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**NEWFOUNDLAND:—ROYAL INSTRUCTIONS.**

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**COPY of the ROYAL INSTRUCTIONS to the Governor  
of Newfoundland, and of the DESPATCHES from  
Lord Goderich to him, transmitting the Commission.**

*(Mr. Robinson.)*

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*Ordered, by The House of Commons, to be Printed,  
7 August 1832.*

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NEWFOUNDLAND :—ROYAL INSTRUCTIONS.

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RETURN to an Address of The Honourable The House of Commons,  
dated 28 July 1832 ;—for,

COPY of the ROYAL INSTRUCTIONS to the Governor of *Newfoundland*,  
and of the DESPATCHES from Lord *Goderich* to him, transmitting  
the Commission.

Colonial Department, Downing-street, }  
3 August 1832.

HOWICK.

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SIR,

Downing-street, 27 July 1832.

I HAVE the honour herewith to transmit to you His Majesty's Commission under the Great Seal, appointing you Governor of the Island of Newfoundland, together with your General Instructions under the Royal Sign Manual, referred to in that Commission.

As this is the first occasion on which provision has been made for convening a Legislative Assembly for the island of Newfoundland, the importance of that measure requires that I should not limit myself to the merely formal duty of placing you in possession of these instruments, but that I should shortly explain the grounds and the nature of the policy by which His Majesty's Councils on this subject have been directed.

It were superfluous at the present day to inquire into the wisdom of that system which was pursued for so many years towards the ancient colony under your government, the fundamental principle of which was to prevent the colonization of the island, and to render this kingdom the domicile of all persons engaged in the Newfoundland fisheries. The common interest or convenience of those persons virtually defeated the restrictions of the various statutes respecting them, long before Parliament admitted the necessity of repealing those laws. A colony gradually settled itself along the shores of the island, and has of late years assumed a rank of no inconsiderable importance amongst the foreign possessions of the British Crown ; but notwithstanding the growing population and the wealth of Newfoundland, no plan has hitherto been adopted for regulating such of the internal affairs of the colonists as demanded the enactment of laws specially adapted to their peculiar situation. Parliament, indeed, contemplated the erection of corporate towns, with the power of making bye-laws, for remedying this inconvenience ; but on attempting to carry this design into effect, unforeseen obstacles were encountered. It was found altogether impracticable to reconcile the contradictory wishes and recommendations of the parties who would have been more immediately affected by the measure ; and it became evident that the boon which it was proposed to confer would be received by a great body of the inhabitants, not as an act of grace, but as an infringement of their rights, into whatever form the intended charters might have been thrown. The consequence was, that His Majesty became practically unable to execute the trust which Parliament had confided to him.

The necessity of some provision for regulating the internal concerns of Newfoundland by enactments adapted to the peculiarities of their local position became however daily more and more evident. Carrying with them from this kingdom the law of England, as the only code by which the rights and duties of the people in their relations to each other, and in their relation to the State, could be ascertained, it was obvious, as soon as the colony began to assume a settled

form, that the adaptation of that code to the various exigencies of the local society was a task demanding the exercise of much reflection and caution; that many of its provisions were entirely inapplicable to the wants of a population so peculiarly situated; and that many more could be applied only by a distant and uncertain approach to the original standard. Hence it occurred that, in the administration of the law, the judges virtually assumed to themselves functions rather legislative than judicial; and undertook to determine not so much what the law actually was, as what, in the condition of Newfoundland, it ought to be. For this assumption of power no censure attaches to those learned persons; without any positive rule of decision, nothing remained for them but to engage in such an inquiry; yet the practical inconvenience was not the less urgent, nor the anomaly the less glaring.

It was not, however, merely in the absence of rules, which this latitude of judicial interpretation might supply, that the public detriment was sustained. There were still wanting other regulations, which no judge could either invent or enforce. Especially in whatever related to police and internal improvements, demanding the co-operation of different persons, nothing could be carried into effect, which any individual found an adequate reason for opposing, or which he opposed from mere caprice. I find that in a matter so trifling in appearance, and yet affecting the comforts of so many, as the prevention of domestic animals wandering at large through the country, an earnest application was made to His Majesty's Government to obtain an Act of Parliament for the redress of the grievance endured by the colonists. Although it was thought improper to encumber the British statute-book with such provisions, yet it was fully admitted that they could be supplied by no other authority; and the application itself forcibly illustrated the inconvenience of so remote a society being destitute of any local Legislature.

It may seem, however, superfluous to accumulate reasons in proof of the propriety of establishing in Newfoundland that form of constitution which generally prevails throughout the British Transatlantic colonies; the difficulty would consist rather in finding valid arguments for withholding it. The reasonable presumption seems to be, that a system of colonial government which has been attended with so many advantages in British North America, would produce similar benefits at Newfoundland, if transferred to that settlement. I do not indeed mean to deny that some considerable inconvenience has occasionally resulted from the adoption, in those dependencies of Great Britain, of constitutions modelled into a miniature resemblance of our own; but I know not what is the system of which the same might not be truly asserted. It is sufficient to say of the scheme of internal polity in force in Nova Scotia and New Brunswick, that in all the colonies to which it has been extended, it has invariably secured the attachment of the people, by giving them a large share in the management of their own affairs; by affording an open field for the free exercise of talents and public spirit; by providing honourable ambition with a legitimate object and reward; by insuring immediate and careful attention to the various exigencies of society; and by promoting a frugal and judicious administration of public affairs. With the single exception of those colonies in which the people are separated from each other by distinctions analogous to those of caste, representative Assemblies are not only recommended by abstract considerations drawn from the genius and principles of our own Government, but by a long course of experiments pursued under a great variety of circumstances, but still leading to the same general result.

