches on Revenue and expenditure.

Mr. Munn reported from the committee to present to his Excellency the address of the House, praying for "copies of any despatch or despatches received from the Secretary of State for the Colonies to his Excellency, on the subject of limiting the expenditure to the Revenue of the Colony," that in reply, his Excellency was pleased to say he would cause the documents prayed for to be laid before the House.

Address for 2d Stipendiary Magistrate at Harbor Grace presented and read a first time.

Mr. Prendergast, pursuant to notice, presented the draft of an Address to his Excellency the Governor, acquainting his Excellency that there is a great necessity for a second Stipendiary Magistrate to reside in the Town of Harbor Grace; and praying that his Excellency will be pleased to appoint another Stipendiary Magistrate to reside at Harbor Grace aforesaid, and that this House will make the necessary provision for his salary accordingly, and the same was read a first time.

Motion to read it a 2d time to-morrow.

Mr. Prendergast moved, seconded by Mr. Munn,

That the said address be read a second time on Monday next.

Amendment to read it 2d time this day six months.

The hon. Mr. Morris, seconded by the hon. Mr. Noad, moved in amendment,

That the said address be read a second time this day six months,—which being put, and the house dividing thereon, there appeared for the amendment, eighteen ; against it, one.

For the amendment—

Against the amendment—

The Hon. Mr. Dunscomb
 “ “ Thomas
 “ “ Morris
 “ “ Row
 “ “ Tobin
 “ “ Noad
 “ “ Kent
 Mr. Nugent
 — S. Morris
 — O'Brien
 — Robinson
 — Benning
 — Carter
 — Munn
 — Ridley
 — Barnes
 — Glen
 — Dillon

Mr. Prendergast.

So it passed in the affirmative, and

Amendment carried

Ordered,—That the said address be read a second time this day six months.

On motion of the Hon. Mr. Morris, seconded by Mr. Nugent,

Resolved,—That a select committee be appointed to enquire into and report upon the Bank and Shore Fisheries.

Committee on Bank and Shore Fisheries appointed

Ordered,—That the Hon. Mr. Morris, Hon. Mr. Bennett, Hon. Mr. Kent, Mr. Munn and Mr. Glen, do form such committee.

On motion of the Hon. Mr. Morris, seconded by Mr. Nugent,

Resolved,—That a select committee be appointed to enquire into and report upon the present state of agriculture.

Committee on Agriculture appointed

Ordered,—That the hon. Mr. Morris, the hon. Mr. Bennett, Mr. S. Morris, Mr. Dillon, and Mr. Prendergast, do form such committee.

On motion of the hon. Mr. Row, seconded by Mr. Nugent,

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole House upon the consideration of the message of his Excellency the Governor, transmitting to this house a statement of the sums paid by his Excellency out of the Colonial Chest upon his own responsibility.

Committee of whole on payments by the Governor—order of day for Monday

Notice of Address relative to Fort William.

The hon. Mr. Tobin gave notice that on Monday next he would move that an address be presented to his Excellency the Governor, upon the subject of the occupation of Fort William.

Notice of motion relative to increasing the Gaoler's salary at Harbor Grace.

Mr. Prendergast gave notice that when next the house would resolve itself into a committee of the whole on supply, he would move that the salary of the Gaoler at Harbor Grace be increased in lieu of all fees paid him by the Crown.

House in committee on College 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 establishment of two Colleges in Newfoundland.

The Hon. Mr. Speaker left the chair.

Mr. Benning took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

Progress, &c.

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 on Monday next.

Ordered,—That the said committee have leave to sit again on Monday next.

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

MONDAY, MARCH 20, 1843.

Message from the Governor transmitting despatches relative to limiting the expenditure of the colony to the amount of its revenue.

THE Hon. Mr. Noad 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 Hon. Mr. Speaker, (all the members being uncovered) and is as follows :

MESSAGE.

J. HARVEY.

In reply to the address of the General Assembly, of the 15th instant, requesting to be furnished with copies of any Despatches from her Majesty's Secretary of State for the Colonies upon the subject of limiting the expenditure of the colony to the amount of its annual Revenue, the Governor transmits herewith Extracts of such despatches as have reference to the subject in question.

Government House, }
20th March, 1843. }

J. H.

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

Extract of a Despatch from Lord Stanley, to Major General Sir John Harvey, dated

Downing Street, 26th March, 1842.

“ With reference to the probability which you mention, of an application being made for the assistance of Government or Parliament in raising a loan in this country for Newfoundland, I must distinctly discourage you from entertaining the least hope that her Majesty’s Government would countenance any such proposition, or indeed any proposal having for its object to involve the colony at large in debt for the purpose of carrying on local improvement ; and it is right that I should state this plainly, in order that no misconception may prevail as to the views of her Majesty’s Government on this subject. It is to the operation of slower but safer plans, and to the economical and prudent application of the actual surplus Revenue, that you must look for funds to enable you to effect those improvements which you recommend , and if these be insufficient, recourse must be had to local taxation, which, when intended for local objects, will justly fall upon those who are to derive the more immediate benefit.

(Signed)

STANLEY.

Extract from a confidential Despatch from Lord Stanley, to Major General Sir John Harvey, dated

Downing Street, 3d September, 1842.

“ You will bear in mind, that you will be expected to keep your proposed expenditure within the limits of your fairly estimated revenue, and that no anticipation of future Revenue will be authorised by me ; and on the other hand, you will take care that the house is informed that no increase of any item of such estimate can be moved, nor any new estimate submitted to the house, except by your previous sanction ; and that it is the duty of the Speaker to decline putting any such questions to the house. This is the invariable practice of Parliament ; and it is one, a strict adherence to which I consider indispensable.”

(Signed)

STANLEY.

Copy of a Despatch from Lord Stanley, to Major General Sir John Harvey, dated

No. 78.

Downing Street, 14th December, 1842.

SIR,—I have to acknowledge the receipt of your despatch of the 15th Nov., marked “ Separate,” reporting the measures adopted by you to guard against the occurrence of errors in the mode of conducting the election of the members to serve in the first Legislative Assembly of Newfoundland under its new Con-

stitution, and also stating your fear that that body will decline to make good, by the retrospective imposition of duties as hitherto contemplated, the deficiency in the Colonial Treasury, which has been occasioned by the suspension of the Revenue Law. I apprehend that the loss of Revenue from this cause will ultimately be much greater than you appear to anticipate, as a diminution of Imports *next* year may be fairly expected in consequence of the unusual importations during the last six months. This point should, therefore, be well considered by you, in making arrangements to compensate the Colonial Treasury for the present loss of duties, as well as in considering whether the Legislature should not be urged seriously to weigh the consequences of the decision to which they are supposed likely to come.

I have, &c.

(Signed) STANLEY.

—o—

To be printed.

Ordered,—That the said message and documents be printed for the use of members.

Notice of bill to continue act 5 W 4 c. 11

The hon. Mr. Kent gave notice that on Wednesday next he would move for leave to bring in a bill to amend and continue an act passed in the fifth year of the reign of his late Majesty, entitled "An Act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices."

Notice of bills to continue Pilots Act, and wolves killing encouragement bill

Mr. Nugent gave notice that on Wednesday next he would move for leave to bring in a bill to continue an act passed in the second year of her Majesty's reign, entitled "An act for the regulation of Pilots and the Pilotage of vessels at the Port of St. John's,"—also that on Wednesday he would move for leave to bring in a bill to continue an Act passed in the third year of her Majesty's reign, entitled "An act to encourage the killing of Wolves in this colony."

Petition of M. Knight and others.

A petition of Michael Knight and others, inhabitants of St. John's, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards levelling Gower Street, to the N. W. of the Congregational Chapel, in the rear of Wm. Calver's.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition of P. Coughlan & others

A petition of Patrick Coughlan and others, inhabitants of Portugal Cove, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the road leading from the north end of Patrick Coughlan's house to the public wharf or landing lately erected.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

A petition of Thomas Dwyer, and others, inhabitants of Belle Isle, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards repairing the road leading from the Beach to the top of the cliff.

T. Dwyer, & others, Belle Isle.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of Murtagh Dunn was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that the petitioner served in several capacities as a subordinate officer of the last House of Assembly; that several sums were at different times voted to him for extra services, which being included in the vote for contingencies, and for which no act having been passed, he has never been paid the same: and praying the House to take his case into consideration, and grant him the said arrears.

Murtagh Dunn.

On motion of Mr. O'Brien, seconded by Mr. Nugent,

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

Referred to committee of supply.

The hon. Mr. Row, pursuant to notice and leave granted, presented a Bill to amend the Law of Attachment, and the same was read a first time.

Bill to amend the law of attachment presented and read 1st time.

Ordered,—That the said Bill be read a second time on Wednesday next.

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

To be printed.

The hon. Mr. Row reported from the Select Committee appointed to ascertain and report what alteration of the duties upon Goods, Wares, and Merchandise, imported into this Island, is effected by the Act of the Imperial Parliament, 5 and 6, Vic., Cap. 49, to come into operation on the 5th of July next; and he delivered the report in at the Clerk's table, where it was read.

Report of select committee on alteration of duties by 5 & 6 Vic.. C. 49.

(See Appendix.)

Ordered,—That the said report be printed for the use of Members.

To be Printed.

Mr. Munn, pursuant to notice and leave granted, presented a Bill to provide for taking a census of this Colony during the present year, and the same was read a first time.

Bill for taking the Census.

Ordered,—That the said Bill be read a second time this day week.

Mr. Munn, pursuant to notice and leave granted, presented a Bill to provide for the promotion of vaccination among the inhabitants of the several districts of this Island, and the same was read a first time.

Bill to promote vaccination read 1st time.

Ordered,—That the said Bill be read a second time on this day week.

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 encouragement of Education in this Colony.

House in committee on Education bill.

The Hon. Mr. Speaker left the chair.

Mr. Hanrahan took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

Progress.

The Chairman reported from the said 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 thereof, on Wednesday next.

To sit again on Wednesday

Ordered,—That the said committee have leave to sit again on the further consideration thereof on Wednesday next, and that it be the first thing on the order of the day.

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

WEDNESDAY, MARCH 22, 1843.

Bill to amend & continue
Act 5, W. 4, C. 11 read
1st time.

THE hon. Mr. Kent, pursuant to notice and leave granted, presented a Bill to amend and continue an Act passed in the fifth year of his late Majesty's reign, entitled "An Act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the Officer discharging the duties of the said offices;" & the same was read a first time.

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

Notice of resolution against
introduction of new bills,

Mr. Prendergast gave notice, that to-morrow he would move the adoption of a resolution, that no new bill be introduced after the first day of April next, excepting a Revenue, Supply, or Contingency Bill.

Recognizances on election
petitions filed.

The hon. Mr. Speaker acquainted the House that the Recognizances required to be entered into by the petitioners against the returns of the Members for the Districts of Ferryland and Burin, respectively, had been entered into by Peter Winsor, Esq., against the return of Thomas Glen, Esq., Member for Ferryland; and by Henry Winton, Esq., against the return of Clement Benning, Esq., as Member for the District of Burin, within the time for that purpose by law prescribed.

Petition of Michael Coady
Bay Bulls.

A petition of Michael Coady, constable at Bay Bulls, was presented by Mr. Glen, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for payment of arrears of salary from the year 1836 to the year 1840.

On motion of Mr. Glen, seconded by Mr. Barnes.

Referred to committee of
Supply.

Ordered,—That the said petition be referred to the committee of Supply.

A petition of Jeremiah Murphy, of Witless Bay, School Teacher under the late Education Act, was presented by Mr. Glen, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for payment of arrears of salary as such Schoolmaster.

Petition of J. Murphy, School Teacher, Witless Bay.

On motion of Mr. Glen, seconded by Mr. Barnes,

Ordered,—That the said petition be referred to the committee of Supply.

Referred to committee of supply.

On motion of the hon. the Attorney General, seconded by the hon. Mr. Dunscomb,

Ordered,—That the Bill for the establishment of a Militia in this Colony, be read a second time on Saturday next.

Militia Bill to be read 2d time on Saturday.

On motion of the hon. the Attorney General, seconded by the hon. Mr. Noad,

Ordered,—That the Bill to regulate the mode of selling and granting unoccupied and Waste Lands of the Crown in this Colony be read a second time on Monday next.

Crown Lands bill to be read 2d time on Monday.

Mr. Nugent, pursuant to notice and leave granted, presented a Bill to continue 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.

Pilots Act Continuation bill read 1st time.

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

Mr. Nugent, pursuant to notice and leave granted, presented a Bill to continue an Act to encourage the killing of Wolves in this Colony; and the same was read a first time.

Bill to continue Wolves-killing bounty Act read 1st time.

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

On motion of the hon. Mr. Morris, seconded by Mr. Prendergast,

Ordered,—That the Bill to explain the Laws in force relating to the Fisheries, and to declare what are the relative rights of Merchants and Planters, &c., be read a second time on Wednesday next.

Fishery Bill to be read 2d time on Wednesday next.

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 encouragement of Education in this Colony.

House in committee on Education bill.

The Hon. Mr. Speaker left the chair.

Mr. Hanrahan took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

The Chairman reported from the said 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 thereof to-morrow.

Progress.

Ordered,—That the said committee have leave to sit again on the further consideration thereof to-morrow, and that it be the first thing on the order of the day.

To sit again to-morrow.

On motion of Mr. O'Brien, seconded by Mr. Nugent,

Committee on Roads and Bridges order of the day to-morrow.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the further consideration of the making and repairing of Roads and Bridges.

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

THURSDAY, MARCH 23, 1843.

Message from the Governor, transmitting Estimate and recommending provision for second Stipendiary Magistrate at Har. Grace.

THE hon. Mr. Morris 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

MESSAGE.

J. HARVEY.

In transmitting to the General Assembly the estimate for the year ending 30th June, 1844, the Governor acquaints the House that representations have been made to him, which have satisfied him of the advantage which would result to the public from the appointment of a second Stipendiary Magistrate at Harbor Grace; and he has accordingly included in the estimate a provision for that appointment.

J. H.

To lie on table.

Ordered,—That the said message and Estimate do lie on the table.

Estimate to be printed.

Ordered,—That the said Estimate, transmitted to the House, be printed for the use of Members.

Petition of Michael Fitzpatrick and others, Saint John's.

A petition of Michael Fitzpatrick, and others, inhabitants of St. John's, was presented by the hon. Mr. Dunscomb, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the road leading from Duckworth Street to Water Street, opposite the premises of Messrs. Robinson & Brooking.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

W. Branscomb and others, Williams's Lane.

A petition of William Branscomb, and others, inhabitants of St. John's, was presented by the hon. Mr. Bennett (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair and construct a drain in Williams's lane, in the said town.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of George Winter and others, inhabitants of St. John's, was presented by the Hon. Mr. Bennett (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the road leading from the town to Long Pond, by Wm. Irwin's.

G. Winter and others, St. Johns, Road to Long Pond

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of the committee of management of the Orphan Asylum School of the Benevolent Irish Society, was presented by the hon. Mr. Tobin (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth—That by the late Education Act, one hundred pounds per annum for five years was granted for the support of the said school, which greatly tended to advance the usefulness of the institution, and also embraced the purchase of nautical instruments and philosophical apparatus,—that by the expiration of the said act, and the cessation of the grant, the institution has been greatly embarrassed; and praying for a grant of one hundred pounds for the past year, and a continuance of it in future.

Petition of Committee of Orphan Asylum School.

Ordered,—That the said petition do lie on the table.

To lie on the table.

A petition of Wm. Bremner and others, inhabitants of Hants Harbor, Trinity Bay, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money towards making a good road through the settlement, and building two bridges across streams therein.

Petition of W. Bremner and others, Hants Harbor.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to Committee on Roads and Bridges.

A further petition of Wm. Bremner and others, inhabitants of Hants Harbor, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money towards repairing the roads leading to Hearts Content and to Old Perlican,—also the road between Hants Harbor and Silly Cove, and between Seal Cove and Hants Harbor.

Petition of W. Bremner and others, Hants Harbor.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of the Rev. H. Lind and others, inhabitants of Hearts Content, Trinity Bay, was presented by Mr. Barnes (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money towards repairing and lengthening the bridge across Hearts Content Brook.

Petition of Rev. H. Lind & others, Hearts Content.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Referred to committee on Roads and Bridges.

Petition of C. Newhook &
A. Hackett, New Harbor,

A petition of Charles Newhook and Andrew Hackett, Justices of the Peace at New Harbor, Trinity Bay, on behalf of the inhabitants of New Harbor and Dildo Cove, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money to repair the road connecting the above mentioned places between which a school house had lately been erected for the education of the youth of the neighbourhood.

Referred to committee on
roads and bridges.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Petition of Mrs. Holbrook.

A petition of Ruth S. Holbrook, of St. John's, was presented by the Hon. Mr. Noad, who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same received and read, setting forth—That she is the widow of G. P. Holbrook, Esq., late Surveyor General of this Colony, who died in the year One Thousand Eight Hundred and Thirty-two, leaving the petitioner with three orphan children destitute of any adequate means of support,—setting forth also the long and meritorious public services of the late G. P. Holbrook, and that the insufficient salary which was for many years paid to him, was increased only just before his death, and that himself and his family consequently received little if any benefit from the increase, and praying for a gratuity to assist her in her present difficulties and distress.

To lie on Table.

Ordered,—That the said Petition do lie on the table.

On motion of the Hon. Mr. Dunscomb, seconded by the Hon. Mr. Kent,

Drawback Bill to be read
2d time to-morrow.

Ordered,—That the bill for granting drawbacks, &c. be read a second time to-morrow.

On motion of the Hon. Mr. Tobin, seconded by Mr. S. Morris,

Address moved relative to
Fort William.

Resolved,—That the following address be presented to his Excellency the Governor,—

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly respectfully request that your Excellency will be pleased to direct that they be informed of the circumstances under which Fort William is at present occupied, and when it is intended to place it at the disposal of the Legislature.

Ordered,—That the said address be engrossed, and that the Hon. Mr. Tobin and Mr. S. Morris be a committee to present the same to his Excellency.

On motion of Mr. Prendergast, seconded by Mr. Ridley,

Resolved,—That no bill be brought into the house after the tenth day of April next, except a Revenue, Supply, Contingency or Road Bill.

Resolution against introduction of Bills after 10th April next.

On motion of Mr. S. Morris, seconded by the Hon. Mr. Kent,

Resolved,—That after the present week the house do resume its sittings on Tuesdays and Fridays.

House to resume its sittings on Tuesdays and Fridays.

The Hon. Mr. Row gave notice that on Saturday next he would move an address to his Excellency the Governor, praying for an estimate, based upon the importations of the last three years, of the probable increase or decrease of the Revenue, under the operation of the New Possessions Abroad Act.

Notice of Address for Estimate under New Possessions Abroad Act.

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 encouragement of education in this colony.

House in Committee on Education Bill.

The hon. Mr. Speaker left the chair.

Mr. Hanrahan took the chair of the committee.

The hon. 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 said 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 severally put thereon, agreed to by the house.

Amendments adopted.

Ordered,—That the said Bill as amended be engrossed and read a third time on Saturday next.

Engrossed.

Pursuant to the order of the day, a bill to amend the practice of the Supreme Court and Circuit Courts, and to extend the jurisdiction of the Courts of Session, was read a second time.

Bill to amend the practice of the Courts read 2d time

On motion of the hon. Mr. Row, seconded by the hon. Mr. Kent,

Ordered,—That the said bill 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 on the consideration of the said 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 and support of a grammar and scientific school at Harbor Grace.

House in Committee on Harbor Grace Grammar School Bill.

The Hon. Mr. Speaker left the chair.

The hon. Mr. Bennett took the chair of the Committee.

The Hon. 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 on the further consideration of the same to-morrow.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first thing on the order of the day.

On motion of Mr. Morris, seconded by Mr. Nugent,

Roads and Bridges 2d on the order of the day for to-morrow.

Ordered,—That the committee of the whole upon roads and bridges, be the second item on the order of the day for to-morrow.

On motion of Mr. Prendergast, seconded by the hon. Mr. Kent,

Leave of absence granted to Mr. Prendergast.

Ordered,—That Mr. Prendergast have leave to absent himself for a few days upon urgent private business.

On motion of Mr. Ridley, seconded by Mr. O'Brien,

Resolved,—That this house do adjourn until to-morrow, at twelve of the clock.

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

FRIDAY, MARCH 24, 1843.

Message from the Governor relative to Wharf at Portugal Cove, and extra compensation to the Contractor.

THE hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

MESSAGE.

J. HARVEY.

The Governor transmits to the General Assembly a Letter from the Government Surveyor, recommending that the wharf at Portugal Cove should be raised a tier higher than was provided for in the contract, together with a memorial from the contractor for that work, stating that he had incurred a considerable loss in the execution of it; and praying for remuneration from the Legislature.

The Governor recommends to the House to vote the sum required for the additional tier, and also submits to its favourable consideration the Memorial of the Contractor, who has, his Excellency believes, faithfully fulfilled his contract at a considerable loss to himself.

Government House, }
23d March, 1843. }

J. H.

The documents accompanying the said message were read by the Clerk, viz. :—

Extract of a letter from Mr. P. Kough, dated eighteenth October, one thousand eight hundred and forty two, to the hon. the Colonial Secretary.

Petition of Martin Walsh to his Excellency the Governor, and certificate of the Government Surveyor accompanying the same.

(See Appendix.)

Ordered,—That the said Messages and Documents do lie on the table.

The hon. Mr. Noad, by command of his Excellency the Governor, presented to the House a Report and Estimate of a line of road from Renewes to Trepassey.

Papers laid before the House—Estimate and Report of Trepassey Road.

Copy of a Report of a preliminary survey by Thomas Byrne, of an intended line of Road between the head of Conception Bay, and Ship Harbor in Placentia Bay.

Report of Survey of Road from Colliers to Ship Harbor.

Copy of a report upon a line of Road between Holyrood, in Conception Bay, and Great Salmonier, in St. Mary's Bay, marked and surveyed by Thomas Byrne, under the direction of the Central Board of Commissioners, in one thousand eight hundred and forty one.

Report upon Road from Holyrood to Salmonier.

(See Appendix.)

Ordered,—That the said Documents do lie on the table.

The hon. Mr. Noad, by command of his Excellency the Governor, also laid up on the table of the House plans of the lines of Road mentioned in the said reports. Also, a table of distances prepared by Mr. Thomas Byrne.

Plans of Roads and Table of Distances laid before the House.

On motion of Mr. Nugent, seconded by the hon. Mr. Bennett,

Ordered,—That the Sergeant-at-Arms do cause the said plans to be framed, and placed in a suitable part of the Assembly Room for general reference.

Plans to be framed, &c.

On motion of the hon. Mr. Row, seconded by the hon. Mr. Bennett,

Resolved,—That the following address be presented to his Excellency the Governor, viz. :—

Address adopted for estimate of Revenue, based on part three years importations.

To his Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly humbly pray that your Excellency will be pleased to

order that there be laid before the House an Estimate, based upon the importations of the last three years, of the probable increase, or decrease of the Revenue, by the operation of the New Possessions Abroad Act.

Committee to present.

Ordered,—That the said Address be engrossed, and that the hon. Mr. Row and the hon. Mr. Bennett be a committee to present the same to his Excellency.

House in Committee on Harbor Grace Grammar School 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 establishment of a Grammar School at Harbor Grace.

The hon. Mr. Speaker left the chair.

The hon. Mr. Bennett took the chair of the committee.

The hon. 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 thereon, which they had directed him to report to the House; and he delivered the same 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 and read a third time on Monday next.

House in Committee on Roads and Bridges.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the making and repairing of Roads and Bridges.

The Hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

Progress.

The Chairman reported from the said 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 on Monday next.

Leave to sit again on Monday.

Ordered,—That the said committee have leave to sit again on the further consideration thereof on Monday next, and that it be the first thing on the order of the day.

On motion of Mr. Nugent, seconded by the hon. Mr. Kent,

Table of Distances to be printed.

Ordered,—That the table of distances, prepared by Mr. Thomas Byrne, and laid before the House this day, be printed under the superintendence of Mr. Byrne, for the use of the Members of the House.

Time for receiving address fixed.

The hon. Mr. Speaker acquainted the House that his Excellency the Governor would receive the committee appointed to present to him the Address adopted yesterday, on to-morrow at half past eleven o'clock.

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

MONDAY, MARCH 27, 1843.

THE hon. Mr. Bennett from the committee appointed to audit the various accounts and statements laid before the House, reported that the committee had gone through the whole of the details of the said accounts, and had completed their labours, and that there was on this day remaining in the hands of the Colonial Treasurer, a balance of twelve thousand and six pounds, seventeen shillings and two pence, sterling.

Report of the committee of Audit.

The hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

Message from the Governor in reply to the address relative to Fort William.

MESSAGE.

J. HARVEY.

In answer to their Address of the 23d inst., the Governor informs the Assembly that the necessity for the re-occupation of Fort William, as a Barrack for her Majesty's Troops, was occasioned by that which suddenly occurred for vacating the Barracks on 'Signal Hill' in the winter of 1841-2; and that that arrangement having been fully approved, he has directed an application to be made to the Ordnance Department in England for the re-payment to the Colonial Treasury of the sum expended by the Colony in repairs to Fort William, which the Governor has no reason to doubt will be promptly complied with.

The Governor is unable to afford the House any information as to "when Fort William may again be placed at the disposal of the Colony," as that must depend—1st, upon the construction of other accommodation for the troops by which it is at present occupied, and 2dly—upon the determination by her Majesty's Government of the proposition which has been submitted to them as to how far it may consist with the true interests of this valuable Colony that a Military position so essential to the defence of the City and Harbor of St. John's should ever be placed beyond the control of the proper Department—viz., that of her Majesty's Ordnance.

Government House, }
25th March, 1843. }

J. H.

Ordered,—That the said Message do lie on the table.

To lie on table.

A petition of John M. Saunders, and others, inhabitants of Renew's, and the Coves adjacent, to his Excellency the Governor, was (with his Excellency's assent) presented by the hon. Mr. Noad, and the same was received and read, praying that the new line of road from Renew's to Trepassey may run along the shore, instead of across the Country, as intended.

Petition of J. W. Saunders and others, Renew's.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition of H. Langley & others, St. John's.

A petition of Henry Langley, and others, inhabitants of St. John's, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, setting forth, that the petitioners, who reside in Water Street, suffer great inconvenience from the want of a sewer to draw off the waters which accumulate in Duckworth Street, and flowing thence, flood the cellars and houses of petitioners, and praying a grant of money to remedy the evil complained of.

Referred to Committee on Roads and Bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Petition of R. Chilcott & others, Grand Bank, for a break water.

A petition of Robert Chilcott, and others, inhabitants of Grand Bank, in Fortune Bay, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, setting forth the great want of a breakwater at the entrance of the said harbour of Grand Bank to render the same safe for vessels to enter and lie in; and praying for a grant of money to erect a wharf or breakwater for that purpose.

On table.

Ordered,—That the said Petition do lie on the table.

Petition of Jas. Whealan Broad Cove, compensation for ground taken for a road

A petition of James Whealan, of Broad Cove, Conception Bay, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, setting forth, that in order to widen the road leading from Carbonear to Grates Cove, a part of petitioners ground was taken, for which he has received no compensation; and [praying for a grant to compensate him for the ground so taken for the use of the public.

Also, a letter from the Surveyor of the roads for Conception Bay, confirming the statements contained in the petition.

On table.

Ordered,—That the said petition and letter do lie on the table.

Petition of J. L. Prendergast, compensation as Road Surveyor.

A petition of James Luke Prendergast, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, praying for remuneration for extra trouble and labour as Surveyor of Roads and Bridges for Conception Bay, under the Act 2, Vic., Cap. 3.

On table.

Ordered,—That the said petition do lie on the table.

Petition of R. Ayles, compensation as Road Surveyor

A petition of Robert Ayles, of Carbonear, to his Excellency the Governor, was (with his Excellency's assent) presented by the hon. Mr. Noad, and the same was received and read, setting forth, that the petitioner acted as road Surveyor, and Secretary to the Board of Commissioners for the Road from Carbonear to Hearts Content; and praying for remuneration for extra services performed by him in the capacity aforesaid.

On table.

Ordered,—That the said petition do lie on the table.

A petition of Robert Harris, of St. John's, to his Excellency the Governor, was (with his Excellency's assent) presented by the Hon. Mr. Noad, and the same was received and read, praying compensation for his services as special Constable during the election of 1840, & for the reimbursement of expenses incurred by him for medical and surgical treatment, owing to very severe injuries inflicted upon him in the course of his duty as such special constable.

Petition of R. Harris, St John's

Ordered,—That the said Petition do lie on the table.

To lie on Table.

A petition of Nicholas Stabb, John M'William and Patrick Mullowney, Wardens of the middle western ward Fire Company of St. John's, was presented by the Hon. Mr. Kent, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose,) and the same was received & read, praying for a grant of money to defray the balance due for the construction of a drain, sinking of a well, and establishing a pump in the fire break above Beck's Cove, in the said ward,—and also for improving the approach from Water street to Duckworth street in the said fire break.

Petition M. W. Fire Ward St. John's

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of Nicholas Roach and others, inhabitants of Middle Cove and its vicinity, was presented by the Hon. Mr. Kent (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to open a road from Middle Cove to the Torbay road at Piper's Stock hill.

Petition of N. Roach and others.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of Nicholas Croke and Wm. Parker, of St. John's, was presented by the hon. Mr. Kent (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth—That in 1837 the Board of Road Commissioners then in office, cut down memorialists' fences, and took possession of as much of their ground, with a house standing thereon, as was necessary for the improvement of the road from St. John's to Quidi Vidi,—that compensation was in due course of Law awarded to petitioners by arbitrators, but which has never been paid them,—and praying for a grant to compensate them accordingly.

Petition of N. Croke and W. Parker.

Ordered,—That the said petition do lie on the table.

To lie on the table.

A petition of James Tracey and others, inhabitants of St. John's, was presented by Mr. O'Brien, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose,) and the same was received and read, setting forth—That they were in 1838 severally deprived of part of their ground to improve the roads in and about St. John's, for which compensation was awarded, but has never been paid to them,—and praying for a grant of money to compensate them in the sum awarded.

Petition of J. Tracey and others.

Ordered,—That the said petition do lie on the table.

To lie on the table.

Petition of P. Coughlan & others.

A petition of Patrick Coughlan and others, inhabitants of Portugal Cove, was presented by Mr. O'Brien (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money to repair the road leading from St. John's to Portugal Cove aforesaid.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Education bill read 3d time

Pursuant to the Order of the day, the engrossed bill for the encouragement of education in this colony, was read a third time.

On motion of Mr. Barnes, seconded by Mr. Nugent,

Passed—Title

Resolved,—That the said bill do pass, and that the title be “An act for the encouragement of education in this colony.”

Harbor Grace Grammar School Bill read 3d time

Pursuant to the order of the day, an engrossed bill for the establishment and support of a grammar school at Harbor Grace, was read a third time.

On motion of Mr. Hanrahan, seconded by Mr. Nugent,

Passed—Title

Resolved,—That the said bill do pass, and that the title be “An act for the establishment and support of a grammar school at Harbor Grace.”

Bill to continue 5 W 4 c 11 read 2d time

Pursuant to order, a bill to amend and continue an act passed in the fifth year of his late Majesty's reign entitled “An act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices,” was read a second time.

On motion of the Hon. Mr. Kent, seconded by the Hon. Mr. Tobin,

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.

Drawback Bill read 2d time

Pursuant to order, a bill for granting Drawbacks on the exportation from this colony of goods on whose importation duties had been paid, was read a second time.

On motion of the Hon. Mr. Dunscomb, seconded by the Hon. Mr. Tobin,

Committed.

Ordered,—That the said bill be committed to a committee of the whole house.

Resolved,—That the house will resolve itself into a committee of the whole house on Monday next, on the consideration of the said bill.

The Hon. the Attorney General moved, seconded by the Hon. Mr. Noad,

Motion made that the Militia bill be read a 2d time.

That the bill for the establishment of a militia in this colony be now read a second time. Which being put, and the house dividing thereon, there appeared for the motion, five, against it ten.

For the motion—
 The Hon. the Attorney General.
 — — Mr. Thomas
 — — — Morris
 — — — Row
 — — — Noad

Against the motion—
 The Hon. Mr. Dunscomb.
 — — Mr. Tobin
 — — Mr. Kent
 Mr. Nugent
 — S. Morris
 — Benning
 — Carter
 — Glen
 — Barnes
 — Robinson.

So it passed in the negative.

Motion lost

Pursuant to order, a bill to regulate the mode of selling and disposing of waste and unoccupied lands of the Crown in this colony, was read a second time.

Crown Lands bill read 2nd time

On motion of the Hon. the Attorney General, seconded by the Hon. Mr. Noad,

Ordered,—That the said bill be committed to a committee of the whole house.

Committed

Resolved,—That this house will, on Saturday next, resolve itself into a committee of the whole house on the consideration of the said bill.

Pursuant to order, a bill to continue an act concerning Pilots and the Pilotage of vessels at the Port of St. John's, was read a second time.

Pilots bill read 2d time

On motion of the Hon. Mr. Nugent, seconded by the Hon. Mr. Tobin,

Ordered,—That the said bill be committed to a committee of the whole house.

Committed

Resolved,—That this house will, tomorrow, resolve itself into a committee of the whole house on the consideration of the said bill.

Pursuant to order, a bill to declare vacant the seats of members of the Assembly in certain cases, and to provide for the election of others in their stead, was read a second time.

Members vacant seat bill read 2d time

On motion of Mr. Nugent, seconded by Mr. Hanrahan,

Ordered,—That the said bill 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 on the consideration of the said bill.

Mr. Nugent moved, seconded by Mr. Dillon,

That the bill for the encouragement of the building of ships and vessels in this colony be now read a second time,—whereupon,

Motion for 2d reading of ship building bill made.

The Hon. Mr. Thomas, seconded by the Hon. Mr. Dunscomb, moved in amendment,

amendment that it be read a 2d time this day six months moved & carried

That the said bill be read a second time this day six months,—which being put, passed in the affirmative, and

Ordered,—Accordingly.

Wolves killing bill read 2d time

Pursuant to order, a bill to continue the act to encourage the killing of wolves in this colony, was read a second time.

On motion of Mr. Nugent, seconded by Mr. Dillon,

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.

Law of attachment bill read 2d time

Pursuant to order, a bill to amend the Law of Attachment, was read a second time.

On motion of the hon. Mr. Row, seconded by the hon. Attorney General,

Committed

Ordered,—That the said bill be committed to a committee of the whole house on Monday next, and that it be the first thing on the order of the day.

Carbonear grammar school bill read 2d time

Pursuant to order, a bill to authorise the Governor to appoint commissioners expend a sum of money granted for the establishment of a grammar School at Carbonear, was read a second time.

On motion of Mr. Hanrahan, seconded by the hon. Mr. Tobin,

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.

Time for receiving address fixed

The Hon. Mr. Speaker acquainted the house that his Excellency the Governor would receive the committee appointed to present the address praying for an estimate of the probable increase or decrease of the Revenue, on to-morrow, at half past eleven o'clock.

House in Committee on Roads and Bridges.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the making and repairing of Roads and Bridges.

The Hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

Progress.

The Chairman reported from the said 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-morrow.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first item on the order of the day.

Then the House adjourned until To-morrow, at one of the clock.

TUESDAY, MARCH 28, 1843.

THE hon. Mr. Noad 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 the hon. Mr. Speaker, (all the Members being uncovered) and are as follow :—

Messages from the Governor

MESSAGE.

J. HARVEY.

Transmitting memorial of Superintendent of Newfoundland School Society.

The Governor transmits, and recommends to the favourable consideration of the General Assembly, a Memorial from the Rev. Mr. Bridge, Superintendent of "The Newfoundland School Society," praying that the grant of £300, made to that Society under the late Education Act, may be provided for the current year; which will expire on the 25th May next.

Government House, }
27th March, 1843. }

J. H.

The Memorial accompanying the said Message was read by the Clerk.

(See Appendix.)

On motion of hon. Mr. Noad, seconded by hon. Mr. Kent,

Ordered,—That the said Message and Memorial be referred to the committee of Supply.

Referred to committee of supply.

MESSAGE.

J. HARVEY.

Transmitting memorial of Thomas Byrne

The Governor transmits to the General Assembly, a communication from the Chairman of the Central Board of Road Commissioners; and as his Excellency has no fund at his disposal from which to defray the salary due to Mr. Byrne, he recommends the House to make provision for its payment.

J. H.

Government House, }
27th March, 1843. }

The Memorial accompanying the said Message was read by the Clerk.

(See Appendix.)

On motion of hon. Mr. Noad, seconded by hon. Mr. Tobin,

Ordered,—That the said message and document be referred to the committee of supply.

Referred to committee of supply

On motion of the hon. Mr. Tobin, seconded by Mr. Nugent,

Petition of the committee of the O. A. School referred to committee of supply

Ordered,—That the petition from the Orphan Asylum School be referred to the committee of supply.

Petition of J. Hughes School Teacher Broad Cove.

A petition of John Hughes, School Teacher at Broad Cove, under the late Education Act, was presented by Mr. Nugent, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for payment of arrears of salary due to him as such School Teacher since the expiration of the act in question.

On motion of Mr. Nugent, seconded by the hon. Mr. Noad,

Referred to committee of supply

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

Petition of J. Barron, School Teacher, Portugal Cove

A petition of John Barron, School Teacher at Portugal Cove, under the late Education Act, was presented by Mr. Nugent, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for arrears of salary as such School Teacher, since the expiration of the Act in question.

On motion of Mr. Nugent, seconded by the hon. Mr. Noad,

Referred to committee of supply

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

Petition of T. Byrne

A petition of Thomas Byrne, Road Surveyor under the Central Board of Road Commissioners, was presented by Mr. Nugent (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying payment of a quarters salary as such Surveyor, a long time due to him. Also, a certificate of the Chairman of the said Board, confirming the statement of the said petitioner.

On motion of Mr. Nugent, seconded by Mr. S. Morris,

Referred to committee of supply

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

On motion of the Hon. Mr. Tobin, seconded by the Hon. Mr. Noad,

Petition of the Dorcas Society referred to committee of supply

Ordered,—That the petition of the ladies of the Dorcas Society be referred to the committee of supply.

Petition of G Lake and others Fortune Harbor, for a School

A petition of George Lake, and others, inhabitants of Fortune Harbour, in Fortune Bay, was presented by Mr. Benning (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to support a common school, established at that place chiefly by the exertions of Mr. George Lake.

On table.

Ordered,—That the said petition do lie on the table.

G Lake and others, Fortune Harbor, for a breakwater.

A petition of George Lake, and others, inhabitants of Fortune Harbour, in Fortune Bay, was presented by Mr. Benning, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth the great insecurity of the said Harbour, from its exposure to Northerly and Easterly winds and from the accumulation of sand upon the Bar, at the entrance; and praying for a grant of money to erect two piers, or wharves, to serve as breakwaters, on each side of the mouth of the said Harbour.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the making and repairing of Roads and Bridges.

House in Committee on Roads and Bridges.

The Hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

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

Progress.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first thing on the order of the day.

To sit again to-morrow.

On motion of Mr. Robinson, seconded by the hon. Mr. Bennett,

Resolved,—That a select committee be appointed to take evidence concerning the best line of road from St. John's towards Placentia, and to report upon the same to the House.

Committee to take evidence on road to Placentia Bay.

Ordered,—That Mr. Robinson, the hon. Mr. Bennett, the hon. Mr. Kent, Mr. O'Brien, and Mr. Carter do form such committee.

The hon. Mr. Kent gave notice, that he would postpone until next session of the Legislature, the motion of which he had given notice, for the adoption of resolutions for the appointment of a Colonial agent.

Postponement of notice as to Colonial Agent.

Then the House adjourned until To-morrow, at one of the clock.

WEDNESDAY, MARCH 29, 1843.

MR. Robinson moved, seconded by the hon. Mr. Bennett,

That in order to permit the select committee appointed, to take evidence as to the best line of the Great Western Road, this House do adjourn until To-morrow at one of the clock; which being put, passed in the affirmative.

House adjourn until to-morrow, to permit select committee on Placentia road to take evidence.

And the House adjourned until one of the Clock To-morrow, accordingly.

THURSDAY, MARCH 30, 1843.

House meet and adjourn
until 3 o'clock this day.

THE House met and adjourned until three o'clock this day.

House meet.

At three o'clock the House met pursuant to adjournment.

Report of the select com-
mittee on Great Placentia
road.

Mr. Robinson from the select committee appointed to take evidence as to the best line of main road from St. John's towards Great Placentia, reported that the committee had examined several persons upon the subject matter referred to their consideration; and he delivered the report in at the Clerk's table.

(See Appendix.)

Ordered,—That the said report be printed for the use of Members.

Statements of payments by
the Governor from the
Treasury, laid before the
House.

The hon. Mr. Noad presented to the House by command of his Excellency the Governor, the following documents, viz:—

Officers of Colonial Reve-
nue.

Statement of payment of officers of Colonial Revenue, under the Govern-
or's sanction.

Roads and bridges, &c:

Details of expenditure for indispensable repairs of Roads and Bridges, "Seed Potatoes" Shipwrecked Emigrants per Britannia, and for Registrations and Elections.

Paupers:

Account of monies paid for the support of Aged, Infant, and Idiot Paupers, from the first of March to the thirty first of August, one thousand eight hundred and forty one.

Correspondence relative to
collection of duties at La-
brador.

Copy of correspondence between his Excellency the Governor and the Secretary of State for the Colonies, on the subject of the collection of duties on the coast of Labrador.

(See Appendix.)

To lie on table.

Ordered,—That the said documents and papers do lie on the table.

Petition of John Lynch,
School Teacher.

A petition of John Lynch, School Teacher under the late Education Act, at Bay de Verds, was presented by Mr. Hanrahan (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for services performed as such School Teacher since the expiration of the said Education Act.

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

Referred to committee of supply

A petition of James Tobin, school teacher under the late Education act, at Western Bay, was presented by Mr. Hanrahan, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for arrears of salary as such teacher since the expiration of the said act.

Petition of James Tobin.
School Teacher

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

Referred to committee of supply

Mr. Nugent, from the committee to whom the petition of Dugald M'Kellar and others, inhabitants of the middle Eastern ward of St. John's, was referred, reported that the committee had considered of the matters to them referred, 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 on
D. Makellar and others
petition.

Your committee have taken into consideration the petition of Dugald Makellar and others, inhabitants of the middle Eastern ward of St. John's, praying that for the convenience and comfort of a very dense population, two pumps may be established, the one on Meeting House Hill, opposite the Church of the congregation of Independents,—the other near the head of the same street, in Gower street ;—and that as a means of supplying fire engines in cases of fire, a tank or reservoir be erected in the neighbourhood of the stone bridge near the estate of Mrs. Calver,—and in obedience to the direction of the House of Assembly they beg leave to report the result of their deliberations.

There are few towns to be found enjoying greater facilities for the abundant supply of good wholesome and pure water for domestic uses, or to be reserved as a resource for protection against the danger of fire than St. John's. Every part of the town is commanded by large ponds, whence the water may be conveyed with the greatest facility, and comparatively at a moderate expense into its several streets, nor would it be difficult in many places so to have reservoirs constructed as to convey at once into a building on fire, a superabundance of water to extinguish it without the intervention of fire engines; while with pipes every street in the town may be furnished with a never failing supply of that essential luxury, and yet not only are those places where houses are most thickly congregated left in all cases badly supplied with water, as a guard against the ravages of fire, but where the population is most dense, the inhabitants are compelled in many places to resort for water for their domestic purposes, to distances of nearly half a mile.

At Garrison hill there is a considerable population, and although at a moderate expense an abundant supply of water may be procured, the people are obliged in summer to resort to Garrett's Well, near the King's road, and to Mitchell's farm, in consequence of which they occasionally suffer great privations,—and in that immediate neighbourhood there is a locality denominated Tarahan's Town, where a great number of houses are thickly grouped, and where, if a fire broke out, the most calamitous consequences might be anticipated, and yet it would be impossible to procure a supply of water for one fire Engine, nor is there a single pump or well in that neighbourhood. And the same observations nearly apply to that part of the town commonly designated as the Cribbies, the readiest supply of water being near Appletree well, and the entire of Duckworth street and of the north side of Water street are nearly similarly destitute.

The part of the town inhabited by the petitioners is, as stated in their petition, subject to the same privation, while with a very moderate outlay, an abundance of wholesome water for every useful purpose, may be provided.

Your committee are of opinion that it would be a wise and prudent expenditure of the Public Revenues to convey water from the neighbouring Ponds for the general supply of the town, to erect tanks near the Orphan Asylum School to King's road, near the two stone bridges in Duckworth street, near the residence of James Kergus, Esq., and in Maggoty Cove, towards securing a sufficiency of water in cases of fire, & to sink pumps in the several streets for general use; but at this period of the session, and with a due regard to the present state of the Revenue, they would suggest the deferring the introduction of a bill for that purpose, until the next session. In the meantime they are of opinion that so pressing are the wants of the petitioners, their prayer ought to be acceded to so far as concerns the creation of a pump on Meeting House hill, and another in Gower street; and they would therefore respectfully recommend that a grant be made accordingly for that service. And so your Committee beg leave to report.

JOHN V. NUGENT,
Chairman.

Committee Room, }
28th March, 1843. }

Report adopted.

Ordered,—That the said Report be adopted by the house.

Notice of bill to continue
light house act.

The Hon. Mr. Morris gave notice that he should, to-morrow, move for leave to bring in a bill to continue the act to amend and consolidate the laws in force concerning Light Houses.

Report of select committee
on jury bill.

Mr. Nugent, from the select committee appointed to consider the provisions of the bill to regulate the mode of empannelling Juries in the Supreme & Central Circuit Courts now before the house, reported that the committee had taken into consideration the provisions of the bill submitted to them; and with a view to obtain information on the subject, had submitted interrogatories to the Chief Justice, to the High Sheriff, and to Mr. John Canning,—the latter gentleman having, under the fire Companies Act, made a valuation of property in the town of St. John's,—whose replies the committee begged leave to report to the house; and he delivered the report in at the Clerk's table.

(See Appendix.)

Report received and

Ordered,—That the said report be received.

To be printed.

Ordered,—That the said report be printed for the use of the members of the house.

House in committee on
roads and bridges.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of the making and repairing of roads and bridges.

The hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The hon. 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 thereof to-morrow.

Progress.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first item on the order of the day.

To sit again to-morrow.

The Hon. Attorney General gave notice that to-morrow he would move for leave to introduce a bill for vesting all estates and property occupied by the Ordnance Service of Her Majesty in the principal Officers of the Ordnance Department.

Notice of bill respecting Ordnance property.

Then the house adjourned until to-morrow, at one of the clock.

FRIDAY, MARCH 31, 1843.

A Petition of Michael Allen, jun., to his Excellency the Governor, was (with his Excellency's assent) presented to the house by the Hon. Mr. Noad, & the same was received and read, praying for a grant of money to compensate him for loss incurred by him in performing a contract entered into by him for making the roads from St. John's to Long Pond, and for extra labour done by him.

Petition of M. Allen, jun.

On motion of the hon. Mr. Noad, seconded by Mr. Nugent,

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

Referred to committee of supply

A petition of Richard Comerford and others, inhabitants of St. John's, was presented by the hon. Mr. Bennett, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant to repair the Firebreak leading from Queen street to Waldegrave street, in the said town.

Richard Comerford and others.

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Referred to Committee on Roads and Bridges.

A petition of John Dowsley, of St. John's, gentleman, was presented to the house by Mr. Nugent, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth—That a house of petitioner's near Duckworth street, has been in the occupancy of the House of Assembly for the last year and a half, until the 29th day of March, inst., when possession was delivered over to him by the late officers of the late House of Assembly, the rent for the said period at twenty pounds stg. per annum, remaining unpaid, and praying for a grant to defray the said rent.

John Dowsley.

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Referred to Committee of Supply.

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

Ordnance Property bill read 1st time

The Hon. Attorney General, pursuant to notice and leave granted, presented a bill for vesting all Estates and Property occupied for the Ordnance service of her Majesty, in the principal Officers of the Ordnance Department, and the same was read a first time.

Ordered,—That the said bill be read a second time on Tuesday next.

To be printed.

Ordered,—That the said bill be printed for the use of members.

Report of committee to present address for estimate of Revenue.

The Hon. Mr. Row reported from the committee appointed to present to his Excellency the Governor the address of the house praying for an estimate of the probable increase and decrease of the Revenue, by the operation of the New Possessions Abroad Act, that his Excellency in reply was pleased to say he would direct the estimate to be prepared and laid before the house with all convenient despatch.

Bill to continue light house act, read 1st time.

The Hon. Mr. Morris, pursuant to notice and leave granted, presented a bill to continue the act relating to light houses, and the same was read a first time.

Ordered,—That the said bill be read a second time to-morrow.

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Jury bill, order of the day for Tuesday

Ordered,—That this house do resolve itself into a committee of the whole house on the consideration of the bill to regulate the empannelling of Juries in the Supreme and Central Circuit Court on Tuesday next.

House in committee on roads and bridges.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of the making and repairing of roads and bridges.

The hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress.

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

Ordered,—That the said committee have leave to sit again to-morrow.
And then the House adjourned until To-morrow, at one of the clock.

SATURDAY, APRIL 1, 1843.

A petition of William Stewart, and Kenneth McLea, Agents for the estate of the late James Stewart, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by Mr. Glen, and the same was received and read, setting forth, that the said petitioner, William Stewart, and the said James Stewart, deceased, were, and still are, Proprietors of a piece of ground situate near Church Hill, in the town of St. John's, which had been taken by the Commissioners for building a Colonial House under the Act of the Legislature, 6 W. 4, Cap. 14. That the piece of ground in question was of great value, and at the time it was so taken was chiefly agreed for by tenants at a rent of nearly twenty shillings a foot. That the frontage of the said piece of ground on Duckworth Street is seventy three feet, and petitioners have been deprived of the use of it for more than five years; and praying for compensation in the nature of rent, and for such other relief as may be deemed just and equitable.

Petition of agents of J. & W. Stewart, relative to Church Hill ground.

On motion of Mr. Glen, seconded by the hon. Mr. Noad,

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

Referred to the committee of supply.

A petition of George Henry Emerson, of St. John's, Esq., Barrister, was presented by Mr. Glen (who stated in his place that he had received the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that during the session of the last Colonial Assembly, he was employed professionally by the said Assembly, to defend three of its Members against two several actions, instituted against them by Henry John Boulton, Esq., then Chief Justice of the Island, and Benjamin Greer Garrett, Esq., High Sheriff, for certain acts and proceedings alleged by the said Members to have been performed by them in their character as such Members of the said House of Assembly.

Petition of G. H. Emerson for compensation for services rendered to the late House of Assembly.

That the expenses necessarily incurred in defending the said actions, amounted to the sum of forty eight pounds fifteen shillings and sixpence, sterling. That the said sum of money was subsequently voted by the Assembly to petitioner, but not assented to by her Majesty's Council, principally on the ground (as petitioner is informed) that the said actions at the time were still pending and undetermined, an impediment which now no longer exists.

That during the session of the said Assembly, in the year one thousand eight hundred and thirty eight, several actions were instituted by Edward Kielley, Esq., against the Members and officers of the said Assembly, for an assault and false imprisonment—the said Edward Kielley, Esq., having been imprisoned by the order of the Assembly for an alleged breach of privilege.

That the petitioner was retained professionally to defend the several actions—that the said actions were considered of much public importance, affecting the liberties of individuals, and involving the rights and privileges of the Assembly. That the said causes were argued by the petitioner on the part of the Assembly, in the Circuit, and then in the Supreme Court, where judgment was pronounced in favor of the Assembly, but which judgment was subsequently appealed from to the Queen in Council.

That the expenses incurred in defending the said suits amounted to the sum of one hundred and thirteen pounds sterling, a sum rendered apparently large from the necessary extensive pleadings, as by the account annexed would appear.

That the said last mentioned sum of money, together with the former, making one hundred and sixty two pounds five shillings & sixpence sterling, was voted to the petitioner by the Assembly during their last session, the same having been placed in the bill of Supply of the last General Assembly; but the said vote was not allowed by her Majesty's Council, on the ground (as the petitioner is informed) that the judgment appealed from to the Queen in Council was not then decided.

The petitioner respectfully submits to the House, that he, having fulfilled his professional obligations here to the Assembly, his duty to that body is at an end; and although the judgment of the said Supreme Court appealed from, has been reversed, yet the House will perceive that the fact of the Courts here being in favour of the rights of the Assembly, shews at least that they had grounds for defending their privileges as a public body; and inasmuch as the petitioner gave his professional services upon the faith and credit of the public, so it is only to the public that he now confidently looks for the payment of his claim.

The petitioner therefore humbly prays that the House will be pleased to take the matter of his petition into consideration, and as the debt has been due for upwards of four years, that the favourable consideration of the House may be given to the same, and that the petitioner's claim may be discharged.

On motion of Mr. Glen, seconded by Mr. Robinson,

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

Referred to committee of supply

Petition of Vincent Costigan, School Teacher, Cats Cove.

A petition of Vincent Costigan, teacher at Cat's Cove, under the late Education Act, was presented by Mr. Hanrahan (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying compensation for his services as School Teacher at Cat's Cove, aforesaid, since the expiration of the said Act.

On motion of Mr. Hanrahan, seconded by Mr. Nugent,

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

Referred to committee of supply

Petition of James Bealey, Carbonear.

A petition of James Bealey, of Carbonear, Mason, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by Mr. Hanrahan, and the same was received and read, setting forth, that the petitioner, at the suggestion of many influential Householders in Carbonear, undertook, last autumn, to repair the road leading from the main street of Carbonear to the Roman Catholic Chapel, then almost impassable; that under similar circumstances, petitioner also repaired the bridge over Carbonear pond, then in a very dilapidated state; that petitioner consequently spent much time and labour in the said repairs, and praying for remuneration accordingly.

On motion of Mr. Hanrahan, seconded by Mr. Nugent,

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

Referred to committee of supply

A petition of the Rev. Henry Lind, and others, inhabitants of Hearts Content, New Perlican, Turk's Cove, and Scilly Cove, on the South Shore of Trinity Bay, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the line of road from Hearts Content to Hants Harbor; and also to build Bridges over Turk's Cove Gut, Scilly Cove, and Half Way Brook.

Petition of the Rev. H. Lind and others, South Shore of Trinity Bay.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to committee on roads and bridges.

A petition of Peter W. Carter, and others, residents of that part of Gower Street between the Chapel and the Theatre, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) praying for a grant of money to repair the said Street, which is at present scarcely traversable by loaded carts or vehicles of any description.

Petition of P. W. Carter and others, Gower Street St. John's.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Referred to Committee on Roads and Bridges.

On motion of the hon. Mr. Tobin, seconded by Mr. Nugent,

Ordered,—That all addresses from the Legislature to the Executive, and answers thereto, and all Messages, Despatches, and other Documents before the House on the subject of the transfer of Fort William to the Colony, be printed for the use of Members.

Addresses and Despatches relative to Fort William to be printed.

The hon. Mr. Tobin gave notice that on Tuesday next he would move that an address be presented to his Excellency the Governor, on the subject of the Dock Yard on the South Side of the Harbour.

Notice of address relative to Dockyard.

A petition of William Stirling, of Harbor Grace, Esq., to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, setting forth, that the petitioner had been appointed Medical Attendant on the Prisoners in the Gaol at Harbor Grace, by his Excellency Sir Thomas Cochrane; that the duties of his situation have gradually increased, & that besides Medical and Surgical attendance, petitioner has, in all cases, supplied the medicines that were necessary; and praying that the allowance to petitioner as Medical Attendant, as aforesaid, may be increased.

Petition of Dr. Stirling for increase of salary as Gaol Surgeon, Harbor Grace.

On motion of the hon. Mr. Noad, seconded by Mr. Carter,

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

Referred to the committee of supply.

The hon. Mr. Noad presented to the House, by command of his Excellency the Governor, two letters from Mr. James Douglas, Chairman of the Board of Road Commissioners for the Central District, to the hon. the Colonial Secretary—one on the subject of a writ issued out against him as such Chairman, by Mr. John Mitchell—the other on the subject of compensation for services performed by him as Chairman of the said Board of Commissioners.

Letter from Mr. J. Douglas, Chairman of Board of Road Commissioners, relative to action of J. Mitchell—and praying for compensation—laid before the House.

The said letters were read by the Clerk.

(See Appendix.)

Ordered,—That the said Letters do lie on the table.

House in committee on roads and bridges.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the making and repairing of Roads and Bridges.

The Hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The Hon. 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 on the further consideration thereof to-morrow.

Ordered,—That the said committee have leave to sit again to-morrow.

Then the House adjourned until To-morrow, at one of the clock.

MONDAY, APRIL 3, 1843.

Notice of motion to appoint day for proceeding with the petition of Peter Winser, Esq.

MR. Simon Morris gave notice that to-morrow he would move that a day be appointed for selecting a committee to try the petition of Peter Winser, Esq., complaining of the undue return of Thomas Glen, Esq., to represent the District of Ferryland.

Petition of J. E. Hewitt.

A petition of Henry Edward Hewitt, School Teacher at Windsor Lake, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for services as such School Teacher since the expiration of the Education Act.

Ordered,—That the said petition do lie on the table.

Petition of Dr. Walsh for compensation as chairman of Education Board, Conception Bay.

A petition of John Walsh, M. D., was presented by Mr. O'Brien, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose) and the same was received and read, praying compensation for expenses incurred by him in defending suits brought against the Board of Commissioners under the late Education Act, for the district of Conception Bay.

Ordered,—That the said petition do lie on the table.

A petition of John Walsh, M. D., was presented by Mr. O'Brien (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for remuneration for his services as Chairman of the Board of Road Commissioners for Carbonear during the last five years; also for his services as Chairman of Commissioners of Roads from Harbor Rock Hill to Bay de Verds, and for repeated surveys made by him during that period.

Petition of Dr. Walsh.

Ordered,—That the said petition do lie on the table.

On table.

A petition of Sarah Gill, Hannah Carnell, and Nicholas Gill Harris, of the New Forest Plantation was presented by Mr. Nugent, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, setting forth, that a valuable piece of ground belonging to the petitioners in the New Forest aforesaid, was taken by the Commissioners for the purpose of widening the old road to Quidi Vidi, and also for making a new road, which new road runs through a farm yard in the occupancy of a tenant who consequently refuses to pay his rent,—that the petitioners have suffered much injury, and praying for compensation for the same.

Petition of Sarah Gill and others

On motion of Mr. Nugent, seconded by Mr. S. Morris,

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

Referred to committee of supply

A petition of Edward Colton and others, inhabitants of the south side of the harbor of St. John's, was presented by the Hon. Mr. Tobin, (who stated in his place that he had obtained the leave of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to repair the line of road from Job's Bridge along the South Side towards the Narrows.

Petition of E. Colton & others

Ordered,—That the said Petition be referred to the committee on Roads and Bridges.

Referred to committee on Roads and bridges,

On motion of Mr. S. Morris, seconded by Mr. Nugent,

Ordered,—That the petition from the inhabitants of Great Placentia, for a breakwater and Ferryboat, be referred to the Committee of supply.

Petition of inhabitants of Great Placentia, referred to committee of supply.

The hon. Mr. Tobin gave notice that to-morrow, he would move that a select committee be appointed to enquire into and report to the house the circumstances connected with the specie reclaimed from the wreck of the Spanish Brig Montanez, at Baccalieu,—by whom picked up, to whom paid, and what salvage was paid on the same, &c.

Notice of motion for select committee on specie saved from Brig Montanez.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of the making and repairing of roads and bridges.

House in committee on roads and bridges.

The hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress.

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

Ordered,—That the said committee have leave to sit again to-morrow.

Then the house adjourned until to-morrow, at one of the clock.

WEDNESDAY, APRIL 5, 1843.

Petition of R. B. Holden.

A Petition of Richard Bulger Holden was presented by Mr. Glen (who stated in his place that he had received the consent of his Excellency the Governor for that purpose) and the same was received and read, praying compensation for services performed by him since the last session of the late House of Assembly in copying the Journals of the Assembly for the session of 1841, and also for copying the report and evidence taken before a committee of the house relative to the St. John's Hospital.

On motion of Mr. Glen, seconded by Mr. Nugent,

Referred to Committee of Supply.

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

Notice of motion for address relative to Montanez specie

The hon. Mr. Tobin gave notice that (in lieu of the motion of which he had given notice for to-day) he would, to-morrow move a respectful address to his Excellency the Governor, praying that his Excellency will direct that there be laid before the house a statement of the circumstances connected with a certain quantity of specie saved from the wreck of the Spanish Brig Montanez at Bac-calieu, in the year of 1834, by whom picked up—to whom paid—and the amount of salvage paid thereon.

Notice of address relative to high constable, Central District.

The Hon. Mr. Tobin gave notice that he would, tomorrow, move that an address be presented to his Excellency the Governor, praying that the house be furnished with a statement of the reasons, why Mr. Finlay, Chief Constable of the Central District, is retained in his office after so serious a complaint being made to his Excellency of his insubordinate and gross insult to Her Majesty's Commission in the person of a magistrate.

On motion of Mr. S. Morris, pursuant to notice, and seconded by Mr. Nugent,

Resolved,—That this house will on Monday, the 17th day of April, instant, proceed to take into consideration the petition of Peter Winsor, Esq., complaining of the undue return of Thomas Glen, Esq., as member of this house for the district of Ferryland.

Monday 17th appointed for proceeding with petition of P. Winsor, Esq.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the bill to repeal an act passed in the fifth year of the reign of his late Majesty entitled "An act to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors," and to make other provision for the amendment of the law of attachment.

House in committee on Bill to amend the law of attachment.

The Hon. Mr. Speaker left the Chair.

Mr Carter took the Chair of the Committee.

The Hon. Mr. Speaker resumed the Chair.

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

Progress.

The hon. Mr. Rew, seconded by the hon. Mr. Bennett, moved, that the committee of the whole on the bill to amend the Law of Attachment, do stand first on the order of the day for to-morrow,—whereupon,

Motion that the committee on the attachment bill stand first on the order of the day to-morrow

Mr. O'Brien, seconded by Mr. Nugent, moved in amendment of the motion, that the committee of the whole house on Roads and Bridges, do stand first on the order of the day,—which being put, the house divided thereon—Mr. Speaker gave his casting vote in favour of the amendment, and so it passed in the affirmative, and

Amendment that the road committee stand first

Ordered,—That the committee of the whole house upon roads and bridges do stand first on the order of the day for to-morrow.

Amendment carried

On motion,

Ordered,—That the committee of the whole upon the bill to amend the law of attachment do stand second on the order of the day for to-morrow.

Attachment bill 2d on order of the day

Then the house adjourned until to-morrow, at one of the clock.

THURSDAY, APRIL 6, 1843.

ON motion of Mr. Hanrahan, seconded by the Hon. Mr. Kent,

Resolved,—That the house do now resolve itself into a committee of the whole house on the consideration of the bill to authorise the Governor to appoint Commissioners for the appropriation of certain monies granted to her Majesty for the establishment of a grammar school in Carbonear, and remaining unappropriated.

House in committee on Carbonear grammar school bill

And the house resolved itself into the said committee accordingly.

The hon. Mr. Speaker left the chair.

Mr. Glen took the chair of the committee.

The hon. 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 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.

amendments adopted—

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

On motion of the hon. Mr. Kent, seconded by Mr. Hanrahan,

Bill recommitted to add another section—

Ordered,—That the said bill be now re-committed to a committee of the whole house for the purpose of adding another section to the same.

And the house resolved itself into the said committee accordingly.

The hon. Mr. Speaker left the chair.

Mr. Glen took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Bill reported with a further amendment.

The chairman reported from the said committee that they had re-considered the said bill, and had made a further amendment thereon, and he delivered the said bill with the amendment in at the Clerk's table.

amendment adopted

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 with the amendments be engrossed, and read a third time on Saturday next.

On motion of the hon. Mr. Tobin, pursuant to notice, and seconded by Mr. Hanrahan,

Address adopted relative to Montanez specie

Resolved,—That the following address be presented to his Excellency the Governor,—

To His Excellency Major General Sir John Harvey, Knight, Commander of the most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, 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 a statement of the circumstances connected with a certain quantity of specie saved from the wreck of the Spanish Brig Montanez in the year 1835—the persons by whom the same was reclaimed—the amount of salvage paid thereon—the manner in which the residue has been disposed of, and all other circumstances connected therewith.

Ordered,—That the said address be engrossed, and that the hon. Mr. Tobin and Mr. Hanrahan be a committee to present the same to his Excellency.

Committee to p.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the making and repairing of Roads and Bridges.

House in committee on roads and bridges.

The Hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The Hon. Mr. Speaker resumed the chair.

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

Progress.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first thing on the order of the day.

First on the order of the day to-morrow.

Then the House adjourned until To-morrow, at one of the clock.

TUESDAY, APRIL 7, 1843.

PURSUANT to the order of the day, the House resolved itself into a committee of the whole House upon the further consideration of the making and repairing of Roads and Bridges.

House in committee on roads and bridges.

The hon. Mr. Speaker left the chair.

The hon. Mr. Tobin took the chair of the committee.

The hon. Mr. Speaker resumed the chair on a question of order.

The chairman resumed the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had considered the business to them referred, and had agreed 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, and are as follow:—

Resolutions reported from the committee.

Resolved,—That it is the opinion of this committee, that from and out of such monies as shall from time to time remain in the hands of the Colonial Treasurer, and unappropriated, there shall be granted to her Majesty, her heirs and successors, a sum not exceeding Twenty Eight Thousand Pounds, to defray the expenses of opening, making, and repairing Roads, Streets and Bridges, within this Colony.

Report.

Resolved,—That it is the opinion of this committee that the sum of Eleven Thousand five hundred and seventy five pounds be appropriated for the making and repairing of Roads and Bridges within the District of St. John's, in the manner following, viz :—

On the road from the King's Bridge to Portugal Cove,	£300	0	0
On the road from Goff's Bridge to Westward Point, at Portugal Cove,	150	0	0
On the road from Goff's Bridge to the Public Wharf at Portugal Cove	80	0	0
On the road from Broad Cove to join the Portugal Cove road	250	0	0
On the road from the King's Bridge to the North side of Torbay	900	0	0
On the road from the North side of Torbay to Biscayan Cove	800	0	0
On the road from Torbay road to Outer Cove, by Bally Haly	350	0	0
On the road from Outer Cove road to Dwyer's Room, Logy Bay	100	0	0
On the road from the road on the North side of Logy Bay to Ryan's Room	75	0	0
On the road leading from Ryan's room to the School House	50	0	0
On that part of the Outer Cove road which leads to the School House, by the Farms of Carrigan and others	80	0	0
On the road from Middle Cove to join the Outer Cove road	100	0	0
On the road from Moses Neill's at Freshwater towards Wigmore's Gulley	300	0	0
On the road from Moses Neill's at Freshwater, and leading onwards by Ken Mount	200	0	0
On the road leading from Major Green's to W. Irvin's and thence to Rennie's Mill road	100	0	0
On the road leading from Waterford Bridge to the Geolds	600	0	0
On the road from the Bay Bulls road to Petty Harbor	600	0	0
On the road from Petty Harbor to Maddock's Cove, and towards Black Head	150	0	0
On the road from Petty Harbor to the first pond, South Side	100	0	0
On the road from Jeremiah Merrigan's to Georges Pond	75	0	0
On the road from James Fergus's to John Carroll's, by the Barking Kettle	130	0	0
On the road from John Carroll's along Pokeham path road	50	0	0
On the road leading from James Fergus's by Durlan's Well, towards John Casey's Farm, and thence to Monday Pond	200	0	0
On the road from Belle Isle Beach to Lance Cove	150	0	0
On the road from Upper Long Pond to Three Ponds	100	0	0
On the road leading to Upper Long Pond Road by the farm of the right Rev. Dr. Fleming, to meet Rennie's Mill road	75	0	0

On the Pennywell Path road, commencing from the Freshwater road	£80	0	0
On the road from the Episcopal Church, over the Garrison Hill, to meet the Upper Long Pond road	100	0	0
On the road leading from the head of King's road to Brine's bridge	100	0	0
On the road leading from the residence of the late John Perkins, to meet the Freshwater road	6)	0	0
For roads and bridges connecting the Old Placentia road, through Pearl's town, with the Bay Bulls and Petty Harbour Roads	100	0	0
On the White Hills road, leading from Rutledge's, and crossing the river near Kearney's, towards Edward Byrne's farm	200	0	0
On the road leading from Sinnott's to Sweeney's Marsh	100	0	0
On the road leading from the Topsail road, by Dunscomb's bridge, through Pearl Town	150	0	0
On the road from Waterford Bridge to Dunscomb's Bridge	100	0	0
On the road from the North Side of Job's bridge towards the Narrows	300	0	0
For repairing King's bridge and other bridges	250	0	0
On the Cockpit road	100	0	0
On the road from Fort Townshend to New Town	100	0	0
On the road from Brine's bridge to the Portugal Cove road	100	0	0
On the road from Torbay road to Middle Cove	50	0	0
On the road from Coaker's farm to Quidi Vidi	50	0	0
On the road from Mr. Bennett's farm to the bridge at Quidi Vidi	200	0	0
On the road from the Outer Cove road to the White Hills	50	0	0
On the road from the Ordnance Coal Yard to the Quidi Vidi road, through the forest	75	0	0
On the road from the road which crosses to the South of Monday Pond, to Pennywell path road	50	0	0
On the road from Waterford Bridge to the School House on the Brookfield road	50	0	0
On the road from Quidi Vidi Bridge to Martin's on the White Hills	50	0	0
On the road from the South side of Job's bridge to the South Side of Waterford Bridge, 150/ : provided nevertheless, that such last-mentioned sum of money shall not be expended for making the said road, unless sufficient Ground be given up by the Proprietors thereof for the purposes of the said road.			
On the road from the Ordnance Yard towards Signal Hill	150	0	0
On Gower Street	500	0	0
On Princes Street	50	0	0
On Williams's lane	30	0	0
On Duckworth Street	500	0	0

On the safety wall and the street opposite McBride's Cove, and on the lane leading to the Roman Catholic Church	250	o	o
On the Meeting House lane to the Barren's	80	o	o
On the Hill of Chips to Magotty Cove	150	o	o
On Waldegrave Street	50	o	o
On the road from Gower Street to Tarahan's Town	75	o	o
For a retaining wall at Pitt's ground on the road leading to Freshwater	75	o	o
On Water Street	300	o	o
On the repairs of sundry Cross Streets and Lanes in St. John's	100	o	o
On the circular road from the King's Bridge to the Long Pond road	100	o	o
On the Military road from Fort William to Fort Townshend	100	o	o
On the lane from the Court House to the Orphan Asylum School	60	o	o
On the King's road	100	o	o
On the road from Fort William to the King's Bridge	50	o	o
In completing the improvements in Beck's Cove, near Patrick Power's house	75	o	o
On the road near Wyatt's Cottage, from the Portugal Cove to the Torbay road	50	o	o
On the construction of a bridge at the West of the river leading from the Three Ponds to Upper Long Pond near to Thomas Ambrose's	20	o	o
On the road and Cross-drains thereon from the stone bridge at Magotty Cove to the Forest road	30	o	o
On the repairs of Barter's Hill	50	o	o

Resolved,—That it is the opinion of this committee that the sum of Five Thousand and Twenty Five Pounds be appropriated for the making and repairing of Roads Streets and Bridges within the District of Conception Bay, in the manner following, viz :—

On the main road from Holyrood to Harbor Main, and thence to Brigus	900	o	o
On the road from Brigus to Spaniards Bay	100	o	o
On the road from Spaniard's Bay to River Head	100	o	o
Harbor Grace	100	o	o
On the road from River Head to Harbor Grace	100	o	o
On the road from Harbor Grace to Carbonear	50	o	o
On the road from Carbonear to Western Bay	400	o	o
On the road from Western Bay to Bay de Verds	550	o	o
On the road from Carbonear to Hearts Content	400	o	o
On the road from Spaniards Bay to New Harbour	300	o	o
On roads and streets in Chapel Cove	70	o	o
On roads and streets in Harbor Main	70	o	o
On roads and streets in Colliers	50	o	o
On roads and streets in Brigus	130	o	o
On roads and streets in Port de Grave	40	o	o
On the road from Port de Grave to the Main road	150	o	o
On roads and streets in Bay Roberts	60	o	o

On the road from Northern Cove to Upper Island Cove	60	0	0
On roads in Bryant's Cove	50	0	0
On roads on the south side of Harbor Grace	£0	0	0
On roads in Musquito	100	0	0
On roads on the south side of Carbonear	60	0	0
On roads in Irish Town, Carbonear	£0	0	0
On the road from Carbonear to Harbor Rock Hill	200	0	0
On the road from Harbor Rock Hill to Salmon Cove head	110	0	0
On roads in Perry's Cove	50	0	0
On roads in Small Pond	25	0	0
On the road from Broad Cove to Black Head	80	0	0
On Roads in Western Bay	100	0	0
On roads in Northern Bay	100	0	0
On roads in Gosses Cove	50	0	0
On roads in Island Cove	100	0	0
On roads in Bay de Verds	100	0	0
On roads and streets in Harbor Grace	200	0	0
On roads and streets in Grates Cove	50	0	0

Resolved,—That it is the opinion of this committee that the sum of One Thousand six Hundred pounds be appropriated for the making and repairing of Roads and Bridges within the district of Trinity Bay, in the manner following, viz.—

On the road from Grates Cove to Bay de Verds	50	0	0
On the road from Grates Cove to Old Perlican	150	0	0
In the erection of a bridge in the harbor of Old Perlican	50	0	0
On road from Old Perlican to Seal's Cove and Hants Harbor	150	0	0
On the road from Hants Harbor to Scilly Cove	150	0	0
On the road from Scilly Cove to New Perlican	150	0	0
On the road from New Perlican to Hearts Content Bridge	100	0	0
On the road from Hearts Content to Hearts Delight	150	0	0
On the road from New Harbor to Bildo Cove	50	0	0
In making a road and building three bridges from Trinity North side to Catalina, passing through Ship Cove, Robin's Head, Salmon Cove, and English Harbor	310	0	0
In making roads & building bridges from Trinity to New Bonaventure, passing through Trinity, Spaniards Bay, and Old Bonaventure	300	0	0

Resolved,—That it is the opinion of this committee that the sum of One Thousand Two Hundred Pounds be appropriated towards the making and repairing of roads and bridges within the district of Bonavista Bay, in the manner following, viz.—

On roads and bridges between Bonavista and Catalina	400	0	0
On the road from Bonavista to King's Cove	300	0	0
On roads and bridges in and through King's Cove	50	0	0
On the road from Keels towards Broad Cove	50	0	0
On the road from Keels to Tickle Harbor	20	0	0
On the road from Bonavista to Bird Island Cove	70	0	0
In re-building Walkham's bridge	60	0	0

In repairing Connell's bridge	15	0	0
In repairing Cannaille's bridge	10	0	0
In repairing roads from Cannaille's to the main road to Catalina	25	0	0
In repairing roads from Walkham's bridge towards Bayley's Cove and Red Cove	60	0	0
In making and repairing streets in Greenspond,	40	0	0
In repairing the road from Lance Cove to Bayley's Cove	75	0	0
In making and repairing roads in Salvage	25	0	0

Resolved,—That it is the opinion of this committee that the sum of Two Hundred Pounds be appropriated towards defraying the expenses of making and repairing bridges within the district of Twillingate and Fogo

Resolved,—That it is the opinion of this committee that the sum of One Thousand Six Hundred Pounds be appropriated towards discharging the expense of making and repairing roads and bridges within the district of Ferryland, in the manner following, viz.—

On the road from the Goolds to within two miles of Bay Bulls	400	0	0
On the two miles of road next to Bay Bulls	200	0	0
On the road from Bay Bulls to La Manche	300	0	0
On the road from La Manche to Cape Broyle	100	0	0
On the road from Cape Broyle to Ferryland	200	0	0
On the road from Ferryland to Renewse	100	0	0
On roads and bridges in the harbor of Bay Bulls	100	0	0
On roads and bridges in the Harbor of Witless Bay, after repairing the roads and making a bridge near Fortune's Bridge	50	0	0
On roads and bridges in the Harbor of Toads Cove	50	0	0
On roads and bridges in the Harbor of Renewse	50	0	0
On roads and bridges in the Harbor of Fermeuse	50	0	0

Resolved,—That it is the opinion of this committee that the sum of Eight hundred Pounds be appropriated towards defraying the expenses of making and repairing roads and bridges within the district of Placentia and St. Mary's, the in manner following, viz.—

On a road in Barren Island	50	0	0
On a road at Merasheen	50	0	0
In opening a road from Great Placentia to Distress Cove, leading to Cape St. Mary's	250	0	0
In completing the road from Great to Little Placentia	75	0	0
In completing the bridge over the Pond at St. Mary's harbor	50	0	0
On the road from St. Mary's to Holyrood Pond	60	0	0
On the road from Presque to Oliver's Cove	50	0	0
On roads in the Isle of Valen	100	0	0
On the road from Great to Little Paradise	30	0	0
On roads in Woody Island	20	0	0
On roads in Sound Island	20	0	0
On roads in Harbor Buffet	25	0	0
On roads in Oderia	20	0	0

Resolved,—That it is the opinion of this committee that the sum of Seven Hundred pounds be appropriated for the making and repairing of Roads and Bridges within the district of Burin, in the manner following, viz.—

On the road from Fortune to Grand Bank	£100	o	o
On the road from Fortune to Lamaline	50	o	o
On the road from St. Lawrence to Lamaline	50	o	o
On the road from Spoon Cove to Corbin and St. Lawrence	90	o	o
On the road from Little St. Lawrence to Great St. Lawrence, to and from the Bridge at the head of Great St. Lawrence	60	o	o
On the road from Olive Point to Great Burin	50	o	o
On the road from the Court House to Burin Bay	90	o	o
On the road from the Court House to Bulls Cove	70	o	o
On the road from Bulls Cove to Port-au-Bras,	80	o	o
On the road from Port-au-Bras to Mortier, Beau Bois, and Mortier Bay	60	o	o

Resolved,—That it is the opinion of this committee that the sum of Four Hundred Pounds be appropriated towards the making and repairing of roads and bridges within the district of Fortune Bay, in the manner following, viz.—

On the road from Harbor Britain to the west side of Connaigre Bay, and from the south side of Connaigre Bay to Hermitage Cove	300	o	o
On the road from Bellorem to St. Jaques	100	o	o

Resolved,—That it is the opinion of this committee that the sum of Two hundred Pounds be appropriated towards defraying the expenses of exploring a road from Fortune Bay to Placentia Bay.

Resolved,—That it is the opinion of this committee that the sum of One Thousand Pounds be appropriated towards defraying the expense of repairing the road from Palk's house to Topsail.

Resolved,—That it is the opinion of this committee that the sum of One Thousand Two Hundred Pounds be appropriated towards defraying the expense of repairing the road from Topsail to Holyrood.

Resolved,—That it is the opinion of this committee that the sum of Five Hundred Pounds be appropriated towards defraying the expenses of opening and making a road from Renewse to Trepassey.

Resolved,—That it is the opinion of this committee that the sum of One Thousand Pounds be appropriated towards defraying the expense of opening and making a road from Holyrood to Salmonier.

Resolved,—That it is the opinion of this committee that the sum of One thousand Pounds be appropriated towards defraying the expense of opening and making a road from Colliers to Ship Harbor.

Select committee to draft the road bill.

Resolved,—That the said report be adopted, and that a select committee be appointed to draft a bill in compliance with the said Resolutions.

Ordered,—That Mr. O'Brien, the hon. Mr. Bennett, the hon. Mr. Kent, Mr. Robinson, and Mr. Nugent do form such committee.

On motion of Mr. Robinson; seconded by Mr. Nugent,

Select committee appointed to report on the privileges of the house.

Resolved,—That a select committee be appointed to take into consideration the present state of the law as respects the privileges of the house, and to report thereon to the house.

Ordered,—That Mr. Robinson, Mr. Nugent, the hon. Mr. Row, the hon. Mr. Tobin, and Mr. Barnes, do form such committee.

Notice of motion to go into committee on jury bill on Monday next.

Mr. Nugent gave notice that on the opening of the house on Monday next, he would move that the house resolve itself into a committee of the whole on the bill to regulate the mode of empannelling Juries in the Supreme and Central Circuit Courts.

Time for receiving address fixed

The hon. Mr. Speaker acquainted the house by command of his Excellency the Governor, that his Excellency would receive the committee appointed to present the address adopted yesterday, on to-morrow at half past eleven o'clock.

Then the House adjourned until To-morrow, at one of the clock.

SATURDAY, APRIL 8, 1843.

Carbonear Grammar school bill read 3d time

PURSUANT to the order of the day, an engrossed bill to authorise the Governor to appoint Commissioners for the appropriation of certain monies granted to her Majesty for the establishment of a grammar school at Carbonear, and remaining unappropriated, was read a third time.

On motion of Mr. Hanrahan, seconded by Mr. Nugent,

and passed.
Title

Resolved,—That the said Bill do pass, and that the title be “An Act to authorise the Governor to appoint Commissioners for the appropriation of certain monies granted to her Majesty for the establishment of a Grammar School at Carbonear, and remaining unappropriated, and to make further provision for the support of the said School.”

The hon. Mr. Noad presented to the House, by command of his Excellency the Governor, the following documents, viz :—

Presentment of the Grand Jury at Harbor Grace respecting the state of the Gaol and Court House at Harbor Grace.

Presentment of the Grand Jury at Greenspond, respecting the necessity of a Gaol and Lock up House at that place.

Presentment of the Grand Jury at Harbor Grace respecting the duties of Assayer of Weights and Measures.

Extract of presentment of the Grand Jury at St. John's with reference to a place of security for Public Records.

Copy of Letter from Judge Des Barres transmitting presentment of Grand Juries, with reference to the Gaols and Court Houses in the districts of Burin, Fortune Bay, and Placentia Bay.

(See Appendix.)

Ordered,—That the said documents do lie on the table.

A petition of George Hipplesley, Assayer of Weights and Measures for the division of Harbor Grace in the district of Conception Bay, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, setting forth, that he was appointed Inspector of Weights and Measures for the Harbor Grace division of the Northern district, in February, 1835. That in addition to the fees (which amounted to only about three pounds per annum) the salary of fifteen pounds a year was voted to him by the Legislature for two years, but that for the last six years he has not received such salary; and praying that he may be granted the said arrears, or a portion thereof.

On motion of hon. Mr. Noad, seconded by Mr. Prendergast,

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

A petition of John Ryall, and others, inhabitants of Port de Grave, Salmon Cove, was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of money to open a road from said settlement to the main road leading round the Bay.

Ordered,—That the said petition be referred to the committee on roads and bridges.

A petition of the Rev. Charles Dalton, and others, inhabitants of Conception Bay, was presented by Mr. Prendergast (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose); and the same was received and read, praying for a grant of money to open a road from the settlements of Upper Island Cove and Bishop's Cove to Harbor Grace.

Ordered,—That the said petition be referred to the committee on roads and bridges.

Documents presented to the House by order of the Governor.

Relative to Court House at Harbor Grace.

Gaol and Lock up house at Greenspond.

Assayer of Weights and Measures at H. Grace.

Security of Records of Supreme Court.

Goals and Court Houses in the Southern District.

To lie on Table.

Petition of George Hipplesley of Harbour Grace.

Referred to Committee of Supply.

Petition of J. Ryall and others Port-de-Grave Salmon Cove.

Referred to Committee on Roads and Bridges.

Rev. C. Dalton and others for Road from Upper Island Cove and Bishop's Cove to Harbour Grace.

Referred to Committee on Roads and Bridges.

Petition of J. Kennedy
School master at Harbour
Main.

A petition of Jeremiah Kennedy, School Master at Harbor Main, under the late Education Act, was presented by Mr. Hanrahan (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for teaching since the expiration of the said Act.

On motion of Mr. Hanrahan, seconded by Mr. Prendergast,

Referred to Committee of
Supply.

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

Dennis O'Neil School
Master at Holyrood.

A petition of Dennis O'Neil, Schoolmaster at Holyrood, under the late Education Act, was presented by Mr. Hanrahan (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for teaching since the expiration of the said Act.

On motion of Mr. Hanrahan, seconded by Mr. Prendergast,

Referred to Committee of
Supply.

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

House in Committee on at-
tachment Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the Bill to amend the law of attachment.

The hon. Mr. Speaker left the chair.

Mr. Benning took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress and leave to sit
again.

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 Monday next, on the further consideration of the same.

First for Monday.

Ordered,—That the said committee have leave to sit again on Monday, and that it be the first thing on the order of the day.

Notice of Bill for abate-
ment of Nuisances.

Mr. Carter gave notice that on Monday next, he would move for leave to introduce a Bill to make more effectual provision for the abatement of nuisances, and to repeal the Act 3, W. 4, Cap. 8.

Notice of Bill to amend
law of Weights and Mea-
sures.

Also for leave to introduce a Bill to amend the Act 4, W. 4, Cap. 9, regulating the Standard of Weights and Measures.

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

MONDAY, APRIL 10, 1843.

Bill to compel sleigh drivers
to use bells

THE hon. Mr. Dunscomb, pursuant to notice and leave granted, presented a Bill to compel the Drivers of Sleighs and Catamarans, and other Vehicles

on runners through the streets of St John's to attach Bells to the horses drawing the same.

Ordered,—That the said Bill be read a second time on Thursday next.

2d reading

Mr. Nugent gave notice, that on Monday next he would move for leave to bring in a Bill to continue an Act passed in the third year of her Majesty's reign, entitled "An Act to regulate the fees payable in the several Courts of Sessions in this Colony.

Notice of bill to continue Sessions Court fees act.

Mr. Robinson gave notice, that on Wednesday next, he would move for leave to bring in a bill to continue an Act passed in the third year of the reign of his late Majesty, entitled "An Act for the performance of Quarantine, and to prevent the introduction of infectious or contagious diseases, and the spreading thereof in this Colony." Also to continue an Act passed in the 6th year of his late Majesty's reign, entitled "An Act for the relief of wives and children deserted by their husbands and parents."

Notice of bill to continue 3 W. 4, C. 1.

And husbands desertion act

The hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

Message of Governor relative to crews of shipwrecked sealing vessels.

MESSAGE.

J. HARVEY.

The Governor acquaints the General Assembly that he has received applications from the crews of the "Henry and Mary Ann" and the "Lady Ann" of Bonavista, stating that those vessels whilst on the Sealing voyage were lost off Renew's; that the petitioners reached the shore on the ice, but without either provisions or spare clothing, that they are all residents of Bonavista, and having no friends here they are utterly destitute, and pray to be relieved.

His Excellency also acquaints the House that he has already been under the necessity of relieving the crews of two other sealing vessels belonging to Conception Bay, which were lost in the ice near Renew's.

Under these circumstances, his Excellency suggests to the House to place at his disposal such a sum of money as may be adequate to the relief of these cases, and of any others of a similar character that may occur.

J. H.

Government House, }
10th April, 1843. }

To lie on table.

Ordered,—That the said message do lie on the table.

On motion of the hon. Mr. Noad, seconded by the hon. Mr. Bennett,

Resolved,—That the following address be presented to his Excellency the Governor,—

Address adopted in reply to the foregoing message.

To His Excellency Major General Sir John Harvey, Knight, Commander of the most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, 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 beg leave to thank your Excellency for the message of your Excellency this day presented to the House, on the subject of the relief afforded to the crews of the wrecked Sealing vessels therein mentioned; and they request that your Excellency will make the necessary advances, and that the House will make provision for the same in the Bill of Appropriation.

Committee to present it.

Ordered,—That the said address be engrossed, and that the hon. Mr. Noad, and the hon. Mr. Bennett be a committee to present the same to his Excellency.

Petition of T. Parker and others, St. John's.

A petition of Thomas Parker, and others, inhabitants of Garrison Hill, Taranah's Town, and the New Road, in the town of St. John's, was presented by Mr. Carter, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that there is a great scarcity of water in the neighbourhood, and but one pump at the top of Garrison Hill, which is frequently useless from frost in winter, and drouth in summer; and praying that a sum of money may be granted for sinking a well, and establishing a pump in the aforesaid locality.

Ordered,—That the said petition do lie on the table.

Order of day read for committee on Attachment bill.

The order of the day for the house resolving itself into a committee of the whole House on the Bill to amend the Law of Attachment, being read,

The hon. Mr. Kent moved, seconded by the hon. Mr. Dunscomb,

Notice to discharge it, and to go into committee on the Drawback bill.
Motion lost.

That the said order of the day be discharged, and that the House do now resolve itself into a committee of the whole House on the Bill for granting Drawbacks; which being put, passed in the negative.

Pursuant to order, the House resolved itself into a committee of the whole House on the Bill to amend the law of attachment.

The hon. Mr. Speaker left the chair.

Mr. Benning took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and that they 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, on the further consideration of the said bill, and that it be the first thing on the order of the day.

Mr. Carter gave notice of motion for Thursday next, for leave to introduce the bill of which on Saturday last he had given notice for to-day.

Notice of bill postponed.

The hon. Mr. Speaker acquainted the house by command of his Excellency the Governor, that his Excellency would receive the committee appointed to present the address to him this day adopted, on to-morrow, at twelve o'clock.

Time for receiving address fixed

Note.—In compliance with the act for regulating the trial of controverted elections, &c. Mr. Glen delivered to the Clerk the list of voters for Peter Winsor, Esq. at the late election for the district of Ferryland, intended to be objected to by him, and of his objections to the same.

Mr. Glen's list of objections to voters at Ferryland election, filed.

Then the House adjourned until To-morrow, at one of the clock.

TUESDAY, APRIL 11, 1843.

THE hon. Mr. Noad, from the committee appointed to present to his Excellency the Governor the address of yesterday, adopted, praying his Excellency to extend relief to certain shipwrecked sealers, reported that the committee had presented the address, and that his Excellency was pleased to say he would comply with the prayer of the said address.

Report of committee to present address relative to shipwrecked sealers.

Mr. Simon Morris gave notice that to-morrow, he would move that an hour be named for choosing the committee to try the merits of the petition of Peter Winsor, Esq., complaining of the undue return of Thomas Glen, Esq., as member for the district of Ferryland.

Notice of motion to name an hour for choosing committee on Ferryland election.

A petition of Roger Flahavan, of St. John's, was presented by the hon. Mr. Noad (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant to compensate him for loss sustained by him in the fulfilment of his contract for the erection of Job's Bridge.

Petition of Roger Flahavan

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

Referred to committee of supply

Notice of bill to encourage whale fishery bounty act

The hon. Mr. Bennett gave notice that on Thursday next he would move for leave to bring in a bill to continue an act passed in the third year of her Majesty's reign, entitled "An act to encourage the whale fishery in this colony."

Notice of bill to repeal the Carbonear fire company's act.

Mr. Prendergast gave notice that, on Thursday the 20th inst. he would move for leave to bring in a bill to repeal an act passed in the fourth year of her Majesty's reign, entitled "An act to establish and regulate fire companies in the town of Carbonear."

Motion for address praying correspondence relative to complaint against Mr. Finlay high constable St Johns

The hon. Mr. Tobin, seconded by Mr. S. Morris, moved that it be—
Resolved,—That the following address be presented to his Excellency the Governor—

To His Excellency Major General Sir John Harvey, Knight, Commander of the most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, 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 your Excellency will be pleased to direct that the house be furnished with a copy of a statement submitted for the consideration of the Special Commissioners, and all correspondence between the Executive, and the hon. James Tobin, the complainant on the conduct of Mr. James Finlay, High Constable of St. John's district.

Division thereon.

Which being put, and the house dividing thereon, there appeared for the motion twelve ; against it six.

So it passed in the affirmative, and

Address adopted.

Resolved,—Accordingly.

Committee to present it.

Ordered,—That the said address be engrossed, and that the hon. Mr. Tobin and Mr. S. Morris be a committee to present the same to his Excellency.

House in Committee on attachment Bill.

Pursuant to order, the House resolved itself into a committee of the whole House on the further consideration of the Bill to amend the law of attachment.

The hon. Mr. Speaker left the chair.

Mr. Benning took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill, & 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. Nugent, seconded by the hon. Mr. Kent, moved,

That so much of the said report as refers to the Sixth section of the said bill, be amended, by expunging the words "Forty Shillings" in the eighth line of the said section, and substituting the words "Five Pounds" instead thereof.

Motion to amend the report

Which being put, and the house dividing thereon, there appeared for the motion six ; against it, nine.

Division thereon.

So it passed in the negative.

Motion lost.

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

Report adopted and amendments agreed to.

The hon. Mr. Row, seconded by Mr. Robinson, moved,

That the said bill as amended be engrossed and read a third time to-morrow.

Motion for engrossing and third reading

Whereupon, Mr. Nugent, seconded by the hon. Mr. Morris, moved, in amendment,

That the said bill, as amended, be printed for the use of members.

Amendment that the bill be printed.

Which being put, and the house being equally divided thereon, the hon. Mr. Speaker gave his casting vote in favour of the amendment, and so it passed in the affirmative, and

Amendment carried

Ordered,—That the said bill as amended be printed for the use of members.

Then the House adjourned until To-morrow, at one of the clock.

WEDNESDAY, APRIL 12, 1843.

A Petition of Thomas Byrne, to his Excellency the Governor, was (with his Excellency's assent) presented to the house by Mr. Nugent, and the same was received and read, setting forth—That by order of the Governor, in the spring of last year, he made a survey of the road from Renewse to Trepas-

Petition of Thomas Byrne.

sey, in which, and preparing a plan thereof, petitioner was employed three and a half months, and paid for incidental expenses and labourers a considerable sum of money, for which he has been but partially compensated, and praying for further compensation.

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

Notice of motion to name a day and hour for choosing committee on Ferryland election.

Mr. Simon Morris gave notice that to-morrow, he would move that a day and hour be named for choosing a committee to try the merits of the petition of Peter Winsler, Esq., complaining of the undue election and return of Thomas Glen, Esq, as member for the district of Ferryland.

Petition of James Rogers.

A petition of James Rogers, school master at Bay Bulls, under the late education act, was presented by Mr. Dillon, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for compensation for teaching since the expiration of the late education act.

Ordered,—That the said petition do lie on the table.

Petition of Thos. Devine.

A petition of Thomas Devine, school teacher at St. Mary's, under the late education act, was presented by Mr. Dillon, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation to himself and his wife, the teachers respectively of the male and female schools, at St. Mary's for their services since the expiration of the said act.

Ordered,—That the said petition do lie on the table.

Petition of Rev. J. Duffy.

A petition of the Rev. James Duffy and others, inhabitants of Point la Haye and St. Mary's, was presented by Mr. Dillon, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money to open a road from Point la Haye to St. Mary's aforesaid.

Ordered,—That the said petition do lie on the table.

Petition of John Bulley & others.

A petition of John Bulley and others, inhabitants of St. John's, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, setting forth, that considerable sums of money are due to petitioners for work and labour done and performed under the direction of the Commissioners appointed to carry into operation the acts 4 W. 4, c. 6, and 5 W. 4, c. 5, commonly called the Road Acts,—and to others of memorialists for loss of land taken by the Commissioners for the purpose of making and widening roads agreeably with the provisions of the said acts; that for want of means, the commissioners were unable to pay the said sums; that an assessment on property in the Central district was attempted to be made in 1839, for payment of said sums, which failed from some informality in the presentment,—and praying for reimbursements of the said sums so due as aforesaid.

Ordered,—That the said petition do lie on the table.

A petition of Thomas McGrath, of St. John's, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that in the year of 1838 a portion of petitioner's ground was taken by the Commissioners under the Road Acts, for the purpose of widening the street at the head of the King's Road; that the petitioner at the time was in course of erecting a dwelling house, which he was compelled to take down and remove at an expense of thirty pounds, and independently of the loss of ground, for which he has received no remuneration; and praying the House to take his case into consideration, and grant him compensation.

Petition of T. McGrath,
St. John's.

Ordered,—That the said petition do lie on the table.

A petition of William Pilgrim, and others, Trinity Bay, was presented by Mr. Barnes, and the same was received and read, setting forth, that the Petitioners are hired servants, sharemen, sealers, &c., residing in the said district of Trinity, from whose wages and earnings for some years past stoppages have been made for the establishment and support of an Hospital in the said district, under the provisions of the act for the relief of the sick and disabled seamen, fishermen, and other persons: that the provisions of the said act have not been fully carried into effect in the said district, it having been found impracticable to form a Board of Directors, the petitioners and other inhabitants of the said district being altogether adverse to the establishment of such an institution; and praying that the House will repeal so much of the provisions of the said act as relates to the district of Trinity, and that measures may be taken to cause the monies already stopped to be returned to the persons from whom they have been stopped.

Petition of Wm. Pilgrim,
and others, Trinity, relative
to Hospital Act.

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 House on the consideration of the sums disbursed by the Governor out of the Colonial Revenue, the appropriation of which had been concurred in by the Council and Assembly—and also of sums paid out of the Colonial Revenue on his own responsibility.

House in committee on
sums paid by the Govern-
or out of the Colonial Re-
venue.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had considered of the matter to them referred, and had agreed to a resolution thereon, which they had directed him to report to the House; and he read the resolution 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 a Bill for indemnity ought to be passed, to indemnify his Excellency the Governor and all persons acting under his warrant, in payment of the sum of seventeen thousand one hundred and fifty pounds eleven shillings and threepence; and the sum of four thousand five hundred and eighty five pounds thirteen shillings and sixpence from the Colonial Treasury, for the public service, as detailed in the statements laid before the House, marked numbers one and two.

Resolution that a bill of in-
demnity should be passed.

Report adopted.

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

On motion of the hon. Mr. Row, seconded by Mr. Nugent,

Select committee appointed to prepare bill.

Resolved,—That a select committee be appointed to prepare a Bill in compliance with the said resolution.

Committee.

Ordered,—That the hon. Mr. Row, Mr. Nugent, and Mr. Carter be a committee for that purpose.

Notice of bill to continue Sessions Court fees Act.

Mr. Nugent gave notice that he would, to-morrow, move for leave to introduce a Bill to continue an act passed in the third year of her Majesty's reign, entitled "An Act to regulate the fees payable in the Police Offices and Courts of Session in this Colony."