In advising His Majesty to convene an Assembly from among the inhabitants of Newfoundland, I have therefore not yielded myself to the guidance of any improved theory, but have simply extended to another of the colonial possessions of the Crown principles which have been elsewhere brought to the test of repeated and successful experiment. Yet I do not conceal from myself, nor wish to deny, that the duty which you will have to perform will be attended with some difficulty, and that you will have large scope for the exercise of circumspection and industry. In the first execution of such a design, many questions will probably arise which it were impossible to anticipate distinctly. From the novelty of the duties cast upon them, and from their inexperience in civil business of that nature, I can foresee that the returning officers, the voters, and the members of Assembly, may all in some instances misapprehend the functions which they will have to discharge, or the proper mode of proceeding

ceeding for the methodical and accurate discharge of them. Cautiously abstaining from the appearance of usurping any undue authority over matters properly falling within the cognizance of the Assembly, you will yet be prompt to afford to all parties whatever counsel or assistance you can render them, to obviate difficulties of this nature. It cannot be made too apparent that the boon which has been granted is seconded by the cordial good will and co-operation of the Executive Government, and that the House of Assembly is regarded, not as a rival power, but as a body destined to co-operate with yourself in advancing the prosperity of the settlement.

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.

As soon as conveniently may be after your arrival in Newfoundland, you will convene the Council, according to your general instructions, and arrange with them the whole course of proceedings to be adopted for giving effect to so much of those instructions as relate to the convoking the Assembly. Especially you will consider the proper forms of the writs to be addressed to the returning officers, the proper places for holding elections, the most convenient times at which they can take place, the necessary arrangements for the reception and accommodation of the legislative body at the town of St John's, the most convenient method of opening the first session of the General Assembly with appropriate and decorous solemnities; and, above all, the topics to which their attention should in the first instance be directed.

In conformity with the precedents in use on similar occasions, a proclamation has been approved declaratory of the future system of government to be observed in the colony. This proclamation you will cause to be circulated in the most public manner as soon as conveniently may be after your arrival.

It has for the present divided the country into electoral districts, and has determined the number of members who are to be returned for each. These, however, are topics on which it is very probable that the information I have been able to acquire in this kingdom may be erroneous or defective. Any other division of the country which may be more generally convenient, and any other arrangement of the number of representatives for different districts, which the Council and Assembly may deem more advantageous, will be the fit subject of legislative enactment. No change in the constitution of the House, or in the total number of members, can however be effected, except with His Majesty's previous approbation, and in the manner indicated in your general instructions.

In accordance with the uniform course of precedents, your Commission constitutes a Council which will participate with the Assembly in the enactment of laws. It is not, however, to be denied that this part of the established system of colonial legislation has been practically found to be attended with some serious difficulties. The members of Council, deriving their authority from the Royal Commission, have not seldom been regarded with jealousy and distrust by the great body of the people. Their elevation in rank and authority has but too often failed to induce a corresponding degree of public respect. Even the most judicious exercise of their powers has occasionally worn the semblance of harshness when opposed to the unanimous, or the predominant opinions of those to whom the colonists looked with confidence as their representatives. The Councils, it must be confessed, have not uniformly exerted themselves to repel, or to abate, this prejudice. The acrimony engendered by such disputes has sometimes given occasion to an eager assertion of extreme rights on the part of the Council, and to a no less determined denial of their necessary and constitutional privileges on the part of the Assembly. The Councils have also been employed as instruments for relieving Governors from the responsibility they ought to have borne for their rejection of measures which have been proposed by the other branch of the Legislature; and have not seldom involved them in dissensions which it would have been more judicious to decline. Some

of the principal inhabitants of the colony, as well as the chief officers of the local Government, being usually members of the Council, are removed from the prospect of obtaining seats in the House of Assembly. Even in colonies in which there is a larger society, and a greater number of proper persons to become members of the Legislature than in Newfoundland, considerable inconvenience has been found to result from raising to the rank of councillors the leading members of the Assembly, and thereby losing their services in that body. The want of any member competent to explain or vindicate the course pursued, by the executive authorities has been still more severely felt: measures have not unfrequently been misunderstood, and it has happened that a trifling misconception, which a few words of timely explanation would have removed, has grown into a serious and embarrassing controversy. The effect of the institution, therefore, is too often to induce a collision between the different branches of the Legislature, to exempt the Governor from a due sense of responsibility, and to deprive the representative body of some of its most useful members. Yet the compensation which might atone for these evils is not obtained, and the Council does not assume in the colony a position, or an influence analagous to that of the House of Peers, because entirely destitute of that hold on public opinion which the property and independence of its members, as well as the antiquity of the institution itself, confers upon the peerage of this country.

Adverting to these considerations, and to the legislative history of the British North American and West Indian colonies; I should regard with satisfaction any arrangement which should consolidate the Council and the Assembly into a single House, in which the representatives of the people would be met by the official servants of the Crown. An example of this form of government exists in British Guiana, and is found to possess in practice many of the advantages which it promises in theory, by casting upon the Governor an undivided responsibility as often as he adopts or rejects the proposals of the legislative body, and by securing to them all the information and assistance which can be rendered by members officially conversant with the various subjects brought under their consideration. This, however, is a system which prevailed in Guiana before the conquest of that settlement by Great Britain, and which, I apprehend, His Majesty could not establish by the exercise of his prerogative in Newfoundland. If, however, the Council and Assembly as established by your Commission and instructions should concur in the view which I have taken of this subject, and should be disposed to pass a Bill for uniting the two Houses, with a clause suspending the operation of the law, for the signification of His Majesty's pleasure, you will, on His Majesty's behalf, assent to any such Bill. Should the design be entertained, I think that the Colonial Secretary, the Attorney-general and the chief officer of customs would be the most proper persons to hold seats in the Assembly, by virtue of their official situations: they would be enabled to explain the views of the Executive Government upon the principal points which could be brought under the consideration of the Legislature; and the introduction of so small a number as three gentlemen nominated by the Crown could not be supposed in any degree to control its deliberations. Upon this point it is only necessary to add, that the bill should be so framed, as, in depriving the Council of its legislative functions, to allow of its continuance as a body to which the Governor might resort for advice during the intervals between the sessions of the Legislature, and upon other occasions when it might be convenient to him to do so; for this purpose, however, a numerous body is not required, and I have therefore at present only recommended to His Majesty one gentleman, not holding any official situation, for a seat in the Council. The gentleman whom I have selected is Colonel Haly, who has been strongly recommended by yourself, and to whom a dormant commission will be granted, authorizing him to assume the government of the colony in the event of your absence, in order that the regular discharge of the duties of the subordinate officers may not be interrupted by their being called upon to assume the temporary administration of the government.

In contemplation of the change which has been effected in the internal government of the colony, it was resolved to apply to Parliament to continue in force the Acts by which the celebration of marriages, the administration of justice, and the conduct of the fisheries are regulated. Bills are now pending for that purpose, and will, I trust, be shortly passed into law. The Marriage and

the Administration of Justice Acts, being matters exclusively of local concern, will remain in force until the local Legislature shall see fit to repeal or to alter them. If the Council and Assembly should think that any change is requisite on either of these topics, the remedy will therefore be in their own hands. The Newfoundland Fisheries Act affects interests partly local, and partly co-extensive with the trade and navigation of the empire at large. It will therefore be continued in force for two years. Before the expiration of that time it will be fit that the local Legislature should be invited to consider the subject in all its bearings. So much of that statute as relates to the navigation and commerce of this kingdom may then be revised by Parliament, with the benefit of the assistance to be anticipated from the labours of the Council and Assembly; so much, on the other hand, of the statute as refers to interests properly local may then also be remitted to the local Legislature for their decision.

By one of the two bills to which I have referred, provision is made for transferring to the Governor, Council and Assembly of Newfoundland the appropriation to the public service of the island of all money levied there under any Parliamentary authority. From his existing revenues His Majesty has reserved nothing for his own unqualified disposal, but has placed the whole under the control of the local Legislature, with the exception of a sum which must be applied for the support of the Governor, the Judges, the Colonial Secretary and the Attorney-general. This arrangement will, I trust, effectually obviate the difficulties which have been so sensibly felt in other colonies, and satisfy the inhabitants of His Majesty's fixed purpose and earnest solicitude to promote to the utmost of his power a wise economy in the expenditure of the public revenue, and to respect the constitutional rights of the popular branch of the local Legislature.

You will observe that the expense of collecting this branch of the revenue is to be deducted from its gross proceeds, and that these arrangements do not embrace any part of that revenue which accrues to the Crown in virtue of His Majesty's prerogatives. Such, for example, are the rents or the proceeds of the sales of Crown lands, escheats, fines and forfeitures. His Majesty is, however, graciously pleased to authorize you to assure the Council and Assembly that whatever money may accrue to the Crown in the island will always be applied towards the expense of the civil or military government, or towards objects strictly and exclusively local.

I hope shortly to convey to you the authority of the Lords Commissioners of the Treasury for the apportionment of that part of the Parliamentary duties which will be applicable to the support of the public officers already enumerated.

I have, &c.

(signed) GODERICH.

Governor Sir Thomas Cochrane,  
&c. &c. &c.

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**INSTRUCTIONS** to Our trusty and well-beloved Sir *Thomas John Cochrane*, Knight, Our Governor and Commander-in-Chief of Our Island of Newfoundland, or in his absence to the Lieutenant-governor or Officer administering the Government of Our said Island for the time being. Given at Our Court at St. James's, the 26th day of July 1832, in the third year of Our reign.

1. With these Our instructions you will receive Our Commission under Our Great Seal of the United Kingdom of Great Britain and Ireland constituting you Our Governor and Commander-in-Chief in and over Our said island of Newfoundland and its dependencies. You are therefore with all convenient speed to assume and enter upon the execution of the trust We have reposed in you. And you are forthwith to call together the following persons, whom We do hereby appoint to be members of Our Council in Our said island, any three of whom to be a quorum: viz. The Chief Justice for the time being of Our said island; the Chief Officer in command of Our land forces for the time being in Our said island next after Our Governor thereof for the time being; the Attorney-general for the time being of Our said island; the Collector or other Chief Officer



of Customs for the time being of Our said island ; the Colonial Secretary for the time being of Our said island, and William Haly, Esquire.

2. And you are with all due and usual solemnity to cause Our said Commission, constituting you Our Governor and Commander-in-Chief as aforesaid, to be read and published at the first meeting of Our said Council, and shall then take, and also administer to each of the members thereof, the several oaths therein required.

3. You shall administer or cause to be administered the several oaths mentioned in Our said Commission to all judges, justices, and other persons who hold any place of trust or profit in Our said island, without the doing of which you are not to admit any person whatsoever into any public office, nor suffer those who may have already been admitted to continue therein.

4. You are to communicate forthwith such of these Our instructions to Our said Council, wherein their advice and consent are mentioned to be requisite, and likewise all such others from time to time as you shall find convenient for Our service to be imparted to them.

5. You are to permit the members of Our said Council to have and enjoy freedom of debate, and vote in all affairs of public concern that may be submitted to their consideration in Council.

6. And that we may be always informed of the names and characters of persons fit to supply the vacancies in Our said Council, you are from time to time, whenever any vacancy shall happen therein, forthwith to transmit unto Us, through one of Our Principal Secretaries of State, the names of three persons, inhabitants of the said island, whom you shall esteem the best qualified for the trust.

7. And whereas by Our Commission you are empowered in case of the death or absence of any of the members of Our said Council to fill up the vacancies therein to the number of three, and no more, you are therefore from time to time to send to Us, through one of Our Principal Secretaries of State, the names and qualifications of any members by you put into Our said Council by the first opportunity after so doing.