Mr. Nugent, seconded by Mr. Glen, moved,

Motion to adjourn made & negatived.

That this House do now adjourn until Monday next; which being put, passed in the negative.

On motion of Mr. Nugent, seconded by the hon. Mr. Kent,

Jury bill order of the day for Monday next.

Ordered,—That the committee of the whole House on the Bill to regulate the manner of empannelling Juries in the Supreme and Central Circuit Courts be the first item on the order of the day for Monday next.

House in committee on Supreme Court practice bill.

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the Bill to amend the practice of the Supreme and Circuit Courts, and to extend the jurisdiction of the Courts of Session.

The hon. Mr. Speaker left the chair.

The hon. Mr. Bennett took the chair of the committee.

The hon. 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 to-morrow, on the further consideration of the same.

To sit to-morrow.

Ordered,—That the said committee have leave to sit again to-morrow, on the further consideration of the said Bill.

The hon. Mr. Kent, seconded by Mr. Nugent, moved,

Adjournment moved and carried.

That this House do adjourn until Monday next at one of the clock; and the House dividing thereon there appeared for the motion, *eight*; against it, *seven*; so it passed in the affirmative.

And the House adjourned accordingly.

MONDAY, APRIL 17, 1843.

THE hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

Message from the Governor transmitting Memorial of Executors of the late Judge Carter.

MESSAGE.

J. HARVEY.

In transmitting to the General Assembly the accompanying Memorial of the Executors of the late William Carter, Esq., many years Judge of the Vice Admiralty Court of this Island, the Governor feels himself compelled to state that he has never had presented to him a harder case, or a claim of a stronger nature.

J. H.

Government House, }
17th April, 1843. }

The Memorial and Documents accompanying the said Message were read by the Clerk.

(See Appendix.)

Ordered,—That the said Message and Documents be referred to the committee of Supply.

Referred to Committee of Supply.

The hon. Mr. Noad presented to the House, by command of his Excellency the Governor, in compliance with an address of the House, a report from the Registrar of the Court of Vice Admiralty, on the subject of the specie saved from the wreck of the Spanish brig "Montanez," in the year 1834, at Bacca-lieu, together with various documents accompanying the said report, in reference to the same.

Report of Registrar of Vice Admiralty Court relative to specie from "Montanez."

(See Appendix.)

Ordered,—That the said Report and Documents do lie on the table.

The hon. Mr. Speaker acquainted the House, by command of his Excellency the Governor, that his Excellency will receive the committee appointed to present to him the Address adopted on Tuesday last, To-morrow, at twelve o'clock.

Time for receiving address fixed.

Mr. Robinson, pursuant to notice, and leave granted, presented a Bill to render perpetual an Act passed in the third year of the reign of his late Majesty, entitled "An Act to provide for the performance of Quarantine, and

Bill to perpetuate Quarantine Act read first time.

more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Island," and the same was read a first time.

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

Notice of Address for return of Magistrates.

The hon. Mr. Tobin gave notice, that to-morrow he would move that an address be presented to his Excellency the Governor, praying for a return of the names of all Magistrates within this Island, distinguishing the Honorary from the Stipendiary Magistrates, and the dates of their Commissions respectively.

Petition of Richard Anderson Harbor Grace.

A petition of Richard Anderson, of Harbor Grace, was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for removing a stone wall, and giving up ground for widening a street at Harbor Grace.

Referred to Committee of Supply.

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

Petition of W. Phelan School Teacher Petty Harbor.

A petition of William Phelan, School Teacher under the late Education Act, at Petty Harbor, was presented by Mr. Dillon (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for teaching under the said Act for the past two years.

Ordered,—That the said petition do lie on the table.

Notice of motion to name day and hour for selecting Committee on Burin Election.

Mr. Robinson gave notice, that to-morrow, he would move that this House do name a day and hour for a committee to be chosen, to take into consideration the petition of Henry Winton, Esq., complaining of the undue election and return of Clement Benning, Esq., as Member for the district of Burin.

Bill to continue Sessions Court fees Act read first time.

Mr. Nugent, pursuant to notice and leave granted, presented a Bill to continue an Act passed in the third year of the reign of her present Majesty, entitled "An Act to establish the fees and costs chargeable in the several Police Offices and Courts of Session in this Colony," and the same was read a first time.

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

Bill to indemnify the Governor for sums paid by him &c. read first time.

The hon. Mr. Row reported from the committee appointed to prepare a Bill to indemnify his Excellency the Governor for certain sums of money advanced by him from the Colonial Treasury, for the service of the Colony, pursuant to the resolution reported from the committee of the whole House on Wednesday last, that the committee had prepared the draft of a Bill accordingly, and he presented the same to the House ; and the said Bill was read a first time.

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

Whale Fishery Bill read first time.

The hon. Mr. Bennett, pursuant to notice and leave granted, presented a Bill to provide for the encouragement of the Whale Fishery in this Colony, and the same was read a first time.

Ordered,—That the said Bill be read a second time on Wednesday next.

On motion of the hon. Mr. Noad, seconded by the hon. Mr. Row,

Ordered,—That the petition of Aaron Hogsett, Clerk of the Peace for the Central district, now on the table of the house, be referred to the committee of supply.

Petition of A. Hogsett
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 bill to amend the practice of the Supreme and Circuit Courts, and to extend the jurisdiction of the Courts of Session.

House in Committee on
Supreme Court practice
Bill.

The hon. Mr. Speaker left the chair.

The hon. Mr. Bennett took the chair of the committee.

The hon. 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 this day six months.

Resolution reported that
Committee sit again this
day six months.

Ordered,—That the said committee have leave to sit again this day six months.

Mr. Carter, pursuant to notice and leave granted, presented a bill to provide for the more speedy abatement of nuisances and to repeal certain portions of the act 4, W. 4, c. 6, and the same was read a first time.

Nuisance Bill read first
time.

Ordered,—That the said bill be printed for the use of members.

To be printed.

Mr. Glen acquainted the hon. Mr. Speaker that he was prepared, pursuant to notice, to proceed with the appointment of a select committee for trying the merits of the petition of Peter Winsor, Esq., complaining of the undue election and return of Thomas Glen, Esq. as member for the district of Ferryland, —and thereupon—

Mr. Glen states he is pre-
pared to proceed with the
selection of a Committee on
the Ferryland Election.

Mr. Nugent, seconded by the Hon. Mr. Kent, moved that the house do now adjourn,—and the house dividing thereon, there appeared for the motion, eight, against it, eleven.

Motion thereon that the
House adjourn.

For the motion—

Against the motion—

Division.

The Hon. Mr. Morris
‘ ‘ Tobin
‘ ‘ Kent
Mr. S. Morris
‘ Nugent
‘ O’Brien
‘ Hanrahan
‘ Dillon

The Hon. the Attorney General
‘ ‘ Mr. Thomas
‘ ‘ ‘ Row
‘ ‘ ‘ Noad
‘ ‘ ‘ Bennett
‘ ‘ Mr. Barnes
‘ Munn
‘ Carter
‘ Robinson
‘ Glen
‘ Ridley.

So it passed in the negative.

Motion made that the House do proceed to name a select committee

That this house do now proceed to appoint a committee to try the merits of the petition of Peter Winsor, Esq., complaining of the undue election and return of Thomas Glen, Esq. as member for the district of Ferryland, —which being put,

Mr. Nugent, seconded by Mr. S. Morris, moved that this house do now adjourn,—whereupon, the house dividing, there appeared for the motion, nine, against it, eleven.

For the motion—

Against the motion—

Division thereon.

The Hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Kent
 ‘ ‘ ‘ S. Morris
 ‘ ‘ ‘ Nugent
 ‘ ‘ ‘ O’Brien
 ‘ ‘ ‘ Hanrahan
 ‘ ‘ ‘ Dillon
 ‘ ‘ ‘ Beanning

The Hon. Attorney General
 ‘ ‘ ‘ Mr. Thomas
 ‘ ‘ ‘ Row
 ‘ ‘ ‘ Bennett
 ‘ ‘ ‘ Barnes
 ‘ ‘ ‘ Munn
 ‘ ‘ ‘ Carter
 ‘ ‘ ‘ Robinson
 ‘ ‘ ‘ Glen
 ‘ ‘ ‘ Ridley.

Motion lost.

So it passed in the negative.

Second adjournment moved and lost.

And the question being put upon the original motion,

The hon. Mr. Kent, seconded by Mr. Nugent, moved,

That the house do now adjourn,—whereupon the house dividing, there appeared for the adjournment six, against it ten.

For the adjournment—

Against the adjournment—

The Hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Kent
 ‘ ‘ ‘ Mr. Nugent
 ‘ ‘ ‘ O’Brien
 ‘ ‘ ‘ Hanrahan

The Hon. Attorney General,
 ‘ ‘ ‘ Mr. Thomas
 ‘ ‘ ‘ Row
 ‘ ‘ ‘ Noad
 ‘ ‘ ‘ Bennett
 ‘ ‘ ‘ Mr Barnes
 ‘ ‘ ‘ Munn
 ‘ ‘ ‘ Carter
 ‘ ‘ ‘ Robinson
 ‘ ‘ ‘ Glen.

So it passed in the negative.

Third adjournment moved and lost.

And the question upon the original motion being again put,

Mr. Nugent, seconded by the hon. Mr. Tobin, moved,

That the house do now adjourn,—whereupon the house dividing, there appeared for the adjournment eight, against it eleven.

For the adjournment—

The Hon. Mr. Morris
 ‘ ‘ Tobin
 ‘ ‘ Kent
 Mr. S. Morris
 ‘ Nugent
 ‘ O’Brien
 ‘ Hanrahan
 ‘ Dillon

Against the adjournment—

The Hon. the Attorney General
 ‘ ‘ Mr. Thomas
 ‘ ‘ Row
 ‘ ‘ Noad
 ‘ ‘ Bennett
 ‘ ‘ Mr. Barnes
 ‘ Munn
 ‘ Carter
 ‘ Robinson
 ‘ Glen
 ‘ Ridley.

So it passed in the negative.

Lost.

And the question upon the original motion, being put,

The hon. Mr. Kent, seconded by Mr. Nugent, moved,

That all the words in the said motion, save the word “that,” be expunged, and the following words be inserted instead thereof—

Amendment moved.

“Whereas by an act entitled “An Act to regulate the trials of controverted elections, and the returns of members to serve in the House of Assembly,” it is enacted that whenever any petition complaining of the undue return of any member to serve in the General Assembly of Newfoundland shall be presented to the Assembly within the time limited for the purpose, a day and an hour shall be appointed by the Assembly for taking the same into consideration, and notice in writing thereof shall be forthwith given by the Speaker to the petitioners or their agent, and to the sitting member. And Whereas a petition has been duly presented to this house by Peter Winsor, Esq., complaining of the undue return of the sitting member for the district of Ferryland, Thomas Glen, Esq. And Whereas Mr. Speaker has stated to the house that in the notice served on the parties, which was in accordance with a resolution of the house, though the day was named, no hour was set down (as required by the act) for the attendance of the said petitioner, at the Bar of the house; and whereas such notice owing to such resolution not being perfect, was informal: Be it Resolved, that all proceedings touching the enquiry into said petition be established *de novo*, so as to enable the said petitioner to have six days from before the day appointed to try the said petition complaining of said election to deliver unto the Clerk of the house lists of the voters intended to be objected to, and of the objections intended to be inserted on, agreeably to the 24th section of the act made for the trial of controverted elections.

Which being put, and the house dividing thereon, there appeared for the amendment nine, against it, eleven.

For the amendment—

The Hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Kent
 ‘ ‘ ‘ S. Morris
 ‘ ‘ ‘ Nugent
 ‘ ‘ ‘ O’Brien
 ‘ ‘ ‘ Hanrahan
 ‘ ‘ ‘ Dillon

Against the amendment—

The Hon. Attorney General
 ‘ ‘ ‘ Mr. Thomas
 ‘ ‘ ‘ Row
 ‘ ‘ ‘ Bennett
 ‘ ‘ ‘ Barnes
 ‘ ‘ ‘ Munn
 ‘ ‘ ‘ Carter
 ‘ ‘ ‘ Robinson
 ‘ ‘ ‘ Glen
 ‘ ‘ ‘ Ridley.
 ‘ ‘ ‘ Benning

Amendment lost.

So it passed in the negative.

2d amendment moved.

And the question upon the original motion being again put,

The hon. Mr. Morris, seconded by Mr. Nugent, moved

That all the words after the word “that,” be expunged, and the following words be substituted in lieu thereof—

Resolved,—That Tuesday the 2th April instant be appointed to take into consideration, the petition of Peter Winser, Esq., complaining of the undue return of Thomas Glen Esq., the sitting member for Ferryland, and that Mr. Speaker shall notify the petitioner or his agent, and the said Thomas Glen, Esq., requiring their attendance by themselves, their counsel or agents at the bar of the house at noon, of the said Tuesday, the 25th April for the purpose of proceeding to the nomination of a select committee to try the matter of the said petition of the said Peter Winser, agreeably to the provisions of the act in such case made and provided.

Which being put, and the house dividing thereon, there appeared for the amendment eight, against it, twelve.

For the amendment.

The Hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Kent
 Mr. S. Morris
 ‘ ‘ ‘ Nugent
 ‘ ‘ ‘ O’Brien
 ‘ ‘ ‘ Hanrahan
 ‘ ‘ ‘ Dillon

Against the amendment.

The Hon. the Attorney General
 ‘ ‘ ‘ Mr. Thomas
 ‘ ‘ ‘ Row
 ‘ ‘ ‘ Noad
 ‘ ‘ ‘ Bennett
 ‘ ‘ ‘ Mr. Barnes
 ‘ ‘ ‘ Munn
 ‘ ‘ ‘ Carter
 ‘ ‘ ‘ Robinson
 ‘ ‘ ‘ Glen
 ‘ ‘ ‘ Ridley.
 ‘ ‘ ‘ Benning.

Amendment lost

So it passed in the negative.

And thereupon, Mr. Nugent, seconded by Mr. Dillon, moved, that the House do now adjourn; whereupon the House dividing thereon, there appeared for the motion, eight; against it, twelve.

Adjournment moved and lost.

So it passed in the negative,

And the question upon the original motion being called for,

The hon. Mr. Speaker stated, that it being now past midnight, he had doubts of the propriety of putting the question on that motion, his impression being, that as Wednesday the 19th of April was the day fixed, it cannot be considered a parliamentary day, but terminate at midnight of that day.

It being past midnight Mr. Speaker expresses his opinion that the original motion cannot be put.

On motion of the hon. Mr. Kent, seconded by Mr. Nugent,

Ordered,—That Mr. Speaker's words be entered on the Journals.

Mr. Speaker's words entered on the Journal.

Then, on motion of Mr. Nugent, seconded by the hon. Mr. Tobin, the House adjourned.

House adjourn.

TUESDAY, APRIL 18, 1843.

ON motion of Mr. Robinson, pursuant to notice, and seconded by Mr. Ridley,

Ordered,—That Saturday the 29th day of April, instant, at two o'clock, P. M., be the day and hour named by the House for a committee to be chosen, to take into consideration the petition of Henry Winton, Esq., complaining of the undue election and return of Clement Benning, Esq., as member for the district of Burin.

Day and hour for choosing select committee on Burin election named.

The hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

Message from the Governor in reply to address for correspondence &c. relative to Mr. Finlay high Constable of the Central District.

MESSAGE.

J. HARVEY.

The Governor will always be found ready to afford to the General Assembly such information, in relation to his Official acts, as may appear to be necessary to prevent or to remove erroneous impressions.—The Governor accordingly acquaints the Assembly, in answer to their Address, that upon receiving a complaint from a Magistrate of this District, charging the High Constable of this City with grossly disrespectful conduct towards him, he ordered the Constable to be suspended from the performance of the functions of his Office, and full enquiry to be instituted—from this it appeared, in extenuation of the Officer's offence, that it had been committed under circumstances of great public excitement, (connected with the late Elections) and that he had erred ra-

ther from a mistaken view of his position and duties, relatively to the Honorary and the Stipendiary Magistracy, than from any deliberate intention of opposing himself to the authority of the former—and further, it was represented to the Governor that he was an officer whose character, conduct, and services had always met with the full approbation of the Board of Magistrates under which he had long acted.—Taking these circumstances into his consideration, the Governor directed the Officer to make a suitable atonement to the justly offended Magistrate, which was accordingly offered but declined,—and the further action of the Government in relation to this case has been suspended, upon grounds and considerations which have appeared to the Governor to justify the delay.

The Governor is the more desirous that the foregoing explanations should satisfy the Assembly of his desire to do equal justice in the matter upon which their Address is founded, as he is of opinion that no benefit to the public service could be derived from the production of the correspondence for which they have applied.

J. H.

Government House, }
18th April, 1843. }

Petition of T. Newell and others Carbonear.

A petition of Thomas Newell, and others, inhabitants of Carbonear, was presented by Mr. Hanrahan, and the same was received and read, praying that an Act may be passed to repeal an Act passed in the 4th year of the reign of her Majesty, entitled “An Act to establish and regulate Fire Companies in Carbonear.”

Ordered,—That the said petition do lie on the table.

Mr. Simon Morris, seconded by Mr. Dillon, moved, that it be

Motion that 25th April be fixed for taking into consideration Ferryland election petition.

Resolved,—That this House doth hereby appoint Tuesday the twenty fifth day of this present month of April, at two of the clock in the afternoon of the said day, as the day and hour for taking into consideration the petition of Peter Winsor, Esq., against the return of Thomas Glen, Esq.; and that on the said day, and at the said hour, the said Peter Winsor, Esq., by himself, his Counsel, or Agents, and the Counsel or Agents of the said Thomas Glen, Esq., appear at the bar of this House, in order that the said Thomas Glen, Esq., by himself, and the said Peter Winsor, Esq., by a Member of this House, nominate the committee to try the said petition, and that Mr. Speaker do notify the parties of the day and hour so appointed;—which being put—

Mr. Glen moved, seconded by Mr. Munn,

Amendment.

That all the words of the said resolution be struck out excepting the word “Resolved,” and the following words be inserted instead thereof. That it is the opinion of this House that the petition of Peter Winsor, Esq., complaining of the undue election and return of Thomas Glen, Esq., as Member for the District of Ferryland, be not any further proceeded on—which being put, and the House dividing thereon, there appeared for the amendment, ten; against it, eight.

For the amendment—

The Hon. Attorney General,
 ‘ ‘ Mr. Thomas
 ‘ ‘ ‘ Noad
 ‘ ‘ ‘ Bennett
 Mr. Carter
 Robinson
 Ridley
 Barnes
 Glen
 Munn

Against the amendment—

The Hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Kent
 Mr. S. Morris
 Nugent
 Hanrahan
 O’Brien
 Dillon.

Division.

So it passed in the affirmative, and

Resolved,—That it is the opinion of this House that the petition of Peter Winsor, Esq., complaining of the undue Election and Return of Thomas Glen, Esq., as the Member for the District of Ferryland, be not any further proceeded in.

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

WEDNESDAY, APRIL 19, 1843.

A Petition of James Walsh, and others, inhabitants of Stone Island, was presented by Mr. Glen, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money to open a road through Caplin Bay to Ferryland.

Petition of James Walsh and others, Stone Island.

Ordered,—That the said petition be referred to the committee on roads and bridges.

Referred to committee on roads and bridges.

A petition of James Dwyer, and others, inhabitants of Job’s Cove, in the Northern District, was presented by Mr. Hanrahan, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for the establishment of a school in said settlement.

Petition of James Dwyer and others, Job’s Cove.

Ordered,—That the said petition be referred to the committee of Supply.

Referred to committee of supply.

A petition of Edmund Moore, and others, inhabitants of Bay de Verds, was presented by Mr. Hanrahan, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money for the erection of a School House in the said settlement.

Petition of E. Moore and others, Bay de Verds.

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

Referred to committee of supply.

Petition of Pierce Hanrahan and others, Western Bay.

A petition of Pierce Hanrahan, of Western Bay, School Teacher under the late Education Act, was presented by Mr. Hanrahan, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for teaching a School at the said place for the last twenty three months since the expiration of the said act.

Referred to committee of supply.

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

Petition of Richard Sullivan, constable at Ferryland.

A petition of Richard Sullivan, Constable at Ferryland, was presented by Mr. Carter, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for reduction of his salary from the sum of twenty five to twelve pounds, for a period of four years.

Referred to committee of supply.

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

Petition of Luke Collins, Placentia, Assayer of Weights and Measures.

A petition of Luke Collins, Inspector and Assayer of Weights and Measures for the district of Placentia, was presented by Mr. Carter, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for compensation for his services in performing the duties of the said office for several years past, and for expense and trouble incurred in visiting the different parts of the said District, in order to Assay the Weights and Measures therein, during the months of November and December, 1839.

Referred to committee of supply.

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

Petition of James Fergus, St. John's.

A petition of James Fergus, of St. John's, Esq., was presented by Mr. Carter, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for compensation for land taken for widening the street in front of his house, and for the expense of removing a fence, and erecting a new one.

Referred to committee of supply.

Ordered—That the said petition be referred to the committee of supply.

Petition of John Stanley, and others, Bird Island Cove.

A petition of John Stanley, and others, inhabitants of Bird Island Cove, was presented by Mr. Carter (who stated in his place that he had received the consent of his Excellency for that purpose), and the same was received and read, praying for a grant of money to make a road from Bird Island Cove to Catalina.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on roads and bridges.

Petition of John Miles and others, Bird Island Cove.

A petition of John Miles, and others, inhabitants of Bird Island Cove, was presented by Mr. Carter, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant to make a road to Bonavista.

Referred to committee on roads and bridges.

Ordered,—That the said petition be referred to the committee on roads and bridges.

Petition of Philip Tocque & others, Bird Island Cove

A petition of Philip Tocque, and others, inhabitants of Bird Island Cove, was presented by Mr. Carter, (who stated in his place that he had obtained the con-

sent of his Excellency the Governor for that purpose) and the same was received and read, praying for the establishment of a school at the said place.

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

Referred to committee of supply

A petition of Thomas Clooney and others inhabitants of the River head of St. John's, was presented by Mr. Nugent, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for land of petitioners taken to widen the street in front of their houses.

Petition of Thomas Clooney and others.

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

Referred to committee of supply.

A petition of Andrew Drysdale, James R. Knight, Francis Lynch, Thomas Dunford, and Robert Walsh, the committee for providing accommodation of her Majesty's troops at Harbor Grace, was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money to reimburse petitioners for expenses incurred by them in providing the said accommodation, beyond the sum already advanced them by the Ordnance Department.

Petition of Andrew Drysdale and others

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

Referred to committee of supply

A petition of Thomas Walsh, of Harbor Grace, was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for land of petitioners taken for the purpose of making a road to the building used as a barrack for the troops, and for expense incurred in building a fence on each side of the same.

Petition of Thomas Walsh

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

Referred to com. supply.

A petition of Thomas Foley, of Harbor Grace, to his Excellency the Governor, (was with his Excellency's assent) presented to the house by Mr. Prendergast) and the same was received and read, praying for compensation for extra labour and expense incurred in completing a contract he had entered into for repairing the road from Cochrane street to Bears Cove Brook.

Petition of Thomas Foley.

Ordered,—That the said petition do lie on the table.

A petition of the Rev. James Duffy and others, inhabitants of St. Mary's was presented by Mr. Nugent, and the same was received and read, setting forth, that various sums of money had been granted for roads in and about St. Mary's aforesaid, with which lines of road were by the Board of Commissioners laid out and opened; that a subsequent Board of Commissioners had alter-

Petition of Rev. J. Duffy and others.

ed the said lines of road very much to the inconvenience of the inhabitants, and to the great injury of the public service ; and praying that measures may be taken to prevent a recurrence of such proceedings.

Ordered,—That the said petition do lie on the table.

Petition of Richard Glad-
ney and Michael Rourke

A petition of Richard Gladney and Michael Rourke, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for the compensation of extra labour and expense incurred by the petitioners in performing a contract entered into by the petitioners for opening a road from Goff's Bridge to the Western Point at Portugal Cove.

Referred to com. supply

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

On motion of the hon. Mr. Tobin, seconded by Mr. Dillon,

Address moved for return
of magistrates

Resolved,—That the following address be presented to his Excellency the Governor—

To His Excellency Major General Sir John Harvey, Knight, Commander of the most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, 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 your Excellency will be pleased to direct that there be laid before the house a return of all magistrates in the Island, distinguishing honorary from stipendiary Magistrates, with the dates of their Commissions, respectively.

Committee to present ad-
dress

Ordered,—That the said address be engrossed, and that the hon. Mr. Tobin and Mr. Dillon be a committee to present the same to his Excellency.

Notice of bill to provide for
the Circuit Courts being
held by the Judges in rota-
tion

Mr. Carter gave notice that he would to-morrow move for leave to introduce a bill to provide for the Circuit Courts being held by the Judges of the Supreme Court in rotation.

Notice for com. of whole
on supply

Hon. Mr. Morris gave notice that he would to-morrow move that the house do resolve itself into a committee of the whole house on the further consideration of the supply granted to her Majesty.

Bill to suspend Carbonear
Fire Company Act

Mr. Prendergast, pursuant to notice and leave granted, presented a bill to suspend the operation of an Act passed in the third year of her Majesty's reign, entitled "An act for the establishment and regulation of Fire Companies in the town of Carbonear," and the same was read a first time.

Ordered,—That the said bill be read a second time to-morrow.

On motion of the hon. Mr. Tobin, seconded by Mr. Dillon,

Ordered,—That the message of his Excellency the Governor, yesterday transmitted to the house, in reply to the address of the house asking for correspondence upon the subject of a complaint against the high constable of St. John's, be printed for the use of members.

Message relative to complaint against the high constable of St John's, ordered to be printed.

On motion of the Hon. Mr. Dunscomb, seconded by Mr. Prendergast,

The house resolved itself into a committee of the whole house on the bill to provide for the granting of drawbacks.

House in committee on drawback bill.

The hon. Mr. Speaker left the chair.

Mr. Barnes took the chair of the committee.

The hon. 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 chairman further reported from the said committee that they had directed him to move for leave to sit again on the further consideration of the said bill.

Ordered,—That the said committee have leave to sit again

On motion of the hon. Mr. Dunscomb, seconded by the hon. Mr. Kent,

Ordered,—That the said bill as amended be printed for the use of members.

Printed

On motion of Mr. Nugent, seconded by Mr. Robinson,

Ordered,—That the order of the day for the house to resolve itself into a committee of the whole on the bill to regulate the empannelling of Juries, be discharged, and that Mr. Nugent have leave to withdraw the said bill.

Jury Bill withdrawn.

Mr. Nugent gave notice that on the first day of the next session of the Legislature, he would move for leave to introduce a bill to regulate the mode of empannelling Juries in the Supreme and Central Circuit Courts.

Notice for next session of Jury Bill.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the bill to amend and continue the act 5 W. 4 c. 11, entitled " An act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices."

House in committee on bill to continue 5 W. 4 c. 11.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. 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.

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 and read a third time to-morrow.

House in committee on bill to continue wolves killing bounty 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 3d Vic. c. J, entitled "An act for the encouragement of the killing of wolves in this colony."

The hon. Mr. Speaker left the chair.

Mr. Prendergast took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Bill reported without amendment

The chairman reported from the committee that they had gone through the said bill, and that they had agreed to the same without any amendment.

3d reading.

Ordered—That the said bill be engrossed and read a third time to-morrow.

House in committee on vacant seats 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 to declare vacant the seats of members in certain cases, and to make provision for the election of others in their stead.

The hon. Mr. Speaker left the chair.

Mr. Glen took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Report of motion for leave to sit again this day six months.

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 this day six months,—whereupon,

Motion that the report be not received

Mr. Nugent, seconded by the hon. Mr. Kent, moved

That the said report be not adopted,—and the house dividing thereon, there appeared for the motion eight, against it nine.

For the motion—
The Hon. Mr. Morris
' ' ' Kent
' ' ' S. Morris
' ' ' Nugent
' ' ' O'Brien
' ' ' Hanrahan
' ' ' Dillon
' ' ' Benning

Against the motion—
The Hon. Attorney General
' ' ' Mr. Thomas
' ' ' Row
' ' ' Munn
' ' ' Barnes
' ' ' Glen
' ' ' Robinson
' ' ' Carter
' ' ' Prendergast.

So it passed in the negative.

Report adopted, and bill rejected.

Ordered,—That the said report be adopted, and the said committee have leave to sit again this day six months.

Mr. O'Brien, from the select committee appointed to draft and prepare a Road Bill, pursuant to the resolutions reported from the committee of the whole House on Roads and Bridges, reported that the committee had prepared the draft of a Bill accordingly, and he presented the same to the House; and the said Bill was read a first time.

Road bill reported & read a first time.

Mr. O'Brien moved, seconded by Mr. Robinson,

That the said bill be read a second time on Tuesday next, and that in the meantime it be printed for the use of Members—whereupon,

Motion for second reading on Tuesday.

The hon. Mr. Row, seconded by Mr. Prendergast, moved in amendment of the motion,

That the said Bill be read a second time on Wednesday next;—which being put, and the House dividing thereon, there appeared for the amendment, eight; against it, nine.

Amendment moved for 2d reading on Wednesday.

For the amendment—

Against the amendment—

Division.

The Hon. Attorney General,
 ' ' Mr. Row
 ' ' ' Morris
 Mr. Carter
 ' Barnes
 ' Glen
 ' Munn
 ' Prendergast

The Hon. Mr. Bennett
 ' ' ' Kent
 Mr. Nugent
 ' Robinson
 ' Dillon
 ' Benning
 ' O'Brien
 ' Hanrahan
 ' S. Morris.

So it passed in the negative.

Amendment lost.

And the question being put on the original motion, it passed in the affirmative, and

Original motion carried.

Ordered,—Accordingly.

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

THURSDAY, APRIL 20, 1843.

A Petition of James Bryan, and others, inhabitants of the neighbourhood of Monday Pond, in the Central District, was presented by the hon. Mr. Noad (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money to make a road.

Petition of J. Bryan, and others, Monday Pond.

Ordered,—That the said petition do lie on the table.

J. Toole, for extra cross-drains on Bay Bulls road.

A petition of James Toole, of St. John's, was presented by Mr. Nugent, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for compensation for extra labour and expense incurred by him in opening drains on the Bay Bulls Road, beyond the quantity contracted for by him.

Referred to committee of supply.

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

Petition of officers of Agricultural Society.

A petition of the Vice President, and Officers of the Newfoundland Agricultural Society, was presented by the hon. Mr. Morris, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that under the patronage of His Excellency the Governor of this Island, an Institution designated as above, has been formed for the purposes and with the views and important objects specified in the rules framed for the government of the said Society, to the said petition annexed.

The objects of the said Society are, in the 11th of those Rules, described to be the clearing and cultivation of Waste and Forest Lands—the encouragement of the most approved systems of Agriculture—the introduction of the newest instruments of Husbandry—the procuring of Seeds of the best kind and quality—the improvement of the various breeds of Live Stock—and the more profitable employment in Agriculture of the industrious classes of the population.

That during the brief period the Society has been in existence, the Petitioners have used their utmost exertions to extend its usefulness, and to enlarge the sphere of its operations, by endeavouring to fulfil and carry out the objects above set forth—objects of such great and acknowledged importance to the future prosperity of the Colony—but the limited state of the Society's funds has precluded them hitherto from doing more than adopting some few preliminary measures towards their gradual accomplishment.

That the Petitioners have perused with unmixed satisfaction that part of the speech which his Excellency the Governor delivered on opening the present session of the Legislature, in which his Excellency was pleased to bring the Society (of which he is the Patron) under the prominent notice of the House in the following gratifying terms: "I would submit to your patriotic consideration with regard to AGRICULTURE, that without some Legislative aid in the commencement of its operations, the Society which has recently been formed with the object of promoting the important branch of the Provincial interests, will be found unable to overcome the prejudices and difficulties against which it will have to contend. I would therefore propose to you to make a moderate grant in aid of this Association, to be continued for such period as may be deemed sufficient to enable the Colony to form a correct judgment as to the amount of benefit which it may be likely to render to its Agricultural interests. The disposal of this fund I would propose should be left under the controul of the Society itself, which, including as it does, individuals of the highest respectability in the Island, who stand before the public pledged to use their utmost endeavours to carry out the views which led to the formation of the Association, affords the most satisfactory guarantee for its prudent and useful application."

The petitioners feel that after so powerful an appeal from the head of the Government on behalf of the Society, and of the important objects it has in view, and after so strong an expression of the confidence reposed in it by the Representative of their Sovereign, it would be quite superfluous further to press upon the atten-

tion and most favourable consideration of the House, the claims of a Society formed for the purpose of developing the resources and capabilities of the Colony, and whose funds cannot, in the present state of the Island, be expected to be at all adequate to the accomplishment of those benefits which the public have a just right to anticipate from the Society's operations.

The petitioners however, would take advantage of this occasion to submit for the information of the House, the annexed documents, which have emanated from the Society, and which are in some measure illustrative of its past proceedings.

The petitioners therefore humbly pray that the House, taking into consideration the great and growing importance of Agriculture to this Colony, and the immense advantages which its successful prosecution must produce to its loyal inhabitants, and looking to the influence which the proceedings of the Society may have in encouraging the cultivation of the soil, will be pleased to extend to the Society that liberality which those objects may seem to merit, and that the House will make to the Society a pecuniary grant (including a specific sum for the support of a MUSEUM, which they have established) to such amount as with due regard to the other pressing wants of the Colony may appear just and proper.

The petitioners conceiving it to be within their province to suggest the adoption of any measure by which the Agriculture of the Colony can be promoted and encouraged, would further beg to avail themselves of the present opportunity respectfully to submit for the consideration of the House, whether in any Bill hereafter to be brought in for raising a Revenue, it might not be desirable to introduce a clause exempting from Duty the articles specified in the Margin* Such a measure would, in the opinion of the Petitioners, be looked upon by every person engaged in Agriculture as a great boon, whilst the loss to the public Treasury would scarcely be felt.

Ordered,—That the said petition be referred to the committee of Supply.

Mr. Robinson gave notice, that to-morrow he would move for leave to introduce a Bill for the commutation of the fees of the office of the High Sheriff of the Colony, and that he would, for this purpose, move that the order of this House against the introduction of Bills after the 10th inst., adopted on the twenty second day of March, be suspended, so far as relates to the said Bill.

On motion of Mr. Carter, pursuant to notice, seconded by Mr. Prendergast,

Ordered,—That Mr. Carter have special leave to introduce a Bill for providing that the Circuit Courts of the Island be held by the Judges of the Supreme Court, in rotation.

Mr. Carter accordingly presented the said Bill to the House, and the same was read a first time.

Ordered,—That the said bill be read a second time on Saturday next.

On motion of Mr. Munn, seconded by Mr. Barnes,

Ordered,—That the petition of the Executors of Nicholas Ash, for compensation for the destruction of his house at Carbonear, in 1840, and also the petition of the inhabitants of Carbonear, in support of the prayer of the said petition, now lying on the table of this House, be referred to the committee of supply.

* Seeds and Seed Grain of all kinds used *bona fide*.

Agricultural Implements. All kinds of Substances intended to be used as Manures.

Referred to committee of supply.

Notice of Bill to commute Sheriff's fees.

Bill for the holding of Circuit Courts by the Judges of the Supreme Court in rotation, read first time.

Petition of the Executors of Nicholas Ash, referred to committee of supply.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Noad,

House in committee of supply.

Resolved,—That this House do now resolve itself into a committee of the whole House on the further consideration of the Supply to be granted to her Majesty.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress, &c.

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

Ordered,—That the said committee have leave to sit again.

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

FRIDAY, APRIL 21, 1843.

Petition of B. Gorman, Ferryland.

A Petition of Bridget Gorman, widow, was presented by Mr. Nugent (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, setting forth,—

That her late husband, Richard Gorman, for a long period of years, filled the offices of Clerk of the Peace, and Clerk of the Surrogate Court of the Southern District, and subsequently of Gaoler at Ferryland; that for several years before his death the said Richard Gorman did not receive the full amount of his salary and emoluments, but that the petitioner is unable, after the great lapse of time which has since taken place, to obtain redress without appealing to the Legislature; and praying that the services of her said husband, and the circumstances set forth in the said petition may be taken into consideration, and a sum granted to petitioner in compensation of the claims of her said husband.

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

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Jury Lists to be printed.

Ordered,—That the return of names of Grand and Petit Jurors for the Central District, now lying on the Table of the House be printed for the use of Members.

Pursuant to the order of the day, a bill for the to provide encouragement of the whale fishery in this colony, was read a second time.

Whale fishery bill read 2d time.

On motion of the hon. Mr. Bennett, seconded by Mr. O'Brien,

Ordered,—That the said bill be committed to a committee of the whole house.

Committed.

The hon. Mr. Bennett, seconded by Mr. O'Brien, moved that it be

Resolved,—That this house will, to-morrow, resolve itself into a committee of the whole house on the said bill, and that it be the first item on the order of the day,—which being put, passed in the negative.

Motion to place it first on the order of the day for to-morrow, negatived

On motion of the hon. Attorney General, seconded by the hon. Mr. Noad,

Ordered,—That the committee of the whole house on the bill to make provision for the sale and disposal of Waste Lands of the Crown, be the first thing on the order of the day to-morrow.

Com. on Crown Lands bill first for to-morrow

On motion of the hon. Mr. Bennett, seconded by Mr. O'Brien,

Ordered,—That the committee of the whole house on the act for the encouragement of the whale fishery do stand first on the order of the day for Monday next.

Com. on whale fishery bill first for Monday

Pursuant to order, an engrossed bill to repeal an act passed in the fifth year of the reign of his late Majesty, entitled “ An act to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors,” and to make other provision for the amendment of the law of attachment, was read a third time.

Attachment bill read 3d time.

Mr. Nugent moved, seconded by the hon. Mr. Kent,

That the words “ Forty Shillings” in the eighth line of the tenth section of the bill be expunged, and that the words “ five pounds” be inserted instead thereof,—which being put, the house divided thereon as follows :

Motion to amend the 10 section.

For the motion—

The Hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Kent
 ‘ ‘ ‘ S. Morris
 ‘ ‘ ‘ Nugent
 ‘ ‘ ‘ O'Brien
 ‘ ‘ ‘ Glen
 ‘ ‘ ‘ Hanrahan
 ‘ ‘ ‘ Dillon
 ‘ ‘ ‘ Prendergast.

Against the motion—

The Hon. Attorney General
 ‘ ‘ ‘ Mr. Thomas
 ‘ ‘ ‘ Noad
 ‘ ‘ ‘ Row
 ‘ ‘ ‘ Bennett
 ‘ ‘ ‘ Munn
 ‘ ‘ ‘ Barnes
 ‘ ‘ ‘ Robinson
 ‘ ‘ ‘ Carter
 ‘ ‘ ‘ Benning

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

Motion lost

On motion of the hon. Mr. Row, seconded by Mr. Robinson,

Resolved,—That the said bill do pass, and that the title be “ An act to repeal

Bill passed—Title.

an act passed in the fifth year of the reign of his late Majesty, entitled "An act to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors, and to make other provision for the amendment of the law of attachment."

House in committee on supply.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of the supply granted to her Majesty.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

Ordered,—That the said committee have leave to sit again to-morrow.

Notice of bill to establish a lunatic asylum.

Mr. Nugent gave notice that on an early day he would move for leave to bring in a bill to provide for the establishment of an asylum for insane and lunatic paupers.

Notice of address to increase salaries of stipendiary magistrates and gaolers in outports.

The hon. Mr. Tobin gave notice that to-morrow he would move that an address be presented to his Excellency the Governor on the subject of the expediency of increasing the salaries of the stipendiary magistrates and other subordinate officers in the outports.

On motion of Mr. Carter, seconded by Mr. Nugent,

2d reading nuisance bill to-morrow

Ordered,—That the bill for the speedy abatement of nuisances, and to repeal certain parts of the act 4 W. 4, c. 5, be read a second time to-morrow.

Wolves killing bill read 3d time.

Pursuant to the order of the day, an engrossed bill to continue an act passed in the third year of the reign of his late Majesty entitled "An act to encourage the killing of wolves in this colony," was read a third time.

On motion of Mr. Nugent, seconded by Mr. Carter,

Passed—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 her present Majesty, entitled "An act to encourage the killing of wolves in this colony."

Then the house adjourned until to-morrow at one of the clock.

SATURDAY, APRIL 22, 1843.

Message relative to Bridge at Rennie's mill recommending grant for an embankment.

The hon. Mr. Noad 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 the hon. Mr. Speaker, (all the Members being uncovered) and are as follow:—

MESSAGE.

J. HARVEY.

The Governor transmits to the General Assembly a report from Mr. Robinson, of the rebuilding of a bridge, and the repair of the road near Rennie's Mill, executed under his Excellency's authority,—and he recommends to the favourable consideration of the house the suggestion of Mr. Robinson, that the sum of ten pounds should be granted as an additional remuneration to the contractors for these works, and that provision be made for the proposed embankment.

J. H.

Government House, 20th April, 1843.

For the documents accompanying the said message,

(See Appendix.)

Ordered,—That the said message be referred to the committee of supply.

Referred to committee of supply.

MESSAGE.

J. HARVEY.

The Governor transmits to the General Assembly a presentation from the Chairman of the Statute Labour Commissioners (appointed under the 4 W. 4, c. 6) accompanied by a statement of claims arising out of their proceedings, together with the assessment book, prepared under their direction,—and his Excellency believing these claims to be founded in justice, recommends that provision be made for their liquidation.

J. H.

Government House, 20th April, 1843

For the documents and statements accompanying the said message,

(See Appendix.)

Ordered,—That the said message and statements be referred to the committee of supply.

Referred to committee of supply.

The hon. Mr. Noad, also, by command of his Excellency, laid upon the table of the house the Book referred to in the last message.

Assessment book laid 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 to make provision for the disposal and sale of ungranted and unoccupied Crown Lands within the Island of Newfoundland and its dependencies."

House in committee of Crown Lands Bill.

The hon. Mr. Speaker left the chair.

Mr. Prendergast took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

Progress.

Ordered,—That the said committee have leave to sit again on Monday.

Motion that the Crown Lands bill be first on the order for Monday, negative

The hon. Attorney General moved, seconded by the hon. Mr. Noad,

That the committee of the whole house on the said bill be the first thing on the order of the day for Monday next ; which being put, passed in the negative.

On motion,

Placed 2d on the orders of the day for Monday.

Ordered,—That the said committee do stand second on the order of the day for Monday next.

NOTE.—In pursuance of the terms of the act for that purpose, Henry Winton, Esq., the petitioner against the return of Clement Benning, Esq. as member for the district of Burin, and also the said Clement Benning Esq., delivered in to the Clerk of the house, lists of the voters intended to be objected to by them respectively, and also of the objections to be offered.

Then the house adjourned until Monday next, at one of the clock.

MONDAY, APRIL 24, 1843.

Message from the Governor transmitting estimate of probable deficiency of revenue under Imperial Acts, and recommending provision to be made for the salaries reserved under 2 & 3 W 4 cap. 78

The hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows :—

MESSAGE.

J. HARVEY.

In reply to the address of the General Assembly, of the 24th March, the Governor transmits the accompanying documents which he has received from the Collector of her Majesty's Customs shewing the probable deficiency which will be caused in the Revenue collected under the Imperial acts by the operation of the new Tariff ; and his Excellency recommends to the house to take this matter into their early and serious consideration, with a view to propose such a scale of taxation, as will, without undue pressure, make up this serious deficiency.

His Excellency would also call the attention of the Assembly to the circumstance that the fund from which the reserved salaries are paid, will be inadequate to their future discharge, and recommends that an act should be passed providing permanently for those salaries ; and in connection with this subject, his Excellency transmits an extract of a despatch from the Secretary of State for the Colonies.

J. H.

Government House, 24th April, 1843.

The extract of Despatch accompanying the said Message was read by the Clerk, as follows :—

The object of my present communication is to draw your attention to the probable effect in the Revenue of Newfoundland, and more especially on the Fund reserved by Parliament for the support of the Civil Government, which will result from the diminution and alterations of duty in consequence of this Act.

Extract of Despatch.

It is, of course, impossible to predict with accuracy, what will be the operation of the new scale of Duties, but adverting to the Revenue derived in the years 1838, 1839, and 1840, from the former duties, I do not anticipate that any serious deficiency will ensue, and at any rate I calculate on their being realised sufficient to meet the charges on the Civil List.

In the event of a falling off in the revenue applicable to general purposes, the remedy will be in the hands of the Legislature, who can impose a part, or even the whole of the duties now repealed.

Should, however, the Imperial Custom's Duties, contrary to my expectations, not yield enough to pay the Civil List, I rely with confidence on the willingness of the Colonial Legislature to supply the deficiency by a permanent grant from other sources."

I have, &c.,

STANLEY."

For the Estimate accompanying the said Message

(See Appendix.)

On motion of hon. Mr. Noad, seconded by hon. Mr. Kent,

Ordered,—That the said Messages and Documents be printed for the use of Members.

Message and Documents to be printed.

The hon. Mr. Dunscomb gave notice, that on Monday next, he would move that this House take into consideration the Message of his Excellency the Governor, recommending the provision of a retiring salary to the hon. Assistant Judge Brenton.

Notice of motion to consider the Governor's Message relative to the retiring salary of Assistant Judge Brenton

Pursuant to the order of the day, a Bill for the commutation of the fees of the office of High Sheriff of this Colony, was read a second time.

Sheriff's fees commutative bill read 2d time.

On motion of Mr. Robinson, seconded by the hon. Mr. Kent,

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

and committed

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the said Bill.

for to-morrow.

Pursuant to the order of the day, an engrossed Bill to amend and continue the Act 5, W. 4, c. 5, was read a third time,

Bill to amend and continue Act 5, W. 4, c. 5, read 3d time.

On motion of hon. Mr. Kent, seconded by Mr. Glen,

Resolved,—That the said Bill do pass, and that the title be "An Act to amend and continue an Act passed in the fifth year of the reign of his late Ma-

Passed—Title.

jesty, entitled ' An Act to combine the Office of Clerk of the Central Circuit Court with the Office of Clerk of the Supreme Court, and to make provision for the Officer discharging the duties of the said Offices.' '

Indemnity bill read second time.

Pursuant to order, a Bill to indemnify Governor Sir John Harvey, for certain sums of money advanced by him from the Colonial Revenue for the service of the Colony, was read a second time.

On motion of the hon. Mr. Row, seconded by hon. Mr. Bennett,

and committed

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

for to-morrow.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the said Bill.

Bill to render perpetual Quarantine Act read 2d time.

Pursuant to order, a Bill to render perpetual an Act passed in the third year of the reign of his late 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," was read a second time.

On motion of Mr. Robinson, seconded by hon. Mr. Noad,

and committed

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

for to-morrow.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the said Bill.

Ordnance property bill read 2d time.

Pursuant to order, a Bill for vesting all Estates and Property occupied for the Ordnance service of her Majesty, in the principal Officers of the Ordnance Department, was read a second time.

On motion of the hon. the Attorney General, seconded by the hon. Mr. Kent,

and committed

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

for to-morrow.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the said Bill.

Carbonear Fire Companies Suspension Bill read 2d time.

Pursuant to order, a Bill to suspend the operations of an Act passed in the fourth year of the reign of her present Majesty, entitled " An Act to establish and regulate Fire Companies in the Town of Carbonear," was read a second time.

On motion of Mr. Prendergast, seconded by Mr. Hanrahan,

and committed

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

for to-morrow.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the said Bill.

Mr. Nugent moved, seconded by the hon. Mr. Tobin,

That the Bill to abolish the Oath by Law to be taken by members of the Roman Catholic Church, returned to serve as members of the Assembly, and to substitute therefor the oath of Allegiance, and to abolish the Oaths of Supremacy and Abjuration, now by Law to be taken, and the declaration against Transubstantiation, now by Law to be made by members of the several Protestant Churches, returned to serve in the said Assembly, be now read a second time,—

Motion made that the abolition of oaths bill be read a second time.

Which being put, and the House dividing thereon, there appeared for the motion, twelve; against it, eight; Division.

For the motion—

The hon. Mr. Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Kent
 Mr. Nugent
 ‘ Benning
 ‘ Dillon
 ‘ Hanrahan
 ‘ S. Morris
 ‘ O’Brien
 ‘ Munn
 ‘ Glen
 ‘ Prendergast.

Against the motion—

The hon. Attorney General
 ‘ ‘ Mr. Dunscomb
 ‘ ‘ ‘ Row
 ‘ ‘ ‘ Noad
 ‘ ‘ ‘ Bennett
 Mr. Robinson
 ‘ Carter
 ‘ Barnes.

So it passed in the affirmative.

And the said Bill was read a second time accordingly.

Bill read second time.

On motion of Mr. Nugent, seconded by the hon. Mr. Tobin,

Ordered,—That the said Bill be committed to a committee of the whole House. and committed

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the said Bill. for to-morrow.

Pursuant to order, a Bill to repeal an Act passed in the third year of the reign of his late Majesty, entitled “An Act for the more speedy abatement of Nuisances,” and the 18th, 19th, and 27th sections of an Act passed in the 4th year of the reign of his late Majesty, entitled “An Act to regulate the making and repairing of roads and highways in this Island,” and to make other provision for the more speedy abatement of Nuisances, was read a second time.

Nuisance bill read 2d time

On motion of Mr. Carter, seconded by Mr. Barnes,

Ordered,—That the said Bill be committed to a committee of the whole House. and committed

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the said Bill. for to-morrow.

Mr. Carter, seconded by Mr. Prendergast, moved—

Motion made that the bill to enable the Judges to hold the Circuit Courts in rotation be read a second time.

That the Bill to enable each of the Judges of the Supreme Court to preside in the Northern, Central, and Southern Circuit Courts, respectively, in rotation, be now read a second time ;—whereupon,

The hon. Mr. Morris, seconded by the hon. Mr. Tobin, moved in amendment,

Amendment moved thereon that the bill be rejected

That the said Bill be read a second time this day six months ;—which being put, and the House dividing thereon, there appeared for the motion, 11 ; against it, 8.

Division.

For the amendment—

Against the amendment—

The hon. Attorney General
 ‘ ‘ Mr. Dunscomb
 ‘ ‘ ‘ Thomas
 ‘ ‘ ‘ Morris
 ‘ ‘ ‘ Tobin
 ‘ ‘ ‘ Noad
 ‘ ‘ ‘ Kent
 Mr. Dillon
 ‘ Nugent
 ‘ O’Brien
 ‘ Hanrahan.

The hon Mr. Bennett
 Mr. Robinson
 ‘ Benning
 ‘ Munn
 ‘ Carter
 ‘ Glen
 ‘ Barnes
 ‘ Prendergast.

Amendment carried, & bill rejected.

So it passed in the affirmative—and,

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

House in committee on Whale Fishery Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the Bill to provide for the encouragement of the Whale Fishery.

The hon. Mr. Speaker left the chair.

Mr. Dillon took the chair of the committee.

The hon. 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.

Bill engrossed, and to be read a 3d time on Thursday.

Ordered,—That the said Bill, with the amendments, be engrossed and read a third time on Thursday next.

House in committee on Crown Lands 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 to make provision for the disposal and sale of ungranted and unoccupied Crown Lands within this Island and its dependencies.”

The hon. Mr. Speaker left the chair.

Mr. Prendergast took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and that they had directed him to move for leave to sit again on the further consideration thereof to-morrow. Progress.

Ordered,—That the said committee have leave to sit again to-morrow.

A petition of James Abbott, of British Harbor, Trinity Bay, was presented by Mr. Nugent (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth—That he has for three years past performed the duty of constable without any remuneration, and praying for compensation and for a fixed salary in future. Petition of Jas. Abbott,
Trinity.

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of
supply.

A petition of Stephen Ryan, of St. John's, was presented by Mr. Nugent (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for compensation for a piece of ground of petitioner's situated on the north side of Duckworth street, and east of the premises of James Fergus, Esq., taken for the purpose of widening a public road. Petition of Stephen Ryan
St. John's.

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of
supply.

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

TUESDAY, APRIL 25, 1843.

The hon. Mr. Noad 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 the hon. Mr. Speaker, (all the Members being uncovered) and are as follow:— Message from the Govern-
nor recommending increase
of salaries of outport stipen-
diary Magistrates

MESSAGE.

J. HARVEY.

The Governor having received strong representations which he believes to be well founded, of the inadequacy of the salaries paid to such of the stipendiary magistrates as hold no other appointment under the Government, recommends to the Legislature to add the sums hereunder mentioned to those provided in the estimate for certain of such magistrates.

J. H.

Government House, 24th April, 1843.

DISTRICT.	Present Salary.	Proposed addition.	Future Salary.
Harbor Grace	£ 150	£ 50	£ 200
Do.	120	50	170
Carbonear	120	50	170
Brigus	120	50	170
Trinity	120	30	150
Bonavista	100	50	150
Twillingate	100	30	130
St. Mary's	100	30	130
Burin	100	30	130
Lamaline	100	30	130

J. H.

Referred to committee of supply.

Ordered,—That the said message be referred to the committee of supply.

MESSAGE.

J. HARVEY.

Message from the Governor transmitting memorial of J. V. Nugent Esq. Solicitor of the late Assembly.

In inviting the attention of the General Assembly to the petition herewith transmitted, the Governor has no hesitation in saying that he would regard with satisfaction such an arrangement of this and all other similar claims having reference to by gone periods, as should effectually relieve the house from the necessity of any future reference to matters, the discussion of which could only tend to the revival of unpleasant differences.

J. H.

Government House, 25th April, 1843.

The memorial of J. V. Nugent, Esq., accompanying the said message, was read by the clerk, for which

(See Appendix.)

Ordered,—That the said message and document be referred to the committee of supply.

Petition of the Hon. J. Kent and others delegates from the assembly in 1841, for reimbursement of debt incurred by them to defray the expenses of the said delegation.

A petition of the Hon. John Kent, Lawrence O'Brien, and John Valentine Nugent, Esqrs., to his Excellency the Governor, was (with his Excellency's assent) presented to the house by the hon. Mr. Noad, and the same was received and read, setting forth, that petitioners having been members of the late House of Assembly, were at the close of the last session unanimously appointed, with Peter Brown, Esq., as a delegation to proceed to England, for the purpose of assisting in an enquiry then instituted into the working of the Constitution of this colony.

That in order to enable them to perform the duty imposed upon them they were under the necessity of raising on loan the sum of three hundred pounds sterling, which sum with the interest accruing thereon, is now due, and praying that (considering the importance of the trust reposed in them, the necessity of protracting to bring their delay in London, until a very late period) his Excellency would be pleased their claim for the liquidation of the said debt under the favourable consideration of the Legislature.

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

A petition of the officers of her Majesty's Legislative Council to his Excellency the Governor, was (with his Excellency's assent,) presented to the house by the hon. Mr. Noad, and the same was received and read, setting forth—that petitioners had been appointed to their offices by patent,—that by the suspension of the Legislature, they have been deprived of that part of their annual income which they were accustomed to receive; that they were ready to perform their respective duties had they been required; and that as it was from no default of theirs, they humbly conceive they are entitled to their customary stipends,—and praying for the payment of the same accordingly.

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

Referred to committee of supply.

A petition of Elias Rendell, Sergeant-at-Arms attending on this house, to his Excellency the Governor, was (with his Excellency's assent,) presented to the house by the hon. Mr. Noad, and the same was received and read, setting forth—that by the suspension of the Constitution the petitioner was deprived of one whole year's salary,—that in conjunction with his said office, he was, in 1840, appointed to collect the Colonial Revenue on the coast of Labrador, on which he received a per centage;—that for these situations he had given up his other employments and prospects of success in business. That by the expiration of the Revenue Act in June last year, petitioner was deprived of the emolument for collecting the said Revenue, upon which he had reason to depend; and praying for compensation accordingly.

Petition of E. Rendell, Sergeant at Arms.

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

Referred to committee of supply.

The hon. Mr. Noad presented to the house by command of his Excellency the Governor, a statement and plan of certain repairs required to be made on the Court House at Trinity.

Estimate of repairs to Court House at Trinity, and Letter of magistrates at Bonavista relative to Court House. &c

Also, a letter from the magistrate at Bonavista, relative to the necessity for a Court House at Bonavista, and Lock-up-house at King's Cove and Greenspond, and for additional constables.

(See Appendix.)

Ordered,—That the said 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 bill to continue the act for the regulation of Pilots and the pilotage of vessels at the port of St. John's.

House in committee on bill to continue Pilots Act

The hon. Mr. Speaker left the chair.

Mr. Benning took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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.

Report.

Report adopted.

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 engrossed, and to be read a 3d time on Thursday.

Ordered,—That the said Bill, as amended, be engrossed and read a third time on Thursday next.

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

WEDNESDAY, APRIL 26, 1843.

Notice of motion for com. on ways and means to-morrow.

THE Mr. Morris gave notice that to-morrow he would move that the house resolve itself into a committee of the whole house on the consideration of Ways and Means.

Road bill read 2d time.

Pursuant to order, a bill to provide for the making and repairing of roads, streets and bridges in this Island, was read a second time.

Committed.

Ordered,—That the said bill be committed to a committee of the whole house.

Mr. O'Brien moved, seconded by Mr. Nugent, that it be

Motion for going into com. on said bill to-morrow.

Resolved,—That this house will to-morrow resolve itself into a committee of the whole house on the consideration of the said bill,—whereupon,

Mr. Prendergast moved, seconded by Mr. Barnes,

Amendment moved thereon and lost.

That the word "to-morrow" in the said motion be expunged, and the words "Tuesday next," be inserted instead ; which being put, passed in the negative.

Original motion carried.

The question upon the original motion being put, it passed in the affirmative, and

Resolved,—Accordingly.

Notice of motion for an address for revision of the list of magistrates.

The hon. Mr. Tobin gave notice that he would, to-morrow, move the adoption of an address to his Excellency the Governor praying for a revision of the list of Magistrates.

House in com. 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 the supply granted to her Majesty.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and that they had directed him to move for leave to sit again on the further consideration thereof to-morrow. Progress, &c.

Ordered,—That the said committee have leave to sit again to-morrow.

Mr. Nugent, seconded by the hon. Mr. Noad, moved,

That the House do now adjourn; which being put, passed in the negative. Motion to adjourn made & lost.

Pursuant to the order of the day, a Bill to provide for the taking of the census during the present year, was read a second time. Census bill read a second time

On motion of Mr. Munn, seconded by Mr. Barnes,

Ordered,—That the said Bill be committed to a committee of the whole House. and 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. for Monday next:

Pursuant to order, a Bill to promote vaccination in the several districts of this Island was read a second time. Bill to promote vaccination read 2d time

On motion of Mr. Munn, seconded by the hon. Mr. Kent,

Ordered,—That the said Bill be committed to a committee of the whole House. and committed

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole House on the said Bill. for Monday next.

Pursuant to the order of the day, a Bill to continue an Act passed in the third year of her Majesty's reign entitled "An Act to regulate the Fees and Costs payable in the several Police Offices and Courts of Sessions in this Island," was read a second time. Bill to continue Sessions Court fees act read 2d time

On motion of Mr. Nugent, seconded by Mr. Carter,

Ordered,—That the said Bill be committed to a committee of the whole House. and committed

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said Bill. for 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 to indemnify Governor Sir John Harvey for sums paid by him out of the Colonial Treasury, for the public service. House in committee on indemnity Bill.

The hon. Mr. Speaker left the chair.

The hon. Mr. Kent took the chair of the committee.

The hon. 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 agreed to the same without any amendment.

Report adopted

Ordered,—That the said report be adopted by the House.

and bill to be read a third time to-morrow.

Ordered,—That the said Bill be engrossed and read a third time to-morrow.

Then the house adjourned until to-morrow, at one of the clock.

THURSDAY, APRIL 27, 1843.

Estimate of repairs of Harbour Grace Court House, laid on the table.

THE hon. Mr. Noad presented to the House by command of his Excellency the Governor, an estimate of necessary repairs, painting, and other work, required for the Court House and Gaol at Harbour Grace, to preserve the building.

(See Appendix.)

Ordered,—That the said Documents do lie on the Table.

Petition of M. Jackman Constable Renew's.

A petition of Michael Jackman, Constable at Renew's, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, praying compensation for reduction of his salary from £20 to £12 since the year 1837.

On Table.

Ordered,—That the said petition do lie on the table.

Petition of John Keefe School Master Musquito

A petition of John Keefe, School Teacher at Musquito, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by Mr. Prendergast, and the same was received and read, praying for payment of arrears of salary as a Teacher under the late Education Act.

On Table.

Ordered,—That the said petition do lie on the table.

Whale Fishery encouragement Bill read a third time,

Pursuant to the order of the day, an engrossed bill to provide for the encouragement of the Whale Fishery in this Colony, was read a third time.

On motion of the hon. Mr. Bennett, seconded by Mr. Nugent,

and passed.

Resolved,—That the said Bill do pass, and that the title be "An Act to provide for the encouragement of the Whale Fishery in this Colony."

Bill to continue the Pilots regulation act read a third time.

Pursuant to the order of the day, an engrossed Bill to continue an Act passed in the second year of the reign of her present Majesty, entitled "An Act for the regulation of Pilots, and the Pilotage of Vessels at the Port of St. John's," was read a third time.

On motion of Mr. Nugent, seconded by the hon. Mr. Dunscomb,

Resolved,—That the said Bill do pass, and that the title be “ An Act to amend and continue an Act passed in the second year of the reign of her present Majesty, entitled ‘ An Act for the regulation of Pilots, and the Pilotage of Vessels at the Port of St. John’s.’ ”

Passed—Title.

Pursuant to order, a Bill to continue an Act relating to Light Houses, was read a second time.

Bill to continue Light House act read 2d time.

On motion of the hon. Mr. Kent, seconded by Mr. Nugent,

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

and committed

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

for to-morrow.

The hon. Mr. Tobin, pursuant to notice, presented a draft of an Address to his Excellency the Governor, praying that he would direct the list of the Magistrates to be revised, and the same was read a first time.

Draft of address for revision of list of Magistrates read 1st time.

On motion of the hon. Mr. Noad, seconded by Mr. Barnes,

Committed.

Ordered,—That the said Address be now committed to a committee of the whole House.

House in committee thereon.

The hon. Mr. Speaker left the chair.

Mr. O'Brien took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred ; which report was received and adopted by the House.

Progress.

The order of the day for the second reading of a Bill to explain and amend the laws that regulate the Fisheries of this Colony, and to declare the respective rights of Merchants, Planters, and Fishermen, being read,

Order of the day for the 2d reading of the Fishery Bill read

On motion of the hon. Mr. Morris, seconded by Mr. Nugent,

Ordered,—That the said order of the day be discharged.

and discharged.

On motion of the hon. Mr. Morris, seconded by Mr. Robinson,

Resolved,—That the House do now resolve itself into a committee of the whole House on the consideration of Ways and Means.

And the House resolved itself into the said committee accordingly.

House in committee on Ways and Means.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had considered of the business to them referred, and had agreed to a resolution thereon, which they

Resolution reported for a Select Committee to prepare scale of Duties.

had directed him to report to the House; and he read the resolution in his place, and afterwards delivered it in at the Clerk's table, where it was again read and is as follows:—

Resolution.

Resolved,—That it is the opinion of this committee that a select committee should be appointed to report to the House on what articles it will be advisable to impose duties, to replace the deficiency which, after the 5th day of July next, will be occasioned to the Revenue by the operation of the recent Imperial Act, to regulate the trade of the British Possessions abroad.

Report adopted.

Ordered,—That the said report be received and adopted by the House.

Select committee.

Ordered,—That the hon. Mr. Morris, the hon. Mr. Kent, the hon. Mr. Thomas, hon. Mr. Row, Mr. O'Brien, and Mr. Munn, do form a select committee for the purpose mentioned in the said resolution.

On motion of Mr. Nugent, seconded by Mr. Prendergast,

Petition of St. John's Tailors and Coopers referred to the Select committee.

Ordered,—That the petition of Thomas Murphy, and others, Coopers, of St. John's, and also the petition of Henry Earle and others, Tailors, of St. John's, now lying on the table of the House, be referred to the said select committee.

Order of day for committee of whole on Seal Fishery Bill read.

The order of the day for the House resolving itself into a committee of the whole House on the Bill for the regulation of the Seal Fishery in this Colony, being read,

Mr. Prendergast moved, seconded by Mr. Ridley,

Motion to go into the committee made and negatived.

That the House do now resolve itself into a committee of the whole House on the said Bill;—which being put, and the House dividing thereon, there appeared for the motion, six; against it, ten.

So it passed in the negative.

House in committee of the whole on the Sheriff's fees commutation 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 commutation of the fees of the office of High Sheriff of the Colony.

The hon. Mr. Speaker left the chair.

The hon. Mr. Noad took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress, &c.

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

First on the order of the day for to-morrow.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first thing on the order of the day.

On motion of Mr. O'Brien, seconded by Mr. Nugent,

Committee of the whole on the road bill 2d for to-morrow.

Ordered,—That the committee of the whole House to provide for the making and repairing of Roads and Bridges in this Island, be the second thing on the order of the day for to-morrow.

Mr. Nugent moved, seconded by the hon. Mr. Kent,

That the House do now adjourn until Saturday next at one of the clock ;— whereupon,

Motion for adjournment to Saturday.

Mr. Barnes moved, seconded by Mr. Munn,

That the words " Saturday next, at one of the clock," in the said motion, be expunged, and the words " To-morrow, at two of the clock," be inserted instead,—which being put, passed in the negative.

Amendment moved thereon and lost.

Mr. Barnes then moved, seconded by Mr. Ridley,

That the original motion be amended by expunging the words " Saturday next, at one of the clock," and by inserting the words " To-morrow, at four of the clock," instead.—Which being put, passed in the negative.

2d amendment moved and negatived.

The question upon the original motion was then put, and passed in the affirmative, and

Original motion carried.

The house adjourned accordingly.

SATURDAY, APRIL 29, 1843.

The hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows :—

Message from the Governor relative to increase of salary of stipendiary magistrates, &c.

MESSAGE.

J. HARVEY.

With reference to the Governor's message of the 25th inst. respecting an increase of salary to certain stipendiary magistrates, his Excellency now acquaints the General Assembly that he has no objection to the house making such a distribution of the aggregate sum therein mentioned, as it may deem expedient, with the understanding that the house will be prepared favourably to entertain at its next session such a proposition for a general increase of the salaries of the said magistrates as may then be recommended.

J. H.

Government House, 29th April, 1843.

Ordered,—That the said message be referred to the committee of supply.

Mr. O'Brien presented to the house (with the assent of his Excellency the Governor) an account of disbursements made by the late Clerk of the house since the last session, and for extra services performed by him during the vacation.

Account of disbursements of late Clerk.

Ordered,—That the said documents do lie on the table.

Indemnity bill read 3d time

Pursuant to order, an engrossed bill to indemnify his Excellency Governor Sir John Harvey, for monies paid by him out of the Colonial Treasury for the public service, was read a third time.

On motion of the hon. Mr. Row, seconded by the hon. Mr. Noad,

Passed—Title.

Resolved,—That the said bill do pass, and that the title be “ An act to indemnify his Excellency Governor Sir John Harvey for certain monies paid by him out of the Colonial Treasury for the public service.”

House in com. of whole on bill to continue Lighthouse act.

Pursuant to order, the house resolved itself into a committee of the whole on the bill to continue an act passed in the third year of her Majesty's reign, entitled “ An Act to consolidate the several acts now in force respecting Light Houses, and to make further provision for the management of the said Light Houses.”

The hon. Mr. Speaker left the chair.

Mr. Ridley took the chair of the committee.

The hon. 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 agreed to the same without any amendment.

Ordered,—That the said report be adopted by the House:

Engrossed—3d reading.

Ordered,—That the said Bill be engrossed and read a third time on Monday next.

Hour for appointment of Burin election committee.

It being now two of the clock, and this being the hour upon this day appointed by the house for taking into consideration the petition of Henry Win- ton, complaining of the undue election and return of Clement Benning, Esq., as member of this house for the district of Burin,—and the Sergeant at Arms having informed the house that the petitioner was in attendance,

Ordered,—That the said petitioner do now attend at the Bar of the house.

Petitioner attends at the Bar.

And he appeared at the Bar accordingly.

Select committee chosen.

And the sitting member for the said district of Burin being in his place, the house proceeded to choose a select committee to try the merits of the said petition, in pursuance of the terms of the act passed during the present session of the Legislature “ To regulate the trials of controverted Elections or returns of members to serve in the House of Assembly ;”—and thereupon the sitting member in person, and the said petitioner by Mr. Ridley, a member of this house, on his behalf, and at his request, alternately named the following members of the house as members of the said committee, viz.—

The Hon. Mr. Morris	Mr. Barnes
Mr. Robinson	Mr Hanrahan
Mr. Nugent	Mr. Carter.

And then the said petitioner withdrew from the Bar.

On motion of the hon. Mr. Bennett, seconded by Mr. Ridley,

Ordered,—That the members of the said committee do now take the Oath prescribed in the 8th section of the Act for regulating the trials of controverted elections or returns of members to serve in the House of Assembly.

Motion that the committee be sworn,

Accordingly, the oath so directed to be taken as aforesaid was administered by the Clerk to the several members of the said committee at the table of the house.

Oath administered by the Clerk.

Pursuant to the order of the day, the house then resolved itself into a committee of the whole house on the consideration of the bill for the commutation of the fees of the office of High Sheriff of this colony.

House in committee on Sheriff's fees commutation bill,

The hon. Mr. Speaker left the chair.

The hon. Mr. Noad took the chair of the committee.

The hon. 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.

Report adopted.

Ordered,—That the said bill as amended be engrossed and read a third time on Monday next.

To be read third time on Monday.

The order of the day for the house to resolve itself into a committee of the whole house on the bill to provide for the making and repairing of roads and bridges within this colony being read,

Order of day for committee on road bill read,

Mr. O'Brien moved, seconded by the hon. Mr. Kent,

and motion to go into committee made and negatived

That the house do now resolve itself into a committee of the whole house on the said bill,—which being put, passed in the negative.

On motion of Mr. O'Brien, seconded by Mr. Nugent,

Ordered,—That the committee of the whole house on the said bill be the first thing on the order of the day for Monday next.

Road bill first on the order of the day for Monday.

Mr. Ridley gave notice that on Monday next he would move an address to his Excellency the Governor, praying that in future the Legislature may be convened during the summer, instead of during the winter season, as at present.

Notice of motion for address for summer sessions.

Then the house adjourned until Monday next, at one of the clock.

MONDAY, MAY 1, 1843.

Bill to continue Lighthouse
not read read 3 time.

PURSUANT to the order of the day, an engrossed bill to continue the act concerning Light houses, was read a third time.

Passed—Title.

On motion of the hon. Mr. Morris, seconded by Mr. Nugent,
Resolved,—That the bill do pass and that the title be “An act to continue an act passed in the third year of her Majesty’s Reign, entitled “An act to amend several acts now in force respecting Light houses, and to make further provision for the said Light houses, and to consolidate the laws respecting the same.

Sheriff's bills read 3d time

Pursuant to the order of the day, an engrossed bill to commute the fees of the office of High Sheriff of this colony, was read a third time.

Passed—Title

On motion of Mr. Robinson, seconded by the hon. Mr. Kent,
Resolved,—That the bill do now pass, and that the title be “An act for commuting the fees of the office of High Sheriff of this colony, and for providing salaries for the said Sheriff and his deputies.”

Petition of John Thomson
and others

A petition of John Thomson and others, inhabitants of Old Perlican, was presented by Mr. Barnes, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money to repair the roads and bridges in the said settlement.

Referred to com. on roads
and bridges

Ordered,—That the said petition be referred to the committee on roads and bridges.

Further petition of John
Thomson and others

A further petition of John Thomson and others, inhabitants of Old Perlican, was presented by Mr. Barnes, who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant to open and make a road from Old Perlican, aforesaid, to Lower Island Cove, and to Grates Cove.

Referred to com. on roads
and bridges.

Ordered,—That the said petition be referred to the committee on roads and bridges.

Petition of Rev. H. Lind
& others

A petition of Rev. Henry Lind and others, inhabitants of New Perlican, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency for that purpose,) and the same was received and read, praying for a grant of money to erect a school house and establish a school at the said place.

Ordered,—That the said petition do lie on the table,

Notice of motion for meet-
ing of Burin election com.

Mr. Ridley gave notice that to-morrow he would move that a day be named for the select committee upon the petition complaining of the undue return of Clement Benning, Esq. as member for Burin, to meet and proceed with the consideration of the said petition.

Report of select com. on
New Duties to be imposed

The hon. Mr. Morris reported from the select committee appointed to report upon what articles it is advisable to impose duties for the increase of the Revenue ; 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—

The committee appointed by your honourable House to report upon what articles it is advisable to impose duties, in order to replace the deficiency in the Revenue, which will, after the 5th day of July next be occasioned by the operation of the recent Act of the Imperial Parliament for regulating the trade of the British Possessions Abroad, recommend the following Scale of Duties, in addition to those imposed by the Imperial Act 5 & 6 Vic., Cap. 49; to carry out the provisions of which Scale of Duties, it will be necessary to make them operate on the 5th day of July next, and from the same period to repeal the present local Revenue Act, passed in this Session of the Legislature.

Wine, Videlicit :—	
All Wine in Bottles—the Gallon	2s. 6d.
All other Wines—the Gallon	1s. 6d.
For every gallon of Brandy, Geneva and Cordials, not exceeding the strength of proof by Sykes' Hydrometer, and so in proportion for any greater strength and for any greater or less quantity than a gallon — the gallon	2s. 6d.
For every Gallon of Rum and Whiskey, not exceeding the strength of proof by Sykes' Hydrometer, and so in proportion for any greater strength, and for any greater or less quantity than a gallon—the gallon	1s. 3d.
Every Barrel of Apples	1s. 6d.
For every cwt. of Meat, salted or cured	1s. 6d.
For every cwt. of Bread or Biscuit	3d.
For every cwt. of Butter	2s.
Coals—the Ton	1s.
For every Barrel of Flour, not exceeding in weight 196lbs.	1s. 6d.
Goods, Wares and Merchandize, not otherwise enumerated, described, or charged with Duty in this Act, and not herein declared to be Duty Free—for every £100 of the true value thereof	5 per Cent.
Oatmeal—the Barrel—not exceeding in weight 200lbs.	6d.
Molasses—the Gallon	1½d.
Salt	Free.
Implements and Materials fit and necessary for the Fisheries—Videlicit: Lines, Twines, Hooks, Nets and Seines	Free.
Coin and Bullion	Free.
Horses, Mares, and Geldings	Free.
Neat Cattle and Calves	Free.
Sheep	Free.
Hogs	Free.
Potatoes, and all other vegetables	Free.
Printed Books	Free.
Lumber, one inch thick—the thousand feet	2s. 6d.
Ton Timber, and Balk of all kind, including Scantling—the Ton	1s. 6d.
Shingles—the thousand	1s.
Tea—the pound	3d.
Refined Sugar—the cwt.	5s.
Unrefined, or Clayed Sugar—the cwt.	Free.

Cigars—the thousand	10s.
Manufactured and Leaf Tobacco—per Pound	2d.
Tobacco Stems—the cwt.	2s.
Coffee—the cwt.	5s.
Furniture	10 per cent.

Report adopted and referred to committee of Ways and Means.

Ordered,—That the said report be adopted and referred to the committee of the whole House on Ways and Means.

To be printed.

Ordered,—That the said report be printed for the use of Members.

Committee of Ways and Means first for Wednesday

Ordered,—That the committee of the whole on Ways and Means be the first thing on the order of the day for Wednesday next.

House in committee on land 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 to provide for the making and repairing of Roads and Bridges in this Island.

The hon. Mr. Speaker left the chair.

The hon. Mr. Dunscomb took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress. &c.

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 thereof to-morrow.

Ordered,—That the said committee have leave to sit again to-morrow.

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

TUESDAY, MAY 2, 1843.

Documents laid on the table—expenses of registering Voters,

THE hon. Mr. Noad presented to the House by command of his Excellency the Governor, and laid upon the table, various accounts for expenses incurred in the registration and revision of the list of Voters.

Return of Clerks of Peace St. John's and Conception Bay,

Also, a return from the Clerks of the Peace for the District of St. John's and Conception Bay, of the fees received by them for the three years preceding 1840.

(See Appendix.)

Referred to committee of supply.

Ordered,—That the said Documents be referred to the committee of supply.

On motion of Mr. O'Brien, seconded by Mr. Nugent,

Resolved,—That the House do now resolve itself into a committee of the whole House on the Bill to provide for the making and repairing of roads and bridges in this Colony. House in committee of whole on road bill.

And the House resolved itself into the said committee accordingly.

The hon. Mr. Speaker left the chair.

The hon. Mr. Dunscomb took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and that they had directed him to move for leave to sit again on the further consideration thereof to-morrow. Progress.

Ordered,—That the said committee have leave to sit again to-morrow.

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

WEDNESDAY, MAY 3, 1843.

A Petition of George Hipplesley, Assayer of Weights and Measures for the Division of Harbor Grace, in Conception Bay, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, praying for payment of arrears of salary as such Assayer of Weights and Measures, as aforesaid. Petition of G. Hipplesley.

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of supply.

A petition of William Mallowney, of Harbor Main, in the Northern district, to his Excellency the Governor, (was, with his Excellency's assent) presented to the house by the hon. Mr. Noad, and the same was received and read, setting forth, that he has served as a Constable at Harbor Main for thirty two years, and has received a stipend of twelve pounds per annum, for the last eight years—that being now seventy three years of age he is compelled to resign his situation from infirmities of age; and praying for a pension for his past services. Petition of W. Mallowney.

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of supply.

A petition of W. R. Gill, of Trinity, Member of the Royal College of Surgeons in London, to his Excellency the Governor, was (with his Excellency's assent) presented to the House by the hon. Mr. Noad, and the same was received and read, praying for a stipend as Surgeon of the Gaol at Trinity. Petition of W. R. Gill.

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of supply.

Letter of Capt. Dacres.

The hon. Mr. Noad presented to the House, by command of his Excellency the Governor, a letter from Captain Dacres, of the Royal Artillery, on the subject of the continuance of the grant of £36, for the signal men at Fort Amherst.

And account of Dr. Kieley laid on the table.

Also, an account from Dr. Kieley for services performed by him, by order of the Governor, in 1841.

(See Appendix.)

Referred to committee of supply.

Ordered,—That the said documents be referred to the committee of supply.

Petition of J. Hodge Kelligrews.

A petition of James Hodge, of Kelligrews, was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying for a grant of money to build a bridge over Kelligrews Brook.

On table.

Ordered,—That the said petition do lie on the table.

Petition of W. Stentaford, Clerk Peace, Brigus.

A petition of W. T. Stentaford, Clerk of the Peace at Brigus, was presented by Mr. Munn, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for an addition to his salary in consequence of reduction of his emoluments by the act for regulating the fees of the Court of Sessions.

Referred to committee of supply.

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

Petition of D. P. Marrett.

A petition of D. P. Marrett, Clerk of the Board of Controul, was presented by Mr. Munn, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for payment of arrears of his salary as Clerk of the said Board of Controul.

Referred to committee of supply.

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

Motion for address to the Governor for future sessions of the Legislature in summer.

Mr. Ridley moved, pursuant to notice, and seconded by Mr. Munn, that it be

Resolved,—That an address be presented to his Excellency the Governor, acquainting his Excellency that it is the opinion of this House that it would greatly conduce to the public convenience, if the Legislature were in future convened in the summer, instead of the winter season, as at present; and respectfully requesting that his Excellency will be pleased in future to convene the Legislature during the summer season:—which being put, passed in the negative.

Mr. Ridley moved, pursuant to notice, seconded by Mr. Munn, that it be

Motion for meeting tomorrow of Burin election committee,

Resolved,—That the select committee appointed to try the merits of the petition complaining of the undue election and return of Clement Benning Esq., as Member for the district of Burin, do meet in the Committee Room tomorrow forenoon, at eleven o'clock;—whereupon,

The hon. Mr. Tobin, seconded by Mr. Nugent, moved

That the words "to-morrow, forenoon," in the said motion, be expunged, and the words "on the first day of the next session," be inserted instead,—which being put, and the house dividing thereon, there appeared for the amendment, nine, against it, eight.

Amendment—to meet on the first day of next Session.

For the amendment.

Against the amendment.

Division on amendment.

The Hon. Mr. Morris
 ' ' ' Tobin
 ' ' ' Kent
 Mr. Hanrahan
 ' Dillon
 ' S. Morris
 ' Benning
 ' O'Brien
 ' Nugent.

The Hon. the Attorney General
 ' ' Mr. Noad
 ' ' Row
 Mr. Barnes
 ' Glen
 ' Ridley
 ' Munn
 ' Carter

So it passed in the affirmative, and

Amendment carried.

Resolved—Accordingly.

Pursuant to the order of the day, the house then resolved itself into a committee of the whole house on the further consideration of the bill to provide for the making and repairing of roads and bridges within this colony.

House in committee of whole on road bill.

The hon. Mr. Speaker left the chair.

The hon. Mr. Noad took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

Progress. &c.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first thing on the order of the day.

Then the house adjourned until to-morrow, at one of the clock.

THURSDAY, MAY 4, 1843.

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 provide for the making and repairing of roads and bridges within this colony.

House in committee on road bill.

The hon. Mr. Speaker left the chair.

The hon. Mr. Dunscomb took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress. &c.

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

Ordered,—That the said committee have leave to sit again to-morrow.

Then the house adjourned until to-morrow, at one of the clock.

FRIDAY, MAY 5, 1843.

Petition of T. Ridley and
E. Hanrahan Esqrs.

A Petition of Thomas Ridley and Edmund Hanrahan, Esqrs., members for the district of Conception Bay to his Excellency the Governor, was (with his Excellency's assent) presented to the house by the hon. Mr. Noad, and the same was received and read, praying that provision may be made for the maintenance of destitute orphan children and paupers in the district of Conception Bay

Ref. to committee of supply

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

Petition of P. W. Carter,
Esq.

A petition of Peter Weston Carter, senior magistrate, and Chairman of the Sessions Court of the Central district, to his Excellency the Governor, was (with his Excellency assent) presented to the house by the hon. Mr. Noad, and the same was received and read setting forth—That he was appointed Justice of the Peace on the resignation of Mr. Justice Coote, in the year 1815, and from that period has continued to perform the duties of a stipendiary magistrate, being associated with Mr. Broom and Mr. Blaikie, the former receiving a salary of £350, and the latter a salary of £175, concurrently with a salary of £250 as Clerk of the Central Circuit Court;—that petitioner's salary was raised to £250 by the Legislature in 1833, Mr. Broom continuing to receive £350. That in 1834, petitioner was chosen Chairman of the Sessions of the Central district, when his salary was increased by the House of Assembly to £350, which was paid, with the exception of one quarter in 1837. That petitioner has faithfully performed the duties of his situation for 28 years, and praying that his petition may be favourably recommended to the consideration of the Legislature.

Ref. to committee of supply

Ordered,—That the said petition be referred to the committee of Supply.

A petition of Robert Harris and others, inhabitants of Northern Bay, was presented by Mr. Hanrahan (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money to compensate James Hogan, a school teacher under the late Education act at Northern Bay, aforesaid.

Petition of Robert Harris and others

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 house on the further consideration of the bill to provide for the making and repairing of roads and bridges within this colony.

House in committee on road bill.

The hon. Mr. Speaker left the chair.

The hon. Mr. Noad took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

Progress.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first thing on the order of the day.

The hon. Mr. Noad gave notice that to-morrow he would move that a select committee be appointed to enquire into and report upon the contingent expenses of the Legislature during the present session.

Notice of motion for committee on contingencies.

The hon. Mr. Noad acquainted the house, by command of his Excellency the Governor, that his Excellency assented to the house making such grants for defraying the contingent expenses of the Legislature during the present session, as the house should deem necessary for that service.

and assent of the Governor to appropriations for contingencies announced

Then the house adjourned until to-morrow, at one of the clock.

SATURDAY, MAY 6, 1843.

THE hon. Mr. Noad laid upon the table of the house by command of his Excellency the Governor, a supplementary statement of the loss of fees suffered by Aaron Hogsett, Esq., Clerk of the Peace for the Central District.

Supplementary statement of loss of fees of Clerk Peace St. John's.

Also a detailed account of the contingent expenses of the Board of Control for three years ending 1st May, 1843.

(See Appendix.)

Ref. to committee of supply *Ordered*,—That the said documents be referred to the committee of Supply.

Petition of James Finlay. *A* petition of James Finlay, assayer of weights and measures for the Central District, was presented by Mr. Carter (who stated in his place that he had obtained the consent of his Excellency for that purpose) and the same was received and read, praying compensation for services performed by him as such assayer of weights and measures.

Ref. to committee of supply *Ordered*,—That the said petition be referred to the committee of Supply.

Petition of F. Sliney. *A* petition of Patrick Sliney, school teacher at Chapels Cove, was presented by Mr. Carter, (who stated in his place that he had received the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for payment of arrears of salary due him as such school teacher as aforesaid.

Referred to committee of supply. *Ordered*,—That the said petition be referred to the committee of Supply.

Petition of M. Divine. *A* petition of Maurice Devine, of King's Cove, constable, was presented by Mr. Carter (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for services performed by him as constable as aforesaid, and a continuance to him of a regular salary as heretofore.

Ref. to com. supply. *Ordered*,—That the said petition be referred to the committee of Supply.

On motion of the hon. Mr. Noad, pursuant to notice, and seconded by Mr. Carter,

Committee to report upon contingencies. *Resolved*,—That a select committee be appointed to enquire into and report upon the contingent expenses of the Legislature during the present Session.

Ordered,—That the hon. Mr. Noad, Mr. Carter, and Mr. Nugent do form such committee.

House in committee on road 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 to provide for the making and repairing of roads and bridges within this colony.

The hon. Mr. Speaker left the chair.

The hon. Mr. Noad took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and that they had requested him to move for leave to sit again on the further consideration thereof to-morrow,—where-upon—

Progress.

Mr. O'Brien, seconded by Mr. Nugent, moved,

That the committee of the whole House on the Road Bill be the first thing on the order of the day for Monday.

Motion that the road bill be first for Monday.

The hon. Mr. Morris, seconded by Mr. Prendergast, moved in amendment of the motion—

Amendment that the committee of Ways and Means be the first for Monday put and negatived.

That the committee of the whole House on Ways and Means be the first thing on the order of the day ; which, being put, passed in the negative.

The question on the original motion was then put and passed in the affirmative—and,

Original motion carried.

Ordered,—Accordingly.

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

MONDAY, MAY 8, 1843.

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 provide for the making and repairing of Roads and Bridges in this Colony.

House in committee on roads and bridges.

The hon. Mr. Speaker left the chair.

The hon. Mr. Noad took the chair of the committee.

The hon. 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.

Ordered,—That the said Bill as amended be engrossed and read a third time on Thursday next.

To be engrossed,

Ordered,—That the said Bill as amended be printed for the use of Members.

and printed.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of Ways and Means.

House in committee on Ways and Means.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. 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 that they had directed him to move for leave to sit again on the further consideration thereof to-morrow.

Ordered,—That the said committee have leave to sit again to-morrow.

Petition of R. Holden.

A petition of Richard Holden was presented to the House by the hon. Mr. Kent (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose), and the same was received and read, praying for compensation for loss of his late office of Assistant Clerk of the House, and for services performed since the dissolution of the late House of Assembly.

Referred to committee of supply.

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

Then the House adjourned until To-morrow, at one of the clock.

TUESDAY, MAY 9, 1843.

ON motion of the hon. Mr. Dunscomb, seconded by the hon. Mr. Kent,

Extra Copies of Acts ordered to be printed.

Ordered,—That a sufficient number of the acts of the Legislature during the present Session be printed to furnish copies to every Justice of the Peace, and Coroner, throughout the Island, to be procured on application at the Secretary's Office.

Petition of Bishop Fleming for aid to the Convent School.

A petition of the Right Rev. Dr. Fleming, Roman Catholic Bishop, was presented by the hon. Mr. Kent, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a continuance of the usual grant in aid of the Presentation Convent School.

Referred to Committee of Supply

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

House in Committee of Ways and Means.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of Ways and Means.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and that they had directed him to move for leave to sit again on the further consideration thereof to-morrow. Progress.

Ordered,—That the said committee have leave to sit again to-morrow, and that it be the first thing on the order of the day to-morrow.

Then the House adjourned until To-morrow, at one of the clock.

WEDNESDAY, MAY 10, 1843.

THE hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

Message from the Governor recommending addition of £100 to the salary of the Colonial Treasurer.

MESSAGE.

J. HARVEY.

The Governor being of opinion that the present salary of the Colonial Treasurer is an inadequate remuneration for the responsibility and duties attaching to his office, recommends to the General Assembly to make an addition thereto, of one hundred pounds per annum.

J. H.

Government House, }
10th May, 1843. }

Ordered,—That the said message be referred to the committee of supply.

Referred to committee of supply.

The hon. Mr. Noad also presented to the House, by command of his Excellency the Governor, a letter from the Commissioners of Light Houses, praying that an additional sum of two hundred pounds be placed at their disposal.

Letter from Light House Commissioners for additional sum of £200

(See Appendix.)

Ordered,—That the said Document be referred to the committee of Supply.

Referred to committee of supply.

Mr. Barnes gave notice that he would to-morrow, move to rescind a resolution of the House adopted on the 3d instant, appointing the first day of the next Session of the Legislature for the meeting of the Select Committee appointed to take into consideration the petition of Henry Winton, Esq., complaining of the undue return of Clement Benning, Esq., the sitting Member for the district of Burin; and that Friday next, the 12th instant, be appointed by the House as the day on which the said committee shall, at ten of the clock in

Notice of motion to rescind resolution for meeting of Burin election on the first day of next session.

the forenoon, proceed to the investigation of the matter complained of in the aforesaid petition.

Notice of bill to extend provisions of Reserved salaries act.

The hon. the Attorney General gave notice, that to-morrow, he would move for leave to bring in a Bill to extend and continue certain provisions of an Act of the Parliament of the United Kingdom, passed in the second and 3d year of the reign of his late Majesty King William the 4th, for securing the provision of the sum of six thousand five hundred and fifty pounds for the maintenance and support of the Governor, and other Officers of her Majesty's Government in this Colony; and that the order of this House, made on the 23d day of March last, in reference to the introduction of Bills, be suspended for that purpose.

Petition of Thos. Byrne.

A petition of Thomas Byrne, was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose), and the same was received and read, praying remuneration for a survey made by him of a disputed line of Road from Holyrood to Salmon Cove, in the year 1841.

Referred to Committee of Supply

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

Petition of officers of late House of Assembly

A petition of the officers of the late House of Assembly was presented by Mr. Hanrahan, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying that compensation may be made to them for loss of their offices, and for services performed by them during the suspension of the Legislature.

Referred to committee of supply.

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

House in Committee of Ways and Means.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of Ways and Means.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Report of Table of duties.

The chairman reported from the committee that they had considered of the business to them referred, and had agreed to a resolution thereon, which they had directed him to report to the House; and he delivered the report in at the Clerk's table, where it was again read, and is as follows:—

Resolved,—That it is the opinion of this committee that there be raised, levied, collected, and paid to her Majesty, her heirs and Successors, upon the importation into this Colony of Goods, Wares, and Merchandize, the following duties, that is to say,—

Wine, Videlicet :—

All Wine in Bottles—the Gallon, two shillings and sixpence.

All other Wines—the Gallon, one shilling and sixpence.

For every Gallon of Brandy, Geneva and Cordials, not exceeding the strength of proof by Sykes' Hydrometer, and so in proportion for any greater strength and for any greater or less quantity than a Gallon—the Gallon, two shillings and sixpence.

For every gallon of Rum and Whiskey, not exceeding the strength of proof by Sykes' Hydrometer, and so in proportion for any greater strength; and for any greater or less quantity than a gallon, the gallon, one shilling and three pence.

Every barrel of Apples, one shilling and sixpence.

For every Cwt. of Meat, salted or cured, one shilling and sixpence.

For every Cwt. of Bread or Biscuit, three pence.

For every Cwt. of Butter, two shillings.

Coals, the ton, one shilling.

For every barrel of Flour, not exceeding in weight 196 lbs. one shilling and sixpence.

Goods, Wares and Merchandize, not otherwise enumerated, described or charged with duty in this act, and not herein declared to be duty free—for every £100 of the true value thereof, five per cent.

Oatmeal—the barrel—not exceeding in weight 200lbs. sixpence.

Molasses—the gallon—one penny halfpenny.

Salt Free

Implements and materials fit and necessary for the fisheries—videlicet, Lines, Twines, Hooks, Nets and Seines. Free

Coin and Bullion	Free
Horses, Mares, and Geldings	Free
Neat Cattle and Calves	Free
Sheep	Free
Hogs	Free
Potatoes and all other vegetables	Free
Printed Books	Free

Lumber, one inch thick—the thousand feet, two shillings and sixpence.

Ton Timber, and Balk of all kind, including scantling—the ton, one shilling and sixpence.

Shingles, the thousand, one shilling.

Tea, the pound, three pence.

Refined Sugar the cwt., five shillings.

Unrefined, or clay'd Sugar, the cwt. free.

Cigars—the thousand, ten shillings.

Manufactured and Leaf Tobacco, per pound, two pence.

Tobacco stems, the cwt. two shillings.

Coffee, the cwt. free.

Furniture manufactured from wood, for every £100 of the true value thereof, 10 per cent.

Ale, Beer, Cider, Porter or Perry, for every £100 of the true value thereof, ten per cent.

And the said report having been read throughout,

Resolved,—That this house concur with the committee in the said report.

Report adopted.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Kent,

Committee to frame Revenue Bill

Resolved,—That a select committee be appointed to prepare and bring in a Revenue bill, in compliance with the said report.

Ordered,—That the hon. Mr. Morris, hon. Mr. Kent and Mr. Carter, do form such committee.

Then the house adjourned until to-morrow, at one of the clock.

THURSDAY, MAY 11, 1843.

House met and adjourned.

THE House met, and adjourned until to-morrow, at one of the clock.

FRIDAY, MAY 12, 1843.

Road bill read 3d time,

PURSUANT to the order of the day, an engrossed bill to provide for the making and repairing of roads, streets and bridges in this colony, was read a third time,—and thereupon,

Additional sections moved to be added as a rider.

The hon. Mr. Row, seconded by Mr. Ridley, moved that the following sections be added to the bill as a Rider, viz.

And whereas by the proposal originally made for the application of the sum of twenty-five thousand pounds for the purposes of roads, streets, and bridges, it was proposed that the same should be taken up by loan, to be paid by instalments as hereinafter provided :

BE IT FURTHER ENACTED, that of the said sum of twenty five thousand pounds the sum of five thousand pounds shall be paid out of such monies as may from time to time remain in the hands of the Treasurer, and unappropriated, and that it shall and may be lawful for the said Treasurer to raise by loan, to be chargeable upon, and repaid with, interest not exceeding six per cent. per annum, out of the funds of the colony, the remaining sum of twenty thousand pounds, for which sum debentures shall be issued by the said Treasurer in the form contained in the Schedule hereunto annexed.

And be it further enacted that the monies so to be borrowed as aforesaid, shall be repaid out of the Colonial Treasury at the times and in the propor-

tions following, that is to say—The sum of five thousand pounds at the expiration of two years—the sum of five thousand pounds at the expiration of three years—the sum of five thousand pounds at the expiration of four years—and the sum of five thousand pounds at the expiration of five years from the passing of this act.

—00—

SCHEDULE.

Stg. No.

BY VIRTUE of an act of the Legislature of Newfoundland, passed in the sixth year of the Reign of Her present Majesty, entitled An Act &c. I the Treasurer of Newfoundland do hereby certify that by virtue of the power and authority in me by the said act vested, I have borrowed from the sum of bearing interest from the date hereof at the rate of per cent. per annum, which interest is payable on the last days of June and December in each year. And I further certify that the said principal sum of and all interest due thereon up to the (time appointed for repayment) will be paid to the said (lender) his assigns or endorsee, on the production of this debenture, at my office on the expiration of years from the date hereof.

Certified. Given under my hand at St. John's, this day of A. D.
 C. D. Colonial Secretary. A. B. Col. Treasurer.

Whereupon, Mr. O'Brien, seconded by Mr. Nugent, moved in amendment of the said motion—

That the bill do now pass, and that the title be “ An act for granting to her Majesty a sum of money for making, constructing and repairing roads, streets and bridges in this colony, and for regulating the expenditure of the same.”

Amendment moved thereon that the bill do pass.

Which being put, and the house dividing thereon, there appeared for the amendment fourteen, against it six.

Division on the amendment

For the amendment.

Against the amendment.

- The Hon. Mr. Thomas
- ‘ ‘ ‘ Dunscomb
- ‘ ‘ ‘ Morris
- ‘ ‘ ‘ Tobin
- ‘ ‘ ‘ Noad
- ‘ ‘ ‘ Kent
- Mr. Nugent
- ‘ S. Norris
- ‘ O'Brien
- ‘ Prendergast
- ‘ Hanrahan.
- ‘ Dillon
- ‘ Barnes
- ‘ Benning.

- The Hon. Attorney General
- ‘ ‘ Mr. Row
- ‘ Robinson
- ‘ Glen
- ‘ Munn
- ‘ Carter.

So it passed in the affirmative, and

Passed—Title

Resolved,—That the bill do now pass, and that the title be “An act for granting to her Majesty a sum of money for making, constructing and repairing roads, streets and bridges in this colony, and for regulating the expenditure of the same.”

Notice of Loan bill.

The hon. Mr. Morris gave notice that to-morrow, he would move for leave to bring in a bill to authorise the Treasurer to raise by loan on the credit of the colony a sum of money to be applied to the general purposes of the colony, and that the order of this house made on the 23d day of March last, in reference to the introduction of bills be suspended for that purpose.

Notice of motion to rescind resolution for meeting of Burin election committee on the first day of next session.

Mr. Barnes gave notice that to-morrow he would move to rescind a resolution of the House adopted on the 3d instant, appointing the first day of the next Session of the Legislature for the meeting of the Select Committee appointed to take into consideration the petition of Henry Winton, Esq., complaining of the undue return of Clement Benning, Esq., the sitting Member for the district of Burin; and that the house do proceed to appoint another day for that purpose.