8. And in the choice and nomination of the members of Our said Council, as also of the judges, justices, and other officers, you are always to take care that they be men of good life, well affected to Our government, of good estates, and abilities suitable to their employments.

9. You are neither to augment nor diminish the number of the members of Our said Council as already established, nor to suspend any of them without good and sufficient cause, nor without the consent of the majority of the said Council, signified in Council after due examination of the charge against such Councillor, and his answer thereunto ; and in case of the suspension of any of them you are to cause your reasons for so doing, together with the charges and proofs against such Councillor, and his answer thereunto, to be duly entered upon the Council-book, and forthwith to transmit copies to Us, through one of Our Principal Secretaries of State. Nevertheless, if it should happen that you should have reasons for suspending any of the members of Our said Council, not fit to be communicated to Our said Council, you may in that case suspend such member without their consent. But you are thereupon immediately to send to Us, through one of Our Principal Secretaries of State, an account of your proceedings therein, together with your reasons at large for such suspension, and also your reasons for not communicating the same to Our Council.

10. And whereas effectual care ought to be taken to oblige the members of Our said Council to a due attendance therein, and thereby to prevent the inconveniences that may happen from the want of a quorum to transact business as occasion may require, it is Our will and pleasure that if any of the members of Our said Council shall hereafter absent themselves from the said island, and continue absent above the space of six months together without leave from you or Our Commander-in-Chief for the time being first obtained under your or his hand or seal, or shall remain absent for the space of two years successively without leave given them under Our Royal Sign Manual and Signet, their place or places in the said Council shall immediately thereupon become void ; and that if any of the members of Our said Council then residing within Our said island shall hereafter absent themselves when duly summoned without a sufficient cause, and shall persist in such absence after being thereof admonished by you, you suspend the said Councillors so absenting themselves till Our further will and pleasure therein be known, giving immediate notice thereof to Us, through

one of Our Principal Secretaries of State : And we do hereby will and require that Our royal pleasure be signified to the members of Our said Council and entered in the Council-book as a standing rule.

11. And whereas by Our aforesaid Commission you are authorized and empowered to summon and call General Assemblies of the freeholders and householders within Our said island, in such manner and form, and according to such powers, instructions and authorities as are granted or appointed by these Our instructions in that behalf, you are therefore, for the purpose of electing the members of such Assemblies, hereby authorized to issue a proclamation dividing Our said island in districts or counties, town 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 from time to time to nominate and appoint proper persons to execute the office of returning officer in each of the said districts or counties, towns or townships; and you are, so soon as you shall see expedient, to issue writs in Our name, directed to the proper officers in each district or county, town or township, directing them to summon the freeholders and householders thereof to proceed to the election of persons to represent them in the General Assembly according to the regulations and directions to be signified in the proclamation to be issued by you as aforesaid.

12. You are to observe in the passing of all laws, that the style of enacting the same be by the Governor, Council, and Assembly.

13. And We do hereby require and command that you do not, on any pretence whatever, give your assent to any law or laws to be passed by which the number of the Assembly shall be enlarged or diminished, the duration ascertained, the qualifications of the electors or the elected fixed or altered, or by which any regulations shall be established with respect thereto, until you shall have first transmitted unto Us, through one of Our Principal Secretaries of State, the draft of such Bill or Bills, and shall have received Our royal pleasure thereupon, unless you take care in the passing such Bill or Bills that a clause or clauses be inserted therein suspending and deferring the execution thereof until Our will and pleasure shall be known thereupon.

14. And you shall not re-enact any law to which the assent of Us or Our royal predecessors has once been refused, without express leave for that purpose first obtained from Us, upon a full representation by you, to be made to Us, through one of Our Principal Secretaries of State, of the reason and necessity for re-enacting such law.

15. And it is Our express will and pleasure, that no law for constituting any court or courts of judicature, or for establishing the militia, shall be a temporary law; and that no law for granting unto Us any sum or sums of money by duties of impost, tonnage, or excise, be made to continue for less than one whole year; as also that no other laws whatsoever be made to continue for less than two years, except only in cases where it may be necessary for some unforeseen emergency to make provision by law for a service in its nature temporary and contingent.

16. You are also, as much as possible, to observe in the passing of all laws, that each different matter be provided for by a different law, without intermixing in one and the same Act such things as have no proper relation to each other; and you are more especially to take care that no clause or clauses be inserted in, or annexed to, any Act which shall be foreign to what the title of such respective Act imports; and that no perpetual clause be part of any temporary law; and that no Act whatever be suspended, altered, continued, revived, or repealed by general words, but that the title and date of such Act so suspended, altered, continued, revived, or repealed, be particularly mentioned and expressed in the enacting part.

17. And you are particularly enjoined not to pass any law, or do any act, by grant, deed, conveyance, or otherwise, whereby Our revenue may be lessened or impaired without Our especial leave or command thereon.

18. It is Our will and pleasure that you do not give your assent to any Bill or Bills for raising money by the institution of any public or private lotteries whatsoever until you shall have first transmitted unto Us, through one of our Principal Secretaries of State, a draft or drafts of such Bill or Bills, and shall have received our directions thereupon.

19. It is Our will and pleasure that you do not, on any pretence whatever,

give your assent to, or pass any Bill or Bills in Our island under your government, by which the lands, tenements, goods, chattels, rights and credits of persons who have never resided within Our said island, shall be liable to be seized or taken in execution for the recovery of debts due from such persons, otherwise than is allowed by law in cases of a like nature within Our realm of England, until you shall have first transmitted unto Us, through one of Our Principal Secretaries of State, the draft of such Bill or Bills, and shall have received Our royal pleasure thereupon, unless you take care, in the passing of such Bill or Bills, that a clause or clauses be inserted therein, suspending and deferring the execution thereof until Our royal will and pleasure shall be known thereupon.

20. It is Our further will and pleasure that you do not, upon any pretence whatsoever, give your assent to any Bill or Bills that may have been or shall hereafter be passed by the Council and Assembly of the island under your government for the naturalization of aliens, nor for the divorce of persons joined together in holy matrimony, nor for establishing a title in any person to lands, tenements, and real estates in Our said island, originally granted to or purchased by aliens antecedent to naturalization.

21. Whereas great mischiefs have arisen by the frequent passing of Bills of an unusual and extraordinary nature and importance in the plantations, which Bills remain in force there, from the time of enacting, until Our pleasure be signified to the contrary, We do hereby will and require you not to pass or give your assent to any Bill or Bills passed in the Assembly of an unusual and extraordinary nature and importance, whereby Our prerogative or the property of Our subjects may be prejudiced, nor to any Bill or Bills whereby the trade or shipping of this kingdom shall be in anywise affected, until you shall have first transmitted unto Us, through one of Our Principal Secretaries of State, a draft of such Bill or Bills, and shall have received Our royal pleasure thereupon, unless you take care in the passing any such Bills as afore mentioned that there be a clause inserted therein, suspending and deferring the execution thereof until Our pleasure shall be known concerning the same.

22. You are also to take care that no private Act be passed, whereby the property of any private person may be affected, in which there is not a saving of the right of Us, Our heirs and successors, all bodies politic and corporate, and of all other, except such as are mentioned in the said Act, and those claiming by, from, and under them; and further, you shall take care that no such private Act be passed without a clause suspending the execution thereof until the same shall have received Our royal approbation. It is likewise Our will and pleasure that you do not give your assent to any private Act until proof be made before you in Council, and entered in the Council-book, that public notification was made of the parties' intention to apply for such an Act in the several parish churches where the premises in question lie, for three Sundays at least successively, before any such Act shall be brought into the Assembly, and that a certificate, under your hand, be transmitted with, and annexed to every such private Act, signifying that the same has passed through all the forms above mentioned.

23. You are to take care that in all Acts or Orders to be passed within Our said island, in any case for levying money or imposing fines and penalties, express mention be made that the same is granted or reserved to Us, Our heirs and successors, for the public uses of the said island, and the support of the government thereof, as by the said Act or Order shall be directed.

24. You are not to suffer any public money whatsoever, whether it be appropriated to any particular service or not by the Act granting the same, to be issued or disposed of otherwise than by warrant under your hand, by and with the consent of the said Council. But the Assembly may nevertheless be permitted from time to time to view and examine the accounts of money or value of money disposed of by virtue of laws made by them, as there shall be occasion.

25. You are not to permit any clause whatsoever to be inserted in any law for levying of money, or the value of money, whereby the same shall not be made liable to be accounted for unto Us, here in this kingdom, and to Our Commissioners of Our Treasury, or Our High Treasurer for the time being; and we do particularly require and enjoin you, upon pain of Our highest displeasure, to take care that fair books of accounts of all receipts and payments of all such

such money be duly kept, and copies thereof be transmitted to Our Commissioners of Our Treasury, or to Our High Treasurer for the time being, and in which books shall be specified every particular sum raised or disposed of, together with the names of the persons to whom any payment shall be made, to the end We may be satisfied of the right and due application of the revenue of Our said island, with the probability of the increase and diminution of it, under every head and article thereof.

26. It is Our will and pleasure that you do in all things conform yourself to the provisions contained in an Act of Parliament passed in the fourth year of the reign of his late Majesty King George the Third, intituled, "An Act to prevent Paper Bills of Credit hereafter to be issued in any of His Majesty's Colonies or Plantations in America from being declared to be a legal tender in payment of money, and to prevent the legal tender of such Bills as are now subsisting from being prolonged beyond the periods limited for recalling in and sinking the same;" and also of an Act passed in the thirteenth year of the reign of his late Majesty to explain and amend the above-recited Act passed in the fourth year of his reign as aforesaid; and you are not to give your assent to, or pass any Act whereby bills of credit may be struck or issued in lieu of money, or for payment of money, either to you, Our Governor, or to any person whatsoever, unless a clause be inserted in such Act, declaring that the same shall not take effect until the said Act shall have been approved and confirmed by Us, Our heirs or successors.

27. You are to transmit an authenticated and separate copy of every Law, Statute or Ordinance that at any time hereafter shall be made or enacted within the island under your Government, under the Public Seal, unto Us, through one of Our Principal Secretaries of State, within three months, or sooner, after their being enacted, upon pain of Our highest displeasure, and of the forfeiture of that year's salary wherein you shall omit to send over the said Laws, Statutes and Ordinances as aforesaid, within the time above-mentioned, as also of such other penalty as We shall please to inflict: but if it shall happen that no shipping shall come from Our said island within three months after the making such Laws, Statutes and Ordinances, the same are to be transmitted by the next conveyance after the making thereof, whenever it may happen, for Our approbation or disallowance of the same.

28. And it is Our further will and pleasure that the copies and duplicates of all Acts that shall be transmitted as aforesaid be fairly abstracted in the margents, and there be inserted the several dates or respective times when the same passed the Council and Assembly, and received your assent; and you are to be as particular as may be in your observations, to be sent to us through one of Our Principal Secretaries of State, upon every Act; that is to say, whether the same is introductive of a new law, declaratory of a former law, or does repeal a law then before in being, and you are likewise to send to Us, through one of Our Principal Secretaries of State, the reasons for the passing of such laws, unless the same do fully appear in the preambles of the said Acts.

29. You are to require the Secretary of the island under your government, or his deputy for the time being, to furnish you with transcripts of all such Acts and Public Orders as shall be made from time to time, together with copies of the journals of the Council, and that all such copies be fairly abstracted in the margents, to the end the same may be transmitted to Us, through one of Our Principal Secretaries of State, which he is duly to perform upon pain of incurring the forfeiture of his office.