Bill to extend provisions of Imperial act 2 & 3 W 4 c. 78

The hon. Attorney General, pursuant to notice and special leave granted, presented a bill to extend and continue certain provisions of an act of the Parliament of the United Kingdom, passed in the 2d and 3d years of the reign of his late Majesty King William the Fourth, and the same was read a first time.

Ordered,—That the said bill be read a second time to-morrow.

House in committee on Quarantine bill.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the bill to render perpetual an act passed in the 3d year of his late Majesty's reign, for the performance of quarantine.

The hon. Mr. Speaker left the chair.

Mr. Benning took the chair of the committee.

The hon. 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 agreed to the same without any amendment.

Ordered,—That the said report be adopted.

Ordered,—That the bill be engrossed and read a third time to-morrow.

House in committee on Ordnance property bill

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the bill for vesting all estates and property occupied for the Ordnance Service of her Majesty, in the principal Officers of the Ordnance Department of her Majesty.

The hon. Mr. Speaker left the chair.

The hon. Mr. Row took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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.

Bill reported with amendment.

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

Report adopted.

Ordered,—That the said Bill as amended be engrossed and read a third time to-morrow.

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Ordered,—That the committee of the whole House on the Sessions Court Fees Act continuing Bill, be the first thing on the order of the day for to-morrow.

Sessions Court Fees bill first for tomorrow

On motion of the hon. the Attorney General, seconded by Mr. Prendergast,

Ordered,—That the committee of the whole House on the Crown Lands Bill do stand second on the orders of the day for to-morrow.

Crown Lands bill 2d for tomorrow:

Then the House adjourned until To-morrow, at one of the clock.

SATURDAY, MAY 13, 1843.

A Petition of Thomas W. Spry, of Carbonear, was presented by Mr. Hanrahan, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying compensation for publishing the reports of the Legislature during the present session.

Petition of Thos. W. Spry

Ordered,—That the said petition do lie on the table.

A petition of Charles Calpin was presented by Mr. Ridley, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying compensation for services performed by him as Constable at Bay Roberts, for several years past, and for a salary in future.—Also, a certificate of certain Justices of the Peace in support of the said petition.

Petition of C. Calpin.

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

Petition of N. Croke:

A petition of Nicholas Croke was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for extra services performed, and materials furnished by him in building a Court House at Brigus—the site of the building after erection having been altered without his default.

Referred to Committee of Supply

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

Loan bill read 1st time.

Pursuant to notice and special leave granted, the hon. Mr. Morris presented a Bill to authorize the Treasurer to raise by loan, on the credit of the Colony, a sum of money to be applied to the general purposes of the Colony, and the same was read a first time.

Ordered,—That the said Bill be read a second time on Monday next.

Notice of suspension of bills in reference to Loan bill.

The hon. Mr. Morris 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 said Bill.

Revenue bill brought in & read 1st time.

The hon. Mr. Morris, from the select committee appointed to prepare & bring in a Bill for raising a Revenue, in compliance with the Resolution reported from the select committee of the whole House on Ways and Means, reported that the committee had prepared the draught of a Bill accordingly, and he presented the same to the House; and the said Bill was read a first time.

Ordered,—That the said Bill be read a second time on Monday next.

Notice of suspension of rules in reference to Revenue bill.

The hon. Mr. Morris 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 said bill.

Notice of motion for committee of Ways and Means to impose duties on coope-
rage.

Mr. Nugent gave notice that on Monday next he would move that the House resolve itself into a committee of the whole on Ways and Means, with a view to proposing a duty of ten per cent, to be raised and levied on Fish Drums and Herring Barrels, whether round or in shooks, and a duty of twenty per cent upon hoops, imported into this Colony.

Mr. Barnes moved, pursuant to notice, seconded by Mr. Munn,

Notice of motion to rescind resolution for meeting of Burin election committee

That the resolution of the House, passed on the third instant, appointing the first day of the next Session of the Legislature for the meeting of the committee appointed to take into consideration the petition of Henry Winton, Esq., complaining of the undue return of Clement Benning Esq., the sitting Member for the district of Burin, be rescinded, and that the House do now proceed to the appointment of another day for that purpose;—which being put,

The hon. Mr. Tobin, seconded by the hon. Mr. Kent, moved,

Adjournment moved there-
on and carried.

That the House do now adjourn; which being put, and the House dividing thereon, there appeared for the motion, TEN; against it, EIGHT; so it passed in the affirmative.

And the House adjourned accordingly.

MONDAY, MAY 15, 1843.

THE hon. Mr. Noad 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 hon. Mr. Speaker, (all the Members being uncovered) and is as follows:—

Message of the Governor transmitting petition of Defendants in case of Kielley v. Carson & others.

MESSAGE.

J. HARVEY.

Whilst disclaiming any intention of seeking to influence the course which the Assembly may deem proper to be pursued with reference to the accompanying Memorial from Mr. Kent, the Governor would, nevertheless, regard it as a dereliction of duty, did he not express his opinion—in which he can have no doubt her Majesty's Government concur—that the question from the investigation and decision upon which the expenses adverted to have been incurred, should be regarded as essentially one of a *public nature*, involving considerations of great weight in the Colony, the settlement of which is most important to the community, and that the charges connected with it, should, on those grounds be defrayed from the public Treasury.

His Excellency will be highly gratified should the same view be taken by the Assembly, and such proceedings be adopted as in effecting an amicable adjustment of this matter, may at the same time set at rest a question calculated to produce feelings of a character to obstruct that harmony in the Legislature so essential to its promotion of the public interests.

J. H.

Government House, }
15th May, 1843. }

For the Memorial accompanying the said Message,

(See Appendix.)

Ordered,—That the said message and documents do lie on the table.

To lie on table.

A petition of William Witham, of No. 8, Gray's Inn Square, in the county of Middlesex, Solicitor and Attorney at Law, to his Excellency the Governor, was (with his Excellency's assent) presented to the house by the hon. Mr. Noad, and the same was received and read,

Petition of W. Witham.

(See Appendix.)

Respondents costs in appeal case Kielley v. Carson, laid on table.

The hon. Mr. Noad, by command of his Excellency the Governor, also laid upon the table of the House an account of Respondents' costs in the appeal case of Kielley vs. Carson and others.

Ordered,—That the said petition and document do lie on the table.

Bill to perpetuate Quarantine act read 3d time.

Pursuant to the order of the day an engrossed Bill to render perpetual the Quarantine Act, was read a third time.

On motion of the hon. Mr. Morris, seconded by Mr. Nugent,

Passed—Title

Resolved,—That the said Bill do pass, and that the title be “An Act to render perpetual an Act passed in the third year of the reign of his late Majesty, entitled ‘An Act for the performance of Quarantine, and more effectually to prevent the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Island.’”

Ordnance Property Bill read 3d time.

Pursuant to the order of the day an engrossed Bill for vesting all Estates and Property occupied by the Ordnance Service of her Majesty in the principal officers of the Ordnance Department, was read a third time.

On motion of the hon. Attorney General, seconded by hon. Mr. Noad,

Passed—title.

Resolved,—That the said Bill do pass, and that the title be “An Act for vesting all Estates and Property occupied for the service of her Majesty's Ordnance in the Principal Officers of the Ordnance Department.”

Governors intention to prorogue the House on Friday next, signified.

The hon. Mr. Speaker acquainted the House, by command of his Excellency the Governor, that it is his Excellency's intention to prorogue the House on Tuesday next.

House in committee on Sessions Court fees Act continuing Bill.

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 establishing the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony.

The hon. Mr. Speaker left the chair.

Mr. Glen took the chair of the committee.

The hon. 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 said Bill as amended be engrossed and 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 bill to provide for the sale and disposal of waste and ungranted lands of the Crown in this colony.

House in co. on
Crown Lands Bill.

The hon. Mr. Speaker left the chair.

Mr. Prendegast took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had considered of the said bill, 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, and are as follow—

Resolutions reported.

Resolved,—That it is the opinion of this committee that all ungranted lands in this colony should be disposed of by sale by Public Auction.

Resolved,—That it is the opinion of this committee that the Surveyor General's salary should be advanced to five hundred pounds, stg. per annum, in lieu of all fees of office.

Resolved,—That it is the opinion of this committee, that provided the entire control of the appropriation of the casual and territorial Revenue, whether arising from rent or sale of crown Lands or Ship's Rooms, or from any other source, be submitted to the Local Legislature, the house are willing to engage to provide for the Surveyor General's salary, and for all other services at present defrayed from the casual and territorial revenue.

Resolved,—That it is the opinion of this committee that a select committee be appointed to draft an address to his Excellency conformably to the above resolutions.

And thereupon, Mr. Barnes moved, seconded by Mr. Robinson,

That the said report be not received,—which being put, passed in the negative.

Motion that the report be not received, moved and negatived.

The said report was then upon the question put thereon, agreed to by the House.

Report received.

Ordered,—That the hon. Mr. Kent, Mr. Nugent and Mr. Barnes be a select committee to prepare an address to his Excellency the Governor, in compliance with the said Resolutions.

Select committee to draft address thereon.

Pursuant to order, a bill to extend and continue certain provisions of an act of the Imperial Parliament of the United Kingdom, passed in the 2d and 3d years of the reign of his late Majesty King William the Fourth, was read a second time.

Bill to extend provisions of Imperial act 2 & 3 W 4 c. 78 read 2d time.

On motion of the hon. Attorney General, seconded by the hon. Mr. Kent,

Rules suspended and bill committed.

Ordered,—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 said bill be now committed to a committee of the whole house.

House in committee thereon

And the house resolved itself into a committee on the said bill accordingly.

The hon. Mr. Speaker left the chair.

Mr. O'Brien took the chair of the committee.

The hon. 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 agreed to the same without any amendment.

Ordered,—That the said report be adopted.

Ordered,—That the said bill be engrossed and read a third time to-morrow.

Notice of motion to suspend rules in reference to all bills before the house.

Mr. Nugent gave notice that to-morrow he should 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.

Mr. Nugent moved, pursuant to notice, and seconded by Mr. Benning,

Motion to go into committee on ways and means.

That the house do now resolve itself into a committee of the whole house on the consideration of ways and means for the purpose of imposing a duty upon coopeage imported into this colony,—which being put, passed in the negative.

Revenue bill read 2d time.

Pursuant to the order of the day, a bill for granting to her Majesty certain duties on goods, wares and merchandise imported into this colony and its dependencies, was read a second time.

On motion of the hon. Mr. Morris, seconded by Mr. Nugent,

Rules suspended and bill committed.

Ordered.—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.

House in committee thereon

And the house resolved itself into the said committee accordingly.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. 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 said bill as amended be engrossed and read a third time to-morrow.

Then the house adjourned until to-morrow, at one of the clock.

TUESDAY, MAY 16, 1843.

A Petition of James O'Neill, school teacher at Fermeuse, was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for compensation for teaching since the expiration of the late education act. Petition of James O'Neill.

Ordered,—That the said petition do lie on the table.

A petition of Samson Mifflin and others, Commissioners of the line of road between Catalina and Bonavista was presented by Mr. Carter, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant of money to defray outstanding claims and contingent expenses upon contracts entered into for the completion of the said line of road. Petition of S. Mifflin and others.

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of supply.

The hon. Mr. Morris laid upon the table of the house by direction of his Excellency the Governor, a letter from the Collector of her Majesty's Customs of St. John's, to the hon the Colonial Secretary, setting forth the additional pecuniary responsibility thrown upon him by the Revenue bill before the Legislature, and his inability, without the aid of another clerk, to carry the act into effect, & requesting that his Excellency the Governor would bring the subject under the consideration of the Assembly. Letter of Collector of H. M. Customs requiring additional clerk to collect the revenue, laid on the table.

The hon. Mr. Kent, from the select committee appointed to prepare the draft of an address to his Excellency the Governor, in compliance with the resolutions reported from the committee of the whole house on the bill to provide for the sale and disposal of waste lands of the Crown; and he read the draft of the said address in his place, and afterwards delivered it in at the Clerk's table, where it was again read, and is as follows: Report of select committee to prepare address to his Excellency.

To His Excellency Major General Sir John Harvey, Knight, Commander of the most Honorable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,—

We her Majesty's faithful and loyal subjects the Council and Assembly of Newfoundland in General Assembly convened, having had under our most serious and attentive consideration, a bill introduced into the Assembly during the present session by the hon. her Majesty's Attorney General, entitled "A bill to make provision for the disposal and sale of ungranted and unoccupied Crown Lands within the Island of Newfoundland and its dependencies—and whereby it is among other matters provided that no ungranted or unoccupied Crown Land shall be disposed of otherwise than by a fixed uniform price to be settled as therein prescribed, and that the Surveyor General of the Island shall receive a salary of five hundred pounds per annum—beg leave most respectfully to acquaint your Excellency that we are humbly of opinion that all ungranted lands in this colony should be disposed of by sale by public auction. That we are also of opinion that the salary of the said Surveyor General should be increased to the sum of five hundred pounds sterling per annum, in lieu of all fees of office; and that should her Majesty's Government deem fit to place under the control and at the disposal of the Local Legislature, the casual and territorial Revenue of this colony, whether arising from the rent or sale of Crown Lands or ships' rooms, or from any other source, we pledge ourselves to make provision for the salary of the said Surveyor General, and for all other charges, to the defrayal of which such casual and territorial Revenue is now appropriated.

On motion of the hon. Mr. Kent, seconded by Mr. Prendergast,

Ordered.—That the said address be engrossed and presented to his Excellency the Governor by a select committee for that purpose.

Select committee to present address,

Ordered.—That the Hon. Mr. Kent, and Mr. Nugent, be a committee for that purpose.

Bill to continue sessions court fees act read third time.

Pursuant to the order of the day, an engrossed bill to continue an act, passed in the third year of her Majesty's reign entitled "An act to establish the fees, and costs chargeable in the several Police Offices and Courts of Sessions in this Island was read a third time.

On motion of Mr. Nugent, seconded by Hon. Mr. Kent,

Passed.—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 her Majesty's reign, entitled "An act to establish the fees and costs chargeable in the several Police Courts and Courts of Session in this Island."

Pursuant to the order of the day, an engrossed Bill to extend and continue certain provisions of an Act of the Parliament of the United Kingdom, passed in the second and third year of the reign of his late Majesty King William the fourth, was read a third time.

Bill to extend provisions of Imperial act 2 & 3, W. 4, c. 78 (reserved salaries act) read third time.

On motion of the hon. Attorney General, seconded by the hon. Mr. Noad,

Resolved,—That the said Bill do pass, and that the title be “ An Act to extend and continue an Act of the Parliament of the United Kingdom, passed in the second and third year of the reign of his late Majesty King William the fourth.”

Passed—title.

The order of the day for the third reading of the Bill for granting to her Majesty certain duties on all Goods, Wares, and Merchandize imported into this Colony and its Dependencies, being read,

Order of day for 3d reading of revenue bill read.

Mr. Robinson moved, seconded by Mr. Barnes,

That the said Bill be now re-committed to a committee of the whole House; which being put, and the House dividing thereon, there appeared for the motion, FOUR; against it, EIGHT:

Motion thereon to re-commit the bill.

For the motion—

Against the motion—

Division.

The hon. Attorney General
 ‘ Mr. Row
 Mr. Robinson
 ‘ Carter.

Hon. Mr. Morris
 ‘ Kent
 Mr. Glen
 ‘ Prendergast
 ‘ Nugent
 ‘ Dillon
 ‘ Hanrahan
 ‘ S. Morris.

So it passed in the negative.

Motion lost

Pursuant to order the said Bill was then read a third time.

Revenue bill read 3d time.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Kent,

Resolved,—That the said Bill do pass, and that the title be “ An Act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies, and for repealing, from and after the fifth day of July next, an Act passed in the present Session of the Legislature, entitled ‘ An Act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies, and to revive certain parts of an Act passed in the fourth year of the reign of her said Majesty, entitled ‘ An Act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies.’ ”

Passed—title.

The order of the day for the House to resolve itself into a committee of the whole House on the consideration of the Bill to provide for taking a Census of the Colony during the present year, being read,

Order of day for committee of whole on Census bill read.

On motion of Mr. Robinson, seconded by Mr. O’Brien,

and discharged.

Ordered,—That the said order of the day be discharged, and that the House resolve itself into a committee of the whole House on the said Bill this day six months.

Order of the day for committee of the whole on vaccination bill read

The order of the day for the House to resolve itself into a committee of the whole House on the Bill to promote vaccination among the inhabitants of the several Districts of this Island being read,

On motion of Mr. Robinson, seconded by hon. Mr. Noad,

and discharged.

Ordered,—That the said order of the day be discharged, and that the House resolve itself into a committee of the whole House on the said Bill this day six months.

House in committee of the whole on Carbonear fire Companies act suspension bill.

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the Bill to suspend the operation of the Act to establish and regulate Fire Companies in the Town of Carbonear.

The hon. Mr. Speaker left the chair.

Hon. Mr. Dunscomb took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Bill reported with amendment.

The chairman reported from the committee that they had gone through the 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.

Report adopted &c.

Ordered,—That the said Bill, with the amendments, be engrossed, and read a third time to-morrow.

Loan bill read 2d time.

Pursuant to order, a Bill to authorize the Treasurer to raise money by loan on the credit of the Colony for the general purposes of the Colony, was read a second time.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Kent,

Rules suspended, and bill committed.

Ordered,—That the rules of the House in reference to the passing of Bills be suspended, so far as relates to the said Bill, and the same 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.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. 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 agreed to the same without any amendment.

Ordered,—That the said Bill be engrossed, and read a third time to-morrow.

To be engrossed

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the Bill to abolish the oaths now by law to be taken by Members of the Legislature.

House in committee on abolition of oaths bill,

The hon. Mr. Speaker left the chair.

Hon. Mr. Noad took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said Bill and had agreed to some amendments thereon, 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.

Report adopted.

Ordered,—That the said Bill with the amendments be engrossed and read a third time to-morrow.

The order of the day for the House to resolve itself into a committee of the whole House on the Bill for the more speedy abatement of nuisances being read—

Order of the day for committee of whole on nuisance bill read.

The hon. Mr. Kent moved, seconded by Mr. Nugent,

That the said order of the day be discharged, and that the House resolve itself into a committee of the whole House on the consideration of the supply granted to her Majesty;—which being put, passed in the affirmative.

Motion thereon that the order of the day be discharged and house to go into committee of supply carried.

Accordingly the House resolved itself into a committee of the whole House on the further consideration of the supply granted to her Majesty.

House in committee of supply.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

Progress &c.

Ordered,—That the said committee have leave to sit again, and that it be the first thing on the order of the day for to-morrow.

Supply first for to-morrow.

Mr. Nugent moved, seconded by the hon. Mr. Kent,

That the House do now adjourn; which being put, passed in the negative.

Adjournment moved and lost.

On motion of Mr. Carter, seconded by Mr. Robinson,

The House resolved itself into a committee of the whole House on the Bill to make provision for the more speedy abatement of nuisances.

House in committee on nuisance bill.

The hon. Mr. Speaker left the chair.

Mr. Prendergast took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until To-morrow, at one of the clock.

WEDNESDAY, MAY 17, 1843.

Petition of Stephen J. Daniel.

A Petition of Stephen J. Daniel was presented by the hon. Mr. Bennett, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying payment of a quarters salary due him as Clerk to the Board of Commissioners of Roads for the District of St. John's.

Referred to committee of supply.

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

Loan Bill read third time.

Pursuant to order, an engrossed Bill to authorize the Treasurer to raise a loan on the credit of the Colony for the general purposes of the Colony, was read a third time.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Kent,

Passed—title.

Resolved,—That the said Bill do pass, and that the title be “An Act to authorize the Treasurer to raise by loan on the credit of the Colony, a sum of money to be applied to the general purposes of the Colony.”

Bill to suspend Carbonear fire companies act read third time.

Pursuant to order, an engrossed Bill to suspend the operation of the Act to establish and regulate Fire Companies in the town of Carbonear, was read a third time.

On motion of Mr. Prendergast, seconded by Mr. Hanrahan,

Passed—title.

Resolved,—That the said Bill do pass, and that the title be “An Act to suspend the operation and effect of an Act passed in the third year of her Majesty's reign, entitled ‘An Act to establish and regulate Fire Companies in the town of Carbonear.’”

Order of day for third reading of abolition of oaths bill read—

The order of the day for the third reading of the Bill to abolish the Oaths now by law to be taken by Members of the Legislature being read,

The hon. Attorney General, seconded by Mr. Robinson, moved

That the said order of the day be discharged, and the bill be read a third time this day six months.

Motion thereon to be discharged.

Which being put, and the house dividing thereon, there appeared for the motion, four, against it, twelve.

For the motion—	Against the motion—	Division.
The Hon. Attorney General	The Hon. Mr. Dunscomb	
Mr. Robinson	‘ ‘ ‘ Morris	
‘ Barnes	‘ ‘ ‘ Row	
‘ Carter.	‘ ‘ ‘ Tobin	
	‘ ‘ ‘ Kent	
	‘ S. Morris	
	‘ Hanrahan	
	‘ Dillon	
	‘ Glen	
	‘ Prendergast	
	‘ Nugent	
	‘ O’Brien	

So it passed in the negative.

Motion lost.

On motion, the said bill was then read a third time.

Bill read third time.

On motion of Mr. Nugent, seconded by the Hon. Mr. Kent,

Resolved,—That the said bill do pass, and that the title be “An act to abolish the oaths now by law to be taken by the members of the Legislature of this colony, and to substitute the oath of allegiance instead thereof.”

Passed—title.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of the supply granted to her Majesty.

House in committee of supply.

The Hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The Hon. 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 thereof this day.

Progress.

Ordered,—That the said committee have leave to sit again this day.

Then the house adjourned until six o'clock this day.

At six o'clock, the House met pursuant to adjournment.

House in committee of supply.

Pursuant to order, the house resolved itself into a committee of the whole house on the further consideration of the supply granted to her Majesty.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. 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 that they had directed him to move for leave to sit again on the further consideration thereof.

Ordered,—That the said committee have leave to sit again.

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

THURSDAY, MAY 18, 1843.

Time for receiving address fixed.

THE hon. Mr. Speaker acquainted the house that his Excellency the Governor would receive the committee appointed to present to him the address in pursuance of the resolution from the committee of the whole house on the Crown Lands bill, to-morrow at twelve o'clock.

Petition of D. Rogers.

A petition of David Rogers was presented by Mr. Prendergast, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying compensation for loss of his office as assistant doorkeeper of the late Legislative Council.

Referred to committee of supply.

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

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 the supply granted to her Majesty.

The Hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The Hon. 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 on the further consideration thereof.

Ordered,—That the said committee have leave to sit again this day.

Then the house adjourned until seven o'clock p. m. this day.

At seven o'clock, p. m. the House met pursuant to adjournment.

Pursuant to order, the house resolved itself into a committee of the whole house on the further consideration of the supply granted to her Majesty.

House in committee of supply.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

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, MAY 19, 1843.

THE hon. Mr. Kent reported from the committee appointed to present to his Excellency the Governor the address of the house in pursuance of the resolution from the committee of the whole house on the Crown Lands bill, that the committee had presented the said address, to which his Excellency was pleased to make the following reply :

Report of committee on address to his Excellency on Crown Lands bill.

GENTLEMEN,—I receive this address with much satisfaction, and will willingly make myself the medium of bringing the proposition of the General Assembly under the favourable consideration of her Majesty's Government.

His Excellency's reply.

J. HARVEY.

Government House, }
18th May, 1843. }

The hon. Mr. Noad reported from the select committee appointed to investigate and report upon the contingent expenses of the Legislature during the present session, and he read the report in his place as follows :

Report of committee on Contingencies.

The select committee appointed to enquire into and report upon the contingent expenses of the House of Assembly, beg leave to report that they have considered of the matters to them referred, and have examined into the following accounts submitted to them which they find to be correct—viz.

BALANCES DUE FROM THE LAST SESSION.

	—o—	£	s.	d.
Proprietors of Newfoundlander, balance due for printing Journals and Appendix		124	14	8
Proprietors of Vindicator, balance due for printing Bills, &c.		53	13	0
A. M'Iver & Co., stationery		7	19	9
R. R. Wakeham, office rent, fuel, and postage paid,		30	10	3
The late Solicitor of the Assembly for postages paid, & stationery		8	8	6
Accounts furnished for newspapers supplied		6	16	8

CONTINGENCIES OF PRESENT SESSION, VIZ.

	—o—			
Proprietors of Newfoundlander, estimate for printing Journals and Appendix		160	0	0
Messrs. Ryan & Withers, account for printing bills & papers		197	12	10
A. M'Iver & Co. stationery and binding Journals, &c.		26	0	0
Thomas M'Murdo & Co. stationery		1	15	3
Henry Winton, stationery, &c.		3	12	9
J. M'Coubrey, stationery		15	10	
H. Winton and M'Coubrey, printing orders of the day		2	3	4
Thos. M'Grath, blacksmith's account		11	18	2
Samuel Creed, State Chair, &c.		39	6	8
Do. do. repairing Speaker's do. and sundries		3	15	10
James K. Moore, painting Assembly room		7	16	0
J. M'Coubrey		3	4	11
W. Sinnott, fuel		17	4	
R. O'Dwyer & Co. chart		10	10	
James Clift, lamp, oil, &c.		9	10	8
Do. Sperm Candles		2	5	8
T. J. Burton, printing Cards		1	12	6
W. Freeman, carpenter's account		132	4	10
Ditto ditto account for refitting Court-house after last session		5	2	6
C. F. Bennett & Co.		2	0	0
R. Perchard, house keeper, &c.		20	0	0
David Rogers, attendance during the early part of the session,		3	10	0
John Freeman, do. do.		3	5	0
Police Constables do. do.		5	0	0
Brace and Maddock		4	0	0
Librarian, salary 2 years at £20		40	0	0
Jas. Daley, assistant door-keeper, messenger and attendant		20	0	0
Messrs. Perchard and Beag, fuel and light		15	0	0
James Clift, Journals purchased at sale of Dr. Carson's effects		16	8	
John Canning, communicating evidence to the select committee on the Jury Bill		4	6	8
	Sterling	£949	6	1

Your committee also beg leave to add that they have passed the amounts attached to the names of the several officers following, that is to say—

The Speaker	£		
Usher of the Black Rod	70	0	0
Clerk, and to cover indexing and superintending printing of Journals, &c.	200	0	0
Clerk Assistant	100	0	0
Sergeant-at-Arms	70	0	0
Solicitor	150	0	0
Doorkeeper	45	0	0
Messenger	40	0	0
Assistant ditto, and Doorkeeper	35	0	0
Under Doorkeeper	30	0	0
Reporter	50	0	0
Chairman of Committee of Supply	50	0	0

They further beg leave to represent that they have left the amount of remuneration for the expenses of Members, and for the publication of the reports of the debates to be determined by the House, as well as the claims of the officers of the late Council and Assembly to remuneration, whether for services performed since the last Session, for loss alleged to have been incurred by reason of the absence of the usual session in 1812, or generally for loss of office.

JOSEPH NOAD, Chairman.

Committee Room, }
 May 17, 1843. }

Ordered,—That the said report be received.

On motion of Mr. Nugent, seconded by the hon. Mr. Kent,

Resolved,—That a select committee be appointed to prepare and bring in a Bill in compliance with the said report.

Select committee to prepare contingency bill.

Ordered,—That the hon. Mr. Noad, Mr. Nugent, and Mr. Carter do form such committee.

A petition of William Kelly, of St. John's, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying compensation for loss of the situation of Messenger of the first House of Assembly, which he held for a number of years.

Petition of W. Kelly.

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

Referred to committee supply.

A petition of Richard Butt, late one of the Police Constables of St. John's, was presented by Mr. Barnes, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose,) and the same was received and read, praying for a grant for past services.

Petition of Richard Butt.

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 further consideration of the supply granted to her Majesty.

House in committee of supply.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Progress &c.

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

Ordered,—That the said committee have leave to sit again this day.

Adjourned until 7 p. m.

Then the House adjourned until seven o'clock, p. m., this day.

Meeting at 7 p. m.

At seven o'clock, p. m., the House met pursuant to adjournment.

On motion of Mr. Nugent, seconded by Mr. O'Brien,

100 copies of act amending constitution to be printed.

Ordered,—That one hundred copies of the Act for the amendment of the Constitution of Newfoundland, and the Instructions thereon, be printed for the use of Members.

Petition of Road Commissioners, Burin.

A petition of William Hooper, and others, forming the Board of Road Commissioners for Burin, was presented by Mr. Benning, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant of the sum of twenty two pounds, to reimburse them for certain extra expenditures which they were necessarily obliged to incur in the performance of their duties.

Referred to com. of supply

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

Petition of W. Hooper & others, Burin.

A petition of William Hooper, and others, inhabitants of Burin, was presented by Mr. Benning, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for a grant to establish a ferry boat to ply across Burin inlet.

Referred to com. of supply

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

Petition of Thomas Bennett, Esq.,

A petition of Thomas Bennett, Esq., Chairman of the Board of Controul, was presented by the hon. Mr. Row, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, praying for compensation for his services for several years past, as Chairman of the said Board of Controul.

Referred to com. of supply

Ordered,—That the said petition be referred to the committee of Supply.

Report of select committee on contingency bill. Bill read 1st time.

The hon. Mr. Noad from the committee appointed to prepare and bring in a Bill in compliance with the report of the select committee upon the contingent expenses of the Legislature, reported that the committee had prepared the draft of a bill accordingly, and he presented the same to the House; and the said Bill was read a first time.

Ordered,—That the said Bill be now read a second time.

Read second time.

And the said Bill was read a second time accordingly.

On motion of the hon. Mr. Noad, seconded by the hon. Mr. Thomas,

Ordered,—That the said Bill 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 on the said 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 supply granted to her Majesty.

House in committee of supply.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

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

Progress &c.

Ordered,—That the said committee have leave to sit again to-morrow.

The hon. Mr. Speaker acquainted the House that it was the intention of his Excellency the Governor, instead of to-morrow, to prorogue the Legislature on Monday next, at two o'clock.

Prorogation to take place on Monday next.

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

SATURDAY, MAY 20, 1843.

PURSUANT to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the supply granted to her Majesty.

House in committee of supply.

The Hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The Hon. 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 this day.

Ordered,—That the said committee have leave to sit again this day.

Petition of M. Smart.

A petition of Martin Smart, was presented by the hon. Mr. Tobin, (who stated in his place that he had obtained the consent of his Excellency the Governor for that purpose) and the same was received and read, setting forth, that a boat which he was repairing at the Bridge at River Head, had been cut adrift by some evil-disposed persons, and drifted out to sea, whereby the petitioner had been reduced to great necessity, and was likely to lose the benefit of the summers fishery— and praying for a gratuity in consideration of the circumstances stated in his petition.

Motion to refer it to committee of supply put & lost

The hon. Mr. Tobin, seconded by Mr. Simon Morris, moved,

That the said petition be referred to the committee of Supply.

Which being put, and the House dividing thereon, passed in the negative.

House in com. 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 the supply granted to her Majesty.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. Mr. Speaker resumed the chair.

Report of committee of supply:

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 delivered the report in at the Clerk's table, where it was read, and is as follows:—

Resolved,—That it is the opinion of this committee that a sum not exceeding two hundred pounds sterling be granted to her Majesty towards defraying the salary of the Private Secretary to his Excellency the Governor, for the year ending the thirtieth June, one thousand eight hundred and forty four.

Resolved,—That it is the opinion of this committee that a sum not exceeding two hundred pounds sterling be granted to her Majesty towards defraying the salary of the Clerk of the Council for the same period.

Resolved,—That it is the opinion of this committee that a sum not exceeding four hundred pounds sterling be granted to her Majesty towards defraying the salaries of two Clerks in the Secretary's office for the same period.

Resolved,—That it is the opinion of this committee that a sum not exceeding sixty pounds sterling be granted to her Majesty towards defraying the salary of a Messenger in the Secretary's office for the same period.

Resolved,—That it is the opinion of this committee that the sum of four hundred pounds stg. be granted to her Majesty towards defraying the salary of the Colonial Treasurer, exclusive of the salary of a clerk and office rent, for the same period.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty towards defraying the salary of the Clerk of the Northern Circuit Court for the same period.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty towards defraying the salary of the Clerk of the Southern Circuit Court for the same period.

Resolved,—That it is the opinion of this committee that the sum of sixty pounds stg. be granted to her Majesty towards defraying the salary of the Crier and Tipstaff of the Supreme Court, for the same period.

Resolved,—That it is the opinion of this committee that the sum of one hundred and fifty pounds stg. be granted to her Majesty towards defraying the salary of the Gaoler at St. John's, in lieu of all fees of office, which are to be accounted for, and paid into the Treasury, for the same period.

Resolved,—That it is the opinion of this committee that the sum of nine hundred pounds stg. be granted to her Majesty towards defraying the salaries of three Police Magistrates at St. John's for the same period.

Resolved,—That it is the opinion of this committee that the sum of eighty pounds stg. be granted to her Majesty towards defraying the salary of the Chief Constable at St. John's, for the same period.

Resolved,—That it is the opinion of this committee that the sum of two hundred and seventy pounds stg. be granted to her Majesty towards defraying the salaries of six Police constables at St. John's, for the same period.

Resolved,—That it is the opinion of this committee that the sum of two thousand and thirty pounds stg. be granted to her Majesty towards defraying the salaries of Stipendiary Magistrates in the Outports for the same period, as follows, viz.

One stipendiary magistrate at Harbor Grace, one hundred and eighty pounds.

A second stipendiary magistrate at Harbor Grace, one hundred and fifty pounds.

One stipendiary magistrate at Carbonear, one hundred and fifty pounds.

One stipendiary magistrate at Brigus and Port de Grave, one hundred and fifty pounds.

One stipendiary magistrate at Ferryland, one hundred pounds.

One stipendiary magistrate at Bay Bulls, one hundred pounds.

One stipendiary magistrate at Placentia, one hundred and thirty pounds.

One stipendiary magistrate at Burin, one hundred and fifty pounds.

One stipendiary magistrate at Lamaline, one hundred and thirty pounds.

One stipendiary magistrate at St. Mary's, one hundred and thirty pounds.

One stipendiary magistrate at Harbor Britain, one hundred pounds.

One stipendiary magistrate at Grand Bank, one hundred and thirty pounds.

One stipendiary magistrate at Trinity, one hundred and fifty pounds.

One stipendiary magistrate at Bonavista, one hundred and fifty pounds.

One stipendiary magistrate at Twillingate and Fogo, one hundred and thirty pounds.

Resolved,—That it is the opinion of this committee that the sum of one thousand four hundred and fifty-one pounds stg. be granted to her Majesty towards defraying the salaries of Clerks of the Peace, Gaolers and Constables in the out-ports for the same period, as follows, viz. :—

The Clerk of the Peace at Harbor Grace, one hundred and fifty pounds, in lieu of all fees of office, which are to be accounted for, and paid into the Treasury.

The Clerk of the Peace at Brigus and Port de Grave, sixty pounds, in lieu of all fees of office, which are to be accounted for, and paid into the Treasury.

The Clerk of the Peace at Ferryland, sixty pounds, in lieu of all fees of office, which are to be accounted for, and paid into the Treasury.

The Clerk of the Peace at Placentia, thirty-five pounds, in lieu of all fees which are to be accounted for, and paid into the Treasury.

The Clerk of the Peace at Burin, twenty pounds.

The Clerk of the Peace at Harbor Britain, twenty pounds.

The Clerk of the Peace at Trinity, twenty pounds.

The Clerk of the Peace at Bonavista, twenty pounds.

The Clerk of the Peace at Twillingate and Fogo, twenty pounds.

The Gaoler at Harbor Grace, ninety pounds, in lieu of all fees of office, which are to be accounted for, and paid into the Treasury.

The Gaoler at Ferryland, twenty-five pounds.

The Gaoler at Placentia, twenty-five pounds.

The Gaoler at Burin, twenty-five pounds.

The Gaoler at Trinity, twenty-five pounds.

Three Constables at Harbor Grace, one hundred pounds.

Three Constables at Carbonear, seventy-five pounds.

OF NEWFOUNDLAND.

Two Constables at Brigus and Port de Grave, fifty pounds.

One Constable at Bay de Verdes, twelve pounds.

One Constable at Harbor Main, twelve pounds.

One Constable at Cats Cove, twelve pounds.

One Constable at Western Bay, twelve pounds.

One Constable at South Shore, twelve pounds.

One Constable at Ferryland, twenty-five pounds.

One Constable at Brigus (south,) twelve pounds.

One Constable at Witless Bay, twelve pounds.

One Constable at Renewse, twelve pounds.

One Constable at Bay Bulls, twenty-five pounds.

One Constable at Toads Cove, twelve pounds.

One Constable at Cape Broyle, twelve pounds.

One Constable at Caplin Bay, twelve pounds.

One Constable at Aquafort, twelve pounds.

One Constable at Fermeuse, twelve pounds.

One Constable at Placentia, twenty-five pounds.

One Constable at Barren Islands, twelve pounds.

One Constable at Merasheen, twelve pounds.

One Constable at Little Placentia, twelve pounds.

One Constable at Burin, twenty-five pounds.

One Constable at St. Lawrence, twelve pounds.

One Constable at Lamaline, twelve pounds.

One Constable at Trepassey, twelve pounds.

One Constable at St. Mary's, twenty-five pounds.

One Constable at Harbor Britain, twelve pounds.

One Constable at Grand Bank, twelve pounds.

One Constable at Trinity, twenty-five pounds.

One Constable at Catalina, twenty-five pounds.

One Constable at Perlican, twelve pounds.

One Constable at Hearts Content, twelve pounds.

One Constable at Hants Harbor, twelve pounds.

One Constable at New Harbor, twelve pounds.

One Constable at Bonavista, twenty-five pounds.

One Constable at Greenspond, twelve pounds.

Three Constables at Twillingate and Fogo, forty-nine pounds.

One Constable at Exploits Bay, twelve pounds.

One Constable at Petty Harbor, twenty pounds.

One Constable at Portugal Cove, twenty pounds.

One Constable at Torbay, eighteen pounds.

Resolved,—That it is the opinion of this committee that the sum of forty pounds stg. be granted to her Majesty towards defraying the salary of the Gaol Surgeon at John's, for the same period.

Resolved,—That it is the opinion of this committee that the sum of thirty pounds stg. be granted to her Majesty towards defraying the salary of the Gate keeper at Government House, for the same period.

Resolved,—That it is the opinion of this committee that the sum of fifteen pounds stg. be granted to her Majesty towards defraying the salary of the Gaol Barber at St. John's, for the same period.

Resolved,—That it is the opinion of this committee that the sum of two hundred and fifty pounds stg. be granted to her Majesty towards defraying the Attorney General's Fees, for the same period.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty towards defraying the Solicitor General's Fees, for the same period.

Resolved,—That it is the opinion of this committee that the sum of four hundred and fifty pounds stg. be granted to her Majesty towards defraying the expense of printing, advertising and stationery, &c. for the same period.

Resolved,—That it is the opinion of this committee that the sum of five hundred pounds stg. be granted to her Majesty towards defraying the expense of Civil and Criminal Prosecutions for the same period.

Resolved,—That it is the opinion of this committee that the sum of eight hundred pounds stg. be granted to her Majesty towards defraying the expenses of Gaols throughout the Island, for the same period.

Resolved,—That it is the opinion of this committee that the sum of one hundred and fifty pounds stg. be granted to her Majesty towards defraying the expense of Coroners throughout the Island, for the same period.

Resolved,—That it is the opinion of this committee that the sum of four hundred pounds sterling be granted to her Majesty towards defraying the expense of fuel and light for public Buildings, for the same period.

Resolved,—That it is the opinion of this committee that the sum of one hundred and twenty pounds sterling be granted to her Majesty to defray the expense of postages and other incidentals, for the same period.

Resolved,—That it is the opinion of this committee that the sum of seven hundred and fifty pounds sterling be granted to her Majesty towards defraying the expense of the conveyance of the Judges, and all other expenses of the Circuits for the same period.

Resolved,—That it is the opinion of this committee that the sum of five hundred pounds sterling be granted to her Majesty towards defraying the expenses of unforeseen contingencies during the same period.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds sterling be granted to her Majesty towards defraying the expenses of repairs of Court Houses and Gaols throughout the Island, during the same period.

Resolved,—That it is the opinion of this committee that the sum of five hundred pounds sterling be granted to her Majesty towards defraying the expense of lunatic Paupers, for the same period.

Resolved,—That it is the opinion of this committee that the sum of two hundred and fifty pounds sterling be granted to her Majesty towards defraying the expenses of the sick poor in the Hospital, for the same period.

Resolved,—That it is the opinion of this committee that the sum of eight hundred pounds sterling be granted to her Majesty towards defraying the expenses of paupers on the permanent list, for the same period.

Resolved,—That it is the opinion of this committee that the sum of one thousand pounds sterling be granted to her Majesty towards defraying the expenses of the casual poor, for the same period.

Resolved,—That it is the opinion of this committee that the sum of five hundred pounds sterling be granted to her Majesty to be placed at the disposal of his Excellency the Governor, towards remunerating Schoolmasters who have continued their services since the expiration of the late Education Act.

Resolved,—That it is the opinion of this committee that the sum of three hundred pounds sterling be granted to her Majesty to be placed at the disposal of his Excellency the Governor, towards remunerating persons employed in taking and revising the lists of voters under the act for the registration of voters.

Resolved,—That it is the opinion of this committee that the sum of one thousand nine hundred and forty three pounds nineteen shillings and ninepence sterling be granted to her Majesty towards discharging the arrears of expenses due for the maintenance of sick and insane paupers to the thirty first day of December last, as follows:—Paupers on the permanent list, one thousand and sixty one pounds fourteen shillings and sevenpence—sick Paupers, two hundred and six pounds one shilling—insane Paupers, six hundred and seventy six pounds four shillings and two pence.

Resolved,—That it is the opinion of this committee that the sum of one hundred and fifty pounds sterling be granted to her Majesty towards defraying the salary of the District Surgeon of St. John's, and the expense of medicines for the year ending June 30th, 1844.

Resolved,—That it is the opinion of this committee that the sum of two hundred and six pounds five shillings sterling be granted to her Majesty towards defraying the arrears of salary due to the district Surgeon for St. John's, for sixteen and a half months from the fourteenth February 1842, to the thirtieth June, 1843.

Resolved,—That it is the opinion of this committee that the sum of one hundred and fifty pounds sterling be granted to her Majesty towards defraying the salary of the Surgeon of the St. John's Hospital for the year ending thirtieth June, 1844.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds sterling be granted to her Majesty towards compensating the late Clerk of the Legislative Council for loss of emolument during the suspension of his office.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds sterling be granted to her Majesty towards compensating the Master-in-Chancery attendant upon the Legislative Council, for loss of emolument during the suspension of his office.

Resolved,—That it is the opinion of this committee that the sum of four hundred and fifty pounds sterling be granted to her Majesty towards discharging the arrears of salary due to the Solicitor of the last House of Assembly.

Resolved,—That it is the opinion of this committee that the sum of fifty pounds sterling be granted to her Majesty for the year ending the 30th June, 1843, towards compensating Mrs. Blaikie, relict of James Blaikie, Esq., deceased, for the services of her late husband—and a further sum of fifty pounds sterling for the like service for the year ending the thirtieth day of June, 1844.

Resolved,—That it is the opinion of this committee that the sum of twenty five pounds sterling be granted to her Majesty towards defraying the arrears of salary due to John Delaney, Doorkeeper of the last House of Assembly for the years 1839, 1840, and 1841.

Resolved,—That it is the opinion of this committee that the sum of twenty pounds sterling be granted to her Majesty towards compensating David Walsh for extra services as Messenger of the last House of Assembly for the years 1839, and 1840.

Resolved,—That it is the opinion of this committee that the sum of fifteen pounds sterling be granted to her Majesty towards compensating Philip Brown for extra services as under Doorkeeper to the last House of Assembly for the years 1839, 1840, and 1841.

Resolved,—That it is the opinion of this committee that the sum of thirty pounds sterling be granted to her Majesty towards compensating John B. Cox for extra services, and one years salary as Assistant Doorkeeper of the last House of Assembly in the years 1839 and 1840.

Resolved,—That it is the opinion of this committee that the sum of seventy five pounds sterling be granted to her Majesty towards discharging arrears of salary due to Morty Dunn as Assistant Messenger of the last House of Assembly for the years 1839, 1840, and 1841.

Resolved,—That it is the opinion of this committee that the sum of one hundred and three pounds ten shillings sterling be granted to her Majesty towards compensating Richard Holden for extra services, and defraying the expense of his office rent for the years 1839, 1840, and 1841.

Resolved,—That it is the opinion of this committee that the sum of fifty pounds sterling be granted to her Majesty towards compensating Peter Brown, Esq., for his services as chairman of the committee of supply in the last House of Assembly for the year 1839.

Resolved,—That it is the opinion of this committee that the sum of one hundred & fifty pounds stg. be granted to her Majesty towards compensating Peter Winsor, Esq., for his services in the last House of Assembly, as chairman of the committee of Audit for the years 1839, 1840, and 1841, and as chairman of the committees of audit and supply for the years 1840, and 1841.

Resolved,—That it is the opinion of this committee that the sum of fifty pounds sterling be granted to her Majesty towards compensating Thomas Beck for his services as Sergeant-at-Arms of the last House of Assembly during the year 1839.

Resolved,—That it is the opinion of this committee that the sum of ten pounds sterling be granted to her Majesty towards compensating Walter Dillon as Acting Clerk of the last House of Assembly in the year 1839.

Resolved,—That it is the opinion of this committee that the sum of one hundred and one pounds sterling be granted to her Majesty to reimburse the Editor of the Patriot Newspaper for damages and expenses incurred by him in printing a report of the late House of Assembly, by order of the House.

Resolved,—That it is the opinion of this committee that the sum of five hundred pounds sterling be granted to her Majesty to be paid the representatives of the late Nicholas Ash of Carbonear, to compensate them for property of deceased, destroyed during riots at the election at Carbonear in the autumn of 1840.

Resolved,—That it is the opinion of this committee that the sum of three hundred pounds sterling be granted to her Majesty towards the support of the Schools of the Newfoundland School Society for the year ending 25th May, 1843.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds sterling be granted to her Majesty in aid of the funds of the Orphan Asylum School, for the same period.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds sterling be granted to her Majesty in aid of the funds of the Presentation Convent School for the same period.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds sterling be granted to her Majesty in aid of the funds of the St. Patrick's Free School at Harbor Grace, for the same period.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds sterling be granted to her Majesty in aid of the funds of the St. John's Factory, for the same period.

Resolved,—That it is the opinion of this committee that the sum of fifty pounds sterling be granted to her Majesty in aid of the funds of the Dorcas Society, for the same period.

Resolved,—That it is the opinion of this committee that the sum of four hundred pounds stg. be granted to her Majesty towards defraying the arrears of salary due to the Chairman of the late Board of Road Commissioners of St. John's for the years 1839, and 1840, and for his services in 1841, and 1842, in full, to the passing of this act.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds sterling be granted to her Majesty to be paid to James L. Prendergast for extra services performed by him as Surveyor of Roads and Bridges in the district of Conception Bay.

Resolved,—That it is the opinion of this committee that the sum of two hundred and seventy three pounds fifteen shillings and eightpence sterling be granted to her Majesty to defray the expense of contracts entered into by the Board of Road Commissioners for the road between Bonavista and Catalina, beyond the means placed at their disposal.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds sterling be granted to her Majesty as a gratuity to Charlotte St. John, widow of the late Oliver St. John. Clerk of the Peace at Harbor Grace, in consideration of the services of her late husband, and of land taken for a public road.

Resolved,—That it is the opinion of this committee that the sum of fifty pounds sterling be granted to her Majesty in aid of the funds of the Indigent Sick Society.

Resolved,—That it is the opinion of this committee that the sum of eight hundred and thirty six pounds ten shillings and sixpence sterling be granted to her Majesty to be placed at the disposal of his Excellency the Governor, to be paid to the Commissioners under the Statute Labour Act for the district of St. John's, to reimburse them for cash advanced by them to defray expenses incurred in the performance of their duty.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty to be placed at the disposal of his Excellency the Governor to relieve the crews of shipwrecked sealing vessels.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty in full compensation to A. Mayne, Esquire, for loss of emolument by reduction of the fees of his office as Clerk of the Peace at Harbor Grace for three years past.

Resolved,—That it is the opinion of this committee that the sum of three hundred and fifty pounds stg. be granted to her Majesty in full compensation to A. Hogsett, Esq., Clerk of the Peace for St. John's, for loss of emolument by the reduction of the fees of his office for the last three years.

Resolved,—That it is the opinion of this committee that the sum of fifty-two pounds stg. be granted to her Majesty towards compensating Matthew Stevenson, late Clerk of the Peace for Conception Bay, for past services, being in full for two years.

Resolved,—That it is the opinion of this committee that the sum of one hundred and twenty pounds stg. be granted to her Majesty towards reimbursing John Murphy, special messenger to Fogo, for loss of his boat and other property while employed in the public service.

Resolved,—That it is the opinion of this committee that the sum of twenty-five pounds stg. be granted to her Majesty towards remunerating Richard Spencer for services in conveying John Murphy, special messenger to Fogo, from Trinity to St. John's.

Resolved,—That it is the opinion of this committee that the sum of one hundred and thirty pounds stg. be granted to her Majesty towards reimbursing to certain members of the last House of Assembly, the expenses incurred in defending actions against them at the suit of the hon. H. J. Boulton, and B. G. Garrett, Esq., as follows, viz. G. H. Emerson, Esq., forty eight pounds fifteen shillings and six pence ; Charles Simms, Esq. forty seven pounds ten shillings, and the hon. P. Morris, thirty three pounds fourteen shillings and six pence.

Resolved,—That it is the opinion of this committee that the sum of twenty-five pounds stg. be granted to her Majesty towards remunerating Robert Ayles surveyor of the road between Carbonear and Hearts Content, for extra services.

Resolved,—That it is the opinion of this committee that the sum of seventy pounds sterling be granted to her Majesty towards compensating the Sergeant-at-Arms attendant on this House for loss of emolument during the suspension of the Legislature.

Resolved,—That it is the opinion of this committee that the sum of seventy pounds sterling be granted to her Majesty towards compensating the Usher of the Black Rod for loss of emolument during the suspension of the Legislature.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds sterling be granted to her Majesty to enable the Commissioners of Light Houses to complete the Light House on Cape Bonavista.

Resolved,—That it is the opinion of this committee that the sum of twenty-five pounds stg. be granted to her Majesty towards compensating Valentine Borne, late Doorkeeper of the Legislative Council, for loss of office.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds stg. be granted to her Majesty towards remunerating R. R. Wakeham, Esq. late Clerk of the House of Assembly for services performed by him since the close of the last session.

Resolved,—That it is the opinion of this committee that the sum of twenty-five pounds stg. be granted to her Majesty towards defraying the arrears of

salary due to P. W. Carter, Esq. as Chairman of the General Quarter Sessions of the Central District.

Resolved,—That it is the opinion of this committee that the sum of ten pounds stg. be granted to her Majesty towards compensating David Rogers, late Doorkeeper of the Legislative Council, for loss of office.

Resolved,—That it is the opinion of this committee that the sum of seventy pounds stg. be granted to her Majesty towards discharging the arrears of salary short voted in former sessions to Michael Coady, Constable at Bay Bulls, and Richard Sullivan, Constable at Ferryland, being thirty five pounds each.

Resolved,—That it is the opinion of this committee that the sum of twenty pounds stg. be granted to her Majesty to remunerate the contractor, Martin Walsh, for an additional tier on the public wharf at Portugal Cove.

Resolved,—That it is the opinion of this committee that the sum of thirty-five pounds stg. be granted to her Majesty towards remunerating Richard B. Holden, late Copying Clerk of the House of Assembly, for services performed by him since last session.

Resolved,—That it is the opinion of this committee that the sum of twenty-five pounds stg. be granted to her Majesty towards defraying the expense of completing the bridge at Rennie's Mill, (ten pounds) and of erecting an embankment (fifteen pounds.)

Resolved,—That it is the opinion of this committee that the sum of one hundred and eighteen pounds stg. be granted to her Majesty towards defraying the salary of the Preventive officer at Lamaline, to the fifth day of July next.

Resolved,—That it is the opinion of this committee that the sum of thirty-six pounds ten shillings stg. be granted to her Majesty towards defraying the expense of firing fog guns at Fort Amherst for the year ending the 30th June, 1844, and the further sum of eighteen pounds five shillings to discharge arrears for the same service.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty towards defraying the expense of maintaining sick and insane paupers in the outports for the year ending 30th June, 1844.

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds, stg. be granted to her Majesty in addition to the salary of the Colonial Treasurer for the year ending 30th June, 1844.

Resolved,—That it is the opinion of this committee that the sum of thirty-six pounds stg. be granted to her Majesty towards defraying the salaries of three constables in Bonavista Bay, at twelve pounds each, viz. one at Kings Cove, one at Tickle Cove, and one at Salvage.

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty towards defraying the additional expense of repairs to Court Houses and Gaols.

Resolved,—That it is the opinion of this committee that the sum of one hundred and twenty pounds stg. be granted to her Majesty towards defraying

arrears of salary to Thomas Byrne, Road Surveyor, and for various extra services performed by him in surveying and laying out roads throughout the Island.

Resolved—That it is the opinion of this committee that the sum of three hundred and thirty-six pounds stg. be granted to her Majesty towards defraying the extra expenses incurred by the Delegates from the last House of Assembly to England in the year 1841,

Resolved,—That it is the opinion of this committee that the sum of two hundred pounds stg. be granted to her Majesty towards remunerating the Chairman of the Board of Controul, for his services since the year 1839.

Resolved,—That it is the opinion of this committee that the sum of thirty pounds stg. be granted to her Majesty towards discharging the arrears of rent due for a room occupied as an office for the use of the last House of Assembly.

Resolved,—That it is the opinion of this committee that the sum of fifty pounds stg. be granted to her Majesty towards compensating John Byrne for building a bridge at Holyrood.

Resolved,—That it is the opinion of this committee that the sum of seventeen pounds ten shillings stg. be granted to her Majesty towards remunerating James Dunn for work performed on roads in Conception Bay, by order of the Board of Road Commissioners.

Resolved,—That it is the opinion of this committee that the sum of fifteen pounds stg. be granted to her Majesty towards compensating James Lannen and Richard Shea in full for the completion of a bridge at Harbor Grace.

Resolved,—That it is the opinion of this committee that the sum of one hundred and fifty pounds stg. be granted to her Majesty towards encouraging agriculture in this colony, to be placed at the disposal of the Newfoundland Agricultural Society,

Resolved,—That it is the opinion of this committee that the sum of one hundred pounds, stg. be granted to her Majesty to be placed at the disposal of His Excellency the Governor for the purpose of compensating the Assayers of Weights and Measures for their services, and for defraying expenses incurred by them.

Resolved,—That it is the opinion of this committee that the sum of twelve pounds stg. be granted to her Majesty as a gratuity to William Mallowney, an aged constable at Harbor Main, in consideration of his past services.

Resolved—That it is the opinion of this committee that the sum of fifty pounds four shillings and eleven pence stg. be granted to her Majesty towards defraying the arrears of contingent expenses of the Board of Controul.

Resolved,—That it is the opinion of this committee that the sum of twenty-two pounds two shillings stg. be granted to her Majesty towards remunerating the Road Commissioners at Burin for certain extra expenditures incurred by them.

Resolved,—That it is the opinion of this committee that the sum of twenty pounds stg. be granted to her Majesty towards defraying the expense of a ferry boat to ply across Burin inlet.

Resolved,—That it is the opinion of this committee that the sum of twenty-five pounds stg. be granted to her Majesty to provide a ferry boat to ply across the harbor of Great Placentia.

Resolved,—That it is the opinion of this committee that the sum of twenty-five pounds stg. be granted to her Majesty towards defraying the arrears of salary due to Stephen J. Daniel, as Clerk to the Board of Road Commissioners for the district of St. John's.

Resolution for address for appointment of Commissioners to investigate claims for compensation for land taken under Statute Labour Act.

Resolved,—That it is the opinion of this committee that an address be presented to his Excellency the Governor praying that he will be pleased to appoint Commissioners to investigate the claims of all persons seeking compensation for ground taken from them for making and widening public streets and roads under the operation of the Statute Labour Act; and that the report of such Commissioners be laid before the house at the next session of the Legislature, and that the house do pledge themselves to provide during the next session funds necessary to defray the amounts found to be due.

Petition of M. Allen referred to Commissioners &c.

Resolved,—That it is the opinion of this committee that the petition of Michael Allen, praying compensation for loss sustained by him on a contract entered into for the repairing of a public road, be referred to the consideration of the consideration and reports of the Commissioners to be appointed to investigate the claims of persons to compensation for land taken for roads.

Protest against Petition of M. Allen being drawn into a precedent.

Whereas in referring to the Commissioners to be appointed to investigate the claims of parties for compensation for land taken for roads, the consideration of the petition of Michael Allen praying to be remunerated for loss incurred by him in performing a road contract, it is desirable that the same should not be drawn into a precedent, and to avoid the abuses which may flow from encouraging such applications—*Resolved*,—That it is the opinion of this committee that, in future, no application for remuneration for loss incurred in the performance of contracts entered into for the public service, whether for the making and repairing of roads, or for other work, ought to be entertained by the General Assembly.

Resolution for address to the Queen on the subject of the salary due to the late Judge Carter.

Resolved,—That it is the opinion of this committee that an humble address should be presented to Her Most Gracious Majesty the Queen stating that the house have had under their consideration the message of his Excellency the Governor to the house, dated 15th of April last, transmitting the memorial of the Executors of the late Wm. Carter, Esq., Judge of the Vice Admiralty Court of this colony, claiming payment of arrears of salary due to Mr. Carter for four years previously to his death, and have also considered the despatches of the right hon. Lord John Russell, late Secretary of State for the Colonial Department to his Excellency Governor Prescott, dated respectively the 2d of May, and 19th Sept., 1840, acknowledging the extreme injustice done to Mr. Carter by the non-payment of his salary, and further acquainting his Excellency that if any available fund at the disposal of the Crown for this purpose can be pointed out, his Lordship would be happy to advise the Lords Commissioners of her Majesty's Treasury to apply such fund towards indemnifying Mr. Carter's represen-

tatives ; further acquainting her Majesty that whereas there is now remaining undisposed of, as a droit of the Crown, in the custody of the Court of Vice Admiralty, over which Mr. Carter presided, the sum of £693 6s. 8d. stg. reclaimed from the wreck of a foreign vessel upon the coast of this Island in the year 1834, which this committee is of opinion peculiarly forms such a fund as may be applied in part payment of the said arrears, and praying that her Majesty would be graciously pleased to direct that the said sum may be so applied for that purpose. And also that in such address should be contained a declaration, that while the Assembly most fully concur in the great injustice done to the late Judge Carter and his representatives in the delay of payment of the said arrears of salary, the House adheres to the opinion formerly expressed, that the salary of the Judge of the Vice Admiralty Court ought to be defrayed out of funds under the controul of the Imperial Government, and not out of the funds of this Colony.

Resolved,—That this House doth concur with the committee on the said report.

Report adopted.

On motion of the hon. Mr. Morris, seconded by the hon. Mr. Kent,

Resolved,—That a select committee be appointed to prepare and bring in a bill of appropriation, in compliance with the resolutions reported from the committee of the whole House on the supply granted to her Majesty.

Select committee to draft supply bill.

Ordered,—That the hon. Mr. Morris, the hon. Mr. Kent, and Mr. Carter do form such committee.

Then the House adjourned until half past five o'clock p. m., this day.

Adjournment until half past five o'clock this day.

At half past five o'clock p. m. the House met pursuant to adjournment.

House meet at half past five.

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the Bill to provide for the contingencies of the Legislature during the present Session.

House in committee on the contingency bill.

The Hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The Hon. 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.

Report adopted.

Ordered,—That the said bill as amended be engrossed and read a third time on Monday next.

Bill to be engrossed and read a third time on Monday.

Supply bill reported from select committee and read a first time.

The hon. Mr. Morris reported from the committee appointed to prepare and bring in a bill of appropriation, pursuant to the resolutions from the committee of the whole House on supply, that the committee had prepared the draft of a bill accordingly, and he presented the same to the House; and the said bill was read a first time.

Ordered,—That the said bill be now read a second time.

Read 2d time.

And the said bill was read a second time accordingly.

and committed.

On motion of the hon. Mr. Morris, seconded by Mr. Carter,

House in committee thereon.

Resolved,—That the said bill be now committed to a committee of the whole House; and the House resolved itself into a committee of the whole House on the said bill accordingly.

The hon. Mr. Speaker left the chair.

Mr. Carter took the chair of the committee.

The hon. 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 agreed to the same without any amendment.

To be engrossed and read 3d time on Monday.

Ordered,—That the said bill be engrossed and read a third time on Monday next.

On motion of Mr. Robinson, seconded by the hon. Mr. Tobin,

Address to her Majesty moved relative to arrears of salary to the late judge of the vice admiralty court.

Resolved,—That the following address to her most gracious Majesty the Queen be adopted, in compliance with the resolution upon that subject reported from the committee of the whole House on supply.

TO HER MOST GRACIOUS MAJESTY THE QUEEN.

MAY IT PLEASE YOUR MAJESTY,—

The General Assembly of Newfoundland humbly crave leave to approach your Majesty, to acquaint your Majesty that they have had under their consideration the message of his Excellency Major-General Sir John Harvey, dated the 15th day of April last, transmitting to the Assembly the memorial of the Executors of the late William Carter, Esq., claiming payment of arrears of salary due to Mr. Carter for four years previously to his death; and have also considered the despatches of the right hon. Lord John Russell, late Secretary of State for the Colonies, to his Excellency Governor Prescott, accompanying the said memorial, dated respectively the 2d of May, and 19th Sept., 1840, acknowledging the extreme injustice done to Mr. Carter by the non-payment of his salary, and acquainting his Excellency that if any available fund at the disposal of the Crown for this purpose could be pointed out, his Lordship would be happy to advise the Lords Commissioners of your Majesty's Treasury to apply such fund towards indemnifying Mr. Carter's representatives; and the House humbly beg leave to acquaint your Majesty that there is now remaining undisposed of as a droit of the Crown, in the custody of the Court of

Vice Admiralty, over which Mr. Carter presided as Judge, the sum of six hundred and ninety-three pounds six shillings and eight pence, stg., reclaimed from the wreck of a foreign vessel upon the coast of this Island in the year 1834, and the House of Assembly being of opinion that the said sum peculiarly forms such a fund as may be applied in part payment of the said arrears, they humbly pray that your Majesty may be graciously pleased to direct that the said sum of six hundred and ninety three pounds six shillings and eight pence stg., may be so applied for that purpose.

The House of Assembly further beg leave to acquaint your Majesty, that while they most fully concur in the opinion expressed by your Majesty's principal Secretary of State, of the great injustice done to the late Judge Carter and his representatives, in the delay of payment of the said arrears of salary, they adhere to the opinion already expressed by the Assembly of Newfoundland, that the salary of the Judge of the Vice Admiralty Court ought to be defrayed out of funds under the controul of the Imperial Government, and not out of the funds of the Colony.

Mr. Robinson also presented to the House the draft of the following address to his Excellency the Governor, viz. :—

To his Excellency Major General
Sir JOHN HARVEY, Knight,
Commander of the Most Honorable
Military Order of the Bath,
and of the Royal Hanoverian
Guelphic Order, Governor and
Commander-in-Chief in and over
the Island of Newfoundland and
its Dependencies, &c. &c.

Address to the Governor praying him to transmit to her Majesty, the address relative to the salary of the Judge of the vice admiral. ty court.

May it please your Excellency,—

The House of Assembly respectfully beg leave to acquaint your Excellency that they have had under their consideration your Excellency's Message of the 15th of April, transmitting to the House the Memorial of the Representatives of the late Judge Carter, and the documents accompanying the same, and have adopted an address thereon to her Majesty the Queen, which the House of Assembly humbly request your Excellency will be pleased to forward to her Majesty's Principal Secretary of State for the Colonial Department, with such recommendation of the prayer of the address as your Excellency may deem it deserves.

On motion of Mr. Robinson, seconded by the hon. Mr. Tobin,

Resolved,—That the said address be adopted and engrossed, and presented to his Excellency by a committee for that purpose.

Address adopted, &c.,

Ordered,—That Mr. Robinson, and the hon. Mr. Tobin be a committee for that purpose.

Committee.

The hon. Mr. Speaker acquainted the House that his Excellency the Governor would receive the committee to present the said address on Monday next, at noon.

Time for receiving address fixed.

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

MONDAY, MAY 22, 1843.

Report of committee to present address to the Governor,

MR. Robinson from the committee appointed to present to his Excellency the Governor the address praying him to transmit to her Majesty's Principal Secretary of State for the Colonies the address to her Majesty on the subject of the claims of the representatives of the late Judge Carter for arrears of salary due to him, &c., reported that the committee had presented the address to his Excellency, and that in reply his Excellency was pleased to say he would forward the address to her Majesty, with his Excellency's favourable recommendation of the prayer of it.

On motion of Mr. Nugent, seconded by the hon. Mr. Kent,

Standing resolution adopted limiting time for reception of petitions for money to 30 days from commencement of Session.

Resolved,—That it be a standing rule of the House, that it be not in order to move in committee of supply on any money petition from the districts of St. John's, Conception Bay, Trinity, Bonavista, Ferryland, Placentia, St. Mary's, and Burin, unless the same shall have been presented within thirty days from the opening of the Session.

Supply bill read 3d time.

Pursuant to the order of the day an engrossed bill for granting to her Majesty a sum of money to defray the charges of the Civil Government of the Colony for the year ending 30th June, 1844, and for other purposes, was read a third time.

On motion of the hon. Mr. Morris, seconded by Mr. Nugent,

Passed—Title.

Resolved,—That the said Bill do pass, and that the title be "An Act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of the Colony for the year ending 30th June, 1844, and for other purposes."

Order of day for 3d reading of contingency bill read

The order of the day for the third reading of an engrossed bill to provide for the contingent expenses of the Legislature being read,—

The hon. Mr. Thomas, seconded by Mr. Barnes, moved,

Motion thereon to expunge clause granting pay to Members of the Legislative Council.

That in the clause granting pay to the Members of the Assembly the following words be stricken out, "to twenty two Members of the House of Assembly, (the Speaker not included)"—and that the following words be inserted in lieu thereof—"to thirteen Members of the House of Assembly (the Speaker and the Members of the Legislative Council not included)"—

Which being put, and the house dividing thereon, there appeared for the motion three, against it thirteen.

For the motion—	Against the motion—	
The Hon. Attorney General ' ' Mr. Thomas ' Barnes	The Hon. Mr. Morris ' ' ' Tobin ' ' ' Noad ' ' ' Kent ' Glen ' Robinson ' Carter ' Nugent ' O'Brien ' S. Morris ' Dillon ' Hanrahan ' Benning.	Division.

So it passed in the negative. Motion lost.

On motion of the hon. Mr. Noad, seconded by Mr. Carter,

Resolved,—That the said bill do pass, and that the title be “An act to provide for the contingent expenses of the Legislature during the present session.” Contingency bill.
Passed—Title.

Mr. Barnes gave notice that on the first day of the next session of the Legislature, he would move that the present system of reporting the debates in the house be abolished, and that the reporter be notified accordingly. Notice of motion to do away with present system of reporting debates.

Mr. Robinson, from the select committee appointed to enquire into and report upon the state of the Library of the Legislature, reported that the committee had prepared a code of rules for the government of the said Library, which they begged leave to submit for the consideration of the house. The committee further begged leave to recommend that the sum of one hundred pounds be appropriated towards the purchase of books necessary for the Legislature. Report of select committee on the Library.

RULES

Code of Rules submitted

FOR THE MANAGEMENT OF THE LIBRARY OF THE LEGISLATURE.

1st. That the Librarian be appointed by the Speaker of the General Assembly.

2nd. That the Librarian do prepare an Alphabetical Catalogue of the Books, and enter the same in a diary to be kept on the Table for the reference of members.

3rd. 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 ; but during the session of the legislature no member shall take or keep a book from the Library, except between the hours of 6 p. m. and 9 a. m.

4th. 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 volume 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 a former shall have been returned and the day it shall have been returned entered in the diary,

5th. No Member shall during a recess keep a book longer than a week at a time ; nor shall he take any book except for his own use, nor shall he lend the same to any other person.

6th. No Member who shall knowingly infringe the foregoing Rule shall be permitted to take a book out of the Library again, except by express permission of the Speaker.

7th. Any member who shall lose, destroy, or materially injure any book, shall, upon the decision of the Speaker of the Assembly cause the injury to be immediately repaired, or the book or set replaced, and the old book shall remain in the Library for the use of the Legislature until it be so replaced with a new one.

8th. The Librarian shall, during the recess, be in attendance every day, except Sundays, from 11 o'clock in the morning until 1 in the afternoon, and during the session shall open the Library at 9 a. m. and close it after the house shall have adjourned.

9th. That the Librarian be paid the annual salary of fifteen pounds, sterling.

B. ROBINSON,
Chairman.

Committee Room, }
May 1, 1843. }

Resolved,—That the said report be adopted by the house.

A Message from his Excellency the Governor.

At two o'clock the house having retired to the principal Committee Room, a message from his Excellency the Governor was delivered by Joseph Templeman, Esq., Usher of the Black Rod.

Mr. Speaker, Honorable Gentlemen, and Gentlemen,

His Excellency the Governor commands your attendance immediately in the General Assembly room.

Accordingly, the hon. Mr. Speaker and the members attended his Excellency in the General Assembly, when his Excellency was pleased to give his assent to the several Bills following, viz,

Message from the Governor commanding attendance of the house.

House attend his Excellency.

Governor's assent to bills,

An Act for the Encouragement of Education in this Colony.

An Act for the establishment and support of a Grammar School at Harbor Grace.

An Act to authorise the Governor to appoint Commissioners for the appropriation of certain monies granted to Her Majesty for the establishment of a Grammar School at Carbonear, and remaining unappropriated, and to make further provision for the support of the said school.

An Act to abolish the Oaths now by Law taken by Members of the Legislature of this colony, and to substitute the Oath of Allegiance instead thereof.

An Act to repeal an Act passed in the fifth year of the reign of his late Majesty, entitled An Act to amend the Law of Attachment and to facilitate the recovery of Debts from absent or absconding debtors, and to make other provisions for the amendment of the law of Attachment.

An Act to continue and amend an Act passed in the fifth year of the reign of his late Majesty, entitled An Act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices.

An Act to continue an Act passed in the third year of her present Majesty's reign, entitled An Act to encourage the killing of Wolves in this colony.

An Act to amend and continue an act passed in the second year of the reign of her present Majesty, entitled an Act for the regulation of Pilots and the Pilotage of Vessels at the Port of St. John's.

An Act to provide for the encouragement of the Whale Fishery in this colony.

An Act to continue an Act made in the third year of the reign of her present Majesty, entitled An act to amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the Laws respecting the same.

An act to render perpetual an Act passed in the third year of the reign of his late 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 revive and amend an act passed in the third year of the reign of her present Majesty, entitled An act to establish the fees and costs chargeable in the several Police Offices and Courts of Sessions in this colony.

An act for vesting all Estates and Property occupied for the Ordnance service of Her Majesty, in the principal Officers of the Ordnance Department.

An act to Indemnify his Excellency Governor Sir John Harvey for certain sums of money advanced by him from the Colonial Treasury for the service of the Colony.

An act to suspend the operation of an Act passed in the fourth year of the reign of her present Majesty, entitled an Act to establish and regulate Fire Companies in the town of Carbonear.

An act to commute the fees received by the High Sheriff of this colony, and to provide for the salaries of the Sheriff and his Deputies.

After which the hon. Mr. Speaker addressed his Excellency the Governor as follows ;—

May it please your Excellency,—

“ In the performance of the duty which devolves on me of presenting the Money Bills of the Session to your Excellency, I would venture to express my conviction, that in providing and appropriating the Supplies for the Public Service, your Excellency will see manifested, on the part of the Assembly, an earnest desire to support efficiently the Civil Government, to sustain Public Credit, and to develop the resources of the Colony.

“ On behalf of the Assembly I now respectfully pray your Excellency’s assent to a Road Bill, a Bill to raise a loan for the General purposes of the Colony, a Revenue Bill, a General Appropriation Bill, a Contingency Bill, and a Reserved Salaries Bill.”

Whereupon his Excellency was pleased (in the name of her Majesty) to give his assent to the said Bills, as follows :—

An act for granting to her Majesty a sum of money for making constructing and repairing Roads, Streets and Bridges in this colony, and for regulating the expenditure of the same.

An act to extend and continue certain provisions of an act of the Parliament of the United Kingdom, passed in the second and third year of the reign of his late Majesty King William the 4th.

An act to authorise the Treasurer to raise by Loan, on the credit of the colony, a sum of money to be applied to the General purposes of the colony.

An act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies, and for repealing, from and after the fifth day of July next, an act passed in the present Session of the Legislature, entitled an act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies, and to revive certain parts of an act passed in the fourth year of the reign of her said Majesty, entitled an act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies.

An act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of the Colony for the year ending the 30th day of June, 1844, and for other purposes.

An act to provide for the contingent expenses of the Legislature during the present session.

After which his Excellency delivered the following Speech:—

Mr. Speaker, Hon. Gentlemen, and Gentlemen,—

In relieving you from further attendance upon your Legislative duties, I have to offer you my congratulations upon the result of your labours as affecting the general interests of this valuable colony.

In reviewing the proceedings of this first session of its combined Legislature, I can discover nothing which is not justly calculated to excite satisfaction as regards the past, and confidence as respects the future.

On the all-important subjects of 'Roads' and 'Education,' the first wants of every Colony, a most cheering prospect may be said to have opened upon Newfoundland from the moment of the passing of the bills now before me; and for the solid advantages which these measures are so well calculated to confer upon its inhabitants, they are indebted to your sound and patriotic views, and liberal appropriations,—appropriations which, munificent as they are, it is most gratifying to me to know, are not beyond the fairly estimated available means of the Colony.

In the name of our gracious Sovereign I thank you for the liberality with which you have voted the supplies for the public service, and for having made a Legislative arrangement, having for its object to compensate the Colonial Treasury for the loss which it had sustained by the late Revenue Act having been allowed to expire. It is also my grateful duty most emphatically to thank you for having secured a permanent provision for the support of the Civil Government and the due administration of Justice in this Island—a measure which, promptly, and I may add voluntarily, adopted to meet an unforeseen emergency, cannot fail of being regarded by our gracious Sovereign as peculiarly characteristic of that truly British feeling by which this ancient and loyal Colony is so eminently distinguished.

The gratifying promptitude with which the bill indemnifying me for advances made from the Colonial Treasury upon my own responsibility, as well as the attention which was given by you to the various suggestions which I deemed it my duty to offer for your consideration at the opening of the Session, claim my best acknowledgment. You appear to me to have done all that the financial circumstances of the Colony enabled you to do towards carrying those suggestions into effect, and in postponing such measures as were not of an urgent nature, in favour of others by which its more immediate and pressing demands were met, you have acted with a wise and provident regard to the true interests of the Colony, and have acquired a strong title to the gratitude of its inhabitants, as well by what you have done, as by what you have, advisedly for the present, forborne to do.

On these grounds, Mr. Speaker, hon. Gentlemen, and Gentlemen, I desire to place upon your records this public expression of the high degree of satisfaction, which, as the Representative of a gracious and maternal Sovereign, I have derived from the proceedings and results of this most interesting and important Session.

May 22, 1843.

After which the hon. the Attorney General, by command of his Excellency the Governor, said—

Mr. Speaker, hon. Gentlemen, and Gentlemen,—

It is his Excellency the Governor's will and pleasure that this General Assembly be prorogued until Thursday the 20th day of July next ; and this General Assembly is accordingly prorogued until Thursday the 20th day of July next.

EDWARD M. ARCHIBALD,

Clerk of the General Assembly.

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APPENDIX

APPENDIX:

ESTIMATES AND PUBLIC ACCOUNTS

ESTIMATE

Of the Charge of defraying the Public Expenditure of Newfoundland for the
Year ending 30th June 1843.

£10,486 8s. 8d.

[See Journal, page 45.]

—o—

PROPOSED DISTRIBUTION OF THE ABOVE SUM.

Salary of Private Secretary	£200	0	0
Do. do. from 21st Sept. 1841, to the 30th June 1842	155	8	8
Clerk of the Council	200	0	0
Two Clerks in the Secretary's Office	400	0	0
Office Keeper do.	60	0	0
Messenger do.	60	0	0
Colonial Treasurer	400	0	0
Clerk of the Northern Circuit Court	200	0	0
Do. Southern do.	200	0	0
Crier and Tipstaff	60	0	0
Gaoler, St. John's,	60	0	0
Three Police Magistrates St. John's	900	0	0
One do. from 1st March to 30th June, 1842	100	0	0
Clerk of the Peace St. John's,	120	0	0
Chief Constable do.	90	0	0
Eight Police Constables do.	360	0	0
Stipendiary Magistrates of Outports	1510	0	0
Clerks of the Peace, Gaoler's &c. of do. } As per Detail	1200	0	0
Gaol Surgeon, St. John's	40	0	0
Do. Harbor Grace	20	0	0
Gate Keeper at Government House	26	0	0
Gaol Barber, St. John's	15	0	0
To defray Attorney General's Fees	250	0	0
Solicitor General's do.	200	0	0
	£6816	8	8

ESTIMATES AND PUBLIC ACCOUNTS.

MISCELLANEOUS.

Printing, Advertizing and Stationery	450	0	0
Civil and Criminal Prosecutions	500	0	0
Gaol Expenses	800	0	0
Coroners' Accounts	150	0	0
Fuel and Light	200	0	0
Postages and other Incidentals	120	0	0
Expenses of the Circuits	750	0	0
Repairs of Court Houses and Gaols	200	0	0
Unforeseen Contingencies	500	0	0
TOTAL MISCELLANEOUS—	£3670	0	0
TOTAL SALARIES—	£6816	8	8
GRAND TOTAL—	£10,486	8	8

Lunatic Paupers*
Sick Poor in Hospitals
Paupers on the permanent list
Casual Poor.

* These sums are calculated on the amount required for arrears, as shewn in the Accounts sent to the House.

Detail of Salaries and Allowances to Stipendiary Magistrates, Clerks of the Peace, Gaolers, and Constables, at the undermentioned Outports.

Outports.	Magistrates.	Clerks of Peace.	Constables. No Salary.	Gaolers.	Total.
Harbour Grace	£150	£50	3 £85	£50	£335
Carbonear	120		3 75		195
Brigus and Port de Grave	120	20	2 50		190
Bay de Verds			1 12		12
Harbour Main			1 12		12
Cats Cove			1 12		12
Western Bay			1 12		12
South Shore			1 12		12
Ferryland	100	20	1 12	25	157
Brigus (South)			1 12		12
Witless Bay			1 12		12
Renewse			1 12		12
Bay Bulls	100		1 25		125
Toads Cove			1 12		12
Cape Broyle			1 12		12
Caplin Bay			1 12		12

ESTIMATES AND PUBLIC ACCOUNTS.

Aquafort			1	£12			
Do. arrears				12			£24
Fermeuse			1	12			12
Placentia	100	20	1	25	25		170
Barren Islands			1	12			12
Merasheen			1	12			12
Little Placentia			1	12			12
Burin	100	20	1	25	25		170
St. Lawrence			1	12			12
Lamaline	100		1	12			112
Trepassey			1	12			12
St. Mary's	100		1	25			125
Harbor Briton	100	20	1	12			132
Grand Bank	100		1	12			112
Trinity	120	20	1	25	25		190
Catalina			1	25			25
Perlican			1	12			12
Hearts Content			1	12			12
Hants Harbour			1	12			12
New Harbour			1	12			12
Bonavista	100	20	1	25			145
Greenspond			1	12			12
Twillingate and Fogo	100	20	3	49			169
Exploits Bay			1	12			12
Petty Harbor			1	20			20
Portugal Cove			1	20			20
Torbay			1	18			18

RECAPITULATION.

1 Stipendiary Magistrate at £150	.....	.....	.....	.....	£ 150
3 do. at 120	.....	.....	.....	.....	360
10 do. at 100	.....	.....	.....	.....	1000
1 Clerk of the Peace at 50	.....	.....	.....	.....	50
8 do. at 20	.....	.....	.....	.....	160
1 Constable at 35	.....	.....	.....	.....	35
15 do. at 25	.....	.....	.....	.....	375
2 do. at 20	.....	.....	.....	.....	40
1 do. at 18	.....	.....	.....	.....	18
31 do. at 12	.....	.....	.....	.....	372
1 Gaoler at 50	.....	.....	.....	.....	50
4 do. at 25	.....	.....	.....	.....	100

£2710 0 0

ESTIMATES AND PUBLIC ACCOUNTS.

STATEMENT

Of the several sums paid out of the Colonial Revenue under the following Heads of the Public Expenditure, upon the responsibility of his Excellency the Governor.

(See Journal, page 45.)

Heads of Expenditure.	Amount.	Remarks.
Salaries	£2960 10 0	
Ditto of Officers of Colonial Revenue	664 11 8	Paid by the Collector of Customs
Civil and Criminal Prosecutions	134 7 6	
Gaol Expenses	115 19 3	
Printing, Stationery, &c.	96 12 9	
Postages and Incidentals	41 16 0	
Circuits	697 9 2	
Coroners	21 6 0	
Fuel and Light	161 8 7	
Repairs of Gaols, &c.	39 13 10	
Unforeseen contingencies	6 13 0	
Indispensable repairs to roads and bridges	945 5 0	
Seed potatoes issued to the poor (last spring)	213 19 8	
Weekly allowances to permanent paupers, &c.	425 17 2	
Artillerymen stationed at Fort Amherst	18 0 0	
Expenses attending Passengers wrecked in the American ship "Britannia"	598 19 0	
Expenses of Elections and registrations (under the late Imperial Act)	1719 1 0	
Total ..	£8861 9 7	

STATEMENT of monies paid out of the Colonial Treasury by his Excellency the Governor, on his responsibility, and the appropriation whereof had been concurred in by the Council and House of Assembly.

(See Journal, page 45.)

Heads of expenditure.	Amount.	Remarks.
Salaries	£5921 0 0	
Civil and Criminal Prosecutions	706 15 3	£100 } of the respective £ 30 } sums advanced by £132 } Colonel Sall.
Printing Stationery, &c.	291 1 5	
Circuits	654 14 7	
Gaol expenses	751 4 6	
Postages and Incidentals	117 17 4	
Fuel and Light	189 7 8	
Repairs of Gaols &c.	228 9 3	
Unforeseen Contingencies	58 7 7	
Pauper Lunatics	200 0 0	
Hospital Patients	294 8 4	
Relief of the Poor	1000 6 4	
Artillerymen at Fort Amherst	36 0 0	
Education	1000 0 0	
Carried forward	11452 12 3	

ESTIMATES AND PUBLIC ACCOUNTS.

	Brought forward	11,452	12	3	
Arrears of salary to Clerks of the Peace		260	10	8	
Addition to Orphan Asylum		300	0	0	
Legislative contingencies		2981	1	2	
Special in Road Bill		144	4	8	
Fitting up apartments at Fort Wm. for the Legislature		274	12	7	By Address
Public Pier at Portugal Cove		300	6	8	Road Bill.
Coroners		164	14	8	
Special Votes		490	3	9	
Registration of Voters		319	7	4	
Elections, 1840, St. John's and Harbor Grace		462	17	6	
		<hr/>			
		£17,150	11	3	

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

From the 1st January 1841 to the 31st December, 1842.

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*See Journal, page 45.***DR.**

To Balance from last Quarter		8585	19	4½
License Fund Ferryland, received from Robert Carter, Esq.		13	10	0
License Fund Bay Bulls, received from J. L. M'Kie,		7	10	0
Light Dues, received from the Hon. J. M. Spearman		320	3	4
This amount received from the Hon. J. M. Spearman in part of the Quarter's Revenue		1733	6	8
		<hr/>		
		£10660	9	4½

CR.

July 19.	By Roads and Bridges on account—				
	Road from Bay Bulls to Cape Broyle	Warrant, No. 458	4	2	6
	Light Houses—salary of Keeper	23	23	15	0
21.	Sundries	61	52	9	4
	Six months interest on debenture No. 75, per W. Stirling		15	0	0
	Roads and Bridges on account, road from Bay Bulls to Cape Broyle	459	53	12	5
	Do. do. compensation for ground same road	460	64	7	6
			<hr/>		
	Carried forward		213	6	9

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

From the 1st January 1841 to the 31st December, 1842.

CR.

		Brought forward	213	6	9
July 21.	Light Houses, six months interest on debenture No. 5, Cape Spear Light House		15	0	0
	Roads and Bridges	Warrant No. 461	63	16	11
	Sundries	62	13	1	0
	Do.	63	15	9	7
	Roads and Bridges	462	64	10	4
	Ditto ditto	463	9	17	7
Feb. 2.	Light Houses—salary of Keeper at Cape Spear	24	23	15	0
5.	Do. " salary of Keeper at Fort Amherst	25	13	15	0
	Roads and Bridges	464	14	17	7
	Ditto ditto	465	14	9	2
	Sundries	64	73	18	3
	Ditto	65	46	17	4
	Contingencies	66	4	16	8
	Roads and Bridges, six months interest per John Kelly		30	0	0
	Ditto ditto, six months interest per J. Furneaux.		12	0	0
21.	Roads and Bridges	466	56	3	4
	John Kelly, paid him amount of debenture No. 66, (cancelled)		75	0	0
	Sundries	67	14	3	3
	Civil and Criminal Prosecutions	68	3	10	2
March 6.	Roads and Bridges per S. J. Daniel	467	8	13	4
	Sundries	69	33	3	2
	Clerk of the Peace, Southern District	70	7	11	2
	Sundries	71	40	5	1
	Benjamin Row and Samuel Rumson, reward for retaking prisoners	72	20	0	0
31.	Salaries	73	307	10	0
	Ditto	74	352	0	0
	Ditto	75	352	10	0
	Ditto	76	90	0	0
	Ditto	77	45	5	0
	Ditto	78	42	15	0
	Ditto	79	48	15	0
	Ditto	80	235	5	0
	Sundries	81	26	3	4
	Ditto	82	160	18	5
		Carried forward	£2549	2	5

TREASURY ACCOUNTS.

	Brought forward	£2549	2	5
March 31. Light Houses	Warrant No. 26	23	15	0
Six months interest on £310 8s 8d, Cape Spear Light House		9	6	3
Light Houses, six months interest on £1,000, Harbor Grace Light House		30	0	0
Colonial Building—six months interest on £200		6	0	0
Light House Harbor Grace, paid Rev. W. Bullock, balance of debenture No. 9, cancelled		100	0	0
Interest on do.		1	15	0
Commissioners of Pilots, paid them amount of road Debenture No. 69, cancelled,		50	0	0
Six months interest on ditto		1	10	0
Sundries	83	18	0	0
Do.	85	28	15	0
Civil and Criminal Prosecutions, per Solicitor General	86	50	0	0
Sundries	87	80	19	1
Roads and Bridges	468	38	19	10
Ditto ditto	469	10	0	0
Gaol Expenses and Civil and Criminal Prosecutions	84	244	12	1
The Poor, Coroners, and Printing and Stationery	88	862	1	6
Gaol Expenses and the Poor, and Civil and Criminal Prosecutions	89	55	17	10
		£4160	14	0
Balance to next Quarter		6499	15	4½
		£10660	9	4½

TREASURER'S CASH ACCOUNT

For the Quarter ending March 31, 1841.

DR.

To Balance from last Quarter	6499	15	4½
License Fund Twillingate received from J. Winter, Esq.	11	5	0
License Fund St. Mary's received from J. Blackburn	2	10	0
License Fund, Twillingate, received from John Winter, Esq.	13	10	0
License Fund, Harbor Britain, received from T. E. Gaden	36	0	0
License Fund, Harbor Britain, received from Andrew Blaikie	9	0	0
License Fund, Placentia, received from F. L. Bradshaw	16	5	0
This sum received from the Hon. J. M. Spearman on account of last Quarter's Revenue	1516	13	4
	8104	18	8½

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

For the Quarter ending March 31, 1841.

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CR.

May 4.	By Sundries	Warrant No. 90	84	10	3
	Roads and Bridges	470	55	16	1
	Light Houses	27	13	15	0
	Roads and Bridges	471	33	10	1
	Light Houses	28	23	15	0
6.	Sundries	91	127	4	0
	Ditto	92	225	0	0
	Roads and Bridges	472	50	3	10
	Ditto ditto	473	61	11	9
	Ditto ditto	474	17	6	8
	Ditto ditto	475	4	14	3
	Ditto ditto	476	57	8	1
	Sundries	93	21	0	0
May 20.	Roads and Bridges	477	11	0	4
	This sum paid the Delegates from Council and Assembly	94	600	0	0
	Roads and Bridges,	478	66	11	8
	Sundries	95	43	8	1
	Roads and Bridges	479	152	16	6
	Civil and Criminal Prosecutions	96	11	19	0
29.	Roads and Bridges	1	71	17	4
	Printing and Stationery	2	30	0	0
	H. W. Hoyles, paid him amount of debenture No. 68, cancelled		100	0	0
	Twelve months interest on debenture No. 68		6	0	0
June 5.	Roads and Bridges	3	5	4	6
	Ditto ditto	4	27	7	4
	Ditto ditto	5	2	3	6
	A. W. Desbarres, six months interest on 800/		24	0	0
	Isabella Desbarres, six months interest on 150/		4	10	0
	Carried forward		1932	13	4

TREASURY ACCOUNTS.

CR.

	Brought forward	£1932	13	4
June 5.	Joseph Noad Esq., six months interest on road Debenture £500		£15	0 0
7.	Civil and Criminal Prosecutions	Warrant No. 6	68	12 0
	Roads and Bridges	7	46	16 8
11.	Ditto ditto	9	6	10 0
	William Walsh, paid him amount Road Debenture No. 74, cancelled		900	0 0
	Six months interest on Debenture No. 74		27	0 0
12.	Sundries	10	109	4 7
	Colonial Building, six months interest on £200		6	0 0
	Roads and Bridges interest account, six months interest on Debentures No. 30, and 31		6	0 0
	Contingent expenses on road from Bay Bulls to Cape Broyle	11	11	1 8
16.	Civil and Criminal prosecutions per Chief Justice Bourne for table money, Northern Circuit		29	0 0
	Roads and Bridges, two thirds amount of contract for building a bridge at Port aux Bras	12	19	10 0
	H. J. Furneaux, six months interest on Road Debenture No. 73 400l.		12	0 0
	H. J. Furneaux, paid him amount road debenture No. 73, cancelled		400	0 0
22.	Bounty on destruction of Wolves per Michael Connell	13	5	0 0
	Education, Bonavista	14	100	0 0
30.	Salaries	15	307	10 0
	Ditto	16	352	0 0
	Ditto	17	352	10 0
	Ditto	18	90	0 0
	Ditto	19	45	5 0
	Ditto	20	42	15 0
	Ditto	21	48	15 0
	Ditto	22	220	5 0
	Balance to next quarter		2951	10 5½
			£8104	18 8½

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

QUARTER ENDING SEPTEMBER 30th, 1841.

DR.

To balance from last quarter	2951 10 5½
This sum raised on loan for the Bonavista Light House, received from the Savings Bank	500 0 0
Imperial Duties received from Joseph Templeman, Esq., acting Treasurer	2361 10 7
Colonial Duties	5503 17 7
Light Dues quarter ending June 30th	584 11 10
This sum received from J. M. Spearman, Esq., on account of this quarter	4766 13 4
	<hr/>
	£16668 3 9½
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CR.

July 3. By Light Houses, paid Andrew Hannon 6 months interest on £500, Debenture No. 1	£15 0 0
Catherine Stewart, paid her amount Road Debenture, No. 70, cancelled	400 0 0
Six months interest on Debenture, No. 70	12 0 0
Sundries	
Ditto	Warrant No. 23 67 1 2
Ditto	24 17 1 2
Ditto	25 48 18 4
Ditto	26 226 2 8
Ditto	27 59 17 9
Ditto	28 60 13 1
Ditto	29 99 10 10
Ditto	30 103 15 0
Ditto	31 20 7 6
Six months interest on loan to Cape Spear Light House	30 0 0
Six months interest on road debenture, No. 45	6 0 0
Six months interest on loan to Colonial building	6 0 0
Six months interest on loan to Harbor Grace Light House	36 0 0
Sundries	32 108 10 6
Aug 23 Catherine Stewart, paid her amount road debenture No. 71, cancelled	400 0 0
Catherine Stewart, six months interest on debenture No. 71	12 0 0

Carried forward. . . . £1728 18 0

TREASURY ACCOUNTS.

			Brought forward. . . .	£1728	18	0
Aug 23	Roads and Bridges interest account, paid J. Kelly six months interest on debenture No's. 64 and 65			£27	15	0
25.	Circuit Courts, per the High Sheriff Warrant No. 33 William Stirling, paid him amount road debenture No. 75, cancelled			100	0	0
	Six months interest on debenture No. 75			500	0	0
	Light House Bonavista, first instalment on contract	34		207	2	8
	Bounty on destruction of Wolves per Martin Walsh	35		5	0	0
	Sundries	36		64	2	8
Sept 3.	Light House repairs at Fort Amherst	37		37	10	0
	Roads and Bridges	38		19	8	0
13.	Ditto ditto, paid Samuel Coze on account his contract on road from Aquafort to Ferryland	39		2	12	0
15.	Repairs Court Houses	40		15	17	1
	J. R. M. Cooke, paid him amount Road Debentures No's. 61, 62, 63, and 72			200	0	0
	Six months interest on Debentures No's. 61, 62, 63, and 72			6	0	0
	Six months interest on debentures No's. 24, 25, 26, 27			3	0	0
	Six months interest on debentures No's 16, 17, 18, 19, 20, 21, 22, 23			9	0	0
	Twelve month's interest on debentures No's 43, 44 and 67, per Christopher Ayre, Esq.			6	0	0
28.	Bounty on destruction of Wolves	1		5	0	0
	Roads and Bridges	2		29	18	0
29.	Ditto do.	3		17	8	0
	Sundries	4		11	11	0
	Roads and bridges	5		17	8	10
	Ditto Ditto	6		10	3	6
	Sundries	7		7	1	0
	Salaries	8		647	0	0
	Ditto	9		421	5	0
	Ditto	10		109	0	0
	Ditto	11		160	10	0
	Sundries	12		260	14	2
30.	Ditto	13		370	8	9
	Expences of the Conception Bay election	14		246	18	4
	Sundries	15		397	7	4
	Contingencies Legislature, 1841	16		603	15	1
	Ditto ditto	17		733	15	7
	Ditto ditto	18		838	0	6
	Ditto ditto	19		546	10	0

Carried forward. . . . £8381 0 6

TREASURY ACCOUNTS.

		Brought forward. . . .	£8381	0	6
Sep. 30	Sundries	20	130	10	7
	Ditto	21	86	11	4
	Roads and bridges	22	16	2	8
	Circuit Courts, hire of the brig Louisa and Frederick	23	192	10	0
	Sundries	24	677	10	0
	Ditto	25	81	14	8
	Ditto	26	35	15	0
	Ditto	27	29	16	6
	Ditto	28	16	15	0
	Ditto	29	182	11	9
	Balance to next quarter		6837	5	9½
			£16668	3	9½

TREASURER'S CASH ACCOUNT

For the Quarter ending December 31, 1841.

—o—

DR.

To Balance from last Quarter	6837	5	9½
Nov. 12. This sum received on loan on account of the Bonavista Light House, Anne, S. E. and Mary Eales	500	0	0
Dec. 4. This sum received on loan on account of the Bonavista Light House from Joseph Noad, Esq.	450	0	0
This sum received from the Hon. J. M. Spearman on account of last Quarter	3466	13	4
This sum received on account do.	2177	4	8
License Fund and Fines received from Alfred Mayne, Esq. Clerk of the Peace at Harbor Grace.	94	3	0
License Fund, Trinity, received from B. Sweetland, Esq.	35	10	0
License Fund and Fines, Brigus, received from R. J. Pinsent, Esq.	23	7	6
	£13584	4	3½

TREASURY ACCOUNTS.

CR.

Nov. 15.	By Sundries	Warrant No. 30	34	5	0
	Ditto	31	1024	16	0
	Ditto	32	257	10	6
	Ditto	33	105	7	0
	Ditto	34	286	8	11
	Gaol Expenses, quarter ending Sept. 30th	35	175	4	0
25.	Sundries	36	65	11	7
	Bounty on Destruction of Wolves per J. Dunn	37	5	0	0
	Sundries	38	43	11	6
	Ditto	39	55	1	2
	Salaries per Solicitor General to the 36th Sept.	40	50	0	0
Nov. 29.	Roads and Bridges	41	26	15	2
	Circuit Courts	42	32	15	0
	Roads and Bridges,	44	13	16	0
	Sundries	43	22	2	4
Dec. 3.	Ditto	45	55	6	8
	Commi-s'oners Poor	46	100	0	0
4	Paid C. Ayre and J. R. M. Cooke, amount Road Debentures		400	0	0
8	Sundries	47	418	12	9
	Roads and Bridges	48	13	16	2
	Coroners	49	1	18	0
	Roads and Bridges interest account paid J. Noad, Esq. 6 months interest		15	0	0
	J. Noad Esq. paid him amount of road debentures, cancelled		500	0	0
	Six months interest on road debenture, per C. Ayre, Esq.		12	0	0
13	Sundries	50	155	2	2
	Roads and Bridges	51	39	14	7
	Fuel and Light per Wm. Firth	52	60	7	6
	Roads and Bridges	53	5	4	0
	Sundries	54	68	2	8
22.	A. W. Desbarres, paid him amount of road debenture cancelled		500	0	0
	Roads and Bridges	55	16	7	7
	C. Ayre, Esq. paid him amount road debenture, cancelled		50	0	0
	Ditto six months interest on do.		1	10	0
	Roads and Bridges,	56	11	2	8
	Civil and Criminal Prosecutions,	57	175	16	0
	A. W. Desbarres, Esq. paid him amount road debenture, cancelled		300	0	0
	Isabella Desbarres do.		150	0	0
	A. W. Desbarres, six months interest on £950		28	10	0
28	Sundries	58	318	14	8
	Ditto	59	104	6	1
	Ditto	60	12	2	7

Carried forward

£5711 18 3

TREASURY ACCOUNTS.

	Brought forward	£5711	18	3
Roads and bridges	Warrant No. 61	40	17	3
Interest on loan from Savings Bank on account				
Light Houses		55	6	3
A. Hannon, interest on account		15	0	0
Light Houses				
Salaries	62	565	0	0
Ditto	63	352	10	0
Ditto	64	115	10	0
Ditto	65	71	5	0
Ditto	66	45	15	0
Ditto	67	49	0	0
Ditto	68	168	15	0
Ditto	69	123	0	0
Ditto	70	77	10	0
Light Houses, twelve months interest paid the				
hon. James Crowdy		18	0	0
H. W. Hoyles, amount road debenture, cancelled		200	0	0
H. W. Hoyles, six months interest on £200		6	0	0
Colonial Building, six months interest per H. W.				
Hoyles		6	0	0
Rev. Wm. Burt amount road debenture		50	0	0
Ditto 18 months interest on ditto		4	10	0
B. G. Garrett amount road debenture		75	0	0
Ditto six months interest on ditto		2	5	0
Roads and bridges	71	40	0	0
Whale Fishing bounty	72	200	0	0
Roads and bridges	73	105	5	4
Light Houses	74	57	3	2
A. W. DesBarres, amount road debenture No. 45		200	0	0
Ditto six months interest on ditto		6	0	0
Sundries	75	60	10	2
Ditto	76	22	11	4
Ditto	77	298	6	10
The Poor	78	105	4	2
Sundries	79	93	4	9
Legislative Contingencies	80	216	7	7
Light Houses, six months interest per estate of Robert Brown		17	13	9
Sundries	81	11	19	7
Ditto	82	37	15	11
Interest on debenture No. 57, 58, 59 and 60		8	5	0
B. G. Garrett, amount Road debentures No. 59 & 60, cancelled		100	0	0
Balance to next Quarter		4250	14	11½

£13584 4 3½

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

For the Quarter ending March 31, 1842.

—o—

DR.

To Balance from last Quarter		£4250	14	11½
License Fund, St. John's district, received from Aaron Hogsett, Esq.		149	14	4
License Fund, Ferryland, received from Robert Carter, Esq.		13	10	0
License Fund, Fortune Bay, received from T. E. Gaden, Esq.		14	12	6
This sum received from the Hon. J. M. Spearman on account of Quarter ending 31st December		7002	17	8
This sum received the Hon. J. M. Spearman on account of this Quarter		2962	9	11
		<u>£14393</u>	<u>19</u>	<u>4½</u>

CR.

Jan. 31	By Roads and Bridges	Warrant No. 83	51	17	1
Feb 14	Ditto ditto	84	36	4	4
	Light Houses,	85	23	15	0
	The Poor	86	25	8	1
	Light Houses, six months interest per W. B. Row		6	0	0
	Light House, Fort Amherst, salary of keeper	87	13	15	0
	The Poor	88	8	13	4
	Roads and Bridges	89	4	17	4
	Sundries	90	135	5	10
14	The Poor	91	100	0	0
	Roads and Bridges,	92	9	11	6
	J. Kelly, paid him amount of road debenture No. 65 & 66		925	0	0
	John Kelly, six months interest on debentures No. 65 & 66		27	15	0
March 3	Sundries	93	14	2	4
5	The Poor	94	48	9	10
15	Sundries	95	16	16	8
	Ditto	96	73	4	8
	Ditto	97	46	12	0
	Carried forward		<u>£1567</u>	<u>8</u>	<u>0</u>

TREASURY ACCOUNTS.

		Brought forward	1567	8	0
Mch 31	Salaries	98	565	0	0
	Ditto	99	352	10	0
	Ditto	100	115	10	0
	Ditto	101	71	5	0
	Ditto	102	45	15	0
	Ditto	103	49	0	0
	Ditto	104	156	5	0
	Ditto	105	123	0	0
	Ditto	106	72	10	0
	Christopher Ayre, Esq., paid him amount debenture No. 67	67	50	0	0
	Ditto ditto six months interest on debenture No. 67.		1	10	0
	Sundries	107	54	15	2
	The Poor	108	29	14	8
	Bounty on Destruction of Wolves	109	5	0	0
	Sundries	110	16	10	0
	Whale Fishery Bounty	111	200	0	0
	Circuit Courts	112	20	0	0
	Balance to next quarter		10898	6	6½
			£14393 19 4½		

TREASURER'S CASH ACCOUNT For the Quarter ending June 30th, 1842.

DR.

	To Balance from last Quarter	£10898	6	6½
	License Fund Placentia, received from F. L Bradshaw, Esq.	7	9	7
May 7.—	This sum received from Hon. J. M. Spearman	1466	11	3
June 30—	License Fund and Fines received from J. L. M'Kie, Bay Bulls	12	10	0
	License Fund Brigus, received from R. J. Pinsent, Esq.	17	3	3
	Fines received from Josiah Blackburn, Esq., St. Mary's	5	2	
			£12402 15 9½	

CR.

April 16—	By the Poor	Warrant No. 113	£67	0	0
	Sundries	114	167	1	8
	Light Houses	115	23	15	0
	Sundries	116	215	4	0
	Ditto	117	21	4	11
	Ditto	118	39	17	7
	Ditto	119	69	7	10
May 4.—	Light Houses	120	12	10	0
	Sundries	121	16	15	0
	Roads and Bridges	122	20	0	0
11—	Sundries	123	19	2	3
	Ditto	124	116	10	7
16—	Ditto	125	37	10	0
17—	Ditto	126	31	5	10
	Contingencies Legislature 1839 and 1840	127	84	0	0

Carried forward . . . £941 4 8

TREASURY ACCOUNTS.

		Brought forward. . . . £941 4 8			
May 17	Sundries	Warrant No. 128	60	1	3
	Ditto	129	736	17	6
30.	Ditto	130	24	18	8
	Circuit Courts, table expences	131	23	0	0
June 6	Sundries	132	45	3	2
8.	Expences incurred in carrying seed potatoes to Trinity Bay	133	4	6	8
	Roads and bridges	134	67	7	7
	Sundries	135	92	2	2
	Ditto	136	65	1	9
	Ditto	137	23	11	4
	Ditto	138	94	10	1
17.	Ditto	139	304	17	6
	The poor	140	7	16	0
	Roads and bridges	141	7	2	8
	Six months interest on debenture No. 4, Cape Spear Light House		3	0	0
30.	Sundries	142	276	17	2
	Roads and bridges	143	45	9	6
	Salaries	144	565	0	0
	Ditto	145	352	10	0
	Ditto	146	115	10	0
	Ditto	147	71	5	0
	Ditto	148	45	15	0
	Ditto	149	49	0	0
	Ditto	150	156	5	0
	Ditto	151	123	0	0
	Ditto	152	72	10	0
	H. W. Hoyles, six months interest on loan to Colonial Building		7	6	10
	Six months interest on Debenture No. 2, Bonavista Light House		9	0	0
	Sundries	153	64	7	3
	Six months interest on loan to Bonavista Light House		15	0	0
	Six months interest on loan to Harbor Grace Light House		30	0	0
	Six months interest on loan to Cape Spear Light House		9	6	3
	Six month's interest on loan to Colonial Building		6	0	0
	Six months interest on loan to Cape Spear Light House per E. M. Archibald, Esq.		17	13	9
	Sundries	154	92	9	6
	Roads and bridges	155	5	15	7

Carried forward. . . . £4631 1 10

TREASURY ACCOUNTS.

		Brought forward . . .	£4631	1	10
June 30	Sundries		156	11	18 11
	Ditto		157	43	1 6
	Ditto		158	174	5 10
	Gaol expences		159	141	13 8
	Gaol repairs		160	64	1 0
	Sundries		161	35	0 0
	Ditto		162	29	15 2
	Light House Bonavista, six months interest per the hon. Joseph Noad			15	8 5
	Light House Harbor Grace, six months interest per the hon. W. B. Row.			6	0 0
	Balance to next quarter			7250	9 5½
					£12402 15 9½

TREASURER'S CASH ACCOUNT

QUARTER ENDING SEPTEMBER 30th, 1842.

DR.

	To balance from last quarter		£7250	9	5½
	Licence fund Bonavista, received from William Sweetland, Esq.		16	0	0
	Licence fund Fortune Bay, received from William Evans		9	0	0
Sep 15	This sum received from J. M. Spearman Esq.		4409	3	4
Aug 11	This sum received from ditto		3250	0	0
25.	This sum received from ditto		2166	13	4
	This sum raised on loan on account Bonavista Light House from Elizabeth Chancey, debenture, No. 2, omitted in former account.		300	0	0
					£17401 6 1½

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

QUARTER ENDING SEPTEMBER 30th, 1842.

CR.

July	By Light Houses	Warrant No. 163	£38	15	0
Aug. 5.	Sundries	164	60	3	0
	Ditto	165	82	7	7
	Ditto	166	17	10	0
	Expenses Gaols and Court Houses	167	52	3	5
14.	Sundries	168	121	13	5
	The Poor	169	467	7	3
	Sundries	170	72	15	1
	Circuit Courts Table Money	171	60	0	0
	Sundries	172	64	11	10
	Ditto	173	104	15	8
	Ditto	174	12	11	8
	Ditto	175	48	6	8
Sep. 7.	Ditto	176	63	1	1
15.	Ditto	177	10	18	4
	Ditto	178	103	17	4
	Ditto	179	208	6	0
30--	Salaries	180	565	0	0
	Ditto	181	352	10	0
	Ditto	182	115	10	0
	Ditto	183	71	5	0
	Ditto	184	45	15	0
	Ditto	185	49	0	0
	Ditto	186	181	5	0
	Ditto	187	161	10	0
	Light Houses	188	95	18	11
	Sundries	189	27	10	10
	Ditto	190	16	12	0
	Ditto	191	34	5	1
	Ditto	192	41	5	9
	Ditto	193	44	18	10
	Ditto	194	44	13	11
	Ditto	195	44	10	0
	Ditto	196	44	15	6
	Roads and Bridges	197	16	5	5
	Sundries	198	111	6	5
	Ditto	199	27	19	10
	Ditto	200	51	18	11
	Fuel and Light	201	161	8	7
	Balance to next Quarter		13505	17	9½
			<hr/>		
			£17,401	6	1½
			<hr/>		

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

QUARTER ENDING DECEMBER 31st, 1842.

DR.

To Balance from last Quarter	£13505 17 9½
Decr. 1.—This sum received from the Hon. J. M. Spearman, Collector	2770 10 4
This sum received from Aaron Hogsett, Esq., in part of License Fund Central District	95 10 2
This sum received from the Hon. J. M. Spearman, Col- lector, account Light Dues, Quarter ending 10th October, 1842	418 18 11
Received from Aaron Hogsett, Esq., account Fines and Forfeitures	70 15 8
Received from Alfred Mayne, Esq., Harbor Grace, account License Fund	67 16 6
Received from Aaron Hogsett, Esq., on account License Fund, Central District	276 5 0
Received from the Collector	340 15 8
	£17546 10 0½

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT

QUARTER ENDING DECEMBER 31st, 1842.

CR.

By Sundries	Warrant No. 202	£54	15	4
Ditto	203	41	13	4
Registration of Voters	204	25	5	10
Sundries	205	20	5	0
Ditto	206	214	4	2
Roads and Bridges	207	9	19	4
Sundries	208	278	10	0
Ditto	209	104	9	0
Ditto	210	93	6	8
Ditto	211	8	2	6
Nov. 16.—Light Houses	212	33	3	3
Sundries	213	68	14	2
Six Months Interest on loan to Bonavista Light House £500		30	0	0
24.—Sundries	214	42	17	1
26.—Election Expenses	215	17	6	8
30.—Ditto ditto	216	4	6	8
Circuit Courts, Balance of Table Money per Judge Lilly	217	32	0	0
Decr. 2.—Roads and Bridges	218	4	11	10
Ditto ditto	219	34	1	4
Sundries	220	19	18	3
Ditto	221	317	1	0
Roads and Bridges per Martin Walsh	222	75	0	0
Sundries	223	36	12	3
19.—Roads and Bridges	224	181	10	0
Printing and Stationary	225	10	2	4
Election Expenses	226	81	18	0
27.—The Poor	227	9	7	2
Election Expenses	228	6	0	0
Salaries	230	565	0	0
Dec. 31.—Ditto	231	352	10	0
Ditto	232	115	10	0
Ditto	233	71	5	0
Ditto	234	45	15	0
Ditto	235	49	0	0
Ditto	236	181	5	0
Ditto	237	166	10	0

Carried forward.....£3401 16 1

TREASURY ACCOUNTS.

TREASURER'S CASH ACCOUNT**CR.**

	Brought forward.....	£3401	16	1
Six Months Interest on loan to Bonavista Light House per Hon. Joseph Noad			13	10 0
Twelve Months Interest on loan to Harbour Grace Light House per the Hon. James Crowdy			18	0 0
Twelve Months Interest on loan to Cape Spear Light House per Andrew Hannon			30	0 0
Twelve Months Interest on loan from Commissioners Pilots per Ambrose Shea			6	0 0
Colonial Building, paid Hugh W. Hoyles Interest on £250			7	10 0
Six Months Interest on E. Chancey's loan to Bonavista Light House per E. & N. Stabb			9	0 0
Paid Interest on loan from the late George Crane to the Harbor Grace Light House, amount £700, from the 30th June, 1839, to the 31st December, 1842			147	0 0
Sundries	Warrant No.	229	44	0 4
Sundries		238	29	17 8
Dec. 31.—Sundries		239	11	8 4
Election Expences		240	5	8 4
Six Months Interest on loan from Savings Bank to Colonial Building			6	0 0
Six Months Interest on loan to Harbour Grace Light House			30	0 0
Six Months Interest on loan to Bonavista Light House			15	0 0
Six Months Interest on loan to Cape Spear Light House			9	6 3
Paid the Hon. W. B. Row six months interest on loan to Harbour Grace Island Light House			6	0 0
Paid Administrators of Robert Brown per E. M. Archibald, Esq., interest on loan to Cape Spear Light House			15	11 0
Sundries		241	89	12 7
Election Expences		242	990	17 11
Ditto		243	392	13 6
Roads and Bridges		244	52	0 0
Sundries		245	110	2 6
Election Expences		246	32	13 4
Sundries		247	16	5 0
Light Houses		248	50	0 0
Balance to next Quarter			12,006	17 2½
			<hr/>	
			£17,546	10 0½
			<hr/>	

TREASURY ACCOUNTS.

*Consolidated Statement of the Colonial Treasurer's Accounts
for the Year ending December 31st, 1841.*

—00—
QUARTER ENDING MARCH 31st, 1841.

DR.

To Balance from last Quarter	£2585 19 4½
Amount of License Fund	21 0 0
Light Dues received for Quarter ending Dec. 31, 1840	320 3 4
Amount received from Collector	1733 6 8
	<hr/>
	£10,660 9 4½

CR.

By amount Roads and Bridges Warrants from No. 458 to 469 inclusive	£403 10 6
Amount Light Houses Warrants from No. 23 to 26 inclusive	85 0 0
Amount of General Warrants from No. 61 to 89 inclusive	3326 12 3
Amount of Interest on Debentures	120 11 3
Amount of Debentures cancelled	225 0 0
Balance	6499 15 4½
	<hr/>
	£10,660 9 4½

QUARTER ENDING JUNE 30th, 1841.

DR.

To Balance brought down	£6499 15 4½
Amount of License Fund	88 10 0
Amount received from the Collector	1516 13 4
	<hr/>
	£8104 18 8½

CR.

By Amount of Light Houses Warrants from No. 27 to 28 inclusive	£37 10 0
Amount of Roads and Bridges Warrants from No. 470 to 479 inclusive	510 19 3
Amount of General Warrants from No. 90 to 96 inclusive	1113 1 5
Amount of General Warrants from No. 1 to 22 inclusive	1991 7 7
Amount of Interest on Debentures	100 10 0
Amount of Debentures cancelled	1400 0 0
Balance	2951 10 5½
	<hr/>
	£8104 18 8½

TREASURY ACCOUNTS.

QUARTER ENDING SEPTEMBER 30th, 1841.

DR.

To Balance brought over	£2951 10 5½
Amount of Loan on account Bonavista Light House	500 0 0
Imperial Duties	2361 10 7
Colonial Duties	5503 17 7
Light Dues	584 11 10
Amount received from Collector	4766 13 4
	<hr/>
	£16,668 3 9½
	<hr/>

CR.

By amount of General Warrants from No. 23 to 40 inclusive	£1263 10 5
Amount of General Warrants from No. 1 to 29 inclusive	6883 12 7
Amount of Interest on Debentures	183 15 0
Amount of Debentures cancelled	1500 0 0
Balance	6837 5 9½
	<hr/>
	£16,668 3 9½
	<hr/>

QUARTER ENDING DECEMBER 31st, 1841.

DR.

To Balance brought down	£6837 5 9½
Amount of Loans on account Bonavista Light House	950 0 0
Amount received from the Collector	5643 18 0
Amount License Fund £149 3 6 }	
Amount Fines & Forfeitures 3 17 0 }	153 0 6
	<hr/>
	£13,584 4 3¼
	<hr/>

CR.

By amount of General Warrants from No. 30 to 82 inclusive	£6612 9 4
Amount of Interest on Debentures	196 0 0
Amount of Debentures cancelled	2525 0 0
Balance carried forward to next Quarter	4250 14 11½
	<hr/>
	£13,584 4 3¼
	<hr/>

Audited—Balance in the hands of the Treasurer, Four Thousand Two Hundred and Fifty Pounds, Fourteen Shillings and Eleven Pence Halfpenny.

Made up from the 31st December, 1840, to the 27th March, 1843.

C. F. BENNETT,

Chairman of Committee of Audit.

TREASURY ACCOUNTS.

*Consolidated Statement of the Colonial Treasurer's Accounts
for the Year ending 31st December, 1842:*

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QUARTER ENDING MARCH 31st, 1842.

DR.

To Balance from last Quarter	£4250 14 11½
Amount of License Fund	177 16 10
Amount received from the Collector	7002 17 8
Amount received from Ditto	2962 9 11
	£14,393 19 4½

CR.

By amount of General Warrants from No. 83 to 112 inclusive	£2485 7 10
Amount of Interest on Debentures	35 5 0
Amount of Debentures cancelled	975 0 0
Balance	10,898 6 6½
	£14,393 19 4½

—oo—

QUARTER ENDING JUNE 30th, 1842.

DR.

To Balance brought down	£10,898 6 6½
Amount of License Fund	35 2 10
Amount Fines and Forfeitures	2 15 2
Amount received from the Collector	1466 11 3
	£12,402 15 9½

CR.

By amount of General Warrants from No. 113 to 162 inclusive	£5033 11 1
Amount of Interest on Debentures	118 15 3
Balance	7250 9 5½
	£12,402 15 9½

TREASURY ACCOUNTS.

QUARTER ENDING SEPTEMBER 30th, 1842.

DR.

To Balance brought forward	£7250	9	5½
Amount License Fund	25	0	0
Amount received from the Collector	9825	16	8
Amount received on loan on account Bonavista Light House, omitted in former account	300	0	0
	<u>£17,401</u>	<u>6</u>	<u>1½</u>

CR.

By amount of General Warrants from No. 163 to 201 inclusive	£3895	8	4
Balance	13505	17	9½
	<u>£17,401</u>	<u>6</u>	<u>1½</u>

QUARTER ENDING DECEMBER 31st, 1842.

DR.

To Balance brought down	£13,505	17	9½
Amount received from the Collector	2770	10	4
Amount License Fund	95	10	2
Light Dues	418	18	11
License Fund	344	1	6
Amount Fines and Forfeitures	70	15	8
Amount received from the Collector	340	15	8
	<u>£17,546</u>	<u>10</u>	<u>0½</u>

CR.

By amount of General Warrants from No 202 to 240 inclusive	£3462	10	9
Amount of Interest on Debentures	342	17	3
Amount General Warrants from No. 241 to 248 inclusive	1734	4	10
Balance	12,006	17	2½
	<u>£17,546</u>	<u>10</u>	<u>0½</u>

Audited—Balance in the hands of the Treasurer, Twelve Thousand and Six Pounds, Seventeen Shillings and Two Pence Halfpenny.

Made up from the 31st December, 1840, to the 27th March, 1843.

C. F. BENNETT,

Chairman of Committee of Audit.

TREASURY ACCOUNTS.

AGGREGATE AMOUNT

OF

**Warrants, Debentures Cancelled, and
Interests,***Paid out of the Colonial Treasury,*

THE YEARS 1841 AND 1842.

QUARTERS.	WARRANTS.			DEBENTURES CANCELLED.			INTEREST.			TOTAL.		
Quarter ending March 31, 1841.	3815	2	9	225			120	11	3	4160	14	0
Do. June 30th. do.	3652	18	3	1400			100	10	0	5133	8	3
Do. Sept. 30th. do.	8147	3	0	1500			183	15	0	9830	18	0
Do. Dec. 31st. do.	6612	9	4	2525			196	0	0	9333	9	4
Do. March 31st, 1842.	2485	7	10	975			35	5	0	3495	12	10
Do. June 30th, do.	5033	11	1				118	15	3	5152	6	4
Do. Sept. 30th, do.	3895	8	4							3895	8	4
Do. Dec. 31st, do.	5196	15	7				342	17	3	5539	12	10
TOTALS	£38,838	16	2	6,625			1,097	13	9	46,561	9	11

ACCOUNT

Of Monies due from the Colonial Government for the support of Aged, Infirm, Infants, and Idiot Paupers, with incidentals connected, from the 1st September, 1841, to 31st December, 1842.

[See Page 66.]

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.			
		Months.	Days.		£	s.	d.	
Margaret Fleming	Jeremiah M'Donald	16		d. 4	9	7	2	
Ann Moore	Alice Lawler	16		4	9	7	2	
Eliza Hurley	Elizabeth Sinnott	16		4	9	7	2	
Mary Moore	Mary Howland	16		4	9	7	2	
Rebecca Rickets	Jane Maney	16		4	9	7	2	
Margaret Butler	Philip Fogarty	16		4	9	7	2	
Edward Walsh (Blind)	John Freeman	16		6	14	0	9	
Joannah Holly	Eleanor Vally	16		4	9	7	2	
John Colbert	Bridget Marshall	6	5	4	3	11	6	
James Lacey	Margaret Cleary	16		4	9	7	2	
Catherine Hearn	Thomas Dwyer	16		4	9	7	2	
John Bolan	Edward Bolan	16		4	9	7	2	
Mary Tobin	Philip Fogarty	16		4	9	7	2	
Joannah Clare	Bridget Granger	14	29	4	8	14	11	
James Gladney	Ann Gladney	16		4	8	2	4	
Sarah King	Elizabeth King	13	4	4	7	13	5	
Stephen Miller	Catherine Milier	16		4	8	2	4	
Joseph Maccassey	Thomas Merton	16		4	9	7	2	
Mary Perkins	Ditto	16		4	9	7	2	
Mary Ann Clooney	Mary Morrisey	16		4	9	7	2	
John Dailey	Eliza Tracey	16		4	9	7	2	
Mary Fitzgerald	John Brennan	4	15	4	2	12	7	
James Costello	Edward Maher	13		4	7	11	11	
John Breen	Samuel Beer	16		4	9	7	2	
John Murphy	John Dunn	14		4	8	3	10	
John Kelly	Denis Slater	16		4	9	7	2	
Edward Power	Mary Power	1	12	4	0	16	2	
Catherine Wall	John Murphy	16		4	9	7	2	
John Marshall	Joannah Brine	16		Alld	6	13	4	
Mary M'Leau	} Bridget Roach	16	}	}	4	9	7	2
Richard M'Lean		16						
Margaret M'Lean		16						
Patrick Murner	John Bow	16		Alld	5	6	8	
Susan Lewis	Mary Stansbury	16		4	9	7	2	
Catherine Findlater	Mary Brine	16		4	9	7	2	
Ellen Fry	Eleanor Glascott	5		4	2	18	10	
Amount carried forward						£280	19	1

ACCOUNT

Of Monies due from the Colonial Government, for the support of Aged, Infirm, Infants and Idiot Paupers, with incidentals connected, from the 1st September, 1841, to 31st December, 1842.

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.
		Months.	Days.		
	Brought forward			d.	£280 19 1
Philip Duggan	Eilen Boggin	16		4	9 7 2
Ambrose Dunn	Mary Quinn	16		4	9 7 2
Bridget Kelly	Mary Stansbury	2	17	4	1 10 0
Ann Smart	Charles Antle	16		4	9 7 2
Susan Qunton	Henry Shephard	16		4	9 7 2
Anthony Munchington	Mary Stansbury	16		6	14 0 9
James Barnett	Ditto	16		6	14 0 9
George Sopar	Nicholas Whelan	16		4	9 7 2
Joanna Murphy	Mary Morrissey	9	19	4	5 12 3
John Hickey	Margaret Hickey	16		4	8 2 4
Sarah Best	Susannah Todridge	16		4	9 7 2
Catherine Cleary	Sarah Cleary	16		4	9 7 2
Martha Power	William Power	16		4	9 7 2
Eleanor Valley	Occupier	16		4	8 2 4
Edward Snow	Sarah Peach	16		4	9 7 2
Adam Rose	John Goff	16		4	8 2 4
Margaret Hickey	Occupier	16		4	8 2 4
Thomas Clarke	James Flaherty	16		4	9 7 2
Harriet Hayes	Occupier	16		4	8 2 4
Margaret Mackey	Ditto	16		4	8 2 4
Bridget Oates	Ditto	16		4	8 2 4
Mary Kielley	Ditto	16		4	8 2 4
Mary Ann Nugent	James Sexton	16		4	8 2 4
James Fitzpatrick	Ann Stamp	2	24	4	1 13 7
Catherine Delaney	Richard Murray	16		4	8 2 4
Bridget Clooney	Occupier	16		4	8 2 4
Ann Byrne	Occupier	16		4	8 2 4
Ann Granville	William Butler	16		6	14 0 9
Joanna Cahill	Elizabeth Breen	16		4	8 2 4
Ann Dwyer	Occupier	16		4	8 2 4
Elen Breen	Ditto	16		4	9 7 2
Bridget Power	Ditto	16		4	8 2 4
Margaret Walsh	Ditto	16		4	8 2 4
Mary Cooney	Jane Maney	16		4	9 7 2
Mary M'Manus	James M'Manus	16		6	14 0 9
William Fitzsimons	Catherine Fitzsimons	16		4	8 2 4
	Amount carried forward				£596 3 7

ACCOUNT

Of Monies due from the Colonial Government for the support of Aged, Infirm, Infants,
and Idiot Paupers, with incidentals connected, from the 1st September, 1841,
to 31st December, 1842.

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.		
		Months.	Days.		£	s	d
	Amount brought forward			d.	£596	3	7
Mary Sullivan	Bridget Sullivan	16		4	9	7	2
Mary Ann Murphy	Mary Morrissey	16		6	14	0	9
Michael Murphy	John Hogan	16		6	14	0	9
Eleanor Hayes	Eleanor Cummings	16		6	14	0	9
Rodger Fahey	Occupier	16	}	6	14	0	9
Mary Fahey							
Elizabeth Fahey	Ditto	16	}	4	8	2	4
Mary Brine							
Eleanor Redmond	Parents	7		6	6	3	5
Honora Heaney	Occupier	7		9	8	2	6
Matthew Costello	Eleanor Costello	7		Alld.	3	10	7
Richard Nation	Mary Morrissey	4	20	12	8	3	9
Eliza Brine	Mary Brine	7		6	6	3	5
Henry Bishop	Richard Rielley	7		6	6	3	5
John Culleton	William Sinnott	7	23	12	11	17	0
Thomas Dwyer	Bridget Dunphy	7		6	6	3	5
Anthony Moore	Charles Dailey	4	25	6	4	4	10
James Walsh	Margaret Dunphy	7		6	6	3	5
John Neale	Occupier	7		9	8	0	6
John Murphy	Patrick Chapman	7		6	6	3	5
Mary Fardy	Occupier	16		Alld.	6	2	8
Edward Prendergast	James Breenock	16			8	3	1
Mary Tuffins	Occupier	16			6	13	4
Judith Kean	Catherine Butler	16			6	13	4
Edward Bradbury	Occupier	16			6	13	4
Judith Doyle	Ditto	16			6	13	4
Henry Pynn	Ditto	16			2	0	0
Bridget Power (2nd)	Ditto	16			2	13	4
Bridget Fitzgerald	John Dunn	16			6	13	4
Mary Connors	Bridget Armstrong	16			6	13	4
Mary Fitzpatrick	Occupier	16			4	0	0
Jane Butler	Ditto	16			6	13	4
Mary Ryan	Ditto	16			3	6	8
Elizabeth Mumford	James Grant	16			3	1	4
Thomas Kelly	Occupier	16			6	13	4
Bridget Armstrong	Ditto	16			6	13	4
	Amount carried forward				£840	0	10

ACCOUNT

Of Monies due from the Colonial Government for the support of Aged, Infirm, Infants, and Idiot Paupers, with incidentals connected, from the 1st September, 1841, to 31st December, 1842.

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.	
		Months.	Days.		£	s
	Brought forward					£840 0 10
Geoffrey Walsh	Occupier	16		Allow-		3 6 8
Thomas Sinnott	Ditto	16		ance.		4 0 0
Ellen Walsh	Ditto	16				6 2 8
Jane Cooke	Robert Droughan	16				5 16 8
Eleanor Glascott	Occupier	16				4 0 0
Alice Brine	Ditto	16				4 0 0
Mary Keating	William Walsh	16				5 6 8
Mary Kenny	Lee Brine	16				3 1 4
Eliza Barnes	Occupier	16				5 6 8
John M. Spry	Ditto	16				4 0 0
Catherine Leary	Ditto	16				6 2 8
Margaret Hearn	Ditto	16				5 0 0
Mary Dunn	Thomas Barne	15	9			3 0 0
John Durdle	Occupier	16				2 13 4
Winifred Coady	Patrick Gallivan	16				7 1 4
Matthew Ryan	Occupier	16				6 2 8
Nancy Coyle	Ditto	16				2 13 4
Mary Dooley	Ditto	16				6 2 8
John Haydon	Michael Haydon	16				6 13 4
David Bolan	Occupier	16				0 15 0
Philip Brown	Thomas Hogan	16				1 6 8
Catherine Dillon	Occupier	16				2 13 4
Mary Brine	Ditto	16				2 13 4
Mary Butler	Ditto	16				2 13 4
Margaret Bryan	Parents	16				1 6 8
Anastatia Comerford	Occupier	16				1 5 8
Ellen Clare	Ditto	16				2 13 4
Judith Connell	Ditto	16				2 13 4
Ann M'Namara	Ditto	16				4 0 0
Thomas Dohany	Thomas Connors	16				0 15 0
Alice Donovan	Occupier	16				2 0 0
Margaret Dunn	Ditto	16				2 0 0
Mary Leonard	Ditto	16				2 13 4
Elizabeth Goldsworthy	Ditto	16				2 13 4
William Hickey	John Costigan	6	21	4d.		3 8 4
Susan Janes	Daughter	16				5 6 8
	Amount carried forward					£971 9 2

ACCOUNT

Of Monies due from the Colonial Government, for the support of Aged, Infirm, Infants and Idiot Paupers, with incidentals connected, from the 1st September, 1841, to 31st December, 1842.

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.		
		Months.	Days.		£	s	d
	Amount brought forward			d.	£971	9	2
Alice Daughton	Occupier	16			2	13	4
Mary Murren	Daughter	16			1	6	8
Mary Martin	Occupier	16			2	13	4
Bridget Murphy	Ditto	16			3	0	0
Catherine Murray	Daughter	16			1	6	8
Anastasia Murphy	Occupier	16			2	13	4
Joannah Purcell	Ditto	16			2	13	4
James Redmond	Ditto	16			2	13	4
Marcella Underhay	Ditto	16			2	13	4
Mary Whealan	Daughter	16			2	0	0
Anastasia Walsh	Ditto	16			1	6	8
Thomas White	John Hanrahan	16			1	6	8
Mary Sullivan	Occupier	16			1	6	8
James Fardy	Patrick Neary	15			2	13	4
Bridget Murphy	Occupier	16			5	6	8
Margaret Dunphey	Ditto	16			2	13	4
Margaret Carrigan	Ditto	7	18	4	3	17	4
Bridget Fitzgerald	Ditto	16			2	13	4
Elizabeth Moakler	Ditto	16			4	0	0
Richard Prendergast	Mother	7		9	8	0	6
Jane M'Grath	Occupier	16			4	0	0
Catherine Scanlan	Ditto	6	21		3	8	4
Thomas Shockrrough	William Hinchey	16			1	6	8
Mary Tibbs	Daughter	16			2	13	4
Margaret Phealan	Patrick Veale	16			1	5	0
Thomas Kelly	Ann Doyle	16			2	0	0
Henry Buttress	Mary Henneberry	16		4	9	7	2
John Finn	William Goss	8	4	12	12	9	0
Rose Kelly	Occupier	7	5	4	3	13	0
James Keefe	Bridget Breen	7	5	6	5	9	6
Mary Ann Walsh	Mary Morrissey	7	5		5	9	6
Edward Prior	Elizabeth Williams	7			6	3	5
Michael Fitzgerald	James Fitzgerald	7		9	8	0	6
Lucy Purcell	John Barron	6	21	6	5	18	3
Joannah Cashin	} Thomas Brine	6	20	8	7	16	11
Edward Cashin							
	Amount carried forward				1107	7	7

ACCOUNT

Of Monies due from the Colonial Government for the support of Aged, Infirm, Infants, and Idiot Paupers, with incidentals connected, from the 1st September, 1841, to 31st December, 1842.

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.		
		Months.	Days.		£	s.	d.
	Amount brought forward			d.	£1107	7	7
Emanuel Tucker	William Delaney	6	6	6	4	15	0
Catherine Morris	Occupier	6	6	9	7	2	6
Ellen Quirk	Honora Mackey	4	23	12	7	5	0
Margaret Kennedy	Occupier	3	26		5	18	0
Denis Gallivan	John M'Carthy	3	25		5	17	0
Mary Caroline	Richard Murray	3	18		5	10	0
Alice Whealan	John Brennon	3	8		5	0	0
James Lowrey	Robert J. Parsons	2	25	9	3	4	6
Thomas Maher	Bridget Dunphey	2	20	6	2	6	9
Philip Pippy	Occupier	2	14	9	2	16	3
William Day	James Frost	2	14	0	2	16	3
John Burridge		2		12	3	1	0
Mary Comerford	Occupier	2			3	10	5
Mary Brennan	Ditto	1	16		2	7	0
Ann Reynolds	Lawrence Carroll	1	16	6	1	7	1
Patrick Harney	John Power	0	9	12	0	9	0
Richard Tobin	Occupier*	0	8		0	13	10
Anthony Moores	Alice Lawler	2	6		3	7	0
Allowed 10s. 6d. per week.							
Amount carried forward						£1,174	14 2

ACCOUNT

Of Monies due from the Colonial Government, for the support of Aged, Infirm, Infants
and Idiot Paupers, with incidentals connected, from the 1st September, 1841,
to 31st December, 1842.

	£	s.	d.		
Amount brought forward	1174	14	2		
INCIDENTALS, VIZ.					
To Jonas Barter, account for Coffins furnished	2	17	6		
“ Samuel Perfect, account for opening Graves, &c.	1	2	6		
“ John Murphy, ditto ditto ditto	0	10	0		
“ Mary Ann M'Calman, for Clothing, &c., furnished	2	15	9		
Currency.....	1181	19	11		
Sterling.....				£1,024	7 11
<hr/>					
To amount brought down				£1,024	7 11
“ Amount already paid by command of His Excellency the Governor, 1841				411	17 2
“ Ditto ditto for John Freeman's labor and attendance, &c. &c., 1841				14	0 0
“ Amount due to John Freeman for labor, attendance, Stationary, &c. &c., from 1st September, 1841, to 31st December, 1842				37	6 8
Sterling.....				£1,487	11 9
Already paid.....				425	17 2
				£1,061	14 7

Police Office, St. John's, Newfoundland.

P. W. CARTER, J. P.

CHARLES SIMMS, J. P.

LUNATIC PAUPERS.

The St. John's District in account with the Directors of the Hospital.

DR.

1841.—For Board and Lodging of Lunatic Paupers as per Vouchers, viz.

	Sterling.
For October	£43 4 5
— November	47 10 3
— December	51 6 0
1842. — January	52 11 6
— February	64 0 0
— March	53 5 0
— April	52 9 3
— May	40 11 6
— June	40 0 3
— July	46 5 5
— August	44 2 8
— September	35 15 8
— October	37 2 1
— November	32 10 7
— December	35 9 7
	£676 4 2

SICK PAUPERS.

The St. John's District in account with the Directors of the Hospital.

DR.

1842.—For Board and Lodging of Sick Paupers, as per Vouchers, viz. :

For March	£32	8	0
— April	30	1	6
— May	25	10	0
— June	17	6	6
— July	16	18	6
— August	19	3	6
— September	18	5	0
— October	16	5	6
— November	16	3	6
— December	13	19	0
	£206	1	0

STATEMENT

Of the actual loss of Revenue from the expiration of the late Revenue Act.

[See Journal page 60.]

Duties not collected year ended 5th January, 1843	.....	.....	17,988	1	8
Ditto from 5th to 14th January, 1843	.....	.....	1,631	12	2
			£19,619	13	10
Brought down	.....	.....	19,619	13	10
Duties not collected between 14th and 25th January, 1843	.....	.....	637	15	2
			£20,257	9	0

*Port of St. John's.*J. M. SPEARMAN, *Collector.***A CONSOLIDATED ACCOUNT**

Of the Goods imported in the Year ended the 5th day of January, 1842, shewing the aggregate Quantities and Values of the various Articles, with the amounts of Duty collected thereon.

[See Journal, page 70.]

ARTICLES IMPORTED.	QUANTITY IMPORTED.	VALUE.			DUTY.		
		£	s.	d.	£	s.	d.
Wine, <i>videlicet</i> :—							
in Bottles.....	442 4-5 Gallons	381	10	0	41	4	4
not in Bottles	2448 "	3562	18	11	1222	8	0
Spirits, <i>videlicet</i> :—							
Brandy, Geneva, & Cordials	12950 1/2 "	1969	5	0	322	15	2
Rum and Whiskey	25593 "	2983	13	3	689	16	6
Ale, Porter, and Cider	11276 9 "	5792	13	7	289	12	10
Apples	1579 1/2 Barrels	796	2	10	78	19	6
Beef and Pork (Salted)	57323 2 13 Cwts.	10339	17	7	2770	3	7 1/2
Bread or Biscuit	100123 3 22 "	6546	11	4	1251	10	11
Butter	14577 0 25 "	4320	17	9	1093	5	6
Coals	14267 3/4 Tons	14105	19	2	477	3	11
Flour	62382 1/2 Barrels	8371	18	7	3119	2	6
Fruit (Preserved)	52 1 16 Cwts.	79	9	8	13	1	10 1/2
Goods, Wares, and Merchandize, not otherwise enumerated or described		33249	7	5	11630	2	8 1/2
Lumber	2,415,752 Feet	5338	1	2	302	0	1 1/2
Oatmeal	2535 1/4 Barrels	2305	2	8	70	17	2
Timber, (Ton) and Balk, of all kinds, including Scantling..	1735 Tons	1915	9	5	130	1	10
Tobacco, (Manufactured & Leaf Cigars	217826 1/2 Lbs. 96675	3946	1	4	908	17	9
Shingles	2,197,500	133	10	0	48	6	9
Sugar (refined)	1229 2 19 Cwts.	1415	16	5	109	17	6
(unrefined or clayed)	7709 1 18 "	2456	10	6	304	17	9 1/2
Tea	190153 1/2 Lbs.	7774	1	8	771	0	11
		20959	2	4	1584	12	3
	TOTALS.....	£711,748	0	7 27,232	19	8	

CUSTOM-HOUSE,
The 15th day of February, 1842. }

J. M. SPEARMAN,
Collector.

*Port of St. John's.*J. M. SPEARMAN, *Collector.***CONSOLIDATED ACCOUNT CURRENT**

Of Receipts and Payments for the Year ended the 5th day of January, 1842.

DR.

1841.—To Out-Bay Balances, viz. :—		£	s.	d.
Trinity—10th October, 1840,		191	18	2
Carbonear, do. do. do.		138	19	7
Harbor Grace, do. do.		344	14	3
Little Bay, do. do. do.		35	15	0
Out-Bay Receipts, viz. :—				
5th January, 1841,	£1503 6 9			
5th April, ,,	88 19 2			
5th July, ,,	2948 11 8½			
10th October ,,	1567 19 0½	6113	16	8
Duties collected at the Labrador		108	3	5
1842 Outstanding Bonds 5th January, 1841		1313	10	10
Jan. 5. Duties on Goods imported this date (St. John's)		21010	19	5
	Balance to next year	246	4	4½
		£29,504	1	8½

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 24th day of February, 1842. }

J. M. SPEARMAN,
Collector.

*Port of St. John's.*J. M. SPEARMAN, *Collector***CONSOLIDATED ACCOUNT CURRENT**

Of Receipts and Payments for the Year ended the 5th day of January, 1842.

CR.

	£	s.	d.
1841.—By Out-Bay Balances, viz.:			
Trinity, 10th October, 1841	119	11	9
Carbonear, do. do.	112	4	10
Harbour Grace, do. do.	331	5	3
Drawbacks	19	17	5
Over Entries	39	1	5
Returned Duties	46	12	0
Incidental Expenses	49	18	3
Expenses collecting Duties at the Labrador	25	2	2
Salaries, viz.:			
J. M. Spearman, St. John's,	230	0	0
J. R. M. Cooke, ,,	37	10	0
D. P. Marrett, ,,	27	12	2
William Lilly ,,	84	17	10
E. L. Moore, ,,	175	13	10
J. Canning, ,,	130	0	0
J. M. Winter, Fogo	125	0	0
L. Moore, Greenspond	100	0	0
J. L. M'Kie, Bay Bulls	50	0	0
T. Read, La Poile	100	0	0
E. Rendell, Labrador	27	0	10
Tide Waiters, Day pay	167	5	4
Boatmen	186	13	4
Allowances to Imperial Sub-Collectors	123	16	3
Outstanding Bonds	3102	0	11
Paid Treasurer	24122	18	1½
	£29,504	1	8½

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 14th day of February, 1843. }

C. F. BENNETT
LAURENCE O'BRIEN, } Auditors.
EDMUND HANRAHAN. }

*Port of St. John's.*J. M. SPEARMAN, *Collector.***A CONSOLIDATED ACCOUNT**

Of the Goods imported in the Year ended the 5th day of January, 1843, shewing the aggregate Quantities and Values of the various Articles, with the amounts of Duty collected thereon.

[See *Journal*, page 70.]

ARTICLES IMPORTED.	QUANTITY IMPORTED.	VALUE.			DUTY.		
		£	s.	d.	£	s.	d.
Wine, <i>videlicet</i> :—							
in Bottles.....	620 Gallons	445	9	0	61	19	11
not in Bottles	37992 2-5 "	5205	3	3	1899	0	5
Spirits, <i>videlicet</i> :—							
Brandy, Geneva, & Cordials	16961½ "	2665	16	0	424	0	9
Rum and Whiskey	15583 4-5 "	1670	17	8	389	11	1
A'e, Porter, and Cider	58841 "	3071	14	2	153	10	10
Apples	5321 Barrels	1196	10	0	117	11	0
B. of & Pork (Salted)	59773 3 22 Cwts	53568	18	7	2988	13	11
Bread or Biscuit	100,070 0 18 "	73232	0	1	1250	17	8
Butter	16172 0 22 "	44010	11	6	1212	18	11
Coals	17441½ Tons	12542	8	0	872	1	8
Flour	77756½ Barrels	100115	16	9	3887	16	6
Fruit (Preserved)	Cwts.						
Goods, Wares, and Merchandize, } not otherwise enumerated or } described		310501	14	1	10867	12	5
Lumber	4,008,580 Feet	9037	10	9	500	11	5
Oatmeal	2664½ Barrels	2231	1	5	66	12	3
Timber, (Ton) and Balk, of all } kinds, including Scantling.. }	2525½ Tons	2422	17	10	189	8	4
Tobacco, (Manufactured & Leaf)	432193 Lbs.	6194	6	1	1800	16	6
Cigars	261450	305	10	0	130	14	6
Shingles	4,422,107	2201	2	8	221	2	1
Sugar (refined)	870 0 7 Cwts	1546	16	10	217	10	4
(unrefined or clayed)	19718 3 23 "	19405	8	0	1971	18	0
Tea	278882 Lbs.	23998	3	11	2316	13	9
Tobacco Stems	92 2 24 Cwts	20	0	0	4	12	9
Molasses							
TOTALS.....		£678,589	16	7	31,546	7	10

CUSTOM-HOUSE, }
The 11th day of January, 1843. }

J. M. SPEARMAN,
Collector.

*Port of St. John's.*J. M. SPEARMAN, *Collector.***CONSOLIDATED ACCOUNT CURRENT**

Of Receipts and Payments for the Year ended the 5th day of January, 1843.

DR.

		£	s.	d.
1842.—To Out-Bay Balances, viz. :—				
	Trinity—10th October, 1841,		119	11 9
	Carbonear, do. do. do.		112	4 10
	Harbor Grace, do. do.		331	5 3
Out-Bay Receipts, viz. :—				
	5th January, 1842,	£1403	2	1
	5th April, ,,	201	6	10
	5th July, ,,	2030	17	3
	10th October ,,	1777	1	7
1843	Outstanding Bonds 5th January, 1842		3102	0 11
Jan. 5.	Duties on Goods imported this date		26134	0 1
	Produce of Samples sold 11th August, 1842.		9	9 2
			£35,220	19 9

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 13th day of January, 1842. }

J. M. SPEARMAN,
Collector.

*Port of St. John's.*J. M. SPEARMAN, *Collector.***CONSOLIDATED ACCOUNT CURRENT**

Of Receipts and Payments for the Year ended the 5th day of January, 1843.

CR.

	£	d.	d.
1842.—By Balance from last year	246	4	4½
Returned Duties	7	7	4
Over Entries	11	7	4
Drawbacks	26	13	9
Incidental Expenses	37	7	1
Hire of Schooner "Susan Morton"	60	18	0
Salaries, viz. :			
J. M. Spearman, St. John's,	£50	0	0
E. L. Moore, "	200	0	0
William Lilly, "	150	0	0
John Canning, "	130	0	0
J. M. Winter, Fogo	100	0	0
L. Moore, Greenspond	100	0	0
J. L. M'Kie, Bay Bulls,	59	0	0
J. Winter, Lamaline	34	17	10
T. Read, La Poile	75	0	0
	359	17	10
Tide Waiters, Day pay	154	5	4
Boatmen	186	13	4
Allowances to Imperial Sub-Collectors	76	15	2
Duties not collected, viz. :			
St. John's	16208	5	4
Out Bays	1779	16	4
Paid the Treasurer		17988	1 8
Balance to next year		15392	.8 6½
		142	10 0
	£35,220	19	9

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 14th day of February, 1843. }

C. F. BENNETT,
LAURENCE O'BRIEN, } Auditors.
EDMUND HANRAHAN, }

STATEMENT

Shewing the Duties Collected under the Acts 4 Geo. 3, Cap. 15, 6 Geo. 3, Cap. 52, and 3 & 4 Will. 4, Cap. 59, compared with the Duties receivable after the 5th July next, under the Act 5 & 6 Victoria, Cap. 49, and shewing the probable consequent Decrease in the Imperial Revenue.

[See Journal, page 191.]

ARTICLES IMPORTED.	YEAR ENDED 5TH JANUARY			AVERAGE OF THE THREE PRECEDING YEARS.			PROBABLE DUTIES UNDER ACT 5 & 6 VIC. CAP. 49.		
	1840.	1841	1842	QUANTITY.	VALUE.	DUTY.	RATE OF DUTY.	DUTY.	DECREASE.
Wine, Viz.:									
Bottled	27 11 5	41 16 1	33 9 3	823 Gallons	351 16 3	34 5 7	7 per Centum.	24 12 6	
In the Wood	435 9 1	671 19 2	448 8 9	34312 "	4735 3 9	518 12 4	"	331 9 3	
Spirits, Viz.:									
British	1276 18 3	493 0 0	305 1 6	20971 "	—	693 6 7	Free	—	
Foreign Rum	6601 11 1	10230 3 6	7629 2 1	105184 "	—	8153 12 2	6d. per Gallon	2629 12 0	
" Brandy, &c.	1946 11 9	2749 9 10	1868 15 1	15503 "	—	2188 5 6	1s. "	775 3 0	
Al and Porter	22 19 4	47 13 8	57 16 10	..	285 11 0	42 16 8	4 per Centum	11 8 5	
Bacon, Hams and Cheese	83 13 9	181 0 6	241 16 9	..	1136 16 0	170 10 4	Free	—	
Books	1 17 0	..	4 11 6	..	7 3 0	2 2 10	Prohibited	—	
Bricks and Earthenware	62 2 3	80 4 11	88 0 3	..	513 1 0	76 15 9	4 per Centum	20 10 5	
Candles, Viz.:									
Sperm	4 16 7	..	19 7 11	..	53 17 0	8 1 6	15 per Centum	8 1 6	
Other Candles	Free	for the Fisheries.		..	112 3 8	—	7 "	7 17 1	
Cider and Vinegar	9 13 6	51 13 7	57 11 7	..	264 17 0	39 14 6	4 "	10 11 11	
Clocks, Watches, & Musical Instruments	13 15 11	15 17 2	20 0 0	..	55 4 0	16 11 2	7 "	3 17 3	
Coffee	151 19 7	341 10 6	307 16 1	1068c. 1q. 19lbs.	—	267 2 2	5s. per Cwt.	267 2 2	
Furniture	59 6 7	118 15 0	159 8 3	..	749 19 0	112 9 11	4 per Centum	30 0 0	
Hardware and Stationery	64 5 3	100 8 6	93 7 4	..	573 9 0	86 0 4	7 per "	40 2 10	
Manufactures, Viz.:									
Cotton	10 11 0	14 13 10	17 9 8	..	71 4 0	14 4 10	7 per Centum	4 19 8	
Glass	99 3 0	39 9 7	62 16 6	..	335 15 0	67 3 0	"	50 7 3	
Leather	28 7 0	6 16 0	1 18 9	..	41 4 0	12 7 3	"	2 17 8	
Linen	3 12 9	19 2 0	11 3 9	..	37 14 0	11 6 2	"	2 12 10	
Silk	2 17 6	24 13 2	0 15 0	..	31 9 0	9 8 7	"	4 14 4	
Woolen	6 6 0	7 16 6	..	..	31 8 0	4 14 2	"	2 4 0	
Molasses	2142 6 4	2169 15 10	2912 2 11	577940 Gallons	—	2408 1 8	Free	—	
Olive Oil and Calavances	Free	for the Fisheries.		..	1897 6 4	—	4 per Centum	75 17 10	
Pickles, Fruit, &c.	48 11 4	73 0 9	72 1 1	..	860 14 0	64 11 0	"	34 8 6	
Pimento	4 6 8	2 2 7	5 3 11	16c. 2q. 18lbs.	23 6 2	3 17 9	"	0 18 8	
Soap, Viz.:									
Perfumed	1 13 10	11 13 10	4 4 8	..	29 7 0	5 17 5	7 per Centum	2 1 1	
Common	Free	for the Fisheries.		..	112 9 0	—	"	7 17 5	
Sugar Candy	0 11 0	14 2 0	2 5 10	..	28 5 0	5 12 11	4 "	1 2 7	
Sugar, Viz.:									
Refined	33 2 7	23 4 6	2 17 7	..	93 14 0	19 14 10	20 per Centum	19 14 10	
Muscovado	Free	for the Fisheries.		..	—	—	5s. per Cwt.	1592 6 1	
Tobacco, Viz.:									
Manufactured	836 12 10	1322 1 9	600 19 11	..	4599 11 0	919 18 2	7 per Centum	321 19 4	
Leaf	80 10 8	90 13 1	155 16 9	..	726 15 1	109 0 3	4 "	29 1 5	
Goods and Wares not enumerated	51 4 10	111 13 11	80 10 7	..	541 2 0	81 3 2	"	21 12 11	
	£14,117 8 8	£19,059 16 9	£15,265 0 1			£16,147 8 6		£6,335 4 9	£9,812 3 9

Custom-House,
St. John's Newfoundland, 20th April, 1843.

J. M. SPEARMAN, Collector.

STATEMENT

OF THE

REVENUE OF CUSTOMS

YEAR ENDED 5TH JANUARY, 1842,

Shewing the amount of Duties collected in each of the several Electoral Districts of the Island.

DISTRICTS.	PORTS.	IMPERIAL DUTIES.	COLONIAL DUTIES.	COLLECTED IN EACH DISTRICT.
Saint John's	Saint John's	£13149 4 10	£21,010 19 5	34,169 4 3
Fogo	Twillingate	138 12 11	409 5 4	1470 8 2
	Fogo	78 2 1	844 7 10	
Bonavista	Greenspond	20 18 10	109 7 0	121 5 10
Trinity	Trinity	22 15 10	449 1 6	471 17 4
Conception Bay	Harbor Grace	279 0 0	1192 8 4	2320 2 11
	Carboncar	68 16 7	896 5 10	
	Brigas	13 12 5	69 19 9	
Ferryland	Ferryland	0 15 3	8 14 4	9 9 7
Placentia & Saint Mary's	Placentia	35 11 9	162 7 3	197 19 0
Burin	Burin	159 3 5	293 18 1	453 1 6
Fortune Bay	Little Bay	1254 15 3	1473 11 11	2985 7 6
	La Poile	43 10 5	213 9 6	
	Labrador		108 3 5	108 3 5
TOTALS		£15,265 0 0	£27,232 19 0	£42,497 19 6

N. B.—Besides the above Colonial Duties collected at the Labrador, there were collected at the same time on Imperial account £33 3 7, which, appearing in the Return for the Year ended 5th January, 1841, does not appear in this statement.

A STATEMENT

Of the aggregate amount of all Monies paid into the Colonial Treasury between the 31st December, 1840, and 1st March, 1843, on account of the undermentioned services.

Years.	Duties—Imperial.	Duties—Colonial.	Light Dues.
1841	3705 4 1	24122 18 1½	1605 10 1
1842	1338 9 2	15392 18 6½	1053 15 1
	£5043 13 3	£39515 16 8	£2659 5 2

RECAPITULATION :

Imperial Duties	.....	.....	5043 13 3
Colonial Duties	.....	.....	39515 16 8
Light Dues	.....	.....	2659 5 2
			£47218 15 1

Custom House, 17th March, 1843.

J. M. SPEARMAN.

The above sum of Forty seven Thousand Two Hundred and Eighteen Pounds, Fifteen Shillings and a Penny, agrees with the sum placed by the Treasurer to the credit of the Colony in the accounts audited.

C. F. BENNETT.

NEWFOUNDLAND.

STATEMENT

Of the aggregate amount of all monies paid out of the Colonial Treasury, under Warrants issued by the Executive Government between the 31st December, 1840, and the 1st March, 1843---Viz.

By Captain Prescott	.....	5476 13 5
— Lieut.-Colonel Sall	.....	3254 18 0
— Sir John Harvey	.....	30107 4 9
		Total. £38,838 16 2

Thirty eight Thousand Eight Hundred and Thirty eight Pounds, Sixteen Shillings and Two Pence Sterling.

Colonial Secretary's Office, }
21st March, 1843. }

The above sum of Thirty eight Thousand Eight Hundred and Thirty eight Pounds, Sixteen Shillings and Two Pence, agrees with the sum received by the Treasurer, and placed by him to the credit of the Colony in the accounts audited.

C. F. BENNETT, Chairman of Audit.

NEWFOUNDLAND.

COPY OF CROWN RENTS ACCOUNT

For the Years ending respectively 31st March, 1840, '41, '42.

DR. CROWN RENTS (Year ending March 31st, 1840.) ACCOUNTS.

[See Journal page 92..]

1839 Ap. 1	To the balance of last Account	£493	16	11 $\frac{3}{4}$
1840.				
March 31.	To Cash being the amount of Rents received during the year ending this day for Lands formerly "Ships Rooms"	607	3	8
"	To do. of other Lands leased and granted	194	1	5
"	To Cash being the amount of proceeds of Crown Lands sold, and Rents redeemed during the same period	163	7	6
		£1458	9	6 $\frac{3}{4}$

CR.

		£	d.	s.
1839.				
May 22.	By remitted to the Colonial Department to pay Mrs. Westcott's Pension for the year ending 31st March next, including premium on Bill for do.	31	17	0
July 3.	By Cash paid P. Kough for incidental works and repairs on the Government Building, Fences, &c., during the Quarter ending 30th June last	89	1	0
12.	By Cash paid for Coals for the Surveyor-General's Office	4	14	3
Aug. 26.	By Cash paid R. Parker for repairs to the wall of the Public Mall	30	8	5
Oct. 5.	By Cash paid P. Kough his account for works and repairs on Government Building, &c., during the Quarter ending 30th ultimo.	118	3	5
31.	By Cash paid do. his Salary as Superintendant of Public Buildings for the year ending this day	50	0	0
Nov. 25.	By Cash paid T. Morton for serving notices on Crown Tenants	2	0	0
Dec. 6.	By Cash paid A. M'iver for Stationary for the Surveyor-General's Office	5	10	11
1840.				
Jan. 9.	By Cash paid P. Kough his account for Quarter ending 31st ult.	83	3	4
March 2.	By Cash paid Ryan & Withers for printing blank Grants	1	16	5
31.	By Cash paid P. Kough his account for the Quarter ending this day	41	1	1
"	By Cash paid the Salary of the Surveyor-General for the year ending this day	300	0	0
"	By Cash paid Chainman's Salary same period	20	0	0
"	By paid Receiver's Commission on sum collected this year	48	4	7
	Balance	632	9	1 $\frac{3}{4}$
		£1,458	9	6 $\frac{1}{4}$

(Signed) H. PRESCOTT, Governor.

NEWFOUNDLAND.

COPY OF CROWN RENTS ACCOUNT

For the Years ending respectively 31st March, 1840, '41, '42.

DR. CROWN RENTS (Year ending March 31st, 1841.) ACCOUNTS.

[See Journal page 92..]

1840 Ap. 1	To the balance of last Account	£632	9	1 $\frac{3}{4}$
1841.				
March 31.	To Cash being the amount of Rents received during the year ending this day for Lands formerly "Ships Rooms"	407	17	0
"	To do. of other Lands leased and granted	145	15	11
"	To Cash being the amount of proceeds of Crown Lands sold, and Rents redeemed during the same period	173	10	4
		£1359	12	4 $\frac{3}{4}$

CR.

		£	d.	s.
1840.				
May 19.	By remitted to the Colonial Department to pay Mrs. Westcott's Pension for the year ending 31st March next including premium on Bill.	31	9	3
July 4.	By Cash paid P. Kough his account for works and repairs on the Government Buildings, &c., during the Quarter ending 30th June last	99	3	8
24.	By Cash paid for Coals for the Surveyor-General's Office	4	12	1
Oct. 10.	By Cash paid P. Kough his account for the Quarter ending 30th ultimo.	129	6	9
31.	By Cash paid do. his Salary as Superintendant of Government Buildings for the year ending this day	50	0	0
1841.				
Jan. 9.	By Cash paid do. his account for Quarter ending 31st ultimo.	68	17	0
25.	By Cash paid Ryan & Withers for printing for the Surveyor-General's Office.	21	7	5
March 31.	By Cash paid the Salary of the Surveyor-General for the year ending this day	300	0	0
"	By Cash paid Chainman's Salary do.	20	0	0
April 10.	By Cash paid P. Kough his account for the Quarter ending 31st ultimo.	60	6	2
	By Receiver's Commission on sum collected this year	36	7	2
	Balance	538	210	$\frac{3}{4}$
		£1,359	12	4 $\frac{3}{4}$

(Signed) H. PRESCOTT, Governor.

NEWFOUNDLAND.

COPY OF CROWN RENTS ACCOUNT

For the Years ending respectively 31st March, 1840, '41, '42.

DR. CROWN RENTS (Year ending March 31st, 1842.) ACCOUNTS.

[See Journal page 92..]

1841 Ap. 1	To the balance of last Account	£538	210 $\frac{3}{4}$
1842.			
March 31.	To Cash, being the amount of " Ship Room" Rents collected in the year ending this day	720	13 10
"	To do. of other Lands leased and granted	307	18 0
"	To amount of proceeds of Crown Lands sold, and Rents redeemed in the same period	35	1 0
		£1601	15 8 $\frac{3}{4}$

CR.

		£	s.	d.
1841.				
July 10.	By Cash paid P. Kough his account for the Quarter ending 30th ultimo.	100	4	9
" "	By Cash paid Thomas Morton for serving notices on Crown Tenants	1	13	0
Aug. 2.	By Cash paid the Solicitor General for issuing Notices to Crown Tenants	11	0	0
" 31.	By Cash paid for Coals for the Surveyor-General's Office	4	11	0
Oct. 9.	By Cash paid P. Kough his account for the Quarter ending 30th ultimo.	102	2	7
Nov. 1.	By Cash paid do. his Salary as Superintendant of Government Buildings for the year ending 31st ult.	50	0	0
Dec. 13.	By Cash paid Ryan & Withers for printing and advertizing	10	19	0
1842.				
Jan. 8.	By Cash paid for Furniture for Public Offices	14	14	8
Feb. 4.	By Cash paid P. Kough his account for the Quarter ending 31st Dec. last	211	8	8
March 31.	By Cash paid the Salary of the Surveyor-General for the year ending this day	300	0	0
" "	By Cash paid Do., allowance for the keep of a horse from 1st Oct. last to this day, at 2s. per diem	18	4	0
" "	By Cash paid Chairman's Salary	20	0	0
April 9.	By Cash paid P. Kough his account for the Quarter ending 31st ult.	124	2	1
" "	By remitted to the Colonial Department for Mrs. Westcott's Pension for two years to 31st March next, including premium on Bill for do.	62	8	0
	By Receiver's Commission on amount collected this year	53	3	7 $\frac{1}{2}$
	By Balance	517	4	4
		£1,601	15	8 $\frac{3}{4}$

ESTIMATE
OF THE CHARGE
OF DEFRAYING THE
PUBLIC EXPENDITURE
OF
NEWFOUNDLAND
For the Year ending 30th June, 1844.

—000—

£12,827.

—000—

PROPOSED DISTRIBUTION OF THE ABOVE SUM.

[See Journal, page 122.]

	£	s.	d.
Salary of Private Secretary	200	0	0
Do. Clerk of the Council	200	0	0
Two Clerks in the Secretary's Office	400	0	0
Office Keeper do. do.	60	0	0
Messenger do. do.	60	0	0
Colonial Treasurer	400	0	0
Clerk of the Northern Circuit Court	200	0	0
Do. Southern ditto	200	0	0
Crier and Tipstaff	60	0	0
Gaoler, St. John's	60	0	0
Three Police Magistrates, St. John's	900	0	0
Clerk of the Peace do.	120	0	0
Chief Constable do.	80	0	0
Six Police Constables do.	270	0	0
Stipendiary Magistrates of Outports	1510	0	0
Clerks of the Peace, Gaolers, &c., do.	1216	0	0
Gaol Surgeon, St. John's	40	0	0
Ditto Harbour Grace	20	0	0
Gate Keeper, Government House	26	0	0
Gaol Barber, St. John's	15	0	0
To defray Attorney-General's Fees	250	0	0
Do. Solicitor-General's do.	200	0	0
TOTAL SALARIES	£6,487	0	0

*ESTIMATE (Continued).***MISCELLANEOUS.**

Printing, Advertising and Stationery	£450 0 0
Civil and Criminal Prosecutions	500 0 0
Gaol Expenses	800 0 0
Coroners' Accounts	150 0 0
Fuel and Light	200 0 0
Postages and other Incidentals	120 0 0
Expenses of the Circuits	750 0 0
Unforeseen Contingencies	500 0 0
Repairs of Court Houses and Gaols	200 0 0
Total Miscellaneous.....	<u>£3670 0 0</u>

— 000 —

POOR.

Lunatic Paupers	£500 0 0
Sick Poor in Hospital	250 0 0
Paupers on the permanent List	800 0 0
Casual Poor	1000 0 0
Total Poor	<u>£2550 0 0</u>

DETAIL

Of Salaries and Allowances to Stipendiary Magistrates, Clerks of the Peace, Gaolers, and Constables, at the undermentioned Out Ports.

OUT PORTS.	MAGIS- TRATES.	CLERKS OF THE PEACE.	CONSTABLES.		GAOLERS	TOTAL
			NO.	SALARY.		
Harbour Grace	£270	£50	3	£100	£50	£470
Carbonear	120		3	75		195
Brigus and Port-de-Grave	120	20	2	50		190
Bay de Verds			1	12		12
Harbour Main			1	12		12
Cats Cove			1	12		12
Western Bay			1	12		12
South Shore			1	12		12
Ferryland	100	20	1	25	25	170
Brigus (South)			1	12		12
Witless Bay			1	12		12
Renewse			1	12		12
Bay Bulls	100		1	25		125
Toads Cove			1	12		12
Cape Broyle			1	12		12
Caplin Bay			1	12		12
Aquafort			1	12		12
Fermeuse			1	12		12
Placentia	100	20	1	25	25	170
Barren Islands			1	12		12
Merasheen			1	12		12
Little Placentia			1	12		12
Burin	100	20	1	25	25	170
St. Lawrence			1	12		12
Lamaline	100		1	12		112
Trepassey			1	12		12
St. Mary's	100		1	25		125
Harbour Britain	100	20	1	12		132
Grand Bank	100		1	12		112
Trinity	120	20	1	25	25	190
Catalina			1	25		25
Perlican			1	12		12
Hearts Content			1	12		12
Hants Harbour			1	12		12
New Harbour			1	12		12
Bonavista	100	20	1	25		145
Greenspond			1	12		12
Twillingate and Fogo	100	20	3	49		169
Exploits Bay			1	12		12
Petty Harbor			1	20		20
Portugal Cove			1	20		20
Torbay			1	18		18
	£1,630	210	49	£856	£150	£,2846

RECAPITULATION.

1 Stipendiary Magistrate at	£150		£150 0 0
4 Ditto	Magistrates at	120	480 0 0
10 Ditto	Ditto	at 100	1000 0 0
1 Clerk of the Peace,	at	50	50 0 0
8 Ditto ditto	at	20	160 0 0
1 Constable,	at	50	50 0 0
16 Ditto	at	25	400 0 0
2 Ditto	at	20	40 0 0
1 Ditto	at	18	18 0 0
29 Ditto	at	12	348 0 0
1 Gaoler	at	50	50 0 0
4 Ditto	at	25	100 0 0
			<u>£2846 0 0</u>

— 000 —

RECAPITULATION.

Salaries	£6487 0 0
Miscellaneous	3670 0 0
Poor	2550 0 0
	<u>12,707 0 0</u>
Second Stipendiary Magistrate at Harbour Grace	120 0 0
	<u>£12,827 0 0</u>

ACCOUNT

Of Monies paid for the support of Aged, Infirm, Infant and Idiot Paupers, with Inci-
dentals connected, from 1st March to 31st August, 1841.—And sundry
Permanent and Casual Cases for a limited period.

[See Journal, page 138.]

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.			
		Months.	Days.		£	s.	d.	
Margaret Fleming	Jeremiah M'Donnell	6		d.	3	10	7	
James Cormack (discontinued)	Alice Lawler	3	5		1	16	6	
Ann Moore	Ditto	6			3	10	7	
James Doyle (discontinued)	Thomas Redmond	6			3	10	7	
Eleanor Kielley	Mary Kielley	6		3	2	13	0	
Mary Moore	Mary Howland	6		4	3	10	7	
Margaret Summers (discontin.)	Honora Murphy	5	2		2	18	4	
Robert Roach do.	Sarah Whealan	6	9		3	14	1	
Rebecca Rickets	Jane Maney	6			3	10	7	
Thomas Sutton (discontinued)	Elizabeth Sinnett	6	15		3	16	4	
Eliza Harley	Ditto	6			3	10	7	
Catherine Shanahan (discon.)	James Sexton	5	25		3	8	4	
Margaret Sheehan	Sarah Ebbs	6			3	10	7	
Margaret Butler	Philip Fogarthy	6			3	10	7	
Edward Walsh (blind)	John Freeman	6		6	5	6	1	
Joannah Ho ly	Eleanor Valley	6		4	3	10	7	
John Colbert	Bridget Marshalls	6			3	10	7	
Agatha Hearn (discontinued)	Margaret Hearn	3	8		1	17	7	
James Lacy	Margaret Cleary	6			3	10	7	
Catherine Hearn	Thomas Dwyer	6			3	10	7	
John Bolan	Edward Bolan	6			3	10	7	
Mary Tobin	Philip Fogarthy	6			3	10	7	
Joannah Clare	Bridget Granger	6			3	10	7	
James Gladney	Ann Gladney	6			3	10	7	
Sarah King	Elizabeth King	6			3	10	7	
Stephen Miller	Catherine Miller	6			3	1	4	
Joseph Maccassey	Thomas Morton	6			3	10	7	
Mary Perkins	Ditto	6			3	10	7	
Mary Ann Clooney	Mary Morrissey	6			3	10	7	
John Dailey	Eliza Trasey	6			3	10	7	
Catherine Sheehan	Sarah Ebbs	6			3	10	7	
Mary Fitzgerald	John Brennon	6			3	10	7	
Michael Daily (discontinued)	Ann Doyle	1	1		0	12	3	
John Costello do.	Ann Parker	4	16		2	12	3	
Bridget Costello do.	Ditto	7			4	2	2	
James Costello	Edward Maher	6			3	10	7	
Amount carried forward					£	120	12	3

ACCOUNT

Of Monies paid for the support of Aged, Infirm, Infant and Idiot Paupers, with Incidentals connected, from 1st March to 31st August, 1841.—And sundry permanent and casual cases for a limited period.

[See Journal, page 138.]

NAMES.	WITH WHOM LIVING.	TIME..		Rate per day.	AMOUNT CURRENCY.
		Months.	Days.		
	Amount brought forward			d.	£120,12 3
John Breen	Samuel Beer	6		4	3 10 7
Bridget Purcell (discontinued)	Eleanor Whealan	7			4 2 2
John Murphy	John Dunn	6			3 10 7
John Kelly	Denis Slater	6			3 10 7
Catherine Wall (discontinued)	John Murphy	6			3 10 7
Michael Dailey (ditto)	Thomas Woods	5			2 18 6
Edward Power	Mary Power	6			3 10 7
Mary M'Lean	Bridget Roach	6			3 10 7
Richard M'Lean		6			
Margaret M'Lean		6			
Susan Lewis	Mary Stansbury	6			3 10 7
Catherine Findlater	Mary Brine	6			3 10 7
Ellen Fry	Eleanor Gladney	2	23		1 11 9
Philip Duggan	Ellen Boggan	2			1 3 5
Ambrose Dunn	Mary Quinn	2	9		1 6 6
Peter Foley [discontinued]	William Smith	3	26		2 4 6
Andrew Foley (ditto)	Ditto	4	6		2 12 2
Bridget Kelly	Ann Johnston	1	13	6	1 4 9
Ann Smart	Charles Antle	6		4	3 10 7
Susan Quintom	Henry Sheppard	6			3 10 7
Anthony Minchington	Mary Stansbury	6		6	5 6 1
James Barnett	Ditto	6			5 6 1
George Soaper	Nicholas Whealan	6		4	3 10 7
William Roach (discontinued)	Mary Morrissey	2	15	6	2 3 10
Joannah Murphy	Elizabeth Doyle	6		4	3 10 7
John Hickey	Margaret Hickey	6		4	3 1 4
Thomas Osborne (discontinued)	John Freeman	4	12	6	3 16 1
Sarah Best	Susan Todridge	6		4	3 10 7
Catherine Clarey	Sarah Clearey	6			3 10 7
Martha Power	William Power	6			3 10 7
Eleanor Valley	Occupier	6			3 1 4
Edward Snow	Sarah Peach	6			3 10 7
Adam Rose	John Goff	6			3 1 4
Margaret Hickey	Occupier	6			3 1 4
Thomas Clarke	James Hagarth	6			3 10 7
Harriet Hayes	Occupier	6			3 1 4
	Amount carried forward				£229 14 8

ACCOUNT

Of Monies paid for the support of Aged, Infirm, Infant and Idiot Paupers, with Incidental connected, from 1st March to 31st August, 1841.—And sundry Permanent and Casual Cases for a limited period.

[See Journal, page 138.]

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.		
		Months.	Days.		£	s	d
	Amount brought forward			d.	£229	14	8
Margaret Mackey	Occupier	6		4	3	1	4
Bridget Oats	Ditto	6			3	1	4
Mary Kielley	Ditto	6			3	1	4
Mary Ann Nugent	James Sexton	6			3	1	4
Jam s Fitzpatrick	Ann Stamp	6			3	10	7
Catherine Delaney	Richard Murray	6			3	1	4
Bridget Clooney	Occupier	6			3	1	4
Ann Byrne	Ditto	6			3	1	4
Ann Granville	William Butler	6		6	5	6	1
Joannah Cahill	Elizabeth Breen	6		4	3	1	4
Ann Dwyer	Occupier	6			3	1	4
Mary Roach (discontinued)	Ann Leamon	1	13		0	16	5
Ellen Breen	Occupier	6			3	10	7
Ellen Reardon [discontinued]	William Smith	3			1	15	3
Bridget Power	Occupier	6			3	1	4
Margaret Walsh	Ditto	6			3	1	4
Ann Lang [discontinued]	Ditto	5	12		3	3	4
Mary Cooney	Jane Meaney	6			3	10	7
Mary M'Manus	James M'Manus	6		6	5	6	1
William Fitzsimons	Catherine Fitzsimons	6		4	3	1	4
Mary Sullivan	Bridget Sullivan	6			3	10	7
Mary Ann Murphy	Mary Morrissey	6		6	5	6	1
Michael Murphy	John Hogan	6			5	6	1
Catherine Coleman	Timothy Coleman	6		4	3	10	7
Eleanor Hayes	Eleanor Cumings	6		6	5	6	1
Rodger Fahey	Occupiers	6	}		5	6	1
Mary Fahey							
Elizabeth Fahey	Ditto	6	}		3	1	4
Mary Brine							
Eleanor Redmond	Parents	3	5	6	2	8	6
Mary Murphy [discontinued]	Alice Daughton	1	11	12	2	1	0
Honora Haney	Occupier	2	1	9	2	6	6
Matthew Costello	Eleanor Costello	2		2s. p.w.	1	0	2
Richard Nation	Mary Morrissey	1	16	12	2	13	1
Eliza Brine	Mary Brine	4	8	6	3	4	0
Henry Bishop	Richard Rielley	1				17	10
	Amount carried forward				£339	7	6

ACCOUNT

Of Monies paid for the support of Aged, Infirm, Infant and Idiot Paupers, with Incidentals connected, from 1st March to 31st August, 1841.—And sundry permanent and casual cases for a limited period.

[See Journal, page 138.]

NAMES.	WITH WHOM LIVING.	TIME..		Rate per day.	AMOUNT CURRENCY.	
		Months.	Days.		£	s.
	Amount brought forward			d.	£339	7 6
John Culleton	William Smith		8	12	0	8 0
Thomas Dwyer	Ellen Brine	1		6	0	17 10
Anthony Moore	Charles Dailey	1			0	17 10
James Walsh	Margaret Dunphy	1			0	17 10
John Neale	Occupier	1			0	17 10
John Foley	Patrick Flood	1			0	17 10
John Murphy	Patrick Chapman	1	4		1	0 2
Thomas Kielley [discontinued]	Charles Dailey	0	17	12	0	19 8
Mary Fardy	Occupier	6		Allow- a nce.	2	6 0
Edward Pendergast	James Brenock	6			2	13 2
Mary Tuffin	John Tuffin	6			2	10 0
Judith Kean	Catherine Butler	6			2	10 0
Edward Bradbury	Occupier	6			2	10 0
Judith Doyle	Ditto	6			2	10 0
Henry Pynn	Ditto	6			0	15 0
Bridget Power (2nd)	Ditto	6			1	0 0
Bridget Fitzgerald	John Dion	6			2	10 0
Mary Connors	Bridget Armstrong	6			2	10 0
Mary Fitzpatrick	Occupier	6			1	10 0
Jane Butler	Ditto	6			2	10 0
Mary Ryan	Ditto	6			1	5 0
Elizabeth Mumford	James Grant	6			1	3 0
Thomas Kelly	Occupier	6			2	10 0
Bridget Armstrong	Ditto	6			2	10 0
Geoffrey Walsh	Ditto	6			1	5 0
Thomas Sinnott	Ditto	6			1	10 0
Ellen Walsh	Ditto	6			2	5 9
Jane Cook	Robert Droughan	6			2	3 9
Eleanor Glascott	Occupier	6			1	10 0
Jane Turner (discontinued)	Catherine Doyle	6			1	3 2
Alice Brine	Occupier	6			1	10 0
Mary Keating	William Walsh	6			2	0 2
Mary Kenny	Lee Brine	6			1	3 0
Eliza Barnes	Occupier	6			2	0 0
John M. Spry	Ditto	6			1	10 0
Catherine Leary	Ditto	6			2	5 7
	Amount carried forward				£399	13 1

ACCOUNT

Of Monies paid for the support of Aged, Infirm, Infant and Idiot Paupers, with Incidental's connected, from 1st March to 31st August, 1841.—And sundry permanent and casual cases for a limited period.

[See Journal, page 138.]

NAMES.	WITH WHOM LIVING.	TIME..		Rate per day.	AMOUNT CURRENCY.
		Months.	Days.		
	Amount brought forward				£39 13 1
Margaret Hearn	Occupier	6		Allow- ance.	1 17 6
Mary Dunn	Thomas Byrne	6			1 3 2
John Durdle	Occupier	6			1 0 0
Thom's Coaly	Michael Coady	6			1 0 0
Patrick Devine	Occupier	6			2 10 0
Winifred Coady	Patrick Gallivan	6			2 13 2
Matthew Ryan	Occupier	6			2 5 7
Nancy Coyle	Ditto	6			1 0 0
Mary Doo'ey	Ditto	6			2 6 3
John Hayden	Michael Hayden	6			2 10 0
David Bolan	Occupier	6			0 3 0
Philp Brown	Thomas Hogan	6			0 10 0
Catherine Brine	Occupier	6			0 5 0
Mary Brine	Ditto	6			1 0 0
Mary Butler	Ditto	6			1 0 0
Margaret Byrne	Parents	6			0 10 0
Anastatia Commerford	Occupier	6			0 10 0
E len Clare	Ditto	6			1 0 0
Judith Connell	Ditto	6			1 0 0
Ann Dcran	John Wills	6			0 5 0
Thomas Dohanny	Thomas Connors	6			0 5 0
John Marshall	Joannah Brine	6			2 10 0
Patrick Murner	John Bow	6			2 0 0
Maurice Deagan (discontin.)	Michael Sanders	6			2 10 0
A'ee Donovan	Occupier	6			0 15 0
Margaret Dunn	Ditto	6			0 15 0
Catherine Dillon	Ditto	6			1 0 0
Mary Fitzpatrick	Ditto	6			0 5 0
Elizabeth Goldsworth	Ditto	6			1 0 0
William Hickey	John Colligan	6			1 10 0
Susan Jeanes	Daughter	6			2 0 0
Alice Daughton	Occupier	6			1 0 0
Thomas Kelly	Ann Doyie	6			0 15 0
Mary Leonard	Occupier	6			1 0 0
Mary Murren	Daughter	6			0 10 0
Mary Martin	Occupier	6			1 0 0
	Amount carried forward				£442 18 9

ACCOUNT

Of Monies paid for the support of Aged, Infirm, Infant and Idiot Paupers, with Incidentals connected, from 1st March to 31st August, 1841.—And sundry Permanent and Casual Cases for a limited period.

[See Journal, page 138.]

NAMES.	WITH WHOM LIVING.	TIME.		Rate per day.	AMOUNT CURRENCY.
		Months.	Days.		
	Amount brought forward				£442 18 9
Bridget Murphy	Occupier	6		Allow- ance.	1 2 6
Catherine Murray	Daughter	6			0 10 0
Anastatia Murphy	Occupier	6			1 0 0
Ann McNamara	Ditto	6			1 10 0
Joanna Purcell	Ditto	6			1 0 0
James Redmond	Ditto	6			1 0 0
John Roach	Ditto	6			0 15 0
Marcella Underhay	Ditto	6			1 0 0
Mary Whelan	Daughter	6			0 15 0
Anastatia Walsh	Ditto	6			0 10 0
Thomas White	John Handrohead	6			0 10 0
Mary Sullivan	Occupier	6			0 10 0
James Fardy	Patrick Nearey	6			1 0 0
Bridget Murphy	Occupier	6			2 0 0
Margaret Dunphy	Ditto	6			1 0 0
Mary Smith	Fanny Neale	6			4 0 0
James Brine	Margaret Cleary	6			0 15 0
Elizabeth Moakler	Occupier	6			1 10 0
Bridget Fitzgerald	Ditto	6			1 0 0
Richard Pendergast	Ditto	6			2 0 0
Jane M'Grath	Ditto	6			1 10 0
Margaret Carrigan	Ditto	6			1 0 0
Catherine Scanlan	Ditto	6			1 0 0
Thomas Shockrough	William Hinchey	6			0 10 0
Mary Tibbs	Daughter	6			1 0 0
Margaret Brine	Harriet Hayes	6			1 0 0
Margaret Whelan	Patrick Veale	6			0 9 2
	Amount carried forward				£472 15 5

ACCOUNT

Of Monies paid for the support of Aged, Infirm, Infant and Idiot Paupers, with Incidentals connected, from 1st March to 31st August, 1841.—And sundry Permanent and Casual Cases for a limited period.

[See Journal, page 138.]

To amount brought forward £472 15 5

INCIDENTALS---Viz.

To Jonas Barter, amount of account for Coffins	0 15 6
John Murphy, opening Graves, &c.	0 10 0
Mary Ann M'Calman, for Clothing, &c.	0 16 0
John Freeman, Clothing for R. Nation	0 7 6
	£475 4 5

CR.

By amount received from Colonial Treasurer, £411 17s. 2d.
Sterling,—equal to £475 4 5 Cy.
Police Office, Saint John's, Newfoundland.

STATEMENT

Of Payments made, under the Governor's special authority, on account of the Colonial Revenue of Customs, between the 1st July 1842, and 24th January, 1843.

(See Journal, page 138.)

To Edward Lee Moore, Landing Waiter,	£100 0 0
William Lilly, Tide Surveyor,	75 0 0
John Canning, Clerk to the Collector,	65 0 0
James M. Winter, Sub-Collector, Fogo	50 0 0
Lorenzo Moore, Ditto, Greenspond	50 0 0
James Winter, Ditto, Lamaline	50 0 0
Thomas Reed, Ditto, La Poile	50 0 0
John L. M'Kie, Preventive Officer, Bay Bulls	25 0 0
Tidesmen	76 18 4
Boatmen	93 6 8
Incidental Expenses	29 6 8
	£664 11 8

J. M. SPEARMAN,

Custom-House, St. John's, 4th February, 1842.

DETAILED STATEMENT

Of the Sums paid out of the Colonial Treasury under each of the following heads of Expenditure.

INDISPENSABLE REPAIRS TO ROADS AND BRIDGES, &c.

St. John's Board for repairs of sundry Roads	£102	0	0
Repairs of Road from Harbor Grace to Carbonear	13	16	0
St. John's Board for repairs of Church Hill, King's Bridge, and Safety Wall in Duckworth Street	26	4	1
Ditto to keep streets, &c., free from snow	25	0	0
Ditto Edward Tobin's services	15	0	0
Repairs of Road at Spaniard's Bay and of Bridges over North & S. Guts	91	11	0
" of Bridge over Salmon Cove Brook	13	0	0
" of Road from Harbor Grace to Spaniard's Bay	26	8	8
" of Bridge over Martin's Brook	3	1	6
" of Road from Bonavista to Cata'ina	44	2	6
St. John's Board, for repairs of Beck's Cove, Waterford Bridge, and Magoty Cove Bridge	66	2	1
Ditto for expenses of a preliminary Survey of line of Road from Ship Harbour to Holyrood and Trinity Bay	170	2	6
Ditto for works at Beck's Cove and repairs of various Roads	100	0	0
Repairs of Bridge near Rennie's Mill	17	6	8
St. John's Board, for repairs of sundry Roads & to defray Contingencies	231	10	0
Total	£945	5	0

SEED POTATOES

Distributed in the Spring of 1812 to poor persons having no other means of procuring the same.

Bay Bulls and Vicinity	80 Barrels
St. Mary's	50
Grates Cove, &c.	16
Old Perlican, &c.	18
Newman's Cove to Keels	50
Tickle Cove to Plate Cove	40
Bay de Verds and Low Point	20
Burin District	50
Carbonear	50
New Harbour and Dildo Cove	36
New Perlican, &c.	40
Hants Harbour, &c.	40
Burnt Point and Job's Cove	30
Belleisle	6
Ferryland, Cape Broyle, &c.	60
St. John's	50
Renewse and Fermeuse	30
Trinity and neighbourhood	50
Harbour Grace	50

Total 766 Barrels

Average cost about 5s. 7d. sterling per barrel £213 19 8

EXPENSES

Of subsisting and forwarding to their destination, certain Emigrants, passengers in the American Ship 'Briannia,' which vessel was wrecked near Ferryland in July, 1842, on her voyage from Liverpool to New York.

The Magistrates, for Board and Lodging	£154	10	4
J. B. Barnes & Co.)	157	14	8
Job & Co.) Passages to New York	20	0	0
Cusack & Sons)	133	5	0
Hickey, conveyance of 8 from Bay Bulls	1	17	3
Woods & Jellard, passages from Ferryland	49	19	8
James Tobin & Co., for passage, and Bridget Lowe for subsistence, of John Dowker	2	19	4
James Finlay, for services attending them	2	12	0
J. B. Barnes & Co., amount of head money paid by them at New York	48	16	1
Lodging of Mrs. M'Lellan and family and of John Cummings	15	10	8
Carroll, for support of and attendance upon Ann Rennell	6	10	0
Passage of 3 to New York per L. O'Brien	2	12	0
“ of D. Reardon do.	2	12	0
	£598	19	0

EXPENSES

Attending the Registration of Persons entitled to vote at Elections, and of the last General Election.

Thomas Kelly, Messenger from Placentia	£3	9	4
Registration—Brigus division Conception Bay	12	5	10
Ditto—St. John's	9	10	8
Henry Wells, Messenger to Bonavista with Proclamations, &c.	5	0	0
Henry Fewer, Messenger from St. Mary's	3	0	0
John Murphy, Messenger with Writ to Bonavista and Twillingate	50	0	0
T. F. Moore, Messenger to St. Mary's, &c., with Proclamations	7	13	4
Thomas Byrne, Messenger with Writs to Placentia, Burin and F. Bay	50	0	0
T. F. Moore, Messenger to Trinity with Writ, and back with return	14	14	8
Abm. Piccot, for passage of T. F. Moore across Trinity Bay	2	12	0
M. Casey, Messenger with Registration Lists from Bonavista Bay	1	0	0
Special Constables at St. John's Election	71	10	0
Patrick Comerford, Messenger with Writ to Ferryland	6	0	0
W. Kelly, Messenger to the Returning Officer of Placentia & St. Mary's	5	8	4
Ryan & Withers for Printing	82	7	1
Returning Officer at St. John's	412	14	9
“ “ at Conception Bay	421	9	2
“ “ at Trinity	35	16	8
“ “ at Bonavista	15	0	0
“ “ at Ferryland	95	17	4
“ “ at Burin	79	2	10
“ “ at Placentia	220	16	4
“ “ at Fortune Bay	45	1	0
L. Moore, Greenspond	10	0	0
W. Sweetland, Bonavista	5	0	0
Edward Eagan, Messenger with Writ from do.	20	0	0
— Kelly, for Boat to convey Messenger with Writ across P. Bay	12	10	0
Joseph Crowley, copying lists of Voters for Bonavista	3	15	0
T. F. Moore, Messenger to Placentia, Burin & Fortune Bay, with Despatches	17	6	8
	£1719	1	0

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

[See Journal, page 129.]

STATEMENT

OF

LICENCE FUND

For the Year 1841.

Received from Ferryland	13 10 0
„ from Bay Bulls	7 10 0
„ from J. Winter, Twillingate	11 5 0
„ from Ditto, Ditto	13 10 0
„ from St. Mary's	2 10 0
„ from T. E. Gaden, Harbor Britain	36 0 0
„ from A. Blaikie, Ditto	9 0 0
„ from F. L. Bradshaw, Placentia	16 5 0
Sept. 28. „ from R. J. Pinsent, Brigus	19 10 6
„ from B. Sweetland, Trinity	35 10 0
Decr. 8. „ from Alfred Mayne, Harbor Grace	94 3 0
	<u>258 13 6</u>

STATEMENT

Of Fines and Forfeitures for the Year 1841.

Sept 28. Received from R. J. Pinsent, Brigus	£3 17 0
„ from J. Blackburn, St. Mary's	0 5 2
	<u>4 2 2</u>

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

[See Journal, page 129.]

STATEMENT

OF

LICENCE FUND

For the Year 1842.

Jan. 6.	Received from Aaron Hogsett, St. John's	£95 10 2
„	from ditto ditto, ditto	149 14 4
„	from Robert Carter, Ferryland	13 10 0
„	from T. E. Gaden, Fortune Bay	14 12 6
„	from F. L. Bradshaw, Placentia	7 9 7
„	from J. L. M'Kie, Bay Bulls	10 0 0
„	from R. J. Pinsent, Brigus	17 13 3
„	from Wm. Sweetland, Bonavista	16 0 0
„	from Wm. Evans, Fortune Bay	9 0 0
„	from Alfred Mayne, Harbor Grace	67 16 6
„	from Aaron Hogsett, St. John's	276 5 0
		<hr/>
		£677 11 4

STATEMENT

Of Fines and Forfeitures for the Year 1842.

June 30.	Received from J. L. M'Kie, Bay Bulls	2 10 0
Dec. 31.	„ from Aaron Hogsett, St. John's	70 15 8
		<hr/>
		£73 5 8

RECAPITULATION:

Licence Fund, 1841,	.....	.....	£258 13 6
„ „ 1842,	.....	.....	677 11 4
Fines and Forfeitures, 1841	.....	.....	4 2 2
„ „ 1842	.....	.....	73 5 8
			<hr/>
		Total.....	£1013 12 8

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

NEWFOUNDLAND.

SAINT JOHN'S DISTRICT,

Fines and Forfeitures from 1st January, 1841, to 28th February, 1843.

[See Journal, page 129.]

DATE.	PARTY FINED.	OFFENCE.	FINE.		INFORMERS SHARE.		CROWN SHARE.		REMARKS.
			£	s.	£	s.	£	s.	
1841.									
Feb. 9	Thos. Winter, Wm. Meehan & Mat. Ryan	Malicious Injury Imperial Act	1	10	0	0	1	10	Paid.
10	William Maher	Ditto	0	1	0	0	0	1	Paid.
22	Jeremiah Hayes	Brch. Licen. Act	7	0	3	10	3	10	Paid.
23	Charles Dailey	Ditto	10	0	0	0	0	0	No property.
24	Thomas Grant	Assault Imp. Act	3	0	1	10	1	10	Paid.
27	John Kenna	Brch. Licen. act	2	0	1	0	1	0	Paid.
	Matthew Byrne	Ditto	2	0	1	0	1	0	Paid.
March 5	Henry Langley	Ditto	5	0	2	10	2	10	Paid.
6	J. P. Mullooney	Ditto	5	0	2	10	2	10	Paid.
17	William Hickey	Assault Imp. act	0	10	0	5	0	5	Paid.
30	Maurice Farrell	Brch. Licen. act	1	0	0	10	0	10	Paid.
April 22	James Nowlan	Assault Imp. act	3	0	1	10	1	10	Paid.
May 10	Jas. M'Donald	Ditto	1	0	0	10	0	5	Short paid 5s
13	Alexander Dodd	Ditto	3	0	0	0	0	0	Suf. imprison.
	Jonathan Haley	Ditto	2	0	0	0	0	0	Do. do.
17	James Finlay	Breach Weights & Measures act	0	10	0	0	0	10	Paid. Ditto
28	Catherine Finn	Brch. Nuis. act	0	5	0	0	0	5	Ditto
June 22	Samuel Mutch	Sailing his vessel without Articles	10		5	0	0	0	5 & 6 Wm. 4, cap. 19, information two Seamen, mitigated fines on moiety each to Greenwich Hos. £5 to Green. Hos.
July 14	Rich. Dogherty	Harb. Deserter	10	0	5	0	0	0	
28	Wm. F. Taylor	Breach Weights & Measures act	1	0	0	10	0	10	Paid.
29	Parker & Glee- son	Ditto	1	0	0	10	0	10	Do.
	William Fling	Ditto	1	0	0	10	0	10	Do.
August 4	David Reid	Ditto	2	10	1	5	1	5	Do.
	James M'Cabe	Open house dur. Divine Service	1	0	0	10	0	10	Do.
	Amount carried forward						£20	1	

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

NEWFOUNDLAND.

SAINT JOHN'S DISTRICT,

Fines and Forfeitures from 1st January, 1841, to 28th February, 1843.

[See Journal, page 129.]

DATE.	PARTY FINED.	OFFENCE.	FINE.		INFORMERS SHARE.		CROWN SHARE.		REMARKS.
			£	s.	£	s.	£	s.	
1841.		Amt. brot. over	£	s.	£	s.	£	s.	
Aug. 13	Walter Lannon	Furious driving on public streets	1	0	0	0	1	0	Paid.
20	George & Peter Webber	Assault Imp. Act	0	15	0	7 6	0	7 6	Paid.
	John McGuire	Ditto	3	0	1	10	1	10	Paid.
26	Michael Haley	Ditto	1	10	0	0	0	0	Discharg. by Gover.
28	James Fogarthy	Brch. Licen. act	7	0	3	10	3	10	Paid.
30	Joseph Mullett	Assault Imp. act	0	10	0	5	0	5	Paid.
	Thomas Carroll	Ditto	1	0	0	10	0	10	Paid.
Sep.	Elizab. Hankins	Ditto	0	10	0	0	0	10	Paid.
	Bridget Moore	Ditto	0	10	0	0	0	10	Paid.
3	Michael Healey	Ditto	0	10	0	0	0	0	Discharg. by Gover.
6	Thos. Gallivan	Ditto	2	10	1	5	1	5	£1 5 Gallivan's wife
11	John Cusacks	Breach Weights & Measures act	1	0	0	10	0	10	Paid.
15	James Whelan	Assault Imp. act	1	0	0	0	1	0	Paid.
17	John Cockland	Ditto	5	0	0	0	0	0	Suf. 2 mo. imprison
21	John Roach & James Power	Ditto	0	10	0	0	0	10	5s. each paid
	John Bambrick	Ditto	1	0	0	0	1	0	Paid.
22	John Alsop	Ditto	2	10	1	5	1	5	Paid.
	John Alsop	Ditto	5	0	2	10	2	10	Paid.
	Edward Lawler	Brch. Nuise. act	1	0	0	10	0	10	Ditto
27	Henry Findlater	Assault Imp. act	1	0	0	10	0	10	Do.
Oct. 18	Peter Woods	Vic. dog (keep.)	0	10	0	0	0	10	Do.
Novem. 8	Robert Brine	Brch. Nuise. act	0	5	0	2 6	0	2 6	Do.
20	Denis Magher	Breach Pickled Fish act	8	11	4	5 6	4	5 6	Hindmarsh, Custor house officer, paid.
23	Robert Olipaant	Brch. 5, Wm. 4, s, (2) cap. 9.	0	10	0	5	0	5	Paid. Paid the poor by Ma. gistrates pursuant to statute.
	Wm. Doubtney	Ditto	0	10	0	5	0	5	
	Wm. Mullooney	Ditto	0	10	0	5	0	5	
	Amount carried forward						£42	16 6	

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

NEWFOUNDLAND.

SAINT JOHN'S DISTRICT,

Fines and Forfeitures from 1st January, 1841, to 28th February, 1843.

[See Journal, page 129.]

DATE.	PARTY FINED.	OFFENCE.	FINE.		INFORMERS SHARE.		CROWN SHARE.			REMARKS.	
			£	s	£	s.	£	s	d		
1841.		Amt. brot. over	£	s	£	s.	£42	16	6		
Nov. 26	Edwd. Brennan	Assault Imp. Act	2	0	1	0	1	0	0	Paid.	
	John Brazil	Ditto	4	10	0	0	0	0	0	Suf. 2 mo. imprison.	
	George Gardner	Ditto		10	0	5	0	5	0	Paid.	
	Jesh. Hanrahan	Ditto	1	0	0	0	0	0	0	Suf. 14 days impri.	
Dec. 7	John Coughlan	Ditto	4	0	0	0	0	0	0	Suf. 2 mo. imprison.	
13	John Anderson	Ditto	1	0	0	10	0	10	0	Paid.	
17	Mich. Scanlan	Ditto	5	0	2	10	2	10	0	Do.	
27	Thos. McGrath	Ob. Con. on duty	1	0	0	0	1	0	0	Do.	
1842.											
Jan. 3	James Walsh	Assault Imp. act	2	10	0	0	0	0	0	Suf. imp. No 20 '42	
18	Edwd. Brennan	Brch. Licen. act	2	0	1	0	1	0	0	Paid.	
March 15	John Robinson	Assault Imp. act	0	10	0	0	0	10	0	Paid.	
April 2	John Whealan	Har. a seaman? & 6 W. 4, cap 19	10	0	5	0	0	0	0	£5 to G. gen. hospi.	
	Wm. Parsons	Assault Imp. act	2	0	0	0	2	0	0	Paid.	
	Matth. Brennan	Brch. Nuisc. act	0	5	0	0	0	5	0	5s. each paid	
11	& J. O'Neale										
19	Patrick Scanlon	Cruelty to ani. 5 & 6 W. 4, cap 19	1	0	0	10	0	10	0	Paid.	
May 23	James Moores	Assault Imp. act	0	5	0	5	0	5	0	Paid.	
24	Edward Moore	Brch. Nuisc. act	0	4	4	0	0	4	4	Do.	
June 3	John Power	Assault Imp. act	0	10	0	5	0	5	0	Ditto	
13	Thos. Dooley & John Dooley	Ditto	0	2	6	0	0	0	0		
16	Dan. Hallihan	Ditto	1	0	0	0	0	0	0	Suf. 14 days impri.	
July 14	John Coulton	Ditto	0	5	0	0	0	5	0	Paid.	
22	Law. Maccassy	Brch. Nuisc. act	0	5	0	2	6	0	2	6	Paid.
	Fredk. Rennie	Ditto	0	5	0	2	6	0	2	6	Paid.
	Corneli. Denehy	Ditto	0	5	0	2	6	0	2	6	Paid.
	John Quinn	Ditto	0	5	0	2	6	0	2	6	Paid.
	Patrick Gleeson	Ditto	0	5	0	2	6	0	2	6	Do.
	W. Carson, M. D.	Ditto	0	5	0	2	6	0	2	6	Do.
	W'Bride & Kerr	Ditto	0	5	0	2	6	0	2	6	Do.
	Amount carried forward						£54	3	4		

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

NEWFOUNDLAND.