30. You are also to require from the clerk of the Assembly of the said island, or other proper officer, transcripts of all the journals and other proceedings of the said Assembly, and that all such transcripts be fairly abstracted in the margents, to the end the same may in like manner be transmitted as aforesaid.

31. You shall not appoint any person to be a Judge or Justice of the Peace without the advice and consent of the majority of the Council of Our said island, signified in Council. And it is Our further will and pleasure that all commissions to be granted by you to any person or persons to be Judges, Justices of the Peace, or other necessary officers, be granted during pleasure only.

32. You shall not suspend any of the Judges, Justices, or other officers or ministers, without good and sufficient cause, which you shall signify in the

fullest and most distinct manner to us, through one of Our Principal Secretaries of State.

33. It being of the greatest importance to Our service, and to the welfare of Our subjects, that justice be everywhere speedily and duly administered, and that all disorders, delays, and other undue practices in the administration thereof, be effectually prevented, We do particularly require you to take especial care that in all courts where you are authorized to preside justice be impartially administered; and that in all other courts established within Our said island, all Judges and other persons therein concerned do likewise perform their several duties without any delay or partiality. You shall not erect any court or office of judicature not before erected or established, nor dissolve any court or office already erected or established, without Our especial order.

34. You are, for the better administration of justice, to endeavour to get a law passed in our said island, wherein shall be set the value of men's estates, either in goods or lands, under which they shall not be capable of serving as jurors.

35. You are to take care that all writs be issued in Our name throughout Our said island under your government.

36. Whereas, in pursuance of an Act passed in the 5th year of the reign of his late Majesty, King George the Fourth, intituled, "An Act for the better Administration of Justice in Newfoundland, and for other purposes," by Our Charter or Letters Patent, issued under the Great Seal of the United Kingdom of Great Britain and Ireland, a supreme court of jurisdiction, called the "Supreme Court of Newfoundland," was erected and established in Our said island, with certain powers and authorities, and under certain regulations therein specified, you are hereby required to take care that the same be duly complied with, and put in execution.

37. You are, with the advice and consent of Our Council, to take especial care to regulate all salaries and fees belonging to places, or paid upon emergencies, that they be within the bounds of moderation, and that no extortion be made on any occasion whatsoever, as also that tables of all fees be publicly hung up in all places where such fees are to be paid; and you are to transmit copies of all such tables of fees to Us, through one of Our Principal Secretaries of State.

38. You shall not by colour of any power or authority, hereby or otherwise granted or mentioned to be granted to you, take upon you to give, grant, or dispose of any office or place within Our said island, which now is or shall be granted under the Great Seal of this kingdom, or to which any person is or shall be appointed by warrant under Our Sign Manual and Signet, any further than you may, upon the vacancy of any such office or place, or upon the suspension of any such officer by you, put in any fit person to officiate in the interim till you shall have represented the matter to Us, through one of Our Principal Secretaries of State, which you are to do by the first opportunity, and have received our further directions therein.

39. You are to transmit unto Us, through one of Our Principal Secretaries of State, with all convenient speed, a particular account of all establishments of jurisdictions, courts, offices and officers, powers, authorities, fees, and privileges, granted and settled, or which shall be granted and settled within our said island, as likewise an account of all the expenses attending the establishments of the said courts, and of such funds as are settled and appropriated to discharge the same.

40. It is Our express will and pleasure that you be at all times aiding and assisting unto the officers appointed for the managing, levying, collecting and receiving public revenues, and such duties and revenues as are or shall hereafter be laid and imposed within your government, and the seizures, forfeitures and arrears which shall accrue and grow due by reason thereof.

41. And whereas complaints have been made by the officers of Our Customs in Our plantations in America that they have been frequently obliged to serve on juries, and personally to appear in arms whensoever the militia is drawn out, and thereby are much hindered in the execution of their employments, Our will and pleasure is that you take effectual care, and give the necessary directions that the several officers of Our Customs be excused and exempted from serving on any juries, or personally appearing in arms in the militia, unless in

case of absolute necessity, or serving any parochial offices which may hinder them in the execution of their duties.

42. And in case of the vacancy of the Collector, or any of Our officers of the Customs by death, removal, or otherwise, and in order that there may be no delay given on occasion of such vacancy to the masters of ships or merchants in their despatch, you are hereby empowered, subject to such instructions as you shall receive from Our Commissioners of Our Treasury, or Our High Treasurer, or from the Commissioners of our Customs for the time being in this behalf, to appoint other persons duly qualified to execute such offices, until further directions shall be received from Our Commissioners of Our Treasury, or Our High Treasurer, to whom you are to give notice of such appointments by the first opportunity, taking care that you do not, under pretence of this instruction, interfere with the powers and authorities given to Our said Collector by Our Commissioners of Our Treasury, or Our High Treasurer, or by the Commissioners of Our Customs.

43. You shall not remit any fines or forfeitures whatever above the sum of 50 l., nor dispose of any forfeitures whatsoever until upon signifying unto Our Commissioners of Our Treasury, or Our High Treasurer for the time being, the nature of the offence and the occasion of such fines and forfeitures, with the particular sums or value thereof (which you are to do with all speed), you shall have received Our directions therein, but you may in the mean time suspend the payment of the said fines and forfeitures.

44. It is Our will and pleasure that you do not dispose of forfeitures or escheats to any persons until the Provost Marshal or other proper officer have made inquiries by a jury upon their oaths into the true value thereof, nor until you shall have transmitted to Our Commissioners of Our Treasury, or to Our High Treasurer for the time being, a particular account of such forfeitures and escheats and the value thereof, and shall have received Our directions thereupon, and you are to take care that the produce of the said forfeitures and escheats, in case We shall think proper to give you direction to dispose of the same, be duly paid to the receiver of Our casual revenue; and that a full account thereof be transmitted to Our Commissioners of Our Treasury, or to Our High Treasurer for the time being, with the names of the persons to whom disposed of.