SAINT JOHN'S DISTRICT,

Fines and Forfeitures from 1st January, 1841, to 28th February, 1843.

[See Journal, page 129.]

DATE.	PARTY FINED.	OFFENCE.	FINE.		INFORMERS SHARE.		CROWN SHARE.		REMARKS.		
			£	s	£	s	£	s			
1841.		Amt. brot. over	£		£		£54	3	4		
July 26	Cather. Doran	Assault Imp. act	1	0	0	10	0	10		Paid.	
31	Geo. F. K. Bown	Ditto	2	0	0	0	2	0		Ditto	
Sep. 1	Catherine Croke	Do. Miel. C. son	0	10	0	5	0	5		Ditto	
	William Carroll,	Ditto	3	0	0	0	3	0		Ditto	
	John Maher &										
	John Barry										
	Wm. Armstrong	Ditto	1	0	0	10	0	10		Ditto	
21	Martin Whelan	Breh. Nuis. act	0	5	0	2	6	0	2	6	Ditto
Oct. 8	Michael Burke	Breh. 5 & 6 W. 4, cap. 19	5	0	2	10	0	0		£2 10 to Green. hos.	
20	James Morris	Assault imp. act	1	0	0	0	0	0		Suf. 14 days impri.	
Nov. 11	Jeremiah Reed	Ditto	1	10	0	0	0	0		Suf. 3 weeks ditto	
1843.											
Feb. 14	James Grace & Michael Oliver	Ditto	2	0	0	0	2	0		Paid	
15	James Warr	Ditto	0	1	0	0	0	1		Ditto	
	1841 Swine sold 26	} 67									
	1842 Swine sold 35						7		10		
	1843 Swine sold 6										
							£69	13	8	Sterling.	

A. HOGSETT, Clerk Peace.

Aaron Hogsett, Clerk of the Peace, in account with the Central District of Newfoundland on Account of all Fines and Forfeitures received and paid Jan. 1, 1841 to Feb. 28, 1843.

DR.

CR.

1841.
1843.
Jan. 1, } To amount of Fines &
Feb. 28, } Forfeitures as per de-
tailed account £69 13 8

1841.
1843.
Jan. 11.—By amount paid to Co-
lonial Treasurer £69 13 8
Paid Treasurer 1 20

£70 15 8

A. HOGSETT, Clerk Peace.

Paid the Treasurer in addition to the above amount the sum of One Pound Two Shillings.

C. F. BENNETT, Chairman of Audit.

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

A DETAILED ACCOUNT

Of all Licenses issued in St. John's from the first day of January, 1841, to the 28th February, 1843, inclusive—showing the amount of Monies paid into the Colonial Treasury on that account.

[See Journal, page 129.]

DATE.	NAMES.	RESIDENCE.	AMOUNT.	
			f.	s.
1841. January 1 to Decem. 31.	Lawrence Bates	Duckworth-Street	7	
	Patrick Byrne	Ditto	7	
	Edward Bray	Water-Street	7	
	James Byrne	Ditto	7	
	Edward Brennan	Ditto	7	
	James Burke	Near Orphan Asylum	5	
	William Cosgrove	Water-Street	7	
	John Coady	Ditto	7	
	James Cullen	Ditto	7	
	Mary Cormack	Ditto	7	
	John Carter	Ditto	7	
	John Cotter	Duckworth-Street	7	
	Elizabeth Crawford	Water-Street	7	
	Philip Duggan	Ditto	7	
	Michael Doyle	Ditto	7	
	George Dowsley	Ditto	7	
	Michael Daily	Duckworth-Street	7	
	Michael Dillon	Water-Street	7	
	Lawrence Dooling	Ditto	7	
	John Eagan	Ditto	7	
	Maurice Farrell	Ditto	7	
	William Flinn	Ditto	7	
	Maurice Fitzgerald	King's Road	7	
	Michael Foley	Duckworth-Street	5	
	William Foley	Ditto	7	
	John Gregory	Water-Street	7	
	Pierce Grace	Ditto	7	
	Andrew Hannon	Duckworth-Street	7	
	Daniel Hennessey	Ditto	7	
	James Kenny	Water-Street	7	
	Charles Laughlan	Ditto	7	
	James Lacey	Ditto	7	
	Edward Lawler	Ditto	7	
Henry Langley	Ditto	7		
James Lawler	Duckworth-Street	7		
Simon Morris	Water-Street	7		
	Amount carried forward		£248	

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

A DETAILED ACCOUNT

Of all Licenses issued in St. John's from the first day of January, 1841, to the 28th February, 1843, inclusive—showing the amount of Monies paid into the Colonial Treasury on that account.

[See Journal, page 129.]

DATE.	NAMES.	RESIDENCE.	AMOUNT.	
1841.		Amount brought forward	£248	s.
January 1	Patrick Mullooney	Water-Street	7	
to	John P. Mullooney	Ditto	7	
Decem. 31.	Edmond McDonald	Ditto	7	
	Patrick McCarthy	Duckworth-Street	7	
	Maurice McGrath	Water-Street	7	
	Mary Ann Moran	Ditto	7	
	Patrick Maher	Ditto	7	
	Thomas McNamara	Ditto	7	
	Lawrence Maccassey (1)	Ditto	7	
	Lawrence Maccassey (2)	Ditto	7	
	Mary Ann Mullooney	Ditto	7	
	James Marnell	Duckworth-Street	7	
	Edmond Nowlan	Water-Street	7	
	Michael Nowlan	Ditto	7	
	Denis Nowlan	Ditto	7	
	Thomas Parker	Garrison Hill	5	
	Mary Prendergast	Water-Street	7	
	Thomas Parker	Duckworth-Street	7	
	Patrick Pine	Ditto	7	
	Patrick Power	Beck's Cove	7	
	Andrew Quirk	Water-Street	7	
	Denis Sullivan	Duckworth-Street	7	
	Patrick Scanlon	Water-Street	7	
	Thomas Silby	Ditto	7	
	James Treacy	Old Garrison	7	
	Richard Treligan	Water-Street	7	
	William Tobin	Ditto	7	
	Patrick Walsh	Ditto	7	
	David Walsh	Ditto	7	
	Thomas Phelan	Ditto	7	
	Elizabeth Wiele	Ditto	7	
	James Wiseman	Ditto	7	
			£470	

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

A DETAILED ACCOUNT

Of all Licenses issued in St. John's from the first day of January, 1841, to the 28th February, 1843, inclusive—showing the amount of Monies paid into the Colonial Treasury on that account.

[See Journal, page 129.]

DATE.	NAMES.	RESIDENCE.	AMOUNT.	
			£	s.
1842.				
January 1	Lawrence Bates	Duckworth-Street	7	
to	Edward Bray	Water-Street	7	
Decem. 31.	John Cotter	Duckworth-Street	7	
	John Carter	Water-Street	7	
	William Cosgrove	Ditto	7	
	Philip Duggan	Ditto	7	
	Michael Dillon	Ditto	7	
	John Eagan	Ditto	7	
	William Flinn	Ditto	7	
	Michael Foley	Duckworth-Street	7	
	John Gregory	Water-Street	7	
	Andrew Hannon	Duckworth-Street	7	
	Daniel Hennessey	Ditto	7	
	James Kenny	Water-Street	7	
	Charles Laughlan	Ditto	7	
	Henry Langley	Ditto	7	
	Patrick M'Carthy	Duckworth-Street	7	
	John P. Mallowney;	Water-Street	7	
	Patrick Mallowney	Ditto	7	
	Maurice M'Grath	Ditto	7	
	Mary Ann Moran	Ditto	7	
	Mary Ann Mallowney	Ditto	7	
	Thomas M'Namara	Ditto	7	
	Patrick Maher	Ditto	7	
	Denis Nowlan	Ditto	7	
	Edmond Nowlan	Ditto	7	
	Michael Nowlan	Ditto	7	
	Thomas Parker	Garrison Hill	5	
	Thomas Parker	Duckworth-Street	7	
	Mary Prendergast	Water-Street	7	
	Patrick L. Power	Beck's Cove	7	
	Thomas Phelan	Water-Street	7	
	Andrew Quirk	Ditto	7	
	Thomas Silby	Ditto	7	
	Patrick Scanlon	Ditto	7	
	Denis Sullivan	Ditto	7	
		Amount carried over	£250	

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

A DETAILED ACCOUNT

Of all Licenses issued in St. John's from the first day of January, 1841, to the 28th February, 1843, inclusive—showing the amount of Monies paid into the Colonial Treasury on that account.

[See Journal, page 129.]

DATE.	NAMES.	RESIDENCE.	AMOUNT.
1842.		Amount brought forward	£250
January 1	Catherine Summers	Water-Street	7
to	Richard Treligan	Ditto	7
Decem. 31.	William Fobin	Ditto	7
	Patrick Walsh	Ditto	7
		Total amount for 1842 as } per statement	£278

Aaron Hogsett, Clerk of the Peace, in account with the Central District of Newfoundland for account of License Money from Jan. 1, 1841, to Feb. 28, 1843.

DR.

1841.			
Jan. 1	}	To 65 Licenses at £7 each	£455 0 0
Dec. 31.		To 3 Licenses at £5 each	15 0 0
1842—3			
Jan. 1	}	To 39 Licenses at £7 each	273 0 0
Feb. 28.		To 1 License at £5	5 0 0
			£748 0 0

CR,

1842.			
Jan. 5	}	By paid Treasurer	£95 10 2
13		By paid Treasurer	149 14 4
1843.			
Jan. 26		By paid Treasurer	276 5 0
		By Fees of Clerk Peace on 108 Licenses	78 6 0
			£599 15 6
Feb. 23.		By Balance carried to next account	148 4 6
		E. E. Police Office, St. John's, 20th March, 1843.	
		A. HOGSETT, Clerk Peace.	

DOCUMENTS HANDED IN BY COMMITTEE OF AUDIT.

[See Journal, page 129.]

REGULATIONS

Under License Act, 3rd Victoria, Cap. 6.

—o—

IN the Court of General Quarter Sessions of the Peace, for the Central District of Newfoundland, held at St. John's, in the said District, the Eighteenth day of Oct., in the year of Our Lord One Thousand Eight Hundred and Thirty-Nine :

PRESENT :

P. W. CARTER and CHARLES SIMMS, Esq's.

The following Rules and Regulations were this day made, ordained, and promulgated by the aforesaid Justices, touching and concerning the Granting of Licenses for the Sale by Retail, in less quantities than Two Gallons, of Ale, Wines, and Spirituous Liquors, in the Central District, pursuant to the Act of the Legis'ature of this Colony, passed in the 3rd year of the Reign of Her Majesty Queen Victoria, intituled " An Act to regulate the Granting of Licenses for the Sale, by Retail, of Ale, Wines, and Spirituous Liquors in Newfoundland."

1st.—That for every License which may be granted to any Retailer of Ale, Wine, or Spirituous Liquors, to retail the same from any House, Store, Shop or Place, in the said Town, situate in or adjacent to Water-street or Duckworth-street, extending West as far as the new long Bridge across the harbor, at River Head, and East as far as the new Stone Bridge on the Signal Hill Road, and including all Cross Streets, Fire Breaks, Roads, Lanes and Places within the said limits, such Retailer shall pay for every License, on the issue thereof, the sum of Seven Pounds, Sterling.

2nd.—That for every License granted to any such Retailer to vend such Liquors at any House, Store, Shop or Place within Two Miles of the Court House in the said Town, being North of the North side of Duckworth-street, or South of the Harbour, or without the aforementioned Eastern and Western limits—such Retailer shall pay for his License, on the issue thereof, the sum of Five Pounds, Sterling.

3rd.—That beyond the limits of Two Miles from the said Court House, and in all other Towns and Places within the said Central District, every such Retailer as aforesaid shall pay for his or her License, on the issue thereof, the sum of Two Pounds Ten Shillings, stg.

4th.—That the Justices will grant Licenses only to House-Keepers of good reputation, who shall likewise give good and sufficient surety by bond in the sum of Forty Pounds, well and truly to observe and keep the terms and conditions of their respective Licenses. And if any person to whom any such License shall be granted shall be found to keep a disorderly house, harbouring Tipplers, and idle disorderly persons, or keeping open house during Divine Service on Sunday, Christmas-day or Good Friday, or at late or unreasonable hours on other days, that is to say after the hour of Eleven o'clock at night,—in common disturbance of the Peace or quiet of their neighbours—or shall commit any other breach of the conditions of such their License, the said Justices, or any two of them, shall and may, if they see fit, order and direct that the License granted to such respective Offender shall be forfeited and cancelled—and the said License shall therefrom become null and void.

5th.—That the Clerk of the Peace do publish, in the ROYAL GAZETTE, at least once in every year, a correct list of all persons in this District who may from time to time be Licensed to sell Liquors, and the places from whence they shall respectively be Licensed to Sell.

NOTICE is therefore hereby given to Publicans, and all other Persons in this District intending to take Licenses, to make application forthwith at the POLICE OFFICE at St. John's, for that purpose.

(By Order)

A. HOGSETT, Clerk Peace.

DESPATCHES, &c.

[See Journal, page 45.]

DESPATCHES AND CORRESPONDENCE

RELATIVE TO APPOINTMENT OF PRIVATE SECRETARY.

*Government-House, St. John's, Newfoundland, }
28th December, '41 }*

(Extract.)

“ Having determined, previous to my departure from England, to adopt, in this Island, the same mode of recording and conducting my correspondence as had been attended with such satisfactory and successful results in another Colony, viz, of allowing no communication, of a strictly confidential character, to be recorded in an office, so necessarily and essentially a public one, as that of a Provincial Secretary, — I have, accordingly, placed that branch of my correspondence in my Private Office in this House, in charge of one of my Sons, who officiated as my Private Secretary in New Brunswick, and whom I have brought with me to this Island in the same capacity—his Salary, which I have fixed at the same rate as was allowed in New Brunswick (£200 sterling per annum) being paid out of my own until I have an opportunity of bringing this subject under the consideration of the Provincial Legislature, when, with your Lordship's permission, it is my intention to propose a reasonable provision being made for an office which I am disposed to regard as essential to the independence and comfort, if not the success of every Colonial Administration.

I have, &c.

(Signed)

J. HARVEY.

The Right Hon. Lord Stanley,
&c., &c.

—oo—

(Copy) No. 37.

*Downing-Street, }
9th Feb. '42. }*

SIR,—I have to acknowledge the receipt of your Despatch of the 20th December, in which you, for the reasons assigned, request my sanction for your application to the Legislature to grant a Salary of £200 per annum for a Private Secretary. I am not sensible of any objection to your proposal of obtaining from the Legislature an allowance for a Private Secretary, if they shall be willing to defray the expense of such an appointment.

I have, &c.

(Signed)

STANLEY.

Major-General Sir John Harvey, &c.

—ooo—

(Copy)

BY AUTHORITY.

The Governor has been pleased to appoint Henry John Harvey, Esquire, to act as His Excellency's Private Secretary.

Government-House, }
18th September, 1841. }

DESPATCHES, &c.

[See Journal, page 45.]

COPY OF A DESPATCH FROM THE SECRETARY OF STATE,

Directing that the Legislature be called upon to consider the propriety of narrowing the authority of the Judges of the Supreme Court to make Rules, &c.—Also, a Copy of the Rules of Court, and the Table of Fees taken by the several Officers of the Supreme and Central Circuit Courts.

—oo—

(Copy) No. 61.

*Downing-Street,)
12th July, 1842. }*

SIR,—I have the honor to acknowledge the receipt of your Despatch, No. 20, of the 5th June, enclosing for the signification of Her Majesty's Pleasure, two new Rules which have been promulgated by the Judges of the Supreme Court of Newfoundland, relating to the fees of the Sheriff for summoning and returning Juries, and to the exemption of certain persons from serving on Juries.

I have had these Rules under my consideration, and I have no reasonable doubt that under the existing Charter of Justice of Newfoundland, the Judges may make Laws (for such in effect these Rules of Court are) affecting the Public Revenue, and determining who shall, and shall not serve on Juries. But although at the date of that Charter it may have been unavoidable to give such a power to the Judges, it seems to me an unfit power to be now exercised by them. These are mere questions for the Legislature, and for them alone; and as the Legislature, either under the present or the proposed Law, will have a power to regulate subjects of this nature, I consider it to be desirable that the Queen should neither confirm nor disallow the Rules of Court which are before me.

I have therefore to desire that whenever the Legislature is reconstituted, they should be called upon to consider the propriety of narrowing the authority of the Judges to make such Rules—and also to consider whether the regulations established by them should or should not be sanctioned by an act of Legislation.

I have, &c.

(Signed)

STANLEY.

Major-General Sir John Harvey, &c.

—ooo—

[Here follow the Rules of the Supreme and Central Circuit Courts of Newfoundland—Also, New Rules on the Plea side of the Northern and Southern Circuit Courts.]

DESPATCHES, &c.

[See Journal, page 46.]

FEES

Taken by the several Officers of the Supreme and Central Circuit Courts.

ON THE PLEA SIDE.

BY COUNSEL AND ATTORNEY.

How Established,

By 11th General Rule of
the Supreme Court.

Warrant and Instructions to sue and defend	£0	3	4
Suing out Process	0	3	4
Drawing Declaration	0	6	8
Copy thereof for each Defendant	0	3	4
Drawing Affidavit of Debt or other special matter	0	3	4
Affidavit of service of Process, Notice or other Paper	0	1	0
Pleading General Issue with Notice of set off	0	3	4
Special Plea, Replication, or other Special Pleading } including a copy for opposite party	0	6	8
Putting in and perfecting Special Bail	0	6	8
Entering proceedings on the Roll	0	6	8
Taking Cognovit where no process has been issued, } and entering Judgment thereon	1	1	0
Same where process has been issued	0	6	8
Drawing Summons to attend Judge in Chambers and } serving the same	0	3	4
For every attendance on Summons before Judge in } Chambers	0	6	8
Fee with Brief in matters over £10, and under £25	0	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
Entering final judgment and suing out Execution	0	6	8
Provided, that in all actions arising <i>Ex contracta</i> , where } the sum <i>bona fide</i> sought to be recovered shall not } exceed £10 sterling, no more than 16s. 8d. shall be } allowed in taxed Costs between party and party } as paid to the Attorney or Counsel in the case. }	0	16	8
XXVI. General Rule	In all cases where £100 or more shall be recovered, as well in actions of Fort, the Clerk shall be at liberty to tax such sum, not exceeding five guineas, as he shall deem reasonable, subject to the revision of a Judge		
XXXII. General Rule.	Counsel Fee on argument of any special matter	0	10 6

BY THE SHERIFF.

X V. General Rule

For serving every Writ of Summons	0	7	6
Necessary travelling to serve any process or proceed- } ing per mile	0	1	0

DESPATCHES, &c.

[See Journal, page 46.]

FEES

Taken by the Several Officers of the Supreme and Central Circuit Courts.

ON THE PLEA SIDE.

BY THE SHERIFF [CONTINUED.]

How Established.

XV. General Rule.	For every Arrest	£1	1	0
	For every Return to an Attachment, Bailable Process and Writs of Execution	0	3	4
	For transmitting Process to the Under-Sheriff or Bailiff, out of the Central District	0	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 <i>Habere Facias Possessionem</i>	1	1	0
	Fee on every Jury sworn	0	5	0
	Attendance in striking Special Jury, Returning and Summoning the same	1	2	6
	Service of Subpœna, each witness	0	1	0
XVIII. General Rule	Poundage on Writs of <i>Capius ad Satisfaciendum</i> as well as other Executions			
	For every Bail Bond	0	5	0
XXXVI. General Rule	To defray hire of persons employed to keep possession of goods seized under Attachment, until either party shall relieve him from that responsibility by giving security, &c., per diem	0	5	0
	Serving every copy of Attachment	0	2	6
	Serving every Notice of do. exclusive of milage	0	2	6
XV. General Rule	Drawing, Summoning Grand Jury	2	2	0
	Do. Do. Petit Jury	3	3	0

CLERK.

XX General Rule.	For every Process signed and sealed by him (Subpœnas excepted)	0	2	6
	For every Writ of Subpœna	0	1	0
	For swearing the 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

DESPATCHES, &c.

[See Journal, page 46.]

FEES

Taken by the Several Officers of the Supreme and Central Circuit Courts.

ON THE PLEA SIDE.

COMMISSIONER.

How Established.

XVI. General Rule.	For drawing every affidavit and administering an oath	0	5	0
	For every oath administered	0	1	0
	For every Writ of Mesne Process prepared and issued	0	5	0
	For every Witness examined <i>de bene esse</i>	0	5	0

JURORS.

XV. General Rule	Special Jurors each	0	5	0
	Petit Jury	1	1	0
XXVII. General Rule	In all cases of assessment of damages where the sum claimed shall not exceed £50, the Jury shall only be entitled to the sum of Twelve shillings	0	12	0

ON THE EQUITY SIDE.

SOLICITOR.

XLIV. General Rule.	Warrant and Instructions to sue or defend	0	13	6
	Drawing every Bill or answer	1	1	0
	Copy for each Defendant served	0	7	0
	Drawing Demurrer or other Plea	0	6	0
	Copy and service thereof on each Defendant	0	3	0
	Suing out Process	0	5	0
	Copy for each Defendant	0	1	0
	Instructions for drawing Interrogatories	0	3	0
	Drawing Interrogatories for the examination of every necessary witness	0	6	0
	Drawing affidavit of service, and attending to swear the same	0	1	0
	Every special Affidavit	0	3	0
	Drawing every Rule of Court, Copy and Service	0	3	0
	Every Summons to attend a Judge or Master, and serving the same	0	3	0
	Every special attendance before the Master, or a Judge in Chambers on summons	0	6	0
	A Brief, Statement of the Bill, Answer, Pleadings and Evidence, to the time of hearing	1	1	0
	Copies for the Judges, each	0	7	0

DESPATCHES, &c.

[See Journal, page 46.]

FEES

Taken by the Several Officers of the Supreme and Central Circuit Courts.

SOLICITOR. [CONTINUED.]

How Established.

XLIV. General Rule,	Fee on Common Motions	0 10 6
	Fee with Brief on every special Argument	1 1 0
	Fee with Brief on final hearing of the cause, to be taxed by the Master.	

MASTER.

Every attendance upon an ordinary Reference	0 10 6
Report thereon	0 6 8
Attendance on every special Reference	1 1 0
And if occupied therein more than one day, a Guinea each day	
Report thereon	1 1 0
Every Summons	0 1 0
Every Certificate of Facts	0 2 6
Taxing Costs	0 6 8
Taking every Affidavit	0 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.	

CLERK OF SUPREME COURT

FOR GRANTING PROBATES AND ADMINISTRATIONS.

XLVIII. General Rule	When the value of the Estate does not exceed £100, a per centage at the rate of two and a half per cent. —When the value exceeds £100, the following Fees, v.z. :	
	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 Potestatem</i> , where necessary	1 1 0
	Granting Probate of Letters of Administration	1 1 0
	Taking Bonds from Administrators, and Sureties Affidavits	0 10 6
	Copy of Will to be annexed to Probate or Administration, every folio	0 1 0

DESPATCHES, &c.

[See Journal, page 46.]

FEES

Taken by the Several Officers of the Supreme and Central Circuit Courts.

ON THE EQUITY SIDE.

CLERK OF SUPREME COURT [CONTINUED.]

How Established.

XLVIII. General Rule.	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

Northern and Southern Circuit Courts.

FOR COUNSEL OR ATTORNEY.

Old General Rules of Circuit Courts XXXIX.	For suing out a Writ where the Plaintiff proceeds by Summons only	0	5	0
	For suing out a Writ and preparing an Affidavit of Debt	0	10	0
	For Filing a Plea	0	5	0
	For the conduct of a Cause, either for the Plaintiff or Defendant, to final Judgment and Execution	1	1	0

SHERIFF, CLERK AND JURORS.

New General Rules of
Supreme Court 15—21

Thesame as in the Supreme Court.

REGISTRARS OF DEEDS.

Old General Rules of Supreme Court XLV.	For the Registry of a Deed or Will under £100	0	10	0
	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.			
	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

A true Copy.

E. M. ARCHIBALD,
Chief Clerk and Registrar.

DESPATCHES, &c.

[See Journal, page 46.]

COPY OF DESPATCH FROM THE SECRETARY OF STATE

On the subject of Messrs. Robinson & Brooking's claim to Land on Church Hill.

(Copy) No. 10.

*Downing-Street, }
29th October, 1841. }*

SIR,—I have to acknowledge the receipt of Lieut.-Col. Sall's Despatch No. 22, of the 27th of August, with its several enclosures, reporting upon the claim of Messrs. Robinson & Brooking for compensation for Land formerly held by them under lease from the Crown—which Land, certain parties in the Island now desire to have made over to them for their separate purposes.

Upon the perusal of the Papers transmitted home, it appears to me clearly established, that the Land in question has been appropriated by the Legislature to a specific purpose: so long as that act is in force it cannot be otherwise applied, and there are no means of compensating Messrs. Brooking and Robinson for the disadvantage under which they labour by the existence of that act. I would, however, observe, that these Gentlemen have a claim for compensation, if the Land be applied to any other purpose than that of a Market. Altogether, I am of opinion that the best mode of dealing with this case—if the Legislature will consent to it—would be to repeal the Act simply;—the Land would then revert to the Crown, and the Crown might dispose of it, and, at the same time, do substantial justice.

I have, &c.

(Signed)

STANLEY.

Major-General Sir John Harvey, &c. &c.

[See Journal, page 46.]

DESPATCH FROM THE SECRETARY OF STATE,

WITH ENCLOSURES, ON THE SUBJECT OF MERCHANT SEAMEN DESERTING FROM THEIR VESSELS.

—oo—

[CIRCULAR.]

*Downing-Street, }
15th Sept. 1841. }*

SIR,—I transmit to you herewith, for your information and guidance, Copies of a Correspondence between this Department and the Office of the Committee of Privy Council for Trade, on the subject of an Act passed by the Governor and Council of Western Australia, intitled “An act to provide more suitable remedies in case of Seamen deserting from the Merchant service in the Colony.”

I have to desire that you will conform in the Colony under your Government, to the suggestions which have been made by the Lords of the Committee of Privy Council for Trade, in respect to that act

I have, &c.

(Signed)

STANLEY.

Major-General Sir John Harvey, &c.
Newfoundland.

DESPATCHES, &c.

[See Journal, page 46.]

*Downing-Street, }
30th June, 1841. }*

SIR,—I am directed by Lord John Russell to transmit to you, for the consideration of the Lords of the Committee of Privy Council for Trade, the enclosed copy of an Act passed by the Governor and Council of Western Australia, on the 2nd July, 1840—No. 4, “To provide more suitable remedies in cases of Seamen deserting from the Merchant Service in this Colony.”

I also enclose an Extract of so much of a Despatch from Governor Hutt, as explains the provisions of that Act, and I am to request that you will move the Lords of the Committee of Privy Council to favour Lord John Russell with their opinion, whether there is any reason why this Act should not be confirmed by Her Majesty.

I am, &c.

(Signed)

J. STEPHENS.

J. M'Grigor, Esq.

—oo—

ANNO QUARTO VICTORIA REGINÆ.

No. 4.

By His Excellency John Hutt, Esquire, Governor and
Commander-in-Chief in and over the Territory of
Western Australia and its Dependencies, and Vice-
Admiral of the same.

An Act to Provide more suitable Remedies in case of Seamen deserting from the
Merchant Service in this Colony.

WHEREAS much inconvenience has been felt in this Colony for want of power to put Seamen on board of their Ship, previous to its proceeding to sea, who have deserted therefrom, whereby many such persons have been left behind, to the injury of the Master, or Owner or Owners of such ship, as well as to the detriment of the Colony.

1st. *Be it therefore enacted* by the Governor of Western Australia, and its Dependencies, by and with the consent of the Legislative Council thereof, that if any Seaman or Mariner who shall have arrived in any Ship or Vessel, at any port within this Colony, and who shall not have completed the voyage, or term for which he contracted to serve, shall desert, or absent himself from any such ship or vessel, upon application made to any of Her Majesty's Justices of the Peace for the said Colony by the Master or Commander, or other person having charge of such ship or vessel to which such Seaman or Mariner did belong, it shall be lawful for such Justice of the Peace, and he is hereby required, to issue his Warrant to apprehend such Seaman or Mariner, and cause him to be brought before any two or more Justices of the Peace of the said Colony, and in case such Seaman or Mariner shall refuse to return to his duty, or to proceed on the voyage which he contracted to perform, or shall not give a sufficient reason for such refusal, then it shall be lawful for such justices to commit such Seaman or Mariner to Gaol or other place of safe custody, there to remain until he shall consent to return to his duty on board of such ship

DESPATCHES, &c.

or vessel, or until such ship or vessel shall be ready to proceed to sea, and it shall be lawful for any one Justice of the said Colony, and he is hereby required, as soon as such ship or vessel shall be ready to proceed to sea, to cause such Seaman or Mariner to be conveyed on board of such ship or vessel, and there delivered to the Master or Commander, or other person having charge thereof.

2nd. *Provided always, and be it further enacted* That every Master or Commander or other Person making such application as aforesaid shall, before any such Warrant shall be issued by any Justice as aforesaid, undertake, jointly and severally, with one or more Housekeepers residing within the said Colony in the presence of such Justice, to pay for the maintenance of such Seaman or Mariner, to the Gaoler or other Person in whose custody he shall be placed, at the rate of One Shilling per day for every day such Seaman or Mariner shall be so left in custody, and all reasonable expenses of conveying such Seaman or Mariner on board of such ship or vessel, and also to give due notice to such Justice or to any Justice of the Peace for the said Colony residing near the place of confinement, of his intention to proceed to sea, at least twenty-four hours before the sailing of such ship or vessel; and in case such Master, Commander, or other Person shall neglect to give such notice, and to pay such daily allowance and reasonable expenses as aforesaid, then, in either such case, the said Master or Commander of such ship or vessel, and the Housekeepers so undertaking, shall severally be liable for the amount thereof; and the same shall and may be recovered in a summary way before any Justice of the Peace within the said Colony, and Levied by Distress and Sale of the Offenders Goods, and shall be paid, as soon as recovered, into the hands of the Colonial Treasurer and be appropriated to the use of Her Majesty, towards the support of the Government of this Colony.

3rd. *And be it further enacted* That this Act shall be and continue in force for two years, from the date of its passing the Legislative Council.

(Signed)

JOHN HUTT,
Governor and Commander-in-Chief.

Passed the Legislative Council the 2nd day of July, 1840.

(Signed)

WALKINSHAW COWAN,
Clerk of the Council.

[No. 41.]

Extract of a Despatch from Governor Hutt, dated Perth, Western Australia, 19th of August, 1840.

Second—An Act No. 4, “To provide more suitable remedies in case of Seamen deserting from the Merchant Service in this Colony.”

The Colonial Legislature have deemed themselves called upon to pass this act from the repeated representations which were made by the Masters of Merchant Vessels of the

DESPATCHES, &c.

vexatious and harassing circumstances in which they found themselves involved, either by the desertion of their Crews, or by the misconduct in which the latter indulged, with a view of being brought up before the Civil Magistrates, by whom they were fined and sentenced to imprisonment for a certain term, after which they were at liberty to return or not, as they pleased, on board their ships; in general they preferred remaining, tempted by the high rate of wages on shore, this being the object they had in view in bringing the punishment upon themselves.

In this manner, vessels have been completely crippled for a time; and but for the great exertions, and heavy expense, would have been prevented prosecuting their voyages; an occurrence which was the more provoking to the Captains, and ultimately to the Owners, because there is no great inducement, no freight of any consequence to offer to detain the vessels visiting our Ports after they had once discharged their cargoes.

As no direct check could be put to the enormous wages which formed the great attraction to seamen to get rid of their vessels, if possible; as the serenity and irritation which these proceedings naturally occasioned, led the Masters of Vessels to spread unfavorable report of the want of law on this subject in the Colony; as the Legislature, acting for the Colonists, did not desire after it was once brought to their notice, to continue such a monstrous evil, as to appear to wish to benefit themselves, by holding out a boon to seamen to break their indentures, in order to obtain their services as labourers; and as decidedly it was found that this gain to the population was a loss to the Colony, by the introduction of lawless, irregular, and dissipated characters, this act was passed, the main provisions of which are, that on application being made by the Master or Commander of a Vessel to any two Justices of the Peace, on account of a seaman who may not have completed the voyage for which he contracted to serve, having deserted or absented himself from his ship, and such seaman refusing to return to his duty, without giving sufficient reasons for such refusal, then that the Justices shall commit such seaman to safe custody until he consent to return to his duty, or the ship be sent to sea, when he shall be conveyed on board the ship and delivered into the charge of the Master or Commander.

—oo—

(Copy)

*Office of Committee of Privy Council for Trade, }
Whitehall, 5th August, 1841. }*

SIR,—In reply to your letter of the 30th June last, enclosing extract of Despatch from the Lieut.-Governor of Western Australia, and an Act, No. 4, passed by the Governor and Council, relative to Merchant Seamen deserting, I am directed by the Lords of the Committee of Privy Council for Trade, to state to you, for the information of Lord John Russell, that their Lordships perceive from Governor Hutt's Despatch that the punishment provided for the Desertion of Merchant Seamen by the Law of England, as consolidated in Stat. 5 & 6 Wm. 4, chap. 19, namely, imprisonment with hard labour for a period not exceeding thirty days, is insufficient as against the temptation of employment at high wages, in the Colony of Western Australia. Their Lordships are also aware that the other remedies under that Act—the forfeiture of wages by the deserting Seaman, and the liability on his part to repay the extra wages which the Master shall have paid for his substitute, may be neutralized in that Colony, the former by the high rate of wages there,

DESPATCHES, &c.

and the latter by the impossibility of suing the deserter left in the Colony when his ship has returned to England. Their Lordships are, nevertheless, of opinion, that the above-mentioned Act should not be confirmed by Her Majesty, for their Lordships deem it advisable that the rights, obligations, and liabilities of Merchant Seamen of the Mother Country should be defined solely by the Imperial Legislature, and should not, unless in cases of great exigency or peculiarity, form the subject of separate legislation by the several Colonies and Dependencies of the Empire. Their Lordships are of opinion that, independently of the objections in principle which may be urged to separate legislation upon a subject in which the Commercial interests of this country are deeply concerned, and which must, of necessity, be brought frequently under the consideration of Parliament, such diversity of legislation would be unjust towards the Merchant Seaman, as it would be impossible for him to know the extent and effect of the engagements on which he enters, inasmuch as these might be varied by the laws of each Colony, which he might successively visit in the course of his voyage. I am to add, that the Parliament having so recently undertaken to regulate the liabilities of Merchant Seamen in the Colonial possessions of the Crown, and having determined by what tribunals these liabilities shall be enforced, and what shall be the penalties for the breach of them, their Lordships are of opinion that this is a field of legislation on which the subordinate and local Legislatures of the British Colonies cannot properly enter, except for the single purpose of providing for some local exigency, respecting which the act of Parliament is silent. Otherwise there will arise a frequent repugnancy between the General and the Local Laws. In the event of such a repugnancy the Local Law would be "null and void"—but it is not on that account the less necessary to prevent the enactment of such local laws. The necessity is rather the greater, for however clear the principle may be, yet, in the practical application of it, it may be presumed that the Colonial Tribunals and Magistracy would find extreme difficulty in treating, as of no lawful authority, acts of the Legislatures of their respective Colonies.

If Lord John Russell should concur in this opinion, the Lords of the Committee would further suggest for his Lordship's consideration, whether it might not be expedient to enjoin the Governors of all Her Majesty's Colonies neither to concur in, nor assent to, any Act on the subject of Merchant Seamen, having for its object to establish for their government any rules at variance with, or differing from, those which have been established by the Statute 5 & 6 Wm. 4, cap. 19.

I have, &c.

(Signed)

JOHN GEORGE SHAW LEFEVRE.

James Stephen, Esq.

[See Journal, page 46 & 90.]
COPY OF DESPATCH FROM THE SECRETARY OF STATE

On the subject of establishing a Light House on Cape Pine.

[Copy—No. 2.]

Downing-Street, }
14th May, 1841. }

SIR,—I have to acknowledge the receipt of your Predecessor's despatches No. 64, of the 6th November, 1840, and No. 28, of the 22d March, 1841, bringing under my notice the importance to Navigation of establishing a Light on Cape Pine.

DESPATCHES, &c.

Having referred the subject to the Lords Commissioners of the Treasury for their consideration, I enclose herewith the Copy of a letter from Mr. Trevelyan, stating the terms on which their Lordships would be willing to propose to Parliament the grant of a sum of money to defray the expense of constructing a Light House on that spot. I have, accordingly, to instruct you to obtain from the Legislature of Newfoundland a secure provision for the maintenance of the Light when established, and also, to furnish me with the Report called for at the conclusion of Mr. Trevelyan's letter.

I have, &c.

(Signed)

J. RUSSELL.

Sir John Harvey, &c., &c.

—oo—

Treasury Chambers, }
11th May, 1841. }

SIR,—I have it in command from the Lords Commissioners of Her Majesty's Treasury to request you will state to Lord John Russell, with reference to your letters of the 19th of January and of the 21st April last, that my Lords have been in further communication with the Elder Brethren of the Trinity House on the subject of the proposed establishment of a Light House on the South-eastern coast of the Island of Newfoundland. The Elder Brethren having signified their opinion that "the measure of Lighting the South-eastern part of Newfoundland would be effectually accomplished by the erection of a Light House on Cape Pine, or the South-Easternmost extremity of that Land, and of one also upon St. Pierre; and likewise that all vessels bound to or from Ports or Places situate between St. John's, Newfoundland, and Cape Cod, in the United States, including the River St. Lawrence, would be benefitted by the establishment of Light Houses in the abovementioned situations.—My Lords, adverting to the measures adopted in regard to the construction of Light Houses under very analagous circumstances on the Coast of Nova Scotia, are prepared to recommend to Parliament such Grant as may be requisite for defraying the expense of constructing a Light House on Cape Pine, subject to the condition that provision shall be made by the Legislature of Newfoundland, either separately, or with aid from the other North American Provinces interested in the establishment of the Light House, for the future maintenance of the Light.

I have to request you will state to Lord John Russell that, in order that no time may be lost in making arrangements for proceeding with the Building in question, whenever the requisite provision shall have been made by the Legislature of the Colony in regard to the maintenance of the Light, my Lords have requested the Master General and Board of Ordnance to call for a Report from the Commanding Royal Engineer on the Station, as to the most eligible arrangements for constructing the Light House, with reference to such other Works of the same description as may have been executed in the Colony.

My Lords would further suggest to Lord John Russell, that it will be advisable to call for a similar Report from the Governor of Newfoundland, or from any local authorities, under whose directions the construction or management of other Light Houses on the Coast of the Island has been placed.

I am, &c.

(Signed)

C. E. TREVELYAN.

James Stephen, Esq.

DESPATCHES, &c.

[See Journal, page 46 & 90.]

COPY OF DESPATCH FROM THE SECRETARY OF STATE

Relative to the construction of a Light House on Cape Pine.

[Copy—No. 11.]

Downing-Street, }
1st November, 1841. }

SIR,—I have received Lieut.-Colonel Sall's Despatch, No. 21, of the 25th August, communicating the information which he had obtained from the Commissioners of Light Houses, relative to the most eligible arrangements for constructing the proposed Light House at Cape Pine.

Having referred that Despatch to the Lords Commissioners of the Treasury, I enclose herewith a copy of their Lordships answer, from which you will perceive that no further steps will be taken respecting this Building, until adequate provision shall have been made by the Colonial Legislature for the future maintenance of the Light.

I have, &c.

(Signed)

STANLEY.

Major-General Sir John Harvey, &c.
Newfoundland.

—oo—

Treasury Chambers, }
28th Oct., 1841. }

SIR,—With reference to your letter of the 21st inst., and its enclosures, on the subject of the most eligible arrangements for constructing the proposed Light House at Cape Pine, Newfoundland, I have it in command from the Lords Commissioners of Her Majesty's Treasury to request you will state to Lord Stanley that, as the Commanding Royal Engineer at the Station has been required to furnish plans, &c., for the proposed Light House at Cape Pine, my Lords conclude that the Officer administering the Government will have communicated to him the suggestion of the Commissioners of Light Houses that a powerful Bell should be attached to the Building.

I have to request that you will, at the same time, observe to Lord Stanley that my Lords can take no further steps in the matter, until they shall have learnt that adequate provision has been made from Colonial Funds for the future maintenance of the Light, and they will be glad to learn whether any measures have been taken for that purpose.

I am, &c.

(Signed)

G. J. PENNINGTON,
Pro Secretary.

[See Journal, page 46.]

COPY OF DESPATCH FROM THE SECRETARY OF STATE

Transmitting Order in Council leaving to its operation an Act to establish Fees and Costs in the Police Offices and Courts of Sessions of this Colony.

(Copy) No. 69.

Downing-Street, }
15th Sept. 1842. }

SIR,—I have to acknowledge the receipt of your Despatch, No. 26, of the 9th of July,

DESPATCHES, &c.

respecting an Act passed by the Legislature of Newfoundland, in the month of April, 1840, entitled "An act to establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony."

As this act will expire on the 29th of next April, and as you state that no object can be gained by any further postponement of the signification of the Queen's pleasure upon it, I have advised Her Majesty to allow the act; and I enclose herewith, the necessary Order of Her Majesty in Council, bearing date the 27th ultimo, leaving the act to its operation.

I have, &c.

(Signed)

STANLEY.

Major-General Sir John Harvey, &c. &c.

—oo—

AT THE COURT AT WINDSOR, THE 27TH AUGUST, 1842.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY,

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord Chancellor
Lord President
Lord Steward
Earl of Jersey

Lord Stanley
Mr. Chancellor of the Exchequer
Sir James Graham, Bart.

WHEREAS the Governor of Her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did pass an act in the year 1840, which hath been transmitted, entitled as follows, viz :

No. 113—"An act to establish the fees and costs chargeable in the several Police Offices and Courts of Sessions in this Colony."

And whereas the said act has been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to her Majesty that the said act should be left to its operation—Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being of her Majesty's Island of Newfoundland, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

DESPATCHES, &c.

[See Journal, page 46.]

DESPATCH FROM THE SECRETARY OF STATE,

Transmitting Orders in Council of Acts allowed and disallowed by Her Majesty.
(Copy)

No. 3.

Downing-Street, }
30th Sept., 1841. }

SIR,—I have to acknowledge the receipt by my Predecessor of Lieut.-Colonel Sali's Despatch, No. 14, of the 16th July last, transmitting a series of Acts passed by the Legislature of Newfoundland in the month of April last.

In Lord John Russell's Despatch, No. 29, of the 15th March, 1840, His Lordship objected to an Act of the Legislature of Newfoundland (No. 107) for establishing the Benevolent Irish Society, on the ground that it Incorporated a Charitable Society without defining the objects of the Incorporation, or placing any kind of restraint on the mis-use of the corporate power of that Body.

The Act, No. 128, repeals the Act to which that objection was made, and makes new provisions for the Incorporation of the same society. But the objection raised by my Predecessor to the former Act remains in almost unimpaired force in that which has been substituted for it. The society is now permanently Incorporated for certain charitable purposes. It is provided that certain Rules (which do not appear in the Act) shall be the Rules of the Society—but then it is declared that the Society may, at any time, add to, alter, amend, or revoke, all or any of these Rules at their discretion. Thus, in fact, the main plans and proceedings of this Body are still entirely indeterminate, for they are determined only by Rules which the Society may abrogate at their pleasure.

It is inexpedient that any body of men should be invested with a corporate character in terms thus unrestricted. Being so Incorporated by an Act of Legislation no abuse or mis-use of their powers will work a forfeiture. They are placed beyond the cognizance of the Legal Tribunal, and are subject to no controul but that of the Legislature itself—a controul which, for obvious reasons, may be inefficient.

In addition to this general objection, I observe that there is no apparent necessity for such a Corporation. The Society, as it is represented, has existed for 35 years without any inconvenience from the want of a Corporate character.

Further, I observe that all persons who are not Irish, or of Irish descent, are excluded from this Body. So long as it existed merely as a private Association, this was a rule with which the Government could have no claim to interfere—but the establishment of such an exclusion by a direct Act of Legislation, would make the Government parties to a regulation to which, when sanctioned, there are great objections. There is an obvious tendency in such societies to assume a Political character, and to separate the people into distinct sections.

I have, also, reason to conclude that there are in Newfoundland other exclusive Societies of the same kind, nor can I doubt that, if the present Act is confirmed by Her Majesty, each of these Bodies will apply to the Legislature for similar Acts of Incorporation.—It would be impossible to refuse such applications without incurring the well-founded reproach of partiality, or to assent to them without creating, by laws virtually irrevocable, the means of perpetuating in the colony the animosities connected with national distinctions.

For these reasons I have advised the Queen to disallow both this Act, and the Act re-

DESPATCHES, &c.

pealed by it; and I enclose an Order passed by Her Majesty in Council on the 14th inst., disallowing them accordingly.

I also enclose an Order passed by Her Majesty in Council on the same day, leaving all the rest of this series of Ac's to their operation, with the exception of the three mentioned in the accompanying Schedule, which are still under consideration.

I have, &c.

(Signed)

STANLEY.

Major-General Sir John Harvey, &c., &c.

—oo—

AT THE COURT AT WINDSOR, THE 14TH SEPTEMBER, 1841.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY,

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President
Duke of Wellington
Marquis of Lothian
Marquis of Exeter
Lord Steward
Lord Chamberlain
Earl of Jersey
Earl of Haddington

Earl of Ripon
Earl of Aberdeen
Lord Ellenborough
Lord Forester
Mr. Dawson Damer
Sir Robert Peel, Bart.
Sir Edward Knatchbull, Bart.
Dr. Nicholl.

WHEREAS the Governor of Her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did in the month of April, 1841, pass six acts which hath been transmitted, entitled as follows, viz :

- No. 123.—An Act to authorise the Sheriff of Newfoundland to levy executions in the several Districts of this Colony after final Judgment.
- No. 124.—An Act to Establish and Regulate Fire Companies in the town of Carbonear.
- No. 125.—An Act to continue an Act made and passed in the second Year of the Reign of Her present Majesty entitled "An act for the Regulation of Pilots and the Pilotage of Vessels at the Port of St. John's."
- No. 127.—An act to revive an act passed in the fourth year of the Reign of His late Majesty King William the Fourth (2nd Session) entitled "An act to afford relief to Wives and Children deserted by their Parents and Husbands."
- No. 129.—An act to revive an act passed in the third year of the Reign of His late 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 spread ng thereof in this Island."
- No. 130.—An act to Indemnify the Governor for Sums advanced towards defraying, in part, the expenses of the fourth and fifth Sessions of the second General Assembly

DESPATCHES, &c.

AND WHEREAS the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honourable Privy Council appointed for the consideration of all matters relating to Trade & Foreign Plantations, who have reported as their opinion to her Majesty, that the said acts should be left to their operation, Her Majesty was, thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being of Her Majesty's Island of Newfoundland, and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

—oo—

SCHEDULE

Of Acts under reference to Public Departments.

- No. 121.—An Act for granting to Her Majesty certain Duties on Goods, Wares and Merchandize imported into this Colony, and its Dependencies.
- No. 122.—An Act to regulate the Packing and Inspection of Pickled Fish for Exportation from this Colony.
- No. 126.—An Act to make provision for the establishment of a Light House on or near to Cape Bonavista.

—oo—

AT THE COURT AT WINDSOR, THE 14TH SEPTEMBER, 1841.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY,

HIS ROYAL HIGHNESS PRINCE ALBERT,

Lord President
Duke of Wellington
Marquis of Lothian
Marquis of Exeter
Lord Steward
Lord Chamberlain
Earl of Jersey
Earl of Haddington

Earl of Rosslyn
Earl of Aberdeen
Lord Ellenborough
Lord Forster
Mr. Dawson Damer
Sir Robert Peel, Bart.
Sir Edward Knatchbull, Bart.
Dr. Nicholl.

WHEREAS the Governor of Her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did in the months of October, 1839, and April, 1841, pass two acts which have been transmitted as follows, viz :

- No. 107.—An act to Incorporate the Benevolent Irish Society.
- No. 128.—An act to repeal an act passed in the third year of Her Majesty's Reign entitled "An act to Incorporate the Benevolent Irish Society," and to make other provision for the Incorporation of the said Society.

DESPATCHES, &c.

And whereas the said acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to her Majesty that the said act should not receive Her Majesty's Royal Confirmation—Her Majesty was thereupon, this day, pleased, by and with the advice of Her Privy Council, to declare her disallowance of the said acts, and the same are hereby disallowed accordingly. Whereof the Governor, Lieut.-Governor, or Commander-in-Chief for the time being of Her Majesty's Island of Newfoundland, and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

—oo—

Extract from Report of the Committee of Privy Council for Trade, dated 11th September, 1841, recommending the disallowance of Newfoundland acts, Nos. 107 and 128.

“ Because there is no apparent necessity or adequate motive for investing this Society with a Corporate character, because the Rules of the Society are not embodied in these acts, and are, without exception, made alterable at the discretion of the Society. Because the Constitution of the Society is such as to exclude all Her Majesty's subjects except the Natives of one part of the United Kingdom—and, because to incorporate by law Societies founded on such principles of exclusion, must generate or keep alive distinctions and animosities hostile to the peace and welfare of society in Newfoundland.”

[See Journal, page 46.]

COPY OF DESPATCH FROM THE SECRETARY OF STATE

With Order in Council directing that the “ Pickled Fish Act” be left to its operation.

[Copy—No. 21.]

Downing-Street, }
12th December, 1841. }

SIR,—An act (No. 122) passed by the Governor, Council and Assembly of Newfoundland in the month of April last, and received in your de-patch No. 14, 16th July last, having been referred to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to her Majesty in Council their opinion that the said act should be left to its operation.

I have the honor to transmit to you herewith, an Order of her Majesty in Council, dated the 10th inst., approving that report.

I have, &c.

(Signed)

STANLEY.

Governor of Newfoundland.

DESPATCHES, &c.

AT THE COURT AT WINDSOR, THE 10TH DECEMBER, 1842.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY,

HIS ROYAL HIGHNESS PRINCE ALBERT,

Archbishop of Canterbury
Lord Chancellor
Lord President
Lord Privy Seal

Lord Steward
Lord Chamberlain
Earl of Jersey
Sir Robert Peel, Baronet.

WHEREAS the Governor of Her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did in the month of April, 1841, pass an act which has been transmitted as follows, viz :

No. 122.—An act to regulate the Packing and Inspection of Pickled Fish for Exportation from this Colony.

AND WHEREAS the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honourable Privy Council appointed for the consideration of all matters relating to Trade & Foreign Plantations, who have reported as their opinion to her Majesty, that the said act should be left to its operation, Her Majesty was, thereupon, this day, pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being of Her Majesty's Island of Newfoundland, and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Signed)

W. L. BATHURST.

[See Journal, page 46.]

ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

—00—

C A P. XLIX.

An act to amend the Laws for the Regulation of the Trade of the British Possessions abroad.

[16th July, 1842.]

WHEREAS an Act was passed in the Third and Fourth Years of the Reign of his late Majesty King William the Fourth, intituled "An act to regulate the Trade of the British Possessions abroad," herein-after designated as "The Possessions Act:" And whereas it is expedient to make certain alterations and amendments therein: Be it therefore enacted by the

3 & 4 W. 4.
c. 69.

DESPATCHES, &c.

Commencement
of an act.

Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That, except as herein after is provided, from and after the Fifth day of July One thousand eight hundred and forty-three so far as relates to the British Possessions in North America, and from and after the Fifth day of April One thousand eight hundred and forty-three so far as relates to the British Possessions in South America and the West Indies, and from and after the Fifth Day of July One thousand eight hundred and forty-three so far as relates to the Mauritius, this Act shall come into and be and continue in full force and operation for all the purposes mentioned herein.

Recital of 4 G.
3. c. 15.

II. And whereas, under or by virtue of an act passed in the Fourth Year of his late Majesty King George the Third, intituled "An act for granting certain Duties in the British Colonies and Plantations in America; for continuing, amending, and making perpetual an act passed in the Sixth Year of the Reign of his late Majesty King George the Second, intituled 'An act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in America;'" for applying the produce of such Duties, and of the Duties to arise by virtue of the said act, towards defraying the expenses of defending, protecting, and securing the said Colonies and Plantations; for explaining an act made in the Twenty-fifth Year of the Reign of King Charles the Second, intituled "An act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade;" and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and the United Kingdom, the following Duties are chargeable upon Wines imported into the British Possessions in America; (that is to say,)

For every Tun of Wine of the Growth of the Madeiras, or of any other Island or Place from whence such Wine may be lawfully imported, and which shall be so imported from such Islands or Places, the sum of Seven Pounds.

For every Tun of Portugal, Spanish, or any other Wine (except French Wine), imported from the United Kingdom, the sum of Ten Shillings:

Recital of 6.
G. 3. c. 52.

And whereas, under or by virtue of an act passed in the sixth Year of the Reign of his late Majesty King George the Third, intituled An act for repealing certain Duties in the British Colonies and Plantations granted by several Acts of Parliament, and also the Duties imposed by an act made in the last Session of Parliament upon certain East India Goods exported from the United Kingdom, and for granting other Duties instead thereof, and for further encouraging, regulating, and securing several Branches of the Trade of this Kingdom and the British Dominions in America, the following Duties are chargeable upon Molasses and Syrups and British Pimento imported into the British Possessions in America; (that is to say,)

For every Gallon of Molasses and Syrups (except as in the same Act is mentioned), One Penny:

For every Pound Weight Avoirdupois of British Pimento (except as in the same Act is mentioned), One Halfpenny:

DESPATCHES, &c.

And whereas, under or by virtue of an act passed in the Fourteenth Year of the Reign of his late Majesty King George the Third, intituled An act to establish a Fund towards further defraying the Charges of the Administration of Justice and Support of the Civil Government within the Province of Quebec in America, the following Duties are chargeable on Brandy, Rum, and Spirits imported into any Port of Canada ; (that is to say,)

Recital of 14
G. 3, c. 88.

For every Gallon of Brandy or other Spirits of the Manufacture of the United Kingdom, Three-pence :

For every Gallon of Rum or other Spirits which should be imported or brought from any of His Majesty's Sugar Colonies in the West Indies Sixpence :

For every Gallon of Rum or other Spirits which should be imported or brought from any other of His Majesty's Colonies or Dominions in America, Nine-pence.

For every Gallon of Foreign Brandy or other Spirits of Foreign Manufacture imported or brought from the United Kingdom, One Shilling.

For every Gallon of Rum or Spirits of the Produce or Manufacture of any of the Colonies or Plantations in America not in the possession or under the dominion of His Majesty, imported from any other place except the United Kingdom, One Shilling :

And whereas it is expedient that the several herein-before mentioned Duties imposed by the said acts respectively should be repealed ; be it therefore enacted, That so much of each of the said Three several acts of His late Majesty King George the Third as imposes or authorizes the charge of the herein-before mentioned Duties upon Wine, Molasses, Pimento, and Spirits respectively, shall be and the same is hereby repealed.

Repeal of
Duties under
4 G. 3. c. 15,
6 G. 3. c. 52
14 G. 3. c. 88.

III. And whereas by the said Possessions Act it was enacted, that the several sorts of Goods enumerated and described in the Table therein mentioned denominated " A Table of Prohibitions and Restrictions," should be prohibited to be imported or brought either by sea or inland navigation into the British Possessions in America, or should be so imported or brought only under the Restrictions mentioned in such Table, according as the several sorts of Goods are set forth therein, and that if any Goods should be imported or brought into any of the British Possessions in America contrary to any of the Restrictions mentioned in such Table in respect of such Goods, the same should be forfeited ; and that if the Ship or Vessel in which such Goods should be imported should be of less Burden than seventy Tons, such ship or vessel should also be forfeited : And whereas it is expedient that the Prohibitions established by the lastly herein-before recited Enactment should be materially modified, and that for this purpose the said Enactment should be repealed, and such Prohibitions should be enacted as herein-after are mentioned ; be it therefore enacted, That so much of the said Possessions Act as prohibits the Importation of the Goods enumerated and described in the Table in the said act contained and hereinbefore mentioned, and as declares the Forfeiture of such Goods, and of certain Vessels importing the same, as herein-before is mentioned, shall be repealed.

Repeal of
Prohibitions
established by
Possessions
Act:

IV. And be it enacted, That the several sorts of Goods enumerated or described in the Table following, denominated " A Table of Prohibitions and Restrictions," are hereby prohibited to be imported or brought, either by sea

Establishing
Prohibitions
as per Table.

DESPATCHES, &c.

or by inland carriage or navigation, into the British Possessions in America or the Mauritius, or shall be so imported or brought only under the Restrictions mentioned in such Table, according as the several sorts of such Goods are set forth therein; (that is to say,)

A Table of Prohibitions and Restrictions.

Gunpowder,

Ammunitions, Arms, or Utensils of War,

prohibited to be imported, except from the United Kingdom or from some other British Possession.

Coffee,

Sugar, not being refined, in Bond in the United Kingdom,

Molasses,

Rum,

being the Produce or Manufacture of any British Possession within the limits of the East India Company's Charter, except and subject as herein-after is provided, or being of Foreign Produce or Manufacture, prohibited to be imported into any of the British Possessions on the Continent of South America or in the West Indies (the Bahama and Bermuda Islands not included), or into the Mauritius, except to be warehoused for Exportation only, and may also be prohibited to be imported into the Bahama or Bermuda Islands by her Majesty's Order in Council.

Base or Counterfeit Coin,

Books, such as are prohibited to be imported into the United Kingdom, prohibited to be imported.

And if any Goods shall be imported or brought into any of the British Possessions in America or the Mauritius contrary to any of the prohibitions or restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited; and if the ship or vessel in which such Goods shall be imported be of less Burden than Seventy Tons, such ship or vessel shall also be forfeited.

V. Provided always, and be it enacted, That it shall be lawful to import into any British Possessions in the West Indies and South America, and into the Mauritius any Coffee the produce of any British Possessions within the Limits of the East India Company's Charter, and also any Sugar the produce of any British Possessions within the Limits of the East India Company's Charter into which the importation of Sugar the produce of any Foreign Country or of any British Possession into which Foreign Sugar may be legally imported has been prohibited, and also any Rum the produce of any British Possession within the Limits of the East India Company's Charter into which the importation of Rum the produce of any Foreign Country or of any British Possession into which Foreign Sugar or Rum may be legally imported has been prohibited: Provided nevertheless, that no such Coffee, Sugar, or Rum shall be entered in any British Possession in the West Indies or South America, or in the Island of Mauritius, as being the produce of any British Possession within the Limits of the East India Company's Charter from which the same may be legally imported under the proviso last aforesaid, unless the Master of the ship importing the same shall have delivered to the Collector or principal Officer of the Customs at the port of importation such

Coffee, sugar and Rum may be imported into the British Possessions in the W. Indies and S. America, and the Mauritius in certain cases.

DESPATCHES, &c.

Certificate of Origin as herein-after is mentioned, under the Hand and Seal of the proper Officer at the place where the same shall have been taken on board ; and such Master shall also make and subscribe a Declaration before the proper Officer of the Customs that such Certificate was received by him at the place where such Coffee, Sugar, or Rum was taken on board, and that the Coffee, Sugar, or Rum so imported is the same as is mentioned therein ; and such Certificate of Origin shall, as regards Coffee, certify that a Declaration in Writing had been made and signed before the Officer giving such Certificate, the Contents of which he believed to be true, by the shipper of such Coffee, that the same was really and *bona fide* the produce of some British Possession ; and such Certificate of Origin shall, as respects Sugar, state the Name of the District in which such Sugar was produced, the Quantity and Quality thereof, the Number and Denomination of the Packages containing the same, and the Name of the ship in which they were laden and the Master thereof, to the Officer giving the same, by the Shipper of such Sugar, and shall likewise certify that there had been produced a Certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Sugar was produced, that such Sugar was of the produce of the District, and that the importation into such District of Foreign Sugar, or Sugar the Growth of any British Possession into which Foreign Sugar can be legally imported, is prohibited ; and such Certificate of Origin shall, as respects Rum, state the Name of the District in which such Rum was produced, the Quantity and strength thereof, the Number and Denomination of the Packages containing the same, the name of the ship in which they were laden and of the Master thereof, and shall also testify that there had been produced to the Party giving such Certificates, by the Shipper of such Rum, a Certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Rum was produced, that the same was the production of such District.

VI. And whereas by the said Possessions Act it is enacted that there shall be raised, levied, collected, and paid unto Her Majesty the several Duties of Customs as the same are respectively set forth in figures in the Table of Duties therein-after contained, upon Goods, Wares, and Merchandize imported or brought into any of Her Majesty's Possessions in America, and in and by the said Table certain Articles are therein declared to be exempted from or free of such duties ; and it is by the said Possessions Act provided, that no greater proportion of the Duties imposed thereby, except as therein excepted, shall be charged upon any article which is subject also to Duty under any of the acts therein referred to, or subject also to duty under any Colonial law, than the amount, if any, by which the duty charged by the said Possessions Act should exceed such other Duty or Duties ; and it is thereby further provided, that the full amount of the duties mentioned therein, whether on account of such former acts, or on account of such Colonial Law, or on account of the said Possessions Act, shall be levied and recovered and received under the regulation and by the means and powers of the said Possessions Act : And whereas it is expedient that the said duties should be repealed, and other Duties substituted in lieu thereof ; be it therefore enacted, That the herein-before recited Enactment imposing Duties upon Goods, Wares and Merchandize imported or brought into any of Her Majesty's Possessions in America, and so much of

Repeal of certain Duties imposed by the Possessions act,

DESPATCHES, &c.

the said Possessions Act as extends any of such Duties to the Mauritius, and the said Duties and Exemptions so imposed and established by the said Possessions Act, and the said several Enactments in relation thereto, which are herein-before recited, shall be repealed.

Import duties
imposed,

VII, And be it enacted, That there shall be raised, levied, collected and paid unto her Majesty the several Duties of Customs as the same are respectively set forth in Figures in the Table of Duties hereinafter contained, upon Goods, Wares and Merchandize not being the growth production, or manufacture of the United Kingdom, or of any of the British Possessions in America, or of the Mauritius, or of any of the British Possessions within the limits of the East India Company's Charter, or the produce of any of the British Fisheries, imported or brought into any of the British Possessions in America or the Mauritius by sea or inland carriage or navigation :

TABLE OF DUTIES.

Wheat Flour	the Barrel of 196 lbs.	2 0
Fish of Foreign Taking } or Curing }	dried or salted, the Cwt.	2 0
	pickled the Barrel	4 0
Meat, salted or cured	the Cwt.	3 0
Butter	—	8 0
Cheese	—	5 0
Coffee	—	5 0
Cocoa	—	1 0
Molasses	—	3 0
Sugar, unrefined	—	5 0
Refined Sugar, the produce of } and refined in Foreign Coun- } tries }	20 per centum ad valorem	
Tea, unless imported direct } from China, or unless im- } ported from the United King- } dom or from any of the Bri- } tish Possessions }	per pound	0 1
Spirits :		
Rum	per Gallon	0 6
Other Spirits and Cordials	—	1 0
Glass Manufactures } Silk Manufactures } Spermaceti }	15 per centum ad valorem	

DESPATCHES, &c.

Wine, whether bottled or not	}	7 per Centum ad valorem
Cotton Manufactures		
Linen Do.		
Woollen Do.		
Leather Do.		
Paper Do.		
Hardware		
Clocks and Watches		
Manufactured Tobacco		
Soap		
Candles, other than Spermaceti		
Corks, Cordage and Oakum		

Oil, Blubber, Fins, and Skins, the produce of Fish, and Creatures living in the sea, of Foreign Fishing, 15 per centum ad valorem.

Articles not enumerated, except such as are comprised or referred to in the subjoined Table of Exemptions. } 4 per centum ad valorem

And if any of the Goods herein-before proposed to be charged with Duty, except Sugar and Tea, shall be imported through the United Kingdom (having been warehoused therein, and being exported from the Warehouse), or the Duties thereon, if there paid, having been drawn back } Such Goods shall only be charged with Three-fourths of the duties herein-before proposed.

TABLE OF EXEMPTIONS.

Coin, Bullion, and Diamonds.
Horses, Mules, Asses, Neat Cattle, and all other Live Stock.
Hay and Straw.
Tallow and Raw Hides.
Salt.
Rice.
Corn and Grain unground.
Biscuit or Bread.
Meal or Flour, except Wheat Flour.
Fresh Meat.
Fresh Fish.
Fruit and Vegetables, fresh
Carriages of Travellers.
Wood and Lumber.
Cotton Wool.
Hemp, Flax, and Tow.
Drugs.

DESPATCHES, &c.

Gums and Resins.

Tortoise-shell.

Manures of all kinds.

Herrings, taken and cured by the inhabitants of the Isle of Man, and imported from thence.

Provisions and Stores of every description, imported or supplied for the use of Her Majesty's Land and Sea Forces.

All Goods imported from the United Kingdom after having there paid the Duties of Consumption, and imported from thence without Draw-back.

Exemptions
from Duty.

VIII. And be it enacted, That the articles enumerated or mentioned in the Table of Exemptions herein-before contained shall be imported without payment of any duty under this act, and also such of the following articles ; (nameley,)

Salted or cured Meat,

Flour,

Butter,

Cheese,

Molasses,

Cork-wood,

Cordage,

Oakum,

Pitch,

Tar,

Turpentine,

Leather and Leather-ware,

Fishermen's Clothing and Hosiery,

Fishing Craft, Utensils, Instruments, and Ba't,

as shall be imported for the Use of the British Fisheries in America, into any place at or from whence any such Fishery is carried on, subject to such regulations as the Commissioners of Customs, or the principal Officer of Customs at such place, shall make, and which they and he are hereby empowered to establish, for the purpose of ascertaining that such articles are *bona fide* intended to be applied to the use of such Fisheries, or that such Provisions and Stores as aforesaid are *bona fide* imported or supplied for the use of her Majesty's Land and Sea Forces.

Import Duty
on Sugar refi-
ned in Bond.

IX. And be it enacted, That there shall be raised, levied, collected, and paid unto her Majesty a Duty of Ten Pounds for every One hundred Pounds of the value upon Sugar refiaded in Bond in the United Kingdom, not being of the growth of any of the British Possessions in America, or of the Mauritius, or of any of the British Possessions within the limits of the East Company's Charter, imported or brought into any of the British Possessions in America, or into the Mauritius, by sea or by inland carriage or navigation.

Duties impos-
ed by this act
to be increas'd
in certain cas-
es to pre-
serve the same
amount of

X. And be it enacted, That if in any of the British Possessions in America or the Mauritius any duty be chargeable by any Colonial Law upon any article being the growth, produce or manufacture of the United Kingdom, or of the British Possessions in America, or of the British Possessions within the limits of the East Company's Charter, or the produce of the British Fisheries,

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beyond the duty (if any) chargeable by such Colonial Law upon similar Foreign Articles, the Imperial Duty hereby imposed upon such Foreign Articles shall be increased by such Excess or Amount (as the case may be) of the duties so chargeable by such Colonial Law upon similar British Articles; and that if in any of the British Possessions in America or the Mauritius any duty be chargeable by any Colonial Law upon Tea imported direct from China, or imported from the United Kingdom or any of the British Possessions, beyond the duty (if any) chargeable by such Colonial Law upon Tea not so imported the Imperial duty hereby imposed upon Tea not so imported shall be increased by such Excess or Amount (as the case may be) of the duties so chargeable by such Colonial Law upon Tea imported direct from China, or imported from the United Kingdom or from any of the British Possessions.

differential
duty.

XI. And be it enacted, That it shall and may be lawful for Her Majesty, by and with the advice of Her Privy Council, by any Order or Orders in Council to be issued from time to time, to direct that any article described in such Order, being an article chargeable under this act as an unenumerated article with a Duty of Four *per centum ad valorem*, shall be added to the list of Exemptions herein-before set forth, and shall be free from such Duty, and from and after the time mentioned in such Order for the commencement of such Exemption, not being less than six months from the date thereof, such Exemption shall take effect, and such Article shall thenceforth, whilst such Order shall continue in force, be free from such Duty accordingly; and any such Order may at any time be suspended or revoked by her Majesty, with the advice of her Privy Council, by any other Order in Council.

Power to her
Majesty, by
Order in
Council, to
exempt cer-
tain articles
from Duty.

XII. And be it enacted, That the Duties imposed by this act shall be levied and recovered and received under the Regulations and by the means and powers of the Possessions Act, except such of the said Regulations as are repealed or altered by this act.

Duties how to
be levied.

XIII. And be it enacted, That all sums of Money granted or payable under this act or under the Possessions Act, as Duties, Penalties, or Forfeitures, in the British Possessions in America or the Mauritius, shall be deemed and are hereby declared to be Sterling Money of Great Britain, and shall be collected, recovered, and paid to the amount of the value which such nominal sums bear in Great Britain; and that such Monies may be received and taken in Sterling Money of Great Britain, or in Foreign Coins at such rates as shall be equivalent to Sterling Money of Great Britain, and which shall have been fixed by any Proclamation issued by her Majesty; and that all Duties under this act shall be paid and received in every part of the British Possessions in America and in the Mauritius according to the Imperial Weights and Measures now by Law established; and that, in all cases where such Duties are imposed according to any specific Quantity or any specific value, the same shall be deemed to apply in the same proportion to any greater or less Quantity or Value; and that all such Duties shall be under the management of the Commissioners of the Customs.

Currency.
Weights and
Measures.

Fractional
Quantities.

XIV. And be it enacted, That the net produce of the Duties so received by the means and powers of this act shall be paid by the Collector of the Customs into the hands of the Treasurer or Receiver General of the Colony, or

Net produce
of duties how
to be applied

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other proper Officer authorized to receive the same in the colony in which the same shall be levied, to be applied to such uses as shall be directed by the Local Legislatures of such Colonies respectively; and that the produce of such duties so received as aforesaid in the Colonies which have no Local Legislature shall and may be applied in such manner as shall be directed by the Commissioners of Her Majesty's Treasury.

Goods from
the Channel
Islands.

XV. And be it enacted, That Goods the produce or manufacture of the Islands of Guernsey, Jersey, Alderney, or Sark, when imported from such Islands into the British Possessions in America or the Mauritius, shall be admitted to Entry upon payment of the same duties as are payable upon the like Goods the produce or manufacture of the United Kingdom or of any of the said Possessions, upon production to the principal Officer of Customs at the port of Importation of the proofs now required by Law that such Goods are the production or manufacture of the Islands aforesaid.

Collection of
Duties in the
British Possessions
legalised in certain
Cases.

XVI. And whereas the hereinbefore recited Provisoes contained in the said Possessions Act, which provide that no greater proportion of the duties imposed by that act shall be charged upon any article which is subject also to duty under any of the Acts therein referred to, and subject also to duty under any Colonial Law, than the amount, if any, by which the duty charged by the said Possessions Act shall exceed such other duties, and that the full amount of the duties mentioned in the said Possessions Act, whether on account of such former acts, or on account of such Colonial Law, or on account of the said Possessions Act, should be levied and recovered and received under the Regulations and by the means and powers of the said Possessions Act, have been understood and acted on in divers different senses in the several British Possessions in America and the Mauritius, and in some of the aforesaid Possessions certain duties have been imposed by the Colonial Legislatures or other Authorities having the power to impose duties, which duties have been expressly directed by the Colonial Acts, or Ordinances imposing the same, to be in addition to or over and above the duties imposed by the said Possessions Act, and in those and others of the aforesaid Possessions the duties respectively imposed upon articles by the said Possessions Act, and by the Colonial Acts and Ordinances in such Possessions, have, notwithstanding the aforesaid Provisoes, been collected in full without any such abatement as in the said Provisoes is contemplated: And whereas it is expedient that such Collection in full of the said Imperial and Colonial Duties should be held to be good in law, notwithstanding the aforesaid Provisoes: And whereas doubts have been entertained whether the duties imposed upon the importation of Goods, Wares, or Merchandize into the West Indies by the said Possessions Act are, under the provisions of that act, leviable upon the like Goods, Wares and Merchandize imported into the Mauritius from the United Kingdom: And whereas, notwithstanding such doubts, the aforesaid duties have been levied upon Goods, Wares and Merchandize so imported into the Mauritius from the United Kingdom, and it is expedient that the levying of the same should be held good in Law, be it therefore enacted, That from and after the passing of this act no personal Action, Suit, or other Proceeding shall be prosecuted or commenced against any Officer of Her Majesty's Customs, or any Officer or other Person authorized by the Legislature or other proper Authorities of any of the aforesaid

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British Possessions, for or in respect of such Officer or person having levied Duties imposed by the said Possessions Act upon the importation of any article in full, without making any Deduction therefrom in respect of Duties imposed by any Colonial Law or Ordinance upon the same article, or for or in respect of such Officer or other person having levied Duties imposed upon the importation of any article by any Colonial Law or Ordinance in full, without making any abatement or Deduction therefrom in respect of the Duty imposed by the Possessions Act upon the same article; and that no personal Action, Suit, or other proceeding shall be prosecuted or commenced against any Officer of her Majesty's Customs, or any other Officer or other person empowered by the proper Authorities to collect Duties in the Mauritius, for or in respect of such Officer or other person having levied the like Duties upon the importation of any Goods, Wares, or Merchandize into the Mauritius from the United Kingdom as are imposed by the said Possessions Act upon the importation of Goods, Wares, or Merchandize into the West Indies; and if any Action or Suit, or other proceeding whatsoever, shall be prosecuted or commenced against any Officer of Customs, or other Officer or person as aforesaid, by reason of any thing done as aforesaid, it shall be lawful for the Defendant in any such Action or Suit or other proceeding as aforesaid to apply to the Court in which such Action shall be brought during the sitting of such Court, or to any Judge of such Court during Vacation, for Stay of proceedings, and such Court and such Judge respectively shall stay such proceedings accordingly; and all payments which may have been made in respect of the Duties so levied in full, or without abatement or deduction as aforesaid, or in respect of such Duties so levied upon the importation of Goods, Wares, and Merchandize into the Mauritius as aforesaid, shall be held to have been good, and shall not be recoverable at Law from any person or persons who may have received the same.

XVII. And be it enacted, That in any British Possession in America in which the Imperial Duties imposed by the said Possessions Act and the Colonial Duties imposed by the Laws of such Possession have both been customarily levied in full without making any deduction from the Imperial Duties in respect of the Colonial Duties, or from the Colonial Duties in respect of the Imperial Duties, it shall be lawful, from and after the passing of this act, for the Officers of the Customs and other Officers duly authorized to continue so to levy in full such Imperial and Colonial Duties respectively during the continuance of the said Possessions Act, any thing in the said Possessions Act contained in anywise notwithstanding.

XVIII. And be it enacted, That this act may be amended or repealed by any act to be passed in this present Session of Parliament.

Imperial and Colonial Duties to be levied in full in certain British Possessions in America.

Act may be amended &c. this Session.

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[See Journal, page 57.]

COPY OF DESPATCH FROM THE SECRETARY OF STATE

In reply, on the subject of a Speech addressed by His Excellency The Governor to a Meeting of the Agricultural Society of this Island.

(Copy)

No. 38.

*Downing-Street, }
10th February, 1842. }*

SIR,—I have received your Despatch of the 14th January, in which you send me a copy of the Speech which you addressed to the Meeting of the Agricultural Society at Newfoundland.

Your Speech appears to me to have been very appropriate for the occasion, and I approve of the disposition which it manifests on the part of the Queen's Representative in the colony to encourage the pursuit of Agriculture.

I shall be very glad to receive, from time to time, detailed information as to the degree of capability of the Island for Agricultural improvement.

I have, &c,

(Signed)

STANLEY.

Major-General Sir John Harvey,
K. C. B., &c,

—00—

HIS EXCELLENCY THE GOVERNOR'S ADDRESS

To the Agricultural Society, Thursday, 13th January, 1842.

GENTLEMEN,—From the moment of my appointment to the Government of this ancient and loyal Possession of the British Crown, it became my duty to identify myself with all its interests,—and the cordiality with which I was received in the Island by all classes of its inhabitants, at once converted that duty into a source of the highest gratification. I do not affect to conceal from you, however, that I brought with me the impression, which I believe to be universally entertained out of the Island, that it possesses but one class of interests, viz., those connected with its Trade and Fisheries: It was, therefore, with equal surprise and pleasure that I discovered, as well from my own observations as from the information of others, that Newfoundland is in reality something more than a mere "Fishing Station," and possesses resources beyond the mere "rocks on which to dry the Nets of the Fishermen;" in a word, I saw in it the undoubted evidence of a capability for Agricultural pursuits far beyond what I had imagined to exist—and I likewise saw that by no other means can the great staple of this Island, its Fisheries, and the great National objects, the Nursery of Seamen, and the consumption of the Manufactures of the Parent State, be so effectually promoted as by bringing the homes of the Fishermen nearer to the scene of other pursuits and operations; in a word, by encouraging Settlement and the Cultivation of the Soil—an encouragement which contemplates the rapid increase of its population, consequently of its Fishermen and Mariners, as well as of a class of as brave, hardy, loyal and permanent Settlers, who would constitute the "Constitutional defence" of the

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colony, and whose labours as auxiliary to the Fisheries, might, at no remote period, go far to render the Island independent of all foreign Countries for the means of feeding those engaged in them.

Without entering into speculations regarding a subject with which we are, as yet, imperfectly acquainted, but upon which it will be the duty of the Executive Government, thro' the aid of the Provincial Legislature, to acquire more accurate information—I mean the adaptation, or otherwise, of the extensive Prairies of the interior of the Island for Cultivation and Settlement. It may be sufficient for my present purpose merely to advert to a fact which is within the knowledge of you all, viz., that this Island throughout almost the whole extent of its Bays, Harbours, and Inlets, is skirted by a belt of cultivable land, varying in depth from one to several leagues, well calculated to reward the labour of the Agriculturist—of which no more convincing proof can be required than the specimens of produce now before you, consisting of Wheat, Barley, Oats, Turnips, Potatoes, &c., equal in size, in weight and in quality to the productions of any other country, England not excepted.

It may be asked (elsewhere), “How is this to be explained with reference to the reputed sterility of the soil of Newfoundland, and to the length and severity of its Winters, and the consequent shortness of its open season?”—The answer is, “By the productive qualities of that soil to which the imputation of sterility so unjustly attaches; by the fineness of its autumnal season, which affords ample opportunity for the preparation of the ground for the Spring crops; and by the almost unexampled rapidity of vegetation during the Summer, by which the shortness of that season is amply compensated.” I repeat then, to you, Gentlemen, what I have so frequently said in two neighbouring Colonies:—“The results of your harvests may, under the blessing of that Providence upon whom they must in all Countries alike depend, be ensured, as far as they can be by human means, by a provident industry, aided by a system of Agriculture adapted to the climate & soil of the Island.”

This observation conducts me to the more immediate objects of our meeting, and to the position in which I stand before you as the Patron of an Association, upon the foundation of which I offer you and the Colony my most cordial congratulations; believing, as I firmly do, that the objects which that association has in view are not only reconcileable, but identified with all its other interests, more especially those of its Merchants and Fishermen; and that in proportion as they are successfully carried out, they must have the effect of advancing those interests to an extent to which it is not possible to assign any limitation.

Entertaining these views and opinions, I shall not only deem it to consist with my duty towards her Majesty's subjects of this Island to urge them upon the consideration of the Local Legislature, whenever her Majesty may be pleased to authorize me to convene it, but I now invite the support of all classes of the Community of an association, to the successful attainment of whose enlightened and patriotic objects I cannot but look as to one of the principal means of ultimately placing this Island in its just and proper position, as one of the brightest and most valuable gems of the British Colonial Diadem.

GENTLEMEN,—My object in presenting myself here this day is to make this declaration of my sentiments in regard to the objects of the association now about to be formed for the promotion of Agriculture in this Island, and thus publicly to pledge to it every degree of encouragement and support which my position as the Representative of the Sovereign may enable me to extend to or procure for it.—Having done this, and with my invitation to you freely to make known to me, at all times, in what way you may be of opinion that any

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influence which I may possess may be most beneficially exerted in the advancement of any of the objects of the Society, it appears to me that the freedom of the discussions about to be entered upon may, perhaps, be best promoted by my withdrawing.

But, before I do this, I will avail myself of this occasion to make a communication to this numerous and respectable assemblage, which cannot fail to afford them a degree of gratification proportioned to the attachment which they bear to the country of their birth and adoption.

The only claim which, individually, I can as yet have acquired upon the good will of the Inhabitants of this Colony, must rest upon the desire which I have felt from the first moment of my arrival in it, and the consequent efforts which I have used in all my communications with the Queen's Government, to convey a fair and just estimate of its varied capabilities, and of the attachment and ardent loyalty of its inhabitants—and I have done not only from a sense of public duty in order to do justice to the Island, but from the conviction that the Maternal Government of her Majesty only desire to be correctly informed in what those interests consist, promptly to evince their disposition to promote them. Accordingly, I have now the satisfaction of publicly announcing that I have received recent assurances from the distinguished Nobleman and Statesman who presides over the Colonial Department of Her Majesty's Councils, and whose warm interest and extensive acquaintance with Colonial affairs are known to you all, that he has perused my statements with interest and satisfaction, and that I may rely upon his cordial co-operation, and that of his Colleagues, in any measure which may hold out a reasonable prospect of developing and increasing the resources of the Island.

GENTLEMEN,—We can desire no more—let us only be true to ourselves and the course of the prosperity of our Island is, THIS DAY, begun.

[See Journal, page 57.]

LETTER FROM THE SECRETARY OF STATE

Transmitting Correspondence on the subject of Steam Communication.

(Copy)

No. 29.

*Downing-Street, }
10th January, 1842. }*

SIR,—I have to acknowledge the receipt of your Despatch, No. 2, of the 20th of September last, pointing out the importance to Newfoundland of a direct communication by Steam with the United Kingdom, and suggesting that the Royal Steamers, in their voyages between Liverpool and Halifax, should be allowed to touch at the Island to land and receive Passengers and Mails.

I enclose herewith for your information the copy of a Correspondence which has passed between this Department and the Treasury on the subject, by which you will perceive that it is not practicable to give effect to your wishes by means of the Steamers employed in the conveyance of the North American and West Indian Mails.

I have, &c,

(Signed)

STANLEY.

Major-General Sir John Harvey,
K. C. B., &c,

DESPATCHES, &c.

(Copy)

*Downing-Street, }
30th October, 1841. }*

SIR,—I am directed by Lord Stanley to transmit to you the enclosed copy of a Despatch from the Governor of Newfoundland, recommending, for the reasons assigned, that the Steamers which convey the Mails between Halifax and Liverpool should be allowed to touch at Newfoundland, in their voyages to and fro, to land and receive Mails and Passengers during, at least, 8 months in the year. The subject having been referred for the opinion of Mr. Cunard, the Owner of those Vessels, that gentleman, in a letter of which a copy is enclosed, has submitted the objections entertained by him to a compliance with this proposition, and has suggested that the object in view might be accomplished by means of the West India Royal Mail Steam Company.

I am to request, that in laying these Papers before the Lords Commissioners of the Treasury, you will inform their Lordships that Lord Stanley would wish them to ascertain the practicability of giving effect to Mr. Cunard's suggestions.

I have, &c,

(Signed)

JAS. STEPHEN.

C. E. Trevelyan, Esq.,
&c., &c.

—000—

(Copy)

*206, Piccadilly, }
27th Oct., 1841. }*

SIR,—I have to acknowledge the receipt of your letter of the 25th instant, with a copy of a letter from Sir John Harvey, Governor of Newfoundland, in which he recommends the Royal Mail Steam Packets calling at St. John's to land Letters and Passengers.

I think such a measure would cause great delay and would be attended with much danger from Fog and Ice. And when it is taken into consideration that the whole correspondence between this country and the North American Colonies and the United States is conveyed by this Line of Steam Packet, it would not be well to delay them on the passage or subject them to additional risk.

The Chamber of Commerce of St. John's complain of the present mode of getting the Mail from Halifax by Sailing Packets, which are sometimes 15 or 20 days on the passage,—the distance could be performed by a Steamer in 3 or 4 days. If Steam were substituted for the Sailing Packets from Halifax it would appear to meet the wishes of the Chamber of Commerce; and as the West India Royal Mail Steam Packets will now proceed from the West Indies to Halifax, a continuation of a Line by Steam from thence to Saint John's would be of great benefit to the Trade of Newfoundland.

I have, &c.,

(Signed)

S. CUNARD.

G. W. Hope, Esq.
&c., &c.

DESPATCHES, &c.

(Copy)

*Treasury Chambers, }
11th January, 1842. }*

SIR,—With reference to your letter of the 30th October last, on the subject of giving effect to a suggestion of Mr. Cunard, that the object contemplated by the Governor of Newfoundland of establishing a direct Steam Communication between that colony and this country, might be attained by means of the West India Royal Mail Steam Packet Company, I have it in command from the Lords Commissioners of Her Majesty's Treasury to request you will state to Lord Stanley that the Contract entered into does not admit of this extra service.

I have, &c.

(Signed)

C. E. TREVELYAN.

James Stephen, Esq.,

[See Journal, page 138.]

COPY OF CORRESPONDENCE

BETWEEN HIS EXCELLENCY THE GOVERNOR AND THE SECRETARY OF STATE FOR
THE COLONIES, ON THE SUBJECT OF THE COLLECTION OF DUTIES ON THE
COAST OF LABRADOR.

[Copy—No. 46.]

*Downing-Street, }
20th March, 1842. }*

Sir—I have the honor to transmit to you the Copy of a Letter which I have received from Mr. Charles Hunt, with its enclosures, complaining of an attempt made by the Authorities of Newfoundland to levy Colonial Duties on the Labrador Coast.

Although I find that my Predecessor investigated a similar complaint, preferred by Mr. Hunt, on behalf of the Merchants engaged in the Fisheries on the Coast of Labrador, I am ready to re-consider the subject of the present representation. I have accordingly to desire you to examine into the circumstances of the case, and the Authorities relied on by the Executive Government of Newfoundland which would justify the collection of the Duties in question on the Coast of Labrador, and report to me the result of your enquiry with as little delay as possible.

I have, &c.,

(Signed)

STANLEY.

Major-General Sir John Harvey,
K. C. B., &c.

—ooo—

(Copy.)

*Prince's Hall, Old Broad Street, }
10th March, 1842. }*

MY LORD—On behalf of the Merchants engaged in Fisheries on the Coast of Labrador, I beg to call your Lordship's attention to the accompanying Copies of their Memo-

DESPATCHES, &c.

rials to your Lordship's Predecessor, complaining of an attempt by the Authorities of Newfoundland to levy Colonial Duties on the Labrador Coast.—The facts stated in the Memorial are shortly as follows :

That the Coast of Labrador is not at all referred to in the Royal Commission authorizing the formation of a Colonial Legislature in Newfoundland, and is not included in either of the Electoral Districts into which that Colony is divided. That no part of the Revenue of Newfoundland has ever been laid out in Labrador.—That no public Officer whatever—of Justice, Police, or otherwise (except the Collector of Customs)—resides on that Coast, or is ever sent thither.—That the British Fishermen have little more than a concurrent right of fishery in Labrador with those of the United States—the latter having by Treaty, permission to fish on any part of the Coast, of which they avail themselves largely, and at the same time engage in trading with goods on which no duties are or can be levied. The effect therefore of exacting duties from the British Merchant, is simply that of encouraging the American Fisheries and injuring our own. Your Lordship will observe that the reply of Lord J. Russell states merely his belief that Labrador, as a dependency of Newfoundland, is legally subject to the duties levied in that Colony. Admitting that this view is correct, (which the Memorialists are advised is not the case) they would beg Your Lordship's interference under the circumstances above mentioned, to take such steps as may be necessary for their relief. In the mean time, I am to request Your Lordship will cause instructions to be sent to the Governor to desist from the attempt to enforce payment of the duties complained of, which his Excellency last season intimated through the Collector of Customs his intention of doing in the coming season ; and as the Vessels engaged in Labrador Fisheries will leave this country during April and May, I would respectfully beg your Lordship's early attention to the subject.

I remain, &c.

(Signed,)

CHARLES HUNT.

The Right Honourable Lord Stanley.

—ooo—

(Copy)

To the Right Honourable the Committee
of Privy Council for Trade and
Plantations.

The Memorial of the undersigned Merchants trading with, and having Establishments
on the Coast of Labrador—

Sheweth,—

That your Memoria'ists, who are extensively engaged in the Fisheries on the Coast of Labrador, have recently learnt, with surprise, that an Act has been passed in the Legislative Assembly of Newfoundland for levying Customs Duties on that Coast on the various articles used for the purposes of these Fisheries ; the Assembly claiming the power of imposing those Duties, on the ground that Labrador is a dependency of Newfoundland.

That in the Royal Commission authorizing the formation of the Colonial Government of Newfoundland no mention is made of Labrador ; nor is it included in either of the Electoral Districts into which Newfoundland, with the adjacent Islands, was under the Commission divided.

That since the establishment of the Colonial Government, no Judge, Magistrate, or Officer of any kind, has been sent to Labrador from Newfoundland,—no part of its Reve-

DESPATCHES, &c.

nues are laid out there,—nor, as Memorialists believe, has any measure been attempted or proposed by which its Fisheries could be encouraged, or its interests in any way promoted.

That your Memorialists, therefore, are not represented in the Colonial Legislature, and have never derived any advantage from their assumed connexion with it. That if the present attempt to impose duties be successful, they will be compelled to contribute towards the expenses of a Government from which they receive no protection, and derive no advantage whatever, and with which they are in fact only nominally connected.

That in addition to what is above stated, the Memorialists beg further to represent that their Trade has for several years been much interfered with by Trading Vessels from the United States, as well as British Colonies, which every season visit the Coast in great and annually increasing numbers; and as from the nature of the Coast, and other circumstances, it is impracticable, without a large establishment of Officers (which is not contemplated), to visit more than a very small proportion of the Harbours, these Traders would evade without difficulty the payment of the duties which would be levied on the occupiers of the regular Fishing Establishments. Thus the Act late'y passed, if allowed to be carried into effect, would most oppressively and unjustly add to the difficulties under which the Memorialists labour in their competition with the privileged Fishermen of the United States, and would in effect encourage the rival trade of that Country at the expense of the British Fishermen.

Your Memorialists, therefore, respectfully beg that your Honourable Board will be pleased to take the necessary steps for procuring the disallowance by her Majesty's Government of the Act of Colonial Legislature above referred to, and in order to prevent its being acted on during the fishing season now commencing, will cause directions to be immediately transmitted to the Governor of Newfoundland to suspend any appointment or proceedings under the said Act.

And Your Memorialists will ever pray, &c.

(Signed)

J. H. Pilly, Gov. Hudsons Bay Company

C. & E. Hunt & Co.

Joseph Soper

And Nine others.

D. & I. Slade

Thos. S. Bird

Ewen Stabb for J. Stabb & Co.

— 000 —

To the Right Honourable Her Majesty's Secretary
of State for the Colonies.

The Memorial of the Undersigned Merchants engaged in the Fisheries on the Coast of Labrador.

That an application was some months since presented to the Honourable the Board of Trade, copy of which is sent herewith, and to which they request your Lordship's reference, but in consequence of the Act complained of not having passed and been sent home for approval, they are informed that the Board is unable to render them any assistance.

That although the Act has not passed, a Collector has been appointed by the Governor of Newfoundland to receive duties on the Coast of Labrador, and he has accordingly exacted payment of them from several of your Memorialists;—His Excellency having considered himself authorized to make such appointment from a Despatch of Your Lordship's Predecessor, Lord Glenelg, dated 29th June, 1836.

That Memorialists would beg to observe with reference to this Despatch, that although

DESPATCHES, &c.

there can be no doubt that the Coast of Labrador is by the Acts of Parliament therein named, placed within the jurisdiction of the Governor of Newfoundland, yet, it by no means follows that it forms, therefore, a dependency of the Colonial Legislature, which was not in existence at the time these Acts passed. And that his Lordship appears to have entirely overlooked the important fact, that while the Fisheries of Newfoundland are protected from all interference on the part of other countries, the British Fishermen on the Coast of Labrador have little more than a concurrent right of fishing with those of the United States.

That the Governor of Newfoundland has not, except during the few years the Labrador Court annually visited the Coast, exercised any more than an Admiralty jurisdiction there; one of H. M. Ships being sent round for a few weeks during the fishing season.

That there are on the Coast merely moveable fisheries, without a single town or village, and without one Officer of Justice, Police or Revenue, of any kind; so that laws and regulations adapted to the wants of Newfoundland—a long settled Colony, with regular Establishments of Justice, Police, &c.—would be quite inapplicable to Labrador.

That the attempt to impose duties on articles employed in the Fisheries is also directly opposed to the policy of the Government at home, whose object has always been to encourage them, by allowing the import of all articles used by the Fishermen free of all duties,—which privilege is enjoyed by the Fishermen of Nova Scotia; and those of the United States, with whom Memorialists have to compete, are further encouraged by Bounties.

That the proceedings of the Collector during the past season afford a striking proof of the injustice which must always result from an attempt to levy duties on the Labrador Coast. He has passed along the Coast in a small vessel, calling only at the principal British Establishments, or such of them as he has thought fit, or found convenient—passing over all, or nearly all the numerous American Traders; having, indeed, no means of knowing whether or not they are engaged in Trading or merely Fishing vessels. It is unnecessary to point out the various particulars of injustice which such a mode of proceeding must obviously produce; but it is clear that the mode adopted of levying duties is as unjust and oppressive in practice, as the right assumed by the authorities of Newfoundland is opposed to the principles of Government and the established policy of the Mother Country.—Your Memorialists therefore beg that your Lordship will transmit such instructions to the Governor of Newfoundland as may serve to prevent any further attempt at levying Colonial duties on the Coast of Labrador.

—000—

(Copy)

+

Downing-Street, }
5th July, 1841. }

SIR—With reference to my letter of the 2nd of last March, acquainting you that the Memorial enclosed in your letter of the 25th of February preceding, which complained of an attempt of the authorities of Newfoundland to levy duties on the Labrador Coast, would be referred to the Governor of the Colony for his Report, I am desired by Lord John Russell to inform you, that the Report which has been lately received from the Governor gives his Lordship no reason to doubt that the Labrador Coast, as a dependen-

DESPATCHES, &c.

cy of Newfoundland, is subject to the same laws, whether fiscal or otherwise, to which every part of the Island is amenable; and that, although from the imperfect machinery of the Collection, some parties on the Coast of Labrador may have evaded the duties, no payment has been exacted that was not strictly due.

I have, &c.,
(Signed)

R. VERNON SMITH.

C. Hunt, Esq,

—000—

(Copy)

[Exc. :—No. 19.]

Government House,
Newfoundland,
4th June, 1842. }

MY LORD—I had the honor to receive your Lordship's Despatch No. 46, of the 20th March last, and having referred the same and its enclosures to the Attorney General, I now beg to transmit that Officer's report thereon, together with the Copy of one previously made by the Collector of the Customs on the same subject, and which was forwarded to Lord John Russell in my predecessor's despatch No. 40, of the 7th May, 1841.

Prior to the Establishment of a Legislature in this Colony, a Court consisting of a Judge, Clerk and Sheriff, existed for the Labrador Coast, and which Court held an annual Circuit during the Summer months.

In 1834 this Court was abolished by an act of the Legislature, and no substitute for it has yet been provided.

In 1840, a Bill intituled "An act to provide for the Collection of the Revenue and for the execution of the process of the Supreme Court of Newfoundland on the Coast of Labrador and the Islands thereunto adjoining," was sent up to the Council by the House of Assembly, but did not pass, and was not revived in the succeeding Session.

Whilst I cannot doubt that such portion of the Labrador Coast as is by act of Parliament and the Commissions to the several Governors included within the limits of this Government, is subject to the Duties imposed by our Annual Revenue Act, which extends them to the "dependencies" of the Colony, I at the same time feel that the absence of any legal tribunal in that part of my Government is a hardship on its Inhabitants, and to which I trust the Legislature when again in Session will be able to apply a remedy.

I avail myself of this occasion to inform your Lordship that it is my intention to visit the Labrador during the present Season, in the event of the Naval Commander-in-Chief's furnishing me with a Ship of War for that purpose.

(Signed)

I have, &c,

J. HARVEY.

The Right Hon. Lord Stanley, &c. &c.

MEMORIALS.

[See Journal, page 56.]

MEMORIAL AND REPORT

Of Dr. SAMUEL CARSON, District Surgeon of the Central District.

January 7th, 1842.

SIR,—I have the honor to acknowledge the receipt of your communication of the 6th inst., directing that I should Report, for the consideration of His Excellency the Governor, the value and extent of the duties of District Surgeon during the period I have held that office, with a view to a remuneration being provided, and to enable His Excellency to form an opinion of the value of those services.

I take leave to enclose a Report containing a statement of my duties, which I shall feel obliged by your submitting to His Excellency's consideration.

I have the honor to be,

Sir,

Your obedient servant,
SAMUEL CARSON, M. D.
District Surgeon.

Hon. James Crowdy,
Colonial Secretary.

—000—

REPORT

Of the Surgeon for the District of St. John's 1842.

In submitting this Report for the information of His Excellency the Governor, I take leave to bring under the notice of his Excellency, the various Pauper cases which I have been called upon to treat since my appointment to the Office of District Surgeon, and such other duties as may be incidental to that situation.

The duties of District Surgeon are indefinite, and not confined to the Sick Poor within the District. Frequent applications are made, and orders given to afford Medical aid to persons from the other Electoral Districts of the Island,—and in the event of Shipwreck he is liable to be called upon to attend Cast-away Passengers, as in the case of the Ship "Britannia" during the past Summer. Paupers from the neighbouring Outharbours (when properly certified) are uniformly attended to without a Magistrate's or Commissioner's order, it being only requisite to know that the applicant is truly poor to enable him to claim and obtain Medical relief.

The duties of the District Surgeon are oftentimes laborious—the variableness of the climate, the badness of roads, the distance he is frequently obliged to travel, and the extreme poverty of those to whom he is called upon to administer Medical relief, renders the situation one of great difficulty and responsibility. The efficient and conscientious discharge of the duties of this Office is a great means of the prevention of fraud upon the public charity, by discriminating between the really poor and destitute, and those in the community who make begging a trade, and nothing is more essential than the exercise of a sound discretion by those in whose hands is placed the privilege of distributing the funds allotted for the relief of the Poor.

MEMORIALS.

The number of Pauper cases which have come under my care from the fourteenth of February to the thirty-first December, 1842, by orders from the Colonial Secretary, the Magistrates, and the Poor Commissioners, is Two Hundred and Sixty-five, and the visits consequent thereupon, as entered, are One Thousand One Hundred and Thirteen, to which must be added the Orphans and illegitimate Children who form a part of the Permanent Pauper List, and who are constantly seeking Medical Aid.

SAMUEL CARSON, M. D.
District Surgeon.

MEMORIAL OF DR. KIELLEY.

See Journal, page 56.

To His Excellency Major General SIR JOHN HARVEY, Knight, Commander of the most Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief, in and over the Island of Newfoundland, and its Dependencies, &c. &c. &c.

The Petition of EDWARD KIELLEY of St. John's, Surgeon.

HUMBLY SHEWETH,

That in the Year 1828, your Petitioner was promised by the then Governor Sir Thomas John Cochrane, the appointment of District Surgeon in the event of a vacancy occurring, in consequence of which your Petitioner relinquished his commission as Surgeon of the Royal Navy.

That in the year 1834, your Petitioner received the said appointment with the understanding that the salary of £200 Sterling per annum, paid to his predecessor would be continued to him; in which expectation however he was disappointed, the absence of sufficient funds having prevented his obtaining more than the small remuneration of £80 Sterling, annually.

That in the Session of the Legislature in 1838, the House of Assembly provided by enactment, that the Medical charge of the Paupers in and out of the Hospital should devolve on four Practitioners, of whom it was expressly asserted that your petitioner should not be one. The derangement and inconvenience caused in the Hospital by the conflicting interference of so many Medical gentlemen, soon obliged the Directors of that establishment to seek a remedy of the evil; and they, under date 15th January, 1839, proposed to the then Governor Captain Prescott, to take upon themselves the burthen of the Medical and Surgical treatment of the patients, rather than consent to a continuance of the arrangement referred to, to which proposal his Excellency readily assented; your Petitioner was at the time Surgeon of the Establishment in attendance on the patients admitted under the Hospital Act, and was instructed by the Directors to take the District Paupers under his charge, and he has since continued his care and treatment on all Lunatics and all other Patients from the several parts of the Island, without further remuneration than the £25 received from the Directors in July last.

Your Petitioner hopes therefore, that in now submitting his claims he may be deemed

MEMORIALS.

worthy of consideration as well on the part of Your Excellency as of the Legislature. And Your Petitioner as in duty bound will ever pray.

EDWARD KIELLEY.

St. John's, January 30, 1843.

See Journal, page 60.

MEMORIAL OF MR. AYRE.

To His Excellency Major-General Sir John Harvey,
K. C. B., Governor, &c., &c.

The Memorial of Christopher Ayre,

HUMBLY SHEWETH—

That your Memorialist has been in the public service of the Crown for a period exceeding 30 years—18 of which have been passed under the Government of this colony.

That in conjunction with the situation he at present occupies in the Secretary's Office, he also held, from the institution of the Legislature in this Island, that of Clerk of the Legislative Council.

That the Council as a distinct branch of the Legislature having been abolished, Your Memorialist's appointment, as Clerk of it, has consequently ceased.

That Memorialist's emoluments in his said office of Clerk of the Council amounted to the sum of £125 per annum.

That (with a family of young children), the Salaries heretofore received by Memorialist were but barely equal to the maintenance of the respectability of the station which he fills.

That Memorialist conceiving, from his long services, and his having filled the Office of Clerk of the Legislative Council,—(satisfactorily, as he believes, both to the Executive Government and to the Council)—that he has a just claim on the Legislature for remuneration for his loss of Office, respectfully prays that Your Excellency may be pleased to recommend him to the favorable consideration of the General Assembly for an annual allowance of his stipend during the continuance of the present Constitution of the Government of the Island.

Memorialist begs to append testimonials from Your Excellency's predecessors in the Government, Governors Cochrane and Prescott, and to refer Your Excellency to the Hon. the Colonial Secretary for a statement of the manner he has performed the important and confidential duties with which he has been entrusted.

All which is most respectfully submitted.

CHRISTOPHER AYRE.

—000—

(Copy)

Mr. Ayre first came under my command in the year 1822, and remained with me until my ship was paid off in October, 1824. From his diligence and good conduct I brought him with me to this country, in which he has filled the situations of Clerk, Assistant Secretary, and now that of Private Secretary; and it was my intention to avail myself of the

MEMORIALS.

first favorable opportunity of placing him in a more permanent and advantageous situation, to which I consider his good conduct and long services entitle him.

Given under my hand, at Government-House, Newfoundland, 1st November, 1834.

(Signed)

THOMAS COCHRANE.

— ooo —

(Copy.)

27, Orchard Street,
Portman Square,
August 5th, 1841. }

MY DEAR SIR,—In answer to your letter of the 2nd inst., I can have no hesitation in stating, that your conduct during the time that I have held the Government of Newfoundland has been all that I could desire ; and believing you to be a zealous and faithful servant of the Crown, I shall have pleasure in mentioning you as such to my successor, and I shall always be glad to hear of your prosperity.

My Family join me in best wishes ; and I remain,

My dear Sir,

Very faithfully, yours,

(Signed)

H. PRESCOTT.

C. Ayre, Esq.

See Journal, page 64 & 208.

MEMORIAL

Of ALFRED MAYNE, Clerk of the Peace, Harbour Grace,

To His Excellency Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c. &c.

The Memorial of ALFRED MAYNE of Harbour Grace.

HUMBLY SHEWETH,

That in the Month of March last past, Memorialist addressed a Petition to Your Excellency, sanctioned by the recommendation of nearly all the Magistrates in the District, setting forth the serious loss he had sustained and the embarrassed circumstances in which he was so unexpectedly placed by the act of the Colonial Legislature of this Island, passed on the Twenty-ninth Day of April, One Thousand Eight Hundred and Forty, whereby his Fees as Clerk of the Peace had been so materially reduced, and praying Your Excellency would be pleased to afford him such redress and compensation as the justice and hardship of the case deserved.

That the disposition kindly manifested by Your Excellency to bring the claims of Petitioner under the favourable consideration of the Legislature, (and that body being now on the eve of meeting in Session) induces him to lay herewith before your Excellency, a return of his office from the passing of said act until the Twenty-ninth of October, One Thousand Eight Hundred and Forty Two, being a period of Two Years and a half, and clearly exhibiting an average loss to your Memorialist of One Hundred and Fifty Nine

MEMORIALS.

Pounds, per annum, including the Fifty Pounds Salary attached to the office when he entered it, and which had been paid to his Predecessor, but has since been discontinued, that sum being now expressly voted by the Legislature in lieu of all pauper and other fees payable by the government, which amount to a much larger sum, independent of the conducting of all Civil and Criminal Prosecutions in the Sessions without any remuneration whatever, besides many other duties devolving upon the Clerk of the Peace, for which no provision is made by the table of fees.

Memorialist also most respectfully begs again to call your Excellency's attention to three accounts of his against the Government for some time outstanding, amounting to Eighty Pounds Five shillings and Four Pence, being for services and duties performed by him for the public, at a time when he received no salary; His Excellency Governor Prescott often acknowledged the justice of these demands, and expressed a desire that they should be discharged, and his regret at having no funds for the purpose at his disposal.— Under all the foregoing circumstances Petitioner confidently submits his case to Your Excellency, with the full conviction and assurance that his humble appeal will not be in vain, but that he will eventually receive a fair and just remuneration for the injuries he complains of, although so long and so grievously endured. And as in duty bound will ever pray.

ALFRED MAYNE.

Harbour Grace, 31st December, 1842.

A RETURN

Of all Fees received by the Clerk of the Peace of Conception Bay for three years, ending 29th April, 1840, exclusive of those payable by the Government, and for which Fifty Pounds per annum, has been allowed.

FOR WHAT PERIOD.	SUM.		
From 29th April, 1837, to 29th April, 1838.	133	13	4
“ 29th April, 1838, to 29th April, 1839.	162	3	11
“ 29th April, 1839, to 29th April 1840.	182	17	10
Sterling £	478	15	1

The fees for the last three years amount to a much larger sum than the above, if calculated by the old table, in consequence of a great increase of duty and labour in the Police Office by various acts of the Colonial Legislature, particularly by that giving to the Magistrates summary jurisdiction in certain Criminal cases, whereby little business of a criminal nature comes before the Circuit Court, and a considerable expence is saved to the Colony and much inconvenience prevented.

Harbour Grace, 1st May, 1843,

ALFRED MAYNE,
Clerk of the Peace.

Certified by us—
THOMAS DANSON, J. P.
JOHN STARK, J. P.

MEMORIALS.

A RETURN

Of all Fees, Perquisites and Emoluments, received by the Clerk of the Peace of Conception Bay, from 29th April, 1840, to 29th October, 1842, and of all Fees, Perquisites and Emoluments, to which that Officer was entitled for similar duties by the law previously in force, shewing the average loss actually sustained by him during the above period of Two and a half years.

	New Fee.		Old Fee.		Amt. of Fees and Emoluments received under the new table.		Amt. of Fees and Emoluments received under the old law.			
	s.	d.	s.	d.	£	s.	d.	£	s.	d.
Drawing 183 Informations and Complaints.	2	3	4	18	6	6	30	10	0	
“ 323 Warrants	1	6	5	24	4	6	80	15	0	
“ 466 Examinations and Depositions	2	2	6	46	12	0	58	5	0	
“ 172 Recognizances	1	6	6	8	12	18	0	57	6	8
“ 151 Commitments	1	6	5	11	6	6	37	15	0	
“ 749 Summonses and Subpœnas	1	3	4	37	9	0	124	16	8	
“ 327 Cases Heard	1			16	7	0				
“ 424 “ Entering Proceedings	1	6	3	43	16	0	70	13	4	
“ 63 Executions	1	3	4	3	3	0	10	10	0	
“ 10 Precepts.	“		20				10	0	0	
Attending 10 Quarter Sessions	“		“				10	0	0	
Making up Records of 10 Quarter Sessions	“		30				15	0	0	
Fee on 73 Spirit Licenses	14	6	14	6	52	18	6	52	18	6
2½ Years Salary					100	0	0	125	0	0
Amount of Fees in Pauper cases and Crown Prosecutions for the last 1½ years.								70	11	4
Loss on the Office in 2½ years, being an average of £159 per annum.					£355	0	6	754	1	6
					399	1	0			
					£754	1	6	754	1	6

Harbour Grace, 29th October, 1842,

ALFRED MAYNE,
Clerk of the Peace.

We recommend the foregoing Return to the favourable consideration of His Excellency the Governor, 7th December, 1842.

THOMAS DANSON, J. P.

JOHN STARK, J. P.

JAMES POWER, J. P.

MEMORIALS.

See Journal, page 64 & 208.

MEMORIAL

OF AARON HOGSETT, Clerk of the Peace, for the Central District

Showing the loss which his Office has sustained by the act for regulating the Fees of the Police Courts, and paying compensation.

To His Excellency Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c. &c.

The Memorial of AARON HOGSETT, Clerk of the Peace for the Central District,

HUMBLY SHEWETH,

That in January, 1836, your Memorialist was superseded in the Office of Sheriff of this Island, by the appointment of the present Sheriff, Mr. Garrett; and by direction of Lord Glenelg, then Secretary of State for the Colonies, was appointed in lieu thereof Clerk of the Southern Circuit Court, which Office he filled until September in the same year, when the Offices of Coroner and Clerk of the Peace for the Central District becoming vacant, they were by your Excellency's predecessor conferred on your Memorialist.

That the loss of your Memorialist's Office of Sheriff was not occasioned by any fault of his, but solely the want of a proper understanding at the Colonial Office of the nature of his claims—which being explained, Lord Glenelg immediately confirmed the appointments made by Captain Prescott, supposing them an adequate compensation for the loss of the Shrievalty, and in his Despatch on the subject was pleased to express his gratification of having the opportunity of thus marking the sense which Her Majesty's Government entertained of Memorialist's services; and Sir George Grey, in a letter to Mr. Ponsonby (now Lord Mauley), who had interested himself in Memorialist's behalf, stated that your Memorialist "would thereby be placed in a more favorable situation in point of emolument than if he had been appointed to the Shrievalty of the Island."

That the Office of Clerk of the Peace was soon afterwards made a Patent Office, when her Majesty's Mandamus being transmitted to your Memorialist, he was granted a new Commission under the Great Seal of the Island, and continued to enjoy all the rights, privileges and emoluments of his said Office up to 1839, when in lieu of that portion of the fees which arose out of Criminal Prosecutions at the suit of the Crown, a salary of £120 per annum was granted—all the other fees remaining as before.

That the emoluments of the Office of Clerk of the Peace, at the time it was so granted to your Memorialist, was upwards of Three Hundred Pounds per annum, and was established by a Table of fees, under the authority of the Imperial Act 49 George the Third, cap. 27, sec. 13, and had by his Patent become vested in your Memorialist; but notwithstanding which a Colonial Act was passed in the 3rd Vic., sess. 2, cap. 3, entitled "An act to establish the Fees and costs chargeable in the several Police Offices and Courts of Session in this Colony," whereby the Table of Fees was new modelled, and your Memorialist was deprived of a large portion of his emoluments, for which the said act did not provide compensation.

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That the actual loss of your Memorialist by the operation of the said act from the time of its passing, has averaged One hundred and fifty eight pounds per annum, as will appear to your Excellency by a Statement hereunto annexed, which he craves leave to submit for your Excellency's consideration.

Your Memorialist therefore humbly prays that your Excellency will be pleased to take such Measures as your Excellency may deem expedient to obtain compensation for your Memorialist.

A. HOGSETT, Clerk Peace.

Police Office, St. John's, 5th January, 1843.

—000—

A STATEMENT

Shewing the Emoluments of the Clerk of the Peace for the Central District for Two Years and Eight Months, from the First day of May, 1840, to the Thirty-first day of December instant, under the 3rd Victoria, Session 2, cap. 3, and a comparative Statement under the Old Scale as sanctioned by a late Governor, Sir John Duckworth, and the then Chief Justice Tremlett, under 49 Geo. 3, cap. 27, sec. 13, exclusive of Criminal Process, for which he receives £120 per annum, Salary.

CIVIL CASES—NEW SCALE.

			£	s.
920	Summons Entered	at 1s. each	46	0
472	Cases Heard	at 1s. ditto	23	12
472	Judgments	at 1s. 6d. ditto	35	8
140	Subpœnas	at 1s. ditto	7	0
34	Warrants of Execution	at 1s. 6d. ditto	2	11
			£114	11

CIVIL CASES—OLD SCALE.

			£	s.	d.
920	Complaints and Recording do.	at 3s. 4d. each	153	6	8
920	Summons for Appearance	at 3s. 4d. ditto	153	6	8
440	Witnesses Sworn	at 1s. ditto	22	0	0
140	Subpœnas for Witnesses	at 3s. 4d. ditto	23	6	8
34	Warrants of Execution	at 5s. ditto	8	10	0
			£360	10	8

MEMORIALS.

(Continued.)

A STATEMENT

Shewing the Emoluments of the Clerk of the Peace for the Central District for Two Years and Eight Months from the First day of May, 1840, to the Thirty-first day of December, instant, under the 3rd Victoria, session 2, cap. 3, and a comparative Statement under the Old Scale as sanctioned by a late Governor, Sir John Duckworth, and the then Chief Justice Tremlett, under 49 Geo. 3, cap. 27, sec. 13, exclusive of Criminal Process, for which he receives £120 per annum, Salary.

CRIMINAL CASES—NEW SCALE.

			£	s.	d.
602	Complaints with Depositions	at 2s.	each	60	4 0
90	Depositions and Examinations	at 2s.	each	9	0 0
464	Warrants and Apprehensions	at 1s. 6d.	ditto	34	16 0
55	Recognizances of the Peace	at 3s. 4d.	ditto	9	3 4
69	Recognizances for Appearance, &c.	at 1s. 6d.	ditto	5	3 6
71	Subpœnas for Witnesses	at 1s.	ditto	3	11 0
53	Commitments	at 1s. 6d.	ditto	3	19 6
211	Cases Heard	at 1s.	ditto	12	1 0
				£137	18 4

—000—

CRIMINAL CASES—OLD SCALE.

			£	s.	d.
602	Complaints upon Depositions	at 3s. 4d.	each	100	6 8
90	Depositions and Examinations	at 2s. 6d.	ditto	11	5 0
464	Warrants of Apprehension	at 5s.	ditto	116	0 0
55	Recognizances of the Peace	at 6s. 8d.	ditto	18	6 8
69	Recognizances to Appear	at 6s. 8d.	ditto	23	0 0
53	Commitments	at 5s.	ditto	13	5 0
208	Witnesses Sworn	at 1s.	ditto	10	8 0
71	Subpœnas for Witnesses	at 3s. 4d.	ditto	11	16 8
				£304	8 8

A. HOGSETT,

Clerk of the Peace.

31st December, 1842.

MEMORIALS.

(Continued.)

A STATEMENT

Shewing the Emoluments of the Clerk of the Peace for the Central District for Two Years and Eight Months from the First day of May, 1840, to the Thirty-first day of December, instant, under the 3rd Victoria, session 2, cap. 3, and a comparative Statement under the Old Scale as sanctioned by a late Governor, Sir John Duckworth, and the then Chief Justice Tremlett, under 49 Geo. 3, cap. 27, sec. 13, exclusive of Criminal Process, for which he receives £120 per annum, Salary.

RECAPITULATION :

Civil Cases, Old Table	360	10	0	
Criminal Cases, Old Table	304	8	0	
				£664 18 0
Civil Cases, New Table	£114	11	0	
Criminal Cases, New Table	137	18	4	252 9 4
				£412 8 8
Amount due by Statement				£412 8 8

CIVIL CHARGES UNPAID.

10 Precepts, Quarter Sessions at 20s. each	£10	0	0	
10 Quarters Attendance at 20s. each	10	0	0	
10 Quarters Records at 30s. each	15	0	0	35 0 0
Two Criminal Accounts unpaid for Quarter ending the 30th June, 1839—approved by Her Majesty's Attorney General and the Magistrates—and entered in the Appendix of the late House of Assembly, July, 1839, previous to Salary being voted.	£13	2	6	47 17 8
	34	15	2	
				Total, £82 17 8

Police Office, 31st December, 1842.

AARON HOGSETT,
Clerk Peace.

A CERTIFIED STATEMENT

Of the amount of Fees, exclusive of those paid by the Colony, received by the Clerk of the Peace for the Central District, for Three Years preceding the passing of the Act of 1840—regulating the Fees of the Court of Sessions—Viz.

In the Year 1837.	£174	1	4	Sterling.
Ditto 1838.	181	4	6	
Ditto 1839.	197	6	8	
	£552	12	6	

Police Office, 29th April, 1843.

A. HOGSETT, Clerk Peace

MEMORIALS.

A SUPPLEMENTARY STATEMENT

To be appended to that which accompanies the Memorial of Aaron Hogsett, Clerk of the Peace for the Central District of Newfoundland, praying for compensation for loss of Emolument in his said Office in consequence of the operation of the Colonial Statute 3 Victoria, Session 2, Cap. 3.

Average deficit of Emoluments during four Months—viz.

	From 1st January to 29th April, 1843, inclusive	£67 14 0
	12 Grand Juries Sworn at 5s.	3 0 0
10 Quarters } in Original } Statement. }	2 Quarters Precepts, Court of Sessions	0 15 0
	2 Quarters attendance in Session	2 0 0
	2 Quarters Records of Sessions	3 0 0
		£76 9 0

Police Office, St. John's, 19th April, 1843.

AARON HOGSETT,
Clerk of the Peace.

[See Journal, page 76.]

CORRESPONDENCE

IN REFERENCE TO THE MEMORIAL OF ASSISTANT JUDGE BRENTON FOR A
RETIRING ALLOWANCE.

Downing Street, 5th June, 1841.

(No. 5.)

SIR—With reference to the correspondence which has taken place between this Department and your predecessor on the subject of Mr. Brenton's retirement from the Bench in Newfoundland, I have to request that you will again bring this Gentleman's case under the notice of the Legislature, and use your best endeavours to obtain for him a suitable superannuation allowance.

I enclose, for your information, a copy of a letter which I have lately received from Mr. Brenton on the subject, together with a copy of the answer which has been returned to it.

I have, &c.,

(Signed)

J. RUSSELL.

Major-General Sir John Harvey, &c.

MEMORIALS.

[Copy.]

Leamington Spa, }
15, Grove Street, }
21st May, 1841. }

MY LORD—In reference to the communication which I had the honor to receive from Mr. Vernon Smith, by your Lordship's direction, on the 2d of June last, on the subject of my retirement from my Office as one of the Judges of the Island of Newfoundland,—and in which your Lordship was pleased to extend my leave of absence for another year, in the hope (as expressed by your Lordship) that some arrangement might be made for me in the meanwhile—I have again respectfully to call your Lordship's attention to my peculiar situation, and to express my anxious expectation that such an arrangement may ere long be made as shall enable me to retire from the Bench in Newfoundland upon a provision competent to my support for the short period to which I can look forward at my advanced age, having recently entered into my 79th year.

Although I am fully aware of the difficulty which has hitherto attended the desire expressed both by your Lordship's predecessor and yourself to meet the peculiar hardship and circumstances of my case, in consequence of the repeated refusal of the House of Assembly in Newfoundland to make the provision for me so strongly recommended, I cannot but indulge the hope that your Lordship—considering the addition to my long life of another year since I last had the honor of addressing you, adding to the strength of my claim for some ultimate provision, and as precluding the possibility of my returning again to Newfoundland for the discharge of the arduous duties of a Judge,—will feel disposed and be enabled to devise some means by which I may be relieved from the embarrassments of my present situation, & which from my limited & uncertain income, are daily increasing.

I have, &c.,

(Signed)

E. B. BRENTON,

The Right Hon. Lord John Russell, &c. &c. &c.

Downing-Street, }
5th June, 1841. }

(Copy.)

SIR—I am directed by Lord John Russell to acknowledge your letter of the 21st ult., soliciting that early arrangements may be made for your retirement on a pension from the Bench in Newfoundland.

His Lordship directs me to express to you his regret that it is not in his power to provide for you the means of retirement, to which he conceives you have a just claim. Lord John Russell will, however, instruct the Governor of Newfoundland again to recommend the Legislature to grant you a retiring allowance, and will enlarge your present leave of absence until the result of that recommendation is known.

I have, &c.,

(Signed)

R. VERNON SMITH.

E. B. Brenton, Esq., &c.

MEMORIALS.

[See Journal, page 127.]

MEMORIAL

Of **MARTIN WALSH**, and Documents in reference to the additional Tier to the Public Wharf at Portugal Cove.

To His Excellency Sir **JOHN HARVEY**, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c. &c.

And to the Honourable the Colonial Legislature in Session convened.

The humble Petition of Martin Walsh respectfully sets forth—

That your Petitioner has been for several years residing on a small Farm at the eastern end of Windsor Lake, and that he is the Contractor for building the Pier or Wharf at Portugal Cove.

That about a year ago when it was proposed to build this Pier, Petitioner had good reason to believe that he was in a fair position to tender for the work, having at that time a large quantity of Timber fit and suitable, and other means and appliances, enabling him to do so. That being so minded, but doubting his own judgment, he applied to a builder on whose skill he thought he could rely, and engaged him to prepare Plans and Specifications—also an Estimate of the expense for which Petitioner paid the sum of four pounds.

That Petitioner submitted those Plans and Specifications, and on their being approved he entered into a Contract to complete the work for the sum of Three Hundred Pounds, which sum was very nearly the amount estimated, and that he immediately commenced the work as directed. That he has since continued to give it all his attention, sparing neither time or labour in endeavouring to accomplish that which he had undertaken.

That as the work progressed, it became quite obvious to your petitioner that the consideration money contracted for was by no means equal to the expense to be incurred, but, nevertheless, being desirous, if possible, to complete his engagement, Petitioner determined to do so if his utmost means should enable him. And now, although it has placed him in great difficulties, and subjected him to heavy loss, he humbly submits that he has well and faithfully performed his engagement.

In conclusion, Petitioner begs respectfully to state, that all those means and appliances which he had at the commencement of this undertaking are now merged in the work, that, moreover, he stands now indebted to several individuals for matters connected with the work, to the amount of Eighty Pounds and upwards,—and, as he can fearlessly state that the greatest economy was observed throughout consistently with the due performance of the work, Petitioner humbly prays that your Excellency, and the Honourable the Colonial Legislature, may be pleased to take his case into consideration and grant him such relief as to your Excellency and to the Honourable Colonial Legislature shall seem meet.

And as in duty bound he shall ever pray

MARTIN WALSH.

St. John's, 21st March, 1843.

MEMORIALS.

Extract of a letter from Mr. P. Kough, dated 18th October, 1842, to the Honourable the Colonial Secretary.

“The frame work of the Pier (at Portugal Cove) is now at the full height, as provided by the Specification, which is three feet above high water; but I would here submit for the consideration of his Excellency the Governor, that in an exposed situation like Portugal Cove that this height appears to be too low; I have seen, upon two occasions, and when it could not be said to have been stormy, that the Sea was blown over it so as to render it inconvenient if not unsafe. It would, undoubtedly, be much better if it were carried up even one Tier higher—moreover, the top, or finishing Tier, as it now stands, runs longitudinally, rendering it necessary that the plank flooring be laid cross-wise, which will, at all times hereafter, be very expensive in repairing;—whereas, if the top Tier were laid laterally, the plank would lay long-wise, from East to West, and could only require to have a few plank in the centre renewed when worn through by wheels and horses. I have spoken to the Contractor on the subject—he is quite aware of the improvement but prefers finishing his Contract as provided, from the difficulty he finds in procuring round Timber. I have also calculated the expense for raising the work seven inches, and find that in proportion to the whole it would amount to £15 10, but as round timber cannot be easily had at the Cove, it would be required to have Scantling brought there from St. John’s, which, with cartage and other expense, would amount to Twenty Pounds.

I have, &c.

(Signed)

P. KOUGH.

I certify, that since I received directions from His Excellency the Governor to superintend the building of the Public Wharf at Portugal Cove, that the Contractor, Martin Walsh, was at all times prompt to conform to such directions as I found necessary, from time to time to give him, and appeared most desirous to perform his work in the best and most substantial manner—and I am now of opinion that the aggregate expense for materials supplied, and for work and labour performed on that service, must exceed the sum of Four Hundred and Twenty Pounds Sterling.

PATRICK KOUGH.

St. John’s, 20th March, 1843.

[See Journal, page 135.]

MEMORIAL

Of the Rev. T. F. H. Bridge for the continuation of the Grant of £300, to the Newfoundland School Society.

To His Excellency Major General Sir John Harvey, K. C. B., K. C. H., Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

The Memorial of Thomas F. H. Bridge, Clerk Superintendant of “The Newfoundland School Society.”

HUMBLY SHEWETH,

That in the month of October 1841, Your Excellency kindly issued your warrant on the Colonial Treasurer for the payment of the sum of £300, the amount of the annual Le-

MEMORIALS.

gislative Grant in furtherance of the object of the above Society ; and that your Memorialist, with the means thus placed at his disposal, (after paying such arrears of Salaries as were chargeable upon them) took immediate steps to re-open as far as was practicable, the Schools which the suspension of the said Grant had rendered it necessary to close.

That the engagements with the Masters put in charge of the Schools thus re-opened, terminating on the 25th of May, 1842, your Memorialist only renewed them, and secured the services of additional Teachers for the current year to expire on 25th May next ensuing, after he had been assured that the usual grant for that period would be available for the payment of the year's Salaries, either through your Excellency again taking upon yourself the responsibility of issuing your warrant for its amount, in the event of a Legislature not been convened, or in that case by a Legislative vote.

That Your Excellency deemed it your duty to refuse to comply with an application of your Memorialist for the said money, made in November last, as the assembling of a Legislature was at hand, who without doubt would vote it.

That your Memorialist has already expended a large portion of the said sum in meeting the engagements into which he had entered under the circumstances above detailed, at the expiration of the first half year on the 25th of November, 1842, and that his liabilities for the current six months far exceed the whole amount of the customary grant.

Your Memorialist, therefore, earnestly implores your Excellency to adopt such steps, as shall relieve him from the embarrassments in which he is involved ; and as in duty bound he will ever pray.

THOMAS F. H. BRIDGE,

Superintendent of Newfoundland School Society.

Newfoundland School Society's Office, St. John's, }
15th March, 1843. }

[See Journal, page 169.]

MEMORIAL.

Of the Excutor of the late WILLIAM CARTER, (Judge of the Vice Admiralty Court,) and Correspondence.

To His Excellency Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c. &c.

The petition of Peter Weston Carter, Excutor of the Estate of the late William Carter, Esquire.

MOST HUMBLY SHEWETH,—

That shortly before the death of the said late William Carter, (Petitioner's Father) in March, A. D. 1840, a Memorial from him through his Excellency Captain Prescott, ther

MEMORIALS.

administering the government of this Island, was addressed to, and laid before Lord John Russell, Secretary of State for the Colonies, embodying the claims of the said William Carter on Government in furtherance of its prayer—that his Lordship would be pleased to direct payment of the arrears of his salary for the 3 years then past as Judge of the Vice Admiralty Court of this Island, the arduous duties of which office he had faithfully discharged for more than half a century.

That a true copy of the said Memorial is, together with copies of the Despatches from his said Lordship as such Secretary of State, in answer to His Excellency Captain Prescott, aforesaid, accompanied herewith.

That the compensation then sought for, nor any other, had been made to the said William Carter before, or to his representatives since his death, although his claims had been urged by numerous applications to the Colonial Office up to a late period.

That the Despatches referred to, as subjoined hereto, of the respective dates 2nd May, A. D. 1840, and 19th September, 1840, are of so decisive a character as to deprive Petitioner and the rest of his family of all hopes that the Parent Government will ever consent to the defrayal of the sum sought for, though admitted to be due, and that from various considerations it ought to be paid, yet, contending that the charge should be borne by the Colonial Legislature, to which the said William Carter had applied in his life time, A. D. 1836, and which declining to comply with his prayer for the reasons stated in the said Memorial to Lord John Russell, aforesaid, Viz—"that Courts of Admiralty were not Colonial, but National Courts"—had suggested the propriety of urging his claim by Memorial before the Home Government, which course having been adopted, the failure of which compels said Petitioner on behalf and with the desire of the other members of his late father's family, to entreat your Excellency to lay this petition, with such favourable observations as your Excellency may on the perusal of the accompanying Memorial be pleased to make, before the Legislature of the Country in which for so many years said Petitioner's late father devoted his best exertions for its welfare, and to the Representatives of which in Parliament assembled, the surviving members of his family earnestly hope they will not appeal in vain. And your Petitioner as in duty bound will ever pray.

P. W. CARTER,

Executor of the late Wm. Carter.

—000—

To the Right Honourable Lord JOHN RUSSELL,
Her Majesty's Principal Secretary of State for
the Colonial Department.

The Memorial of WILLIAM CARTER, Judge of the Court of Vice-Admiralty of the Island of Newfoundland.

HUMBLY SHEWETH,

That your Memorialist's Salary having, for the last three years, remained unpaid, his necessities have become so urgent as no longer to admit of his abstaining from a direct application to your Lordship.

Your Memorialist begs leave to acquaint your Lordship that he was appointed to his said office by Letters Patent, bearing date the 30th day of June, 1787, and has ever since continued to discharge the duties thereof—a period exceeding 52 years.

MEMORIALS.

That during the earlier part of your Memorialist's appointment, the Vice-Admiralty Court of this Island was the Tribunal for the Trial of all Civil Actions whatever, so that, in fact, there were added to his ordinary duties as Judge of that Court, all the duties of a Chief Justice, which he actually performed without any extra Salary or allowance, until the establishment of a Supreme Court.

That upon the re-annexation of the Coast of Labrador to the Government of Newfoundland in the year 1809, your Memorialist's Letters Patent were renewed, and the Salary of his office was, from thenceforth, fixed at £500 per annum.

That after the establishment of a Local Legislature in this Island, the Governor included your Memorialist's Salary in his yearly Estimates sent down to the Assembly, but that body, although it admitted the justice of your Memorialist's claim, yet objected to his Salary being paid out of the Colonial Funds, contending that Vice-Admiralty Courts were not Colonial but National Courts, and that the Salary ought, therefore, to be paid by the Parent Government—and thus, whilst on all sides it was agreed that your Memorialist ought to be paid, his Salary remained in arrear from 1834 until the 31st March, 1836, up to which period the arrears were discharged by His Excellency Governor Prescott, in pursuance of instructions from Lord Glenelg, out of a sum voted by the Imperial Parliament in aid of the Colony.

That Your Memorialist being aware that difficulties existed as to the precise fund out of which his salary should be discharged, resolved, at whatever personal inconvenience, to defer his application until time should have been afforded for the necessary arrangements between the Parent and Colonial Governments, but the House of Assembly having in reply to a message from his Excellency the Governor in their late sessions, adhered to the principle they had formerly asserted, of regarding it as a charge on the Home Government; your Memorialist could not but feel that the moment had arrived when even independent of his pressing necessities, an application to your Lordship had become indispensable.

Your Memorialist humbly submits, that his long services to Her Majesty and her Royal Predecessors, in an office of such high trust and confidence—the emoluments of which were always moderate—entitle him to every consideration in the power of the Government to bestow; and that there is no instance of so old a public servant in such an office being dismissed without a suitable retirement.

In the instances of Mr. Coote and Mr. Broom, Chief Magistrates of Saint John's, Mr. Bland, the Sheriff, & Mr. Brooking, Collector of the Customs, such allowances were made on very much shorter periods of service, and as your Lordship will readily admit, to persons in much less responsible situations.

Memorialist would also beg leave to state for your Lordship's consideration, that it was principally through his exertions and active interference that in the year 1811, the attention of the Local Government was drawn to the advantage the Crown might derive from the disposal of divers extensive and valuable plots of Ground situate in the town of St. John's and heretofore known as "Ships Rooms," which had long been diverted from their proper and legitimate uses, and were then in the unauthorised possession of various individuals. These "Ships Rooms" having been reclaimed by the Crown were, in pursuance of an act of Parliament passed for that purpose, let out upon Building Leases on profitable terms to the Government, yielding thenceforth a considerable revenue.

In the service he thus rendered to the Government, although in effecting it, he had numerous prejudices to contend with, and difficulties to overcome, he neither sought nor obtained any remuneration beyond the satisfaction of being instrumental in saving from usurpation a valuable Crown Property.

And Memorialist would further beg leave to acquaint your Lordship, that previous

MEMORIALS.

the appointment of an Attorney General for the Colony (which took place in the year 1821,) the several Governors of this Island were in the constant practice of referring to Memorialist for advice and information in legal matters, which he always most cheerfully afforded without fee or reward. Unfortunately, however, the distinguished Officers who, from time to time, administered the Government in those days, are not—with the exception of Admiral Sir Charles Hamilton—now in existence to bear testimony to the facts; but Memorialist feels assured that that Officer, if referred to, would readily acknowledge the services which your Memorialist rendered in the capacity alluded to.

Your Memorialist trusts that it may be almost unnecessary for him to bring to your Lordship's consideration the facts, that out of the moderate Salary he had a large family to support and educate, and could, therefore, make no adequate reserve for his old age—that a few years ago his dwelling house with much valuable property therein was consumed by fire, whereby the means he possessed were considerably diminished; to which may be added, having of late been afflicted with paralysis, he has lost the use of his right hand, and being in the 89th year of his age, cannot be expected to remain long chargeable on the bounty of his Sovereign.

Your Memorialist therefore humbly prays that your Lordship will be pleased to direct the arrears of his Salary to be paid up, and such future provision to be made for him as may be deemed commensurate with the length and fidelity of his public services.

(Signed,)

WILLIAM CARTER.

—000—

Downing Street, 2nd May, 1840.

(Copy, No. 26.)

SIR,—I have received your two Despatches Nos. 14 & 15, of the 10th & 21st March, the former enclosing a Memorial from Mr. Carter, and the latter announcing his death.

I assure you that you cannot feel more strongly than I do the injustice done to the late Mr. Carter, nor more sincerely lament the discredit in which Her Majesty's service may have been involved by the refusal to pay to that gentleman in his extreme old age, after a faithful service of more than half a century, the emoluments of his office for the last three or four years—If you can point out any available fund at the disposal of the Crown for this purpose, I shall be happy to advise the Lords Commissioners of the Treasury to apply that Fund towards indemnifying Mr. Carter's Representatives; but if, as I believe, the Crown is entirely without any pecuniary resource for the purpose, then I can only regret and acquiesce in the decision of the Representatives of the people of Newfoundland, to leave undischarged a debt, the existence of which is indisputable, and the payment of which is recommended by considerations of the greatest possible weight.

I have, &c.,

(Signed)

J. RUSSELL.

Governor Prescott.

MEMORIALS.

(Copy, No. 64.)

Downing Street, 19th Sept., 1840.

SIR,—I have to acknowledge the receipt of your Despatch, No. 49, of the 16th July, and to acquaint you that I have enquired whether it was possible to give effect to your suggestion of paying the Salary due Mr. Carter, at his decease, out of the surplus of the Parliamentary Grant voted for the Public Service of Newfoundland in 1835, and I regret to have to state that the services for which the Grant was obtained having been all defrayed, the balance remaining unexpended was returned to Parliament in 1837, as not required to be issued. The balance of the Grant is, therefore, no longer available.

I have, &c.,

(Signed)

J. RUSSELL.

Governor Prescott.

[See Journal, page 196.]

MEMORIAL

Of J. V. NUGENT, Solicitor of the late House of Assembly.

To His Excellency Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c. &c.

The respectful Memorial of the undersigned John Valentine Nugent of St. John's, Esquire.

SHEWETH,

That your Excellency's Memorialist served in the late House of Assembly as Member thereof throughout the entire period of the continuance of the second General Assembly of this Island, and was appointed Solicitor of the Assembly by the unanimous voice of the Members, on Tuesday, the 25th day of October, 1838, being in the third Session of the said Assembly.

That he held that office during the years 1839, 1840 and 1841, but, although in each of these years a Bill passed the Assembly including a vote of One Hundred and Fifty Pounds for the Salary thereof, these Bills never passed into Law, and your Excellency's Memorialist having faithfully discharged an exceedingly onerous and laborious duty for Three Years in the public service, remains to the present day without remuneration.

That in the said Bills were likewise included votes for services performed by other parties for and by order of the said Assembly, and for the same reason they also remain unpaid, the consequence of which is that all the parties concerned have been greatly injured, and therefore Your Excellency's Memorialist humbly and respectfully prays your Excellency to bring the claims of your Excellency's Memorialists, as well as those of the parties above referred to, under the favorable consideration of the Legislature. And as in duty bound he will ever pray.

JOHN V. NUGENT.

St. John's, 19th April, 1843.

MEMORIALS.

THE MEMORIAL

Of JOHN KENT, PETER BROWN, JAMES POWER, PETER WINSER and JOHN Mc CARTHY.
and DAVID WALSH.

To His Excellency Sir JOHN HARVEY, Knight, Commander of the Most Honourable Military Order of the Bath, Knight, Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief, in and over the Island of Newfoundand and its Dependencies, &c. &c.

HUMBLY SHEWETH,

That Your Memorialists, together with the late Hon. William Carson, deceased, were defendants in an action of trespass and false imprisonment, instituted against them in the Supreme Court of this Island in the year 1838, by Edward Kielley, Esquire; and wherein judgment was pronounced in favor of your Memorialists. That the Plaintiff appealed from this judgment of the Supreme Court, to the Judicial Committee of Her Majesty's Most Honourable Privy Council, by whom the said judgment has recently been reversed.

That in the defence of the said action and of the said appeal, a very large amount of costs and expenses has been incurred by your Memorialists, owing almost entirely to the case being one of a public nature, and to the vast importance of the principle involved in it; and in order that Your Excellency may fully comprehend the reasons which induce your Memorialists to address you on the present occasion, they beg leave respectfully to lay before Your Excellency, a brief sketch of the history of the case and of the appeal; and to bring under your Excellency's notice various circumstances in connexion with it, which, they are humbly of opinion, entitle them to the favourable consideration of your Excellency and the Legislature.

Your Memorialists, therefore proceed to state to your Excellency, that in the month of August, 1838, your Memorialists, with the exception of David Walsh, were members of the House of Assembly of this Island, of which the said Hon. William Carson, deceased, was Speaker. That the Assembly being at the time in Session, a complaint was made to it by one of your Memorialists, of insulting and threatening language having been used towards him by the said Plaintiff in reference to observations of your said Memorialist, made in the discharge of his public duty, as a member of the Assembly—That the Assembly having heard evidence in reference to the complaint, adjudged the act and conduct of the Plaintiff to be a breach of their privileges, and by an order of the house, caused him to be taken into the custody of the Sergeant at Arms and brought to the Bar, where having, in the opinion of the House, aggravated his former offence, and having refused to make any apology or submit himself to the terms proposed by the House, he was by a further order of the House, committed to the Goal of St. John's; all which proceedings are more fully set forth in the Journals of the Assembly, to which your Memorialists beg leave to refer Your Excellency.

That upon the action being instituted by the Plaintiff against your Memorialists and the said deceased William Carson, they, being members and officers of the Assembly, and being sued for acts done in those capacities, pleaded specially all the circumstances that had induced the arrest and imprisonment of the Plaintiff, which they justified under the authority deemed to be possessed by the Assembly, to proceed as it had proceeded against the Plaintiff as for a contempt and breach of its privileges,—That in reply to this plea, the Plaintiff did not deny the facts as stated by your Memorialists, but demurred to their plea on the ground of the legal insufficiency of the power of the House of Assembly

MEMORIALS.

to adjudicate upon and punish such a contempt of its authority, as in the nature of a breach of Privilege.

An investigation into the merits of the case being thus superseded by the course adopted by the Plaintiff himself, and the facts as set forth in the pleas of your Memorialists being admitted by him,—a circumstance which your Memorialists beg to impress upon your Excellency—the points at issue thenceforth assumed a new form, involving a question entirely of a public nature, and one of vast moment, not alone to the Legislature of this Island, but indirectly to those of every Colony of the Crown, similarly constituted; namely, whether the House of Assembly was legally invested with the power of removing obstructions to the due course of its proceedings, and of freely exercising its necessary functions by protecting its members from violence or insult offered to them as Members, and in respect to the performance of their duties in the Legislature.

Your memorialists beg to acquaint your Excellency, that the question was twice argued in the Courts of this Colony, and a decision of the Supreme Court of this Country was pronounced in their favor. That an appeal from that decision being carried to Her Majesty's Privy Council, it was heard before the Judicial Committee for several days, by eminent Counsel on both sides; but of such vast importance was the case considered, that with a view to obtain the opinion on it of the most able jurists of the empire, it was a second time argued before the following noble and distinguished Judges—viz—the Lord Chancellor, Lord Brougham, Lord Denman, Lord Abinger, Lord Cottenham, Lord Campbell, Baron Parke, the Vice Chancellor of England, the Lord Chief Justice of the Common Pleas, and Mr. Justice Erskine—who after a delay of upwards of a year in maturing their judgment, and after the lapse of more than four years from the commencement of the action, have ultimately decided against the pleas of your Memorialists, as justifying a greater power than that which the House of Assembly lawfully possessed.

Having thus briefly adverted to the progress and decision of the case, your Memorialists deem it not improper to bring under the notice of your Excellency some few of the more prominent grounds upon which the House of Assembly founded its claim to the power, for the exercise of which your Memorialists have been made answerable. In doing so, they beg to assure your Excellency, that they do not now presume to offer these among the very many able and Constitutional arguments which, in the progress of the case, have been urged on the part of your Memorialists, with any other than feelings of profound respect for that high Tribunal, which has definitively declared what the law is upon this question; but solely with the view of impressing upon the mind of your Excellency a conviction, which they do not doubt of establishing, of the strict justice of the prayer of this petition.

In the first place, then, your Memorialists beg leave to submit, that the General Assembly of this Colony was established by an act of the Prerogative of the Crown, in the year 1832, by Commission from His late Majesty, and instructions accompanying it from the Principal Secretary of State for the Colonial Department. The authority by which the General Assemblies of almost every one of the Colonies in the West Indies and on the Continent of America was established, was precisely of the same nature and to the same extent. It does not appear to be denied, that in extending to this country the same Constitution which had been granted to the other Colonies, the Crown intended, as it possessed the power, to establish a Legislature subordinate, it is true, to the Imperial Parliament, but supreme within the Colony; and that it should be invested with all the necessary powers for the performance of its functions, and should exercise its authority, as amply and fully, to all intents and purposes, as the Legislatures upon the model of which it had been erected. In proof of this being the view and intention of the Crown—sanctioned, no doubt, by the then able Advisers of His Majesty—your Memorialists confidently refer to the letter of the Right Hon. Lord Ripon, Secretary of State for the Colonies, to Sir Thomas Co

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chrane, accompanying the King's Commission, in which it will be perceived that a direct reference is made to the Constitutions of the other transatlantic Colonies, and to the exact resemblance which that of this Colony was intended to bear to them. No exception is taken to, nor is any doubt hinted of, the legality of the practice and usages of these Assemblies, or of the extent to which they carried the exercise of their powers of self-protection.—and it must be borne in mind that the Journals and all the proceedings of those Assemblies were regularly transmitted to, and known by, the Imperial Government. But there is also in the letter of the Right Honourable Secretary of State, another passage which was directly calculated to impress the House of Assembly with the belief that it was legally invested with powers and authorities analogous to those possessed by the House of Commons. "The passage runs thus:—"For your own guidance it may be right to observe that Colonial Assemblies, as they derive their general form from the model of the British House of Commons, so they have drawn their rules and system of procedure from the same source. The distinctions are, of course, both numerous and important, and grow out of the dissimilarity of the circumstances of the Representative Bodies of a small Colony and of an extensive Kingdom; but in general the analogy is maintained; and therefore the Laws and Rules of Parliament, as modified by the exigencies of the case, may be taken as the safest guide for the conduct of the Council and Assembly and for your own proceedings towards them."

Acting upon this authority and recommendation, and taking also at the same time for its guidance the practice and usages of the Legislatures of the other Colonies referred to, the first House of Assembly, on the 29th day of January, 1834, adopted the following Resolution:

Resolved—That the Rules, Orders and Laws of the Imperial House of Commons be adopted as the Rules, Orders and Laws of this House, so far as the same can possibly be applied to the circumstances of this Colony, until this House shall frame and adopt a code of Rules, Laws and Regulations for its own guidance and government.

Your Memorialists do not cite this Resolution of the Assembly as having the effect of a legal enactment of powers and authorities, which it is now decided the Assembly does not possess—but they adduce it in connection with the following most important facts and circumstances, as, in the highest degree, confirmatory of the opinion entertained by the Assembly in 1838—and of which not a doubt had until then been started—that the House was legally possessed of the power in question. First—That the Resolution abovementioned was not at the time excepted to by either branch of the Legislature, nor by the Governor of the Colony, although it was at once brought under their notice; neither was it ever questioned or objected to by the Imperial Government, to whom the Journals of the Assembly were regularly transmitted. Secondly—That the Resolution itself was in direct compliance with the recommendation of His Majesty's Secretary of State for the Colonies, contained in the letter of Lord Ripon.

Your Memorialists further shew, that in pursuance of the Resolution abovementioned, the same House of Assembly, in the following year (1835), adopted a code of Rules and Orders, of which your Memorialists beg at present merely to call Your Excellency's attention to the forty-eighth one, whereby fees are established for the arrest and detention of persons, strangers as well as Members, in the custody of the Serjeant-at-Arms—thereby recognizing and providing the means for enforcing the exercise of the power now pronounced illegal. Your Memorialists also shew, that this rule was never excepted to, nor in any manner drawn in question, by the other branches of the Legislature or the Imperial Government.

In the next place, as the most satisfactory evidence upon which the Assembly could found a conviction of the legal possession by it of the power, for the exercise of which your Me

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morialists have been made answerable, they beg to refer Your Excellency, with great confidence to the practice of Colonial Assemblies derived from the same origin, and based upon precisely the same foundation as the Assembly of this Colony. It is true that these Legislatures were not called into existence at the same period of time, and none of them contemporaneously with the Assembly of this Island, but at periods more or less remote.—Still there must have been a time when, like the Assembly of this Island, they, one and all, commenced to exercise the power in question, and that not upon the warrant of any positive enactment, but solely upon the authority of the like charters, by which they were established, and as a necessary incident to their Legislative character. The instances in which this power has been exercised by such bodies are exceedingly numerous, and as this fact is not denied by any party, your Memorialists are spared the necessity of troubling your Excellency with the multiplied cases which they could cite. In the Colonies in which these cases have occurred, there have not only from time to time, and from the very establishment of their respective Assemblies, been solemn decisions of the Judicial Tribunals, confirming the exercise of such powers, but with the exception of a single Appeal from the judgment of a Colonial Court, in a case to which your Memorialists will presently more particularly refer, the decisions of the Judicial Tribunals in the Colonies, have never, so far as your Memorialists have been able to ascertain, been called in question. Your Memorialists have, also, every reason to believe, and they think they may with safety assert, that by legal men of all classes throughout the Colonies, with scarcely an exception, as well as by the Courts of Law evidenced by their decisions, the opinion has been hitherto most forcibly entertained of the legal existence in the Colonial Assemblies, as a necessary incident, of the power, for the exercise of which, by the Assembly of this Island, your Memorialists have been put upon their defence;—and, whether the origin of those Assemblies be recent or remote—whether their usages be confirmed by the lapse of time, or be of novel adoption—your Memorialists feel assured, that the Law as now pronounced and declared by the last Court of Appeal in the Empire, will be received throughout the Colonies as a new and startling doctrine, and as directly opposed to what had been considered a well established rule for nearly two centuries. Your Memorialists, however, beg your Excellency to believe that they do not now refer to the practice and usages of other Colonial Assemblies, as forming any strictly legal justification in the case in which they were Defendants, but to convince your Excellency that the Assembly, of which they were Members, in exercising powers, with which they believed themselves legally invested, assumed not to exercise any powers different from, or greater than, those hitherto acknowledged as unquestionably belonging to such Legislative Bodies.—They erred only in following precedents and authorities which had been established and sanctioned for many generations.

In the third place, your Memorialists would represent to your Excellency, that if, upon consideration of the foregoing reasons, the Assembly could have doubted that its constitution and high functions necessarily invested it with those powers of self protection which had been ever considered as inherent in similar bodies, and which have been shewn to have been exercised throughout the Colonial Dominions of the Crown, it had for its guidance the decision of the highest tribunals of the Mother Country and of the most eminent Judges of England—lights of learning and knowledge, by which, at all events, in steering their course, the Assembly deemed themselves in perfect security.—Of these decisions your Memorialists think it necessary at present to refer but to two. The first is that of the celebrated case of *Burdett v. Abbot*, in which Lord Ellenborough, whose name carries with it the utmost weight and respect, with the concurrence of the whole Court of King's Bench, declared that such a power, as the one in question, is "essentially inherent in all Supreme Legislative Bodies," and the Assembly of this Island, although subordinate to the Imperial Parliament, is supreme within the limits of its jurisdiction.—

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The other case to which your Memorialists beg to refer, is one, which until the recent decision in the case of your Memorialists was, as it could not but be considered, most conclusive upon this question. In this case (*BEAUMONT v. BARRETT*.) the exercise by a Colonial Assembly, of the very power exercised by the Assembly of this Island, was discussed and allowed, first, by the Superior Courts of the Colony, and was ultimately confirmed, upon appeal, by the Judicial Committee of the Privy Council, upon the very ground, that such a power belonged to the Assembly *as a necessary incident to its legislative character*. The language used in the judgment in that case your Memorialists conceived to be as strong as language well could be in support of the position assumed by them.—The action too, like that in which your Memorialists are parties, being for trespass and false imprisonment, brought against the Speaker and officers of the House of Assembly of Jamaica, for a breach of the privileges of the house, not committed in its presence.

In conclusion your Memorialists beg again to remind your Excellency that they do not now adduce these arguments, nor refer to the foregoing circumstances, with the slightest intention of questioning the correctness of the decision of the Court of Appeal, To that decision they bow with the utmost deference and respect ; but while they do so, with a salutary conviction the more deeply impressed upon their minds, of the uncertainty of the application of all Rules of Law, emanating from the imperfection of human reason, they think themselves fairly entitled to call your Excellency's attention, thus briefly, to these circumstances, to show that they erred not wilfully, but founded their proceedings upon authorities, precedents and decisions, which until now had never been doubted to be legal and binding.

They would further remind Your Excellency that they have been proceeded against as part of a Public Body, and that Body the Representatives in the Legislature of the entire people of Newfoundland—acting in their public capacity, and in vindication of what they deemed to be their legitimate authority. That this fact has been admitted upon the pleadings, and the matter in dispute has consequently been converted into a discussion of one of the most important public questions of Constitutional Law ever agitated. That the very importance of the question has been the cause of the great expense incurred in the solution of it ; and that such was the view of it taken by the noble and distinguished Judges by whom it was decided, that they have expressly declared their opinion to be, that it ought to be considered "*a mere question of right to be tried.*"

Your Memorialists feel confident Your Excellency will view it in the same light, and that they ought not individually to be burthened with the heavy expenses of the investigation of a question purely of a public nature—and the more so, since, without imputing the slightest blame to the Executive Government, your Memorialists feel that it was with the tacit, if not the express sanction of the Government they were led to exercise powers, of which no one then doubted the legal existence,—powers, the absence of which, unless speedily and effectually remedied, must paralyse the best efforts of the existing Legislature for the improvement of the Colony.

Your Memorialists therefore humbly pray that Your Excellency will be pleased to recommend to the favorable consideration of the Legislature, the payment of the costs and expenses incurred in the prosecution and defence of the action against them, and of the appeal to the Privy Council.

And Your Excellency's Memorialists, as in duty bound, will ever pray.

(Signed, for and on behalf of the Memorialists,)

JOHN KENT.

St. John's, Newfoundland, 22d March, 1843.

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[See Journal, page 225.]

MEMORIAL OF WILLIAM WITHAM.

To His Excellency Sir John Harvey, K. C. B., Governor of
Her Majesty's Island of Newfoundland, &c., &c.

The humble Petition of William Witham, of No. 8, Grays Inn Square, in
the County of Middlesex, Solicitor and Attorney at Law.

SHEWETH,

That an action of Trespass and false imprisonment having been brought by Edward Kielley, Esquire, of St. John's in the said Island, against William Carson, Esquire, Speaker of the late House of Assembly of the said Island, John Kent, Peter Winsler, Peter Brown, John McCarthy, and James Power, Esquires, Members of the said late House of Assembly, and David Walsh, Messenger of the said late House of Assembly, for acts and things done and performed in virtue of divers Resolutions and Orders of the said late House of Assembly, and by and under the authority of the same, Judgment was, on the 8th day of February, 1839, given by the Supreme Court of the said Island for the Defendants.

That the said Plaintiff, by leave of the said Supreme Court, brought an Appeal from the said Judgment to the Right Honourable the Judicial Committee of Her Majesty's Privy Council and prayed that the said Judgment might be reversed and Judgment given for the said Plaintiff.

That on the 9th April, 1839, your Petitioner received a Letter of Instructions from John Nugent, Esquire, Solicitor to the late House of Assembly in Newfoundland, dated 15th February, 1839, stating that the said House of Assembly had not had a Session since Notice of Appeal from the said Judgment to the Privy Council had been served by the Defendant, and instructing your Petitioner to defend in the Privy Council the Defendants, and in their persons the House of Assembly, in such manner as your Petitioner should judge most conducive to sustaining the character and independence of the House of Assembly, and for that purpose to employ Counsel.

That in the month of September, 1839, the said late House of Assembly resolved that the rights and privileges of the said late House of Assembly, as affirmed by the said judgment, should be defended, and that the said Judgment of the said Supreme Court should be supported before the said Judicial Committee of Her Majesty's Privy Council, on behalf of the said late House of Assembly.

That in the said month of September, 1839, it was resolved and ordered by the said late House of Assembly that the necessary steps be taken to defend the said Judgment and to oppose the said Appeal; and it was then further resolved and ordered by the said late House, that your Petitioner be appointed the Attorney and Agent of the said late House, to conduct the Defence to the said Appeal, and to do and perform all and every such acts and things as were or might be necessary or proper to support the said Judgment and oppose the said Appeal.

That in pursuance of the said Resolutions and Orders, the said William Carson, Speaker of the said late House of Assembly, by an Instrument under his hand and seal, bearing date the 20th day of September, 1839, as such Speaker as aforesaid, constituted an appointment, your Petitioner the Attorney & Agent of the said late House of Assembly to conduct and manage the Defence to the said Appeal on behalf of the said late House of Assembly, and to do and perform all and every such acts and things as were or might be necessary in that behalf, and also transmitted to your Petitioner the Report of a Committee

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of Privilege, appointed by the said House of Assembly in the third Session of the Second General Assembly to prepare instructions to Counsel in the said case of Kielley versus the Speaker, Members and Messenger of the House of Assembly.

That in pursuance of the said Resolutions and Orders, and of the said Appointment, and the authority thereby given, your Petitioner appeared on behalf of the said then House of Assembly to the said Appeal, and did and performed all and every such acts and things as he considered and was advised it was necessary and proper for him to do and perform on behalf of the said late House of Assembly.

That the said Appeal was argued at great length before the Judicial Committee of Her Majesty's Privy Council, (as well on behalf of the said Appellant as on behalf of the said then House of Assembly,) on the 4th, 5th and 6th Days of January, 1841, and the Lords of Her Majesty's Privy Council present at the said hearing, in consequence of the difficulty of the question involved in the said Appeal, declined giving judgment upon the said Argument, but directed the case to be re-argued before the said Lords, together with Her Majesty's Lord High Chancellor, and such of Her Majesty's other Judges as were Members of Her Majesty's Privy Council.

That accordingly the said appeal was, on the 22rd Day of May last past, re-argued before the Judicial Committee of Her Majesty's Privy Council, the Lord Chancellor, the Lord Chief Justice, the Lord Chief Baron, and several of Her Majesty's other Judges being present.

That no decision has yet been given upon the said Appeal, but the case is closed on both sides, and the Appeal now only waits for Judgment.

That your Petitioner was duly served with notice, that judgment would be pronounced on the 8th Day of August last past, but Counsel who then attended for the said Respondents, were informed by one of the Members of the said Judicial Committee, that their Lordships were not yet prepared with Judgment.

That in the conduct of the said defence to the said Appeal, your Petitioner has expended divers and large sums of money, and your Petitioner's account for his own Professional Services, and the other costs of the said defence to the said appeal amounts to the sum of £896 15 0, as appears by your Petitioner's Bill of Costs, out of which Sum your Petitioner has only received the sum of £100, and consequently a balance amounting to the Sum of £796 15 0, remains due to your Petitioner.

That a great portion of the said Bill of Costs is for money actually expended and disbursed by your Petitioner in defending the said Appeal, and as the said Defence was undertaken by your Petitioner in compliance with, and upon the authority of, the Orders and Resolutions of the said late House of Assembly, and was in support of a judgment pronounced by the Supreme Court of the said Island, involving a question of great importance to the Legislature of the said Island (howsoever composed) no less than to the inhabitants thereof, your Petitioner humbly but confidently trusts that your Excellency will be of opinion, no less from sentiments of justice to your Petitioner, than from a desire to uphold the credit and good faith of the Colony over which your Excellency is placed, that the balance of the said Bill of Costs ought to be paid to your Petitioner.

Your Petitioner, therefore, humbly prays your Excellency to be pleased that the Supplies for the Service of the said Colony when proposed by your Excellency to the Honorable the House of Assembly of the said Island, may contain a proposal for a vote of so much money as may be required to pay the balance of the said Bill of Costs now due to your Petitioner, and for the payment thereof to him accordingly, or that your Excellency will be pleased to grant your Petitioner such further or other relief in the premises as to your Excellency may seem just and the case may require. And Your Petitioner will ever pray.

WILLIAM WITHAM.

LIGHT HOUSES.

[See Journal, page 70.]

REPORT
Of the Commissioners of Light Houses,
FOR THE YEAR 1841.

The Commissioners of Light Houses in submitting a Report of their proceedings for the past Year, cannot but advert to the general satisfaction which continues to be expressed with the establishment under their superintendance, except in the case of that at Harbour Grace, on which the Commissioners mean to offer their opinion and suggestions with a view to enlarging its usefulness—that at present afforded by it being purely of a local character.

In the last session of the Legislature an act was passed to provide for the building of a Light House at or near to Cape Bonavista, which giving the Commissioners a discretion to place it either on the Cape itself or some adjacent land which might be found more desirable, they lost no time in instituting such inquiries amongst men practically acquainted with the coast in that neighbourhood, as should give them the information necessary for a correct opinion and decision on the subject.—The conflicting character of the statements however left the Commissioners as much in the dark as ever, and being thus unable to satisfy themselves, by those means, they determined on sending competent persons to survey and inspect the land, that they might have unquestionable *data* as a ground work for their decision on this important point—Accordingly, the Secretary to the Board, accompanied by three others, proceeded to Bonavista in July last, and reported so decidedly in favor of Cape Bonavista, that the Commissioners had little hesitation in concluding that the proposed Light House be placed here—A copy of the Secretary's Report is transmitted herewith.

Tenders having been previously advertised for, the Commissioners had entered into a Contract for the Building of the Light House for the Sum of £717 Currency—which, owing to the severe weather which prevailed there in October, is not thoroughly finished. That part of the work, however, which is unperformed is not very material, and will not occasion any delay to the final completion of the Establishment on the arrival of the Lighting apparatus in Spring.

The Commissioners were from the first induced to believe that this Light could not, with a due regard to its future usefulness, stability and general efficiency, be brought into operation before the Month of June, 1842. The inquiries necessary to the selection of the Site, as well as the correspondence which they knew must take place before they could be in a position to decide on the best description of apparatus, convinced them that any attempt to complete it before the close of the year 1841 would be fruitless. And though desirous to have the Light in operation during the period of the coming Seal Fishery, when its value would be peculiarly important, the Commissioners deemed it the lesser objection to submit to this inconvenience and allow the Winter and Spring to pass over, rather than by a hasty proceeding to incur the risk of finding on the completion of this Establishment, that it was of a character inferior to what the public might reasonably have expected.

In the Month of June last, a letter was addressed to Robert Stevenson and Son, (Civil Engineers, Edinburgh) the gentlemen whose services the Commissioners had before employed with great satisfaction, requesting that they would furnish such information, as would be necessary to enable the Commissioners to make a selection of such Lighting apparatus as it would be most desirable to procure for Bonavista, with reference to those Lights already in operation on the Coast. The reply to this communication was a satisfactory one, and from the several descriptions of Lantern referred to by Messrs. Stevenson, the Com-

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missioners decided on an order for the purchase of a *Revolving alternate Red and White Light*, for which they have remitted to Messrs. Kerr and Mac Bride, Greenock, the sum of £800, Sterling, to be held at the disposal of Messrs. Stevenson & Son, for that purpose.—The Lantern will be shipped by a Vessel from Greenock early in Spring.

The Commissioners have long desired the establishment of a Light on Baccaloo, as will be shown by a reference to their Report of 6th of January, 1840; and in connexion with the subject they would suggest whether an arrangement might not be made for the removal of the Light from Harbour Grace Island to this place, where its usefulness would be so increased—while a Harbour Light might be placed in its stead, thus giving Conception Bay advantages greater than it possesses at present—at the same time that this change would be highly important to Trinity Bay, to the Seal Fishery, to the general Shipping interests of the Colony, and a Light on Bonavista would moreover complete the chain, which, when the Light at Bonavista is in operation, will extend along the Coast. These measures will need the action of the Legislature, on whose attention the Commissioners would request your Excellency to urge them.

The Commissioners have observed with pleasure, that since their last report, some measures have been taken with reference to the Light House at Cape Pine, which seem to promise that this great *desideratum* will soon be supplied. On the 26th July last, they received a communication from the Administrator of the Government for information desired by the Treasury, as to the best method of proceeding with the work; to which they replied by recommending that the Building should be of *Cut Free Stone*, and that it should be commenced early in the Season, say the Month of May.—The value of a Bell to sound in Foggy weather to be associated with the Light on Cape Pine, was by the Commissioners deemed so essential, that though not referred to in the communication transmitted to them, they, in their reply, strongly recommended the subject for consideration. Sir Richard Bonnycastle's Report was subsequently transmitted by your Excellency for the consideration of the Board, and as in this the question was raised as to the superiority of Cape Pine or Cape Race for the site of the proposed Light, the Commissioners saw such strong grounds of preference for the former, as to induce them to express their decided opinion on the subject as contained in my letter of 15th October. The necessity for the Bell was a second time referred to on that occasion, and the Board are desirous to reiterate again the strong opinion they have already expressed on this subject.

Respectfully submitted by,

THOMAS BENNETT,
Chairman.

His Excellency Major General Sir John Harvey, &c. &c.

St. John's, Newfoundland, January 15th 1842.

— 100 —

St. John's, July 28, 1841.

SIR,—In conformity with the instructions received from the Commissioners of Light Houses, I started on the 16th inst., accompanied by Mr. Bulley, Mr. James Hogan, and Captain Taylor, for the purpose of examining the land at Cape Bonavista and its neighbourhood, with a view to ascertaining the situation which should seem to present the most decided advantages as a site on which to erect the Light House about to be established in that quarter.

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We arrived at Catalina on the evening of the 17th, where we remained the following day (Sunday), in making inquiries and obtaining all available information in reference to the object of our mission.

Early on the following morning we left Catalina, and standing off from the North Head, made a semi-circular course of about 15 miles from the land, as indicated on the chart on which I have pencilled our route. The day was beautifully fine, and as we proceeded along in this course we gradually opened the land lying between the North Head and the Cape, until having arrived mid-way between these extremities, the whole was presented to us in the best possible position for a seaward view. After opening Bird Island Head, in the course taken by us, the first land along the remaining part of the coast which made as a Headland was the Cape itself, not of course including Gull Island, which stands boldly out and more prominently than any part of the coast. The land between Bird Island and Spillers Head is much higher than that at Cape Bonavista; but forming part of a continuation of the shore, the distinctive character of the Headlands between these points is not apparent seaward, and is only shown in passing along either in a Northerly or Southerly direction. Cape Bonavista, as first seen by us, bearing N. by W., showed as an Island as its extreme end, which it is in point of fact, as we subsequently discovered. It has a well defined outline, and though wanting the great height of the land farther South, it has a fine bold perpendicular front;—this appearance is no doubt materially aided by the lie of the land inside, which recedes gradually in the direction of Bonavista, leaving the Cape, the highest point of the Peninsula; and so low does the shore trend away in a Westwardly direction, that in viewing it from that position which shows the Spillers Rocks so conspicuously, it ceases to be visible above Bonavista, making the land from thence to the Cape as though it were an Island.

That information on which it was at one time contemplated by the Commissioners to have the Erection made on Spiller's Head was in the *last degree erroneous*;—a glance at the Coast would be sufficient to induce any one of common observation to repudiate such an idea; for not only is it not a prominent land, but it is bounded close to the Southward at a distance of not more than a mile by land, from which it bears N. W. by N.

I can well imagine that this Southern land now referred to was mistaken for Spiller's Head, and that it was *that* in reference to which the recommendations were in reality intended to be made; nor is this by any means devoid of attraction for the contemplated purpose:—It is a very fine land, higher than any other part of the Coast; its elevation greater at some distance from the shore than near the Water. A Light upon it would show nearly as far into Bonavista Bay as from the Cape, and would be visible about two points additional in the other direction. It is not I think laid down upon the chart with any particular name attached to it, but I heard it spoken of as Cape Le Grain, or *L'argent*, which I think is most correct, as it has a somewhat silvery appearance from the sea, and hence I should presume derives this name. The bearing of this Cape from Cape Bonavista is S. by E.

But upon consideration of all the arguments involved regarding Cape Bonavista and Cape L'Argent (the only two points upon either of which it could, for a moment, be thought of placing the erection), I am clearly of opinion that the weight of superiority rests with the former, and in this I am fully satisfied by the concurrent views of the gentlemen who accompanied me. When first we visited the coast our opinion was unanimous in favour of Cape Bonavista, and our subsequent inquiries and examinations upon

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the land itself, went to sustain our first impression—it is the Headland, a fact which is not a little important. It forms the guide by which to avoid the dangerous rocks called the Flowers, which lie in this neighbourhood; and I was informed at Bonavista that it frequently happens, that with winds acting from the Southward, the fog, travelling from that quarter, rests upon the high land at Cape L'Argent, leaving *Cape Bonavista perfectly unobscured*. On the other hand, I know of no advantage which Cape L'Argent presents, that is not possessed by the other, excepting that it would light two points more in a Southerly direction.

As I have already intimated, the bill of the Cape is an Island separated from the Mainland by a passage sufficiently wide to permit a punt to row through in fair weather. At the top it is separated by a wider space, perhaps 60 or 70 feet—this being the outer part of the land would, therefore, be the most desirable for the erection, but I apprehend that it would not be practicable to place or maintain the Light here, from the impossibility of forming a connecting link with the Mainland by any means which are available in this country. A Suspension Bridge would be necessary for this purpose, and I doubt much, even if the Commissioners felt disposed to sanction so large an expenditure as this would involve, whether the object to be gained would be commensurate. It is *the point*, to be sure, which is a great consideration, but there are two projections on the land immediately inside, which have fully as great an elevation. On each of these are placed a flag for the purpose of viewing them from other positions, and thus ascertaining the most eligible.—Their height is equal, but that which lies S. E. of the other we considered the best.—The Light on this point would be shut up by the Cape Island (as I shall call it) in an E. S. E. direction for half a mile off the land, but not in any other—this is the amount of its inferiority to the Island.

While at Bonavista I was informed by Mr. Mifflin, (of whom I may take this occasion to remark that every facility was kindly afforded us by him) of a rock which lay off Cape Bonavista, and finding that it was not set down on the Chart, and aware of the necessity of correctly noting such a danger, now that by the establishment of a Light, the land would be of much greater resort than ever, I engaged the services of a man who was represented as being competent to find the Shoal, and after some little delay, we sounded upon it in four fathoms of water. The tide was half fallen at the time, and three and a half would, I think, be sufficient to allow for it. It is a white rock and we saw it with great distinctness—for some distance round it runs off into six or seven fathoms, when it gradually deepens. It breaks heavily in bad weather. The bearings are, from the outer Bird Island, S. by W. Westly—from the Flag Staff on Cape Bonavista N. W. by W. half West—and from Gull Island N. W. by N. Northerly, and I would respectfully recommend that means should be taken to have it placed on the Charts of that part of the Island.

I have the honor to be,

Sir,

Your very obedient servant,

A. SHEA.

Secretary.

Thomas Bennett, Esq.,
Chairman of Commissioners of Light Houses.

LIGHT HOUSES.

FORT AMHERST LIGHT HOUSE IN ACCOUNT WITH THE COMMISSIONERS.

DR.

1841.	Sterling	Currency.
Feb. 5 To Philip Roach for a Quarters Salary	13 15 0	£15 17 4
May 5 Ditto ditto ditto	13 15 0	15 17 4
Aug. 5 Ditto ditto ditto	13 15 0	15 17 4
Paid Tobin amount of Contract for repairs	37 10 0	43 5 5
Nov. 5 Philip Roach a Quarters Salary	13 15 0	15 17 4
McBride & Kerr, Soap		1 0 0
Edward Tobin, Carpenters Work		7 17 6
C. F. Bennett, Wick		0 9 9
Tobin, account for Carpenters Work, and Tarring Roof		13 0 4
Paid Moore, conveying Fog Gun		1 0 0
Doherty, conveying Mr. Kough on Inspection		2 10 0
Parker & Gleeson, Coals		3 16 8
Printing Account		2 7 5
Proportion Secretary's Salary	12 10 0	14 8 6
Ditto Surveyor's ditto	6 11 3	7 11 5
Ditto Office Rent		1 10 0
Account Small Disbursements by Secretary		0 15 0
80 Gallons Oil.	9 3 4	10 11 6
		£173 12 10

CR.

Currency.

By General Account

£173 12 10

LIGHT HOUSES.

CAPE SPEAR LIGHT HOUSE IN ACCOUNT WITH THE COMMISSIONERS.

DR.

1841.			Sterling	Currency.
Feb. 1.	To Emanuel Warre, a Quarter's Salary		£23 15 0	£27 8 1
May 1.	Ditto ditto ditto		23 15 0	27 8 1
Aug. 1.	Ditto ditto ditto		23 15 0	27 8 1
	Ditto ditto Twelve Months Fuel		15 0 0	17 6 2
Nov. 1.	Ditto ditto a Quarter's Salary		23 15 0	27 8 1
CONTINGENCIES—Viz.				
	Paid Westcott, repairing Lamps			3 0 0
	“ McBride & Kerr, Sundries			2 1 9
	“ Crane, repairing Kegs			16 0
	“ 338 Gallons Oil	39 4 7		45 5 3
	Printing Account			0 18 1
	Proportion of Secretary's Salary	12 10 0		14 8 6
	Ditto Surveyor's ditto	6 11 3		7 11 5
	Ditto Office Rent			1 10 0
	Paid a Messenger to Light House			0 5 0
				£202 14 6

CR.

		Currency.
Dec. 30	By General Account	£202 14 6

AN ACCOUNT of all Sums of Money raised by loan on the authority of the Act 4th Victoria, cap. 6, "To make provision for the establishment of a Light House on or near Cape Bonavista."

1841.			
Aug. 30.	—From Savings Bank, Debenture No. 1.....	.....	£500 0 0
Nov. 9.	—From Elizabeth Chancey, Debenture No. 2.....	.....	300 0 0
“	“—From Ann Eales, Susan Eales, Elizabeth Eales, and Mary Eales Debenture No. 3.....	.....	500 0 0
Dec. 4.	—From Joseph Noad, Esq., Debenture No. 4.....	.....	100 0 0
“	“—From Joseph Noad, Esq., Debenture No. 5.....	.....	100 0 0
“	“—From Joseph Noad, Esq., Debenture No. 6.....	.....	100 0 0
“	“—From Joseph Noad, Esq., Debenture No. 7.....	.....	150 0 0
			£1750 0 0

PATRICK MORRIS, Colonial Treasurer.

LIGHT HOUSES.

GENERAL LIGHT HOUSE ACCOUNT.

DR.

1841		Currency.
Dec. 31	To Cape Spear Light House	£202 14 6
	“ Harbour Grace Light House	261 14 8
	“ Fort Amherst Light House	173 12 10
	“ Erection of Bonavista Light House	28 18 3
	Balance.	47 14 11
		<u>£714 15 2</u>

CR.

1841.		Sterling	Currency.
Jan. 1	By Balance from 1840		£48 15 4
10	“ this amount from Colonial Treasurer	£23 15 0	
Feb. 1	Ditto ditto ditto	23 15 0	
5	Ditto ditto ditto	13 15 0	
March 31	Ditto ditto ditto	23 15 0	
May 1	Ditto ditto ditto	23 15 0	
5	Ditto ditto ditto	13 15 0	
June 15	Ditto ditto ditto	94 4 7	
30	Ditto ditto ditto	23 15 0	
Aug. 1	Ditto ditto ditto	23 15 0	
	Ditto ditto ditto	15 0 0	
5	Ditto ditto ditto	13 15 0	
14	Ditto ditto ditto	20 0 0	
	Ditto ditto ditto	37 10 0	
Sept. 30	Ditto ditto ditto	23 15 0	
Nov. 1	Ditto ditto ditto	23 15 0	
5	Ditto ditto ditto	13 15 0	
	Ditto ditto ditto	165 9 3	
		<u>£577 3 10</u>	<u>665 19 10</u>
			<u>£714 15 2</u>

Errors Excepted, December 31, 1841.

(Signed)

THOMAS BENNETT,

Chairman of Commissioners of Light Houses.

LIGHT HOUSES.

[See Journal, page 70.]

REPORT

Of the Commissioners of Light Houses,

FOR THE YEAR 1842.

To His Excellency Major-General Sir John Harvey, Knight, Governor, and Commander-in-Chief, &c., &c.. &c.

MAY IT PLEASE YOUR EXCELLENCY :

The Commissioners of Light Houses in submitting their annual Report, have pleasure in remarking, that any single sustainable case of complaint, even of a trifling nature, in reference to the Lights in operation in the Colony—their efficiency, or management—has not come under their notice during the past year. The Establishments at Cape Spear and Fort Amherst are in excellent condition, nor has any circumstance connected with them arisen, since the transmission of the last Report, to render any detailed remarks necessary on this occasion. The Harbour Grace Light House will require some repairs in the ensuing Spring.

On the subject of the Light House at Cape Bonavista, the Commissioners regret that their Report cannot be of that satisfactory character which, on the occasion of their last Report, they had reason to anticipate. The Light is not, nor can it possibly be, completed before the month of May next. Circumstances which the Commissioners could not controul have led to this dissatisfactory result. In the month of June last, the Building being then nearly completed, it was reported by the Surveyor to the Board, that the unsubstantial character of the Piers, which sustain the Lanterns in the other establishments, was a great cause of some considerable expenditure which had been found necessary in their repair from time to time, and that an alteration in the original plan which he then suggested, though involving an increase of immediate outlay, would obviate in this case those objections already referred to, and produce a material saving of ultimate expense. The proposition of the Surveyor was so feasible, and appeared to the Commissioners to be so highly expedient, having been also recommended about this time by Stevenson & Son, Civil Engineers, Edinburgh, that they had little difficulty in deciding on its adoption—in which view your Excellency readily acquiesced. To carry out this intention, besides a change in part of the work already performed, a quantity of Cut Stone was required to perfect the Pier in the manner contemplated—and, as this was not obtainable in St. John's, the Commissioners forwarded to Halifax, on the 15th June, a plan of the material they required, with instructions that no time should be lost in its completion. The person in Halifax who was first employed failed, after much equivocation and delay, in the performance of his Contract, which rendered necessary the employment of another. The delay caused by this was so great, that it was not till the end of September that the Stone arrived here. A Craft was immediately employed to carry it to Bonavista, but being considerably detained by heavy weather, nearly three weeks passed over before she could land her freight at its destination. Mr. Kough, the Surveyor to the Board, being instructed by the Commissioners, repaired to Bonavista, accompanied by some workmen, with a view to the expeditious completion of the Establishment. But on his arrival there, he found that a portion of the

LIGHT HOUSES.

work performed had been so ill done, that he did not deem it proper to proceed until this defective work was taken down, and again built in a suitably permanent manner ; and this, together with the advanced season and bad weather, seeming to him to offer a bar to the possibility of its completion in a satisfactory manner, he decided, at once, on abandoning the intention with which, in ignorance of all this, the Commissioners had despatched him. Mr. Kough's Report to the Board is herewith transmitted.

The Commissioners are of opinion that the Surveyor exercised a sound discretion in the course he pursued, under the circumstances in which he found himself placed.

The Light apparatus was received in Spring and is now at Bonavista. It is a Revolving Light, red and white alternate, and formerly in use at the celebrated Belle Rock on the Scotch Coast. The Commissioners feel that they have cause of much satisfaction in having succeeded in the purchase of so superior a Light, in first rate condition, at less than one-third of its original cost.

On the subject of the contemplated Light House at Cape Pine, the Commissioners regret that no part of the expectations referred to in their last Report have yet been realized. —They trust, however, that so highly important a matter will not long be lost sight of by the Imperial Government.

(Signed)

THOMAS BENNETT,

Chairman of Commissioners of Light Houses.

St. John's, Dec. 31st, 1842.

(Copy)

St. John's, 19th Nov. 1842.

SIR—I beg to acquaint you, for the information of the Commissioners of Light Houses, that in pursuance of their directions, I left this place for Bonavista on the night of Tuesday, the 1st inst., accompanied by two Masons and one Carpenter, for the purpose of completing the Light Establishment at that station ;—the Light Keeper and his family went with us. We arrived there late on Thursday evening, having been forced into King's Cove on Wednesday ; and on Friday morning I went out to the Cape, but the day became so stormy and wet that I could not inform myself of the state and condition of the building. Being desirous that no time should be lost, I went out again on Saturday morning with the workmen, and commenced by clearing off the covering on the top of the Stone pier, with the view that the masons might immediately be set to work ; in the meantime the materials were being landed from the vessel and drawn out to the Cape. The hewn stone, brick, &c., which had previously arrived, had been already deposited at the Light House.

On stripping the head of the Pier and taking off some of the top courses, the mason-work did not appear to have been well executed ; I was therefore induced to continue taking it down, and the more so, as one of the workmen (a carpenter) who had been em-

LIGHT HOUSES.

ployed there during the previous summer, informed me that the lower part of the work was of a much better description. I had it taken down to the depth of two-and-a-half feet below the ceiling, but even then it did not appear to be sufficiently substantial or well executed to sustain the heavy superstructure which was intended to surmount it.

I have no doubt but that this pier would carry and support a wood frame and the Light apparatus, as originally intended ; it is correctly built as respects the size, plan, and position ; but the masons (both of them intelligent and skilful workmen) were decidedly of opinion that it would be highly injudicious, if not dangerous, to attempt building on it as a foundation, and that it was absolutely requisite to take down the greater part, if not the whole of it.

Under these circumstances, and if I had all the means and appliances requisite for taking down and rebuilding it, I doubt that I could at all justify the attempt at this late and unpromising season ; and even if I should partially succeed in getting it down, I am certain that it could never be said to have been well done ; but the Commissioners will be informed, that the materials which went with me were but sufficient to complete the work, assuming that all which had been done was perfect ; and that however desirous I may have been of completing this service, and of seeing the Lights in operation this Winter and the ensuing Spring, I had no choice but reluctantly to discontinue the work and return home. We travelled across to Catalina on Sunday last—from thence we came by the brig 'Reform,' and arrived here on Thursday, the 17th.

With reference to the Building generally, it appears, with very trifling exceptions, to have been done in a good and workmanlike manner,—neither the plane Ceiling in Roof or the surrounding Gallery have yet been done.

A Porch has been built on the N. front of the Building, not provided in the specification.

Whilst at Bonavista, I was informed that the Light House had been broken into oftener than once during the last Winter and Spring, by persons going out to the Cape gunning or sealing, and that they had otherwise injured the Building. To prevent a recurrence of this, and also to provide accommodation for the Light Keeper, I had a brick flue run up from the fire place through the roof, the opening for the Light Room covered and secured, and the whole placed in his charge. He is now residing there, and he is particularly directed to keep up the window shutters on the seaward sides of the Building, and to be careful to shew no lights during the Winter, lest his doing so should deceive any Craft that might be sailing in that direction.

I remain, &c.,
(Signed)

P, KOUGH.

—000—

St. John's, May 30, 1842.

SIR,—I am instructed by the Commissioners of Light Houses to transmit you, for the information of his Excellency the Governor, copy of an Extract of a Report recently made by their Surveyor, having reference to the Building now in the course of erection at Cape Bonavista.

LIGHT HOUSES.

It will be observed by this Extract that the attention of the Commissioners is pointedly drawn to the great expediency of providing a "Stone Pier," as a foundation on which the Lantern should rest. In the erections hitherto made, Wood has been the material employed in the construction of these parts; and as the Commissioners have invariably found that after the lapse of a very few years extensive repairs have been required to give the Piers a more permanent and necessary solidity, they have thus, from experience, but little hesitation in acceding to the proposition of the Surveyor, that, though the Stone Erection which he contemplates will occasion an increase of immediate expense, its necessity is unquestionable, and much ultimate saving will thereby be effected.

The expense of this work and other charges which the Commissioners must incur in the completion of the establishment will, probably, amount to Two Hundred and Fifty Pounds beyond the sum placed at their disposal, and they trust that his Excellency will provide them with these means which will be indispensable to the progress of the work.

The Commissioners are desirous of a Conference with the Governor on this subject, and I am to request that you will ascertain and inform me at what time his Excellency will be pleased to receive them.

I have the honor to be,

Sir.

Your very obedient servant,

THOMAS BENNETT,

Chairman of Commissioners of Light Houses.

Hon. J. Crowdy,
&c., &c.

Extract of a Report made by Mr. KOUGH,
to the Commissioners of Light Houses,
dated 27th May, 1842.

"In closing this report, I would beg respectfully, though strongly, to urge and recommend the Commissioners, that in all cases, they may prefer and adopt Cut Stone parapets to support the dome and lantern, instead of frames of Wood:—the difference of expense even in the first instance, is not so very great, and after a few years would be more than doubled in supporting infirm towers of wood half decayed. The whole height of this part of the work need not exceed nine or ten feet—it may be built of Brick up to the platform, it being entirely covered up to this height—so that not more than four feet in height of Ashlar Work would be required, and if properly executed, would need no repairs for centuries.

Should the Commissioners be induced to approve of this suggestion, I would further propose for their consideration, the expediency of commencing with the Light House they are now erecting at Cape Bonavista—the more so, as some expense must necessarily be incurred in altering the present frame-work, which might be appropriated towards it. I submit that there is time enough to get it done this season, if determined immediately; and that the additional expense need not exceed One Hundred and Fifty Pounds."

LIGHT HOUSES.

FORT AMHERST LIGHT HOUSE IN ACCOUNT WITH THE COMMISSIONERS.

DR.

1842.	Sterling	Currency.
Feb. 5 To Philip Roach for a Quarters Salary	£13 15 0	£15 17 4
May 5 Ditto ditto ditto	13 15 0	15 17 4
Aug. 5 Ditto ditto ditto	13 15 0	15 17 4
C. F. Bennett, Chamois Skins		1 1 9
Fifty Gallons Seal Oil 2s. 8.	6 13 4	7 13 10
Nov. 5. Philip Roach a Quarters Salary	13 15 0	15 17 4
J. & W. Stewart, Glasses		0 13 9
W. B. Moore, Glazing		0 14 0
James Clift, Coals		3 5 0
Proportion of Secretary's Disbursements		0 13 6
Ditto Printing Accounts		1 9 1
Ditto Office Rent		1 10 0
Ditto Surveyor's Salary	6 11 3	7 11 5
Ditto Secretary's ditto	12 10 0	14 8 6
		£102 10 2

CR.

1842.	Currency .
Dec. 31.—By General Account	£102 10 2

LIGHT HOUSES.

CAPE SPEAR LIGHT HOUSE IN ACCOUNT WITH THE COMMISSIONERS.

DR.

1842.		Sterling.	Currency.
Jan. 10.	To paid for conveyance of Oil in 1841		£7 4 0
Feb. 1.	“ E. Warre, Keeper, a Quarter’s Salary	£23 15 0	27 8 1
May 1.	“ Ditto ditto ditto	23 15 0	27 8 1
July 5.	390 Gallons Seal Oil, 2s. 8d.	52 0 0	60 0 0
Aug. 1.	E. Warre, a Quarter’s Salary	23 15 0	27 8 1
	Ditto 12 Month’s allowance of Fuel	15 0 0	17 6 2
Nov. 1.	Ditto a Quarter’s Salary	23 15 0	27 8 1
CONTINGENCIES—Viz.			
	Hunter’s & Co., Soap		1 17 4
	John Power, Stove Pipe		0 15 0
	W. Fitzgerald, conveyance of Lumber		2 0 0
	W. Tobin, Carpenters Work		5 19 9
	Paid for Potash, Calico and Sundries		2 2 10
	J. McMurdo, Olive Oil		0 10 0
	Thomas Doyle, conveyance of Oil		8 15 6
	Proportion of Printing Accounts		1 9 1
	Ditto Secretary’s Disbursements		3 13 0
	Ditto Office Rent		1 10 0
	Ditto Secretary’s Salary	12 10 0	14 8 6
	Ditto Surveyor’s ditto	6 11 3	7 11 5
	Mc Bride & Kerr, Paint & Oil.		1 3 1
			£245 18 0

CR.

1842.		Currency.
Dec. 31.—	By General Account	£245 18 0

LIGHT HOUSES.

HARBOUR GRACE ISLAND LIGHT HOUSE IN ACCOUNT WITH THE COMMISSIONERS.

DR.

		Sterling	Currency.
1842			
Jan. 10.	To Robert Oke, Keeper, a Quarters Salary	£23 15 0	£27 8 1
	“ McBride & Kerr, account for Wick, Glasses, &c.		31 7 0
April 10.	“ Robert Oke, a Quarters Salary	23 15 0	27 8 1
June 20.	525 Gallons Oil, 2s. 8d.	70 0 0	80 15 5
July 10.	“ Robert Oke, a Quarters Salary	23 15 0	27 8 1
Oct. 10.	“ Ditto ditto ditto	26 5 0	30 5 9
	“ Ditto ditto Twelve Month's Fuel	20 0 0	23 1 6
Nov. 5.	“ James Knight, Oil Casks		2 1 0
	Bennett & Co., Sundries		9 0 6
	E. & N. Stabb, Soap		1 11 6
	Proportion of Secretary's Disbursements		4 7 6
	Ditto Office Rent		1 10 0
	Ditto Printing Accounts		1 9 1
	Ditto Secretary's Salary	12 10 0	14 8 6
	Ditto Surveyor's ditto	6 11 3	7 11 5
			£289 13 5

CR.

1842.
Dec. 31.—By General Account

Currency.
£289 13 5

LIGHT HOUSES.

CAPE BONA VISTA LIGHT HOUSE IN ACCOUNT WITH THE COMMISSIONERS.

DR.

		Sterling	Currency.
1842.			
Feb. 1.	To Jeremiah White, Keeper, a Quarters Salary	£12 10 0	£14 8 6
May. 1.	“ Ditto ditto ditto		14 8 6
Aug. 1.	“ Ditto ditto ditto		14 8 6
	764 Gallons Oil, 2s. 8d.	101 17 4	117 10 9
Nov. 1.	Jeremiah White, a Quarter's Salary	12 10 0	14 18 6
	Ditto Twelve Month's Fuel	15 0 0	17 6 2
	O'Brien, Insurance on Oil, 3 Months	2 10 0	2 17 8
	John Power, Boilers, Oven, and Sundries		13 8 10
	M. Farrell, 1 Brush		0 5 0
	Emanuel Warre, 3 Weeks Board for J. White at Cape Spear		1 10 0
	Proportion of Printing Accounts		1 9 1
	Ditto Office Rent		1 10 0
	Ditto Surveyor's Salary	6 11 3	7 11 5
	Ditto Secretary's ditto	12 10 0	14 8 6
			£235 11 5

CR.

1842		Currency.
Dec. 30	By General Account	£235 11 5

N. B.—The Oil and some other items in the above Account though charged now will properly form part of the Expenditure on Account this Light when in operation.

[See Journal, page 217.]

LETTER FROM THE COMMISSIONERS OF LIGHT HOUSES,

PRAYING THAT AN ADDITIONAL SUM OF £200 BE PLACED AT THEIR DISPOSAL.

St. John's, May 2, 1843.

SIR—I am requested by the Commissioners of Light Houses to acquaint you that a Meeting of the Board was held this day, on consideration of the subject matter of the Bonavista Light House, when on examination of the Estimates for the completion of that Establishment, it appeared that a Grant of Two Hundred Pounds sterling, in addition to the amount already appropriated, would be required for this purpose.

The Commissioners have accordingly to request that his Excellency will be pleased to take the necessary means for the placing of this sum at their disposal.

I am further to acquaint you that the Commissioners have every reason to believe that the above-named Light will be in operation in all the month of July next.

I have the honor to be, Sir,

Your very obedient Servant,

THOMAS BENNETT,

Chairman of Commissioners of Light Houses

Hon. James Crowdy, &c. &c.

LIGHT HOUSES.

GENERAL LIGHT HOUSE ACCOUNT.

DR.

1842.		Currency.
Dec. 31	To Cape Spear Light House	245 18 0
	“ Harbour Grace Island do.	289 13 5
	“ Cape Bonavista do.	235 11 5
	“ Fort Amherst Light House	102 10 2
	“ Erection of Bonavista Light House	34 18 10
	Balance.	45 16 9
		£954 8 7

C R.

1842.		Sterling	Currency.
Jan. 1	By Balance from 1841		£47 14 11
10	“ this amount from Colonial Treasurer	£33 8 2	
	Ditto ditto ditto	23 15 0	
Feb. 5	Ditto ditto ditto	23 15 0	
	Ditto ditto ditto	13 15 0	
18	Ditto ditto ditto	12 10 0	
April 10	Ditto ditto ditto	23 15 0	
May 1	Ditto ditto ditto	23 15 0	
3	Ditto ditto ditto	12 10 0	
5	Ditto ditto ditto	13 15 0	
June 30	Ditto ditto ditto	23 15 0	
	Ditto ditto ditto	230 10 8	
Aug. 1	Ditto ditto ditto	23 15 0	
	Ditto ditto ditto	15 0 0	
	Ditto ditto ditto	12 10 0	
5	Ditto ditto ditto	13 15 0	
Sept. 30	Ditto ditto ditto	26 5 0	
	Ditto ditto ditto	20 0 0	
Nov. 1	Ditto ditto ditto	23 15 0	
	Ditto ditto ditto	12 10 0	
	Ditto ditto ditto	15 0 0	
5	Ditto ditto ditto	13 15 0	
Dec. 5	Ditto ditto ditto	174 7 0	
		£785 15 10	906 13 8

Errors Excepted

St. John's, Dec. 31st, 1842.

THOMAS BENNETT,

Chairman of Commissioners of Light Houses.

LIGHT HOUSES.

A STATEMENT

Of all Monies disbursed by the Commissioners of Light Houses on account of the Erection of Cape Bonavista Light House.

		Currency.	
1841.			
Sep. 15.	To paid John Saunders first Instalment of Contract	C239	0 0
Dec. 20.	Ditto do. 2nd do.	239	0 0
	Expense of Survey to determine site of Building	31	6 7
	Proportion Secretary's Salary		
	Ditto Surveyor's do.	£14	8 6
	Ditto Office Rent	7	11 5
	Ditto Printing Accounts	1	10 0
1842.	Ditto Printing Accounts	5	8 4
May 20	Cost of Machinery as per account from Kerr & M'Bride, Greenock, viz.: Commissioners of Northern Lights for net amount Chandeliers and Reflectors	303	2 0
	R. Stevenson & Son, Services	52	10 0
	J. Cookson & Co., Plate Glass	112	12 6
	J. Dove, Repairs Machinery	19	3 6
	J. Bell, Packing do.	22	7 6
	J. K. Paterson, furnishing and fitting Lantern, &c.	161	6 7
	James Murdoch, Services	3	8 0
	Smiths & Co, Glasses and sundry furnishings	34	5 6
	Kinnaird, Slate & Co., Copper Plates for Dome	126	18 3
	Henry Dickenson, making Dome and sundries	78	9 9
	Freight to Liverpool, Shipping Charges, insurance, &c.	49	11 4
	Commission 2 and a half per cent	24	1 10
	Expenses of Machinery	987	16 9
	Freight per Diana from Liverpool	9	12 10
	Duty	32	0 6
	Exchange, viz.: 16 per cent on £800 paid in January	128	0 0
	20 per cent on Balance, say on £229 10 1	45	18 0
	Paid labour, landing	1	10 0
	Insurance on Machinery to Bonavista	1204	18 1
May 30.		19	3 0
Oct. 15.	Paid Tobin & Co., account for cut Stone and expenses	110	14 2
	Robert Oke amount expenses, conveyance of sundries from Bonavista to Cape	38	5 3
Nov.	Paid John Saunders's account, last instalment	150	0 0
	Job Brothers, account for Linseed Oil, &c.	6	0 6
	John Mifflin freight of apparatus and conveying it to Lt. House	34	13 4
	Do. freight of Timber and sundries	36	5 0
	M'Bride & Kerr, Bricks, &c.	7	5 10
	James Tobin & Co., Bricks, Lumber, &c.	45	8 5
	John Glody, freight of cut Stone and sundries to Bonavista	25	0 0
	O'Brien, Cordage, &c.	2	2 4
	Amount brought forward	£2218	0 9

LIGHT HOUSES.

A STATEMENT

Of all Monies disbursed by the Commissioners of Light Houses on account of the Erection of Cape Bonavista Light House.

1842.	Amount brought forward		£2218	0	9
Nov.	Insurance per Reform	6 13 8			
	Do. per Martha	3 11 2	10	4	10
	G. F. Bown, Scantling		6	8	7
	P. Kough, services, proceeding to Bonavista.		16	3	1
			Currency.	£2250	17 3
			Sterling	£1950	15 0

THOMAS BENNETT,
Chairman.

REPORTS.

REPORT OF SELECT COMMITTEE,

WITH EVIDENCE UPON THE BEST LINE OF ROAD BETWEEN ST. JOHN'S AND PLACENTIA BAY.

The Select Committee appointed by your Honourable House, for the purpose of taking Evidence upon the best Line of Road between St. John's and Placentia Bay, beg to Report, that they have examined several Witnesses upon the subject, whose evidence they respectfully submit for the consideration of the House.

BRYAN ROBINSON, Chairman.

30th March, 1843, Committee Room.