45. Whereas you will receive from Our Commissioners for executing the office of High Admiral a commission constituting you Vice Admiral of Our said island, you are hereby required and directed carefully to put in execution the several powers thereby granted to you.

46. And whereas commissions have been granted in our colonies and plantations for trying pirates in those parts, pursuant to the Acts for the more effectual suppression of piracy, Our will and pleasure is, that in all matters relating to pirates you govern yourself according to the intent of the Acts before mentioned, and any commission you may receive in reference thereto.

47. And whereas there have been great irregularities in the manner of granting commissions to private ships of war, you are to govern yourself whenever there shall be occasion according to the commission and instructions granted in this kingdom: but you are not to grant commissions of marque or reprisal against any prince or state or their subjects in amity with Us to any person whatsoever without Our special command.

48. Whereas We have thought it necessary for Our service to constitute and appoint a Receiver-general of Our rights and perquisites of the Admiralty, it is therefore Our will and pleasure that you be aiding and assisting to the said Receiver-general, his deputy or deputies, in the execution of the said office of Receiver-general; and We do hereby enjoin and require you to make up your accounts with him, his deputy or deputies, of all such rights of Admiralty (effects of pirates included) as you or your officers have received, or shall or may receive for the future, and to pay over to the said Receiver-general, his deputy or deputies, for Our use, all such sum or sums of money as shall appear upon the foot of such accounts, to be and remain in your hands, or in the hands of any of your officers: And whereas Our said Receiver-general is directed, in case the parties chargeable with any part of such Our revenue refuse, neglect, or delay payment thereof, by himself, or sufficient deputy, to apply in Our name to Our Governors, Judges, Attorney-general or any other Our officers or magistrates, to be aiding or assisting to him in recovering the

same, it is therefore Our will and pleasure that you, Our Governor, Our Judges, Our Attorney-general, and all other officers whom it may concern, do use all lawful authority for the recovering and levying thereof.

49. And whereas by Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 10th day of May 1825, the Island of Newfoundland was constituted to be part of the See of the Bishop of Nova Scotia, and the said bishop was thereby duly authorized to exercise jurisdiction, spiritual and ecclesiastical, in the said colonies, it is Our will and pleasure that in the administration of the government of our said island you should be aiding and assisting to the said bishop, and to his commissary or commissaries, in the execution of their charge, and the exercise of such ecclesiastical jurisdiction, excepting only the granting licences for marriages and probates of wills.

50. We do enjoin and require that you do take especial care that Almighty God be devoutly and truly served throughout your government, the Book of Common Prayer, as by law established, read each Sunday and holiday, and the Blessed Sacrament administered according to the rites of the Church of England. You shall be careful that all orthodox churches already built there be well and orderly kept, and that more be built, as Our island shall, by God's blessing, be improved. And that besides a competent maintenance to be assigned to the minister of each orthodox church, a convenient house be built at the common charge for each minister, and a competent portion of land for a glebe be allotted to him. And you are to take care that the parishes be so limited and settled as you shall find most convenient for the accomplishing this good work, and in all matters relating to the celebration of Divine Worship, the erection and repair of churches, the maintenance of ministers, and the settlement of parishes throughout your government, you are to advise with the Right Reverend Father in God the Bishop of Nova Scotia for the time being.

51. Upon the vacancy of any ecclesiastical benefice in Our said island, you will present to the said Bishop of Nova Scotia for the time being, for institution to such vacant benefice, any clerk in holy orders of the United Church of England and Ireland, who shall have been actually resident within the said diocese, and officiating there as a clerk in holy orders, for six calendar months at the least next before such benefice shall have become vacant, whom the said bishop may certify to you to be a fit and proper person to fill such vacancy, and to be a person of good life and conversation, and conformable to the doctrine and discipline of the said United Church. But if at the time of any such vacancy occurring there shall not be resident within the said diocese any clerk in holy orders of the said United Church who shall have been resident and officiating therein as aforesaid, in whose favour the said bishop shall think proper so to certify to you, or if no such certificate shall be received by you from the said bishop within three calendar months next after such vacancy shall occur, then and in either of such cases you shall forthwith report the circumstances to Us, through one of Our Principal Secretaries of State, to the intent that We may nominate some fit and proper person, being a clerk in holy orders as aforesaid, to fill the said vacancy. And We do enjoin and command you to present to the said bishop for institution to any such vacant ecclesiastical benefice, any clerk who may be so nominated by Us, through one of Our Principal Secretaries of State.

52. You are to inquire whether there be any minister within your government who preaches and administers the Sacrament in any orthodox church or chapel, without being in due orders, and to give an account thereof to the said Bishop of Nova Scotia.

53. And whereas doubts have arisen whether the powers of granting licences for marriages and probates of wills, commonly called the Office of Ordinary, which We have reserved to you, Our Governor, can be exercised by deputation from you to any other person within Our said island under your government, it is Our express will and pleasure, and you are hereby directed and required not to grant deputations for the exercise of the said powers, commonly called the Office of Ordinary, to any person or persons whatsoever in Our said island under your government.

54. And you are to take especial care that a table of marriages established by the canons of the Church of England be hung up in every orthodox church and duly observed.

55. The Right Reverend Father in God, Edmund, then Lord Bishop of London, having presented a petition to his Majesty King George the First, humbly beseeching him to send instructions to the governors of all the several colonies and plantations in America, that they cause all laws already made against blasphemy, profaneness, adultery, fornication, polygamy, incest, profanation of the Lord's-day, swearing and drunkenness in their respective governments to be rigorously executed, and We, thinking it highly just that all persons who shall offend in any of the particulars aforesaid should be prosecuted and punished for their said offences, it is therefore Our will and pleasure that you take due care for the punishment of the afore-mentioned vices, and that you earnestly recommend that effectual laws be passed for the restraint and punishment of all such of the afore-mentioned vices against which no laws are as yet provided. And also you are to use your endeavours to render the laws in being more effectual, by providing for the punishment of the afore-mentioned vices, by presentment upon oath to be made to the temporal courts by the church-wardens of the several parishes, at proper times of the year to be appointed for that purpose; and for the further discouragement of vice and encouragement of virtue and good living, you are not to admit any persons to public trusts or employments in the island under your government whose ill fame and conversation may occasion scandal.

56. It is Our further will and pleasure that you recommend to the Legislature to enter upon proper methods for the erecting and maintaining schools in order to the training up of youth to reading, and to a necessary knowledge of the principles of religion. You are not, however, to give your consent to any Act respecting religion without a clause suspending its operation until Our pleasure shall have been signified thereupon, unless a draft thereof shall have been previously transmitted by you for Our consideration and approval.

57. And We do further direct that in all matters arising within your government connected with the education of youth in the principles of the Christian religion according to the doctrine of the said United Church of England, or connected with the prevention of vice and profaneness, or the conversion of negroes and other slaves, or connected with the worship of Almighty God, or the promotion of religion and virtue, you be advising with the Bishop for the time being of the said diocese of Nova Scotia, and be aiding him in the execution of all such designs and undertakings as may be recommended by the said Bishop for the promotion of any of the objects before mentioned, so far as such designs and undertakings may be consistent with the law and with your said commission, and these Our instructions.

58. You are to transmit to Us, through one of Our Principal Secretaries of State, regular monthly returns of the militia of Our said island whenever and so long as the same shall be embodied, with a particular state of their arms and accoutrements; and for the due preservation and security of which you are to establish such regulations as you shall judge to be most effectual for that purpose.

59. You shall not upon any occasion whatsoever establish or put in execution any articles of war, or other law martial, upon any of Our subjects, inhabitants of Our said island, without the advice and consent of Our Council.

60. And in case of any distress of any other of Our plantations, you shall, upon application of the respective Governors thereof unto you, assist them with what aid the condition and safety of Our island under your government can spare.

61. You shall, from time to time, give unto Us, through one of Our Principal Secretaries of State, an account of the wants and defects of the island under your government, what are the chief products thereof, what improvements have been lately made, and what further improvements you conceive may be made, or advantages gained by trade, and in what way We may contribute thereunto.

62. If any thing shall happen which may be of advantage or security to Our island under your government, which is not herein or by Our Commission provided for, We do hereby allow you, with the advice and consent of Our Council, to take orders for the present therein, giving unto us, through one of Our Principal Secretaries of State, speedy notice thereof, that so you may receive Our ratification, if We shall approve the same: Provided always, that you do not, under colour of any power or authority hereby given to you, commence or declare war without Our knowledge and particular commands therein first



obtained leave for so doing from Us, under Our Sign-Manual and Signet, or by Our Order in Our Privy Council.

63. And whereas we have thought fit, by Our Commission, to direct that in case of your death or absence, and there be at that time no person within Our said island commissioned or appointed by Us to be Lieutenant-governor, or specially appointed by Us to administer the government within our said island, that the Councillor whose name is first placed in Our instructions to you, (unless it shall therein be otherwise signified), and who shall be, at the time of your absence, residing within Our said island, and who shall take the oaths appointed to be taken by you or the Commander-in-Chief of Our said island, shall take upon him the administration of the government, and execute Our said Commission and instructions and the several powers and authorities therein contained, in the manner therein directed. It is, nevertheless, Our express will and pleasure that in such case the Councillor so administering the government shall forbear to pass any Act or Acts but what are immediately necessary for the peace and welfare of the said island, without Our particular order for that purpose; and that he shall not take upon him to dissolve the Assembly then in being, or to remove or suspend any of the members of Our Council, nor any judges, justices of the peace, or other officer, civil or military, without the advice and consent of at least seven of the Council, nor even then without good and sufficient reason for the same, which the said President is to transmit, signed by himself and the respective Council, to Us, through one of Our Principal Secretaries of State.

64. And whereas We are willing to provide in the best manner for the support of the government of Our said island, by setting apart sufficient allowances to such as shall be Our Governor or Commander-in-Chief, residing for the time being within the same, Our will and pleasure is, that when it shall happen that you shall be absent from Our said island, one full moiety of the salary, and of all perquisites and emoluments whatsoever, which would otherwise become due unto you, shall, during the time of your absence, be paid and satisfied unto such Lieutenant-governor or President of the Council for the time being, which we do hereby order and allot unto him for his maintenance, and for the better support of the dignity of our government.

65. And you are upon all occasions to send to Us, through one of Our Principal Secretaries of State, a particular account of all your proceedings, and of the conditions of affairs within your government.

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(Copy.)

*WILLIAM, R.*

A PROCLAMATION.

William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender 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 2d 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.  
 The district of Burin.  
 The district of Fortune Bay.

And

And it is Our further will and pleasure, and We do hereby declare, that the before-mentioned 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 Harbour 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 Verd's Head.

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

And that the before-mentioned 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 before-mentioned district of Trinity Bay shall consist of and 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 before-mentioned 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 Harbour and Cape Race.

And that the before-mentioned 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 Rushven.

And that the before-mentioned 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 Rushven and Garnish.

And that the before-mentioned district of Fortune Bay shall consist of and 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 district 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 21 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 by him 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 of 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 \_\_\_\_\_ 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 officer 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 favour 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 for 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 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, 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 on Our behalf, to make such further 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 regulations 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, or 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,  
One Thousand Eight Hundred and Thirty-two, in the Third Year of  
Our Reign.

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