Evidence taken before Select Committee appointed to enquire into the best Line of Road to the Westward:

—000—

29th March, 1843.

PRESENT :

MR. ROBINSON, Chairman.

THE HON. MR. BENNETT.

“ “ KENT.

“ “ O'BRIEN.

“ “ CARTER,

—00—

THOMAS BYRNE.—I am Road Surveyor, and have been so employed since 1834. I have traversed the Country between Holyrood and Ship Harbour, Placentia and Sal-

REPORTS.

monier. I have done so for the purpose of exploring it with reference to ascertaining the best Line of Road. The distance, in a straight line, from Holyrood to Ship Harbour is, in my opinion, about 40 miles. I have explored and measured the Country between Ship Harbour and Spread Eagle Peak, which latter place is about between 15 and 16 miles from Ship Harbour. Spread Eagle Peak is about 3 miles to the North of a direct line between Ship Harbour and Holyrood, and I have kept thus to the Northward for the purpose of approximating to a contemplated Line leading from Holyrood through the Isthmus connecting Trinity and Placentia Bays. From Ship Harbour to Spread Eagle Peak, the Country consists mostly of Barrens and Marshes, and Woods of inferior quality, and a tolerably good level can easily be obtained. There are between Ship Harbour and Spread Eagle Peak, 3 rivers—one of from 30 to 100 feet, and the others about 30 feet wide—and about 8 Brooks, of an average of 10 feet wide. The straight line from Ship Harbour to Spread Eagle Peak, is about 1 mile less than that surveyed for the road.

The land between Bottom Arm and Spread Eagle Peak affords a better level, and is of a more cultivable character than that between Rattling Brook Arm and Spread Eagle Peak, and the line from the former place would be at least a mile shorter. There is one Settler, in Ship Harbour, within a mile of Bottom Arm, and no Settlers near Rattling Brook Arm—there are several Winter Settlers at Bottom Arm, perhaps 7. Bottom Arm is more sheltered for vessels than Rattling Brook Arm. There are no inhabitants in Ship Harbour except the one above-mentioned. Ship Harbour is about three miles distant from Little Placentia on the one side, and about 3 miles from Long Harbour on the other.

If a road were run in a direct line from Ship Harbour to Holyrood, it would be not less than 3 miles shorter than by going by Spread Eagle Peak, but there would not be so good a level as by Spread Eagle Peak. The land between Spread Eagle Peak and Holyrood is mostly covered with Woods, some heavy Pine, Wickhazie and Fir, and is mostly of a cultivable character. There would be considerable difficulty in conveying that Timber to navigable Waters, on account of the distance of those Waters, which are from 7 to 14 miles from the Wood. There are 2 large Marshes between Spread Eagle Peak and Holyrood, and a few of a smaller description—the whole occupying about 3 miles of the road. From Spread Eagle Peak to Holyrood would be, as the road would run, about 30 miles.

The chief advantages that would result by the Western Road running from Holyrood to Ship Harbour, by Spread Eagle Peak, would be, that about two-thirds of that road would constitute a part of a Main Line running from Holyrood through the Isthmus to connect the Northern sides of Trinity and Placentia Bays, thence towards Benavista Bay and Fortune Bay.

From Holyrood to Piper's Hole, which would be the direction of the Main Road thro' the Isthmus above adverted to, would be about 60 miles. I think that to mark the Line through the Isthmus, by way of exploration, would cost not less than £150. I think the only use that would be made of the Isthmus Road by the Trinity Bay people, would be when Trinity Bay was impassable, from ice, to the roads which at present run between Trinity and Conception Bays. I have surveyed the road from Holyrood to Salmonier. There are at present 4 miles next Holyrood opened 12 feet wide. I mean, by being opened, cleared of trees and stumps. From thence to Salmonier it is opened from 4 to 6 feet wide—generally the Line runs through level and good land,—

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The Land near Salmonier is the best Land I know in the Country.— There is a great deal of Natural Meadow Ground in the vicinity of Salmonier, and along Salmonier River Hay sufficient for 500 head of Cattle might with little expense be raised. There is a great deal of heavy tall Timber along Salmonier River and convenient to the Road, which could, with ease, be rafted down the river. The road descends for 7 or 8 miles, to Salmonier.— it runs partly along the river. From the Point where the road turns to Collinet, to Little Harbour, is about 6 miles. Salmonier Arm is a very good Harbour, and Little Harbour is exceedingly snug. It is my opinion that Vesse's laden with Cattle, and bound for St. John's, from the neighbouring Colonies—meeting head winds—would run into Salmonier, and thence the Cattle would be driven to St. John's; and the Cattle would reach St. John's in 2 days, and in better order than if they were kept on board Ship—there is plenty of Browsing along the whole Road from Salmonier to within a few miles of St. John's. From Salmonier to Holyrood, distant about 21 miles, there are not more than 3 miles of Marshes. There are 3 Rivers about 32 feet wide, and one about 60 feet wide, and about 18 Brooks varying from 10 to 30 feet wide, between Salmonier and Holyrood. There are at present about 22 families living at Salmonier Arm, and the number is increasing. There are horses, and about 170 head of Cattle, at Salmonier.— The wolves have been very destructive there of late.

From Salmonier to Collinet is about 8 miles. There are 2 Ridges and a Valley to cross on the Line now marked. The line has very steep inclinations over these Ridges, and passes over a few Marshes, altogether about 3 Miles of Marshes—Some of the Marshes are light, some are deep. The line of Road would be much improved by inclining towards Harry Cove.

Where the line is now marked, it would cross Collinet River at a point where the stream is about 500 feet wide. I do not know that it could cross at a better place. If the Road were kept up so as to cross the River at a narrower point, it would increase the distance by between 2 and 3 miles, and the Road would run over steep ridges. There are four families living on the Sea Coast between Salmonier and Collinet. If the line were kept nearer to Harry Cove it would run through better land than the present line, and would not much increase the distance. I requested a person residing at Salmonier to keep account of the number of foot passengers who would pass by his place towards and from St. John's and Conception Bay, and he informed me that during the year 1842 upwards of 1000 Persons passed; he believes that if he had observed all who had passed the number would be 1500—those persons came and went from and to St. Mary's, Placentia and Conception Bays, and St. John's. This was after the present line between Holyrood and Salmonier was opened. Since the present line has been opened, the number of travellers has increased in a tenfold degree. I have known of four persons during the last winter coming from St. Mary's Bay and Placentia to St. John's, and taking home Dry Goods upon their backs, for which purpose they had come to the Capital. I do not know whether the majority of those 1000 Persons above mentioned, came from St. Mary's or Placentia. The expense of bridging Collinet and Rocky Rivers would be equal to the expense of making the whole Road from Salmonier to Placentia—a Ferry might be established over those two Rivers at an annual expense of £15 for the two—the Ferryman not to charge the passengers. Rocky River is distant from Collinet River about a quarter of a mile. Where the ferry is proposed to be placed the River is exposed to the influence of the sea and wind to a certain extent. I do not consider that the Ferry across would be dangerous, nor impassable for more than a fortnight during the year. I cannot say whether a bore does or does not run up these Rivers. The fortnight during which the River might be impassable would be in the early part of the Winter, whilst the

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River would be freezing up, and in the Spring when the Ice would be breaking up.—The only times of the year when I have been at Collinet have been in June, July, August, December and January. The length of the present line from Collinet to North-east Arm of Great Placentia is about 18½ miles, and thence to Great Placentia 4 miles—of this part (22½ miles) about 6 miles next to Placentia is opened to a width of 12 feet, the remainder of it is marked by hatchet cuts, and posts on the Barrens, and Marshes. The line might be altered with advantage—it is at present partly hilly and some swamps. There are between Rocky River and Placentia one River (North Harbour,) about 30 feet wide, and about four streams of an average width of 14 feet. The distance between Rocky River and North Harbour River is about three miles. There are several families residing at North Harbour, and some live altogether by agriculture. They drive their Cattle to Placentia to sell, and some they send in boats to St. John's. There is a great deal of Agriculture carried on, and very many Cattle between North Harbour and Great Placentia, by Cape St. Mary's—of which District this line would be as it were the chord of the arch. I think that the whole Line of Road from Holyrood to Placentia and from Holyrood to Ship Harbour, could be well made, to a width of 7 feet, and thoroughly gravelled, so that a horse could trot along it, at an average cost of £100 Currency a mile. Bridges are not included—nor exploration.

New Lines ought to be drained and levelled in one year, and gravelled the next; and all stumps and Roots ought thoroughly to be eradicated.

I am of opinion that on a narrow Road there will be less drift than on a wide Road. The snow drifts most on the edges of Marshes and Barrens and at turns of Roads, if the Roads are wide. To make a Road of 7 feet gravel, the base should be at least 14 feet wide.

I think that no land should be granted within 50 feet of the centre of any Public Road, so that materials could always be had conveniently. Great Placentia is a very safe Harbour when you are in it. There are a great number of settlers on both sides of the North-east and South-east Arms, and several of them live mostly by agriculture. There is a Road from Great Placentia to Little Placentia, upon which one can ride. There is a very steep hill between these two places—that Road over the Hill could be much improved. The anchorage in Great Placentia Road is very good.

I think that as a general principle in running a main Line of Road it is more desirable to connect Settlements than to reach each terminus by the shortest line.

In Winter Roads it is of the greatest importance that the Road should be much frequented and consequently beaten. I would rather walk three miles over a beaten Snow Path than one where it was not beaten. It is of importance for the safety and comfort of Travellers, as well as to ensure a beaten Path, that Settlements should be formed at short distances from each other. I know Long Harbour in Placentia Bay, and Chapel Arm in Trinity Bay; they are about 14 miles apart—between each cove there is a beaten Path.

People go by water from Chapel Arm to New Harbour, thence by land from New Harbour to Spaniards Bay, thence by water to Portugal Cove. From St. John's to Portugal Cove is Nine and a half miles; from Harbour Grace to Spaniards Bay seven miles; from Spaniards Bay to New Harbour thirteen and a quarter miles; and S. from Chapel Arm to Long Harbour fourteen miles—making the whole on Land Forty Three and three quarter miles. I think £20 would open and mark a safe and practicable communication bet-

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ween Long Harbour and Chapel Arm. I think that those persons who live to the Westward of Merasheen would rather go to Great Placentia than to Ship Harbour, if bound for St. John's. I have never boated in Placentia Bay, except to make a passage from Placentia to Burin and back, and from Long Harbour to Rams Islands, and thence to Little Placentia, and from Little Placentia to Ship Harbour. Taking into consideration all the advantages of connecting Settlements with Settlements, and those with St. John's, I am of opinion that it would be more beneficial to the country at large that the Great Western Road should run from St. John's to Great Placentia, by the way of Holyrood, Salmonier and Collinet, then from St. John's, by the way of Holyrood to Ship Harbour.—I am also of opinion that if the two lines were made, and were equally good, ten persons would travel the Salmonier line to one who would travel the Ship Harbour Line; and that few if any Cattle would be driven from Ship Harbour to St. John's, and that a good many would come by the way of Salmonier. The comparison above made of ten persons to one, to travel on the Salmonier Line, is made chiefly with reference to the Inhabitants of Placentia Bay—and I come to this conclusion because Travellers, during Summer, as well as in Winter, prefer the Road along which settlements may be found to receive them each night—and which in Winter is expected to be best beaten.

I could walk from Placentia to St. John's, by Salmonier, in 2 days; and from Ship Harbour to St. John's, in two days, less about 3 hours.

I think the difference between the best Ship Harbour Line (by Spread Eagle Peak) and the Placentia line by Salmonier would be about five and a half miles—the latter being the longer.

CLEMENT BENNING, Esq., M. G. A.—I am of opinion that so far as concerns the advantage and convenience of Fortune Bay, and the West side of Placentia Bay, the Road to St. John's should run to Ship Harbour—because it is an excellent harbor. I have resided at Great Placentia between 5 and 6 years, and I always considered that Great Placentia is an excellent harbor and had a good roadstead—but Little Placentia is not a good harbor, and when Vessels were laden there they had to go over to Ship Harbor to await a wind. I prefer Ship Harbor, because persons going from Burin to Ship Harbor can keep up the Bay and therefore avoid crossing Merasheen Bank, which frequently breaks, and over which they would have to pass if bound in a direct course to Great Placentia. I resided for 3 years at Barren Island, and I believe that all the inhabitants of the upper part of the Bay would be benefitted by having the terminus of the Western road at Ship Harbor, or Long Harbor, which would be preferable still. The people of Little Placentia would also prefer Ship Harbor. There is much danger to small craft going to Great Placentia from the Islands in the upper part of the Bay, which would be avoided, in a great measure, by running to Ship Harbor. Above Ship Harbor the Bay is comparatively smooth, it being there sheltered by the Islands. Any wind which would render anchorage in Great Placentia dangerous would enable a vessel to run through the Gut no matter how the tide was. I have never travelled by land from Placentia Bay to Holyrood. I have heard Mr. Hooper and Mr. Butler say that for them, or any persons on their side of the Bay, the road to Ship Harbor would be best.

30th March, 1843.

GEORGE LEMESSURIER.—I have resided at Isle of Vallen for 5 years—I have

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five times walked to St. John's from Placentia Bay during the Winter Season. I started four times from Long Harbor, thence to Chapel Arm, Trinity Bay—thence, by boat, to New Harbour,—thence to Spaniards Bay,—thence to Brigus, and thence to St. John's. I have also walked from Chapel Arm to New Harbour, &c. Last Winter I walked to Placentia from St. John's, by way of Salmonier. From Long Harbour to Chapel Arm is about 7 and a half miles—I walked it in 2 and a quarter hours. From Chapel Arm to New Harbour, by the route we took, round the head of the Bay, is about 36 miles. There is no road. I walked round the Bay in preference to striking thro' the country, because I was fearful of being obstructed by fallen Timber after the heavy gales of wind that had blown, and I thought the Sea Coast would be more open. I could not cross by water to New Harbour, on account of tempestuous weather. I never walked from Holyrood to Long Harbour or Ship Harbour. I left Holyrood for Salmonier 26th February, 1842, at half past 8 o'clock, A. M. I reached Harry Cove, by Salmonier, that day, at about half past 6 P. M. having stopped an hour at Salmonier. On the following morning, at 7 o'clock, I left Harry Cove and arrived at S. E. Arm, in Great Placentia, at half past 3 P. M., when I went to Great Placentia in a Sleigh over the Arm in three-quarters of an hour. I passed over the Arm at Collinet upon Ice. Both Collinet and Rocky Rivers were open at their mouths, and a good deal of Ice was rafted there. If the Arm had not been frozen, I should have been obliged to have gone up the river about 6 or 7 miles to a point where it is smooth, and would probably be frozen. If I had been obliged to go up the river, I could not have got to Placentia that night, and should, therefore, have been obliged to go to North Harbour for shelter for the night, and to get into the road again. If the mouth of the river and the arm had been broken up and filled with broken Ice, I still could have crossed it in a boat, and perhaps without much danger, as it is a smooth water place. I do not know that there is a bore in that river. In the spring of the year I should think it would be difficult to cross Collinet and Rocky Rivers, as the Ice rafts very high: I have heard as high as 20 feet. This flood might not continue more than from a couple of days to a week. There are no resident settlers at Chapel Arm, but 8 or 9 families live at Norman Cove, which is distant from Chapel Arm, about 9 miles—they possess Cattle, &c. At Old Shop distant from Chapel Arm over land, about 15 miles, there are about 5 families living, who have Cattle. Spread Eagle Inlet lies between Chapel Arm and Old Shop, and contains one family. The country between Collinet and Placentia South-east Arm, is for about 11 miles in the centre free of Woods and unsheltered. There is a good deal of ascent for the first 6 miles from North Harbour—I did not travel the explored Line. For the inhabitants of the Western-side of Placentia Bay, and of the Islands in the Bay, and of those residing above Placentia, I consider Ship Harbour would offer the most convenient terminus for the St. John's Road, because in Winter and Autumn Great Placentia is very difficult of access on account of the tide in the narrow Gut. If I took a North-east Wind, off Placentia, I might be blown off the Land altogether, and boats or vessels cannot get out of Great Placentia with the wind strong from West or West South-west, which is fair for the West side of the Bay and for the Islands. I have been delayed during Summer, for one and two days at a time, by my inability to get out of the Gut; and last Winter I was 4 days in Great Placentia, unable to cross to Little Placentia from the floating Ice in the Gut of Great Placentia. Ship Harbour is accessible with all winds, it being spacious to beat in and out of, and two Arms to anchor in.

At present the Burin people wishing to come by land to St. John's, run to Paradise, and cross thence to Long Harbour, from which they pass to Chapel Arm. They prefer this course, to gain the shelter of the Islands of Placentia Bay. Merasheen Bank is also avoided by keeping up—the Water is smooth above the Islands. If the road even were

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made from Holyrood to Great Placentia, by Salmonier, I should still prefer going from Long Harbour to Chapel Arm to making for Great Placentia during the winter. Mr. Bennett has the principal Establishment at Isle of Vallen—I conduct it.

I think if the terminus of the Great Western Road was at Great Placentia, the road would benefit only the people of the two Placentias and of the Cape Shore, whilst if the road ran to Ship Harbour it would benefit the people of Placentia Bay generally. The population of Great Placentia, and of the shore to the North-east of it, is decreasing, whilst that of the Western Shore and of the Islands is increasing—because the Western Shore, and Islands are more convenient for the Fishery, and the Fall Fishery is prosecuted on the Western Shore and is not on the Eastern Shore.

I have travelled the road between Great and Little Placentia. There is a very steep ascent next to Great Placentia, but afterwards the road runs level.

The distance from Little Placentia to Ship Harbour is 3 miles—the distance from Ship Harbour to Long Harbour is $3\frac{1}{2}$ miles—Little Placentia has a bar, which breaks in bad weather, and therefore is not a good harbour.

If a road were made from Ship Harbour to Colliers it might be walked in a day.

WILLIAM MAGILL.—I lived in Great Placentia from 1815 to 1832. I have walked from Great Placentia to St. John's, and back, 25 times. I have come by the way of Long Harbour and Chapel Arm. I have also crossed from Great Placentia to Chapel Arm direct. I have also gone by the way of Salmonier and North Harbour. In 1834 I followed this latter route. I have generally taken the Long Harbour and Chapel Arm route, because by this Road I was more certain of a house for the night.

Ship Harbour is a remarkably fine Harbour, and accessible with all winds. I think a Great Western Road would run with greater advantage to the Colony at large from Holyrood to Ship Harbour, than from Holyrood to Salmonier and Great Placentia.—The Road from Salmonier to Great Placentia would be as long nearly as from Holyrood to Ship Harbour. I have not travelled the latter route. There would be more Woods on the Ship Harbour Line than between Salmonier and Great Placentia. I travelled by Salmonier but once. In the Summer it would be very improbable that a Boat would be found to take a Traveller from Chapel Arm to New Harbour. In Winter there would be a greater probability, because the Winter Settlers reside there. A Road running out to Great Placentia will, in my opinion, serve only a small proportion of the Bay—the extent to be served by such a Road would be from the Cape Shore to Great Placentia. Great Placentia is a very difficult Harbour to enter, though a good Roadstead. There is a strong Tide, and Boats coming down the Bay with a North-east wind cannot enter the Gut. I have known a great many Vessels run ashore at Great Placentia. I consider the reason that Ship Harbour is not inhabited is, because it is too far from the Fishing Ground. Vessels cannot get out of the Gut of Great Placentia, except with a fair wind. The distance between Ship Harbour and Little Placentia by land, is between 12 and 13 miles. The reason why I think that Great Placentia would be a bad terminus is, because Great Placentia is so difficult of access. I would run the Great Western Road from Holyrood to Ship Harbour, and I would connect that Line with Salmonier by the most direct Line that could practically be found. If the Mail were landed at Great Placentia, the Mail-boat might be detained at Great Placentia by

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winds varying from N. by E. to NNW. ; and I think Ship Harbour would be much preferred to Great Placentia by persons who had Cattle to land. The navigation into Great Placentia Harbour is dangerous. I think the number of persons in the upper part of Placentia Bay and on the Islands, who would be benefitted by the Road running to Ship Harbour, would be greater than those who reside in St. Mary's Bay, who would be benefitted by the Salmonier Line. The people of Fortune Bay would be also more benefitted by the Ship Harbour Line.

[See Journal, page 138.]

[See Journal, page 109.]

COMMITTEE ROOM, MONDAY, MARCH 13, 1843.

REPORT

Of a Select Committee on a Bill for granting a Drawback on Goods, Wares and Merchandize Exported from this Colony.

COMMITTEE.

Hon. JOHN DUNSCOMB,
 " JAMES TOBIN,
 " JOHN KENT,

Hon. JOHN KENT, CHAIRMAN.

Hon. WILLIAM THOMAS, examined.

What is your opinion of a Bill now before the Legislature entitled a Bill for granting a Drawback, &c. ?

The granting of Drawbacks at present would be inconvenient. So far as our Trade is carried on, the sums that would be sought for would not at all be equivalent for the additional trouble and expense imposed in guarding the Revenue.—It would, at the present moment, be very impolitic to pass a Drawback Act, when so much Goods of Foreign growth, owing to the dropping of our Revenue Act, have been introduced into our Market, without paying any Duty, and are still remaining. A great many arguments might be adduced to show that a Drawback Bill at a future period might be passed with advantage to the Trade.

Mr. RALPH TRIMMINGHAM.

I am of opinion that Drawbacks are just, and would be beneficial to the Trade, on articles where the Colonial Duties are particularised—that is on enumerated articles. I think, on articles paying an Ad Valorem Duty there would be much difficulty in ascertaining the amount of Drawback, so as to guard against fraud.—In Barbadoes there are Drawbacks on all enumerated articles paying Colonial Duty, on exporting them to the other Colonies. Newfoundland was particularly benefitted by the existence of such an Act in Barbadoes, in consequence of the duty on Cod Fish being returned when exported from Barbadoes to any of the other Islands. I do not know that the Tax on articles paying Ad Valorem Duty is remitted on exportation in any of the Colonies.—I am not aware that in those Colonies where a Drawback, such as I have already described, has been allowed, that that circumstance increased the expense of the Customs Department.

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THE COLLECTOR.

I am perfectly of opinion, that if a Drawback is allowed on articles paying Ad Valorem Duties, the Drawback will be open to an extensive system of smuggling—moreover, I am of opinion, that the Trade will be put to much inconvenience, inasmuch as every package of Manufactured Goods must be opened in the presence of an Officer, and a detailed account of its contents taken. With Goods paying a specific duty, by tale, weight, gauge, or measure, there would be no difficulty in keeping separate accounts; in fact they are already so kept.—If the Drawback on enumerated articles was allowed to any extent it would be necessary to keep the Tide Waiters on board till the departure of the vessel, to guard against the Goods being re-landed, and consequently an additional expense would be incurred. Many persons, I am aware, are of opinion that no additional expense need be incurred if a certificate under the hand of the Officer at the port of landing be produced. It must, however, be borne in mind that these Officers seldom if ever take a particular account of goods which are not subject to Imperial Duties on entry in their respective surveys; and consequently certificates granted under such circumstances can only be regarded as affording secondary protection.—In my opinion the Warehousing system obviates all the difficulties of which this Act contemplates the removal. At present the Warehouses apply only to the Imperial Duties on Foreign Goods or British Goods, on which an advantage would obtain on importation into the United Kingdom. By my instructions, I am prohibited from admitting any British Goods, except as above explained, into the Warehouses, on account of the additional expense which would be incurred in the payment of the Lockers; but if a provision were made under the Colonial Act for the payment of this additional expense, of course all Goods could be admitted into the Warehouse and exported from thence duty free.—The Lockers are paid a permanent Salary of £20 per annum each, and if employed, 3s. additional as day pay—the admitting or delivering a single article into the Warehouse is considered as amounting to a day's pay—if, therefore, such a provision, such as I contemplate, be introduced into the Colonial Bill, the only additional expense will be 3s. for each day the Locker is employed to receive or deliver the Goods that cannot now be admitted into the Warehouse. The system I recommend would enable the Trade to export every article, whether it would be subject to Ad Valorem Duty or not. Even on enumerated articles, provided a Drawback was allowed without Warehousing, the Duty ought not to be allowed on a small quantity—because if the Duty is granted upon a small quantity of any one article, the Masters of small vessels would purchase a loaf of Sugar, or a small quantity of Tobacco, and these small articles when lumped together, would make a Sum to command a Drawback, which would cause great inconvenience. In my opinion the Warehousing system is the only means by which you can get the Imperial and the Colonial Acts to work together. I will suppose 500 barrels of Canada Flour to be imported from Quebec, and also 500 barrels United States Flour to be imported from New York—the States Flour, being a foreign article, can be Warehoused without payment of either the Imperial or Colonial duty, and consequently exported duty free—the Canada Flour, being a British article, cannot, as the Law now stands, be Warehoused; it can be admitted free of Imperial Duty for the Fisheries, but it must pay the Colonial Duties; consequently on its exportation it will be considered in the Colony in which it may arrive as a foreign article, and will be treated as such; that is, it will have to pay the Imperial Duty therein addition to the Colonial Duty paid here. If, however, this article, that is the Canada Flour, could be Warehoused, it would neither pay Colonial Duty here nor Imperial Duty in any other British Colony to which it may be exported from hence. The same advantage would apply to every other British article which is subject to Imperial Duties in these Colonies.

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Mr. THOMAS BENNETT.

I am decidedly of opinion that a Bill, as contemplated, would be very desirable and advantageous to the Trade, to be confined to enumerated articles—such as Sugar, refined and unrefined ; Tea, Tobacco, Cigars, Flour, Bread, Pork and Beef, Molasses. I am decidedly opposed to any Drawback on Goods subject to an ad valorem duty. I would also particularly recommend that the Drawback duty on Sugars, Tea and Coffee, should be confined to quantities no less than as follows:—Loaf Sugar, 5 Cwt. ; Unrefined Sugar, 10 Cwt. ; Tea, Tobacco and Cigars, in the original packages ; Tea not less than 80*lbs.*, Tobacco, not less than 112*lbs.*, and Cigars, not less than 1*M.* ; Flour, not less than 20 *barrels*, 196*lbs. each* ; Beef and Pork, 10 *barrels*, 200*lbs. each* ; Bread, 25 *bags*, 1 *cwt. each* ; Butter, 20 *Firkins*, or 20 *Cwt.* ; Molasses, in event of a Colonial duty being imposed ; Rice.

Mr. EUGENIUS HARVEY.

I think the Bill now contemplated would be very beneficial to the Trade. I would recommend that the Drawback should only be granted on the Exportation of articles paying specific duties. I would recommend no Drawback, unless the duty on each article to be remitted amounted to 40*s.* In my opinion the granting of a Drawback is preferable to the Warehousing system. In the case given by the Collector, it appears to me that Canada Flour would be benefitted in some measure, but the Warehousing System would inconvenience the Trade by obliging them to Warehouse all imports from the U. States, or subject them to the additional tax on Exportation to the amount of the Colonial duty paid thereon. The quantity of imports from Canada is so very trifling when compared with that from the United States, that a case favourable to Canadian Goods would be a small commercial boon compared with an arrangement favourable to the exportation of United States produce. Further, I think the expense of a Drawback system would be less than that of the Warehousing system.

Mr. WALTER GRIEVE.

I am favourable to the Act, as giving facilities to Trade generally. I think the Legislature ought to frame the Act in such a way as to consult the convenience of the Commercial intercourse between this and the neighbouring Colonies, by enabling Island people who come here with Cattle, Potatoes, &c., to take their supplies from this, so as to avoid the payment of two duties. I think if you got a return from the Customs of the quantity of Goods exported to Prince Edwards Island, and New Brunswick, and Nova Scotia, and the other Colonies, the importance of that Trade would be seen. I cannot see that any additional expense can be entailed upon the Colony by passing this Bill ; it may open a door for smuggling, which ought to be guarded against.

What time ought to be inserted in this Act when it should come into operation?

MR. TRIMMINGHAM.....5th July.
 MR. GRIEVE.....1st August
 MR. HARVEY.....At once.
 MR. BENNETT.....5th July.

The Select Committee on a Bill for granting a Drawback on Goods, beg to Report, that they have examined the Collector and several Mercantile Gentlemen on the propriety of framing such an Enactment, and they now beg to submit the Evidence for the consideration of the House.

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[See Journal, page 119.]

REPORT

Of the Select Committee on the Duties under Imperial Act 5 & 6 Victoria, Cap. 49, to come into operation on the 5th July next.

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The Committee appointed to ascertain and report to the House what alteration in the Duties payable upon Goods, Wares, and Merchandize imported into this Colony, will be effected by the Imperial Act 5 & 6 Victoria, Cap. 49, beg leave to Report the same as contained and set forth in the following Table.

W. B. ROW.
Chairman.

Committee-Room, }
March 18, 1843. }

ARTICLES.	Duty per Act 3rd & 4th, W. 4th, Cap. 59, and Acts prior to 18 Geo. 3.	Duty per Act 5th & 6th Vic., Cap. 49.
Cocoa	5s. per Cwt.	1s. per Cwt.
Sugar (unrefined)	Free	5s. per Cwt.
Tea	Prohibited	1d. per lb.
Rum (Foreign)	1s. per Old Gallon (being 6d. over Br. W. I.)	6d. per Imprl. Gal. (or 5d. per Old Gallon.)
Brandy, Geneva, and other Spirits	2s. 3d. & 2s. 6d. per do.	1s. per Imperial Gallon, (or 10d. per Old Ditto.)
Glassware	20 per Cent	15 per Cent.
Silk Manufactures	30 per Cent	15 per Cent.
Oil, Blubber, Fins and Skins	Prohibited	15 per Cent.
Wine (in casks)	7½ per cent. or £7 per tun.	} 7 per Cent. } 4 per Cent. (Not being enumerated.)
Ditto (in Bottles)	£7 7 per tun & 7½ per Ct. 1s. per doz. Bottles.	
Cotton Manufactures	20 per Cent.	
Linen Ditto	30 per Cent.	
Woollen Ditto	15 per Cent.	
Leather Ditto	30 per Cent.	
Paper Ditto	15 per Cent.	
Hardware Ditto	15 per Cent.	
Clocks and Watches	30 per Cent.	
Tobacco (Manufactured)	20 per Cent.	
Soap	20 per Cent.	
Candles (not Sperm)	15 per Cent.	
Tobacco (unmanufactured)	15 per Cent.	
Musical Instruments	30 per Cent.	
Wines of all sorts	30 per Cent.	
Books and Papers	30 per Cent.	
Sugar Candy	20 per Cent.	
Alabaster	7½ per Cent.	
Anchovies	Ditto	

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TABLE CONTINUED.

ARTICLES.	Duty per Act 3rd & 4th, W. 4th. Cap. 59, and Acts prior to 18 Geo. 3.	Duty per Act 5th & 6th Vic., Cap. 49.
Argol	7½ per Cent.	4 per Cent. (Not being enumerated.)
Anniseed		
Amber		
Almonds		
Brimstone		
Botargo		
Boxwood		
Currants		
Capers		
Cascacoo		
Cummin Seed		
Coral		
Cinnabar		
Dates		
Emery Stone		
Essence of Bergamot		
“ Lemon		
“ Roses		
“ Citron		
“ Oranges		
“ Lavender		
“ Rosemary		
Fruit preserved in Sugar or Brandy		
Figs		
Honey		
Iron in Bars, unwrought and Pig Iron		
Juniper Berries		
Incense of Frankincense		
Lava and Malta Stone for building		
Lentils		
Marble, rough and worked		
Mosaic Work		
Medals		
Musk		
Maccaroni		
Nuts of all kinds		
Oil of Olives		
Oil of Almonds		
Orris Root		
Ostrich Feathers		
Ochres		
Orange Buds and Peel		

REPORTS.

TABLE CONTINUED.

ARTICLES.	Duty per Act 3rd & 4th, W. 4th, Cap. 59, and Acts prior to 18 Geo. 3.	Duty per Act 5th & 6th Vic., Cap. 49.
Olives	} 7½ per Cent.	} (Not being enumerated.) 4 per Cent.
Pickles in Jars and Bottles		
Paintings		
Pozzolana		
Pumice Stone		
Punk		
Parmasan Cheese		
Pickles		
Prints		
Pearls		
Precious Stones, except Diamonds		
Quicksilver		
Raisins		
Sausages		
Sponges		
Vermillion		
Vermicelli		
Whetstones		
Non-enumerated Articles	15 per Cent.	4 per Cent.
Wood and Lumber	21s. and 28s. per M.	Free.
Molasses	1d. per Old Gallon.	{ Free for Fisheries otherwise 3s. per Cwt.
Cheese	15 per Cent.	{ Free for Fisheries, otherwise 5s. per Cwt.
Manures	15 per Cent.	Free.
Sugar (refined in Bond) in the United Kingdom	Free.	10 per Cent.
Goods (from Ware-house) in the United Kingdom.	9-10ths of Duties.	3-4ths of Duties.
Spirits, the produce of any of the British Possessions in S. America, or the W. Indies.	6d. per Old Callon.	Free.
“ the produce of any British Possessions in N. America, or of the United Kingdom imported from United Kingdom or British Possessions in America,	1s. 6d. per Ditto.	Free.
Fish (Dried)	Prohibited.	2s. per Quintal.
“ (Pickled)	Ditto.	4s. per Barrel.

By the Act 3 & 4 Wm. 4, Cap. 59, “ any sort of Craft, Food, Victuals [except Spirits,] and any sort of Clothing and Implements and Materials fit and necessary for the Fishery, are allowed to be imported Duty Free.

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By the new Act the Articles to be allowed to be so imported are enumerated, viz—

Meat [Salted or Cured]	Oakum
Flour	Pitch
Butter	Tar
Cheese	Turpentine
Molasses	Leather and Leatherware
Corkwood	Fishermen's Clothing and Hosiery
Cordage	Fish Craft, Utensils, Instruments and Balt.

Under the new Act, the above articles will, on admission for the Fisheries, be subject to such Regulations as may be made by the Commissioners of Customs or the Collector; but it being considered that on importation into this Colony, they must all be deemed and taken to be for the Fisheries, they have been so regarded in making the foregoing Table.

Any of them not within the Regulations so to be made, will be subject to the following Duties, viz :—

Meat [salted or cured]	3s. per Cwt.	Corkwood	} 4 per Cent.
Flour	2s. per Barrel,	Pitch	
Butter	8s. per Cwt.	Tar	
Cheese	5s. per Cwt.	Turpentine	
Molasses	3s. per Cwt.	Cordage and Oakum	} 7 per Cent.
		Leather and Leatherware	

[See Journal, [page 140.]

REPORT OF SELECT COMMITTEE ON JURY BILL.

REPORT

Of Select Committee appointed to consider of the Provisions of a Bill to regulate the manner of Empannelling Juries in the Supreme Courts, now before the House of Assembly.

Your Committee have taken into consideration the Bill submitted to them, and, with a view to obtain information upon the subject, have submitted interrogatories to the Chief Justice, to the Sheriff, and to Mr. Canning,—the latter gentleman having, under the Fire Companies Acts, made a Valuation of the Town of St. John's,—whose replies your Committee beg leave to report to the House, as follows.

15th March, 1843.

Answers to "Queries of the Select Committee on the Jury Bill," put by the Chairman.

No. 1,—As to Section IV,—I have no idea of the number of Persons whom the Magistrates would find possessing the different property qualifications specified; but the numbers that would be placed on the Special Jury List, and that would be left on the Petit Jury List, should be compared before deciding the amount which should qualify for a special Juror, if a property qualification is decided upon. It would not be desirable to take

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away too many of the principal Petit Jurors, and a fair and relative proportion should be left between the two Bodies. On the other hand, a property qualification is not open to the objection of its being vague and indefinite, whilst the qualification under the present system has been so much so, that the Sheriff has felt it necessary for his own guidance to establish a test as to what should constitute a "principal Merchant," viz—the occupation of Waterside Premises. By the English Jury Act, 6 Geo. 4, c. 50, Sec. 31, the Special Jury List is to be made up of all those, who, on the Jury Books (*as settled by the Justices in Petty Sessions*) are described as "Esquires" or Persons of higher degree, being the principal people in England should be in Newfoundland answered to by persons selected for not too low a property qualification. In all things, so far as it is possible, English example should be followed, except where there is good reason for deviating from it.

No. 2.—As to Sections 13 and 14,—It would in my opinion be more objectionable for each suitor to be allowed to nominate half the Jury. This would not only be contrary to the English precedent, which I think should be imitated, but it would be the means of putting into the box so many partizans, (if they could be found,) and thereby making any satisfactory verdict difficult to be arrived at. I think *some* striking off ought to be allowed; for, if the Ballot alone were to decide, and be conclusive except upon cause shown, a suitor might find one or more on the Jury, in whom he might have little confidence, whom he might suspect of hostile feeling, although he might have no tangible ground of challenge for cause.

Section 12.—The provision for a *Tales* to ensure a Trial notwithstanding the absence of a full Special Jury, is very beneficial; it might even be carried further, as well as be still more explicit.

Section 4.—The intention of this section, no doubt, is to qualify *Owners* to the amount of £30 and *Occupiers* to the amount of £60; but a dispute might be raised on the word "occupying," where it occurs under the former qualification, although the words "in Fee Simple or perpetuity," are intended to refer to it, and to distinguish it from the £60 occupation: but if *owning* be meant, that word had better be used.

Section 10.—It is most desirable that the Petit Jurors should be relieved from their fatiguing duty of attending a whole long Term, *de die in diem*. It might be well to express that the third set of 48 Jurors, should have equal notice as to time with the previous sets, and this could be done by adding at the end of the section a provision that in every case there should be 10 days' notice at least.

J. G. H. BOURNE, C. J.

High-Sheriff's Office, 23th March, 1843.

SIR,—In reply to your Interrogatories on the subject of the Jury Law about being established in this Colony, I beg leave to offer, for the information of the Committee of which you are Chairman, my views on the different points brought under my notice; and in doing so, I cannot but express the great difficulty I have experienced in fixing any general rule that is not open to many objections.

The prevailing complaint against the present Petit Jury System is the low qualifica-

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tion required for Jurors causing to be placed thereon the names of very many persons not of sufficient intelligence for the discharge of their important duties ; consequently, the withdrawal from the Panel persons paying Forty Pounds rent, would very much lower the character of the Petit Jury Panel : I therefore am of opinion, that three separate and distinct Jury Panels could not be formed with advantage to the public.

I am of opinion, the Grand Jury Panel should be composed of the names of the principal Merchants occupying Water-side premises, and their Agents during the absence of their principals, and Gentlemen residing in St. John's and the neighbourhood—none so qualified, to be excused from serving by reason of their being Sixty Years of Age ; mental or bodily infirmity only to be deemed sufficient cause for exemption.

I would place on the Special Jury Panel the names of all on the Grand Jury, except those Sixty Years of Age. To make good the deficiency thus caused, I would add the names of all persons living in St. John's, or neighbourhood, occupying houses, or lands, of the annual rent of Seventy-five Pounds Sterling, or owning Property, in Fee-simple, of Seven Hundred and Fifty Pounds value.

On the Petit Jury Panel I would place the names of persons not on the Grand or Special Jury, but who possess Lands, or Houses, in Fee-simple, of the annual value of Eight Pounds Sterling, or Lease-hold of Sixteen Pounds per annum profit rent, or occupying a Dwelling-house, or Farm, of the annual rent of Twenty Pounds.

In the event of a qualification for Special Jurors being fixed at Forty Pounds, I have no means of forming an opinion as to the number it would embrace.

I have the honor to be, Sir,

Your obedient Servant,

B. G. GARRETT, High-Sheriff.

J. V. NUGENT, Esq.,

Chairman of Committee on Jury Bill.

Saint John's, March 18, 1843.

SIR,—

Having been directed by you, as Chairman of a Select Committee of the Honourable the Legislative Assembly, to report what effect the contemplated Qualifications will have on a Jury Panel for the Town of Saint John's ; which qualifications are fixed at the value of £20 per annum for the possession, [not occupancy], and the occupancy of a Tenement or Tenements value £40, £50, or £60.

In furtherance of your request, I have prepared a detailed statement, as correctly as I possibly can from the materials in my possession, which will enable you to ascertain the required information ; and which I now submit for your consideration. I will not pledge myself as to its accuracy in every particular, yet I think it sufficiently so, for you to ascertain the effect required. On looking over the statement referred to, I observe there are 87 in the first column, and think it would have the effect of introducing about 30 on the Panel that might be omitted ; and that £25 sterling instead of £20 would have the effect of removing many of them.

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In the second column are 12, having the effect of introducing nearly one-half who may not be qualified ; and that £45 sterling and upwards, instead of £40, would have the effect of removing most of them.

That if the £45 qualification be adopted as above, all those in the 3rd and 4th columns of course will become qualified, which are not, I believe, open to more than 4 or 5 objections.

The 5th column contains various interests arising on Profit Rentals, and Fee-Simple Property, amounting together to from 40*l.* and upwards, not admissible, I think, under the 4th Section of the contemplated Act—and which sums are too small to come under the 1st or 2nd columns of the statement ; [for example, vide 1st name on the list.] To remedy this defect, I respectfully submit that in the 4th Section of the Bill, and after the word “ Tenements ” in the 5th line, there ought to be inserted, words to the following effect, viz—“ or possessing in any manner a profit Interest in House, Houses, Lands or Tenements ”—which would give many a place on the Special Jury Panel that ought to appear, and who would be excluded in the section alluded to, were it to pass in its present shape.

Should your Committee come to the conclusion of adopting the sum of £45, or any other sum as a qualification, some will be excluded that ought to be admitted, and some admitted that ought to be excluded—which difficulties cannot be easily overcome ; for instance, a respectable man occupying and paying 25*l.* or 30*l.* per annum.

If the names of the Grand and Special Jury were included in the Bill, giving power to the High Sheriff to supply the place of those afterwards incapacitated by absence from the Colony, death, or otherwise, the Bill would be much simplified, and save a vast deal of trouble and some expense ; for a person *must* be called upon to value the Property, if Property is to be the *test* ; in proof of which I would instance a House let at £20 per annum ; the occupier improves the same, and makes it worth 60*l.* Sterling ; this man would be qualified by a Valuation, but disqualified by the rent actually agreed for.

That the valuations of property by any one individual would be a cause of much dissatisfaction, because 20*s.* under or over 45*l.*, would have the effect of placing a Householder either as a Special or Petit Juror ; but if three persons were appointed, parties would be more satisfied and the responsibility divided.

I now return to that of naming the Special Jurors in the Bill, for the purpose of removing these troublesome difficulties ; but there is an objection to be urged against this mode,—for who would like to become a subject of individual Legislation ?

I trust I have stated sufficiently to show the effect of the Sums proposed as a Test of qualification, and that *any* value on Property will not altogether remove objections ; nor would the naming of the Jurors be satisfactory, on account of individual Legislation.

I therefore respectfully submit to your consideration, whether Commissioners appointed to act with the High Sheriff, to make out a List of names as Jurors, to be confirmed by competent authority, would not, after all, be a mode *least* objectionable.

These observations on the effect likely to be produced on the qualifications proposed, are respectfully submitted by

Your most obedient,

And very humble Servant,

JOHN CANNING.

To J. V NUGENT, Esq.

Chairman of a Select Committee of the Legislative Assembly of Newfoundland.

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A STATEMENT

Showing the effect upon the Numbers of a Jury Panel for the Town of Saint John's, given by JOHN CANNING, by direction of J. V. NUGENT, Esquire, Chairman of a Select Committee of The Honourable the Legislative Assembly of Newfoundland, for considering the provisions of a Jury Bill.

NAMES.	Possessors of Fee-Simple Property at the annual value of £20 and upwards.	Occupiers of a Tenement or Tenements.			Amount derived from sundry Interests arising on Profit Rentals and Fees-Simple Property, being in lesser Sums than any before stated, including also the amount of occupancy.
		Value 40 a 49 Pounds per annum.	Value 50 a 59 Pounds per annum.	Value 60 Pounds and upwards.	
	£				£
Allen, Thos. (£17 Fee-Simple & £87 Profit Rental)	—	—	..	..	104
Alsop, Robert & Co.	—	—	..	Upwards	60
Anderson, James, Sen.	60	—	..	..	60
Ashman, George	—	—	..	..	40
Allen, Michael, Sen.	20	—	..	..	20
Allen, Michael, Jun.	40	—	..	..	40
Baine, Johnston & Co.	700	—	..	..	700
Barnard, —	20	—	..	..	20
Beck, Thomas	—	—	..	Upwards	60
Bowring Brothers	—	—	..	Upwards	60
Burton, George	70	—	..	..	70
Brocklebank, T. & J.	—	—	..	Upwards	60
Brine, John (Farmer)	—	—	..	Upwards	60
Brine, James Jun.	250	—	..	..	250
Barnes, R. & W.	—	—	..	Upwards	60
Barnes, W. Sen.	90	—	..	..	90
Blake, Thomas (Tinman)	—	Between	..	..	40
Bennett, C. F. & Co.	—	—	..	Upwards	60
Boyd & M'Dougald	—	—	Between	..	56
Barter, Jonas	90	—	..	..	90
Byrne, Thos. (Shoemaker)	—	—	..	..	45
Blake, Thos. (Tinman)	—	—	..	..	43
Barnes, Thomas	100	—	..	..	100
Blackwood,	—	—	Between	..	50
Blackwood,	—	Between	..	..	40
Branscomb, Richard	100	—	..	..	100
Branscomb, William	100	—	..	..	100
Branscomb, James	100	—	..	..	100
Boyd, John	80	—	120
Brazil, Patrick (Cooper)	50	—	70
Byrne, Edward (Carman)	30	—	55
	16	2	2	7	31

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NAMES.	Possessors of Fee-Simple Property at the annual value of £20 and upwards.	Occupiers of a Tenement or Tenements.			Amount derived from sundry Interests arising on Profit Rentals and Fee-Simple Property, being in lesser Sums than any before stated, including also the amount of occupancy.
		Value 40 or 49 Pounds per annum.	Value 30 or 59 Pounds per annum.	Value 60 Pounds and upwards.	
Brought forward	16	2	2	7	31
Bulley, John [Cooper]	£30	—	..	..	£30
Brine John	—	—	..	Upwards	60
Barron John [Schr.-Owner]	20	—	..	..	50
Calver, W. B.	600	—	..	..	600
Croker, Edward	—	—	..	Upwards	60
Cusack & Sons	—	—	..	Upwards	60
Cook, Thomas	20	—	..	..	20
Clapp, Gilbert	—	—	..	Upwards	60
Clift, James	—	—	..	Upwards	60
Codner, Samuel	50	—	..	..	50
Cullen, James	100	—	..	..	100
Croke, Nicholas	—	—	..	..	40
Carroll, John [Cooper]	46	—	..	..	46
Cody, Nicholas	38	—	..	..	50
Casey, John	60	—	..	..	60
Cuddihie, Matthew	20	—	..	..	20
Cuddihie, Richard	20	—	..	..	20
Cuddihie, John	20	—	..	..	20
Dunscomb, John	100	—	..	..	100
Dunscomb & Harvey	—	—	..	Upwards	60
Douglas, James & Co.	—	—	..	Upwards	60
Dwyer, W. B.	30	—	..	..	30
Denehy, Cornelius	25	—	..	..	50
Duggan, Philip	100	—	..	..	100
Donnelly, J. [Shopkeeper]	—	—	..	..	46
Dooder, Thos. [Farmer]	—	—	..	Upwards	60
Dowsley, Felix	—	Between	..	..	50
Dillon, John	30	—	..	..	30
Dowsley, John	20	—	50
Daly, Michael	20	—	20
Eagan, John	20	—	20
Carried forward	36	2	2	15	62

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A STATEMENT

Showing the effect upon the Numbers of a Jury Panel for the Town of Saint John's, given by JOHN CANNING, by direction of J. V. NUGENT, Esquire, Chairman of a Select Committee of The Honourable the Legislative Assembly of Newfoundland, for considering the provisions of a Jury Bill.

NAMES.	Possessors of Fee-Simple Property at the annual value of £20 and upwards.	Occupiers of a Tenement or Tenements.			Amount derived from sundry Interests arising on Profit Rentals and Fee-Simple Property, being in lesser Sums than any before stated, including also the amount of occupancy.
		Value 40 & 49 Pounds per annum.	Value 50 & 59 Pounds per annum.	Value 60 Pounds and upwards.	
Brought forward	36	2	3	15	62
Firth, William	—	—	..	Upwards	£60
Flannery, Timothy	—	—	..	Upwards	60
Foot, John	20	—	..	..	20
Fowler, Daniel	—	—	..	Upwards	60
Flinn, Michael & Thomas	—	—	..	..	40
Funcheon, John	24	—	..	..	24
Furlong, John (Long-room)	40	—	..	..	40
Freeman, William	50	—	..	..	60
Gibbon, John	—	—	..	Upwards	60
Gill, Nicholas	500	—	..	..	500
Goff, R. N.	—	—	..	Upwards	60
Grieve, Wm. & Co.	—	—	..	Upwards	60
Gloeson, Patrick	50	—	..	..	50
Gregory, John	—	Between	..	..	40
Grace, Pierce	—	—	..	..	40
Grace, Thomas	—	Between	..	..	40
Gill, Joseph	30	—	..	..	40
Hunters & Co.	500	—	..	..	500
Howley, Richard	—	—	..	Upwards	60
Howley, John	30	—	..	..	30
Hutchings, George	150	—	..	..	150
Hutchings, Monier	90	—	..	..	90
Hart, Captain	—	—	Between	..	50
Hutchings, J. (Sailmaker)	—	—	..	..	60
Hogan, James	—	—	..	..	120
Harding, J. (King's Beach)	100	—	..	..	100
Hamlin, Hugh	—	—	..	..	40
Hunt, Robert	20	—	..	..	20
Job Brothers	300	—	..	..	300
Jordan, Patrick	—	Between	40
Kelley, John (Butcher)	30	—	100
Carried forward	51	5	4	22	93

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A STATEMENT

Showing the effect upon the Numbers of a Jury Panel for the Town of Saint John's, given by JOHN CANNING, by direct on of J. V. NUGENT, Esq., Chairman of a Select Committee of The Honorable the Legislative Assembly of Newfoundland, for considering the provisions of a Jury Bill.

NAMES.	Possessors of Fee-Simple Property at the annual value of £20 and upwards.	Occupiers of a Tenement or Tenements.			Amount derived from sundry Interests arising on Profit Rentals and Fee-Simple Property, being in lesser Sums than any before stated, including also the amount of occupancy.
		Value 40 a 49 Pounds per annum.	Value 50 a 59 Pounds per annum.	Value 60 Pounds and upwards.	
Brought forward	51	5	4	22	93
Kerr Archibald	—	—	—	Upwards	£60
Kent John Hon.	—	—	—	Upwards	60
Kitchen Wm.	—	—	—	Upwards	60
Kough Patrick	£300	—	—	....	300
Kickham John	20	—	—	....	20
Knight Thomas	35	—	—	....	35
Langley Richard	—	—	—	Upwards	60
Lash William	—	—	Between	....	50
Long John [Carpenter]	35	—	—	....	35
Lauchlan Charles	20	—	—	....	20
Langley H. (Confectioner)	—	—	Between	....	50
Little, Michael McLean	—	Between	..	....	40
Long, John, King's Road	—	—	..	....	50
McMurdo & Co.	—	—	Between	....	40
McGill, William	20	—	..	....	20
Milroy Andrew	—	—	..	Upwards	60
Meagher, Patrick	—	—	Between	....	40
Mudge, Samuel	—	—	..	Upwards	60
McKellar and McWilliam	—	—	..	Upwards	60
Maccasey, Lawrence	—	—	..	....	80
Mahon, Thomas	100	—	..	....	100
McGrath, Thomas (Smith)	—	—	..	....	40
McBride & Kerr	—	—	..	Upwards	60
Muldowney, Patrick	100	—	..	....	100
Mulloy, James (Smith)	—	—	..	....	50
McAuslin, Andrew	—	Between	..	....	40
McCarthy, Patrick	20	—	..	....	40
Mitchel, John	50	—	..	....	50
McLarty, James	—	Between	..	....	40
McLarty, Joseph	—	Between	40
McCoubrey, John	—	Between	40
Carried forward	61	10	8	30	124

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A STATEMENT

Showing the effect upon the Numbers of a Jury Panel for the Town of Saint John's, given by JOHN CANNING, by direction of J. V. NUGENT, Esquire, Chairman of a Select Committee of The Honourable the Legislative Assembly of Newfoundland, for considering the provisions of a Jury Bill.

NAMES.	Possessors of Fee-Simple Property at the annual value of £20 and upwards.	Occupiers of a Tenement or Tenements.			Amount derived from sundry Interests arising on Profit Rentals and Fee-Simple Property, being in lesser Sums than any before stated, including also the amount of occupancy.
		Value 40 a 49 Pounds per annum.	Value 50 a 59 Pounds per annum.	Value 60 Pounds and upwards.	
Brought forward	61	10	8	30	124
Murch, Hannibal	—	—	Between	..	£40
McCarty, William	£20	—	..	..	20
Nicholas, John	—	—	..	Upwards	60
Nevil, John	50	—	..	..	50
Newman & Co.	900	—	..	..	900
Nowlan, Dennis	—	—	..	..	60
Nurse, Jabez	80	—	..	..	80
O'Donnel, John F.	—	—	..	Upwards	60
O'Brien, Lawrence	—	—	..	Upwards	60
O'Dwyer & Meagher	—	—	..	Upwards	60
O'Mara, John	50	—	..	..	50
Parker, Thomas & Brother	90	—	..	..	90
Parker & Gleeson	—	—	..	Upwards	60
Parsons, Robert	30	—	..	..	30
Power, Robert	—	—	..	Upwards	60
Perchard & Boag	—	—	..	Upwards	60
Pope, Matthew	—	—	Between	..	50
Power, E. [Shop-keeper.]	—	Between	..	..	40
Robinson, Brooking & Co.	..	—	..	Upwards	60
Rennie, F. W.	100	—	..	..	100
Ryan, Stephen	45	—	..	..	45
Ryan Brothers	—	—	..	Upwards	60
Rendle, John & Wm.	—	—	..	Upwards	60
Renouf, John	60	—	..	..	60
Rogerson, Peter	—	—	..	Upwards	60
Rourke, Michael	20	—	..	..	20
Ryland, John	80	—	..	..	80
Rutherford, R. & J. S.	—	—	..	Upwards	60
Stabb, E & N.	—	—	..	Upwards	60
Stewart, James & Co.	700	—	700
Stuart & Rennie	500	—	500
Carried forward,	75	11	10	43	155

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A STATEMENT

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NAMES.	Possessors of Fee-Simple Property at the annual value of £20 and upwards.	Occupiers of a Tenement or Tenements.			Amount derived from sundry Interests arising on Profit Rentals and Fee-Simple Property, being in lesser Sums than any before stated, including also the amount of occupancy,
		Value 40 a 49 Pounds per annum.	Value 50 a 59 Pounds per annum.	Value 60 Pounds and upwards.	
Brought forward	75	11	10	43	155
Stabb, Row & Holmwood	—	—	—	Upwards	£60
Stewart Mathew	—	—	—	Upwards	60
Scanlan, Michael	£40	—	—	....	50
Shea, Ambrose	—	—	—	Upwards	60
Stevens, George [Cooper]	50	—	—	....	60
Touissant, C.	—	Between	—	....	40
Tobin, James & Co.	—	—	—	Upwards	60
Tobin, James	200	—	—	....	200
Thomas, W. & H. & Co.	400	—	—	....	400
Trimingham, R. F. & Co.	—	—	—	Upwards	60
Taylor, W. E.	—	—	—	Upwards	60
Treligan, Richard	—	—	—	....	60
Tubrid, James	50	—	—	....	150
Tarrahan, Patrick	200	—	..	....	200
Treacy, James	40	—	..	....	40
Wilson & LeMessurier	—	—	..	Upwards	60
Wyatt, John	230	—	..	....	230
Wakeham, R. R.	40	—	..	....	160
Williams, Thomas	200	—	..	....	200
Warren, John	—	—	..	Upwards	60
Warren, William, Jun.	—	—	..	Upwards	60
Warren, William, Sen.	25	—	..	....	25
Walsh, Wm. [Schr-owner]	—	—	75
Whiteway & Mudge	40	—	—	40
The last column contains the Total.	87	12	10	52	179

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REMARKS.

If the Sum in the outer column exceeds the Fee-Simple column, it is because Profit Rents are added.

Sums in the outer column, not having reference to any other Column, are made up of Sums in Fee-simple less than £20, and Profit Rents added.

The value of Rents by Occupants, and Fee-simple Property exceeding £20, are carried out to show the total number when added up.

The values are taken from the Fire Company Assessments, and are 10 per Cent. less than the fair Rentals.—£45 Sterling is nearly equal to £52 Currency.—By adding 10 per Cent. will make about £58 Currency. This sum I think is high enough to secure a respectable Special Jury. If the *Test* is made too high it would have the effect of excluding desirable persons in a greater proportion than those whom it may not be so well to have.

LIST OF PERSONS OCCUPYING HOUSES AT THE ANNUAL VALUE OF £30
a £39 STERLING.

Blake, William	Morgan, George, 20 <i>l</i> .
Bown, F. G. £23	Power, Patrick, 40 <i>l</i> .
Brine, Robt., £23	Rendle, William, Sen.
Croke, Nicholas	Rendle, Thomas
Clift, James, £23	Stafford, Patrick
Dicks, John	Simpson, [Druggist]
Dwyer, John, 60 <i>l</i> .	Summers, Patrick
Grace, Thomas	Trilligan, Richard
Jordan, Patrick	Walsh, Richard
Kielty, Andrew	Walsh, Edward
Mullowney, John, opposite Clapp's	Wood, J. B.
Meehan, Michael	Winton, Henry
Mulloy	Winton, Cornelius, 20 <i>l</i> .
Morley, David	Withers, John.

I have put down the names of some who pay less than £30 a £39, to which I have affixed the sums as valued, and also two others, viz., Power and John O'Dwyer, omitted in the former List, whose Rental is valued more than £40.

All which is humbly submitted.

JOHN V. NUGENT.

Committee Room, }
March 29, 1843. }

REPORTS.

[See Journal, page 76.]

FIRST REPORT OF THE COMMISSIONERS

FOR ADAPTING THE CRIMINAL LAW OF ENGLAND TO THIS COLONY.

[Copy.]

St. John's, 6th March, 1841.

SIR,—We have the honour of transmitting to you herewith, to be laid before his Excellency the Governor, our First Report upon the Criminal Law of this Colony.

Mr. Solicitor General begs to state that his other avocations have hitherto prevented him from bestowing that attention to the subject of the Commission which he hopes in future to devote to it ; he, however, concurs in the accompanying Report.

We beg leave to remark, that anxious to observe economy in the discharge of our duties, we have abstained from employing a Clerk, and have incurred no expense for disbursements except for stationery. We fear, however, that we shall not be able in future to dispense with the occasional assistance of a Copying Clerk.

We have, &c.,

(Signed)

H. A. EMERSON.
BRYAN ROBINSON.
E. M. ARCHIBALD.

The Honorable the Colonial Secretary.

RRPORT.

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

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's Commissioners, appointed by Her Majesty's Commission bearing date the 16th June last, do humbly certify unto Your Excellency, that, in obedience to Your Excellency's commands, we have proceeded to the consideration of the several matters included in the said Commission, and have made considerable progress in consolidating and defining, under their several heads, the Laws in force in this Island and its Dependencies, for the prevention and punishment of Crimes.

Upon the opening of the Commission, in order to facilitate our progress, we divided our duties, and reduced them under three heads,—assigning one to each Commissioner. The first head comprised Offences against the Executive Power—the second, Offences against the Person—and the third, Offences against Property.

We have bestowed much labour upon, and made considerable progress in, the consideration of those Laws relating to the two last subdivisions, and have prepared the drafts of several Bills ; but until we shall have made a nearer approach to the completion of the entire Code, as well as for reasons which we state hereafter, we do not propose to submit them for Your Excellency's consideration.

Before, however, we proceed to detail the progress we have made in the duty assigned to us, it may not be uninteresting to take a brief view of the introduction into this Island of the Criminal Law ; nor will it be exceeding the limits of our province to offer some general remarks upon the present state of the Criminal Law, as well as to make some

REPORTS.

suggestions in reference to its defects, the adoption of which, we think, would effect an improvement in the Administration of Criminal Justice.

Newfoundland being one of those Colonies of the Crown acquired by occupancy, and planted by English subjects, all the English Laws in being at the time of its settlement, and applicable to the situation and condition of the infant Colony, were imported by the Emigrants, and became in force.

Two questions immediately arose in the application of this Rule of Law—First, Which was the precise period of the settlement of the Colony ; and, secondly, What English Laws were capable of being applied to it.

The early history of Newfoundland shews, that these questions involve considerable difficulty in their solution in this Colony. As early as the year 1633, the Star Chamber, in establishing Rules and Regulations for the governance of the Fisheries, assumed the power of Legislating with reference to the Crimes of Murder and Theft, committed in this Island, by directing that the Offender should be carried to England, that the matter should be heard before the Earl Marshal, and if the fact were proved by two Witnesses, the Offender was to suffer death. These Regulations, illegal as they were, serve to shew that, although the Colony was then occupied, it was not considered legally settled, and therefore, that at that period the Law of England did not extend to it.

The Colony continued in this anomalous condition until the year 1698, when the Statute 10th and 11th of William and Mary was passed by the Imperial Parliament, and was the first Legislative Enactment made respecting Newfoundland. By the 13th Section of this Act, “ all Robberies, Murders and Felonies, and all other Capital Crimes whatsoever, which shall be done or committed in or upon the land in Newfoundland, or in any of the Islands thereunto belonging, shall and may be enquired of, heard, determined and adjudged, in any Shire or County of this Kingdom of England, by virtue of the King’s Commission or Commissions of Oyer and Terminer, and Gaol delivery, or any of them, according to the Laws of this Land used for the punishment of such Robberies, Murders, Felonies, and other Capital Crimes done and committed within this Realm.

Although this act did not provide any Local Judicature in Criminal matters, nor was it the policy of Government at that time, nor the intention of Parliament that persons should be encouraged to settle on these Shores, still this enactment may be looked upon as a Statutable recognition of the Colony, and consequently all doubts as to the period of the legal Settlement of it were thereby set at rest.

In the year 1729, nearly 150 years after the Island was formally taken possession of in the name of the Crown of England, the first attempt was made to put in force, within the Island, the Laws against Crimes, by the appointment of Local Justices of the Peace, in whose Commission, however, was contained the restriction, that they were not to proceed in cases of doubt and difficulty, such as Robberies, Murders, Felonies and other Capital Offences ! This was probably for the purpose of adhering to the policy of the Statute of William and Mary, and possibly reference was likewise had to the description of persons who then held the Commission.

The Administration of Justice, by these means, appears to have been exceedingly feeble and inefficient, and was more the object of ridicule than of fear, amongst the Colonists.

To remedy the evil, in 1750 a Commission of Oyer and Terminer was issued under the authority granted to the Governor for that purpose ; and from this period until the year 1793, Criminal as well as Civil Jurisdiction seems to have been exercised concurrently by the Courts of Oyer and Terminer, just mentioned—of Vice Admiralty—of Sessions of the Peace,—and of the Governor and Surrogates.

In all these Courts, the Rule of Decision in Criminal matters appears to have been the Law of England existing at the time, so far as it could be applied, or was known ; but con-

REPORTS.

stituted as several of these Courts were, upon questionable authority, and the persons who presided in them not being professionally educated, the Administration of the Law by them was imbecile and unsatisfactory. Such as they were, however, they continued until the passing of the 32d Geo. 3, cap. 46, (a) when a Court of Civil & Criminal Jurisdiction was instituted, called the "Supreme Court of Judicature of the Island of Newfoundland," with full power and authority to hold plea of all Crimes and Misdemeanours committed within the said Island, and the Islands and Seas to which Vessels repair from the Island of Newfoundland for carrying on the Fishery, in the same manner as plea is holden of Crimes and Misdemeanours committed in England. This Act, which was continued by the 33d Geo. 3, and subsequent Statutes, remained in force until 1809, when another Judicature Law was enacted, the 49th Geo. 3, cap. 27.

The Supreme Court thereby established, was invested with full power and authority to hold plea of all Crimes and Misdemeanours committed within the Island of Newfoundland, &c., in the same manner as plea is holden of such Crimes and Misdemeanours in England, and to determine Complaints of a Civil nature according to the Law of England, as far as the same can be applied.

But although the Law of England was made the Rule to which recourse was to be had in Criminal matters, it was not to be followed without qualification; and the condition of Society, and the circumstances of the Colony, must necessarily be taken into consideration in the application of the Law; and subject to the exercise of this discretion—which almost of necessity imposed upon the Courts functions of a Legislative as well as of a Judicial nature—the different Judges who presided in the Supreme Court prior to the passing of the present Judicature Act, applied, as far as they could, the whole of the Common and Statute Law of England for the time being, to the decision of the cases which came before them,

The existing Judicature Law, 5th Geo. 4, cap. 67, came into operation January, 1826, establishing Supreme and Circuit Courts. The first Section of this Act grants to the Supreme Court, thereby instituted, all Civil and Criminal Jurisdiction within this Government, as fully and amply, to all intents and purposes, as Her Majesty's Courts of King's Bench, Common Pleas, Exchequer, and High Court of Chancery, in England, have, or any of them hath, without further reference to what Law should be applied in the decision of matters, Civil or Criminal; but this omission appears to have been an oversight, for in the 9th and 10th Sections, which invest the Circuit Courts with "all such and the same Jurisdiction, power and authority, within the districts in which they may be holden, as is vested in the Supreme Court throughout the whole of the Colony," (save in Capital cases and cases of Revenue) it is enacted, that all crimes and misdemeanours cognizable in the said Circuit Courts, shall be enquired of, heard and determined, according to the Rules and Course of the Law of England, as far as the situation and circumstances of the said Colony will permit; and it is difficult to discover why the Law to be enforced in the Circuit Courts, which have within their Districts almost co-equal power with the Supreme Court, should be specifically laid down, and not, at the same time, be prescribed for the latter Court, except by implication.

Notwithstanding this, the Common as well as the Statute Law of England concerning Crimes, in force at the time of the passing of this Act, subject to the qualification contained in the 10th Section, have been in practice, adopted, and acted upon, by the Supreme Court.

It is said that Mr. Tucker, a former Chief Justice of the present Supreme Court, held that, of the Statute Law of England, so much only as was in force at the period of the first settlement of the Colony, namely, the passing of the 10th and 11th William & Mary, and applicable to its condition, could be administered in Criminal matters; and doubts, not

(a) A Court of Civil Jurisdiction had been established in the previous year, by the 31st Geo. 3.

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ill-founded, have been entertained by our Superior Courts as to the validity of Acts of the Imperial Parliament passed subsequently to the 5th Geo. 4, and prior to the institution of the Local Legislature, when all further English Statutes not expressly referring to the Colony, ceased to have any operation here; and in 1834, the Sentence of Death upon a party convicted of a Capital Crime, was respited until the opinion of the Law Officers of the Crown, in England, upon this question, could be obtained.

The Offender was indicted for having committed an offence "against *the form of the Statute*;" the only Statute in England then bearing upon the Crime was the 9th Geo. 4th, which had repealed the 18th Elizabeth. The Crown Officers were of opinion that the 9th Geo. 4, though passed subsequently to the Judicature Act, was in force here, and the Offender was punished accordingly—sentence of death was commuted to transportation for life—since which time the Acts passed in the 7th, 8th and 9th Years of the Reign of Geo. the 4th, in amendment of the English Criminal Law, have been acted upon in our Courts of Justice; but as the opinion of the Law Officers in England, although entitled to great respect, was not a Judicial decision,—all doubt were not finally removed until the passing of the Statute 1st Vic. cap. 4, by the Local Legislature, which imported into this Colony the Criminal Laws and Statutes of the Imperial Parliament in force in England on the 20th day of June, 1837, so far as the same could be applied.

The object of this Statute was chiefly to introduce at once the amendments and ameliorations made in the Criminal Law of England, by the Acts passed in the 1st Victoria; but the end was not then attained, for those Acts were not passed until July, 1837, and did not come into force in England until the 1st of October, 1837.

The 2nd Section of our Local Act, had, however, the effect of introducing them after the lapse of twelve months; for it declares, that all Statutes of the Imperial Parliament of Great Britain, in further amendment and alteration of the Criminal Law of England, passed, or which may be passed subsequently to the 20th June, 1837, shall, in twelve months after passing of the same respectively, extend to and be the Law of this Colony, so far as the same can be applied.

There is no doubt but that the intention of the last mentioned Act of the Local Legislature was to introduce the Common as well as the Statute Law of England touching Criminal Offences; but the peculiar phraseology of the first Section, "*Criminal Laws and Statutes of the Imperial Parliament*," might raise a question as to the effect of the enactment upon the unwritten Law of England. We mention it now in order that care may be taken in any future enactment to avoid, as much as possible, every shadow of doubt upon a matter so important.

It is one of the greatest evils in Jurisprudence,—but one which, owing to the imperfection of Man's understanding, can never entirely be removed,—that doubts should exist as to the applicability of certain Laws to certain Offences, and that such doubts are only resolvable by the exercise of Judicial discretion;—discretion must, therefore, always be vested in Judges, to a certain extent, but the less the better for themselves, as well as for the public. In carrying into operation, in this Colony, the English Law as it at present stands, the degree of discretion necessarily exercised by a Judge is too great; it introduces uncertainty into Law, and gives rise to contradictory decisions from the local knowledge and judgment of one Judge leading him to a different conclusion from that of his predecessors. The attention of the Court must be closely directed, not only to the condition and circumstances of the Colony, varying as they do so widely from those of the Mother Country, and the absence, in many instances, of the reasons upon which laws have been framed—but also to the numerous defects in our existing System of Judicature, which oppose serious obstacles, to the carrying into operation any effective mode of Criminal Law.

The History of Newfoundland, from its earliest settlement to the beginning of the present

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century, affords the unparalleled record of a society composed of British Emigrants and their descendants, existing with scarcely any acknowledged Laws whatsoever for their Government, and with an Administration of Justice, both in Civil and Criminal matters, as inefficient as can well be imagined. The policy of Government, or of those who had the ear of Government, to discourage and prevent what in the ordinary course of affairs could not be prevented—the settlement of the Colony—was ever made the excuse for withholding from the resident inhabitants the means of having Justice administered; and the growing demands of the Colony, for improvement in its Judicature, to the present day, have been tardily met by the establishment of systems which, more especially as respects the Outports, could only have been considered as experiments, and which, for almost all parts of the Island except the Capital, have proved to be failures. Even in St. John's, the impossibility of inflicting suitable punishment, owing to the inadequate appliances of our Criminal Jurisprudence, present difficulties which demand the prompt interference of the Legislature.

We are humbly of opinion, that the spirit of the age, which manifests an aversion to the sacrifice of human life, except in some extreme cases, is one based upon sound policy, and that the decrease of Capital Punishments is calculated to increase the security of property, without prejudicing the end and object which properly belong to the retributive Justice of the Law, namely, to operate as "*pœna ad paucos, metus ad omnes.*"

The Laws which coerce an enlightened people ought not, by their sanguinary character, to shock the better feelings of our nature; the penalty should ever be commensurate with the crime; and it is most desirable that hatred of the offence should never be allowed through undue severity in the punishment, to merge into pity for the offender.

With the intention, therefore, of recommending the abolition of death, in several instances wherein it was formerly inflicted, our attention was naturally directed to the means of carrying into effect secondary punishments. Transportation occurred as the first; but here we were met by difficulties, apparently insurmountable. It is true that by virtue of certain Imperial enactments, it is competent for the Superior Courts in this Colony to sentence Offenders to Transportation, but the want of funds to transmit the Prisoners to England, thence to be sent to their ultimate destination, and subsequently the policy of the Parent Government to discourage Transportation, out of regard to the Penal Colonies, have had the effect of entirely precluding the Courts from having recourse to this mode of punishment.

Under the provisions of a Local Statute, 4th Wm. 4, cap. 5, commonly called the Banishment Act, Offenders may be banished from this Colony; but no one acquainted with the operation of that Law can consider it as generally an efficient—if, indeed, any—punishment. The offender is liable to come under the operation of this Act, whether his offence be Arson, Burglary, or a petty theft: he is sent to one of our neighbouring Colonies, or to Great Britain, as opportunity may offer, and there set at large; and as his crime is studiously concealed, even from the Police of the unfortunate Country afflicted with his presence, he is enabled to renew his depredations with a fair fame.

In its general aspect, therefore, this punishment carries with it the appearance of having emanated from a feeling of regard for ourselves, rather than of charity for our neighbours; nor, whether the banishment be for life or for a shorter term, does it carry with it any terror to the offender himself. It does not usually happen amongst a class of persons so migratory as the lower orders of Newfoundland are, that removal from this colony to another country is accompanied by any privation or pain; and instances are not wanting in which parties have committed Felony, for the avowed purpose of obtaining a passage from the Island, free of expence, by means of the sentence of the Court.

Partial, however, and inoperative as this mode of punishment has been found, the

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Courts have been compelled to have recourse to it, more frequently than they otherwise would, from the want of Penitentiaries, and the absence of any adequate means of inflicting punishment by imprisonment and hard labour. The Gaol in St. John's—for, with the exception of that at Harbour Grace, there is no other Building in the Island worthy of the name—is kept in as good order as the character of the edifice permits; but the want of space to render a classification of prisoners practicable, to impose solitary confinement, and to put into methodical operation a useful and stringent system of hard labour, defeats the end for which the sentence of imprisonment is imposed.

We submit to Your Excellency, that if suitable Buildings were erected, it would not be difficult or expensive to turn the labour of convicted Prisoners to a useful purpose; and that a portion, and perhaps a large portion, of the expenses incident to an efficient Prison discipline might be paid out of the produce of the labour of the Convicts.

As the Prisons in the Colony are at present constituted, we have little hesitation in saying, that to a considerable number of those condemned to imprisonment, the effect of the sentence is to provide for them a clean and tolerably comfortable abode, regular and sufficient diet in lieu of a precarious subsistence, a total abstinence from any labour, and enough of the society of their fellow Prisoners to remove the tedium of confinement and to render the privation of their liberty little less than a boon.

We therefore submit that it is a matter of the first importance that an efficient system of Prison discipline and hard labour be established in the Colony; for, as we before mentioned, with a desire to diminish Capital Punishments, with a virtual inability to transport, and without the power of inflicting due punishment by imprisonment, it will be of little use to propose, because impossible to carry out efficiently, any code of Criminal Law.

The evil consequences that generally result to Juvenile Offenders from confinement in a Common Gaol, are so many and self evident, and have been so strongly felt in the Mother Country, that we shall trouble Your Excellency with the mere allusion to them.—We conceive that for trifling Offences, and Felonies of minor importance, a summary mode of trial and punishment, as quickly following the offence as may be, would be desirable for such a class of Offenders; and for Persons convicted of Misdemeanours, a House of Correction is much needed, where such a system may be enforced as will combine information with restraint.

Having thus cursorily drawn under the consideration of Your Excellency those subjects which we conceive require immediate attention, and those institutions and means which must be provided before an efficient and merciful administration of Criminal Law can be obtained, we proceed to Report, that in those portions of our duties which relate to Offences against the Person and against Property, we have made considerable advancement. The labour and difficulty, however, of such an undertaking, can only be duly appreciated by those who have been engaged in it, and our progress towards a conclusion has consequently not been rapid; without extreme accuracy our labours would be of little worth, and to obtain it every Rule of the unwritten Law, and every Statute, bearing upon each subject, must be examined.

We desire to lay down certain classes of punishment, and afterwards to apportion to each Offence its position with reference to them; but this we cannot do until a practicable and efficient system of Punishment be provided.

We are impressed with the conviction that Offences are unequally classed, and that consequences injurious to Public Morals and the good of Society, result from such unequal classification. Persons are generally apt to associate with the word "Felony" the idea of baseness and great moral degradation, whilst the term "Misdemeanour" is held to imply a more venial offence, and one which may exist without the presence of much moral delinquency.

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Now it so happens, that many Crimes which are at present designated as Misdemeanours, are more atrocious in their character, and more injurious to Society, than several which are classed amongst Felonies ; for instance, few will hesitate to admit that the act of a Boy who steals an Apple from a Basket at a Shop door, is neither so base in its character, nor so injurious to Society at large, as that of the Man who deliberately commits Perjury, or who is guilty of a Forgery at Common Law ; yet the first is a Felony, and involves in it the Punishment and Forfeitures attached to Felonies, whilst the latter are merely Misdemeanours.

We are of opinion that the grand divisions of Crimes and Treasons, Felonies and Misdemeanors, should still be continued, but that a classification of Offences, bearing a closer analogy than at present exists between their enormity and punishment, should be adopted ; and we think that many offences which now are Felonies, may be with propriety and indeed ought to be classed amongst Misdemeanors, whilst some which are now Misdemeanors ought to be raised to the higher class of Felonies.

The plan we have adopted is to propose that the Common Law of England shall in all cases, not otherwise provided for, be the foundation of our Criminal Code ; and then taking for our guide the several amendments which have been made up to the last year, in the English Criminal Law, by the Imperial Parliament, to suit them to the condition of the Colony, and to draft as many Bills as we shall find necessary to effect our purpose, paying as much attention to brevity as the subject will admit, and submit them to Your Excellency in such a shape as that in our judgment they might, without amendment, be passed into law.

We propose to accompany these drafts with explanatory notes and such suggestions as we may deem useful and necessary ; but until our whole plan is matured, and especially until the system of punishment at present in force be modified and improved, we shall be unable to present the result of our labours in that complete and uniform shape which we conceive necessary, and which we so much desire to accomplish.

We have prepared Drafts of Bills with reference to offences against the person, and against property, which embrace, amongst other matters, the following subjects—Assaults, with the various Felonious intents—Impeding persons escaping from Wrecks—Assaults on Peace and Revenue Officers—Sending explosive substances—Manslaughter—Concealing Birth—Causing Abortion—Sending Threatening Letters—Violence to Females—Robbery—Recording Sentence of Death—Burglary—Arson—Larceny—Cheating—Embezzlement—Sacrilege—Malicious Injuries to Property ; and the different degrees and species of such offences.

Moreover, we are desirous of awaiting the result of an enquiry now going on in England, as to the expediency of digesting into a Statute all the provisions of the Unwritten or Common Law, touching Crimes, as well as of simplifying and more clearly defining, by Legislative enactment, the Terms of Law used in Criminal proceedings. It is suggested that if Offences were defined in terms less technical, and more intelligible to the ordinary reader, the mass of the Community would better understand the nature and distinctions of Crimes, and that wide scope of discretion which, at present, is necessarily vested in a Judge, and which for many reasons is very inconvenient, would be narrowed,—the Law would acquire a greater simplicity—and a well-defined and well-understood punishment would, with more certainty, follow the Commission of crime ; for instance, Burglary is defined to be “ a breaking and entering a Mansion-house at night, with &c. &c. &c. , and this breaking and entering is satisfied by pushing back a Bar or Window Catch, and inserting a Wire, or such like. Again,—Theft is a word which most people understand, but in Law it is generally designated by the term “ Larceny.” Now “ Larceny” is defined to be “ the felonious taking and carrying away the moveable Goods of another.” First, then, arises

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the legal meaning of the term "Felonious," and that is only resolvable by ascertaining what was the intention of the Taker,—and the intention is ascertained partly by Facts, and partly by inferences of law. Then arises the legal meaning of a taking and carrying away,—and here legal construction has altered the ordinary meaning of the terms: if a Parcel be lifted from the bottom of the boot of a Coach, although it be not removed out of the boot, the "taking and carrying away" is completed;—if an Ear-ring be snatched from a Lady's Ear, and fall into her Hair, the taking and carrying away is completed.—Then comes the question, what are "Moveable Goods;"—a Tree of intrinsic value of many Pounds, and possibly prized by its Owner beyond many Hundred Pounds, may be cut down, and if immediately carried off, it is not, at Common Law, the subject of a felony, being part of the realty;—if, however, the Offender cut down the Tree at one time, and at a subsequent time come and take it away,—or if the Owner lop off the exuberant Branch of a Tree, and it be criminally taken away, the Offender is guilty of Felony. These are distinctions in support of which no writer has offered even a reasonable explanation; still they remained part of the Law of the Land, until, in part, recently removed and amended by Parliament. It is obvious how far many of these terms have been strained from their ordinary signification, by legal construction, and it appears unreasonable and unjust that a man should find, when placed upon his trial for his life, (as it used to be for such offences) that a meaning is given to words, for the purpose of convicting him, totally different from what they bear in the ordinary affairs of life, and accordingly it is recommended by the very able Criminal Law Commissioners of England, to simplify the terms of Law, in accordance with the practice of more modern nations.

We do not, however, venture an opinion upon the practicability of such a scheme; but we think that while such an important subject is under the consideration of persons so competent to deal with it, we should act discreetly in delaying for some time our Report upon this part of our subject; for if such an alteration should be found to operate beneficially in England, its adoption would, for obvious reasons, possess still greater advantages in Newfoundland.

H. A. EMERSON.

BRYAN ROBINSON.

E. M. ARCHIBALD.

St. John's, Newfoundland, }
6th March, 1841. }

ROADS.

[See Journal, page 189.]

PETITION

Of Road Commissioners under the Statute Labor Act for reimbursement of certain Expenses incurred, and for the indemnification of Individuals who had given up Land to widen Streets and Roads.

*St. John's, Newfoundland, }
March 18, 1843. }*

(Copy.)

SIR,—I am directed by the Board of Road Commissioners appointed under the provisions of the Statute Labour Act (4, W. 4,) respectfully to call the attention of his Excellency the Governor to a petition presented by that Body, in the year 1841, to the late Governor, Captain Prescott, upon the subject of an unliquidated claim which they have on the Public for monies expended by them in the discharge of their duties as Road Commissioners—and for compensation due to various persons for Land taken from them to widen and otherwise improve the various Roads forming the great Thoroughfares in and about the town, and which Petition is printed in the Journals of the Council of that year. And also to request the favour that his Excellency will be pleased to take the subject of that Petition into his favourable consideration, in order that the Commissioners and other parties interested therein may receive from the Legislature that relief which the justice of the case may, in the opinion of his Excellency, be entitled to.

I have, &c.

[Signed]

C. F. BENNETT,
Chairman.

[Copy.]

The Memorial of the Undersigned Commissioners of Roads for the District of St. John's, appointed under the Act 4th, Wm. 4.

To His Excellency Henry Prescott, Esquire, Comptroller of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c.

MOST HUMBLY SHEWETH :

That your Memorialists, actuated by the most disinterested feelings, and with a sincere desire to promote the welfare of the Community in which they live, without hesitation and without delay entered on their duties, and after making the most diligent enquiries and using every possible means to inform themselves what improvements were most required, they proceeded to make such as in the judgment of your Memorialists were likely to conduce most to the public advantage, and prove of lasting utility.

That in carrying out these improvements Your Memorialists unavoidably incurred a very

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considerable expense, in fact, no one step could be taken by your Memorialists, in the duties of their Commission, without an outlay of money. But, as it appeared to your Memorialists that the Act pointed out the means by which such outlay could be defrayed, they did not hesitate to advance from their own pockets the money required to further the progress of the improvements they had undertaken to make.

That such outlay eventually amounted to the sum of £361 2 5, in addition to which there is due to various persons for Tools, Materials, Labour, &c., furnished at the request of your Memorialists, the sum of £484 4 9, the particulars of which are set forth in the annexed Schedule, marked No. 1, and for which amount your Memorialists are held liable, —in proof whereof, Mr. John Canning, the person employed by your Memorialists to prepare the Assessment Book, has taken an action at Law against your Memorialists to recover the sum of £120.

Your Memorialists having acted, as they considered, in strict compliance with the 24th section of the Act, under which your Excellency was pleased to appoint them, applied to the Magistrates of the Court of Sessions to issue Process for the recovery of the Assessments. but, to the dismay of your Memorialists, such Process was denied to them, and your Memorialists were told that they must proceed, in the recovery of the sums they sought, under a section in an amended Act passed subsequently to that named above.— This latter section is one imposing such onerous duty on the Surveyors that your Memorialists found it utterly impossible to act on it, and consequently they remain to this moment in advance to the amount, and subject to the liabilities to the extent herein-before named.

Your Memorialists have further to state, that from many persons Land has been taken in order to widen and improve the Streets and Roads in and about the Town of St. John's and its vicinity, and that to such persons was awarded, in the manner the Law directs, various Sums of Money as an indemnification for the same, amounting in the whole to the sum of £986 12s., as particularised in the Schedule marked No. 2.—That these several sums were recognised by the Grand Jury of the Court of Sessions, under the provisions of the Act, as just, inasmuch as they recommended to the Magistrates in Sessions that an Assessment should be made on the Lands and Tenements of the District for the purpose of discharging the Debt thus incurred; but the Magistrates, who assumed to themselves the right of ordering the collection and of receiving the amount of the Assessments authorised by the Court of Sessions, have experienced such difficulty in the progress of their duty, as to induce them to abandon the collection thereof altogether; and in consequence, as your Memorialists have been informed, no Money whatever have been collected.

Your Memorialists have devoted a great deal of their valuable time in the service of the Public, for which they have not received the slightest pecuniary consideration or advantage.—That the Public are in the actual enjoyment of the improvements your Memorialists have been instrumental in making, and that many other improvements laid out by your Memorialists have been approved, inasmuch as they have been adopted by the Board of Road Commissioners for the District of Saint John's, subsequently appointed, and Grants of Money have also been made by the Legislature for perfecting them.—For the particulars of the improvements made and contemplated by your Memorialists; they refer Your Excellency to the Report which they furnished to Your Excellency, dated 1st July 1837. Your Memorialists having been actuated in the discharge of their various and arduous duties to the Public by the most disinterested motives, and with a sincere desire to further the objects for which they were appointed—and as your Memorialists seek only to have extended to them an act of common justice—respectfully solicit that Your Excellency will be pleased to give the subject-matter herein set forth by your Memorialists, Your Excellency's kind consideration. And feeling as your Memorialists do utterly at a loss what

ROADS.

other means to pursue whereby they can entertain a hope to reimburse themselves for the money they have expended, as well as for that for which they are held responsible—making together £845 7s. 2d., and £986 12s. to remunerate the Proprietors of Land—humbly pray that Your Excellency will be pleased to adopt such measures as to Your Excellency may seem fit, in order that your Memorialists may receive the relief required.

And as in duty bound, your Memorialists will ever pray.

(Signed)

C. F. BENNETT,
W. RICHARDS,
JAMES CLIFT.

Saint John's, Newfoundland, February 5, 1841.

No. 1.

STATEMENT

OF THE ACCOUNT OF THE COMMISSIONERS OF ROADS.

To James Finlay, as Surveyor, previous to Mr. Hanley	£54	1	4
“ P. MULLOWNEY, paid Labour, &c. for Roads	6	5	0
“ James Cullen	10	5	3
“ McBride & Kerr	23	19	7
“ Stewart & Cheetham	22	17	5
“ P. Brown	5	1	7
“ Ryan & Withers, Printing	9	0	4
“ Bulley, Job & Co., Labour and Material for Roads	5	8	4
“ Ann McLarty, Smith's Work	1	1	6
“ Bryan Robinson, Law Expenses	9	17	11
“ Michael Mc'Lean Little, Materials, Tools, &c.	2	6	11
“ Michael Scanlan, Labour, &c.	5	4	7
“ Henry Winton, Printing	8	8	2
“ Patrick Gleeson, Smith's Work	1	12	10
“ John Bulley, Labour and Materials, Bridge near the Theatre	8	19	0
“ Matthew Dillon, Carting	1	8	2
“ Thomas Murray, ditto	4	0	2
“ John Dwyer, ditto	2	6	6
“ John McCoubrey, Printing	0	5	0
“ Rennie, Stuart & Co. Labour & Materials, Waldegrave Street	4	2	10
“ John Shea, Printing	0	10	0
“ Thomas Ryan	15	15	0
“ John Hanley, preparing Assessment Book	50	0	0
“ John Canning, “ “ as per Agreement	150	0	0
“ Hannibal Murch “ “	35	0	0
“ William Freeman, for Arbitration	77	0	0
	£484	17	5
Amount advanced by the Commissioners, inclusive of Interest.	480	6	11
	£965	4	4

ROADS.

STATEMENT

OF AWARDS MADE TO INDIVIDUALS FOR GROUND TAKEN UNDER THE
STATUTE LABOR ACT.

Edward Purcell	£75	15	0
Garret Hartery	11	19	6
Jeremiah Holahan	85	8	4
William Barnes	40	6	8
James Brine	51	17	6
Thomas Gleeson	28	16	0
Arthur Kavanagh	30	15	2
Christopher Ayre	31	5	0
Thomas Burke	31	5	0
Joseph Aylsbury	18	0	0
Elizabeth Calver	65	0	0
William Parker, with Interest at 5 per Cent from 14th June, 1837	44	10	0
John Dwyer	29	18	1
John Sheehan	23	0	0
Richard Murphy	74	18	0
James McMannis	7	11	7
Henry Ward	8	15	2
Michael Smiddock	7	12	4
William Pilley	4	5	10
Richard McGrath	5	17	11
James Tracey	28	3	5
Nicholas Thomas	12	11	3
William Cadwell	5	0	0
Charles F. Bennett	86	19	7
James F. Rennie	58	11	7
John Brine	6	0	0
Phoebe Undry	40	0	0
Ann Cooksly	30	0	0
Nicholas Croke	31	5	11
William Lacey	11	3	2

£986 12 0

ADDITIONAL SUMS.

To John Hayes	£27	10	0
“ James Moore	10	0	0
“ James Fergus, £75 Sterling	86	10	9
“ John Canning’s Judgment and Costs	£135	7	2
Less the amount hereinbefore stated	120	0	0
	15	7	2
“ Parsonage House [Episcopal Church]	36	0	0
“ Young’s Property, [the Trustees]	15	0	0
“ Thomas Byrne, Surveyors Salary	21	0	0
“ Plans of Roads	5	5	0

£216 12 11

ROADS.

SUMMARY.

	Currency	Sterling.
Amounts due to various Persons as per Schedule No 1,	£965 4 4	£836 10 6
Ditto as per Schedule No 2,	986 12 10	855 1 1
Additional Sums.	216 12 11	187 15 3
	<u>£2168 9 3</u>	<u>1879 6 10</u>

STATUTE LABOUR FUND IN ACCOUNT WITH THE COMMISSIONERS OF
STATUTE LABOR ACT, C. F. BENNETT, TREASURER.

1836.	<i>DR.</i>	£	s.	d.
June 1.—To Paper for Reports, &c.		0	2	0
Paid Sundries for Work from 7th January to 23rd July		29	3	9
		<u>29</u>	<u>5</u>	<u>9</u>
1836.	<i>CR.</i>	£	s.	d.
June 1—By Commutation for Labour received from sundry Persons		22	16	9
Balance due Treasurer		6	9	0
		<u>29</u>	<u>5</u>	<u>9</u>
1837.	<i>DR.</i>	£	s.	d.
Jan. 1. To Balance brought down		6	9	0
Coals supplied Byrne whilst drawing Plans	1 4 0			
Books and Papers for Surveyors, &c.	1 2 6			
Nails, Board, Plank, &c.,	0 16 6			
		<u>3</u>	<u>3</u>	<u>0</u>
June 21. Paid John Hanley Salary, 31st Jan. to 1st June, a 75l. Stg.	28 16 11			
Nov. 1. Ditto 1st June to 31 Oct, a 75l. Stg.	36 1 2			
Paid William Freeman for Materials and Labour opening Roads, &c., erecting Fences	223 10 9			
Paid Labour, Plank, &c., for Kings Road Sewer	21 9 11			
		<u>309</u>	<u>18</u>	<u>9</u>
1838. June 9. Paid John Hanley Salary from 1st Nov. 1837 to 9th June, 1838		52	18	6
1843. Interest on £309 6 7 from 1st Nov. 1837 to 1st May 1843, a 6 per Cent. per annum.		102	1	5
Interest on £52 18 6 from 9th June, 1838 to 1st May 1843, a 6 per Cent. per annum		16	0	5
		<u>490</u>	<u>11</u>	<u>1</u>
1837	<i>CR.</i>			
March 31. By Commutation for Labour received from sundry Persons		10	4	2
Balance due the Commissioners		480	6	11
		<u>490</u>	<u>11</u>	<u>1</u>

ROADS.

[See Journal, page 189.]

LETTERS

FROM BRYAN ROBINSON, ESQ., RELATIVE TO ADDITIONAL GRANT FOR RENNIE'S
MILL BRIDGE.

St. John's, Oct. 3, 1842.

SIR,—I have the honor to Report, for the information of the Governor, that the Bridge and Road near Rennie's Mill—the re-building of the one, and the repairing of the other, of which his Excellency was pleased to place under my superintendence, have been completed, and the Contractors have been paid, by me, the amount for which I made myself liable to them, viz. : £20 currency.

I attentively watched the progress of this job from its commencement to its completion, and I can certify that the materials used were very good, and the workmanship throughout has been faithfully performed.

The Contract has been strictly fulfilled, with the exception of one or two items, with the performance of which I dispensed, upon obtaining, in other work upon the Bridge, an equivalent ; and some work has been done to make the Bridge more convenient, which the Contractors were not bound to perform.

Had a few more pounds, about £20, been placed at my disposal I should have been enabled to have raised an Embankment on the North side of the River, which is much required to prevent the Stream overflowing its banks, and thereby carrying away the surface of the Road, and I should also have been enabled to have put a King Post to the Bridge which would have improved it ; (although without such, it is a substantial structure, and, I doubt not, will last many years,) besides being able to remunerate the Contractors ; for I must beg permission to draw under his Excellency's notice the fact, that the amount for which they undertook to do this work has proved to have been too small, even to reimburse them for their expenses out of pocket, and for horse hire ; they are, consequently, without a farthing for themselves.

If his Excellency will kindly take their case into consideration, and permit me to pay them an additional sum of £10, they would then receive for their own time and labour compensation only equivalent to day labourers' wages.

I have the honor to be, Sir,

Your obedient, humble servant,

BRYAN ROBINSON.

The Hon. Mr. Secretary Crowdy,

—ooo—

St. John's, 17th Oct., 1842.

SIR,—With reference to your letter of the 8th inst., upon the subject of the Bridge and Road near Rennie's Mill, I beg to say that I am very glad his Excellency is pleased with the work performed thereupon under my superintendence.

As the repairs just done to the said road would be endangered by the overflowing of the river, during this Autumn or next Spring, and before any money could be expended, under the provisions of an Enactment, in raising an Embankment, I have contracted to advance the sum of 5*l.*, currency, towards the erection of an Embankment on the North side of the river, upon the assurance of his Excellency's intention to recommend to the Legislature the grant of a small sum for that object.

I have the honor to be, Sir,

Your obedient, humble servant,

BRYAN ROBINSON.

The Hon. Mr. Secretary Crowdy.

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[See Journal, page 117.]

REPORT

Of a Survey of a Line of Road between Renewse and Trepassey, made in the Spring of 1842—By THOMAS BYRNE.

In conformity with instructions of the 2d of April last, I left St. John's with one man on the 5th, and arrived at Renewse on the 8th of the same month, and with the assistance of two men, I commenced examining the Country between that Harbour and Trepassey; and having a previous knowledge of the part situate between those Harbours, and it being an open country, I had in a few days obtained a sufficient knowledge of that particular tract between Renewse and Biscay Bay River, so as to enable me to see nearly where the most desirable line of road could be found.

If the road were made with reference to the convenience of a few families settled on the shore between Renewse and Clam Cove, it would increase the distance from eight to ten miles beyond the line which is shown by the plan, and it would also pass over some very uneven ground. Although it may appear from the plan accompanying this Report that the road may with advantage be taken more Southerly than the direction laid down, yet this could not be done with any beneficial result, in consequence of the numerous ponds, hills, and other obstructions.

It being necessary to connect the roads with each other at each harbour, the shortest and most desirable line of road to Trepassey would commence at a point on the road to Fermeuse, which is ninety perches from Renewse-beach,—thence crossing a neck of the harbour of the latter place at Prisail's-point. The deepest part of the water in this neck is seven and a half feet, and its width three hundred and fifteen feet at low water; the section on the plan will give an idea of its bed. It may not be amiss to state, for the information of His Excellency the Governor, that sixty-five perches of the line of road to Fermeuse, which is next to Renewse-beach, passes partly through private property which is not yet opened; and eighty perches of the line to Trepassey passes through ground that is already fenced—about eight perches of which is brought under cultivation. The beach at that place is half a mile distant from the Roman Catholic Chapel, which is nearly in the centre of the most populous part of the settlement, and to which there is no better road than a foot-path.

The red line on the plan represents another direction for the road, and which would in its construction be less expensive than that before described, inasmuch as the bridge would be carried over the river running into the harbour, instead of over a neck of the harbour;—in the latter case, the extent of such bridge would be about 475 feet—in the former, it would not exceed 130 feet. The decreased size of the bridge is the only advantage that would be derived from the adoption of the red marked line,—its disadvantages would be a greatly increased distance, and not so convenient for either travellers or residents.

From the south side of River-head, the line of road to Trepassey [as shown by the plan], as far as the North-western part of the Look-out, where the line is at its greatest elevation [distance 4 miles], is, with a few slight exceptions, continually ascending. The steepest inclinations are moderate. The first two miles pass near a Winter path, which it occasionally crosses, and after crossing "Old Woman's River," keep at the base of "Old Woman's ridge," partly alongside of "Old Woman's Marsh," leaving "Thousand-acre-marsh" to the southward. There is tolerably good land fit for agricultural purposes along the line of road for the first two-and-a-quarter miles, and also to the eastward of "Old Woman's river." This river is from 25 to 35 feet wide—it will require a bridge of 25 feet span. There is another brook on this part of the line that will require a bridge of 6 feet

ROADS.

span. The most of the wood in this part is a young growth, mostly Spruce and Fir. There is a small extent of woods on the Northern and Eastern side of the Look-out, the most of which is of an inferior quality. There is a large tract of barrens to the North of these woods. From the Look-out, to Forest-hill Pond [distance 3 miles], the line of road is rather uneven, and on the whole rather descending. The most undulating part is between the head of Northern Gull Pond and the foot of Forest-hill Pond; the steepest inclinations are about one foot in fifteen feet, and from one to five perches long, and only a few so steep. There are two brooks on this part of the line which require bridges, the spans of which to be ten feet each. I thought to get a better line between the two Gull Ponds, and between the two Maumus hills, and through part of Thousand-acre Marsh, as shown by the dotted line on the plan; but on an actual survey of this part, I found it not so desirable as the former line. The ground along the line between the Look-out and Forest-hill Pond is mostly barrens, a few small marshes, and some trees at Northern Gull Pond and at "the Three Wells." From Forest-hill Pond to Prosper Hill [distance $3\frac{3}{4}$ miles], the line of road is slightly undulating, the inclinations long, and easy of ascent. This part of the line is very bleak, it is mostly barrens; yet there are more marshes on this than on any other part of the line of equal distance. The Brooks which run from Forest-hill Pond and from Island Pond are each 70 feet wide, running through stones; the ground on both sides is low and stoney. Travellers might walk dry, except in high floods, in different parts across these brooks. A Bridge of 20 feet span would be sufficient over each of these, by clearing them 20 feet wide to a distance of 150 feet on both sides of the bridges. The width of the Brook which runs from Tuesday Pond is about 18 feet; the current of the water is slow;---a bridge of 14 feet span would be sufficient here. The ground on both sides of these three Brooks being flat, it will be necessary to raise the road for a distance of 250 feet on both sides of each of them.

From Prosper-hill to Biscay Bay River [distance about 3 and a half miles] the ground is so even that if the road, when making, were raised in a few vallies from one to two and a half feet, and some small hills lowered as much more, the road on this distance would be made into one unbroken descent, and its steepest inclinations rendered very slight.—This part of the line crosses a branch of Black River, over which a Bridge of 14 feet span would be necessary. This part of the line is bleak and barren, and very stony, having a few marshes. Biscay Bay River is by far the largest on this line, being from 100 to 200 feet wide for 10 miles next to Biscay Bay. On no part of this river have I seen a more eligible site for a Bridge, or a more desirable place for the line of road to cross it, than a few perches above the point that Black River empties itself, and as shown on the plan. In this place, which is about fourteen and a quarter miles from Renewse, and nearly twelve and a half from Trepassey, the river is 140 feet wide—it will require a Bridge of two spans of 40 feet each, and about 12 feet high. From this point to Biscay Bay the ridges on either side this river rise abruptly, and are generally covered with wood, a large part of which is of an inferior quality. This appears to be an excellent river for Salmon, as it presents no difficulty to the fish in making their way against the current. Between Biscay Bay River and Trepassey, the highest elevation of the line of road is found at the head of a ravine about 3 and a half miles from the former place, to which point the road ascends at an average rate of about one foot in 25 feet. If this portion of the road when making should be raised in two or three vallies from one to three feet, and one or two hills lowered as much more, the ascent on this distance would only be broken at Chisley's River, and there too but slightly. The river last mentioned, for nearly a mile, runs over a very rugged bed, and having steep banks on each side. The best place for a Bridge has been selected, and it may be readily built on piles. There are about three-quarters of a mile of good woods to the westward of this river. From the above ravine to Stony River [dis-

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tance $2\frac{1}{4}$ miles], the line of road is descending in detached pieces, the steepest inclinations of which are about one foot in 16 feet; the other parts are nearly level. This part of the line consists of barrens and marshes and a few trees. Stoney River is 53 wide, and the banks are low. There is no ice to run in any of the rivers on this line, except in "Old Woman's," Chisley's," and "Biscay Bay" rivers.

There is a road opened about 16 feet wide from Stony River to Trepassey [distance 6 miles]; there are two miles of this part next to Trepassey drained and partly made.—The part next the Harbour is tolerably well made. There are too many stumps, and much peat in the other part. The cross-drains, except a few, are yet to be built on this part. In opening this road, instead of removing the roots with the trees, as they should have been, the stumps of the trees are left several inches high, which are very annoying to the traveller; and now, in several parts of the road that is partly made, there are stumps projecting above the surface. Although a considerable part of this road is tolerably well laid out, it could be easily improved;—the most objectionable, is that part which is partly made;—the road in this place was brought over ground of too high an elevation, where it might with ease have been made nearly horizontal. Some of the inclinations in this place are about one foot in eight feet. If the line of road from Trepassey to the barrens were nearer the Harbour at a lower elevation, it might be made with as little expense as the line that is opened; and when made, the inclinations on about $5\frac{1}{2}$ miles next the Harbour would hardly be perceptible, without adding to the distance. Besides the improved line being nearer the head of the Harbour than the line which is opened, it would be more advantageous to persons who might settle on the good land which is between the Harbour and the barrens. Although I should be averse to recommend the total abandonment of the existing line, in consequence of some portion of it being partly made, yet it may be most desirable to have the best line marked, and the necessary reservation of land made: if this were done, there could be a short line opened to connect the end of that part of the existing line which is already partly made, with that part of the improved line opposite the head of the Harbour. There would be little difference (if any) in making these lines, in comparison to the benefit that may accrue to the public hereafter; as the stumps in the line that is opened will have to be taken up before the road can be drained. At a future period the improved line of road may be made from the head of the Harbour to the settlement.

The frost being so hard in the ground, I was unable to put but a few permanent marks on the line; and the snow having been deep, particularly in the vallies, I could not exactly mark the best line, therefore when the road is about to be made there can be several improvements effected by keeping the line in some places from one to four perches on either side [the one shown by the plan.

There are a great number of Partridges, and many Foxes, to be met with in this part of the country through which the line of road passes.

Although there were several heavy falls of Snow during the Survey, and immediately before its commencement, yet that did not throw as much difficulty in the way of its progress as the number of thick fogs which prevailed, some of which continued for whole days. After eight days exertion, when I found that those obstructions would not permit me to proceed as I could wish, I discharged the man I employed at Renewse after getting the names of the principal Hills and Ponds which he knew, and returned to St. John's on the 9th of May.

THOMAS BYRNE.

ROADS.

ESTIMATE

OF A LINE OF ROAD BETWEEN RENEWSE AND TREPASSEY.

	£	s.	d.
Opening the Road of Woods 14 Feet wide	80	0	0
To Drain and Gravel 2 and Three Quarter Miles next to Renewse at 10s. per Perch	440	0	0
Ditto ditto 3 and Three Quarters ditto at 7s. 6d. per Perch	450	0	0
Ditto ditto 3 Ditto at 8s. per ditto	384	0	0
Ditto ditto 11 ditto on both sides of Biscay Bay River at 7s. 6d. per Perch	1320	0	0
4 Miles next to that Road which is partly made near Trepassey at 10s. per Perch	640	0	0
To Gravel the 2 Miles of Road partly made near Trepassey	30	0	0
To Build 27 Cross Drains on the same part	20	0	0
Ditto 220 ditto at 15s. per ditto	160	0	0
Ditto 14 small Bridges at £1 per ditto	14	0	0
Ditto 8 Bridges from 4 to 5 Feet span at £2 per ditto	16	0	0
Ditto 2 " from 6 to 7 " " at £4 per ditto	8	0	0
Ditto 2 " " 10 " " at £7 per ditto	14	0	0
Ditto 6 " large on an average at £16 per ditto	96	0	0
Ditto 1 " at Prisail's Point Renewse	260	0	0
Ditto 1 over Biscay Bay River	170	0	0
To drain and Gravel a Quarter of a Mile of Road between Prisail's Point and Fermeuse Road.	40	0	0
	£4147	0	0
Allowance of a tenth	414	0	0
	Total	£4561	0 0

St, John's, July 12th, 1842.

THOMAS BYRNE.

[See Journal, page 117.]

REPORT

Of a Preliminary Survey of an intended Line of Road between the head of Conception Bay and Ship Harbour in Placentia Bay.—By THOMAS BYRNE.

After partially examining that part of the country in the vicinity and to the Westward of Salmon Cove, and Cats Cove, at the head of Conception Bay, and setting up Flags on certain Hills in that neighbourhood to make them the easier known on approaching them from the Westward, I proceeded to Little Placentia by the way of Salmonier; and after getting the provisions, &c., from Ship Harbour, I commenced the Survey of the latter place on the 5th day of August last. The vicinity of Ship Harbour having very high hills, and being very uneven, it was difficult to ascertain whether the best line of road could be found leading from Bottom Arm or Rattling Brook Arm. Thinking it might hereafter be found de-

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sirable to open a communication from this line to both Great and Little Placentia, which at the same time might be a large part of a line that would open a communication between these Harbours and Trinity Bay; and if the line from Rattling Brook Arm should be found to be a good one, there would be fewer branch Roads required from this line to both these Harbours than if commenced from any other part of Ship Harbour—on this account I commenced at Rattling Brook Arm, and opened a line partly alongside that Brook. There are about 30 perches of this line, near the Harbour, that is very steep, and about 120 perches at the same place that is clifty, and where it would be difficult to construct a road. There are small lots of cultivable land on either side of this line, a few of which had formerly borne some good timber, the best of which is cut away—the land here is generally very stony.

After opening about 8 miles, and examining this neighbourhood, I saw there could be a better line found from Ship Harbour. On opening a line from this Arm, it proved shorter and more level—and it also led through better and more cultivable Land than the line first adverted to. At the head of Bottom Arm and on the North side, there are much better places for Settlers than at any other part of the Harbour. There can be a good site for a road found here—a thing impossible to be had along the South Side. There are already not less than half a dozen small gardens in this place—the owners of them live in the neighbourhood during the winter. The only family that was in the harbour last summer was settled on the North side, where they have a small Fishing Room. After joining these two lines nearly seven miles from Bottom Arm, and eight from Rattling Brook Arm, I opened a line from thence towards the head of Trinity Bay, to about the place that a great main line of road might take which may hereafter pass between the heads of Placentia and Trinity Bays, and connect the Northern Shores of these Bays, and also Bonavista and Fortune Bays, and the other Western and Northern Bays with the Capital. I then made a Survey from this place to Chapel Bay, or Chapel Arm, in Trinity Bay—to shew the connection of that Bay with Placentia and Conception Bays, and also to see more correctly where the above main line of Road would most advantageously take, and where the branch line from Ship Harbour should meet it. This branch road would be about 12 Miles long. I then faced for the Head of Conception Bay. By the time I had opened and surveyed as far as Spread Eagle Peak, [distant from Ship Harbour about 15 Miles,] the provisions were consumed; I had then to proceed across the country to the head of Conception Bay, where the remainder of the provisions were lodged, and to commence there to open a line to the place where I left off.

Although the greatest part of the country between the vicinity of Trinity Bay and Ship Harbour, is marsh, barren, and studded with Ponds, there can be a tolerable line of road laid out through this tract, the greater part of which may be through Woods, but mostly of an inferior size and quality, except Juniper, which is the best sort of Wood to be found in this place. In no part of my travels in this country have I met with such quantities of Gooseberries as on the banks of the brooks in this tract; they are to be found over the small streams and on the borders of several marshes—the husks of these berries are smooth, the largest of them 3-4th Inch in diameter; when ripening, they first get reddish; at this time they are tart; afterwards they become a deep purple; and before they fall off, a darkish hue; at this period they are very sweet. On approaching Ship Harbour from the country, particularly by the Southern line, the scenery which presents itself is of the most picturesque and varied character—the hills, which are numerous, generally rise with an abrupt ascent—the tops attaining a considerable elevation—while the streams, which are seen winding their way through the vallies, open in many places to beautiful

ROADS.

ponds—and round which is found some good Timber, and Land fit for Agricultural purposes.

Between the vicinity of Trinity Bay and the head of Conception Bay, the country consists chiefly of Land fit for cultivation, on parts of which are groves of heavy Timber, particularly Wichhazel, Birch, Fir and Pine; many of the latter would make upwards of 500 Feet of Inch Board. Some Wichhazel trees in this part of the country would measure upwards of 9 Feet in the girth. At Chapel Arm, in Trinity Bay, I saw a Wichhazel Tree which seemed sound and healthy and which measured Ten Feet and Two Inches in the girth. There are other groves of lighter timber. There are also Mountain Ash or Dogwood, Whitewood, and Ground Palm, very luxuriant; these always indicate good soil. There are swamps in this part of the country which produce grasses from two to three feet high, I met with rich alluvial flats along the side of brooks, covered with a weed which is commonly called Wild Tobacco, from three to six feet high. These Flats, with comparatively little expense, might be converted into excellent meadows. There are several brooks to be crossed, some of which widen from 30 to 100 Feet, according to the level or high lands through which they pass. From the beaten paths and fresh tracks to be met with, this part of the country would seem to be swarming with Deer—but they are easily alarmed, and we rarely got sight of any. We saw a few Foxes; the only other quadrupeds we saw were Bears, and of these four at one time made their appearance between the head of Trinity Bay and Ship Harbour; two of these ran towards and approached so near to us, that being without weapon of any kind, our situation was anything but pleasant; but on raising our voices to the highest pitch they slowly retreated from us.

Having been requested to go to Placentia, Burin and Harbour Britain, with Writs for the Election of Members of the General Assembly, I left the direction of the work in my absence to John Dunn, one of the crew. This man had been with me exploring and making the different lines of Road I have been employed on since 1836, and he has now a good knowledge of such work. I expected that on my return I should be enabled to finish the Survey, but the Snow had got so deep and soft in the Woods, and so difficult was it become to make any progress in the service, that the person I had named thought it advisable to discontinue it, which he accordingly did, and returned home on the 15th December last. There are about 6 miles next to Spread Eagle Peak, yet to be opened; on this account I can at present only give a plan of that part between Spread Eagle Peak, and Ship Harbour.

The soundings in Ship Harbour are from 10 to 24 fathoms, about midway between the Northern and Southern Shores, except towards the heads of both Arms. It mostly has a bold shore, having from 4 to 8 fathoms of water at 200 feet from low water mark. The entrance into Ship Harbour from the Sea, after passing Point Roach, is clear of Rocks and Shoals; but a vessel missing the entrance is almost sure to fall on the *Moratties*, a dangerous ledge of rocks that runs from Ship Harbour Point to Fox Island—this ledge in bad weather breaks almost quite across. If it is ever contemplated to establish a Packet Station in this neighbourhood, from what I have seen and learned, I am of opinion that no Vessel, particularly in bad weather, would wish to pass by great Placentia, and face for Ship Harbour.

Respectfully submitted by

(Signed,)

THOMAS BYRNE.

March, 1843.

ROADS.

[See Journal, page 117.]

REPORT

Of Exploratory Survey made by Mr. Thomas Byrne, for the purpose of ascertaining the most desirable Line for a Road from Conception Bay to Placentia (by Salmonier.)

St. John's, Feb. 5, 1840.

Sir,—On the 26th December last, agreeably to instructions, I left St. John's for Placentia; and having arrived at the end of that part of the road which is opened between Holyrood in Conception Bay, and Salmonier in St. Mary's Bay, I steered, as near as circumstances would permit, a due-west course, which is nearly direct, between Holyrood and Collinet in St. Mary's Bay, and which, if no Ponds intervened, would bring Collinet 5 miles nearer to Holyrood than the line by Salmonier.

After passing by several Ponds, varying from forty perches to half a mile in extent, I met another Pond about ten miles from Holyrood, direct in my course, running nearly North-east and South-west, and about 4 and a half miles long. The Ice not being trustworthy, and the Arms and Islands belonging to this Pond being numerous, it took me 3 days in examining it. I found about 150 feet of land on the South-west end, dividing it from another considerable Pond, [the extent of which, to me, is uncertain,] and about the middle of it I found a narrow neck of land, parts of which, and particularly near the end, being about seven feet wide, running nearly across from the North-west side, leaving about 70 feet of deep water between it and another neck on the South-east side. Not being able to cross the Pond on the Ice, to examine the North-west side, I cannot say whether the land alluded to is not part of an Island. Supposing it not an Island, and the road being brought along this narrow neck, its course, in this place, instead of being due West would be partly North-east and North-and-by-west a distance of nearly half a mile. After leaving this Pond I found about three miles of country with few Ponds; but on the next three or four miles I met about 15 Ponds, varying from a quarter of a mile to a mile and three-quarters in extent. From the number of Arms on one of these Ponds, some of which run about North-east, I had to travel upwards of eight miles around them, and did not advance more, on my course, than about three-quarters of a mile. These Ponds threw me more to the North than I could wish, and the day on which I travelled by them being continually snowing and raining, I could see no part of the surrounding country, consequently I do not know whether there may not be many more Ponds in the neighbourhood. The waters of these Ponds, together with that of a Brook falling into the last-mentioned Pond, form a considerable River, not inferior in size to that running into St. John's Harbour. This stream falls into Collinet River, about five miles above Tide-water. On examining these five miles, I could find only two sites for a Bridge, where the breadth of the River is only about 70 feet. The bank on the Eastern side, in one of these places, is high and steep, and on the other, low and level, consequently not a desirable site for a Bridge. The nearest of these sites to Tide-water is about two and a half miles. The remainder of this river for the distance of five miles, varies from 100 to 200 feet wide.

There are little Barrens, or Marshes, on the course which I have travelled, from Holyrood to Collinet. Many tracts of good Land, and a good deal of large Timber, are to be met with, but not equal to the Land or Timber to be found on the shortest route between Holyrood and Salmonier, particularly in the neighbourhood of Salmonier, where there are several thousand acres of superior Land and fine Timber. Not only along the shortest route is this description of Land and Timber to be found, but on both sides of Salmonier.

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River, for a distance, at least, of 16 or 18 miles from the sea, where there are many beautiful Flats and Islands, which would, with little expense, produce large quantities of excellent Hay. The land might be rendered more fertile by manuring it with Kelp, abundance of which is to be obtained on each side of the river.

From the number of Ponds I have met on the course direct from Holyrood to Collinet, I think there would be little gained by leaving Salmonier to the Southward; particularly if St. Mary's be at all of the same consequence as Placentia; as the Road from Holyrood to St. Mary's would be lengthened as much, if not more, than the Road from Holyrood to Placentia would be shortened; and as the Line from Salmonier to Collinet [distance about 9 miles] might be shortened about one mile, and brought on a better level. Besides, if the landing, to the Westward, of Live Stock from America, and then the sending of it to St. John's by land, be taken into consideration, it might be as easy to run into St. Mary's Bay, and up Salmonier Arm, as into Placentia, which would be, at any season, from 15 to 25 miles nearer to St. John's than by landing in Placentia.

I have examined Rocky River, which runs into St. Mary's Bay, to a distance of about 8 miles from its junction with the Collinet River. What I have seen of it is from 300 to 550 feet wide; the most parts run smooth, with few slight Rapids, except two Falls, one immediately at the end of Tide-water, about 30 feet high,—the other about 40 perches farther up, about 15 feet high. I am informed that any Vessel may ride up to the first Fall, a distance of about three-quarters of a mile from where the two Rivers meet. From the rhinding of the Trees, by the Ice, along the banks of this River, it would appear that the Ice rafts to an almost incredible height. I have learned that a large Brook called "Hodge," falls into this River about 10 miles from Collinet, and takes its rise near the "Goulds" of Brigus in Conception Bay, and the Timbers for Building are rafted down this Brook a distance of 20 miles. There are many beautiful Flats, covered with coarse Grass, along the Banks of this River, and good arable Land to be found here, as along Collinet River. From the tracks which I found, both these Rivers seem to be alive with Otters. I killed a large black one on the Banks of the Collinet River.

There is a considerable portion of Barrens and Marshes between Collinet and Placentia. In this part of the country I met nine Deer in a flock, and fell in with many tracks of Deer, seemingly of different flocks. The Line of Road, as marked here, might be improved in different places by shifting it from one to 20 perches. Perhaps it would be right to state, that in my opinion, the person who made the preliminary Survey, and marked this Line, never intended that the road should be opened along the Line which he marked; his object apparently being, merely a Survey of the country. If the road were brought near the neighbourhood of Collinet, it would be more economical to make it near the junction of the two rivers, and to establish a Ferry, [which might be done for the sum of £25 or £30 per annum] than to build two substantial Bridges which would be likely to stand.

On my arrival at Placentia Mr. Sweetman urged me to go to the North-east Mountain, which is about 8 miles from the North-east Arm of Placentia Harbour. There are many hundred acres of excellent Land, unoccupied, along this Arm, which is about 9 miles long—as also along the South-east Arm. I have been informed, by respectable settlers on these Arms, that some of them manure their Land with Eels. There are large quantities of Herring and Salmon caught in both these Arms.

Having determined on going to the Mountain, Mr. Sweetman very kindly lent me a Boat to get along the North-east Arm of Placentia Harbour, as far as the Ice would permit. This Mountain is nearly in a straight line between Holyrood and Placentia.—From its summit I had an extensive view of the country towards Conception Bay, and the head of Trinity Bay, and St. Mary's Bay; and parts of the waters of St. Mary's Bay, Placentia Bay, and Trinity Bay, can be seen with the naked eye. The High

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Lands and Barrens in the vicinity of Placentia Bay terminate to the Eastward with this Mountain. The Land towards Holyrood seems to be level, and the nearer to Holyrood the better the land is wooded. If the shortest line of Road between Holyrood and Placentia be the most desirable, it is by this Mountain it should run; and having found, from experience, that the Ponds, Marshes, Vallies, and Hills, in the Country generally, run nearly North-east and South-west, I would unhesitatingly assert that a little to the North of the foot of this Mountain the shortest and most level line could be found, particularly if the Road were brought along the North side of the North-east Arm of Placentia Harbour, which would be a great benefit to the Settlers thereon, and open a large tract of good Land in this Neighbourhood, or run out about midway on the Local Road between Little and Great Placentia. The Brooks to be crossed on this route are not near as large as those on either of the former,

If it be determined on that the Line of Road between Holyrood and Placentia should not touch on St. Mary's Bay, perhaps it would be proper to take into consideration that if it were partly kept a few miles to the North of the straight Line between these Harbours, allowing it one or two miles longer than the shortest route, and having the angle of this route nearly opposite the South-west part of the head of Trinity Bay, there could, by the same line, produced from the said angle, be a main Road run from Holyrood between the heads of Trinity Bay and Placentia Bay, and continued round to Trinity and Bonavista, as well as along the Western Shore of Placentia Bay, to Burin, to Fortune Bay, &c. If either of the two latter Lines be adopted, I am of opinion that a majority of persons travelling between Holyrood and Placentia would prefer taking the Line by Salmonier, [distance 22 miles from Holyrood,] thence by Collinet, [distance 9 miles,] and then to Placentia, [distance 22 miles,] unless a premium be given to persons who would settle about midway between Holyrood and Placentia, for the convenience or entertainment of travellers. If the Northern Line be adopted, I feel it my duty to remark, that a saving could be made by taking the Brigus Road from Holyrood to Salmon Cove, which would not lengthen the Road more than half a mile. This Line would pass convenient to the head of Little Placentia Sound, which, I have learned, is a good Harbour, where Live Stock from the Westward could be landed 10 miles nearer to St. John's than Placentia Harbour.

If it be decided on to bring the Line of Road by St. Mary's Bay, and make it as generally useful as possible, perhaps it may not be amiss to notice, that, were it brought by Salmonier and Collinet, and a little nearer to North-Harbour than the marked line, and keeping the Road from Salmonier to St. Mary's more along Salmonier Arm than the marked Line, at least as far as Black-Duck Gully, [distance along the Arm about 5 miles,] it would make the Roads from Salmonier to St. Mary's and to Placentia more generally useful.—Although this change would make both Lines something longer, they would then be serviceable to the Settlers along Salmonier Arm. In Harry Cove, in John's Pond, and in North Harbour, the Settlers will make little use of either Line, as they are now marked, except for about 6 miles next to St. Mary's and about the same distance next to Placentia.

Taking the premises into consideration, and that, if the Line to Placentia should be kept to the Northward so as part of it could be made useful as a Main Road, by the head of Trinity and Placentia Bays, round to the North and Westward, another Line should be run from Holyrood to St. Mary's by Salmonier, and also a Line from Salmonier to Placentia, to connect both Bays. It is, in my opinion, quite evident that the Line to Placentia, by Salmonier, would be the most preferable of the two.—I have the honor to remain, Sir, your most obedient humble servant,

THOMAS BYRNE,
Superintending Road Surveyor.

To JAMES DOUGLAS, Esq., Chairman of the Board of Road Commissioners.

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[See Journal, page 117.]

A REPORT

Of a Line of Road between Holyrood in Conception Bay, and Great Salmonier in St. Mary's Bay, marked and Surveyed by Thomas Byrne, under the direction of the Central Board of Road Commissioners in 1841. Distance 20 miles, 7 furlongs.

On the 24th May last I left St. John's with two men, and proceeded, according to Instructions, to the Northern end of Peak Pond, which is about $5\frac{1}{2}$ miles from the Harbour of Holyrood in Conception Bay, and a few Chains to the Southward of the Line of Road between that harbour and Great Salmonier in St. Mary's Bay.

The Country between Holyrood and Great Salmonier, I partly explored in 1837, under the direction of the Central Board of Road Commissioners appointed under the Act 6 W. 4, c. 15, when $2\frac{1}{2}$ miles next to Great Salmonier was marked and approved, and in 1838 that part of the Line between Holyrood and the Head of Peak Pond, was marked and approved, and about 4 miles of it opened 12 feet wide, under the directions of the same Board. There is nearly a mile of the Conception Bay Road, commencing at the Southern Gut of Holyrood, that forms part of the Line of Road from St. John's to Great Salmonier.

Nearly at the head of Peak Pond I commenced marking a Line of Road towards the Back River of Salmonier, where the approved Line in that neighbourhood ended and thought to keep to the North of the above Line which I marked and explored in 1837, but which is very objectionable, more especially from the number of steep Knaps which are on it, than from the number of Ponds by which it passes. After a fortnight's work, I found that the number of large Ponds on this route would throw me too far to the North, I then crossed the old Line about 2 and a half miles from the head of Peak Pond, and then kept from 10 to 35 Chains to the Southward of it, where I found a considerable level line, but in consequence of the Knaps and Ponds being so numerous, parts of it are rather curved. There are not 15 perches in any part of it more steep than one foot in thirteen, equal in its inclination to the upper part of Cochrane Street, in the town of St. John's.

There are a few parts, from three to ten yards, that are more steep, but which in the making of the Road can be brought into comparative easy planes. There are other parts of it rather sidelong for Sledges, &c, until it shall have been levelled. On the whole, it will be a comparative level line when the Road is made. There could be a line at a lower elevation found nearer to Salmonier River, but it would be more uneven, the distance longer, and, on the whole, not so desirable as the Line I have opened.

When I had the Line nearly marked and approved, I employed a third man, and commenced opening it six feet wide, according to Instructions, removing the Roots with the young Trees and many of the Rampikes, and cutting the other Trees level with the surface of the ground.

Finding it more difficult to open than I anticipated, and the Winter approaching, and being resolved to make it useful for Travellers, &c., before the Winter should set in, I thought it more economical to employ a fourth person a few weeks, before the days should get shorter, and the Snow begin to fall; and knowing that Sledges cannot be used on this Road until Bridges are thrown over the principal Streams that cross it, I contracted the width, leaving it sufficiently wide for Travellers, Cattle and small Catamarans, and had a clear open path made between Holyrood and Great Salmonier about a fortnight before Christmas. I had the latter man employed 3 weeks, and the former 7 weeks and 1 day.

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There are about 35 Marshes along the line, which altogether do not make more than 2½ miles—the largest of them is not more than a quarter of a Mile and 20 Perches—there are 14, none of which are more than 20 Perches, and 16, none of which are more than 40 Perches along the line. The more I should keep to the Southward of this line, the more Marshes and Barrens I should meet.

There are many lots of good land along this line, particularly on the knaps and along Salmonier River. The line having been brought to avoid the knaps as much as possible the Traveller can only see small portions of the good cultivable land, except in the vicinity of Salmonier. There are Islands in Salmonier River, and Flats on its Banks, that would, with comparative little expense, produce Hay sufficient for 500 head of Cattle.—About 3 and a quarter miles from the end of Tide Water, between the road and Salmonier River, there is a rich valley almost surrounded by knaps, which I found covered with Red Currants, fully ripe, the richest and largest and sweetest, I have met in the country. This Valley, if cultivated, I am certain would make a beautiful meadow. There is a person in Salmonier who keeps from 14 to 20 head of Cattle, who told me he would feed Cattle for Fifty Shillings a head. There are two Rivers which cross the Line of Road near Holyrood, one 60 feet wide and the other 34 feet wide. The back river of Salmonier, which is about two miles from the end of Tide Water, is 32 feet wide; there are 15 other streams from four to ten feet wide, and several smaller ones. Though the ground over which the line of road passes generally has a firm bottom, yet there are some wet and level parts of it which require to be drained in order to give a dry path to Travellers. There are also parts of some of the knaps that are sidelong, which would be necessary to have levelled.

(Signed,)

THOMAS BYRNE.

March, 1842.

MISCELLANEOUS DOCUMENTS.

[See Journal, page 57.]

Communications from the Chief Justice on the defective state of the Library of the Supreme Court.

TO HIS EXCELLENCY THE GOVERNOR.

St. John's, Newfoundland, January 23, 1843.

SIR,—I had the honor, in April, 1839, to call the attention of the Governor to the defective state of the *Library of the Supreme Court*, containing less than 170 Volumes, (some of which were out of date.) I furnished a List of such of the *Term-Reports* and *leading Law Treatises* as I considered most requisite; and I recommended that the Books which should be provided, should be lettered with the words "Supreme Court, Newfoundland," (to authenticate their being Public Property) as used formerly to be the case with the Books supplied to the Judges by the Governors.

His Excellency transmitted the List to the House of Assembly; but I believe no answer was returned to his Message.

In the meantime, by Lord John Russell's directions, the current Volumes of the Sta-

MISCELLANEOUS DOCUMENTS.

tutes at large, and of the Privy Council Reports, have been furnished [from England] to the Supreme Court.

I venture to hope that, if Your Excellency should be pleased to sanction a Legislative Grant for the purchase of the remainder of the Books required, that it would be voted.

I have the honor to be, with great respect,

Your Excellency's most obedient Servant,

J. G. H. BOURNE, C. J.

To His Excellency the Governor,

St. John's, Newfoundland, January 28, 1843.

SIR,—I have the honor to enclose a List of the Books required for the use of the SUPREME COURT, as mentioned in my letter of the 23rd January.

The prices, taken from Sweet's Law-Catalogue, are those which are charged for the Books in Boards; but the discount, which would be allowed on an order of the kind, would pay for the Binding, so that they could be had, bound, for the same.

Owing to the length of time which has elapsed since any Books were supplied to the Library, and the consequent state of arrear into which it has fallen, the amount of the whole List may seem considerable, but, when once these shall have been obtained, a small sum will suffice hereafter to keep up the Library. Should the present demand be thought more than can be complied with at one time, I would recommend that the Treatises (or 2nd division of the list) should be now procured, as most wanted; and the Reports might stand over for another year.

I have the honor, Sir, to be,

With the greatest respect,

Your Excellency's most obdt. servant,

J. G. H. BOURNE, C. J.

LIST OF BOOKS REQUIRED FOR THE SUPREME COURT.

[The Prices taken from the Catalogue published by S. Sweet, No. 1, Chancery Lane.]

REPORTS.

Adolphus & Ellis	£8 10 0
Barnwall & Cresswell	14 16 6
Barnwall & Alderson	7 14 6
Barnwall & Adolphus	8 11 6
Chitty's Reports	3 2 6
Dodson's Admiralty Reports	2 8 0
Dowling's Reports	10 0 0
Bligh's Reports—House of Lords	19 0 0
Russell's Chancery Reports	7 0 0
Russell & Mylne	3 15 6
Neville & Manning, K. B.	10 10 0
Neville & Perry qu : [current]	3 0 0
Carrington & Payne, N. P.	10 10 0
Curteis' Ecclesiastical Reports	1 0 0
Haggard & Curteis'	2 3 6
Noody's Crown Cases	1 8 0
Harrison's Digest	4 4 0

Amount carried forward

£117 14 0

MISCELLANEOUS DOCUMENTS.

LIST OF BOOKS REQUIRED FOR THE SUPREME COURT.

[The Prices taken from the Catalogue published by S. Sweet, No. 1, Chancery Lane.]

TREATISES, &c.		
Amount brought forward		£117 14 0
Bacon's Abridgment		8 0 0
Coke's Institutes, by Hargreave		3 3 0
Comyns' Digest		10 10 0
East's Pleas Cr. (qu.)		2 0 0
Tomlins' Law Dictionary		4 4 0
Tidd's Practice, New Edition		3 0 0
Phillips on Evidence, by Amos & Gale (qu.)		2 0 0
Jervis's New Rules		0 8 0
Beaumont on Insurance		0 7 6
Byles on Bills		0 10 0
Chitty on the Law of Nations		0 10 6
Cruise's Digest		5 12 0
Mascall on Intestate Estates		0 6 0
Preston on Estates		2 13 0
Smith's Leading Cases [qu.]		2 0 0
Stokes N. American Colonies		0 9 0
Sugden on Powers		2 0 0
Taylor's Civil Law		1 10 0
Van Heythyaen's Marine Evidence		0 10 6
Gov on Partners		1 5 0
Chitty on Pleading		4 4 0
Starkie on Evidence [qu.]		2 0 0
		£174 16 6

[See Journal, page 53.]

Letter of Charles Sinms, Esquire, on the subject of the Wrecked Emigrants in the
"BRITANNIA."

[Copy.]

Police-Office, St. John's,
January 20, 1843

SIR,—I beg leave to acquaint you that, pursuant to the Commands of His Excellency the Governor, I applied to Messrs. Grimshaw & Co. of Liverpool, the Charterers of the American Ship "Britannia," wrecked on this Coast in July last; (and the persons from whom the unfortunate Passengers of that vessel engaged their passages), for a return of the passage Money, upon the ground that the Passengers had not been conveyed to their destination under their contract, and that a great expense had been incurred by the Government of Newfoundland in forwarding the Passengers to such destination.—Messrs. Grimshaw appeared to meet the application with candour,—they exhibited their accounts connected with the "Britannia" to me, by which it appeared they had incurred a large expense in providing Water Casks, Fuel and Lumber, for the Passengers;—they also shewed me the receipt of the Master of the "Britannia" for £300, under the Charter, for the space between decks of the vessel; and after expressing their opinion that they were not liable to refund, informed me that after they had taken legal advice they would give a final answer.

MISCELLANEOUS DOCUMENTS.

Subsequently, when I saw Mr. Grimshaw, he informed me he was advised, that as the vessel was lost, and the voyage not completed, in consequence OF THE PERILS OF THE SEAS, their firm was not liable to refund, and that they must decline paying back any part of the passage-money.—Upon my adverting to the HEAD-MONEY, of about 4s. sterling, paid by each passenger, in addition, Mr. Grimshaw informed me that he transmitted a Bill for the amount to his Agent at New York, who would be ready to pay the head-money as the passengers might arrive; but that if any sum remained unclaimed in his (the Agent's) hands, Messrs. Grimshaw would be ready to refund it.

I regret exceedingly that I was unable to bring this affair to a satisfactory termination; but thinking it probable that some small part of the head-money might be recovered back, I left the Power-of-Attorney from the Passengers with Mr. C. R. Taylor, Merchant, of Liverpool.

I have the honor, &c.,

[Signed]

CHARLES SIMMS, J. P.

[See Journal], page 145.

LETTER

From the Chairman of the Board of Road Commissioners

FOR THE CENTRAL DISTRICT,

On the subject of a Writ having been issued against him at the suit of John Mitchell.

[Copy.]

Saint John's, February 8, 1843.

SIR,—I have the honor to acquaint you, for the information of His Excellency the Governor, that on the 2nd day of March in the Year 1841, a Writ was issued against me as Chairman of the Central Board of Road Commissioners, at the suit of John Mitchell,

MISCELLANEOUS DOCUMENTS.

for damage alleged to have been done to him [Mitchell], in making certain repairs in Water-street, near to Her Majesty's Customs.

As this cause is still undecided, and as there are no means at the disposal of the Commissioners to meet such a contingency, no other course is left me, but respectfully to submit the case to His Excellency, with a request that his Excellency will be pleased to devise the means of relieving the Commissioners from personal responsibility in the discharge of their public duty.

Some expense has been incurred in the defence of this action, and it will unavoidably involve more, should no remedy be applied during the present sittings of the Legislature.

I have, &c.,

[Signed]

JAMES DOUGLAS,

Chairman.

The Hon. James Crowdy, &c. &c.

See Journal, page 92.

COPY

Of the Writ issued under the Great Seal for the Election of a Representative, in the General Assembly, of the District of Fogo.

—ooo—

COPY

Of the Returning Officer's Endorsement thereon.

Fogo, 20th day of December, 1842

[Signed]

JOHN PEYTON,
Returning Officer for the District of Fogo.

[The Execution of this Writ appears in a certain Schedule hereunto annexed.]

MISCELLANEOUS DOCUMENTS.

J. Harvey,
L. S.

VICTORIA, by the Grace of God, of the United
Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith.

To John Peyton, Esquire, of Twillingate, Greeting,

Whereas by our Proclamation bearing date the ninth day of this instant month of November, We have made known to all our loving subjects within our Island of Newfoundland our intention to issue our Writs for a General Election of Members to serve in the General Assembly of our said Island: We command and strictly enjoin you, that within the period of Ten complete days from the day of the receipt by you of this Writ within the Electoral District of Fogo in our said Island—to wit, at Fogo, Tilton Harbour, and Twillingate, One Member of the General Assembly of Freeholders and Householders for the said District of Fogo, you cause to be duly elected according to the forms and provisions by Law established. And the person so to be elected being by you publicly declared to be duly elected Member as aforesaid, you shall certify him of the same, so that he may duly come to the said General Assembly when he shall be thereunto called by Us or by our Governor of our said Island.

And you are hereby further commanded to certify us under your hand and seal the name of the person who shall be by you so publicly declared to be duly elected as such Member aforesaid, or of what else you shall do in execution of the premises; remitting the same, together with this Writ, unto James Crowdy, Esquire, our Colonial Secretary of our Island, or to such other person who shall for the time being be our Colonial Secretary of our said Island, at his Office in St. John's, without delay.

Witness our trusty and well-beloved Major-General Sir JOHN HARVEY,
&c. &c. &c., the 22d day of November, in the 6th year of our Reign.

[Signed] JAMES SIMMS, }
H. M. Attorney General. }

By His Excellency's Command,

JAMES CROWDY.

COPY

Of the Returning Officer's Return to the foregoing Writ.

I, John Peyton, Esquire, of Twillingate, in the Fogo District of the Island of Newfoundland, being the person to whom the Writ hereunto annexed is directed for the execution of the same, do hereby certify that in pursuance of the requisitions of the said Writ, and according to the tenor thereof, John Slade of Twillingate in the said District of the Island aforesaid, Esquire, hath been duly chosen and elected a Member of the General Assembly for the said District of the Island aforesaid.

Given under my hand and seal at Fogo, in the Fogo District of
Newfoundland, the 20th day of December, in the Year of our
Lord, 1842.

[Signed]

JOHN PEYTON, L. S.

Returning Officer for the District of Fogo.

MISCELLANEOUS DOCUMENTS.

COPY

Of a Letter from the Returning Officer accompanying the Return of the Writ.

—000—

Fogo, 21st December, 1842.

SIR,—Your Despatch of the 22nd November, accompanying the Writ for the Election of a Member for the District of Fogo, did not reach me at Twillingate before the morning of the 12th instant, and at the receipt of which I immediately proceeded with the Messenger to Fogo.—And not having received any instructions in the event of the Writ not reaching in due time for the Nomination, as prescribed in the Proclamation, and from the impossibility of communicating with you on the subject at so late a period of the year, I deemed it my duty to give notice, as far as possible, in the different parts of the District that the Comination for a Member would be received on the morning of the 20th instant, and agreeably with such notice, and in strict conformity with the duties of my office as Returning Officer, I proceeded to receive the Nomination.

I herewith enclose the Writ, with the Return thereon, certifying that John Slade, Esquire, of Twillingate, has been duly chosen a Member for the District of Fogo.

I have, &c.

[Signed]

JOHN PEYTON.

[See Journal, page 210.]

LETTER

From Captain DACRES, requesting that £36 10s. be placed in the Appropriation Bill for the Detachment of Royal Artillery stationed at Fort Amherst.

Artillery-Office, 10th April, 1843.

SIR,—Will you be kind enough to request His Excellency the Governor to allow the sum of Thirty-six Pounds, Ten Shillings, annually, to be placed in the next Appropriation Bill, as a remuneration to the Detachment of Royal Artillery stationed at Forts Amherst and Frederick, for the purpose of carrying on the Signals and Firing "Fog Guns."

The last House of Assembly, at the suggestion of the late Governor, granted the sum of Thirty-six Pounds for the above purpose,—I have added the Ten Shillings to make it equal to Two Shillings a-day. I assure you it will be a sum well bestowed, as the duties are very fatiguing and attended with great wear and tear of the men's clothes.

I have the honor to be,

Sir,

Your obedient Servant,

R. V. DACRES,

Captain,

Commanding Royal Artillery.

To JAMES CROWDY, Esq.,
Colonial Secretary, &c. &c.,
St. John's

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[See Journal, p. 159.]

PRESENTMENT

Respecting the State of the Gaol and Court House at Harbour Grace.

In the Grand Inquest for the Northern District of Newfoundland, for Our Sovereign
Lady Queen VICTORIA.

Present as follows, respecting the Court House and Gaol of Harbour Grace.

That is to say :—Painting the exterior walls and painting the wood work painting the interior. The galleries in front of the Court-house are much out of repair and nearly fallen down, and recommend their being replaced by stone steps and iron palisades. — The sills and casings, &c. of the doors and windows are also much out of repair. The roof is so much out of repair that the books and papers in the public offices are constantly being wet in heavy rains. The walls of the prison yard are not sufficient to prevent the escape of prisoners. They recommend a canopy to be placed over the Bench. They recommend the Privy of the prison be removed into the gaol yard. They recommend a hearth to be made under the Franklin-stove in the jury-room. They recommend chairs or seats for the Grand Jury in the said room; also, hooks or pins for cloaks and hats. They recommend that two patent *Safes*, fire-proof, be placed in the Registrar's office, for the security of the deeds and public records. They recommend that competent persons be employed to draw up an estimate of the above, and that the same may be transmitted to His Excellency the Governor.

(For self and fellow-jurors,)

ROBERT PACK, Foreman.

Court-house, Harbour Grace, }
November 15, 1841. }

GREENSPOND PRESENTMENT,

Stating the necessity for a Gaol and Lock-up House.

(Copy.)

The Grand Jury for our Sovereign Lady the Queen,

Present—The urgent necessity for a Gaol or Lock-up House, and that for the want of such an erection this populous community are subjected to much outrage on their property and persons with comparative impunity.

(For self and Jurors,)

(Signed)

THOMAS WILLS, Foreman.

Greenspond, }
Sept. 16, 1841. }

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PLACE OF SECURITY FOR PUBLIC RECORDS.

Extract from the Presentment of the Grand Jury for the District of St. John's, dated 16th November, 1841.

"That the Office at present in use by the Supreme Court as a Record Office, is very unsafe, and utterly insufficient for such a purpose. That it is absolutely requisite for the security of the public records, and of such valuable documents as may be left at the office to be recorded, that a substantial Stone Building, made perfectly fire proof, should be provided for the safe keeping of such records and documents; the destruction of which by fire, or any other casualty, would occasion much loss to individuals, create great confusion in the colony, and be the cause of endless strife and litigation."

GRAND JURY PRESENTMENT---HARBOUR GRACE.

Assayers of Weights and Measures.

(Copy.)

Grand Jury Room, Harbour Grace, }
6th October, 1842. }

The Grand Jury assembled in General Quarter Sessions respectfully suggest to the Magistrates the necessity of enjoining more attention to the duties of their Office as the Assayers of Weights and Measures in this and the Carbonear District, and that adequate remuneration for such duty be recommended to them in the proper quarter.

(Signed) (For self and fellow jurors,)

JOHN MUNN, Foreman.

COPY OF LETTER FROM JUDGE DES BARRES

Transmitting Presentments with reference to the Gaol and Court house in the Districts of Burin, Fortune Bay, and Placentia Bay.

(Copy.)

St. John's, Newfoundland, }
5th November, 1842. }

Sir,—I have the honor to transmit transcripts of the Presentments made by the Grand Jury for the Southern District at Harbour Britain, Burin and Placentia, which I request you will have the goodness to lay before the Governor.

In consequence of the Presentment at Harbour Britain, I examined the state of the Gaol at that place. It consists of two apartments or cells, very dark, having in each but a small aperture to admit air for respiration. The walls within I found to be damp and the apartments filled with noxious vapour, which might be seen escaping from

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the doorway. Two prisoners then in confinement were labouring under severe indisposition, and it became necessary to remove them to the Circuit Brig.

The Gaol at Grand Bank, I understand, is on the same plan and dimensions, and therefore the like observations would be applicable to it.

In accordance with the presentment of the Grand Jury, I beg to recommend certain repairs being made to preserve the Court House and Gaol at Burin, the outward appearance of the Building at present is far from respectable, the paint being much worn off, several panes of glass broken, admitting the rain and wind into the interior, the bricks falling out of the Chimneys, in one place, down to the roof. Within the Building the flooring of the passage and cells of the Gaol and Gaoler's apartment are worn out and dangerous, and the old material very much decayed.

I have, &c.,

(Signed)

A. W. DES BARRES.

Hon. James Crowdy, &c, &c.

GRAND JURY PRESENTMENT, HARBOUR BRITAIN.

(Copy.)

Southern District, }
Harbour Briton, to wit. }

We, the Grand Jurors for our Sovereign Lady the Queen for the District of Fortune Bay at Harbour Briton convened, do present that her Majesty's Gaol or Lock-up house at Harbour Briton aforesaid, has been inspected by us, that we consider it much too small and in every respect quite inadequate for the purposes for which it is intended and required, the building is only about twelve feet square with two cells so badly constructed as to admit of scarcely any light or sufficient air to render it wholesome for the confinement of any human being even one night. To imprison a person in a place of this description for many weeks even during the summer season would evidently be very prejudicial to the health and in some instances probably be attended with fatal consequences. Having then no place of confinement or security for a prisoner during the inclemency of the winter season even for crimes of the most ignominious character, do present, that a Gaol with Gaoler's apartments attached are indispensably necessary for the District aforesaid, that a Court house be attached to it, and estimate that the sum of six hundred pounds sterling would be sufficient for the erection of the whole.

That the Southern Circuit Court be held at Harbour Briton annually, to be opened on the twentieth day of September and continued until the twenty-seventh of the same month.

That Sessions of the Peace be held at Harbour Briton not less than twice in every year.

The Grand Jurors also present that in consequence of the failure of the Fishery in Fortune Bay this year much distress and destitution must inevitably be experienced among the indigent Fishermen and their families during the approaching winter, and

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that unless some means of relief are provided by the Executive, starvation among them must inevitably be the result.

(Signed)

WILLIAM EVANS, Foreman,
HENRY CLINTON
ANDREW ELLIS
JOHN CHAPMAN
Wm. N. TAYLOR
THOMAS STEPHENS
JOHN TROOD
FRANCIS COLLAS
CLEMENT MALLET
SAMUEL GIFFORD
WILLIAM COUCH
JOHN BRIGHT
GEORGE FORWARD.

Harbour Briton, }
21st September, 1842. }

GRAND JURY PRESENTMENT, PLACENTIA.

At a Meeting of the Grand Jury held at the Court-house, Placentia, Newfoundland, the 11th day of October, 1842, the following presentments were agreed to, and that the Hon. Judge Des Barres be requested to present to his Excellency the Governor for the purpose of being laid before the House of Assembly.

First—That a sum of money may be allowed annually for the support of a Ferryman to ply across the Gut of Placentia.

Second—The great necessity of Roads from one settlement to another.

Third—The very great want of Schools throughout the District.

Fourth—That an annual sum may be allowed for the purpose of procuring Seed Potatoes and other necessary articles for the support of the Poor.

Fifth—That a pound for the reception of pigs, goats and horses be erected as near as ble to the Court-house, about twenty feet square.

Sixth—That a suitable place be appointed at Little Placentia for similar purposes as above.

Seventh—That there is a necessity of the Gaoler having a store built, and it is recommended one may be built for him inside the present premises of the gaol-yard, the present building being too small to contain his provisions and other necessary articles.

(Signed)

W. G. BRADSHAW
PATRICK HOGAN
MARTIN SHEA
Wm. P. TAYLOR
ALEXANDER CHAMBERS
J. M. BRADSHAW
JAMES FURLONG
ANTHONY PHELAN
F. L. BRADSHAW

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W. M. PHORAN
NICHOLAS HAYES
JAMES MURPHY
JOHN RIELLY
JOHN RULLY
RICHARD McGRATH
W. M. GREEN
JOHN COLLINS
EDWARD LASKIN
THOMAS MILLER
MICHAEL BRADY.

(Certified Copy.

GEORGE SIMMS, Clerk Southern Circuit Court.)

COPY OF GRAND JURY PRESENTMENT AT BIRIN.

(Copy)

The Grand Jury again present the absolute and indispensable necessity of an immediate repair of the floors of the gaol and gaoler's apartments, which are now wholly required to be new, in consequence of several former presentments on the same subject not having been attended to. The Grand Jury find on examining the cells, that they are very insecure, the walls being composed of loose stones instead of firm and solid brick work; and in consequence of there being no fence round the Court-house, the windows of the cells are exposed to the high road and cannot be opened for the admission of air, but by removing the cells to the other side of the building, that very great inconvenience would be avoided, and by erecting a strong fence round the garden at the back of the Court-house, the prisoners could be allowed both air and exercise, when, as the cells are at present arranged, they are wholly subject to solitary confinement, let the commitment be for the most trivial offence; and to add to the misery of the confinement, all the offices which Nature require must be performed in the cells, which unwholesome and disgusting necessity would be avoided if the alterations here pointed out were carried into effect.

The Grand Jury are the more urgent in their present representation from having with deep concern been witnesses of the inconveniences here alluded to, in the imprisonment for some months during the winter of 1849, of two men on suspicion of having committed an act of felony; on their trial, however, they were acquitted.

There are also several alterations and improvements required in the Court-house. The Jury room is so confined that the Grand Jury could not possibly find room in it to hold their sittings, and a room for that purpose was obliged to be hired. The present Jury Room might be enlarged at a trifling expence so as to afford sufficient accommodation. A railing across the Court house, with Seats for Grand and Petty Juries, a Bar at which Prisoners should be placed, and a Witness Box, are improvements much required, and a Hatchway through the floor of the Court house for the conveyance of prisoners to and from the Cells, to prevent the necessity of their going out of doors would also be very desirable. The Windows throughout the building

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require Glass and some repairs, as well as the chimneys and fire places, which should immediately be attended to, as the Building is endangered by fire. The alterations here pointed out would require the sum of £200 sterling, to have the work performed in a good and substantial manner.

The Grand Jury are of opinion that two Lock-up houses are absolutely required—one at Lamaline, and one at Great St. Lawrence, each should have two secure rooms and an office for the Magistrate.

(Signed)

WILLIAM HOOPER,
Foreman.

Grand Jury Room, }
Burin, October 3, 1842. }

[See Journal, p. 169.

REPORT AND DOCUMENTS FROM REGISTRAR OF THE VICE ADMIRALTY COURT, RELATIVE TO SPECIE SAVED FROM THE WRECK OF THE BRIG "MONTANEZ."

Vice Admiralty Court, }
St. John's, April 10, 1843. }

SIR,

I have the honour to acknowledge the receipt of your letter of the 8th instant, enclosing an address from the General Assembly of this Colony, signed by the Honourable the Speaker, to his Excellency the Governor, respectfully requesting that his Excellency will be pleased to direct that there be laid before the House a statement of the circumstances connected with a certain quantity of Specie saved from the wreck of the Spanish Brig *Montanez*, in the year 1835, at Baccalieu, the persons by whom the said Specie was reclaimed, the amount of Salvage paid thereon, the manner in which the residue has been disposed of, and all other circumstances connected therewith, and in reply thereto beg leave to state, for the information of his Excellency, that in the year 1834 (not in 1835, as stated in the address) hearing that a vessel had been cast away at Baccalieu, and that a quantity of Specie had been picked up, and was in the possession of the residents of the Grates Cove, the Court despatched Mr. George Webber to enquire into and report the particulars to the Court, whose reply was received on the 12th July of the same year, (No. 1) by which it will appear that 1500*l.* currency was saved by the persons mentioned therein, when a letter (No. 2) was forwarded to Mr. Webber, under date of the 16th July, and on the 16th of August following another letter (No. 3) was given Mr. Rankin, J. P., to be forwarded to Mr. Webber, with directions for the guidance of the Salvors, and enclosing therein a Warrant (No. 4) to arrest such property as might be found in the possession of the Salvors or otherwise, (whose return to the execution of the Warrant was made on the 28th of the same month) that on the 20th of August (No. 5) a voluntary statement was made by the Salvors to Mr. Webber, who had been appointed Acting Marshal, to their having shared Specie amongst themselves to the value of 1,719*l.* 15*s.*, and that one of the Salvors, John Head, refused to deliver up a large sum in his possession, 244*l.*

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(No. 6) : a Warrant was issued against John Head, who, in consequence thereof paid into, as per receipt (No 9), 228*l* 3*s*. 4*d*. currency; that on the 28th and 29th days of August, there were delivered into the Registry of the Court, the sums set forth in (No. 7) as stated by the Salvors, but on counting it over found it was short 48*l*. 14*s*. which had been taken from the 730*l* 5*s* —Murphy and Frost having together paid in the following day 130*l*. —that on the 29th of August the Salvors were paid by order of the Judge (No. 8) 153*l*. in advance, and on the 26th of August, 1835 (No. 11) the Salvors were allowed one half of the amount saved from the wreck, amounting to 865*l*.—first deducting therefrom the sums withheld by the Salvors, which was adjusted and settled with G. H. Emerson, Esquire, their Proctor, on the 30th September 1835, as per statement enclosed herewith; that on the 26th day of August a claim was read from Messrs. Bland and Tobin, Merchants of this Town, on behalf of the Insurers of the "Montanez"; but as no proof was at that time laid before the Court of the loss of that vessel upon this Coast, or of her having been spoken with, or any mark whatever having been discovered, by which the property could be identified, the claim was rejected, but further time was granted to the claimants, to the 1st June, 1836, to collect proof and bring in particulars, which has not been done, so that the sum at present in the Court has become a droit of Admiralty, out of which the expenses and Fees of Court are by the decree to be taken, and will leave a Balance due from the Court of about Eight Hundred Pounds currency.

In conclusion, I beg leave to state that a copy of the abstract account was transmitted to you on the 28th May in the last year, upon the application of the Salvors to His Excellency, and I much fear, from the opposition that has been given throughout all the proceedings in this case to the Court, that in the event of another such loss of specie taking place upon this Coast, there will be but little chance of recovering it; indeed the impression on the minds of those whose interests it should be to support the authorities in recovery of property under similar circumstances, was that the Salvors were entitled to the whole, and that the Court had acted arbitrarily in depriving them of any part of it.

I have the honour to be, sir,

Your most obedient, humble servant,

P. W. CARTER,

Registrar V. A. Court.

The Honourable JAMES CROWDY,
Colonial Secretary.

No. 1.

Harbor Grace, July 12, 1834.

MR. PETER CARTER,

Sir—I beg leave to inform you, that I have been to the Grates Cove, and ascertained the amount saved by the persons whose names are annexed, with their respective Shares as divided by them; three anchors and some iron ballast was landed, and many other things may be recovered if proper means were used; another Keg has been seen at the bottom similar to those two which contained the money.

I expect Every and Rose, the two first on the list, are now in St. John's, or will shortly

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be there, I hope they will be secured and intimidated, otherwise it may be difficult to recover the money.—I waited some time expecting an opportunity from the *Grates*, but none offering I found it necessary to travel to Harbor Grace, to give you this information and shall wait the packet's return, deeming it probable you may send further directions.

I remain, Sir,
Your Most obedient Servant,

(Signed)

GEORGE WEBBER.

George Avery	.....	.....	.....	.....	.....	.....	£250
Jeremiah Rose	.....	.....	.....	.....	.....	.....	250
John Churchill	.....	.....	.....	.....	.....	.....	250
John Every	.....	.....	.....	.....	.....	.....	250
John Head	.....	.....	.....	.....	.....	.....	250
John Martin	.....	.....	.....	.....	.....	.....	50
Thomas Every	.....	.....	.....	.....	.....	.....	50
John Murphy	.....	.....	.....	.....	.....	.....	50
James Frost	.....	.....	.....	.....	.....	.....	50
Richard Burrage	.....	.....	.....	.....	.....	.....	50
							£1,500

No 2.

Vice Admiralty Office,
St. John's, Newfoundland,
16th July, 1834.

Sir,—I beg to return you thanks for the information contained in your letter of the 12th instant respecting the property saved by the *Grates Cove* people from the *Vessel Stranded at Buccalieu*—It will be proper to notify to them, that they are required to deliver over the Specie and goods without delay to the Admiralty Court here, and send forward a Memorial setting forth the Articles saved, and the expense incurred in saving of them, when they will be entitled to Salvage; but should they convert any part of the property saved to their own use they will not only be amenable to the Law, but will forfeit the share of salvage they would otherwise be entitled to.

I have had the Constables in search of Every and Rose, but have not been able to find their place of abode, if here.

I have the honor to be Sir,
Your obedient Servant,
P. W. CARTER,
Registrar V. A. Court.

To George Webber, Esq., J. P.
Acting Marshal of the
Vice Admiralty Court for the
Northern Circuit,
Newfoundland.

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No. 3.

Vice Admiralty Office,
St. John's, Newfoundland,
16th August, 1834.

Sir,—I have the honor to enclose a Warrant from the Vice Admiralty Court of this Island, directed to you as Acting Marshal for the Northern District, empowering you to arrest the Wreck, Specie, Goods, Wares and Merchandizes, that belonged to, or formed any part of, the lading of a vessel, name unknown, lately cast away upon the Island of Baccalieu.

In my letter of the 16th ultimo, I mentioned that you should notify to the Salvors generally, the necessity of their forwarding a Memorial to the Court, stating the trouble and risk they were at in saving the property, when a liberal Salvage will most likely be decreed to them, since which I have heard of the Anchors and Cables having been taken up, and are in the possession of persons in Conception Bay, or the Grates. The withholding any part of the property by the Salvors, may be the means of depriving them of the reward they would otherwise be entitled to, and would subject them to a criminal prosecution; they therefore should account to you for any property in their possession, or bring it here without delay, in order to have their claims adjusted.

I shall be obliged by your giving me the names of such persons as will be required to give evidence respecting the Specie and Property saved, in the event of the Salvors, withholding any portion of it, or not satisfactorily accounting for the portion saved or received by them.

I have the honour to be, sir,

Your most obedient, humble servant,

P. W. CARTER,

Registrar V. A. Court.

To George Webber, Esq., Acting Marshal
of the Vice Admiralty Court
for the Northern District, Newfoundland.

No. 4.

NEWFOUNDLAND.

In the Instance Court of Vice Admiralty. William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To GEORGE WEBBER, Esquire, Acting Marshal of the Northern District of Newfoundland, Greeting—

We do hereby empower, and strictly charge and command you, that you or it not by reason of any liberty or franchise, but that you arrest or cause to be arrested, all and every part of a ship or vessel, name unknown, her tackle, apparel, and furniture, and

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the specie, goods, wares, and merchandizes, now or lately laden therein, found near Baccalieu, in Newfoundland, within the jurisdiction of our said Vice Admiralty Court, as being goods derelict, flotion, jetson, or lagon, and as such droits and perquisites of Us, in our Office of Admiralty, wheresoever you shall find the same; and the same so arrested you keep under safe and secure arrest until you shall receive further orders from Us; and that you cite at the premises all persons in general, who have or pretend to have any right, title or interest therein, to appear before Us, or the Judge of our said Vice Admiralty Court, or his Surrogate in the Registry of our said Court, situated at St. John's, in One Calendar Month after the arrest, between the hours of eleven and twelve of the forenoon, there to answer unto Us, in our said Office of Admiralty, and shew cause why the same should not be condemned and adjudged to Us, in our said Office of Admiralty, as being goods derelict, flotion, jetson, or lagon, and as such, droits and perquisites of Us in our said Office of Admiralty, and further to do and receive in this behalf as unto justice shall appertain, and that you duly certify Us, our said Judge, or his Surrogate, what you shall do in the premises, together with these presents.

Given at St. John's, in our aforesaid Court, under the Seal thereof, this Fourteenth Day of August, in the Year of Our Lord One Thousand Eight Hundred and Thirty-four, and of Our Reign the Fifth.

P. W. CARTER,
Registrar V. A. Court,
Newfoundland.

NEWFOUNDLAND.

St. John's, 28th August, 1834.

I hereby certify that the within Warrant was executed by showing and reading it to the Salvors of property near Baccalieu, in this island.

(Signed)

GEORGE WEBBER,
Acting Marshal Vice Admiralty Court,
Newfoundland.

No. 5.

Grates Cove, August 20, 1834.

This day,

The undermentioned persons voluntarily came before me, and stated that to the best of their knowledge, they shared of the money recovered near the Island of Baccalieu, as follows:—

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Jeremiah Rose	£259 15s. 0	Thomas Every	£83
John Every	260 0 0	John Murphy	86
George Every	260 0 0	James Frost	85
John Head	260 0 0	Richard Burrage	86
John Churchill	250 0 0	John Martin	86
	1289 15 0		£430
	430 0 0		
	£1719 15 0		

Furthermore it was stated that the following sums had been laid out before the money was demanded—

Jeremiah Rose	£80	Thomas Every	£10
John Every	20	John Murphy	10
George Every	40	James Frost	10s.
John Head	15	Richard Burrage	20
John Churchill	4	John Martin	60

George Every acknowledges that by way of Security, he sent £140 to Abraham Martin (Fox Harbour).

1 Anchor, 8 Cwt.
 1 Do. 7 Do.
 1 Do. 1½ Do. (Signed)

GEORGE WEBBER,
 Acting Marshal of the Vice Admiralty Court,
 Northern District, Newfoundland.

No. 6. NEWFOUNDLAND.

In the Instance Court of Vice Admiralty.

St. John's, }
 to Wit. }

Personally appeared before me Peter W. Carter, Registrar of the Vice Admiralty Court of Newfoundland, George Webber, acting Marshall of the said Court, and made oath that John Head of Grates Cove, also in Newfoundland, Fisherman, has in his possession Two Hundred and Forty Four Pounds in Spanish Dollars, which were picked up near Baccalieu in the present year, and that the said John Head refuses to deliver up the said money, though called upon by deponent so to do by virtue of a Warrant directed to him as Acting Marshal of the Northern District under date of the Fourteenth instant.

(Signed)

GEORGE WEBBER.

Sworn before me, on this
 Twenty Eighth day of August, 1834.
 P. W. CARTER, Registrar.

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No. 7.

An account of the deficiency on counting the money delivered into the Registrar of the Court of Vice Admiralty of Newfoundland, by the undermentioned persons, Salvors of the same at Baccalieu, in the Year of our Lord 1834.

Names of Salvors.	Amount of Money paid to have been paid into Court.		
John Avery	£225	0	0
Thomas Avery	72	10	0
George Avery	75	0	0
John Churchill	188	15	0
Jeremiah Rose	169	0	0
Currency,			£780 | 5 | 0

On counting, a deficiency of £48 14s – to make up which the following sums have been deducted from Salvors in the following proportions, at the rate of £6 13s. 4d. per cent., which will leave

John Avery	£225	0s.	0d.	
deduct	15	0	2.....	£209 19s 10d paid into Court.
Thomas Avery	72	10	0	
deduct	4	16	8.....	67 13 4 paid into Court.
George Avery	75	0	0	
deduct	5	0	2.....	69 19 10 paid into Court.
John Churchill	188	15	0	
deduct	12	11	8.....	176 3 4 paid into Court.
Jeremiah Rose	169	0	0	
deduct	11	5	4.....	157 14 8 paid into Court.
Richard Burrage			.....	37 5 0 paid into Court.
John Martin			.....	24 0 0 paid into Court.
			.....	£742 16 0 paid into Court 28th August.
23th August, {	John Murphy	.....	59 0 0	
{	James Frost	.....	71 0 0	
			.....	£872 16 0
John Head			.....	228 3 4

Full amount paid into V. A. Court £1,160 19 4 Currency.

Vice Admiralty Office,

St. John's, Newfoundland,

30th September, 1835.

P. W. CARTER,

Registrar V. A. Court.

B. E.

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No. 8.

St. John's, Newfoundland, }
29th August, 1834. }

John Every	paid	£40
John Churchill	Do.	30
George Every	Do.	.....	30
Jeremiah Rose	Do.	.....	20
Richard Burrage	Do.	.....	5
Thomas Every	Do.	.....	15
John Murphy	Do.	.....	5
James Frost	Do.	.....	8

£153.

Received from P. W. Carter, Registrar of the Vice Admiralty Court, One Hundred and Fifty Three Pounds, for the above mentioned Salvors of Specie at Baccalieu, this present year.

(Signed)

GEORGE WEBBER.

No. 9.

St. John's, 3rd October, 1834.

Received from P. W. Carter, Registrar of the Vice Admiralty Court of Newfoundland, Twenty Seven Pounds in Spanish Dollars, which, with the Sum reserved from that picked up at Baccalieu, and Twenty Eight Pounds received from Mr. George Webber, is equal to a third of the property saved by me at Baccalieu, aforesaid, which was £259 15 0.

(Signed)

JOHN HEAD.

(Witness)

F. B. T. CARTER.

No. 10.

To the Worshipful William Carter, Judge of the Vice Admiralty Court of the Island of Newfoundland.

The Petition of John Churchill, Jeremiah Rose, John Every, Thomas Every, James Frost, Richard Burrage, John Head, John Murphy, and John Martin.

Humbly Sheweth,

That on or about the 20th June, 1834, your Petitioners found at the bottom of the Sea, in Conception Bay, near the Island of Baccalieu, a large sum of money which

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being demanded from your Petitioners by the Registrar of your Honorable Court, was paid over to him ; your Petitioners therefore humbly pray that the said sum of money thus paid into your Honorable Court may be restored to them.

And your Petitioners, as in duty bound, will ever pray,

(Signed.)

G. H. EMERSON,
Proctor for the Petitioners.

No. 11.

NEWFOUNDLAND.

In the Instance Court of Vice Admiralty, on Thursday the Twenty Sixth day of August, in the year of our Lord One Thousand Eight Hundred and Thirty-Five.

Before the Honorable and Worshipful WILLIAM CARTER, Esquire, Commissary and Judge of the Vice Admiralty Court of Newfoundland, and Territories thereunto belonging, at the Court House, in the Town of Saint John's, present, Peter Weston Carter, Registrar.

George H. Emerson, Esquire, Proctor for the Salvors, namely, John Churchill, Jeremiah Rose, John Every, Thomas Every, James Frost, Richard Burrage, John Head, John Murphy, and John Martin, Salvors, of a certain quantity of Specie picked up at Baccalieu, in this Island, in the year One Thousand Eight Hundred and Thirty Four.

His Worship the Judge having heard the statement of the Counsel for the Salvors, and having maturely considered the circumstances of the case, decreed that John Churchill and others, Salvors of a certain quantity of specie (say One Thousand Seven Hundred and Thirty Pounds Currency, picked up by them, the Salvors aforesaid, at Baccalieu aforesaid) be paid out of the Registry of this Court the sum of Eight Hundred and Sixty Five Pounds Currency, as Salvage, being one half the sum of One Thousand Seven Hundred and Thirty Pounds Currency, first deducting therefrom the sum of One Hundred and Nineteen Pounds Sixteen shillings currency, being a sum withheld by the Salvors ; and I do further decree that the Salvors aforesaid do pay all their expenses and costs, and that the Representatives of the Insurers in a vessel called the " Montanez" be allowed time, that is to say from this date to the 1st June. 1836, to furnish particulars respecting the loss of said vessel, the nature of her Cargo and equipment, with such documentary evidence as may be necessary, all of which documents to be certified by the British Consul at the Havanah.

P. W. CARTER,
Registrar V. A. Court.

APPENDIX.

MISCELLANEOUS DOCUMENTS.

An abstract account of certain Monies picked up by sundry persons near Baccalieu, in the Island of Newfoundland, and taken possession of by the Vice Admiralty Court of the same.

Names of Salvors.	Amount acknow- ledged to have been picked up.	Amount paid into the Court.	Balance deficient.	Amount paid by the Registrar.	Amount of total paid the Salvors.	Salvor's half of the Amount picked up.	Amount due the Salvors.	Amount due of the Salvors to the Vice Admiralty Court.
Rich, Burrage	£ s. d. 86 0 0	£ s. d. 37 5 0	£ s. d. 48 15 0	£ s. d. 5 0 0	£ s. d. 53 15 0	£ s. d. 43 0 0	£ s. d. 5 19 10	£ s. d. 5 15 0
John Martin	86 0 0	24 0 0	62 0 0	0 0 0	62 0 0	43 0 0	39 19 10	10 15 0
John Avery	260 0 0	209 19 10	50 0 2	40 0 0	90 0 2	130 0 0	9 13 4	19 0 0
Thomas Avery	86 0 0	67 13 4	18 6 8	15 0 0	33 6 8	43 0 0	16 3 4	90 1 0
George Avery	260 0 0	69 19 10	190 1 0	30 0 0	220 1 0	130 0 0	7 14 8	8 0 0
J. Churchill	260 0 0	176 3 4	83 16 8	30 0 0	113 16 8	130 0 0	11 0 0	0 0 0
Jeremiah Rose	260 0 0	157 14 8	102 5 4	20 0 0	122 5 4	130 0 0	20 0 0	0 0 0
John Murphy	86 0 0	59 0 0	27 0 0	5 0 0	32 0 0	43 0 0	0 0 0	0 0 0
James Frost	86 0 0	71 0 0	15 0 0	3 0 0	23 0 0	43 0 0	0 0 0	0 0 0
John Head	260 0 0	228 3 4	31 16 8	55 0 0	86 16 8	130 0 0	43 3 4	0 0 0
Total currency	1730 0 0	1100 19 4	629 1 6	208 0 0	837 1 6	865 0 0	147 14 6	119 16 0

To paid G. H. Emerson, Esq.,
your orders £ s. d.
18 0 0

By amount brought down £ s. d.
27 18 6

Registrar poundage on money
paid out of Court 2d. £ 7 4 2

By Balance due Registrar 13 0

Preparing Receipt. 1 6

Office Copy of Statements of
Claims of Salvage. 5 10

Paid Solicitor General for
Jeremiah Rose. 3 0 0

£28 11 6

E. M. Vice Admiralty Office, St. John's, Newfoundland, 30th September, 1835.

F. W. CARTER, Registrar V. A. Court.

£28 11 6

APPENDIX.

MISCELLANEOUS DOCUMENTS.

[See Journal, p. 214.]

*DETAILED ACCOUNT OF THE CONTINGENT EXPENSES OF THE BOARD OF CONTROL FOR
THREE YEARS AND-A-HALF, ENDING 1st. MAY, 1843.*

SIR,

Board of Control,
29th April, 1843. }

I have the honor to transmit, for the information of his Excellency the Governor, "a detailed account of the contingent expenses of the Board of Control for three years and a half ending the first of May, 1843," amounting to the sum of £59 19s. 6d. currency, which the Board respectfully request that his Excellency will be pleased to direct, may be laid before the Legislative Assembly.

I have the honour to be, Sir,
Your most obedient servant,
THOMAS BENNETT,
Chairman.

The Honourable **JAMES CROWDY**, Colonial Secretary, &c. &c.

A detailed account of the contingent expenses of the Board of Control, for three years and a half, ending first of May, 1843—

	£	s.	d.
To James Clift, for ½ year's rent of office, from 31st October to the 1st of May, 1840, inclusive of Fuel	10	14	0
“ Manager of Commercial Rooms, for three years rent of office, inclusive of Fuel	43	0	0
“ C. F. Bennett & Co., for 1 Fender and Set Fire Irons for office	1	7	6
“ Henry Winton, for Pens, Ink and Paper	0	18	0
“ Attendance of man, lighting office fire, &c.	2	0	0
	£57	19	6
	£50	4	11

St. John's, 29th May, 1843.

NEWFOUNDLAND.

A Return of the names of Jurors on the Grand Jury Panel for the Supreme and Central Circuit Courts, on the 31st day of December, 1842.

Robert Alsop
John Boyd
John B. Bulley
Thomas Kearns
Charles F. Bennett
Thomas Bennett
John Brocklebank

Kenneth McLea
Samuel Mudge
Dugald Makellar
Hannibal Murch
George Morgan
Peter McBride
John McWilliam

APPENDIX.

MISCELLANEOUS DOCUMENTS.

John B. Barnes
Richard Barnes
Edward Bowring
James Brine
Henry P. Bowring
John Cusack
Gilbert Clapp
William Calver
Robert Clapp
James S. Clift
Robert Carter
Nicholas Cusack
George H. Dunscomb
James Douglas
James Fergus
Edward Francis
Daniel Fowler
William Firth
Walter Grieve
Nicholas Gill, jun.
Thomas Glen
Richard N. Goff
James Gleeson
William Grieve
Monier Hutchings
John Howley
Richard Howley
Eugenius Harvey
James B. Hutton
Thomas B. Job
Robert Job
Patrick Kough
John Kent
Richard Langley
Andrew Milroy

Nicholas Mudge
Augustine P. Maher
John Nichols
Lawrence O'Brien
John O'Mara
Richard O'Dwyer
Robert Prowse
Richard Perchard, jun.
William Parker
Jeremiah Ryan
Frederick Rennie
William Richards
William Rendell
John M. Rendell
Thomas Row
John Ryan, jun.
William Ryan
Peter Rogerson
Nicholas Stabb
Benjamin Scott
Matthew Stewart
Charles Bowring
John Stuart
Ralph Trimmingham
Henry P. Thomas
John Trimmingham
William Thomas
James Tobin
William E. Taylor
William Warren, jun.
James B. Wood
John Wyatt
Henry Winton
John H. Warren.

B. G. GARRETT,
High Sheriff.

Received March 8th, and forwarded to His Excellency the Governor March 9th,
1843.

J. H. BOURNE, C. J.

A RETURN OF THE NAMES OF JURORS ON THE PETIT JURY PANEL, FOR THE SUPREME AND
CENTRAL CIRCUIT COURTS, ON THE 31st. DAY OF DECEMBER, 1842.

Michael Allen, jun.
William Armstrong
Robert Andrews

William Ash
George Anderson
Michael Aid

APPENDIX.

MISCELLANEOUS DOCUMENTS.

Alexander Allen
Thomas Ashman
George Ashman, jun.
Joseph Aylsbury
Thomas Allan
Patrick Ahern
Peter Aspell
Richard Aspell
Patrick Blake
John Buckley
Edward Brennan
Samuel Bridgman
Patrick Brown
Richard Branscomb
John Bulley
William Barnes
Patrick Brennock
George Biddescomb
Philip Brown
John Brown
John Butt
Charles Batston
Joseph Barter
William Birchell
Lawrence Burke
Thomas Barry
John Berrigan
Maurice Bolan
William Butt
James Burke
Nicholas Brown
Patrick Byrne
Patrick Buckley
William Blackler (1)
Daniel Berrigan
Edward Byrne
Thomas Brien
Jonas Barter
William Brazil
James Berrigan
James Bulger
James Brine (1)
James Byrne
John Bamerick
Peter Brennan
William Blake
Thomas Byrne
James Brien (2)
John Barter
Edward Bray

Patrick Brien
William Branscomb
Patrick Berrigan
Michael Burke
Thomas Brennan
William Byrne
John Brien
John Bulger (1)
William Blackler (2)
Lawrence Bates
Andrew Blackwood
Ebenezer Brace
Thomas Butler
John Bulger (2)
John Boggin
James Condon
John Crute
William Collier
Michael Comerford
Edward Colton
John Coady
Richard Carrol
James Coady
Patrick Collins
Richard Comerford
James Cogley
Patrick Culleton
Thomas Casey
Nicholas Croke
Owen Carney
Samuel Creed
James Clooney
John Culleton
Henry Charles
Richard Courtney
James Clooney
Patrick Clooney
Edward Coaker
Patrick Cassidy
John Cullen (1)
John Connors
Clement Carey
John Cooke
Thomas Coyell
Michael Cahil
Thomas Curren
George Cooke, jun.
Elias Coxson
Nicholas Cullen
John Cotter

APPENDIX.

MISCELLANEOUS DOCUMENTS.

James Cuddihy
Lawrence Conhrane
William Cocgrove
John Clooney
Thomas Cashin
Maurice Cummins
William Cess
Richard Comerford
Redmond Colbert
John Cullen (2)
William Cowan
Mark Coxson
Andrew Comerford
Oliver Curran
Lionel Chancey (1)
Archibald Currie
William Condon
James Cullen
William Coyell
Richard Cummins
John Casey
John Carter
Caleb Clarke
John Colten
George Corbia
David Coxson
George Chancey
Pascoe Carter
Lionel Chancey (2)
John Clegg
James Cowan
Thomas Dudor
Thomas Dooley
Cornelius Denehy
Edward Dwyer
Peter Duchemin
Edmond Duff
Martin Deady
Philip Duggan
William Dooley
Michael Dealey
John Doyle
William Dodd
John Devereaux
John Dwyer (1)
Matthew Doyle
William Delaney
William B. Dryer
Walter Dillon
Thomas Dee

Patrick Doyle
Thomas Damerell
George Daymond
Lawrence Dooling
William Doyle
Thomas Dollard
John Dicks
Michael Dunn
Lawrence Denehy
Patrick Dooley
Garret Dooley
James Deady
Henry Dudor
George Dowsley
George Doran
William Doutney
Thomas Duffy
John Dullahunty
John Donnelly
John Dwyer (2)
William Earle
James English (1)
Samuel Ebsary
John Eagan
Richard Ebsary
Edward Ellard
Henry Ebsary
Peter Ellard
Joseph English
Henry Earle
William Ebsary
John Ellice
James English (2)
Thomas Ebsary
Daniel Eagan
John Eales
John English
John Earle
Patrick Flood
Timothy Flannery
Luke Foley
John Ferris
James Fogarty (1)
John B. Freeman
John Funchon
John Ford
William Flinn
Michael Foley
William Foote
Michael Flabavia

APPENDIX.

MISCELLANEOUS DOCUMENTS.

William Freeman
William Foley
Roger Flahavan
John Freaney
George Forward
James Fogarty (2)
Patrick Furlong
Patrick Fitzgerald
Patrick Forrestal
Thomas Flahavan
Maurice Fitzgerald
Denis Finlan
Philip Finn
John Geary
Peter Glasgow
John Gibbings
William Goff
Patrick Gorman
James Grace
Michael Gorman
Michael Gray
Lawrence Gearin
Patrick Gaul
Pierce Grace
John Gibbons
John Goodlin
Thomas Grace
Samuel Gordon
Joseph Gribble
John Griffin
John Gregory
Richard Gardner
John Grace
William Guzzell
William Green
John Harding
Richard Holden
James Hearn
James Handlen
Thomas Howlett
Thomas Hennessey
Andrew Hannon
Michael Harding
Thomas Hearn
John Hutchings
William Hennabery
James Hickey
James Hutchings
Richard Hilmann
James Hogan
Hugh Hamlin

John Holwell
William Hutchings
William Hamlin
Robert Hawe
James Hervey
William Haddon
John Hanley
Daniel Hennessey
George Hatchett
William Hogan
Thomas Horrabin
Richard Harvey
Thomas Holton
Patrick Howlett
Joseph Hollahan
Garret Hartery
John Hennes
Nathaniel Hill
Nicholas Harris
James Humphries
John Horwood
William Haddon, jun.
George Hamlin
Richard Hamlin
John Hennessey
John Halley
Patrick Jackman
Patrick Jordan
James Janes
James Jones
James Kelly
Patrick Kie'ty
Philip Knight
Richard Kelly
Edward Kennedy
William Kielly
John Keating
John Kelly
John Knight
Thomas Knight
George Knight
John Kickham
Francis Kenny
William Kitchen
William King
William Knight
Nicholas Kennedy
Edward Knight
James Kendall
William Kelly
Henry Knight

APPENDIX.

MISCELLANEOUS DOCUMENTS.

Samuel Knight
John Keenan
Joseph Keith
Michael Kennedy
James Kielly
James Kough
Robert Knight
Walter Keefe
John M. Lang
William Loader
William Lewis
Henry Langley
William Lilly
Richard Lannery
George Lewis
Michael Leary
Matthew Leary
James Leary
James Leasey
John Long
George Lowe
Samuel Loveys
James Lennegar
Edward Lawler
Edward Lannigan
William Lash
Michael McLean Little
James Long
Jeffry Lash
Thomas Lawler
Charles Loughnan
James Murray
Denis McGrath
Owen McCarthy
Patrick Mullowney
Andrew McCoubrey
James Malono
Thomas Myler
Patrick Meagher
Thomas Meagher
James McCabe
Eugenius McCarthy
John Morrisson (1)
Lawrence Murphy
David Marshal
Michael Meehan
Patrick Murphy
Joseph Murphy
James Maher
James K. Moore

Thomas McDonald (1)
William Martin
William Maxwell
William Murch
Bartholmew McGrath
James Marnell
Thomas McDonald (2)
Thomas Melvin
William Mullins
David Morley
Thomas McGrath
Maurice McGrath
Lawrence Maccassey
John McCoubrey
Michael McNamara
Philip Moore
Denis Meally
Patrick Malone
Edward Moran
Michael McGhie
Lawrence McNally
James McLarty
Thomas Murray
Daniel Murphy
Patrick McGrath
Walter McPherson
Peter Murphy
Thomas McNamara
Thomas Meally
William McCarthy
William Maynard
James Mulloy
Francis McDougald
George McLennan
Edward Murphy
John P. Mullowney
Lawrence Morrissey
John McGuire
John Maddock
Richard Manwaring
George Martin
Thomas Muldowney
John Mitchell
Thomas McGrath (2)
Valentine Merchant
Thomas Mitchell
Thomas Morrissey
Alexander McAuslin
Allan McLean
William Murray
Martin McCarthy

APPENDIX.

MISCELLANEOUS DOCUMENTS.

Michael McCarthy
Joseph McLarty
Andrew Morrison
John McGrath
John Morrison (2)
Thomas Mulloy
Jabez Nurse
Alexander Norris
Edmond Nowlan
Denis Nowlan
John Noon
Michael Nowlan
Peter Neville
John O'Brien
John Osborne
Thomas O'Brien
James O'Mara
Maurice O'Farrell
James O'Neil
John O'Dwyer
John O'Donnell
Thomas Power (1)
Patrick Power
Edward Power (1)
Robert Power
Thomas Parker
Andrew Power
James Power (1)
William T. Parsons
Edward Power (2)
Thomas Power (2)
John Pine (1)
John Power (1)
Robert Parker
John Power (2)
Edward Prior
Lawrence Power
George Paik
John Pine (2)
Amos Perrington
Geoffry Power
Edward Power (3)
James Phelan
Matthew Pope
George Pendergast
James Power (2)
Michael Power
Robert John Parsons
James Pendergast
Michael Pendergast

Richard Power
Pierce Power
William S. Pope
Nathan Picot
Philip Power
William Power
Thomas Power (3)
James Price
William Quirk
Richard Quinn
Maurice Quirk
Andrew Quirk
James Quinn
John Quinn
Michael Rourke
Jemeriah Ryan
John D. Ryland
Edward Rendell
John Rossiter
Charles Rankin
Stephen Ryan
Joseph Ryan
Charles Ryan
William Rendell
John Rendell
Thomas Ryan
John Rielly
Thomas Rendell
Peter Ritchie
Robert Radford
Philip Roach
Colin Raftis
James St. John
James Silvey
William Shea
Robert Snook
John Shallow
George Stevens
John Scanlin
John Saunders
Patrick Summers
Patrick Smith
John Shehan
John Stentaford, jun.
Patrick Scanlin
Michael Scanlin
Richard Stevens
James Summers
George Snelgrove
William Sheppard

APPENDIX.

MISCELLANEOUS DOCUMENTS.

Denis Sullivan
Patrick Shea
Thomas Selby
William Stares
Edward St. John
Timothy Shipton
John Stanton
Richard Trelegan
Thomas Tucker
Thomas Tarrahan
John Tynan
Patrick Tarrahan
James Tracey
William Tobin
Matthew Too'lo
James Tubrid
John Tobin
John Tuffin
Patrick Tobin
Henry Thomas
John Tucker
Francis Taylor
Joseph Towan
William Tobin (2)
William Trelegan
George Thomas
Richard Voisey
Christopher Vey
Nicholas Vail
George Vandenhoff
John Venables
Thomas Whelan
James Wiseman
John Woods (1)
John Whelan
William Williams
Martin Whelan
William Walsh (1)

Michael Wall
James Woods (1)
Thomas Walsh
Joseph Woollacott
Thomas Walker
William Walsh (2)
William Wetherdon
Bartholomew Walsh
James Woods (2)
John Walsh (1)
Isaac Woodley
Edward Warren
Joseph Whitton
John Woods (2)
Gilbert Widdecombe
Cornelius Winton
Richard Walsh
George Wiltshire
Edward White
Patrick Walsh
Edward Walsh
John Widdecombe
John Walsh (2)
William Whitten (1)
John Westcott
John Walsh (3)
Lawrence White
Michael Walsh
George Whitton (1)
Stephen White
Walter Walsh
William Walsh (3)
Thomas Wells
Matthew Winsor
Richard Woods
David Walsh
William Whitton (2)
George Whitton (2)

B. G. GARRETT,
High Sheriff.

Received March 8th, and forwarded to His Excellency the Governor March 9th,
1843.

J. G. H. BOURNE, G. J.

RETURN OF MAGISTRATES IN THE ISLAND OF NEWFOUNDLAND.

Return of the Names of all Magistrates in the Island of Newfoundland, distinguish

APPENDIX.

MISCELLANEOUS DOCUMENTS.

ing the Honorary from the Stipendiary Magistrates, with the dates of their Commission respectively.

Pursuant to an Address from the General Assembly, dated 19th April, 1843.

CENTRAL DISTRICT.

Names.	Honorary or Stipendiary.	Date of Commission.
Hon. Augustus W. DesBarres	Stipendiary.	5th June, 1838.
“ Edward B. Brenton		
“ James Simms		
“ James Crowdy		
“ James M. Spearman		
“ John Dunscomb		
“ William Thomas		
Peter Weston Carter		
Charles Simms		
John L. M’Kie		
James Fergus		
Thomas Bennett		
Edward M. Archibald		
James M’Bride		
Hon. Joseph Noad		
Robert Job		
Nicholas Gill		
Hon. C. F. Bennett		
“ Patrick Morris		
John Jennings		
Patrick Doyle	Stipendiary.	10th November, 1842.
Hon. James Tobin		

NORTHERN DISTRICT.

Names.	Honorary or Stipendiary.	Date of Commission.
Hon. John G. H. Bourne,	Stipendiary.	19th July, 1841.
“ A. W. DesBarres		
“ E. B. Brenton		
“ James Simms		
“ James Crowdy		
“ James M. Spearman		
“ John Dunscomb		
“ William Thomas		
“ Patrick Morris		
“ William B. Row		
“ James Tobin		
Peter Weston Carter		
Charles Simms		
Thomas Danson		

APPENDIX.

MISCELLANEOUS DOCUMENTS.

NORTHERN DISTRICT—CONTINUED.

Names.	Honorary or Stipendiary.	Date of Commission.
Robert John Pinsent	Stipendiary.	19th July, 1841.
Benjamin Sweetland		
John Peyton		
William Sweetland		
James Power		
Charles Cozens		
William Stirling		
William Kelson		
John Jacob		
Joshua Green		
David Slade		
Samson Miffen		
Nathaniel Smith		
Joseph Cox		
John T. Oakley		
Robert Pack		
Peter Brown		
Richard Rankin		
John Regan		
James Quintz		
John Tilley		
James Mew		
Robert Ollerhead		
Andrew Hacket		
James Wiseman		
Alexander Bremner		
John Skelton		
William Brown		
Stephen Lawler		
John Martin		
John Winter		
James Bell		
Thomas Hutchings		
James Bayly		
John Stark		
Thomas Ridley		
Thomas Wills		
Robert Brown		
Stephen Olive Pack		
Lorenzo Moore		

SOUTHERN DISTRICT.

Names.	Honorary or Stipendiary.	Date of Commission.
Hon. John G. H. Bourne		17th August, 1840.
“ A. W. DesBarres		
“ E. B. Brenton		

APPENDIX.

MISCELLANEOUS DOCUMENTS.

SOUTHERN DISTRICT—CONTINUED.

Names.	Honorary or Stipendiary.	Date of Commission.
Hon. James Simms		
“ James Crowdy		
“ James M. Spearman		
“ John Dunscomb		
“ William Thomas		
“ Patrick Morris		
Peter Weston Carter	} Stipendiary.	} 17th August, 1840.
Charles Simms		
Robert Carter		
Francis L. Bradshaw		
William Hooper		
William Evans		
Thomas E. Gaden		
Josiah Blackburn		
George Simms		
Robert Carter, R. N.		
Peter Winsor		
Clement Benning		
James Murphy		
Roger F. Sweetman		
William G. Bradshaw		
Alexander Chambers		
James Hamilton		
George King		
Joseph Nicolle		
Thomas Read		
Richard Anthoine		
John Wm. Saunders		
Alan Goodridge		
Henry Butler	} Stipendiary.	
John Thorne		
Francis Anthoine		
Matthew Morry		

N. B.—In this Return the names are placed in the order in which they stand in the last General Commission of the Peace issued for the respective Districts.

The STIPENDIARY Magistrates are so distinguished, the others are all HONORARY.

JAMES CROWDY,

Secretary.

Secretary's Office,
24th April, 1843.

APPENDIX.

MISCELLANEOUS DOCUMENTS.

[See Journal, p. 60.]

NEWFOUNDLAND.

Return of the Number of Certificates presented to the Colonial Secretary, of Wolves killed, as required by the Colonial Act, 3d VICTORIA, Cap. 1, Sec. 3.

Certifying Magistrates.			Parties claiming Reward.	
	Name.	Residence.	Name.	Residence.
1	Thomas Read	La Poile	Maurice Lewis	Port au Basque
2	ditto	ditto	James Jeans	La Poile
3	ditto	ditto	Francis Poulett	La Poile Bay
4	Wm. Sweetland	Bonavista	Michael Carroll	King's Cove
5	Thomas Read	La Poile	Andrew Paul	Burgeo, Fortune Bay
6	ditto	ditto	Gabriel Billard	Red Island
7	Charles Simms	St. John's	Martin Walsh	Goose Cove, White Bay
8	ditto	ditto	Thomas Joe	White Bay
9	Thomas Wills	Greenspond	John Johnston	Greenspond
10	John Peyton	Twillingate	John Harris	Gander Bay
11	ditto	ditto	Henry Rowsell	Hall's Bay, Fogo
12	Thos. M. Lyte	ditto	Ben. Finnamore	Bard Island, Fogo
13	Richard Lawler	Fogo	Wm. Hadden	Gander Bay
14	John Peyton	Twillingate	James Gudger	Muddy Hole
15	James Crowdy	St. John's	James Dunn	St. John's
16	R. J. Pinsent	Brigus	Maurice Brien	Broad Cove, Gasters
17	Thos. M. Lyte	Twillingate	James Cull	Bard Island, Fogo
18	ditto	ditto	Michael Shelly (for 3 Wolves)	ditto
19	ditto	ditto	John Bowles	ditto
20	ditto	ditto	Ben. Finnamore	ditto
21	John Peyton	ditto	Henry Rowsell	Hall's Bay, Fogo
22	Thomas Read	La Poile	Wm. Blackmore	Red Isl. Fortune Bay
23	"	"	John Doran	Outer Cove

[See Journal p. 145.]

COPIES of all Communications from the Executive to the Legislature, and of Reports of and Addresses from the Council and Assembly to the Governor, on the subject of the transfer of Fort William to the Colony.

EXTRACT FROM THE SPEECH OF HIS EXCELLENCY CAPTAIN PRESCOTT, ON THE OPENING OF THE SESSION OF THE LEGISLATURE, 1841.

" Her Majesty's Government having directed that such Buildings in Fort William as may be required for Colonial purposes shall be transferred to the Colony, I would propose the appointment of a joint Committee of the Council and House of Assembly,

APPENDIX.

MISCELLANEOUS DOCUMENTS.

for the purpose of ascertaining how far this order can be made available for the future accommodation of the Legislature.”

EXTRACTS FROM THE JOURNALS OF THE LEGISLATIVE COUNCIL

Friday, January 15th, 1841.

“ On motion, made and seconded, it was—

“ *Ordered*, that the Honorables Messrs. Crowdy, Spearman, Thomas and Morris, be a Committee from this House, to meet a Committee of the House of Assembly, in conformity with the suggestion contained in the Speech of His Excellency the Governor on the opening of the Session, with respect to the Buildings in Fort William, and that a Message be sent down to the House of Assembly to acquaint them therewith.”

“ Tuesday, 16th February, 1841.

“ The Honorable Mr. Crowdy, from the Committee appointed to meet a Committee of the House of Assembly, to inspect the Buildings in Fort William, presented a Report, which was read and is as follows:

“ ‘ The Committee of this House appointed to inspect the Buildings at Fort William, in conformity with a recommendation made by His Excellency the Governor in his Speech on opening the present Session of the Legislature, beg to Report—

“ ‘ That (in conjunction with a Committee of the House of Assembly) they have inspected the said Buildings, and they now recommend that the House of Assembly be requested to join with this House in an Address to His Excellency, praying that he will reserve, for the purposes of a Building for the Legislature, that portion of the Ground on which the Fort is built, which is bounded on the North by and including a Bomb-proof, on the East by and including the Commissariat Store, on the South by the Road to Quidi Vidi, and on the West by the Road in front of the Fort; and that the Buildings at present occupied by the Commandant and Fort Major be also reserved for the same purposes.’ ”

“ Monday, 22d March, 1841.

“ The engrossed joint Address from this House and the House of Assembly to His Excellency the Governor, respecting the Buildings in Fort William, was read and adopted.

“ The Address 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, Her Majesty’s dutiful and loyal subjects, the Council and House of Assembly of Newfoundland, in General Assembly convened, respectfully beg to acquaint Your Excellency that in accordance with the suggestion made in the Speech with which Your Excellency opened the present Session, a joint Committee of the two Houses was appointed to inspect the Buildings at Fort William; for the purpose of ascertain-

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ing how far they can be made available for the future accommodation of the Legislature.

“That a Report was made, by such Committee, to each House, recommending that an Address should be presented to Your Excellency, praying that there be reserved for the purposes of a Building for the Legislature ‘that portion of the Ground which is bounded on the North by and including a Bomb-proof, on the East by and including the Commissariat Store, on the South by the Road to Quidi Vidi, and on the West by the Road in front of the Fort.’

“And we now therefore most respectfully pray that Your Excellency will be pleased to appropriate, for the uses of the Legislature, the Ground and Buildings recommended in the said Report to be reserved for such purposes.

JAMES SIMMS,

Senior Member of Council presiding.

Council-Chamber,
22nd March, 1841.”

“Monday, 29th March, 1841.

“Mr. Secretary Crowdy, from the Committee appointed to present to the Governor the joint Address of this House and of the House of Assembly, respecting the Buildings in Fort William, reported that His Excellency had been pleased to receive the said Address and to return an answer thereto as follows:—

“Honourable Gentlemen and Gentlemen,

“I shall be happy to act in accordance with this Address.

“Government House,
29th March, 1841.”

EXTRACTS FROM THE JOURNALS OF THE HOUSE OF ASSEMBLY, 1841.

“Tuesday, April 20, 1841.

“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.

“May it please Your Excellency,

“The House of Assembly request your Excellency will be pleased to draw from out of the Treasury the sum of Three Hundred Pounds, to be applied to the purpose of fitting up and preparing the Building at Fort William for the reception of the Legislature, and the House pledges to include the said sum in the next Bill of Supply.”

“Tuesday, April 22, 1841.

“The Solicitor General, from the Committee appointed on the 20th inst. to present an Address of the House to His Excellency the Governor, respectfully requesting His Excellency to draw from the Treasury the sum of Three Hundred Pounds to be

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applied to the repairing and fitting up of the buildings at Fort William for the reception of the Legislature, reported that they had presented the said Address accordingly, when His Excellency was pleased to reply as follows:—

“ *Gentlemen,*—

“ I shall very willingly, with the consent of the Council, act in accordance with this Address.

“ Government-House, 22d April, 1841.

EXTRACTS FROM THE JOURNALS OF THE HOUSE OF ASSEMBLY, 1843

“ *Thursday, March 23, 1843.*

“ To His Excellency Major General Sir JOHN HARVEY, Knight Commander of the Most Honorable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

“ *May it please Your Excellency,*

“ The House of Assembly respectfully request that your Excellency will be pleased to direct that they be informed of the circumstances under which Fort William is at present occupied, and when it is intended to place it at the disposal of the Legislature.”

COPY OF MESSAGE FROM HIS EXCELLENCY THE GOVERNOR IN REPLY TO THE FOREGOING ADDRESS:—

“ MESSAGE.

“ J. HARVEY.

“ In answer to their Address of the 23rd inst. the Governor informs the Assembly that the necessity for the re-occupation of Fort William, as a Barrack for Her Majesty's Troops, was occasioned by that which suddenly occurred for vacating the Barracks on 'Signal Hill' in the Winter of 1841—2; and that that arrangement having been fully approved, he has directed an application to be made to the Ordnance Department in England for the re-payment to the Colonial Treasury of the sum expended by the Colony in repairs to Fort William, which the Governor has no reason to doubt will be promptly complied with.

“ The Governor is unable to afford the House any information as to 'when Fort William may again be placed at the disposal of the Colony,' as that must depend—1st, upon the construction of other accommodation for the Troops by which it is at present occupied, and 2dly, upon the determination by Her Majesty's Government of the proposition which has been submitted to them, as to how far it may consist with the true interests of this valuable Colony that a Military position so essential to the defence of the City and Harbour of St. John's should ever be placed beyond the control of the proper Department—viz., that of Her Majesty's Ordnance.

“ Government House,
March 25, 1843.”

“ J. H.”

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